Oakland City Planning Commission

Case File Number PLN16083

STAFF REPORT November 16, 2016

Location: 205 Alice Street (APN:001-0151-004-00)

Proposal: To establish a Group Assembly Activity for an event space and

an Alcoholic Beverage Sales Activity related to the event

space within an existing commercial building.

Contact Person/Phone Number: Rebecca Amato (510) 420-0210

Owner: Chris Curtis

Case File Number: PLN16083

Planning Permits Required: Major Conditional Use Permit to allow a Group Assembly and

Alcoholic Beverage Sales Commercial Activities in the C-45 Zone; Additional findings for sale of alcohol and Public

Convenience or Necessity.

General Plan: EPP – Mixed Use District

Zoning: C-45, Community Shopping Commercial Zone

Environmental Determination: Exempt, Section 15332 of the State CEQA Guidelines:

In-fill development projects;

Section 15183:

Projects consistent with a community plan, general plan or

zoning

Historic Status: Not a Potential Designated Historic Property; Rating: F3

Service Delivery District: Metro City Council District: 3

Commission Action to Be Taken: Decision on Application

Appeal: Appealable to City Council within 10 days

For Further Information: Contact case planner Moe Hackett at (510) 238-3973 or by

email: mhackett@oaklandnet.com

SUMMARY

This is a request to establish an assembly event/banquet hall within an existing commercial building, and would include the sale of alcoholic beverages on-site to customers. Staff recommends approval of the application with conditions.

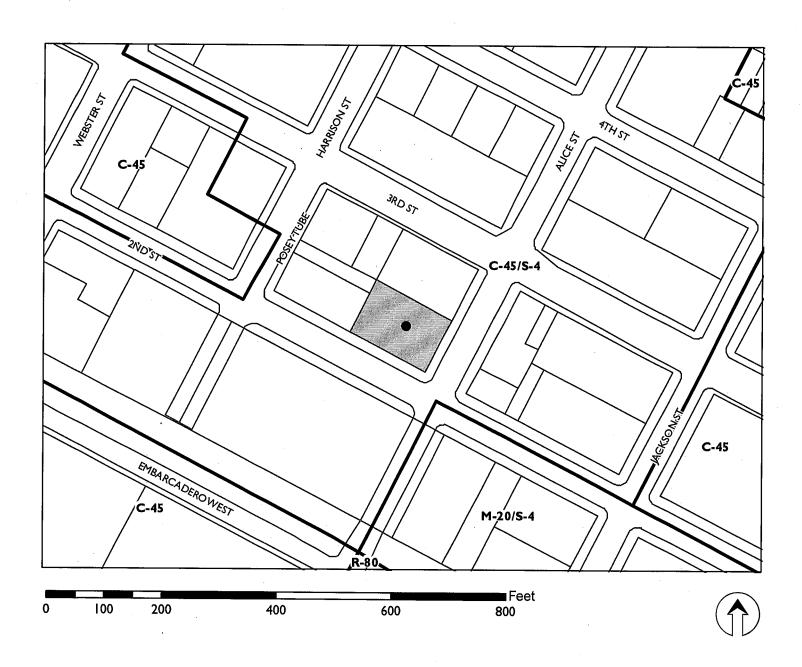
PROPERTY DESCRIPTION

The property consists of a level 15,000 square-foot lot in the Jack London warehouse district along Alice Street at the corner of 2nd Street. The lot contains a warehouse at zero lot line with windows, a pedestrian entry; double curb cut, and double roll-up doors facing Alice and a curb cut, elevated loading berth, and employee entrance facing 2nd Street. The warehouse was constructed circa 1953 and was most recently used by a bicycle company headquarters for their manufacturing, storage, shipping administration, and retail sales. The area consists of warehouses, live/work loft buildings, food and beverage establishments, and Jack London Square along the Oakland Estuary.

PROJECT DESCRIPTION

The applicant proposes to renovate approximately two-thirds of the building for use as an event hall. The remaining one-third of the building, at the rear with access off of 2nd Street, is proposed for use as a brewery (under a separate Minor Conditional Use Permit application).

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN16083

Applicant: Rebecca Amato Address: 205 Alice Street

Zone: C-45

The event hall would occupy 13,000 square feet in floor area and include a new large catering kitchen for preparing food for events, new restroom facilities, and a new mezzanine space within the existing building envelope. All events at the site would be fully catered to include meals. Alcoholic beverages would be available through an ABC type 47 restaurant license to allow beer, wine and distilled spirits while still allowing for minors to be present on the premises as a bone-fide eating establishment. The applicant plans to operate with a maximum occupancy of approximately 1,500 persons total, subject to final decision by the Fire Marshal. The proposed hours of operation for the space are Monday through Sunday from 7:30 AM to 2:00 AM. For events lasting until 2:00 AM, last call for any alcoholic beverages would be 1:30 AM. The event space would be staffed with between 5 to 40 employees depending upon the size of the event. The proposal also includes other exterior modifications, including upgrades to the façade, which the applicant would apply for through a Small Project Design Review process. The applicant would establish the 2nd Street frontage as the new primary entry to the building with a new raised entry along 2nd Street for ADA accessibility.

The Type 47 license from the California Department of Alcoholic Beverage Control (ABC) would be joined by a Type 68 license for a portable bar that can be moved about the premises depending on the layout of any particular event. ABC's description of a Type 47 and 68 licenses are as follows:

<u>Type 47:</u> ON SALE GENERAL – EATING PLACE - (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on the licensed 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.

<u>Type 68:</u> PORTABLE BAR – Authorizes a portable bar license allows the holder of an onsale licensee to have a bar that is moved about the premises for the sale of distilled spirits. A portable bar license is not required if you are only selling beer and wine.

GENERAL PLAN ANALYSIS

The subject property is located within the Mixed Use land use classification of the Estuary Plan. The Plan's intent for the area is to: "Encourage the development of nontraditional higher density housing (work/live, lofts, artist studios) within a context of commercial and light industrial/manufacturing uses. The proposal conforms to the following Policy of the Estuary Plan:

POLICY JL-1: Reinforce retail, dining and entertainment uses along the waterfront, and extend these uses along Broadway to create a regional entertainment destination.

ZONING ANALYSIS

The project consists of the two use classifications, Group Assembly and Alcohol Beverage Sales Commercial Activities. Group Assembly in the C-45 Zone requires a Minor Conditional Use Permit and Alcoholic Beverage Sales Activities requires a Major Conditional Use Permit with review by the Planning Commission. Findings that must be made in order to approve the project include General Conditional Use Permit findings per Section 17.134.050, special findings for Alcoholic Beverage Sales Commercial Activities per Section 17.103.030B, and Findings of Public Convenience or Necessity. These reviews are discussed in the 'Key Issues and Impacts' section of this report..

KEY ISSUES AND IMPACTS

The proposed facility, a banquet hall with limited food service and a full service bar, is not anticipated to generate a significant number of police calls for service. The proposed use would provide a variety of alcoholic beverages while generating minimum nuisance due to the implementation of alcohol license restrictions and conditions of approval such as provision of food service, no off-sale (retailing) of alcohol, security staff, and maintenance of the site as required by Conditions of Approval.

