



**CITY COUNCIL STAFF REPORT**

<b>File No.</b>	CP24-030 & ER24-231
<b>Applicant:</b>	Pete Be Center
<b>Location</b>	West side of South 1 <sup>st</sup> Street, approximately 180 feet south of West San Salvador Street (439 South 1 <sup>st</sup> Street)
<b>Existing Zoning</b>	DC Downtown Primary Commercial
<b>General Plan Land Use Designation</b>	Downtown
<b>Council District</b>	3
<b>Historic Resource</b>	Structure of Merit
<b>Annexation Date:</b>	March 27, 1850 - Original City
<b>CEQA:</b>	Categorically exempt per CEQA Guidelines Section 15301(a) for Existing Facilities

**APPLICATION SUMMARY:**

Conditional Use Permit to allow the conversion of an existing approximately 10,220-square-foot building to a music venue with the addition of two mezzanines totaling approximately 1,454 square feet and to allow entertainment and on-site alcohol sales and consumption (for more than 250 people) and late-night operation until 2:00 AM on an approximately 0.24-gross acre site.

**RECOMMENDATION:**

Staff recommends that the City Council:

1. Consider the exemption in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15301(a) for Existing Facilities; and
2. Adopt a Resolution approving, subject to conditions, a Conditional Use Permit to allow the conversion of an existing approximately 10,220-square-foot building to a music venue with the addition of two mezzanines totaling approximately 1,454 square feet and to allow entertainment and on-site alcohol sales and consumption (for more than 250 people), and late-night operation until 2:00 AM on an approximately 0.24-gross acre site.

**PROJECT DATA**

<b>GENERAL PLAN CONSISTENCY</b>			
<b>General Plan Designation</b>	<b>Downtown</b> <input checked="" type="checkbox"/> <b>Consistent</b> <input type="checkbox"/> <b>Inconsistent</b>		
<b>Consistent Policies</b>	<b>General Plan Policies LU3, 3.1, 3.3, 3.4, 3.7, 3.8, and IE-5.3</b>		
<b>SURROUNDING USES</b>			
	<b>General Plan Land Use</b>	<b>Zoning</b>	<b>Existing Use</b>
<b>North</b>	Downtown	DC Downtown Primary Commercial	Commercial office
<b>South</b>	Downtown	DC Downtown Primary Commercial	Vacant
<b>East</b>	Downtown	DC Downtown Primary Commercial	Indoor recreation (gym)
<b>West</b>	Public/Quasi Public	Public/Quasi Public	San Jose Convention Center

**PROJECT DESCRIPTION**

**Site Description and Surrounding Uses**

As shown in the aerial map (Exhibit B), the subject 0.24-gross-acre site is located on the west side of South 1<sup>st</sup> Street, approximately 180 feet south of West San Salvador Street. The site is currently developed with an existing commercial building, surrounded by commercial office uses to the north and south, indoor recreation to the east across South 1<sup>st</sup> Street, and the San Jose Convention Center to the west across Market Street. The subject site is accessible to pedestrians from both South Market Street and South 1<sup>st</sup> Street.

**Background**

On August 29, 2024, the applicant, Rena Be on behalf of Pete Be Center, submitted a Conditional Use Permit application to allow the conversion of an existing approximately 10,220-square-foot building to a music venue with the addition of two mezzanines totaling approximately 1,454 square feet, and to allow entertainment and on-site alcohol sales and consumption, and late-night operation until 2:00 AM on an approximately 0.24-gross acre site. There are no proposed changes to the building exterior. Only interior alterations are proposed. The estimated capacity of the venue is anticipated to be 1,142 persons, but this is subject to change based on the review by the Fire Department and Building Division.

Based on the Operations Plan (Exhibit E), the subject building will be used as a music venue and an event center. The venue will only be open for scheduled events, and operational hours will vary depending on the event. The general hours will range from 9:00 AM to 2:00 AM. All entertainment activities will cease at 1:30 AM. No kitchen

facilities or food will be provided on-site. The establishment will operate with a valid California Department of Alcoholic Beverage Control (ABC) Type 90 License (on sale general, music venue). Per the Type 90 license, the sale, service, and consumption of alcoholic beverages is limited to the time period from two hours before a live performance until one hour after the live performance. Alcoholic beverages cannot be sold, served, or consumed between the hours of 2:00 AM and 6:00 AM.

The primary entrance to the venue will be from South 1<sup>st</sup> Street, and artists will enter the venue from South Market Street. The venue will include a main hall with a performance stage and two bars (Exhibit A, Floor Plan). The venue will have at least one security person per 50 customers. If queueing occurs, security will manage queueing and direct patrons to line up against the building on the south side of South 1<sup>st</sup> Street, leaving adequate space for the general public right-of-way.

Analysis of [City Council Policy 6-23: Guidelines for Evaluation of Nightclubs and Bars](#) and [City Council Policy 6-27: Evaluation of 24-Hour Uses](#) is required, as the music venue with a drinking establishment will operate past 12:00 AM midnight. The proposed project is consistent with both City Council Policies, as analyzed below. The attached Police Memorandum dated October 17, 2024 (Exhibit F), states that the Police Department is neutral to the project with certain conditions which have been included in the Conditional Use Permit Resolution. The operation of this facility must adhere to the Operations Plan (Exhibit E), which includes provisions for site security, staffing, site maintenance, pedestrian queueing, lighting, noise, and garbage/litter.

## ANALYSIS

The proposed project was analyzed for conformance with the following:

1. Envision San José 2040 General Plan
2. Zoning Code
3. Council Policy 6-23: Guidelines for Evaluation of Nightclubs and Bars
4. Council Policy 6-27: Evaluation of 24-Hour Uses
5. Conditional Use Permit Findings

### Envision San José 2040 General Plan Conformance

As shown in the General Plan Land Use Map (Exhibit C), the subject site has an [Envision San José 2040 General Plan](#) land use designation of **Downtown**. This designation includes office, retail, service, residential, and entertainment uses in the Downtown, which should enhance the “complete community” Downtown, support pedestrian and bicycle circulation, and increase transit ridership.

*Analysis: The project will occupy a vacant Downtown tenant space and provide an entertainment business with a drinking establishment. Therefore, it is consistent with the Downtown General Plan Land Use Designation. The project will support pedestrian and bicycle circulation as it is within walking distance of other commercial businesses such as*

*restaurants, theatres, and museums. In addition, the site is well-served by public transit and can be accessed by sidewalks along both South Market Street and South 1<sup>st</sup> Street.*

*The project is also consistent with the following General Plan policies:*

- a. Downtown Goal LU-3: Strengthen Downtown as a regional job, entertainment, and cultural destination and as the symbolic heart of San Jose; and
- b. Downtown Policy LU-3.1: Provide maximum flexibility in mixing uses throughout the Downtown Area. Support intensive employment, entertainment, cultural, public/quasi-public, and residential uses in compact, intensive forms to maximize social interaction; to serve as a focal point for residents, businesses, and visitors; and to further the vision of the Envision General Plan; and
- c. Downtown Policy LU-3.3: Support the development of Downtown as an arts, cultural, and entertainment center for San Jose and the region. Promote special events, parades, celebrations, performances, concerts, and festivals; and
- d. Downtown Policy LU-3.4: Facilitate development of retail and service establishments in Downtown, and support regional- and local-serving businesses to further primary objectives of this Plan; and
- e. Downtown Policy LU-3.8: Leverage Downtown's urban nature and promote projects that will help achieve economic, fiscal, environmental, cultural, social and other objectives of this plan.

*Analysis (LU-3, 3.1, 3.3, 3.4 & 3.8): The proposed project will occupy a vacant commercial building in the SoFA (South of First Street Area) District and will bring business and activity to this area of Downtown. The project will provide private entertainment events, music, and performances for residents and visitors to the Downtown, as well as promote increased economic activity.*

- f. Diverse and Innovative Economy Policy IE-5.3: Support private efforts to achieve a stronger mix of evening and late-night uses in Downtown that promote a vibrant, 24-hour city center to generate jobs, increase revenues and attract visitors and workers to San Jose.
- g. Downtown Policy LU-3.7: Recognize the urban nature of Downtown and support 24-hour uses and outdoor uses, so long as significant adverse impacts do not occur.

*Analysis (IE-5.3 & LU-3.7): The venue will be open until 2:00 AM, drawing patrons to the downtown area that will promote a vibrant, 24-hour city center. All windows and doors will be closed during entertainment with amplified music. The project will implement an Operations Plan that includes provisions for site security, employee training, maintenance, and customer queueing, and be consistent with the [City Council Policy 6-23: Guidelines for Evaluation of Nightclubs and Bars](#) and [City Council Policy 6-27: Evaluation of 24-Hour Uses](#) as discussed further in the report. By complying with the project conditions included in the Conditional Use Permit Resolution, the project will not result in significant adverse impacts.*

## Zoning Ordinance Conformance

### Use

As shown in the Zoning District Map (Exhibit D), the project site is located within the DC Downtown Primary Commercial Zoning District. The music venue is considered to be an auditorium. The project also includes a drinking establishment and late-night operation until 2:00 AM. Pursuant to Table 20-140 in [Section 20.70.100](#) and [Section 20.70.510.B](#), auditoriums require a Conditional Use Permit (CUP), and the drinking establishments with late-night operations also require a CUP. A CUP is also required for entertainment business per [Section 6.60.220](#).

Pursuant to [Section 20.100.220](#) of the Zoning Code, drinking establishments operating past 12:00 AM with an approved maximum occupancy load over 250 persons require a CUP to be heard at a City Council hearing rather than a Planning Commission hearing. The project plan set (Exhibit G) indicates the maximum occupancy load of 1,142 persons. Therefore, the City Council will be the final decision-making body for this CUP.

### Development Standards

The project does not include any physical changes to the building exterior. The project does not alter the height and setback of the existing building.

### Parking

- Vehicle Parking: The proposed use is a Visit End Use and the building area is less than 100,000 square feet. Therefore, the project is exempt from the Transportation Demand Management Plan requirements per [Section 20.90.900.B.2.d](#).
- Bicycle Parking: [Section 20.90.020.A](#) states that “Every building for which a building permit application for new square footage was submitted on or after January 1, 2011, shall provide the required bicycle parking spaces in compliance with the provisions of this chapter.” The existing building was constructed long before 2011. Therefore, as the project will not increase the square footage of the existing commercial building, new bicycle parking spaces are not required.

Noise: [Chapter 20.70](#), which includes regulations for the Downtown Zoning Districts, does not include performance standards or noise requirements. Noise regulations are included in City Council Policies 6-23 & 6-27, discussed below.

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

Nightclubs and bars that plan to operate late at night are required to meet the [City Council Policy on the Guidelines for Evaluation of Nightclubs and Bars](#). The project includes a drinking establishment till 2:00 AM; therefore, it is subject to this policy.

This City Council Policy is intended to facilitate the evaluation process for individual permit applications by identifying the needed project characteristics that are necessary for approval. The relevant policy areas from City Council Policy 6-23 are discussed below:

a. Land Use Compatibility

- i. Nightclubs should be encouraged throughout the Downtown Core to promote a diversity of uses provided that they do not adversely impact existing or planned residential uses or conflict with other General Plan Goals and Policies.

*Analysis: The subject site is located within the SoFA district and is in Downtown Core. The site is surrounded by commercial use. The nearest residential building (The Taft Apartments) is located at the south corner of South Market Street and Balbach Street, approximately 135 feet to the south of the site across from South Market Street. A mixed commercial and residential highrise project was approved at the north corner of West William Street and South Market Street, approximately 100 feet south of the site but separated by three commercial buildings.*

*The venue will operate entirely indoors and is physically separated from residential uses by non-residential buildings and South Market Street, as described above. As conditioned in the CUP Resolution, all windows and doors will remain closed during entertainment with amplified music. The venue operation is also required to comply with the Operations Plan. Per the Operations Plan, litter emanating from the site will be controlled daily for a distance of 300 feet along the public streets from the venue. No mechanical equipment, such as blowers and street sweepers, will be used for maintenance so that no excessive noise will be generated for such purposes. Queueing will be managed by security to minimize impacts to the sidewalks. Therefore, the project will not adversely impact the existing residential uses nearby.*

- ii. New nightclubs and bars should be discouraged from locating adjacent to or near any existing residential uses or any areas planned for residential uses in the adopted Horizon 2000 General Plan. Nightclubs may be located near areas designated Core Area Commercial with Residential Support for the Core Area overlay and parcels fronting Santa Clara Street. New nightclubs and bars adjacent to hotel uses should minimize the potential negative impacts on the guests of those facilities.

*Analysis: The nearest motel (Pacific Motor Inn at 455 South 2<sup>nd</sup> Street) is located approximately 135 feet southeast of the project site, across from South 1<sup>st</sup> Street. As discussed above, by implementing the project conditions and the Operations Plan, the project is not expected to impact the surrounding uses including hotels/motels.*

- iii. New nightclubs and bars that are not open during daytime hours should not occupy more than 30 percent of the street frontage on any one side of the street. Basement and upper story nightclubs are exempt from this provision provided that the entrance to those facilities is clearly the sole use at the ground level along the street frontage.

*Analysis: Although the venue anticipates only being open for scheduled events, the general operation hours will be from 9:00 AM to 2:00 AM. Since it will open during the daytime, the 30% requirement does not apply.*

- iv. New nightclubs should include sufficient space to accommodate queuing for patrons. This space should be provided on-site to the greatest extent possible. If the public right-of-way is proposed for queuing, a management plan to control crowds and litter as well as to ensure adequate pedestrian circulation should be part of the nightclub proposal.

*Analysis: Per the Operations Plan, security will manage queuing and direct patrons to line up against the building on the south side of South 1<sup>st</sup> Street, leaving adequate space for the general public right-of-way.*

- v. It is the responsibility of the Chief of Police to evaluate all bar and nightclub proposals to ensure the safety and security of both patrons and citizens. Conditions may be imposed to monitor bars and nightclubs and to discourage nuisance activities. These conditions may include such requirements as interior or exterior security guards, additional lighting, limited occupancy, and modifications of controls or procedures to increase effective law enforcement.
- vi. New nightclubs and bars are discouraged from locating in areas where there has been above average police calls for service.

*Analysis (v and vi): The Police Department evaluated the proposed project and issued a memorandum on October 17, 2024. The subject site is located in San Jose Police Beat E4. The reported crime statistics as defined by Business and Professions Code (B&P) Section 23958.4(c) are not over the 20% crime index therefore, the location is not considered unduly concentrated per B&P Section 23958.4(a)(1) for on-sale establishments. The Police Department is neutral to the proposed project with certain conditions. These conditions include regulating entertainment hours to 1:30 AM and on-site alcohol sale and consumption until 2 AM, requiring all windows and doors to be closed during entertainment with amplified music, requiring to follow Municipal Code Section 10.28.100 for minors admittance, and requiring the venue operation to comply with the Department of Alcoholic Beverage Control Music Venue License Acknowledgment ABC-203 form. These conditions are included in the CUP Resolution (Conditions 5.a to 5.f) and are reflected in the Operations Plan.*

b. Noise

- i. Both new construction and renovation of existing structures should meet the City's noise standards as specified in the Horizon 2000 General Plan. Sound attenuation techniques may be required to buffer adjacent interior and exterior spaces from noise generated by a nightclub or bar use.
- ii. Windows and doors should not be open during the operation of the facility where noise impacts the surrounding area. Adequate ventilation should be provided so that openings to the outside can be closed when the bar or club is at full capacity.
- iii. Outdoor areas for entertainment, including areas with roof openings, should not be allowed where noise impacts the surrounding area. Hours of operation and/or amplified sound should be carefully regulated to ensure compatibility with adjacent uses.

*Analysis: The entertainment and drinking establishment will operate within an existing building with no change to the structure's exterior. No outdoor activities are included. The CUP Resolution includes approval conditions requiring windows and doors to be closed during entertainment with amplified music so that no noise is audible outside the venue. No additional noise attenuation is required.*

c. Garbage and Litter

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

*Analysis: [City Council Policy 6-27: Evaluation of 24-Hour Uses](#) includes more restrictive conditions on this subject. The project will comply with Policy 6-27 as analyzed in the next section below. No noise-generating equipment will be used for exterior cleaning. The litter emanating from the site will be controlled on a daily basis for a distance of 300 feet along public streets from the site and the exterior cleaning will not occur between 10:00 PM to 7:00 AM.*

d. Typical Use Restrictions

- i. Admittance to bars and nightclubs will be restricted to patrons 21 years of age and older.

*Analysis: The venue will operate with a Type 90 ABC license. Type 90 allows minors to enter the venue, but alcoholic beverages are served to adult patrons only. Policy 6-23 was updated in 1993, while Type 90 was created in 2023 with different restrictions on the [California Department of Alcoholic Beverage Control \(ABC\)](#) license. Security personnel will check patron ID's at entrance. Wristbands will be placed on everyone over the age of 21 years old.*

- ii. Nightclubs and bars should not operate after 2:00 AM, daily.

*Analysis: The venue will only open for scheduled events. When the venue is open, the venue will operate until 2:00 AM, and all entertainment activities will cease at 1:30 AM.*

- iii. The maximum occupancy of a nightclub or bar is limited to the number identified by the Fire Marshall and may be further limited in the Conditional Use Permit based on parking availability or other land use compatibility issues.

*Analysis: The applicant shall follow the maximum occupancy identified by the Fire Marshall during the Building Permit process. A condition of approval requiring the project to adhere to the Fire Code is included in the CUP Resolution.*



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

*Analysis: The entertainment activities will only occur indoors. Windows and doors will be closed during entertainment with amplified music.*

### **Council Policy 6-27: Evaluation of 24-Hour Uses**

Any uses operating between 12:00 AM midnight and 6:00 AM are required to meet the [City Council Policy on the Evaluation of 24-Hour Uses](#). This City Council Policy is intended to ensure compatibility of late-night and early-morning uses with surrounding land uses. The relevant policy areas from City Council Policy 6-27 are discussed below:

- a. Area Use Compatibility. Twenty-four-hour uses should not be approved unless the facility can operate without detriment to nearby residential uses or the general welfare of the surrounding area. Users which are largely take-out and convenience in nature tend to have the most problematic neighborhood impacts, specifically: higher traffic volumes, quick turnover with vehicles left running and radios on, litter problems, and consuming food and beverages in cars while on site. Given the potential for problems arising from such uses which may or may not have been anticipated at the time of approval, all such permits should include a condition for a Compliance Review based on written complaints, and all such complaints should be referred to the Planning Commission.

