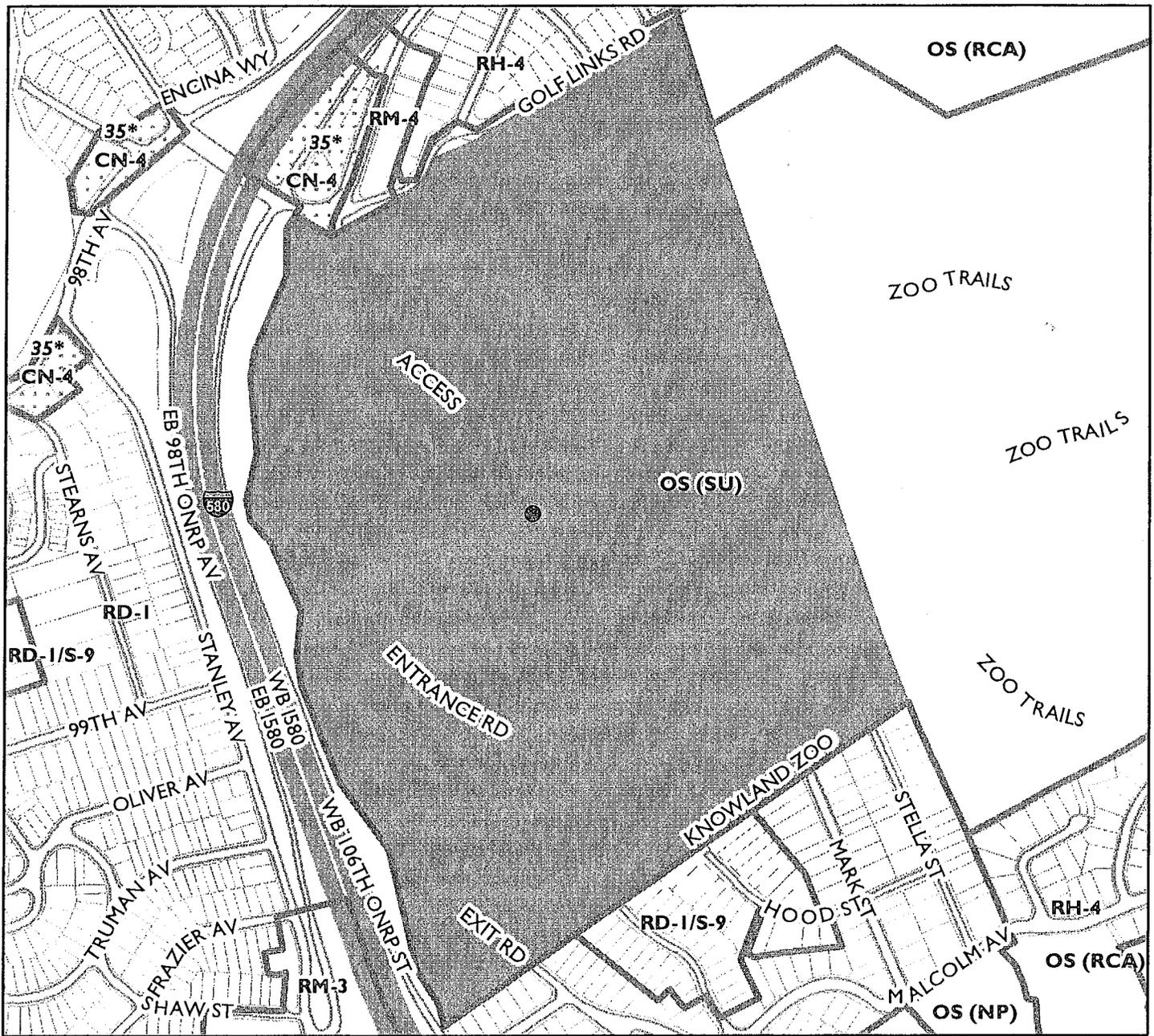


Location:	9777 Golf Links Road
Assessor's Parcel Number(s):	048 565500300
Proposal:	To establish beer and wine sales during open Zoo hours at existing restaurants, cafes, and concession stands, and allow the serving of beer, wine, and spirits at after-hours special events.
Applicant:	Steve Rawlings
Contact Person/ Phone Number:	(951) 667-5152
Owner:	City of Oakland
Case File Number:	PLN18500
Planning Permits Required:	Major Variance for Alcoholic Beverage Sales with additional finding of Public Convenience or Necessity
General Plan:	Urban Park and Open Space
Zoning:	OS (SU)
Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation); and Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status:	OCHS Rating: C3
City Council District:	7
Finality of Decision:	Appealable to City Council within 10 days
For Further Information:	Contact case planner Brittany Lenoir, Planner I at (510) 238-4977 or blenoir@oaklandca.gov

SUMMARY

The applicant requests Planning Commission approval of a Major Variance with findings for Public Convenience and Necessity to establish Alcoholic Beverage Sales at the Oakland Zoo. Alcoholic beverages will be available to customers of the Oakland Zoo as an amenity, and will not be available to the general public. The sale of beer and wine sales is proposed during normal business hours within five existing restaurants, cafes, and concession stands. The application also includes a request for full liquor service afterhours. Conditions of approval have been added to restrict the number of guests to 300 per event, with up to five events per month. Staff recommends approval of the requested permits, subject to the Conditions of Approval included in this report.

CITY OF OAKLAND PLANNING COMMISSION



0 250 500 1,000 1,500 2,000 Feet



Case File: PLN18500
Applicant: Steve Rawlings
Address: 9777 Golf Links Road
Zone: OS (SU)

PROJECT DESCRIPTION

The applicant seeks to establish alcohol sales at the Oakland Zoo. The Oakland Zoo submitted for a Type 47 License with the California Department of Alcoholic Beverage Control (ABC):

Type 47 On Sale General – Eating Place

Authorizes the sale of beer, wine, and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

The proposal includes alcohol sales during open business hours and at afterhours special events, as described below:

Open Business Hour Sales (Beer and Wine Sales)

Alcohol Sales during normal business hours will be limited to occur only during food service hours which generally are from 9:00am to 5:30pm for Summer hours, 10:00 to 4:30pm for Winter hours, and 9:30-5:00pm for Fall hours, see Attachment C for a specific breakdown of hours of operation. The sales during business hours will be limited to beer and wine within five existing restaurants and concession stands, including: Tusker's Restaurant, Safari Café, Landing Café, Giraffe Ridge Concession, and the Children's Zoo Concession (see Attachment D for a map showing the proposed locations). Alcohol Sales will be available to adults of legal drinking age, who could either consume the beverages within the seating areas available in the café's/restaurants or carry the beverages throughout the zoo boundary. See Attachment E for Statement of Operations from the Applicant. Emergency Medical Technicians (EMTs) and security staff will be available to address any potential nuisances or medical emergencies due to the consumption of alcoholic beverages.

Alcohol sales will be offered to the patrons of the Oakland Zoo under a pilot program as further explained in the PRAC Section of this Report.

After Hours Sales (Full Liquor Sales)

The sale of beer, wine, and spirits is proposed to occur at after hour special events, such as fundraisers, charities, and corporate events. Hours of these events will range from 5:30pm to 11pm, except for the Snow Banquet Facility, which is near a residential neighborhood. As conditioned, after hour events would be required to end at 10:00pm and could not play amplified music after 8:00pm.

Sales are proposed to occur within both permanent structures and in mobile carts throughout the Zoo as detailed in Attachment D. As a Conditions of Approval, these special events will be limited to five events per month, with a maximum of 300 guests per event.

PROPERTY DESCRIPTION

The Oakland Zoo is located at 9777 Golf Links Road. This site is situated to the east of the I-580 Freeway, west of Knowland Park, and generally bounded by low density residential uses to the north and south.

This site is in Police Beat 35Y, which is roughly bounded by I-580 to the west, Heller Avenue to the north, Skyline Boulevard to the east, and the Sheffield neighborhood and Lake Chabot to the south. This police beat is not considered overconcentrated for crime. This area is in Census Tract 4100.00, which is classified as being in

an over-concentration area for ABC licenses relative to other Census Tracts. According to the California Department of Alcoholic Beverage Control, there are no active retail licenses in this tract, including Type 21 (Off Sale General), Type 41 (On Sale Beer and Wine – Eating Place), and Type 47 (On Sale General – Eating Place).

GENERAL PLAN ANALYSIS

The site is designated as “Urban Park and Open Space” within the Land Use and Transportation Element (LUTE) of the Oakland General Plan. The Urban Park and Open Space classification is intended to identify, enhance and maintain land for parks and open space. Its purpose is to maintain an urban park, schoolyard, and garden system which provides open space for outdoor recreation, psychological and physical well-being, and relief from the urban environment. This project is consistent with the following LUTE Objectives and Policies:

OSCAR Objective OS-2

To maintain an urban park, schoolyard, and garden system which provides open space for outdoor recreation, psychological and physical well-being, and relief from the urban environment.

Policy OS-2.1: Protection of Park Open Space

Manage Oakland’s urban parks to protect and enhance their open space character while accommodating a wide range of outdoor recreational activities.

The proposed addition of alcohol sales will enhance the recreation activities available at the Zoo, and provide for an additional amenity to the patrons of the Oakland Zoo.

ZONING ANALYSIS

The Oakland Zoo is designated Open Space – Special Use Park (OS(SU)), which is a classification within the Open Space Zone (Chapter 17.10.11 of the Planning Code). The Open Space Zone is intended to create, preserve, and enhance land for permanent open space to meet the active and passive recreational needs of the Oakland residents and to promote park uses which are compatible with surrounding land uses and the city’s natural environment.

The following are permits required for the proposal, as well as the reason each permit is required:

Major Variance

A Major Variance is required for the Alcoholic Beverage Sales Commercial Activity in the OS (SU) Zone. Under Section 17.11.050 (Conditionally Permitted Activities), the Planning Code states that a Conditional Use Permit (CUP) is required for Alcoholic Beverage Sales Commercial Activities and is only allowed in restaurants, but under Section 17.11.030 (Special provisions for permitted and conditionally permitted activities in the OS Zone) a Major CUP is required for Alcoholic Beverage Sales and is only allowed as part of a General Food Sales Commercial Activity. Since there is a discrepancy in the Code, OMC Section 17.07.040C states that the more restrictive standard applies. Therefore, the proposal requires a Variance because the alcohol sales would be occurring from a combination of concession stands, restaurants, and cafés, which are not considered General Food Sales Commercial Activities. Per Section 17.134.020 of the Planning Code, the Variance is considered Major because it is for allowable activity types, and thus requires a decision by the Planning Commission.

Findings of Public Convenience or Necessity

The additional PCN findings are required for alcoholic beverage sales in an area where there is an overconcentration of Alcoholic Beverage Sales. These are addressed in Attachment A of this report.

MASTER PLAN ANALYSIS

Prior Zoning Action at the Oakland Zoo includes the approval of the Zoo Master Plan in 1998 and Amendment to the Master Plan in 2011. The Master Plan, and amendments, addressed topics, including, but not limited to: the preservation of flora and fauna, accessibility via the tram road and 2011 gondola, associated noise impacts, service road improvements, the Veterinary Medical Hospital, the California Exhibit, creek impacts, and perimeter fencing. Alcohol sales or after hour events are not explicitly addressed in the Master Plan.

ENVIRONMENTAL DETERMINATION

The California Environmental Quality Act (CEQA) Guidelines categorically exempts specific types of projects from environmental review. The establishment of alcohol sales at the Oakland Zoo is exempt from CEQA because Section 15301 of the State CEQA Guidelines exempts projects involving existing facilities, including the operation of existing public or private structures or facilities. In addition, 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, and therefore, the project is not subject to further Environmental Review.

PARKS AND RECREATION ADVISORY COMMISSION (PRAC)

This project was presented to Parks and Recreation Advisory Commission (PRAC) on June 12, 2019. At that meeting, the PRAC recommended the development of a Risk Management Plan, a pilot program plan, and the issuance of wrist bands to those who purchase alcohol so that security can identify who is authorized to drink. The PRAC requested that the pilot plan require the concession stands adjacent to the Children Zoo only be allowed to sell alcohol after the effectiveness of the program is established in other parts of the Zoo. Refer to Attachment F for the meeting minutes.

As a response to the PRAC, the Oakland Zoo created a Risk Management Plan (Attachment G). To summarize, the plan implements the following:

- Security
 - Security Officers and EMTs will identify, respond to, and, if necessary, escort disorderly guests; and
 - Security Officers and EMTs will address issues related to alcohol consumption, such as alcohol poisoning and dehydration.
- Alcohol Training for Employees
 - All employees will be required to complete "ServSafe Alcohol" Training.
- Pilot Program
 - During open business hours, beer and wine sales will be limited to the Landing Café for the first 90 days. As determined by staff, beer and wine sales may then be extended to Tuskers Café and the Giraffe Ridge Concession Stand for 90 days. And lastly, depending on the outcome of the incident report, as determined by staff, sales may be expanded to Safari Café and Children's Zoo Concession Stand. See Condition of Approval #19.

COMMUNITY OUTREACH

The proposal for alcohol sales at the Oakland Zoo was presented at the South Hills NCPC Meeting on September 24, 2019. The Neighborhood Services Coordinator, Jacqueline Long, confirmed that there were concerns expressed regarding noise level and late-night activity at the Snow Building. This issue is discussed in the "Key Issues and Impacts" section of this report, below.

KEY ISSUES AND IMPACTS

As discussed, some concerns were expressed regarding impacts to the residential neighborhood near the Snow Building and how alcohol sales could impact those under 21 years old. Conditions of approval have been added by staff and incorporated into the proposal to reduce negative impacts, such as:

- Limiting hours for special events at the Snow Banquet Building to 10:00pm and prohibiting amplified music after 8:00pm;
- Requiring on-site security whenever alcohol sales are occurring;
- Limiting the events to five per month and maximum of two per day, with a maximum of 300 guests per event;
- Alcohol Risk Management Assessment Training; and
- Not allowing alcohol sales in the children's area of the Zoo until it is demonstrated that alcohol sales in other parts of the Zoo have not created major incidents.
- Indemnification of City by SSA for causes of action arising from alcohol sales and consumption at the Zoo; and liquor liability insurance.

The after-hour events are not expected to impact traffic circulation in the area. The Oakland Zoo has 1,500 parking spaces, with an average of 500-1,500 guests per weekday during off-season and 4,500-6,500 guests per day during weekends in the peak season. As conditioned, the special events will serve a maximum of only 600 people on a given evening. Therefore, staff believes that the existing car parking and queuing infrastructure at the Zoo will be sufficient for the expected after-hour attendees.

Staff does not recommend the PRAC proposal to require bracelets to patrons who purchase alcohol to assure that minors do not drink at the Zoo. This type of program is normally instituted at sporting events or concerts, not at family oriented venues such as the Zoo. Staff does not anticipate that alcohol purchases for minors will become a major problem because minors will typically be accompanied by their parents.

Staff recommends approval of the project because it meets the required findings (see Attachment A, below) and, as conditioned, will not have major impacts on adjacent residential neighborhoods.

RECOMMENDATIONS:

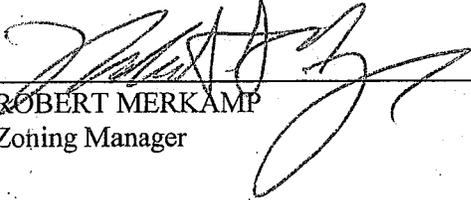
1. Affirm staff's environmental determination.
2. Approve the Major Variance subject to the attached findings and conditions.

