

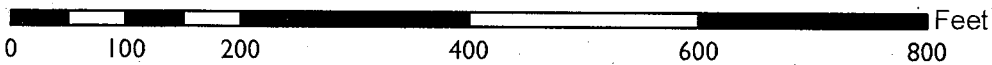
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|-------------------------------------|---|
| <b>Location:</b>                    | 2410 Valdez Street<br><i>See map on reverse</i>   |
| <b>Assessor's Parcel Number:</b>    | 008 067102702, 008 067102600  |
| <b>Proposal:</b>                    | To establish a bar on the ground floor of a new commercial space to include the sale of beer and cider. The bar/tasting room is proposed to operate daily from 11:00am to 12:00am.                    |
| <b>Applicant/</b>                   | Modern Times Drinks, Inc./ Rob Andrews  |
| <b>Phone Number:</b>                | (949) 422-1350  |
| <b>Owner:</b>                       | 2400 Valdez LLC   |
| <b>Planning Permits Required:</b>   | Major Conditional Use Permit with additional findings including Public Convenience or Necessity for Alcoholic Beverage Sales Commercial Activity  |
| <b>General Plan:</b>                | Central Business District   |
| <b>Zoning:</b>                      | D-BV-1  |
| <b>Environmental Determination:</b> | Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation);<br>Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning |
| <b>Historic Status:</b>             | Non-Historic Property   |
| <b>City Council District:</b>       | 3   |
| <b>Date Filed:</b>                  | September 25, 2018  |
| <b>Action to be Taken:</b>          | Approve with Conditions   |
| <b>Finality of Decision:</b>        | <i>Appealable to City Council within 10 days</i>  |
| <b>For Further Information:</b>     | Contact case planner <b>Brittany Lenoir, Planner I</b> at (510) 238-4799 or <a href="mailto:blenoir@oaklandca.gov">blenoir@oaklandca.gov</a>  |

**SUMMARY**

The applicant requests Planning Commission approval of a Major Conditional Use Permit with Findings of Public Convenience or Necessity to establish a new bar/tasting room ("Modern Times") in the Broadway Valdez District. The proposed California Department of Alcoholic Beverage Control (ABC) license is Type 01 for "Beer Manufacturing" and allows serving beer and cider only. Minors are allowed on the premises under a Type 01 ABC license. The proposed hours of operation are between 11:00am to 12:00am, daily.

Staff recommends approval of the requested permits, subject to the Conditions of Approval included in this report.

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN18396  
Applicant: Modern Times Drinks, Inc./ Rob Andrews  
Address: 2410 Valdez Street  
Zone: D-BV-1

## **PROJECT DESCRIPTION**

The applicant seeks to establish a bar/tasting room (“Modern Times”) on the ground floor of 2410 Valdez Street. The proposed bar will have a Type 01 License from the California Department of Alcoholic Beverage Control (ABC) for a bar with a tasting room of beer and cider only, as described below:

*BEER MANUFACTURER - (Large Brewery) Authorizes the sale of beer to any person holding a license authorizing the sale of beer, and to consumers for consumption on or off the manufacturer’s licensed premises. Without any additional licenses, may sell beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the manufacturer’s licensed premises or at a bona fide eating place contiguous to the manufacturer’s licensed premises. May conduct beer tastings under specified conditions (Section 23357.3). Minors are allowed on the premises.*

Hours of operation will be between 11:00am to 12:00am from Sunday through Saturday. The layout will consist of a large tasting area, a merchandising section, and additional support areas such as restrooms, trash, and accessory office space. The floor area of the space is 4,200 square feet and the maximum capacity is 298. The merchandising section will include the sale of clothing/apparel, glassware, coffee, and beer for off-site consumption. No sale of beer or cider for off-site consumption will occur unless the tasting room is open. Furthermore, no live music or DJ is included in the proposal and any music will be at ambient levels. Small snacks will be available, such as prepackaged chips and nuts.

Design review for minor exterior alterations and signage will be processed separately from this application. Specifically, the signage will be reviewed pursuant to a Master Sign Program, filed and approved under PLN18403.

## **PROPERTY DESCRIPTION**

The commercial space is approximately 4,200 square feet and will be on the corner of Valdez and 24th Streets, with the primary entrance to be along Valdez Street. The facility is currently under construction and was previously entitled under PLN15336 (to construct a seven-story mixed use building with ground floor retail space and upper story residential units). The immediate surrounding neighborhood includes a mix of residential and commercial facilities. The site is across the street from Creative Growth Art Center and one street down from various vehicle-oriented businesses, such as Hertz, Budget Car Rental, Oakland Kia, and Oakland Audi.

## **GENERAL PLAN ANALYSIS**

The site is in the Central Business District classification of the General Plan’s Land Use and Transportation Element (LUTE). The intent of the Central Business District (CBD) classification is to encourage, support, and enhance the downtown as a high density mixed use urban center of regional importance and a primary hub for business, communication, office, government, high technology, retail, entertainment, and transportation in Northern California. This proposal conforms to the following LUTE Policies and Objectives:

### Objective I/C3

*Ensure that Oakland is adequately served by a wide variety of commercial uses, appropriately sited to provide competitive retail merchandising and diversified office uses, as well as personal and professional services.*

### Policy I/C3.3 Clustering Activity in “Nodes”.

*Retail uses should be focused in “nodes” of activity, characterized by geographic clusters of concentrated commercial activity, along corridors that can be accessed through many modes of transportation.*

Policy D5.1 Encouraging Twenty-Four Hour Activity.

*Activities and amenities that encourage pedestrian traffic during the work week, as well as evenings and weekends should be promoted.*

This proposal will establish an active ground floor commercial space in a Priority Retail Site as described in the D-BV-1 Zone. The site has easy access to several public transportation routes, including bicycle lanes and bus lines. This ease of access via public transportation, its location in a designated commercial node, and the extended hours of 11:00am-12:00am conforms to the above noted objectives and policies.

**ZONING ANALYSIS**

The proposal is in the D-BV-1 Zone, specifically in Priority Site 4A. The purpose of the D-BV-1 is to establish Retail Priority Sites in the Broadway Valdez District Specific Plan Area to encourage a core of comparison goods retail with a combination of small-, medium-, and large-scale retail stores. The following are permits required for the proposal, as well as the reason each permit is required:

Major Conditional Use Permit

A Major CUP is required for alcoholic beverage sales. General CUP findings allow staff to further review the project in terms of compatibility with the neighborhood and apply appropriate conditions of approval.

Findings of Public Convenience or Necessity

The additional PCN findings are required for alcoholic beverage sales in an area where there is an overconcentration of Alcoholic Beverage Sales.

Specifics on this project will be addressed in more detail in the *Key Issues and Impacts* portion of this report.

**ENVIRONMENTAL DETERMINATION**

The California Environmental Quality Act (CEQA) Guidelines categorically exempts specific types of projects from environmental review. Section 15301 of the State CEQA Guidelines exempts projects involving *operation and licensing of existing private facilities*. This facility was previously entitled under PLN15336 and is currently under construction, therefore categorizing is as an “existing” space. The proposal for on-site sale of alcoholic beverages from a new bar located in an existing space would constitute operation of an existing private facility. Section 15183 of the State CEQA Guidelines relates to Projects Consistent with a Community Plan, General Plan or Zoning. The project adheres to this section, as described above. The project is, therefore, not subject to further Environmental Review.

**KEY ISSUES AND IMPACTS**

This site is in Police Beat 08X, which is roughly bounded by Harrison Street to the east, Grand Avenue to the south, Highway 24 to the west, and the 580 Freeway to the north. This specific Police Beat is categorized as being in an over-concentration area for crime. Between October 29, 2018 and November 25, 2018, police records show no crimes that were directly related to alcohol within 500 feet of the site (Attachment D).

Furthermore, this area is in Census Tract 4035.0, which is classified as being in an over-concentration area for ABC licenses when compared to other Census Tracts. When looking at the data gathered for this Census Tract from the California Department of Alcoholic Beverage Control, the active retail licenses are for Type 21 (Off Sale General), Type 41 (On Sale Beer and Wine – Eating Place), and Type 47 (On Sale General – Eating Place) (Attachment E). A majority of licenses in Census Tract 4035.0 are associated with an “Eating Place.”



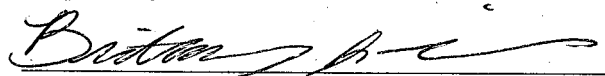
Given these factors, the addition of a Type 01 license in this area for a tasting room of beer and cider should not exacerbate alcohol related crime or nuisances. Furthermore, Modern Times will contribute to the Broadway Valdez plans by incorporating active ground floor space at a priority retail site.

Due to the proposal's ability to meet required findings, staff recommends approval of the project, subject to Conditions of Approval, including a compliance review.

**RECOMMENDATIONS:**

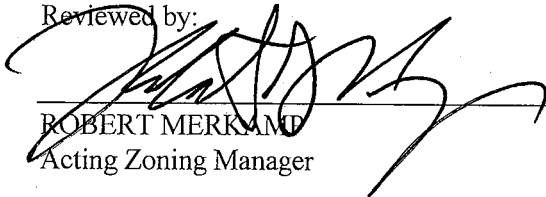
1. Affirm staff's environmental determination.
2. Approve the Major Conditional Use Permit subject to the attached findings and conditions.

