



City of Santa Clara

Meeting Agenda

Planning Commission

Wednesday, March 14, 2018

6:00 PM

City Hall Council Chambers

Items for Council Action

*None

6:00 PM STUDY SESSION

Confirmation of a Quorum

Announcement of Study Session

Granicus training and test meeting for Planning Commissioners

7:00 PM REGULAR MEETING CALL TO ORDER

PLEDGE OF ALLEGIANCE AND STATEMENT OF VALUES

ROLL CALL

DECLARATION OF COMMISSION PROCEDURES

CONTINUANCES/EXCEPTIONS

CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motions unless requested to be removed by anyone for discussion or explanation. If any member of the Planning Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Planning Commission meeting when the Chair calls for these requests during the Consent Calendar review. Items listed on the Consent Calendar with associated file numbers constitute Public Hearing items.

1. 18-116 [Planning Commission Minutes](#)

Recommendation: Approve the Planning Commission Minutes of February 14, 2018.

ITEMS SET FOR HEARING

Items listed above under Items for Council Action will be scheduled for Council review following the conclusion of hearings and recommendations by the Planning Commission. Due to timing of notices for Council hearings and the preparation of Council agenda reports, these items will not necessarily be heard on the date the minutes from this meeting are forwarded to the Council. Please contact the Planning Division office for information on the schedule of hearings for these items.

2. 18-081 [Amendment of Existing Use Permit and Modification of Conditions of Approval for 2925 Mead Avenue](#)

Recommendation: Adopt a Resolution approving amendment of the Use Permit (PLN2011-08641) to allow the requested extension of business hours and the on-site sale and service of alcoholic beverages (ABC License Type 41) in the existing electric kart racing facility located in the ML Zoning District, at 2925 Mead Avenue, subject to modified conditions with the removal of the requirement for the maintenance of roof-mounted toxic gas sensors (Conditions of approval numbers' P9, P10 and P12 and MMRP Mitigations' MM AQ-2 and MM AQ-3) .

PUBLIC PRESENTATIONS

Members of the public may briefly address the Commission on any item not on the agenda.

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE

1. Announcements/Other Items
2. Board or Committee Assignments
3. Architectural Committee
4. Commissioner Travel and Training Reports, Requests to attend Trainings

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS

1. Upcoming Agenda Items
2. City Council Actions

ADJOURNMENT

The next regular scheduled meeting is on Wednesday, March 28, 2018, in the City Hall Council Chambers.



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
[@SantaClaraCity](https://twitter.com/SantaClaraCity)

Agenda Report

18-116

Agenda Date: 3/14/2018

REPORT TO [PLANNING COMMISSION]

SUBJECT

Planning Commission Minutes

RECOMMENDATION

Approve the Planning Commission Minutes of February 14, 2018.



PLANNING COMMISSION
February 14, 2018
7:00 PM REGULAR MEETING
City Hall Council Chambers

Items for Council Action

- None

1. PLEDGE OF ALLEGIANCE AND STATEMENT OF VALUES

Chairwoman Ikezi initiated the Pledge of Allegiance and Commissioner O'Halloran read the Statement of Values.

2. ROLL CALL

The following Commissioners were in attendance: Raj Chahal, Yuki Ikezi, Suds Jain, Mike O'Halloran, and Lance Saleme. Steve Kelly was excused.

Staff present were: Assistant City Attorney Alexander Abbe, Development Review Officer Gloria Sciara, and Office Specialist IV Rosa Avalos.

3. DECLARATION OF COMMISSION PROCEDURES

Chairwoman Ikezi read the Commission Procedures for those present.

4. CONTINUANCES/EXCEPTIONS

None

5. CONSENT CALENDAR:

- 5.A.** Planning Commission minutes of January 24, 2018.

Motion/Action: Commissioner Jain motioned to approve the Planning Commission minutes of January 24, 2018, seconded by Commissioner Chahal, approved unanimously (5-0-1-0, Kelly absent).

6. ITEMS SET FOR HEARING:

- 6.A.** File No.: PLN2017-12985

Location: 668 Enright Avenue, a 5,637 square foot lot on the west side of Enright Avenue, approximately 325 feet south of Serra Avenue, APN: 294-07-007; property is zoned Single Family Residential (R1-6L).

Applicant: Jinah Park, Park Design Studio

Owner: Jesse Wang

Request: **Variance** to allow one covered parking space where two covered parking spaces are required, in conjunction with a 373 square foot rear addition to an existing single family residence following a previously approved 380 square foot expansion. (Expansions exceeding 500 square feet or 4 or more bedrooms require two-car covered parking spaces)

CEQA Determination: Categorically Exempt per Section 15301, Existing Facilities

Project Planner: Debby Fernandez, Associate Planner

Staff Recommendation: Approve, subject to conditions

Notice for this item was posted within 300 feet of the property.

Development Review Officer Gloria Sciara gave a presentation on the project.

The applicant, Jesse Wang, discussed the project and explained that the driveway will be expanded to accommodate two cars in the driveway path.

Commissioner Jain highlighted C3 of the Conditions of Approval to ensure that the applicant is aware that the garage is to remain accessible and unobstructed for vehicle parking. Mr, Wang agreed. Commissioner Jain asked the applicant about using a tankless water heater and the applicant stated that he had considered it but there is enough clearance for the current water heater.

The Public Hearing was opened and closed with no comments received from the public.

Motion/Action: Commissioner Chahal motioned to approve a Variance for 668 Enright Avenue, seconded by Commissioner Jain, approved (5-0-1-0, Kelly absent), subject to conditions.

7. PUBLIC PRESENTATIONS:

None

8. REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

8.A. Announcements/Other Items

Commissioner Jain gave a recap of the State of the Valley where the housing crisis was emphasized.

8.B. Board or Committee Assignments

None

8.C. Architectural Committee

None

8.D. Commissioner Travel and Training Reports; Requests to Attend Training

None

9. DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

9.A. Upcoming Agenda Items

None

9.B. City Council Actions

Development Review Officer Gloria Sciara reported on items heard at the Council meeting of February 6: Tasman East Study Session, Promotion of the Planning Commission vacancy, and the appeal for 167 Cronin.

10. ADJOURNMENT:

10.A. The meeting adjourned at 7:27 PM. The next regular scheduled meeting is on Wednesday, **February 28, 2018**, at 7:00 PM in the City Hall Council Chambers.

