

Location:	1724 Broadway
Assessor's Parcel Number:	008-0623-012-00
Proposal:	To establish a new bar/cocktail lounge within a 2,900 square-foot space and 2:00 a.m. closing time.
Applicant:	Uptown Roots, LLC
Phone Number:	(415)439-3933
Owners:	Cheng, Kou Ping KP the Stacey Y Cheng Trust
Planning Permits Required:	Major Conditional Use Permit for Alcoholic Beverage Sales Commercial Activity; Additional findings for alcoholic beverage sales and Public Convenience or Necessity
General Plan:	Central Business District
Zoning:	CBD-C Central Business District General Retail Zone
Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation); Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status:	Potential Designated Historic Property; Survey rating: C3
Service Delivery District:	Metro (Downtown)
City Council District:	3
Date Filed:	January 17, 2017
Finality of Decision:	<i>Appealable to City Council within 10 days</i>
For Further Information:	Contact case planner Moe Hackett, Planner II at (510) 238-3973 or mhackett@oaklandnet.com

SUMMARY

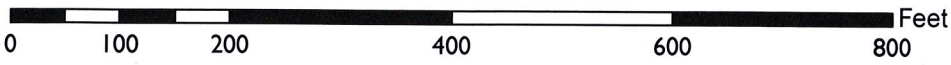
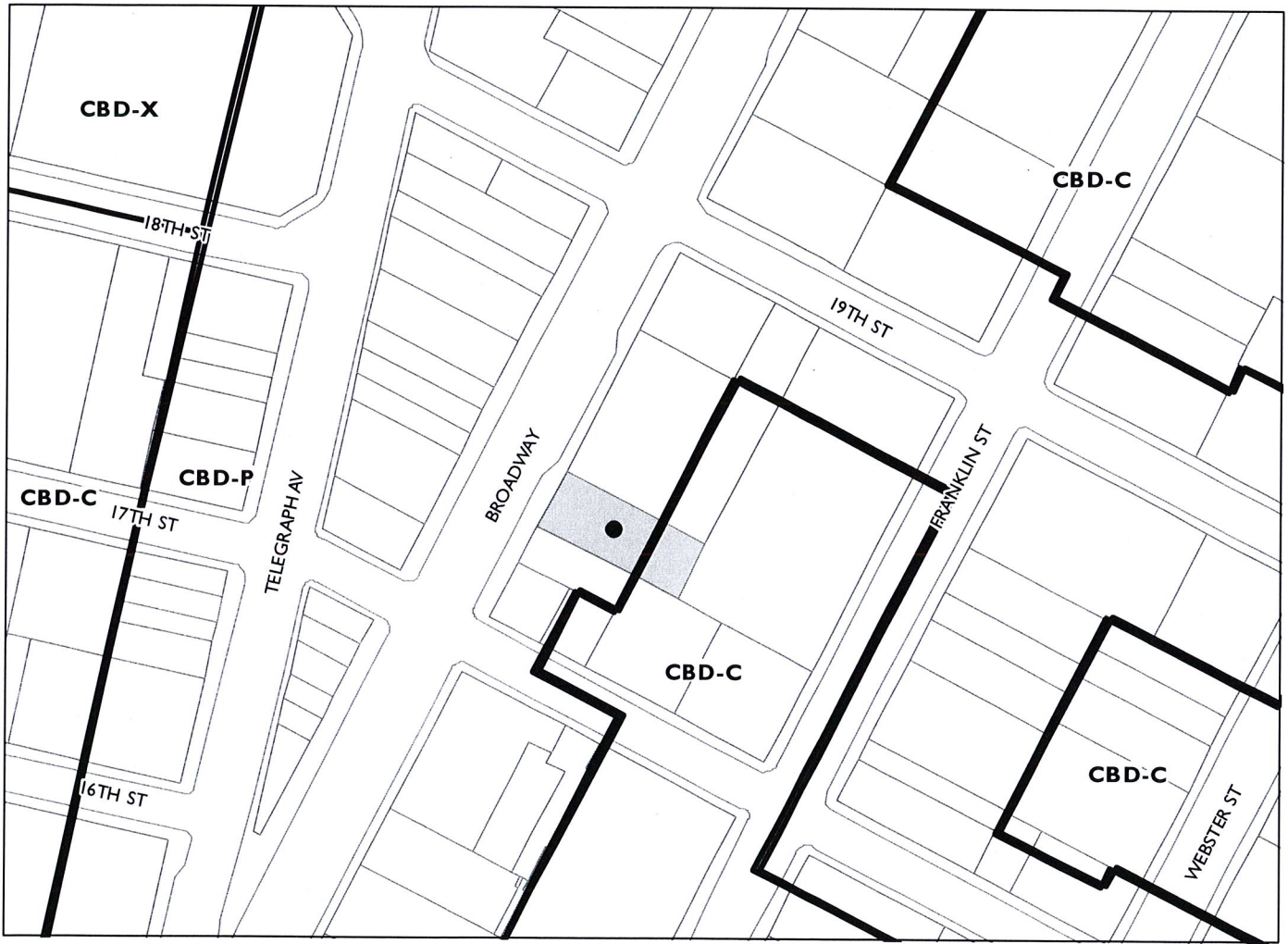
The applicant requests Planning Commission approval of a Major Conditional Use Permit to establish a new bar (full liquor, no minors admitted, no food service required) in a renovated commercial space located Downtown. The application includes limited food service that is be voluntary and not required under either the City or State ABC approvals.

