

Conditions of Approval

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.

PLANNING AND BUILDING INSPECTION

- P1. Obtain required permits and inspections from the Building Official and comply with all building code requirements and conditions thereof.
- P2. No live entertainment or amplified music will be allowed, unless it is wholly incidental to the restaurant use.
- P3. Any other use or uses not similar to a restaurant with a full service menu accompanied with on-site consumption of beer and wine shall require an amendment to the Use Permit, subject to Planning Commission review and approval prior to commencement of such use.
- P4. Use shall be operated in a manner such that it does not create a public or private nuisance.
- P5. Any modification to the approved project description shall require an amendment to the Use Permit subject to Planning Commission review and approval prior to commencement of business.
- P6. The Director of Community Development may refer the Use Permit to the 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 project description. In addition, if complaints are received by the City with respect to this use, staff shall provide a review of the Use Permit to the Planning Commission within three months for consideration of revocation proceedings.
- P7. Applicant 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 against the City by reason of its approval of developer's project.
- P8. Full menu food service shall be available during all hours that the restaurant is open and alcoholic beverages are served.
- P9. The hours of operation shall be limited to the hours of Monday to Thursday: 9:00 a.m. to 11:00 p.m. and Friday-Sunday: 9:00 a.m. to 11:30 p.m.
- P10. The restaurant shall be allowed to have up to 145 indoor seats.
- P11. The Planning Commission shall review this Use Permit PLN2017-12521 twelve (12) months from the date that applicant obtains an active Alcoholic Beverage Control (ABC) License Type 47. After six months from obtaining the ABC license, the City shall conduct an administrative review of any ABC violations and police service calls, and shall report any significant occurrences to the Planning Commission.
- P12. Applicant is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.

ENGINEERING

- E1. Applicant shall pay all applicable development fees.
- E2. 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.
- E3. 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.

ELECTRICAL

No Comments

WATER

No Comments

POLICE

- P13. The business shall undergo a 6 month and 1 year review by the City of Santa Clara, including a check for ABC violations and police service calls.
- P14. 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 limited to, employee security during working hours, after hours security, disaster preparation, etc. For retail uses, especially where there is cash on hand, robbery and cash security protocols should be established. Applicants are encouraged to contact the Santa Clara Police Department's Community Services Unit (408-615-4859) for assistance.
- P15. All business or commercial establishments, of whatever nature, should have an electronic intruder alarm system installed. The system should cover the interior and perimeter of structures determined to be a value target. Also, consideration should be given to exterior areas that are or contain value targets, such as a product display lot, company vehicle parking area, etc.
- P16. The installation and use of interior and exterior security cameras and recording devices is highly encouraged.
- P17. The business operator shall strictly adhere to the business hours as stated in the use permit.

FIRE

No comments

STREET

No comments