

MEMORANDUM

Planning Department



Date: February 6, 2025
To: Zoning Administrator
From: Michael Fossati, Senior Planner

Subject: **BEER AND WINE SALES IN KARAOKE ESTABLISHMENT – 788 BARBER LN. - P-MC24-0005** – A Minor Conditional Use Permit to sell beer and wine for on-site consumption (ABC Type 41 License) within an existing karaoke establishment in the General Commercial (C2) Zoning District with a Recreation and Entertainment Overlay (-RE) at 788 Barber Lane. The project is categorically exempt from further environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and as a separate and independent basis, CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning).

Location: 788 Barber Lane (APN: 083-03-014)

Zoning/GP: General Commercial (C2), Recreation and Entertainment Overlay (-RE), General Commercial (GNC)

Application

On July 25, 2024, Joe Zhang with Musicland KTV, Inc (applicant) applied for a Minor Conditional Use Permit (MCUP) to sell beer and wine within an existing karaoke establishment (Project). An MCUP requires Zoning Administrator approval. Musicland KTV, Inc. needs MCUP approval to obtain an alcohol license from the State of California Alcohol Beverage Control (ABC) Department.

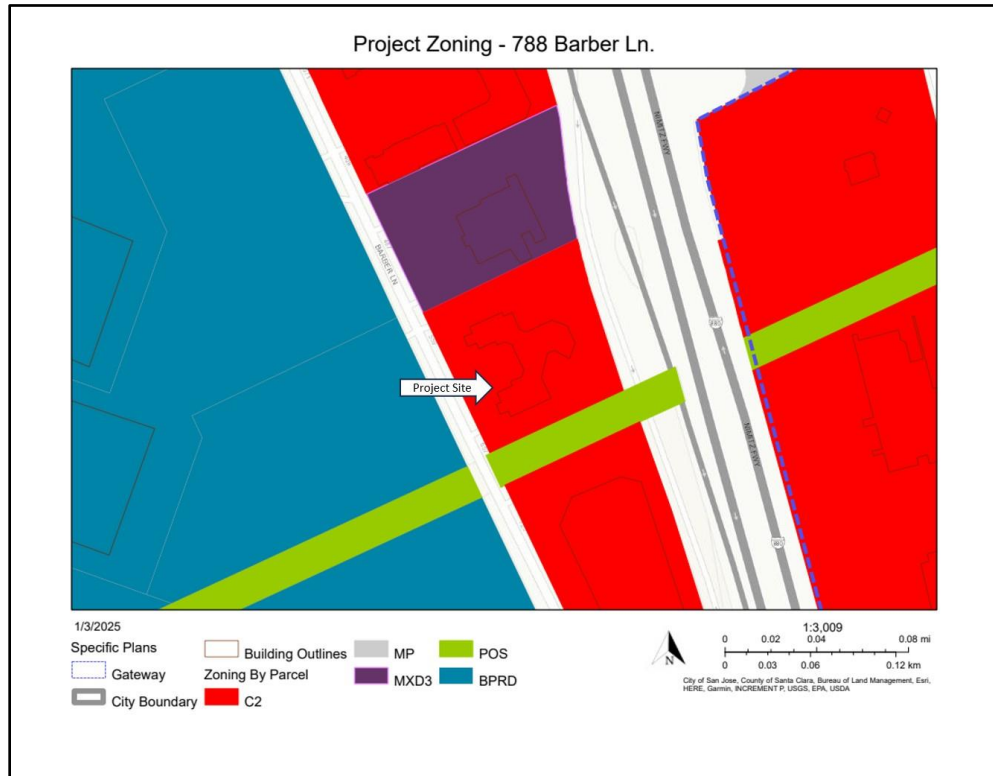
The following is a summary of the applicant's request:

- Minor Conditional Use Permit: To allow the karaoke establishment to sell beer and wine for consumption and obtain a Type 41 Liquor License (On-Sale Beer and Wine for Eating Place) from ABC.

The project site is surrounded by other parcels zoned for mixed-use, industrial park, open space uses to the north, west, and south, and Interstate 880 to the east as demonstrated in Map 1: Project Zoning, Map 2: Aerial View, and Table 1: Surrounding Zoning and Land Uses



Map 1 – Project Zoning – 788 Barber Lane



Map 2 – Aerial Map – 788 Barber Lane



Table 1: Surrounding Zoning and Land Uses

	General Plan	Zoning	Existing Uses
Subject Site	General Commercial (GNC)	General Commercial with Recreation Entertainment Overlay (C2-RE)	Musicland KTV (Karaoke Establishment)
North	Very High Density Mixed Use (VHDMU)	Very High-Density Mixed Use with High Rise Overlay (MXD3-HR)	Vacant Site
South	General Commercial (GNC)	Park and Open Space (POS)	Open Space / Accessory Parking Spaces
West	Industrial Park (INP)	Business Park Research & Development (BPRD)	Office Park
East	N/A	N/A	Interstate 880

Staff reviewed the entitlement application outlined above and found it to be consistent with the policies, standards, and processes outlined in the City of Milpitas General Plan and Zoning Ordinance.