Prepared by:



Rosa Avalos
Office Specialist IV

Approved by:



Andrew Crabtree
Director of Community Development



Agenda Report

18-081

Agenda Date: 3/14/2018

REPORT TO PLANNING COMMISSION

SUBJECT

Amendment of Existing Use Permit and Modification of Conditions of Approval for 2925 Mead Avenue

File: PLN2017-12620 (PLN2011-08641)
Location: 2925 Mead Avenue (formerly 2905 Mead Avenue), a 63,087 square foot portion of a 116,096 square foot industrial building, located on a 5.91 acre lot on the north side of Mead Avenue, approximately 650 feet west of Bowers Avenue: APN: 216-28-089; property is zoned Light Industrial (ML) with a General Plan designation of Low Intensity Office Research and Development, Exception Area for Places of Assembly and Entertainment Uses.
Applicant: K1 Speed
Owner: LBA RV-Company I, LLC
CEQA Determination: Categorically Exempt per Section 15301, Class I Existing Facilities (A Mitigated Negative Declaration and MMRP were previously adopted August 3, 2011).
Project Planner: Yen Han Chen, Associate Planner

EXECUTIVE SUMMARY

The applicant is requesting amendment of an existing Use Permit (PLN2011-08641) that allows for operation of an indoor recreational kart racing facility within approximately half of an existing 116,096 square foot industrial building, located in the Light Industrial (ML) Zoning District. K1 Speed has operated the indoor electric kart racing facility on this property since early 2012. The requested amendments would modify the operation to allow for the sale and consumption of beer and wine (ABC License Type 41) in the concession area café of the facility and would allow for extended business hours throughout the week.

The applicant has provided within the Statement of Justification a business operational program that ensures onsite drinking does not take place prior to kart racing. The purchase and consumption of beer and will be confined to the concession area café portion of the K1 Speed facility. Drivers are issued bracelets which allow them to race. Upon completion of their racing, if they are of age and purchase beer or wine in the concession area café, the bracelet will be cut and removed, and replaced with a fluorescent hand stamp. The handstamp will identify customers as having consumed beer or wine. Customers without bracelets and customers with handstamps will not be able to race.

The Police Department noted that there were no calls for service that reflect negatively on the establishment or its customers. No code enforcement cases were found to be associated with the tenant space. The applicant, working with Planning Division and Fire Department staff, has brought

the business into general compliance with the existing Use Permit (PLN2011-08641) conditions of approval.

BACKGROUND

Previous Permits:

K1 indoor kart racing facility has occupied a 63,087 square foot tenant space formerly leased as a furniture warehouse since 2012. The remainder of the building is currently occupied by an indoor recreational volleyball club facility (City Beach), a children's recreational gymnastics facility (Pump-It-Up) and a baseball/softball training facility (All-Star Academy). These other existing recreational uses were also entitled through separate Use Permits for this property.

PROJECT ANALYSIS

Project Description:

Most of the floor area of the existing indoor cart racing facility is devoted to the 1/3 mile winding race course that can handle up to 12 electric race karts at a time. The rest of the floor area contains a driver loading/unloading zone, a kart charging area, a maintenance repair shop, a game zone, a concession area café, and related support areas. The karts operate by gel sealed batteries and can run up to 30 mph. The karts are also computerized and include radio control that can be remotely controlled by the track operator to manage conditions. The karts do not generate emissions and are equipped with brakes and safety features such as seat belts, roll bars and automatic shutoff in the event of an emergency.

The requested amendment of the Use Permit (PLN2011-08641) would modify the operation to allow for the sale and consumption of beer and wine (ABC License Type 41) in the concession area café of the facility, and would allow for extended business hours throughout the week. A business operation program will be implemented which will ensure onsite drinking does not take place prior to kart racing.

The existing approved and proposed hours of operation are as follows:

	Existing Approved	Proposed
Monday:	11:00 A.M. to 9:00 P.M.	Noon to 10:00 PM
Tuesday through Thursday:	11:00 A.M. to 10:00 P.M.	Noon to 10:00 PM
Friday:	11:00 A.M. to 11:00 P.M.	11:00 A.M. to 11:00 P.M.
Saturday:	9:00 A.M. to 11:00 P.M.	10:00 A.M. to Midnight
Sunday:	9:00 A.M. to 6:00 P.M.	10:00 A.M. to 9:00 P.M.

Environmental Determination:

The proposed beer and wine service and extended business hours are categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301, Class 1 Existing Facilities, in that the proposed tenant improvements and use will make use of an existing developed property, and will not add additional building floor area.

A Mitigated Negative Declaration (MND) and Mitigation Monitoring or Reporting Program (MMRP) was prepared and adopted under the original Use Permit that was approved by Planning Commission on August 3, 2011. The Use Permit and conditions approval numbers' P9, P10 and P12 (and MMRP Mitigations' MM AQ-2 and MM AQ-3) requiring the installation and maintenance of roof-mounted toxic gas sensors as part of the alert system and the facility's shelter-in-place plan are no longer required by the Fire Department for a recreational facility in an industrial area. Through review of the business operation with the Fire Department, it has been determined that the roof-mounted

toxic gas sensors are no longer required, and may be removed as a requirement for the business operation. Therefore, the Conditions of Approval noted above will be deleted from the Use Permit requirements.

Neighborhood Compatibility:

The use has operated at this location for more than 5 years without issue to nearby businesses. As no new exterior building or site modifications are proposed for this indoor recreational facility, it remains compatible with the Light Industrial zoning district context of the surrounding industrial buildings on Mead Avenue and Kifer Road.

General Plan and Zoning Conformance:

The project site and neighboring properties to the northwest, west and south have a General Plan land use designation of Low Intensity Office R&D and are located in an Exception Area for Places of Assembly and Entertainment. The Low Intensity Office R&D designation is intended for campus-like office development. Properties to the northeast, east and south are designated High Intensity Office R&D and are intended for high-rise or campus-like developments and are also located in an Exception Area for Places of Assembly and Entertainment. Exception Areas are identified on the General Plan Land Use Map for the location of entertainment, recreation and assembly activities that include use by sensitive receptors (i.e. children and the aged) and preservation of industrial activities permitted by right outside the Exception Area. Through the Use Permit process, entertainment, recreation and assembly activities may be allowed in an Exception Area for Places of Assembly and Entertainment Uses. The project site and surrounding properties are zoned ML, which allow general industrial activities such as manufacturing, assembly warehouse storage and wholesale distribution.

Circulation and Parking:

A total of 152 vehicle parking spaces are provided for shared use by all of the tenants the existing warehouse building and are sufficient to meet the parking demand of existing and proposed tenant use. One Class I bicycle locker and four Class II bicycle rack parking spaces also exist on site.

Architecture:

No new exterior modifications are proposed with this application for the existing light industrial building.