Crime Control

Findings of Public Convenience or Necessity are required because the premises would engage in alcohol sales in an over-concentrated area; census tract 9832 is higher than the countywide average in the number of alcoholic beverage sales licenses; however, police beat 01X is not higher than average for citywide reported crime. (The ABC licenses in the tract are predominantly for restaurants. The tract is comprised of the Jack London District (less the Square), which is largely an entertainment and visitor oriented district.) Therefore, with appropriate conditions regarding hours and alcohol sales limitations, this project would meet all of the Use Permit Criteria pursuant to Section 17.134.050 as well as the additional findings, which are attached herein and are hereby incorporated into this report.

The Oakland Police Departments Alcohol Beverage Action Team (ABAT) unit has also been advised of the project. The applicant has also reached out to the 205 Alice Neighborhood group on October 24, 2016 in which the attendees were shown the site and given the opportunity to review the proposal.

Parking

Parking is not required for the building, which was built in the 1950's long before the City's parking regulations were added to the Zoning Code in 1965. The surrounding area also contains a number of hourly parking garages that would be able to accommodate patrons of the facility, including the large 1,000+ space garage directly across the street from the property.

Noise

This activity would be located near office, retail, restaurant and some residential activities. If the event space's doors are open ambient noise could affect the surrounding area. Therefore, Conditions of Approval #18 and #21implement existing City codes for control of noise as found in Chapter 17.120 of the Zoning Code Performance Standards, and allows for modifications as needed.

ENVIRONMENTAL DETERMINATION

For purposes of environmental review under the California Environmental Quality Act (CEQA), the project meets the criteria for a Categorical Exemption under Section 15332 of the CEQA Guidelines and Section 15183 of the CEQA Guidelines. The subject property is vacant and does not contain any historic resources and is not a hazardous materials site listed on the Cortese List. The criteria for a Categorical Exemption under Section 15332 of the CEQA guidelines are as follows:

1) The project is consistent with the applicable general plan designation and all general plan policies as well as with applicable zoning designation and regulations.

The proposed project is consistent with the Estuary Policy Plan by establishing a new use within the Mixed Use area that would provide for event and assembly space for nearby businesses as well as event space for local residents. The proposal also meets the required Conditional Use Permit criteria and is therefore consistent with the C-45 Zoning.

2) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The site is located within the Oakland City limits, is less than five acres and is completely surrounded by urban uses.

3) The project site has no value as habitat for endangered, rare, or threatened species.

The project site has been previously developed and does not contain any habitat for endangered, rare, or threatened species.

4) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The proposed project is located within the Jack London District near many mass transit options as well as large parking garages within an area that is designated to receive large influxes of individuals for events. The proposed project would not create traffic issues that the area cannot handle and given the central location of the site, Vehicle Miles Traveled (VMT) would be relatively low. With implementation of standard conditions of approval related to construction management and noise reduction measures, the project would not result in any significant impacts on noise, air quality, or water quality.

5) The site can be adequately served by all required utilities and public services.

All required utilities are readily accessible on the surrounding streets, and the site would be adequately served by public services in the area.

SUMMARY

Staff finds the project meets the intent of the Zoning and General Plan requirements for approval of the Conditional Use Permit, including criteria discussed above. The facility would have no substantial impacts, would not increase crime or affect nearby historical resources. The facility

would bring more visitors to downtown Oakland, reinforcing the commercial success to preserve downtownas a night time destination. Staff concludes that the application merits support.

RECOMMENDATION:

- 1. Affirm staff's environmental determination.
- 2. Approve the Conditional Use Permits for Group Assembly and Alcoholic Beverage Sales and additional Findings for conditionally-permitted sales of alcohol and Public Convenience or Necessity for Alcoholic Beverage Sales at 205 Alice Street, based on findings and subject to the attached conditions.

Prepared by:

Moe Hackett, Planner II

Reviewed by:

Scott Miller Zoning Manager

Approved for forwarding to the City Planning Commission:

Darin Ranelletti, Interim Director Planning and Building Department

Attachments:

- A. Findings
- B. Conditions of Approval, including Standard Conditions of Approval
- C. Plans and Supporting Documents

ATTACHMENT A

FINDINGS FOR APPROVAL

As set forth below, this proposal meets all the required Conditional Use Permit Criteria (Section 17.134.050), Additional CUP findings for alcohol sales (Section 17.103.030.A), and Findings of Public Convenience or Necessity (Section 17.103.B.3) which are required to approve your application. Required findings are shown in **bold** type; reasons your proposal satisfies them are shown in normal type.

Section 17.134.050 (General Use Permit Criteria):

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

The proposed group assembly activity for an event/banquet hall with alcoholic beverage service will satisfy a community need that does not affect livability of the surrounding neighborhood. Further, the business will be operated on a relatively small scale and be compatible with the commercial character of the neighborhood. The proposed use will offer an event space for nearby and regional businesses as well as a banquet hall space for local residents for events such as weddings and other large family gatherings. The site will accommodate up to a maximum of approximately 1500-1600 people but is located within an area that has a plentiful amount of offstreet auto fee garages including the large 1000+ stall garage directly across the street that is associated with the Jack London Market development. The alcoholic beverage sales are customarily associated with this type of event hall and are appropriate. Conditions are drafted for this action limiting noise, light, trash/litter, loitering, hours of operation and similar factors to offset any potential for negative effects of alcohol sales.

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

The proposed use will provide for a convenient and functional working and commercial environment, and will also provide local residents and businesses with a civic event atmosphere and setting. The use is located near Jack London Square which is designed to accommodate large numbers of people attending events. The surrounding district contains several auto fee parking garages to accommodate patrons of the business.

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

The proposed group assembly activity with alcoholic beverage service will function to meet the community's needs for a community event space with catering and alcoholic beverages. The proposal will enhance the surrounding area by providing additional entertainment, food and arts.

This facility complements the offerings of nearby existing offices and businesses as well as providing an event space for local residents to rent for private events.

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

The proposed exterior changes are not included in this application; the applicant will be required to undergo a Small Project Design Review for any exterior modifications, which could include additional windows and installation of a new ramp for access along the 2nd Street frontage.

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

The subject property is located within the Mixed Use land use classification of the Estuary Plan. The Plan's intent for the area is to: "Encourage the development of nontraditional higher density housing (work/live, lofts, artist studios) within a context of commercial and light industrial/manufacturing uses. The proposal conforms to the following Policy of the Estuary Plan:

POLICY JL-1: Reinforce retail, dining and entertainment uses along the waterfront, and extend these uses along Broadway to create a regional entertainment destination.

Section 17.103.030 (A) - Special Use Permit Criteria for Alcoholic Beverage Sales:

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

The proposed alcoholic beverage service is not envisioned to contribute to the same types of loitering and other problems as some other Alcoholic Beverage Sales facilities such as small liquor stores. City crime statistics for recent months show that overall crime rates near the applicant's site are similar to other Downtown commercial uses, which are not major crime locations. The neighborhood streets have sufficient capacity to support this facility without causing undue traffic or other problems.

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

The facility will not be located within close proximity to any schools. The site will be located nearby the Jack London Square waterfront, which itself is designated as an arts and entertainment area.

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

The applicant will be applying for an encroachment permit to provide a raised entryway along 2nd Street, which will provide ADA accessibility and create a queuing area for patrons along

the large 2nd Street property frontage for entering the site. The sidewalks along the frontage are approximatly 16 feet, which provides for ample pedestrian movement.

