

Location:	1805-1807 Telegraph Avenue "Fox Theater Oakland" (ground floor at 18 th Street) <i>See map on reverse</i>
Assessor's Parcel Number:	008 -0642-016-00
Proposal:	To establish a bar.
Applicant/	Emporium Oakland, LLC – Danny Marks
Phone Number:	(847)899-9880
Owner:	Fox Oakland Theater, Inc.
Planning Permits Required:	Major Conditional Use Permit with additional findings including Public Convenience or Necessity for Alcoholic Beverage Sales Commercial Activity
General Plan:	Central Business District
Zoning:	CBD-P Central Business District Pedestrian Retail Zone
Environmental Determination:	Exempt, Section 15301 of the State CEQA Guidelines: Existing Facilities (operation); Section 15183 of the State CEQA Guidelines: Projects Consistent with a Community Plan, General Plan or Zoning
Historic Status:	Local Register, A1+ rating - Area of Primary Importance (API)
City Council District:	3
Date Filed:	August 29, 2018
Action to be Taken:	Approve with Conditions
Finality of Decision:	<i>Appealable to City Council within 10 days</i>
For Further Information:	Contact case planner Michael Bradley, Planner III at (510) 238-6935 or mbradley@oaklandca.gov

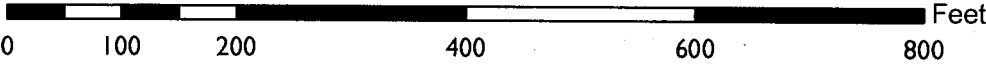
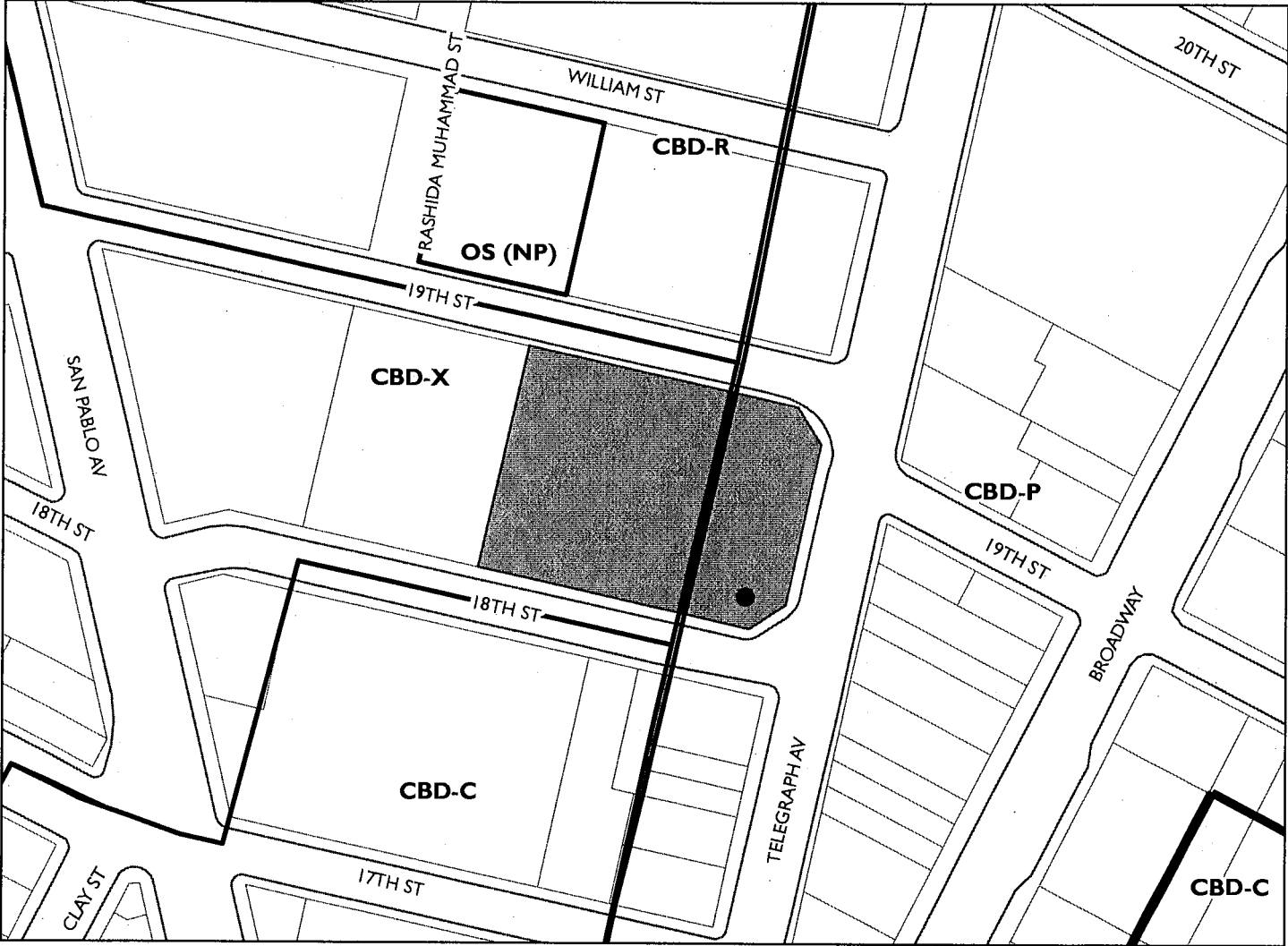
SUMMARY

The applicant requests Planning Commission approval of a Major Conditional Use Permit to establish a new bar in the Uptown District at the ground floor of the Fox Theater on the 18th Street corner. Staff recommends approval of the requested permits, subject to the Conditions of Approval included in this report.

PROPERTY DESCRIPTION

The property consists of a 64,697 square-foot corner lot located in Downtown Oakland's Uptown District, on Telegraph Avenue at the corner of 18th Street. The lot contains the historic Fox Theater building constructed in the 1920s. The building is situated at zero-lot-line with a two-story ground floor volume and multiple entrances on Telegraph Avenue, with upper story classrooms for the Oakland School for the Arts. The building recently underwent a major interior and exterior renovation. The last known tenant was a full service restaurant (Rudy's Can't Fail Café). Street parking is metered and utilities are undergrounded. The site is between the 12th and 19th Street BART Stations. The district contains ground floor food, beverage, entertainment and retail uses, including several bars many established in recent years, with upper story offices and clinics.

CITY OF OAKLAND PLANNING COMMISSION



Case File: PLN18358
Applicant: Emporium Oakland, LLC
Address: 1805-1807 Telegraph Avenue (Fox Theater Oakland)
Zone: CBD-P

PROJECT DESCRIPTION

The applicant seeks to establish a new bar (Emporium Oakland, LLC) with arcade video games in the 4,503 square-foot ground floor space. The bar would serve liquor, beer, and wine; would not admit minors; would not be required to offer food service although light snacks for purchase are voluntarily intended; would feature recorded music (no live music, or cabaret format), occasional small fundraisers and the like; and a 2:00 A.M. latest closing time. Tenant improvements would be as follows: the ground floor would receive a reduction in the bar and tables; host area; and several video games, pinball machines, air hockey tables, foosball games, skeeball games and bubble hockey games. Hours of operation would be:

Monday through Friday: 4:00 P.M. to 2:00 A.M.
Saturday and Sunday: 2:00 P.M. to 2:00 A.M.