Prepared by:



BRITTANY LENOIR
Planner I

Reviewed by:



ROBERT MERKAMP
Zoning Manager

Approved for forwarding to the
City Planning Commission:



ED MANASSE, Deputy Director
Bureau of Planning

ATTACHMENTS:

- A. Findings
- B. Conditions
- C. 2019 Hours of Operation
- D. Plans
- E. Statement of Operations for Alcohol Sales at the Oakland Zoo, dated February 22, 2019
- F. Excerpt of PRAC Meeting Minutes, June 12, 2019, Item #7A (pages 2-4)
- G. Alcohol Risk Management Assessment/Pilot Program
- H. Proof of public notification posting
- I. Public Convenience Finding from Applicant

Attachment A: Findings

This proposal meets the required findings under **Variance Findings (OMC Sec. 17.148.050)** and **Findings for Public Convenience or Necessity (OMC Sec. 17.103.030.B.3)** as set forth below. Required findings are shown in **bold type**; explanations as to why these findings can be made are shown in normal type.

Variance Findings (OMC Sec. 17.148.050):

- 1. That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the zoning regulations, due to unique physical or topographic circumstances or conditions of design; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution improving livability, operational efficiency, or appearance.**

The subject site is zoned Open Space (OS), Special Use Park (SU). The intent of the Open Space Zone is to “create, preserve, and enhance land for permanent open space to meet the active and passive recreational needs of Oakland residents and to promote park uses which are compatible with surrounding land uses and the city's natural environment.” The establishment of an Alcoholic Beverage Sales activity associated with various restaurants, cafés, and concession stands within the Zoo will provide an additional amenity that are common and associated with Zoos throughout the state. Strict compliance with the Planning Code would restrict the available recreational opportunities for park patrons. The restriction on alcohol services in the OS(SU) Zone is intended to apply to more passive recreational areas, not the interactive environment at a zoo with displays, large paved areas, extensive food service, and rides.

- 2. That strict compliance with the regulations would deprive the applicant of privileges enjoyed by owners of similarly zoned property; or, as an alternative in the case of a minor variance, that such strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulation.**

The denial of the Variance for alcoholic beverage sales associated with existing limited service and full-service restaurants and concession stands would preclude the Zoo from privileges seen at limited service restaurants in the area. Zoos throughout the state serve alcohol in a manner similar to that proposed.

- 3. That the variance, if granted, will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.**

Zoos throughout the state have alcohol sales as part of their food and beverage service options. Some examples include the San Francisco Zoo, Fresno Zoo, and Sacramento Zoo. The addition of alcoholic beverage sales at the Oakland Zoo will not impact the character, livability, or development of the surrounding area. Conditions of Approval (COA) have been included to mitigate any negative effects on the neighboring residential areas, including:

- COA#18: Pilot Program
- COA #19: Limitation on Hours for Special Events at the Snow Banquet Facility
- COA#20: Security
- COA#22: Limitation on Special Events

The after-hour events are not expected to impact traffic circulation in the area. The Oakland Zoo has 1,500 parking spaces, with an average of 500-1,500 guests per weekday during off-season and 4,500-6,500 guests per day during weekends in the peak season. As conditioned, the special events will serve a maximum of only 600 people on a given evening. Therefore, the existing car parking and queuing infrastructure at the Zoo will be sufficient for the expected after-hour attendees.

4. **That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the zoning regulations.**

The denial of the Variance for alcoholic beverage sales associated with existing limited service and full-service restaurants and concession stands would preclude the Zoo from privileges seen at limited service restaurants in the area. Zoos throughout the state serve alcohol in a manner similar to that proposed. The restriction on alcohol services in the OS(SU) Zone is intended to apply to more passive recreational areas, not the interactive environment at a zoo with displays, large paved areas, extensive food service, and rides.

5. **That the elements of the proposal requiring the variance (e.g., elements such as buildings, walls, fences, driveways, garages and carports, etc.) conform with the regular design review criteria set forth in the design review procedure at Section 17.136.050.**

This finding does not apply because the proposal does not consist of new construction.

6. **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 have been adopted by the Planning Commission or City Council.**

See the *General Plan Analysis* portion of this Report.

7. **For proposals involving one (1) or two (2) residential dwelling units on a lot: That, if the variance would relax a regulation governing maximum height, minimum yards, maximum lot coverage or maximum floor area ratio, the proposal also conforms with at least one of the following additional criteria:**
 - a. **The proposal when viewed in its entirety will not adversely impact abutting residences to the side, rear, or directly across the street with respect to solar access, view blockage and privacy to a degree greater than that which would be possible if the residence were built according to the applicable regulation and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height; or**
 - b. **Over sixty percent (60%) of the lots in the immediate vicinity are already developed and the proposal does not exceed the corresponding as-built condition on these lots and, for height variances, the proposal provides detailing, articulation or other design treatments that mitigate any bulk created by the additional height. The immediate context shall consist of the five (5) closest lots on each side of the project site plus the ten (10) closest lots on the opposite side of the street (see illustration I-4b); however, the Director of City Planning may make an alternative determination of immediate context based on specific site conditions. Such determination shall be in writing and included as part of any decision on any variance.**

This project does not involve a one or two-unit residential facilities; therefore, this finding is not applicable.

Findings of Public Convenience or Necessity (OMC 17.103.030.B2 and B3)

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

The addition of alcoholic beverages will enhance the services provided at the Zoo and make Zoo operations more financially feasible. The Zoo is a vital cultural resource for the community and region. Attachment I provides a statement from the Applicant, Steve Rawlings, that the addition of alcohol sales is intended to be a luxury amenity and will enhance the Zoo's appeal for community and private events.

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

The addition of alcoholic beverage sales to the Oakland Zoo, both during open hours and at after hour events, will provide additional revenue. In addition, conditions of approval related to security, safety, and employee training, have been included to mitigate negative impacts.

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

Alcohol sales will be presented with food choices at the Zoo. Alcohol sales are common at Zoos throughout the state.

In addition to the above criteria, projects outside of the Central District, the Hegenberger Road Corridor, and the D-CO-2 and D-CO-3 Zones shall meet all of the following criteria to make a finding of Public Convenience or Necessity, with the exception of those projects that will result in twenty-five (25) or more full time equivalent (FTE) employees and will result in a total floor area of twelve thousand (12,000) square feet or more:

- a. **The proposed project is not within one thousand (1,000) feet of another alcohol outlet (not including Full-Service Restaurant and Limited-Service Restaurant and Café Commercial Activities), school, licensed day care center, public park or playground, churches, senior citizen facilities, and licensed alcohol or drug treatment facilities; and**

The Oakland Zoo will not be selling alcohol within 1,000 feet of another alcohol outlet, day care, church, or other sensitive land uses. Furthermore, this site is within Knowland Park, and therefore, it is not included in the separation distance requirement. The intent of the distance separation requirements is to provide relief to certain land use types, and the serving of alcohol within the large and fenced zoo area will further buffer sensitive activities in the area.

- b. **Police department calls for service within the "beat" where the project is located do not exceed by twenty percent (20%), the average of calls for police service in police beats Citywide during**

the preceding one (1) calendar year.

Based off available data, police beat 35Y does not exceed average Citywide calls for police service.

Attachment B: Conditions

1. Approved Use

Ongoing

- a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, staff report, and the plans dated **October 12, 2017** and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall require prior written approval from the Director of City Planning or designee.
- b) This action by the **City Planning Commission** ("this Approval") includes the approvals set forth below.
This Approval includes:
 - i) To establish beer and wine sales during open Zoo hours at existing restaurants, cafes, and concession stands, and allow the serving of beer, wine, and spirits at after-hours special events.

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

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, Department of Transportation, and Public Works Department. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4.

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 sixty (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, including any Action arising from alcohol sales or consumption at the Zoo. 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.

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

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

11. Public Improvements

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

12. Regulatory Permits and Authorizations from Other Agencies

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

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

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

Monitoring/Inspection: Applicable regulatory agency with jurisdiction

13. Trash and Blight Removal

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

When Required: Ongoing

Initial Approval: N/A
Monitoring/Inspection: Bureau of Building

14. Graffiti Control

Requirement:

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

When Required: Ongoing

Initial Approval: N/A

Monitoring/Inspection: Bureau of Building

PROJECT SPECIFIC CONDITIONS

15. Alcoholic Beverage Sales

a. Additional Permits Required

Prior to commencement of activity

A type 47 license shall be obtained from the ABC. This use shall conform to all provisions of the State ABC license. The state license and state conditions shall be posted along with these conditions in a place visible to the public. This use shall also conform to all State Retail Operating Standards, Section 25612.5 of the Business and Professions Code and local Performance Standards, Section 15210, where applicable including any future changes in the above regulations. The intent of these standards is to reduce nuisance, litter, loitering, and crime associated with alcohol outlets. The City Conditions of Approval shall be forwarded to the Department of Alcoholic Beverage Control.

b. Location and manner of alcohol consumption

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

c. Hours of Alcohol Sale

Hours of alcohol sales are limited to the following: Sunday through Saturday, 10:00am-11:00pm. In addition, no alcoholic beverages shall be sold within fifteen minutes prior to closing time.

d. Admittance

Minors shall be admitted as demonstrated under Type 47 license.

e. Staffing

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

f. Staff training program

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

g. Staff to monitor site

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

h. Entry

Admission shall never be charged for events or otherwise.

i. Cabarets

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

j. Limitation on Type of Alcohol Sales

The business shall operate under a Type 47 License.

16. Coordination/Outreach

a. ABAT Registration

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

b. Deemed Approved Alcoholic Beverage Sale Regulations

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

c. Crime Prevention Through Environmental Review (CPTED)

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

d. Neighborhood outreach

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

17. Compliance hearings

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

18. No Net Loss

Ongoing.

The proposal shall not include any additions or alterations to the existing facilities unless plans are reviewed per the appropriate design review procedure and evaluated under the no net loss tracking as stated in OMC 17.135.060.

19. Pilot Program

Ongoing.

The Oakland Zoo will conduct Alcohol Sales during open operating hours via a pilot program. The program will begin with beer and wine sales at the Landing Café. After 90 days, an incident report will be submitted by the Oakland Zoo to the Zoning Manger. The Zoning Manager will determine whether to extend the pilot period or allow for sales to be expanded to Tuskers Restaurant and the Giraffe Ridge Concession Stand. After an additional 90 days, a follow-up incidental report will be evaluated by the Zoning Manager. The Zoning Manager will then determine whether to extend the pilot period or allow for sales to be expanded to the Children's Zoo Concession Stand and Safari. A final incident report will be presented and reviewed by the Zoning Manager after an additional 90 days.

20. Limitations for Special Events at the Snow Banquet Facility

Ongoing.

All special events shall end at 10:00pm at the Snow Banquet Facility, and shall not include amplified music after 8:00pm.

21. Restriction on Alcohol Sales at Campground.

Ongoing.

There shall be no alcohol sales, either during open business hours or at afterhours events, at the Oakland Zoo campground area.

22. Security

Ongoing.

Security Staff shall be on-site when alcohol sales are occurring, both during open Zoo hours and at special events.

23. Limitation on Special Events

Ongoing.

No more than five afterhours special events shall be held per month and no more than two afterhours special events shall be held per day. In additions, there shall be no more than 300 guests per each afterhours special event.

24. Compliance with Oakland Zoo Master Plan

Ongoing.

All operations shall comply with all conditions stated in the Oakland Zoo Master Plan. Including but not limited to, noise, parking and transportation demand management, and traffic circulation.

25. Taxi and/or Rideshare Services

Ongoing.

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

26. Liquor Liability Insurance

Ongoing.

Applicant shall obtain and maintain for the duration of this Approval, liquor liability insurance in the

amount of each occurrence is \$2,000,000 per occurrence, and an aggregate of \$2,000,000. Prior to the commencement of alcohol sales at the Zoo, the applicant shall provide all necessary documentation and certificates for review and approval by City Risk Management.

27. Alterations to Existing Facilities

Ongoing.

No alterations to existing facilities, including but not limited to, fences, concession stands, or permanent structures shall be made to accommodate for alcohol sales unless the proposal is submitted per the appropriate design review procedure and reviewed and approved by the Planning Department.

28. Limitation on Alcohol Sales During Normal Business Hours

Ongoing.

Beer and wine sales will occur only during open business hours, specifically when the food service areas are open. Hours are outlined in Attachment C of this report.

APPROVED BY:

City Planning Commission: _____ (date) _____ (vote)

Oakland Zoo Winter Hours 2019

version 2 (11.1.19)

Winter Hours 2019

SATURDAY, SUNDAY, HOLIDAYS

	Open	Close
Zoo - tickets sales	9:30a	4:00p
Gondola	9:30a	4p last ride up
Contact Yard	10:00a	4:00p
Adventure Landing	10:00a	4:30p
Clearing the park and close	4:30p	5:00p

FOOD SERVICE

Tuskers	10:00a	4:30p
The Landing Café	10:30a	3:30p
Safari Café (In Adventure Landing)	10:00a	4:30p
Gift Shop	10:00a	4:30p

HABITARIUM

FRIDAY, SATURDAY, SUNDAY, HOLIDAYS

Habitarium	10:30a	3:30p
------------	--------	-------

MONDAY - FRIDAY

	Open	Close
Zoo - tickets sales	10:00a	4:00p
Gondola	10:00a	4p last ride up
Contact Yard	10:00a	4:00p
Adventure Landing	11:00a	4:30p
Clearing the park and close	4:30p	5:00p

FOOD SERVICE

Tuskers	10:00a	4:30p
The Landing Café	10:30a	3:30p
Safari Café (In Adventure Landing)	NOT OPEN	NOT OPEN
Gift Shop	10:00a	4:30p

HABITARIUM - closed Mondays*

TUESDAY - THURSDAY

Habitarium	10:30a	2:30p
------------	--------	-------

ALL STAFF INFORMATION:

Not all animals will be on exhibit before 10:00a

*Habitarium open Mondays with Holiday Hours -

- Nov 11 - Veteran's Day
- Nov 25 - Thanksgiving Week
- Dec 23 - Winter School Break
- Dec 30 - Winter School Break
- Jan 20 - MLK Day
- Feb 17 - President's Day

FALL
Oakland Zoo Summer Hours 2019

Tuesday, September 3 - Sunday, November 3

After Labor Day to Daylight Savings Time ends

SATURDAY, SUNDAY, HOLIDAYS	Open	Close
Zoo - tickets sales	9:30a	4:30p
Gondola	9:30a	5:00p last ride up
Contact Yard	10:00a	4:00p
Habitarium	11:00a	4:00p
Adventure Landing	10:00a	5:00p
Clearing the park and close	5:30p	6:00p

FOOD SERVICE	Open	Close
Tuskers	9:30a	5:00p
The Landing Café	10:30a	5:00p
Safari Café (in Adventure Landing)	11:00a	5:00p
Gift Shop	9:30a	5:00p

MONDAY, FRIDAY	Open	Close
Zoo - tickets sales	10:00a	4:30p
Gondola	10:00a	5:00p last ride up
Contact Yard	10:00a	4:00p
Habitarium - closed Mondays	11:00a	3:00p
Adventure Landing	11:00a	5:00p
Clearing the park and close	5:30p	6:00p

FOOD SERVICE	Open	Close
Tuskers	10:00a	4:30p
The Landing Café	10:30a	4:30p
Safari Café (in Adventure Landing)	11:00a	5:00p
Gift Shop	10:00a	4:30p

ALL STAFF Information:

Not all animals will be on exhibit before 10:00a
 Vehicles out of Zoo by opening

Summer Hours 2019

Saturday, May 25 - Monday, Sept. 2
Memorial Weekend - Labor Day

SATURDAY, SUNDAY, HOLIDAYS	Open	Close
Membership Booth-Wake Up Zoo	9:00a	4:30p
Zoo - tickets sales	9:30a	4:30p
Gondola	9:30a	5:00p last ride up
Contact Yard	10:00a	4:00p
Habitarium	11:00a	4:00p
Adventure Landing	10:00a	5:30p
Clearing the park and close	6:00p	7:00p

FOOD SERVICE	Open	Close
Tuskers	9:00a	5:30p
The Landing Café	10:00a	5:30p
Safari Café (in Adventure Landing)	11:00a	5:30p
Gift Shop	10:00a	5:30p

** As a special note,

Saturday, June 22 the Zoo is closed all day to accommodate Walk in the Wild

ALL STAFF information:

Opening:

Not all animals will be on exhibit before 10:00a
Vehicles out of Zoo by opening

Only Main Entrance Membership Booth opened for Wake Up Zoo
Breakfast in Tuskers 9:00a- Saturday, Sunday, & Holidays

End of Day:

Some animals have access to their nighthouses
Clear California Trail first

MONDAY - FRIDAY	Open	Close
Membership Booth-Wake Up Zoo	9:30a	4:30p
Zoo - tickets sales	10:00a	4:30p
Gondola	10:00a	5:00p last ride up
Contact Yard	10:00a	4:00p
Habitarium	11:00a	4:00p
Adventure Landing	10:00a	5:30p
Clearing the park and close	6:00p	7:00p

FOOD SERVICE	Open	Close
Tuskers	10:00a	5:30p
The Landing Café	10:00a	5:30p
Safari Café (in Adventure Landing)	11:00a	5:30p
Gift Shop	10:00a	5:30p

NEW FOR 2019:

Breakfast Weekends & Holidays - 9:00a Tuskers

Dates:

ZooCamp Monday, June 10 - Friday, August 16
Zoo Closed for Walk in the Wild - Saturday, June 22

ROSEANN
DAL BELLO
LANDSCAPE
ARCHITECT

PO BOX 973
WOODACRE
CALIFORNIA
94073
415-459-6724



EAST BAY
ZOOLOGICAL SOCIETY
1000 SHAW BLVD
OAKLAND, CA 94606

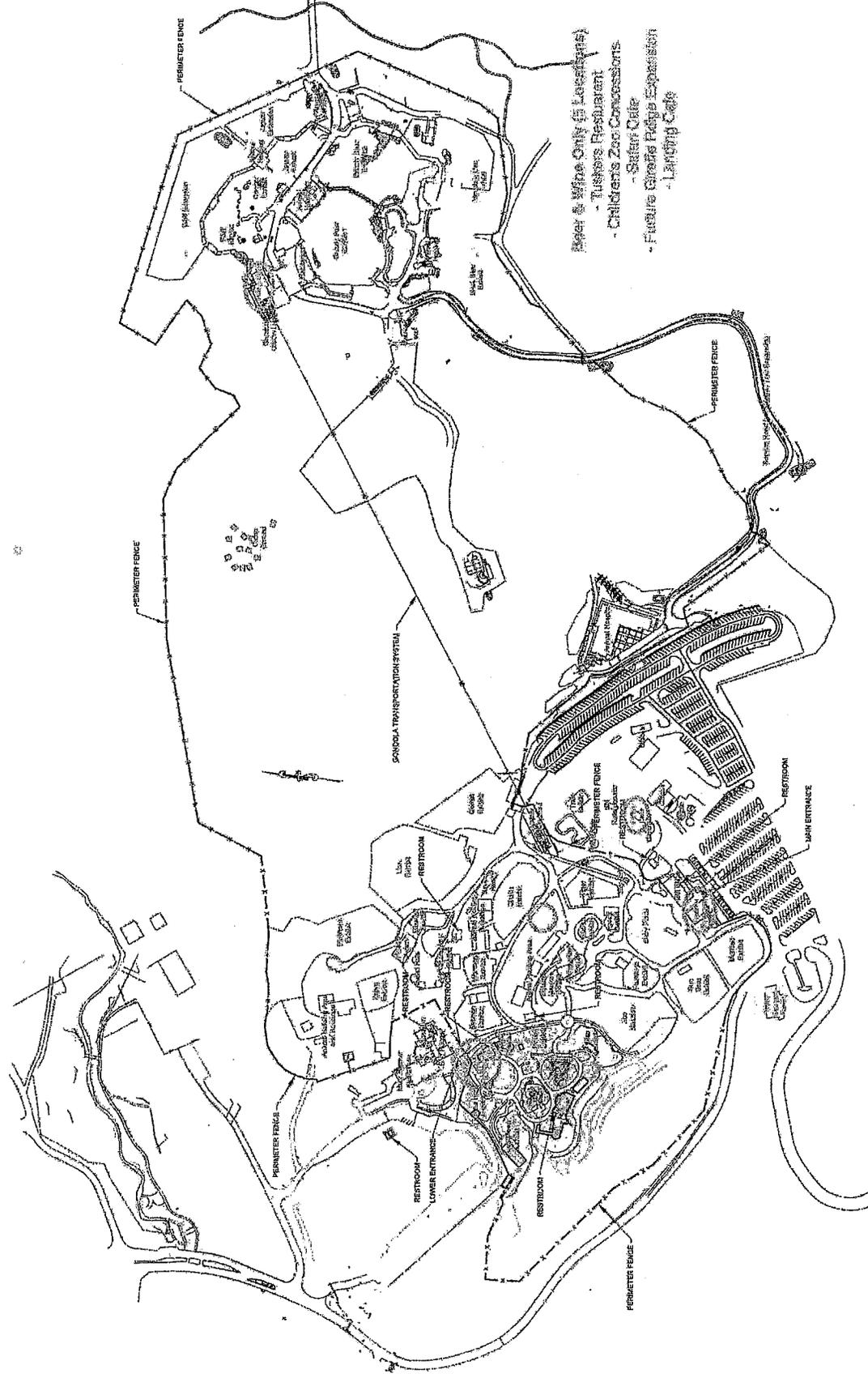
SHEET TITLE

ZOO RESTROOM'S
PERIMETER FENCE
AND
ZOO ENTRANCES

ABC LICENSE
APPLICATION

DATE: 8/25/2010

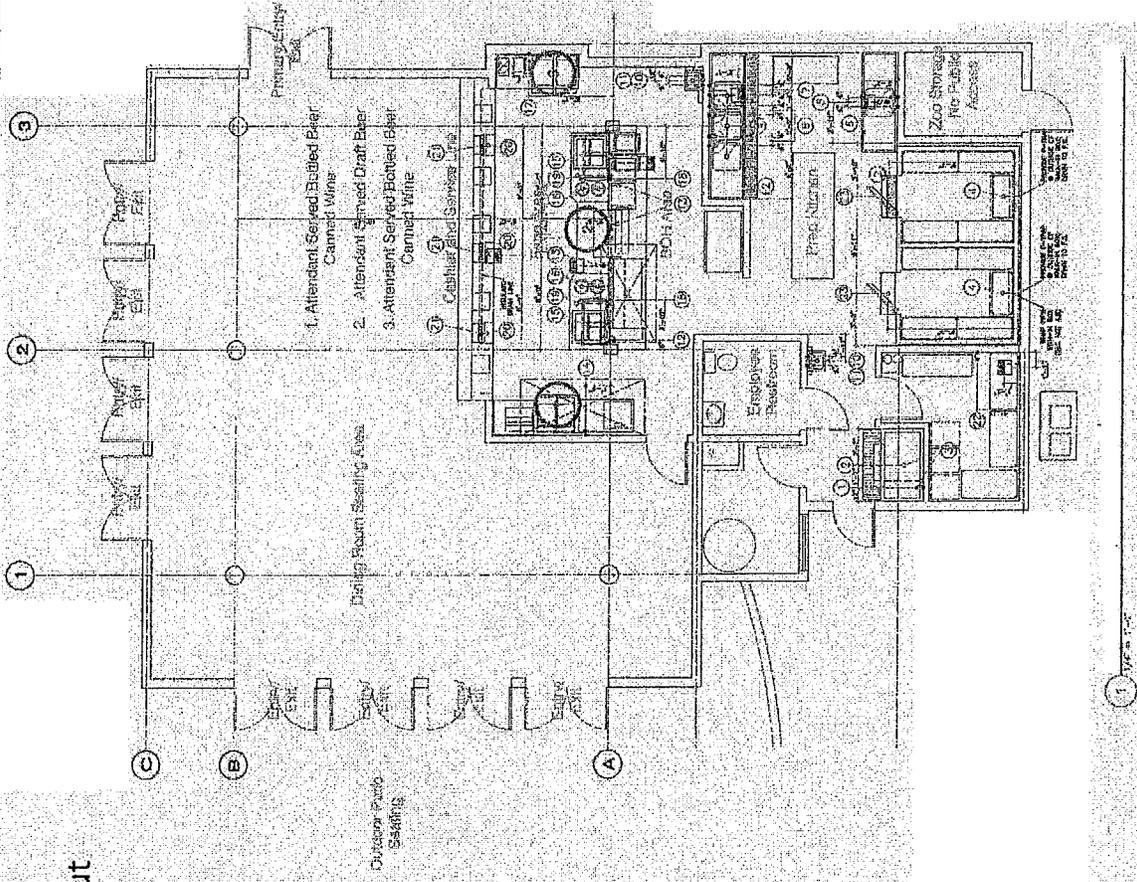
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2	SP-1
	Site Plan
100'	



- Beer & Wine Only (to Landscaper)
- Tuskers Restaurant
- Children's Zoo Concessions
- Safari Cafe
- Future Giraffe Pavilion Expansion
- Landscaping Costs

Attachment D

Tuskers Restaurant Layout

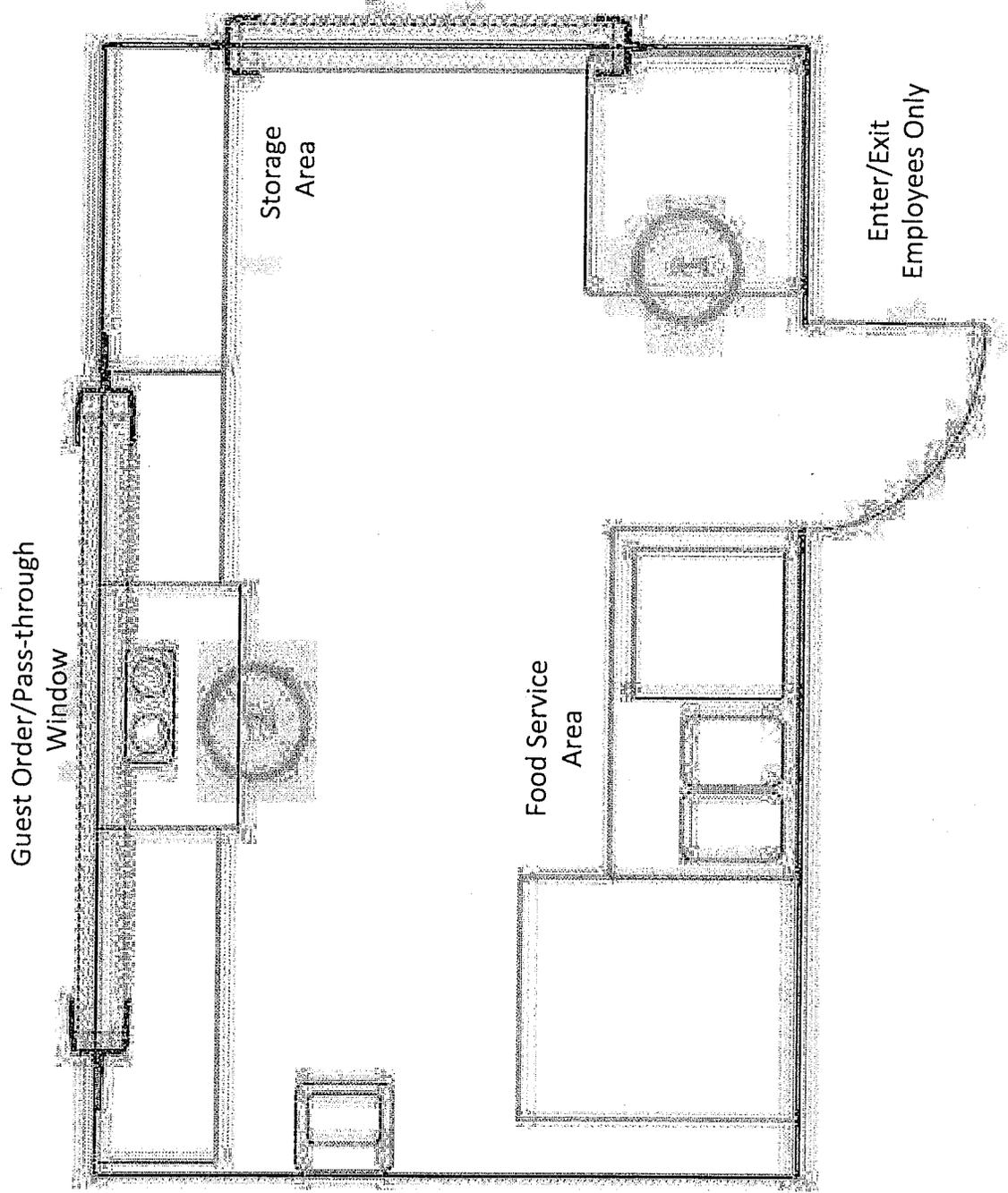


	720 Hyde Avenue Berkeley, California 94710 TEL: 415.848.2005 FAX: 415.848.3003 A STRATEGIC GROUP		Jen Kowark President 415.848.2005 joo.com
	Oakland Zoo Entry Building Renovation 400 Lakes Road Oakland, CA		FOOD SERVICE PLUMBING PLAN AND SCHEDULE DATE: 11/11/03 DRAWN BY: JKT CHECKED BY: JKT SCALE: AS SHOWN PROJECT NO: 03-115-0000-0002