*Analysis: The venue will operate without detriment to nearby residential uses and the general welfare of the surrounding area, as the venue does not include outdoor entertainment uses. As previously stated, windows and doors will remain closed during entertainment with amplified music, pursuant to City Council Policy 6-23 noise provisions. As explained in the Zoning Ordinance Compliance section above, City Council is the decision body for this project because the maximum occupancy load is over 250 persons. The written complaints, if any, should be referred to the City Council instead.*

- b. Use Separation. Physical separation of incompatible uses is the best means to avoid potential problems. Generally, 24-hour uses should not be located within 300 feet (measured from the building entrance and “Designated Parking Area” and/or “Outdoor Use Area” to the residential property line) from any property residentially zoned, planned, or used. Exceptions to the 300-foot separation may be made if the project site is located within the Downtown Core Area or in transition areas where the proximate residential uses are not zoned or planned for residential uses in the long term. The 300-foot separation requirement may be increased or decreased on a case-by-case review of the site’s specific circumstances and proposed use based on the intensity of use, location of other buildings and physical features, neighborhood input, or other relevant criteria. Examples of circumstances that might mitigate the 300-foot separation requirement:
  - i. Separation for residential by a major thoroughfare of at least four moving lanes and a sound wall at the residential property.

- ii. Complete physical separation from residential by other non-residential buildings.
- iii. One-hour extensions on Friday and Saturday nights and/or one hour from 5:00 AM to 6:00 AM daily.

*Analysis: As analyzed previously, the subject site is located within the SoFA district and is in Downtown Core. The site is surrounded by commercial use. The nearest residential building (The Taft Apartments) is located at the south corner of South Market Street and Balbach Street, approximately 135 feet to the south of the site across from South Market Street. A mixed commercial and residential highrise project was approved at the north corner of West William Street and South Market Street, approximately 100 feet south of the site but separated by three commercial buildings. The venue will operate entirely indoors and is physically separated from residential uses by non-residential buildings and South Market Street. Therefore, the project complies with this requirement.*

- c. Outdoor Activities. Outdoor activities may be limited for 24-hour operations except in the Downtown Core Area. Due to the unique combination of uses in the Downtown Core Area, 24-hour outdoor activities will be evaluated on a case-by-case basis. Services and sales should be conducted entirely within interior spaces between the hours of 12:00 midnight and 6:00 AM, except for specific development types identified under Policy 2. More restrictive hours and days of operation may be imposed in order to implement policy requirements. Other late-night outdoor activities on the site such as truck deliveries, maintenance, and garbage collection should be reviewed and may be conditioned to minimize noise impacts.

*Analysis: The venue will operate without detriment to nearby residential uses and the general welfare of the surrounding area, as the project does not include outdoor entertainment uses. All operations will take place within the building.*

- d. Police Issues. Crime statistics and police safety issues that are directly related to uses operating between 12:00 midnight and 6:00 AM will be analyzed and considered in determining the appropriateness of 24-hour uses. The Chief of Police should provide a written memorandum with this analysis, including a recommendation with or without conditions, for each Conditional Use Permit application for a 24-hour use. Conditions may be imposed to monitor 24-hour uses and minimize nuisance activities. These conditions may include such requirements as interior or exterior security guards, video cameras, additional lighting, limited occupancy, and modifications of controls or procedures to increase effective law enforcement. The likelihood of impacts caused by the disorderly conduct of late-night patrons in the surrounding neighborhood should be considered in the review process, especially as it relates to the proximity of residential uses.

*Analysis: Per the Police Memorandum dated October 17, 2024, the reported crime statistics as defined by Business and Professions Code (B&P) Section 23958.4(c) are not over the 20% crime index, therefore the location is not considered unduly concentrated per B&P Section 23958.4(a)(1) for on-sale establishments. The Police Department is neutral to the proposed project, with certain conditions that have been addressed in the Operations Plan and included in the CUP Resolution as discussed previously.*

- e. Restroom Facilities. Restroom facilities required by other codes or policies shall remain open and be available during late-night business hours. Customer access to restrooms is not required for drive-through facilities when there is no customer access permitted to interior areas. Restrooms that have exterior access will be analyzed from a safety and surveillance aspect and will remain open on a case-by-case basis.

*Analysis: The venue includes restrooms, and the restrooms will be open and available during entire operation hours per the Operations Plan.*

- f. Noise. Use of sound attenuation walls and landscaping may be required at property lines in order to minimize noise emanating from the site. Special attention should be paid to the possibility of noise at late night hours such as car stereos, cars starting, and conversations which may not be quantifiable, but can reasonably be expected to occur. No amplified sound is permitted between 10:00 PM. and 7:00 PM, except low-volume drive-through speakers specifically approved in conjunction with 24-hour drive-through use.

*Analysis: The project does not include any outdoor use or outdoor entertainment uses that will produce amplified sound. As conditioned in this CUP Resolution, all windows and doors shall be kept closed during entertainment with amplified music.*

- g. Cleaning and Maintenance. Cleaning and maintenance for outdoor areas utilizing mechanical blowers, vacuums, or other noise-generating equipment shall not be used between the hours of 10:00 PM and 7:00 AM. Special conditions to control on- and off-site litter may be required on a case-by-case basis.

*Analysis: No noise-generating equipment will be used for exterior cleaning per the Operations Plan. Because the site is within 300 feet of residential use, the exterior cleaning hours shall follow the more restrictive condition under h below.*

- h. Mitigation Management Plan. A mitigation management plan should be required for all mitigated 24-hour uses to ensure compliance with conditions of approval. The plan should be realistic, practical and enforceable. The plan should include detailed provisions for response to neighborhood complaints; control of noise, litter, graffiti, etc., and provide a protocol for interface with police to resolve potential problems with gangs, drugs, loitering, and other criminal activities.

- Conditions of Approval. The applicant shall provide a management plan and revised plans as necessary for the following items.
  - Litter Control. The applicant shall control the litter emanating from the site on a daily basis for a distance of 300 feet along public streets from the site.
  - Police Issues. The applicant shall maintain a liaison with the Police Department to effectively control crime, gang, drug and other police problems which may arise from the operation between 12:00 midnight and 6:00 AM.

- Lighting. The applicant shall provide enhanced lighting of the designated parking and use areas and related areas of the site to the satisfaction of the Director of Planning, Building, and Code Enforcement.
- Exterior Clean Up. Exterior clean-up and maintenance activities, including garbage pick up shall not occur later than 10:00 PM or prior to 7:00 AM when the business is located within 300 feet of residential uses.

*Analysis: The above Litter Control, Police Issue, and Exterior Clean Up conditions are all included as conditions of approval in the CUP Resolution. There are some existing wall-mounted lights on the building façades facing South 1<sup>st</sup> Street and South Market Street. The project will maintain those lighting fixtures.*

## Permit Findings

### Conditional Use Permit Findings

To make the Conditional Use Permit findings pursuant to San José Municipal Code [Section 20.100.720](#), the Planning Commission must determine that:

1. The Conditional Use Permit, as approved, is consistent with and will further the policies of the general plan, applicable specific plans, and area development policies; and

*Analysis: The project is consistent with the General Plan Land Use Designation of Downtown, intended for office, retail, service, residential, and entertainment uses. The project is consistent with General Plan policies regarding business growth and retention, Downtown retail development, and 24-hour uses. The project will occupy a currently vacant commercial building, generate city revenue, and create jobs. The project will also enhance pedestrian activity and improve customer convenience as the project site is located within walking distance of several other restaurants and businesses.*

2. The Conditional Use Permit, as approved, conforms with the zoning code and all other provisions of the San José Municipal Code applicable to the project; and

*Analysis: As discussed in Zoning Ordinance Conformance section above, the project will not change the building exterior, therefore, compliance with the DC Downtown Primary Commercial Zoning District development standards related to building height and setbacks have not changed. The project is also exempt from the TDM plan requirement and bicycle parking space requirement. The entertainment use as a music venue and drinking establishment with late-night operation is authorized with a Conditional Use Permit in the DC Downtown Primary Commercial Zoning District pursuant to Table 20-140 in Section 20.70.100, Section 20.70.510.B, Section 6.60.220, and Section 20.100.220 of the San José Municipal Code. Therefore, the project would be in conformance with the requirements of the DC Downtown Primary Commercial Zoning District with the issuance of the permit.*

3. The Conditional Use Permit, as approved, is consistent with applicable city council policies, or counterbalancing considerations justify the inconsistency; and

*Analysis: The project was analyzed for consistency with [Council Policy 6-23: Guidelines for Evaluation of Nightclubs and Bars](#) and [Council Policy 6-27: Evaluation of 24-Hour Uses](#). The project was found to be consistent with both policies, as discussed in their respective sections above.*

*[Council Policy 6-30: Public Outreach Policy](#) was implemented to inform the public of the project. Two on-site signs have been posted on the project frontages since November 22, 2024. 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's website](#). Staff has also been available to respond to questions from the public.*

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

*Analysis: As indicated in the October 17, 2024 Police Department memorandum for this project, the proposed use is not located within an area of high crime, and the Police Department is neutral to the project with conditions that are included in the Operations Plans and the CUP Resolution. As discussed in the City Council Policy sections above, the project will not include outdoor entertainment uses that will produce amplified sound. Operations of the venue will occur entirely indoors. The Operations Plan includes security provisions—one security guard will be present for every 50 patrons. If any outdoor queueing occurs, it will be organized to prevent impacts on pedestrian circulation along South 1<sup>st</sup> Street by security. Therefore, the project will not adversely affect surrounding uses.*

5. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

*Analysis: The project site is an existing 10,220-square-foot vacant commercial building. The building is adequate in size to accommodate indoor use as a music venue with a drinking establishment.*

6. The proposed site is adequately served:
  - a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use will generate; or by other forms of transit adequate to carry the kind and quantity of individuals such use will generate; and
  - b. By other public or private service facilities as are required.

*Analysis: The project site is within Downtown Core and is directly accessible from South Market Street and South 1<sup>st</sup> Street. The project site is close to bus stops for VTA bus lines 66 and 68. In addition, the site is within 1,330 feet of the San Antonio Light Rail Station and is within 1,500 feet of the Convention Center Light Rail Station.*

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

*Analysis: The project will not result in any environmental impacts related to noise, vibration, dust, drainage, erosion, stormwater runoff, and odor, as all construction will occur entirely indoors. A Construction Disturbance Coordinator shall be appointed to address any construction-related complaints. All construction activity will adhere to standard construction conditions, best management practices, and any regulatory agency requirements. The project will conform with all applicable noise requirements of the City Council Policies 6-23 and 6-2 7. Therefore, the project will not have an unacceptable negative effect on adjacent properties.*

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Under the provisions of Section 15301(a) for Existing Facilities of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) as stated below, this project is found to be exempt from the environmental review requirements of Title 21 of the San José Municipal Zoning Code, implementing the California Environmental Quality Act of 1970, as amended.

Class 1 Categorical Exemption consists of 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 key consideration is whether the project involves negligible or no expansion of an existing use. The project does not involve any exterior modifications or expansion to the footprint of the existing commercial building.

The project will allow entertainment activities with a drinking establishment within an existing vacant building and will include interior modifications to allow for its operation. The proposed use will wholly occur inside the building. Based on the discussion and findings in the sections above, the project will not have a significant effect on the environment. Therefore, the project is categorically exempt pursuant to CEQA Section 15301(a) for Existing Facilities.

## **PUBLIC HEARING NOTIFICATION**

Staff followed Council Policy 6-30: Public Outreach Policy to inform the public of the project. Two on-site signs have been posted on the project frontages since November 22, 2024. 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.

*/s/*  
CHRISTOPHER BURTON, Director  
Planning, Building and Code  
Enforcement

For questions, please contact John Tu, Division Manager, at (408) 535-6818.

### **Attachments:**

- Exhibit A – Floor Plan
- Exhibit B – Aerial Map
- Exhibit C – General Plan Map
- Exhibit D – Zoning Map
- Exhibit E – Operations Plan
- Exhibit F – Police Memo
- Exhibit G – Project Plans

Exhibit A: Floor Plan

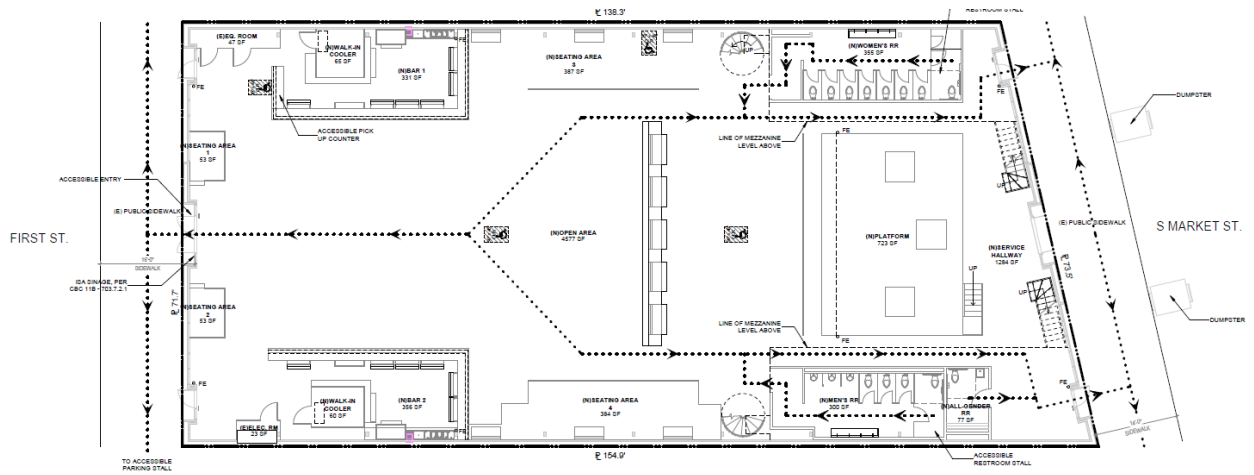




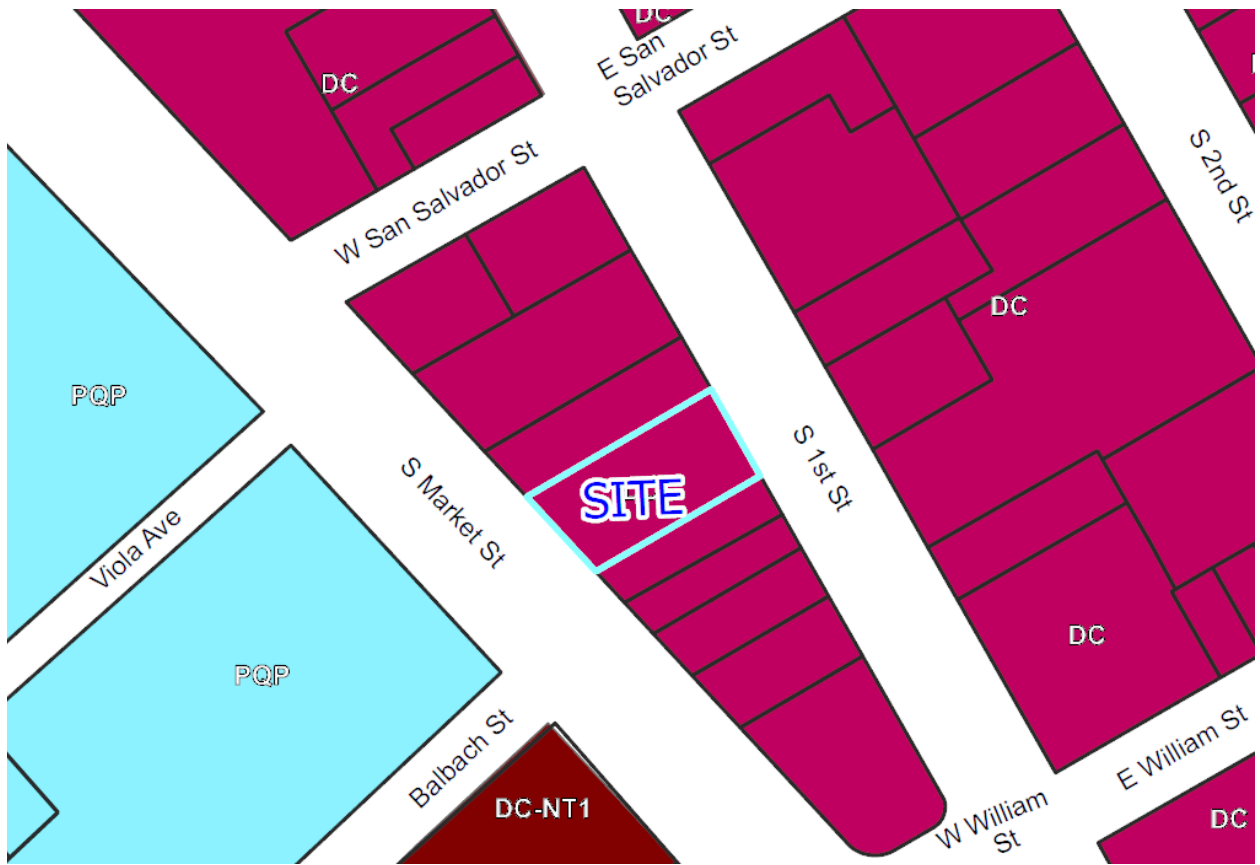
Exhibit B: Aerial Map



Exhibit C: General Plan Map



Exhibit D: Zoning Map





439 S. First Street  
San Jose, CA 95113

OPERATIONS PLAN  
File No. CP24-030  
January 2, 2025

**INTRODUCTION**

PETE BE CENTER is a music venue, event center and a drinking establishment for sale for on-site consumption of alcohol without food. We hold a Type 90 - Music Venue alcohol license. We are dedicated to invigorate and revitalize downtown San Jose, enhance cultural enrichment, and expand access for all city residents to a wide range of cultural experiences through community events, celebrations, and festivals. We are committed to investing in the communities of the City of San Jose and supporting its economic vitality. With a commitment to excellence, inclusivity, and sustainability, we are a collaborative labor of love by like-minded individuals of our community who share a strong passion for charity, culture, and good music while enriching the lives of residents and visitors through the power of music, events and creativity.

