Executive Summary Conditional Use

HEARING DATE: NOVEMBER 7, 2019

Record No.: 2019-004664CUA

Project Address: 527 Wentworth Place

Zoning: Chinatown Visitor Retail (CVR) Zoning District

50-N Height and Bulk District

Chinatown Planning Area

Block/Lot: 0194/035

Project Sponsor: Calvin Louie

950 Grant Avenue, 2nd Floor

San Francisco, CA 94108

Property Owner: Jacky Li

1368 40th Street

Emeryville, CA 94608

Staff Contact: Christy Alexander – (415) 575-8724

christy.alexander@sfgov.org

Recommendation: Approval with Conditions

PROJECT DESCRIPTION

The Project proposes to change the use from retail to a bar/lounge use in order to operate the Lion's Dens (an approximately 4,048 sf bar/lounge) in the basement and ground floor of the existing building between the hours of 4:00 pm to 2:00 am. The primary entrance to the site is located off of Wentworth Place. Due to the configuration of the building, an accessible elevator and a second means of egress will be located on Grant Avenue. No vehicle parking nor exterior alterations to the building are proposed. The Lion's Den was once located on the subject property in the 1960's and 1970's and has been historically identified and rated for its contextual importance and association with LGBTQ history. On October 20, 2019 the Chinatown Phase 3 code revisions became effective, thus making this proposal permissible. The Ordinance amended the Planning Code to revise the zoning control tables for the Chinatown Mixed Use Districts to make them consistent with those in Articles 2 and 7, to apply the use definitions in Section 102, to set an abandonment period for use size maximums, and to allow General Entertainment and Nighttime Entertainment Uses with conditional use authorization

REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 811 and 303 to allow a bar/lounge use, between 2,501 sf - 5,000 sf in size, and that operates between 11:00 pm - 2:00 am within the CVR Zoning District.

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

Reception: 415.558.6378

av.

415.558.6409

Planning Information: 415.558.6377

Executive Summary Hearing Date: November 7, 2019

ISSUES AND OTHER CONSIDERATIONS

- Public Comment & Outreach.
 - Support/Opposition: The Department has received correspondence from the Chinatown Community Development Center, the Chinatown Merchants Association, the American Chinese International Cultural Exchange Council, the Chinese American Citizens Alliance, BeChinatown, the Rotary Club of San Francisco Chinatown, the Chinatown Neighborhood Association Inc, Chinese Hospital, and the adjacent neighbors to the north at 952-966 Grant Avenue, all in support of the Project. As of the writing of this report, no opposition to the Project has been submitted.

ENVIRONMENTAL REVIEW

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

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Chinatown Area Plan and the Objectives and Policies of the General Plan. The Project provides a neighborhood-serving, legacy bar use that has been missing in this area of Chinatown for decades. The Lion's Den was once located on the subject property in the 1960's and 1970's and has been historically identified and rated for its contextual importance and association with LGBTQ history. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

ATTACHMENTS:

Draft Motion – Conditional Use Authorization with Conditions of Approval Exhibit B – Plans and Renderings Exhibit C – Maps and Context Photos

Planning Commission Draft Motion

HEARING DATE: NOVEMBER 7, 2019

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

Reception: 415.558.6378

Fax:

415.558.6409

Planning Information: **415.558.6377**

Record No.: **2019-004664CUA**

Project Address: 57 WENTWORTH PLACE

Zoning: CVR (Chinatown Visitor Retail) Zoning District

50-N Height and Bulk District

Area Plan: Chinatown
Block/Lot: 0194/035
Project Sponsor: Calvin Louie

950 Grant Avenue, 2nd Floor San Francisco, CA 94108

Property Owner: Jacky Li

1368 40th Street

Emeryville, CA 94608

Staff Contact: Christy Alexander – (415) 575-8724

christy.alexander@sfgov.org

ADOPTING FINDINGS TO APPROVE A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 811 AND 303, FOR A CHANGE OF USE FROM RETAIL TO BAR/LOUNGE USE IN ORDER TO OPERATE THE LION'S DEN (APPROXIMATELY 4,048 SF) LOCATED AT 57 WENTWORTH PLACE, LOT 035 IN ASSESSOR'S BLOCK 0194, WITHIN THE CVR (CHINATOWN VISITOR RETAIL) ZONING DISTRICT, AND 50-N HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 2, 2019, Calvin Louie of Lion's Den Venture LLC (hereinafter "Project Sponsor") filed Application No. 2019-004664CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to for a change of use from retail to a bar/lounge use in order to operate the Lion's Den (hereinafter "Project") at 57 Wentworth Place, Block 0194 Lot 035 (hereinafter "Project Site").

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

On November 7, 2019, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-004664CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-004664CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

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 Authorization as requested in Application No. 2019-00464CUA, 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. Project Description. The Project proposes to change the use from retail to a bar/lounge use in order to operate the Lion's Dens (an approximately 4,048 sf bar/lounge) in the basement and ground floor of the existing building between the hours of 4:00 pm to 2:00 am. The primary entrance to the site is located off of Wentworth Place. Due to the configuration of the building, an accessible elevator and a second means of egress will be located on Grant Avenue. No vehicle parking nor alterations to the building are proposed. The Lion's Den was once located on the subject property in the 1960's and 1970's and has been historically identified and rated for its contextual importance and association with LGBTQ history.
- 3. **Site Description and Present Use.** The Project is located on the east side of Grant Avenue, fronting Wentworth Place alley between Jackson and Washington Streets in the heart of Chinatown. The existing building is a three-story with a basement. It is a through lot with street frontage on Grant Avenue and Wentworth Place. The building is an historic resource and is currently authorized for commercial/retail on the first floor, office on the second floor, and 11 units of group housing on the third level. The building's total gross floor area is 15, 660 sf. The subject unit is 1,166 sf in the basement and 2,882 sf on the ground floor for a combined total of 4,048 sf. The entire building measures 15,660 square feet.
- 4. Surrounding Properties and Neighborhood. The Project Site is located within the CVR Zoning Districts in the Chinatown Area Plan. The immediate context is mixed in character with retail, restaurants, banks, and residential uses. The immediate neighborhood includes two-to-three-story mixed-use developments along Grant Avenue and Wentworth Place. Portsmouth Square is the closest open space and is located less than two blocks away. This area of Chinatown was once a neighborhood consisting of many bars, lounges, and night clubs, but through the years has lost many of those uses to other areas of the City.
- 5. **Public Outreach and Comments.** The Department has received correspondence from the Chinatown Community Development Center, the Chinatown Merchants Association, the