The bar would feature playing of recorded music by DJ on weekends and admission only charged on special occasions (likely no more than 10 a year). The operators would hire an experienced bar manager who would train staff consisting of approximately 20 employees including security at all times with someone checking IDs at the door at all times. Other measures would include installation of a recycling program. For outreach, the applicant will meet with the Neighborhood Crime Prevention Council to introduce the project and has received letters of support (Attachment F). Staff has advised the Police Department’s Alcoholic Beverage Action Team (ABAT) of the request. The proposal requires a type 48 license from the Department of Alcoholic Beverage Control (ABC). Following is the ABC’s description of a type 48 license:

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

The property is in the Central Business District area of the General Plan’s Land Use and Transportation Element (LUTE). The intent of the area is: “to encourage, support, and enhance the downtown area as a high density mixed use urban center of regional importance and a primary hub for business, communications, office, government, high technology, retail, entertainment, and transportation in Northern California.” The proposal to establish a new bar in a showcase district that is appropriate for beverage and entertainment establishments conforms to this intent and to the following LUTE Policies:

Policy I/C3.2 Enhancing Business Districts.

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

Policy D5.1 Encouraging Twenty-Four Hour Activity.

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

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

ZONING ANALYSIS

The property is in the CBD-P Central Business District Pedestrian Retail Zone. The intent of the CBD-P Zone is:

“to create, maintain, and enhance areas of the Central Business District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities.” The following are permits required for the proposal and the reason each permit is required. These items are further discussed in the Key Issues and Impacts section of this report. One (1) Major Conditional Use Permit (CUP) is required for an Alcoholic Beverage Sales Commercial Activity (bar). Additional CUP findings further ensure review of alcoholic beverage sales above and beyond general findings. The Planning Code requires a review of these activities to ensure that they do not contribute to nuisances in the community, including both alcohol-related and any issues that discourage business attraction. All Major CUPs are decided by the Planning Commission due to their critical nature. Additionally, Findings of Public Convenience or Necessity (PCN) are required for alcoholic beverage sales where the site is in an area that is over-concentrated for reported crime and / or alcoholic beverage sales outlets. PCN ensures no undue proliferation and further ensures compatibility. As described in Attachment A, the proposal meets the required findings and conforms to the intent of the CBD-P Zone.

Staff finds the proposal, subject to Conditions of Approval, to conform to the Planning Code.

ENVIRONMENTAL DETERMINATION

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

KEY ISSUES AND IMPACTS

The site is in Police Beat 4X which is roughly bound by Grand Avenue to the north, 14th Street to the south, Lake Merritt to the east, and the 980 freeway to the west; this beat is over-concentrated for rates of reported crime in comparison to beats Citywide. The site is also in Census Tract 4028 which is roughly bound by Grand Avenue to the north, 14th Street to the south, Broadway to the east, and Martin Luther King Jr. Way to the west; this tract is over-concentrated for quantity of ABC licenses in comparison to tracts Countywide. Crime rates may be a function of areas within the Beat that are dispersed from and not clustered around the project site; statistics for a 500-foot radius over four weeks show crimes dispersed from the site, and none involving alcohol (Attachment D). ABC-licensed premises are encouraged in the district given the entertainment focus, most of which are restaurants in the Tract: there are no markets or liquor stores selling alcoholic beverages; one beer and wine tavern; nine restaurants serving beer and wine; nine restaurants serving liquor, beer and wine; five bars; and one private club license at the Paramount Theatre (Attachment E). Furthermore, the Planning Code’s 1,000-foot distance separation and the City Council’s goal of capping the number of non-restaurant ABC license in Oakland does not apply to Downtown. The addition of late night premises has brought more people to the area which is generally considered to be an improvement to evening safety in an urban area. While recorded music and light food are proposed, staff does not recommend requiring maintenance of those items. The Uptown District is an appropriate location for a bar, subject to Conditions of Approval for controls on impacts such as litter, noise and loitering.

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

RECOMMENDATIONS:

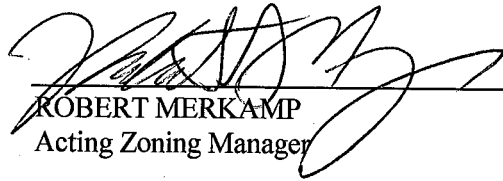
1. Affirm staff's environmental determination.
2. Approve the Major Conditional Use Permit subject to the attached findings and conditions.

Prepared by:



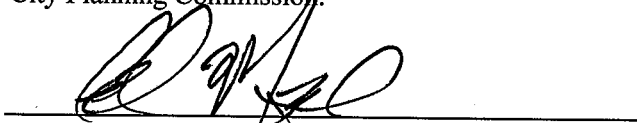
MICHAEL BRADLEY
Planner III

Reviewed by:



ROBERT MERKAMP
Acting Zoning Manager

Approved for forwarding to the
City Planning Commission:



ED MANASSE, Interim Deputy Director
Bureau of Planning

ATTACHMENTS:

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

Attachment A: Findings

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

General Use Permit Criteria (OMC Sec. 17.134.050):

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

The Uptown District is an appropriate location to establish a bar in a space that was not formerly retail, subject to Conditions of Approval regarding litter, loitering and noise, which will maintain the compatibility of the bar with the surrounding district. The district contains numerous bars, restaurants, and entertainment venues. The proposal conforms to the intent of the CBD-P Central Business District Pedestrian Retail Zone.

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

The proposal to establish a bar is appropriate for the district. The district contains numerous bars which has increased pedestrian traffic including evenings in an area where multiple modes of transportation are available. Additionally, the building is historic, and the building interior and façade have been renovated.

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

The proposal to establish a bar is appropriate for the district as it will enhance the beverage options for visitors and workers within the subject retail and entertainment district and Downtown Oakland and create jobs.

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

No exterior changes or signage are proposed at this time and design review is, therefore, not applicable. Should the applicant desire exterior changes and/or signage in the future, they will need to obtain a Design Review permit from the Planning Bureau as required by the Conditions of Approval.

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

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

government, high technology, retail, entertainment, and transportation in Northern California.” The proposal to establish a new bar in a showcase district that is appropriate for beverage and entertainment establishments conforms to this intent and to the following LUTE Policies:

Policy I/C3.2 Enhancing Business Districts.

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

Policy D5.1 Encouraging Twenty-Four Hour Activity.

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

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

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

The proposal to establish a bar in a ground-floor space that was not formerly retail conforms to the intent of the CBD-P Central Business District Pedestrian Retail Zone. Certain areas within the Downtown such as the Uptown District are appropriate for retail as well as bars, restaurants, and entertainment. In this case the bar will replace a full-service restaurant in a neighborhood with many food and beverage options. In fact, it is anticipated to increase evening pedestrian activity which is desirable. The Census Tract contains several ABC licenses including for bars; however, many of the ABC-licensed premises are restaurants and none are liquor stores. Crime rates may be a function of areas within the Police Beat that are dispersed and not clustered around the site; statistics show crimes dispersed from the site and none involving alcohol. The Uptown District is a very appropriate location for a bar, subject to Conditions of Approval for several requirements, such as controls on litter, loitering and noise, to maintain the compatibility of a bar with the surrounding district.

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

There is a school at 1807 Telegraph Avenue (Oakland School for the Arts, grades 6-12) and parks at City Hall Plaza and 1900 Rashida Muhammad Street. The bar is not anticipated to adversely affect these civic uses given hours of operation, Conditions of Approval, and distance.

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

The commercial space is existing with no changes proposed and this Finding is, therefore, met.

- 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 commercial façade is attractive and no further changes to it are proposed at this time.

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

The site does not contain a parking, and the proposal does not involve signage at this time. Should signage be desired in the future, that project would require review and approval by the Bureau of Planning.

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

Litter will be collected inside the business. Conditions of Approval will ensure the operator maintains cleanliness in the public right-of-way (sidewalk and gutter) adjacent to the site.

7. That where the proposed use is in close proximity to residential uses, and especially to bedroom windows, it will be limited in hours of operation, or designed or operated, so as to avoid disruption of residents' sleep between the hours of ten p.m. and seven a.m. The same criteria shall apply to all conditional use permits required by subsection B of this section for sale of alcoholic beverages at full-service restaurants.

The bar will not be adjacent to any residential uses.