EQP-1.0

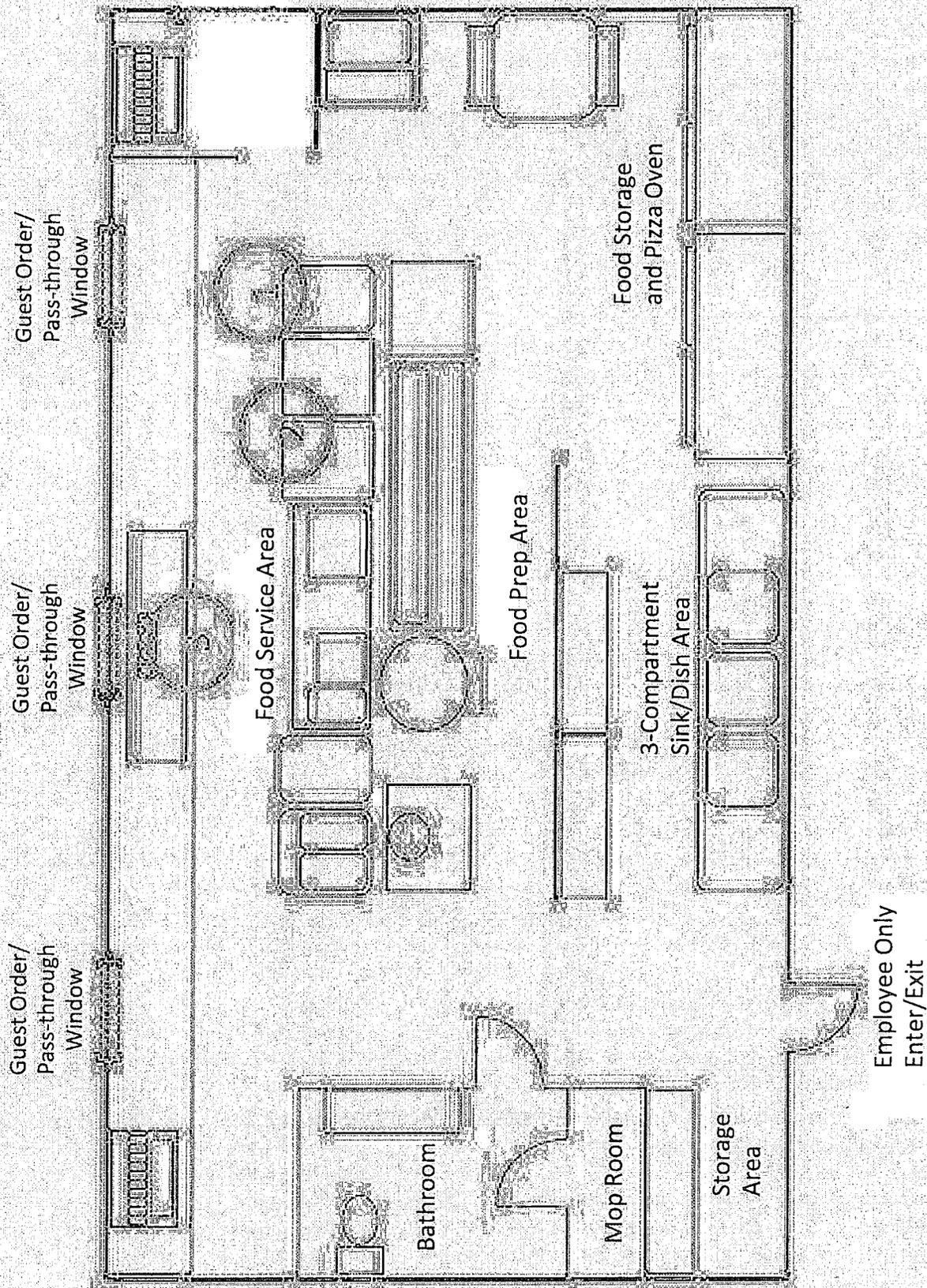
Children's Zoo Concessions Layout

1. Attendant served Bottled Beer & Wine
2. Attendant served Draft Beer

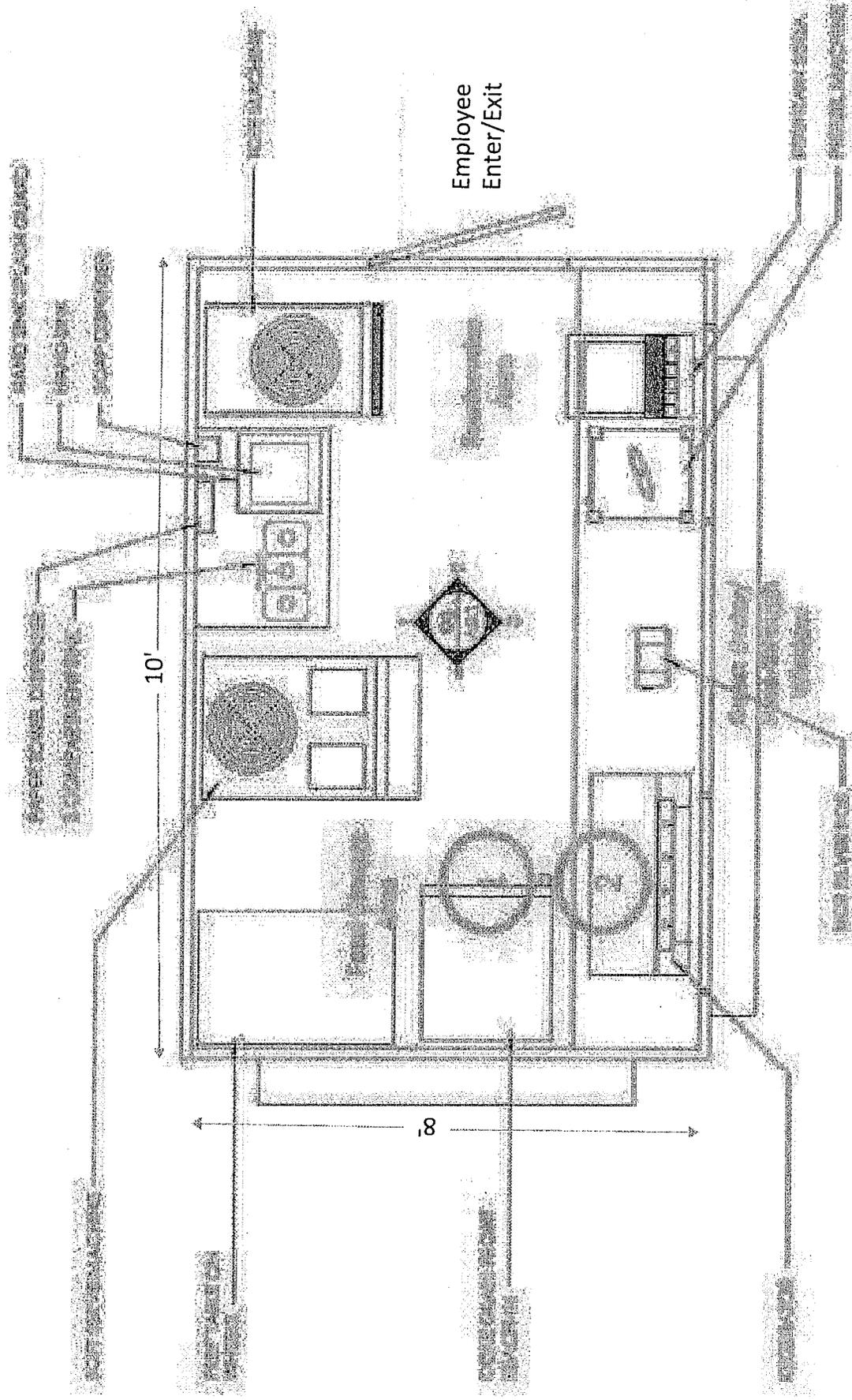


Safari Cafe' Layout

1. Attendant served Bottled Beer/Wine
2. Attendant served Draft Beer
3. Attendant served Frozen Margaritas



SIRAFREENIDGE KIOSK 1
80 square feet



1. Attendant served Bottled Beer/Wine
2. Attendant served Draft Beer

**Statement of Operations for
Alcohol Sales at the Oakland Zoo
9777 Golf Links Drive, Oakland, CA
2/22/19**

Proposed Use: The sale of beer and wine at five existing food concession locations within the Zoo on a daily basis:

- Landing Café
- Tusker's Grille
- Children's Zoo Concession Stand
- Safari Café
- Giraffe Ridge Concessions

In addition, the sales of beer, wine and spirits at special events such as fundraisers or corporate receptions at various locations throughout the Zoo via temporary dispensing stands. Patrons would be allowed to carry beverages within the zoo boundaries, but not in parking lot areas.

Normal Zoo Hours of operation: Monday - Friday: 10:00am to 4:00 pm
Saturday & Sunday: 10:00am to 4:30 pm

Special Event Hours: All special events will end by no later than 11:00 p.m.

Number of employees: 50+

Number of Security Personnel: There are 15 security employees. There is one or more security guards on duty 24 hours/day every day. During hours that visitors are at the Zoo, there is a minimum of (1) Chief or Assistant Director, (1) supervisor, (1) EMT, (1) security officers. On anticipated busy days, staffing levels are increased accordingly.

Security: The security personnel are all employees of the Zoo and go through extensive corporate training. All personnel are trained in First Aid, CPR, and AED Operation as well as Guest Relations, Event Security, Incident & Accident Reporting, Crowd Control, Alarm Response and Traffic Directions. Security personnel actively patrol the Zoo and parking lot during normal business hours. In addition, at least 1 security personnel is on site 24 hours per day.

Additional Security measures: There are 10 plus security cameras located throughout the Zoo. All managers and servers engaged in the service of alcoholic beverages go through corporate responsible beverage service training.

About Oakland Zoo

Oakland Zoo was established in 1922 in Oakland, California, United States and is managed by the Conservation Society of California, a 501(c)3 non-profit organization dedicated to the conservation of wildlife both locally and globally. The Zoo is home to over 700 native and exotic animals. It's recognized for its outstanding animal care, particularly its elephant care program, and for its Leed-certified, 17,000 square foot, state-of-the-art veterinary hospital—the largest wild animal veterinary facility in Northern California.

On July 20, 2018, the Oakland Zoo opened the California Trail opened to the public, focusing on this state's remarkable native wildlife—both past and present.

About SSA

SSA manages the Oakland Zoo's concessions. Founded in 1971, SSA has become a leading provider of food, beverage and retail management providing services to over 50 zoos, aquariums, and museums across the United States including the Monterey Aquarium, Los Angeles Zoo, Sacramento Zoo, Denver Zoo, USS Missouri and Center of Science and Industry. Please visit www.kmssa.com to learn more about SSA.

B. Request From San Francisco Mime Troup Approval To Collect Donations And Sales of Event Related Merchandise At Lakeside Park On July 31, 2019 And August 1, 2019.

Motion: Commissioner Corbin entertained a motion to recommend approval of Consent New Business items 6A and 6B. **Moved by:** Commissioner Cole. **Second by:** Commissioner Reilly. **Motion:** Passed.

Vote:

Yes: 8 - Cole, Corbin, Moore, Norman, Reilly, Smith, Torres and Wolfson
Excused: 3 - Aikens, Ha and Howze

7. NEW BUSINESS:

A. Request For The Parks And Recreation Advisory Commission To Provide A Recommendation To The City Of Oakland Planning Commission For Approval Of A Major Variance For Alcoholic Beverage Sales In The Existing Concession Stands And Cafés/Restaurants At The Oakland Zoo.

The Parks and Recreation Advisory Commission reviewed the staff report was prepared by Brittany Lenoir from the Planning Department.

Beer and wine sales were proposed to be located within five existing concession stands and cafés/restaurants at the Oakland Zoo, including: Tusker's Restaurant, Children's Zoo Concession Stand, Safari Café, Giraffe Ridge Concession Stand, and the Landing Café. In Exhibit A, staff provided an overview of all five locations as well as the associated floor plans of each establishment. Alcoholic beverages will be sold at these locations during normal hours of operation, which are Monday to Friday from 10:00am to 4:00pm and Saturday to Sunday from 10:00am to 4:30pm.

Planning Staff requested the Parks and Recreation Advisory Commission provide a recommendation of approval to the City of Oakland Planning Commission for a Major Variance for Alcoholic Beverage Sales at the Oakland Zoo as described above.

The following team representing the Oakland Zoo, provide feedback for the Commission.

Steve Rawlings - Rawlings Consulting acknowledged the firm's extensive activity throughout the United States in the hospitality industry representing corporations hosting special events including charity fundraisers.

Ashley Van Veen – General Manager of Service Systems Associates (SSA) the culinary and retail operator at the Oakland Zoo. SSA is a family owned business of 60 years providing service to Zoo organizations around the country including Denver, Texas, Ohio as well as Sacramento, CA.

Bob Westfall – Chief of Public Safety, with the Oakland Zoo for 20 years. The Chief manages a team of 15 security officers including EMT's – onsite 24 hours every day.

Brandon Gervais – Community Services liaison including local businesses.

Upon hearing the staff report, the Commission made the following observations, comments and recommendations, and received clarification from the Oakland Zoo team:

Comments:

Observations:

- Fences nor other boundaries were depicted in the schematic provided establishing separation of concession spaces offering alcohol consumption.
- A Risk Management Plan acknowledging possible risks to introducing the consumption of alcohol on the premises was not included in the report.
- Other than requesting identification, there were no other processes in place for identifying age appropriate consumers of alcohol.
- The concession at the Oakland Children's Zoo was included among the list of 5 to offer alcohol.

Clarifications – Zoo Team:

- It is common for zoo organization to offer alcoholic beverages at concession kiosks located in children's areas. This is a practice at the San Francisco Zoo.
- The initial availability of alcoholic beverages will be offered at the two larger concessions including the California Trail and the one closest to the entrance of the Zoo.
- While alcohol would be available when the Zoo opens at 10:00 a.m., experience shows that sales of alcohol begin at lunchtime.
- Serving sizes include a 12oz or 16oz Solo cup.
- Consumers will be limited to purchasing one alcoholic drink at a time.
- 30% of food and beverage sales will be provided to the Zoo/animal conservation.
- Behavior associated with over intoxication will be managed by the Public Safety Team including the EMT staff.
- Persons will be escorted off the premises.
- SSA provides an intensive training program for its servers to spot intoxication. They must also communicate with the Public Safety Team
- In the event a Zoo patron leaves the premises intoxicated and causes an accident, the facility and individual servers can both be held responsible.
- Spirits will only be served after hours at special events.

Recommendations:

- Would like to see a detailed Risk Management Plan included with recommendation to the Planning Commission.
- Utilize wrist bands to identify age appropriate consumers of alcohol

Motion: Commissioner Corbin entertained a motion to recommend the Planning Commission approve a Major Variance for Alcoholic Beverage Sales at the Oakland Zoo. The PRAC also recommends the Commission consider the inclusion of an articulated pilot program, an articulated Risk Management Plan, and utilization of wrist bands to identify age appropriate consumers of alcohol. **Moved by:** Commissioner Cole. **Second by:** Commissioner Norman. **Motion:** Passed.

Vote:

Yes: 8 - Cole, Corbin, Moore, Norman, Reilly, Smith, Torres and Wolfson
Excused: 3 - Aikens, Ha and Howze

B. Request Approval From The Parks and Recreation Advisory Commission to Allow The Evangelistic Outreach Church To Collect On-Site Donations And Allow Vendors to Sell Merchandise, Foods And Wares At Their Juneteenth/Father's Day Celebration at the Eastshore Park On Sunday, June 16, 2019, From 12:00pm-2:00pm.

The Parks and Recreation Advisory Commission reviewed the staff report presented by Zermaine Thomas from Oakland Parks, Recreation and Youth Development (OPRYD), Central Reservations.

Established in 1965, the non-profit Evangelistic Outreach Church requested PRAC's approval to collect on-site donations and to allow vendors to collect revenue from the sale of merchandise, food and wares at the Juneteenth/Father's Day Celebration at Eastshore Park, on Sunday, June 16, 2019. Approval from the Parks and Recreation Advisory Commission is required per O.M.C. section 12.64.080.

Motion: Commissioner Corbin entertained a motion to recommend approval for the Evangelistic Outreach Church to collect donations and for event vendors to collect revenue from the sale of merchandise, food and wares at their Juneteenth/Father's Day Celebration at Eastshore Park, on Sunday, June 16, 2019. **Moved by:** Commissioner Smith. **Second by:** Commissioner Torres. **Motion:** Passed.

Vote:

Yes: 8 - Cole, Corbin, Moore, Norman, Reilly, Smith, Torres and Wolfson
Excused: 3 - Aikens, Ha and Howze



SSA at Oakland Zoo: Alcohol Risk Management Assessment

Purpose: To consider effectiveness, efficiency, and constraints with the addition of selling alcohol within the Oakland Zoo. Measuring the potential controllable and uncontrollable risks associated with the sales and consumption of alcohol on zoo grounds. The document serves the purpose to provide selected controls and how to give our staff knowledge to protect themselves from illegal alcohol service and promote guest enjoyment consuming alcohol responsibly.

The below list identifies uncontrollable risks associated with serving alcohol. As the uncontrollable risks are identified, selected controls and procedures have been identified to provide safe alcohol service.

Identified Uncontrollable Risks:

- Guest potentially over consuming and becoming intoxicated on zoo grounds
- Intoxicated guest who become aggressive or start to act in any unsafe manner
- Guest potentially leaving the zoo and driving intoxicated
- Guest under the influence of another substance attempting to consume alcohol
- Intoxicated guest attempting to interact with animals on zoo grounds
- Potential for underage guest consuming an alcoholic beverage
- Staff consuming alcohol while on the job
- Receiving and storing the product
- The natural elements of the zoo's steep terrain and outside heat could add to exhaustion or dehydration while guest is consuming alcohol

Here is the list of identified selected controls. Once the controls are identified, a detailed evaluation will map out the implementations of the controls.

Identified Selected Controls:

- Reasonable Efforts for alcohol service
- ServSafe Alcohol training for managers and staff with certification
- Following Safe-Service Technique: (6) Step Method to creating a safe atmosphere for guests
- Setup and organization for proper alcohol storage under lock and key
- Testing of pilot location with set conditions
- Onsite Public Safety Officers and EMT's
- Alternative Transportation offerings for intoxicated guests
- Assumed liability should an incident occur

Attachment G



Reasonable Effort

Serving alcohol is a serious responsibility. SSA counts on our employees to properly control and monitor how our employees provide this service to guests. Practicing reasonable efforts will help protect our employees, SSA, Oakland Zoo, and our guests from legal ramifications.