Prepared by:



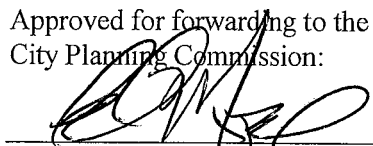
BRITTANY LENOIR  
Planner I

Reviewed by:



ROBERT MERKAND  
Acting Zoning Manager

Approved for forwarding to the  
City Planning Commission:

  
ED MANASSE, Acting Deputy Director  
Bureau of Planning

**ATTACHMENTS:**

- A. Findings
- B. Conditions
- C. Plans / Photographs
- D. Area Crime Statistics (Map & Table)
- E. ABC Licensing Data
- F. Letters of support
- G. Proof of public notification posting

**Attachment A: Findings**

This proposal meets the required findings under **General Conditional Use Permit Criteria (OMC Sec. 17.134.050)**, **Use Permit Criteria for Establishments Selling Alcoholic Beverages (OMC Sec. 17.103.030.A)** and **Findings for Public Convenience or Necessity (OMC Sec. 17.103.030.B.3)** as set forth below. Required findings are shown in **bold type**; explanations as to why these findings can be made are shown in normal type.

**General Use Permit Criteria (OMC Sec. 17.134.050):**

- A. That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.**

This site is in the Broadway Valdez District on the corner of Valdez Street and 24<sup>th</sup> Street. This area of the Broadway Valdez District has access to a variety of public transportation options, including both bus lines and bike lanes. Conditions of approval have been included to ensure that negative impacts, such as noise, litter, and loitering will be reduced so as not to impact the livability of the surrounding neighborhood.

- B. That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant.**

This subject site is within the Broadway Valdez District on the corner of Valdez and 24<sup>th</sup> Streets. The establishment of a tasting room for beer and cider will allow for a beverage and entertainment venue in a Central Business District area with close access to public transportation. The floor plan of the operation will provide for a functional tasting room and merchandising space.

- C. That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.**

The proposed bar/tasting room is expected to employ fifteen people, which will add jobs to the workforce. Establishing "Modern Times" will also allow for active commercial space in a priority retail site.

- D. That the proposal conforms to all applicable design review criteria set forth in the design review procedure at Section 17.136.070.**

The facility has been approved under PLN15336 to construct a seven-story mixed use building with ground floor retail space and upper story residential units. Design Review for any minor exterior alterations not included in the approved plans, including signage, will be filed under separate planning permits. A condition of approval has been including to address this requirement.

- E. That the proposal conforms in all significant respects with the Oakland Comprehensive Plan and with any other applicable plan or development control map which has been adopted by the City**

**Council.**

See the *General Plan Analysis* section of this report above.

**Use Permit Criteria for Establishments Selling Alcoholic Beverages (OMC Sec. 17.102.210.A):**

- 1. That the proposal will not contribute to undue proliferation of such uses in an area where additional ones would be undesirable, with consideration to be given to the area's function and character, problems of crime and loitering, and traffic problems and capacity;**

This site is near many public transportation options, including bus stops and bike lanes, and is approximately one-half mile from 19<sup>th</sup> Street BART Station. This ease of access to public transportations will reduce the potential for traffic problems. In addition, conditions of approval will be included to address any potential negative impacts such as loitering.

- 2. That the proposal will not adversely affect adjacent or nearby churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds;**

This site is not abutting any civic related buildings. The closest civic buildings include Downton Oakland YMCA (2350 Broadway) and First Congregational Church of Oakland (2501 Harrison Street), but each are approximately 0.3 miles away and will not be impacted by Modern Times at 2410 Valdez Street.

- 3. That the proposal will not interfere with the movement of people along an important pedestrian street;**

This project includes establishing a tasting room for beer and cider with a primary entrance to be located along Valdez Street. This entrance will create an active ground floor commercial space to encourage pedestrian movement and activity, not interfere.

- 4. That the proposed development will be of an architectural and visual quality and character which harmonizes with, or where appropriate enhances, the surrounding area;**

Design Review for minor exterior alterations, including signage, will be reviewed under a separate permit.

- 5. That the design will avoid unduly large or obtrusive signs, bleak unlandscaped parking areas, and an overall garish impression;**

A condition of approval has been included to address signage, and all signage will be reviewed per the applicable design review guidelines to prevent large or obtrusive signs.

- 6. That adequate litter receptacles will be provided where appropriate;**

The business will contain litter receptacles at the interior per Condition of Approval #12 and Condition of Approval #16 (k) requires that staff clean the fronting public right-of-way daily.

- 7. That where the proposed use is in close proximity to residential uses, and especially to bedroom windows, it will be limited in hours of operation, or designed or operated, so as to avoid disruption of residents' sleep between the hours of ten p.m. and seven a.m. The same criteria**

shall apply to all conditional use permits required by subsection B of this section for sale of alcoholic beverages at full-service restaurants.

This site is across the street from two residential properties at 2346 Valdez Street and 2401 Valdez Street. This proposed tasting room is not expected to generate a volume of noise that would disrupt adjacent residents' sleep between 10:00pm-7:00am. The proposed hours include 11:00am-12:00am daily, but music will be at ambient levels only.

8. **That proposals for new Fast-Food Restaurants must substantially comply with the provisions of the Oakland City Planning Commission "Fast-Food Restaurant--Guidelines for Development and Evaluation" (OCPD 100-18).**

This finding is not applicable because the proposal does not involve a Fast Food Restaurant.

**Findings of Public Convenience or Necessity (OMC 17.103.030.B.3)**

- a. **That a community need for the project is clearly demonstrated. To demonstrate community need, the applicant shall document in writing, specifically how the project would serve an unmet or underserved need or population within the overall Oakland community or the community in which the project is located, and how the proposed project would enhance physical accessibility to needed goods or services that the project would provide, including, but not limited to alcohol.**

The addition of a tasting room for beer and cider would enhance and contribute to the entertainment-related services of this district, which is vital to the economic base of the City.

- b. **That the overall project will have a positive influence on the quality of life for the community in which it is located, providing economic benefits that outweigh anticipated negative impacts, and that will not result in a significant increase in calls for police service.**

The business will generate jobs and consumer options within the district and, as conditioned, is not anticipated to generate any need for police services.

- c. **That alcohol sales are customarily associated with, and are appropriate, incidental, and subordinate to, a principal activity on the lot.**

Alcoholic Beverage Sales are appropriate and typical for a tasting room. Also, Modern Times will provide non-alcoholic beverages, including coffee.

**Attachment B: Conditions**

**1. Approved Use**

***Ongoing***

- a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, staff report, and the plans dated **August 22, 2018 and received September 25, 2018** and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall require prior written approval from the Director of City Planning or designee.
- b) This action by the **City Planning Commission** ("this Approval") includes the approvals set forth below.  
This Approval includes:
  - i) ***Major Conditional Use Permit and Findings of Public Convenience or Necessity for an Alcoholic Beverage Sales Commercial Activity (bar/tasting room) at 2410 Valdez St Avenue.***

**1. Effective Date, Expiration, Extensions and Extinguishment**

This Approval shall become effective immediately, unless the Approval is appealable, in which case the Approval shall become effective in ten (10) calendar days unless an appeal is filed. Unless a different termination date is prescribed, this Approval shall expire **two years** from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period a complete building permit application has been filed with the Bureau of Building and diligently pursued towards completion, or the authorized activities have commenced in the case of a permit not involving construction or alteration. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Director of City Planning or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval, or its implementation, then the time period stated above for obtaining necessary permits for construction or alteration and/or commencement of authorized activities is automatically extended for the duration of the litigation.

**2. Compliance with Other Requirements**

The project applicant shall comply with all other applicable federal, state, regional, and local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Bureau of Building, Fire Marshal, Department of Transportation, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4.

**3. Minor and Major Changes**

- a. Minor changes to the approved project, plans, Conditions, facilities, or use may be approved administratively by the Director of City Planning.
- b. Major changes to the approved project, plans, Conditions, facilities, or use shall be reviewed by the Director of City Planning to determine whether such changes require submittal and approval of a revision to the Approval by the original approving body or a new independent permit/approval. Major revisions shall be reviewed in accordance with the procedures required for the original permit/approval. A new independent permit/approval shall be reviewed in accordance with the procedures required for the new permit/approval.