Landscaping:

The business constructed exterior site and building improvements when it first occupied a portion of the building more than 5 years ago, including signage, parking lot striping for ADA access, installation of four 24-inch box trees in the front landscape setback, and the construction of a five-foot sidewalk fronting the property.

PUBLIC NOTICES AND COMMENTS

The notice of public hearing for this item was posted within 300 feet of the site and was mailed to property owners within 300 feet of the project site. At the time of this staff report there has been no public input submitted in support or opposition to the proposed project.

ADVANTAGES AND DISADVANTAGES OF ISSUE

The proposal is consistent with General Plan policies and zoning ordinance requirements. The proposed extended business hours and addition of beer and wine service (ABC Type 41 License) would complement the existing food service and enhance the experience offered to customers of the

existing recreational use under the proposed plan for managing the business operation, and would not be detrimental to the other businesses on the property or uses on adjacent industrial properties.

RECOMMENDATION

Adopt a Resolution approving amendment of the Use Permit (PLN2011-08641) to allow the requested extension of business hours and the on-site sale and service of alcoholic beverages (ABC License Type 41) in the existing electric kart racing facility located in the ML Zoning District, at 2925 Mead Avenue, subject to modified conditions with the removal of the requirement for the maintenance of roof-mounted toxic gas sensors (Conditions of approval numbers' P9, P10 and P12 and MMRP Mitigations' MM AQ-2 and MM AQ-3) .

Prepared by: Yen Han Chen, Associate Planner
Reviewed by: Gloria Sciara, Development Review Officer
Reviewed by: Diana Fazely, Deputy City Attorney
Approved by: Kevin Riley, Acting Planning Manager

ATTACHMENTS

1. Project Data and Maps
2. Planning Commission Resolution Approving the Use Permit
3. Conditions of Approval
4. Applicant's Project Description
5. Development Plans

Attachment 1

Project Data

	Existing	Proposed
General Plan Designation	Low Intensity Office R&D	Same
Zoning District	Light Industrial (ML)	Same
Land Use	Industrial – Indoor Recreational	Same
Lot Size	5.91 acres	Same
Building Square Footage (sf.)	63,087	Same
Parking	152	Same

Site Location and Context

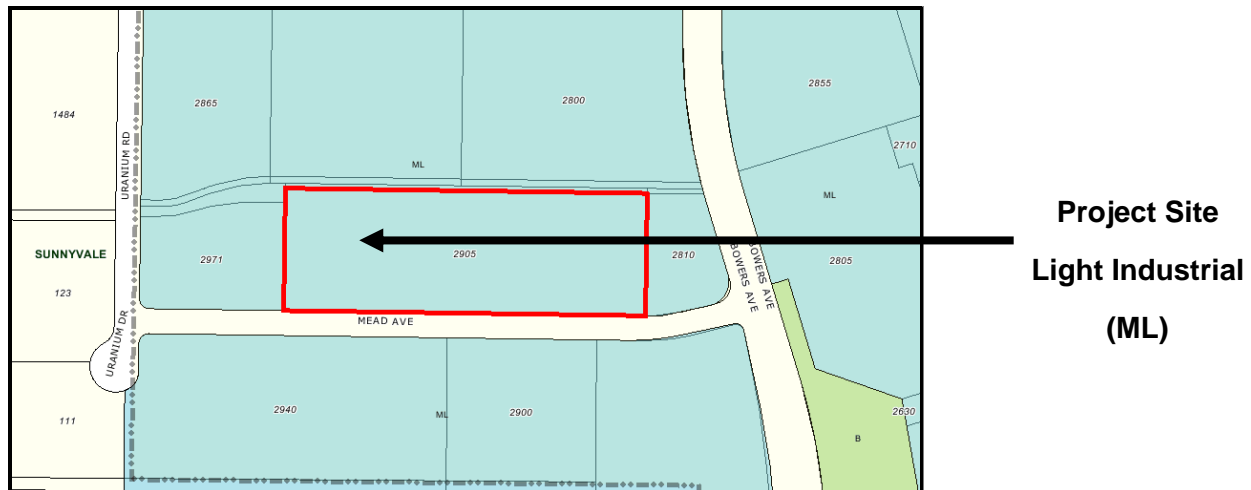
Surrounding Land Uses:

The project site is located in an industrial sector of the City and is surrounded by office and light industrial development. Properties to the north are offices for Lockheed Martin and a lumber yard and to the east are offices for two businesses. A large warehouse building is located to the southwest with a single tenant (3-Way) and a smaller warehouse with Bay Area Exhibits and Sky High Sports (a commercial recreation use) is located to the southeast. The property immediately west of the project site is an office use.

General Plan Map



Zoning Map



RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, APPROVING AMENDMENT OF A CONDITIONAL USE PERMIT TO ALLOW BEER AND WINE SERVICE AND AMEND CONDITIONS OF APPROVAL TO AN INDOOR RECREATIONAL USE FACILITY IN AN EXISTING INDUSTRIAL BUILDING AT 2925 MEAD AVENUE, SANTA CLARA, CALIFORNIA

PLN2017-12620 (PLN2011-08641 (Conditional Use Permit))

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on May 2, 2017, David Danglard (“Applicant”) submitted an application for amendments to an existing Conditional Use Permit of an indoor recreational use Kart racing facility on a property zoned Light Industrial (ML) to: 1) allow beer and wine sales (ABC Type 41 License); 2) expand hours of operation from noon to 10:00 p.m. Monday through Thursday, 11:00 a.m. to 11:00 p.m. Friday, 10:00 a.m. to Midnight on Saturday, and 10:00 a.m. to 9:00 p.m. on Sunday; 3) remove the requirement for the maintenance of roof-mounted toxic gas sensors as part of the alert system and the facility’s shelter-in-place plan (the “Project”);

WHEREAS, the property is zoned Light Industrial (ML) and is developed with an existing light industrial warehouse building, and the property’s General Plan designation is Low Intensity Office Research and Development / Exception Area for Places of Assembly and Entertainment Uses (“Project Site”);

WHEREAS, pursuant to Santa Clara City Code (“SCCC”) Section 18.48.040(e)(2), the current ML zoning designation of the Project Site permits other uses not normally permitted but that are appropriate for an industrial area, subject to a conditional use permit;

WHEREAS, the conditional use permit process enables a municipality to exercise control over the extent of certain uses, which, although desirable in limited numbers and general locations, could have a detrimental effect on the community in specific instances;

WHEREAS, pursuant to SCCC Section 18.110.040, in order to grant a Use Permit, the Planning Commission must first make specific findings related to the effect of the Project on health, safety, peace, comfort, and general welfare;