American Chinese International Cultural Exchange Council, the Chinese American Citizens Alliance, BeChinatown, the Rotary Club of San Francisco Chinatown, the Chinatown Neighborhood Association Inc, Chinese Hospital, and the adjacent neighbors to the north at 952-966 Grant Avenue, all in support of the Project. No opposition to the Project has been submitted.

- 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.** Planning Code Section 811 states that a Conditional Use Authorization is required for a Bar/Lounge use, as defined by Planning Code Section 102.

The Project proposes to change the use from retail to bar/lounge to operate the Lion's Den and is seeking a Conditional Use Authorization. Additional criteria addressing findings for the Conditional Use is discussed under #7 below.

B. **Non-Residential Use Size Limits.** Planning Code Section 811 states that a Conditional Use Authorization is required for non-residential uses between 2,501 sf and 5,000 sf.

The Project is proposed to comprise 4,048 sf total on the ground floor and basement levels and is seeking a Conditional Use Authorization. Additional criteria addressing findings for the Conditional Use is discussed under #7 below.

C. **Hours of Operation.** Planning Code Section 811 states that a Conditional Use Authorization is required for Hours of Operation between 11:00 pm and 2:00 am.

The Project Sponsor intends to operate the bar/lounge daily between 4:00 pm and 2:00 am and is seeking a Conditional Use Authorization. Additional criteria addressing findings for the Conditional Use is discussed under #7 below.

- 7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the Project complies 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 Project proposes a change of use to establish a bar/nightclub in a space that has been vacant? In a location that will help serve the neighborhood? and provides a venue that will encourage late night activities that has been missing in Chinatown. Chinatown has traditionally been a major tourist attraction for locals, tourists, and visitors but in recent years has experienced a loss of businesses that has resulted in vacant storefronts. The proposed use will help activate the commercial corridor and

encourage vibrancy. The proposed bar/lounge will not impact traffic or parking in the District because it is a predominantly pedestrian corridor and does not propose any parking. The use will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by removing a vacant storefront.

- B. The 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:
 - (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - The Project does not include any physical improvements as the proposed use utilizes and existing structure. The primary entry will be located on Wentworth Place with Grant Avenue acting as a secondary means of egress as well as accessible elevator access. The bar/lounge will not be visible from Grant Avenue.
 - (2) 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 Project will not adversely impact public transit as this location is primarily a pedestrian corridor and is well served by MUNI transit. The operational hours of the bar/lounge will be targeted after normal office working hours. Public parking near the building is readily available at the Portsmouth Square Garage less than two blocks away.
 - (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - Due to the nature of the use, noise will be generated however the Project Sponsor will install adequate acoustic insulation to reduce unwanted noise to the residents and neighborhood. In addition, the project is subject to the standard conditions of approval for other entertainment uses and are subject to the San Francisco Noise Ordinance. 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. There will not be any cooking facilities onsite to generate noxious odors.
 - (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;
 - The proposed bar/lounge does not require any additional tenant improvements. The Department shall review all lighting and signs proposed for the new use as required under the Planning Code.

C. 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.

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

The Project is consistent with the stated purposes of CVR District in that the intended use is located at the ground floor, will provide a compatible convenience service for the immediately surrounding neighborhoods during evening and nighttime hours.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

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.

The proposed bar/lounge use on the subject site offers a use that has been missing in the adjacent neighborhood for decades that will activate night life in the area once again, thereby contributing to the economic vitality of the area. The Project will support the viability of existing industry and the attractiveness and favorable business climate of the City by providing an active use for locals and visitors without additional development. The Project makes use of an existing vacant space and would not displace any existing commercial activity.

MISSION AREA PLAN

TOURISM

Objectives and Policies

OBJECTIVE 5:

RETAIN AND ENHANCE CHINATOWN'S ROLE AS A VISITOR ATTRACTION.

Policy 5.1

Maintain Grant Avenue as the traditional specialty retailing area.

The Project is subterranean at Grant Avenue but with accessible access and a second means of egress and with primary entrance on Wentworth Avenue. The use will contribute to the diversity of uses that span the neighborhood and activate the area in the evening and nighttime hours to provide a destination for locals and tourists to frequent.

- 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 complies 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 Project will not displace any neighborhood-serving retail use as it currently sits vacant and will strengthen the existing adjacent uses by providing new visitors into the area during the later hours in the evening.

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

The project site contains existing group housing on the third level and many residential sites in the adjacent area. The Project will attract more visitors and locals into this once vibrant neighborhood and provide a venue that has been missing for decades.

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

The Project will enhance the supply of affordable housing by participating in the City's Jobs-Housing Linkage Program, pursuant to Planning Code Section 413.

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

The Project Site is served by nearby public transportation options. The Project is located along many Muni bus lines and is within a 10-minute walking distance of the BART Stations along Market Street. In addition, the area is characterized by a highly trafficked pedestrian environment.

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 does not include commercial office development. The Project will provide opportunity for employment and ownership in the vicinity.

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

The Project proposes conversion of the existing structure which includes steel beams bracing and columns that were added in 2009 and concrete footings were replaced and reinforced consistent with the City's seismic safety standards. This proposal will not impact the property's ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.

The Project does not propose any alterations to the existing building envelope or structure.

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.

- 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.

8

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 Authorization Application No. 2019-004664CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated March 30, 2019, 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. 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.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the Project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 7, 2019.