Here are some examples of reasonable efforts:

- ✓ Training Employees: ServSafe Alcohol
- ✓ Knowing California alcohol laws
- ✓ Respectfully refusing service
- ✓ Offering food to intoxicated guest
- ✓ Politely offering non-alcoholic beverage
- ✓ Calling alternative means for transportation

ServSafe Alcohol Training

“ServSafe is a food and beverage safety training and certificate program administrated by the National Restaurant Association. The program is accredited by the ANSI and The Conference for Food Protection. ServSafe Alcohol was prepared by experts who have experience with risks involved in serving alcohol. These experts have developed training to prepare individuals how to handle the risks responsibly”

- Prior to the start of alcohol service, all SSA managers will be required to complete and pass the Manager ServSafe Alcohol course for alcohol sales.
- All middle level management and cashiers will be required to complete and pass an instructor led course through ServSafe Alcohol. Must be completed prior to service of alcohol

Employee Responsibilities:

- ✓ Obey laws prohibiting serving alcohol to minors
- ✓ Obey laws prohibiting serving alcohol to intoxicated person
- ✓ Check for proper identification from each person
- ✓ Reporting potential unsafe activity regarding intoxicated guests



Safe-Service Technique

In addition to the ServSafe Alcohol Training, there are (6) steps SSA has identified to create a safe atmosphere for our guests and employees. These steps aim to minimize any potential problematic situations from arising or escalating.

- **Step 1: Greet Every Guest**
 - Allows the server a chance to check for visible intoxication
 - Provides a sense of good customer service
- **Step 2: Always check ID**
 - This is the best defense for underage sales
 - Card anyone who appears to be younger than the age of 50
 - **Checking ID's: The 5-Step Process**
 - ✓ Ask the guest to remove the ID from their wallet or purse
 - ✓ Determine if the ID is valid
 - ✓ Ask questions about their birthdate, zodiac sign, age, etc..
 - ✓ If you have doubts, ask for a second form of ID
 - ✓ If you still have doubts, do not serve and/or call for manager

Acceptable Forms of ID

- Valid Driver's License
 - Valid state-issued ID card
 - US active-duty military ID
 - Passport
- **Step 3: Be Attentive**
 - An effective bartender will scan the room for things that are out of the ordinary
 - Allows the opportunity to pinpoint guests that may need to be cut off
 - **Step 4: Offer Assistance**
 - Its ok to ask for help in a situation where a guest starts to create a scene or disturb others
 - Asking for help allows server to focus on other guests
 - **Step 5: Make Reasonable Efforts**
 - Take all the proper steps to prevent alcohol related problems
 - **Step 6: If you're not sure, don't serve**
 - Stick to your gut, even if a guest protest
 - Demonstrate to other guests that you're not afraid to do what is right

Identifying Visible Intoxication

If you can tell that a person is under the influence of alcohol just by looking at them, the person is in fact visibly intoxicated. It is illegal to serve people that are visibly intoxicated.

(4) common traits of visible intoxication:

- **Vocal Traits**
 - Slurred speech
 - Slow responses
 - Loud and noisy speech



Visitor Services for Cultural Attractions

- Physical Traits
 - Swaying or staggering
 - Lack of focus or eye contact
 - Clumsy
- Appearance Traits
 - Bloodshot eyes
 - Droopy Eyelids
 - Flushed Face
- Personality Traits
 - Argumentative
 - Aggressive or belligerent
 - Annoying others around them



Organization of Alcohol Storage

Specific to each SSA Location, below are the guidelines to storage at Oakland Zoo.

All beer and wine will be stored in the following locations. The manager responsible for stocking alcohol in location(s) will fill out an inventory sheet at the beginning of the shift. The inventory sheet will need to be signed out at the end of each shift to ensure all beer and wine was sold and minimize any potential tampering of product or theft.

Locations:

- Food & Beverage Warehouse. Only four keys will be given to Senior Managers and two additional keys to Public Safety Director and Assistant Director
 - Inside the warehouse alcohol will be stored in a locked alcohol cage with keys only given to Senior Managers and Warehouse Manager.
- The second floor of The Landing Café in small storage room will contain alcohol for The Landing Café. This office be accessed by Senior Managers and Warehouse Manager.
- The second-floor cooler to The Landing Café will also receive a lock and key to store alcohol products.

All locations will receive inventory "in" and "out" sheets to record product sold each day

Pilot Location Test:

The Landing Café will be the pilot testing location for alcohol sales at Oakland Zoo. The following are conditions to the testing of this location:

1. Only the service of beer and wine, no spirits will be sold per approved license
2. All guests must present ID as outlined in above technique
3. Sales to remain inside The Landing Café and not at the snack carts. (This condition would only apply during pilot testing)
4. No food or beverage allowed on the gondola. Consumption of beer and wine allowed at CA Trail site.
5. No food or drinks are allowed in the Habitarium this will keep a kid zone free of alcoholic beverages
6. All guests purchasing an alcoholic beverage will only be allowed to purchase one beverage at a time.
7. There will be No promotion/no deals/no discounts on an alcoholic beverage
8. To avoid people bringing their own cans: we will be pouring every beer and wine in a cup
9. Alcohol sales will only happen during restaurant opening hours of 10:00am to 5:30pm.
 - a. Zoo opens at 9:30am and closes by 7:00pm during summer hours
 - b. Winter hours are subject to change

Measurables

- ✓ Pilot testing will last 90 days in The Landing Café
- ✓ SSA will measure number of beer and wine beverages sold during the 90 days
- ✓ Oakland Zoo Public Safety will provide any incidents reported within the 90 days that relate to an intoxicated guest or a guest who consumed alcohol on the grounds of the zoo
- ✓ The number of guests compared the number of incidents will be reported



Once pilot testing is completed and no large risks have been observed, alcohol sales will be at Tuskers Café and Giraffe Snack Stand.

Onsite Public Safety Officers and EMT's:

The following information clarifies the Zoo's Public Safety Department response to and treatment of guests suspected of being under the influence of alcohol or suffering from related side effects.

Disorderly Conduct:

1. Guest behavior is identified (physical, appearance, or personality) as listed above.
2. SSA or Oakland Zoo Staff to contact Public Safety (Zoo Security) via pre-assigned handheld radio programmed on Channel 1 to report any incident resulting from the consumption of alcohol.
3. Upon arrival at the scene, Zoo EMTs/Security will meet both SSA and/or Oakland Zoo Staff and the suspect to ensure their health is not compromised.
4. Zoo EMTs/Security will initiate an escort of the disorderly guest out of the zoo
5. While escorting guest Zoo Public Safety will coordinate alternate transportation if necessary, to provide the suspect's safe return home.

Dehydration:

Zoo EMTs/Security Officers are trained to recognize these signs:

- dry mouth and skin, headache, muscle cramps, and thirst.
- Worsening symptoms may include dizziness, rapid heartbeat/breathing, confusion, seizures, and/or fainting. Treatment usually includes having the patient slowly sip only water,

However, a patient who has trouble remaining conscious, will not be given water since they are unable to maintain their airway.

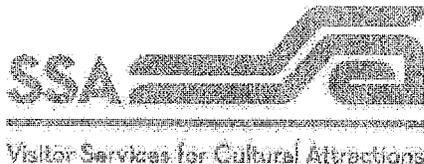
If this is the case, the patient will be transported to the Hospital ER for further assessment.

Alcohol Poisoning:

Zoo EMTs/Security Officers are trained to recognize these signs:

- slow/irregular breathing rate, slow heart rate, cool, pale, or blue skin, vomiting, confusion, seizures, or inability to awaken.

Patients usually require immediate transportation by ambulance to a Hospital ER.



Assumed Liability

As part of its agreement with the Oakland Zoo, SSA has agreed to indemnify, save, and hold harmless for all risk and liability assumed by SSA at the Zoo. In addition to this, SSA Liquor Liability insurance in the amount of \$1M Per Occurrence, \$2M Aggregate, with a \$15M Umbrella, and has named the Zoo and the City of Oakland as additional insured for liquor liability in addition to general liability, as evidenced by the attached certificate.

Conclusion: For the past 50 years, SSA has operated out of more than 35 accounts around the US with the sales and safe service of alcohol in cultural attractions. SSA serves over 25 million guests annually. The Oakland Zoo unit specific assessment understands the risks associated with the service of alcohol and has taken appropriate steps to eliminate any uncontrollable risks or deescalate any potential harmful situations.

The sale of alcohol will continue to be monitored and necessary controls will be implemented through SSA and Oakland Zoo Public Safety Department to ensure the safety of our animals, employees, and guests.



17.103.030B2 and 17.103.030B3

2. In addition to the criteria prescribed elsewhere in the zoning regulations, a land use permit for an Alcoholic Beverage Sales Commercial Activity located within an Alcoholic Beverage Sales license overconcentrated area shall only be granted, and a finding of Public Convenience or Necessity made, if the proposal conforms to all of the following criteria:

- a. **That a community need for the project is clearly demonstrated. To demonstrate community need, the applicant shall document in writing, specifically how the project would serve an unmet or underserved need or population within the overall Oakland community or the community in which the project is located, and how the proposed project would enhance physical accessibility to needed goods or services that the project would provide, including, but not limited to alcohol; The proposed sale of alcohol is not only intended to be a luxury amenity to visitors, but also to enhance the Zoo's appeal for having community and private events such as charity fundraisers, awards dinners, corporate events, private parties, etc... Oakland has a need for unique and appealing event venues. The Oakland Zoo spent millions on the new The Landing Café facility which lends itself to hosting events with a large outdoor deck and one of the most spectacular views in the entire Bay area. The sales of alcohol will enhance the appeal of using The Landing Café to host great events.**
- b. **That the overall project will have a positive influence on the quality of life for the community in which it is located, providing economic benefits that outweigh anticipated negative impacts, and that will not result in a significant increase in calls for police service; The service of alcoholic beverages is intended to be a luxury amenity and allow for functions such as corporate parties or charity fundraisers. Corporations and charities are always looking for a fun and exciting venues to host gatherings. The Oakland Zoo offers a unique venue with a world class facility that has a large outdoor deck with breathtaking views of the Bay. Many of the corporations and charities holding events there will be Oakland based. It will be a benefit financially to the City of Oakland to have more special events at the Zoo as the alcohol sales is taxable. Furthermore, corporations appreciate the ability to have events locally rather than having to go across the bay to San Francisco. The Oakland Zoo has a full time, highly trained public safety team. There is someone on duty 24 hours daily. In addition, the company that runs the concessions, Service Systems Associates, manages dozens of facilities across the US and has a track record of responsible service. Service Systems Associates has a comprehensive training program for their staff that focuses on not overserving as well as how to handle difficult situations.**
- c. **That alcohol sales are customarily associated with, and are appropriate, incidental, and subordinate to, a principal activity on the lot. Zoo's and other venues such as aquariums and museums across the United States serve alcohol to customers during normal business hours and special events. These venues main focus is on the art or animal viewing and that the service of alcohol is an incidental luxury amenity. Notable places that currently serve alcohol in California include:**

- San Francisco Zoo
- Monterey Aquarium
- Los Angeles Zoo
- Sacramento Zoo
- Fresno's Chaffee Zoo

Oakland Zoo Winter Hours 2019

version 2 (11.1.19)

Sunday, November 3 - Saturday, March 7, 2020**Winter Hours 2019****SATURDAY, SUNDAY, HOLIDAYS****Open****Close**

Zoo - tickets sales	9:30a	4:00p
Gondola	9:30a	4p last ride up
Contact Yard	10:00a	4:00p
Adventure Landing	10:00a	4:30p
Clearing the park and close	4:30p	5:00p

FOOD SERVICE

Tuskers	10:00a	4:30p
The Landing Café	10:30a	3:30p
Safari Café (in Adventure Landing)	10:00a	4:30p
Gift Shop	10:00a	4:30p

HABITARIUM**FRIDAY, SATURDAY, SUNDAY, HOLIDAYS**

Habitarium	10:30a	3:30p
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MONDAY - FRIDAY**Open****Close**

Zoo - tickets sales	10:00a	4:00p
Gondola	10:00a	4p last ride up
Contact Yard	10:00a	4:00p
Adventure Landing	11:00a	4:30p
Clearing the park and close	4:30p	5:00p

FOOD SERVICE

Tuskers	10:00a	4:30p
The Landing Café	10:30a	3:30p
Safari Café (in Adventure Landing)	NOT OPEN	NOT OPEN
Gift Shop	10:00a	4:30p

HABITARIUM - closed Mondays***TUESDAY - THURSDAY**

Habitarium	10:30a	2:30p
------------	--------	-------

ALL STAFF Information:

Not all animals will be on exhibit before 10:00a

***Habitarium open Mondays with Holiday Hours -**

Nov 11 - Veteran's Day

Nov 25 - Thanksgiving Week

Dec 23 Winter School Break

Dec 30 Winter School Break

Jan 20 - MLK Day

Feb 17 - President's Day

FALL
Oakland Zoo Summer Hours 2019

Tuesday, September 3 - Sunday, November 3

After Labor Day to Daylight Savings Time ends

SATURDAY, SUNDAY, HOLIDAYS	Open	Close
Zoo - tickets sales	9:30a	4:30p
Gondola	9:30a	5:00p last ride up
Contact Yard	10:00a	4:00p
Habitarium	11:00a	4:00p
Adventure Landing	10:00a	5:00p
Clearing the park and close	5:30p	6:00p

MONDAY - FRIDAY	Open	Close
Zoo - tickets sales	10:00a	4:30p
Gondola	10:00a	5:00p last ride up
Contact Yard	10:00a	4:00p
Habitarium - closed Mondays	11:00a	3:00p
Adventure Landing	11:00a	5:00p
Clearing the park and close	5:30p	6:00p

FOOD SERVICE

Tuskers	9:30a	5:00p
The Landing Café	10:30a	5:00p
Safari Café (in Adventure Landing)	11:00a	5:00p
Gift Shop	9:30a	5:00p

FOOD SERVICE

Tuskers	10:00a	4:30p
The Landing Café	10:30a	4:30p
Safari Café (in Adventure Landing)	11:00a	5:00p
Gift Shop	10:00a	4:30p

ALL STAFF Information:

Not all animals will be on exhibit before 10:00a

Vehicles out of Zoo by opening

Summer Hours 2019

Saturday, May 25 - Monday, Sept. 2

Memorial Weekend - Labor Day

SATURDAY, SUNDAY, HOLIDAYS	Open	Close
Membership Booth-Wake Up Zoo	9:00a	4:30p
Zoo - tickets sales	9:30a	4:30p
Gondola	9:30a	5:00p last ride up
Contact Yard	10:00a	4:00p
Habitarium	11:00a	4:00p
Adventure Landing	10:00a	5:30p
Clearing the park and close	6:00p	7:00p

FOOD SERVICE

Tuskers	9:00a	5:30p
The Landing Café	10:00a	5:30p
Safari Café (in Adventure Landing)	11:00a	5:30p
Gift Shop	10:00a	5:30p

*** As a special note,*

Saturday, June 22 the Zoo is closed all day to accommodate Walk in the Wild

ALL STAFF Information:

Opening:

Not all animals will be on exhibit before 10:00a

Vehicles out of Zoo by opening

Only Main Entrance Membership Booth opened for Wake Up Zoo

Breakfast in Tuskers 9:00a- Saturday, Sunday, & Holidays

End of Day:

Some animals have access to their nighthouses

Clear California Trail first

MONDAY - FRIDAY

	Open	Close
Membership Booth-Wake Up Zoo	9:30a	4:30p
Zoo - tickets sales	10:00a	4:30p
Gondola	10:00a	5:00p last ride up
Contact Yard	10:00a	4:00p
Habitarium	11:00a	4:00p
Adventure Landing	10:00a	5:30p
Clearing the park and close	6:00p	7:00p

FOOD SERVICE

Tuskers	10:00a	5:30p
The Landing Café	10:00a	5:30p
Safari Café (in Adventure Landing)	11:00a	5:30p
Gift Shop	10:00a	5:30p