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

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

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

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

The district is highly conducive to bars. The district is located in Downtown's Uptown District at the Fox Theatre. The district contain several food, beverage and entertainment options which will be enhanced by the project.

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

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

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

Alcoholic beverage sales are entirely typical for a bar business.

Attachment B: Conditions

1. Approved Use

Ongoing

- a) The project shall be constructed and operated in accordance with the authorized use as described in the application materials, staff report, and the plans dated **August 3, 2018** and submitted on **August 29, 2018** and as amended by the following conditions. Any additional uses or facilities other than those approved with this permit, as described in the project description and the approved plans, will require a separate application and approval. Any deviation from the approved drawings, Conditions of Approval or use shall require prior written approval from the Director of City Planning or designee.
- b) This action by the **City Planning Commission** ("this Approval") includes the approvals set forth below. This Approval includes:
- i) Major Conditional Use Permit and Findings of Public Convenience or Necessity for an Alcoholic Beverage Sales Commercial Activity (bar) at 1805-1807 Telegraph Avenue.*

2. Effective Date, Expiration, Extensions and Extinguishment

Ongoing

Unless a different termination date is prescribed, this Approval shall expire **two calendar years** from the approval date, 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 permit, 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 for this project may invalidate this Approval if the said extension period has also expired.

3. Scope of This Approval; Major and Minor Changes

Ongoing

The project is approved pursuant to the **Planning Code** only. Minor changes to approved plans may be approved administratively by the Director of City Planning or designee. Major changes to the approved plans shall be reviewed by the Director of City Planning or designee to determine whether such changes require submittal and approval of a revision to the approved project by the approving body or a new, completely independent permit.

4. Conformance with other Requirements

Prior to issuance of a demolition, grading, P-job, or other construction related permit

- a) The project applicant shall comply with all other applicable federal, state, regional and/or local laws/codes, requirements, regulations, and guidelines, including but not limited to those imposed by the City's Building Services Division, the City's Fire Marshal, and the City's Public Works Agency. 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 of Approval 3.
- b) The applicant shall submit approved building plans for project-specific needs related to fire protection to the Fire Services Division for review and approval, including, but not limited to automatic extinguishing systems, water supply improvements and hydrants, fire department access, and vegetation management for preventing fires and soil erosion.

5. Conformance to Approved Plans; Modification of Conditions or Revocation
Ongoing

- a) Site shall be kept in a blight/nuisance-free condition. Any existing blight or nuisance shall be abated within 60-90 days of approval, unless an earlier date is specified elsewhere.
- b) The City of Oakland reserves the right at any time during construction to require certification by a licensed professional that the as-built project conforms to all applicable zoning requirements, including but not limited to approved maximum heights and minimum setbacks. Failure to construct the project in accordance with approved plans may result in remedial reconstruction, permit revocation, permit modification, stop work, permit suspension or other corrective action.
- c) Violation of any term, Conditions or project description relating to the Approvals 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 Approvals 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 Conditions of Approval.

6. Signed Copy of the Conditions

With submittal of a demolition, grading, and building permit

A copy of the approval letter and **Conditions** shall be signed by the property owner, notarized, and submitted with each set of permit plans to the appropriate City agency for this project.

7. Indemnification

Ongoing

- a) To the maximum extent permitted by law, the applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Oakland, the Oakland City Council, the City of Oakland Redevelopment Agency, the Oakland City Planning Commission and its respective agents, officers, and employees (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, (1) an approval by the City relating to a development-related application or subdivision or (2) implementation of an approved development-related project. The City may elect, in its sole discretion, to participate in the defense of said Action and the 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 applicant shall execute a Letter Agreement with the City, acceptable to the Office of the City Attorney, which memorializes the above obligations. These obligations and the Letter of Agreement shall survive termination, extinguishment or invalidation of the approval. Failure to timely execute the Letter Agreement does not relieve the applicant of any of the obligations contained in this condition or other requirements or conditions of approval that may be imposed by the City.

8. Compliance with Conditions of Approval

Ongoing

The project applicant shall be responsible for compliance with the recommendations in any submitted and approved technical report and all the Conditions of Approval set forth below at its sole cost and expense, and subject to review and approval of the City of Oakland.

9. Severability

Ongoing

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

SPECIFIC CONDITIONS

10. Alcoholic Beverage Sales

a. Additional Permits Required

Prior to commencement of activity

A type 48 license shall be obtained from the ABC. This use shall conform to all provisions of the State ABC license. The state license and state conditions shall be posted along with these Conditional Use Permit conditions in a place visible to the public. This use shall also conform to all State Retail Operating Standards, Section 25612.5 of the Business and Professions Code and local Performance Standards, Section 15210, where applicable including any future changes in the above regulations. The intent of these standards is to reduce nuisance, litter, loitering, and crime associated with alcohol outlets. The City Conditions of Approval shall be forwarded to the Department of Alcoholic Beverage Control.

b. Location and manner of alcoholic beverage consumption

Alcoholic beverage sale is on-sale, for on-site consumption only.

c. Hours of Alcoholic Beverage Sale

Hours of alcoholic beverage sales are limited to the following:

Monday through Friday: 4:00 P.M. to 2:00 A.M.

Saturday and Sunday: 2:00 P.M. to 2:00 A.M.

No alcoholic beverages shall be sold within fifteen minutes prior to closing time.

d. Admittance

No minors shall be admitted at any time.

11. Operation

Ongoing

a. Staffing

The establishment shall have at least two staff persons including security personnel on-site Fridays through Saturdays.

b. 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.

c. 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.

d. Future operators

Any future operator of the bar at these premises are subject to the requirements of this approval.

e. Cabaret

No "Cabaret," as defined under OMC Ch. 5.12, is allowed without a Cabaret Permit from the City Administrator's Office / Special Activity Unit.

f. Ride share or taxi call program

Ongoing

The establishment shall maintain a program of calling ride shares or taxi cabs for patrons on request for the purpose of preventing driving while intoxicated and to reduce Downtown automobile congestion and shall maintain this service. Signage offering this service shall be displayed behind the bar.

12. 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 related nuisances reported or noted.

13. Environmental Effects

a. Nuisances

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

b. Performance standards

Ongoing

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

c. Loitering

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

Team.

d. Odor

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

e. Graffiti

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

f. Trash and litter

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

g. Noise

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

h. Smoking

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

14. Design

a. Signage

Within 30 days of the date of decision and ongoing

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

b. Signage to discourage other nuisances

Ongoing

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.

c. Contact phone numbers

Ongoing

The establishment shall display signage behind the bar offering contact numbers for both the establishment and the City (CEDA Code Compliance at (510)238-3381 and OPD non-emergency at (510)777-3333 for the purpose of reporting nuisances.

d. Advertising signage

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

e. Building Code Upgrades

Prior to commencing approved activities

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

f. Modifications

Prior to submitting for a building permit & ongoing

All business signage and/or exterior alterations shall require Bureau of Planning approval.