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

The proposed exterior changes are not included in this application. However, the proposal will include very minimal exterior changes other than new windows and add a raised entryway along 2nd Street.

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

Any signage will be required to meet the City's Small Project Design Review requirements at a later date.

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

As conditioned, there will be non-flammable trash containers installed proximate to the entrance of the facility and litter will be removed from the sidewalk and gutter in front of and to twenty feet beyond the premises.

7. That where the proposed use is in close proximity to residential uses, and especially to bedroom windows, it will be limited in hours of operation, or designed or operated, so as to avoid disruption of residents' sleep between the hours of ten PM and seven AM.

There are a number of large residential buildings within a block of the proposed use. Attached conditions are provided to minimize the potential noise effects. In addition, many of these buildings were constructed in a manner to reduce interior noise levels due to the nearby railroad line along Embarcadero and the Amtrak Train Station directly across the street from the proposed activity.

Section 17.103.030(B-3): Public Necessity and Convenience Findings (Central District Sites)

a. 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 community need or population within the overall Oakland community or the community in which the project is located, and how the proposed project would enhance physical accessibility to needed goods or services that the project would provide, including, but not limited to alcohol; and

The proposed alcoholic beverage service will only be in conjunction with catered events at the proposed event space/ banquet hall use. These types of uses are not prominent within the area and the proposed use is looking to serve an unmet need in the area. Further, alcohol sales are typically associated with event halls of this nature.

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

The alcoholic beverage sales that are proposed will be in conjunction with catered events within the proposed event space, which are typical of similar businesses. The event space that is being proposed will be a benefit to businesses in the surrounding area and region by providing a space that can accommodate large displays (such as three or more display items approximately the size of a car) and large mid to large business events in close proximity to downtown and the waterfront. The proposed event space will also provide for a space that could be rented by local residents for events such as weddings or other family occasions. Depending upon the size of any given event, the applicant will be including security on-site that will reduce the number of calls for police, and the type of catered events with sit down meals at the premises are not of the type that will cause for large concern such as a bar or nightclub.

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

Alcohol sales are commonly associated with event and banquet halls such as the California Ballroom downtown, and are appropriate, incidental, and subordinate to, a primary activity on the lot.

Attachment B: Conditions of Approval

1. Approved Use

a)The project shall be constructed and operated in accordance with the authorized use as described in the approved application materials, **staff report** and the approved plans **dated March 28, 2016**, as amended by the following conditions of approval and mitigation measures, if applicable ("Conditions of Approval" or "Conditions"). This action by the City Planning Commission ("this Approval") includes approval of a revision to amend an approved Major Conditional Use Permit with additional finding to upgrade a two-suite beer/wine tavern with patio to include liquor. All prior conditions remain in effect except where superseded as applicable by the following.

2. Effective Date, Expiration, Extensions and Extinguishment

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

3. Compliance with Other Requirements

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

4. Minor and Major Changes

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

5. Compliance with Conditions of Approval

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

6. Signed Copy of the Approval/Conditions

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

7. Blight/Nuisances

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

8. Indemnification

- d. To the maximum extent permitted by law, the project applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the Oakland Redevelopment Successor Agency, the Oakland City Planning Commission, and their respective agents, officers, employees, and volunteers (hereafter collectively called "City") from any liability, damages, claim, judgment, loss (direct or indirect), action, causes of action, or proceeding (including legal costs, attorneys' fees, expert witness or consultant fees, City Attorney or staff time, expenses or costs) (collectively called "Action") against the City to attack, set aside, void or annul this Approval or implementation of this Approval. The City may elect, in its sole discretion, to participate in the defense of said Action and the project applicant shall reimburse the City for its reasonable legal costs and attorneys' fees.
- e. 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 the Bureau of Building, if directed by the Building Official, Director of City Planning, or designee, prior to the issuance of a construction-related permit and on an ongoing as-needed basis.

PROJECT SPECIFIC CONDITIONS

11. **Hours.**

Ongoing.

The business may be open to the public for business from 7:30am to 2:00am. Any work outside these hours shall solely be staff preparation and not open to the public.

12. Signage.

Ongoing

The applicant/property owner shall continue to keep windows clear of visual obstructions including, but not limited to signage beyond 20% window coverage, any advertising displays, product racks, refrigerated equipment, cardboard, trash, wire mesh/security bars, reflective coatings, or other materials. Note that this is more restrictive than the state regulations related to signage.

13. Facility Management

a. Ongoing

Lighting shall be maintained providing enough illumination to identify loiterers standing in front of the storefront. Such illumination shall remain lit during all hours of darkness when the business is open.

b. Ongoing

The licensees/property owners shall clear the gutter and sidewalks twenty feet twenty-five feet beyond the property lines along these streets of litter twice daily or as needed to control litter (sweep or mechanically clean weekly). The licensee shall clean the sidewalk with steam or equivalent measures once per month if required by the Zoning Manager.

c. Ongoing.

Graffiti shall be removed from the premises within 48 hours (2 days) of application.

d. Ongoing.

No pay phones are permitted outside the building.

e. Ongoing.

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

14. Trash and litter

Prior to commencement of use and ongoing.

The applicant/property owner shall install and maintain trash cans (at least two (2) non-flammable trash can) located near the entrance of the facility. Said trash receptacle shall be emptied as needed to avoid overflow and/or adverse odors.

15. Sign Modifications

Ongoing

Signs if modified shall receive all required Planning and Building permits to the satisfaction of the Zoning Manager.

16. Operational Noise-General

Ongoing.

Noise levels from the activity, property, or any mechanical equipment on site shall comply with the performance standards of Section 17.120 of the Oakland Planning Code and Section 8.18 of the Oakland Municipal Code. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the Planning and Zoning Division and Building Services.

17. Security

Ongoing

The applicant shall provide one qualified security guard for the first fifty patrons, and one additional security guard for each additional increment of fifty patrons (one to fifty patrons per increment) during hours when alcoholic beverages are served.

18. <u>Conformance with State Department of Alcoholic Beverage Control regulations</u>

Ongoing.

This use shall conform to all provisions of the State ABC license. The state license and state conditions shall be posted along with these Conditional Use Permit conditions in a place visible to the public. This use shall also conform to all State Operating Standards of the Business and Professions Code and local Performance Standards, 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.

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19. Compliance Review.

After 6 months of commencement of activity (on-sale of alcoholic beverages)t.

The applicant shall return to the Planning Bureau to report on their adherence to Conditions of Approval and for staff to consider any complaints (Compliance Review). At staff's discretion, the project may then be returned to the Planning Commission for a formal Compliance Review. In that case, the applicant shall submit for a Compliance Review, and pay all appropriate fees consistent with the current Master Fee Schedule at that time (currently \$1,450.00). The Compliance Review will be agendized for an upcoming Planning Commission meeting. The Compliance Review shall provide an opportunity for the Commission and the public to provide comment on the operation and determine whether there is a violation of any term, Conditions or project description relating to the Approvals or if there is violation of any provision of the Planning Code or Municipal Code, or the project operates as or causes a public nuisance or there exists adverse impacts caused. As a result of the hearing, the Commission may direct staff to initiate enforcement proceedings pursuant to Condition of Approval 5C and/or may impose additional conditions related to the operation.