Jonas P. Ionin
Commission Secretary
·
AYES:
NAYS:
ABSENT:

SAN FRANCISCO
PLANNING DEPARTMENT

Draft Motion November 7, 2019

RECORD NO. 2019-004664CUA 57 Wentworth Place

ADOPTED: November 7, 2019

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use for a change of use from retail to a bar/lounge use exceeding the principally permitted use size limits and operation hours in non-residential uses on the basement and ground floor of the subject property (d.b.a. **Lion's Den**) located at 57 Wentworth Place, Block 0194 and Lot 035 pursuant to Planning Code Section(s) **303 and 811** within the **CVR** (Chinatown Visitor Retail) Zoning District and 50-N Height and Bulk District; in general conformance with plans, dated **March 30, 2019**, and stamped "EXHIBIT B" included in the docket for Record No. **2019-004664CUA** and subject to conditions of approval reviewed and approved by the Commission on **November 7, 2019** under Motion No **XXXXXXX**. 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 **November 7, 2019** under Motion No **XXXXXXX**.

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.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the Project and/or commence the approved use within this three-year period.

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the Project Sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the Project Sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

- 3. **Diligent Pursuit.** 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. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
- 4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the Project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

MONITORING - AFTER ENTITLEMENT

- 6. 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
- 7. **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, www.sf-planning.org

OPERATION

- 8. **Eating and Drinking Uses**. As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in Section <u>102</u>, shall be subject to the following conditions:
 - A. The business operator 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 Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, Section 34 of the San Francisco Police Code.
 - For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, http://sfdpw.org.
 - B. When located within an enclosed space, 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 of 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, www.sfdph.org.

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

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

C. 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), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

D. 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 the Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, http://sfdpw.org.

- 9. **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, http://sfdpw.org
- 10. 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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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, www.sf-planning.org

11. **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, www.sfgov.org/entertainment

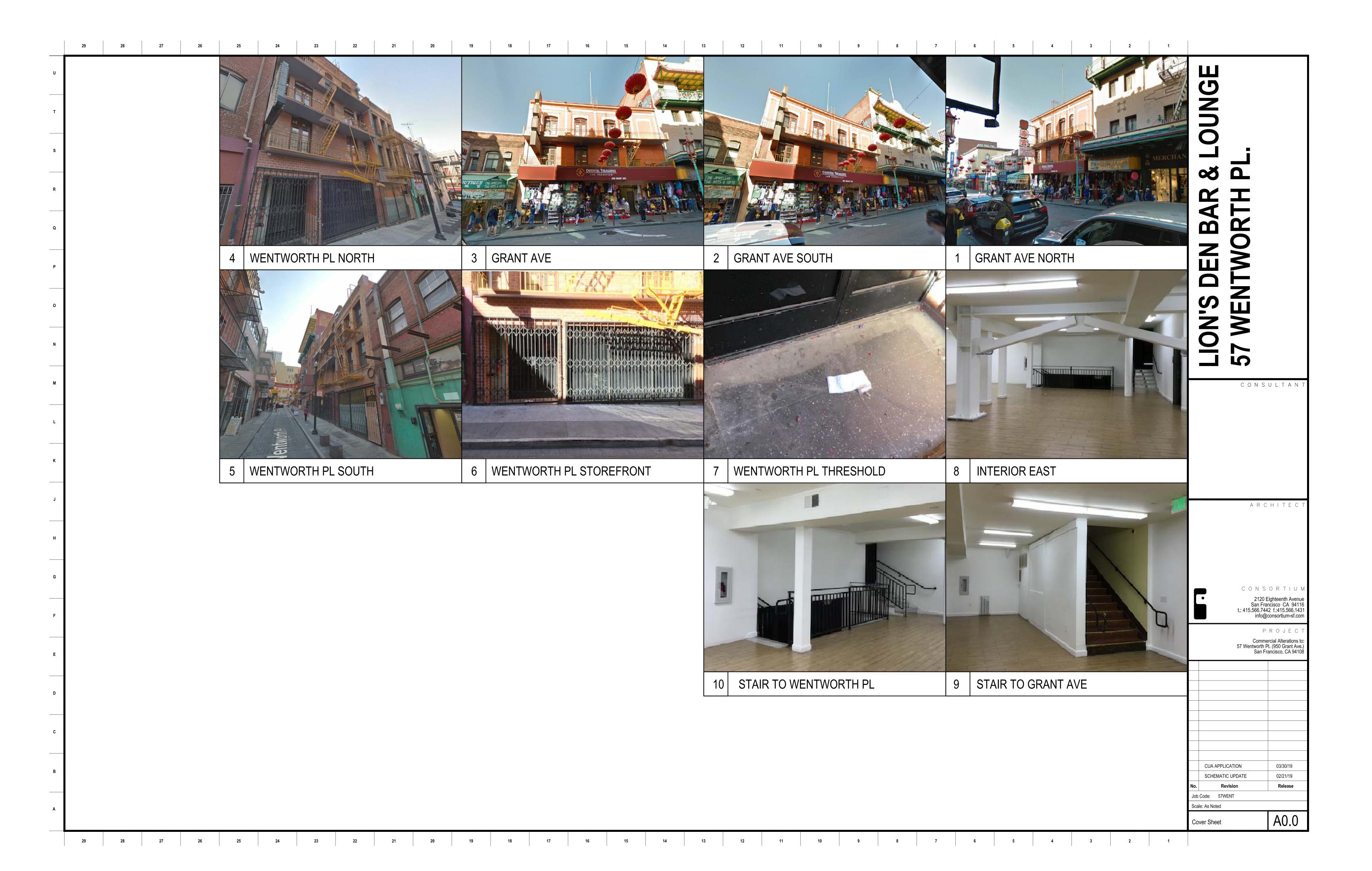
12. Other Entertainment. The Other Entertainment shall be performed within the enclosed building only. The building shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source 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.

