



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Planning Commission

**SUBJECT:** SEE BELOW

**DATE:** September 13, 2018

---

**COUNCIL DISTRICT: 6**

**SUBJECT: FILE NOS. PDA07-007-02 & ABC18-003. PLANNED DEVELOPMENT PERMIT AMENDMENT AND GRANTING A DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY TO ALLOW THE OFF-SALE OF A FULL-RANGE OF ALCOHOLIC BEVERAGES AS INCIDENTAL TO A NEW 6,600 SQUARE FOOT GROCERY STORE (290 SQUARE FEET DEDCIATED TO ALCOHOL SALES) IN A VACANT TENANT SPACE ON A 2.25-GROSS ACRE SITE**

## **RECOMMENDATION**

The Planning Commission voted 7-0 to recommend that the City Council approve the proposed Planned Development Permit Amendment and Determination of Public Convenience or Necessity for the property located at the southeast corner of Fruitdale Avenue and Southwest Expressway (1520 Southwest Expressway).

## **OUTCOME**

If the City Council approves the Planned Development Permit Amendment and Determination of Public Convenience or Necessity at the subject site, the applicant would be able sell a full range of alcoholic beverages off-site incidental to the full-service grocery store.

## **BACKGROUND**

On September 12, 2018, the Planning Commission considered the proposed Planned Development Permit Amendment and Determination of Public Convenience or Necessity. This item was heard on the Planning Commission's Consent Calendar. No members of the public asked to speak on this item, and there was no discussion by the Commissioners.

The motion to recommend that the City Council approve the Planned Development Permit Amendment and Determination of Public Convenience or Necessity for the subject property was approved by a 7-0 vote.

### **ANALYSIS**

Analysis of the issues regarding the proposed Planned Development Permit Amendment and Determination of Public Convenience or Necessity, including the General Plan conformance and the proposed resolution, are contained in the attached Planning Commission staff report.

### **EVALUATION AND FOLLOW-UP**

If the Planned Development Permit Amendment and Determination of Public Convenience or Necessity are approved, the applicant would be able sell a full range of alcoholic beverages off-site (ABC License Type 21) incidental to the full-service grocery store.

### **PUBLIC OUTREACH**

Staff followed Council Policy 6-30: Public Outreach Policy to inform the public of the project. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. This staff report is also posted on the City's website. Staff has been available to respond to questions from the public.

### **COORDINATION**

This project was coordinated with the Police Department and City Attorney's Office.

### **CEQA**

Exempt per CEQA Guidelines Section 15301(a) for Existing Facilities.

/s/  
ROSALYNN HUGHEY, Secretary  
Planning Commission

For questions please contact Sylvia Do, Interim Planning Official, at 408-535-7907.

Attachment: Planning Commission Staff Report



## PLANNING COMMISSION STAFF REPORT

<b>File No.'s</b>	<b>PDA07-007-02 and ABC18-003</b>
<b>Applicant:</b>	<b>Jeremy Haggberg</b>
<b>Location</b>	<b>1520 Southwest Expressway</b>
<b>Existing Zoning</b>	<b>A(PD) Planned Development</b>
<b>Historic Resource</b>	<b>No</b>
<b>Annexation Date:</b>	<b>August 31, 1970</b>
<b>CEQA:</b>	<b>Exempt pursuant to CEQA Section 15301(a) for Existing Facilities</b>

### APPLICATION SUMMARY:

1. **Planned Development Permit Amendment** to allow the off-sale of a full range of alcoholic beverages in a 6,600 square foot grocery store.
2. **Determination of Public Convenience or Necessity** for off-sale of a full range of alcoholic beverages for a grocery store on a 2.25 gross acre site.

### RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council **approve** the proposed Planned Development Permit Amendment and Determination of Public Convenience or Necessity (PCN) based upon the facts and findings in this staff report and the attached draft Resolution.

### PROJECT DATA

GENERAL PLAN CONSISTENCY	
<b>General Plan Designation</b>	<b>Neighborhood Community Commercial</b> <input checked="" type="checkbox"/> <b>Consistent</b> <input type="checkbox"/> <b>Inconsistent</b>
<b>Consistent Policies</b>	<b>LU 5.6; LU 5.10; VN-1.1; VN-1.3</b>

SURROUNDING USES			
	<b>General Plan Land Use</b>	<b>Zoning</b>	<b>Existing Use</b>
<b>North</b>	Neighborhood/Community Commercial	A(PD) Planned Development	Multi-Family Residential
<b>South</b>	Neighborhood/Community Commercial	A(PD) Planned Development	Mixed Use Development
<b>East</b>	Neighborhood/Community Commercial	A(PD) Planned Development	Convenience Store (7-Eleven)
<b>West</b>	Mixed Use Neighborhood, and Residential Neighborhood	RM Multi-Family Residence and R-1-8 Single-Family Residence	Multi-Family Residential and Single-Family Residential uses

<b>RELATED APPROVALS</b>	
<b>Action</b>	
<b>8/31/1970</b>	Site annexed into the City of San Jose.
<b>6/20/2006</b>	Planned Development Rezoning (File No. PDC05-095) to increase the maximum number of attached residential units from 500 to 502, to eliminate 250,000 square feet of commercial (office and retail), to reduce the maximum amount of retail from 30,000 square feet to 29,225 square feet and to modify the development standards on 12.7 acres.
<b>3/21/2008</b>	Planned Development Permit (File No. PD07-007) to construct 256 single-family attached residences and 29,799 square feet of commercial on a 5.8 gross acre site
<b>3/24/2008</b>	Tentative Map (File No. PT08-008) to reconfigure 2 parcels into 6 lots for 467 single-family attached residential units and one retail space on a 12.71 gross acre site.

## **PROJECT DESCRIPTION**

The applicant applied for a Planned Development Permit Amendment to amend the originally approved File PD17-07-007 on August 15, 2017 and a Determination of Public Convenience or Necessity (PCN) on May 29, 2018. The applications are to allow the off-sale of a full range of alcohol at a proposed grocery store (Zanotto's), and a proposed ancillary 1,125 square foot café in a vacant 6,600 square foot tenant space in an existing building at the 2.25 gross-acre site. The nearest residential use is directly above the grocery store.

The Police Memo dated September 23, 2017, indicates that there are four off sale licenses and the census tract is unduly concentrated. As described below, a PCN determination is needed. The Planning Commission must make a recommendation to the City Council as described below. The City Council would need to find that the proposed use provides a significant and overriding public benefit in order to approve the PCN determination and the permit.

The proposed project will require State Alcoholic Beverage Control License, Type 21. A Type 21 License, authorizes the sale of beer, wine, and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

Floor plans for the proposed project clearly delineate the locations of the alcohol sales area, which are shown in Figure 1. 290 square feet of (5%) the floor area is dedicated to alcohol sales, and 1,125 square foot of the grocery store square footage is dedicated as café space.



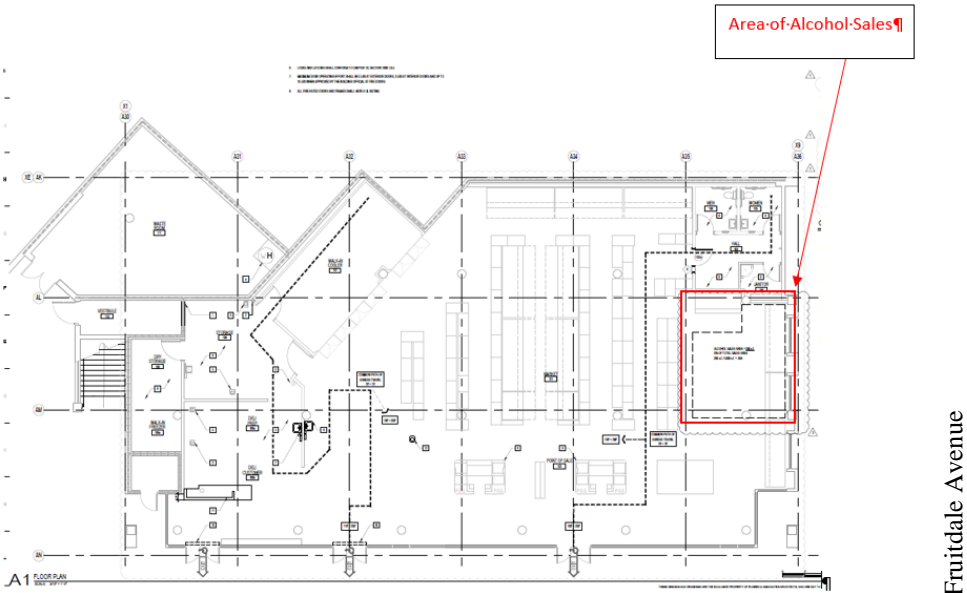


Figure 1: Floor Plan

Parking Lot

Site Location

The project site is located on the southeast corner of Southwest Expressway and Fruitdale Avenue, at 1520 Southwest Expressway (see Figure 2), and is located within the Southwest Expressway Urban Village.



Figure 2: Aerial Image of the Subject Site and Surrounding Area

The project site is located within an existing 6,600 square foot vacant tenant space at the Fruitdale Station development (see Figure 3). Land uses surrounding the site include a convenience store to the east, single and multi-family residences to the west, multi-family residences to the north, and a mixed use development to the south. The nearest residential use is directly above the grocery store. The Fruitdale Light Rail Station is located to the west across

Southwest Expressway. Development of the site was approved by the Planning Director on March 21, 2008 under File No. PD07-007.

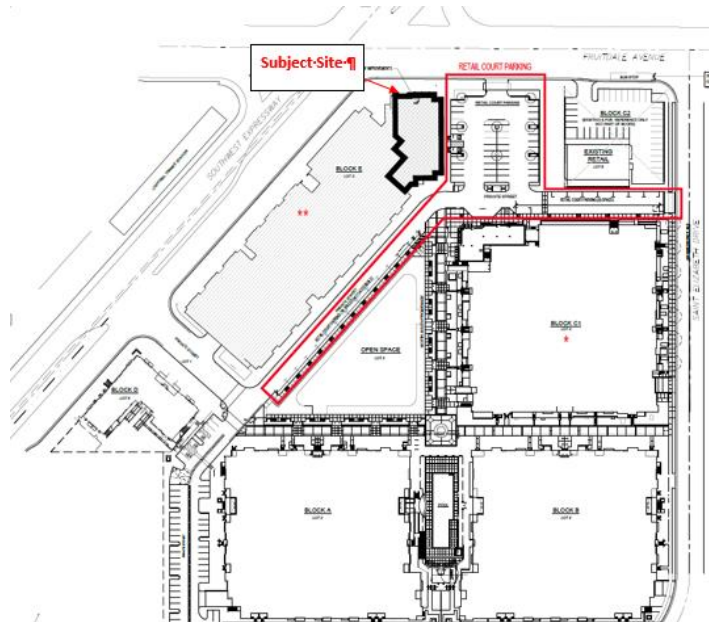


Figure 3: Fruitdale Station

## ANALYSIS

The proposed Planned Development Permit Amendment and Determination of Public Convenience or Necessity are analyzed with respect to conformance with: 1) Envision San José 2040 General Plan; 2) Zoning Ordinance; 3) Determination of Public Convenience or Necessity; and 4) California Environmental Quality Act (CEQA).

### Envision San José 2040 General Plan Conformance

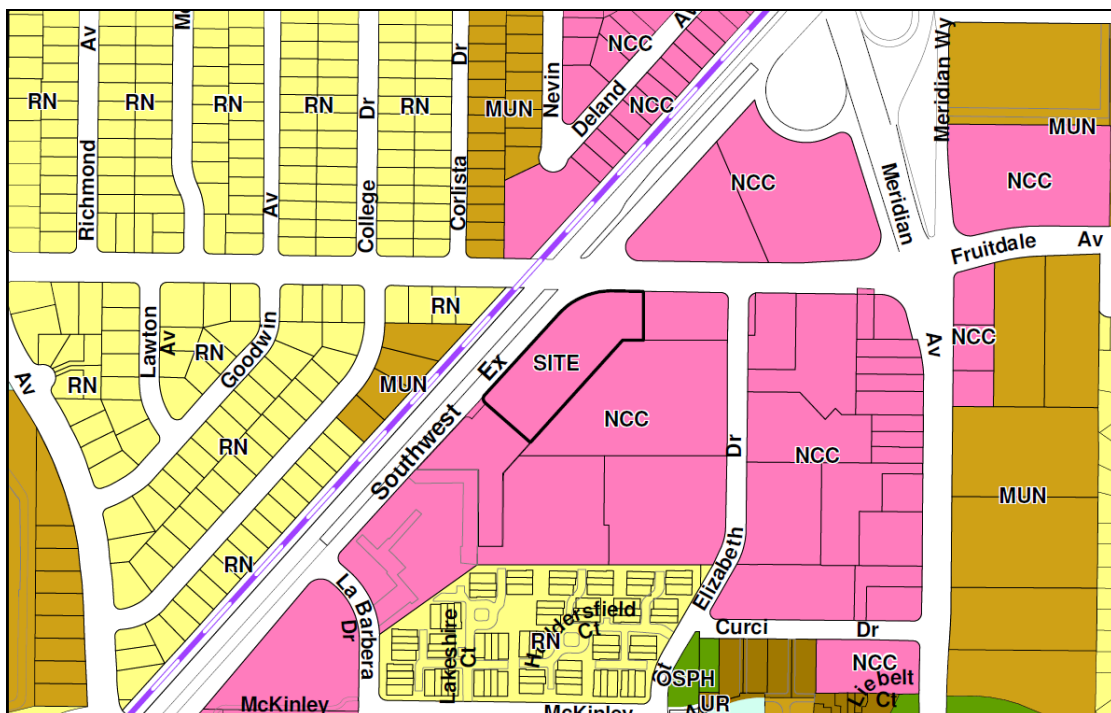


Figure 4: General Plan Land Use/Transportation Diagram

The proposed project site has an Envision San Jose 2040 General Plan Land Use/Transportation Diagram designation of Neighborhood/Community Commercial (see Figure 4). This designation supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhood serving retail. Neighborhood/Community Commercial uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use and public interaction

This project is consistent with the following General Plan policies:

1. Land Use Policy LU-5.6: Encourage retail, restaurant, and other active uses as ground-floor occupants in identified growth areas and other locations with high concentrations of development.

Vibrant Neighborhood Policy VN-1.3: Encourage the development and maintenance of compatible neighborhood retail and services within walking distance of residences as a means to promote the creation of “complete” neighborhoods.

*Analysis: The project is consistent with the policy in that the full-service grocery store is located on the ground floor of a mixed use project consisting of 29,800 square feet of retail and 256 multi-family residential units. The grocery store and café would help to activate the ground floor and provide a new grocery store close to Fruitdale Station and the surrounding neighborhood.*

*The proposed grocery store is consistent with the policies in that the establishment offers a full range of food choices for the adjacent residential uses, and the grocery store is easily accessible with fresh fruits and vegetables, meat, and a full range of alcohol.*

2. Neighborhood Serving Commercial Policy LU-5.10: In the review of new locations for the off-sale of alcohol, give preference to establishments that offer a full range of food choices including fresh fruit, vegetables and meat.

*Analysis: Consistency with this policy is shown in that this full service grocery store will offer a range of foods including fresh fruit, vegetables, and meat.*

3. Vibrant Neighborhood Policy VN-1.3 Encourage the development and maintenance of compatible neighborhood retail and services within walking distance of residences as a means to promote the creation of “complete” neighborhoods.

*Analysis: The proposed grocery store is consistent with the policy in that the establishment offers a full range of food choices for the adjacent residential uses, and the grocery store is easily accessible with fresh fruits and vegetables, meat, and a full range of alcohol.*

4. Vibrant Neighborhoods Policy VN-3.1: Encourage the location of full service grocery stores within or adjacent to the neighborhoods with limited access to healthful foods with the goal that all San José residents be able to live within a ½ mile walking distance of full service grocery store.

*Analysis: The goal of Policy VN-3.1 is that all San José residents be able to live within a one-half mile walking distance of a full-service grocery store. Therefore, a new full-service grocery store with off-sale proposes a full range of grocery and alcohol sales at the subject site will better serve the community in terms of convenience and walking distance and this is consistent with the policy.*

## Zoning Ordinance Conformance

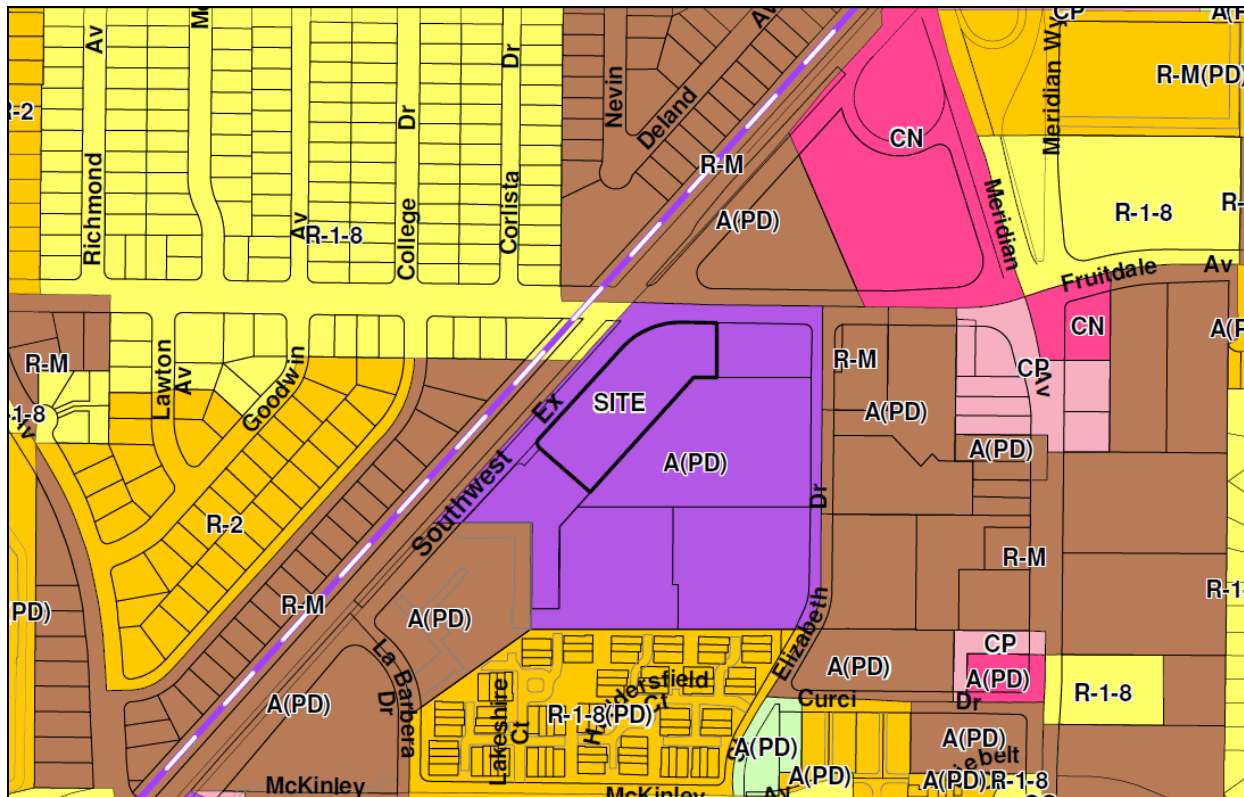


Figure 5: Zoning Designation

### Land Use

This site is zoned A(PD) Planned Development Zoning District. File No. Planned Development Rezoning (File No. PDC05-095) to increase the maximum number of attached residential units from 500 to 502, to eliminate 250,000 square feet of commercial (office and retail), to reduce the maximum amount of retail from 30,000 square feet to 29,225 square feet and to modify the development standards on 12.7 acres was approved. The subject site is located in the ground floor commercial space within Block E of the mixed use development site.

### Off-Sale of Alcohol

The sale of a full range of alcohol for off-site consumption is allowed subject to approval of a Planned Development Permit Amendment by the City Council. The Zannoto's Fruitdale Station Market will be selling alcohol for off-site consumption.

### Parking

Please see the parking information below.