20. Cabaret Permit from City Administrator's Office

Prior to commencement of cabaret activities and ongoing thereafter

The applicant shall obtain a Cabaret Permit from the City Administrator's Office prior to operating cabaret activities such as music and dancing, and shall maintain such permit in good standing for any continued cabaret activities.



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205 Alice Street

Community Outreach Summary

The 205 Alice Event space owners have engaged in an extensive neighborhood outreach program effort to both notify the surrounding community of the project's intentions, describe what can be expected for daily events and use of the space. The goal was to seek valuable feedback from the neighborhood which has been used to shape the project to be more accommodating for those within the community. A total of five public meetings and events were well attended by the neighboring community, and one private meetings with a City Councilmember's representative.

July 11, 2016: At the Jack London Improvement District Board Meeting the project was introduced and initial comments from board members and the public primarily involved concerns regarding street parking issues. At this meeting, the beat officer Rob Gallinatti, the Oakland Police Department's Community Resource Officer was present. In general, the project was well received and useful feedback in the form of additional security requests were made for additional exterior lighting and security cameras, which have been added to the scope of work.

August 2, 2016: The Jack London "National Night Out" event was held and the 205 Alice Event Space team along with their sub-tenant, Linden Street Brewery were present with information regarding the project at a table. Several members of the surrounding community including Office Rob Gallinatti stopped by to discuss the project and voiced support.

September 14, 2016: Following the neighborhood notification for the minor CUP application for the subtenant in this project, Linden Street Brewery, concerns regarding the smell of malt during the brewing process were raised by a tenant in the adjacent Live-Work lofts on 3rd Street. The owner, John Karnay held a Linden Street Brewery Neighbor tour during the brewing process in order to answer questions and further educate the neighbors on the brewing process and what types of smells can be expected.

September 27, 2016: The Neighborhood Crime Prevention Council Meeting was held and Officer Rob Gallinatti was once again present. The discussion primarily focused on strategies to prevent crime where the proposed exterior lighting and security cameras was well received.

September 27, 2016: Zachary Wald, Chief of Staff for District 3 Council Member and City Council President Lynette Gibson McElhaney came to a meeting at 205 Alice with the owner and architect where the project was presented. He felt that the project would positively impact the surrounding community and activate that section of 2nd Street.

October 24, 2016: A Residential Neighbor Meeting was held at the site and was well-attended by 6 adjacent neighbors. Minor concerns were raised regarding rooftop mechanical equipment with respect to smells and discussions revolved around ventilating equipment to avoid windows along the south wall of the Live-Work units. In general, the project was well received and had the support of the neighbors.



October 12, 2016

City of Oakland Planning Commission 250 Frank Ogawa Plaza Oakland, CA 94612

Dear Planning Commissioners:

Visit Oakland is writing in support of a conditional use permit for a new event venue at 205 Alice St. ("Project"), which you are scheduled to review on November 2, 2016.

In sum, Oakland needs event venues that are not secondary to bars, restaurants or nightclubs and where organizers decide event details. Moreover, the proposed 205 Alice St. venue has all of the makings of a successful operation: A large interior space, a full catering kitchen, ample restroom facilities, a wide range of beverage service options, and some significant façade improvements that will enhance the appearance of the building and the neighborhood.

We imagine that local and regional event planners will see great value in hosting events near Jack London Square, and that in turn, the nearby area's neighborhoods will benefit. Oakland is clearly gaining popularity as a tourist and event destination, but parts of the Jack London Square area are still quiet in the evenings. The new event venue can help change that.

The fact that the venue's location is very near to several transit stops and stations is another bonus. Amtrak, AC Transit, the Free B Shuttle, and Lake Merritt BART all serve 205 Alice St.

For the reasons stated above and more, Visit Oakland strongly urges you to support the proposed new venue at 205 Alice St. and to approve the Project's CUP on Nov. 2, 2016.

