

SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: OCTOBER 4, 2012

Date:	September 27, 2012
Case No.:	2012.0145C
Project Address:	1725 – 1727 HAIGHT STREET
Zoning:	Haight Street Neighborhood Commercial District
	Haight Street Alcohol Restricted Use Subdistrict (RUSD)
	40-X Height and Bulk District
Block/Lot:	1248/023
Project Sponsor:	Rebecca Ivans-Amato
	Amato Architecture
	688 Fairmont Avenue, #4
	Oakland, CA 94611
Staff Contact:	Sara Vellve – (415) 558-6263
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Planning Information: 415.558.6377

PROJECT DESCRIPTION

The applicant proposes to change the use of the Red Vic Movie House from a movie theatre to three different and interrelated uses: an expansion of the Alembic Bar next to its existing location within the building to aproximately 1,800 square feet; an event space at the building's rear of approximately 900 square feet containing 49 seats; and a retail space and "market hall" of approximately 1,500 square feet. The proposed event space and market hall would accommodate gatherings and activities classified as "Other Entertainment" per Planning Code Section 719.48, and would be located at the rear of the building. The front of the market hall area would be divided into a number of small retail "kiosks" that would be operated independently and provide specialized goods to walk-in customers during business and event hours.

The proposed multi-use event space would accommodate a broad range of activities including (but not limited to): movie screenings, live entertainment (music, comedy, theatre), private parties in conjunction with the Alembic Bar, community meetings and outreach, non-profit and community fundraisers and benefits, off-site business/ organizational staff meetings and retreats, classes, art shows and children's events.

Proposed architecural changes to the building would divide the existing long and blank street façade into two new distinct commercial storefronts. Improvements include a larger frontage for the Alembic Bar with a new doorway and additional windows. The market hall entrance would introduce a double-door entrance and new storefront window systems. Bulkheads, fascias and new materials would be added to the building façade. The architectural and material changes would greatly increase the building's sidewalk transparency and improve the pedestrian experience.

SITE DESCRIPTION AND PRESENT USE

The project is located on the south side of Haight Street between Shrader and Cole Streets, Block 1248, Lot 023. The subject property is developed with a one-story commercial building of approximately 5,000 square feet containing the Alembic Bar (a "Bona Fide Eating Place") and the former Red Vic Movie House. The building covers approximately 75% of the subject lot with a street frontage of approximately 60 linear feet. Currently, the Red Vic Movie House is approximately 3,000 square feet and the Alembic Bar is approximately 1,700 square feet. The restaurant Escape from New York Pizza is located immediately west of the subject space, is part of the subject building, but it is not proposed to be altered.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located towards the west end of the Haight-Ashbury neighborhood close to Stanyan Street and Golden Gate Park. Surrounding properties are generally developed with mixed use buildings containing commercial ground-floor uses and up to three stories of residential uses above. A mixture of food, apparel, banking, and liquor establishments are located within the subject block of Haight Street. Buildings located behind the subject property facing Cole, Shrader and Waller Streets generally contain residential uses.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption per Case 2012.0145E.

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	August 31, 2012	August 27, 2012	33 days
Posted Notice	20 days	August 31, 2012	August 27, 2012	33 days
CU Mailed Notice	20 days	August 31, 2012	August 27, 2012	33 days
312 Mailed Notice	20 days	September 15, 2012	September 15, 2012	20 days

HEARING NOTIFICATION

PUBLIC COMMENT

As of September 27, 2012, the Department has received 10 letters of support from neighbors and neighborhood organizations including the Haight Ashbury Improvement Association and Captain Greg Corrales, Commanding Officer, Park Police District, San Francisco Police Department.

ISSUES AND OTHER CONSIDERATIONS

The Commerce and Industry Element of the General Plan contains Guidelines that discourage the overconcentration of eating and drinking establishments within NCDs. Based on the Department's analysis, the project would meet the threshold for eating and drinking establishments within a 300' foot radius of the property (per 2012 restaurant legislation). The

proposal constitutes an expansion of an existing Bona Fide Eating Place adding 12' linear feet of eating and drinking establishment presence.

- The property owner has provided evidence that operating a single-screen movie theatre has not been economically viable for a number of years and that updating the theatre for digital movies was financially infeasible. The evidence has been verified by a Certified Public Accountant.
 - The Alembic Bar hours will remain the same, 12 pm to 2 am every day. The kiosk hours will follow typical retail hours, except for when the event space is in use. The Other Entertainment hours will generally occur in the evenings and nighttime until 2 am with electronic amplification ending at midnight.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use authorization to allow the expansion of a nonconforming Bona Fide Eating Place per Planning Code Section 186.1, the change of use for the Red Vic Movie House per Planning Code Sections 228.4 and 303(k), the establishment of "Other Entertainment" use per Planning Code Section 719.48 and 303(c)(5), and a use size exceeding 2,500 square feet per Planning Code Section 121.2(a)(1-3).

BASIS FOR RECOMMENDATION

- The project promotes the continued operation of an established, locally-owned business and contributes to the viability of the overall Haight Street NCD.
- The project would not displace an existing retail tenant providing convenience goods and services to the neighborhood, and would not result in a net increase in the number of bars in the area.
- The hybrid nature of the business, including the event space, market hall and restaurant, will activate the Haight Street streetscape throughout the day and evening.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The business is not a Formula Retail use and would serve the immediate neighborhood.
- The Department has not received opposition to the proposal.

RECOMMENDATION:	Approval with Conditions	

Attachments:

Block Book Map Sanborn Map Aerial Photographs Public Correspondence Plans and Site Photos Sponsor's Submittal Attachment Checklist

\square	Executive Summary	\square	Project sponsor submittal
\square	Draft Motion		Drawings: Existing Conditions
	Environmental Determination		Check for legibility
\square	Zoning District Map		Drawings: Proposed Project
\square	Height & Bulk Map		Check for legibility
\square	Special Use District Map		
\square	Parcel Map		Wireless Telecommunications Materials
\square	Sanborn Map		Health Dept. review of RF levels
\square	Aerial Photo		RF Report
\square	Context Photos (see Plans)		Community Meeting Notice
\square	Site Photos (see Plans)		Housing Documents
			 Inclusionary Affordable Housing Program: Affidavit for Compliance Residential Pipeline

Exhibits above marked with an "X" are included in this packet

Planner's Initials

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SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- $\hfill\square$ Affordable Housing (Sec. 415)
- □ Jobs Housing Linkage Program (Sec. 413)
- □ Downtown Park Fee (Sec. 412)
- □ First Source Hiring (Admin. Code)
- \Box Child Care Requirement (Sec. 414)
- Other

Planning Commission Draft Motion

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 186.1, 228.4, 719.21, 719.48, and 303, OF THE PLANNING CODE TO ALLOW A CHANGE OF USE FOR THE RED VIC MOVIE HOUSE, EXPANSION OF A RESTAURANT/BAR (DBA THE ALEMBIC BAR) INTO A PORTION OF THE FORMER MOVIE HOUSE AREA, CREATION AN EVENT SPACE ALLOWING "OTHER ENTERTAINMENT" IN THE FORMER MOVIE HOUSE AREA, AND RETAIL SPACE WITHIN THE HAIGHT STREET NEIGHBORHOOD COMMERCIAL DISTRICT, THE HAIGHT STREET ALCOHOL RESTRICTED USE SUBDISTRICT (RUSD) AND 40-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 3, 2012, Rebecca Ivans-Amato (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section(s) 186.1, 228.4, 719.21, 719.48, and 303 to allow a change of use for the Red Vic Movie House, expansion of a restaurant/bar (dba The Alembic Bar) into a portion of the former movie house, creation of an event space allowing "other entertainment" within the former movie house area and retail space within the Haight Street Neighborhood Commercial District, the Haight Street Alcohol Restricted Use Subdistrict (RUSD) and the 40-X Height and Bulk District.