- The subject site is located within the Southwest Urban Village. This urban village is in Horizon II and has not been adopted yet. Approved zoning File No. PDC05-095 shows that commercial tenants greater than 5,000 square feet are subject to the zoning code requirements. Pursuant to Section 20.90.220.c, Zannoto's and a restaurant (Tasso's) also located within Fruitdale Station, qualifies for a parking ratio of 1:400.
- Additionally, File No. PDC 05-095, shows that neighborhood serving retail uses less than 5,000 square feet, may be determined to exempt from parking requirements if it is demonstrated, to the satisfaction of the Director of Planning, that such uses will predominately serve nearby residents and employees, and will not create undue parking impacts. There are three existing retail uses (see below) that have been determined to meet the criteria for this exemption.



- Please see the parking table below for a summary.

Type of business	Square Feet	Required Retail Parking Spaces	Retail parking Spaces provided
Grocery store (Zanotto's)	6,600	17	17
Restaruant (Tasso's)	2,748	7	7
Personal Service (Massage)	1,260	0	0
Personal Service (Haircuts)	1,045	0	0
Personal Service (Dry Cleaning)	1,000	0	0
<b>Total</b>	<b>12,653 Square Feet</b>	<b>24 Total Retail Spaces Required</b>	<b>96 Total Retail Spaces Provided</b>

### *Setbacks and Height*

The proposed project will occupy a 6,600 square foot ground floor retail tenant space within an existing building located in the Fruitdale Station development, and no exterior changes are proposed. Specific development standards for buildings on this site, such as setbacks and height, were previously approved under File No. PDC05-095. The project does not require any exterior changes to the building or expansion of the building footprint.

## **FINDINGS**

### **Planned Development Permit Amendment Findings** (§20.100.940 and §20.100.950)

The City Council may approve a Planned Development Permit Amendment only if it has made the following findings:

1. As discussed in detail above, the Planned Development Permit Amendment, as issued, furthers the policies of the General Plan.

*The project is consistent with the Neighborhood/Community Commercial General Plan designation in that the project will provide neighborhood-serving ground floor retail that will provide accessible goods to the surrounding neighborhood and residents.*

2. As discussed in detail above, the Planned Development Permit Amendment, as issued, conforms in all respects to the Planned Development Zoning of the property.

*The project is located within an existing building that was approved pursuant to File No. PD07-007 and conforms to the setback, height, parking, and use requirements of the approved Planned Development Zoning.*

3. As discussed in detail above, the Planned Development Permit Amendment, as approved, is consistent with applicable city council policies, or counterbalancing considerations justify the inconsistency; and

*The project is consistent with the City Council Policy 6-30 Public Noticing where a notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website.*

4. As discussed in detail above, the interrelationship between the orientation, location, mass and scale of building volumes, and elevations of proposed buildings, structures and other uses onsite are appropriate, compatible and aesthetically harmonious.

*The project will be located within an existing ground floor tenant space in a mixed use development approved under File No. PD07-007. The existing structure meets all of the development standards approved in File No. PD07-007, which conforms to the approved General Development Plan of the Planned Development Zoning District. Therefore, this finding can be made.*

5. The environmental impacts of the project, including, but not limited to noise, vibration, dust, drainage, erosion, storm water runoff, and odor which, even if insignificant for purposes of the California Environmental Quality Act (CEQA), will not have an unacceptable negative effect on adjacent property or properties.

*The grocery store would be located within a vacant tenant space in an existing building with no exterior changes, expansion of the building, or outdoor activities proposed. The use would not have any impacts on the environment as the off-sale of alcohol is fully contained in a 290 square foot area within the existing 6,600 square foot retail tenant space and would not generate additional noise, vibration, dust, drainage, erosion, storm water runoff or odor. Therefore, this finding can be made.*

#### **Findings for Off-Sale of Alcohol (§20.80.900)**

The following three findings would need to be made by the decision-making body to allow the off-sale of alcoholic beverages:

1. For such use at a location closer than 500 feet from any other use involving the off-sale of alcoholic beverages, situated either within or outside the City, that the proposed location of the off-sale of alcoholic beverages use would not result in a total of more than four establishments that provide alcoholic beverages for off-site consumption within a one-thousand 1,000-foot radius from the proposed location.

*Analysis: There is only one other use involving the off-sale of alcoholic beverages within a 500-foot radius of the proposed site (see Figure 6) at a convenience store (7-Eleven) 170 feet east of the parking lot. The proposed off-sale alcohol use would be the second within a 1,000-foot radius. Therefore, this finding **can** be made.*

2. For such use at a location closer than 500 feet from any other use involving the off-sale of alcoholic beverages, situated either within or outside the City, where the proposed location of the off-sale of alcoholic beverages use would result in a total of more than four establishments that provide alcoholic beverages for off-site consumption within a 1,000-foot radius from the proposed location, that the resulting excess concentration of such uses 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 area; or
- c. Be detrimental to public health, safety or general welfare.

*Analysis: The project would result in two off-sale uses currently within 1,000-foot radius, making this finding **not applicable**. It is worth noting that this use is a grocery store with permissible hours of operation within the by right allowances under the Code, (between 6:00 a.m. to midnight). A memorandum (dated 9/23/18) provided by the San José Police Department (SJPD) states that the use is not located within an area of high crime; however, the site is located in an area of overconcentration, which require a Determination of Public Convenience and Necessity. The SJPD is neutral to the off-sale of alcohol, as long as the location is prohibited from selling single cans or bottles of beer 40 ounces and under. The SJPD will work with the State of California Department of Beverage Control (ABC), who issues state alcohol licenses, on whether single cans or bottles will be allowed at the subject site. Additionally, there is a condition in the resolution that required a Disturbance Coordinator who will help monitor off-sale operations. These facts support the proposed use.*

3. For such a use at a location closer than 500 feet from any child care center, public park, social service agency, residential care facility, residential service facility, elementary school, secondary school, college or university, or closer than 150 feet from any residentially zoned property, that the building in which the proposed use is to be located is situated and oriented in such a manner that would not adversely affect such residential, child care center, public park, social service agency, residential care facility, residential service facility and/or school use.

*Analysis: The project is not located within 500 feet of a school, day care center or public park, but it is located within 350 feet of Crestwood Behavioral Health, which is a private facility providing mental health services and residential care for the elderly. Crestwood Behavioral Health is located within 350 feet of the proposed project “as the crow flies”. However, if a person were to walk between Zannoto’s and Crestwood Behavioral Health the distance is approximately 600 feet. In addition, Crestwood Behavioral Health provided a letter in support of Zannoto’s Market (dated July 2, 2018) (see attached).*

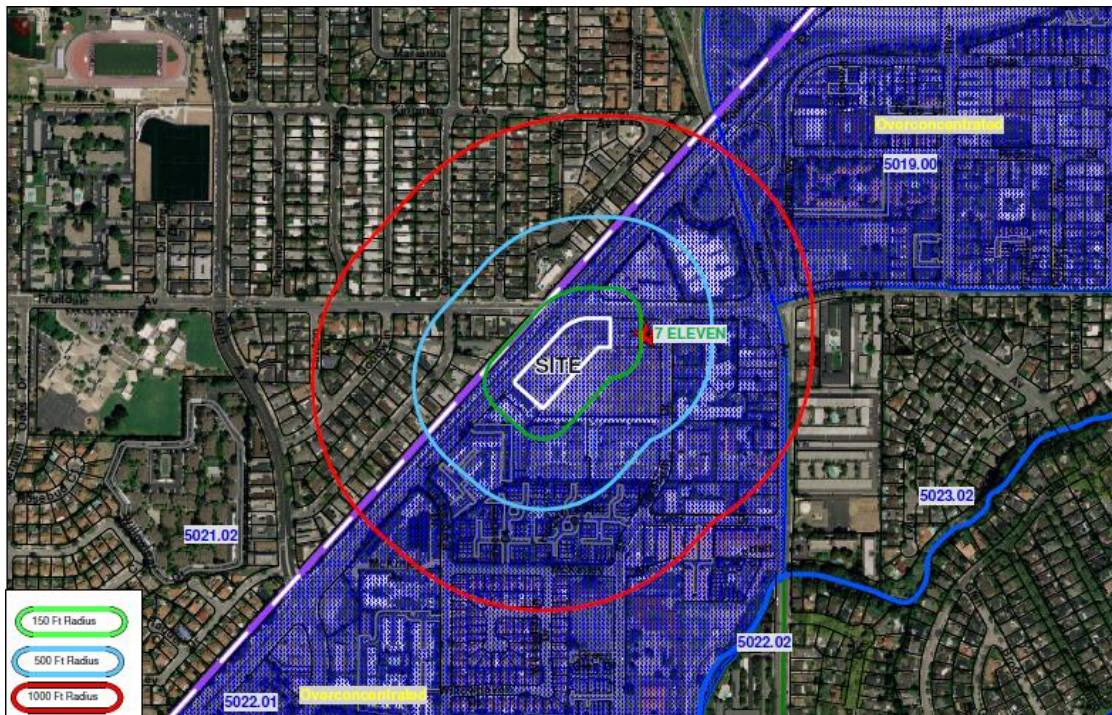
*The site is also located within an existing mixed use development in the Southwest Expressway Urban Village with residential units immediately above the proposed grocery store. While this finding **cannot** be made, the intent of a mixed use project is to have commercial uses on the ground floor that provide services for nearby residents. Only 290 square feet (5%) of the floor area will be dedicated to alcohol sales. Additionally, the resolution contains a condition of approval for a designated Disturbance Coordinator, should there be any nuisance compliance concerns.*

### **Findings for Determination of Public Convenience or Necessity (§6.84.030)**

Under California Business and Professions Code Sections 23958 and 23958.4, the Department of Alcohol Beverage Control (ABC) must deny an application for a liquor license “if issuance of that license would tend to create a law enforcement problem, or if the issuance would result in or add to an undue concentration of liquor licenses in the area,” unless the City determines that the public convenience or necessity would be served by the issuance of the license (Determination of Public Convenience or Necessity). An “undue concentration” is defined as follows:

1. The premises of the proposed license are located in an area that has 20 percent greater number of reported crimes than the average number of reported crimes for the City as a whole, or
2. The premises of the proposed license are located in a census tract where the ratio of existing retail off-sale licenses to population in the census tract exceeds the ratio in the County as a whole.

*Analysis: The project site is located within a census tract which exceeds the ratio of existing retail off-sale license to population and is overconcentrated (see Figure 6). Therefore, in order for State of California Department of Alcohol and Beverage Control (ABC), to be able to issue a license for this off-sale use, the City must grant a Determination of Public Convenience or Necessity. The determination is based on the required findings identified in Title 6 of the San José Municipal Code.*



**Figure 6: Nearby Alcohol Off-sales**

Title 6 of the San Jose Municipal Code identifies the process and findings for off-sale of alcohol and specifies that the Planning Commission may issue a Determination of Public Convenience and Necessity only after first making all of the findings specified below (see section 6.84.030):

1. The proposed use is not located within a SNI or neighborhood revitalization area or other area designated by the city for targeted neighborhood enhancement services or programs, or located within an area in which the chief of police has determined based upon quantifiable information that the proposed use:
  - (a) Would be detrimental to the public health, safety, or welfare of persons located in the area; or
  - (b) Would increase the severity of existing law enforcement or public nuisance problems in the area; and



*Analysis: The subject site is not located within a Strong Neighborhood Initiative area (SNI), neighborhood revitalization area, or other area designated by the City for targeted neighborhood enhancement services or programs. The SJPD has indicated that they are neutral to the off-sale of alcohol (see attachment) at this site unless single cans or bottles under 40 ounces are sold. The SJPD and the State of California Department of Beverage Control (ABC) coordinate to create the conditions for the ABC license. Therefore, this finding **can** be made.*

2. The proposed use would not lead to more than four uses with off-premises sale of alcoholic beverage within a one thousand-foot radius from the exterior of the building containing the proposed use; and

*Analysis: The project would result in two off-sale establishments in a 1,000-foot radius. This would be the second off-sale establishment; therefore, this finding **can** be made.*

3. The proposed use would not be located within 500 feet of a school, day care center, public park, social services agency, or residential care or service facility, or within one hundred fifty feet of a residence; and

*Analysis: The project is not located within 500 feet of a school, day care center or public park, but is within 350 feet of Crestwood Behavioral Health. It is a private facility providing mental health services and residential care for the elderly and is located within 350 feet of the proposed use "as the crow flies". However, if a person were to walk between Zannotto's and Crestwood Behavioral Health the distance is approximately 600 feet. Additionally, Crestwood Behavioral Health provided a letter in support of Zannotto's (dated July 2, 2018) (see attached).*

*Additionally, the site is located within an existing mixed use development in the Southwest Expressway Urban Village with residential units immediately above the grocery store. File No. PD07-007 approved the existing mixed use project including 256 residential units and 29,800 square feet of ground floor commercial. While this finding **cannot** be made, the intent of a mixed use project is to have commercial uses on the ground floor that provide services for nearby residents.*

4. Alcoholic beverage sales would not represent a majority of the proposed use; and

*Analysis: Alcoholic beverage sales would not represent a majority of the proposed use. The grocery store is 6,600 square feet and 290 square feet of the floor area is dedicated to alcohol sales, approximately 4%. Therefore, this finding **can** be made.*

5. At least one of the following additional findings:

- a. The census tract in which the proposed outlet for the off-premises sale of alcoholic beverages is located is unusually configured and the proposed outlet would act as a convenience to an underserved portion of the community without presenting a significant adverse impact on public health or safety; or

*The census tract is configured normally and the project is not considered to be located in an underserved area of the community. This finding **cannot** be made.*

- b. The proposed outlet for the off-premises sale of alcoholic beverages would enhance or facilitate the vitality of an existing commercial area without presenting a significant adverse impact on public health or safety; or

*Analysis: The project is consistent with this finding in that the project would help activate the ground floor use of the building and promotes the full development of a mixed use development. The off-sale of alcohol is incidental to the full range of produce and meats offered, thus facilitating a more complete shopping experience. Additionally, the grocery store and café would provide a convenience for local residents. Therefore, this finding **can** be made.*

- c. The census tract in which the proposed outlet is located has a low population density in relation to other census tracts in the city, and the proposed outlet would not contribute to an over- concentration in the absolute numbers of outlets for the off-premises sale of alcoholic beverages in the area; or

*The census tract does not have a low population density and this finding **cannot** be made.*

- d. The proposed off-premises sale of alcoholic beverages is incidental and appurtenant to a larger retail use and provides for a more complete and convenient shopping experience.

*Analysis: As stated above, the off-sale of alcohol is incidental to the full range of produce and meats offered, and facilitates a more complete shopping experience. The grocery store and café is 6,600 square feet and 290 square feet of floor area is dedicated to alcohol sales. This finding **can** be made.*

*Given the above-stated analysis, the third finding for the PCN cannot be made because the project would result in alcohol within 150 feet of residences. Based on all of the foregoing, staff recommends that the Planning Commission recommend that the City Council identifies and finds that a significant and overriding public benefit or benefits will be provided by the proposed use. The off-sale of alcohol meets the General Plan goals and policies of (i) providing a walkable location for grocery stores that offer a broad array of goods to the community; (ii) jobs, employment, and economic development by activating a vacant tenant space within an existing retail space; (iii) giving preference to off-sale of alcohol to stores that also provide fruits, vegetables, and healthy products; and (iv) implementation of conditions to ensure the off-sale of alcohol will not be detrimental to the community or to public health and safety.*

*Although the project is immediately adjacent to a 24-hour convenience store with (7-Eleven) with off sale of alcohol (Type 20 for beer and wine), this project is supported because alcohol sales are incidental to the full-range grocery store and proposes a full range of alcohol sales, creating a more complete shopping experience. Additionally, only 290 square feet of floor area of the 6,600 square foot grocery store is dedicated to alcohol sales.*

## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Under the provisions of Section 15301(a) 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 (CEQA). Section 15301 (Existing Facilities) exemption applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project qualifies for this exemption as the proposed off-sale of alcohol, is located in a 290 square foot area within an existing 6,600 square foot retail space. The use will occur inside of the grocery store and does not require any exterior modifications or expansion of the building footprint.

**PUBLIC HEARING NOTIFICATION**

Staff followed Council Policy 6-30: Public Outreach Policy in order to inform the public of the proposed project. A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website. The staff report is also posted on the City’s website. Staff has been available to respond to questions from the public.

**Project Manager:** Rhonda Buss

**Approved by:** , Acting Division Manager for Rosalynn Hughey, Planning Director

**Date:** 9/4/18

<b>Attachments:</b>
Exhibit A: Draft Resolution
Exhibit B: Reduced Plan Set
Exhibit C: Police Department Memo
Exhibit D: Operations Management Plan
Exhibit E: Crestwood Behavioral Health Letter

<b>Owner:</b>	<b>Applicant:</b>
Southwest Expressway Investors 960 North San Antonio Road Suite 114 Los Altos, California, 94022	Jeremy Haggberg Southwest Expressway Investors 960 North San Antonio Road Suite 114 Los Altos , California, 94022

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JOSÉ APPROVING, SUBJECT TO CONDITIONS, A PLANNED DEVELOPMENT PERMIT AMENDMENT AND GRANTING A DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY TO ALLOW THE OFF-SALE OF A FULL-RANGE OF ALCOHOLIC BEVERAGES AS INCIDENTAL TO A NEW 6,600 SQUARE FOOT GROCERY STORE IN A VACANT TENANT SPACE ON A 2.25-GROSS ACRE SITE, LOCATED AT THE SOUTHEAST CORNER OF SOUTHWEST EXPRESSWAY AND FRUITDALE AVENUE (1520 SOUTHWEST EXPRESSWAY).**

**FILE NO.s PDA07-007-02 and ABC18-003**

**WHEREAS**, pursuant to the provisions of Chapter 20.100 of Title 20 of the San José Municipal Code, on August 15, 2017, and May 29, 2018 applications (File Nos. PDA78-007-02 and ABC18-003, respectively) were filed by the applicant, Jeremy Haggberg of Southwest Expressway Investors, with the City of San José for a Planned Development Permit Amendment to allow the off-sale of a full-range of alcoholic beverages (Type 21) at a new 6,600-square foot grocery store in a vacant tenant space; to grant a Determination of Public Convenience or Necessity for off-sale of a full range of alcoholic beverages at a grocery store for a proposed retail use at the 2.25 gross-acre site on that certain real property situated in the A(PD) Planned Development Zoning District, and located at the southeast corner of Southwest Expressway and Fruitdale Avenue (1520 Southwest Expressway, San José, which real property is sometimes referred to herein as the “subject property”); and

**WHEREAS**, the subject property is all that real property more particularly described and depicted in Exhibit “A,” entitled “Legal Description and Map,” 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, the Planning Commission conducted a hearing on said application on September 12, 2018, notice of which was duly given; and

09/12/2018

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

**WHEREAS**, at said hearing, the Planning Commission made a recommendation to the City Council respecting said matter based on the evidence and testimony; and

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

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

**WHEREAS**, at said hearing this City Council received and considered the reports and recommendations of the City's Planning Commission and the City's Director of Planning, Building and Code Enforcement; and

**WHEREAS**, at said hearing, this City Council received in evidence a plan for the subject property entitled, "Fruitdale Station - Block E Deli/ Market," dated received August 30, 2018, 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 plan is incorporated herein by this reference, the same as if it were fully set forth herein; and

**WHEREAS**, said public hearing before the City Council was conducted in all respects as required by the San José Municipal Code and the rules of this City Council; and

**WHEREAS**, this City Council has heard and considered the testimony presented to it at the public hearing, and has further considered written materials submitted on behalf of the project applicant, City staff, and other interested parties;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:**

After considering all of the evidence presented at the Public Hearing, the City Council finds that the following are the relevant facts and findings regarding this proposed project:

**1. Site Description and Surrounding Uses.** The project site is located on the southeast

Council Agenda: \_\_\_\_\_

Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**

corner of Southwest Expressway and Fruitdale Avenue, at 1520 Southwest Expressway and is located within the Southwest Expressway Urban Village. The project site is located within a vacant 6,600-square foot ground floor retail tenant space at Fruitdale Station apartments. Land uses surrounding the site include a convenience store to the east, single and multi-family residences to the west, multi-family residences to the north, and a mixed use development to the south. The nearest residential use is directly above the grocery store. The Fruitdale Light Rail Station is located to the west across Southwest Expressway. Development of the site was approved by the Planning Director on March 21, 2008 under File No. PD07-007.

## **2. Project Description.**

Planned Development Permit Amendment to amend the originally approved File PD18-07-007 on August 15, 2017 and a Determination of Public Convenience or Necessity (PCN) on May 29, 2018. The applications are to allow the off-sale of a full range of alcohol at a proposed grocery store (Zanotto's), and a proposed ancillary 1,125 square foot café in a vacant 6,600 square foot tenant space in an existing building at the 2.25 gross-acre site. The nearest residential use is directly above the grocery store.