15. Compliance hearings

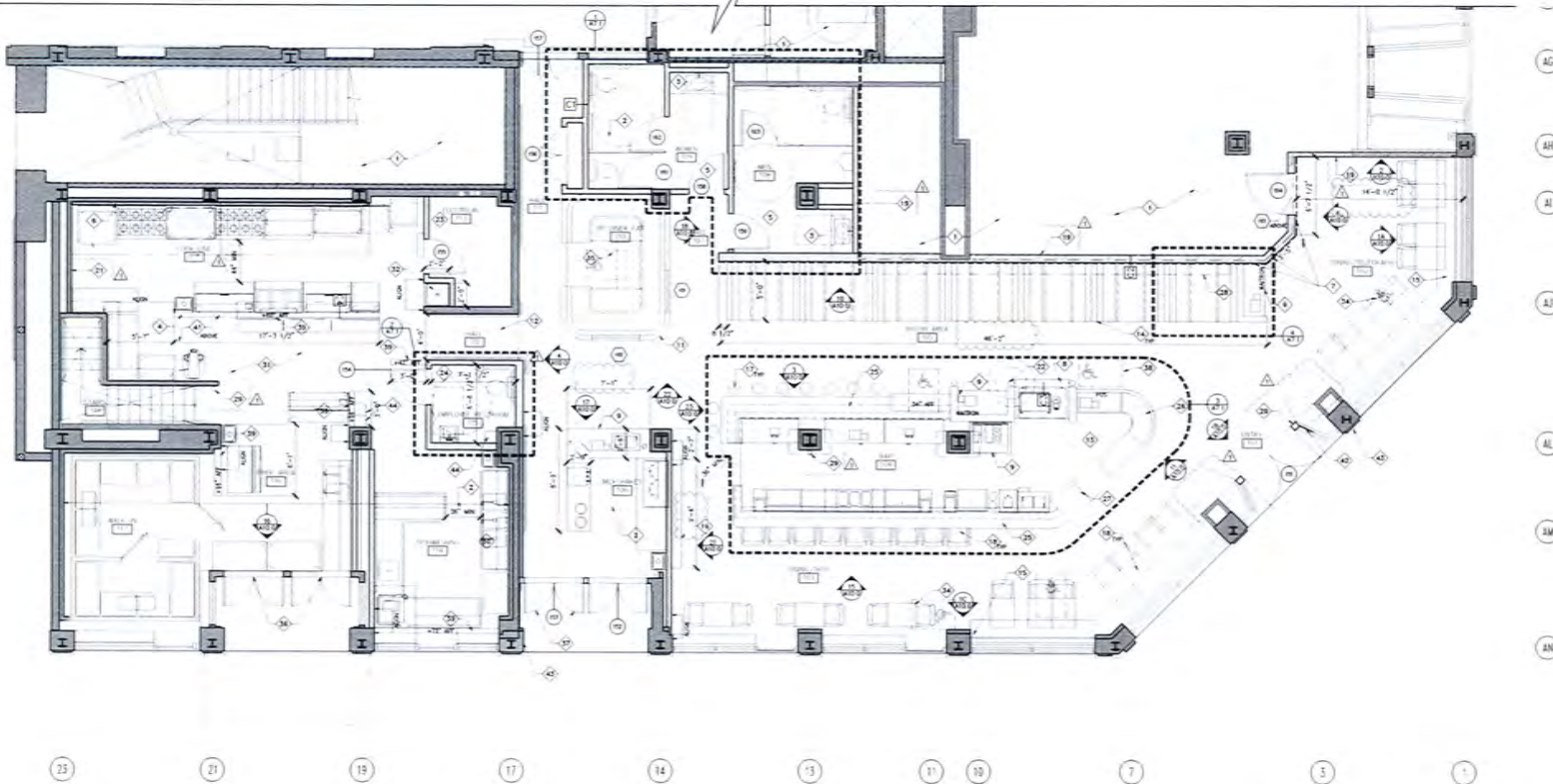
After 6 months of commencement of sale of alcoholic beverages

The applicant shall return to the Bureau of Planning to report their progress. Should any complaints regarding on-sale provision or other issues regarding sale of alcohol be identified, staff may refer the item back to the Planning Commission under a Director's Report. 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. The Compliance Review will be agendaized 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 13a, and/or may impose additional conditions related to the operation.

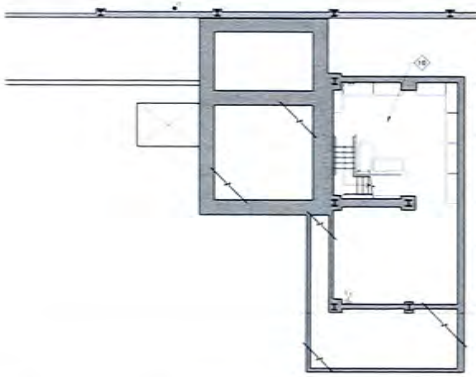
APPROVED BY:

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

Existing Floor Plan



PROPOSED FLOOR PLAN - GROUND LEVEL 1



PROPOSED FLOOR PLAN - BASEMENT LEVEL 2
1/8" = 1'-0"

LEGEND

- (D) PARTITION TO REMAIN
- (R) PARTITION
- AREA BEYOND SCOPE, N.C.
- DOOR TAG
- WINDOW TAG
- WALL TYPE

- SHEET NOTES**
- SEE ATTACHED PLANS (UT) SHEETS FOR MORE INFORMATION RE: ATTACHED EQUIPMENT & HEALTH CODE COMPLIANCE
 - SEE A12.0 FOR PARTITION DETAILS, WALL TYPE, & UNLESS OTHERWISE NOTED, WITH STOPS FOR ALL INTERIOR PARTITIONS
 - SEE SITE PLAN FOR INFORMATION REGARDING SIGN ENCLOSURE
 - ACCESSIBILITY: SIGNS SHALL BE PROVIDED AT EVERY PRIMARY PUBLIC ENTRANCE AT EVERY MAJOR JUNCTION ALONG OR LEADING TO AN ACCESSIBLE ROUTE OF TRAVEL AND AT BUILDING ENTRANCES THAT ARE ACCESSIBLE PER SECTION 10107.1.5. REFERENCE KEY-WALL-A12
 - ALL PRIMARY ENTRANCES AND EXITS SHALL BE ACCESSIBLE AS PER SECTION 10104.8.1.2. SEE A10.00 & A12.00 FOR DIMENSIONS OF CLEAR SPACE AND THRESHOLD DETAILS
 - EXIT DOORS SHALL NOT BE PROVIDED WITH A LATCH OR LOCK UNLESS IT IS FRAME HARDWARE. SEE SECTION 10107.1.5.1. FRAME HARDWARE SHALL BE INSTALLED IN ACCORDANCE WITH 10107.1.5.1.1
 - REFER TO A12.00 FOR CLEAR AREA REQUIREMENTS AT DOORS
 - ALL DOOR SLABS WITHIN 24" OF EITHER SIDE OF ANY DOOR MUST BE SAFETY SLABS
 - SEE SHEET A2.4 FOR OCCUPANCY LOAD TABULATION AND EXISTING
 - TACTILE EXIT SIGNS PER C101.2.2.1.1 SHALL BE PROVIDED AT CHANGES IN LEVEL, EXITS, DOORWAYS, & TACTILE SIGN WITH THE WORDS "EXIT" WILL BE PROVIDED AT EACH EXIT ACCESS DOOR FROM AN INTERIOR ROOM OR AREA TO A CORRIDOR OR HALLWAY, & TACTILE SIGN WITH THE WORDS "EXIT" SHOULD BE PROVIDED
 - FOOD PREP AREAS SHALL BE ACCESSIBLE AS PER 2007 CIRC SECTION 1008.5.1
 - ACCESSIBLE COUNTERTOPS TO BE NOT LOWER THAN 28" AND NO HIGHER THAN 34". SEE DETAILS
 - GC TO CONTACT ARCH. WHEN FRAMING IS CHANGED