Project Details

Musicland KTV is located in the Ulferts Center, an approximately 40,000-square foot open air shopping center located in west Milpitas hosting 24 personal service business and restaurants for the Asian community. Unlike typical karaoke establishments, Musicland KTV offers private rooms with snack foods and non-alcoholic beverage service to their guests. In an effort to increase business, they've requested to serve alcoholic beverages such as beer and wine with their food items, which requires MCUP approval from the City of Milpitas.

Food items are in the form of “dim sum”, which are small steamed or fried dumplings containing various fillings, eaten as a snack food or main course. Figure 1 is the floor plan for Musicland KTV. Figure 2 is the digital menu that displays the food and drink items for sale. Figure 3 is an image of the kitchen and service reception area. All alcoholic beverages would be stored behind the service reception area, therefore controlling access to customers and guests.

Figure 1: Floor Plan

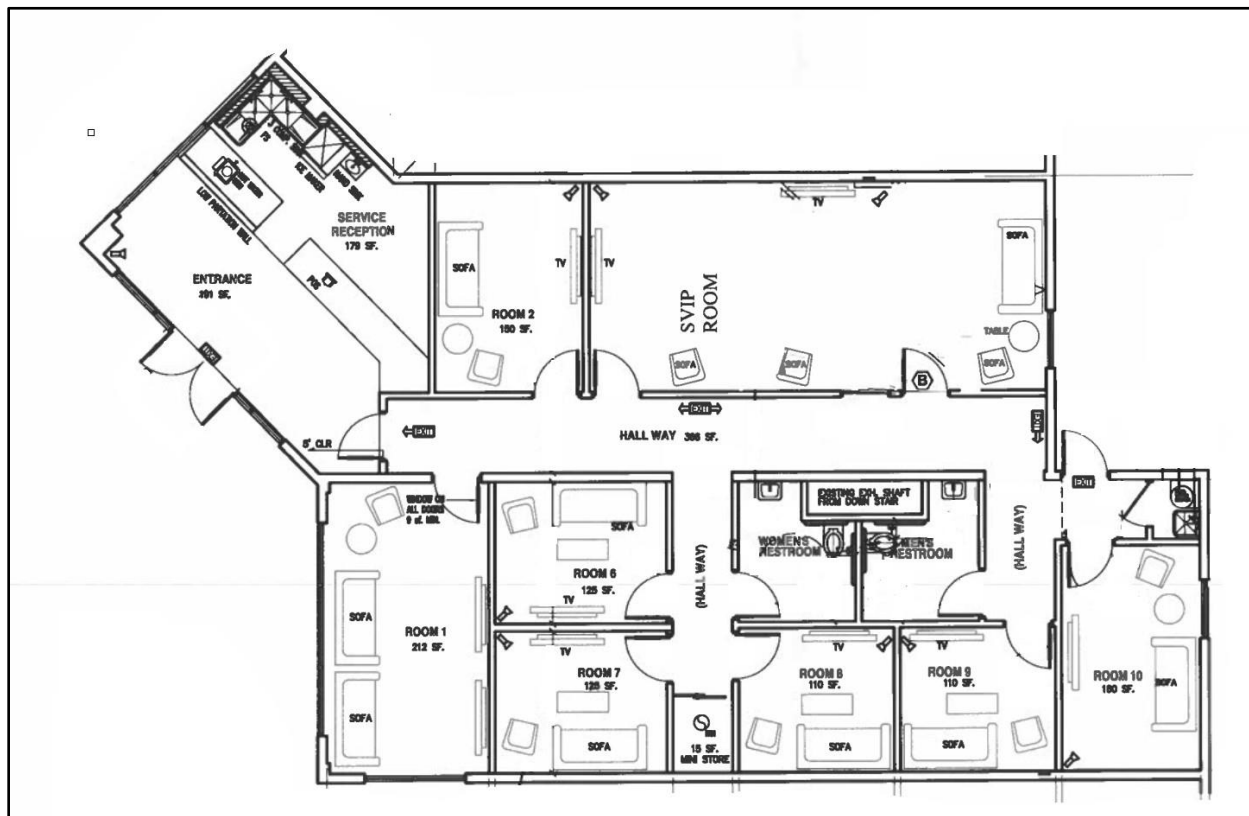


Figure 2: Example of Digital Food Menu



Figure 3: Kitchen and Reception Area



Zoning Conformance

The Project site is within the C2 Zoning District, which is governed by Milpitas Municipal Code (MMC) Section 5 (Commercial Zones and Standards) and -RE Overlay District, which is governed by MMC Section 12 (Overlay Districts and Standards). Per MMC Section XI-10-12.07 (D) (Recreation and Entertainment -RE Overlay District) *the development standards of the underlying base zoning district shall apply.* Therefore, planning staff made a determination that the existing karaoke establishment is most similar to “restaurant with ancillary on-premises beer and wine with no separate bar,” in that they include food items for sale, and therefore, warranting the MCUP process to serve beer and wine, as permitted in the C2 zoning district.

The purpose and intent of the C2 zoning district is to *“to provide for the wide range of retail sales and personal and business services primarily oriented to the automobile customer to provide for general commercial needs of the city and to promote stable, attractive commercial development which will afford a pleasant shopping environment.”*

The proposed alcohol service would help meet the diverse needs of Milpitas residents by operating an eating and entertainment establishment that will provide a wide variety of entertainment, food and drink options that will appeal to a diverse range of tastes, which is consistent with the purpose and intent of both the C2 zoning district, and the Recreation and Entertainment Overlay District which was created to “*allow a unique mixture of indoor and outdoor recreation and entertainment uses that attract patrons from the surrounding region.*”

If the MCUP were to be approved, there would no changes or expansion proposed for the suite or building since the existing infrastructure is in place to store and service alcohol responsibly.