The Police Memo dated September 23, 2017, indicates that there are four off sale licenses and the census tract is unduly concentrated. As described below, a PCN determination is needed. The Planning Commission must make a recommendation to the City Council as described below. The City Council would need to find that the proposed use provides a significant and overriding public benefit in order to approve the PCN determination and the permit.

The proposed project will require State Alcoholic Beverage Control License, Type 21. A Type 21 License, authorizes the sale of beer, wine, and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

Floor plans for the proposed project clearly delineate the locations of the alcohol sales area, which are shown in Figure 1. 290 square feet of (5%) the floor area is dedicated to alcohol sales, and 1,125 square foot of the grocery store square footage is dedicated as café space.

- 3. General Plan Conformance.** The proposed project site has an Envision San Jose 2040 General Plan Land Use/Transportation Diagram designation of Neighborhood/Community Commercial (see Figure 4). This designation supports a very broad range of commercial activity, including commercial uses that serve the communities in neighboring areas, such as neighborhood serving retail. Neighborhood / Community Commercial uses typically have a strong connection to and provide services and amenities for the nearby community and should be designed to promote that connection with an appropriate urban form that supports walking, transit use, and public interaction.

This project is consistent with the following General Plan policies:

- a. Land Use Policy LU-5.6: Encourage retail, restaurant, and other active uses as ground-floor occupants in identified growth areas and other locations with high concentrations of development.

Vibrant Neighborhood Policy VN-1.3: Encourage the development and maintenance of compatible neighborhood retail and services within walking distance of residences as a

Council Agenda: \_\_\_\_\_

Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**

means to promote the creation of “complete” neighborhoods.

*Analysis: The project is consistent with the policy in that the full-service grocery store is located on the ground floor of a mixed use project consisting of 29,800 square feet of retail and 256 multi-family residential units. The grocery store and café would help to activate the ground floor and provide a new grocery store close to Fruitdale Station and the surrounding neighborhood.*

*The proposed grocery store is consistent with the policies in that the establishment offers a full range of food choices for the adjacent residential uses, and the grocery store is easily accessible with fresh fruits and vegetables, meat, and a full range of alcohol.*

- b. Neighborhood Serving Commercial Policy LU-5.10: In the review of new locations for the off-sale of alcohol, give preference to establishments that offer a full range of food choices including fresh fruit, vegetables and meat.

*Analysis: Consistency with this policy is shown in that this full service grocery store will offer a range of foods including fresh fruit, vegetables, and meat.*

- c. Vibrant Neighborhood Policy VN-1.3 Encourage the development and maintenance of compatible neighborhood retail and services within walking distance of residences as a means to promote the creation of “complete” neighborhoods.

*Analysis: The proposed grocery store is consistent with the policy in that the establishment offers a full range of food choices for the adjacent residential uses, and the grocery store is easily accessible with fresh fruits and vegetables, meat, and a full range of alcohol.*

- d. Vibrant Neighborhoods Policy VN-3.1: Encourage the location of full service grocery stores within or adjacent to the neighborhoods with limited access to healthful foods with the goal that all San José residents be able to live within a ½ mile walking distance of full service grocery store.

*Analysis: The goal of Policy VN-3.1 is that all San José residents be able to live within a one-half mile walking distance of a full-service grocery store. Therefore, a new full-service grocery store with off-sale proposes a full range of grocery and alcohol sales at the subject site will better serve the community in terms of convenience and walking distance and this is consistent with the policy.*

- 4. **Zoning Ordinance Compliance.** This project complies with all applicable provisions of the Zoning Ordinance in that the proposed project is located in the A(PD) Planned Development Zoning District which requires a Planned Development Permit Amendment and Determination of Public Convenience or Necessity for a the off-sale of alcohol, which is satisfied through this Planned Development Permit Amendment and Determination of Public Convenience or Necessity.

- a. **Setbacks and Height.** The proposed project will occupy a 6,600 square foot ground floor retail tenant space within an existing building located in the Fruitdale Station development, and no exterior changes are proposed. Specific development standards for buildings on this site, such as setbacks and height, were previously approved under File No. PDC05-095, which conforms to the approved General Development Plan of the Planned Development Zoning. The project does not require any exterior changes to the building or expansion of the building footprint.

Council Agenda: \_\_\_\_\_

Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**

b. **Parking.** Please see the parking information below.

- The subject site is located within the Southwest Urban Village. This urban village is in Horizon II and has not been adopted yet. Approved zoning File No. PDC05-095 shows that commercial tenants greater than 5,000 square feet are subject to the zoning code requirements. Pursuant to Section 20.90.220.c, Zanotto’s and a restaurant (Tasso’s) also located within Fruitdale Station, qualifies for a parking ratio of 1:400.
- Additionally, File No. PDC 05-095, shows that neighborhood serving retail uses less than 5,000 square feet, may be determined to exempt from parking requirements if it is demonstrated, to the satisfaction of the Director of Planning, that such uses will predominately serve nearby residents and employees, and will not create undue parking impacts. There are three existing retail uses (see below) that have been determined to meet the criteria for this exemption.
- Please see the parking table below for a summary.

Type of business	Square Feet	Required Retail Parking Spaces	Retail parking Spaces provided
Grocery store (Zanotto’s)	6,600	17	17
Restaruant (Tasso’s)	2,748	7	7
Personal Service (Massage)	1,260	0	0
Personal Service (Haircuts)	1,045	0	0
Personal Service (Dry Cleaning)	1,000	0	0
<b>Total</b>	<b>12,653 Square Feet</b>	<b>24 Total Retail Spaces Required</b>	<b>96 Total Retail Spaces Provided</b>

**5. Environmental Review.** Under the provisions of Section 15301(a) 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 (CEQA). Section 15301 (Existing Facilities) exemption applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

Council Agenda: \_\_\_\_\_  
 Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**



The project qualifies for this exemption as the proposed off-sale of alcohol, is located in a 290 square foot area within an existing 6,600 square foot retail space. The use will occur inside of the grocery store and does not require any exterior modifications or expansion of the building footprint.

**6. Planned Development Permit Amendment Findings (§20.100.940 and §20.100.950)**

The City Council may approve a Planned Development Permit Amendment only if it has made the following findings:

- a. As discussed in detail above, the Planned Development Permit Amendment, as issued, furthers the policies of the General Plan.

*The project is consistent with the Neighborhood/Community Commercial General Plan designation in that the project will provide neighborhood-serving ground floor retail that will provide accessible goods to the surrounding neighborhood and residents.*

- b. As discussed in detail above, the Planned Development Permit Amendment, as issued, conforms in all respects to the Planned Development Zoning of the property.

*The project is located within an existing building that was approved pursuant to File No. PD07-007 and conforms to the setback, height, parking, and use requirements of the approved Planned Development Zoning.*

- c. As discussed in detail above, the Planned Development Permit Amendment, as approved, is consistent with applicable city council policies, or counterbalancing considerations justify the inconsistency; and

*The project is consistent with the City Council Policy 6-30 Public Noticing where a notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site and posted on the City website.*

- d. As discussed in detail above, the interrelationship between the orientation, location, mass and scale of building volumes, and elevations of proposed buildings, structures and other uses onsite are appropriate, compatible and aesthetically harmonious.

*The project will be located within an existing ground floor tenant space in a mixed use development approved under File No. PD07-007. The existing structure meets all of the development standards approved in File No. PD07-007, which conforms to the approved General Development Plan of the Planned Development Zoning District. Therefore, this finding can be made.*

- e. The environmental impacts of the project, including, but not limited to noise, vibration, dust, drainage, erosion, storm water runoff, and odor which, even if insignificant for purposes of the California Environmental Quality Act (CEQA), will not have an unacceptable negative effect on adjacent property or properties.

*The grocery store would be located within a vacant tenant space in an existing building with no exterior changes, expansion of the building, or outdoor activities proposed. The use would not have any impacts on the environment as the off-sale of alcohol is fully contained in a 290 square foot area within the existing 6,600 square foot retail tenant space and would not generate additional noise, vibration, dust, drainage, erosion, storm water runoff or odor. Therefore, this finding can be made.*

**7. Findings for Off-Sale of Alcohol (§20.80.900)**

Council Agenda: \_\_\_\_\_

Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**

A Conditional Use Permit may be issued pursuant to the applicable provisions of the Zoning Ordinance for the off-sale of any alcoholic beverages. Section 20.100.140 (Concurrent Review) allows for unified review of multiple applications for a project and requires that they be processed under the required highest level permit. In this case, a Planned Development Permit Amendment is the highest level permit and the required findings of Section 20.80.900 requires the decision-making body to make the following three findings, if applicable, to the off-sale of alcoholic beverages:

- a. For such use at a location closer than 500 feet from any other use involving the off-sale of alcoholic beverages, situated either within or outside the City, that the proposed location of the off-sale of alcoholic beverages use would not result in a total of more than four establishments that provide alcoholic beverages for off-site consumption within a one-thousand 1,000-foot radius from the proposed location.

*Analysis: There is only one other use involving the off-sale of alcoholic beverages within a 500-foot radius of the proposed site (see Figure 6) at a convenience store (7-Eleven) 170 feet east, across the parking lot. The proposed off-sale alcohol use would be the second within a 1,000-foot radius. Therefore, this finding **can** be made.*

- b. For such use at a location closer than 500 feet from any other use involving the off-sale of alcoholic beverages, situated either within or outside the City, where the proposed location of the off-sale of alcoholic beverages use would result in a total of more than four establishments that provide alcoholic beverages for off-site consumption within a 1,000-foot radius from the proposed location, that the resulting excess concentration of such uses will not:
  - i. Adversely affect the peace, health, safety, morals, or welfare of persons residing or working in the surrounding area; or
  - ii. Impair the utility or value of property of other persons located in the vicinity of the area; or
  - iii. Be detrimental to public health, safety or general welfare.

*Analysis: The project would result in two off-sale uses currently within 1,000-foot radius, making this finding not applicable. It is worth noting that this use is a grocery store with permissible hours of operation within the by right allowances under the Code, (between 6:00 a.m. to midnight). A memorandum (dated 9/23/18) provided by the San José Police Department (SJPD) states that the use is not located within an area of high crime; however, the site is located in an area of overconcentration, which require a Determination of Public Convenience and Necessity. The SJPD is neutral to the off-sale of alcohol, as long as the location is prohibited from selling single cans or bottles of beer 40 ounces and under. The SJPD will work with the State of California Department of Beverage Control (ABC), who issues state alcohol licenses, on whether single cans or bottles will be allowed at the subject site. Additionally, there is a condition in the resolution that required a Disturbance Coordinator who will help monitor off-sale operations. These facts support the proposed use.*

- 3. For such a use at a location closer than 500 feet from any child care center, public park, social service agency, residential care facility, residential service facility, elementary school, secondary school, college or university, or closer than 150 feet from any residentially zoned property, that the building in which the proposed use is to

Council Agenda: \_\_\_\_\_

Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**

be located is situated and oriented in such a manner that would not adversely affect such residential, child care center, public park, social service agency, residential care facility, residential service facility and/or school use.

*Analysis: The project is not located within 500 feet of a school, day care center or public park, but it is located within 350 feet of Crestwood Behavioral Health, which is a private facility providing mental health services and residential care for the elderly. Crestwood Behavioral Health is located within 350 feet of the proposed project "as the crow flies". However, if a person were to walk between Zanotto's and Crestwood Behavioral Health the distance is approximately 600 feet. In addition, Crestwood Behavioral Health provided a letter in support of Zannoto's Market (dated July 2, 2018) (see attached).*

*The site is also located within an existing mixed use development in the Southwest Expressway Urban Village with residential units immediately above the proposed grocery store. While this finding cannot be made, the intent of a mixed use project is to have commercial uses on the ground floor that provide services for nearby residents. Only 290 square feet (5%) of the floor area will be dedicated to alcohol sales. Additionally, the resolution contains a condition of approval for a designated Disturbance Coordinator, should there be any nuisance compliance concerns.*

**8. Findings for Determination of Public Convenience or Necessity (§6.84.030)**

Under California Business and Professions Code Sections 23958 and 23958.4, the Department of Alcohol Beverage Control (ABC) must deny an application for a liquor license "if issuance of that license would tend to create a law enforcement problem, or if the issuance would result in or add to an undue concentration of liquor licenses in the area," unless the City determines that the public convenience or necessity would be served by the issuance of the license (Determination of Public Convenience or Necessity). An "undue concentration" is defined as follows:

- a. The premises of the proposed license are located in an area that has 20 percent greater number of reported crimes than the average number of reported crimes for the City as a whole, or
- b. The premises of the proposed license are located in a census tract where the ratio of existing retail off-sale licenses to population in the census tract exceeds the ratio in the County as a whole.

*Analysis: The project site is located within a census tract which exceeds the ratio of existing retail off-sale license to population and is overconcentrated. Therefore, in order for State of California Department of Alcohol and Beverage Control (ABC), to be able to issue a license for this off-sale use, the City must grant a Determination of Public Convenience or Necessity. The determination is based on the required findings identified in Title 6 of the San José Municipal Code.*

Title 6 of the San Jose Municipal Code identifies the process and findings for off-sale of alcohol and specifies that the Planning Commission may issue a Determination of Public Convenience and Necessity only after first making all of the findings specified below (see section 6.84.030):

- a. The proposed use is not located within a SNI or neighborhood revitalization area or other area designated by the city for targeted neighborhood enhancement services or

Council Agenda: \_\_\_\_\_  
Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**

programs, or located within an area in which the chief of police has determined based upon quantifiable information that the proposed use:

(a) Would be detrimental to the public health, safety, or welfare of persons located in the area; or

(b) Would increase the severity of existing law enforcement or public nuisance problems in the area; and

*Analysis: The subject site is not located within a Strong Neighborhood Initiative area (SNI), neighborhood revitalization area, or other area designated by the City for targeted neighborhood enhancement services or programs. The SJPD has indicated that they are neutral to the off-sale of alcohol (see attachment) at this site unless single cans or bottles under 40 ounces are sold. The SJPD and the State of California Department of Beverage Control (ABC) coordinate to create the conditions for the ABC license. Therefore, this finding **can** be made.*

b. The proposed use would not lead to more than four uses with off-premises sale of alcoholic beverage within a one thousand-foot radius from the exterior of the building containing the proposed use; and

*Analysis: The project would result in two off-sale establishments in a 1,000-foot radius. This would be the second off-sale establishment; therefore, this finding **can** be made.*

c. The proposed use would not be located within 500 feet of a school, day care center, public park, social services agency, or residential care or service facility, or within one hundred fifty feet of a residence; and

*Analysis: The project is not located within 500 feet of a school, day care center or public park, but is within 350 feet of Crestwood Behavioral Health. It is a private facility providing mental health services and residential care for the elderly and is located within 350 feet of the proposed use "as the crow flies". However, if a person were to walk between Zannoto's and Crestwood Behavioral Health the distance is approximately 600 feet. Additionally, Crestwood Behavioral Health provided a letter in support of Zannoto's (dated July 2, 2018) (see attached).*

*Additionally, the site is located within an existing mixed use development in the Southwest Expressway Urban Village with residential units immediately above the grocery store. File No. PD07-007 approved the existing mixed use project including 256 residential units and 29,800 square feet of ground floor commercial. While this finding cannot be made, the intent of a mixed use project is to have commercial uses on the ground floor that provide services for nearby residents.*

d. Alcoholic beverage sales would not represent a majority of the proposed use; and

*Analysis: Alcoholic beverage sales would not represent a majority of the proposed use. The grocery store is 6,600 square feet and 290 square feet of the floor area is dedicated to alcohol sales, approximately 4%. Therefore, this finding can be made.*

e. At least one of the following additional findings:

i. The census tract in which the proposed outlet for the off-premises sale of alcoholic beverages is located is unusually configured and the proposed outlet would act as a

Council Agenda: \_\_\_\_\_

Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**

convenience to an underserved portion of the community without presenting a significant adverse impact on public health or safety; or

*The census tract is configured normally and the project is not considered to be located in an underserved area of the community. This finding **cannot** be made.*

- ii. The proposed outlet for the off-premises sale of alcoholic beverages would enhance or facilitate the vitality of an existing commercial area without presenting a significant adverse impact on public health or safety; or

*Analysis: The project is consistent with this finding in that the project would help activate the ground floor use of the building and promotes the full development of a mixed use development. The off-sale of alcohol is incidental to the full range of produce and meats offered, thus facilitating a more complete shopping experience. Additionally, the grocery store and café would provide a convenience for local residents. Therefore, this finding **can** be made.*

- iii. The census tract in which the proposed outlet is located has a low population density in relation to other census tracts in the city, and the proposed outlet would not contribute to an over-concentration in the absolute numbers of outlets for the off-premises sale of alcoholic beverages in the area; or

*The census tract does not have a low population density and this finding **cannot** be made.*

- iv. The proposed off-premises sale of alcoholic beverages is incidental and appurtenant to a larger retail use and provides for a more complete and convenient shopping experience.

*Analysis: As stated above, the off-sale of alcohol is incidental to the full range of produce and meats offered, and facilitates a more complete shopping experience. The grocery store and café is 6,600 square feet and 290 square feet of floor area is dedicated to alcohol sales. This finding **can** be made.*

*Given the above-stated analysis, the third finding for the PCN cannot be made because the project would result in alcohol within 150 feet of residences. Based on all of the foregoing, the Planning Commission recommends that the City Council identifies and finds that a significant and overriding public benefit or benefits will be provided by the proposed use. The off-sale of alcohol meets the General Plan goals and policies of (i) providing a walkable location for grocery stores that offer a broad array of goods to the community; (ii) jobs, employment, and economic development by activating a vacant tenant space within an existing retail space; (iii) giving preference to off-sale of alcohol to stores that also provide fruits, vegetables, and healthy products; and (iv) implementation of conditions to ensure the off-sale of alcohol will not be detrimental to the community or to public health and safety.*

*Although the project is immediately adjacent to a 24-hour convenience store with (7-Eleven) with off sale of alcohol (Type 20 for beer and wine), this project is supported because alcohol sales are incidental to the full-range grocery store and proposes a full range of alcohol sales, creating a more complete shopping experience. Additionally, only 290 square feet of floor area of the 6,600 square foot grocery store is dedicated to alcohol sales.*

Council Agenda: \_\_\_\_\_

Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**

In accordance with the findings set forth above, a Planned Development Permit Amendment and Determination of Public Convenience or Necessity to use the subject property for said purpose specified above and subject to each and all of the conditions hereinafter set forth is hereby **approved**. The City Council 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.

**APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. **Acceptance of Permit Amendment.** Per Section 20.100.290(B), should the permittee fail to file a timely and valid appeal of this Planned Development Permit Amendment 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 Planned Development Permit Amendment 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 of the San José Municipal Code applicable to such Permit.
2. **Permit Expiration.** This Planned Development Permit Amendment shall automatically expire two years from and after the date of issuance hereof by the City Council, if within such time period, a Building Permit has not been obtained or the use, if no Building Permit is required, has not commenced, pursuant to and in accordance with the provision of this Permit. The date of issuance is the date this Permit is approved by the City Council. However, the Director of Planning may approve a Permit Adjustment to extend the validity of this Permit in accordance with Title 20 of the San José Municipal Code. The Permit Adjustment must be approved prior to the expiration of this Permit.
3. **Sewage Treatment Demand.** Chapter 15.12 of Title 15 of the San José Municipal Code requires that all land development approvals and applications for such approvals in the City of San José shall provide notice to the applicant for, or recipient of, such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the San José Santa Clara Regional Wastewater Facility represented by approved land uses in the area served by said Plant will cause the total sewage treatment demand to meet or exceed the capacity of San José Santa Clara Regional Wastewater Facility to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority.
4. **Conformance to Plans.** The development of the site shall conform to the approved Conditional Use Permit plans entitled, "Fruitdale Station - Block E," dated received August 30, 2018, on file with the Department of Planning, Building and Code Enforcement, as may be amended and approved by the Director of Planning, Building,

Council Agenda: \_\_\_\_\_

Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**

and Code Enforcement, and to the San José Building Code (San José Municipal Code, Title 24). The plans are referred to herein as the “approved plans” or the “Approved Plan Set.”