Staff recommends approval of the application, subject to conditions, as described in the report.

PROPERTY DESCRIPTION

The property is a level interior lot fronting the east side of Broadway, between 17th Street and 19th Street. The property is directly adjacent to the 19th Street BART Station escalator entrance and contains a three-story plus mezzanine building at a zero lot line setback (no on-site parking) with three commercial spaces facing Broadway. Each space has a recessed doorway with display windows in the covered foyer. The project space is located to the north (left) side of the building and is currently vacant. The neighborhood consists of a combination of commercial and residential uses.

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN17017
Applicant: Uptown Roots, LLC
Address: 1724 Broadway
Zone: CBD-C

PROJECT DESCRIPTION

Overall the proposal is to establish a cocktail bar. This would include liquor, beer and wine sales for on-site consumption. No off-site sales or minors would be permitted. Full service food service would not be required. The applicant may wish to include very light food service as an accessory to the bar/cocktail lounge activity and sidewalk café facilities. The business on site may also include educational programs and the support of the arts strictly in an accessory capacity. Proposed hours of operation would be from 12:00 p.m. to 2:00 a.m. on weekdays and 10:00 a.m. to 2:00 a.m. on weekends. Tenant improvements would consist of renovations to the interior, including creation of two restrooms and a mezzanine above the entry foyer. Exterior modifications would restore the face to its original historic character, which will be reviewed and approved by the City of Oakland Historic Preservation and Cultural Heritage Survey Planner.

REQUIRMENTS

The project would require a Type 48 license (On-Sale General Public Premises) from the State of California Department of Alcoholic Beverage Control (ABC), which is described as follows:

ON SALE GENERAL – PUBLIC PREMISES - (Bar, Night Club) Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.

Outreach

The applicant has reached out to the Council District 3 office, Neighborhood Crime Prevention Council (NCPC), and Downtown Oakland Association to present the proposal to the community. Renovations to the facility were analyzed at that time with the Oakland Police Department to consider Crime Prevention Through Environmental Design (CPTED) needs.

GENERAL PLAN ANALYSIS

The property is located in the Central Business District area of the General Plan's Land Use & Transportation Element (LUTE). The intent of the area is: "to encourage, support, and enhance the downtown areas as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, and transportation in Northern California." By adding to the entertainment options in the Central Business District, the proposal conforms to this intent and to the following Policies of the LUTE:

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 D12.1 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.

