

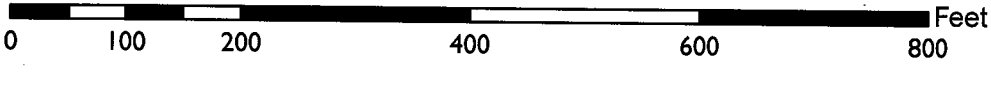
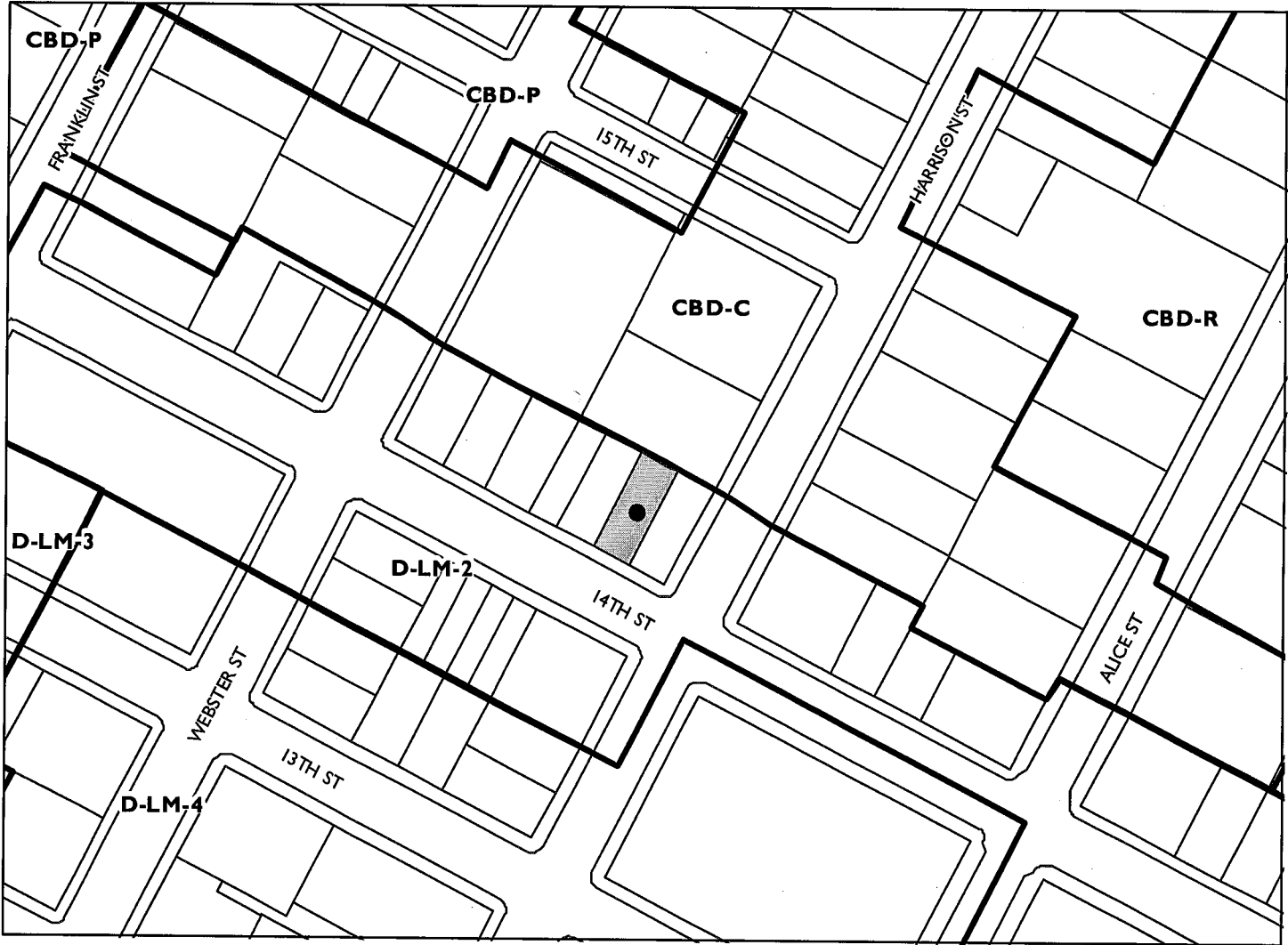
<b>Location:</b>	310 14 <sup>th</sup> Street (APN: 008-0625-046-00). (See map on reverse)
<b>Proposal:</b>	To establish a new Alcoholic Beverage Sales Activity, Type 48 Bar, within the "310 Gallery," a 3,544 square foot ground floor commercial space. Both the bar and gallery are proposed to have operating hours of 4:00pm-1:00am Sunday-Wednesday and 4:00pm-2:00am Thursday - Saturday.
<b>Applicant:</b>	Fabian & Badelle LLC dba The 310 Gallery
<b>Owner:</b>	Jane Yoon/JY 14 <sup>th</sup> LLC
<b>Planning Permits Required:</b>	Major Conditional Use Permit to allow the establishment of an Alcoholic Beverage Sales Activity; Findings of Public Convenience or Necessity in an over-concentrated area.
<b>General Plan:</b>	Central Business District
<b>Zoning:</b>	D-LM-2 Lake Merritt Station Area District Pedestrian 2 Commercial Zone
<b>Environmental Determination:</b>	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities; Section 15183: Projects consistent with the General Plan or Zoning.
<b>Historic Status:</b>	Not a Potentially Designated Historic Property (PDHP); Survey rating: Dc3
<b>City Council District:</b>	3
<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 Jose M. Herrera-Preza at 510-238-3808 or <a href="mailto:jherrera@oaklandnet.com">jherrera@oaklandnet.com</a>

**SUMMARY**

The applicant requests Planning Commission approval of a Major Conditional Use Permit with Findings for Public Convenience and Necessity to establish a Type 48 Alcohol Beverage Control (ABC) license to allow the sale of alcoholic beverages within an existing art gallery. The "310 Gallery" is a 3,544 square foot ground floor commercial retail space in the proposed "Black Arts Movement and Business District" on 14<sup>th</sup> Street. The proposed hours of operation for both the gallery and the bar are -from 4:00pm to 1:00am, Sunday through Wednesday, and 4:00pm to 2:00am, Thursday through Saturday.

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

# CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN16452  
Applicant: Fabian & Badelle LLC dba The 310 Gallery  
Address: 310 14th Street  
Zone: D-LM-2

**PROJECT DESCRIPTION**

The proposal is to establish a new alcoholic beverage sales activity within an existing art gallery at the ground floor of the building at 308-312 14<sup>th</sup> Street. The proposal requests a type 48 license from the California Department of Alcoholic Beverage Control (ABC) for the sale of liquor, beer and wine for on-site consumption and no minors admitted. The proposal will have operating hours of both the gallery and the bar are 4:00pm to 1:00am Sunday through Wednesday and 4:00pm to 2:00am Thursday through Saturday. The layout would consist of a 3,544 square foot interior space with an open floor plan and an art gallery display. The active space may be easily converted from an art gallery space into a limited service café with the addition of tables and chairs.

**PROPERTY DESCRIPTION**

The property consists of a 1.5 story commercial building at 308-312 14th Street, which is not a Designated Historic Property but is within close proximity to an Area of Primary Importance (API) and a number of local registered historic properties. Therefore, the building has been identified by the Oakland Cultural Historic Survey as a minor contributor to the API and has a rating of Dc3. The building was constructed in 1921-1922 and covers the entire parcel. The subject site is being occupied by a commercial retail art gallery and a limited service restaurant. Other land uses in close proximity include a convenience market, a sports bar and a barber shop. The site lacks on-site parking; however, the district contains on-street metered parking, BART, AC Transit and auto fee parking lots. The district consists of restaurants, bars, retail uses, consumer services, offices, and some residential uses.

**GENERAL PLAN ANALYSIS**

The property is located in the Central Business District area of the General Plan Land Use and Transportation Element (LUTE). The intent of the area is: "Encourage, support, and enhance the Central Business District as a high density, mixed use urban center of regional importance and a primary hub for business, communications, office, government, urban residential activities, technology, retail, entertainment, and transportation." The proposal to allow alcohol beverage sales in a commercial corridor that does not have a high number of ABC licenses conforms to this intent and to the following LUTE Policies and Objective:

Policy I/C1.2 Retaining Existing Business

Existing businesses and jobs within Oakland which are consistent with the long-range objectives of this Plan should, whenever possible, be retained.