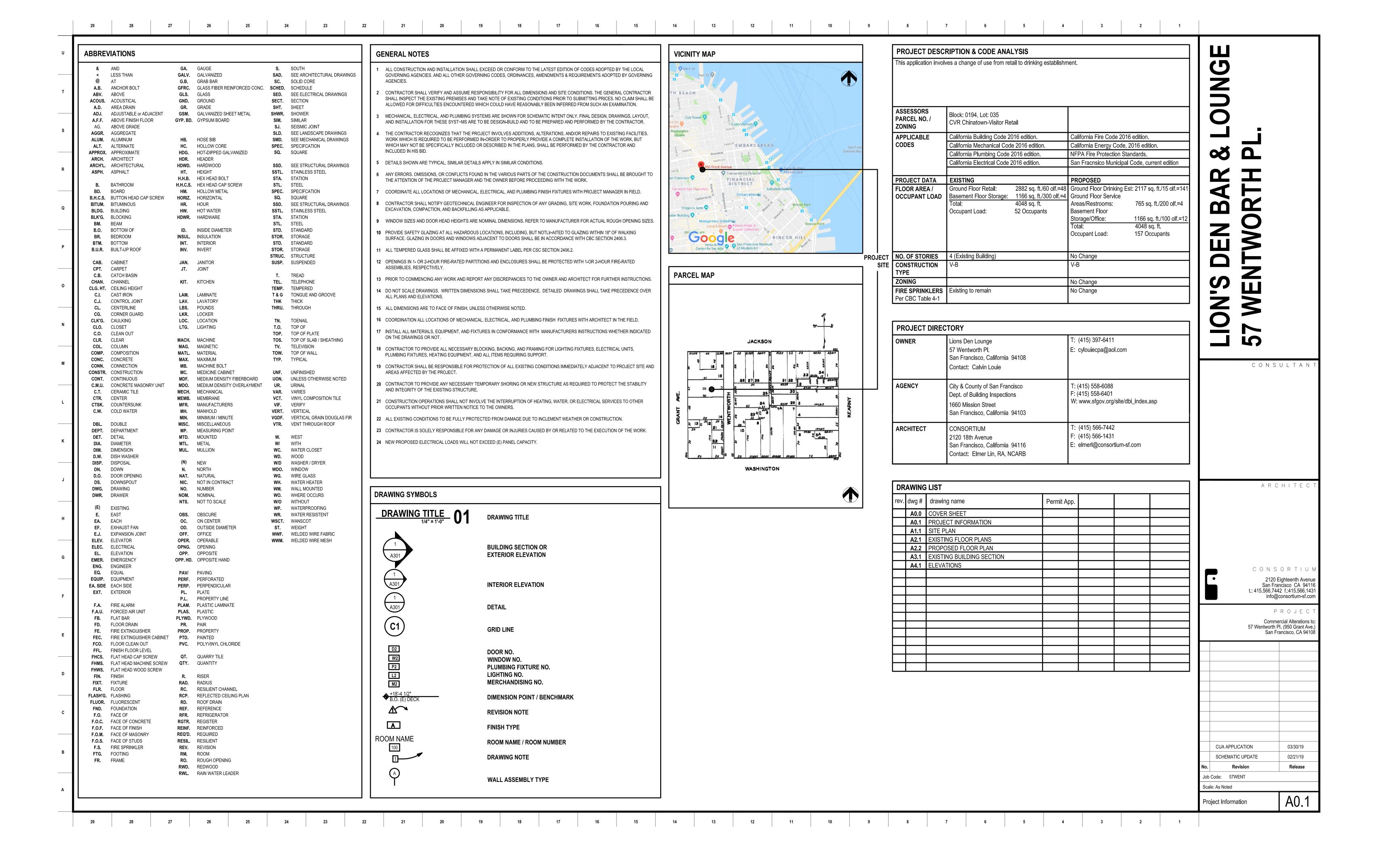
For information about compliance, contact the Entertainment Commission, at 415 554-6678, <u>www.sfgov.org/entertainment</u>

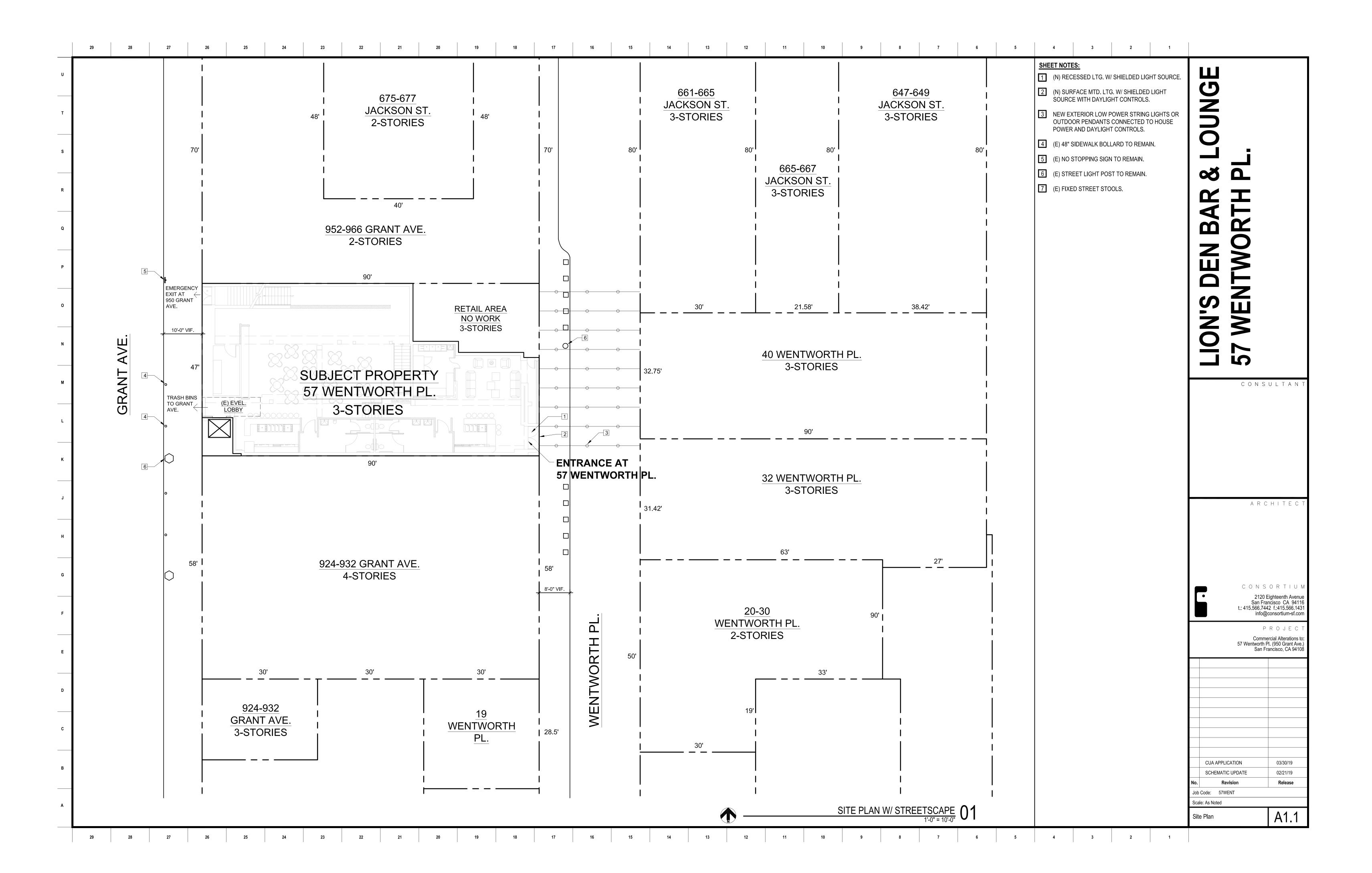
- 13. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.
 - For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
- 14. **Hours of Operation.** The subject establishment is limited to the following hours of operation: Daily from 4:00 pm to 2:00 am.
 - For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