The proposal involves a new bar in an area of Downtown where several eating and drinking establishments are located to serve workers, residents and visitors. The establishment would increase evening activities in the area. Downtown is a Showcase district, under the LUTE, specializing in entertainment establishments. The establishment would be a cocktail bar as opposed to liquor store and is not anticipated to adversely impact BART or upper story apartments in the area. Staff finds that the proposal, as conditioned, conforms to the General Plan.

ZONING ANALYSIS

The site is located in the CBD-C Central Business District General Retail Zone. The intent of the CBD-P zone is: "to create, maintain, and enhance areas of the Central Business 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.

1) Major Conditional Use Permit with additional findings

Alcoholic beverages sales, including for on-site consumption at a new bar/cocktail lounge, requires a Conditional Use Permit (CUP). The Conditional Use Permit is considered Major according to Section 17.134.050 of the Planning Code, and, therefore, its approval is decided by the Planning Commission. The review considers compatibility with surroundings, as described in the Key Issues and Impacts section of this report.

2) Findings of Public Convenience or Necessity

These findings, modeled on State Code, are required to be met for Alcoholic Beverage Sales to be established in an over-concentrated area. The area is over-concentrated for crime in the police beat (04X) in comparison to Citywide rates (OPD data), and, ABC license count in the Census Tract (4029) in comparison to countywide rates (ABC data). The Census Tract contains four #20's (market with beer and wine), one #21 (market with liquor, beer and wine), eight # 41's (restaurant with beer and wine), fifteen #47's (restaurant with liquor, beer and wine), and eleven #48's (bar). The majority of these establishments are located within one thousand feet of the project site. The proposal is again requiring an ABC license Type 48.

Findings of Public Convenience or Necessity (PCN) are therefore required. When operated as a bar, alcohol sales are typically not problematic for establishments with late closing times when located Downtown. PCN findings consider variety, economic benefits, and whether alcoholic beverage sales are typical for the establishment type. As conditioned this use is not anticipated to lead to nuisances.

Voluntary food service is permitted by-right in this zoning district and no further planning approvals are required.

Staff finds the proposal, as conditioned, to be in conformance with the Planning Code, pursuant to the attached Findings.

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 a BAR in a renovated space within a central business district 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

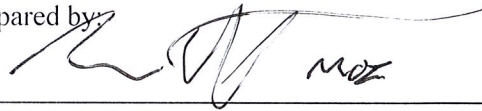
Conditional Use Permits for alcoholic beverage sales outlets are meant to ensure operating characteristics will be compatible with and not a nuisance to a surrounding area. In this case, the nature of the bar cocktail lounge

type establishment, Downtown surroundings, and operating characteristics memorialized as conditions of approval should ensure no nuisances are created as a result of the business (See Attachment B). These conditions of approval include: no retail bottles sales of alcohol, no alcoholic beverage advertising, and no sale of convenience items. Given these considerations, staff recommends the Planning Commission grant the request, subject to conditions of approval.

RECOMMENDATIONS:

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

Prepared by:



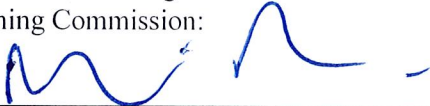
MOE HACKETT
Planner II

Approved by:



SCOTT MILLER
Zoning Manager

Approved for forwarding to the
City Planning Commission:



DARIN RANELLETTI, Interim Director
Planning and Building Department

ATTACHMENTS:

- A. Findings
- B. Conditions of Approval
- C. Plans
- D. Crime Map/Report (500 feet / four weeks ending 4/24/17)

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 in normal type.

General Conditional 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 for a new bar/cocktail lounge in an existing building is compatible with the site and Downtown entertainment district surroundings. The business will enhance the diversity of beverage options in the area and later hours will add to the evening activity along the corridor. The site is not directly adjacent to a civic use. Operating characteristics will be memorialized by conditions of approval to ensure no nuisances are generated. These conditions will apply to any future operator of the business.