NEW FOR 2019:

Breakfast Weekends & Holidays - 9:00a Tuskers

Dates:

ZooCamp Monday, June 10 - Friday, August 16

Zoo Closed for Walk in the Wild - Saturday, June 22

ROSEANN
DAL BELLO
LANDSCAPE
ARCHITECT

PO BOX 973
WOODACRE
CALIFORNIA
94973
415-459-6724



EAST BAY
ZOOLOGICAL SOCIETY
9777 GOLF LINKS RD.
OAKLAND, CA 94605

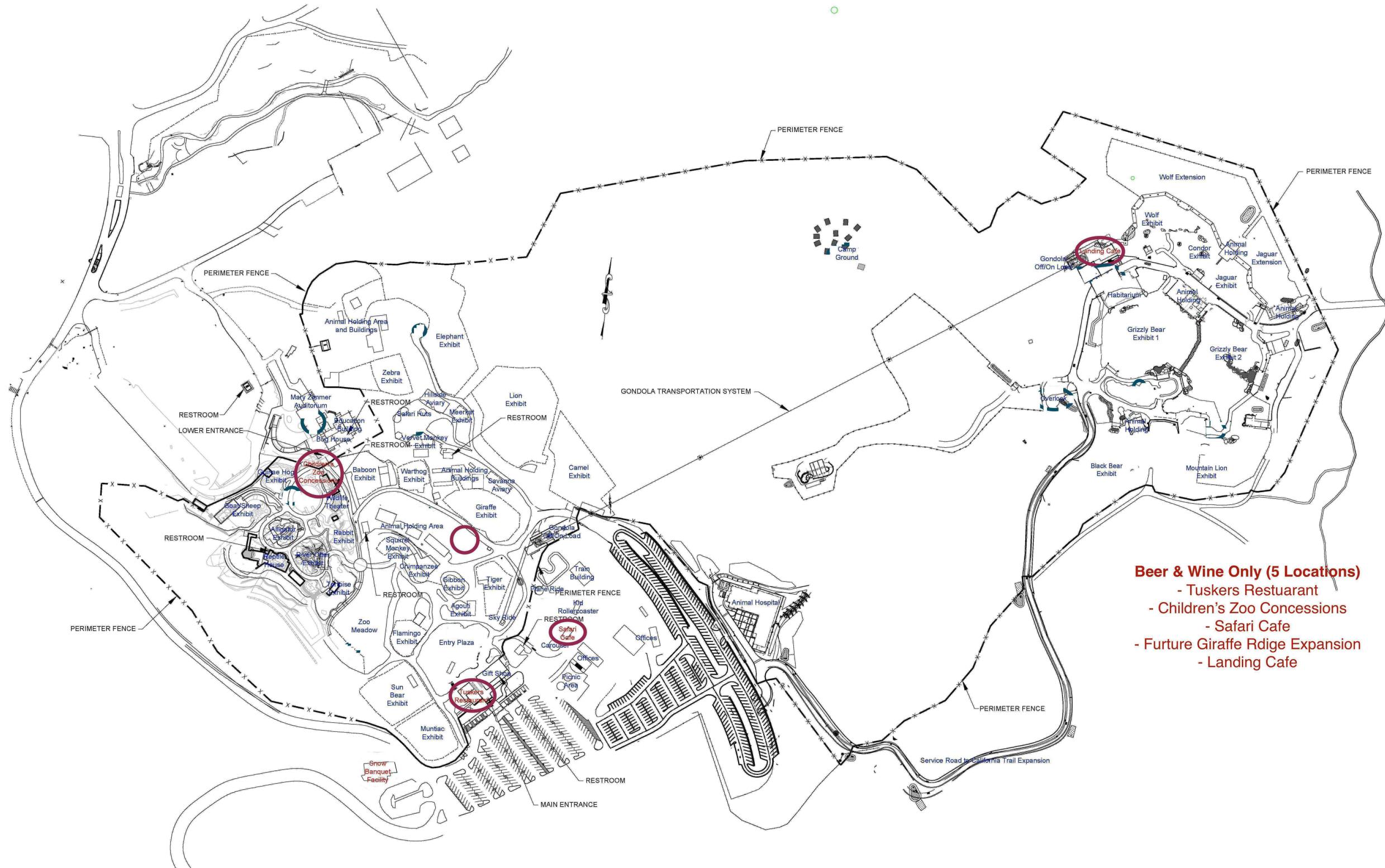
SHEET TITLE
ZOO RESTROOM'S
PERIMETER FENCE
AND
ZOO ENTRANCES

ABC LICENSE
APPLICATION

DATE	REVISIONS

STAMP

CHECKED BY	DATE
DATE	FILE NAME
10/12/17	Utility-Plan.dwg
DRAWN BY	SHEET
JOB NO.	SP-1
SCALE	Site Plan
1"=120'	



Beer & Wine Only (5 Locations)
 - Tuskers Restuarant
 - Children's Zoo Concessions
 - Safari Cafe
 - Future Giraffe Rdige Expansion
 - Landing Cafe



EAST BAY
ZOOLOGICAL SOCIETY
9777 GOLF LINKS RD.
OAKLAND, CA 94605

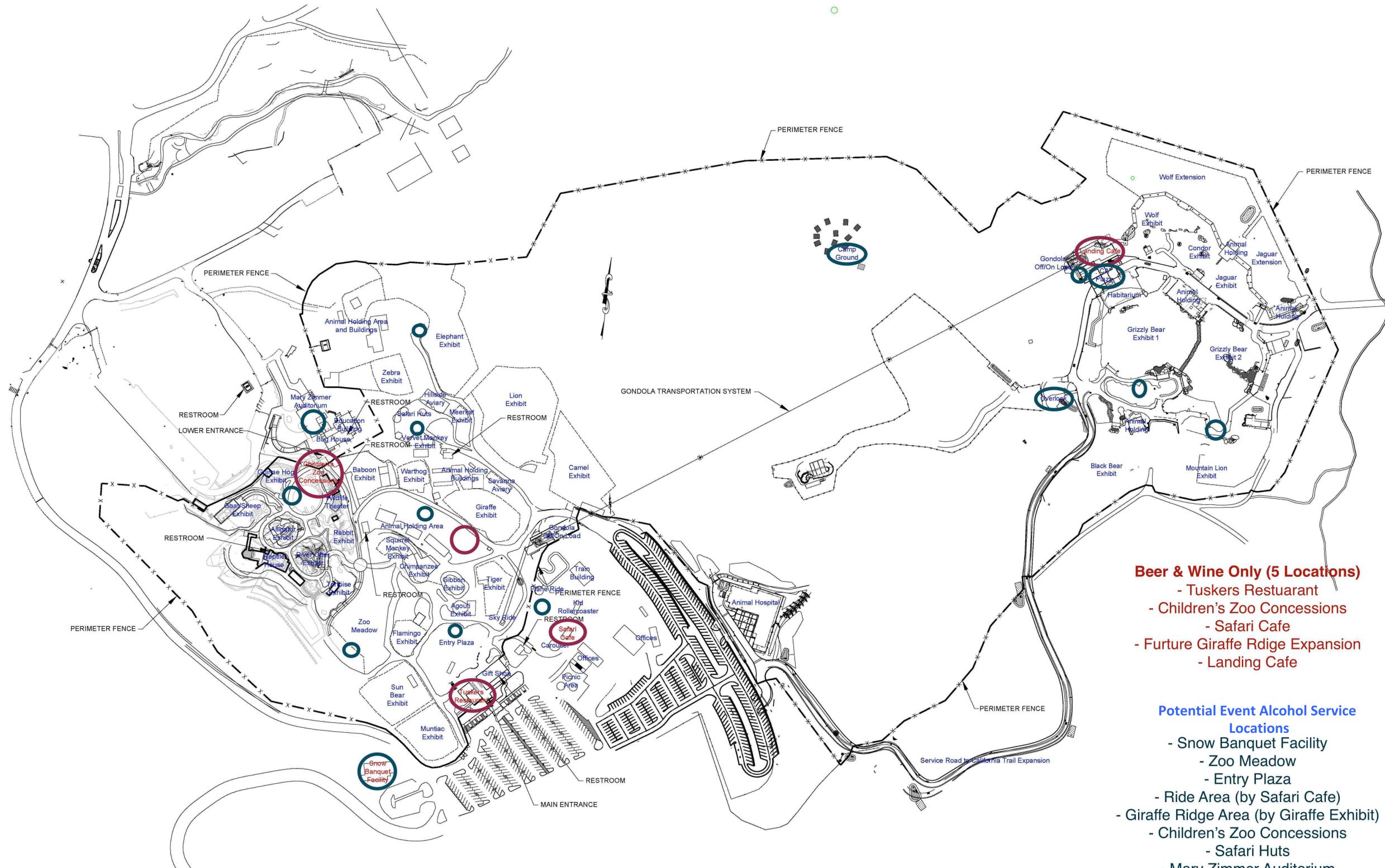
SHEET TITLE
ZOO RESTROOM'S
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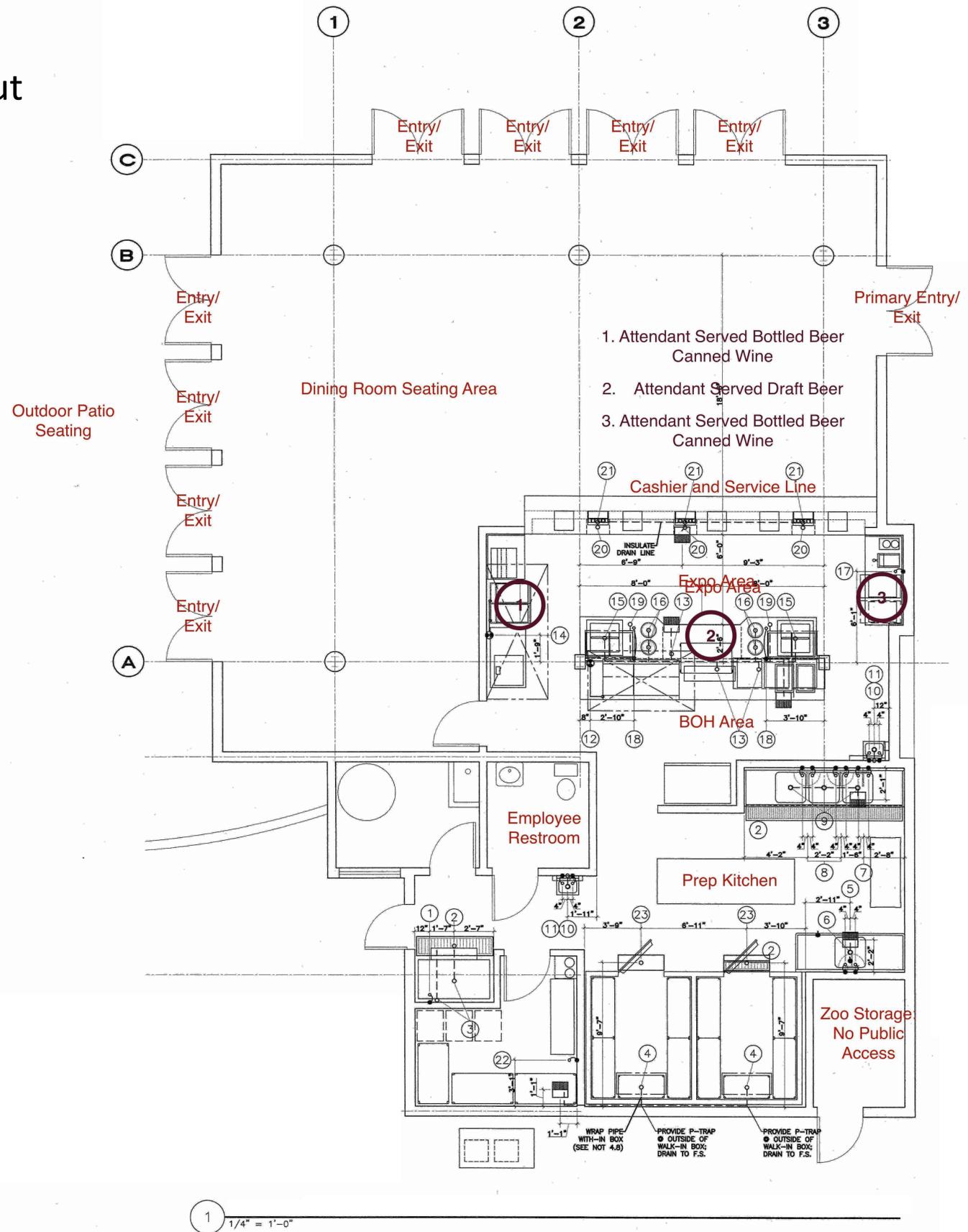
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JOB NO.	SP-1
SCALE	Site Plan
1"=120'	



- Beer & Wine Only (5 Locations)**
- Tuskers Restuarant
 - Children's Zoo Concessions
 - Safari Cafe
 - Furture Giraffe Rrdge Expansion
 - Landing Cafe

- Potential Event Alcohol Service Locations**
- Snow Banquet Facility
 - Zoo Meadow
 - Entry Plaza
 - Ride Area (by Safari Cafe)
 - Giraffe Ridge Area (by Giraffe Exhibit)
 - Children's Zoo Concessions
 - Safari Huts
 - Mary Zimmer Auditorium
 - Elephant Exhibit
 - Overlook
 - Grizzly Bear Exhibit 1
 - Mountain Lion Exhibit
 - CA Plaza
 - Landing Cafe
 - Camp Area

Tuskers Restaurant Layout



1 1/4" = 1'-0"

Noll & Tam
 architecture
 planning
 interiors

729 Heinz Avenue
 Berkeley, California 94710
 tel 510. 649. 8295
 fax 510. 649. 3008

in association with

joa
 janikowski
 oost and
 assocs, p.s.
 210third ave.so.
 suite 2 b
 seattle
 washington
 98104
 phone 206
 442 9702
 fax 206
 405 3305
 www.jo-a.com