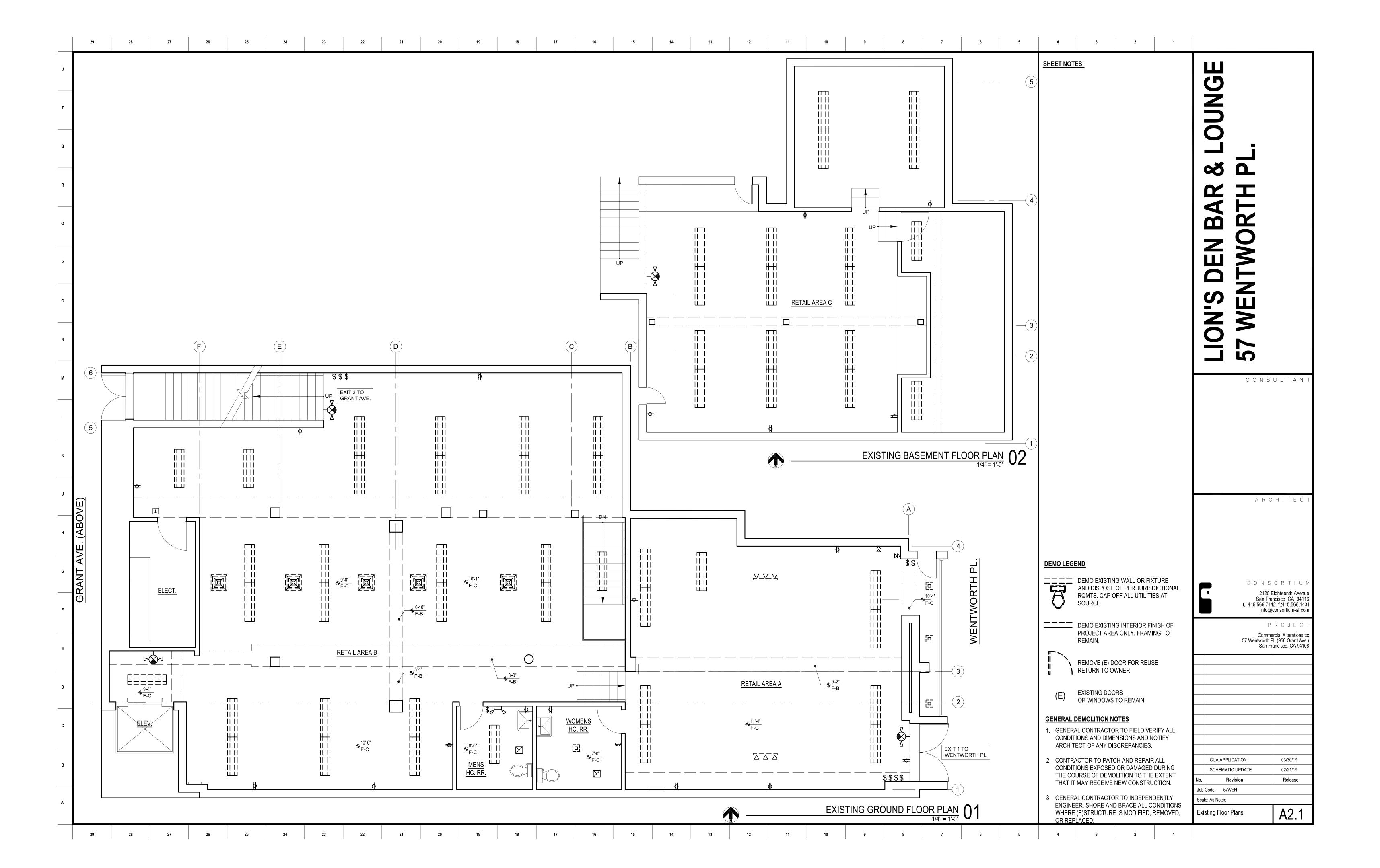
EXHIBIT B

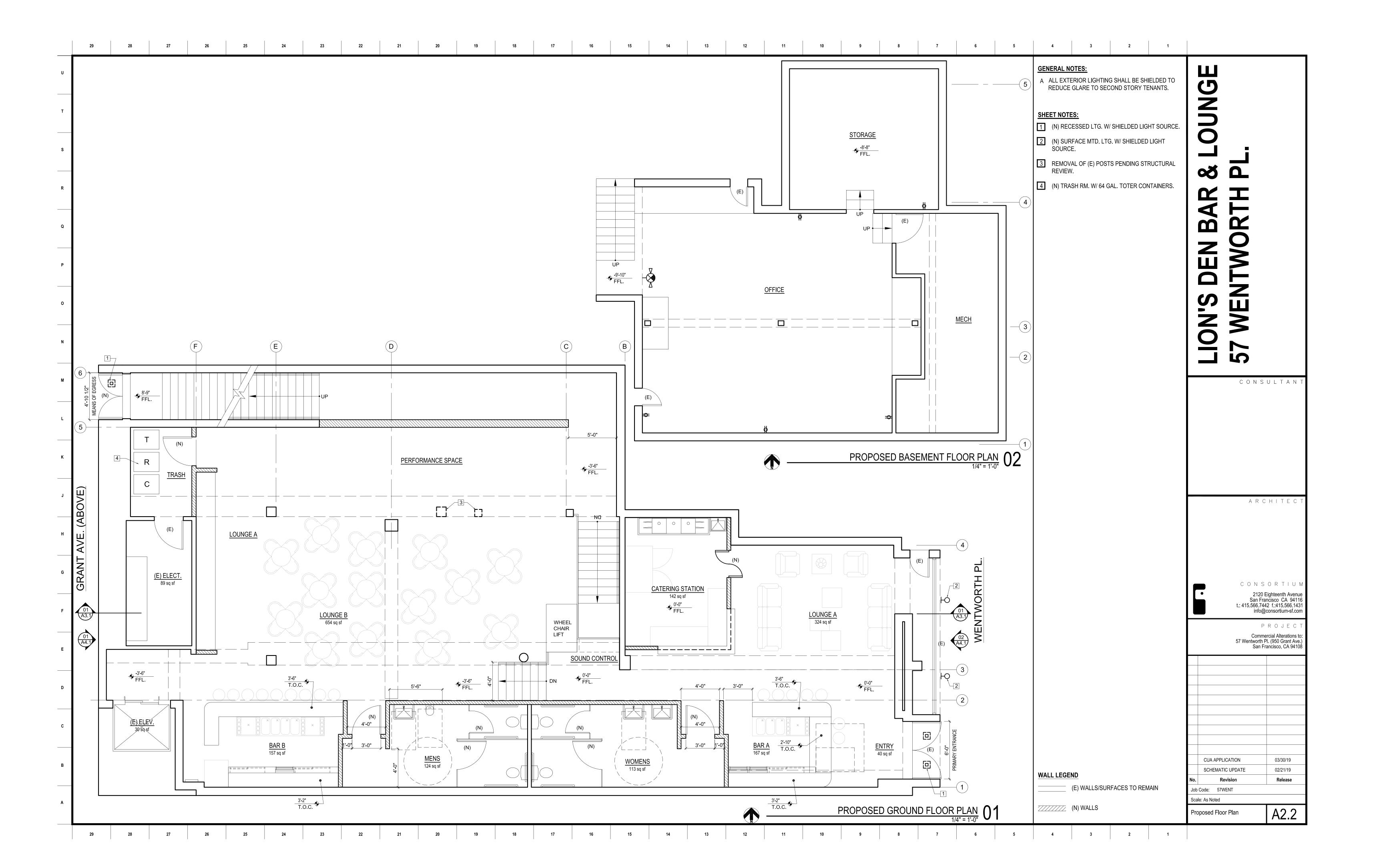