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 proposal is in a vacant commercial space in an existing building located at a mid-block location. The proposed establishment will offer a convenient and attractive business that improves the building and adds vibrancy and activity to the area.

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 proposal will contribute to the variety of businesses in this commercial area.

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

This finding is not applicable at this time. However, the store front will be restored to the historic standard as defined by the office of the City of Oakland Cultural Heritage Survey. Should signage and/or exterior improvements/ alteration be desired in the future, such projects would require review and approval by the Bureau of Planning.

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.

The property is located in the Central Business District area of the General Plan's Land Use & Transportation Element (LUTE). The intent of the area is: "to encourage, support, and enhance the downtown areas as a high density mixed use urban center of regional importance and a primary hub for business, communications, office,

government, high technology, retail, entertainment, and transportation in Northern California.” The proposal conforms to this intent and to the following Policies of the LUTE:

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 D12.1 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.

The proposal involves a new bar and cocktail lounge with on-site alcohol consumption, and may at some later date including a sidewalk seating area. The proposal is in an area of Downtown where multiple eating and drinking establishments are located. The establishment will be a full service bar with cocktail lounge as opposed to bar or liquor store, and will not be located directly adjacent to housing. It should not, therefore, generate nuisances to existing Downtown residences and civic uses.

The proposal, as conditioned, conforms to the General Plan.

Additional Use Permit Criteria for Establishments Selling Alcoholic Beverages (OMC 17.103.030.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;

Unlike commercial districts that do not cater to nightlife and entertainment, this area is intended to draw patrons to Downtown. There is a growing variety of food and beverage establishments in the immediate vicinity of the project site, and the addition of a new bar and lounge will only serve to further invigorate the success of the entertainment district. Based on operations of this proposed use elsewhere in Oakland and in other nearby cities, there is no evidence that the lounge will contribute to an undue proliferation of undesirable activities. Conditions of approval will ensure positive operational characteristics. These conditions include no sale of bottles of alcohol for off-site consumption, or convenience items.

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;

There are few civic uses in the immediate vicinity; however, the proposal is not anticipated to generate negative impacts to civic uses in the greater neighborhood, especially given operational characteristics of other successful liquor and entertainment venues in the area.

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

The site contains no driveways or parking lots and abuts a sidewalk with a stair and elevator entrance to BART. The applicant proposes to include a small sidewalk café style area with a fence separation to allow for consumption of alcoholic beverages. This facility will meet standards for access and movement in the public right of way.

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;

The proposal features a historic restoration of a dilapidated store front.

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

The proposal does not involve signage at this time. Should signage and/or modifications be desired in the future, that project will require review and approval by the Planning Bureau. The site does not contain an open parking lot.

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

The proposal will not specialize in to-go food orders or other disposable item. The use is not considered to generate significant trash or litter at or adjacent to the site. Nonetheless, bar staff will clean the site and adjacent public right-of-way daily as required by Conditions of Approval.

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.

The property is not located in the vicinity of street level residences. Although the bar hour will run late, the nature and scale of the service provided will not be in excess of what will normally be expected in the Downtown Showcase district at ground level.

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 inapplicable; the proposal does not involve a fast-food restaurant.

Additional 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 proposal will enhance the variety of social meeting and beverage offerings in the Downtown area serving residents, visitors and workers and generate employment and revenues. As conditioned this business is not anticipated to lead to nuisances.

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 proposal will enhance the variety of meeting and beverage offerings in the Downtown area serving residents, visitors and works. It will generate employment and revenues. This format is not anticipated to lead to nuisances, which are further avoided by conditions of approval.

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

On-site sale of liquor, beer and wine are typical for a Downtown bar or entertainment venue.

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, **PLN17017** and the approved plans **dated January 17, 2017**, 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

CONDITIONS OF APPROVAL

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

CONDITIONS OF APPROVAL

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

Hours of alcohol sales are limited to the following: Monday through Sunday 10:00am to 1:45am. No alcoholic beverages shall be sold within fifteen minutes prior to closing time.