5. **Use Authorization.** Subject to all terms, conditions, and requirements set forth herein in this Resolution, this Planned Development Permit Amendment and Determination of Public Convenience or Necessity authorizes the off-sale of alcohol (beer, wine, and distilled spirits Type 21 ABC license).
6. **Off-Sale of Alcoholic Beverages.** This Planned Development Permit Amendment and Determination of Public Convenience or Necessity authorizes the off-sale of a full range of alcoholic beverages incidental to a grocery store use with a maximum of 290 square foot space dedicated to alcohol sales within a 6,600 square foot ground floor commercial tenant space. The full-service grocery store and successors of said tenant spaces whereby the subsequent tenant maintains a similar use, can sell alcohol for off-site consumption only in conjunction with a grocery store holding a Type 21 Alcoholic Beverages Control license. The hours of operation allowed are between 6:00 a.m. and midnight, daily.
7. **Alcohol Service and Sale.** Alcohol service and sale shall be conducted in full compliance with the issued ABC licenses.
8. **Disturbance Coordinator.** A Disturbance Coordinator shall be identified by the developer for this project. The Disturbance Coordinator shall be responsible for ensuring compliance with the hours of construction, site housekeeping, and other nuisance compliance conditions in this Permit. The Disturbance Coordinator shall also compile information regarding construction phasing/operations and shall keep the neighborhood informed of the stages of development. The Disturbance Coordinator shall also listen and respond to neighborhood concerns regarding construction, determine the cause of the concern (e.g., starting too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem in a timely manner. The coordinator shall maintain a log of calls and shall make that log available to the City of San José upon request.
9. **Posting of Telephone Number.** The name and phone number of the Construction/Disturbance coordinator, the hours of construction, City File Number PDA07-007-02 and Code Enforcement, (408) 535-7770, shall be displayed on a weatherproof sign posted at each entrance to the project site. A local phone number with answering service shall be maintained during the duration of project construction.
10. **Certificate of Occupancy.** The permittee shall obtain a Certificate of Occupancy. Procurement of a Certificate of Occupancy from the Building Official for the structures described or contemplated under this Permit shall be deemed acceptance of all conditions specified in this Permit and the permittee's agreement to fully comply with all of said conditions. No change in the character of occupancy or change to a different group of occupancies as described by the Building Code shall be made without first obtaining a Certificate of Occupancy from the Building Official, as required under San José Municipal Code Section 24.02.610, and any such change in occupancy must comply with all other applicable local and state laws.
11. **Limitations on Area of Alcohol Sales.** The sale of alcohol for off-site consumption allowed by this Permit shall be limited and incidental to the primary use of a full-service

Council Agenda: \_\_\_\_\_

Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or [CityClerk@sanjoseca.gov](mailto:CityClerk@sanjoseca.gov) for final document.**

grocery store. "Full-service grocery store" as used herein means a retail establishment that provides a full and wide complement of fresh produce, grains, dairy goods, and baked products, together with other food and household merchandise for general public consumption. The area in which alcoholic beverages are displayed or otherwise offered for sale shall not exceed 5% percent of the total floor area of the retail area that is open and accessible to the general public (i.e., excluding backroom storage and office spaces). Alcohol product displays shall not be placed outside the retail tenant space.

12. **Compliance with Local and State Laws.** The subject use shall be conducted in full compliance with all local and state laws, regulations and required permits. No part of this approval shall be construed to permit a violation of any part of the San José Municipal Code. The Permit shall be subject to revocation if the subject use is conducted in such a manner as to cause a nuisance, as defined below.
13. **Parking.** All retail parking must be kept free, open, and accessible during the retail hours.
14. **Discretionary Review.** The Director of Planning, Building and Code Enforcement maintains the right of discretionary review of requests to alter or amend structures, conditions, or restrictions of this Permit incorporated by reference in accordance with Chapter 20.100 of the San José Municipal Code.
15. **Building and Property Maintenance.** The property owner or operator shall maintain the property in good visual and functional condition. This shall include, but not be limited to all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping.
16. **Generators.** This Permit does not include the approval of any stand-by/backup electrical power generation facility. Any future stand-by/backup generators shall secure appropriate permits and shall conform to the regulations of Title 20 of the Municipal Code.
17. **Performance Standards.** Meet the performance standards of Title 20, as amended or as determined by the Planning Official.
18. **Window Glazing.** Unless otherwise indicated on the approved plan, all windows shall consist of a transparent glass.
19. **Outdoor Storage.** No outdoor storage is allowed or permitted unless designated on the Approved Plan Set.
20. **Outdoor Uses.** There shall be no outdoor uses approved through issuance of this Permit.
21. **Loading Activity Hours.** All loading activities shall be limited to the hours of 6:00 a.m. to 12:00 p.m.
22. **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 shall be abated immediately upon notice by the City.
23. **Anti-Graffiti.** The operator shall remove all graffiti from buildings, fences, and wall surfaces within 48 hours of defacement.

Council Agenda: \_\_\_\_\_

Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**



24. **Anti-Litter.** The site and surrounding area shall be maintained free of litter, refuse, and debris:
- a. Cleaning shall include keeping all publicly used areas free of litter, trash, cigarette butts and garbage and shall include daily damp washing of all exterior walls and sidewalks along the project's frontage.
  - b. The operator of the proposed use shall clean the public right-of-way immediately adjacent to the subject site before 8:00 a.m. each day.
  - c. Mechanical equipment used for outside maintenance, including blowers and street sweepers may not be used between 10:00 p.m. and 6:00 a.m. daily.
25. **Sign Approval.** No signs are approved at this time. All proposed signs shall be subject to approval by the Director of Planning.
26. **Certification.** Pursuant to San José Municipal Code, Section 15.10.486, certificates of substantial completion for landscape and irrigation installation shall be completed by licensed or certified professionals and provided to the Department of Planning, Building and Code Enforcement prior to approval of the final inspection of the project.
27. **Building Division Clearance for Issuing Permits.** Prior to the issuance of a Building permit, the following requirements shall be met to the satisfaction of the Chief Building Official:
- a. *Construction Plans.* This Permit file number, PDA07-007-02 and ABC16-003 shall be printed on all construction plans submitted to the Building Division.
  - b. *Americans with Disabilities Act.* The applicant shall provide appropriate access as required by the Americans with Disabilities Act (ADA).
  - c. *Emergency Address Card.* The project developer shall file an Emergency Address Card, Form 200-14, with the City of San José Police Department.
  - d. *Construction Plan Conformance.* A project construction plan conformance review by the Planning Division is required. Planning Division review for project conformance will begin with the initial plan check submittal to the Building Division. Prior to any Building Permit issuance, Building Permit plans shall conform to the approved Planning development permits and applicable conditions.
28. **Revocation, Suspension, Modification.** This Planned Development Permit and Determination of Public Convenience or Necessity may be revoked, suspended or modified by the City Council 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, Chapter 20.100, Title 20 of the San José Municipal Code it finds:
- a. A violation of any conditions of the Planned Development Permit and Determination of Public Convenience or Necessity was not abated, corrected or rectified within the time specified on the notice of violation; 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.

Council Agenda: \_\_\_\_\_

Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for final document.**

09/12/2018

In accordance with the findings set forth above, a permit to use the subject property for said purpose specified above is hereby approved.

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2018, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

---

SAM LICCARDO  
Mayor

ATTEST:

---

TONI J. TABER, CMC  
City Clerk

#### 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.*

Council Agenda: \_\_\_\_\_  
Item No.: \_\_\_\_\_

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or [CityClerk@sanjoseca.gov](mailto:CityClerk@sanjoseca.gov) for final document.**

# FRUITDALE STATION - BLOCK E DELI / MARKET

PLANNED DEVELOPMENT PERMIT AMENDMENT

1520 SOUTHWEST EXPRESSWAY, SAN JOSE, CALIFORNIA

**PROJECT DATA**



**SITE DATA**

LEGAL ADDRESS: 1520 SOUTHWEST EXPRESSWAY SUITE 60  
SAN JOSE, CALIFORNIA 95126

PARCEL NUMBER(S): 284-02-016

**BUILDING DATA**

BUILDING AREA: 214,752 SQ. FT. GROSS

NO. OF STORIES: 4

BUILDING HEIGHT: EXISTING

CONSTRUCTION TYPE: TYPE IA AND TYPE 5A

FIRE SPRINKLER: YES (EXISTING)

OCCUPANCY CLASSIFICATION(S): M, R-2 ABOVE, & S-2 ADJACENT

**SUITE SUMMARY**

SUITE AREA:  
DELI AREA: 1,125 SQ. FT.  
MARKET: 5,475 SQ. FT.  
TOTAL SUITE AREA: 6,600 SQ. FT. GROSS

OCCUPANCY CLASSIFICATION(S): M

OCCUPANTS:  
1,125 SQ. FT. / 30 = 38  
5,475 SQ. FT. (NET, INCLUDING RESTROOM) / 30 = 182

OCCUPANTS  
TOTAL OCCUPANTS: 220 OCCUPANTS

EXITS REQUIRED: 2  
EXITS PROVIDED: 3

EXIT WIDTH REQUIRED: 220 OCCUPANTS \* 2" = 44"  
EXIT WIDTH PROVIDED: 216"

**PLUMBING FIXTURES REQUIRED: (PER TABLE 2902.1)**

	REQUIRED:	PROVIDED:
MALE WATER CLOSET:	1	1
FEMALE WATER CLOSET:	1	1
MALE LAVATORY:	1	1
FEMALE LAVATORY:	1	1
DRINKING FOUNTAIN:	1	-
SERVICE SINK:	1	1

**SCOPE OF WORK**

PLANNED DEVELOPMENT PERMIT AMENDMENT.

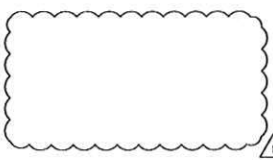
**ABBREVIATIONS**

AB	ANCHOR BOLT	CLG	CEILING	DN	DOWN	FD	FACE OF FIELD VERIFY	GA	GAUGE	HM	HOLLOW METAL	LF	LINEAR FEET	NO	NEW	RE	REFERENCE	SUSP.	SUSPENDED	VEST.	VESTIBULE
A.F.F.	ABOVE FINISHED FLOOR	CL	CENTER LINE	DN	DOWN	F.V.	FIELD VERIFY	GA.V.	GALVANIZED	INSUL.	INSULATION	MFR	MANUFACTURER	N/A	NOT APPLICABLE	REQ.	REQUIRED	T.B.D.	TO BE DETERMINED	W.W.F.	WELDED WIRE FABRIC
ACOUS.	ACOUSTICAL	CLR	CLEAR	D.F.	DRINKING FOUNTAIN	FA	FIRE ALARM	GB	GRAB BAR	JAN	JANITOR	MAT.	MATERIAL	N.I.C.	NOT IN CONTRACT	R/W	ROOM	T.O.	TOP OF	WH	WATER HEATER
ALUM.	ALUMINUM	CMU	CONCRETE MASONRY UNIT	ELEC.	ELECTRICAL	FE	FIRE EXTINGUISHER	GYP.	GYPSON	L.F.	LINEAR FEET	MAX.	MAXIMUM	N.T.S.	NOT TO SCALE	S.F.	SQUARE FEET	TEL.	TELEPHONE	W	WITH
APPROX.	APPROXIMATE	CONC.	CONCRETE	ED.	EQUAL	FLR.	FLOOR	HSS	HOLLOW STRUCTURAL SECTION	L.A.M.	LAMINATE	MCH.	MECHANICAL	NUM.	NUMBER	SCHED.	SCHEDULE	TYP.	TYPICAL	WO	WITHOUT
B.O.	BOTTOM OF	CONT.	CONTINUOUS	EQUIP.	EQUIPMENT	FD	FLOOR DRAIN	HVC	HEATING VENTILATING & AIR CONDITIONING	LAV.	LAVATORY	MEN.	MEN'S ROOM	ON CTR.	ON CENTER	SM.	SCHEDULE	U.N.O.	UNLESS NOTED OTHERWISE	W/O	WITHOUT
B.T.U.	BRITISH THERMAL UNITS	CORR.	CORROSION	(E) OR (E)X.	EXISTING	FT	FOOT OR FEET	LEB	LEBS	LIB.	LIBRARY	M.S.C.	MISCELLANEOUS	OPF.	OPPOSITE	SPEC.	SPECIFICATIONS	W/O	WITHOUT	WOOD	WOOD
BLDG.	BUILDING	CORS.	CORNER			FTG	FOOTING	HORIZ.	HORIZONTAL	LTG	LIGHTING	M.O.	MASONRY OPENING	PL	PLATE	SQ.	SQUARE	VERT.	VERTICAL		

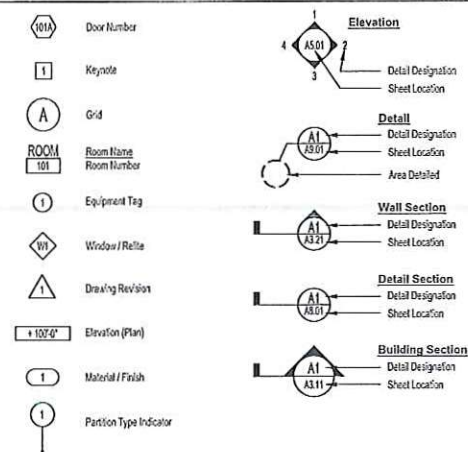
**PROJECT TEAM**

**OWNER:**  
DE ANZA PROPERTIES  
Allen Kathy Smyrnios  
950 N. San Antonio Road  
Suite 114  
Los Altos, CA 94022  
TEL: 650.269.3232

**ARCHITECT:**  
RUDEEN ARCHITECTS  
55 New Montgomery Street Suite #524  
San Francisco, California 94105  
TEL: 415.247.5400



**KEY TO SYMBOLS**



**VICINITY PLAN**



**SHEET INDEX**

**GENERAL**  
A000 TITLE & INFORMATION

**ARCHITECTURAL**

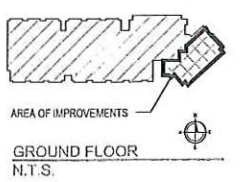
A1-00	SITE PLAN
A1-01	PARKING ANALYSIS - C1 (REFERENCE ONLY)
A1-02	PARKING ANALYSIS - E (REFERENCE ONLY)
A1-03	BASEMENT LEVEL PLAN - E (REFERENCE ONLY)
A2-01	FLOOR PLAN
A2-11	EQUIPMENT PLAN
A2-21	REFLECTED CEILING PLAN
A4-01	INTERIOR ELEVATIONS

**rudeenarchitects**  
Boise + San Francisco

55 New Montgomery Street  
Suite 524  
San Francisco, CA. 94105  
Phone 415-247-5400  
info@rudeenarchitects.com

architecture  
planning  
project management

**KEY PLAN**



Planned Development  
Permit Amendment:  
**Fruitdale Station  
Block E  
Market, Suite 60**

1520 Southwest Expressway  
San Jose, CA 95126

**TITLE & INFORMATION**  
Sheet Title:

**AS NOTED**  
Scale:

**1807**  
Project Number:

**17 AUGUST 2018**  
Date:

**1807A000.DWG**  
File Name:

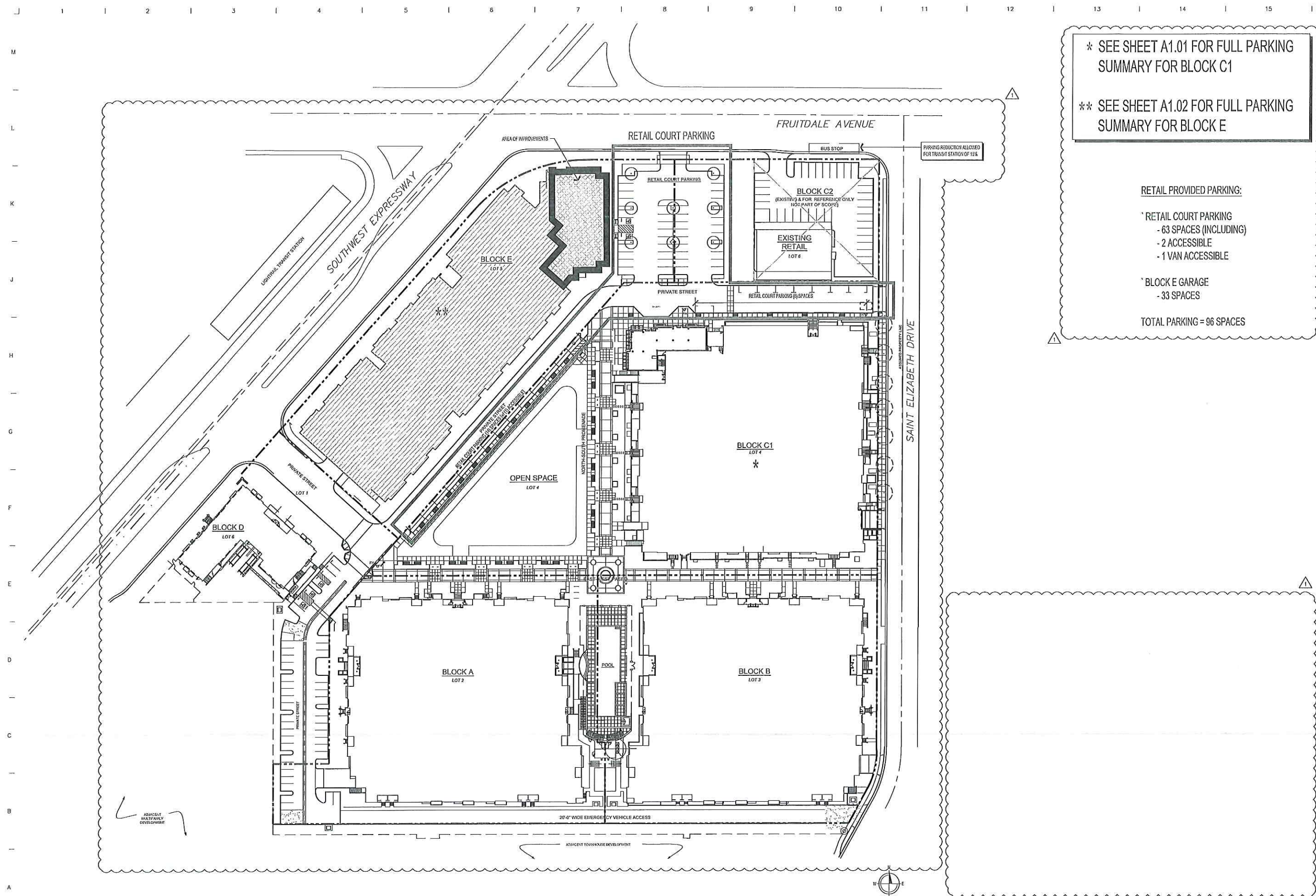
PLANNED DEV. CORRECTIONS  
27 AUGUST 2018  
Revisions:

**A0.00**

08/27/18 - 2:46:27 PM - rudeenarchitects - CHRIS ANDERSON



08/27/18 - 2:46:04 PM - rudeenarchitects - CHRIS ANDERSON



\* SEE SHEET A1.01 FOR FULL PARKING SUMMARY FOR BLOCK C1

\*\* SEE SHEET A1.02 FOR FULL PARKING SUMMARY FOR BLOCK E

RETAIL PROVIDED PARKING:

- \* RETAIL COURT PARKING
  - 63 SPACES (INCLUDING)
  - 2 ACCESSIBLE
  - 1 VAN ACCESSIBLE
- \* BLOCK E GARAGE
  - 33 SPACES

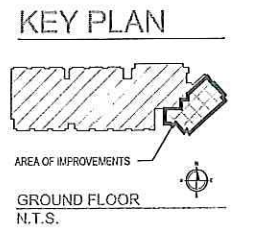
TOTAL PARKING = 96 SPACES

**rudeenarchitects**  
Boise + San Francisco

55 New Montgomery Street  
Suite 524  
San Francisco, CA 94105

Phone 415-247-5400  
Info@rudeenarchitects.com

architecture  
planning  
project management



Planned Development  
Permit Amendment:

**Fruitdale Station  
Block E  
Market, Suite 60**

1520 Southwest Expressway  
San Jose, CA 95126

**SITE PLAN**  
Sheet Title:

**AS NOTED**  
Scale:

**1807**  
Project Number:

**17 AUGUST 2018**  
Date:

**1807A100.DWG**  
File Name:

PLANNED DEV. CORRECTIONS  
27 AUGUST 2018  
Revisions:

**A1** OVERALL SITE PLAN  
SCALE: 1" = 50'-0"

**A1.00**

THESE DESIGNS AND DRAWINGS ARE THE EXCLUSIVE PROPERTY OF RUDEEN & ASSOCIATES ARCHITECTS, AND ARE NOT TO BE USED OR REPRODUCED WITHOUT PERMISSION. COPYRIGHT © 2018. ALL RIGHTS RESERVED.