WHEREAS, a Mitigated Negative Declaration (MND) and Mitigation Monitoring or Reporting Program (MMRP) was adopted by the City's Planning Commission on August 3, 2011;

WHEREAS, mitigation measures were identified and incorporated into the original Project to reduce potential impacts to less than significant levels under the adopted (MMRP);

WHEREAS, on August 3, 2011, the Planning Commission approved Use Permit to allow an indoor recreation use in an existing industrial building, subject to condition of approval and mitigations in the MMRP;

WHEREAS, the Applicant requests to modify the conditions of approval and mitigations in the MMRP to remove conditions of approval requiring toxic gas sensors and a shelter-in-place plan for this business;

WHEREAS, the City's Fire Department has determined that Mitigation Measures AQ-2 and MM AQ-3 and Conditions of Approval P9, P10, and P12 are no longer needed;

WHEREAS, on March 2, 2018, the notice of public hearing for the March 14, 2018 meeting date for this item was posted, and mailed to all property owners of parcels within 300 feet of the Project Site; and,

WHEREAS, a duly noticed public hearing was held before the Planning Commission on March 14, 2018 to consider the application. At the public hearing, the Planning Commission invited and considered any and all verbal and written testimony offered in favor of and in opposition to the Project.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING

COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the Planning Commission hereby finds that approving the requested amendment of a conditional use permit to allow extended business hours, the service of beer and wine within an existing recreational kart racing facility, with modified conditions of approval and mitigation measures removing the requirement for toxic gas sensors in a 67,899 square foot tenant space of an existing 116,096 square industrial building on a property zoned Light Industrial (ML) is compatible with the Project Site's current land use designations (General Plan and Zoning) based on the following findings:

A. The establishment or operation of the use or building applied for, under the circumstances of the particular case, are essential or desirable to the public convenience or welfare, in that the proposed expansion of business hours and the addition of beer and wine sales to customers will improve the entertainment experience for customers of the indoor kart racing facility within the General Plan Exception Area for Places of Assembly and Entertainment Uses.

B. The proposed use permit amendment will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, in that the proposed use will continue to be fully contained within the existing building. The karts will continue to be the fully electric, environmentally friendly, high performance battery-powered karts, which create little noise, no odors or fumes. Further, through implementation of the proposed operational program restricting the potential for drinking and karting, the inclusion of beer and wine to the café menu will not be detrimental to the public health, safety or welfare, and will not be materially injurious to properties in the vicinity.

C. The proposed use will not be detrimental to property or improvements in the neighborhood of such propose use, in that no significant changes to the property or improvements on the subject site or in the neighborhood are proposed with the use permit amendment. The modified conditions of approval and mitigation measures removing the requirement for toxic gas sensors are appropriate in that industrial hazards are in decline,

engineering control regulations have advanced, dedicated Hazmat capabilities of emergency responders have advantage through the availability of technology that did not previous exist, training of emergency response personnel have advanced, and communication advancements among first responders have common platform throughout City.

D. The proposed use would not be detrimental to the general welfare of the City, in that the proposed use expands the business hours and beverage options available to the local and regional population that patron the business.

E. The proposed use will not impair the integrity and character of the zoning district, in that the existing recreational use as enhanced by the expanded hours along with beer and wine service for customers will continue on an existing developed parcel, with adequate on-site parking, and properly designed ingress and egress points provided.

F. The proposed use would be in keeping with the purpose and the intent of Title 18 of the Santa Clara City Code, in that the proposed enhanced indoor recreational use is permitted with Use Permit approval.

4. That the Planning Commission hereby approves this Amendment (PLN2017-12620) of the conditional Use Permit (PLN2011-08641) to allow beer and wine sales, extend hours of operation, and remove of the requirements for toxic gas sensors and a shelter-in-place plan for an existing indoor recreational use in an existing industrial building at the Project Site, subject to the conditions of approval as set forth in the Exhibit "CoA-CUP," attached hereto and incorporated herein by this reference.

5. That pursuant to the California Environmental Quality Act and the regulations implementing the Act, specifically 14 Cal. Code of Regs. § 15301 ("Class 1 - Existing Facilities"), this project is categorically exempt from formal environmental review.

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6. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED
AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA,
CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 14th DAY OF MARCH,
2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference: None

1. Conditions of Approval
2. Development Plans

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Conditions of Approval
PLN2017-12620 (Updated from PLN2011-08641)

GENERAL

- G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

- C1. Obtain required permits and inspections from the Building Official and comply with the conditions thereof.
- C2. Submit plans for final architectural review to the Planning Division and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, outdoor patio seating area design and landscaping, exterior lighting and signage. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Community Development.
- C3. Developer shall be responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- C4. Hours of business operation shall be limited to the following hours:

Monday – Thursday: Noon to 10:00 PM
Friday: 11:00 AM to 11:00 PM
Saturday: 10:00 AM to Midnight
Sunday: 10:00 AM to 9:00 PM
- C5. Full menu food service shall be available during all hours that alcoholic beverages are served.
- C6. Live music or karaoke music entertainment is prohibited.
- C7. Upon commencement of sales of alcoholic beverages (ABC Type 41 License), the approved use permit will be subject to a six-month and one-year review by the Planning Commission.
- C8. The Director of Community Development may refer the use permit to Planning Commission at any time to consider the initiation of revocation proceedings if the conditions of approval are violated or the operation is inconsistent with the approved operational statement. In addition, if complaints are received by the City with respect to this use, staff shall schedule a review of the use permit by the Planning Commission within three months for consideration of revocation proceedings.
- ~~C9. (formerly P9.) Applicant shall obtain required permits from the City of Santa Clara Fire Department for installation of the toxic gas sensors.~~
- ~~C10. (formerly P10.) Activation of any toxic gas sensor will activate audible and visual alarms to alert building occupants and shut down the HVAC system. The applicant shall obtain permits from the City of Santa Clara Fire Department for installation of the alarm systems.~~

- C11. The applicant shall develop and implement an Emergency Preparedness Plan, including a Shelter in Place plan as specified in the Mitigated Negative Declaration. The Plan shall be exercised at least annually, and the applicant shall invite the Fire Department to observe each exercise. Detailed records of training and exercises shall be kept and available to the Fire Department.
- C12. Project is to continue to comply with mitigation measures identified in the Mitigated Negative Declaration and Mitigation Monitoring or Reporting Program for the Santa Clara K1 Speed Karting Facility ongoing operations that were adopted on August 3, 2011. In conjunction with the Planning Commission's approval of the Use Permit (PLN2011-08641) on August 3, 2011, with the exception of Conditions' P9, P10, and mitigations' MM-AQ-2 and MM-AQ-3 pertaining to toxic gas sensors. Toxic gas sensors are no longer required. Instead, an alternative alert system shall be coordinated with the Fire Department prior to the operation of expanded business hours and/or the final of building permits for the proposed project improvements).