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 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.

CONDITIONS OF APPROVAL

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 Broadway 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

CONDITIONS OF APPROVAL

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 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 Telegraph Ave. frontage, one outside the restrooms and two at the bar 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

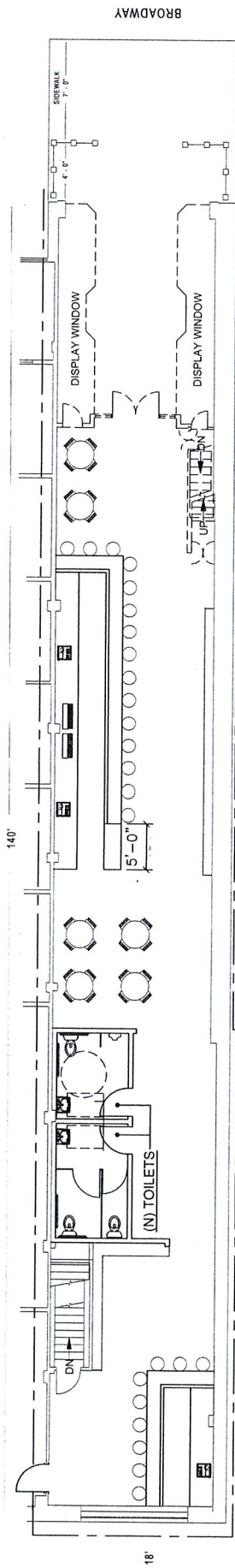
Six months after the Certificate of Occupancy has been issued (or temporary Certificate of Occupancy if one is issued) for the tenant improvements, the applicant shall meet with the Zoning staff to review any complaints or other known issues that have arisen during the first 6 months of operation under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

Attachment C

COCKTAIL LOUNGE
1724 BROADWAY (@ 17TH STREET)



SCALE: 3/8\"=1'-0"

PREPARED BY:
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T 510 548 2000 WWW.AVLADSIGN.COM

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RECEIVE ALERTS About

1724 Broadway oakland

GO 8 Records

Date Range: 3-27-2017 to 4-23-2017 (28 Days)

FILTERS



Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P...

Streets

Attachment D



[Back to Map](#)

Crime Incidents

03-27-2017 to 04-23-2017 (28 Days)

197 Records

	Type	Description	Incident #	Location	Agency
Map it		ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	17-020917		Oakland Police
Map it		LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	17-020748		Oakland Police
Map it		DRUG ABUSE VIOLATION - POSSESSION OF OTHER	17-020745		Oakland Police
Map it		BURGLARY - FORCIBLE ENTRY	17-020948		Oakland Police
Map it		LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	17-020731		Oakland Police
Map it		LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	17-020645		Oakland Police
Map it		ASSAULT - OTHER DANGEROUS WEAPON	17-020445		Oakland Police
Map it		ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	17-020471		Oakland Police
Map it		LARCENY/THEFT F. BICYCLES	1704-1227	1900 BLK BROADWAY	BART Police
Map it		ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	17-020301		Oakland Police
Map it		ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	17-020562		Oakland Police
Map it		BURGLARY - UNLAWFUL ENTRY - NO FORCE	17-020643		Oakland Police
Map it		ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	17-020701		Oakland Police
Map it		ASSAULT - FIREARM	17-020150		Oakland Police
Map it		LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	17-020145		Oakland Police