**4. Compliance with Conditions of Approval**

- a. The project applicant and property owner, including successors, (collectively referred to hereafter as the "project applicant" or "applicant") shall be responsible for compliance with all the Conditions of Approval and any recommendations contained in any submitted and approved technical report at his/her sole cost and expense, subject to review and approval by the City of Oakland.
- b. The City of Oakland reserves the right at any time during construction to require certification by a licensed professional at the project applicant's expense that the as-built project conforms to all applicable requirements, including but not limited to, approved maximum heights and minimum setbacks. Failure to construct the project in accordance with the Approval may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension, or other corrective action.
- c. Violation of any term, Condition, or project description relating to the Approval is unlawful, prohibited, and a violation of the Oakland Municipal Code. The City of Oakland reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings, or after notice and public hearing, to revoke the Approval or alter these Conditions if it is found that there is violation of any of the Conditions or the provisions of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance. This provision is not intended to, nor does it, limit in any manner whatsoever the ability of the City to take appropriate enforcement actions. The project applicant shall be responsible for paying fees in accordance with the City's Master Fee Schedule for inspections conducted by the City or a City-designated third-party to investigate alleged violations of the Approval or Conditions.

**5. Signed Copy of the Approval/Conditions**

A copy of the Approval letter and Conditions shall be signed by the project applicant, attached to each set of permit plans submitted to the appropriate City agency for the project, and made available for review at the project job site at all times.

**6. Blight/Nuisances**

The project site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within sixty (60) days of approval, unless an earlier date is specified elsewhere.

**7. Indemnification**

- a. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called "City") from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- b. Within ten (10) calendar days of the filing of any Action as specified in subsection (a) above, the project applicant shall execute a Joint Defense Letter of Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Joint Defense Letter of Agreement shall survive termination, extinguishment, or invalidation of the Approval. Failure to timely execute the Letter of Agreement does not relieve the project applicant of any of the obligations contained in this Condition or other requirements or Conditions of Approval that may be imposed by the City.

**8. Severability**

The Approval would not have been granted but for the applicability and validity of each and every one of the specified Conditions, and if one or more of such Conditions is found to be invalid by a court of competent jurisdiction this Approval would not have been granted without requiring other valid Conditions consistent with achieving the same purpose and intent of such Approval.

**9. Special Inspector/Inspections, Independent Technical Review, Project Coordination and Monitoring**

The project applicant may be required to cover the full costs of independent third-party technical review and City monitoring and inspection, including without limitation, special inspector(s)/inspection(s) during times of extensive or specialized plan-check review or construction, and inspections of potential violations of the Conditions of Approval. The project applicant shall establish a deposit with Engineering Services and/or the Bureau of Building, if directed by the Director of Public Works, Building Official, Director of City Planning, Director of Transportation, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

**10. Public Improvements**

The project applicant shall obtain all necessary permits/approvals, such as encroachment permits, obstruction permits, curb/gutter/sidewalk permits, and public improvement ("p-job") permits from the City for work in the public right-of-way, including but not limited to, streets, curbs, gutters, sidewalks, utilities, and fire hydrants. Prior to any work in the public right-of-way, the applicant shall submit plans for review and approval by the Bureau of Planning, the Bureau of Building, Engineering Services, Department of Transportation, and other City departments as required. Public improvements shall be designed and installed to the satisfaction of the City.

**11. Regulatory Permits and Authorizations from Other Agencies**

Requirement: The project applicant shall obtain all necessary regulatory permits and authorizations from applicable resource/regulatory agencies including, but not limited to, the Regional Water Quality Control Board, Bay Area Air Quality Management District, Bay Conservation and Development Commission, California Department of Fish and Wildlife, U. S. Fish and Wildlife Service, and Army Corps of Engineers and shall comply with all requirements and conditions of the permits/authorizations. The project applicant shall submit evidence of the approved permits/authorizations to the City, along with evidence demonstrating compliance with any regulatory permit/authorization conditions of approval.

When Required: Prior to activity requiring permit/authorization from regulatory agency

Initial Approval: Approval by applicable regulatory agency with jurisdiction; evidence of approval submitted to Bureau of Planning

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

**12. Trash and Blight Removal**

Requirement: The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. For nonresidential and multi-family residential projects, the project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users.

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### **13. Graffiti Control**

Requirement:

- a. During construction and operation of the project, the project applicant shall incorporate best management practices reasonably related to the control of graffiti and/or the mitigation of the impacts of graffiti. Such best management practices may include, without limitation:
  - i. Installation and maintenance of landscaping to discourage defacement of and/or protect likely graffiti-attracting surfaces.
  - ii. Installation and maintenance of lighting to protect likely graffiti-attracting surfaces.
  - iii. Use of paint with anti-graffiti coating.
  - iv. Incorporation of architectural or design elements or features to discourage graffiti defacement in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).
  - v. Other practices approved by the City to deter, protect, or reduce the potential for graffiti defacement.
- b. The project applicant shall remove graffiti by appropriate means within seventy-two (72) hours. Appropriate means include the following:
  - i. Removal through scrubbing, washing, sanding, and/or scraping (or similar method) without damaging the surface and without discharging wash water or cleaning detergents into the City storm drain system.
  - ii. Covering with new paint to match the color of the surrounding surface.
  - iii. Replacing with new surfacing (with City permits if required).

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

### **PROJECT SPECIFIC CONDITIONS**

#### **14. Exterior Changes**

Any exterior changes shall be reviewed and approved by the Director of the Bureau of Planning or his/her designee pursuant to the appropriate design review process.

#### **15. Signage**

Signage will be reviewed and approved pursuant to the Master Sign Program regulations under PLN18403.

#### **14. Alcoholic Beverage Sales**

##### **a. Additional Permits Required**

*Prior to commencement of activity*

A type 01 license shall be obtained from the ABC. This use shall conform to all provisions of the State ABC license. The state license and state conditions shall be posted along with these Conditional Use Permit conditions in a place visible to the public. This use shall also conform to all State Retail Operating Standards, Section 25612.5 of the Business and Professions Code and local Performance Standards, Section 15210, where applicable including any future changes in the above regulations. The intent of these standards is to reduce nuisance, litter, loitering, and crime associated with alcohol outlets. The City Conditions of Approval shall be forwarded to the Department of Alcoholic Beverage Control.



**b. Location and manner of alcohol consumption**

Alcohol sale is on-sale, for on-site consumption. Off-site sale is only permitted when tasting room is operating.

**c. Hours of Alcohol Sale**

Hours of alcohol sales are limited to the following: Sunday through Saturday, 11:00am to 12:00am. No alcoholic beverages shall be sold within fifteen minutes prior to closing time.

**d. Admittance**

Minors shall be admitted as demonstrated under Type 01 license.

**e. Staffing**

The establishment shall have at least two staff persons on-site at all times including security staff during busy hours.

**f. Staff training program**

The operator shall require new employees to complete a staff training program that includes training in the conditions of approval and ABC statutes and regulations.

**g. Staff to monitor site**

Staff of the business shall regularly monitor the bar and public right-of-way to discourage all nuisances including but not limited to discouraging loitering, littering, noise, graffiti, public drinking / intoxication / urination / violence, and noise.

**h. Entry**

Admission shall never be charged for events or otherwise.

**i. Cabarets**

No live music or DJ's are allowed without a Cabaret Permit from the City Administrator's Office.

**j. Limitation on Type of Alcohol Sales**

The business shall operate under a Type 01 License for the sale of beer and cider only, no other types of alcohol (wine, distilled spirits, etc) shall not be offered.

**15. Coordination/Outreach**

**a. ABAT Registration**

The operator shall register with the Police Department's Alcoholic Beverage Action Team and adhere to their regulations.

**b. Deemed Approved Alcoholic Beverage Sale Regulations**

The applicant and proprietor voluntarily agree to conform to the Oakland Planning Code Deemed Approved Alcoholic Beverage Sale Regulations (OMC Sec. 17.156).

**c. Crime Prevention Through Environmental Review (CPTED)**

The applicant shall request a CPTED review from the Oakland Police Department's Alcoholic Beverage Action Team (ABAT) and shall implement all recommendations to the extent practicable.

**d. Neighborhood outreach**

The business operator shall be accessible to neighbors wishing to register complaints against the business and

shall work to eliminate any nuisances related to the business as reported by neighbors. The establishment shall display signage inside the building and next to the exit discouraging the patrons from generating nuisances outdoors both fronting the building and within the neighborhood. The establishment shall display signage at the front entrance and behind the bar offering contact numbers for both the establishment and the City (CEDA Code Compliance at (510)238-3381 and OPD non-emergency at (510)777-3333) for the purpose of reporting nuisance

**16. Facility Management**

**a. Signage**

***Within 30 days of the date of decision and ongoing***

At least one sign (one square foot maximum) shall be posted and maintained in a legible condition at each public entrance to the building prohibiting littering and loitering. Required signage prohibiting open containers and drinking in public shall also be maintained in legible condition near each public entrance to bar. The "No Open Container" signs are available from the cashier located on the second floor of 250 Frank H. Ogawa Plaza.

**b. Advertising signage**

No product advertising signage (such as neon beer signs) or banners (such as happy hour advertisements) may be displayed.

**c. Pay Phones**

No pay phones are permitted outside the building.

**d. Building Code Upgrades**

***Prior to commencing approved activities***

The applicant shall obtain Building Permits and construct any building upgrades required to comply with the Building Code for occupancy requirements; it may be the case that no upgrades are required.

**e. Modifications**

***Prior to submitting for a building permit & ongoing***

All business signage and/or exterior alterations shall require Planning and Zoning Division approval.