ENGINEERING

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a **Single Encroachment Permit** issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Submit public improvement plans prepared in accordance with City Engineering Department procedures which provide for the installation of public improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.
- E4. Provide a minimum of 1 Class I (bike lockers) per 30 employees and 4 Class II bicycle rack spaces at the main entrance and/or high visible areas.

FIRE

- F1. At the time of Building Permit application, submit Civil Drawings that denote existing and proposed locations of fire hydrants, underground sectional valves, fire department connections and post indicator valves for Fire Department review and approval.
- F2. Approved occupant loads for all assembly occupancies shall be posted in a conspicuous location.
- F3. Modifications to the fire sprinkler system will require a Fire Department permit.
- F4. Modifications to the fire alarm system will require a Fire Department permit.
- F5. If cooking (instead of reheating) takes place, then a Type I hood and fire protection will be required. This will require a Fire Department permit.
- F6. Rubbish containers: Containers that are 1.5 cubic yards (40.5 cubic feet) or more shall not be stored in buildings or placed within five feet of combustible walls, openings, property lines or combustible roof eave lines unless protected by approved fire sprinklers (2007 CFC 304.3.3). Exceptions may apply. If a roof over the trash enclosure is to be provided, then it shall be of non-combustible construction.
- F7. Construction materials shall not obstruct access to buildings, hydrants or fire appliances.
- F8. A Shelter-In-Place permit shall be required.

POLICE

- PD1. Address numbers should be a minimum of twelve (12) inches in height for commercial or industrial buildings. Consider illuminated numbers during the hours of darkness, and in a color that is contrasting to the background material. They shall be clearly visible from the street. Where multiple units or buildings occupy the same property, each unit/building address shall be clearly visible. A monument sign, preferably at all entrances to the property, should be prominently displayed showing all unit/building numbers, addresses, etc. A map is recommended for large complexes with multiple streets or walkways.
- PD2. In a development where there is an alley, driveway, etc. providing a rear entrance or access, the address shall be displayed to both the front and rear of the individual buildings. Where an alley, driveway, etc. provided vehicular access, address numbers shall be clearly visible from that access.
- PD3. Businesses with rear alley entrance doors shall be numbered with the same address numbers or suite numbers as the front doors. Numbers that are a minimum height of 4" are recommended.
- PD4. For each individual address (unit, suite, etc.) phone company records (specifically "911" dispatch) shall reflect the actual address the phone is located at.
- PD5. All exterior doors should be adequately illuminated at all hours with their own light source.
- PD6. All business or commercial establishments, of whatever nature, should have a comprehensive internal security plan, tailored to the specific use. This should include, but not be limited to, employee security during working hours, after hours security, disaster preparation, etc. For retail uses, especially where cash is on hand, robbery and cash security protocols should be established. Applicants are encouraged to contact the Santa Clara Police Community Services Unit at (408) 615-4859 for assistance.

STREETS

SOLID WASTE

- ST1. If cooking (instead of reheating) takes place, then pre-treatment devices and tallow bins shall be installed at all food establishments. Tallow bins shall be placed within a trash enclosure when possible. If enclosure is not sized to include the tallow bin(s), a separate dedicated enclosure with drainage to sanitary sewer shall be provided.

STORMWATER

- ST2. Interior floor drains shall be plumbed to the sanitary sewer system and shall not be connected to storm drains.

STATEMENT OF JUSTIFICATION
K1 SPEED INDOOR KARTING FACILITY – BEER & WINE AMENDMENT

K1 Speed is an indoor kart racing business which presently occupies a portion of an existing 116,096 square foot building at 2925 Mead Avenue in Santa Clara. K1 Speed occupies approximately 62,899 square feet of the building.

K1 Speed is in the process of applying for local and state licenses to serve beer and wine (no hard alcohol) in their 35 karting centers throughout the country. They will be remodeling their concession area cafes to be proposing upgraded and healthier food and beverages in order to keep up with the demands of their modern corporate clientele, who request a more comfortable atmosphere, including couches, cooked food, cheese plates and wine. K1 Speed has had three years of experience with this more contemporary approach in their two Illinois facilities, with great success. Thus, K1 Speed is requesting approval of a use permit amendment to allow the sale and consumption of beer and wine in their existing facility in Santa Clara. They will be following up with a request for State ABC License Type 41.

K1 Speed is also requesting modification of the original approved use permit (File No. PLN2011-08641) to modify the hours of operation to the following:

Monday – Thursday:	Noon to 10:00 PM
Friday:	11:00 AM to 11:00 PM
Saturday:	10:00 AM to Midnight
Sunday:	10:00 AM to 9:00 PM

K1 Speed is also requesting modification of the original conditions of approval Nos. P9 and P10, and related condition P12 (which refers to the adopted mitigations MM AQ-2 and MM AQ-3), to remove the requirements for toxic gas sensors. In discussions with the Santa Clara Fire Department, it has been determined that such sensors may not be necessary for the subject project, or that an alternative alert system could be coordinated with the Fire Department.

Section 18.110.040 of the Santa Clara City Code dictates that use permits can only be granted if the following findings can be made regarding the proposed use:

FINDINGS:

(a) That the establishment or operation of the use or building applied for, under the circumstances of the particular case, are essential or desirable to the public convenience or welfare;

The indoor karting facility has been in operation since 2011. The use has been beneficial to the surrounding industrial business park community, in that it provides a needed, clean recreational use for corporations and corporate headquarters located in the area. Many corporations use these karting facilities as another option to foster corporate association and team building; as an alternative to expensive corporate retreats or motivational presentations. The corporations and businesses that use the facility utilize them for corporate events of team building, morale events, departmental challenges, product launches, and social events and competitions. Thus the existing use is beneficial to the convenience of the surrounding business park uses.

The proposed amendment involves adding beer and wine to the concession area café menu. This inclusion of beer and wine to the menu will improve the entertainment experience of K1 Speed's customers, and thus this upgrade will benefit the community. In addition, the use will maintain compatibility with existing uses and future uses in the area and the change will have no effect on utilities, roads, drainage or other facilities that exist to serve the use.