Very Truly Yours,

Mark Everton, CEO, Visit Oakland



1396 PARK AVENUE EMERYVILLE CA, 94608

TELE 510.420.0210 CELL 510.499.2080

ATTACHMENT C

205 ALICE STREET OAKLAND, 94607



MILESTONE EVENT SPACE
NOT TO SCALE



1396 PARK AVENUE EMERYVILLE CA, 94608

T E L E 510.420.0210 C E L L 510.499.2080

205 ALICE STREET OAKLAND, 94607



MILESTONE EVENT SPACE ISSUE FOR REVIEW: 10.31.16 NOT TO SCALE



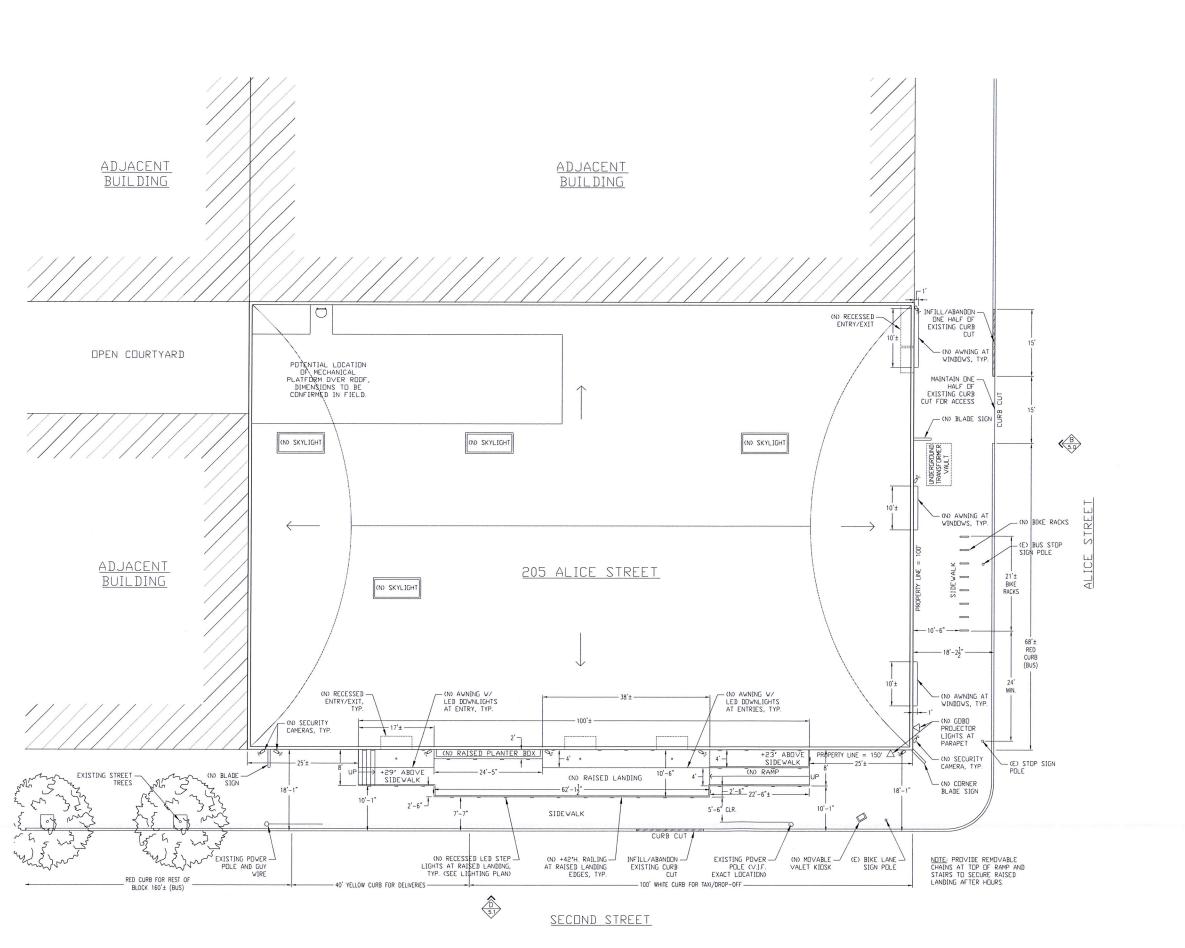
1396 PARK AVENUE EMERYVILLE CA, 94608

T E L E 510.420.0210 C E L L 510.499.2080

205 ALICE STREET OAKLAND, 94607



MILESTONE EVENT SPACE ISSUE FOR REVIEW: 10.31.16 NOT TO SCALE



A M A T O

ARCHITECTURE

T E L E 510.420.0210
C E L L 510.499.2080



PROJECT PROGRESSION:	DATE:
ENGINEERING COORDINATION SET	02.24.
ISSUE FOR REVIEW	03.01.1
ISSUE FOR REVIEW	03.14.1
ISSUE FOR CUP	03.25.
ISSUE FOR PRICING	04.18.1
ISSUE FOR DPW	05.16.1
ISSUE FOR REVIEW	06.16.1
ISSUE FOR COORDINATION	07.01.1
ISSUE FOR REVIEW	08.08.
REISSUE FOR PLANNING	08.10.1
ISSUE FOR PRICING/PERMIT/HEALTH	08.17.1
ISSUE FOR CUP UPDATE	09.13.1
ISSUE FOR CUP UPDATE	10.11.1
HEALTH PLAN CHECK RESPONSE	10.26.1
ISSUE FOR CUP UPDATE	10.31.1

EVENT SPACE

201-205 ALICE STREET OAKLAND, CA 94607 APN: 1-151-4

PROPOSED SITE PLAN

SCALE	1/8"=1'-0"	
DRAWN BY	RAM	
JOB#	2015-35	
PLOT PLAN	NORTH	
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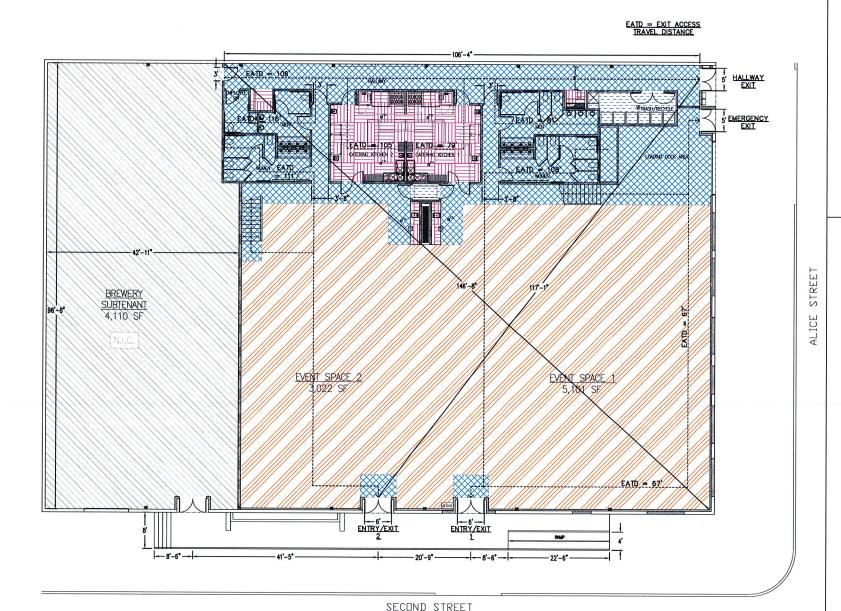
NOTE: REFER TO MECHANICAL, ELECTRICAL, PLUMBING, & FOOD SERVICE PLANS FOR MORE DETAILED MECHANICAL, ELECTRICAL, & EQUIPMENT INFORMATION.

NOTE:

THE AGGREGATE AREA OF A MEZZANINE OR MEZZANINES WITHIN A ROOM SHALL NOT EXCEED ONE—THIRD OF THE FLOOR AREA OF THAT ROOM OR SPACE IN WHICH THEY ARE LOCATED. THE ENCLOSED PORTON OF A ROOM SHALL NOT BE INCLUDED IN A DETERMINATION OF THE FLOOR AREA OF THE ROOM IN WHICH THE MEZZANINE IS LOCATED. IN DETERMINING THE ALLOWABLE MEZZANINE AREA, THE AREA OF THE ROOM READ OF THE MEZZANINE SHALL NOT BE INCLUDED IN THE FLOOR AREA OF THE ROOM, 2013 CBG 505.2. THE FLOOR AREA OF THE ROOM. 2013 CBG 505.2. THE FLOOR AREA OF THE ROOM. 2013 CBG 505.2. THE FLOOR AREA IS 2451 SF.

GROUND FLOOR OCCUPANCY PLAN:

MELLANINE UCCUPANCT PLAN:



EVENT SPACE OCCUPANCY SUMMARY CHART

HATCHING	USE	SQ. FT.		OCCUPANT LOAD FACTOR	OCCUPANTS
	ASSEMBLY/EVENT 1ST FL	6724 SF	53%	5 SF / OCCUPANT	1345
	KITCHEN/PREP COMMERCIAL	717 SF	06%	200 SF / OCCUPANT	4
	STORAGE 1ST FL	194 SF	01%	300 SF / OCCUPANT	1
	OTHER: WALKWAYS /RESTROOMS	2696 SF	21%	0 SF / OCCUPANT	0
	ASSEMBLY/EVENT MEZZ	1012 SF	08%	5 SF / OCCUPANT	203
	OFFICE @ MEZZ	1010 SF	08%	100 SF / OCCUPANT	11
	STORAGE @ MEZZ	234 SF	02%	300 SF / OCCUPANT	1
	OTHER: WALKWAYS /RR @ MEZZ	195 SF	02%	0 SF / OCCUPANT	0
SUBTOTALS:		12782 SF	100%		1565

EVENT SPACE DOTS:

(EVENT SPACE OCCUPANTS)(0.15") + (BREWERY OCCUPANTS/2)(0.15) = 243" REQUIRED EGRESS WIDTH.

EGRESS WOTH PROVIDED = 284"



1396 PARK AVENUE EMERYVILLE CA, 94608

A M A T O

ARCHITECTURE

T E L E 510.420.0210
C E L L 510.499.2080

PAILL BE PROVIDED WITH SANITARY FACILITIES THAT MEET OR EXCEED THE MINIMUM PLUMBING FACILITIES COUNT IN MITH OF TABLE 422.1. THE TOTAL COUPANT LOAD SHALL BE DETERMINED IN ACCORDANCE WITH CO COCUPANT LOAD WITH OF TABLE 422.1. THE TOTAL COUPANT LOAD SHALL BE DETERMINED IN ACCORDANCE WITH CO COCUPANT LOAD ACCESSION AREAS MAY BE EXCLUDED (FOR EXAMPLE! HALLMAY, RESTROOM, STAR POLICUSURE).