FRUITDALE STATION BLOCK C1 PROJECT DATA

Area - A	Unit No.	Unit Type	Number of Units	Number of Bedrooms	Unit Square Footage	Upper Square Footage	Deck Square Footage	Total Unit Square Footage	
First Floor	109	J	1	2	1,034		85	1,119	
	110	J2 End	1	2	1,039		85	1,124	
	111	J4	1	1	762			762	
	113	J End	1	2	1,040		85	1,125	
	115	K	1	2	1,377			1,377	
	117	H	1	1	832			832	
	118	H2 Lower / H2 Upper	1	1	837			837	
	119	H2 Lower / H2 Upper	1	3	879	812		1,691	
	120	H2 Lower Var / H2 Upper	1	3	879	812		1,691	
	10,555 NET Area First Floor 53 Occupant Load = Net / 200 11,167 GROSS Area First Floor < Aa = 36,000								
	Second Floor	209	J2 End Var 2	1	2	1,058		49	1,107
		210	J2 End Var	1	2	1,058		85	1,143
211		J2 Var 2	1	2	1,054		85	1,139	
213		J3 Var	1	2	1,034		89	1,123	
215		K Var	1	2	1,356			1,356	
217		H4	1	1	832			832	
218		H4 End	1	1	837			837	
7,635 NET Area Second Floor 38 Occupant Load = Net / 200 11,385 GROSS Area Second Floor < Aa = 36,000									
Third Floor		309	Q Lower Var 2 / Q Upper Var	1	4	1,052	600		1,652
		310	Q Lower End Var 2 / Q Upper Var	1	4	1,055	600		1,655
	311	Q Lower / Q Upper	1	4	1,053	600		1,653	
	313	Q Lower Var / Q Upper	1	4	1,053	600		1,653	
	315	K Var 2	1	2	1,398			1,398	
	317	H4	1	1	837			837	
	318	H4 End	1	1	837			837	
	319	H7	1	1	858			858	
	320	H7	1	1	893			893	
	11,514 NET Area Third Floor 53 Occupant Load = Net / 200 11,950 GROSS Area Third Floor Adjusted < Aa = 36,000								
	Fourth	Unit information shown above							
	Summary Area A Total No. Units Area A: 25 149 Total Occupant Load Area A 37,042 Total GROSS Area A < 72,000 Allowable Building								

Area - B	Unit No.	Unit Type	Number of Units	Number of Bedrooms	Unit Square Footage	Upper Square Footage	Deck Square Footage	Total Unit Square Footage	
First Floor	121	H3 Var2	1	1	832			832	
	122	H3 Var	1	1	832			832	
	123	H2 Lower End / H2 Upper End	1	3	854	815		1,669	
	124	H2 Lower End Var / H2 Upper End	1	3	854	815		1,669	
	125	H3 Lower / H3 Upper End	1	3	1,148	814		1,962	
	129	L	1	2	1,246		115	1,361	
	131	J1	1	2	1,036		85	1,121	
	132	J End Var3	1	2	1,036		85	1,121	
	133	J1 End	1	2	1,036		83	1,119	
	134	J1 End	1	2	1,036		85	1,121	
	12,867 NET Area First Floor 64 Occupant Load = Net / 200 13,645 GROSS Area First Floor < Aa = 36,000								
	Second Floor	221	H4 Var	1	1	832			832
222		H4 Var	1	1	832			832	
227		H4	1	1	832		85	917	
229		L Var2	1	2	1,246		84	1,330	
231		J1 Var	1	2	1,053		84	1,137	
232		J3 End Var 6	1	2	1,058		85	1,143	
233		J1 End Var	1	2	1,054		84	1,138	
234		J1 End Var	1	2	1,054		85	1,139	
8,503 NET Area Second Floor 43 Occupant Load = Net / 200 13,260 GROSS Area Second Floor < Aa = 36,000									
Third Floor		321	H4 Var	1	1	832			832
	322	H4 Var	1	1	832			832	
	323	H7 End	1	1	903			903	
	324	H7 End	1	1	903			903	
	325	H7 End	1	1	903			903	
	327	H4	1	1	832			832	
	329	R Lower / R Upper	1	3	1,246	454		1,700	
	331	J3 Var3	1	2	1,053			1,053	
	332	J3 End Var 9	1	2	1,058		85	1,143	
	333	Q Lower End Var / Q Upper	1	4	1,063	600		1,663	
	334	J3 End Var 3	1	2	1,054		85	1,139	
	11,533 NET Area Third Floor 60 Occupant Load = Net / 200 13,317 GROSS Area Third Floor Adjusted < Aa = 36,000								
Fourth	431	S	1	1	785			785	
	432	J3 End Var 10	1	2	1,058			1,058	
	434	J3 End Var 6	1	2	1,054			1,054	
2,917 NET Area Fourth Floor 15 Occupant Load = Net / 200 5,580 GROSS Area Fourth Floor < Aa = 36,000									
Summary Area B Total No. Units Area B: 32 181 Total Occupant Load Area B 45,702 Total GROSS Area B < 72,000 Allowable Building									

Area - C	Unit No.	Unit Type	Number of Units	Number of Bedrooms	Unit Square Footage	Upper Square Footage	Deck Square Footage	Total Unit Square Footage
First Floor	135	J1 End	1	2	1,038		83	1,121
	136	J1 End	1	2	1,035		85	1,120
	137	J End Var	1	2	1,040		85	1,125
	138	J End Var	1	2	1,040		85	1,125
	139	M	1	1	1,050		115	1,165
	141	H3 End	1	1	837			837
	143	H1	1	1	879			879
	145	H3	1	1	832			832
	146	H3 End Var	1	1	837			837
	147	H1	1	1	879			879
	148	H1 Var	1	1	879			879
	10,793 NET Area First Floor 54 Occupant Load = Net / 200 13,503 GROSS Area First Floor < Aa = 36,000							
Second Floor	235	J1 End Var	1	2	1,054		84	1,138
	236	J1 End Var	1	2	1,054		85	1,139
	237	J1 Var 2	1	2	1,055		85	1,140
	238	J3 End Var 7	1	2	1,055		85	1,140
	239	L Var 3	1	2	1,238		115	1,353
	241	H4 End Var	1	1	837			837
	243	H5	1	1	879			879
	245	H4	1	1	832			832
	246	H4 End	1	1	837			837
	247	H5 Var	1	1	879			879
	248	H5 Var	1	1	879			879
	11,075 NET Area Second Floor 55 Occupant Load = Net / 200 13,452 GROSS Area Second Floor < Aa = 36,000							
Third Floor	335	Q Lower End Var / Q Upper	1	4	1,053	600		1,653
	336	J3 End Var 3	1	2	1,054		85	1,139
	337	J3 Var4	1	2	1,053			1,053
	338	J3 End Var 6	1	2	1,053		85	1,138
	339	R Lower Var / R Upper	1	3	1,245	454		1,700
	341	H4 End Var	1	1	837			837
	343	H3 Lower / H3 Upper	1	3	899	828		1,727
	345	H3 Lower Var / H3 Upper Var	1	3	832	762		1,594
	346	H3 Lower End Var / H3 Upper End	1	3	837	767		1,604
	347	H3 Lower Var 2 / H3 Upper Var 2	1	3	899	828		1,727
	348	H3 Lower Var 2 / H3 Upper Var 2	1	3	899	828		1,727
	15,341 NET Area Third Floor 80 Occupant Load = Net / 200 13,509 GROSS Area Third Floor Adjusted < Aa = 36,000							
Fourth	436	J3 End Var 8	1	2	1,054			1,054
	437	J1	1	1	785			785
	438	J3 End Var 4	1	2	1,058			1,058
2,917 NET Area Fourth Floor 15 Occupant Load = Net / 200 5,580 GROSS Area Fourth Floor < Aa = 36,000								
Summary Area C Total No. Units Area C: 38 204 Total Occupant Load Area C 48,852 Total GROSS Area C < 72,000 Allowable Building								

Area - D	Unit No.	Unit Type	Number of Units	Number of Bedrooms	Unit Square Footage	Upper Square Footage	Deck Square Footage	Total Unit Square Footage	
First Floor	149	H3 Var2	1	1	832		83	915	
	150	H3 Var	1	1	832		85	917	
	151	H1 End	1	1	884		85	969	
	152	H1 End Var	1	1	884		85	969	
	107	J End Var 2	1	2	1,036		115	1,151	
	108	J End Var 2	1	2	1,036			1,036	
	5,557 NET Area First Floor 30 Occupant Load = Net / 200 7,518 GROSS Area First Floor < Aa = 36,000								
	Second Floor	249	H4 Var	1	1	832		84	916
		250	H4 Var	1	1	834		85	919
		251	H3 End	1	1	884		85	969
		252	H3 End	1	1	884		85	969
		201	N	1	2	1,270		115	1,385
203		J3	1	2	1,058			1,058	
205		J3 End Var 7	1	2	1,053			1,053	
207		J1 End Var 2	1	2	1,054			1,054	
208		J1 End Var 2	1	2	1,054			1,054	
8,422 NET Area Second Floor 47 Occupant Load = Net / 200 11,197 GROSS Area Second Floor < Aa = 36,000									
Third Floor	349	H3 Lower Var 3 / H3 Upper Var 3	1	3	832	762	85	1,594	
	350	H3 Lower Var 3 / H3 Upper Var 3	1	3	832	762	85	1,619	
	351	H3 Lower End / H3 Upper End	1	3	903	833		1,736	
	352	H3 Lower End / H3 Upper End	1	3	903	833	85	1,821	
	301	N Var	1	2	1,318			1,318	
	303	Q1 Lower / Q Upper	1	3	785	600		1,385	
	305	Q Lower End / Q Upper End	1	4	1,057	600		1,657	
	307	Q Lower End Var 3 / Q Upper End	1	4	1,057	600		1,657	
	308	Q Lower End Var 3 / Q Upper End	1	4	1,057	600		1,657	
	14,537 NET Area Third Floor 73 Occupant Load = Net / 200 10,900 GROSS Area Third Floor Adjusted < Aa = 36,000								
	Fourth	Unit information shown above							
	Summary Area D Total No. Units Area D: 24 150 Total Occupant Load Area D 37,326 Total s.f. Area D < 72,000 Allowable Building								

Area - E	Unit No.	Unit Type	Number of Units	Number of Bedrooms	Unit Square Footage	Upper Square Footage	Deck Square Footage	Total Unit Square Footage	
First Floor	153	H3 Var2	1	1	832			832	
	154	H3 Var	1	1	832			832	
	155	H1 End	1	1	884		85	969	
	156	H1 End Var	1	1	884		85	969	
	109	J End Var 2	1	2	1,036		115	1,151	
	110	J End Var 2	1	2	1,036			1,036	
	5,557 NET Area First Floor 30 Occupant Load = Net / 200 7,518 GROSS Area First Floor < Aa = 36,000								
	Second Floor	249	H4 Var	1	1	832		84	916
		250	H4 Var	1	1	834		85	919
		251	H3 End	1	1	884		85	969
		252	H3 End	1	1	884		85	969
		201	N	1	2	1,270		115	1,385
203		J3	1	2	1,058			1,058	
205		J3 End Var 7	1	2	1,053			1,053	
207		J1 End Var 2	1	2	1,054			1,054	
208		J1 End Var 2	1	2	1,054			1,054	
8,422 NET Area Second Floor 47 Occupant Load = Net / 200 11,197 GROSS Area Second Floor < Aa = 36,000									
Third Floor	349	H3 Lower Var 3 / H3 Upper Var 3	1	3	832	762	85	1,594	
	350	H3 Lower Var 3 / H3 Upper Var 3	1	3	832	762	85	1,619	
	351	H3 Lower End / H3 Upper End	1	3	903	833		1,736	
	352	H3 Lower End / H3 Upper End	1	3	903	833	85	1,821	
	301	N Var	1	2	1,318			1,318	
	303	Q1 Lower / Q Upper	1	3	785	600		1,385	
	305	Q Lower End / Q Upper End	1	4	1,057	600		1,657	





Variance Application

Fee required: Hourly Rate (min. 3 hours) \$531.00  
Fees must be submitted with application

Plan Check # PD07-007 Associated Folder # (Permit) 07005894

PROJECT INFORMATION

Project Name: Fruitdale Station Block E  
Address: 520 South West Expressway, San Jose, CA 95128  
City: San Jose Zip: 95128  
Type of Construction: Type I with Type IV-11R Above Sprinklered: Yes  No   
Building Floor Area: \_\_\_\_\_ Tenant Area: \_\_\_\_\_ Number of Stories: 4  
Describe Use: Residential Apartments, Elev. Podium Garage & Retail Structure

1. Code Requirement (include code reference)  
2001 California Fire Code Section 902.2.1 Fire apparatus access roads shall be provided... when any portion of an exterior wall of the first story of the building is located more than 150 feet from the fire apparatus access.

2. Variance Proposed (A brief description must be included even if additional documents are attached)  
The mitigation proposed will be increased density for sprinklers to: 0.2/1000 sq ft in the garage, 0.1 heads in the residential areas, 1 head in the corridors, a 15/1500 sq ft in the attic, additional standpipe connections on podium.

3. Justification (A brief description shall be included even if additional documents are attached)  
Extinguisher system will make access for manual fire fighting & response time less critical.

APPLICANT INFORMATION  
Alexander Gidel, FAIA Signature: [Signature] Date: 02.11.11  
City: San Jose Zip: 95128 Phone: (408) 397-4536

Additional City requirements or notes: LOCATION OF STANDPIPE RISES TO BE APPROVED BY SJFD STANDPIPE TO BE PRIORITIZED.

Reviewed by Inspector/Engineer: [Signature] Date: 3.1.11  
Reviewed by Fire Marshal: [Signature] Date: 3.1.11

FORMS JNCH/Valencia Rev. E 22.03

Square Footage Summary

Area - A	Unit	number of units	square footage	total
Basement Level	A-End Basement	1	520	520
	A-End Basement 2	3	520	1,560
	A-Basement	8	520	4,160
6,240 total of for Basement Level (not included in total below)				
Level-1	A-End Lower, Side Façade 1	1	499	499
	A-End Lower	1	499	499
	A-End Lower 2	8	499	3,994
	A-End Lower, Side Façade 2	1	499	499
	A-End Lower, Side Façade 2	2	509	1,006
6,494 total of for Level-1 < 36,000 (See Calculations Below)				
Level-2	A-End Upper, Side Façade 4, Front Façade A	1	974	974
	A-End Upper, Side Façade 3, Front Façade A	1	955	955
	A-End Upper, Side Façade 3	1	950	950
	A-End Upper, Side Façade 2	1	950	950
	A-Upper, Front Façade A	4	974	3,896
	A-Upper	1	950	950
	B-End, Side Façade 1, Front Façade A	1	897	897
	B	2	991	1,982
	B, Front Façade A	2	953	1,906
	C	1	1017	1,017
17,357 total of for Level-2 < 36,000 (See Calculations Below)				
Level-3	D-End Lower, Side Façade 1, Front Façade A	1	1009	1,009
	D-End Lower, Side Façade 2, Front Façade A	1	991	991
	D-Lower	4	950	3,800
	D-Lower, Front Façade A	4	974	3,896
	D-End Lower, Side Façade 2	1	957	957
	D-End Lower, Side Façade 3	1	991	991
	E-End Lower	1	897	897
	E-Lower, Front Façade A	2	991	1,982
	E-Lower	2	956	1,912
	F-Lower	1	1017	1,017
17,452 total of for Level-3 < 36,000 (See Calculations Below)				
Level-4	D-End Upper, Side Façade 5, Front Façade B	1	950	950
	D-End Upper, Side Façade 7, Front Façade B	1	914	914
	D-Upper	4	895	3,580
	D-Upper, Front Façade B	4	919	3,676
	D-End Upper, Side Façade 6	1	899	899
	D-End Upper, Side Façade 7	1	899	899
	E-End Upper	1	897	897
	E-Upper, Front Façade B	2	918	1,836
	E-Upper	2	950	1,900
	F-Upper	1	1017	1,017
16,432 total of for Level-4 < 36,000 (See Calculations Below)				
Total SF for Area - A: 57,226 SF < 72,000 (See Calculations Below) (Total of for Basement Level not included)				

Available Area  
 $A_{av} = A_t + [A_t \times b]$   
 $A_{av} = 12,000 + [12,000 \times 2]$   
 $A_{av} = 36,000$  SF per floor  
 $36,000 \times 2$  section 506.4.1  
 $72,000$  SF per area

Area - F	Unit	number of units	square footage	total
Basement Level	A-End 4 Basement	3	520	1,560
	A-End 3 Basement	1	465	465
	A-Basement	11	520	5,720
7,745 total of for Basement Level (not included in total below)				
Level-1	Lobby	1	267	267
	A-End Lower	3	499	1,497
	A-End Lower 3	1	417	417
	A-Lower	11	499	5,489
7,670 total of for Level-1 < 36,000 (See Calculations Below)				
Level-2	A-End Upper, Front Façade A	2	974	1,948
	A-Upper	6	950	5,700
	A-Upper, Front Façade A	6	974	5,844
	A-End Upper	1	950	950
	B	2	991	1,982
	B, Front Façade A	2	953	1,906
	B1	1	890	890
	B1, Front Façade A	1	918	918
	B2	1	935	935
	21,853 total of for Level-2 < 36,000 (See Calculations Below)			
Level-3	D-End Lower, Front Façade A	2	1009	2,018
	D-Lower	6	950	5,700
	D-Lower, Front Façade A	6	974	5,844
	D-End Lower, Side Façade 4	1	970	970
	D-End Lower	1	950	950
	E-Lower	2	953	1,906
	E-Lower, Front Façade A	2	991	1,982
	G-Lower	1	932	932
21,342 total of for Level-3 < 36,000 (See Calculations Below)				
Level-4	D-End Upper, Front Façade B	2	949	1,898
	D-Upper	6	919	5,514
	D-Upper, Front Façade B	6	935	5,610
	D-End Upper, Side Façade 8	1	952	952
	D-End Upper	1	919	919
	E-Upper	2	890	1,780
	E-Upper, Front Façade B	2	918	1,836
	G-Upper	1	932	932
	G-Upper, Front Façade A	1	960	960
	25,551 total of for Level-4 < 36,000 (See Calculations Below)			
Total SF for Area - F: 70,126 SF < 72,000 sf (See Calculations Below) (Total of for Basement Level not included)				

Available Area  
 $A_{av} = A_t + [A_t \times b]$   
 $A_{av} = 12,000 + [12,000 \times 2]$   
 $A_{av} = 36,000$  SF per floor  
 $36,000 \times 2$  section 506.4.1  
 $72,000$  SF per area

Area - H	Unit	number of units	square footage	total
Retail Level-1	Retail Area A	1	3552	3,552
	Retail Area B	1	6548	6,548
10,100 Sub Total				
Trash Gas Motor Room	Trash	1	608	608
	Gas Motor Room	1	144	144
11,250 Total of for Adjacent Areas				

Exit Widths  
 10 375 = occupant load  
 0.2 25 = req'd exit width < 604 = (14) doors at 30"

Area - H Mixed Occupancy Calculation:  
 Retail sf: 11,250  
 Garage sf: 54,441  
 = 7.4% Is less than 10%

Parking  
 Basement Level - Garage Area  
 Car Parking 81 20,550 Total of for Basement Level Parking

Level-1 - Garage Area  
 Car Parking 79 27,955 Total of for Level-1 Parking  
 Total Car Parking Spaces 160 54,441

Podium Level  
 Exit Widths  
 Podium Level Residential: 200 192 = occupant load  
 Podium Level Open Egress Court: 200 36 = occupant load  
 TOTAL: 228  
 0.15 38 = req'd exit width < 208 = (2) gates at 63" + (1) gate at 72"  
 0.2 46 = required stair width < 240 = (2) stairs at 72" + (1) stair at 55"

SUMMARY  
 4 Stories (3 over Podium)

Level	Square Footage	Occupant Load
Basement Level	13,315	79
1st Floor Level	44,154	71
2nd Floor Level	38,410	192
3rd Floor Level	38,707	194
4th Floor Level	25,001	193
Residential (R-2 occupancy)	141,837	709
Podium Level Open Egress Court (No planters & patios)	7,224	36
Garage (S-2 occupancy)	54,441	272
Retail (R occupancy)	11,250	175
Total Square Footage (includes basement areas)	214,752	485
		1,192 Total Occupant Load