(b) That said use will not be detrimental to any of the following:

(1) The health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use;

The proposed use will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons working in the industrial park. The K1 Speed operation will continue to be fully contained within the existing building. The karts will continue to be the fully electric, environmentally friendly, high performance battery-powered karts that K1 Speed has always operated. They create no noise to speak of and no odor or fumes whatsoever. Further, with the implementation of the a planned strict operational program restricting the potential for drinking and karting, the inclusion of beer and wine to the café menu will not be detrimental to the public health, safety or welfare, and will not be materially injurious to properties in the vicinity.

As a precaution to ensure the welfare of K1 Speed's customers, a business operational program will be implemented which will ensure that onsite drinking does not take place prior to kart racing. This program involves the following standard procedures;

1. Upon entering the facility, customers will be fitted with a plastic wristband allowing them to race.
2. Upon completion of their racing, if they are of age and purchase beer or wine in the concession area café, the bracelet will be cut and removed, and replaced with a fluorescent hand stamp.
3. Customers without bracelets will not be able to race. In the event that a customer violates the rules by attempting an unauthorized re-entry into the line to purchase a racing ticket, this customer's name will be triggered in the cashier computer as already having raced that day, and the hand stamp will identify this customer as having consumed beer or wine. This customer will be denied a racing ticket.
4. A breathalyzer will be employed at the cashier counter to identify any arriving customers who appear to be intoxicated.
5. Beer and wine purchase and drinking will be confined to the concession area café portion of the K1 Speed facility.

The above business operational process has been implemented in a number of the K1 Speed facilities with great success. K1 Speed has maintained the best safety record with the highest liability insurance rating available for businesses of our type in their Illinois facilities as well as their facilities throughout the country.

Further, K1 Speed will not advertise or promote beer or wine on the interior or exterior of their buildings. Beer and wine will simply be an additional beverage on the menu. And while karting is still by far their primary entertainment activity, our concession area menu will be upgraded to include a number of meals, appetizers and sandwich food items cooked on the premises, all of which is intended to provide a relaxing atmosphere for socializing of friends after the high-adrenaline competing in kart racing has been completed, or for non-driving associates, parents or guardians to relax and enjoy while friends or children are racing.

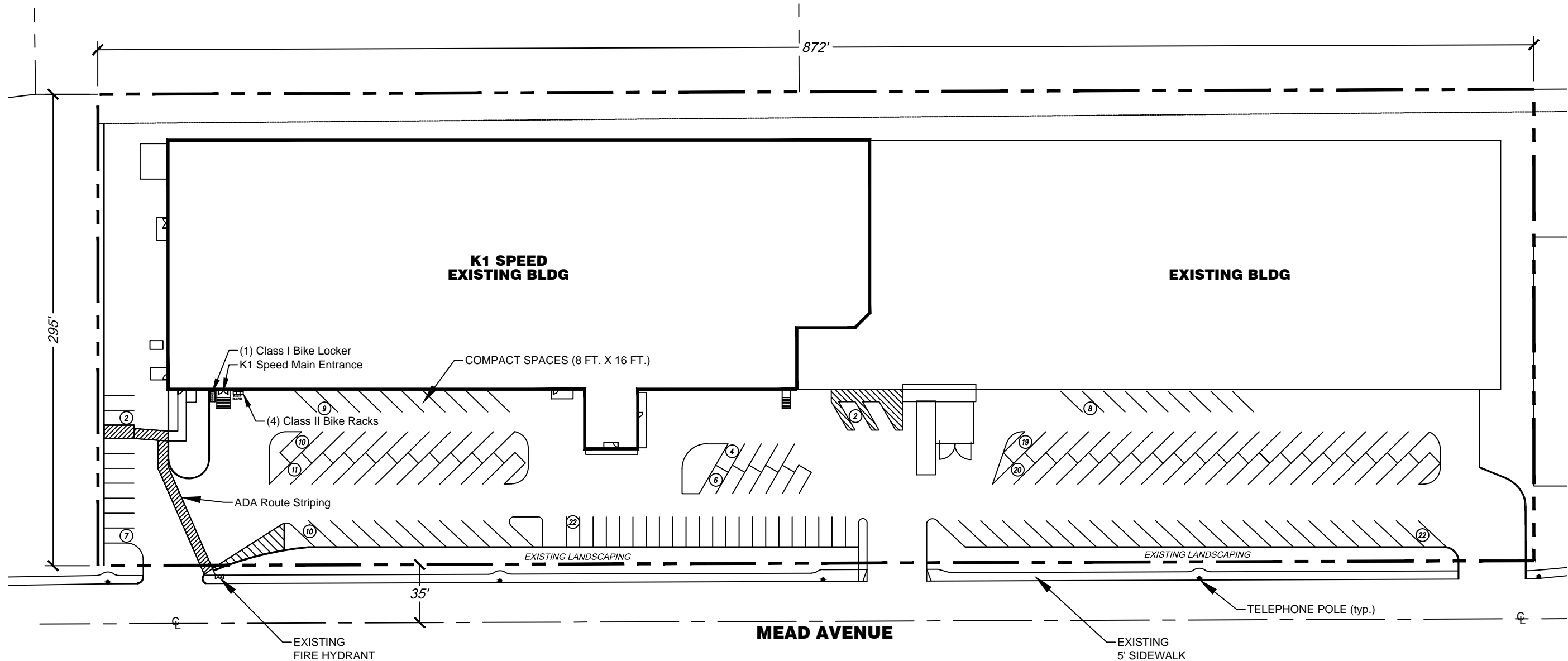
(2) Property or improvements in the neighborhood of such proposed use; or

No significant changes to the property or improvements on the subject site or in the neighborhood are proposed as a result of the proposed amendment, and therefore the use will not be detrimental to property or improvements in the neighborhood. Further, K1 Speed will not advertise or promote beer or wine on the interior or exterior of their buildings. Beer and wine will simply be an additional beverage on the menu. And while karting is still by far their primary entertainment activity, our concession area menu will be upgraded to include at least eight (8) meals, appetizers and sandwich

food items cooked on the premises, all of which is intended to provide a relaxing atmosphere for socializing of friends after the high-adrenaline competing in kart racing has been completed, or for non-driving associates, parents or guardians to relax and enjoy while friends or children are racing.

(3) That said use is in keeping with the purposes and intent of this title.

No other change to the look, design, operations, hours, or overall ambiance of the existing K1 Speed is proposed. The proposed change in the menu beverages is minor in scope, and as such, the use will continue to be in accord with the objectives and purpose of the Santa Clara Zoning Ordinance.