**VISION AND MISSION STATEMENT**

**VISION:** Our vision is to increase the city's visibility and reputation as a desired social destination for visitors and residents. And to become the premier destination for live music and community engagement in downtown San Jose, contributing to the cultural and economic growth of the area.

**MISSION STATEMENT:** Our mission is to provide a vibrant cultural hub for the community, showcasing diverse musical talent while fostering a sense of belonging and enrichment for residents and visitors alike. At PETE BE CENTER, we aim to curate exceptional live music experiences, support local, national, and international artists across various genres, and cultivate a dynamic space where people can gather, connect, and celebrate. WE ARE THE HEARTBEAT OF SAN JOSE.

**OVERVIEW AND OPERATIONS**

**ECONOMIC DEVELOPMENT:** We support local businesses and entrepreneurs by attracting visitors to downtown San Jose through cultural events and festivals. Create employment opportunities for local residents through event staffing and venue operations. Collaborate with tourism organizations and

hospitality industry to promote San Jose as a desirable social destination for cultural tourism and increase visitor spending in our city.

#### OPERATIONS:

- Largest privately owned music venue in the bay area.
- Centrally located in the SoFA District of downtown San Jose.
- Our music venue license will not be transferred or sold for a purchase price or consideration in excess of the original fee paid for our license.
- Alcoholic beverages will be sold for consumption upon the premises only.
- A spacious main hall with 10,220 square feet of space.
- A defined 34' x 24' performance stage that is reserved solely for the presentation of live entertainment.
- Mixing equipment, PA system, and lighting rig is maintained and in working order.
- A sound engineer, a stage manager, and security personnel will be onsite during each event.
- A paid ticket or cover charge is required to attend any performance, except for fundraisers and similar charitable events.
- Headline artists are paid performers.

#### REVENUE GENERATION:

- A paid ticket or cover charge will not include or require the purchase of an alcoholic beverage by any patron.
- A paid ticket or cover charge for a minor will not include, or be used or exchanged for, directly or indirectly, the purchase of alcoholic beverages.
- Private events will not exceed the number of live entertainment events occurring at the facility in any calendar year.
- We will not allow other persons or organizations to derive profits from the sale of alcohol.
- Records for number of live entertainment events and private parties will be kept for three years.

#### MARKETING & PROMOTION:

- Collaborate with the City of San Jose to promote cultural events and initiatives that enhance the city's visibility and reputation as a cultural destination.
- Utilize various marketing channels, including social media, email, printed media, and partnerships with local businesses and organizations, to promote events and engage with our target audience.
- Collaborate with social media influencers to promote our venue and events.

#### OPERATING DAYS & HOURS:

- We will only be open for scheduled events. Operating hours will range from 9am to 2am.
- Employees will be scheduled based on size and type of event. At least 4 employees each event.
- Patron restrooms will remain open for the duration of all events.
- The hours will depend on the event. We are applying for a late night use to 2am.
- Live entertainment will end by 1:30am.

#### ALCOHOL SERVICE & STAFF TRAINING:

- Alcoholic beverages will only be served two hours before an event, during event, and one hour after event. No alcoholic beverages will be present between the hours of 2am and 6am.
- Alcoholic beverages will only be consumed inside the venue.
- We will have at least one RBS trained and certified personnel onsite during business hours.

#### NOISE & LIGHTING:

- All windows and doors will remain closed during live entertainment with amplified music, so that no noise is audible outside the premises except in cases of emergency and to permit deliveries.
- We will be using the existing exterior street lighting.
- All lighting issues such as inadequate lighting or burned-out lights, will be addressed promptly by the maintenance provider.

**SECURITY & POLICE ISSUES:**

- We have contracted CSI Protective Services to provide onsite security during all events.
- Security will be positioned at each entrance, exit and throughout the venue.
- There will be a minimum of one security personnel for every 50 patrons.
- Security personnel will check patron ID's at entrance. Wristbands will be placed on everyone over the age of 21 years old.
- Security cameras are strategically placed throughout the venue, including facing the public right-of-way.
- Security will manage queuing and direct patrons to line up against the building at the south side of S. 1st Street, leaving adequate space for the general public right-of-way.
- We will maintain a liaison with the Police Department to effectively control crime, gang, drug and other police problems which may arise from the operation between 12:00 midnight and 6:00am.

**TRASH/LITTER/GRAFFITI/SITE MAINTENANCE:**

- We will control the litter emanating from the site on a daily basis for a distance of 300 feet along the public streets from the venue.
- We will not be using mechanical equipment, such as blowers and street sweepers as our outside maintenance.
- Exterior clean up and maintenance activities including garbage pick up shall not occur later than 10:00 pm or prior to 7:00 am.

**EXITS:**

- There are 5 emergency exits, all with panic bars installed within the venue.
- There are two separate single doors and a double door on S. 1st Street side.
- There are one separate single door and a double door on the S. Market Street side.
- There is one roll up door on the S. Market Street side for load-in and deliveries.
- Event attendees will enter through one of the three doors on S. 1st Street.
- Artists will enter through one of the two doors on S. Market Street.
- All exits have illuminated exit signs for emergency exit.

**PARKING:**

- Event attendees are responsible to find their own parking, at their own expense, either on the nearby street meter parking or in the nearby parking garages and parking lots.
- In addition to privately owned parking lots, the City of San Jose operate and maintain eight parking garages, nine surface lots, that's approximately 7,500 public parking spaces located primarily in downtown.

**CONCLUSION**

PETE BE CENTER is poised to become a cornerstone of cultural vitality in downtown San Jose, offering a dynamic space for artistic expression, community engagement, and economic revitalization. With a commitment to excellence, inclusivity, and sustainability, we look forward to enriching the lives of residents and visitors through the power of music and creativity. We're a safe social destination music venue and event center. WE ARE THE HEARTBEAT OF SAN JOSE.

**CONTACT INFO**

PETE BE  
Cell: 408.568.9700  
[pete@petebecenter.com](mailto:pete@petebecenter.com)

RENA BE  
Cell: 408.499.0150  
[rena@petebecenter.com](mailto:rena@petebecenter.com)



# Memorandum

**TO:** Angela Wang  
 Planning Department

**FROM:** Ofc. Ikeuchi #4574  
 San Jose Police Vice Unit

**SUBJECT:** CP24-030  
 Pete Be Center

**DATE:** October 17, 2024

Approved

Date

I have received your request for input regarding the existing Pete Be Center, located at 439 S. 1<sup>st</sup> St., in San Jose. Pete Be Center is seeking a Conditional Use Permit to allow late-night use and alcohol sales with a Type-90 ABC license. **The applicant is requesting to close at 3:00 AM nightly and to stop serving alcoholic beverages by 2:00 AM.** The occupancy load accommodates 1,246 people.

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, as described in B&P Sections 23958.4 (a)(1) and 23958.4(a)(3). A location can be unduly concentrated because of its criminal statistics and/or its proximity to other ABC Licenses. ABC can issue the license per B&P Sections 23958.4 (b)(1), and 23958.4 (b)(2) if the local governing body determines that the public convenience or necessity would be served. The City of San Jose Planning Department and the Planning Commission are the delegated authorities to grant these exceptions.

439 S. 1<sup>st</sup> St. is in San Jose Police Beat E4. 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) for on sale establishments.

### Police Beat Crime Statistics

Beat	Index Crimes	Arrests	Total	20% Above Average
E4	265	93	358	No
City Average	359	112	471	

A crime analysis indicated a total of 1446 calls for service and self-initiated events occurred within a 1000 ft. radius of 439 S. 1<sup>st</sup> Street. in a 12-month period (September 13, 2023 – September 13, 2024.) Of the 1446 calls and events, 361 occurred during the hours between midnight and 6:00 a.m. Some of the calls are listed in the table below.

### Crime Analysis

Number	Nature of Call
229	Disturbances
309	Vehicle Accidents / Traffic Related
80	Thefts / Burglary
42	Assault/Battery
0	Drunk in Public
8	DUI
4	Drug Offenses
10	Sex Crime
3	Robbery

Department of Alcoholic Beverage Control (ABC) records indicate that 439 S. 1<sup>st</sup> St., is in census tract 5017.00. Pursuant to B&P Section 23958.4 (a)(3), the ratio of on-sale retail licenses population in census tract 5017.00 does exceed the ratio of on-sale retail licenses to population in the county in which the applicant premises are located if approved.

The San Jose Police Department recognizes and supports the vision to increase the city's visibility and reputation as a desired destination for visitors. The San Jose Police Department also recognizes and supports business owners who are dedicated to invigorate and revitalize downtown San Jose and enhance cultural enrichment.

The downtown area (Police District Edward) has an extremely high concentration of ABC establishments, which primarily focus on food service and/or entertainment. These businesses create a significant draw to the downtown area. Problems associated with these types of businesses such as drunk in public, disturbances, crowd control, fights, traffic control, etc. create a significant police problem, thus being a drain on resources.

The decrease in staffing shifts more responsibility to the assigned beat officers in the police district. The entertainment district, along with the entirety of District Edward has four police beats and normally no more than one officer per beat is assigned and a supervisor. When incidents occur at these establishments, a multiple unit response is normally required. This results in units being pulled from nearby police beats.

There is overlap of the swing and midnight units throughout the city between approximately 10:00 PM and 12:30 AM. This enables the department to have resources to cover the busiest hours of the day. After approximately 12:30 AM, the midnight shift is solely responsible for the city. The entertainment district and District Edward does have additional officers on Thursday through Sunday evenings until approximately 2:00 AM to monitor the crowds during the closing of businesses. After 12:30 AM Monday through Wednesday and after 2:00 AM the rest of the week there are no additional resources to call upon. In addition, there will be no Downtown Service Unit to check for alcohol consumption after 2:00 AM.



**Authorized and Current ABC Licenses in Census Tract**

Census Tract	Authorized ABC Licenses		Current ABC Licenses		Unduly Concentrated	
	On - Sale	Off - Sale	On - Sale	Off - Sale	On - Sale	Off - Sale
5017.00	6	2	18	6	YES	YES

The San Jose Police Department is **neutral** to the proposed Pete Be Center’s Conditional Use Permit for late-night for this type of business in the downtown area if the following items are included in the CUP:

- All entertainment will cease at 1:30 AM. The venue will close at 2:00 AM.
- Hours of Operation for Minors:
  - Per SJMC 10.28.100, it is unlawful for any minor under the age of sixteen years of age to be in any public place within the city during curfew hours (10:00 PM to 5:00 AM) except as provided under 10.28.110.
  - Per SJMC 10.28.100, it is unlawful for any minor under the age of eighteen years of age to be in any public place within the city during curfew hours (11:30 PM to 5:00 AM) except as provided under 10.28.110.
- Sales, service, and the consumption of alcoholic beverages shall be permitted until 2:00 AM.
- The sale of alcoholic beverages for consumption off the premises is prohibited.
- Noise and Acoustics: All windows and doors for the facility shall remain closed during periods of amplified music is played or live entertainment is occurring, so that no noise is audible outside the premises **except** in cases of emergency and to permit deliveries.
- At all times, the establishment’s operational plan shall reflect and be in compliance with the Department of Alcoholic Beverage Control Music Venue License Acknowledgment ABC-203 form.

Please feel free to contact me at (408) 277-4041 if you have any questions.

Ofc. Ikeuchi #4574  
 San Jose Police Department  
 Special Investigations/Vice Unit

PETE BE CENTER

439 FIRST ST, SAN JOSE, CA 95113

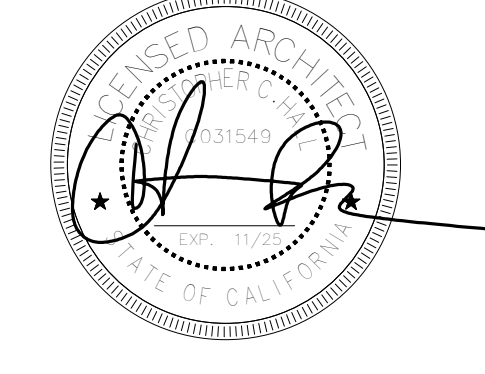
CONDITIONAL USE PERMIT, FILE NO. CP24-030



ARCHITECT OF RECORD:

MANU Studios, Inc. 1501 The Alameda, Ste 105 San Jose, CA 95126 408.265.5255 info@manustudios.com

STAMPS



GENERAL INFORMATION

OCCUPANCY: A-2
TYPE OF CONSTRUCTION: II-B
BUILDING HEIGHT: 1 STORY: 25' x 75', OK
FIRE PROTECTION: FIRE SPRINKLERED
SITE AREA: 10,454 SF
EXISTING - 10,220 SF
PROPOSED - MEZZANINE STORAGE = 1,454 SF
TOTAL = 11,674 SF
MAXIMUM OCCUPANCY LOAD: 1.142
ZONING: DOWNTOWN PRIMARY COMMERCIAL
APN: 264-30-086

SCOPE OF WORK

CONDITIONAL USE PERMIT TO ALLOW THE CONVERSION OF AN EXISTING APPROXIMATELY 10,220-SQUARE-FOOT BUILDING TO A MUSIC VENUE WITH THE ADDITION OF TWO MEZZANINES TOTALING APPROXIMATELY 1,454 SQUARE FEET, AND TO ALLOW ENTERTAINMENT AND ON-SITE ALCOHOL SALES AND CONSUMPTION, AND LATE-NIGHT OPERATION UNTIL 2:00 AM ON AN APPROXIMATELY 0.24-GROSS-ACRE SITE.

PREVAILING CODES

- CITYTOWN OF SAN JOSE MUNICIPAL CODE
2022 CBC, CPC, CMC, CEC (WITH LOCAL AMENDMENTS)
2022 CALIFORNIA FIRE CODE (WITH LOCAL AMENDMENTS)
2022 BUILDING ENERGY EFFICIENCY STANDARDS (WITH LOCAL AMENDMENTS)
2022 CALIFORNIA GREEN BUILDING STANDARDS (WITH LOCAL AMENDMENTS)

ACCESSIBILITY COMPLIANCE

FORM #300 ACCESS SUBJECT TO CHANGE
Accessibility Compliance Form

This form enables the Applicant to verify that the proposed construction will conform to California Building Code accessibility requirements.

ACCESSIBILITY COMPLIANCE DECLARATION
PROJECT ADDRESS: 439 FIRST ST.
SAN JOSE CA 95113
I have surveyed the building at the above address for compliance with required accessibility features per the California Building Code. Proposed alteration work will include an upgrade required to provide compliance with accessibility features serving the area of work as described in section CBC 11B-202. I acknowledge the following scope of required upgrades:

DEFERRED APPROVALS

FIRE ALARM SYSTEM
FIRE SPRINKLER SYSTEM

CITY STAMP APPROVAL

PETE BE CENTER
439 FIRST ST., SAN JOSE, CA 95113
CONDITIONAL USE PERMIT, FILE NO. CP24-030

Table with columns: REF #, DESCRIPTION, DATE. Includes Building Permit Set, Building Permit Revision 1, Planning Revision Set.

PROJECT #: 2024.023
DATE: 01.02.2025
CHECKED BY: CHECKER

GENERAL INFORMATION

PA0.00

ABBREVIATIONS

Table of abbreviations: & AND, (E) EXISTING, (N) NEW, @ AT, A/C AIR CONDITIONING, AC ASPHALTIC CONCRETE, etc.

SYMBOL LEGEND

Table of symbols: EARTH / COMPACTED FILL, CONCRETE, SAND / MORTAR, ALUMINUM, STEEL, FINISH WOOD, ROUGH WOOD / CONTINUOUS, WOOD BLOCK, METAL STUD, PLYWOOD, BATT INSULATION, RIGID INSULATION, GYPSUM WALL BOARD, SPOT ELEVATION, MATCH LINE, CONTROL POINT / DATUM, REVISION TAG / CLOUD, KEY NOTE TAG, FINISH TAG, WINDOW TAG, DOOR TAG, EXTERIOR ELEVATION NUMBER SHEET NUMBER, DETAIL NUMBER SHEET NUMBER, BUILDING SECTION NUMBER SHEET NUMBER, WALL SECTION NUMBER SHEET NUMBER, INTERIOR ELEVATION NUMBER SHEET NUMBER, ROOM NAME ROOM NUMBER, DIMENSION TO FACE OF STRUCTURE, DIMENSION TO CENTERLINE, DIMENSION TO FACE OF FINISH, PROPERTY LINE, COLUMN REFERENCE GRIDS.

GENERAL NOTES

- 1. THE GENERAL CONTRACTOR SHOULD VISIT THE SITE TO BECOME FAMILIAR WITH THE SCOPE OF WORK AND ACTUAL CONDITIONS PRIOR TO SUBMITTING THEIR BID. NO CONSIDERATION FOR EXTRA PAYMENT WILL BE MADE FOR ITEMS THAT COULD BE DETERMINED AS NECESSARY MATERIALS OR LABOR FROM SUCH A VISIT.

DEMO NOTES

- 1. ASBESTOS & HAZARDOUS MATERIALS: FEDERAL, STATE & LOCAL REGULATIONS REQUIRE THAT ALL ASBESTOS & OTHER HAZARDOUS MATERIALS IN A BUILDING BE REMOVED PRIOR TO STARTING THE DEMOLITION WORK. CONTRACTOR TO OBTAIN REQUIRED CERTIFICATION THAT THERE ARE NO HAZARDOUS MATERIALS PRESENT IN THE STRUCTURE.