BREWERY OCCUPANCY CHART (FOR REFERENCE)

	111 00001	7 11 10 1	0117	IN TON INCID	INLINOL
HATCHING	USE	SQ. FT.		OCCUPANT LOAD FACTOR	OCCUPANTS
	ASSEMBLY/ TASTING ROOM	217 SF	04%	15 SF / OCCUPANT	15
	STORAGE	178 SF	03%	300 SF / OCCUPANT	1
	OTHER: WALKWAYS /RESTROOMS	508 SF	10%	0 SF / OCCUPANT	0
	INDUSTRIAL /BREWERY	2,970 SF	57%	100 SF / OCCUPANT	30
+ + + + + + + + + + + + + + + + + + + +	BAR	83 SF	02%	1 OCC./18" LF X 3'D.	19
	KITCHEN/PREP COMMERCIAL	154 SF	03%	200 SF / OCCUPANT	1
	ASSEMBLY/ TASTING @ MEZZ	580 SF	11%	15 SF / OCCUPANT	39
	STORAGE @ MEZZ	337 SF	06%	300 SF / OCCUPANT	2
	OTHER: WALKWAYS /RR @ MEZZ	20 SF	00%	0 SF / OCCUPANT	0
	INDUSTRIAL/ BREWERY @ MEZZ	200 SF	04%	100 SF / OCCUPANT	2
TOTALS:		5,247 SF	100%		109

EGRESS MOTH REQUIREMENTS:
PER GOS SECTION 1005 THE TOTAL WOTH OF MEANS OF EGRESS IN INCHES SHALL NOT BE LESS THAN THE TOTAL OCCUPANT LOAD
SERVED BY THE MEANS OF EGRESS MULTIPLIED BY 0.2 INCHES PER OCCUPANT FOR STARWAYS AND BY 0.15 INCHES PER OCCUPANT FOR
OTHER EGRESS COMPONENTS IN BUILDINGS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINGLER SYSTEM INSTALLED IN ACCORDANCE
WITH SECTION 90.3.1.1 OR 90.3.1.1 OR 4ND AN EMERGENCY OVEC/PLANK OCMMUNICATION SYSTEM IN ACCORDANCE WITH SECTION



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ENGINEERING COORDINATION SET	02.24.16
ISSUE FOR REVIEW	03.01.16
ISSUE FOR REVIEW	03.14.16
ISSUE FOR CUP	03.25.16
ISSUE FOR PRICING	04.18.16
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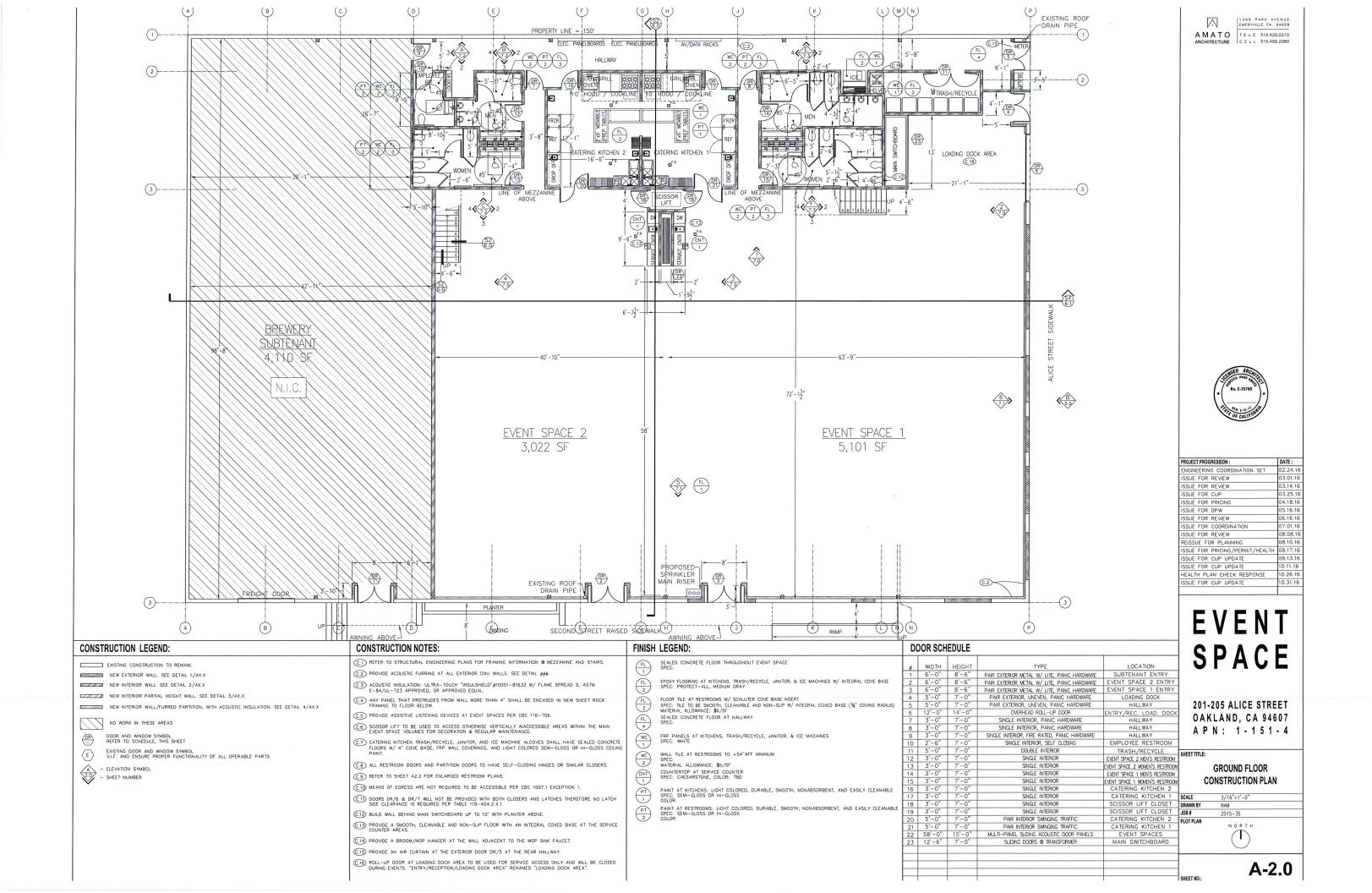
EVENT SPACE