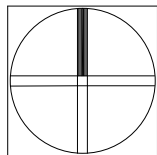


GENERAL INFORMATION

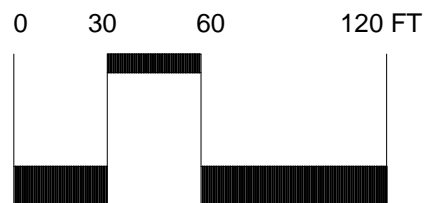
APPLICATION TYPE:	CONDITIONAL USE PERMIT INDOOR KARTING BUSINESS IN EXISTING BUILDING
APPLICANT'S NAME AND ADDRESS:	K1 SPEED, LLC 17221 VON KARMEN AVE. IRVINE, CA 92614
OWNER'S NAME AND ADDRESS:	PPF ORCHARD INDUSTRIAL 555 CALIFORNIA ST. #2200 SAN FRANCISCO, CA 94104
STREET ADDRESS AND ASSESSOR'S PARCEL NUMBER:	2905-2925 MEAD AVE. SANTA CLARA, CA 95051
APN #	216-28-089
SITE ACREAGE:	5.91 ACRES
LOT AREA:	257,240 SF
K1 SPEED LEASE SPACE:	63,087 SF
TOTAL BUILDING AREA:	116,096 SF
NUMBER OF STORIES:	1

THERE ARE 152 TOTAL PARKING SPACES PROVIDED.

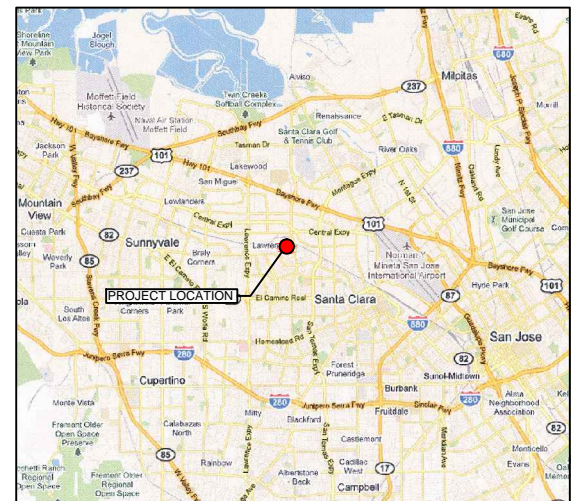
- NOTE:
- Standard parking spaces are 9 ft. X 18 ft., compact spaces are 8 ft. X 16 ft.
 - Emergency vehicle access from Mead Ave. driveways; no gates are proposed.



NORTH



SCALE - 1" = 60 FT.