- KEYNOTES**
- NOT IN SCOPE OF WORK
 - AREA OF FLOOR WALL, SEE SHEET A11
 - STAIN COULDER WITH UNDERCOUNTER SINK, SEE CLEVERING
 - PIPE COLUMN FOR ELECTRICAL AND PLUMBING VENT
 - ACCESSIBLE CUSTOMER RESTROOM
 - 3" STAIRSTEP FOR CONDUIT HOOD PER REQUIREMENT, THIS WILL ALSO ENSURE COMPLIANCE OF 18" MIN. CLEARANCE OF HOOD IN RELATIONSHIP TO DOUBLE STACKED CONNECTION CHIMNEY
 - DISCRETELY WHITE PAINTED BRICK AT WALL, AS SHOWN WITH SHAVED EDGE, SEE INTERIOR ELEVATIONS AND DETAILS
 - PARTIAL HEIGHT WALL TO BE GALLY, VTL, CORRUGATED METAL, 2" E" WALL, 2" MIN. SEE "T" WALL TYPE
 - WILKINSON CABINET, SEE DETAILS
 - WILKINSON STORAGE AT BASEMENT
 - EXTERIOR FINISH OF WP ROOM TO BE SHEET METAL, FINISHED TO MATCH EXISTING FINISHING, INCLUDING OF OTHER CAR, SEE PATIO/PAVING AND DETAILS FOR MORE INFO. GC TO PRICE AS SEPARATE ITEM, SEE B10 INSTRUCTIONS
 - QUARRY THE FLOORING AT INTERIOR AREA, BEGINNING AT BOTTOM OF PAVE - INTERIOR CONC. PAVE THROUGHOUT, SEE A2.1
 - APPLY THE WITH-A SLICE OF CHEESE ON TOP AND A CUP OF COFFEE
 - PAINTED WOOD BASKET, 1/2 GALLY SHEET METAL HANGSLIT AND 1/2" WOOD SIGN TO MATCH F" WALL DIMEN, SEE DETAILS
 - PAINTED WOOD BANQUETTE SEATING ALONG EXTERIOR WALL (CANT BACK), SEE DETAILS

- 2" MIN. CONC. COUNTER, PAINTED WOOD, SEE DETAIL
- FIXED STOOL AT DRINK CENTER, GC TO PRICE METALS PER DETAIL, SEAT BY OTHERS
- NON-FIXED TABLE AND CHAIRS BY OTHERS
- 1" MIN. CONSTRUCTION PER PLAN - CHECK COMPONENTS, SEE DETAILS
- OCCUPANCY LOAD SIGN
- TYPE "V" EXTINGUISHER
- AT 2" DIA. METAL SIGN POST, SEE DETAIL, GC TO PREP FOR INSTALL, FABRICATION AND FINISH BY OTHERS
- ON ELECTRICAL ROOM, SEE WALL DETAIL
- ACCESSIBLE EMPLOYEE RESTROOM
- GC TO PRICE BAR CONCEPT FOR TWO OFFICING, PLAN-1 AND PLAN-2. SEE FINISH SCHEDULES AND DETAILS
- METAL DISPLAY AT CUSTOMER SIDE OF FLOOR - FIXED GLASS W/ GLASS SHELVES, ACCESSIBLE FROM EMPLOYEE SIDE, SEE DETAILS
- BE DISPLAY CASE BY EQUIP. SUPPLY
- EMERGE DISPLAY CASE W/ INTERNAL LIGHTING SIGN TO E" WALL DIMEN - APPROX. 1/2" LENGTH, SEE DETAILS
- TYPE 2" CONC. EXTINGUISHER
- CONNECT TO DEGREE INTERSECTOR IN EXISTING, THIS AREA IS SLAB ON GRADE, MUST CONC. THROUGH FOUNDATION WALL AT BASEMENT LEVEL, OTHER CONNECTIONS AS NEED, NOT CONNECTED TO OTHERS

- SEE "T" SYMBOL FOR INTERIOR EQUIPMENT INFORMATION
- WSP SIGN, SEE "T" & "V" SYMBOLS
- NOT USED
- ACCESSIBLE SEATING TABLE TO ALLOW 18" MIN. KNEE CLEARANCE, HEIGHT BE BETWEEN 28" AND 34". TBD
- WARRANTY SECTION OF TAKEOFF TO BE USED FOR LARGE GROUPS OR FOR ACCESSIBLE SEATING
- DOORS NOT TO BE USED, EQUIPMENT & SECOND EXIT TO OCCUR AT NEAREST FIRE TRAP
- EXIT DOOR W/ PUSH BAR HARDWARE TO REMAIN AS SECOND MEANS OF EGRESS
- PARALLEL APPROACH AT POINT OF SALE & TO-GO PICKUP COUNTER TO BE 36" W/ WAITING
- PARTIAL HEIGHT WALL HEIGHT SHOWN AT WALL
- NOT USED
- ON LAY-IN CEILING W/ REMOVABLE CEILING TILES, AS NEED BY HEALTH IN FOOD PREP AREA
- ACCESSIBLE SIGNAGE, SEE A2.1
- EXIST. BRSL, CONFIRM LOCATION WITH ARCHITECT PRIOR TO INSTALLATION
- EMPLOYEE LOCKERS

DATE: ISSUES AND REVISIONS

2010 OCT 21	PRELIMINARY PRICING
2010 NOV 21	SCHEMATIC LEVELS/LOAD REVIEW
2010 DEC 01	HEALTH SUBMITTAL
2010 DEC 15	BUILDING PERMIT SUBMITTAL
2011 JAN 28	ISSUE FOR CONTRACTOR BIDD
2011 FEB 02	ADDENDUM 1 FOR BIDD

DATE: 2011 JAN 28
SCALE: AS NOTED @ 1/8" = 1'-0"
DRAWN BY: 1/10/AM

PROJECT NUMBER: 10110
SHEET TITLE: FIRST FLOOR PLAN
A2.1

ALL DIMENSIONS AND FINISHES UNLESS OTHERWISE SPECIFIED TO BE PER ARCHITECT'S INTENT AND SHALL BE BASED UPON THE ARCHITECT'S AND ARCHITECT'S INTENT. DIMENSIONS SHALL BE SHOWN UNLESS OTHERWISE NOTED BY THE ARCHITECT.