Plans and Renderings

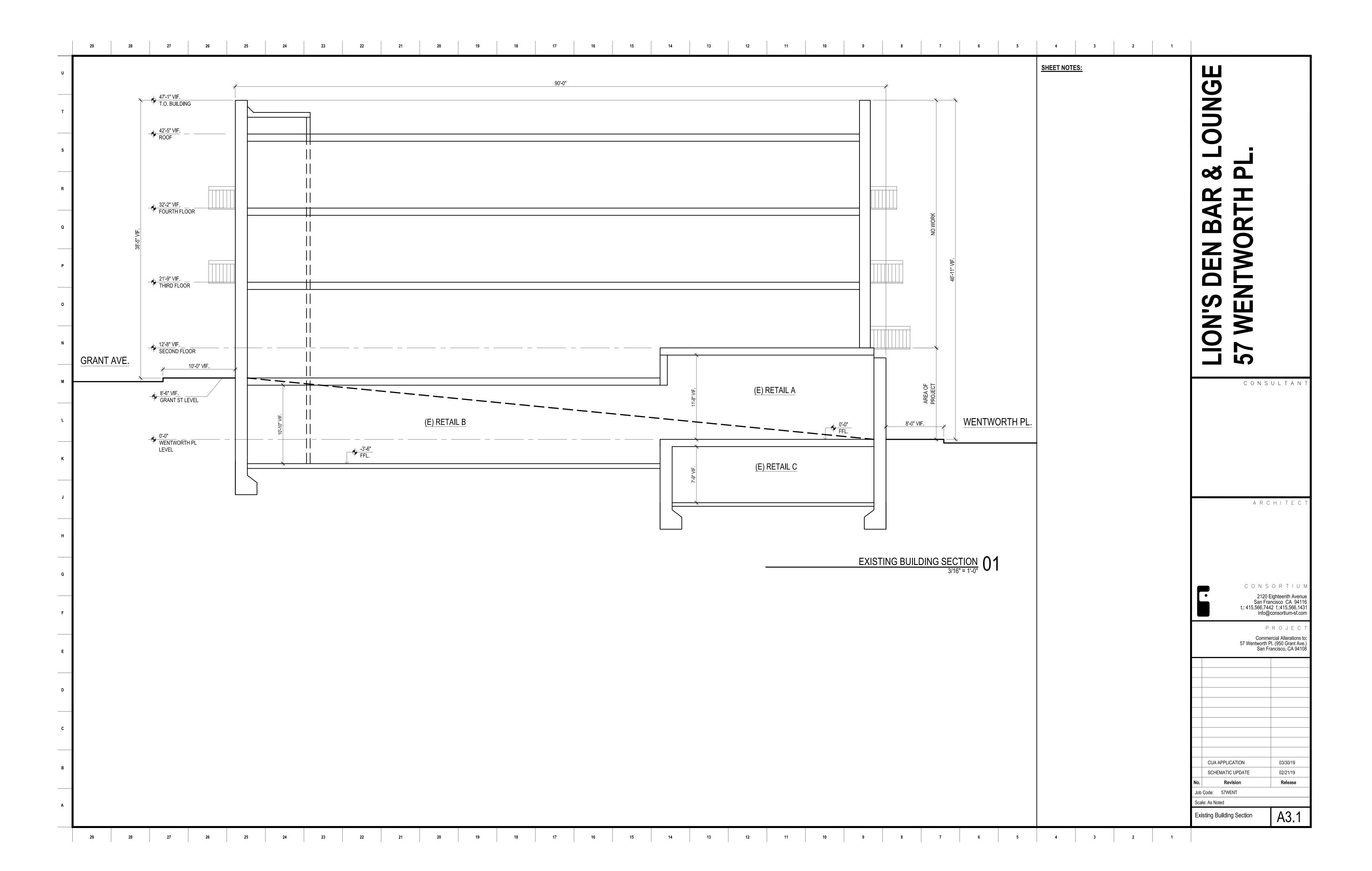