Off-Street Parking Requirements

Musicland KTV has approximately 2400-square feet of entertainment floor area, which is broken up into eight karaoke rooms, two restrooms, and a lobby and service area. The City of Milpitas does not have off-street parking calculations for karaoke establishments, so the most similar use would be an “arcade and amusement” space, which requires one parking space per 200 sq. ft. of floor area. Milpitas Ulferts Center has access to 266 parking spaces to be shared among their 24 businesses. Since on-site beer and wine sales for a karaoke establishment does not increase the required amount of parking, the Project is compliant with the minimum parking requirements. Table 4 demonstrates that Project has adequate parking to meet the City’s requirements.

Table 2: Off-Street Parking Conformance

Tenant	Address	GFA (sf)	Number of Rooms	Municipal Code Requirement	Spots Needed
Musicland KTV	788 Barber Lane	~2,400	8	1/200	12
Total parking spaces (Milpitas Ulferts Center)				266	

Alcoholic Beverage Control

The State of California regulates retail sales licenses of alcohol, including beer and wine, through the California Department of Alcoholic Beverage Control (ABC). Each county in California is allotted a specific number of off-sale licenses, identified by census tract and determined based on population (one on-sale general license is allowed for every 2,000 persons in a county, one off-sale general license is allowed for every 2,500 persons in a county).

When the number of authorized licenses is exhausted in a census tract, ABC will conclude that a new application would result in an over concentration, and therefore is required by state law to deny the application, unless the local governing authority (City of Milpitas) can demonstrate the public would benefit from an additional sales outlet. If the applicant

can obtain a Public Convenience and Necessity (PCN) Letter from the City of Milpitas, ABC will issue the appropriate alcohol license.

The Project site is within census tract 5050.06. According to ABC, there are twenty-five (25) eating establishments that have an active Type 41 liquor licenses. For ABC to grant another license, the applicant must demonstrate the proposed use would serve the public convenience or necessity, per Business and Professions Code Section 23958.4.

The City of Milpitas uses either the Minor Conditional Use Permit (MCUP) and Conditional Use Permit (CUP) process to determine if a proposed use would serve the public convenience and necessity. In our findings, the City of Milpitas *encourages a diverse mix of commercial uses including retail, service, office, entertainment, and assembly uses*, which would be supported by allowing Musicland KTV to serve beer and wine with their food items, if the proposed business operates in a professional manner as conditioned within the resolution.