OAKLAND ZOO
ENTRY BUILDING
RENOVATION
 GOLF LINKS ROAD
 OAKLAND, CA

SHEET TITLE
FOOD SERVICE
PLUMBING
PLAN AND SCHEDULE

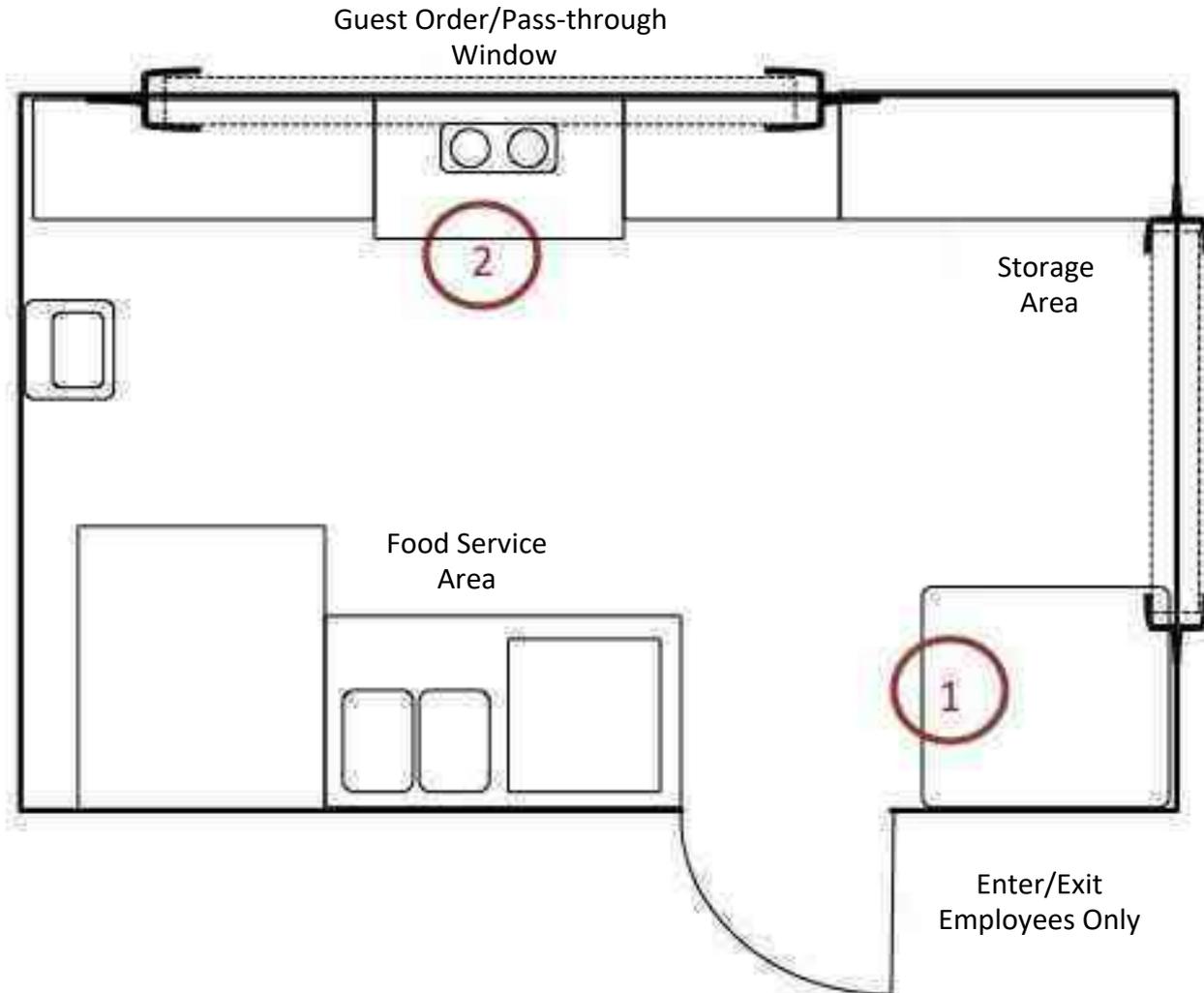
REVISIONS		
NO.	DATE	DESCRIPTION

CONSTRUCTION SET
 DATE 6/16/00 10/31/00
 DRAWN MRC
 CHECKED CK
 SCALE 1/4" = 1'-0"
 JOB NO: 9913 (K&A:4227)

SHEET NUMBER
EQP-1.0

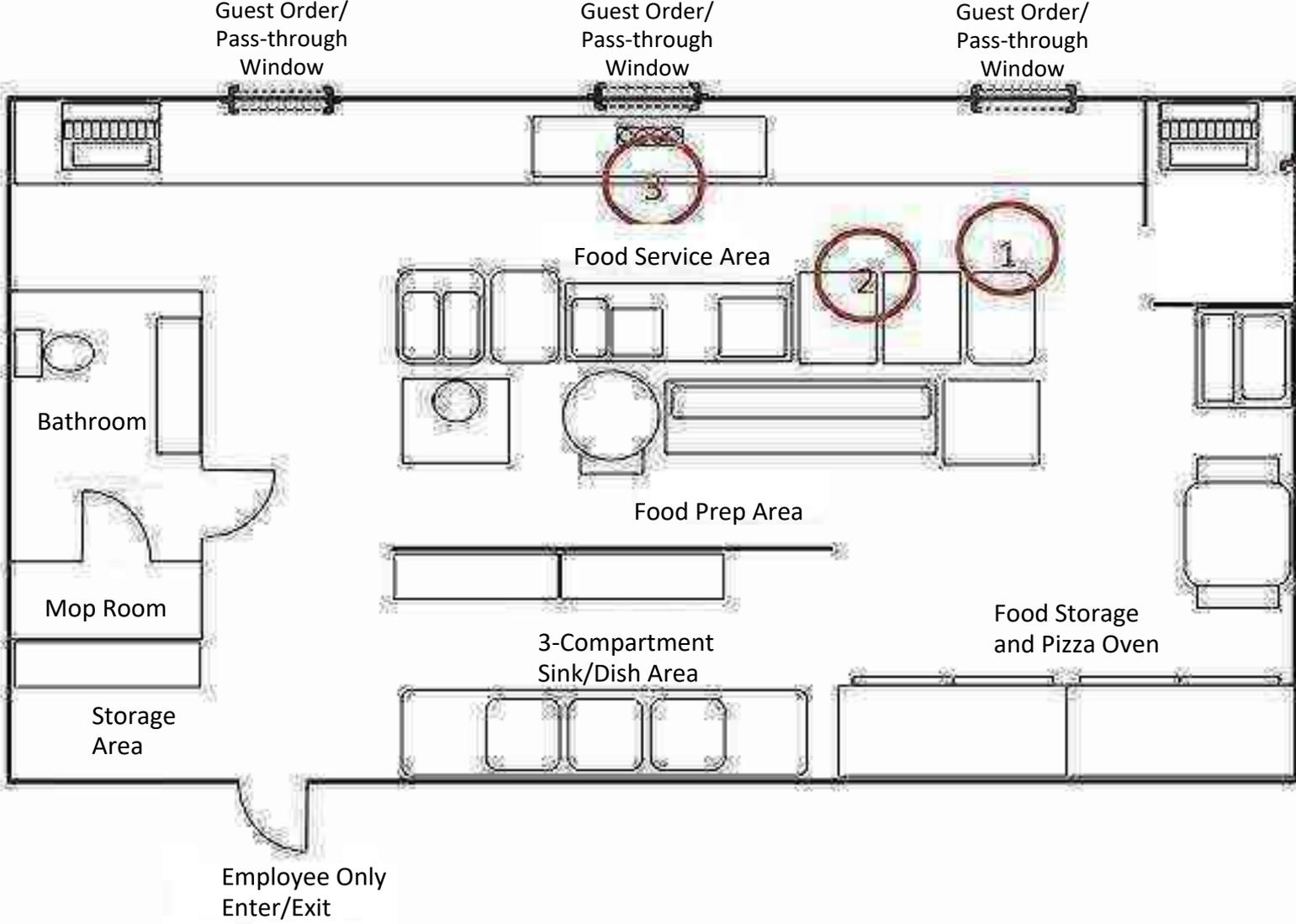
Children's Zoo Concessions Layout

1. Attendant served Bottled Beer & Wine
2. Attendant served Draft Beer



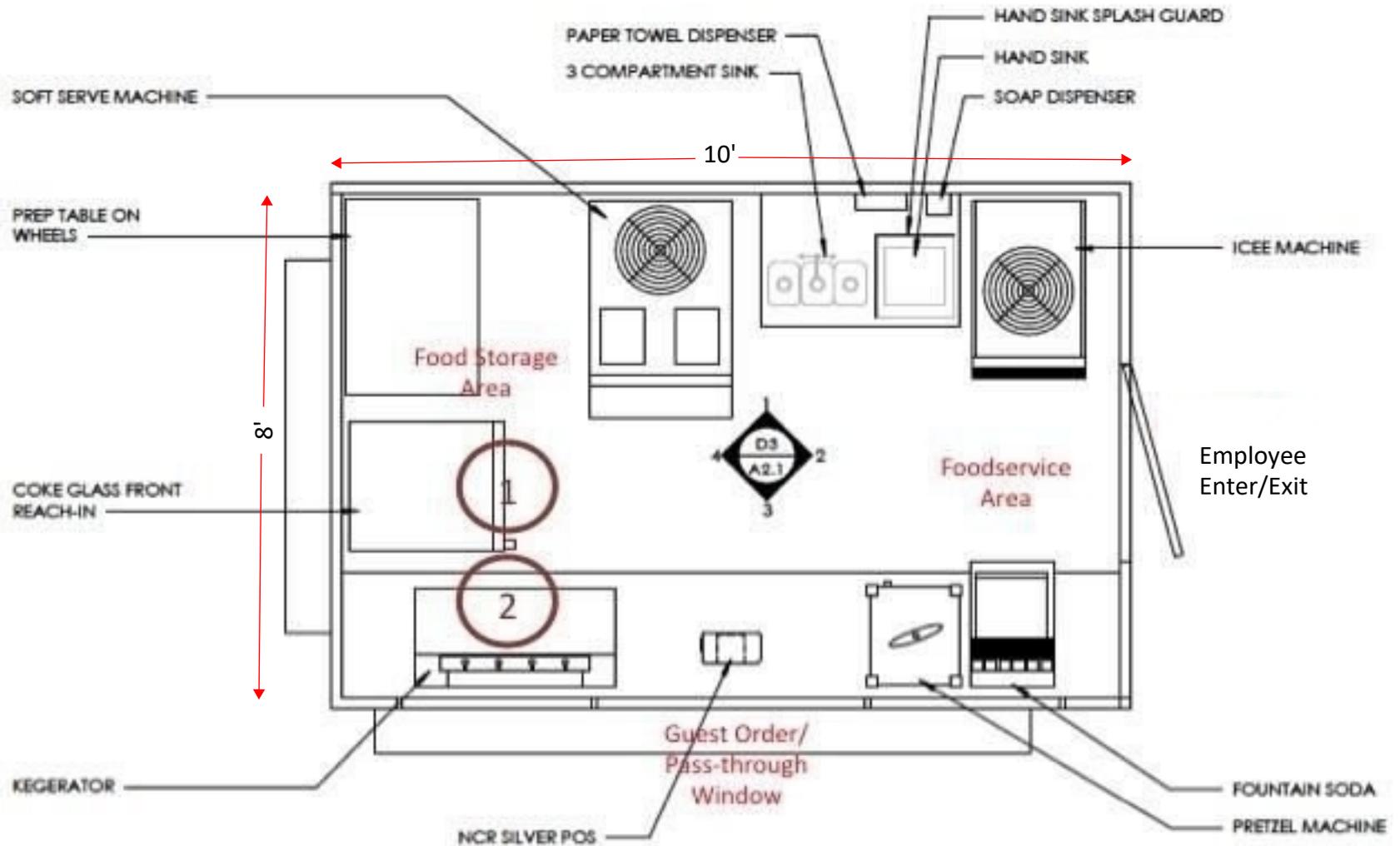
Safari Cafe' Layout

- 1. Attendant served Bottled Beer/Wine
- 2. Attendant served Draft Beer
- 3. Attendant served Frozen Margaritas



GIRAFFE RIDGE KIOSK 1

80 square feet



1. Attendant served Bottled Beer/Wine
2. Attendant served Draft Beer

**Statement of Operations for
Alcohol Sales at the Oakland Zoo
9777 Golf Links Drive, Oakland, CA
2/22/19**

Proposed Use: The sale of beer and wine at five existing food concession locations within the Zoo on a daily basis:

- Landing Café
- Tusker's Grille
- Children's Zoo Concession Stand
- Safari Café
- Giraffe Ridge Concessions

In addition, the sales of beer, wine and spirits at special events such as fundraisers or corporate receptions at various locations throughout the Zoo via temporary dispensing stands. Patrons would be allowed to carry beverages within the zoo boundaries, but not in parking lot areas.

Normal Zoo Hours of operation: Monday - Friday: 10:00am to 4:00 pm
 Saturday & Sunday: 10:00am to 4:30 pm

Special Event Hours: All special events will end by no later than 11:00 p.m.

Number of employees: 50+

Number of Security Personnel: There are 15 security employees. There is one or more security guards on duty 24 hours/day every day. During hours that visitors are at the Zoo, there is a minimum of (1) Chief or Assistant Director, (1) supervisor, (1) EMT, (1) security officers. On anticipated busy days, staffing levels are increased accordingly.

Security: The security personnel are all employees of the Zoo and go through extensive corporate training. All personnel are trained in First Aid, CPR, and AED Operation as well as Guest Relations, Event Security, Incident & Accident Reporting, Crowd Control, Alarm Response and Traffic Directions. Security personnel actively patrol the Zoo and parking lot during normal business hours. In addition, at least 1 security personnel is on site 24 hours per day.

Additional Security measures: There are 10 plus security cameras located throughout the Zoo. All managers and servers engaged in the service of alcoholic beverages go through corporate responsible beverage service training.

About Oakland Zoo

Oakland Zoo was established in 1922 in Oakland, California, United States and is managed by the Conservation Society of California, a 501(c)3 non-profit organization dedicated to the conservation of wildlife both locally and globally. The Zoo is home to over 700 native and exotic animals. It's recognized for its outstanding animal care, particularly its elephant care program, and for its Leed-certified, 17,000 square foot, state-of-the-art veterinary hospital—the largest wild animal veterinary facility in Northern California.

On July 20, 2018, the Oakland Zoo opened the California Trail opened to the public, focusing on this state's remarkable native wildlife—both past and present.

About SSA

SSA manages the Oakland Zoo's concessions. Founded in 1971, SSA has become a leading provider of food, beverage and retail management providing services to over 50 zoos, aquariums, and museums across the United States including the Monterey Aquarium, Los Angeles Zoo, Sacramento Zoo, Denver Zoo, USS Missouri and Center of Science and Industry. Please visit www.kmssa.com to learn more about SSA.

B. Request From San Francisco Mime Troup Approval To Collect Donations And Sales of Event Related Merchandise At Lakeside Park On July 31, 2019 And August 1, 2019.

Motion: Commissioner Corbin entertained a motion to recommend approval of Consent New Business items 6A and 6B. **Moved by:** Commissioner Cole. **Second by:** Commissioner Reilly. **Motion:** Passed.

Vote:

Yes: 8 - Cole, Corbin, Moore, Norman, Reilly, Smith, Torres and Wolfson
Excused: 3 - Aikens, Ha and Howze

7. NEW BUSINESS:

A. Request For The Parks And Recreation Advisory Commission To Provide A Recommendation To The City Of Oakland Planning Commission For Approval Of A Major Variance For Alcoholic Beverage Sales In The Existing Concession Stands And Cafés/Restaurants At The Oakland Zoo.

The Parks and Recreation Advisory Commission reviewed the staff report was prepared by Brittany Lenoir from the Planning Department.

Beer and wine sales were proposed to be located within five existing concession stands and cafés/restaurants at the Oakland Zoo, including: Tusker's Restaurant, Children's Zoo Concession Stand, Safari Café, Giraffe Ridge Concession Stand, and the Landing Café. In Exhibit A, staff provided an overview of all five locations as well as the associated floor plans of each establishment. Alcoholic beverages will be sold at these locations during normal hours of operation, which are Monday to Friday from 10:00am to 4:00pm and Saturday to Sunday from 10:00am to 4:30pm.

Planning Staff requested the Parks and Recreation Advisory Commission provide a recommendation of approval to the City of Oakland Planning Commission for a Major Variance for Alcoholic Beverage Sales at the Oakland Zoo as described above.

The following team representing the Oakland Zoo, provide feedback for the Commission.

Steve Rawlings - Rawlings Consulting acknowledged the firm's extensive activity throughout the United States in the hospitality industry representing corporations hosting special events including charity fundraisers.

Ashley Van Veen – General Manager of Service Systems Associates (SSA) the culinary and retail operator at the Oakland Zoo. SSA is a family owned business of 60 years providing service to Zoo organizations around the country including Denver, Texas, Ohio as well as Sacramento, CA.

Bob Westfall – Chief of Public Safety, with the Oakland Zoo for 20 years. The Chief manages a team of 15 security officers including EMT's – onsite 24 hours every day.

Brandon Gervais – Community Services liaison including local businesses.

Upon hearing the staff report, the Commission made the following observations, comments and recommendations, and received clarification from the Oakland Zoo team:

Comments:

Observations:

- Fences nor other boundaries were depicted in the schematic provided establishing separation of concession spaces offering alcohol consumption.
- A Risk Management Plan acknowledging possible risks to introducing the consumption of alcohol on the premises was not included in the report.
- Other than requesting identification, there were no other processes in place for identifying age appropriate consumers of alcohol.
- The concession at the Oakland Children's Zoo was included among the list of 5 to offer alcohol.