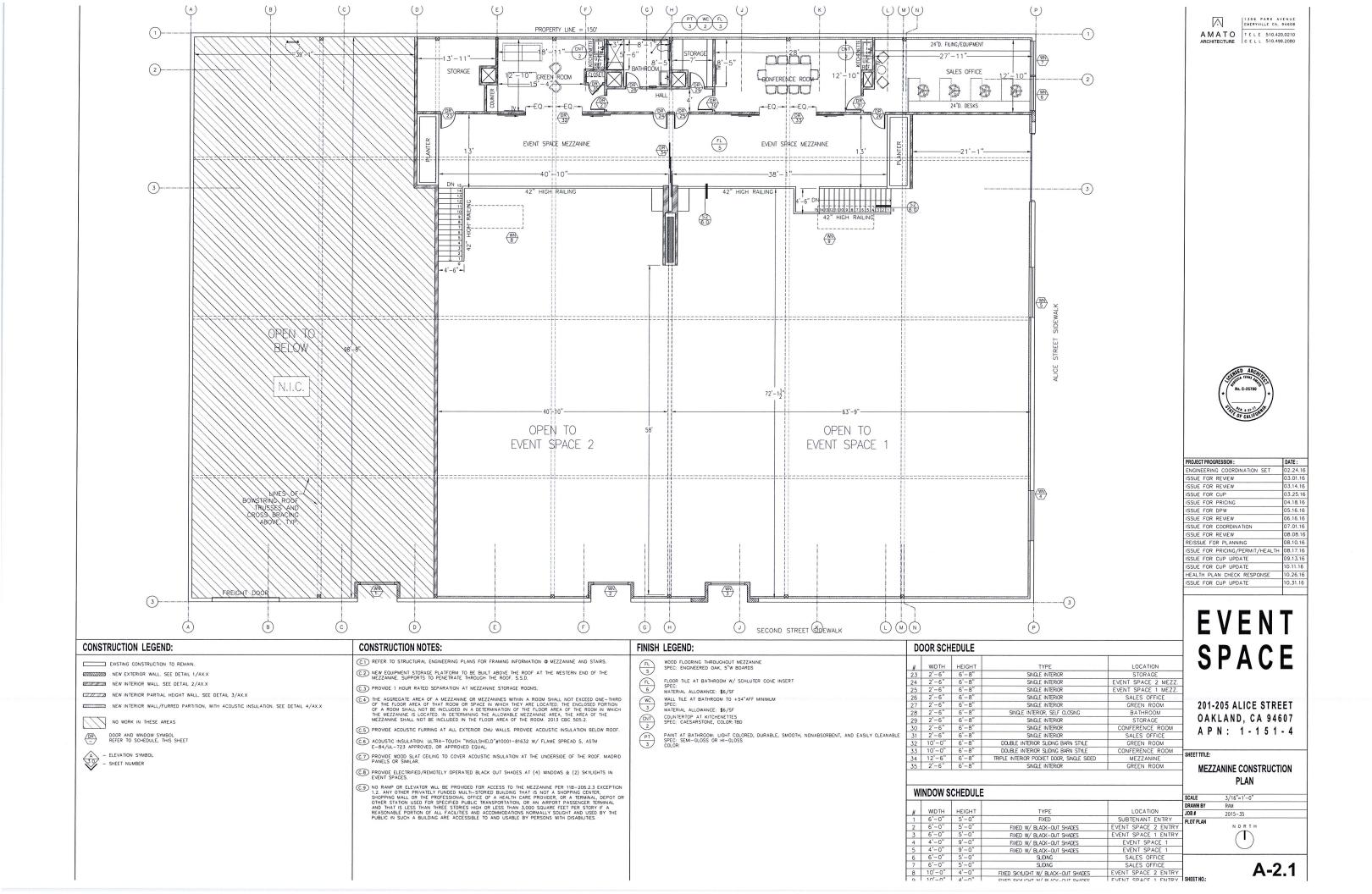
201-205 ALICE STREET OAKLAND, CA 94607 APN: 1-151-4

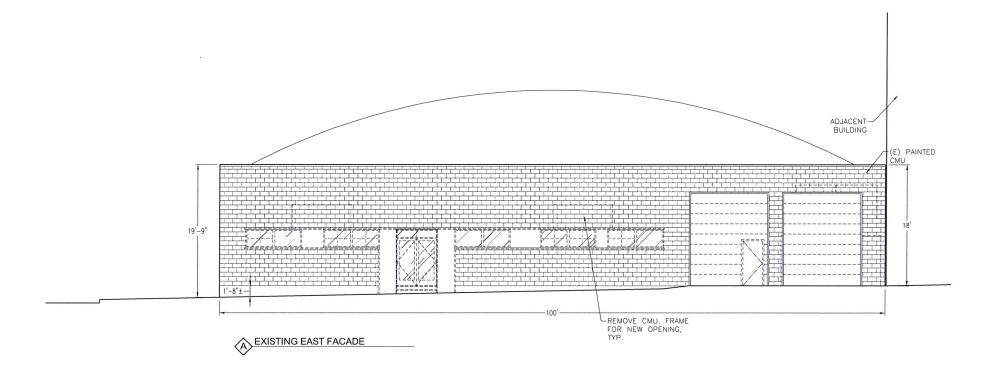
OCCUPANCY PLAN & CHART

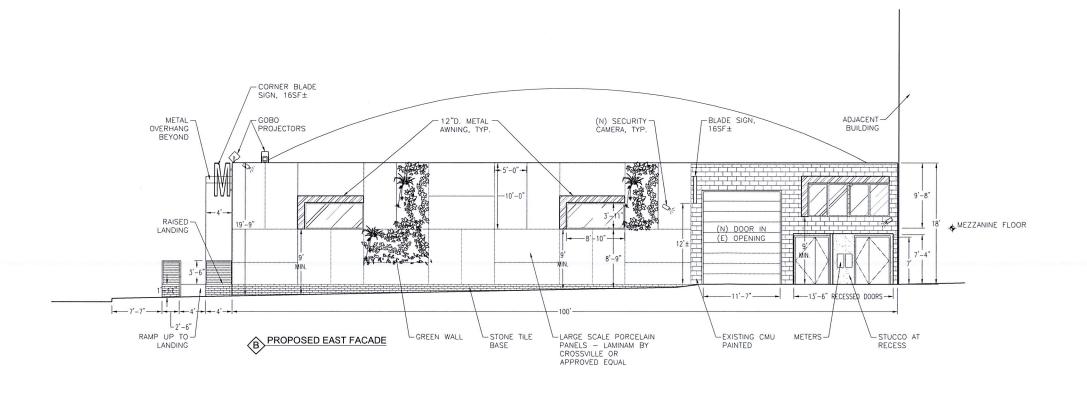
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SCALE	1/8"=1'-0"	
DRAWN BY	RAM	
JOB#	2015-35	
PLOT PLAN	NORTH	
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EVENT SPACE