Public Safety

Planning staff rely on the Milpitas Police Department (MPD) to analyze uses that may have a negative health and safety impact to the community. MPD reviewed the business operation of the proposed use and determined that the proposed use will not create any adverse impacts on the delivery of professional and responsive police services. MPD recommends the following actions to ensure the safety of patrons, which have been added to the MCUP permit conditions of approval:

- The beer and wine sold at the karaoke establishment shall be kept in a location out of the reach of patrons to prevent any potential thefts from occurring.
- The applicant shall ensure all applicable City, County, and State permits are obtained and ABC laws enforced.
- Sales of alcoholic beverages shall only occur between 6:00 PM to 12:00 AM (Musicland KTV hours per website) or during normal operating hours.
- All persons who serve alcoholic beverages shall be 21 years of age.
- Upon demand from a peace officer, the licensee or responsible person shall immediately surrender the license and cease all sales of alcoholic beverages, if applicable under the law.
- Applicant shall abide by all Milpitas Municipal Codes to include the noise ordinance (MMC V-213-3.03).
- Complete an emergency notification form.

Furthermore, the Planning Department has included conditions of approval for the operation of the facility to limit disturbances associated with alcohol sales. These conditions are as follows:

- Video surveillance within the interior and exterior of the karaoke establishment.
- Permittee shall be solely responsible and liable for ensuring that all employees receive “Responsible Alcoholic Beverage Service” training as offered through programs established by the Alcoholic Beverage Control Department of the State of California; and

- Permittee shall provide an Alcohol Service Policy demonstrating how alcohol sales and services can be administered in a safe manner.

By the applicant agreeing to the conditions, the Planning Department recommends the Zoning Administrator approve selling beer and wine beverages within the karaoke establishment.

Findings for Approval:

Findings shall identify the rationale behind the decision to take a certain action. Each required finding within the Milpitas Municipal Code Section XI-10-57.04(F) for a Minor Conditional Use Permit have been analyzed below:

1. The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare.

The proposed use as the proposed location will not be detrimental or injurious to public health, safety and general welfare because it will operate in compliance of regulations established by both the State of California and the City of Milpitas. Those regulations include appropriate licensing, providing workers responsible alcohol service training, and installing video surveillance equipment to monitor the karaoke establishment.

2. The proposed use is consistent with the Milpitas General Plan; and

The proposed use is consistent with the Milpitas 2040 General Plan policies such as *maintaining viable neighborhood-serving commercial uses throughout the City in order to serve surrounding neighborhoods and minimize vehicle miles traveled. Encourage a diverse mix of commercial uses including retail, service, office, entertainment, and assembly uses* (Milpitas General Plan – Policy LU 6-4) and *providing support to small-businesses and entrepreneurs to help them start and expand their companies in Milpitas* (Milpitas General Plan – Policy ED 5-3). The proposed service and sales of beer and wine will allow the business to increase revenue, enhance the customer experience and attract a broader audience, leading to repeat business and customer loyalty.

3. The proposed use is consistent with the Milpitas Zoning Ordinance.

The proposed use is consistent with the Milpitas Zoning Ordinance in that it will operate within a legal conforming commercial building surrounded by similar uses. The applicant submitted a complete application and has agreed to the attached conditions of approval to operate in a manner that will preserve the health, safety, and welfare of the Milpitas community, and the business adds to the diverse use of entertainment services in the immediate area.

California Environmental Quality Act (CEQA):

The Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and, as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). The proposed use is located in a commercial building that possesses the required infrastructure to allow the safe operation of a karaoke establishment with beer and wine sales.

Recommendation:

Staff recommends that the Zoning Administrator approve Resolution No. 25-002 and Minor Conditional Use Permit No. MC25-0005 to allow the applicant to obtain an on-sale beer and wine (ABC Type 41) license for an eating place within an existing 2,400 square foot karaoke establishment in the General Commercial and Recreation and Entertainment Overlay (C2-RE) Zoning District located at 788 Barber Lane, subject to the findings outlined in this report and the attached Conditions of Approval.

Attachments:

- A. Conditions of Approval
- B. Project Plans

ATTACHMENT A

RESOLUTION NO. 25-002

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF MILPITAS, CALIFORNIA, APPROVING MINOR CONDITIONAL USE PERMIT NO. MC24-0005 TO ALLOW ANCILLARY ON-PREMISE BEER AND WINE SALES WITH NO SEPARATE BAR FOR ON-SITE CONSUMPTION (ABC TYPE 41 LICENSE) WITHIN AN EXISTING 2,400 SQUARE FOOT KARAOKE ESTABLISHMENT (MUSICLAND KTV) LOCATED IN THE GENERAL COMMERCIAL AND RECREATION AND ENTERTAINMENT OVERLAY (C2-RE) ZONING DISTRICT AT 788 BARBER LANE (APN 083-03-014)