1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception: 415.558.6378

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Planning Information: 415.558.6377 On October 4, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2012.0145C.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption per Case 2012.0145E.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2012.0145C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- 1. The above recitals are accurate and constitute findings of this Commission.
- 2. Site Description and Present Use. The project is located on the south side of Haight Street between Shrader and Cole Streets, Block 1248, Lot 023. The subject property is developed with a one-story commercial building of approximately 5,000 square feet containing the Alembic Bar (a "Bona Fide Eating Place") and the former Red Vic Movie House. The building covers approximately 75% of the subject lot with a street frontage of approximately 60 linear feet. Currently, the Red Vic Movie House is approximately 3,000 square feet and the Alembic Bar is approximately 1,700 square feet. The restaurant Escape from New York Pizza is located immediately west of the subject space, is part of the subject building, but it is not proposed to be altered.
- 3. **Surrounding Properties and Neighborhood.** The project site is located towards the west end of the Haight-Ashbury neighborhood close to Stanyan Street and Golden Gate Park. Surrounding properties are generally developed with mixed use buildings containing commercial ground-floor uses and up to three stories of residential uses above. A mixture of food, apparel, banking, and liquor establishments are located within the subject block of Haight Street. Buildings located behind the subject property facing Cole, Shrader and Waller Streets generally contain residential uses.
- 4. **Project Description.** The applicant proposes to change the use of the Red Vic Movie House from a movie theatre to three different and interrelated uses: an expansion of the Alembic Bar next to its existing location within the building to approximately 1,800 square feet; an event space at the building's rear of approximately 900 square feet containing 49 seats; and a retail space and "market hall" of approximately 1,500 square feet. The proposed event space and market hall

would accommodate gatherings and activities classified as "Other Entertainment" per Planning Code Section 719.48, and would be located at the rear of the building. The front of the market hall area would be divided into a number of small retail "kiosks" that would be operated independently and provide specialized goods to walk-in customers during business and event hours.

The proposed multi-use event space would accommodate a broad range of activities including (but not limited to): movie screenings, live entertainment (music, comedy, theatre), private parties in conjunction with the Alembic Bar, community meetings and outreach, non-profit and community fundraisers and benefits, off-site business/ organizational staff meetings and retreats, classes, art shows and children's events.

Proposed architectural changes to the building would divide the existing long and blank street façade into two new distinct commercial storefronts. Improvements include a larger frontage for the Alembic Bar with a new doorway and additional windows. The market hall entrance would introduce a double-door entrance and new storefront window systems. Bulkheads, fascias and new materials would be added to the building façade. The architectural and material changes would greatly increase the building's sidewalk transparency and improve the pedestrian experience.

It is anticipated that liquor would be served in the event space during public and private events. Per Planning Code Section 205.3, liquor may be served as a temporary use in this area for no more than 24 hours per event once a month for up to 12 events per year.

Planning Code Section 303(c)(5)(A) requires that "Other Entertainment" uses adhere to the following restrictions:

- (ii) Operate only between the hours of 6 am and 2 am;
- (iii) No electronic amplification between midnight and 6 am;
- (iv) Be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixedsource equipment shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

The Alembic Bar hours will remain the same, 12 pm to 2 am every day. The kiosk hours will follow typical retail hours, except for when the event space is in use. The Other Entertainment hours will generally occur in the evenings and nighttime until 2 am with electronic amplification ending at midnight. The Red Vic Movie House operated between 1980 and July, 2011. The theatre closed as it was no longer economically viable.

The proposed independent uses are locally owned, which has been encouraged throughout San Francisco. The proposed use is not a Formula Retail use. The proposal requires a change of use and Section 312-neighborhood notification was conducted in conjunction with the Conditional Use Authorization process. The proposed use is a neighborhood-serving use.

- 5. **Public Comment**. As of September 27, 2012, the Department has received 10 letters of support from neighbors and neighborhood organizations including the Haight Ashbury Improvement Association and Captain Greg Corrales, Commanding Officer, Park Police District, San Francisco Police Department.
- 6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
 - A. **Use Size.** Planning Code Section 121.2(a)(1-3) states that a Conditional Use Authorization is required for a use size over 2,500 square feet in the Haight Street Neighborhood Commercial District.

The existing use size for the Alembic Bar is approximately 1,700 square feet and the use size of the Red Vic Movie House is approximately 3,000 square feet for an overall area of approximately 4,700 square feet. These two uses have coexisted in the subject building for a number of years without conflict. The building's footprint and volume would not be enlarged as a result of the project.

As a result of the Alembic Bar's expansion and proposed flexible use of the event space and market hall, it is conceivable that at certain limited times during a calendar year, the entire building would be used to accommodate one event. In these instances, the use size would exceed the maximum permitted for the zoning district as stated above.

The proposal complies with Planning Code Section 121.2(a)(1-3) as follows:

- (1) The proposed use size is different from the existing use size only in that it will introduce the multiuse space where Other Entertainment and events can be held. At the time of this entitlement, there does not appear to be a similar neighborhood-serving use in the area that could be affected by the subject proposal. The proposed use would be no larger than the two existing uses combined.
- (2) The proposed use will complement the neighborhood by introducing a use that is not currently provided. In addition, the proposed use could increase the number of people on the street and thus increase retail opportunities for surrounding commercial establishments. The size of the existing and proposed uses is virtually the same.
- (3) The existing building is inconsistent with the architectural character and scale of neighborhood development as it is generally one long façade with little detail, no windows and one material (stucco). As a result of proposed changes, the building will be divided into two discrete elements at the street and introduce new openings, details and materials that are consistent with the architectural character and scale of development in the district.
- B. **Movie Theatre Change of Use.** Planning Code Sections 221(d) and 703.2(b)(B)(ii) states that a Conditional Use Authorization is required for conversion of a movie theatre to a different use. Planning Code Section 303(k) provides specific findings for such conversions.