201-205 ALICE STREET OAKLAND, CA 94607 A P N: 1 - 1 5 1 - 4

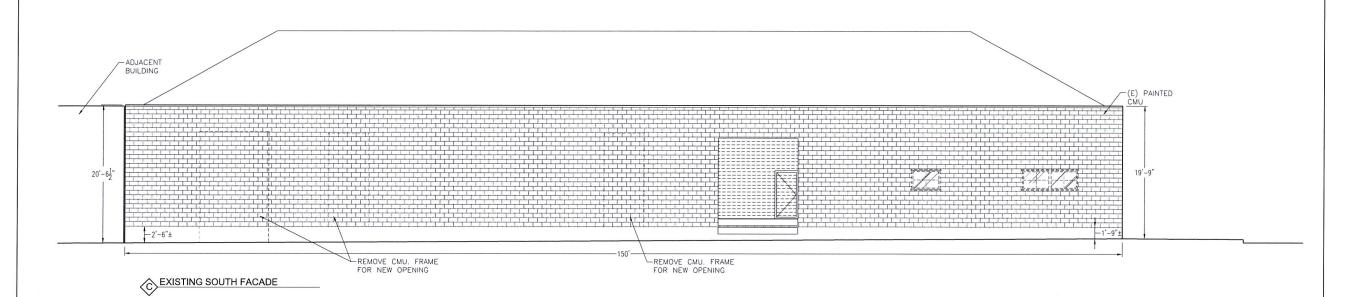
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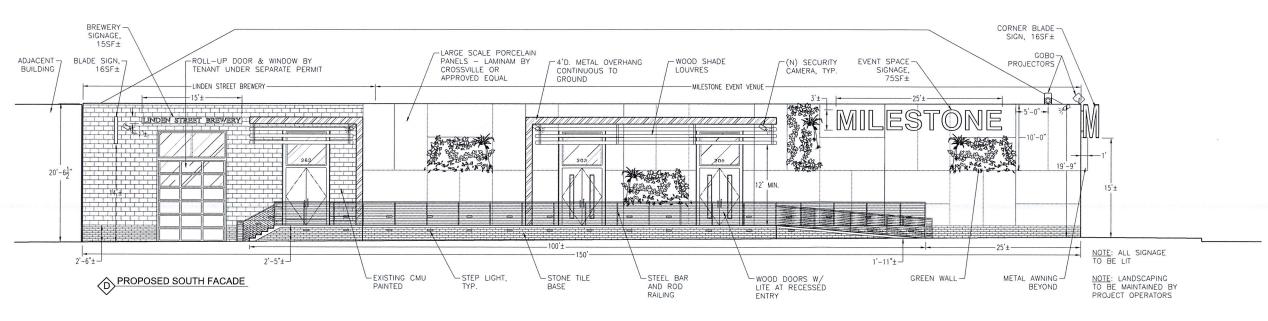
EXISTING / PROPOSED EXTERIOR ELEVATIONS

DRAWN BY	RAM
JOB#	2015-35
PLOT PLAN	

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SHEET NO









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ENGINEERING COORDINATION SET	02.24.16
ISSUE FOR REVIEW	03.01.16
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EVENT SPACE

201-205 ALICE STREET OAKLAND, CA 94607 APN: 1-151-4

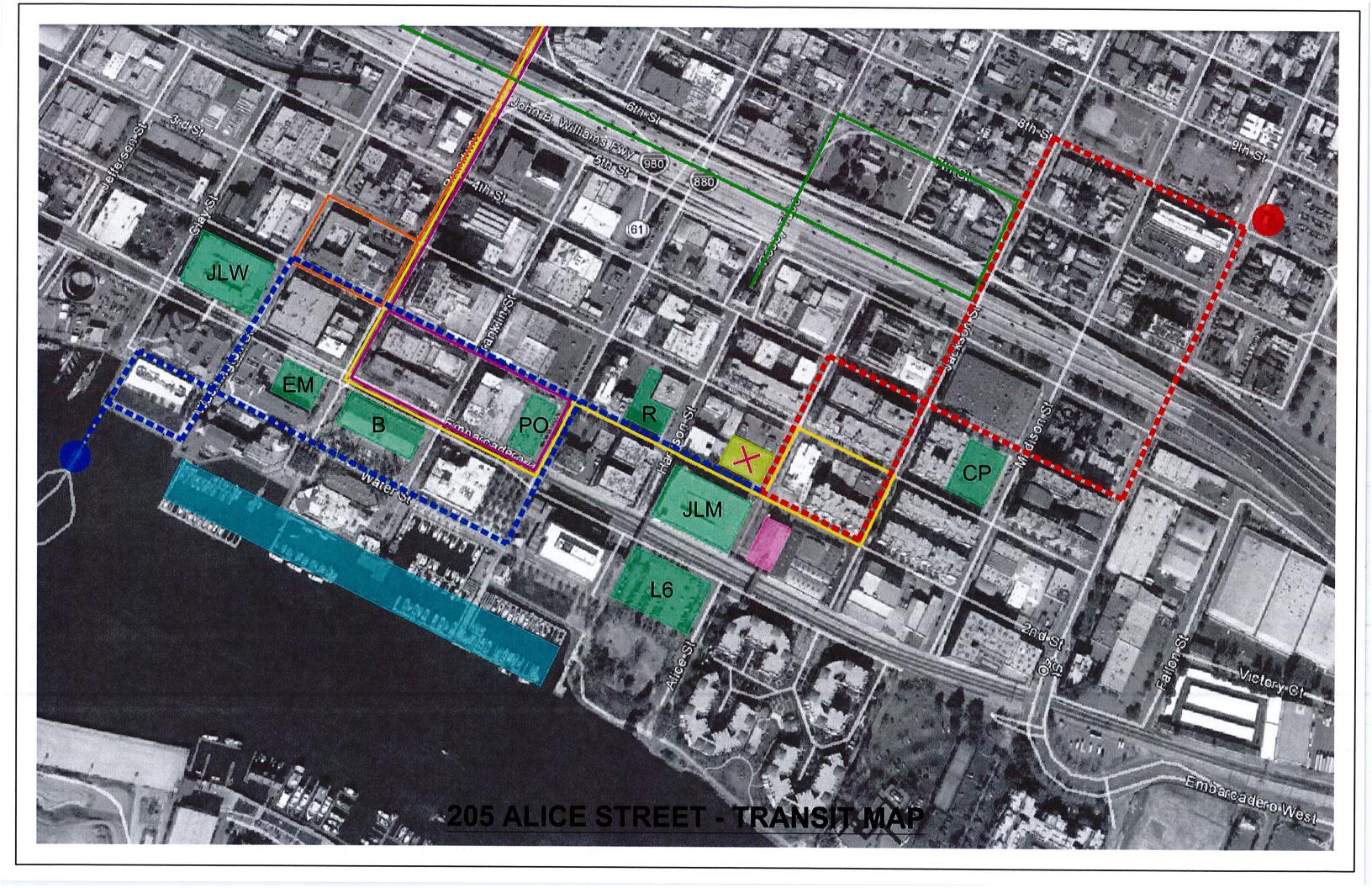
SHEET TITLE

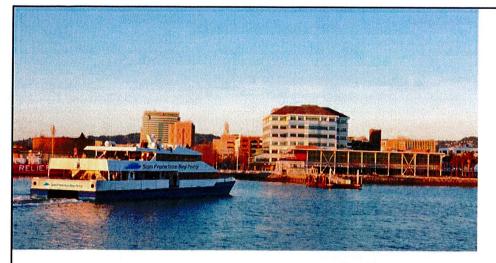
EXISTING / PROPOSED EXTERIOR ELEVATIONS

DRAWN BY	RAM	
JOB#	2015-35	
PLOT PLAN		

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205 ALICE STREET - TRANSIT MAP LEGEND



Milestone Event Space at 205 Alice Street. Bike racks available. Taxi/vehicle drop-off area available. Valet service may be available based on event.



Lake Merritt BART Station

Walking paths from BART Station



Oakland Jack London Square Ferry Terminal

Walking paths from Ferry Terminal



Oakland Jack London Square Amtrak Station



Water Taxi service drop-off at Jack London Square Marina



AC Transit Bus line 12



AC Transit Bus line 72



AC Transit Bus line O



The free "B" Broadway Shuttle



Jack London's Waterfront Parking - Washington & Embarcadero



Parking lot - Broadway & Embarcadero



Broadway Garage - Broadway & Embarcadero



Port of Oakland Monthly parking lot - Webster & Embarcadero



Ramsell Parking - Harrison & 2nd



Jack London Market Garage - Harrison & 2nd



Parking Lot 6 - Alice & Embarcadero



Cost Plus World Market Corporate Headquarters parking lot - Madison & 4th