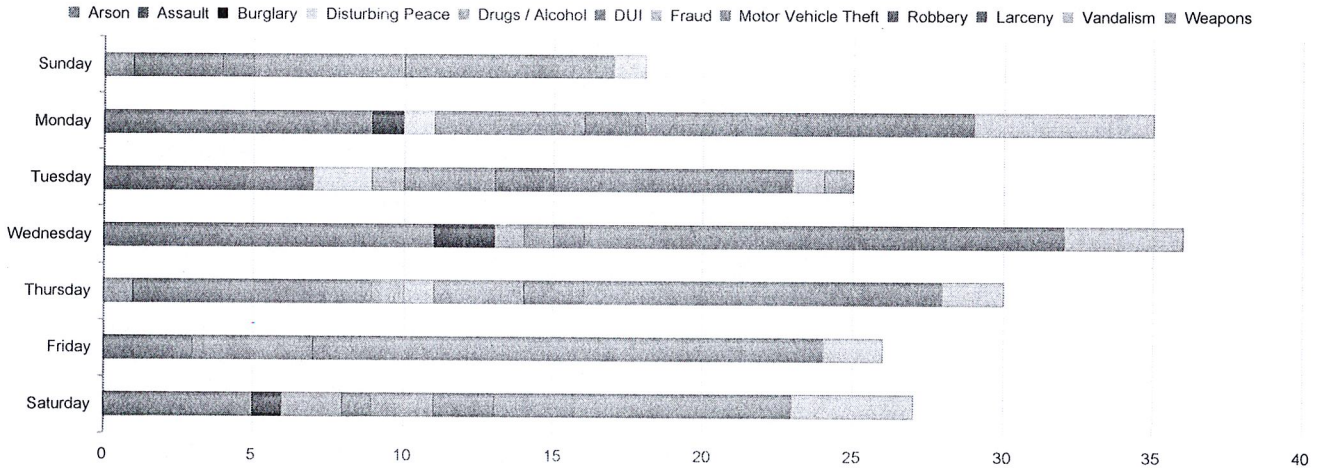
[Back to Map](#)

Crime Incidents

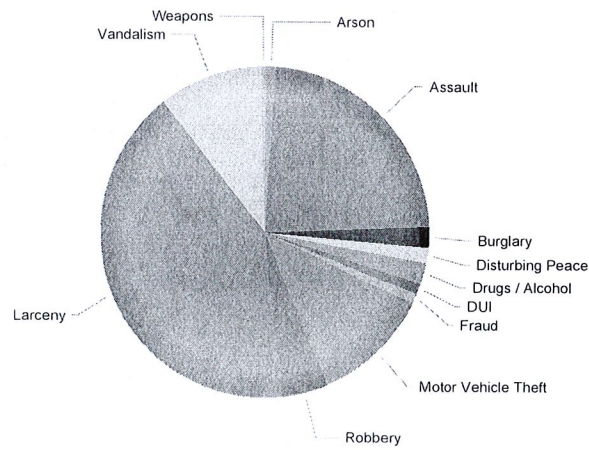
03-27-2017 to 04-23-2017 (28 Days)

197 Records

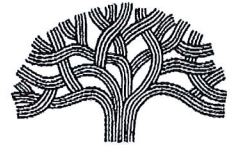
Day of Week Summary



Crime Summary



CITY OF OAKLAND



POLICE ADMINISTRATION BUILDING • 455 - 7TH STREET • OAKLAND, CALIFORNIA 94607-3985

Police Department

Telephone Device for the Deaf (510) 238-7629

Patrol Desk (510) 238-3455

Fax (510) 238-2251

February 6, 2017

To the City Planning Commission,

Bill Stephens is the founder of Trophy Cocktail, the premier photo sharing app for cocktails for iOS and Android. This mobile app has been used for audience favorite polling for Portland Cocktail Week, New York Champagne Week, and the Don Q Culinary Crawl featuring Michael Mina, Pabu and RN47. This establishment wants to bring this business to Oakland at 1724 Broadway in 2018. Joining this venture is Summer-Jane Bell awarded "Best Artisanal Cocktails" by Oakland Magazine for her drink program at the New Easy in Oakland. She also is the President of the United States Bartenders Guild (San Francisco Chapter), National Brand Ambassador for the House of Angostura and a featured speaker of the Bar Institute. Josh Trabulsi is an award winning Bar Manager of the Burritt Room and Tavern (Charlie Palmer Group, SF), Head Bartender at The W Hotels (LA), and Sommelier at Hotel del Coronado (San Diego) as well as Pisco Porton Brand Ambassador.