The Red Vic Movie House operated on the premises from 1980 to 2011. The subject proposal is to convert the movie theatre area (approximately 3,000 square feet) into an event space of approximately

875 square feet and holding approximately 49 seats, a retail and "market hall" space of approximately 1,500 square feet, and an expansion of the Alembic Bar of approximately 1,800.

- (A) Preservation of a movie theatre use is no longer economically viable and cannot effect a reasonable economic return to the property owner;
 - (i) For purposes of defining "reasonable economic return," the Planning Commission shall be guided by the criteria for "fair return on investment" as set forth in Section 228.4(a).

The property owner has provided evidence that operating a single-screen movie theatre has not been economically viable for a number of years and that updating the theatre for digital movies was financially infeasible. The evidence has been verified by a Certified Public Accountant.

(B) The change of use or demolition of the movie theatre use will not undermine the economic diversity and vitality of the surrounding Neighborhood Commercial District.

The Red Vic Movie House closed in July 2011 without undermining the Haight Neighborhood Commercial District which is large and offers a broad variety of commercial uses that diversify its focused economy. Expansion of the Alembic Bar and creation of a multi-use event space and retail space will improve the economic diversity and vitality of the surrounding Neighborhood Commercial District as it will activate a defunct street frontage.

(C) The resulting project will preserve the architectural integrity of important historic features of the movie theatre use affected.

Per Case No. 2012.00145E, the proposal is consistent with the California Environmental Quality Act for the preservation of historic properties. The proposal will improve the architectural integrity of the building by segmenting the façade, adding openings and adding new materials that will make the building consistent with the neighborhood character.

C. **Other Entertainment.** Planning Code Section 719.48 permits other entertainment in the Haight Street NCD with Conditional Use Authorization. Planning Code Section 790.38 defines "other entertainment" as: "A retail use, other than adult entertainment, as defined in Section 790.36 of this Code, which provides live entertainment, including dramatic and musical performances, and/or provides amplified taped music for dancing on the premises, including but not limited to Places of Entertainment and Limited Live Performance Locales, as defined in Section 1060 of the Police Code, and which is adequately soundproofed or insulated so as to confine incidental noise to the premises."

The Project will expand an existing nonconforming restaurant use and introduce a new entertainment use that are both necessary and desirable for the neighborhood in that they will augment, and replace, a well-used neighborhood-serving use, the Red Vic Movie House. The Haight Street NCD controls are designed to protect the existing building scale and promote new mixed-use development which is consistent with the existing neighborhood character. The proposed uses will contribute to the district's activity and character, providing a quality restaurant and entertainment activities in a unique and appropriate atmosphere. The proposal would require internal and façade changes to the existing building, and does not require a building expansion. The other entertainment would include a number of live and performing arts activities. The live music would be restricted to the event space which is to be acoustically treated and the sound equipment must be inspected and permitted by the Entertainment Commission prior to operation. Potential entertainment uses include (but are not limited to) movie screenings, live entertainment (music, comedy, theatre), private parties in conjunction with the Alembic Bar, community meetings and outreach, non-profit and community fundraisers and benefits, off-site business/ organizational staff meetings and retreats, classes, art shows and children's events.

D. **Expansion of Noncomplying Use:** Planning Code Section 186.1 requires Conditional Use authorization to expand an existing nonconforming use.

Currently, the Alembic Bar is considered a "Bona Fide Eating Place" and holds a Type 47 ABC license; as such, it is considered to be a nonconforming use in the Haight Street Neighborhood Commercial District. The Alembic Bar obtained this license prior to the restriction in the number of licensed restaurants in the District.

E. **Rear Yard Requirement in the Haight Street Neighborhood Commercial District.** Planning Code Section 134 states that the minimum rear yard depth shall be equal to 25 percent of the total depth of a lot in which it is situated, but in no case less than 15 feet.

The proposal does not include any structural expansion.

F. **Parking**. Section 151 of the Planning Code requires off-street parking for every 200 square-feet of occupied floor area, where the occupied floor area exceeds 5,000 square-feet.

The Subject Property contains approximately 4,800 square-feet of occupied floor area and thus does not require any off-street parking.

G. Street Frontage in Neighborhood Commercial Districts. Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The subject commercial space has approximately 75 feet of frontage on Haight Street with approximately 60 feet devoted to either the Alembic Bar or market hall. The retail kiosks (active uses) will be visible from the street through new windows to be constructed in the front building wall. The windows are to be clear and unobstructed so the activity inside the building is visible from the sidewalk and street.

- H. **Signage**. Currently, there is not a proposed sign program on file with the Planning Department. Any proposed signage will be subject to the review and approval of the Planning Department.
- 7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:
 - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The size of the proposed project is consistent with the previous two uses that occupied the building. Expansion of the subject building is not proposed. The previous movie house use had approximately 80 seats (including couches) where the proposed event space will accommodate approximately 49 seats, retail kiosks and internal circulation. Currently, there is no other multi-use venue in the neighborhood that can provide flexible space for a broad range of public and private events.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
 - i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The proposal only involves interior and façade alterations to the existing building. Acoustic soundproofing has been incorporated into the proposal to reduce potential noise conflicts.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Planning Code does not require parking or loading for a use under 5,000 square feet. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The site is served by MUNI lines 33, 43 and 71.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The proposed use is subject to the standard conditions of approval for restaurants as outlined in *Exhibit A. Conditions 7, 13, 15, and 20 specifically obligate the project sponsor to mitigate odor and noise generated by the restaurant use. The proposal includes acoustical soundproofing to address the entertainment use.*

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The proposed restaurant and event space does not involve elements that would require treatments for the items listed above. The Planning Department shall review all lighting and signs proposed for the new business in accordance with Conditions 17 and 21 of Exhibit A.

- C. With respect to applications filed pursuant to Article 7, Section 703.2(a), zoning category .48 (Other Entertainment), that such use or feature will:
 - i. Not be open between 2:00 a.m. and 6:00 a.m.;
 - ii. Amplification will not occur between midnight and 6:00 a.m.
 - iii. Be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified on the San Francisco Noise Control Ordinance.
 - iv. The San Francisco Entertainment Commission and/or Police Department will regulate noise, verifying that the decibel levels specified in the San Francisco Noise Control Ordinance are not exceeded. Further, the Project Sponsor has indicated that sound abatement measures have been taken through the application of sheetrock to the interior walls at the recommendation of an acoustical engineer.
- D. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

E. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is consistent with the stated purpose of the Haight Street Neighborhood Commercial District in that the intended mixed-use nature of the proposal is located at the ground floor, and will provide a new flexible space for various types of patrons. The proposal is to expand an existing nonconforming use (Alembic Bar), which has proven to be an anchor for the neighborhood. The proposed other entertainment and event space use will bring a number of new and creative uses to the neighborhood which will be protected by conditions of approval to address potential nuisance issues.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1:

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKINIG ENVIRONMENT.

Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed restaurant expansion and "Other Entertainment" venue will provide desirable services to the neighborhood and will provide resident employment opportunities to those in the community. The expanded scope of the existing business to include other entertainment will not result in undesirable consequences. Further, the Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.