**f. Nuisances**

Crime, litter, or disorderliness conduct associated with alcohol sales at the establishment shall result in a revocation of the Major Conditional Use Permit or a review to revoke.

**g. Performance standards**

***Ongoing***

The establishment shall adhere to performance standards for noise, odor, and all environmental effects of the bar activity as regulated under OMC Chapter 17.120.

**h. Loitering**

The owner, manager, and employees of this establishment shall make appropriate efforts to discourage loitering from the premises including calling the police to ask that they remove loiters who refuse to leave. Persons hanging around the exterior of the establishment with no apparent business for more than ten minutes shall be asked to leave. Techniques discussed in the manual entitled "Loitering: Business and Community Based Solutions" may be used and are recommended by the Alcoholic Beverage Action Team.

**i. Odor**

Staff shall eliminate outdoor odors by refraining from purposefully breaking defective bottles outside and by immediately washing spillage from bottles broken accidentally.

**j. Graffiti**

Graffiti shall be removed from the premises within 72 hours (3 days) of application.

**k. Trash and litter**

The licensees/property owners shall clear the gutter and sidewalks along Valdez Street and 24<sup>th</sup> Street plus twenty feet beyond the property lines along this street of litter twice daily or as needed to control litter. In addition to the requirements of B&P Code Section 25612.5 (sweep or mechanically clean weekly), the licensee shall clean the sidewalk with steam or equivalent measures once per month. The business shall utilize a recycling program.

**l. Noise**

The City Noise Ordinance (OMC Sec. 8.18.010) and Performance Standards (OMC Sec. 17.20.050) shall be observed for noise emanating from within the establishment from any source of recorded music and from patrons as well as from outdoor noise from patrons.

**m. Smoking**

The City Smoking Ordinance shall apply (OMC Sec. 8.30). Smoking shall only be located on the sidewalk over 25-feet from any entrance should such a location exist. Ashtrays shall be provided as necessary. The establishment shall provide signage inside the building and next to the exit to direct patrons to the proper location for smoking.

**n. Taxi call program**

*Ongoing*

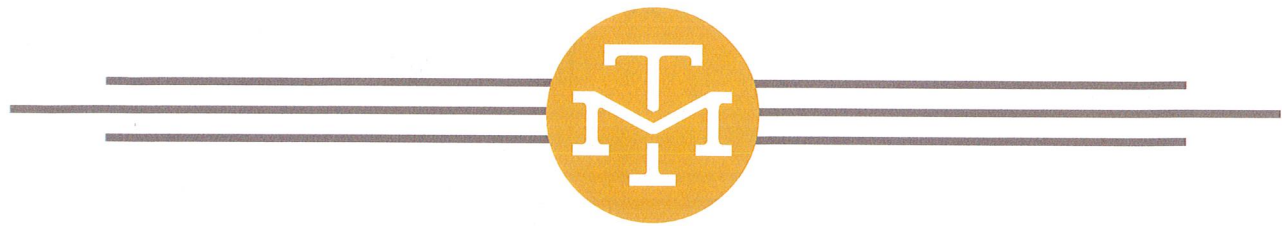
The establishment shall maintain a program of calling taxi cabs or rideshare for patrons on request for the purpose of preventing driving while intoxicated and shall maintain this service. Signage offering this service shall be displayed behind the bar.

**17. Compliance hearings**

Twelve months after the Certificate of Occupancy has been issued (or temporary Certificate of Occupancy if one is issued) for the tenant improvements, the applicant shall meet with the Zoning staff to review any complaints or other known issues that have arisen during the first 12 months of operation under this permit. If Zoning or Code Compliance staff are aware of complaints that would indicate significant non-compliance with any Conditions of Approval, the applicant shall submit for, and pay all appropriate fees consistent with the Master Fee Schedule, and such review will be concluded in the process provided for under Oakland Planning Code, which may include referral to the Planning Commission. The same process shall be repeated at 24 months after the Certificate of Occupancy is issued.

**APPROVED BY:**

City Planning Commission: \_\_\_\_\_ (date) \_\_\_\_\_ (vote)



# Modern Times Drinks, Inc.

2410 Valdez St.  
Supporting Documents



WILLIAM DAVID HARDISTER ARCHITECTS  
1000 WASHINGTON ST. SUITE 400  
OAKLAND, CA 94612

NOT FOR CONSTRUCTION

Modern Times  
Brewing - Oakland  
Tasting Room  
2400 Valdez St.  
Oakland, CA 94612

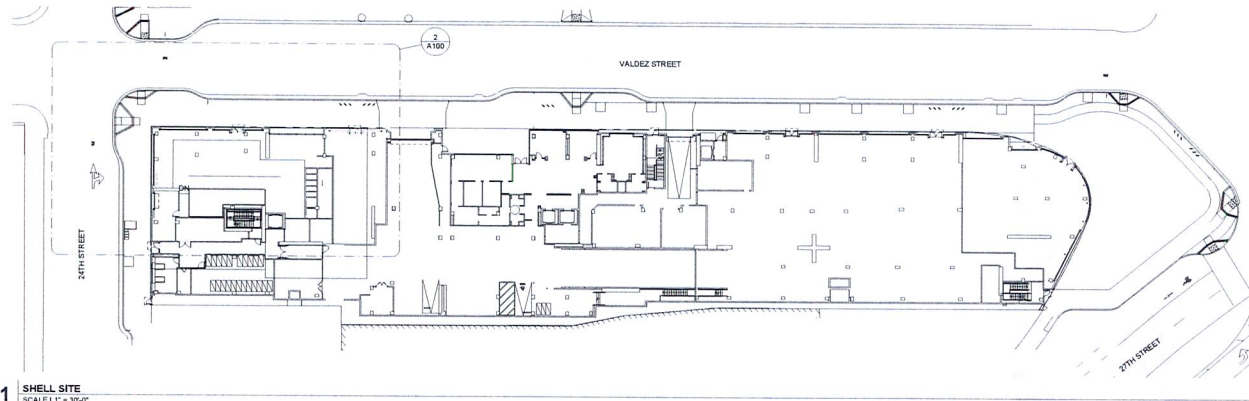


Project #18-094

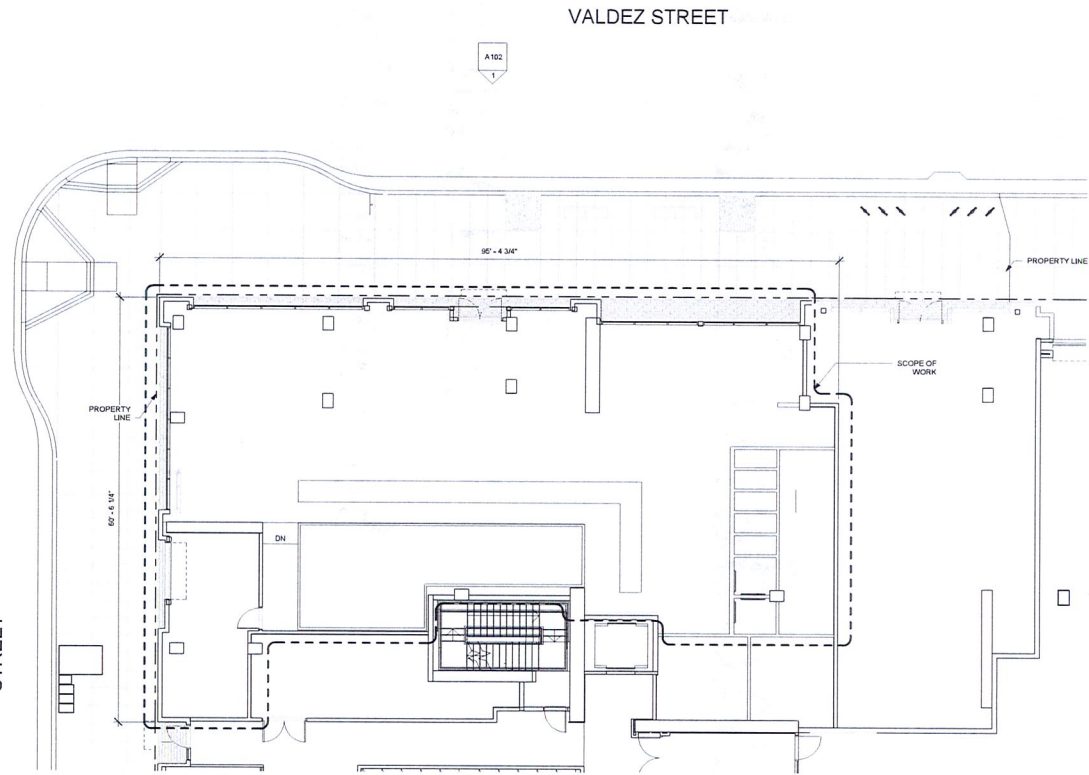
WILLIAM DAVID HARDISTER  
CUP APPLICATION  
08.22.2018  
REV: (DATE) (BY) (DATE)