Policy I/C3.2 Enhancing Business Districts.

Retain and enhance clusters of similar types of commercial enterprises as the nucleus of distinctive business districts, such as the existing new and used automobile sales and related uses through urban design and business retention efforts.

Policy I/C3.4 Strengthening Vitality.

The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved.

Neighborhood Activity Centers

Objective N10

Support and create social, informational, cultural, and active economic centers in the neighborhoods.

Staff finds the proposal, subject to Conditions of Approval, to conform to the General Plan.

## ZONING ANALYSIS

The property is located in the D-LM-2 Lake Merritt Station Area District Pedestrian-2 Commercial Zone. The intent of the D-LM-2 Zone is: "to create, maintain, and enhance areas of the Lake Merritt Station Area Plan District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential Activities." The following are permits required for the proposal, the reason each permit is required, and a discussion of each permit requested. These items are further discussed in the Key Issues and Impacts section of this report.

### Major Conditional Use Permit with Additional Findings

Section 17.103.030 of the Planning Code requires a Conditional Use Permit (CUP) for Alcoholic Beverage Sales Commercial Activities, as well as additional use permit criteria. The Planning Code requires additional review of these types of activities to ensure that they do not contribute to nuisances in the community, including both alcohol-related issues and discouragement of further business attraction.

On February 1, 2000, the Oakland City Council passed Resolution #75490 establishing a "No Net Increase" policy in the number of alcoholic beverage sales commercial activities in Oakland neighborhoods to protect the health, safety and welfare of residents. This resolution states that new off-sale and on-sale retail alcoholic beverage sales licenses should only be permitted for sites in the Central Business District or for other circumstances not related to this case. This proposal is consistent with Resolution 75490 because it is located in the Central District between 1<sup>st</sup> Street and 27<sup>th</sup> Street.

### Findings of Public Convenience or Necessity

This proposal also requires findings of Public Convenience or Necessity. These findings, modeled on State findings, are required for Alcoholic Beverage Sales to be established in an over-concentrated area for these uses.

"Alcoholic beverage license over-concentrated areas" means a police beat with crime rates that exceed the City median by twenty (20) percent or more or a census tract in which the per capita number of on-sale or off-sale retail Alcoholic Beverage Sales licenses exceeds the Alameda County median. The subject site is located in Census Tract 4029 where 46 ABC licenses exist and where more than four is considered over-concentrated. The site is within Police Beat 04X: an area which 2,176 reported crimes were reported during the first quarter of this year which is more than more than the 1,142 which is considered an over-concentrated.

Staff finds the proposal, as conditioned, to be in conformance with the Planning Code because the proposal will not have nuisance impacts on the neighborhood. This issue is further discussed in the "Key Issues and Impacts" Section 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*. The proposal for on-sale of alcoholic beverages from a alcohol beverage sales activity located in an existing art gallery commercial retail space meets this description: the project 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**

Staff recommends approval of the project because, as conditioned, the establishment will not have nuisance impacts on the neighborhood. These conditions are related to litter, loitering, hours of operation, noise, security and other issues. Condition 12 requires a compliance review within 6 and 12 months to assure the conditions are being adhered to by the operator. The site neighbors an existing Type 48 ABC License for "Halftime Sports Bar" and a Type 20 ABC License for "Lakeside Market" but no churches, elementary schools or athletic fields are nearby.

The subject site being in the Central Business District, where these types of activities are encouraged, will enhance downtown as a mixed use urban area of regional importance and a primary hub for entertainment. The proposal is also consistent with the "Black Arts Movement and Business District", proposed on 14<sup>th</sup> Street, and complements the entertainment activities in and around Central Business District. Further, the applicant has experience in the entertainment industry and putting on special events.

Therefore, staff recommends the Planning Commission grant the request, subject to the attached Conditions of Approval.

**RECOMMENDATIONS:**

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

Prepared by:



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Jose M. Herrera-Preza  
Planner II

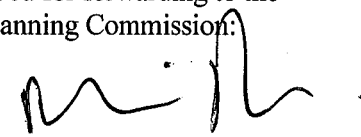
Reviewed by:



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Scott Miller  
Zoning Manager

Approved for forwarding to the  
City Planning Commission:



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Darin Ranelletti, Interim Director  
Department of Planning and Building

**ATTACHMENTS:**

- A. Findings
- B. Conditions of Approval
- C. Plans with elevations
- D. OPD Area Crime Statistics (Map & Table)
- E. Correspondence

**Attachment A**

**FINDINGS FOR APPROVAL**

**This proposal meets the required findings under General 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) under the Oakland Planning Code (Title 17).**

**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.**

The proposal to add alcoholic beverage sales to an existing art gallery in the Black Arts Movement and Business District, a burgeoning nightlife and entertainment district along 14<sup>th</sup> Street between Broadway and Lake Merritt, is compatible with the site and will complement the nearby businesses and enhance the pedestrian activity and night. The area consists of a combination of bars, full-service restaurants, limited service café's, offices, retail stores and is in close proximity to the Fox and Paramount Theatres. The proposal will further enhance this diversity of entertainment options within the district.

- 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.**

The open floor plan of the proposed activity will provide for the convenience display and viewing of art and can be easily converted to a café with the addition of tables and chairs. The commercial storefront will remain unchanged as an attractive storefront to the district.

- 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 region.**

The project will enhance the synergy of food and beverage services in the Black Arts Movement and Business District and will complement the numerous entertainment activities nearby. The proposal will bring more pedestrian and foot traffic to this area, therefore enhance the area as a regional entertainment hub.

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

Design Review for minor exterior alterations including signage will be filed under separate planning and building permits.

- E. That the proposal conforms in all significant respects with the Oakland General Plan and with any other applicable guidelines or criteria, district plan or development control map which has been adopted by the Planning Commission or City Council.**

The property is located in the Central Business District area of the General Plan Land Use and Transportation Element (LUTE). The intent of the area is: "To encourage, support, and enhance the

Central Business District as a high density, mixed use urban center of regional importance and a primary hub for business, communications, office, government, urban residential activities, technology, retail, entertainment, and transportation.” The proposal to add alcohol beverage sales to an existing business in a commercial area conforms to this intent and to the following LUTE Policies and Objective:

Policy I/C1.2 Retaining Existing Business

Existing businesses and jobs within Oakland which are consistent with the long-range objectives of this Plan should, whenever possible, be retained.

Policy I/C3.2 Enhancing Business Districts.

Retain and enhance clusters of similar types of commercial enterprises as the nucleus of distinctive business districts, such as the existing new and used automobile sales and related uses through urban design and business retention efforts.

Policy I/C3.4 Strengthening Vitality.

The vitality of existing neighborhood mixed use and community commercial areas should be strengthened and preserved.

DOWNTOWN

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.

Policy D.12.1 Promoting Oakland’s Strengths.

Build on and promote Oakland’s educational resources, historic importance as an entertainment venue, existing cultural diversity, and strong arts community.

Staff finds the proposal to add alcoholic beverage sales to an art gallery, subject to Conditions of Approval, conforms to the General Plan.

**Use Permit Criteria for Establishments Selling Alcoholic Beverages (OMC Sec. 17.103.030(A)):**

- A. 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;**

There is no church, elementary schools or athletic fields nearby. The property is also in the Central Business District, the most desirable location to concentrate night time entertainment activities in the City due to its proximity to public transportation and landmark destinations such as Lake Merritt and both the Fox and Paramount Theatres. The proposal being adjacent to a bar will not conflict with the proposed alcohol beverage sales activities since the proposal would be attracting two distinct demographics: one a sports bar and the proposed an art gallery with alcohol beverage sales. The subject site is in close proximity to several restaurants, retail business and residential uses. Conditions of approval will address the smoking, loitering, noise, and security impacts on any nearby residential activities. Condition 12 requires a compliance review within 6 and 12 months to assure the conditions are being adhered to by the operator.

- B. 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;**



The site is not abutting civic uses and will operate at different hours than civic uses located in the district.