OBJECTIVE 2:

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The Project will retain an existing commercial activity and create a new commercial activity that will enhance the diverse economic base of the City.

OBJECTIVE 6:

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

The following guidelines, in addition to others in this objective for neighborhood commercial districts, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications, which require case-by-case review and City Planning Commission approval. Pertinent guidelines may be applied as conditions of approval of individual permit applications. In general, uses should be encouraged which meet the guidelines; conversely, uses should be discouraged which do not.

Eating and Drinking Establishments

Eating and drinking establishments include bars, sit-down restaurants, fast food restaurants, selfservice restaurants, and take-out food. Associated uses, which can serve similar functions and create similar land use impacts, include ice cream stores, bakeries and cookie stores. Guidelines for eating and drinking establishments are needed to achieve the following purposes:

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.
- The regulation of eating and drinking establishments should consider the following:
- Balance of retail sales and services;
- Current inventory and composition of eating and drinking establishments;
- Total occupied commercial linear frontage, relative to the total district frontage;
- Uses on surrounding properties;
- Available parking facilities, both existing and proposed;
- Existing traffic and parking congestion; and
- Potential impacts on the surrounding community.

There is a concern with the potential over-concentration of food-service establishments. The Commerce and Industry Element of the General Plan contains Guidelines for Specific Uses. For eating and drinking establishments, the Guidelines state, "the balance of commercial uses may be threatened when eating and drinking establishments occupy more than 20% of the total occupied commercial frontage." Planning staff has determined that within 300 feet of the proposed expanded restaurant use (per 2012 restaurant legislation), approximately 20% of the frontage of the Haight Street Neighborhood Commercial District is attributed to eating and drinking establishments. While the project would bring the area up to the threshold, it is worth noting that the proposal increases the frontage of food-service establishments by approximately 12 linear feet.

Policy 6.2:

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

An independent entrepreneur is sponsoring the proposal. The proposed use is a neighborhood serving use. This is not a Formula Retail use.

- 9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:
 - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The proposal would enhance the district by increasing the area of an existing Bona Fide Eating Place by approximately 450 square feet. The business is locally owned and will create employment opportunities for the community. The proposed alterations are within the existing building footprint. The area to be used for the restaurant expansion and other entertainment uses has been unoccupied and unused for over a year.

B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The existing residential units in the surrounding neighborhood would not be adversely affected. The proposal includes expanding a nonconforming restaurant and introducing other entertainment to the neighborhood. In addition, any entertainment use must be approved by the Entertainment Commission, who also regulates noise which may be of concern to the neighbors.

C. That the City's supply of affordable housing be preserved and enhanced,

No housing is removed for this Project.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The site is on Haight Street and is well served by public transit. It is presumable that the employees would commute by transit thereby mitigating possible effects on street parking. Haight Street has three MUNI bus lines (33, 43 and 71).

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.

Per Case No. 2012.0145E, a landmark or historic building does not occupy the project site.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The project will have no negative impact on existing parks and open spaces. The project does not have an affect on open spaces.

- 10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2012.0145C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 8, 2012, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on October 4, 2012.

Linda D. Avery Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 4, 2012

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow the expansion of a noncomplying Bona Fide Eating Place (d.b.a. Alembic Bar), a change of use from a movie theatre (Red Vic Movie House), and establishment of a venue for other entertainment in the former movie theatre located at 1725-1727 Haight Street, Block 1248, and Lot 023 pursuant to Planning Code Section(s) 186.1, 228.4, 719.21, 719.48, and 303 within the Haight Street Neighborhood Commercial District and a **40-X** Height and Bulk District; in general conformance with plans, dated **August 8**, **2012**, and stamped "EXHIBIT B" included in the docket for Case No. **2012.0145C** and subject to conditions of approval reviewed and approved by the Commission on **October 4**, **2012** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **October 4, 2012** under Motion No **XXXXXX**.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. Validity and Expiration. The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>.

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

DESIGN

3. **Final Materials.** Final materials, windows, glazing, color, texture, and detailing shall be subject to Department staff review and approval.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>

4. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>

5. **Window Transparency.** All Haight Street façade windows are to be clear and unobstructed so the activity inside the building is visible from the sidewalk and street. The glass shall not be t treated with any material that would increase the opacity or reflectiveness of the glazing.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>

6. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>

 Noise. Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>

MONITORING

- 8. Enforcement. Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction. *For information about compliance, contact Code Enforcement, Planning Department at* 415-575-6863, *www.sf-planning.org*
- 9. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

10. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

OPERATION

- 11. Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works,* 415-695-2017,.<u>http://sfdpw.org/</u>
- 12. Garbage, Recycling, and Composting Receptacles. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at* 415-554-.5810, <u>http://sfdpw.org</u>
- 13. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, <u>www.sfdph.org</u>

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, <u>www.sfdbi.org</u>

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-0123, <u>www.sf-police.org</u>

14. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

15. Notices Posted at Bars and Entertainment Venues. Notices urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to not litter or block driveways in the neighborhood, shall be well-lit and prominently displayed at all entrances to and exits from the establishment.

For information about compliance, contact the Entertainment Commission, at 415 554-6678, <u>www.sfgov.org/entertainment</u>

16. Other Entertainment. The Other Entertainment shall be performed within the enclosed building only. The building shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance. Bass and vibrations shall also be contained within the enclosed structure. The Project Sponsor shall obtain all necessary approvals from the Entertainment Commission prior to operation. The authorized entertainment use shall also comply with all of the conditions imposed by the Entertainment Commission. Potential other entertainment uses include (but are not limited to) movie screenings, live entertainment (music, comedy, theatre), private parties in conjunction with the Alembic Bar, community meetings and outreach, non-profit and community fundraisers and benefits, off-site business/ organizational staff meetings and retreats, classes, art shows and children's events.

For information about compliance, contact the Entertainment Commission, at 415 554-6678, <u>www.sfgov.org/entertainment</u>

17. Lighting. All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

18. Hours of Operation. The subject establishments must adhere to the hours of operation per Planning Code Sections 719.27 and Section 303(c)(5)(A).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

19. **Temporary Liquor Service:** Per Planning Code Section 205.3, liquor may be served in the event space/market hall, outside of Alembic Bar-related events, as a temporary use for no more than 24 hours per event once a month for up to 12 events per year.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

20. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), <u>www.baaqmd.gov</u> and Code Enforcement, Planning Department at 415-575-6863, <u>www.sf-planning.org</u>

21. Signage. All signage shall comply with Article 6 of the Planning Code. A separate sign permit is required and must be reviewed and approved by the Planning Department. *For information about compliance, contact Code Enforcement, Planning Department at* 415-575-6863, *www.sf-planning.org*