**A100**  
CUP SITE PLAN

PROJECT NUMBER: 18-094



1 SHELL SITE  
SCALE | 1" = 30'-0"



2 T.I. SITE PLAN  
SCALE | 1/8" = 1'-0"

8/12/2018 1:33:48 PM P:\2018\18-094 Modern Times Oakland\Rev\A100\A100.dwg Modern Times Oakland.rvt



WILSON JACOBS ARCHITECTURE, P.A.  
8770 WILSON BLVD, SUITE 400  
FARMERS BRANCH, GA 30120

NOT FOR CONSTRUCTION

Modern Times  
Brewing - Oakland  
Tasting Room  
2455 Valdez Ct  
Oakland, CA 94612

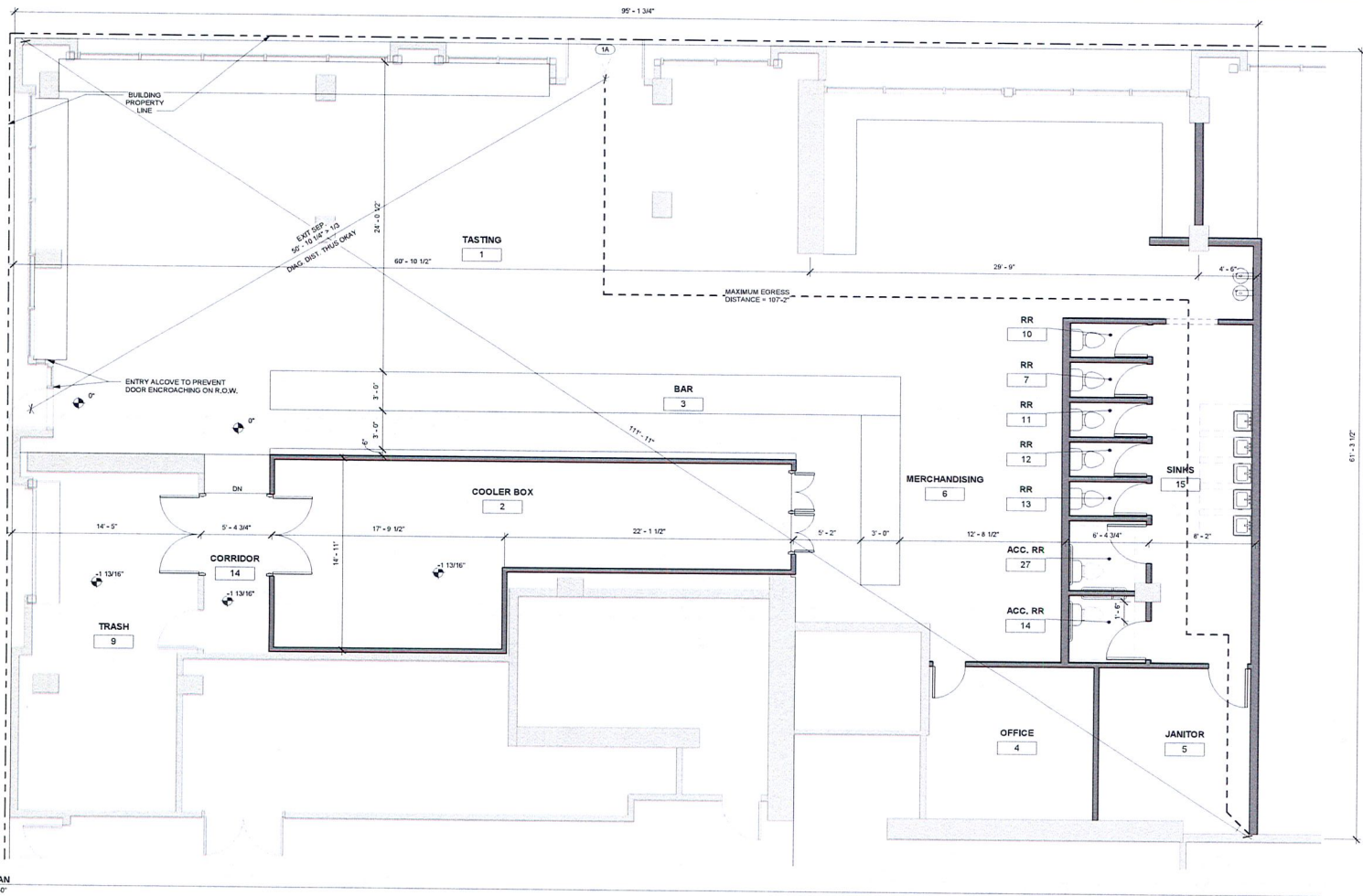


WILLIAM DAVID HARDISTER  
CUP APPLICATION  
06.22.2019  
REV: 04.24.2019 DATE:

**A101**  
CUP FLOOR PLAN

**PHASING LEGEND**

- NEW (I.I.) WALLS
- EXISTING (SHELLS) WALLS



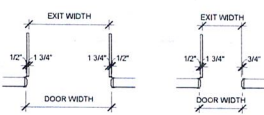
**1** EGRESS PLAN  
SCALE | 1/4" = 1'-0"

**OCCUPANT LOADING**

| ROOM NO. | ROOM NAME     | AREA    | ROOM OCCUPANCY         | OCCUPANCY FACTOR | OCCUPANT LOAD | EGRESS WIDTH REQ. | EXITS REQ. |
|----------|---------------|---------|------------------------|------------------|---------------|-------------------|------------|
| 1        | TASTING       | 1107 SF | A-ASSEMBLY - FIXED     | 15               | 74            | 14.8              | 1          |
| 2        | COOLER BOX    | 437 SF  | A-ASSEMBLY - ACCESSORY | 0                | 0             | 0                 | 0          |
| 3        | BAR           | 415 SF  | B-MERCANTILE           | 60               | 7             | 1.4               | 0          |
| 4        | OFFICE        | 151 SF  | B-BUSINESS             | 100              | 2             | 0.4               | 0          |
| 5        | JANITOR       | 143 SF  | A-ASSEMBLY - ACCESSORY | 0                | 0             | 0                 | 0          |
| 6        | MERCHANDISING | 237 SF  | B-MERCANTILE           | 60               | 4             | 0.8               | 0          |
| 7        | RR            | 16 SF   | A-ASSEMBLY - ACCESSORY | 0                | 0             | 0                 | 0          |
| 8        | STANDING ROOM | 1995 SF | A-ASSEMBLY - ACCESSORY | 0                | 211           | 42.2              | 1          |
| 9        | TRASH         | 309 SF  | A-ASSEMBLY - ACCESSORY | 0                | 0             | 0                 | 0          |
| 10       | RR            | 16 SF   | A-ASSEMBLY - ACCESSORY | 0                | 0             | 0                 | 0          |
| 11       | RR            | 16 SF   | A-ASSEMBLY - ACCESSORY | 0                | 0             | 0                 | 0          |
| 12       | RR            | 16 SF   | A-ASSEMBLY - ACCESSORY | 0                | 0             | 0                 | 0          |
| 13       | RR            | 16 SF   | A-ASSEMBLY - ACCESSORY | 0                | 0             | 0                 | 0          |
| 14       | ACC. RR       | 20 SF   | A-ASSEMBLY - ACCESSORY | 0                | 0             | 0                 | 0          |
| 15       | ACC. RR       | 201 SF  | A-ASSEMBLY - ACCESSORY | 0                | 0             | 0                 | 0          |
| 27       | ACC. RR       | 31 SF   | A-ASSEMBLY - ACCESSORY | 0                | 0             | 0                 | 0          |
|          |               | 4286 SF |                        |                  | 288           | 59.6              | 2          |

**EXIT SCHEDULE**

| Mark | Width |
|------|-------|
| 1A   | 72    |
| 1B   | 36    |
| 2    | 108   |



**2** EGRESS WIDTH  
SCALE | 1/4" = 1'-0"

**FIRE EXTINGUISHER NOTES**

- LOCATE FIRE EXTINGUISHERS (SIC) AS DIRECTED BY FIRE MARSHALL
- FIRE MARSHALL SHALL DETERMINE SIZE AND TYPE OF EXTINGUISHERS
- IN GENERAL, PROVIDE:
  - ONE 2A-10 BC FIRE EXTINGUISHER PER 3,000 SF AREA WITHIN 75 FOOT MAXIMUM TRAVEL DISTANCE
  - CLASS K FIRE EXTINGUISHER WITHIN 30 FEET OF COMMERCIAL FOOD HEAT PROCESSING EQUIPMENT
  - COMPLY WITH NFPA 10
  - PORTABLE FIRE EXTINGUISHERS DURING CONSTRUCTION WHERE REQUIRED BY 2012 IFC SECTION 3315.1

**EXIT ACCESS**

FULLY SPRINKLERED TYPE A-2 OCCUPANCY IN ACCORDANCE WITH SECTION 903.3.1.1 ALLOW TRAVEL DISTANCE OF 200' TO EXIT ACCESS. MAXIMUM TRAVEL DISTANCE FOR TENANT SPACE TO EXIT DISCHARGE IS 187'-2"