WHEREAS, on July 25, 2024, Joe Zhang with Musicland KTV (“Applicant”), applied to obtain a Minor Conditional Use Permit (MCUP) to sell beer and wine within their existing karaoke establishment (“Project”), located at 788 Barber Lane (APN 083-03-014) (“Property”); and

WHEREAS, the property is located within the General Commercial and Recreation and Entertainment (C2-RE) overlay zoning district; and

WHEREAS, on August 19, 2024, the Applicant obtained conditional approval from the Milpitas Police Department for the Project; and

WHEREAS, the Planning Department completed an environmental assessment for the Project in accordance with the California Environmental Quality Act (CEQA), and recommends that the Zoning Administrator determine this Project is categorically exempt; and

WHEREAS, on February 6, 2025, the Zoning Administrator held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties.

NOW THEREFORE, the Zoning Administrator of the City of Milpitas hereby finds, determines and resolves as follows:

Section 1: The recitals set forth above are true and correct and incorporated herein by reference.

Section 2: The Project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities), and as a separate and independent basis, CEQA Guidelines Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). As proposed, the Project includes allowing beer and wine to be served within a karaoke establishment that already serves food to patrons and customers.

Section 3: The Milpitas Municipal Code (MMC) requires approval of a Minor Conditional Use Permit (MCUP) for restaurants (which include karaoke establishments that serve food) with ancillary on-premises beer & wine and no separate bar in General Commercial zone (Table XI-10-5.02-1). In order to approve an MCUP, the Zoning

Administrator must make the following findings, per Municipal Code Section XI-10-57.04(F):

- a) *The proposed use, at the location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare:*

The proposed use as the proposed location will not be detrimental or injurious to public health, safety and general welfare because it will operate in compliance of regulations established by both the State of California and the City of Milpitas. Those regulations include appropriate licensing, providing workers responsible alcohol service training, and installing video surveillance equipment to monitor the karaoke establishment.

- b) *The proposed use is consistent with the Milpitas General Plan.*

The proposed use is consistent with the Milpitas 2040 General Plan policies such as maintaining viable neighborhood-serving commercial uses throughout the City in order to serve surrounding neighborhoods and minimize vehicle miles traveled. Encourage a diverse mix of commercial uses including retail, service, office, entertainment, and assembly uses (Milpitas General Plan – Policy LU 6-4) and providing support to small-businesses and entrepreneurs to help them start and expand their companies in Milpitas (Milpitas General Plan – Policy ED 5-3). The proposed service and sales of beer and wine will allow the business to increase revenue, enhance the customer experience and attract a broader audience, leading to repeat business and customer loyalty.

- c) *The proposed use is consistent with the Milpitas Zoning Ordinance.*

The proposed use is consistent with the Milpitas Zoning Ordinance in that it will operate within a legal conforming commercial building surrounded by similar uses. The applicant submitted a complete application and has agreed to the attached conditions of approval to operate in a manner that will preserve the health, safety, and welfare of the Milpitas community, and the business adds to the diverse use of entertainment services in the immediate area.

Section 4: The Zoning Administrator of the City of Milpitas hereby adopts Resolution No. 25-002 approving Minor Conditional Use Permit No. MC24-0005, to allow ancillary on-premises beer and wine sale with no separate bar for on-site consumption within an existing 2,400 square foot karaoke establishment located at 788 Barber Lane, based on the above Findings and subject to the Conditions of Approval attached hereto as Exhibit 1.

PASSED AND ADOPTED at a regular meeting of the Zoning Administrator of the City of Milpitas on February 6, 2025.

Jay Lee, AICP
Zoning Administrator

Date: _____

EXHIBIT 1

**MINOR CONDITIONAL USE PERMIT NO. MC24-0005
MUSICLAND KTV
(APN 083-03-014)**

The City of Milpitas Zoning Administrator approves Minor Conditional Use Permit No. MC24-0005 in accordance with Section XI-10-57.04 of the Milpitas Municipal Code, subject to and conditioned upon all applicable State and local laws and regulations and the Conditions of Approval outlined below. This Minor Conditional Use Permit entitlement is to allow the applicant to serve and sell beer and wine for on-site consumption (ABC Type 41 License) within an existing karaoke establishment (Musicland KTV) located within the General Commercial and Recreation and Entertainment Overlay (C2-RE) Zoning District located at 788 Barber Lane, subject to all necessary reviews, approvals, studies, and inspections for the issuance of such building permits, if required.