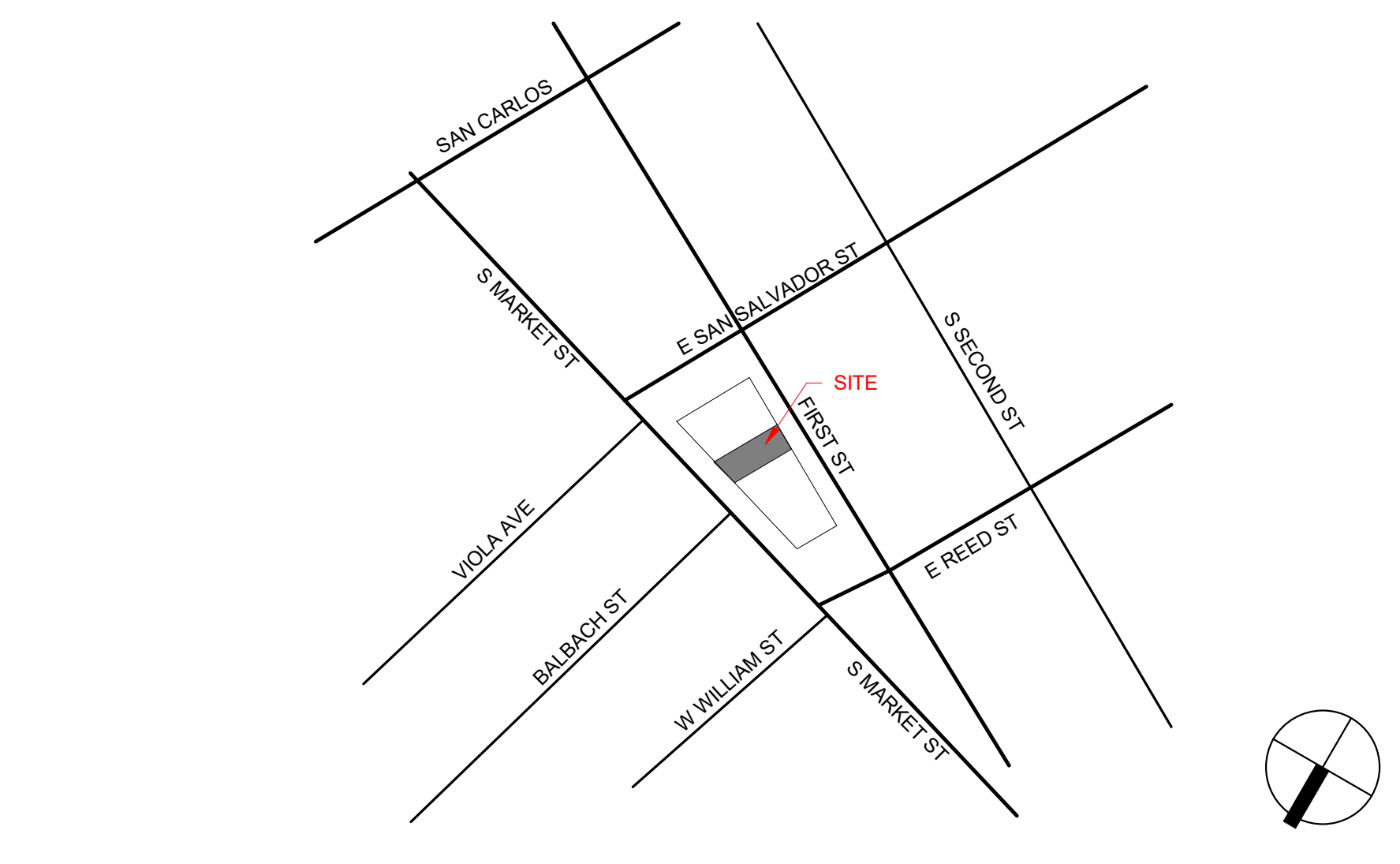
NEW CONSTRUCTION NOTES

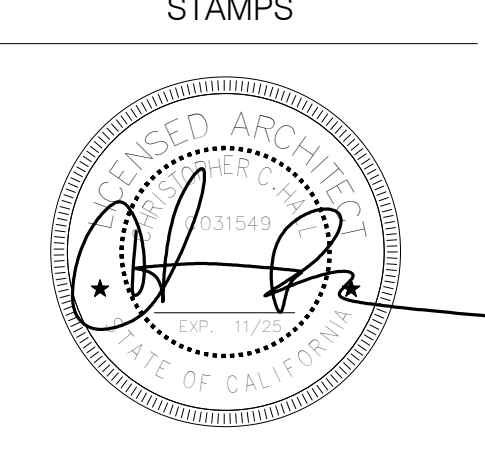
- 1. NEW CONSTRUCTION TO INCLUDE WALLS, CEILING, DOORS, LIGHTING, CASEWORK, FLOORING & OTHER FINISHES THROUGHOUT.

PROJECT DIRECTORY

Table with columns: CLIENT, ARCHITECT, ELECTRICAL, PLUMBING, STRUCTURAL. Lists project details for Pete Be Center.

VICINITY MAP





STAMPS

### OCCUPANCY SCHEDULE

ROOM NO.	ROOM NAME	AREA (SF)	LOAD FACTOR	Occ. Load
<b>Ground Floor</b>				
101	(N) OPEN AREA	4,577 SF	5 SF	916
103	(E) ELEC. RM	19 SF	300 SF	1
104	(N) WALK-IN COOLER	60 SF	300 SF	1
105	(N) BAR 2	356 SF	200 SF	2
106	(N) SEATING AREA 2	384 SF	5 SF	77
107	(N) MENS RR	300 SF	150 SF	2
108	(N) SINGLE OCC. ALL-GENDER RR	77 SF	150 SF	1
110	(E) FIRE RISER ROOM	42 SF	300 SF	1
111	(N) WALK-IN COOLER	65 SF	300 SF	1
112	(N) BAR 1	331 SF	200 SF	2
113	(N) SEATING AREA 1	387 SF	5 SF	78
114	(N) WOMENS RR	355 SF	150 SF	3
115	(N) JANITOR CLOS.	15 SF	300 SF	1
116	(N) SERVICE HALLWAY	1,284 SF	200 SF	7
117	(N) PLATFORM STAGE	723 SF	15 SF	49
<b>TOTAL OCCUPANTS</b>		<b>8,973 SF</b>		<b>1142</b>

PER CBC 1006.2.1.1. OCCUPANT LOAD > 1000 REQUIRED FOUR EXITS MIN. EXITS PROVIDED = (5) FIVE EXITS

### EGRESS

**EXIT ACCESS TRAVEL DISTANCE (w/ SPRINKLER):** (TABLE 1017.2)  
 MAX TRAVEL DISTANCE REQ'D A-2 OCC. 250'-0"  
 MAX TRAVEL DISTANCE PROV'D A-2 OCC. 113'-10" < 250'-0", OK

**EXIT ACCESS COMMON PATH TRAVEL (w/ SPRINKLER):** (TABLE 1006.2.1)  
 MAX COMMON PATH DISTANCE REQ'D A-2 OCC. 75'-0"  
 MAX COMMON PATH DISTANCE PROV'D A-2 OCC. 48'-7" < 75'-0", OK

**EGRESS DOORS (0.15" PER OCCUPANT) (SEC. 1005.3.2 EXCEPTION 1)**

EXIT NO.	OCCUPANTS	REQUIRED	PROVIDED
DOOR #1	214	26.7"	34"
DOOR #2	204	26.7"	34"
DOOR #3	133	26.7"	34"
DOOR #4	458	51.45"	70"
DOOR #5	133	26.7"	34"
DOOR #1	214	26.7"	34"
DOOR #2	204	26.7"	34"

**EGRESS STAIR WIDTH (0.33" PER OCCUPANT SERVED) (SEC. 1005.3.9)**

STAIR	AREA	REQUIRED	PROVIDED
STAIR #1 (PLATFORM STAGE)	49 x 10.3' = 14.726 7'	51.45"	70"
		36"	OK(34")

### PLUMBING FIXTURE TABUL.

PLUMBING OCCUPANT LOAD CALC PER CPC TABLE 4-1

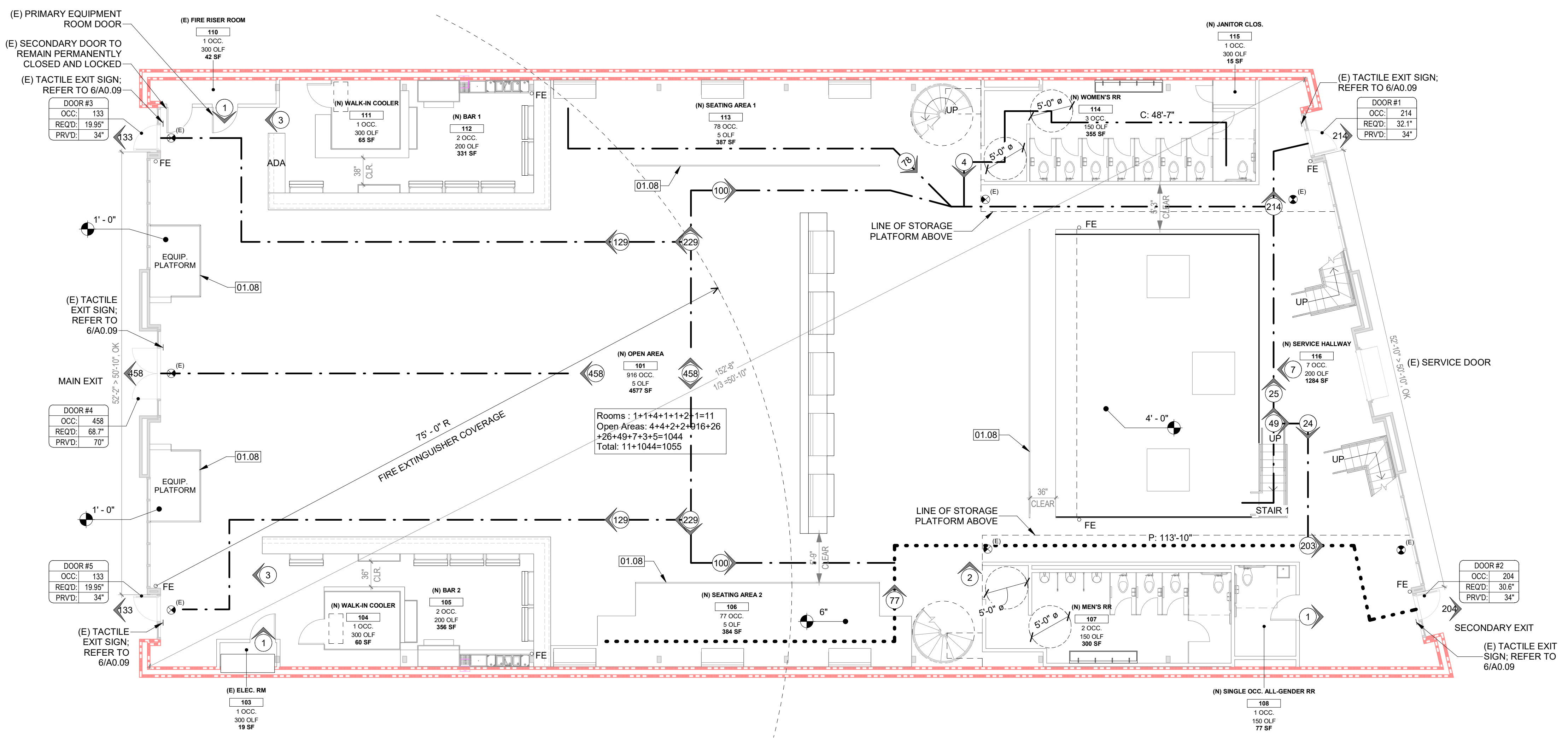
AREA NAME	AREA (SF)	OCCUPANCY	OLF	TOTAL OCC.
BAR 1	331 SF	A-2	200	2
BAR 2	356 SF	A-2	200	2
OPEN AREA	4577 SF	A-2	11	417
PLATFORM STAGE	723 SF	A-2	11	96
SEATING AREA 2	384 SF	A-2	30	13
SEATING AREA 1	387 SF	A-2	30	13
SERVICE HALLWAY	1,284 SF	A-2	200	7
	8042 SF			520

**PLUMBING OCCUPANT CALC**

OCCUPANCY	AREA	OLF	TOTAL OCC.	MALE / FEMALE
A-2	8042 SF	<varies>	520	260

**REQUIRED PLUMBING FIXTURES (CPC TABLE 421.1)**

	WATER CLOSET		URINAL		LAVATORY	
	REQ'D	PROV'D	REQ'D	PROV'D	REQ'D	PROV'D
FEMALE	8	8	-	-	4	4
MALE	3	4	2	3	3	4
ALL-GENDER	-	1	-	-	-	1



**1 PROPOSED EGRESS PLAN**  
1/8" = 1'-0"

### Exhibit G-Project Plans LEGEND

**EXISTING SHELL WALL**  
**EXISTING INTERIOR WALL**  
**EXISTING UNDERCOUNTER WALL**  
**EXISTING 1HR FIRE RATED WALL**  
**EXISTING 2HR FIRE RATED WALL**  
**NEW WALL, REFER TO WALL LEGEND TYPE**  
**1HR FIRE RATED WALL, REFER TO WALL LEGEND TYPE**  
**2HR FIRE RATED WALL, REFER TO WALL LEGEND TYPE**  
**PREFAB COOLER WALL, BY OTHERS.**

**DOOR OCCUPANT LOAD**  
**SYMBOL POINTS DIRECTION OF EGRESS FLOW**  
**# OCCUPANT LOAD LEAVING FROM THE DOOR**

**PATH OF TRAVEL**  
**T: Length - LENGTH OF SEGMENT**  
**P: Length - LENGTH OF SEGMENT**  
**C: Length - LENGTH OF SEGMENT**

**MAX. TRAVEL DISTANCE**  
**TRAVEL DISTANCE**  
**COMMON PATH MAX. TRAVEL DISTANCE**

**EGRESS SUM**  
**CUMULATIVE TOTAL OCCUPANTS EGRESSING ALONG PATH OF TRAVEL**

**EXIT TOTAL**  
**EXIT TO PRIVATE OR PUBLIC WAY**  
**IDENTIFICATION**  
**NUMBER OF OCCUPANTS EXITING**  
**REQUIRED EXIT WIDTH**  
**PROVIDED EXIT WIDTH**

**EXIT SIGN**  
**EXISTING EXIT SIGNAGE**  
**NEW EXIT SIGNAGE**

**FIRE EXTINGUISHER**  
**FE= CLASS 'A' FIRE EXTINGUISHER PER FECTION 906 FIRE EXTINGUISHER MIN RATING TO BE 2-A:10-B-C.**  
**FE-K= SURFACE MOUNTED FIRE EXTINGUISHER PER FECTION 906. IN KITCHEN AREA PROVIDE 'K' CLASS. FIRE EXTINGUISHER COVERAGE**

**OCCUPANCY ROOM TAG**  
**FIRE RATED ROOM RATING**  
**ROOM #**  
**LOAD FACTOR: OCC. TYPE AREA**  
**CALCULATED OCCUPANT LOAD**  
**LOAD FACTOR: OCCUPANCY TYPE**

### CODE ANALYSIS

OCCUPANCY: A-2  
 TYPE OF CONSTRUCTION: III-B  
 BUILDING HEIGHT: 1 STORY; 25' < 75', OK  
 FIRE PROTECTION: FIRE SPRINKLERED  
 SITE AREA: 10,454 SF  
 BUILDING AREA: EXISTING - 10,220 SF  
 PROPOSED - MEZZANINE STORAGE = 1,454 SF  
 TOTAL = 11,674 SF  
 MAXIMUM OCCUPANCY LOAD: 1,142  
 ZONING: DOWNTOWN PRIMARY COMMERCIAL  
 APN: 264-30-086

### GENERAL CODE NOTES

- EXIT SIGNS - THE PATH OF TRAVEL TO AND WITHIN EXITS IN A BUILDING SHALL BE IDENTIFIED BY EXIT SIGNS CONFORMING TO THE REQUIREMENTS OF CBC SECTION 1013. EXIT SIGNS SHALL BE READILY VISIBLE FROM THE DIRECTION OF APPROACH, REFER TO SHEET A0.7.
- TACTILE EXIT SIGNS - PROVIDE TACTILE EXIT SIGNS AT THE GRADE LEVEL EXTERIOR EXIT DOOR WITH THE WORD "EXIT" AND ON EXIT PATH THROUGH HALLWAY WITH WORD "EXIT ROUTE" PER CBC 1013.4 REFER TO SHEET A0.7 FOR LOCATIONS AND REQUIREMENTS.
- MEANS OF EGRESS ILLUMINATION - AT ANY TIME THE BUILDING IS OCCUPIED, THE MEANS OF EGRESS SHALL BE ILLUMINATED AT AN INTENSITY OF NOT LESS THAN 1 FOOT-CANDLE AT WALKING SURFACE LEVEL.
- ILLUMINATION OF POWER SUPPLY - THE POWER SUPPLY FOR MEANS OF EGRESS ILLUMINATION SHALL NORMALLY BE PROVIDED BY THE PREMISES ELECTRICAL SUPPLY. IN THE EVENT OF ITS FAILURE, ILLUMINATION SHALL BE AUTOMATICALLY PROVIDED FROM AN EMERGENCY SYSTEM THAT WILL PROVIDE POWER FOR NOT LESS THAN 90 MINUTES.
- OCCUPANCY SIGNAGE - EVERY ROOM OR SPACE WHICH IS USED FOR ASSEMBLY, DINING, DRINKING, OR SIMILAR PURPOSED HAVING AN OCCUPANT LOAD OF 50 OR MORE SHALL HAVE THE OCCUPANT LOAD OF THE ROOM OR SPACE POSTED IN A CONSPICUOUS PLACE, NEAR THE MAIN EXIT OR EXIT ACCESS DOORWAY FROM THE ROOM OR SPACE. POSTED SIGNS SHALL BE OF AN APPROVED LEGIBLE PERMANENT DESIGN AND SHALL BE MAINTAINED BY THE OWNER OR AUTHORIZED AGENT.
- WHERE EXIT SIGNS ARE REQUIRED ADDITIONAL APPROVED FLOOR-LEVEL EXIT SIGNS WHICH ARE INTERNALLY OR EXTERNALLY ILLUMINATED, PHOTOLUMINESCENT OR SELF-LUMINOUS SHALL BE PROVIDED IN ALL INTERIOR CORRIDORS.
- ALL BUILDING AND FACILITY ENTRANCES THAT ARE ACCESSIBLE TO AND USABLE BY PERSONS WITH DISABILITIES SHALL BE IDENTIFIED WITH A MINIMUM OF ONE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND WITH ADDITIONAL DIRECTIONAL SIGNS, UTILIZING THE SYMBOL, AT JUNCTIONS WHERE THE ACCESSIBLE ROUTE OF TRAVEL DIVERGES FROM THE REGULAR CIRCULATION PATH, TO BE VISIBLE TO PERSONS ALONG APPROACHING CIRCULATION PATHS; ENTRANCES WHICH ARE NOT ACCESSIBLE SHALL HAVE DIRECTIONAL SIGNAGE WHICH INDICATES THE LOCATION AND ROUTE TO THE NEAREST ACCESSIBLE ENTRANCE.
- OUTDOOR GAS FIXED FIREFIT, PER 933.1.1 AND NFPA 54-10.32.1, THE DECORATIVE FIRE APPLIANCE SHALL BE INSTALLED OUT DOORS IN ACCORDANCE WITH THE MANUFACTURERS INSTALLATION INSTRUCTIONS AND WITH CLEARANCES TO COMBUSTIBLE MATERIAL OF NOT LESS THAN 36" FROM THE SIDES. IN NO CASE SHALL THE APPLIANCE BE LOCATED UNDER OVERHEAD CONSTRUCTION. FIRE BURNER TO BE CSA CERTIFIED.