**EGRESS GENERAL NOTES**

- A MINIMUM OF 1.0 FOOT-CANDLES SHALL BE MAINTAINED OVER THE ENTIRE EGRESS PATH. THE BUREAU INSPECTOR WILL METER THE LIGHT LEVELS PROVIDED BY THE INSTALLED SYSTEM. THE CONTRACTOR IS RESPONSIBLE FOR THE DESIGN INSTALLATION, REQUESTING INSPECTIONS, AND MAKING CORRECTIONS AS REQUIRED
- ALL EMERGENCY LIGHTING, FIRE DETECTORS, COMMUNICATION DEVICES AND ALL OTHER REQUIREMENTS TO CONFORM TO THE 2016 CALIFORNIA STATE BUILDING CODE
- GENERAL CONTRACTOR SHALL COORDINATE WITH THE BUILDING OWNER WHEN CONNECTING TO EXISTING SPRINKLER AND ALARM SYSTEMS
- ACCESS CONTROL SYSTEM SHALL:
  - NOT REQUIRE KEYS, TOOLS, OR SPECIAL KNOWLEDGE TO OPERATE DOORS OR LOCKS WHEN TRAVELING IN THE DIRECTION OF EGRESS
  - ALLOW NORMAL AND EMERGENCY EGRESS THROUGH DOORS AT ALL TIMES
  - ALLOW DOORS REQUIRED TO HAVE FIRE RATINGS TO LATCH AT ALL TIMES

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WILLIAM DAVID HARDISTER INC.  
2400 GRAND AVENUE, SUITE 200  
OAKLAND, CA 94612

NOT FOR CONSTRUCTION

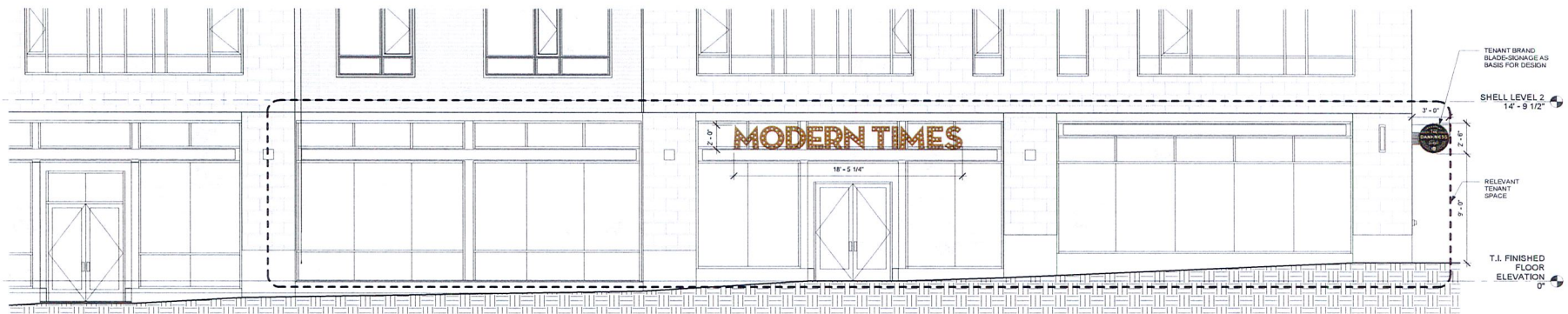
Modern Times  
Brewing - Oakland  
Tasting Room  
2400 Grand Ave  
Oakland, CA 94612



Project #19-094

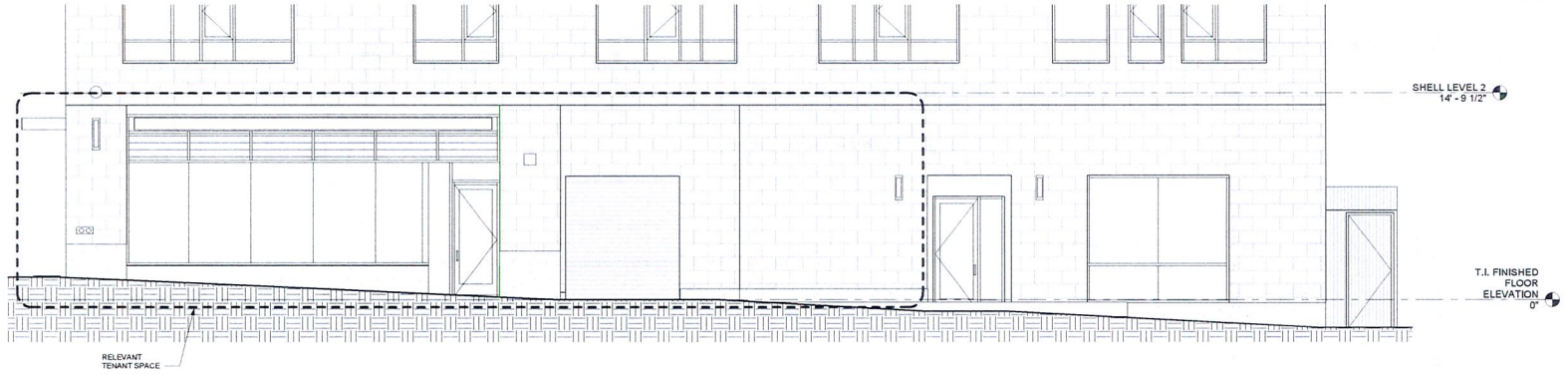
WILLIAM DAVID HARDISTER  
CUP APPLICATION  
08.22.2018  
REV: 18.10.18 DATE:

A102  
CUP ELEVATIONS



1 NORTH  
SCALE | 1/4" = 1'-0"

NOTE:  
ALL EXTERIOR WORK (EXCEPT SIGNAGE)  
SHALL BE COMPLETED UNDER SHELL PERMIT.  
TENANT IMPROVEMENT WORK SHALL BE  
LIMITED TO INTERIOR SCOPE



2 WEST  
SCALE | 1/4" = 1'-0"

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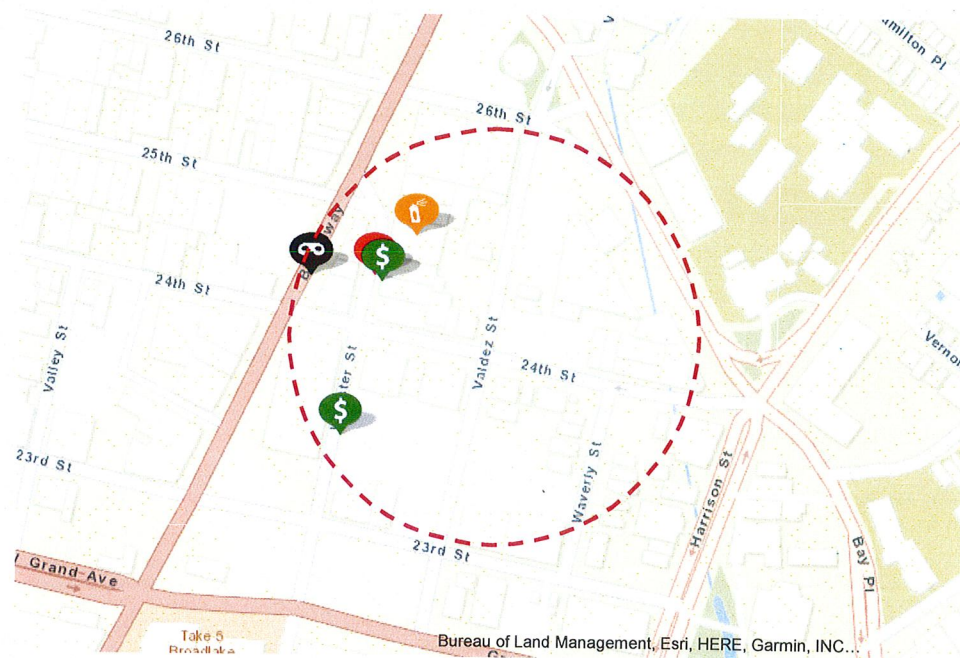
 Print