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

The project involves an existing commercial space with one entrance along 14<sup>th</sup> Street and will not interfere with pedestrian movement.

- D. 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 separate permits.

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

The business will be located in a historic building built in 1920 and lacks on-site parking. Any proposed signage will conform to the style and character of the building and will not be large or obtrusive.

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

The business will contain litter receptacles at the interior and Condition of Approval #111 requires that staff clean the fronting public right-of-way daily.

- G. 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 10 p.m. and 7 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.**

The site is not adjacent to residences but is within close proximity to a residential building at 1425 Harrison Street. The proposal will be primarily an art gallery and have limited hours of operation. Art galleries typically do not create nuisances with the surrounding residential uses. Any type of amplified music would be subject to cabaret and special activity permits through the city administrator's office.

- H. 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; the proposal does not involve a Fast Food Restaurant.

**Findings of Public Convenience or Necessity (OMC Sec. 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; and

The project will enhance the synergy of food and beverage services in the "Black Arts Movement" entertainment district and will complement the numerous entertainment activities in the area.

- 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; and**

The project will enhance the Black Arts Movement District/ Central Business District area of the City as a regional nightlife and entertainment district, which will have a positive effect on the adjacent food and entertainment businesses.

- 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 for a bar type of business associated with an upscale art gallery business.

**CONDITIONS OF APPROVAL**

**STANDARD CONDITIONS:**

**1. Approved Use**

The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **PLN16452** and the approved plans **dated December 12, 2016**, as amended by the following conditions of approval and mitigation measures, if applicable (“Conditions of Approval” or “Conditions”).

**2. 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 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 all necessary permits for construction or alteration have been issued, 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.

**3. 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, 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.

**4. 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.

**5. 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.

**6. 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.

**7. Blight/Nuisances**

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

**8. 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.

**9. 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.

**SPECIFIC CONDITIONS RELATED TO ALCOHOL BEVERAGE SALES**

**10. Alcoholic Beverage Sales**

- a. **Additional Permits Required**

***Prior to commencement of activity***

A type 48 license shall be obtained from the ABC. The license must be obtained from existing stock within the City limits to the extent practicable pursuant to City Council Resolution No. 75490 (2000). 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.

**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 nuisances.

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

Alcohol sale is on-sale, for on-site consumption only.

**f. Hours of Alcohol Sale**

Applicant has voluntarily agreed to hours of alcohol sales at the bar and gallery shall only be from 4:00pm until no later than 12:45am Sunday through Wednesday and 4:00pm until no later than 1:45 Thursday through Saturday.

**g. Admittance**

No minors shall be admitted at any time.

**h. Staffing**

The establishment shall have at least two staff persons on-site at all times including at least one security guard commencing at 9:00pm until thirty (30) minutes after closing.

**i. 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.

**j. 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.

**k. Entry**

Admission shall never be charged for events or otherwise.

**l. Cabarets**

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

**11. 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. 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.

**g. Odor**

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

**h. Graffiti**

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

**i. Trash and litter**

The licensees/property owners shall clear the gutter and sidewalks along 14th 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.

**j. 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.

**k. Smoking**

The City Smoking Ordinance shall apply (OMC Sec. 8.30). Smoking shall only be located in the front of the building on the public sidewalk 25-feet to the north (left) of the doorway only due to the proximity of neighbors on-site to the rear and right of the building and State law. Ashtrays shall be provided adjacent to the entrance to prevent littering of cigarette butts. The establishment shall provide signage inside the building and next to the exit to direct patrons to the proper location for smoking. No smoking shall be permitted in the rear yard area.

**l. 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.

**m. Security cameras**

The applicant has voluntarily agreed to install two additional high definition security cameras facing in either direction of the bar entrances along the 14th Street. frontage, one outside the restrooms and two at the art display area. Closed circuit television (CCTV) shall be installed and maintained in good working order and utilized for surveillance, including the cash register areas, at all times while the store is open to the public and shall record transactions. Recordings shall be retained for a minimum of two weeks.

**12. Compliance hearings**

Six months after the ABC license has been issued (or temporary Certificate of Occupancy if one is issued), the applicant shall meet with the Zoning staff to review any complaints or other known issues that have arisen during the first 6 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 12 months after the Certificate of Occupancy is issued.

**APPROVED BY:**

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

***CONDITIONS OF APPROVAL***



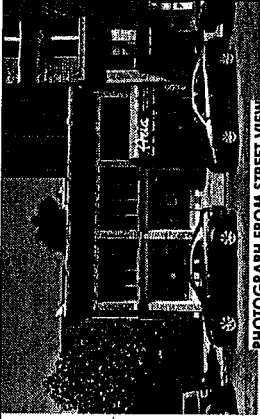
Susan L. Woolan  
Architect

4400 Dowdport Avenue  
Oakland, CA 94612  
Phone: (510) 438-1419  
www.susanwoolan.com

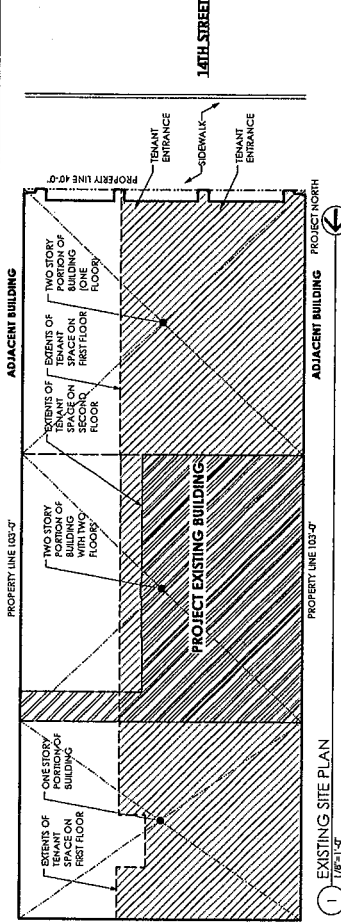


CONSULTANTS

# Attachment C



PHOTOGRAPH FROM STREET VIEW



## MISC INFORMATION

PARCEL NUMBER: 008 062504600  
ZONING: DUM-2  
OCHS RATING: D-C3  
ORIGINAL CONSTRUCTION DATE: 1921-22  
TYPE OF CONSTRUCTION:  
STORIES: TWO  
TOTAL EXISTING LOT AREA: (PER ASSESSOR PARCEL DIMS) 4120 SF  
BUILDING FOOTPRINT AREA: 4070 SF  
EXISTING TENANT AREA: 3544 SF  
FIRST FLOOR: 3254 SF  
SECOND FLOOR: 324 SF

TENANT  
Fisher & Toddle LLC

PROJECT ADDRESS  
310 1/2 14th Street  
Oakland, CA 94612

PROJECT  
ART GALLERY  
conditional  
use permit

REVISIONS

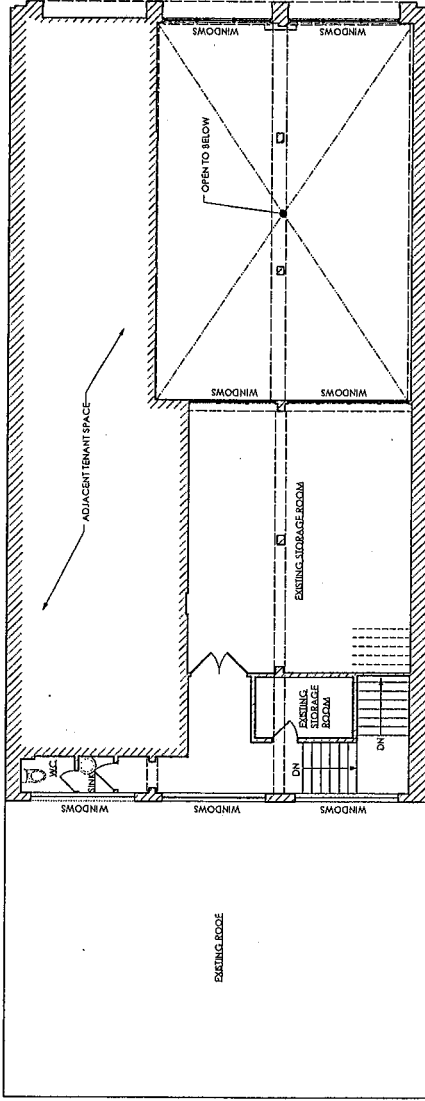
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DATE: 11/27/2016  
JOB NO.: 16-14  
DRAWN BY: SLW  
SCALE: AS SHOWN