Zoning District Map



SUBJECT PROPERT

ZONING USE DISTRICTS

RESIDENT	IAL, HOUS	E DISTRICI	rs		
RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3	
RESIDENT	IAL, MIXED	(APARTMI	ENTS & HO	USES) DIS	TRICTS
RM-1	RM-2	RM-3	RM-4		
NEIGHBOR	RHOOD CO	MMERCIAL	DISTRICT	5	
NC-1	NC-2	NC-3	NCD	NC-S	
SOUTH OF	MARKET	MIXED USE	DISTRICTS	3	
SPD	RED	RSD	SLR	SLI	SSO
COMMERC	IAL DISTR	ICTS			
C-2	C-3-S	C-3-G	C-3-R	C-3-O	C-3-O(SD)
INDUSTRIAL DISTRICTS					
C-M	M-1	M-2			



Conditional Use Hearing **Case Number 2012.0145C** 1725 – 1727 Haight Street



SAN FRANCISCO PLANNING DEPARTMENT

Special Use District Map



Conditional Use Hearing **Case Number 2012.0145C** 1725 – 1727 Haight Street

Height and Bulk Map



Conditional Use Hearing

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Case Number 2012.0145C 1725 – 1727 Haight Street

Sanborn Map*



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Hearing Case Number 2012.0145C 1725 – 1727 Haight Street

Aerial Photo



SUBJECT PROPERTY

Conditional Use Hearing **Case Number 2012.0145C** 1725 – 1727 Haight Street



JECT INFORMATION	
RESS OF PROJECT: 1727 HAIGHT STREET FRANCISCO, CA 94117	A MATO ARCHITECTURE
ER: IY and jack rix	
NTS: alembic restaurant – 1725 haight red vic move theater – 1727 haight ipe from ny pizza – 1737 haight	
HTECT: ato architecture caivans amato, aia farmount avenue .and, ca 94611 ic. c=25700 expiration 08/31/13	
RACTOR: rs construction) skyline Boulevard iside. ca 94062 st #690761	
CTURAL ENGINEER: STRANDBERG ENGINEERING e feng 12Th street, #200 and, ca 94607	
TRUCTION: e story, wood frame with mezzanine	
NG DISTRICT:	UNSED ARCHITE
RENT CODE EDITIONS: 2010 CALIFORNIA BUILDING CODE 2010 CALIFORNIA MECHANICAL CODE 2010 CALIFORNIA PLUMBING CODE 2010 CALIFORNIA PLUMBING CODE	* (He. C-25700) *)
DING INFORMATION: Ding height: 18' Ding is fully sprinklered	
	PROJECT PROGRESSION : DATE : ISSUE FOR PLANNING MEETING 01.12.12
	ISSUE FOR PLANNING E.E. 02.06.12 ISSUE FOR CONDITIONAL USE PERMIT 04.03.12 PLANNING RESPONSE #1 05.18.12
	PLANNING RESPONSE #1 05.18.12 PLANNING RESPONSE #2 08.20.12 ISSUE FOR PLANNING HEARING 09.26.12
NTS	
Golden Gate Avi	1725-1727 HAIGHT STREET
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Panhandle Statue Oak St San Francisco Bicycle Route 32 San Francisco Bicycle Route 32	SAN FRANCISCO, CA 94117 BLOCK: 1248 LOT: 023
Haight Street Waller St	SHEET TITLE: COVER SHEET / SITE PLAN
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	ISSUE FOR PLANNING HEARING 09.26.12
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OR DOOR,	SHEET TITLE:
D RETAIL	CONSTRUCTION PLAN
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HED METAL	JOB # 2011–21 PLOT PLAN
HED METAL	
HARDWARE,	A-2.0
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STOREFRONTS TO THE EAST OF THE SUBJECT PROPERTY: LA ROSA (BOUTIQUE) AT 1711 HAIGHT ST. LAND OF THE SUN AT 1715 HAIGHT ST. SUBJECT PROPERTY: 1725-1727 HAIGHT ST. STOREFRONTS TO THE WEST OF THE SUBJECT PROPERTY: ESCAPE FROM NEW YORK PIZZA AT 1737 HAIGHT ST. ELITE SPORTS AT 1773 HAIGHT ST.



STOREFRONTS ACROSS THE STREET TO THE WEST OF THE SUBJECT PROPERTY: NEW YORK APPAREL AT 1772 HAIGHT ST. PLOY RESTAURANT AT 1770 HAIGHT ST. STATIC YINTAGE CLOTHING AT 1764 HAIGHT ST.



STOREFRONTS ACROSS THE STREET TO THE EAST OF THE SUBJECT PROPERTY: SUNSHINE WINE AND LIQUORS AT 1754 HAIGHT ST. PINK LILLY AT 1748 HAIGHT ST. AQUA SURF SHOP AT 1742 HAIGHT ST.



Robert and Elisabeth Rix 118 Comstock Rd. Woodside, CA, 94062 (Ph) 650 851 5078 Jrix1727@gmail.com

September 25, 2012

Sara Vellve, Northwest Team San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Re: 1725-1727 Haight Street Proposed Restaurant Expansion, Retail Event Space Project Number: 2012.0145C

Dear Ms. Vellve:

In case it is helpful in assisting in the analysis of the above mentioned project, we are submitting copies of some of the extensive publicity it has received, in order to show both the community support it has garnered as well as the outreach that has occurred.

Accordingly, please find attached copies of the following Internet postings:

"Red Vic Movie House Owners Unveil Plans for Space's Future", *Huffington Post*, March 26, 2012.

"The New Red Vic/ Alembic", *It's Always Foggy in the Upper Haight*, March 6, 2012.

"Plans Unveiled for Haight Street's shuttered Red Vic Movie House," *The Examiner*, October 25, 2011.

"New Life for Red Vic," *Cole Valley Improvement Association Newsletter*, Summer 2012, p. 6.

"Owners Reboot Haight's Red Vic," SF Bay, March 23, 2012.

"Red Vic Movie Theater Becoming Food Startup Space", SFist, October 25, 2011.

"Red Vic Will Get Food Stalls; Alembic Expansion Gets Fleshed Out", SF Grubstreet, March 23, 2012.

"High Cotton, Lali's and Picnic Bakery Coming to Red Vic Space", *SF Grubstreet*, June 27, 2012.

"Taste Test: A Peek of the New Red Vic", *Uppercasing*, August 15, 2012.

"Red Vic Revamp for 2012", *Uppercasing*, March 22, 2012.

Thank you for your attention to this matter.

Rjegards, 1 Robert "Jack" Rix (

Jr:bh

HUFF SAN FRANCISCO AROUND TOWN

Red Vic Movie House Owners Unveil Plans For Space's Future (PHOTOS)

Posted: 03/26/2012 12:42 pm Updated: 03/26/2012 2:05 pm



SAN FRANCISCO -- When the Red Vic, Haight Street's beloved independent movie house, closed its doors after <u>31 years</u> last July, community members were devastated.

But the theater's loyal following may soon have a reason to celebrate again. At a meeting last week, the Red Vic's owners and co-founders revealed plans to dramatically revamp the building.