## CrimeMapping.com Map

Monday, October 29, 2018 through Sunday, November 25, 2018

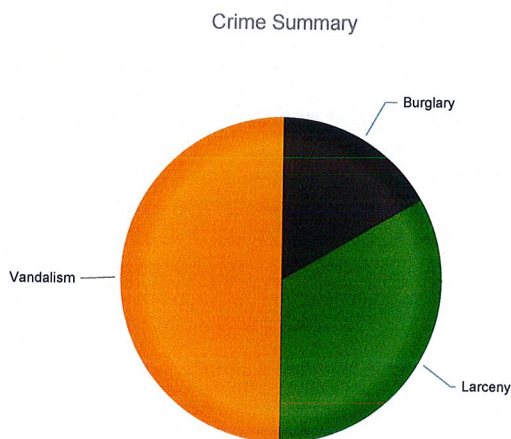
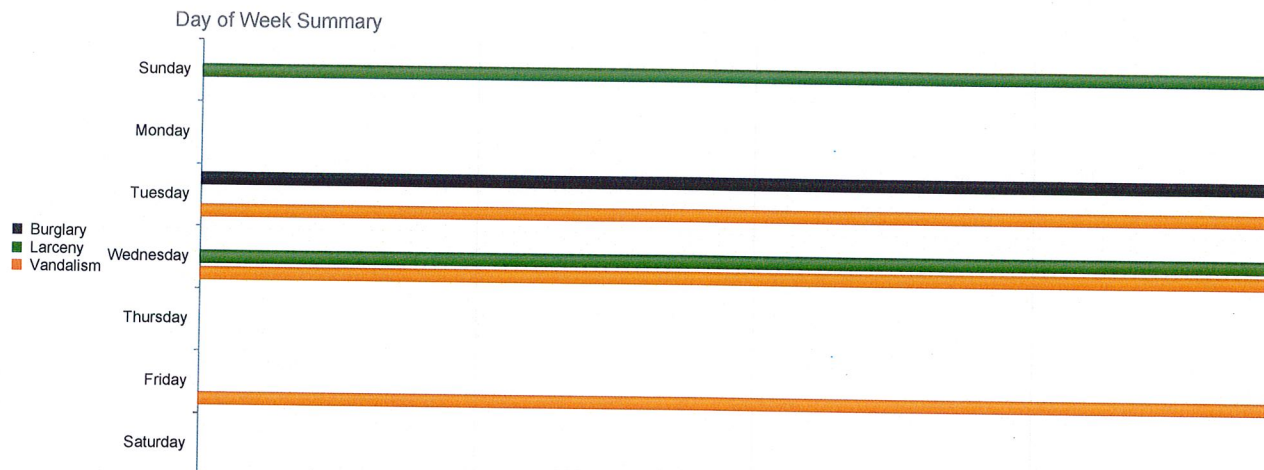
Showing crime types: Arson, Assault, Burglary, Disturbing the Peace, Drugs / Alcohol Violations, DUI, Fraud, Homicide, Motor Vehicle Theft, Robbery, Sex Crimes, Theft / Larceny, Vandalism, Vehicle Break-In / Theft, Weapons

Show crime report    Show crime chart



Grab the bottom/right borders to resize the map or the handle in the bottom right corner.

All representations on this map are distributed and transmitted "AS IS" without warranties of any kind, either express or implied including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. In no event shall CrimeMapping.COM become liable to users of these data for any loss or damages, consequential or otherwise, including but not limited to time, money, goodwill, arising from the use, operation or modification of the data. The visual presentation of data is being provided strictly as a courtesy, not as an obligation to its users.



**Crime Report**

| Type | Description                                | Incident # | Location | Agency         | Date               |
|------|--|------------|----------|----------------|--------------------|
|      | VANDALISM                                  | 18-916375  |          | Oakland Police | 11/14/2018 8:50 PM |
|      | VANDALISM                                  | 18-916341  |          | Oakland Police | 11/13/2018 6:25 PM |
|      | LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT) | 18-916261  |          | Oakland Police | 11/11/2018 9:10 PM |
|      | VANDALISM                                  | 18-916060  |          | Oakland Police | 11/9/2018 5:00 PM  |
|      | LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT) | 18-915939  |          | Oakland Police | 11/7/2018 6:00 PM  |
|      | BURGLARY - FORCIBLE ENTRY                  | 18-056463  |          | Oakland Police | 11/6/2018 9:45 PM  |



## California Department of Alcoholic Beverage Control

Save As CSV

## Active Retail Licenses

For the County of ALAMEDA and the Census Tract of 4035.01

Report as of: 11/25/2018

Rows Per Page:  

Total Licenses: 10

Page 1 of 1

Click on column header to sort

|    | <u>License Number</u>  | <u>Status</u> | <u>License Type</u> | <u>Orig. Iss. Date</u> | <u>Expir. Date</u> | <u>Primary Owner</u>               | <u>Business Name</u> | <u>Premises Addr.</u>  | <u>Geo Code</u> |
|----|------------------------|---------------|---------------------|------------------------|--------------------|------------------------------------|----------------------|--|-----------------|
| 1  | <a href="#">318940</a> | ACTIVE        | 21                  | 05/17/1996             | 06/30/2019         | GROCERY OUTLET INC                 | GROCERY OUTLET       | 2900 BROADWAY<br>OAKLAND, CA 94611<br><br>Census Tract: 4035.01                | 0109            |
| 2  | <a href="#">445511</a> | ACTIVE        | 47                  | 09/22/2008             | 08/31/2019         | DONG, HISUK THOMAS                 | MUA                  | 2442 WEBSTER ST, UNIT A<br>OAKLAND, CA 94612-3118<br><br>Census Tract: 4035.01 | 0109            |
| 3  | <a href="#">466474</a> | ACTIVE        | 21                  | 07/21/2008             | 06/30/2019         | ALDABASHI, SAGIA D                 | BROADWAY LIQUOR      | 2860 BROADWAY<br>OAKLAND, CA 94611-5709<br><br>Census Tract: 4035.01           | 0109            |
| 4  | <a href="#">484141</a> | ACTIVE        | 47                  | 06/14/2010             | 12/31/2018         | HABTE, MESERET                     | AU OAKLAND LLC       | 2430-2436 BROADWAY AVE<br>OAKLAND, CA 94612-2417<br><br>Census Tract: 4035.01  | 0109            |
| 5  | <a href="#">486191</a> | ACTIVE        | 41                  | 05/04/2010             | 04/30/2019         | TRUEBURGER LLC                     | TRUE BURGER          | 146 GRAND AVE<br>OAKLAND, CA 94612-3723<br><br>Census Tract: 4035.01           | 0109            |
| 6  | <a href="#">509455</a> | SUREND        | 47                  | 06/09/2011             | 12/31/2018         | HAWKER FARE INC                    | HAWKER FARE          | 2300 WEBSTER ST<br>OAKLAND, CA 94612-3116<br><br>Census Tract: 4035.01         | 0109            |
| 7  | <a href="#">537120</a> | ACTIVE        | 47                  | 03/04/2014             | 02/28/2019         | HEIGHTS RESTAURANT GROUP, LLC, THE | ALAMAR               | 100 GRAND AVE, STE 111<br>OAKLAND, CA 94612-3078<br><br>Census Tract: 4035.01  | 0109            |
| 8  | <a href="#">548263</a> | ACTIVE        | 21                  | 07/09/2015             | 05/31/2019         | GARFIELD BEACH CVS LLC             | CVS PHARMACY #10475  | 2964 BROADWAY<br>OAKLAND, CA 94611-5711<br><br>Census Tract: 4035.01           | 0109            |
| 9  | <a href="#">550704</a> | ACTIVE        | 41                  | 11/18/2014             | 10/31/2019         | OR, SOPHIA                         | SOPRANO'S PIZZA      | 326 23RD ST, STE A/B<br>OAKLAND, CA 94612-3785<br><br>Census Tract: 4035.01    | 0109            |
| 10 | <a href="#">563192</a> | ACTIVE        | 41                  | 11/20/2015             | 10/31/2019         | K & K GROUP, INC.                  | JUDOKU SUSHI         | 3314 PIEDMONT AVE<br>OAKLAND, CA 94611<br><br>Census Tract: 4035.01            | 0109            |





To Whom It May Concern:

This letter represents Visit Oakland's full support for the proposed Modern Times Beer project in Oakland's Uptown neighborhood at 2410 Valdez St. As the organizers and promoters of the Oakland Ale Trail we recognize the value craft beer offers both visitors and residents alike. We fully believe that a rising tide lifts all ships and that Modern Times Beer will help raise the awareness of Oakland's craft beer industry, which will be to the benefit of not just other local breweries, but of all the businesses that work within the industry (i.e. tour companies, bottle shops, craft beer focused restaurants).

Visit Oakland was very pleased to learn that Modern Times Beer is an employee owned company. We feel this is in line with the values of Oakland, and will help endear Modern Times to the community where other outside breweries have seen resistance.

If there are any questions about our support of Modern Times Beer, please do not hesitate to contact us.

A handwritten signature in black ink, appearing to read "Ben Taylor", is written over a faint, light-colored circular stamp.

Ben Taylor  
Destination Development Manager  
Visit Oakland

November 15, 2018

To Whom it May Concern:

It is our pleasure to write this letter of support for Modern Times Drinks, Inc.'s proposed project at 2410 Valdez Street. The values championed by Modern Times—and reflected in both their employees and patrons—fit perfectly with the values of Oakland, and their project would be a net benefit to the immediate community as well as the city at large.

The business model that has contributed to their stunning amount of growth has been, and always will be, one of strong business ethics, transparency, and meaningful investment in its employees, customers, and communities. This principled approach to progress is most recently evidenced by becoming California's first employee-owned brewery, a move which has created huge opportunities for their staff while creating a deep sense of stewardship and responsibility for everyone at the company.

The company is also well-known for their award-winning art-installations in community spaces, which are major components of all of their existing locations. They have taken public stances on the importance of public transportation, offering employees financial incentives to not drive to work and positioning locations close to public transit hubs, which they actively encourage their patrons to take advantage of.