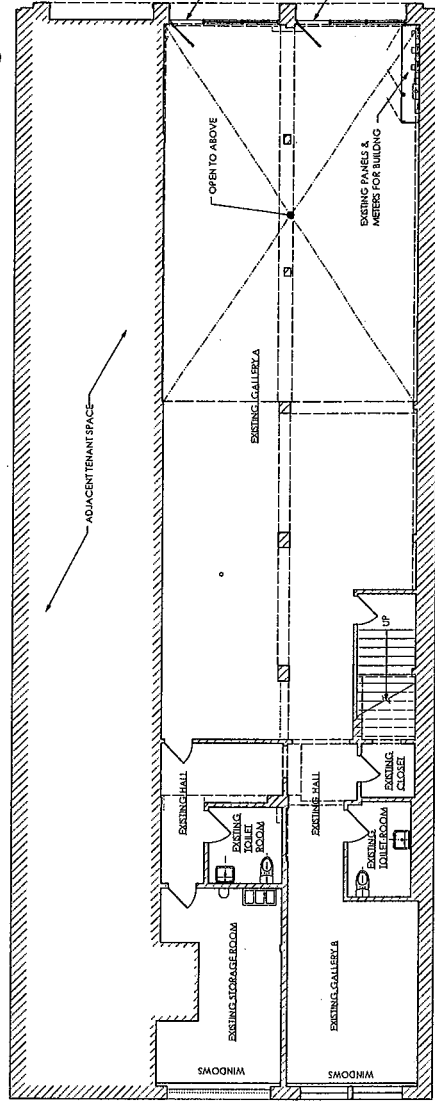
DRAWING  
MISC INFO,  
SITE PLAN &  
FLOOR PLANS &  
SHEETS

A1

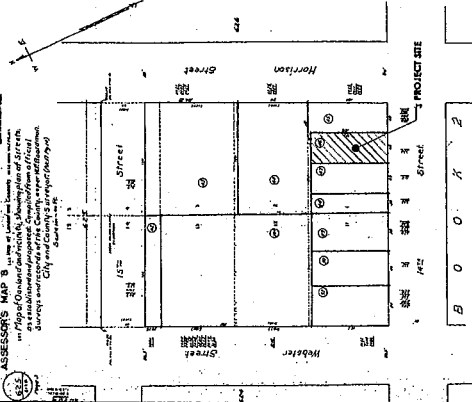
DATE PLOTTED: 11/27/2016 11:14:37 AM  
PLOTTER: HP DesignJet T1300E



EXISTING SECOND FLOOR  
3/16/14-17



EXISTING FIRST FLOOR  
3/16/14-17



Assessor's Map No. 160148  
Map Date: 11/25/2014  
Application Status: COMPLETE  
Application Review Status: OK  
Application Type: CONDITIONAL USE PERMIT  
Applicant: FISHER & TODDLE, LLC  
Owner Address: 310 1/2 14TH STREET, OAKLAND, CA 94612  
Parcel No.: 008 062504600  
Description of Property: ART GALLERY  
Contact Name: Susan Woolan  
Contact Phone: (510) 438-1419  
Contact Email: susan@woolan.com

Category	Item	Value
Job Values	Job No.	16-14
	Job Description	ART GALLERY
	Total Fee Assessment	\$25,000
	Total Fee (Incl. Tax)	\$25,000
Miscellaneous	Application Fee	\$1,500
	Plan Check Fee	\$1,500
	Permit Fee	\$12,000
Conditional Use Permit	Number of Employees	3
	Number of Occupants	25
	Number of Hours per Week	40
	Number of Days per Week	5
Customer Fees	Plan Check Fee	\$1,500
	Permit Fee	\$12,000
	Impact Fee	\$11,000
	Other Fees	\$500