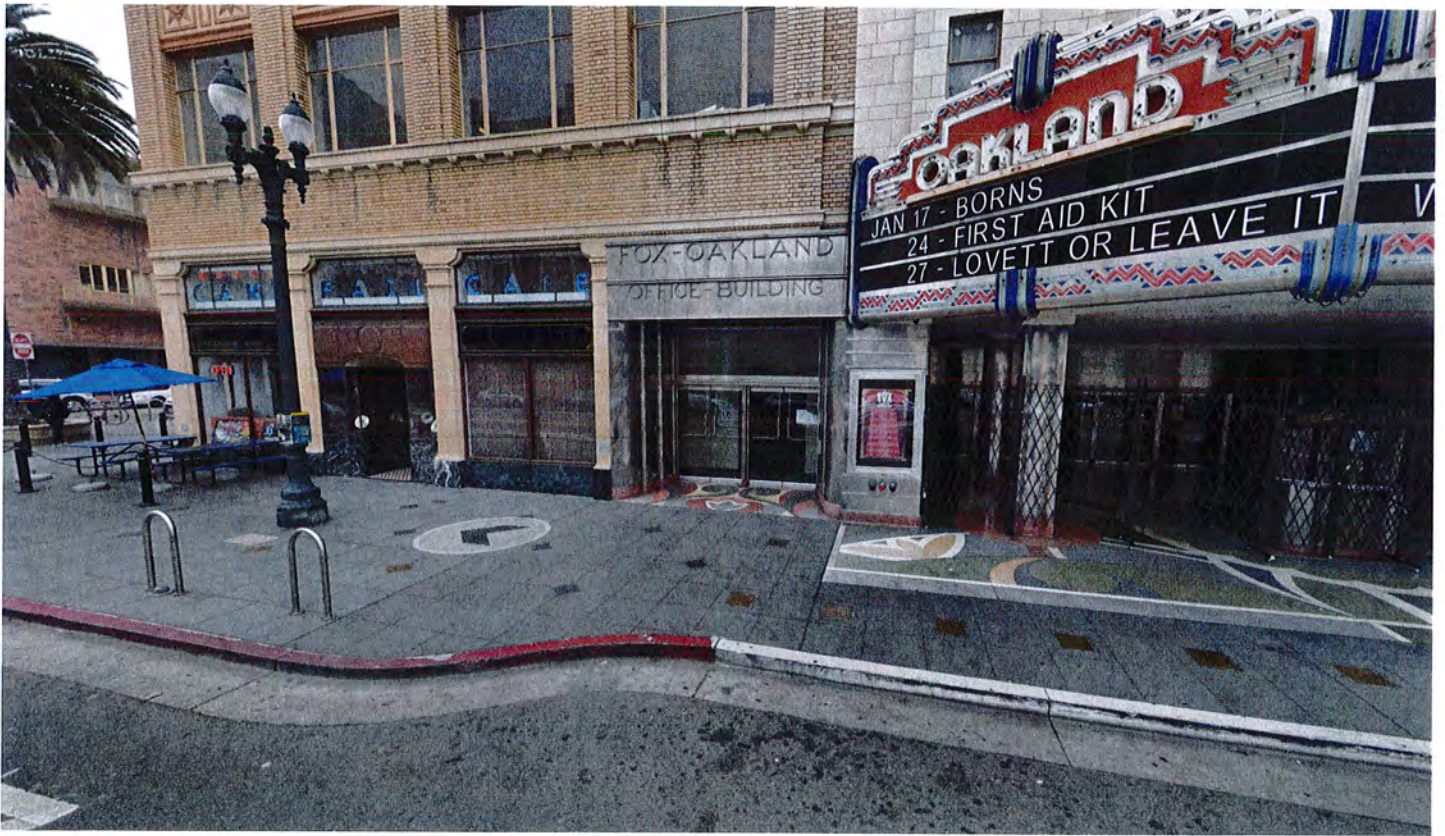
FRONT VIEW



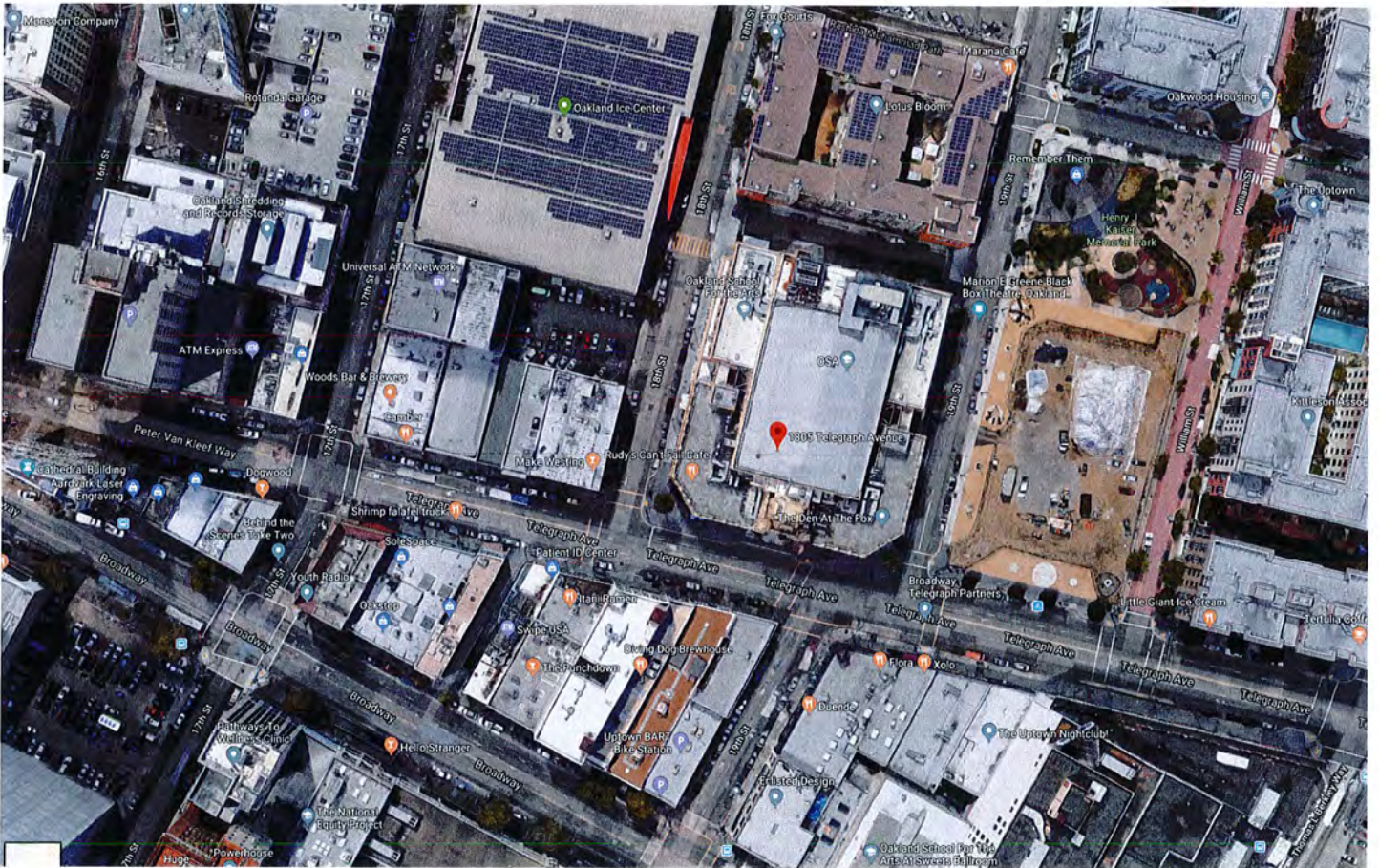
Side View



Side View



Overhead View of Neighborhood with surrounding Business Names



Neighbors



Neighbors



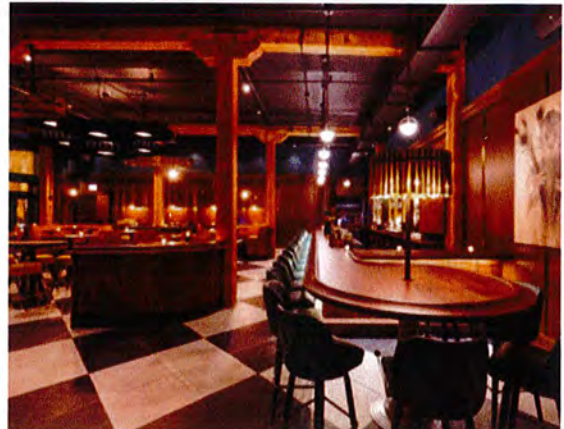
Neighbors



Emporium SF Pictures



Emporium Chicago Pictures



CrimeMapping.com Map

Tuesday, September 4, 2018 through Monday, October 1, 2018

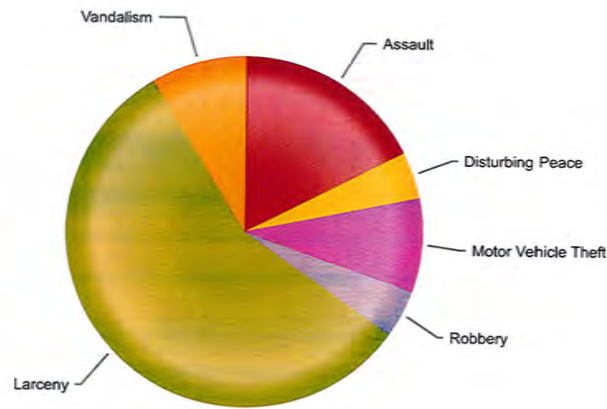
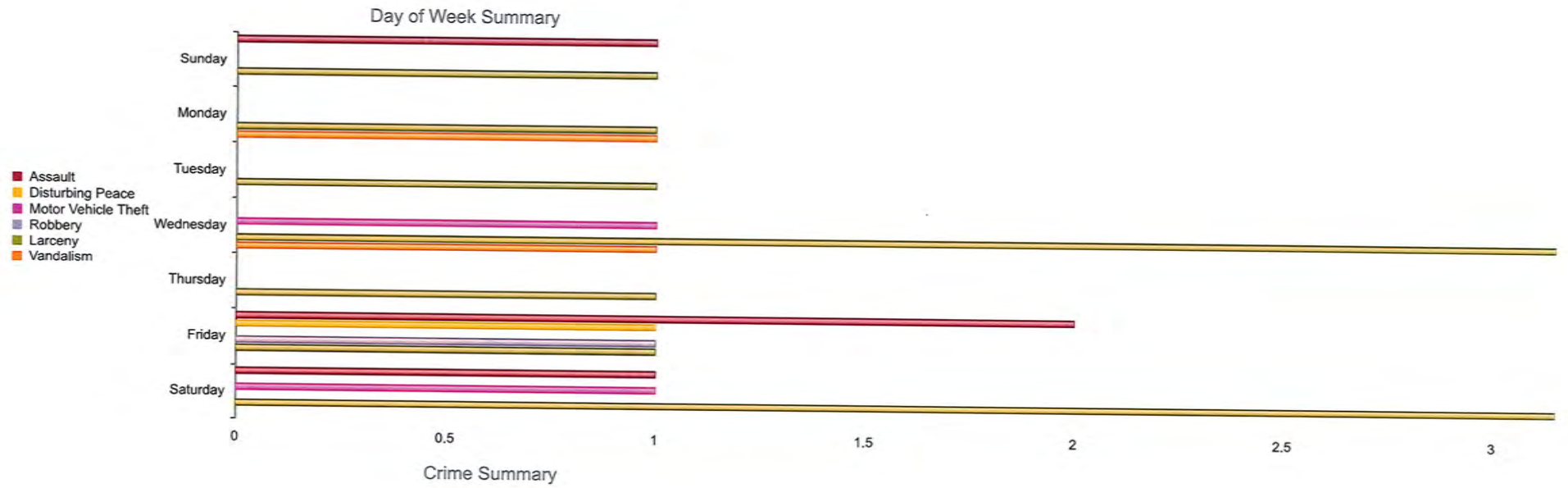
Showing crime types: Arson, Assault, Burglary, Disturbing the Peace, Drugs / Alcohol Violations, DUI, Fraud, Homicide, Motor Vehicle Theft, Robbery, Sex Crimes, Theft / Larceny, Vandalism, Vehicle Break-In / Theft, Weapons

Show crime report Show crime chart





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

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



Crime Report

Type	Description	Incident #	Location	Agency	Date
	VANDALISM:DEFACE PROPERTY (M)	1810-0026	1900 BLK BROADWAY	BART Police	10/1/2018 3:58 PM
	ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	18-049683		Oakland Police	9/30/2018 9:36 PM

Type	Description	Incident #	Location	Agency	Date
	ASSAULT - HANDS, FISTS, FEET, ETC. - AGGRAVATED INJURY	18-049398		Oakland Police	9/29/2018 1:58 AM
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-913570		Oakland Police	9/26/2018 10:00 PM
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-048359		Oakland Police	9/23/2018 8:09 PM
	ROBBERY:FIRST DEGREE-STRONG-ARM, HANDS, FISTS, FEET ETC. (F)	1809-0913	1900 BLK BROADWAY	BART Police	9/21/2018 10:34 AM
	DISORDERLY CONDUCT	18-047915		Oakland Police	9/21/2018 10:30 AM
	MOTOR VEHICLE THEFT - AUTOS	18-047656		Oakland Police	9/19/2018 9:25 PM
	VANDALISM	18-913206		Oakland Police	9/19/2018 8:30 PM
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-913196		Oakland Police	9/19/2018 8:30 PM
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-912949		Oakland Police	9/15/2018 10:00 PM
	MOTOR VEHICLE THEFT - AUTOS	18-046907		Oakland Police	9/15/2018 9:50 PM
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-912944		Oakland Police	9/15/2018 8:30 PM
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-912951		Oakland Police	9/15/2018 7:00 PM
	ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	18-046731		Oakland Police	9/14/2018 11:30 AM
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-912839		Oakland Police	9/12/2018 10:00 PM
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-912835		Oakland Police	9/12/2018 10:00 PM