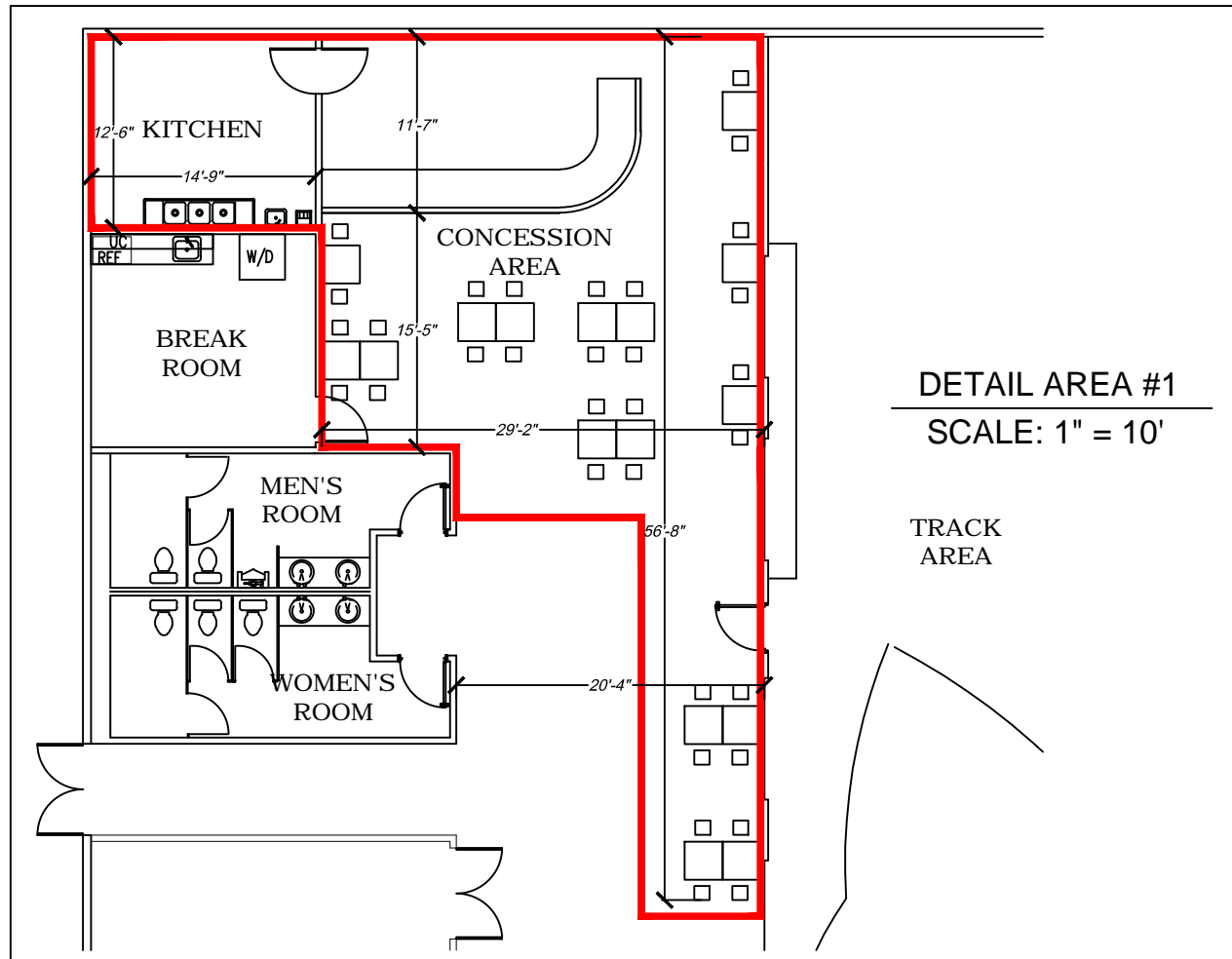
VICINITY MAP
NOT TO SCALE



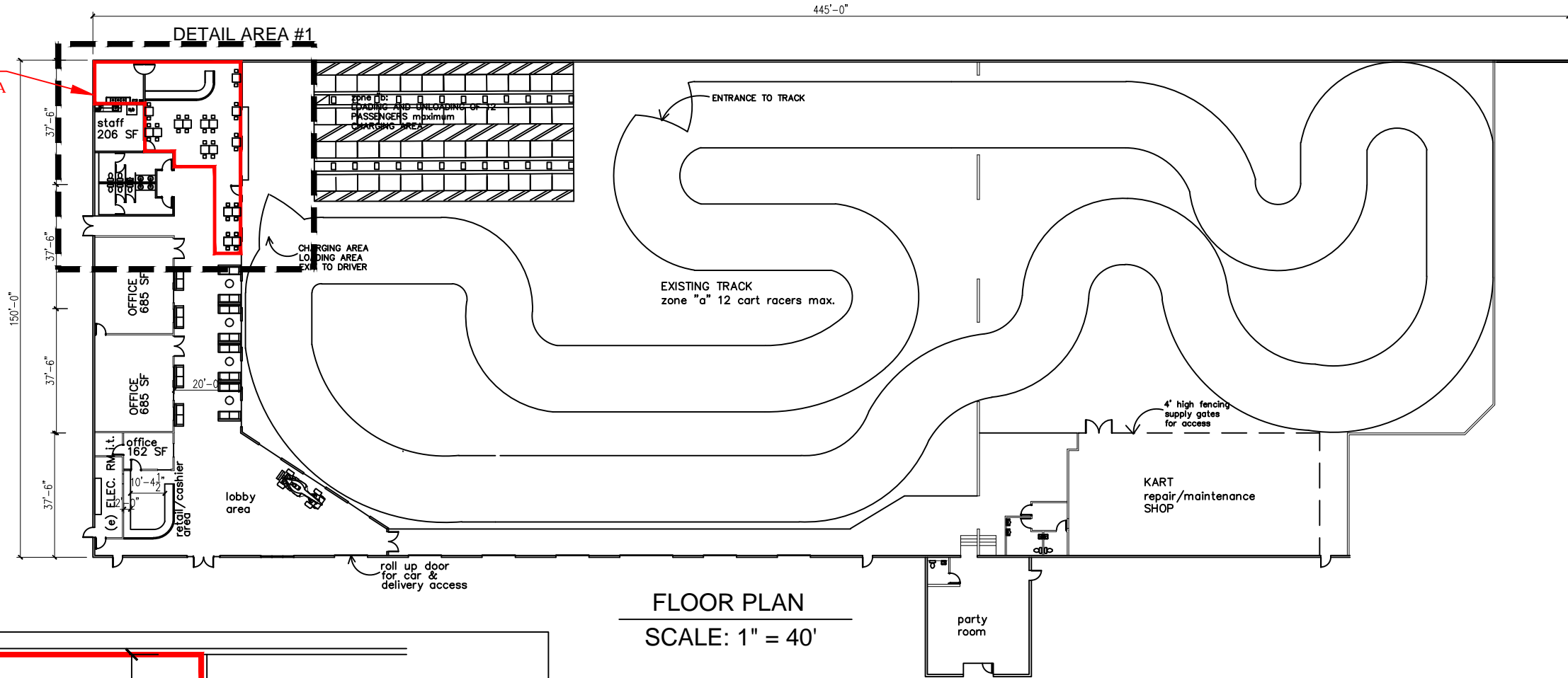
K1 Speed - Santa Clara Site Plan

2905-2925 Mead Ave. Santa Clara, CA 95051

Date: 1-24-18
Scale: 1"=60'
Sheet 1 of 3 Sheets



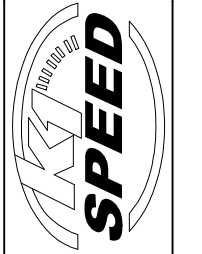
CONCESSION/
FOOD PREP AREA
(1,265 sq. ft.)



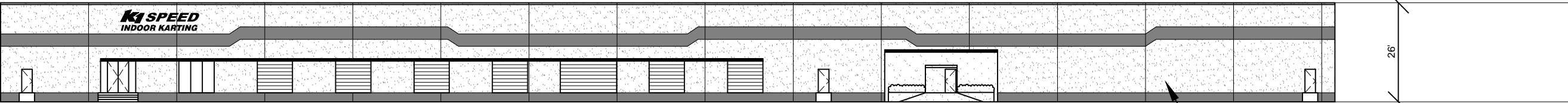
K1 Speed - Santa Clara Floor Plan

2905-2925 Mead Ave. Santa Clara, CA 95051

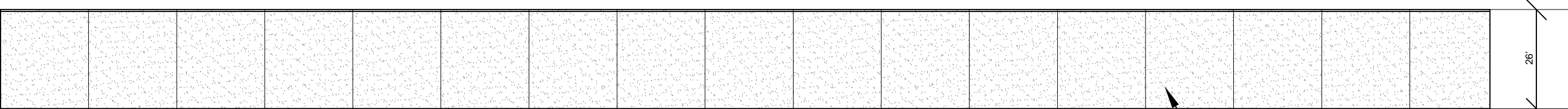
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Scale: 1"=40'
Sheet 2 of 3 Sheets



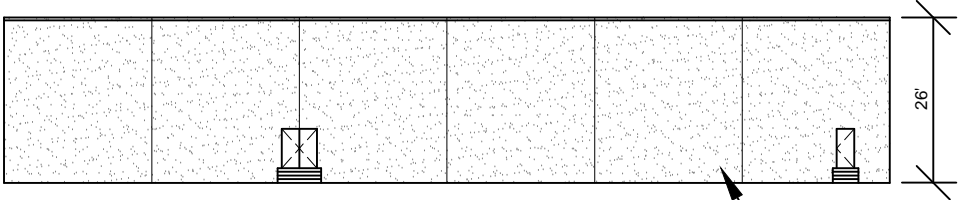
PLANNING
SYSTEMS
1550 PARADISE AVENUE, SUITE 100, CARLSBAD, CA 92008
(760) 931-0760 FAX (760) 931-5744



FRONT ELEVATION
SCALE: 1" = 30'



REAR ELEVATION
SCALE: 1" = 30'



SIDE ELEVATION
SCALE: 1" = 30'

K1 Speed - Santa Clara Elevations

2905-2925 Mead Ave. Santa Clara, CA 95051

Date: 6-12-17
Scale: 1"=30'
Sheet 3 of 3 Sheets



LAND USE/COASTAL PLANNING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL MITIGATION
PLANNING
SYSTEMS
1650 PARADAY AVENUE, SUITE 100, CARLSBAD, CA 92008
(760) 931-0760 FAX (760) 931-9744