### KEYNOTES

01.08 (N) 42" HIGH STL. RAILING. RAILING SITS ON LEVEL GROUND AND SERVES ONLY TO DELIATE SPACES. RAILING IS NOT ASSOCIATED WITH ANY EGRESS OR ACCESSIBLE ROUTES.

PETE BE CENTER  
 439 FIRST ST., SAN JOSE, CA 95113  
 CONDITIONAL USE PERMIT, FILE NO. CP24-030

REV#	DESCRIPTION	DATE
1	Building Permit Set	10/22/24
1	Building Permit Revision 1	12/08/24
A	Planning Permit Revision Set	01/02/25

PROJECT #: 2024.023  
 DATE: 01.02.2025  
 CHECKED BY: CHECKER

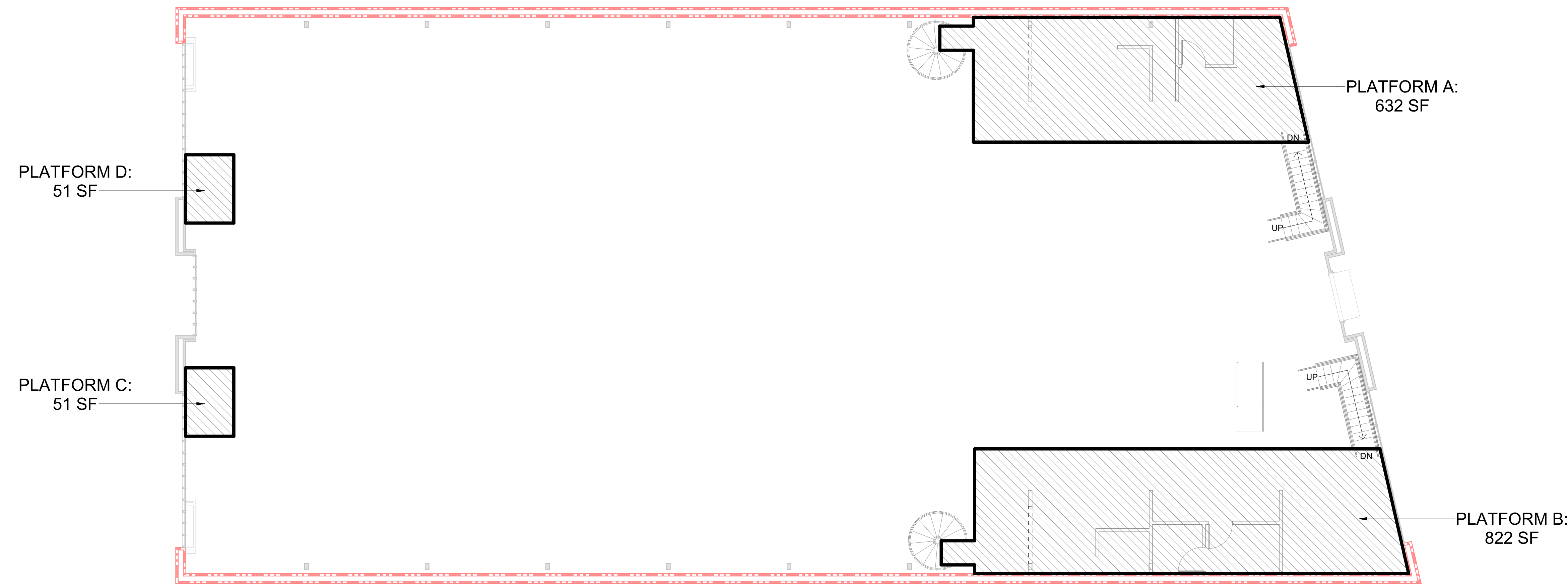
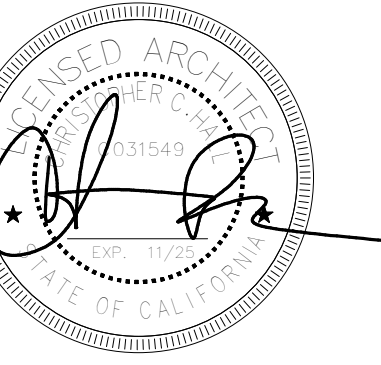
### CODE ANALYSIS & EGRESS PLAN

PA0.05



ARCHITECT OF RECORD:  
 MANU Studios, Inc.  
 1501 The Alameda, Ste 105  
 San Jose, CA 95126  
 408.265.5255  
 info@manustudios.com

STAMPS



**Code Reference**

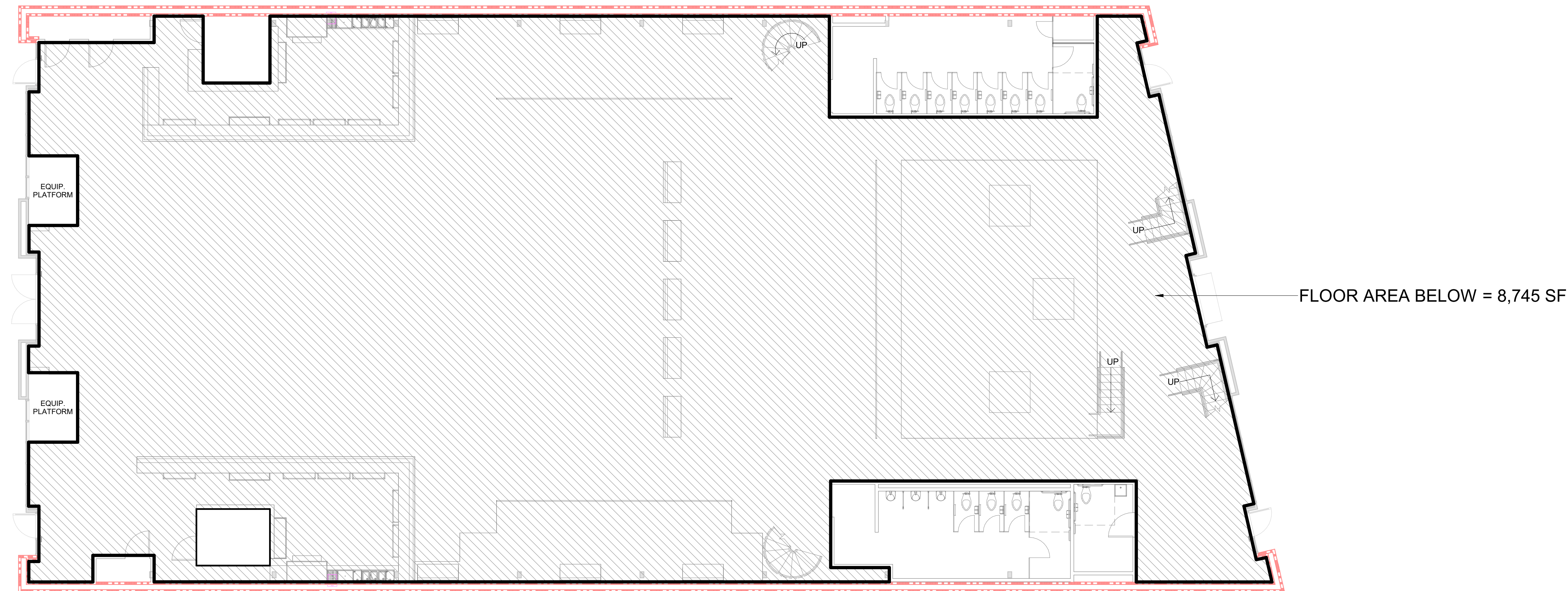
Per CBC 505.3.1= Platform Area < 2/3 of Floor Area Below

**Platform Calculations**

Total Platform Area = 632 + 822 + 51 + 51 = **1,556 SF**  
 Floor Area Below = **8,745 SF**  
 2/3 Floor Area Below = **5,830 SF**

Total Platform Area < 2/3 Floor Area Below  
 = **1,556 SF < 5,830 SF, OK**

**2 STORAGE PLATFORM FLOOR PLAN - PLATFORM AREA CALCULATIONS**  
 1/8" = 1'-0"



**1 FLOOR PLAN - PLATFORM AREA CALCULATIONS**  
 1/8" = 1'-0"

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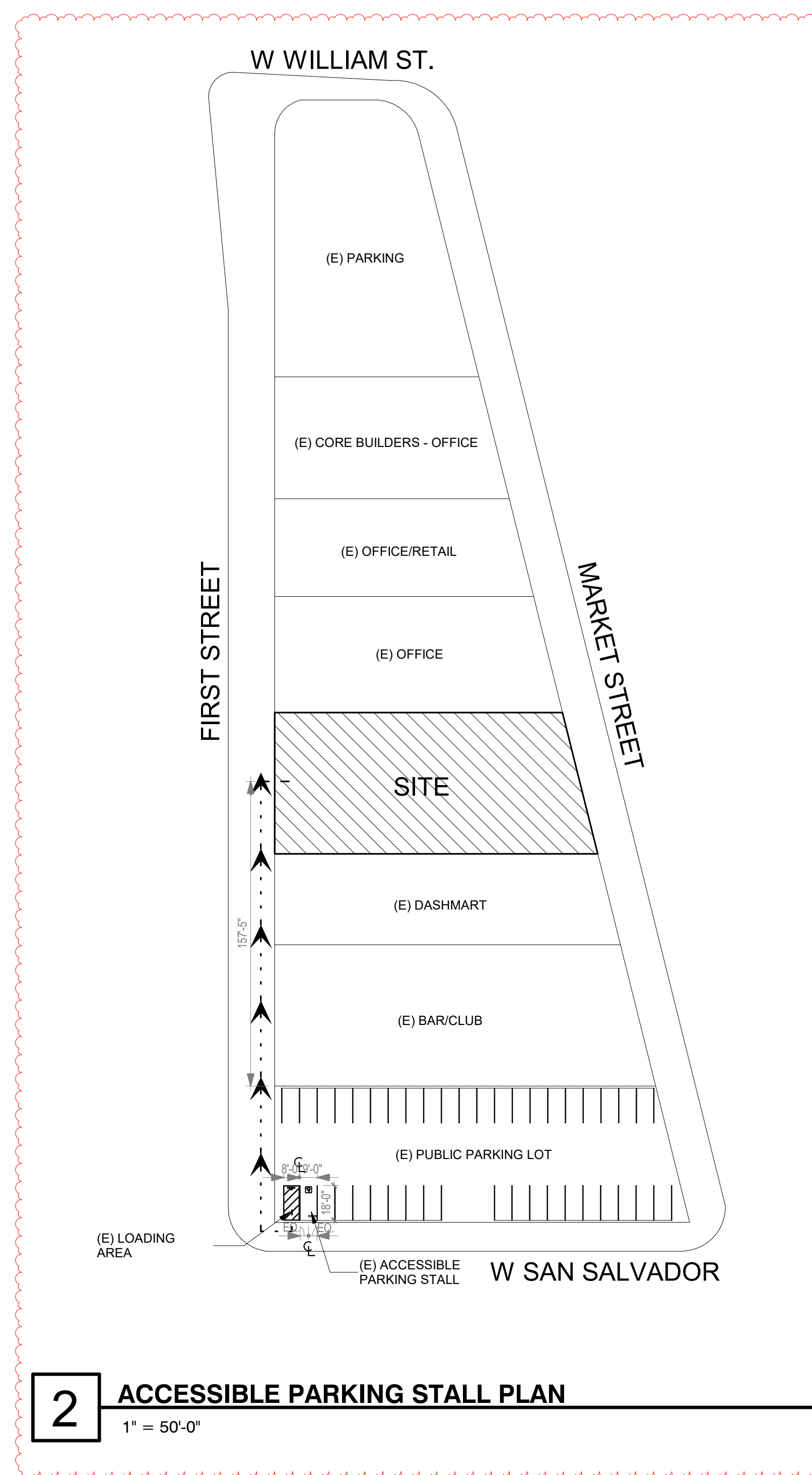
CONDITIONAL USE PERMIT, FILE NO. CP24-030

REV#	DESCRIPTION	DATE
1	Building Permit Set	10/22/24
A	Planning Review Set	01/02/25

PROJECT #: 2024.023  
 DATE: 01.02.2025  
 CHECKED BY: CHECKER

STORAGE PLATFORM CALCULATION

PA0.07



**2 ACCESSIBLE PARKING STALL PLAN**  
1" = 50'-0"

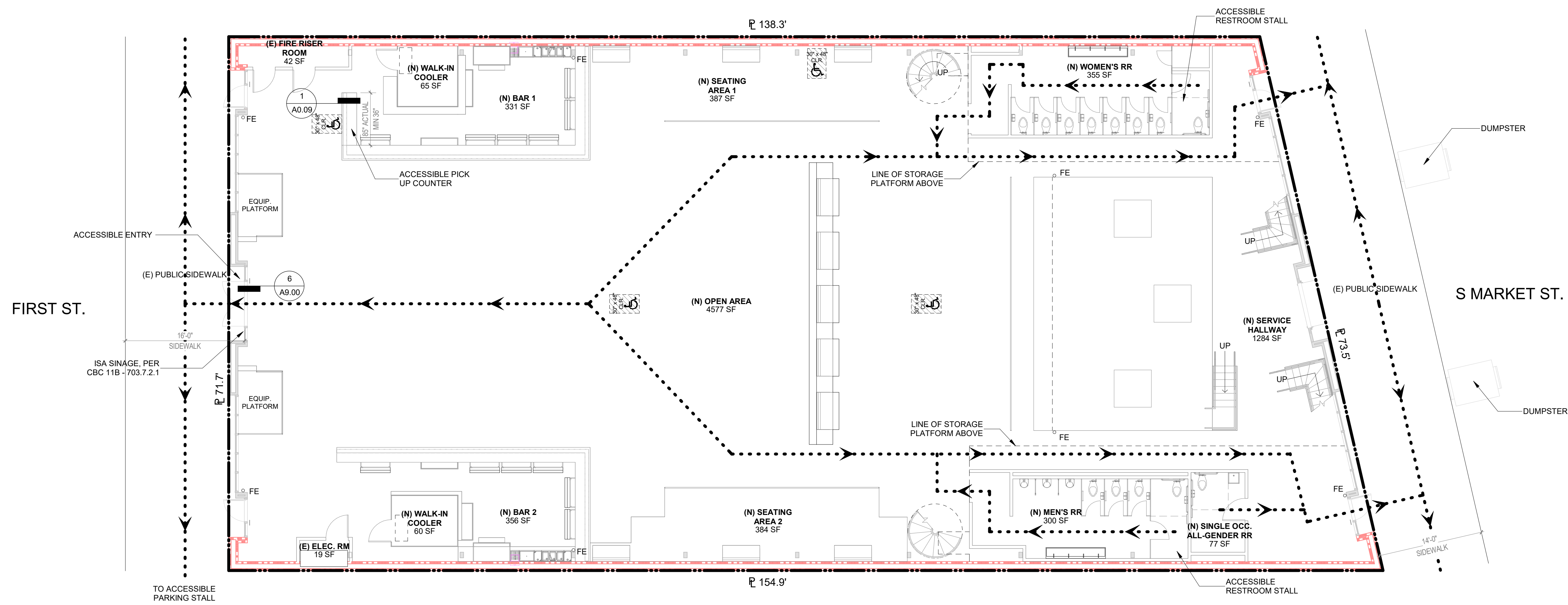
**SEATING TABULATION:**

3 SEATS PER BOOTH  
TOTAL # OF BOOTHS = 11 BOOTHS

TOTAL # OF SEATS = 11 x 3 = 33

**ACCESSIBLE SEATING REQUIRED AT 5%:**

33 x 5% = 2 ACCESSIBLE SEATS REQUIRED  
3 ACCESSIBLE SEATS PROVIDED



**1 OVERALL SITE PLAN / SITE ACCESSIBILITY**  
1/8" = 1'-0"

**LEGEND**

- PROPERTY LINE
- ⊥ XX.XX' LENGTH OF PROPERTY LINE
- ACCESSIBLE PATH OF TRAVEL
- ♿ 60" @ ADA CLEARANCE
- ♿ 30" x 48" ADA CLEARANCE
- ♿ T-TURN ADA CLEARANCE

**GENERAL NOTES**

1. REFER TO DETAIL CALLOUTS FOR THE ENLARGED FLOOR PLANS FOR FURTHER ACCESSIBLE INFORMATION.

**ACCESSIBILITY PLAN NOTES**

1. ENTRANCE SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 11B-206.4. ENTRANCE DOORS AND GATES SHALL COMPLY WITH SECTION 11B-404 AND SHALL BE ON ACCESSIBLE ROUTE COMPLYING WITH SECTION 11B-402.
2. TOILETS AND BATHING ROOMS SHALL COMPLY WITH SECTION 11B-603.
3. REFER TO BUILDING ACCESSIBILITY SHEET FOR ADDITIONAL DETAILS AND REQUIREMENTS.