Modern Times has also proven to be a responsible operator, operating five current locations in harmony with the surrounding communities. They have the requisite experience and the sincere desire to be good neighbors, with an experienced, proven focus on reducing noise, ensuring patrons are not overserved, and creating beneficial spaces in the neighborhood. None of the existing tasting rooms has ever had a single call for service, and they have maintained excellent relationships with local law enforcement, garnering a reputation as a benefit to neighborhoods. Modern Times believes deeply in improving any community they're involved in.

I believe that Modern Times would be beneficial to Oakland as a business, neighbor, and community partner.

Ron Silberstein  
Managing Member  
ThirstyBear Organic Brewery  
661 Howard St.  
San Francisco, CA 94105

Managing Member  
Admiral Maltings  
651A W. Tower Ave.  
Alameda, CA 94501  
[ron@thirstybear.com](mailto:ron@thirstybear.com)  
[ron@admiralmaltings.com](mailto:ron@admiralmaltings.com)  
451.307.1870

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Victoria Satow  
3732 Grand Ave, Apt 3, Oakland, CA 94610  
[Victoriasatow@gmail.com](mailto:Victoriasatow@gmail.com), 916.591.2689



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The company is also well-known for their award-winning art-installations in community spaces, which are major components of all of their existing locations. They have taken public stances on the importance of public transportation, offering employees financial incentives to not drive to work and positioning locations close to public transit hubs, which they actively encourage their patrons to take advantage of.

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Arizmendi Bakery, Lakeshore  
3265 Lakeshore Ave, Oakland, CA 94610  
[arizmendibakery@yahoo.com](mailto:arizmendibakery@yahoo.com), 510.268.8849



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Kary Hernandez  
1930 7th Ave Apt. 303 Oakland, CA 94606  
[HedezRuiz6@gmail.com](mailto:HedezRuiz6@gmail.com)

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Sandra Loera  
1930 7th, Oakland, CA. 94606  
[Sloera1217@gmail.com](mailto:Sloera1217@gmail.com)



To Whom it May Concern:

It is our pleasure to write this letter of support for Modern Times Drinks, Inc.'s proposed project at 2410 Valdez Street. The values championed by Modern Times—and reflected in both their employees and patrons—fit perfectly with the values of Oakland, and their project would be a net benefit to the immediate community as well as the city at large.

The business model that has contributed to their stunning amount of growth has been, and always will be, one of strong business ethics, transparency, and meaningful investment in its employees, customers, and communities. This principled approach to progress is most recently evidenced by becoming California's first employee-owned brewery, a move which has created huge opportunities for their staff while creating a deep sense of stewardship and responsibility for everyone at the company.

The company is also well-known for their award-winning art-installations in community spaces, which are major components of all of their existing locations. They have taken public stances on the importance of public transportation, offering employees financial incentives to not drive to work and positioning locations close to public transit hubs, which they actively encourage their patrons to take advantage of.

Modern Times has also proven to be a responsible operator, operating five current locations in harmony with the surrounding communities. They have the requisite experience and the sincere desire to be good neighbors, with an experienced, proven focus on reducing noise, ensuring patrons are not overserved, and creating beneficial spaces in the neighborhood. None of the existing tasting rooms has ever had a single call for service, and they have maintained excellent relationships with local law enforcement, garnering a reputation as a benefit to neighborhoods. Modern Times believes deeply in improving any community they're involved in.

I believe that Modern Times would be beneficial to Oakland as a business, neighbor, and community partner.

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Adam Burke  
5209 Cochrane Avenue  
Oakland, CA 94618





**November 14, 2018**

To Whom it May Concern:

I am writing this letter of support for Modern Times Drinks, Inc.'s proposed project at 2410 Valdez Street. I believe that Modern Times would be very beneficial to Oakland as a business, neighbor, and community partner.

My roots go deep in Oakland. My mother was born and raised in Oakland. My Grandparents home burned down in the 1991; they re-built and lived out their lives here in Oakland. For five years now, I have been a proud resident of Oakland. The law firm I work for, D'Andre Law, has had its office in Uptown Oakland (relocated from San Francisco) for five years as well.

It has been incredible to witness Oakland's glorious metamorphosis over the past five years while living and working in Oakland. And to compare it to my memories of growing up and hearing my grandparents' stories of Oakland. Oakland is now a place where everyone wants to be. And we want to share the uniqueness of our Town! A Modern Times facility would be the perfect way to bring locals together and draw greater, positive attention to Oakland. Modern Times has the necessary experience and drive to be a model business with stellar neighborhood, law enforcement and public relations.

Oakland is a place where I want to raise my family. Not only does Modern Times have the business ethics to steward community and family (it is California's first employee-owned brewery), they make AMAZING beer. Please help bring Modern Times to Oakland. Thank you.

Very truly yours,

Andrea J. Smith, Esq.  
*asmith@dandrelaw.com*

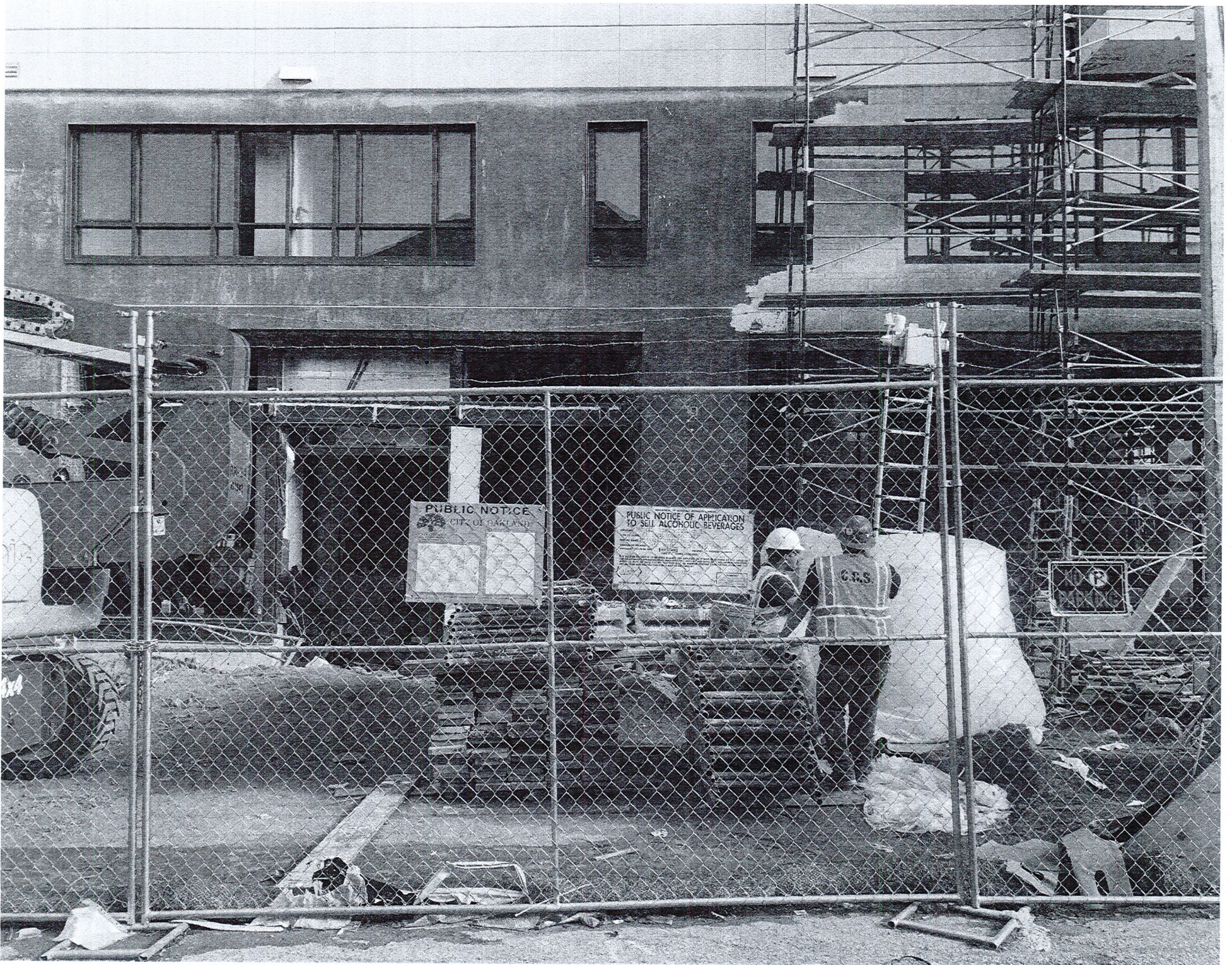
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Toll Free 1-800-600-5704 | [www.dandrelaw.com](http://www.dandrelaw.com)

Office Locations | Oakland | San Jose | Sacramento | Fresno | Orange County | Los Angeles County





PUBLIC NOTICE  
CITY OF OAKLAND

PUBLIC NOTICE OF APPLICATION  
TO SELL ALCOHOLIC BEVERAGES

G.R.S.