Susan L. Woolan  
Architect

449 Divisadero Avenue  
Oakland, California 94617  
Telephone: (510) 845-8400  
email: slwool@earthlink.net



CONSULTANTS

TEAM  
Fashion & Bobbie LLC

PROJECT ADDRESS  
3101 14th Street  
Oakland, CA 94612

PROJECT  
ART GALLERY  
USE PERMIT  
USE PERMIT

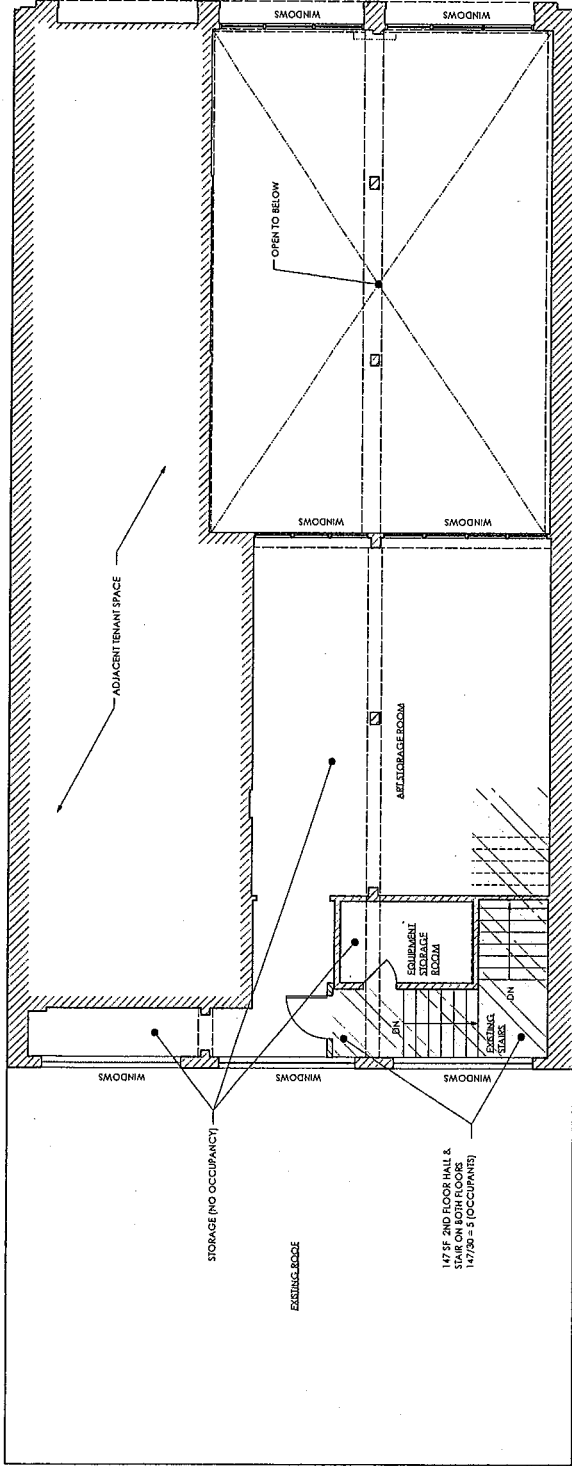
REVISIONS

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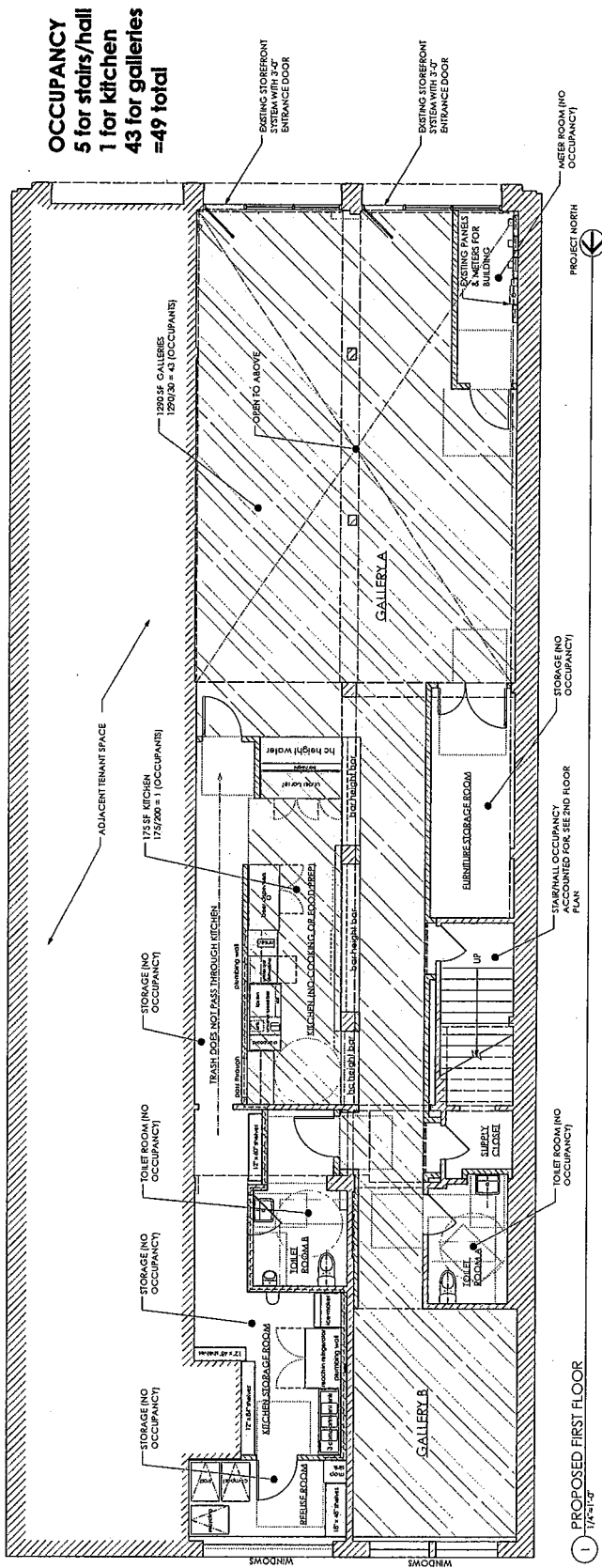
DATE: 12/28/2014  
JOB NO.: 14-14  
DRAWN BY: SLW  
SCALE: AS SHOWN

EXISTING  
FLOOR PLANS  
EXISTING PLANS

SHEET  
**A2-0**  
EXISTING FLOOR PLANS



2 PROPOSED SECOND FLOOR  
1/4"=1'-0"



1 PROPOSED FIRST FLOOR  
1/4"=1'-0"

**OCCUPANCY**  
5 for stairs/hall  
1 for kitchen  
43 for galleries  
=49 total

EXISTING STORAGE SYSTEM WITH 3"0" ENTRANCE DOOR

EXISTING STORAGE SYSTEM WITH 3"0" ENTRANCE DOOR

MEET ROOM (NO OCCUPANCY)

STORAGE (NO OCCUPANCY)

STAIRWELL OCCUPANCY (NO OCCUPANCY) AS SHOWN FOR SEEING FLOOR PLAN

TOILET ROOM (NO OCCUPANCY)

TOILET ROOM (NO OCCUPANCY)

TOILET ROOM (NO OCCUPANCY)

1200 SF GALLERIES  
1200/30 = 40 (OCCUPANTS)

175 SF KITCHEN  
175/200 = 1 (OCCUPANTS)

TOILET ROOM (NO OCCUPANCY)

STORAGE (NO OCCUPANCY)

STORAGE (NO OCCUPANCY)

STORAGE (NO OCCUPANCY)

OPEN TO ABOVE

TRASH DOES NOT PASS THROUGH KITCHEN

TOILET ROOM (NO OCCUPANCY)

TOILET ROOM (NO OCCUPANCY)

TOILET ROOM (NO OCCUPANCY)

OPEN TO ABOVE

TRASH DOES NOT PASS THROUGH KITCHEN

TOILET ROOM (NO OCCUPANCY)

TOILET ROOM (NO OCCUPANCY)

TOILET ROOM (NO OCCUPANCY)

TOILET ROOM (NO OCCUPANCY)

PROJECT NORTH

PROJECT NORTH

PROJECT NORTH

PROJECT NORTH

PROJECT NORTH

# MISC INFORMATION

PARCEL NUMBER: 008 062504600  
 ZONING: DLM-2  
 OCHS RATING: DC3  
 ORIGINAL CONSTRUCTION DATE: 1921-22  
 TYPE OF CONSTRUCTION (NO CHANGE): TWO  
 STORIES (NO CHANGE): TWO  
 MIN FRONT SETBACK (NO CHANGE): 0'-0"  
 MAX FRONT SETBACK (NO CHANGE): 5'-0"  
 MIN SIDE SETBACK (NO CHANGE): 0'-0"  
 TOTAL EXISTING LOT AREA (NO CHANGE): 4159.81 SF  
 EXISTING TENANT AREA (NO CHANGE): 3544 SF  
 FIRST FLOOR: 2610 SF  
 SECOND FLOOR: 934 SF  
 PREVIOUS OCCUPANCY: MARKET (B-2 AT TIME, NOW B)  
 PROPOSED OCCUPANCY: ART GALLERY (B PER 303.1.1)  
 PROPOSED OCCUPANCY LOAD: 49

**MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT**  
**BUILDING FUNCTION : OCCUPANY LOAD FACTOR**  
**ASSEMBLY- EXHIBIT GALLERY : 30 NET**  
**ACCESSORY FUNCTIONS : OCCUPANY LOAD FACTOR**  
**KITCHENS, COMMERCIAL : 200**

**SECTION 303**  
**ASSEMBLY GROUP A**  
 303.1.1 Small buildings and tenant spaces.  
 A building or tenant space used for assembly purposes with an occupant load of less than 50 persons shall be classified as a Group B occupancy.

## PROJECT DESCRIPTION

TENANT IMPROVEMENT IN EXISTING SPACE TO CREATE AN ART GALLERY

PLUMBING FIXTURE COUNT PER OCCUPANT LOAD

## ABBREVIATIONS

ADD	ADDITIONAL	(R)	REMOVED
ADJ.	ADJUSTABLE	R	RADIUS
AFF	ABOVE FIN FL	R.A.G.	RETURN AIR GRILL
AVE	AVENUE	REF.	REFRIGERATOR
BLDG	BUILDING	REQ	REQUIRED
BLVD	BOULEVARD	RWL	RAIN WATER LEADER
BOT.	BOTTOM	S.A.G.	SUPPLY AIR GRILL
CLG	CEILING	SC	SOLID CORE
CONC.	CONCRETE	SECT	SECTION
COND	CONDITIONED	S.F.	SQUARE FEET
CONSTR	CONSTRUCTION	SIM.	SIMILAR
DBL	DOUBLE	SL, SLDR	SLIDER
DIA.	DIAMETER	S.S.	STAINLESS STEEL
DIM.	DIMENSIONS	S.S.D.	SEE STRUCTURAL DRAWINGS
DR	DOOR	ST	STREET
EA.	EACH	T.B.	TOWEL BAR
ELEV.	ELEVATION	TBD	TO BE DECIDED
(E), EXIST	EXISTING	TEMP	TEMPERED
EQ.	EQUAL	THK	THICK
FDN	FOUNDATION	T.P.H.	TOILET PAPER HOLDER
F.F.	FINISHED FLOOR	TYP.	TYPICAL
FIN	FINISHED	U.O.N.	UNLESS OTHERWISE NOTED
FL.	FLOOR	V.C.T.	VINYL COMPOSITION TILE
F.O.F.	FACE OF FINISH	VERT.	VERTICAL
FURN	FURNACE	V.I.F.	VERIFY IN FIELD
FXD	FIXED	W/	WITH
GYP. BD.	GYPSUM BOARD	WD	WOOD
HT	HEIGHT	W/H	WATER HEATER
INFO.	INFORMATION	W.O.	WHERE OCCURS
INSUL.	INSULATION		
INT.	INTERIOR		
LAV.	LAVATORY		
LIN.	LINOLEUM		
LOC.	LOCATION		
MAT	MATERIAL		
MAX.	MAXIMUM		
MECH.	MECHANICAL		
MFR	MANUFACTURER		
MIN.	MINIMUM		
MISC.	MISCELLANEOUS		
(N)	NEW		
N/A	NOT APPLICABLE		
N.I.C.	NOT IN CONTRACT		
NTS	NOT TO SCALE		
O.C.	ON CENTER		
OPNG	OPENING		
PBO	PROVIDED BY OWNER		
PERF	PERFORATED		
PROP.	PROPOSED		
P/T	PRESSURE TREATED		

### MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES

**A-3 EXHIBIT HALLS**  
 water closets M : 1 + URINAL & F : 1  
 lavatories : 1  
 drinking fountains : 1  
 1 service sink

### TABLE 2902.1

### MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES

**A-3 EXHIBIT HALLS**  
 water closets M: 1 per 125 & F: 1 per 65  
 lavatories : 1 per 200  
 drinking fountains : 1 per 500  
 1 service sink

## GENERAL REQUIREMENTS

THIS PROJECT SHALL COMPLY WITH THIS PROJECT SHALL COMPLY WITH CURRENT UBC, UMC, UPC, NEC, CBC, CMC, CEC, CPC, AS AMENDED BY THE CITY OF OAKLAND.