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-912708		Oakland Police	9/10/2018 9:00 PM
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-912574		Oakland Police	9/8/2018 8:30 PM
	ASSAULT - OTHER ASSAULTS - SIMPLE, NOT AGGRAVATED	18-045498		Oakland Police	9/7/2018 11:10 PM
	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-912531		Oakland Police	9/7/2018 7:15 PM

Type	Description	Incident #	Location	Agency	Date
\$	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-912529		Oakland Police	9/6/2018 7:00 PM
\$	LARCENY THEFT (EXCEPT MOTOR VEHICLE THEFT)	18-912346		Oakland Police	9/4/2018 2:00 AM

License Query System - Map Query

Search for a specific

License Number:

Or, locate a general area by entering:

Premises Address:

Census Tract: City: OAKLAND

Search Clear



Licenses on the map display the license type that is currently issued for it. In the event there is more than one license type issued, the code MU is displayed.



California Department of Alcoholic Beverage Control

[Save As CSV](#)

Active Retail Licenses

For the County of ALAMEDA and the Census Tract of 4028

Report as of: 10/03/2018

Rows Per Page

Total Licenses: 38

Page 1 of 2

Click on column header to sort

	<u>License Number</u>	<u>Status</u>	<u>License Type</u>	<u>Orig. Iss. Date</u>	<u>Expir. Date</u>	<u>Primary Owner</u>	<u>Business Name</u>	<u>Premises Addr.</u>	<u>Geo Code</u>
1	253309	ACTIVE	64	11/16/1990	09/30/2018	PARAMOUNT THEATRE OF THE ARTS INC	PARAMOUNT THEATRE OF THE ARTS	2025 BROADWAY OAKLAND, CA 94612 Census Tract: 4028.00	0109
2	401639	ACTIVE	48	10/21/2003	09/30/2018	REEVES, CYNTHIA ANN	CONTEMPORARY ART CAFE	1621 TELEGRAPH AVE OAKLAND, CA 94612 Census Tract: 4028.00	0109
3	409515	ACTIVE	47	10/05/2004	09/30/2018	LUKAS LLC	LUKAS TAPROOM & LOUNGE	2221 BROADWAY OAKLAND, CA 94612-3010 Census Tract: 4028.00	0109
4	458117	ACTIVE	48	10/24/2007	09/30/2018	SYNDICATE ENTERPRISES GROUP LLC THE	UPTOWN NIGHTCLUB THE	1928 TELEGRAPH AVE OAKLAND, CA 94612-2202 Census Tract: 4028.00	0109
5	459551	ACTIVE	47	02/03/2009	01/31/2019	GASS ENTERTAINMENT LLC	FOX THEATRE THE	1807 TELEGRAPH AVE OAKLAND, CA 94612-2109 Census Tract: 4028.00	0109
6	473862	ACTIVE	48	03/09/2009	02/28/2019	151 INDUSTRY LLC	SOMAR BAR	1727 TELEGRAPH AVE OAKLAND, CA 94612-2107 Census Tract: 4028.00	0109
7	478913	ACTIVE	47	12/31/2009	11/30/2018	PARISH AT TOWNHALL INC THE	PARISH AT TOWNHALL INC THE	579 18TH ST OAKLAND, CA 94612-1546 Census Tract: 4028.00	0109
8	501008	ACTIVE	41	12/30/2010	11/30/2018	XOLO TAQUERIA LLC	XOLO	1916 TELEGRAPH AVE OAKLAND, CA 94612-2202 Census Tract: 4028.00	0109