**KEYNOTES**

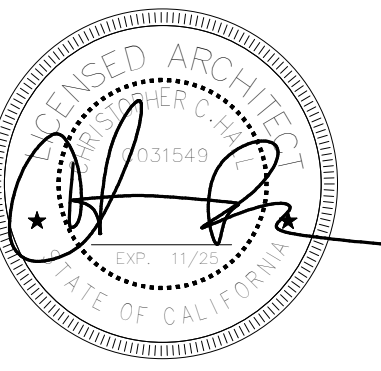
APPROVALS



**STUDIOS**

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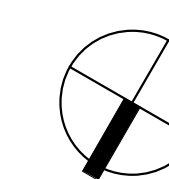
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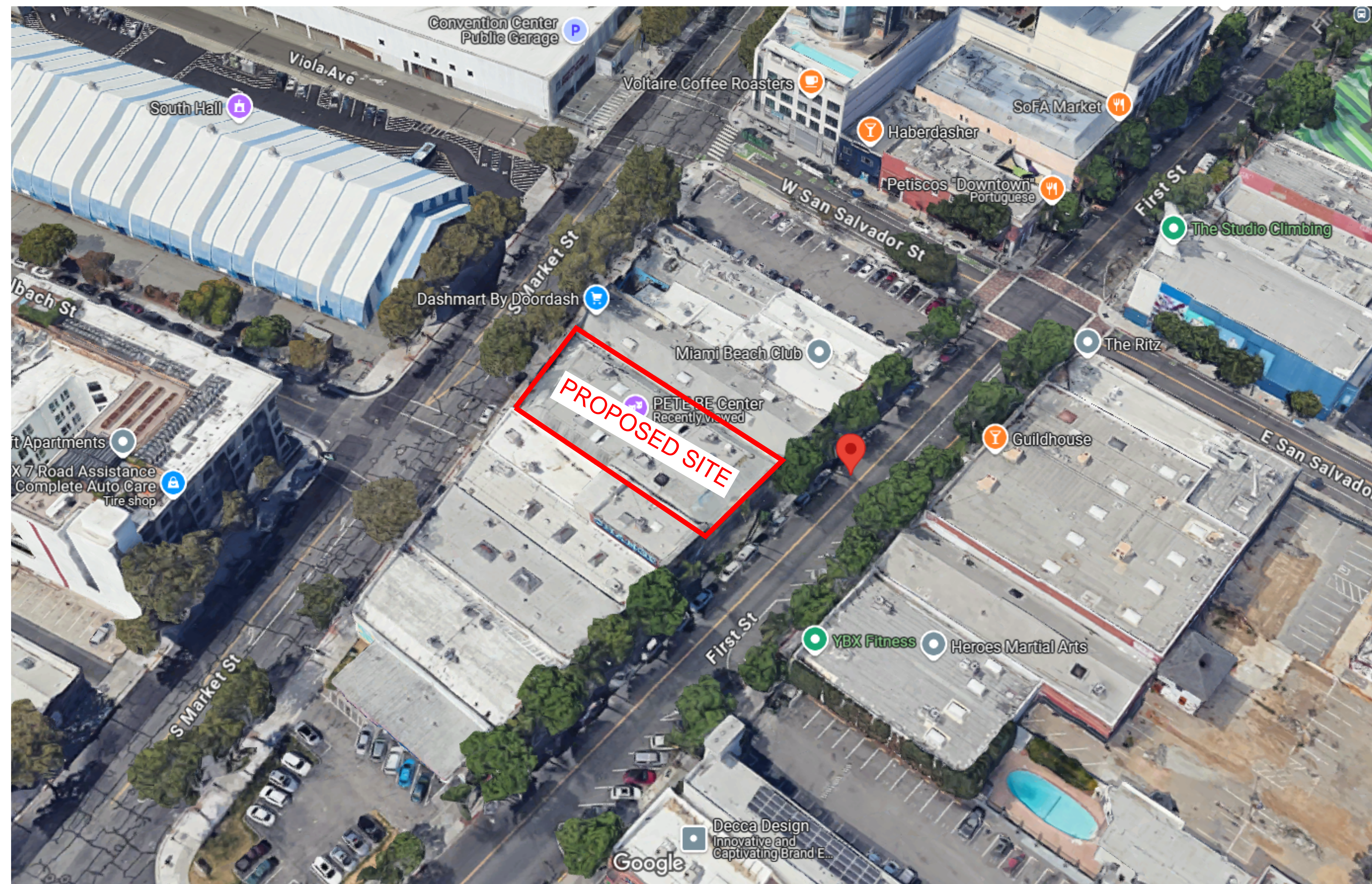
REV #	DESCRIPTION	DATE
1	Building Permit Set	10/20/24
A	Building Permit Revision 1	12/06/24
	Planning Revision Set	01/02/25

PROJECT #: 2024.023  
DATE: 01.02.2025  
CHECKED BY: CHECKER

OVERALL SITE PLAN / SITE ACCESSIBILITY

PA1.00

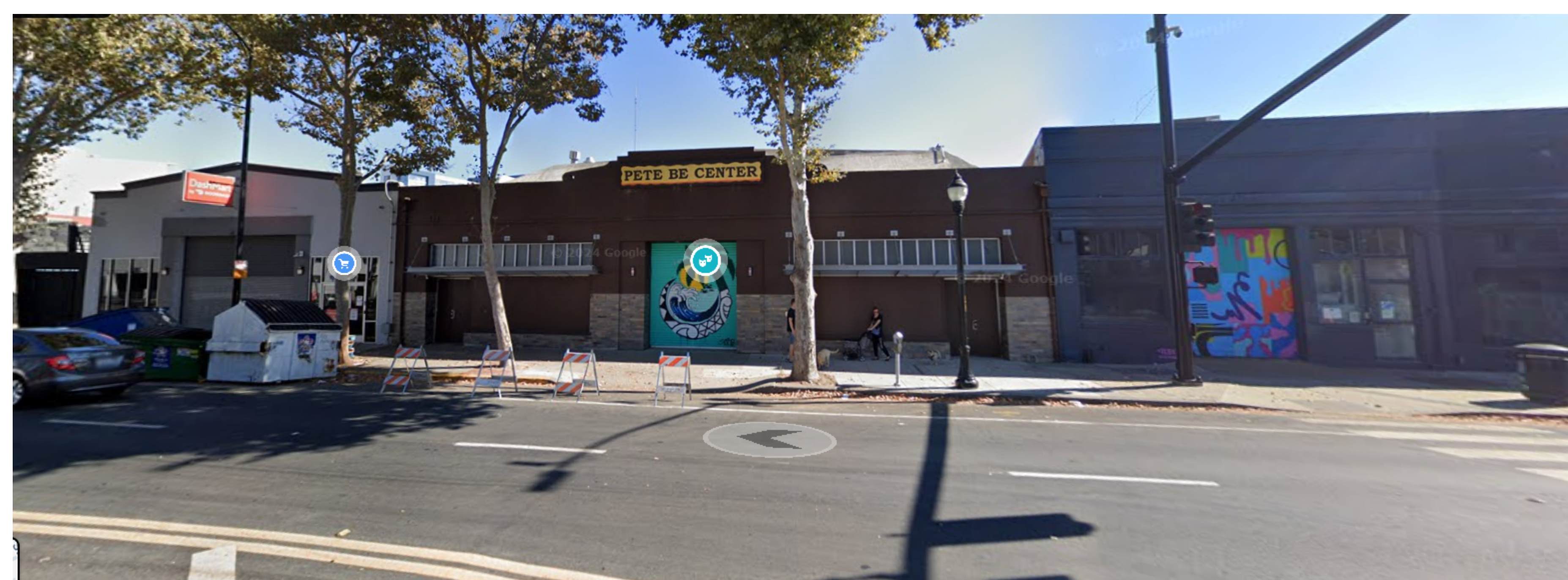




AERIAL VIEW



FRONT VIEW



REAR VIEW

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DATE	10/22/24
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EXISTING SITE CONDITION

LEGEND

-  EXISTING SHELL WALL
-  EXISTING INTERIOR WALL
-  EXISTING UNDERCOUNTER WALL
-  EXISTING 1HR FIRE RATED WALL
-  EXISTING 2HR FIRE RATED WALL
-  EXISTING WALL TO BE DEMOLISHED
-  EXISTING DOOR TO BE DEMOLISHED
-  EXISTING DOOR

PLAN NOTES

1. EXISTING SHELL & CORE CONSTRUCTION SHOWN w/ POCHÉ & OR SCREENED.
2. REFER TO F&E PLAN FOR EQUIPMENT LAYOUT, DIMENSIONS, ETC.
3. REFER TO INTERIOR ELEVATIONS FOR ADD'L DIMENSIONS DESCRIBING PARTIAL HT WALLS, CASEWORK LAYOUT, SPECIALTY OUTLET LOCATIONS, ETC.
4. REFER TO REFLECTED CEILING PLANS FOR SOFFITS, CLG HTS & FLENUM BARRIER LOCATIONS
5. REFER TO GENERAL INFORMATION AND CONSTRUCTION NOTES SHEETS FOR ADD'L NOTES, LEGENDS, SYMBOLS, ABBREVIATIONS, & SCHED.

DEMO NOTES

1. ASBESTOS & HAZARDOUS MATERIALS: FEDERAL, STATE & LOCAL REGULATIONS REQUIRE THAT ALL ASBESTOS & OTHER HAZARDOUS MATERIALS IN A BUILDING BE REMOVED PRIOR TO STARTING THE DEMOLITION WORK. CONTRACTOR TO OBTAIN REQUIRED CERTIFICATION THAT THERE ARE NO HAZARDOUS MATERIALS PRESENT IN THE STRUCTURE.
2. U.O.N. ALL DEBRIS RESULTING FROM DEMOLITION WORK SHALL BECOME THE PROPERTY OF THE CONTRACTOR & SHALL BE REMOVED & DISPOSED OF IN A LEGAL MANNER OFF OF THE PROJECT PROPERTY.
3. THE CONTRACTOR SHALL PROTECT THE EXISTING BUILDING & IMPROVEMENTS WITHIN THE AREAS OF OPERATION & TAKE CARE TO PROTECT THE NEIGHBORING SPACES WHERE EXISTS. THE CONTRACTOR SHALL ASSUME ALL FINANCIAL RESPONSIBILITY FOR THE IMMEDIATE RESTORATION, REPAIR, OR REPLACEMENT OF DAMAGED ITEMS OR AREAS TO RESTORE THEM TO MATCH EXISTING CONDITIONS.
4. THE CONTRACTOR SHALL TAKE RESPONSIBILITY TO ADEQUATELY SECURE THE PREMISES AND/OR STORED MATERIALS FROM TRESPASSING, THEFT & VANDALISM.
5. PROTECT EXISTING WINDOWS AT PERIMETER DURING CONSTRUCTION.
6. DEMO ALL FLOORING FINISHES IN AREAS OF WORK U.O.N. PATCH & PREPARE EXISTING FLOORS IN AREAS TO RECEIVE NEW FLOORING TO PROVIDE FOR CONTINUOUS "LEVEL" SURFACE FOR NEW FLOORING.
7. DO NOT REMOVE ANY BEARING WALLS, COLUMNS OR OTHER STRUCTURAL MEMBERS NOT DESIGNATED IN STRUCTURAL DOCUMENTS. NOTIFY ARCHITECT IMMEDIATELY IF AREAS OF DEMO UNCOVER ANY EXISTING STRUCTURAL COMPONENTS NOT PREVIOUSLY IDENTIFIED.
8. PRIOR TO REMOVAL OF ANY STRUCTURAL COMPONENTS, THE CONTRACTOR SHALL PROVIDE SHORINGS AS REQUIRED TO TEMPORARILY SUPPORT ALL LOADS UNTIL NEW FRAMING IS INSTALLED AS DOCUMENTED AND SPECIFIED. IF THE CONTRACTOR FINDS THE EXISTING CONDITIONS TO BE OTHER THAN DOCUMENTED OR IN CONFLICT WITH THE DRAWINGS, NOTIFY THE ARCHITECT IMMEDIATELY FOR RESOLUTION. PROCEEDING WITHOUT NOTIFICATION INDICATES FULL ACCEPTANCE OF CONDITIONS AND RESPONSIBILITY IF WORK IS NOT IN CONFORMANCE WITH CONTRACT DOCUMENTS.

KEYNOTES

APPROVALS

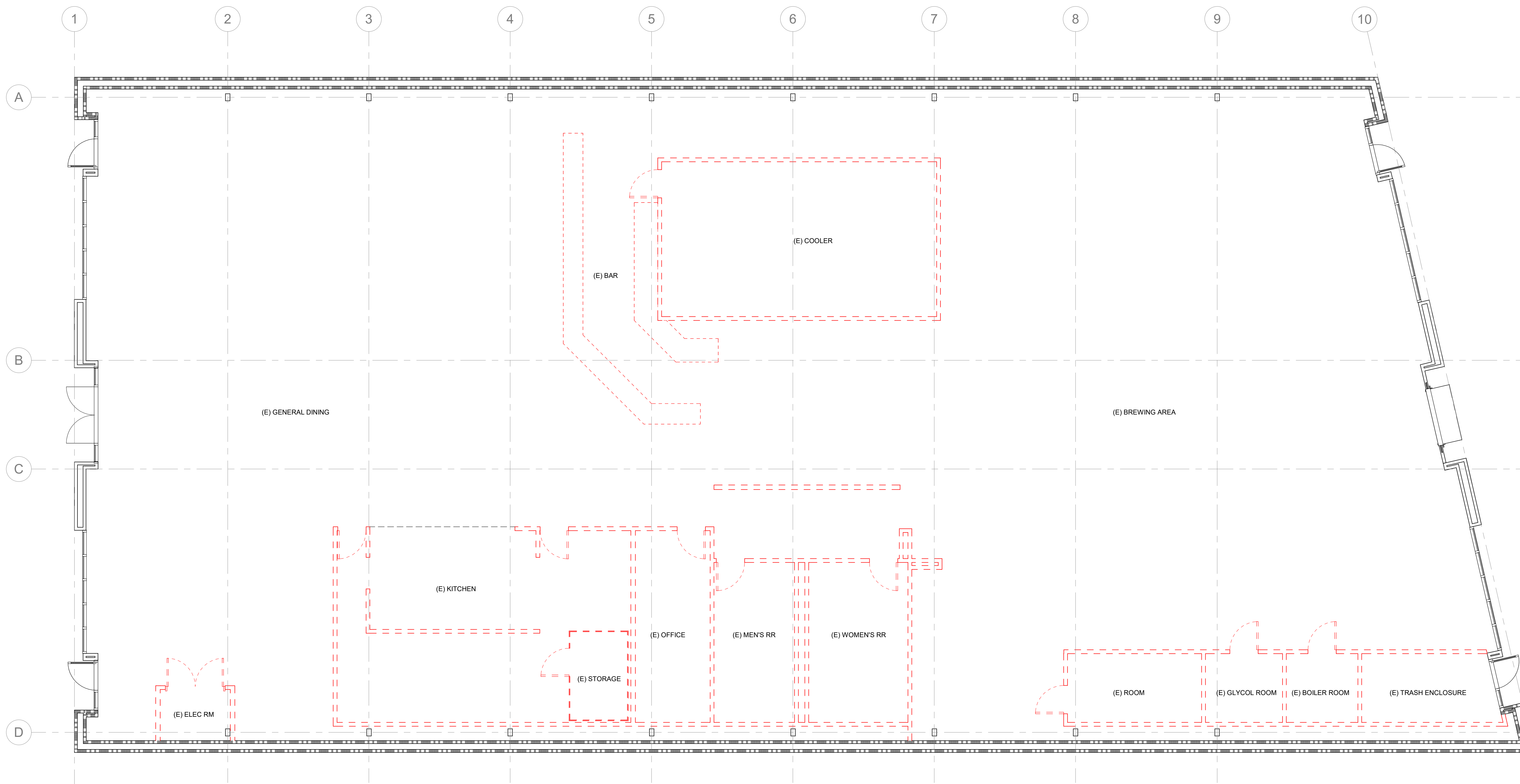
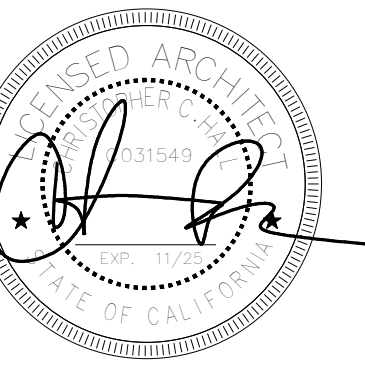


STUDIOS

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1501 The Alameda, Ste 105  
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STAMPS