TITLE PAGE
A1-0 NEW FLOOR PLAN
A2-0 WEST,NORTH,SOUTH ELEVATION
A2-2 EAST AND STORAGE ROOM ELEVATION
P INTERIOR PICTURES



PHOTOGRAPH FROM STREET VIEW


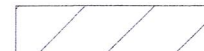
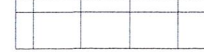
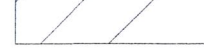



V FABRICATION & DESIGN INC. 1020 FACTORY STREET RICHMOND, CALIFORNIA 94801 510 590 6541 WWW.VFABRICATION.COM	<b>310 GALLERY</b> 310 14TH STREET OAKLAND, CALIFORNIA 94612	MISC. INFORMATION AND SITE PLAN	
		NOTES	SCALE
			TITLE

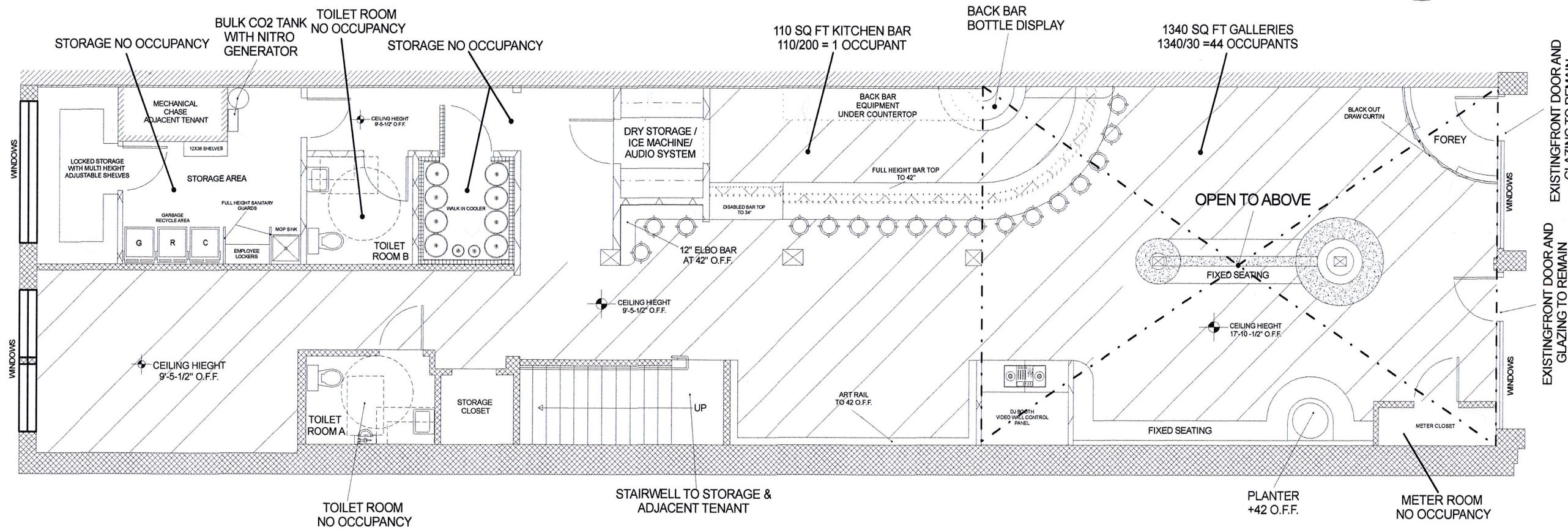
SECTION 303  
ASSEMBLY GROUP A

303.1.1 Small buildings and tenant spaces.  
A building or tenant space used for assembly purposes with an occupant load of less than 50 persons shall be classified as a Group B occupancy.

GENERAL REQUIREMENTS

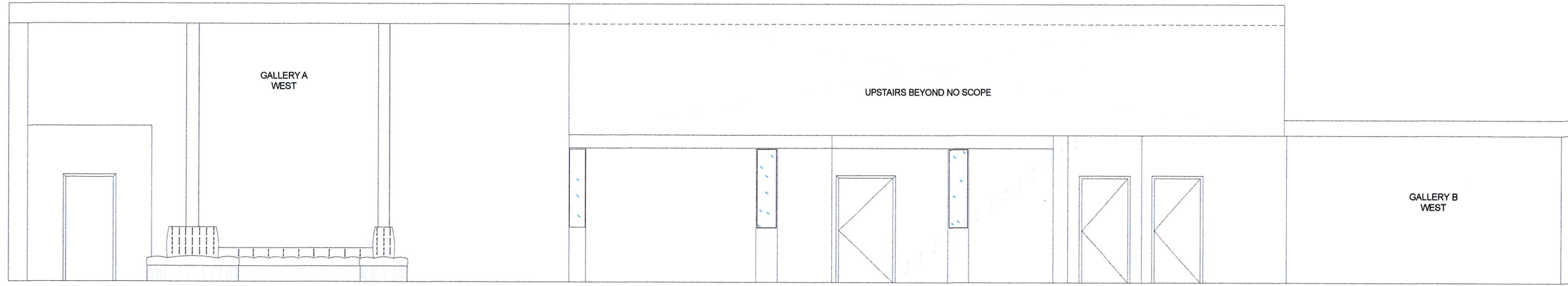
THIS PROJECT SHALL COMPLY WITH THIS PROJECT SHALL COMPLY WITH CURRENT UBC, UMC, UPC, NEC, CBC, CMC, CEC, CPC, AS AMENDED BY THE CITY OF OAKLAND.

-  EXISTING STRUCTURE TO BE UNTOUCHED
-  ADJACENT BUILDING ENVELOPE
-  FOAM ON WOOD FRAMED REFRIGERANT PANEL
-  NOTES EXISTING CEILING TO BE UNTOUCHED
-  NEW FRAMING
-  CEILING HEIGHT NOTES EXISTING CEILING HEIGHTS
-  NOTES OPEN CEILING HEIGHT