Clarifications – Zoo Team:

- It is common for zoo organization to offer alcoholic beverages at concession kiosks located in children's areas. This is a practice at the San Francisco Zoo.
- The initial availability of alcoholic beverages will be offered at the two larger concessions including the California Trail and the one closest to the entrance of the Zoo.
- While alcohol would be available when the Zoo opens at 10:00 a.m., experience shows that sales of alcohol begin at lunchtime.
- Serving sizes include a 12oz or 16oz Solo cup.
- Consumers will be limited to purchasing one alcoholic drink at a time.
- 30% of food and beverage sales will be provided to the Zoo/animal conservation.
- Behavior associated with over intoxication will be managed by the Public Safety Team including the EMT staff.
- Persons will be escorted off the premises.
- SSA provides an intensive training program for its servers to spot intoxication. They must also communicate with the Public Safety Team
- In the event a Zoo patron leaves the premises intoxicated and causes an accident, the facility and individual servers can both be held responsible.
- Spirits will only be served after hours at special events.

Recommendations:

- Would like to see a detailed Risk Management Plan included with recommendation to the Planning Commission.
- Utilize wrist bands to identify age appropriate consumers of alcohol

Motion: Commissioner Corbin entertained a motion to recommend the Planning Commission approve a Major Variance for Alcoholic Beverage Sales at the Oakland Zoo. The PRAC also recommends the Commission consider the inclusion of an articulated pilot program, an articulated Risk Management Plan, and utilization of wrist bands to identify age appropriate consumers of alcohol. **Moved by:** Commissioner Cole. **Second by:** Commissioner Norman. **Motion:** Passed.

Vote:

Yes: 8 - Cole, Corbin, Moore, Norman, Reilly, Smith, Torres and Wolfson
Excused: 3 - Aikens, Ha and Howze

B. Request Approval From The Parks and Recreation Advisory Commission to Allow The Evangelistic Outreach Church To Collect On-Site Donations And Allow Vendors to Sell Merchandise, Foods And Wares At Their Juneteenth/Father's Day Celebration at the Eastshore Park On Sunday, June 16, 2019, From 12:00pm-2:00pm.

The Parks and Recreation Advisory Commission reviewed the staff report presented by Zermaine Thomas from Oakland Parks, Recreation and Youth Development (OPRYD), Central Reservations.

Established in 1965, the non-profit Evangelistic Outreach Church requested PRAC's approval to collect on-site donations and to allow vendors to collect revenue from the sale of merchandise, food and wares at the Juneteenth/Father's Day Celebration at Eastshore Park, on Sunday, June 16, 2019. Approval from the Parks and Recreation Advisory Commission is required per O.M.C. section 12.64.080.

Motion: Commissioner Corbin entertained a motion to recommend approval for the Evangelistic Outreach Church to collect donations and for event vendors to collect revenue from the sale of merchandise, food and wares at their Juneteenth/Father's Day Celebration at Eastshore Park, on Sunday, June 16, 2019. **Moved by:** Commissioner Smith. **Second by:** Commissioner Torres. **Motion:** Passed.

Vote:

Yes: 8 - Cole, Corbin, Moore, Norman, Reilly, Smith, Torres and Wolfson
Excused: 3 - Aikens, Ha and Howze

SSA at Oakland Zoo: Alcohol Risk Management Assessment

Purpose: To consider effectiveness, efficiency, and constraints with the addition of selling alcohol within the Oakland Zoo. Measuring the potential controllable and uncontrollable risks associated with the sales and consumption of alcohol on zoo grounds. The document serves the purpose to provide selected controls and how to give our staff knowledge to protect themselves from illegal alcohol service and promote guest enjoyment consuming alcohol responsibly.

The below list identifies uncontrollable risks associated with serving alcohol. As the uncontrollable risks are identified, selected controls and procedures have been identified to provide safe alcohol service.

Identified Uncontrollable Risks:

- Guest potentially over consuming and becoming intoxicated on zoo grounds
- Intoxicated guest who become aggressive or start to act in any unsafe manner
- Guest potentially leaving the zoo and driving intoxicated
- Guest under the influence of another substance attempting to consume alcohol
- Intoxicated guest attempting to interact with animals on zoo grounds
- Potential for underage guest consuming an alcoholic beverage
- Staff consuming alcohol while on the job
- Receiving and storing the product
- The natural elements of the zoo's steep terrain and outside heat could add to exhaustion or dehydration while guest is consuming alcohol

Here is the list of identified selected controls. Once the controls are identified, a detailed evaluation will map out the implementations of the controls.

Identified Selected Controls:

- Reasonable Efforts for alcohol service
- ServSafe Alcohol training for managers and staff with certification
- Following Safe-Service Technique: (6) Step Method to creating a safe atmosphere for guests
- Setup and organization for proper alcohol storage under lock and key
- Testing of pilot location with set conditions
- Onsite Public Safety Officers and EMT's
- Alternative Transportation offerings for intoxicated guests
- Assumed liability should an incident occur



Visitor Services for Cultural Attractions

Reasonable Effort

Serving alcohol is a serious responsibility. SSA counts on our employees to properly control and monitor how our employees provide this service to guests. Practicing reasonable efforts will help protect our employees, SSA, Oakland Zoo, and our guests from legal ramifications.

Here are some examples of reasonable efforts:

- ✓ Training Employees: ServSafe Alcohol
- ✓ Knowing California alcohol laws
- ✓ Respectfully refusing service
- ✓ Offering food to intoxicated guest
- ✓ Politely offering non-alcoholic beverage
- ✓ Calling alternative means for transportation

ServSafe Alcohol Training

“ServSafe is a food and beverage safety training and certificate program administered by the National Restaurant Association. The program is accredited by the ANSI and The Conference for Food Protection. ServSafe Alcohol was prepared by experts who have experience with risks involved in serving alcohol. These experts have developed training to prepare individuals how to handle the risks responsibly”

- Prior to the start of alcohol service, all SSA managers will be required to complete and pass the Manager ServSafe Alcohol course for alcohol sales.
- All middle level management and cashiers will be required to complete and pass an instructor led course through ServSafe Alcohol. Must be completed prior to service of alcohol

Employee Responsibilities:

- ✓ Obey laws prohibiting serving alcohol to minors
- ✓ Obey laws prohibiting serving alcohol to intoxicated person
- ✓ Check for proper identification from each person
- ✓ Reporting potential unsafe activity regarding intoxicated guests

Safe-Service Technique

In addition to the ServSafe Alcohol Training, there are (6) steps SSA has identified to create a safe atmosphere for our guests and employees. These steps aim to minimize any potential problematic situations from arising or escalating.

- **Step 1: Greet Every Guest**
 - Allows the server a chance to check for visible intoxication
 - Provides a sense of good customer service
- **Step 2: Always check ID**
 - This is the best defense for underage sales
 - Card anyone who appears to be younger than the age of 50
 - **Checking ID's: The 5-Step Process**
 - ✓ Ask the guest to remove the ID from their wallet or purse
 - ✓ Determine if the ID is valid
 - ✓ Ask questions about their birthdate, zodiac sign, age, etc..
 - ✓ If you have doubts, ask for a second form of ID
 - ✓ If you still have doubts, do not serve and/or call for manager

Acceptable Forms of ID

- Valid Driver's License
- Valid state-issued ID card
- US active-duty military ID
- Passport
- **Step 3: Be Attentive**
 - An effective bartender will scan the room for things that are out of the ordinary
 - Allows the opportunity to pinpoint guests that may need to be cut off
- **Step 4: Offer Assistance**
 - Its ok to ask for help in a situation where a guest starts to create a scene or disturb others
 - Asking for help allows server to focus on other guests
- **Step 5: Make Reasonable Efforts**
 - Take all the proper steps to prevent alcohol related problems
- **Step 6: If you're not sure, don't serve**
 - Stick to your gut, even if a guest protest
 - Demonstrate to other guests that you're not afraid to do what is right

Identifying Visible Intoxication

If you can tell that a person is under the influence of alcohol just by looking at them, the person is in fact visibly intoxicated. It is illegal to serve people that are visibly intoxicated.

(4) common traits of visible intoxication:

- Vocal Traits
 - Slurred speech
 - Slow responses
 - Loud and noisy speech



Visitor Services for Cultural Attractions

- Physical Traits
 - Swaying or staggering
 - Lack of focus or eye contact
 - Clumsy
- Appearance Traits
 - Bloodshot eyes
 - Droopy Eyelids
 - Flushed Face
- Personality Traits
 - Argumentative
 - Aggressive or belligerent
 - Annoying others around them



Visitor Services for Cultural Attractions

Organization of Alcohol Storage

Specific to each SSA Location, below are the guidelines to storage at Oakland Zoo.

All beer and wine will be stored in the following locations. The manager responsible for stocking alcohol in location(s) will fill out an inventory sheet at the beginning of the shift. The inventory sheet will need to be signed out at the end of each shift to ensure all beer and wine was sold and minimize any potential tampering of product or theft.

Locations:

- Food & Beverage Warehouse. Only four keys will be given to Senior Managers and two additional keys to Public Safety Director and Assistant Director
 - Inside the warehouse alcohol will be stored in a locked alcohol cage with keys only given to Senior Managers and Warehouse Manager.
- The second floor of The Landing Café in small storage room will contain alcohol for The Landing Café. This office be accessed by Senior Managers and Warehouse Manager.
- The second-floor cooler to The Landing Café will also receive a lock and key to store alcohol products.

All locations will receive inventory “in” and “out” sheets to record product sold each day

Pilot Location Test:

The Landing Café will be the pilot testing location for alcohol sales at Oakland Zoo. The following are conditions to the testing of this location:

1. Only the service of beer and wine, no spirits will be sold per approved license
2. All guests must present ID as outlined in above technique
3. Sales to remain inside The Landing Café and not at the snack carts. (This condition would only apply during pilot testing)
4. No food or beverage allowed on the gondola. Consumption of beer and wine allowed at CA Trail site.
5. No food or drinks are allowed in the Habitarium this will keep a kid zone free of alcoholic beverages
6. All guests purchasing an alcoholic beverage will only be allowed to purchase one beverage at a time.
7. There will be No promotion/no deals/no discounts on an alcoholic beverage
8. To avoid people bringing their own cans: we will be pouring every beer and wine in a cup
9. Alcohol sales will only happen during restaurant opening hours of 10:00am to 5:30pm.
 - a. Zoo opens at 9:30am and closes by 7:00pm during summer hours
 - b. Winter hours are subject to change

Measurables

- ✓ Pilot testing will last 90 days in The Landing Café
- ✓ SSA will measure number of beer and wine beverages sold during the 90 days
- ✓ Oakland Zoo Public Safety will provide any incidents reported within the 90 days that relate to an intoxicated guest or a guest who consumed alcohol on the grounds of the zoo
- ✓ The number of guests compared the number of incidents will be reported



Visitor Services for Cultural Attractions

Once pilot testing is completed and no large risks have been observed, alcohol sales will be at Tuskers Café and Giraffe Snack Stand.

Onsite Public Safety Officers and EMT's:

The following information clarifies the Zoo's Public Safety Department response to and treatment of guests suspected of being under the influence of alcohol or suffering from related side effects.

Disorderly Conduct:

1. Guest behavior is identified (physical, appearance, or personality) as listed above.
2. SSA or Oakland Zoo Staff to contact Public Safety (Zoo Security) via pre-assigned handheld radio programmed on Channel 1 to report any incident resulting from the consumption of alcohol.
3. Upon arrival at the scene, Zoo EMTs/Security will meet both SSA and/or Oakland Zoo Staff and the suspect to ensure their health is not compromised.
4. Zoo EMTs/Security will initiate an escort of the disorderly guest out of the zoo
5. While escorting guest Zoo Public Safety will coordinate alternate transportation if necessary, to provide the suspect's safe return home.

Dehydration:

Zoo EMTs/Security Officers are trained to recognize these signs:

- dry mouth and skin, headache, muscle cramps, and thirst.
- Worsening symptoms may include dizziness, rapid heartbeat/breathing, confusion, seizures, and/or fainting. Treatment usually includes having the patient slowly sip only water,

However, a patient who has trouble remaining conscious, will not be given water since they are unable to maintain their airway.

If this is the case, the patient will be transported to the Hospital ER for further assessment.

Alcohol Poisoning:

Zoo EMTs/Security Officers are trained to recognize these signs:

- slow/irregular breathing rate, slow heart rate, cool, pale, or blue skin, vomiting, confusion, seizures, or inability to awaken.

Patients usually require immediate transportation by ambulance to a Hospital ER.



Assumed Liability

As part of its agreement with the Oakland Zoo, SSA has agreed to indemnify, save, and hold harmless for all risk and liability assumed by SSA at the Zoo. In addition to this, SSA Liquor Liability insurance in the amount of \$1M Per Occurrence, \$2M Aggregate, with a \$15M Umbrella, and has named the Zoo and the City of Oakland as additional insured for liquor liability in addition to general liability, as evidenced by the attached certificate.

Conclusion: For the past 50 years, SSA has operated out of more than 35 accounts around the US with the sales and safe service of alcohol in cultural attractions. SSA serves over 25 million guests annually. The Oakland Zoo unit specific assessment understands the risks associated with the service of alcohol and has taken appropriate steps to eliminate any uncontrollable risks or deescalate any potential harmful situations.

The sale of alcohol will continue to be monitored and necessary controls will be implemented through SSA and Oakland Zoo Public Safety Department to ensure the safety of our animals, employees, and guests.



17.103.030B2 and 17.103.030B3

2. In addition to the criteria prescribed elsewhere in the zoning regulations, a land use permit for an Alcoholic Beverage Sales Commercial Activity located within an Alcoholic Beverage Sales license overconcentrated area shall only be granted, and a finding of Public Convenience or Necessity made, if the proposal conforms to all of the following criteria:

- a. **That a community need for the project is clearly demonstrated. To demonstrate community need, the applicant shall document in writing, specifically how the project would serve an unmet or underserved need or population within the overall Oakland community or the community in which the project is located, and how the proposed project would enhance physical accessibility to needed goods or services that the project would provide, including, but not limited to alcohol;** The proposed sale of alcohol is not only intended to be a luxury amenity to visitors, but also to enhance the Zoo's appeal for having community and private events such as charity fundraisers, awards dinners, corporate events, private parties, etc... Oakland has a need for unique and appealing event venues. The Oakland Zoo spent millions on the new The Landing Café facility which lends itself to hosting events with a large outdoor deck and one of the most spectacular views in the entire Bay area. The sales of alcohol will enhance the appeal of using The Landing Café to host great events.
- b. **That the overall project will have a positive influence on the quality of life for the community in which it is located, providing economic benefits that outweigh anticipated negative impacts, and that will not result in a significant increase in calls for police service;** The service of alcoholic beverages is intended to be a luxury amenity and allow for functions such as corporate parties or charity fundraisers. Corporations and charities are always looking for a fun and exciting venues to host gatherings. The Oakland Zoo offers a unique venue with a world class facility that has a large outdoor deck with breathtaking views of the Bay. Many of the corporations and charities holding events there will be Oakland based. It will be a benefit financially to the City of Oakland to have more special events at the Zoo as the alcohol sales is taxable. Furthermore, corporations appreciate the ability to have events locally rather than having to go across the bay to San Francisco. The Oakland Zoo has a full time, highly trained public safety team. There is someone on duty 24 hours daily. In addition, the company that runs the concessions, Service Systems Associates, manages dozens of facilities across the US and has a track record of responsible service. Service Systems Associates has a comprehensive training program for their staff that focuses on not overserving as well as how to handle difficult situations.
- c. **That alcohol sales are customarily associated with, and are appropriate, incidental, and subordinate to, a principal activity on the lot.** Zoo's and other venues such as aquariums and museums across the United States serve alcohol to customers during normal business hours and special events. These venues main focus is on the art or animal viewing and that the service of alcohol is an incidental luxury amenity. Notable places that currently serve alcohol in California include:
 - San Francisco Zoo
 - Monterey Aquarium
 - Los Angeles Zoo
 - Sacramento Zoo
 - Fresno's Chaffee Zoo