"We are determined to carry on the spirit and values of the Red Vic Movie House in that it be a place where members of the community can come together," Jack Rix, who runs the space with his wife, Betsy, told The Huffington Post. "Everyone has appreciated this."

The Red Vic's "sequel," as Rix refers to it, will include three components. The former theater auditorium will be converted into both a marketplace and an event space/screening room for adjacent Alembic restaurant will expand into the former lobby (Story continues below).

local artists and filmmakers, and the adjacent Alembic restaurant will expand into the former lobby. (Story continues below.)



Rix explained that he hopes the marketplace, which will consist of five food-related booths, will serve as an incubator for small businesses and entrepreneurs that "aren't ready to have their own brick-and-mortar location yet."

Two local tenants have already been confirmed for the marketplace: PicnicFare, an eco-friendly bakery and coffee shop, and Buyer's Best Friend, a wholesale food brokerage.

"We think that having small, non-chain entrepreneurial efforts, featuring local, sustainable food-related small businesses will be of great interest in the neighborhood," he said. "They can use the marketplace as a launching pad."

Similarly, the adjacent event space and screening will provide an arena for aspiring filmmakers to showcase their work. But Rix envisions a wide variety of uses for the area. "In addition to movies, we hope to have many other types of events including acoustic music, author events, community meetings, classes, comedy, improv, children's programs and non-profit meetings and

events," he said.

Lastly, the widely-popular neighboring eatery Alembic will have the opportunity to give its dining room a much-needed expansion. The tiny restaurant, whose unique cocktail menu earned it a spot on *Food and Wine* magazine's list of the top 50 bars in America, struggles with long wait times during peak hours.

Though it will no longer be able to draw huge crowds for cult events like the legendary 4/20 "Big Lebowski" screening, Rix believes he and his wife will be able to keep the spirit of the Red Vic alive with their new plans.

"A group of us who started the Red Vic Movie House back in 1980 came out of a background in community organizing," he said. "In addition to a love of film, perhaps the single most important organizing principle for the Red Vic was to bring people in the community together."

"We will continue to serve this principle," he added. "The new space will reflect the nature of this amazing neighborhood."

Take a look at images of the Red Vic through the years below (photographs courtesy of Jack Rix):




people have highlighted this! Huzzah! This text has been highlighted.

Highlights is a new way to discover the most interesting text on Huffington Post!

See All Highlights +Highlight this!

It's Always Foggy in the Upper Haight

A SURVIVAL GUIDE TO THE UPPER HAIGHT, BY PEOPLE THAT KNOW. ALSO, YOU CAN BUY HELLA NUCS HERE.

March 6, 2012

1 note &

The New Red Vic / Alembic

Since we are respected journalists live within the San Francisco mandated range of notification regarding construction, we received a few interesting pieces of mail today. The first is a letter about the proposed marketplace that will be built in place of the Red Vic and a community meeting regarding the renovation. The second, and most interesting piece of mail, is the architectural plans for the new space as well as the Alembic expansion.



The new marketplace will consist of 5 stores, a seating area/concession stand, and a 49-occupant event space. It is The Alembic, however, that is making the most interesting changes. Taking a cue from Magnolia which is owned by the same people, The Alembic will install a sizable communal table to fit more people into less space as well as booth seating and uni-sex restrooms.

The front is also getting brand new look. Alembic will increase its windows while the Marketplace gets a brushed metal storefront system (whatever the hell that is) tenant directory banners and planter boxes above the windows. All-in-all, things are planned to look quite different around here.

9/17/12 6:11 PM



Plans unveiled for Haight Street's shuttered Red Vic Movie House

By: Mike Billings | 10/25/11 6:38 PM Assistant Managing Editor | Follow On Twitter @Mbillings

The property that housed the Red Vic Movie House on Haight Street in San Francisco could become a space to go for drinks and for food startups to grow.

An owner of the building tells the blog Tablehopper about the plans for the Red Vic, which shuttered this year after 31 years of being in business.

Co-owner of the building Betsy Rix tells Tablehopper that part of the plans call for The Alembic to extend its bar into the lobby.

Along with more drinking space for Haight Street bar hoppers, the building could also



CLOSING NIGHT: CLAUDIA LEHAN WAS ONE OF THE OWNERS OF THE RED VIC MOVIE HOUSE BEFORE THE THEATER SHUT

ITS DOORS IN JULY. (DEXAMINER FILE PHOTO)

Closing night: Claudia Lehan was one of the owners of the Red Vic Movie House before the theater shut its doors in July. (Examiner file photo)

feature rooms to rent out to food-related startups that are not ready for their own stand-alone locations. Rix mentioned 331 Cortland Marketplace as an inspiration for the idea.

Rix also said the post-theater space could be used for a CSA (community-supported agriculture) box drop-off locations and include an event space for music, film and artist events.

mbillings@sfexaminer.com

URL: http://www.sfexaminer.com/local/2011/10/plans-unveiled-haight-streets-shuttered-red-vic-movie-house



COLE VALLEY IMPROVEMENT ASSOCIATION

Volume XXV SERVING ALL RESIDENTS OF THE GREATER HAIGHT ASHBURY SUMMER 2012

N-Judah Will Completely Shut Down For Nine Days

The SF Municipal Transit Agency has issued a Service Alert to warn riders that the N-Judah rail line will be completely shut down from 7:00 p.m. on Friday, May 25 through 5:00 a.m. on $M_{\rm f}$ nday, June 4

• Substitute bus service will be provided but schedule will vary on weekdays and weekends.

The NX service will remain the same.

■ J Church line will operate between Balboa Park and Market/ Church streets.

■ There will be major re-routes of the 22 Fillmore.*

■ There will be minor re-routes of the 37 Corbett, 43 Masonic and N-Owl service.

■ Some traffic and bicycle lanes will be closed; detours and parking restrictions in effect.

*Details available at www.sfmta.com/longshutdown or contact 311. Please check the project webpage at www.sfmta.com/carl for updates.

Belgrave Neighbors Win a Zoning Battle

Several years ago a Petaluma developer purchased a property on Belgrave Avenue. He then applied for a variance to split the existing 75 foot front lot into two separate pieces. The new lot



A proposed Belgrave lot split was successfully halted by neighbors.

would be 700 square feet under the minimum lot size for Belgrave, which is 4,000 square feet. He also applied for permits to demolish the existing house and build two huge houses on the lots. The houses would be considerably out of scale for the street and take away a significant amount of green space. Many neighbors were

Continued on page 2, column 2.

Bay to Breakers May 20

The annual 12k race will start at 7:30 a.m. and end at noon. As was the case last year, there will be zero tolerance for floats, alcohol, wheeled objects or animals at this year's Bay to Breakers 12k foot race. Registration is required of the estimated 34,000 entrants. There will be 1,200 portable toilets on the route. First aid and emergency medical care will be provided, as always, by the American Red Cross.



The floats, booze and mayhem of past years reached critical mass in 2010. Since then there has been strict monitoring by police.