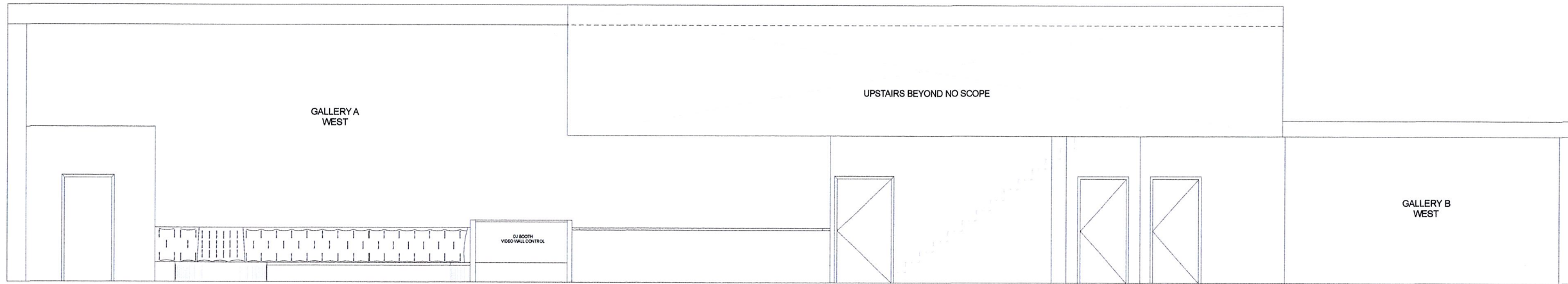


1 NEW FLOOR PLAN  
SCALE 1/4" = 1'-0"

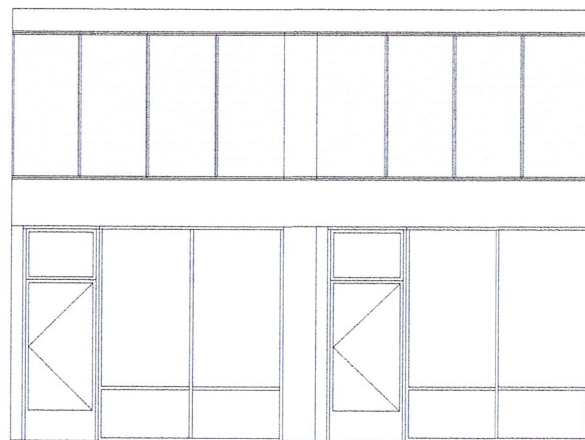
<b>NEW FLOORPLAN</b>	SCALE 1/8"=1'-0" <b>A1-0</b>
NOTES	
<b>310 GALLERY</b> 310 14TH STREET OAKLAND, CALIFORNIA 94612	
<b>V FABRICATION &amp; DESIGN INC.</b> 10000 RICHMOND STREET RICHMOND, CALIFORNIA 94801 510.590.6541 WWW.VFABRICATION.COM	



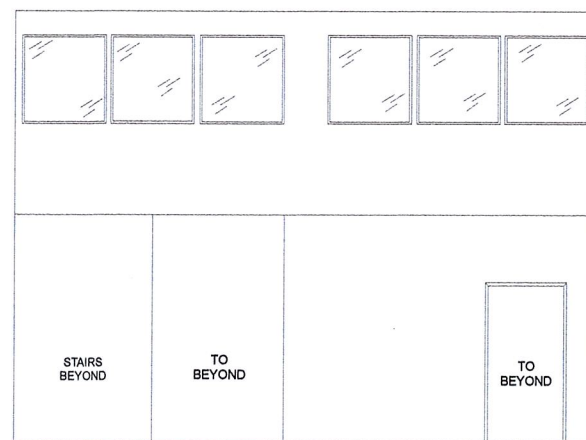
WEST ELEVATION (WITH SUPPORT COLUMNS SHOWN)



WEST ELEVATION (WITH SUPPORT COLUMNS NOT SHOWN)



SOUTH

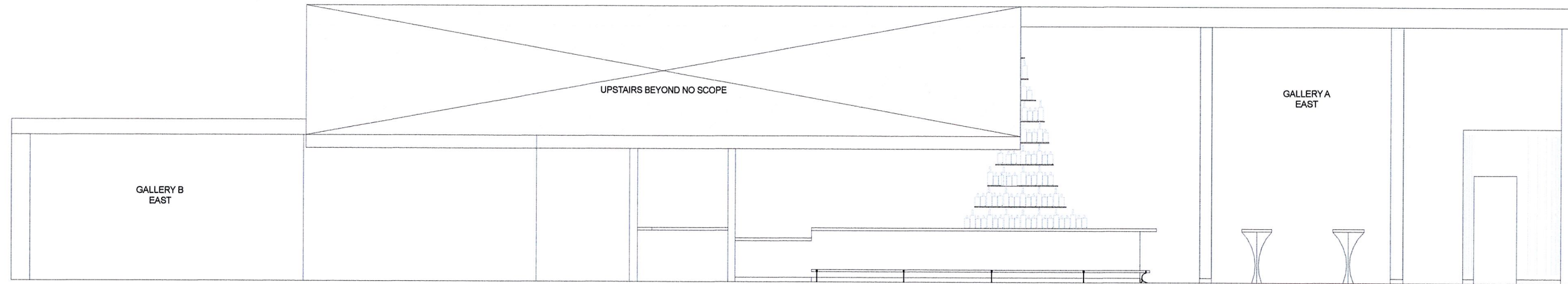


NORTH

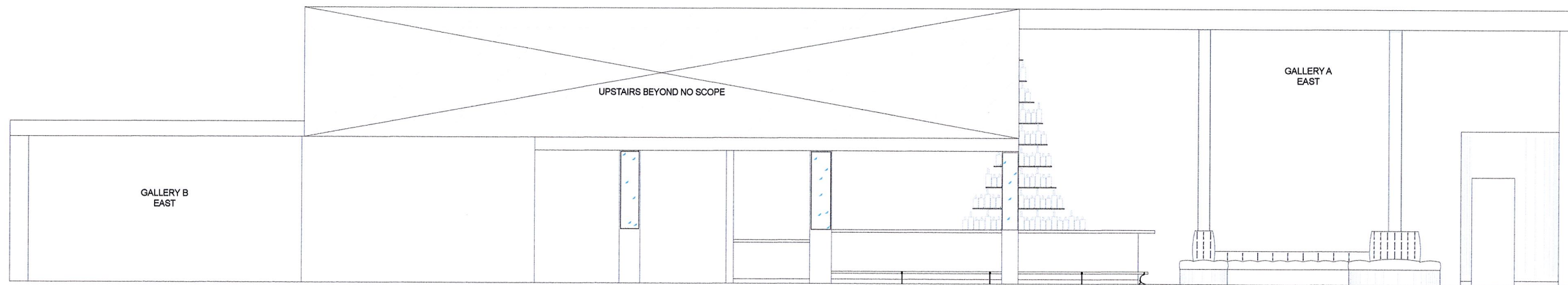
INTERIOR ELEVATION  
 SCALE 1/8"=1'-0"  
 WEST ELEVATION  
 NORTH AND SOUTH  
 ELEVATIONS  
 A2-1

310 GALLERY  
 310 14TH STREET  
 OAKLAND, CALIFORNIA  
 94612

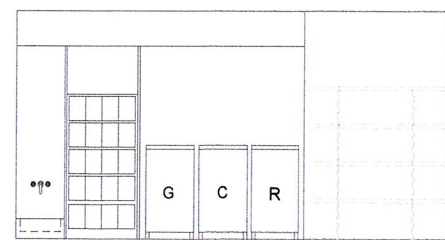
V FABRICATION & DESIGN INC.  
 1000 FACTORY STREET  
 RICHMOND, CALIFORNIA  
 94801  
 510.590.6541  
 WWW.VFABRICATION.COM



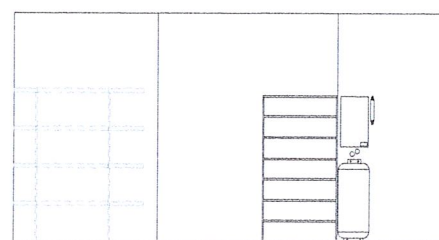
EAST ELEVATION (WITH SUPPORT COLUMNS NOT SHOWN)



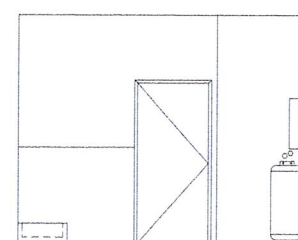
EAST ELEVATION (WITH SUPPORT COLUMNS SHOWN)



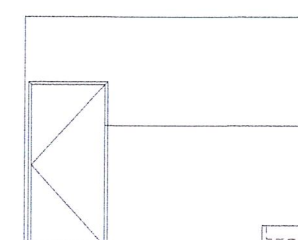
STORAGE ROOM W



STORAGE ROOM E



STORAGE ROOM N



STORAGE ROOM S

INTERIOR ELEVATION	SCALE 1/8"=1'-0"	A2-2
	NOTES	EAST ELEVATION STORAGE ROOM ELEVATIONS
<b>310 GALLERY</b> 310 14TH STREET OAKLAND, CALIFORNIA 94612		
V FABRICATION & DESIGN INC. 1020 FACTORY STREET RICHMOND, CALIFORNIA 94801 510.590.6541 WWW.VFABRICATION.COM		