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

General Conditions

1. General Compliance. The applicant, including all successors in interest (collectively "Permittee") shall comply with each and every condition set forth in this Permit. This Minor Conditional Use Permit No. MC24-0005 ("Permit") shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed or caused to be performed. **(P)**
2. Effective Date. Unless there is a timely appeal filed in accordance with the Milpitas Zoning Code, the date of approval of this Permit is the date on which the decision-making body approved this Permit. **(P)**
3. Acceptance of Permit. Should Permittee fail to file a timely appeal within twelve (12) calendar days of the date of approval of this Permit, inaction by Permittee shall be deemed to constitute each of the following: **(P)**
 - i. Acceptance of this Permit by Permittee; and
 - ii. Agreement by the Permittee to be bound by, comply with, and to do all things required of or by Permittee pursuant to all the terms, obligations, and conditions of this Permit.
4. Permit Expiration. Pursuant to Section XI-10-64-06 of the Milpitas Zoning Code, this Permit shall become null and void if the activity permitted by this Permit is not commenced within two (2) years from the date of approval, or for a project submitted with a tentative map, within the time limits of the approved tentative map. Pursuant to Section XI-10-64.06(B) of the Milpitas Zoning Code, an activity permitted by this Permit shall be deemed to have commenced when the Project: **(P)**
 - i. Completes a foundation associated with the Project; or

- ii. Dedicates any land or easement as required from the zoning action; or
 - iii. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner.
5. Time Extension. Pursuant to Section XI-10-64.07 of the Milpitas Zoning Code, unless otherwise provided by State law, Permittee shall have the right to request a one-time extension of the Permit if the request is made in writing to the Planning Division prior to the expiration date of the approval. **(P)**
6. Notice. Pursuant to California Government Code Section 66020, any protest filed in court relating to the imposition of fees, dedication, reservations, or other exactions to be imposed on the development Project shall be filed within ninety (90) days after the date of the approval of this Permit. This provision serves as notice from the local agency to the Permittee that the ninety (90) day period in which the applicant may file a protest has begun under California Government Code Section 66020(d)(1). **(CA)**
7. Cost and Approval. Permittee shall fully complete and satisfy each and every condition set forth in this Permit and any other condition applicable to the Project to the sole satisfaction of the City. Additionally, Permittee shall be solely responsible and liable for the cost to satisfy each and every condition. Permittee shall pay all required fees and charges to the City at the rate in effect at time of building permit issuance, or, the rate in effect when the fees and charges are due and paid in full to the City. There is no vesting of any fees or charges with the approval of this Permit. **(P)**
8. Conditions. Each and every condition set forth in this Permit shall apply to the Project and continue to apply to the Project so long as the Permittee is operating the Project under the permits and approvals in this Permit. **(P)**
9. Compliance with Laws. The construction, use, and all related activity authorized under this Permit shall comply with all applicable local, state, and federal laws, rules, regulations, guidelines, requirements, and policies. **(CA/P)**
10. Previous Approvals. Permittee shall abide and continue to comply with all previous City approvals, permits, or requirements relating to the subject property, unless explicitly superseded or revised by this Permit. **(P)**
11. Indemnification. To the fullest extent permitted by law, Permittee shall indemnify, defend with counsel of the City's choosing, and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to (i) City's approval of the Project, including but not limited to, the approval of the discretionary permits, maps under the Subdivision Map Act, and/or the City's related determinations or actions under the California Environmental Quality Act, and (ii) Permittee's construction, operation, use, or related activity under this Permit. This indemnification shall include, but not be limited to, damages awarded against the City,

if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. Permittee shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. Permittee shall pay to the City upon demand or, as applicable, to counsel of City's choosing, any amount owed pursuant to the indemnification requirements prescribed in this condition. **(CA)**

12. Written Response to Conditions. The Permittee shall provide a written response to the Conditions of Approval indicating how each condition has been addressed with the building permit application submittal. **(ALL)**

13. Revocation, Suspension, Modification. This Permit may be suspended, revoked, or modified in accordance with Section XI-10-63.06 of the Milpitas Zoning Code. **(P)**

14. Severability. If any term, provision, or condition of this Permit is held to be illegal or unenforceable by the Court, such term, provision, or condition shall be severed and shall be inoperative, and the remainder of this Permit shall remain operative, binding, and fully enforceable. **(CA)**

15. Permittee shall develop the approved Project in conformance with the approved plans (date stamped reviewed on 01/21/2025), approved by the Zoning Administrator on the date of the public hearing for the Project on February 6, 2025, in accordance with these Conditions of Approval. **(P)**