Along the Panhandle there will be scores of Haight, Cole Valley and Panhandle residents volunteering as "Ambassadors" to make sure things run smoothly.

"Papazote" Gets Green Light to Replace Eos at 901 Cole

The prospect of Mamacita's, the successful Mexican restaurant in the Marina, opening a similar venue at the former Eos site has generated excitement in Cole Valley. Mamacita's is again on Michael Bauer's Best 100 Bay Area Restaurants this year and is famous for its Margaritas.

CVIA's only concern has been over the hours co-owner Nate Valentine was requesting from the Planning Department, which included a Thursday, Friday and Saturday closing time of 2 a.m. For a residential neighborhood to have people who have been drinking leaving the restaurant at that hour is problematic. For a business that has to get a variance even to obtain a hard liquor license in

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New Life for Red Vic

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It was a sad day when the Red Vic Movie House closed. There the building sits at 1727 Haight, silent, shabby, its marquee still saying "Thank You, San Francisco." Many of us passing by wish we had gone to see its wonderful films more often while it was open. But soon the bittersweet reverie will be replaced by the hopefulness of new beginnings. In a proposal presented by long time owners, and original founders of the Red Vic collective, Betsy and Jack



A thoughtful proposal has been presented to rejuvinate this sad reminder of a courageous cooperative venture.

Rix, have plans to intend to "carry on the spirit and values of the Red Vic with a unique idea that will be a vital part of he neighborhood." What they propose is the creation of three different entities. 1) An expansion of Dave McLean's successful bar and restaurant, Alembic, which can truly use the extra room, 2) an arcade with six small commercial spaces "food-related, start-up entrepreneurial businesses, "and, 3) a 49-seat multipurpose room that can be used for performance, meetings, films, private parties, whatever. (I'm sure the owners already have some takers).

This being San Francisco, the project has obstacles to scale. First they have to get permission for the removal of the single screen movie theatre. If that means a demolition, it will not be a slamdunk. They then need an "Other Entertainment" permit and, after that, approval for expanding an existing full service restaurant and bar (Alembic). If you would like to know more about this project contact the Rixes at betsyrix@gmail.com or jrix1727@gmail.com. — Karen Crommie

Renovation In Buena Vista Park

Working creatively and positively around severe budget constraints, Rec and Park gardening and structural maintenance staff, along with apprentices, Enterprise for High School Students, California Conservation Corps and others, are completing several significant renovation projects in BV Park, now through the summer. Rebuilt retaining walls at Sunset Overlook above the Frederick Street entry(done!), at the downtown city skyline overlook (coming this summer!),and adjacent to the recent Southeast Hillside Renovations along Buena Vista East (underway as we write!), and landscape and ADA accessibility renovations at the lawn area opposite BV Manor House on BV East (soon!) are among the projects. Our thanks to all involved in his work. Take a stroll thru the Park one wonderful Spring daysoon, and see it for yourself! Richard Magary

Ed note—The Buena Vista Neighborhood Association has regular group gardening days. If you would like to be notified of the dates, contact Richard Magary at BVNA@ix.netcom.com.

Wednesday is Market Day in Cole Valley

The Upper Haight Farmers Market returned to Waller and Stanyan Streets a few weeks ago. It opens a half hour earlier this year, at 3:30 p.m. every Wednesday afternoon and stays open until 7:30.



Neighbors meet amidst the tented vendors of fresh fruits, vegetables, flowers and bakery specialties.

Manager Luke Walton says, "We're excited to meet new faces and looking forward to a successful and enjoyable season for everyone."

Cole Valley Fitness Is Sold

Betty Doza, longtime owner of Cole Valley Fitness has thrown in the sponge. Her beautiful little gym in the heart of Cole Valley is now owned and managed by an enthusiastic couple from Novato who are delighted to have found such a unique opportunity. Andrew and Jodi Chaban have been in the physical fitness business for 30 years, having owned several gyms in Marin County. "I have always wanted to locate in San Francisco," said Andrew. "It is for me a dream come true."

Impressed with the high windows and beautiful outlook, they are planning to renovate slowly, with official Green certification in mind. They will try to keep the gym open while new exercise machines are installed and "cosmetic improvements" are made. The personal training staff will remain but the gym will cease offering massage because Betty had to relinquish the upstairs room. The building owner plans to revert it back to residential use.

Andrew and Jodi want to become members of the Cole Valley community and ask that you drop in and say hello. They are there most afternoons.

CVIANEWS is published quarterly as a forum for residents of the greater Haight Ashbury neighborhood. The views expressed reflect those of the writers. Contributions for the Fall edition should be sent before August 1, 2012 to 628 Ashbury St., San Francisco, CA 94117 or kcrommie@aol.com. We encourage submissions from anyone interested in our neighborhood. Send questions or comments to the above address or call 431-1414.

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STREET, MARKETPLACE, MOVIES, RED VIC



By Natalie Thomas 11:27 AM MARCH 23, 2012

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SOURCE UPPERCASING

he iconic Red Vic Movie House is about to get a reboot. While you may not be able to catch flicks at the Haight Street movie house anymore, the bright red building is in for some exciting new changes.

Later this year, if all goes to plan, the Red Vic will get a much needed facelift and be transformed into a marketplace and events center.

The lobby area will be converted into extended space

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for the ever-popular Alembic Bar next door, which will help to alleviate the long wait for a table.

Another portion of the building will become a storefront marketplace area that will house five small, entrepreneurial food-related business start-ups, according to brand-new Upper Haight blog UpperCasing.

Have no fear, though, movies were not completely forgotten. The rear of the current auditorium will become a 49-seat screening room available for rent to local filmmakers, musicians and performers, as well as an event space for meetings, classes, children's events, and private parties.

Wonder if the screening room will still house some of their legendary couches?

Currently, there are two confirmed food tenants, but the Vic is looking for three more to fill the new marketplace storefront area.

The first storefront will be occupied by PicnicFare, an eco-conscious cafe and bakery that uses locally-sourced ingredients and creates specialty products for those with dietary restrictions.

Another will house

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CITY PEDALS FAST TO KEEP PACE WITH BIKE GROWTH 10:52 am Buyer's Best Friend, a new wholesale food brokerage that focuses on artisan and specialty products from California food producers.

SFBay's ideas for other storefronts that should occupy this place: Vegan cookie store or a gourmet popcorn cart with nutritional yeast. Just like the old Red Vic would do it.

SOURCE UPPERCASING

YOUR THOUGHTS

ANONYMOUS REAL NAME TWITTER

NFL KNOCKS GIANTS CAP OFF ALEX SMITH'S HEAD 6:27



PUT FOOD ON THE TABLE FOR SOMEONE WHO CAN'T 2:42 pm

Red Vic Movie Theater Becoming Food Startup Space

2 of 8

9/20/12 6:09 PM



Photo by Julie Michelle via Flickr

Although the neighborhood lost a much-loved gathering spot when the Red Vic's projector <u>flickered</u> <u>for the last time</u> back in July, the neighborhood could be getting another community-focused space to take it's place sometime in 2012. As the ever-vigilant <u>Tablehopper reports today</u>, Betsy and Jack Rix, who own the building along with the Alembic next door, are looking to reinvent the former movie house as a food-centric incubator space where budding entrepreneurs and retailers can get their sea legs before moving on to their own commercial kitchens or storefronts.