EXTERIOR ELEVATION FACING NORTH FROM 14<sup>TH</sup> STREET



INTERIOR ELEVATION FACING NORTH WEST



INTERIOR ELEVATION FACING NORTHEAST





INTERIOR ELEVATION FACING SOUTHEAST



INTERIOR ELEVATION FACING SOUTHWEST



INTERIOR ELEVATION FACING SOUTH AND SOUTHEAST

Print

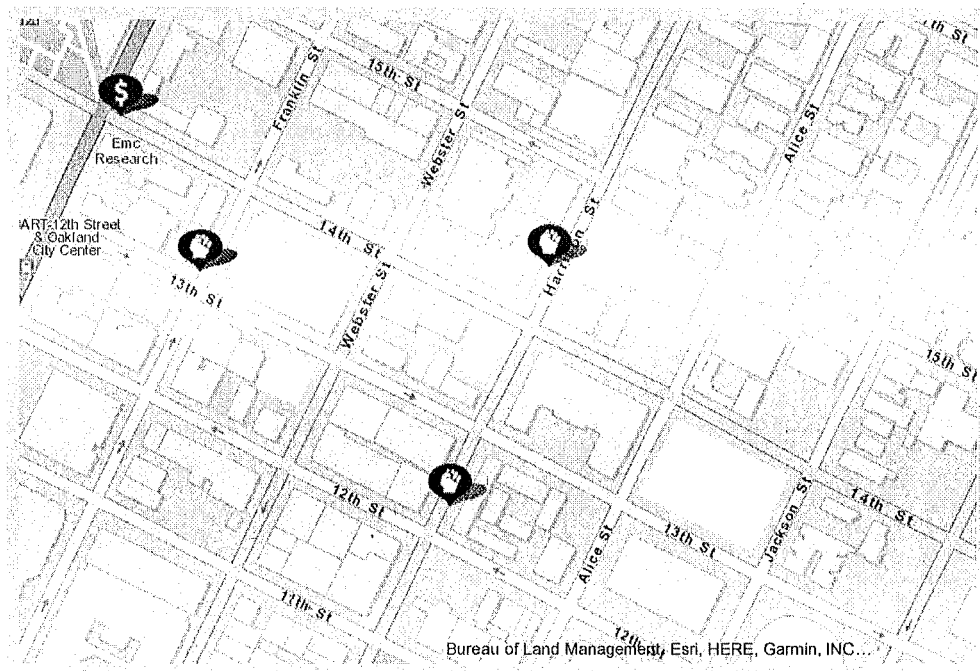
# Attachment D

## CrimeMapping.com Map

Thursday, April 6, 2017 through Wednesday, April 12, 2017

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

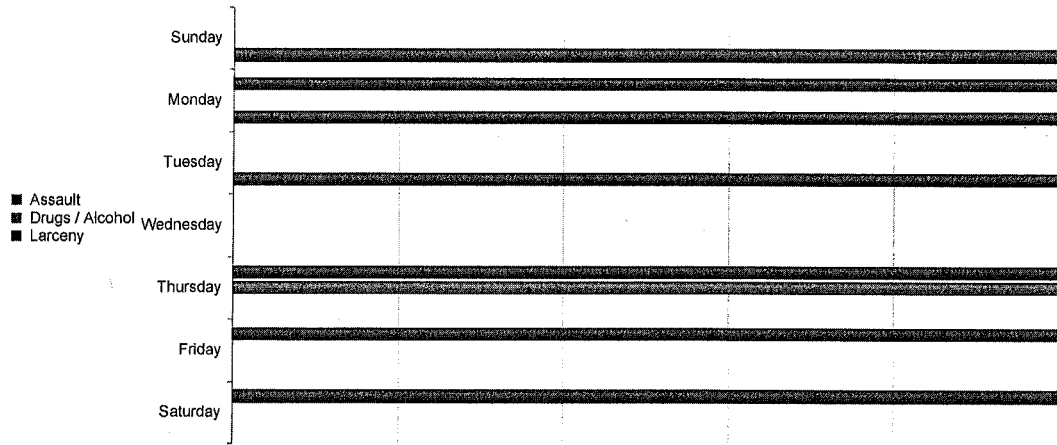
Show crime report  Show crime chart



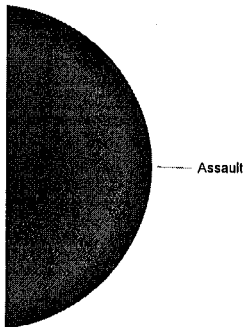
Grab the bottom/right borders to resize the map or the handle in the bottom right corner.

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.

Summary



Summary



**Crime Report**

Type	Description	Incident #	Location	Agency	Date
💰	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	17-018766		Oakland Police	4/11/2017 12:00 PM
👊	ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	17-018579		Oakland Police	4/10/2017 1:45 PM
💰	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	17-018554		Oakland Police	4/10/2017 1:30 PM
💰	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	17-018366		Oakland Police	4/9/2017 3:00 PM
👊	ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	17-018194		Oakland Police	4/8/2017 3:04 PM
👊	ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	17-018025		Oakland Police	4/7/2017 1:30 PM
👊	ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	17-017915		Oakland Police	4/6/2017 5:05 PM
🚗	DRUG ABUSE VIOLATIONS	1704-0362	1200 BLK BROADWAY	BART Police	4/6/2017 9:52 AM

# ATTACHMENT E

**Fabian & Badelle LLC**  
**310 14<sup>th</sup> Street**  
**Oakland, Ca 94612**

## **Project Description**

On December 21, 2016, Fabian & Badelle, LLC submitted an application for a Conditional Use Permit to accommodate an Art Bar. We are currently in the application process for a Type 48 ABC license.

The concept of this project is not just a bar. We have sold over \$60,000 of local art in 2016. The 310 Gallery will remain a full scale fine art gallery, but will also operate as a full scale bar, offering cocktails, beer, wine and small bites to guests.

Traditionally, art galleries rely solely on the revenue generated from art and the occasional event. We believe by offering more than art, our guests will have a space to enjoy spirits, food and music, all of which make Oakland the cultural and arts destination of the Bay Area.

## **Location**

The building is located at 310 14<sup>th</sup> Street between Webster and Harrison streets. The business occupies space between Halftime Sports Bar and Aria Grill. The business is two stories and has approximately 3300 square feet of space. The second floor of the building will be used for office and storage space.

## **Hours of Operation**

Sunday - Wednesday 4pm-1am.

Thursday - Saturday 4pm-2am.

We may also be open for special events that may begin before 4pm, but we do not anticipate this occurring regularly.

## **Public Safety & Security**

The business will always have a door person during operating hours, on post until thirty minutes after the close of business. Most nights we will have at least two licensed guards. Guards will be expected to monitor guests as well as work with other Cabarets to deter loitering and ensure safe passage for residents and those walking by.

Our professional security personnel will be licensed and equipped with an ID scanner that has the ability to verify each guest's identity and highlight issues with potential problem guests.

We have several Hi-Definition security cameras on the interior and exterior of the building, which we have already been enrolled in the City of Oakland's security camera database.

### **Commitment to community & Law Enforcement**

Before converting this Art Gallery to accommodate a bar, we demonstrated our unwavering commitment to community, by volunteering our time and space as a hub of artistic and cultural growth.

As a result of our longstanding leadership in other areas and capacities in Oakland, our company Fabian & Badelle, LLC was asked by the city of Oakland to serve as their for profit business partner for the Oakland Black Cultural Arts and Business District (aka the Black Arts Movement and Business District (BAMBD)).

We have already presented our project to our local Neighborhood Council and have received their full support for the project. We will be meeting with our council office and area Commander to review our safety plan on April 19, 2017 and anticipate working collaboratively with our local police department to ensure the highest level of safety, without increasing the burden of the police department's hardworking officers.

### **Proximity to Residences**

While the front of the business is located next to commercial properties, the rear of the building is within 100 feet of 1525 Harrison, which is a residential building. There have been 2 protests to our license by residents, yet we strongly believe that we can work with those residents to create a mutually beneficial solution and agreement for operations going forward. We have rear windows in the building and plan on adjusting them accordingly, also adding a door in the hallway leading to the rear of the building. These measures should contain the sound and ensure noise pollution doesn't occur in the front or rear of our property.

We are committed to being a positive part of this community and fully understand the responsibility and accountability expected of its leaders. We are more than willing to work with all parties to ensure we meet and exceed the expectations of our neighbors and the community.