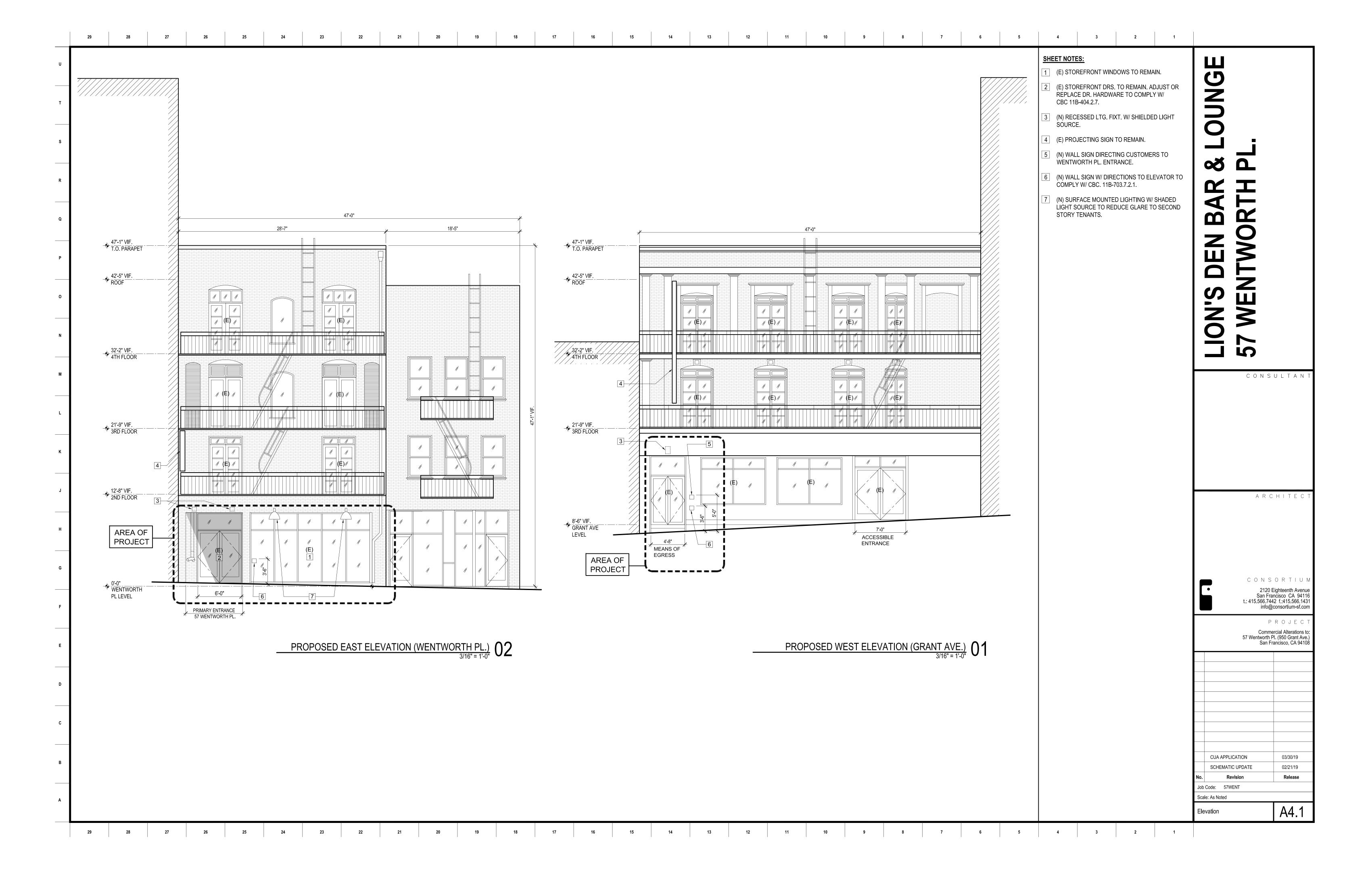
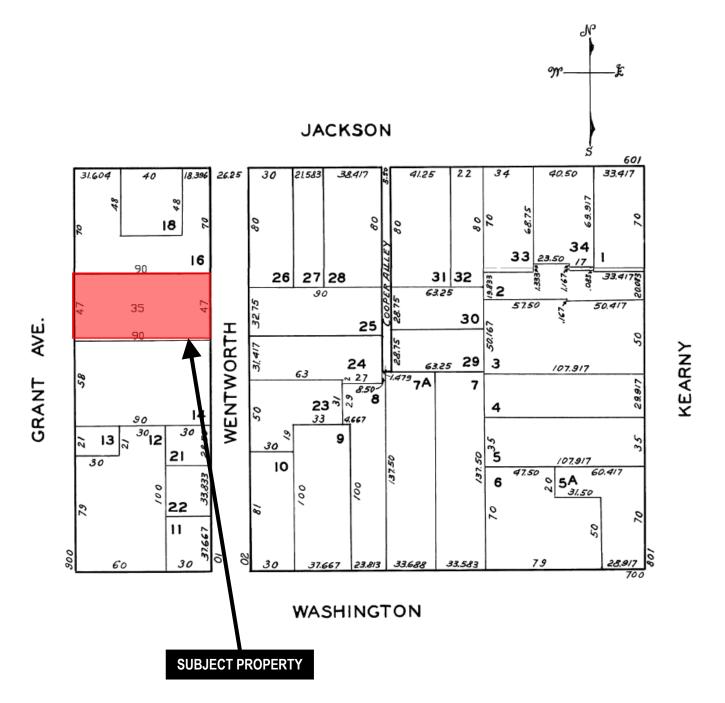