The Uptown/Gold Coast Neighborhood Crime Prevention Council supports this business to operate and bring a new cocktail experience to downtown Oakland.

A handwritten signature in black ink, appearing to read "Ted Tarver".

Ted Tarver

Chair of Uptown/Gold Coast NCPC



1724 Broadway

Franklin St

17th St

Broadway

Dogwood

Oakstop

Broadway

Broadway

Diving Dog Brewhouse

41

Broadway

41 Duende

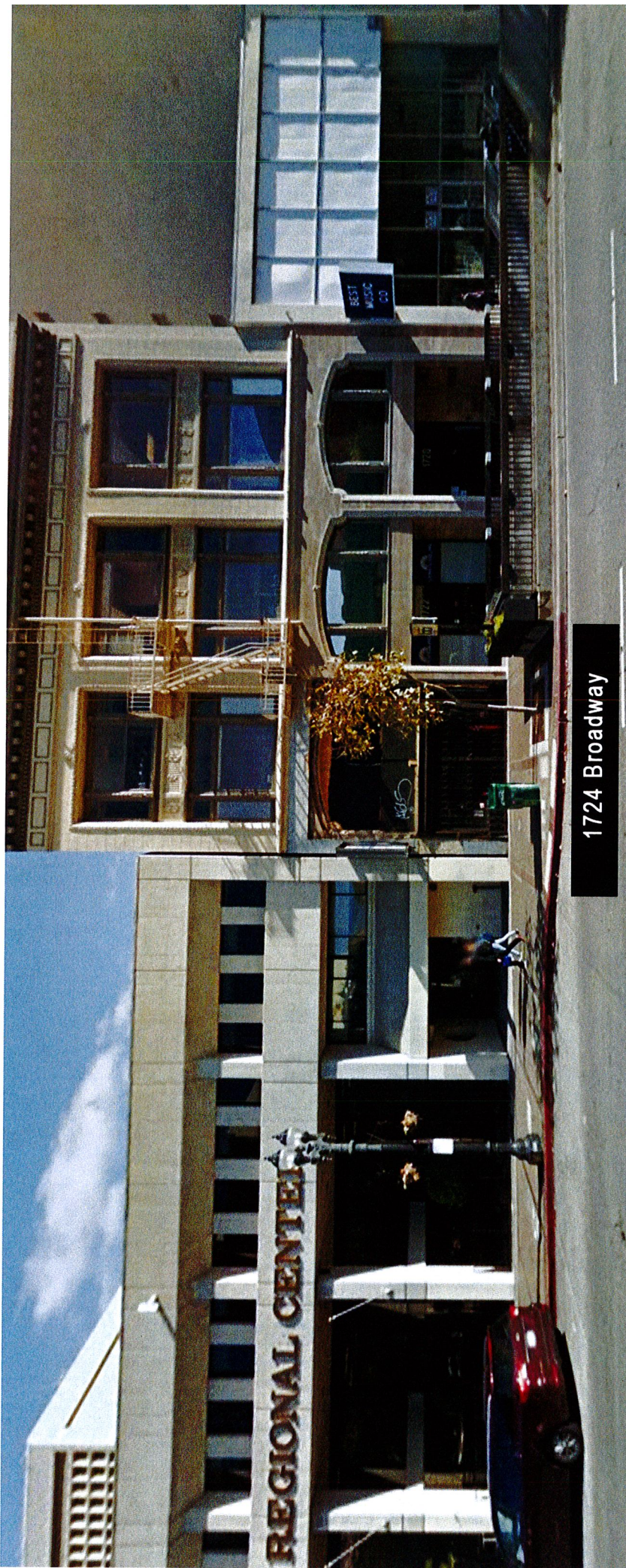
Cafe Van Kleef

Telegraph Ave

Woods Bar & Brewery

Somar Bar

Make Westing



1724 Broadway

1724 Broadway

We have received direction from
Betty Marvin and Brian Kendall
regarding facade improvements.