- A. PROJECT ADDRESS:  
 520 SOUTHWEST EXPRESSWAY  
 SAN JOSE, CA
- B. APPLICABLE CODES  
 2010 California Building Code, based on the 2009 edition of the IBC  
 2010 California Residential Code, based on the 2009 edition of the IRC  
 2010 California Fire Code, based on the 2009 IFBC  
 2010 California Mechanical Code, based on the 2009 IMC  
 2010 California Electrical Code, based on the 2008 NEC  
 2010 California Existing Building Code  
 2009 International Existing Building Code  
 2009 California Building Energy Efficiency Standards  
 2010 California Green Buildings Standards Code
- OTHER CODES REFERENCED  
 2010 California Fire Code  
 NFPA 13, 2010 Edition with S.J.F.D. modifications  
 NFPA 14, 2010 Edition  
 NFPA 20, 2007 Edition  
 NFPA 24, 2010 Edition  
 NFPA 72, 2010 Edition with S.J.F.D. modifications  
 City of San Jose Municipal Code
- C. NOTES  
 REFER TO "R" SERIES DRAWINGS FOR CODE RELATED INFORMATION. RETAIL AREAS WILL BE SHELLED UNDER THIS PERMIT. ADDITIONAL PERMITS ARE REQUIRED TO FINISH THE SPACES.
- D. FIRE SPRINKLERS  
 FIRE SPRINKLERS ARE TO BE DESIGNED AND INSTALLED PER NFPA-13

PARKING COUNTS:

Level	SPACES	ACCESSIBLE
BASEMENT LEVEL	80 SPACES	(3) ACCESSIBLE
GROUND FLOOR LEVEL	84 SPACES	(1) ACCESSIBLE
SITE PARKING	30 SPACES	(1) ACCESSIBLE
SUB-TOTAL	194 SPACES	(5) ACCESSIBLE
TOTAL	194 SPACES	

TABLE TB-6: BI-200 SPACES + 6 SPACES

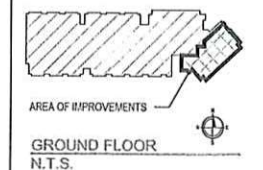
THIS SHEET IS FOR REFERENCE ONLY!  
 PERMIT FOR BLOCK E ISSUED 2011



55 New Montgomery Street  
 Suite 524  
 San Francisco, CA 94105  
 Phone 415-247-5100  
 info@rudeenarchitects.com

architecture  
 planning  
 project management

KEY PLAN



Planned Development  
 Permit Amendment:  
**Fruitdale Station  
 Block E  
 Market, Suite 60**  
 1520 Southwest Expressway  
 San Jose, CA 95126

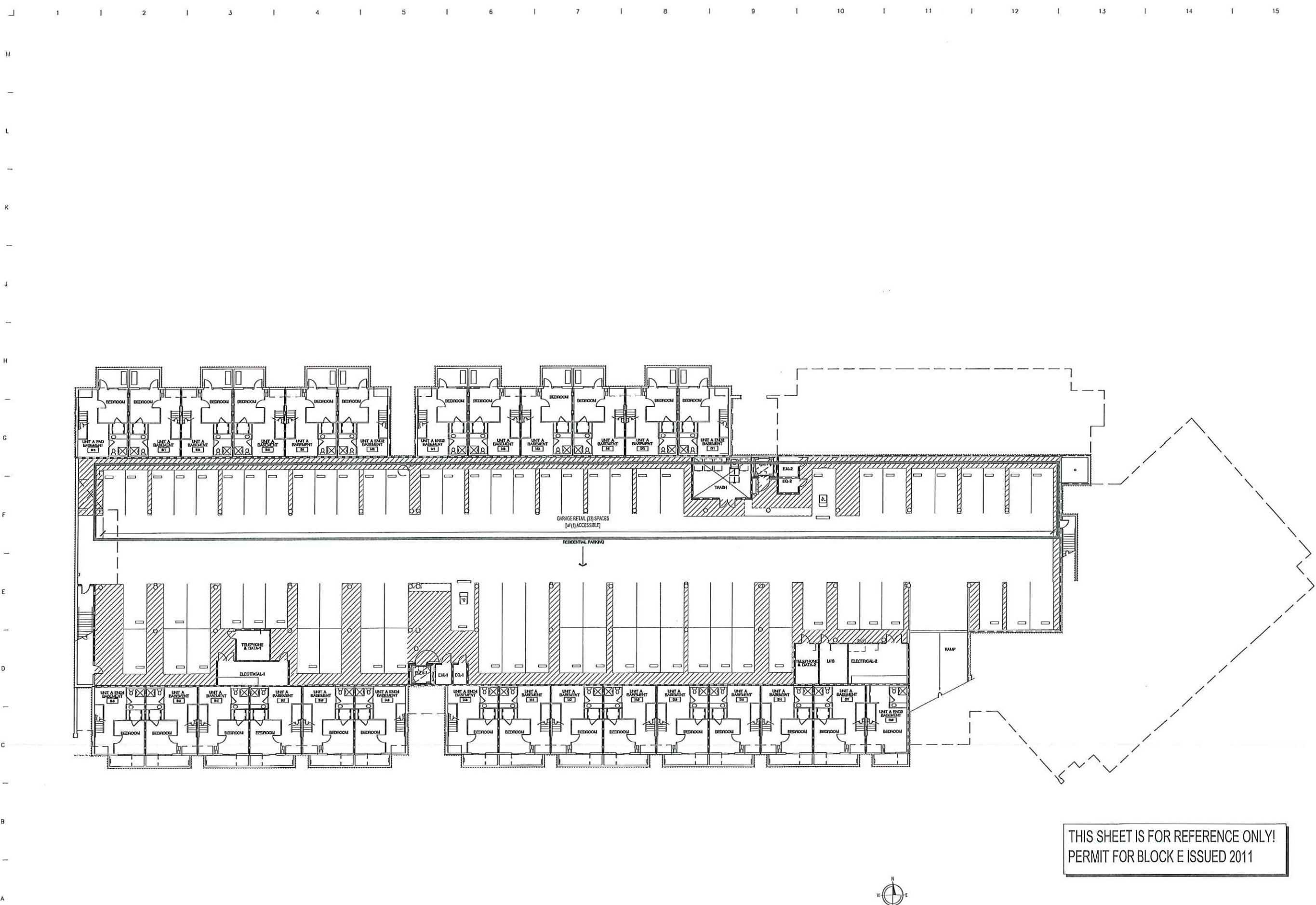
PARKING ANALYSIS - E  
 Sheet Title:  
**AS NOTED**  
 Scale:  
 1807  
 Project Number:  
 15 AUGUST 2018  
 Date:  
 1807A102.DWG  
 File Name:

Revisions:  
**A1.02**

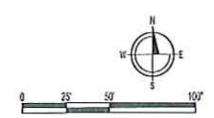
09/15/18 - 10:11:28 AM - rudeenarchitects



08/27/18 - 2:48:17 PM - rudeenarchitects - CHRIS ANDERSON



THIS SHEET IS FOR REFERENCE ONLY!  
PERMIT FOR BLOCK E ISSUED 2011

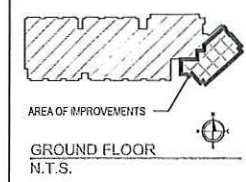


**rudeenarchitects**  
Boise + San Francisco

55 New Montgomery Street  
Suite 524  
San Francisco, CA, 94105  
Phone 415-247-5400  
info@rudeenarchitects.com

architecture  
planning  
project management

**KEY PLAN**



Planned Development  
Permit Amendment:  
**Fruitdale Station  
Block E  
Market, Suite 60**  
1520 Southwest Expressway  
San Jose, CA 95126

**BASEMENT LEVEL PLAN**  
Sheet Title:

AS NOTED  
Scale:

1807  
Project Number:

17 AUGUST 2018  
Date:

1807A103.DWG  
File Name:

PLANNED DEV. CORRECTIONS  
27 AUGUST 2018  
Revisions:

**A1.03**

**A1** BASEMENT LEVEL PLAN  
SCALE: 1/16" = 1'-0"

THESE DESIGNS AND DRAWINGS ARE THE EXCLUSIVE PROPERTY OF RUDEEN & ASSOCIATES ARCHITECTS, AND ARE NOT TO BE USED OR DUPLICATED WITHOUT PERMISSION. COPYRIGHT © 2018. ALL RIGHTS RESERVED.



**DOOR SCHEDULE**

DOOR NO.	ROOM NAME	DOOR				FRAME			FIRE RATING	DETAILS	HARDWARE GROUP	NOTES
		W	H	TYPE	MATERIAL	FINISH	GLAZING	TYPE				
101a	HALL	3'-0"	7'-0"	13'-4"	1	WD	ST	-	A	HM	PT-1	-

**DOOR SCHEDULE LEGEND**

- HM+ HOLLOW METAL FRAME
- PT+ PAINT - MATCH BUILDING STANDARD
- ST+ STAIN FINISH - MATCH BUILDING STANDARD
- WD+ SOLID CORE WOOD DOOR - MATCH BUILDING STANDARD

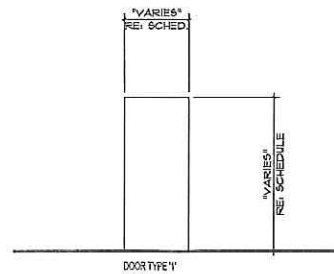
**HARDWARE GROUPS**

- HM+1 HARDWARE GROUP 1 (OR APPROVED EQUIV)**
- 1 PRIVACY LOCKSET
  - 1 DOOR STOP
  - 1 WEATHERSTRIP
  - 1 PAIR HINGES
  - 1 CLOSER

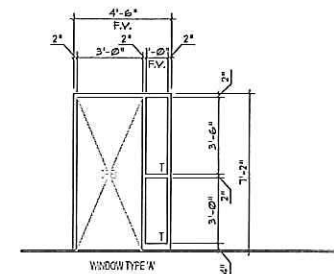
**DOOR SPECIFICATION NOTES:**

1. PROVIDE NEW DOOR HARDWARE AT DOORS WHERE HARDWARE GROUPS ARE SPECIFIED.
2. ALL DOOR HARDWARE SHALL CONFORM TO CURRENT CODE AND COMPRISE A COMPLETE INSTALLATION. LEVER DOOR OPENING HARDWARE SHALL BE CENTERED BETWEEN 34" MIN. & 44" MAX ABOVE THE FINISHED FLOOR.
3. PROVIDE BACKING AT DOOR STOPS.
4. WHEN A DOOR HAS A CLOSER, THE SWEEP PERIOD OF THE CLOSER SHALL BE ADJUSTED SO THAT FROM AN OPEN POSITION OF 90 DEGREES, THE DOOR WILL TAKE AT LEAST 5 SECONDS TO MOVE TO A POINT 12 DEGREES FROM THE LATCH.
5. ALL HAND ACTIVATED DOOR OPENING HARDWARE SHALL BE LEVER TYPE AND CONFORM TO CBC 2013 SECTION 11B-04.2.7, UNLESS OTHERWISE NOTED.
6. LOCKS AND LATCHES SHALL CONFORM TO CHAPTER 10, SECTION 1009.1.3.1.
7. MAXIMUM DOOR OPERATING EFFORT SHALL BE 5 LBS AT EXTERIOR DOORS, 8 LBS AT INTERIOR DOORS AND UP TO 15 LBS WHEN APPROVED BY THE BUILDING OFFICIAL AT FIRE DOORS.
8. ALL FIRE RATED DOORS AND FRAMES SHALL HAVE A UL RATING.

**Door Types**



**Frame Types**



**LEGEND**

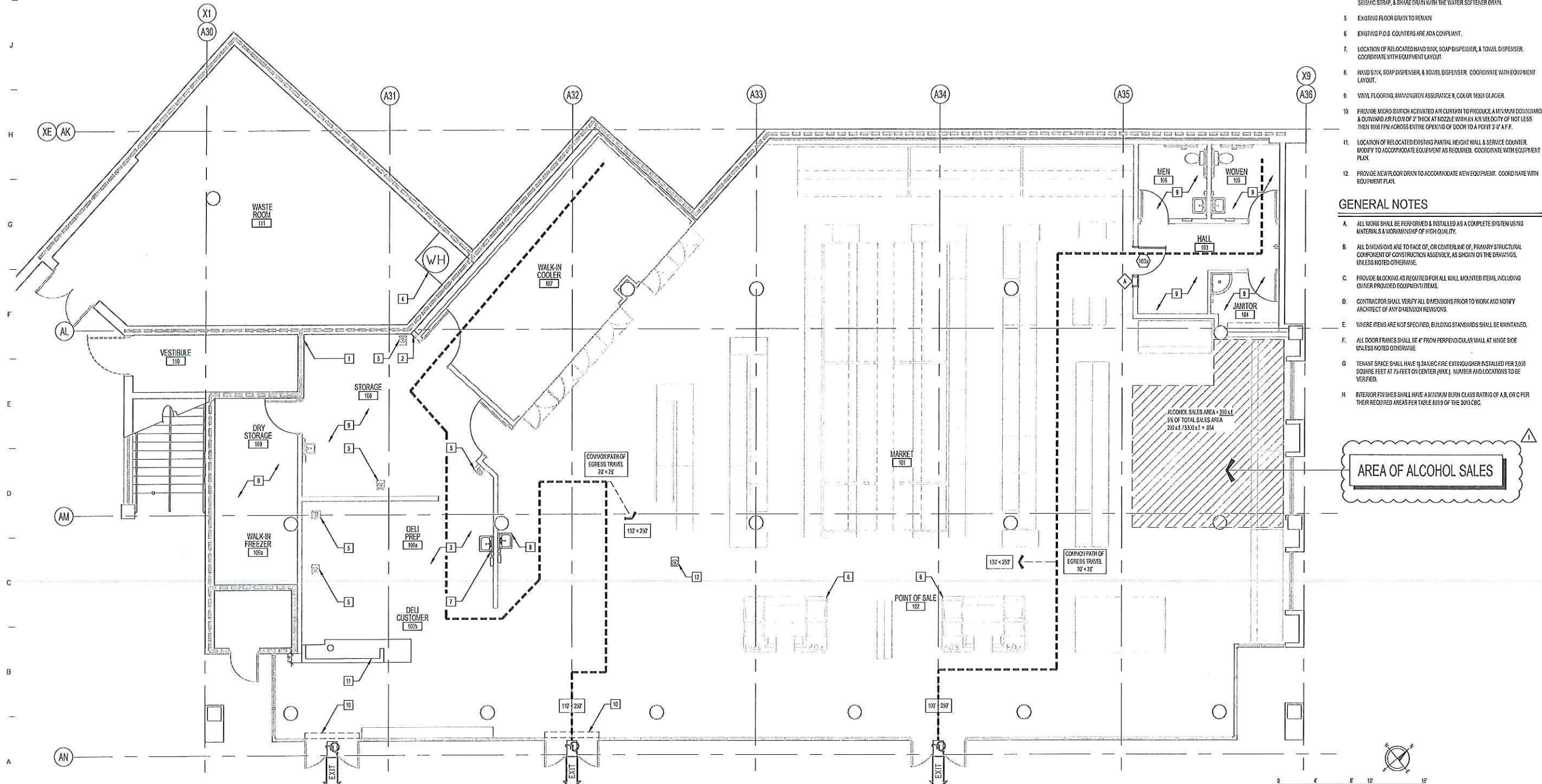
- DOOR NUMBER CALLOUT, RE: SHEET A201
- WINDOW LETTER CALLOUT, RE: SHEET A201
- EXISTING 2-HOUR RATED WALL
- PATH OF EXIT ACCESS TRAVEL DISTANCE, PER TABLE 1017.2 OF THE CBC
- LOCATION OF ACCESSIBLE EXIT, PER SECTION 1012 OF THE CBC

**FLOOR PLAN KEY NOTES**

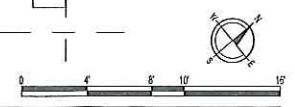
1. IF ALL WALLS EXISTING DOORWAYS REMOVED ALIGN FACE OF FINISH OF NEW WALL CONSTRUCTION WITH THAT OF EXISTING FINISH AS SHOWN FOR SEAMLESS TRANSITION ON ALL FACES. MATCH EXISTING 2-HOUR CONSTRUCTION.
2. IF ALL GIP WITH 4" X 20" METAL STUD FRAMING TO BOTTOM OF CEILING WITH 5/8" TYPE 'X' GYP. BD. ON VISIBLE SIDE.
3. VINYL FLOORING, ALTRO STRONGHOLD 53, COLOR DOLPHIN, TO MATCH EXISTING ADJACENT.
4. LOCATION OF RELOCATED WATER HEATER. PLACE ON 6" HIGH STAND, SECURE WITH SEISMIC STRIP, & SHARE DRAIN WITH THE WATER SUPPLY FEEDER DRAIN.
5. EXISTING FLOOR DRAIN TO REMAIN.
6. EXISTING P.D.S. COUNTERS ARE ADA COMPLIANT.
7. LOCATION OF RELOCATED HAND SOAP, SOAP DISPENSER, & TOWEL DISPENSER. COORDINATE WITH EQUIPMENT LAYOUT.
8. HAND SOAP DISPENSER, & TOWEL DISPENSER. COORDINATE WITH EQUIPMENT LAYOUT.
9. VINYL FLOORING, MINNINGTON ASSURANCE R, COLOR 16301 GLACIER.
10. PROVIDE MICRO SWITCH ACTIVATED AIR CURTAIN TO PRODUCE A MINIMUM DOWNWARD & OUTWARD AIR FLOW OF 3" THICK AT NOZZLE WITH AN AIR VELOCITY OF NOT LESS THAN 1600 FPM ACROSS ENTIRE OPENING OF DOOR TO A POINT 3'-0" A.F.F.
11. LOCATION OF RELOCATED EXISTING PARTIAL HEIGHT WALL & SERVICE COUNTER. MODIFY TO ACCOMMODATE EQUIPMENT AS REQUIRED. COORDINATE WITH EQUIPMENT PLAN.
12. PROVIDE NEW FLOOR DRAIN TO ACCOMMODATE NEW EQUIPMENT. COORDINATE WITH EQUIPMENT PLAN.

**GENERAL NOTES**

- A. ALL WORK SHALL BE PERFORMED & INSTALLED AS A COMPLETE SYSTEM USING MATERIALS & WORKMANSHIP OF HIGH QUALITY.
- B. ALL DIMENSIONS ARE TO FACE OF, OR CENTERLINE OF, PRIMARY STRUCTURAL COMPONENT OF CONSTRUCTION ASSEMBLY, AS SHOWN ON THE DRAWINGS, UNLESS NOTED OTHERWISE.
- C. PROVIDE BLOCKING AS REQUIRED FOR ALL WALL MOUNTED ITEMS, INCLUDING OWNER PROVIDED EQUIPMENT ITEMS.
- D. CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO WORK AND NOTIFY ARCHITECT OF ANY DIMENSION REVISIONS.
- E. WHERE ITEMS ARE NOT SPECIFIED, BUILDING STANDARDS SHALL BE MAINTAINED.
- F. ALL DOOR FRAMES SHALL BE 4" FROM PERPENDICULAR WALL AT HINGE SIDE UNLESS NOTED OTHERWISE.
- G. TENANT SPACE SHALL HAVE 1) 2A/B/C FIRE EXTINGUISHER INSTALLED PER 1000 SQUARE FEET AT 75 FEET ON CENTER (MAX.) NUMBER AND LOCATION TO BE VERIFIED.
- H. INTERIOR FINISHES SHALL HAVE A MINIMUM BURN CLASS RATING OF A, B, OR C PER THEIR REQUIRED AREAS PER TABLE 603.9 OF THE 2013 CBC.



**AREA OF ALCOHOL SALES**

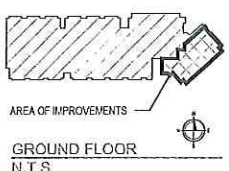


**rudeenarchitects**  
Boise + San Francisco

55 New Montgomery Street  
Suite 524  
San Francisco, CA 94105  
Phone 415-247-5400  
Info@rudeenarchitects.com

architecture  
planning  
project management

**KEY PLAN**



AREA OF IMPROVEMENTS

GROUND FLOOR  
N.T.S.