EXHIBIT C

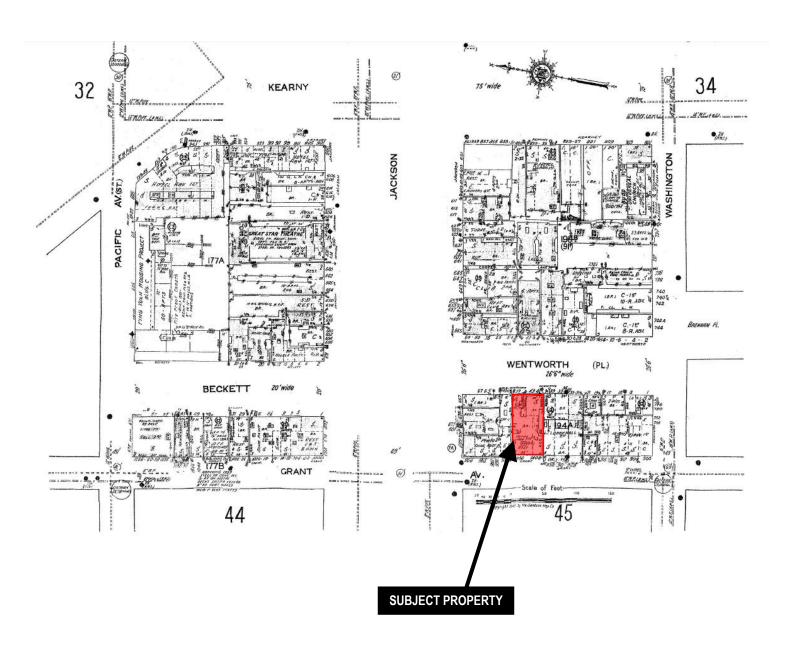
Maps and Context Photos

Parcel Map





Sanborn Map*

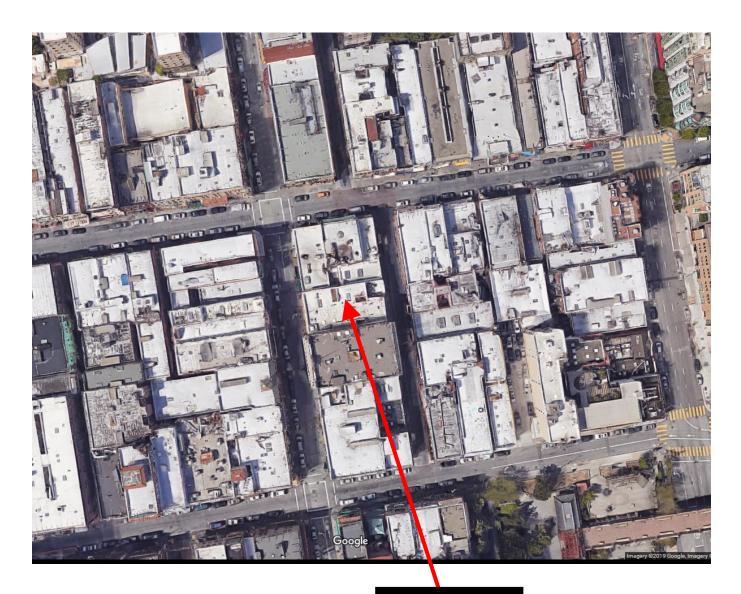


^{*}The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



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Aerial Photo



SUBJECT PROPERTY



Zoning Map



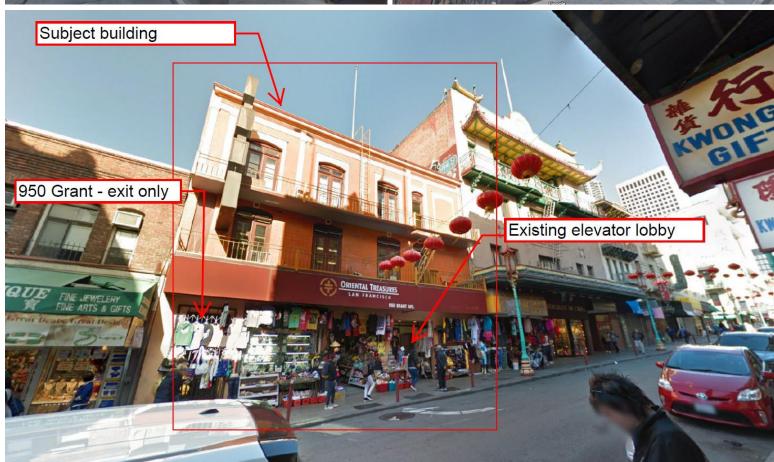


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Site Photos







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