**1** EXISTING / DEMO FLOOR PLAN  
3/16" = 1'-0"

PETE BE CENTER

439 FIRST ST., SAN JOSE, CA 95113

CONDITIONAL USE PERMIT, FILE NO. CP24-030

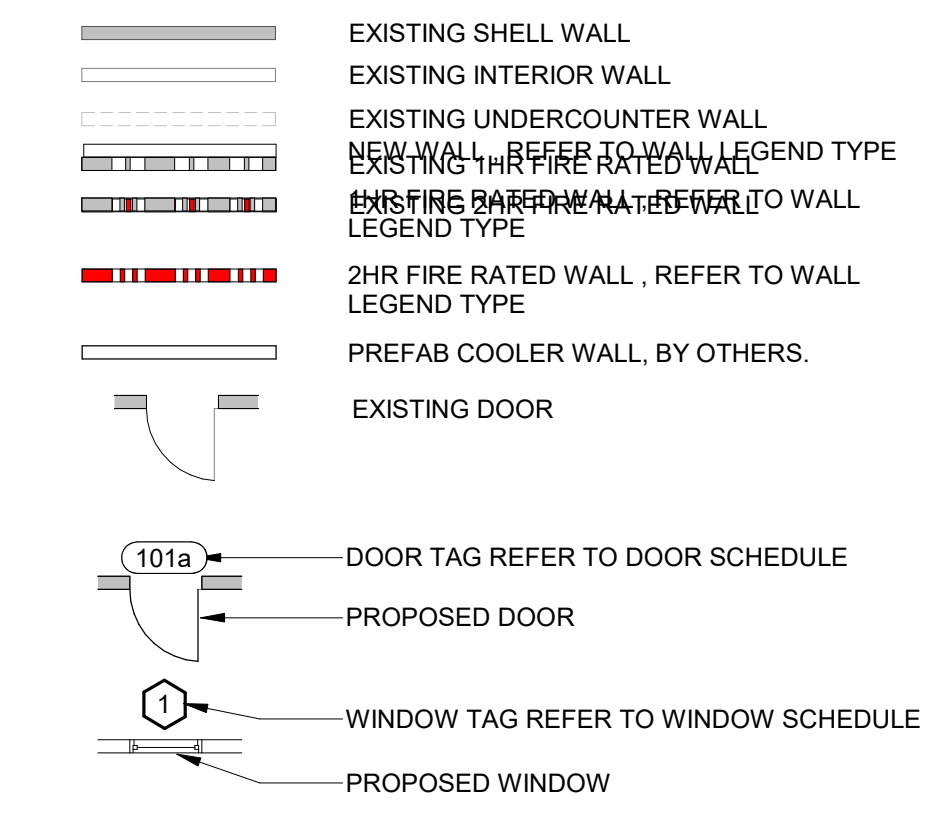
REV#	DESCRIPTION	DATE
1	Building Permit Set	10/22/24
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	Planning Revision Set	01/02/25

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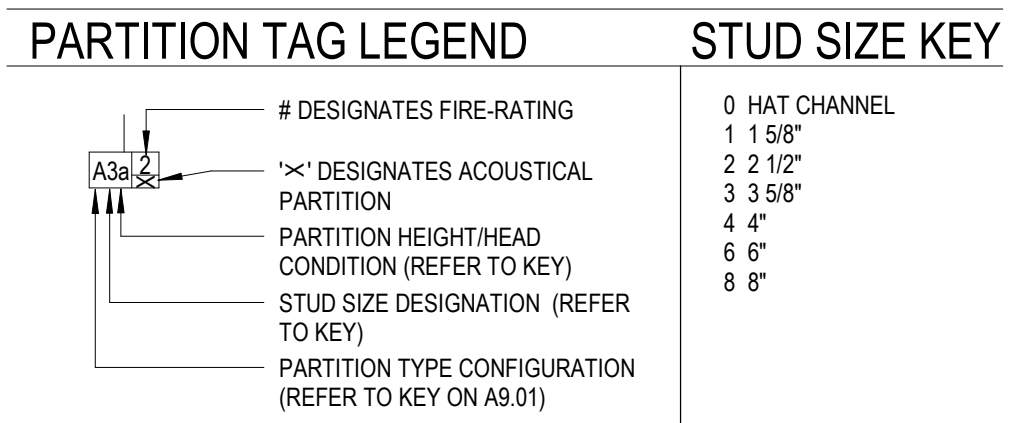
EXISTING/DEMO FLOOR PLAN

PA2.00

LEGEND



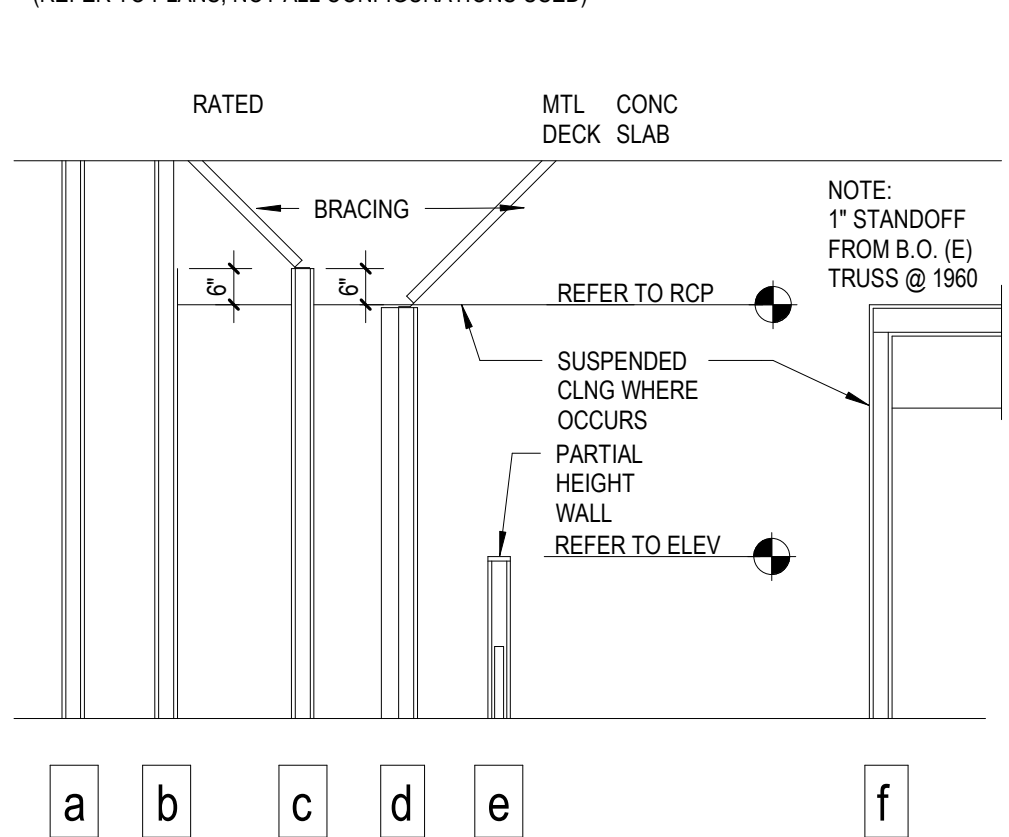
ITEM NO	QTL	EQUIPMENT CATEGORY	MANUFACTURER	MODEL NUMBER
1	12	Underbar Ice Bin	Regency	600B2148C0
2	4	Stainless Steel Beer Box	Regency	600B2460
3	2	Storage Bin	Scotsman	BL1660S
4	1	One Compartment Sink	Steelton	522CS11818RK
5	2	Three Compartment Sink	Regency	600S3101412G
6	12	Double Tier Speed Rail	Steelton	712B5548D
7	2	Nugget Ice Machine	Prodigy Plus	N0622
8	1	One Compartment Sink	Steelton	522CS11818LT
9	2	Hand Sink w/ 4" Center Faucets	Regency	600HMSMF1896
10	1	Utility Sink w/ 8" Center Faucet	Steelton	522US11818
11	1	Water Heater	Takagi	TK-S40X3-NIH 100



GENERAL PARTITION NOTES

- GWB ON 25 GAUGE MTL STUDS @ 16" O.C. TYPICAL. UON. INSTALL STEEL FRAMING TO COMPLY w/ ASTM C754 & w/ ASTM C 940 REQS THAT APPLY TO FRAMING INSTALLATION.
- ALL RATED & ACOUSTICAL PARTITION TO HAVE 5/8" TYPE "X" GWB TYPICAL UON.
- PARTITION TYPES ARE ASSUMED TO END AT INTERSECTING WALLS WHERE RATED PARTITIONS INTERSECT NON-RATED PARTITIONS. THE RATED PARTITION IS ASSUMED TO CONTINUE UNINTERRUPTED.
- ALL FIRE RATED AND SMOKE ASSEMBLY PARTITIONS EXTEND TO STRUCTURE. UON.
- ALL THROUGH PENETRATIONS OF FIRE-RATED ASSEMBLIES SHALL BE INSTALLED AS TESTED PER CODE.
- APPLY OR PATCH FIREPROOFING TO DECK ABOVE (WHERE OCCURS) AFTER INSTALLATION OF TOP TRACK OR MOUNTING PLATES.
- APPLY ACOUSTIC SEALANT (WHERE OCCURS) TO FIREPROOFING (WHERE OCCURS) OR TO R.O. STRUCTURE.
- FOR PARTITIONS EXTENDING TO CEILING OR ABOVE, PROVIDE BRACING ABOVE CEILING AS REQUIRED TO LIMIT DEFLECTION TO SPECIFIED ALLOWANCES.
- ALL ACOUSTICAL PARTITIONS HAVE FULL WALL CAVITY R-11 BATT MIN.
- ACOUSTICAL PARTITIONS TO BE CALKED & SEALED AIRTIGHT.
- INSTALL (DENS-SHIELD OR EQ) TILE BACKER BOARD AT ALL INTERIOR TILE FINISHES TYPICAL. SEE INTERIOR ELEVATIONS FOR LOCATIONS.
- WHEN METAL FRAMING CONTIGUES PAST INTERMEDIATE STRUCTURES - AS IN MULTISTORY STAIR ENCLOSURES AND SIMILAR CONDITIONS - ATTACHMENT TO INTERMEDIATE STRUCTURE SHALL BE WITH A SLOTTED CONNECTION OR OTHER MEANS SO THAT STRUCTURAL DEFLECTION WILL NOT TRANSFER LOADS TO METAL FRAMING.
- CUT STUDS 1/2" SHORT TO ALLOW 1/2" DEFLECTION & PROVIDE NESTED TRACK OR SLOTTED TRACK TO ALLOW 1/2" DEFLECTION.
- HOLD FINISH MATERIALS 1/2" SHORT OF STRUCTURE ABOVE. DO NOT FASTEN TO TOP TRACK. FASTEN INTO STUDS ONLY.
- ALL EXISTING SHELL AND CORE WALLS IN TENANT SPACE TO BE FINISHED PER FINISH SCHEDULE.

PARTITION TAG LEGEND



ACOUSTIC PARTITION NOTES

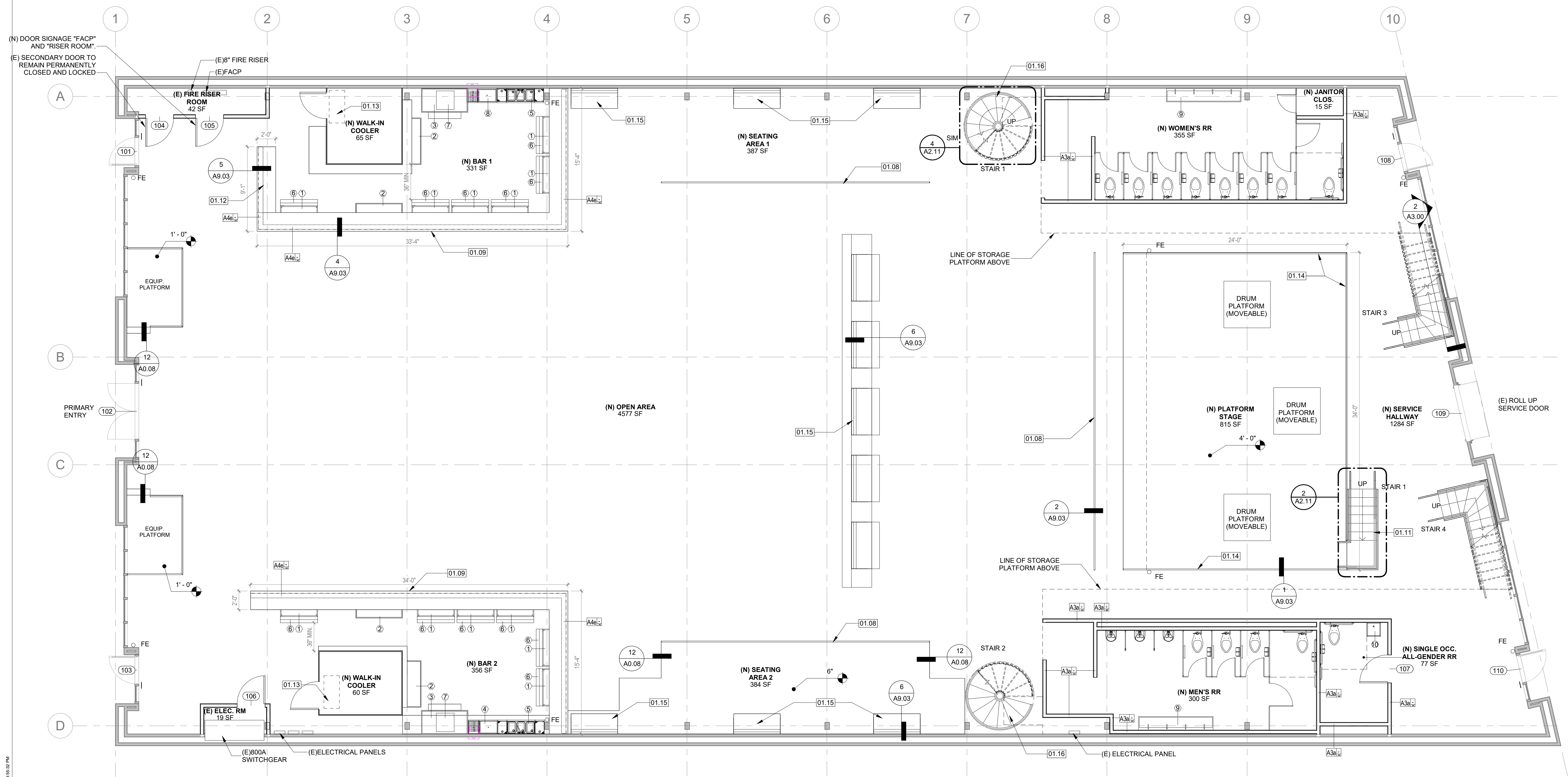
- ALL ACOUSTICAL PARTITIONS HAVE FULL WALL CAVITY R-11 BATT MIN.
- STAGGER JOINTS ON ALL MULTIPLE LAYERS OF GYPSUM BOARD.
- ON WALLS TALLER THAN 10'-0" APPLY ONE LAYER HORIZONTALLY AND THE OTHER VERTICALLY. CONTRACTOR TO DETERMINE THE ORDER OF VERTICAL / HORIZONTAL PLACEMENT.
- CAULK ALONG BOTH SIDES OF THE PERIMETER WITH A NON-HARDENING SILICONE MASTIC.
- AVOID BACK-TO-BACK OUTLETS. CAULK ALL OPENINGS IN ELECTRICAL BOXES. A MINIMUM OFFSET OF 18" WITH AT LEAST ONE STUD BETWEEN THE BOXES IS REQUIRED BETWEEN ELECTRICAL BOXES ON OPPOSITE SIDES OF A COMMON PARTITION WALL.
- WHERE A DOUBLE ROW OF STUDS ARE USED MAKE NO CONNECTION BETWEEN THE ROWS.
- WHERE A SOUND RETARDANT PARTITION ABUTS PERPENDICULARLY TO A CONTINUOUS GYPSUM BOARD PARTITION, INTERRUPT THE GYPSUM BOARD AT THE POINT OF INTERSECTION AND CAULK THE JOINT LIBERALLY. DO NOT CONTINUE THE GYPSUM BOARD BEHIND THE INTERSECTION STUD.
- ALL OPENINGS AROUND DUCT OR PIPE PENETRATIONS SHALL BE SEALED WITH A NON-HARDENING SILICONE MASTIC.

PLAN NOTES

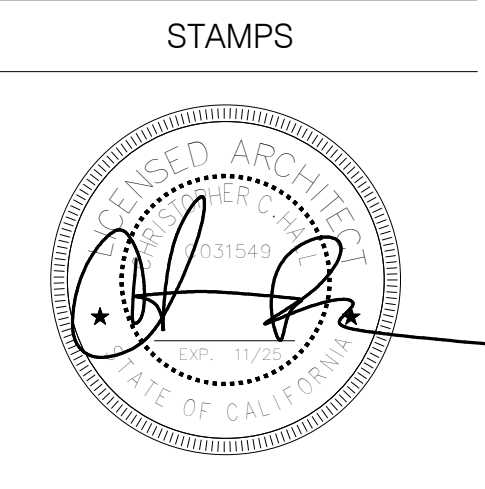
- EXISTING SHELL & CORE CONSTRUCTION SHOWN w/ POCHÉ AND/OR SCREENED.
- REFER TO FURNITURE PLAN FOR FURNITURE LAYOUT, DIMENSIONS, ETC.
- REFER TO INTERIOR ELEVATIONS FOR ADDITIONAL DIMENSIONS DESCRIBING PARTIAL HEIGHT WALLS, CASEWORK LAYOUT, SPECIALTY OUTLET LOCATIONS, ETC.
- REFER TO REFLECTED CEILING PLANS FOR SOFFITS, CEILING HEIGHTS & PLENUM BARRIER LOCATIONS.
- REFER TO GENERAL INFORMATION AND CONSTRUCTION NOTES SHEETS FOR ADDITIONAL NOTES, LEGENDS, SYMBOLS, ABBREVIATIONS, & SCHEDULES.