Planned Development  
Permit Amendment:

**Fruitdale Station  
Block E  
Market, Suite 60**

1520 Southwest Expressway  
San Jose, CA 95126

**FLOOR PLAN**  
Sheet Title:

**AS NOTED**  
Scale:

**1807**  
Project Number:

**17 AUGUST 2018**  
Date:

**1807A201.DWG**  
File Name:

PLANNED DEV. CORRECTIONS  
27 AUGUST 2018  
Revisions:

**A2.01**

09/27/18 - 2:50:03 PM - rudeenarchitects - CHRIS ANDERSON

**A1 FLOOR PLAN**  
SCALE: 3/16" = 1'-0"

THESE DESIGNS AND DRAWINGS ARE THE EXCLUSIVE PROPERTY OF RUDEEN & ASSOCIATES ARCHITECTS, AND ARE NOT TO BE USED OR DUPLICATED WITHOUT PERMISSION. COPYRIGHT © 2018. ALL RIGHTS RESERVED.



EQUIPMENT SCHEDULE

SYMB.	SUPPLY	INSTALL	ITEM	DESCRIPTION	NOTES
24	OWN	OWN	WRAPPING MACHINE	GAUCH FOOD MACHINERY, MODEL 65A	1,2
31	OWN	OWN	SLICER	HOBART, MODEL H55V4	1,2
55	OWN	OWN	COUNTERTOP OVEN	TURBO CHEF, MODEL HD9501 - VENTLESS COUNTERTOP OVEN	1,2,3,4
56	OWN	OWN	ICE MACHINE	MONOTONIC, MODEL ID-6324-161 D/60 SERIES	1,2
61	OWN	OWN	SMOOTH GRILL	STAR MANUFACTURING, MODEL PG11HT - PRO-MAX GROOVED TWO-SIDED GRILL	1,2
71	OWN	OWN	COFFEE BREWER	BUNNY, MODEL 33300 DEC	1,2,3,4
72	OWN	OWN	COFFEE GRINDER	MAZZER, MODEL KOKY	1,2,3,4
76	OWN	OWN	ESPRESSO GRINDER	MAZZER, MODEL KOKY	1,2,3,4
78	OWN	OWN	ESPRESSO MACHINE	LA MARZOCCO, MODEL STRADA EE	1,2,3
79	OWN	OWN	BLENDER	VITA-MIX, MODEL 56019 OH COUNTER BLENDER	1,2,3
95	OWN	OWN	WORKTOP REFRIGERATOR	TRUE, MODEL TWT-49D-2 HC	1,2,3
96	OWN	OWN	FOOD PREP TABLE	TRUE, MODEL TSSJ-69-16D-4 HC	1,2,3
106	OWN	OWN	MICROWAVE OVEN	MERMASTER, MODEL MCS1016	1,2,3,4
135	OWN	OWN	SHELVING	INTERMETRO INDUSTRIES - SEGMC FREESTANDING SHELVING UNITS	1
145	OWN	OWN	SCALE	MAGELLAN, MODEL 9193	1,2
1	OWN	OWN	MERCHANDISER	HUSSMANN, MODEL Q3DC-12R	1,2
2	OWN	OWN	MERCHANDISER	HUSSMANN, MODEL Q3DC-6R	1,2
3	OWN	OWN	MERCHANDISER	HUSSMANN, MODEL Q3-D SERIES 45 OS	1,2
4	OWN	OWN	MERCHANDISER	ATLANTIC FOOD BARS, MODEL SB11432F-QR2-F-SBE12-SW2 SRM UD-VH-ZFM	1,2
5	OWN	OWN	MERCHANDISER	HUSSMANN, MODEL R0G-33-83-4 REM	1,2
6	OWN	OWN	MERCHANDISER	HUSSMANN, MODEL R0G-33-83-12 REM	1,2
7	OWN	OWN	MERCHANDISER	HUSSMANN, MODEL R0D-4 REM	1,2
8	OWN	OWN	MERCHANDISER	ZEROZONE, MODEL GRV-M2H	1,2
A	OWN	OWN	MENU DISPLAY	ZAVOTOS	1
B	OWN	OWN	S.S. SINK - 2 COMPARTMENT	TURBO AIR, MODEL TSA-2-12-D1	1
C	OWN	OWN	S.S. SINK - 2 COMPARTMENT	TURBO AIR, MODEL TSA-2-R1	1
D	OWN	OWN	S.S. SINK - 3 COMPARTMENT	TURBO AIR, MODEL TSA-3-D1	1
E	OWN	OWN	VACUUM PACKAGING MACHINE	VACUMASTER, MODEL VP545	1,2
GC-1	OWN	OWN	S.S. WORK TABLES	ADVANCE TABCO, MODEL TIF-246-X	1
GC-2	OWN	OWN	S.S. WORK TABLES	ADVANCE TABCO, MODEL TIF-304-X	1
GC-3	OWN	OWN	S.S. WORK TABLES	ADVANCE TABCO, MODEL TIF-309-X	1
GC-4	OWN	OWN	S.S. WORK TABLES	ADVANCE TABCO, MODEL TIF-307-X	1

**ABBREVIATIONS:**  
 OWN - OWNER (TENANT)  
 GC - GENERAL CONTRACTOR OR SUB

**NOTES:**  
 1. VERIFY FINAL LOCATION WITH TENANT.  
 2. COORDINATE & PROVIDE POWER REQUIREMENTS PER MANUFACTURER'S RECOMMENDATIONS.  
 3. EQUIPMENT IS NSF APPROVED OR EQUIVALENT.  
 4. PROVIDE ASSE 102 COMPLIANT PROTECTION.

KEY NOTES

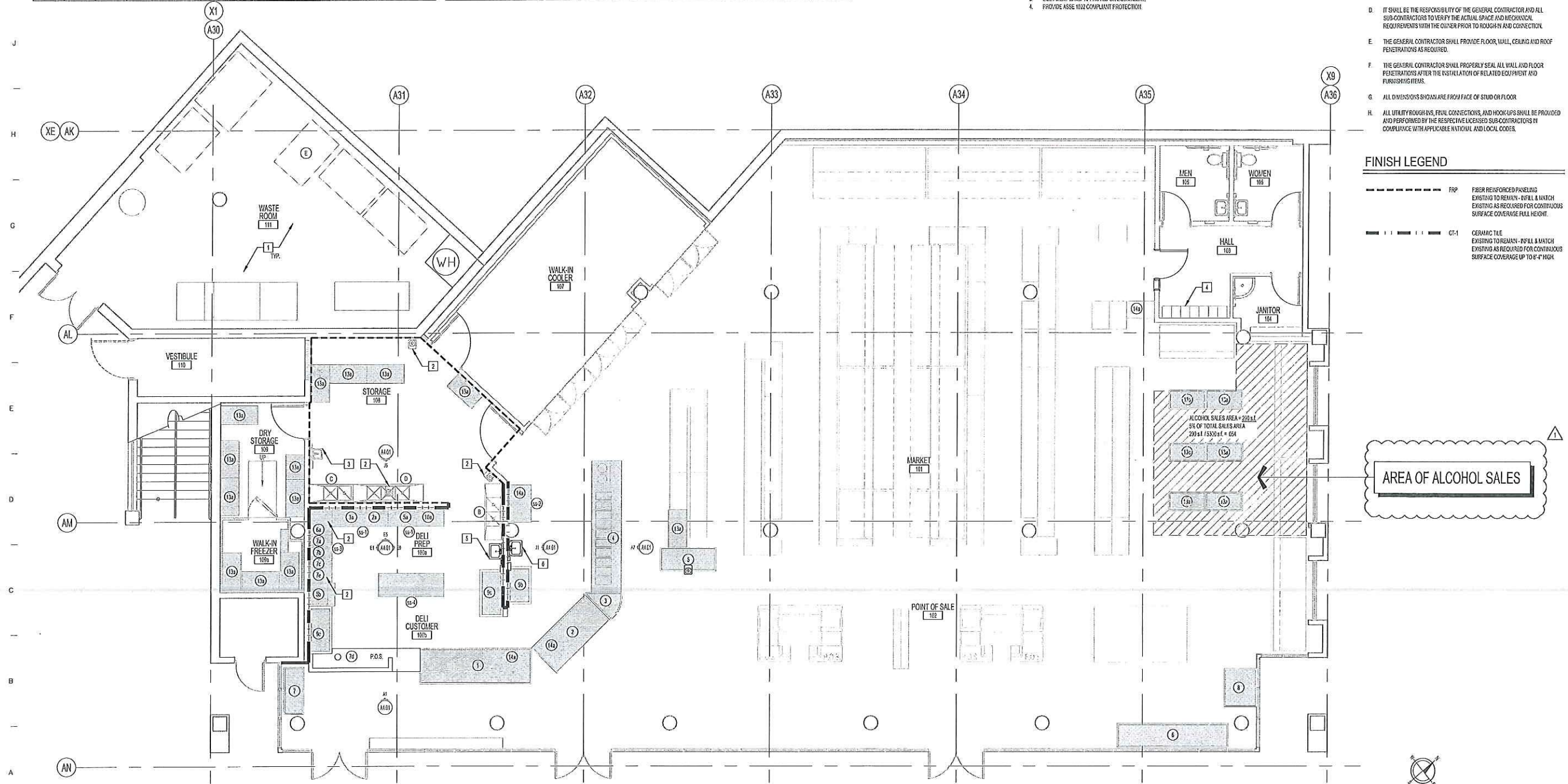
- STORAGE EQUIPMENT BY OWNER. COORDINATE WITH OWNER.
- EXISTING FLOOR DRUM.
- EXISTING HAND WASHING SINK.
- DOUBLE THE STANDARD LOCKERS TO BE INSTALLED ON MAXIMUM 6-INCH HIGH EASILY CLEANABLE OPENERS THAT PROVIDE A 6-INCH CLEAR SPACE BELOW THE LOCKERS.
- LOCATION OF RELOCATED HAND WASHING SINK, SOAP DISPENSER & TOILET DISPENSER. COORDINATE WITH TENANT EQUIPMENT FOR LOCATION.
- HAND SINK, SOAP DISPENSER, & TOILET DISPENSER. COORDINATE WITH FLOOR FLUX.

EQUIPMENT GENERAL NOTES

- ALL WORK SHALL BE PROVIDED AND INSTALLED AS A COMPLETE SYSTEM USING MATERIALS AND WORKMANSHIP OF HIGH QUALITY.
- PROVIDE BLOCKING AS REQUIRED FOR WALL MOUNTED ITEMS AS REQUIRED.
- IT SHALL BE NOTED BY THE GENERAL CONTRACTOR AND ALL SUB-CONTRACTORS THAT THIS PLAN AND THE INFORMATION CONTAINED WITHIN IN NO WAY BELIEVES SAID PARTIES OF THEIR RESPONSIBILITY TO INVESTIGATE AND COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES AND TO PERFORM ALL WORK TO THE HIGHEST STANDARDS.
- IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR AND ALL SUB-CONTRACTORS TO VERIFY THE ACTUAL SPACE AND MECHANICAL REQUIREMENTS WITH THE OWNER PRIOR TO ROUGH-IN AND CONNECTION PENETRATIONS AS REQUIRED.
- THE GENERAL CONTRACTOR SHALL PROVIDE FLOOR, WALL, CEILING AND ROOF PENETRATIONS AS REQUIRED.
- THE GENERAL CONTRACTOR SHALL PROPERLY SEAL ALL WALL AND FLOOR PENETRATIONS AFTER THE INSTALLATION OF RELATED EQUIPMENT AND FURNISHING ITEMS.
- ALL DIMENSIONS SHOWN ARE FROM FACE OF STUD OR FLOOR.
- ALL UTILITY ROUGH-INS, RIVAL CONNECTIONS, AND HOOK-UPS SHALL BE PROVIDED AND PERFORMED BY THE RESPECTIVE LICENSED SUB-CONTRACTORS IN COMPLIANCE WITH APPLICABLE NATIONAL AND LOCAL CODES.

FINISH LEGEND

- FRP: FIBER REINFORCED PANELING EXISTING TO REMAIN - IN-FILL & MATCH EXISTING AS REQUIRED FOR CONTIGUOUS SURFACE COVERAGE FULL HEIGHT.
- CT-1: CERAMIC TILE EXISTING TO REMAIN - IN-FILL & MATCH EXISTING AS REQUIRED FOR CONTIGUOUS SURFACE COVERAGE UP TO 4'-0" HIGH.

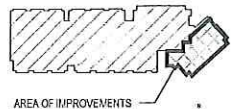


**rudeenarchitects**  
 Boise + San Francisco

55 New Montgomery Street  
 Suite 524  
 San Francisco, CA 94105  
 Phone 415-247-5400  
 Info@rudeenarchitects.com

architecture  
 planning  
 project management

KEY PLAN



GROUND FLOOR  
 N.T.S.

Planned Development  
 Permit Amendment:

**Fruitdale Station  
 Block E  
 Market, Suite 60**

1520 Southwest Expressway  
 San Jose, CA 95126

EQUIPMENT PLAN  
 Sheet Title:

AS NOTED  
 Scale:

1807  
 Project Number:

17 AUGUST 2018  
 Date:

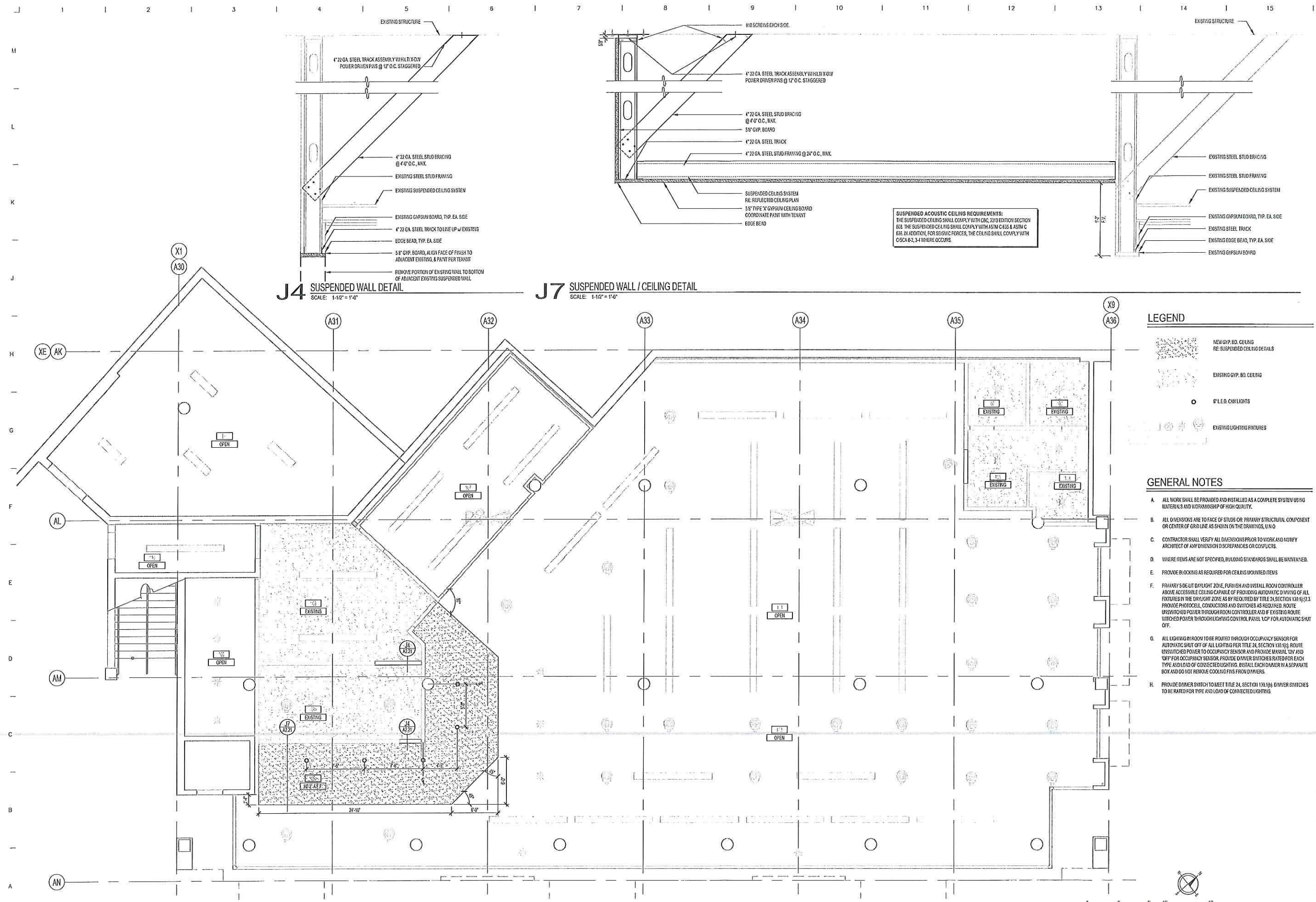
1807A211.DWG  
 File Name:

PLANNED DEV. CORRECTIONS  
 27 AUGUST 2018  
 Revisions:

**A2.11**



08/15/18 10:14:43 AM - rudeenarchitects - CHRIS ANDERSON



J4 SUSPENDED WALL DETAIL  
SCALE: 1-1/2" = 1'-0"

J7 SUSPENDED WALL / CEILING DETAIL  
SCALE: 1-1/2" = 1'-0"

SUSPENDED ACOUSTIC CEILING REQUIREMENTS:  
THE SUSPENDED CEILING SHALL COMPLY WITH CBC, 2019 EDITION SECTION 05.10 THE SUSPENDED CEILING SHALL COMPLY WITH ASTM C 635 & ASTM C 636. IN ADDITION, FOR SEISMIC FORCES, THE CEILING SHALL COMPLY WITH OSCA 02.34 WHERE OCCURS.

LEGEND

- NEW GYP. BD. CEILING  
RE-SUSPENDED CEILING DETAILS
- EXISTING GYP. BD. CEILING
- 8" LED. CAN LIGHTS
- EXISTING LIGHTING FIXTURES

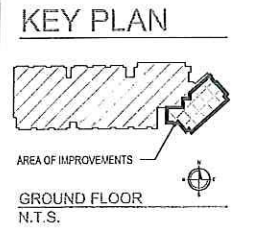
GENERAL NOTES

- ALL WORK SHALL BE PROVIDED AND INSTALLED AS A COMPLETE SYSTEM USING MATERIALS AND WORKMANSHIP OF HIGH QUALITY.
- ALL DIMENSIONS ARE TO FACE OF STUDS OR PRIMARY STRUCTURAL COMPONENT OR CENTER OF GRID LINE AS SHOWN ON THE DRAWINGS, UNLESS NOTED OTHERWISE.
- CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO WORK AND NOTIFY ARCHITECT OF ANY DIMENSION DISCREPANCIES OR CONFLICTS.
- WHERE ITEMS ARE NOT SPECIFIED, BUILDING STANDARDS SHALL BE MAINTAINED.
- PROVIDE BLOCKING AS REQUIRED FOR CEILING MOUNTED ITEMS.
- PRIMARY SIDE-LIT DAYLIGHT ZONE, FINISH AND INSTALL ROOM CONTROLLER ABOVE ACCESSIBLE CEILING CAPABLE OF PROVIDING AUTOMATIC DIMMING OF ALL FIXTURES IN THE DAYLIGHT ZONE AS REQUIRED BY TITLE 24, SECTION 130.10.2.3. PROVIDE PHOTOCELL, CONDUCTORS AND SWITCHES AS REQUIRED. ROUTE UNSWITCHED POWER THROUGH ROOM CONTROLLER AND IF EXISTING ROUTE SWITCHED POWER THROUGH LIGHTING CONTROL PANEL (LCP) FOR AUTOMATIC SHUT OFF.
- ALL LIGHTING BY ROOM TO BE ROUTED THROUGH OCCUPANCY SENSOR FOR AUTOMATIC SHUT OFF OF ALL LIGHTING PER TITLE 24, SECTION 130.10.3. ROUTE UNSWITCHED POWER TO OCCUPANCY SENSOR AND PROVIDE MANUAL ONY AND OFFY FOR OCCUPANCY SENSOR. PROVIDE DIMMER SWITCHES RATED FOR EACH TYPE AND LOAD OF CONNECTED LIGHTING. INSTALL EACH DIMMER IN A SEPARATE BOX AND DO NOT REMOVE COOLING FINS FROM DIMMERS.
- PROVIDE DIMMER SWITCH TO MEET TITLE 24, SECTION 130.10.6. DIMMER SWITCHES TO BE RATED FOR TYPE AND LOAD OF CONNECTED LIGHTING.