Any deviation from the approved site plan, elevations, materials, colors, operation of use, or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain approval of the Zoning Administrator or City Council, as applicable, in accordance with the Milpitas Zoning Code. **(P)**

16. Responsible Alcohol Training. Permittee shall be solely responsible and liable for ensuring that all employees receive "Responsible Alcoholic Beverage Service" training as offered through programs established by the Alcoholic Beverage Control of the State of California. Evidence of such training and the training records of all employees shall be maintained on-site during business hours and made available for copy and inspection upon City request. **(P)**

17. Alcohol Service Policy. Permittee shall adhere to an Alcohol Service Policy for Musicland KTV. The policy shall be reviewed and approved by the City of Milpitas Planning Department prior to any authorization or approval of any zoning affidavit, as required by the Department of Alcoholic Beverage Control of the State of California. **(P)**

18. Menu Board and Food Items. The permittee must demonstrate that food items are sold on premises and a menu is provided to all patrons, prior to obtaining a Type 41 license from the State Department of Alcohol Beverage Control, to the satisfaction of the Planning Director or their designee.

POLICE DEPARTMENT CONDITIONS

18. The beer and wine sold at the karaoke establishment shall be kept in a location out of the reach of patrons to prevent any potential thefts from occurring. **(PD)**
19. Since alcohol will be sold at this premise, the applicant shall ensure all applicable City, County, and State permits are obtained and ABC laws enforced. **(PD)**
20. Sales of alcoholic beverages shall only occur between 12:00 PM to 12:00 AM or during normal operating hours. **(PD)**
21. All persons who serve alcoholic beverages shall be 21 years of age. **(PD)**
22. Upon demand from a peace officer, the licensee or responsible person shall immediately surrender the license and cease all sales of alcoholic beverages, if applicable under the law. **(PD)**
23. Supervision of distribution, sales, and operation of alcoholic beverage areas shall remain under the control of your organization. No other person or entity shall have authority to sell or distribute alcohol. **(PD)**
24. Conditions may be imposed by the Milpitas Police Department in addition to the Department of Alcoholic Beverage Control conditions. In the event that a local law enforcement agency imposes conditions, the licensee must abide by the most restrictive conditions if there is a conflict in resolution. **(PD)**
25. Video/security cameras shall be required for the site with coverage at all access points into the karaoke establishment. The video/security cameras shall record in high definition and cover the cash register area, entrances/exits, any hallway leading to the restrooms, and the exterior parking lot. The video/security system shall have the capacity to save/store footage for a minimum of thirty (30) days and have the capability to be downloaded. A copy of video/security footage shall be made available to law enforcement, upon request, for investigative purposes. It is recommended the employees of the business be properly trained on how to use the security surveillance camera system so that footage can be reviewed and collected in a timely fashion by the Police department if needed. **(PD)**
26. The cashier area for the business should be away from the front doors and windows of the business and not in plain view to help prevent burglaries when the business is closed. If the cashier area cannot be moved, window treatments such as shades or blinds preventing the area from being clearly visible from the outside should be considered. **(PD)**

27. Applicant shall file an emergency notification form with the Police Department so law enforcement can contact the applicant in the event of any major accident, emergency, or unforeseen circumstance. **(PD)**

28. Applicant shall abide by all Milpitas Municipal Codes to include the noise ordinance (MMC V-213-3.03). **(PD)**

(P) = Planning

(PD) = Police

ACCEPTANCE

Permittee/Property Owner

The undersigned agrees to each and every condition of approval and acknowledges the NOTICE OF RIGHT TO PROTEST and hereby agrees to use the project property on the terms and conditions set forth in this resolution.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

NOTICE OF RIGHT TO PROTEST

The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), began on date of adoption of this resolution. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