Tablehopper compares the proposed project to <u>331 Cortland</u> in Bernal Heights where El Porteno and <u>Spice Hound</u> and <u>El Porteño</u> got their start. Once the seats and couches have been stripped from the screening room, the space could be hosting four to six of San Francisco's next top chefs, confectioners, artisan bagel makers or whatever other food-related startup ideas local foodies dream up. To keep with the community aspect, Mrs. Rix hopes to keep a 49-seat event space open in the back and keep the location as a <u>CSA</u> drop-off spot.

As for the former home of wooden bowls and yeast-laden popcorn in the Red Vic's lobby — that looks like it will become some additional seating for Alembic's bar next door, which means more people partaking in <u>their delicious cocktails</u>.

[Tablehopper]

Contact the <u>author</u> of this article or email <u>tips@sfist.com</u> with further questions, comments or tips.

By Andrew Dalton in Food on October 25, 2011 4:48 PM 2 Comments Tweet \$ 27

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Red Vic Space Will Get Food Stalls; Alembic Expansion Gets Fleshed Out

The place will get a single smooth facade, with the Alembic at left. Illustration: via Oppercasing

The owners of the former Red Vic movie

house in the Upper Haight held a community meeting this week to unveil their plans for repurposing the space, which includes the aforementioned expansion of next-door cocktail nexus The Alembic. The restaurant will add about 38 seats with the expansion into what was the Red Vic lobby, including a communal table at the center (see the floor plan here). But also central to the new concept is a "market hall" in the largest Haight-facing portion of the building which will contain five food stalls (we also heard something about this in the fall), kind of like 331 Cortland in Bernal Heights. There are now two confirmed tenants including an "eco-conscious bakery/coffee shop" called PicnicFare.

The other tenant is a wholesale food brokerage called Buyer's Best Friend that was already headquartered in the neighborhood, and they're still looking to sign leases with three more food-related business start-ups.

The Red Vic's original spirit will remain in the form of a 49-seat screening room and multi-purpose community room at the rear of the space, which will be made available to local filmmakers as well as community groups, and private parties.

As of now, the project might be complete by late 2012, but we shall see. We're mostly just looking forward to finding a seat at the bar at The Alembic after 5 p.m.

Red Vic Revamp for 2012 **[Uppercasing via** Eater] **Earlier:** Update on Alembic's Expansion; Super Duper Opens For Real in the Marina; And More The Alembic to Expand Next Door as Red Vic Shutters

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By: Jay Barmann FILED UNDER: PREVIEW'S, ALEMBIC, RED VIC



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High Cotton, Lali's, and **Picnic Bakery Coming** to Red Vic Space

6/27/12 at 9:33 AM 1 Comment



The former Red Vic. Photo: ILawHaiah

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Plans are coming into clearer focus up at the former Red Vic movie house (1727 Haight Street), where first and foremost, as we knew, the popular Alembic next door will be getting about two times larger, breaking down a wall and expanding into

the lobby. But we have an update via Tablehopper on three of the tenants for what's now being called the Second Act Marketplace and Events space, which will utilize the rest of the theater and will comprise an auditorium along with multiple food stalls à la 331 Cortland. First off, there's Lali's, a La Cocinasupported business featuring Georgian cuisine (as in next to Russia) which sounds like it will be a cafe with a catering component. Then we have High Cotton, which will be selling "high-quality hot lunches and dinners to go."

Next there's Picnic Bakery, a vegan bakery that also specializes in gluten-free and low-sugar options. Read the story of proprietor Emily Haydel experimenting in the process of creating her Cassiopeia Chocolate Cake, and see an example of her "cheesecakes" here.

And lastly there's RAW, which will be (what else?) a juice bar. It will also be (what else?) local and organic.

Stay tuned for further updates. The Red Vic team hopes to get the whole project open by the end of the year.

Update on the Red Vic: Will Be Second Act Market Place and Events [Tablehopper]

Earlier: Red Vic Space Will Get Food Stalls; Alembic Expansion Gets Fleshed Out

The Alembic to Expand Next Door as Red Vic Shutters

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By: Jay Barmann FILED UNDER: PREVIEWS, ALEMBIC, LUNCH, PICNIC BAKERY, RED VIC, SWEET BEAT, VEGANS

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Taste Test: A Peek of the New Red Vic

Like **¢** 4 by Camden Avery // Wed. Aug 15, 2012, 7:00 am



The latest tasty morsel from the <u>revamped</u> Red Vic is that local <u>Picnic Bakery</u> will be setting up shop.

Picnic Bakery is a local, currently storefrontless bakery that fills orders online and is run by bakerand-proprietress Emily Haydel. According to their web site, they're going to be offering baked goods and coffee on Haight Street when the Red Vic, so dubbed the <u>Second Act Marketplace</u>, reopens.

Their offerings feature local-centric, organic and vegan baked goods, and custom jobs.

We'll tell you more when we hear it. Meanwhile, keep an ear out for those hammers and saws.

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Red Vic Revamp for 2012

Like 161 by Amy Stephenson // Thu. Mar 22, 2012, 8:00 am



The iconic Red Vic Movie House at 1727 Haight Street may not be playing The Big Lebowski on 4/20 anymore, but a new life for the old theater is just around the corner.

Later this year, if all goes according to plan, the space will be renovated and converted into a marketplace and events venue. The lobby area will be going to the Alembic next door, which will help to alleviate the notoriously long waits for tables.



The marketplace portion will be a Haight Street storefront, and house five small, entrepreneurial food-related business start-ups. The rear of the current auditorium will become a 49-seat screening room for local filmmakers, musicians and performers, as well as an event space for meetings, classes, children's events, and private parties.

Currently, there are two confirmed food booth tenants.

The first is PicnicFare, an eco-conscious bakery/coffee shop with an awareness of dietary restrictions, that specializes in decadent desserts made from high-quality, mostly organic, and often locally-sourced ingredients.

The second, Buyer's Best Friend, is a new wholesale food brokerage which is headquartered in the neighborhood. They'll showcase an array of their thousands of products and brands, focusing on artisan and specialty products from California food producers.



Owners Jack and Betsy Rix, who co-founded the Red Vic with a group of friends in 1980 and <u>closed it</u> in July of last year, held a community meeting last night, and unveiled their plans to a crowd of about 30 enthusiastic locals, including Supervisor Christina Otague and Captain John Feeney, Commanding Officer of the Park Station Police. They say they hope to reopen the space by late 2012.

(For anyone chomping at the bit to book an event at the Red Vic or apply to be a food vendor, Jack Rix can be reached at jrix 1727@gmail.com.)

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