KEYNOTES

01.08	(N) 42" HIGH STL. RAILING. RAILING SITS ON LEVEL GROUND AND SERVES ONLY TO DELINEATE SPACES. RAILING IS NOT ASSOCIATED WITH ANY EXPRESS OR ACCESSIBLE ROUTES.
01.09	(N) 42" HIGH COUNTERTOP
01.11	(N) PORTABLE STAIR w/ 36" HIGH GUARDRAIL, S.S.D.
01.12	(N) 34" HIGH PICK UP COUNTER
01.13	(N) OVERHEAD CONDENSING UNIT
01.14	(N) 42" HIGH PLATFORM/STAGE GUARDRAIL, TYP., S.S.D. FOR DESIGN AND ANCHORAGE
01.15	(N) BENCH SEAT, TYP.
01.16	(N) PREFAB. SPIRAL STL. STAIR w/ 40" HIGH GUARDRAIL



**1** PROPOSED FLOOR PLAN  
3/16" = 1'-0"



PETE BE CENTER  
439 FIRST ST., SAN JOSE, CA 95113  
CONDITIONAL USE PERMIT, FILE NO. CP24-030

REV#	DESCRIPTION	DATE
1	Building Permit Set	10/22/24
1	Building Permit Revision 1	12/02/24
A	Planning Revision Set	01/02/25

PROJECT #: 2024.023  
DATE: 01.02.2025  
CHECKED BY: CHECKER

PROPOSED FLOOR PLAN



LEGEND

- EXISTING SHELL WALL
- EXISTING INTERIOR WALL
- EXISTING UNDERCOUNTER WALL
- EXISTING 1HR FIRE RATED WALL
- EXISTING 2HR FIRE RATED WALL
- NEW WALL, REFER TO WALL LEGEND TYPE
- 1HR FIRE RATED WALL, REFER TO WALL LEGEND TYPE
- 2HR FIRE RATED WALL, REFER TO WALL LEGEND TYPE
- PREFAB COOLER WALL, BY OTHERS.
- EXISTING DOOR
- DOOR TAG REFER TO DOOR SCHEDULE
- PROPOSED DOOR
- WINDOW TAG REFER TO WINDOW SCHEDULE
- PROPOSED WINDOW

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STAMPS

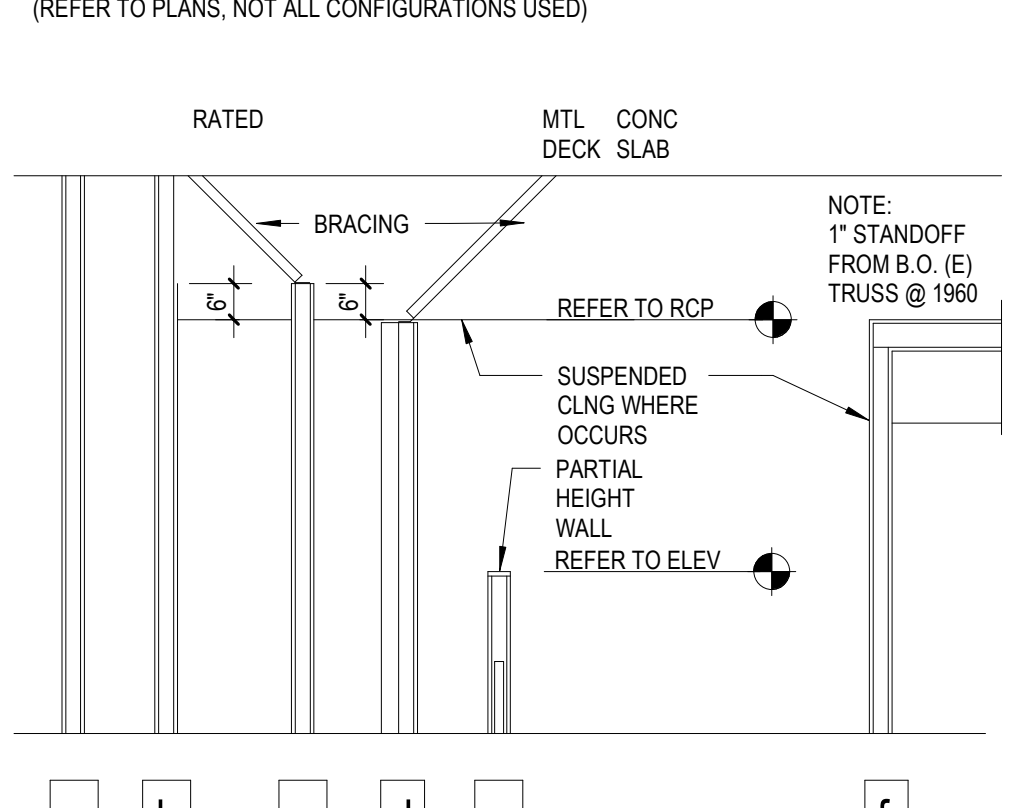
SPECIALTY EQUIPMENT SCHEDULE				
ITEM NO	QTL	EQUIPMENT CATEGORY	MANUFACTURER	MODEL NUMBER
1	12	Underbar Ice Bin	Regency	600B2148C0
2	4	Stainless Steel Beer Box	Regency	600BB2460
3	2	Storage Bin	Scotsman	BL1660S
4	1	One Compartment Sink	Steelton	522CS11818RK
5	2	Three Compartment Sink	Regency	600S3101412G
6	12	Double Tier Speed Rail	Steelton	712B5548D
7	2	Nugget Ice Machine	Prodigy Plus	N0622
8	1	One Compartment Sink	Steelton	522CS11818LT
9	2	Hand Sink w/ 4 8" Center Faucets	Regency	600HSM5F1896
10	1	Utility Sink w/ 8" Center Faucet	Steelton	522US11818
11	1	Water Heater	Takagi	TK-S40X3-NIH 100

PARTITION TAG LEGEND		STUD SIZE KEY	
	# DESIGNATES FIRE-RATING	0	HAT CHANNEL
	"X" DESIGNATES ACOUSTICAL PARTITION	1	1 1/2"
	PARTITION HEIGHT/HEAD CONDITION (REFER TO KEY)	2	2 1/2"
	STUD SIZE DESIGNATION (REFER TO KEY)	3	3 3/8"
	PARTITION TYPE CONFIGURATION (REFER TO KEY ON A9.01)	4	4"
		6	6"
		8	8"

GENERAL PARTITION NOTES

- GWB ON 25 GAUGE MTL STUDS @ 16" O.C. TYPICAL UON. INSTALL STEEL FRAMING TO COMPLY W/ ASTM C 754 & W/ ASTM C 840 REQS THAT APPLY TO FRAMING INSTALLATION.
- ALL RATED & ACOUSTICAL PARTITION TO HAVE 5/8" TYPE "X" GWB TYPICAL UON.
- PARTITION TYPES ARE ASSUMED TO END AT INTERSECTING WALLS WHERE RATED PARTITIONS INTERSECT NON-RATED PARTITIONS, THE RATED PARTITION IS ASSUMED TO CONTINUE UNINTERRUPTED.
- ALL FIRE RATED AND SMOKE ASSEMBLY PARTITIONS EXTEND TO STRUCTURE, UON.
- ALL THROUGH PENETRATIONS OF FIRE-RATED ASSEMBLIES SHALL BE INSTALLED AS TESTED PER CODE.
- APPLY OR PATCH FIREPROOFING TO DECK ABOVE (WHERE OCCURS) AFTER INSTALLATION OF TOP TRACK OR MOUNTING PLATES.
- APPLY ACOUSTIC SEALANT (WHERE OCCURS) TO FIREPROOFING (WHERE OCCURS) OR TO S.O. STRUCTURE.
- FOR PARTITIONS EXTENDING TO CEILING OR ABOVE, PROVIDE BRACING ABOVE CEILING AS REQUIRED TO LIMIT DEFLECTION TO SPECIFIED ALLOWANCES.
- ALL ACOUSTICAL PARTITIONS HAVE FULL WALL CAVITY R-11 BATT MIN.
- ACOUSTICAL PARTITIONS TO BE CALKED & SEALED AIRTIGHT.
- INSTALL (DENS-SHIELD OR EQ) TILE BACKER BOARD AT ALL INTERIOR TILE FINISHES TYPICAL. SEE INTERIOR ELEVATIONS FOR LOCATIONS.
- PROVIDE 5/8" WATER RESISTANT DRYWALL AT ANY WET WALLS.
- WHEN METAL FRAMING CONTIGUES PAST INTERMEDIATE STRUCTURES - AS IN MULTISTORY STAIR ENCLOSURES AND SIMILAR CONDITIONS - ATTACHMENT TO INTERMEDIATE STRUCTURE SHALL BE WITH A SLOTTED CONNECTION OR OTHER MEANS SO THAT STRUCTURAL DEFLECTION WILL NOT TRANSFER LOADS TO METAL FRAMING.
- CUT STUDS 1/2" SHORT TO ALLOW 1/2" DEFLECTION & PROVIDE NESTED TRACK OR SLOTTED TRACK TO ALLOW 1/2" DEFLECTION.
- HOLD FINISH MATERIALS 1/2" SHORT OF STRUCTURE ABOVE. DO NOT FASTEN TO TOP TRACK. FASTEN INTO STUDS ONLY.
- ALL EXISTING SHELL AND CORE WALLS IN TENANT SPACE TO BE FINISHED PER FINISH SCHEDULE.

PARTITION TAG LEGEND



ACOUSTIC PARTITION NOTES

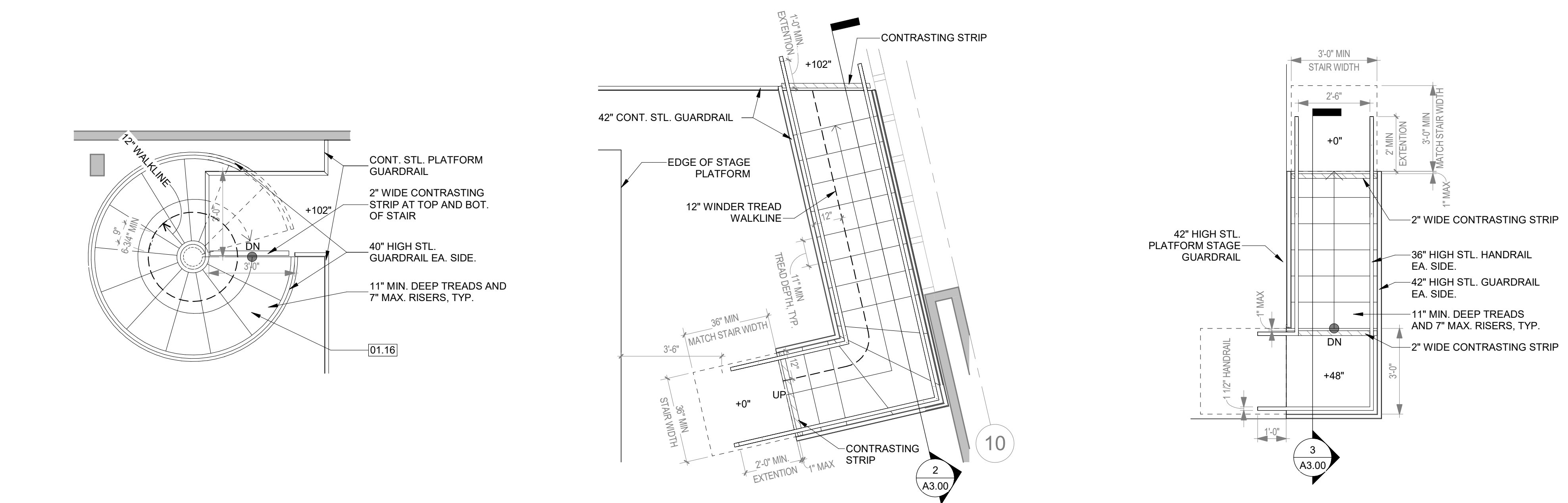
- ALL ACOUSTICAL PARTITIONS HAVE FULL WALL CAVITY R-11 BATT MIN.
- STAGGER JOINTS ON ALL MULTIPLE LAYERS OF GYPSUM BOARD.
- ON WALLS TALLER THAN 10'-0" APPLY ONE LAYER HORIZONTALLY AND THE OTHER VERTICALLY. CONTRACTOR TO DETERMINE THE ORDER OF VERTICAL/ HORIZONTAL PLACEMENT.
- CAULK ALONG BOTH SIDES OF THE PERIMETER WITH A NON-HARDENING SILICONE MASTIC.
- AVOID BACK-TO-BACK OUTLETS. CAULK ALL OPENINGS IN ELECTRICAL BOXES. A MINIMUM OFFSET OF 18" WITH AT LEAST ONE STUD BETWEEN THE BOXES IS REQUIRED BETWEEN ELECTRICAL BOXES ON OPPOSITE SIDES OF A COMMON PARTITION WALL.
- WHERE A DOUBLE ROW OF STUDS ARE USED MAKE NO CONNECTION BETWEEN THE ROWS.
- WHERE A SOUND RETARDANT PARTITION ABUTS PERPENDICULARLY TO A CONTINUOUS GYPSUM BOARD PARTITION, INTERRUPT THE GYPSUM BOARD AT THE POINT OF INTERSECTION AND CAULK THE JOINT LIBERALLY. DO NOT CONTINUE THE GYPSUM BOARD BEHIND THE INTERSECTION STUD.
- ALL OPENINGS AROUND DUCT OR PIPE PENETRATIONS SHALL BE SEALED WITH A NON-HARDENING SILICONE MASTIC.

PLAN NOTES

- EXISTING SHELL & CORE CONSTRUCTION SHOWN W/ POCHE AND OR SCREENED.
- REFER TO FURNITURE PLAN FOR FURNITURE LAYOUT, DIMENSIONS, ETC.
- REFER TO INTERIOR ELEVATIONS FOR ADDITIONAL DIMENSIONS DESCRIBING PARTIAL HEIGHT WALLS, CASEWORK LAYOUT, SPECIALTY OUTLET LOCATIONS, ETC.
- REFER TO REFLECTED CEILING PLANS FOR SOFFITS, CEILING HEIGHTS & PLENUM BARRIER LOCATIONS.
- REFER TO GENERAL INFORMATION AND CONSTRUCTION NOTES SHEETS FOR ADDITIONAL NOTES, LEGENDS, SYMBOLS, ABBREVIATIONS, & SCHEDULES.

KEYNOTES

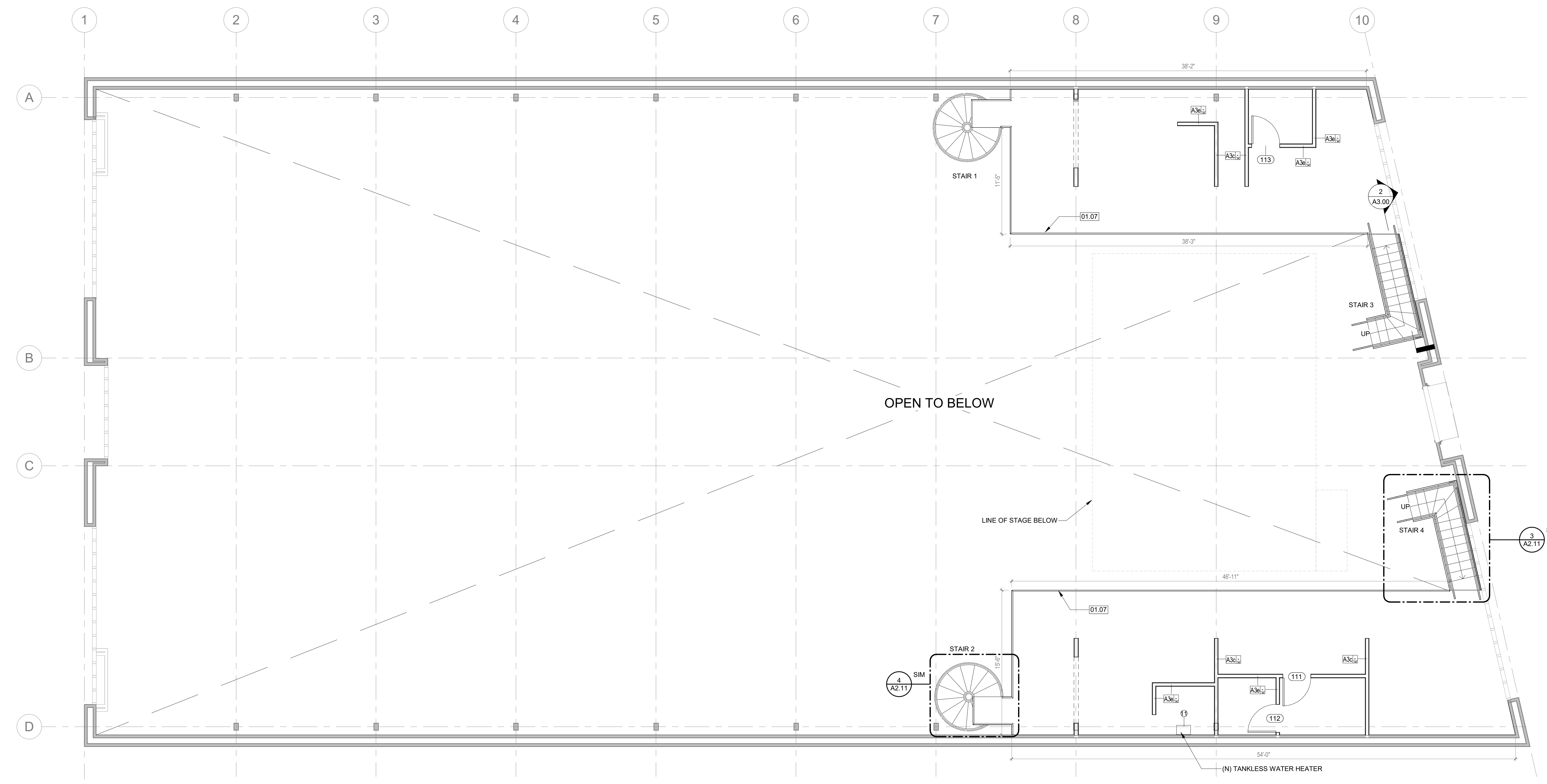
01.07	(N) 42" HIGH MEZZANINE GUARDRAIL, TYP. S.S.D. FOR OPENINGS AND ANCHORAGE
01.16	(N) PREFAB. SPIRAL STL. STAIR w/ 40" HIGH GUARDRAIL



**4** PREFAB. MTL. SPIRAL STAIR @ PLATFORM Copy 1  
3/8" = 1'-0"

**3** PREFAB. MTL. WINDER STAIR @ PLATFORM Copy 1  
3/8" = 1'-0"

**2** PREFAB. MTL. STAIR @ STAGE Copy 1  
3/8" = 1'-0"



**1** PROPOSED STORAGE PLATFORM FLOOR PLAN  
3/16" = 1'-0"

PETE BE CENTER  
 439 FIRST ST., SAN JOSE, CA 95113  
 CONDITIONAL USE PERMIT, FILE NO. CP24-030

REV #	DESCRIPTION	DATE
1	Building Permit Set	10/22/24
A	Planning/Revision Set	12/08/24
		01/02/25

PROJECT #: 2024.023  
 DATE: 01.02.2025  
 CHECKED BY: CHECKER

PROPOSED STORAGE PLATFORM FLOOR PLAN  
**PA2.11**