**rudeenarchitects**  
Bose + San Francisco

55 New Montgomery Street  
Suite 524  
San Francisco, CA 94105  
Phone 415-247-5400  
Info@rudeenarchitects.com

architecture  
planning  
project management



Planned Development  
Permit Amendment:

**Fruitdale Station  
Block E  
Market, Suite 60**

1520 Southwest Expressway  
San Jose, CA 95126

REFLECTED CEILING PLAN  
Sheet Title:

AS NOTED  
Scale:

1807  
Project Number:

15 AUGUST 2018  
Date:

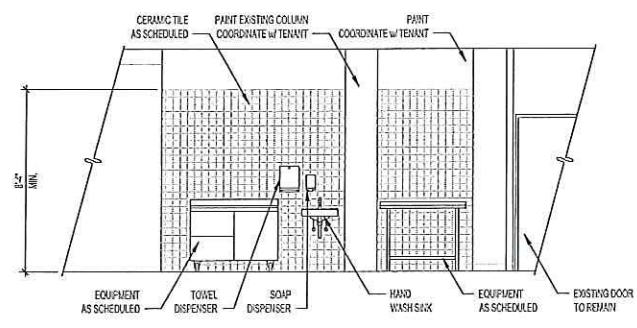
1807A221.DWG  
File Name:

Revisions:

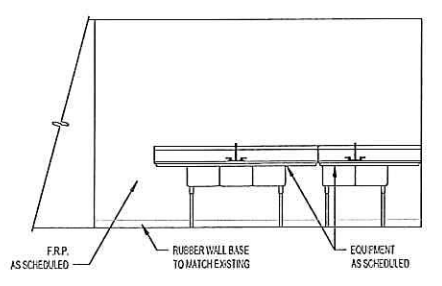


1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15

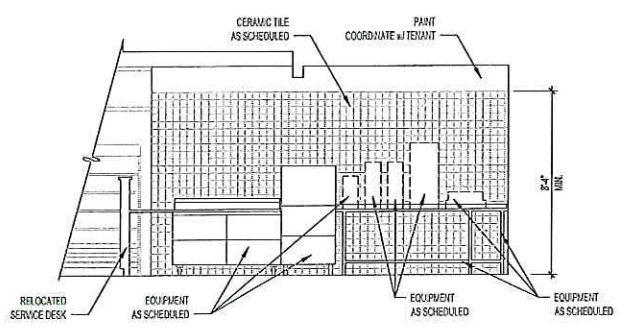
M  
L  
K  
J  
H  
G  
F  
E  
D  
C  
B  
A



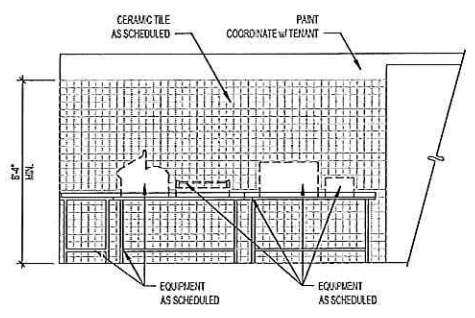
**J1** INTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"



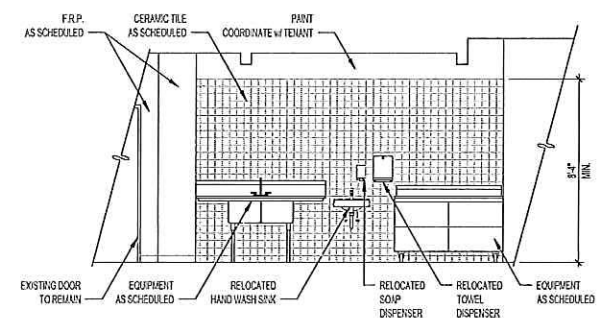
**J5** INTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"



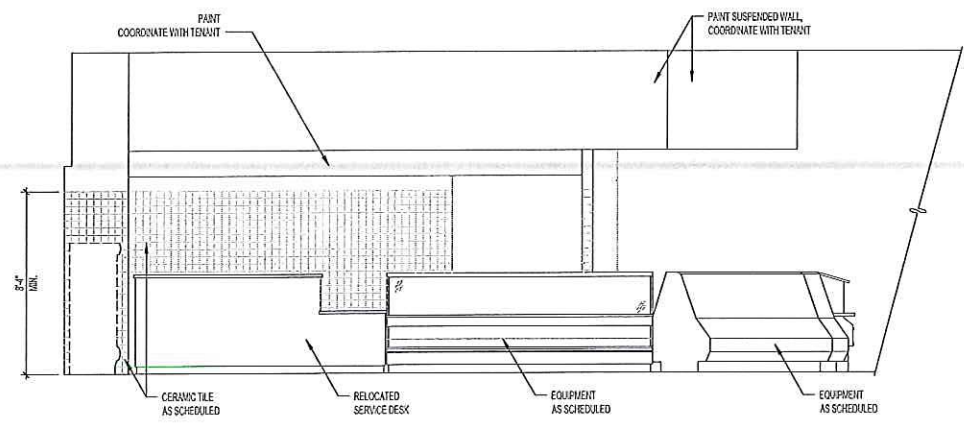
**E1** INTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"



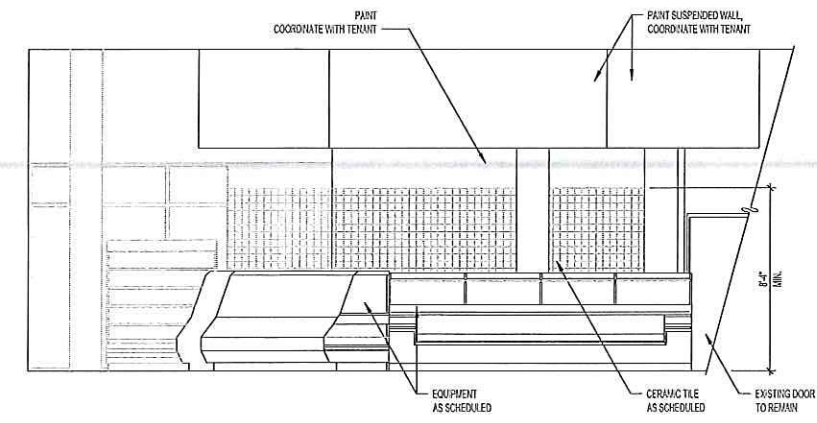
**E5** INTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"



**E9** INTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"



**A1** INTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"

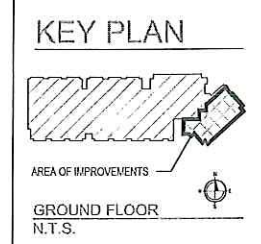


**A7** INTERIOR ELEVATION  
SCALE: 1/4" = 1'-0"

**rudeenarchitects**  
Boise + San Francisco

55 New Montgomery Street  
Suite 524  
San Francisco, CA 94105  
Phone 415-247-5400  
Info@rudeenarchitects.com

architecture  
planning  
project management



Planned Development  
Permit Amendment:

**Fruitdale Station  
Block E  
Market, Suite 60**

1520 Southwest Expressway  
San Jose, CA 95126

**INTERIOR ELEVATIONS**  
Sheet Title:

**AS NOTED**  
Scale:

**1807**  
Project Number:

**15 AUGUST 2018**  
Date:

**1807A401.DWG**  
File Name:

Revisions:

**A4.01**

08/15/18 10:15:26 AM - rudeenarchitects - CHRIS ANDERSON



# Memorandum

**TO:** Rhonda Buss  
Planning Department

**FROM:** Sgt. Rick Galea #3495  
San Jose Police Vice Unit

**SUBJECT:** 1520 Southwest Expressway

**DATE:** September 23, 2017

Approved

Date

I have received your request for input regarding 1520 Southwest Expressway, San Jose, Ca. 95125. 1520 Southwest Expressway is seeking an off-sale beer, wine and distilled spirits ABC license.

Per Business and Professions (B&P) Code Section 23958, the State of California Department of Alcohol Beverage Control shall deny an ABC Application for an ABC License if the issuance of that license would tend to create a law enforcement problem or if it would result in or add to an undue concentration of ABC Licenses, with certain exceptions as described in B&P Sections 23958.4 (a)(2) and 23958.4 (b)(2). A location can be unduly concentrated because of its criminal statistics and/or it's proximity to other ABC Licenses.

1520 Southwest Expressway is located in San Jose Police Beat Sam Two. The reported crime statistics as defined by B&P Section 23958.4(c) **are not** over the 20% crime index thus the location **is not** considered unduly concentrated per B&P Section 23958.4 (a)(1).

### Police Beat Crime Statistics

Beat	Index Crimes	Arrests	Total	20% Above Average
S2 (2016)	270	94	364	No
City Average	319	146	529	

Department of Alcohol Beverage Control (ABC) records indicate 1520 Southwest Expressway is in census track 5022.01. Pursuant to B&P Section 23958.4 (a)(2) ... off-sale retail licenses to population in census tract 5022.01 **does** exceed the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.

### Authorized and Current ABC Licenses in Census Track 5022.01

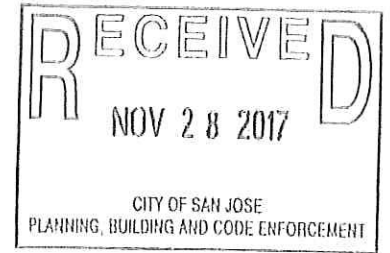
Census Tracks	Authorized ABC Licenses		Current ABC Licenses		Unduly Concentrated	
	On - Sale	Off - Sale	On - Sale	Off - Sale	On - Sale	Off - Sale
5022.01	8	3	3	4	No	Yes

The San Jose Police Department is neutral to allowing the off sale of alcohol at this location, as long as the location is prohibited from selling single cans or bottles of alcohol 40 ounces and under. If the location is allowed to sell single cans or bottles of beer 40 ounces and under, the

San Jose Police Department is opposed to this application. Please feel free to contact me at 277-4322 if you have any questions.

Sgt. Rick Galea #3495  
San Jose Police Department  
Special Investigations/Vice

REVISED 8/30/2018  
PER CITY OF SAN  
JOSE COMMENTS.  
SEE HOURS OF  
OPERATION FOR  
THE COFFE SHOP.



Fruitdale Station  
Market  
Operations Manual  
1520 Southwest Expressway  
San Jose, CA 95126  
Unit 50

# Fruitdale Station Market

Market 6,305 SQ. FT.

Total Occupants = 211

Attached Coffee Shop 596 SQ. FT.

Total Occupants = 20

## Hours of Operation

**Market**  
Monday  
7:00 am---9:30 pm  
Tuesday  
7:00 am---9:30 pm  
Wednesday  
7:00 am---9:30 pm  
Thursday  
7:00 am---9:30 pm  
Friday  
7:00 am---10:00 pm  
Saturday  
8:00 am---8:00 pm  
Sunday  
8:00 am---8:00 pm

**Coffee Shop**  
Monday  
6:00AM-6:00PM  
Tuesday  
6:00AM-6:00PM  
Wednesday  
6:00AM-6:00PM  
Thursday  
6:00AM-6:00PM  
Friday  
6:00AM-6:00PM  
Saturday  
6:00AM-6:00PM  
Sunday  
6:00AM-6:00PM

REVISED HOURS  
OF OPERATION  
PER CITY  
COMMENTS

The Fruitdale Station Market is a retail store who sells a variety of items below is a table showing Percent of Sales by department.

Grocery	37.10
Meat	10.26
Produce	10.78
Dairy	9.51
Deli	6.90
Frozen	13.70
Beer/wine	3.10
Bakery	2.79
Health, Beauty and Cosmetics	1.51
Seafood	2.19
General Merchandize	2.16



## Duties and responsibilities of the employees by category.

### Store Manager

The principal responsibility of the Store Manager is handling and overseeing all day-to-day processes that are carried out in the store. They manage the product inventory, salespersons, goods for display, sales, etc. However, they do not manage every single record of a product, but roughly has a record of all products and the people who are responsible for managing the products. Apart from product and customer management, they also must take care of the interests of the members in their sales team, as they are the ones who are in direct contact with the consumers.

The Store Manager is the individual who also oversees the daily operations of the store. They are responsible for overseeing the daily work of subordinate employees and sales staff ensuring that customers have a pleasant shopping experience and completing many other duties necessary to run the store in an effective and efficient manner.

There are many other duties this individual is responsible for completing and each duty in and of itself is vital to the smooth operation of the store. They need to make sure that the perfect individuals are hired to fill sales associate positions, clerical positions and other important job titles. In addition to these tasks, the Store Manager must see to it that everyone is adequately trained to fill their job title and supervise the work that they do throughout their employment at the store. Another

important duty and/or responsibility of the Store Manager deals with the money that comes into the store and goes back out as well. The Store manager is responsible for handling the turning in of cash at the end of each sales associates day and is required to ensure that all the money is accounted for in the end. In addition, the Store Manager is responsible for the employees and ensuring that the paychecks match the hours worked by everyone. Attendance records are needed to be kept by the them to ensure that all money which has come into the store is accounted for and sales associates and other employees are paid as they should be.

Inventory is another responsibility of the Store Manager. Since there needs to be goods in stock to sell, it is imperative that they check the inventory on a frequent basis and make sure that orders are in when they are supposed to be. In addition to checking the store stock and ordering goods, they also are responsible for sending in the invoices so that they are paid for keeping track of how much is spent on procuring the goods.

One very important duty of the Store Manager relates to customer service responsibilities. From time to time, shoppers within the store will ask to speak with a manager whether it is to issue, a complaint regarding their shopping experience or provide a compliment to an employee or the store itself. The Store Manager is the higher up individual in the ranks who provides an ear to customers who wish to express either their pleasure or displeasure regarding an aspect of the store. Therefore, they must be extremely well versed in matters of customer service.



The Store Manager is also the pertinent individual who confers with the higher up individuals on the corporate level. Since the Store Manager is on the premises daily, they are the best individuals to let the corporate office know how the store is doing. This relates not only to sales but to employer-employee relations as well. They are also the one who handles occupational safety and employee relations within the store and relates any issues back to the main office.

Lastly, the Store Manager is the person at the store who may handle advertising and promotional displays. They are the ones who must make their individual store shine when it comes to presenting various promotions in a favorable and enticing manner. Although they may not be responsible for drafting the advertising materials, they should be knowledgeable in how to display the information so that it has the maximum amount of potential possible

The basic requirements of a Store Manager are:

- Be required to complete either a (RBS) responsible beverage service training or (LEAD) Licensee Education on Alcohol and Drugs after they are hired.
- Employees training and development, performance management, payroll, and schedule workplace scheduling
- Store business operations, including managing profit and loss, facility management, safety and security, loss prevention

- Product management, including ordering, receiving, price changes, handling damaged products, and returns
- Team Development, facilitating staff learning and development

### Cashier/Stocking Staff:

Working as a cashier in a store is a demanding job. The cashier enters the merchandise sold, totals the bill, receives money, makes change, handles cards, and gives receipts. The work is extremely repetitive and there is no margin of error in handling money. The cashier is required to focus precisely on an unending stream of details in a fast-moving environment with many distractions. There is the physical strain of lifting many items over the scanner to make sure it automatically registers the sale, with the danger of repetitive motion injuries.

A cashier is dealing directly and intimately with many people. Despite the best professionalism, good manners and eye contact, a considerate and empathetic demeanor, flexibility in response, and a diplomatic approach that seeks to please, some customers are rude, demanding, and even threatening. Working in the public eye also puts a subtle pressure on the employee, because all his or her behavior is being constantly scrutinized by the customers, as well as being monitored by the management.

Cashiers must help customers locate merchandise. The job of cashier is one that is often sought out because it requires a minimal amount of training other than basic courtesy and math skills. The more challenging aspects of being a cashier are often dealing with the customer, not with the money, as the cash



software does most of the math and work for you. So, even though your typing skills should be sharp, the amount of time you'll spend dealing with the customer face-to-face means that your interpersonal skills should be even sharper. Cashier is the only person whom with every customer must interact for a while or long, so he must be very well trained skilled in customer service and basic math. Aside from these, cashiers must also be punctual to ensure that their computer is being manned, responsible to ensure that all security tags are removed, merchandise has not been tampered with and the tender is legal tender, ethically responsible with money and able to stand for long periods of time and lift heavy packages, often up to 25 pounds.

Cashiers will be responsible to learn how to greet a customer at their counter, how far away they should stand from the customer (usually 5 feet), how to give the customer their total and change and how to handle any complaints or discrepancies in price or payment. If the customer has had to wait in line, thank them for waiting. They will also learn how to use the software & till. This include show to open and close the cash box, entering the records, closing system for the night, scan an item, enter the item's bar code if it does not scan correctly and remove an item from the bill that has already been rung up. Cashiers will also learn how to handle money and tender. This includes basic math skills, how to input how much money was handed to you into the record, how to run a debit or credit card, how to acknowledge discounts and how to handle price conscious customers. They will learn how to perform other tasks

a cashier may have to undertake. These include reloading phone cards, checking currency notes to ensure they're not counterfeits, bagging items, scanning heavy or large items and checking personal identifications during the sales of alcohol.

Cashiers will be required to help with other things in the store operation include cleaning, stocking and inventory control. They may as well be required to price the items before stocking the shelves. Part of their job in stocking the shelves may be to put price tags on the inventory. Alternatively, you may need to put the price on the shelves. Cashiers need to know where the items go in the store and must be aware of all the sections in the store. They may be required to gather the boxes that have the stock they need to put on the shelves. Usually a handcart or shopping cart is your best bet for getting the boxes from the storeroom to the shelves. They will need to open the boxes and check to see if price tags are on the items. If they aren't, find the price tags for the item you are stocking and attach them. After pricing they start putting the items on the shelf or hanging them on the rack.

The most important part of stocking grocery shelves is making sure you are stocking what people want to buy. Once you have what will sell, keeping the shelves well-stocked and organized is essential to a properly run grocery store. They must remember to rotate the stock. Place older items in the front and newer items in the back to prevent product waste. They must discard and take a loss on anything that expires; selling it before the expiry date prevents that. They will be required to help with facing all items as they go. Facing means to make sure all the



labels face forward and that all the products are at the front of the shelves. If you don't have enough stock to fill the shelves, pull them all the way to the front so customers can easily see and access them.

When there is down time all employees are required to help with removing overstock promptly. Excess stock on the shelves or the sales floor makes the store look cluttered and unorganized. It also prevents people from finding what they want. Clean as you go. This is especially important if you're stocking during business hours. Customers avoid messy isles and dirty shelves. Pick up any packaging materials and wipe up dusty shelves and spills.

The basic requirements of a Cashier/ Stock Staff are:

- A cashier in any field can expect some basic responsibilities other than selling items.
- Cashiers most often complete transactions for customers and handle their money.
- Oftentimes a cashier will be responsible for counting and documenting the money received during the day.
- They will help the staff with merchandising, sales, promotions, and shelf stocking
- Cashiers must help customers locate merchandise
- Cashiers are also used in cleaning, stocking and helping with inventory control.
- Be required to complete either a (RBS) responsible beverage service training or (LEAD) Licensee Education on Alcohol and Drugs after they are hired.

For more information please contact:

Fruitdale Station Market

960 N. San Antonio Rd Suite 114

Los Altos, Ca 94022

650-209-3232





July 2, 2018  
Crestwood Behavioral Health Center  
1425 Fruitdale Ave  
San Jose, CA 95128

Zanotto's Market-Fruitdale  
C/O Troy and Dale Tribble

**Welcome to the neighborhood!**

We at Crestwood Center are happy to welcome you to the friendly Fruitdale Neighborhood. We have been providing mental health services in the neighborhood for over 40 years. We have seen this neighborhood grow rapidly and appreciate the direction it is going.

Our mission at Crestwood Behavioral Health Inc. is to create a partnership with clients, employees, families, business associates and the community in caring for individuals of all ages affected by mental health issues. Together, we invest our energy to enhance the quality of life, social integration, community support and empowerment of mental health clients. At Crestwood Center we are committed to providing safe, secure and responsive mental health services to the entire family. We strongly believe that our partnerships with clients, their families, our staff, the community, business associates and volunteers are vital to the success of our programs.

We appreciate having a business with similar values and ethics and look forward to doing business with you!

We wish you luck and much success. If we can do anything to make the transition any easier, let us know.

Again, welcome. We believe your company will be a real asset to our community!

Sincerely,



Brandi Priester  
Business Office Manager

**Crestwood San Jose Psychiatric Health Facility**

1425 Fruitdale Avenue, Suite A • San Jose, CA 95128 • Phone: (408) 275-1067 • Fax: (408) 275-6998