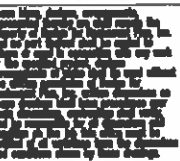


DATE	REVISION

KTV
(TENANT IMPROVEMENT)
668 BARBER LANE
MILPITAS, CA 95035

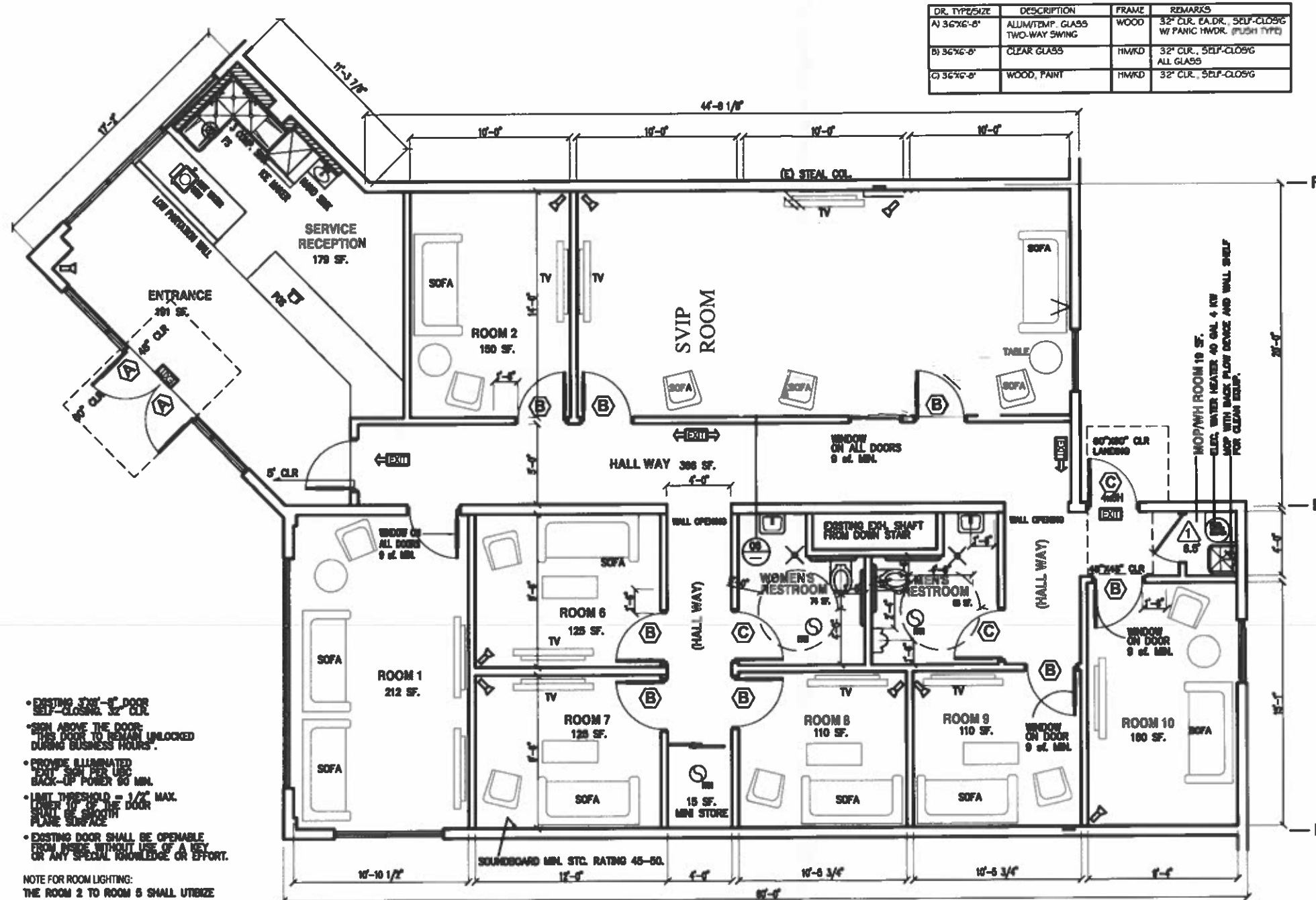
JOB NAME AND ADDRESS:

FLOOR PLAN



Date:	8/22/2016
Drawn By:	2016/2008
Drawn By:	JIMMY ZHANG
Scale:	1/4" = 1'-0"
Sheet title:	FLOOR PLAN

Sheet No:



- EXISTING 3'-0" x 6'-0" DOOR SELF-CLOSING 1/2" CLR.
- SIGN ABOVE THE DOOR: THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS.
- PROVIDE ILLUMINATED EXIT SIGN FOR USE BACK-UP POWER 90 MIN.
- LIMIT THRESHOLD = 1/2" MAX. LOWER 10" OF THE DOOR FLARE SURFACE.
- EXISTING DOOR SHALL BE OPENABLE FROM INSIDE WITHOUT USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT.

NOTE FOR ROOM LIGHTING:
THE ROOM 2 TO ROOM 6 SHALL UTILIZE A MIN. OF 35 WATTS LIGHTING AS SHOWN ON APPROVED PLAN

EXISTING WALL, NO CHANGE.
NEW INTERIOR NON BEARING WALL, METAL STUD 20 GA 3-5/8" x 1-3/8" WITH 5/8" GYP. BD. BOTH SIDE, TYPE "X" DETAIL SEE SHEET 02/03

◀ SERVICE CAMERA