9	<u>501645</u>	ACTIVE	48	02/18/2011	01/31/2019	BAR DOGWOOD LLC	BAR DOGWOOD	1644 TELEGRAPH AVE OAKLAND, CA 94612-2112 Census Tract: 4028.00	0109
10	<u>508480</u>	ACTIVE	48	08/01/2011	09/30/2018	UPDOG LLC	MAKE WESTING	1741 TELEGRAPH AVE OAKLAND, CA 94612-2107 Census Tract: 4028.00	0109
11	<u>516278</u>	ACTIVE	41	02/13/2012	01/31/2019	AWAKEN CAFE, LLC	AWAKEN CAFE	1429 BROADWAY OAKLAND, CA 94612-2054 Census Tract: 4028.00	0109
12	<u>518993</u>	ACTIVE	47	05/25/2012	04/30/2019	RCFC ENTERPRISES LLC	RUDY'S CAN'T FAIL CAFE	1805 TELEGRAPH AVE OAKLAND, CA 94612 Census Tract: 4028.00	0109
13	<u>519881</u>	ACTIVE	47	06/19/2012	05/31/2019	YONSEI RESTAURANT GROUP, LLC	HOP SCOTCH	1915 SAN PABLO AVE OAKLAND, CA 94612-1305 Census Tract: 4028.00	0109
14	<u>521774</u>	ACTIVE	47	12/04/2012	11/30/2018	IRFANKHANH LLC	CAMBER	1707 TELEGRAPH AVE OAKLAND, CA 94612-2107 Census Tract: 4028.00	0109
15	<u>522373</u>	ACTIVE	41	09/07/2012	08/31/2018	SAIGON COMBINATION CORPORATION	SAIGON RESTAURANT	326 FRANK H OGAWA PLZ OAKLAND, CA 94612-2001 Census Tract: 4028.00	0109
16	<u>523003</u>	ACTIVE	47	09/25/2012	08/31/2019	DUENDE LLC	DUENDE	468 19TH ST OAKLAND, CA 94612-2204 Census Tract: 4028.00	0109
17	<u>527578</u>	ACTIVE	42	06/05/2014	05/31/2019	DIVING DOG, LLC	DIVING DOG BREWHOUSE	1802 TELEGRAPH AVE OAKLAND, CA 94612-2110 Census Tract: 4028.00	0109
18	<u>529841</u>	ACTIVE	41	01/03/2014	12/31/2018	FIVE AND DIME GARDENS, LLC	LOST AND FOUND	2040 TELEGRAPH AVE OAKLAND, CA 94612-7993 Census Tract: 4028.00	0109

19	<u>530288</u>	ACTIVE	41	05/16/2013	11/30/2018	VELA, CHRISTIAN CESAR		1410 & 1414 JEFFERSON ST OAKLAND, CA 94612 Census Tract: 4028.00	0109
20	<u>536201</u>	ACTIVE	41	11/01/2013	10/31/2018	BAY AREA JAZZ AND ARTS INC.	SOUND ROOM THE	2147 BROADWAY OAKLAND, CA 94612-2309 Census Tract: 4028.00	0109
21	<u>539945</u>	ACTIVE	47	03/06/2014	02/28/2019	BC PARTNERS LLC	HUTCH BAR & KITCHEN	2022 TELEGRAPH AVE OAKLAND, CA 94612-2306 Census Tract: 4028.00	0109
22	<u>540691</u>	ACTIVE	41	03/20/2014	02/28/2019	PHALANGES LLC	SUYA AFRICAN- CARIBBEAN GRILL	408 22ND STREET OAKLAND, CA 94612-3008 Census Tract: 4028.00	0109
23	<u>544384</u>	ACTIVE	41	10/27/2014	09/30/2018	WOLFGANG & SUSANNE, LLC	DOWNTOWN WINE MERCHANTS	150 FRANK H OGAWA PLAZA, 1A OAKLAND, CA 94612-2007 Census Tract: 4028.00	0109
24	<u>546706</u>	ACTIVE	47	10/01/2014	09/30/2018	YONSEI RESTAURANT GROUP, LLC	HOPSCOTCH	1911 SAN PABLO AVE OAKLAND, CA 94612-1305 Census Tract: 4028.00	0109
25	<u>547024</u>	ACTIVE	41	09/11/2014	08/31/2019	TAIWAN BENTO LLC	TAIWAN BENTO	412 22ND ST OAKLAND, CA 94612-3008 Census Tract: 4028.00	0109



UPTOWN DOWNTOWN

Downtown Oakland and Lake Merritt/Uptown Community Benefit Districts

October 8, 2018

Oakland Planning Commission
1 Frank Ogawa Plaza
Council Chambers 3rd Floor
Oakland CA, 94612

Dear Planning Commission,

My name is Steve Snider and I am the Executive Director of the Downtown Oakland and Lake Merritt-Uptown Community Benefit Districts (Uptown/Downtown CBDs). I am writing this letter in support of the plans for Emporium to open an arcade bar at 1805 Telegraph Ave. I have spoken with the owner Danny Marks regarding their plans for the Oakland location and toured their location in San Francisco. Based on my extensive experience with the Uptown Oakland community and my familiarity with Emporium, I feel that Emporium would be a very positive addition to the Uptown Entertainment District. I would like to see their business open as soon as possible. If you have any additional questions or concerns please do not hesitate to reach out to me directly. Thank you,

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Snider".

Steve Snider
Executive Director

388 19th Street • Oakland, CA 94612

DOA Office: 510-238-1122 • LMUDA Office: 510-452-4529 • Fax: 510-452-4530

info@downtownoakland.org • info@lakemerritt-uptown.org • www.downtownoakland.org • www.lakemerritt-uptown.org

Member, Board of Supervisors
District 5



City and County of San Francisco

VALLIE BROWN
浦慧理

October 4, 2018

Dear Oakland Planning Commission;

I am writing this letter in support of the plans for Emporium to open an arcade bar at 1805 Telegraph Ave and feel that they would be a positive addition to the community. Emporium has had a positive presence in our neighborhood in San Francisco and the owner Danny Marks has been very accessible to the community, attending many neighborhood meetings both before and since opening. The San Francisco location was a large project and Emporium's owners have conducted themselves responsibly and followed through on their promise. I am happy to recommend this project.

Sincerely,

A handwritten signature in cursive script that reads "Vallie Brown".

Supervisor Vallie Brown
San Francisco Supervisor, District 5

598 63rd Street #1
Oakland, CA
94609

10/11/18

Dear Oakland Planning Commission;

My name is Joshua Kagan and I live at 598 63rd Street and work at 436 14th St – both in Oakland.

I am writing this letter in support of Emporium's application to open an arcade bar at 1805 Telegraph Ave. This is a great project that add will jobs. Given that my office is one block away, I can say definitively that I believe Emporium will be a positive addition to the Uptown Oakland community. I have known one of the developers of this project for more than 20 years and can attest to the integrity, honesty, and good character of the team.

Please feel free to contact me if you have any further questions.

Most Sincerely,

A handwritten signature in black ink, consisting of a stylized 'J' and 'K' intertwined.

Joshua Kagan

To Whom It May Concern,

I am writing in support of the proposal for Emporium to open an arcade bar at 1805 Telegraph. I live in the community and am familiar with this business. I believe this will be a positive addition to the neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Kemling', with a long horizontal flourish extending to the right.

Mike Kemling
3025 38th Ave
Oakland CA 94619



CITY OF OAKLAND
BUREAU OF PLANNING
250 Frank H. Ogawa Plaza, Suite 2114, Oakland, CA 94612-2031
Phone: 510-238-3911 Fax: 510-238-4730
PLANNING COMMISSION PUBLIC NOTICE

Table with 2 columns: Field Name and Value. Fields include Location, Assessor's Parcel Number(s), Proposal, Applicant, Contact Person/ Phone Number, Owner, Case File Number, Planning Permits Required, General Plan, Zoning, Environmental Determination, Historic Status, City Council District, Date Filed, Finality of Decision, and For Further Information.

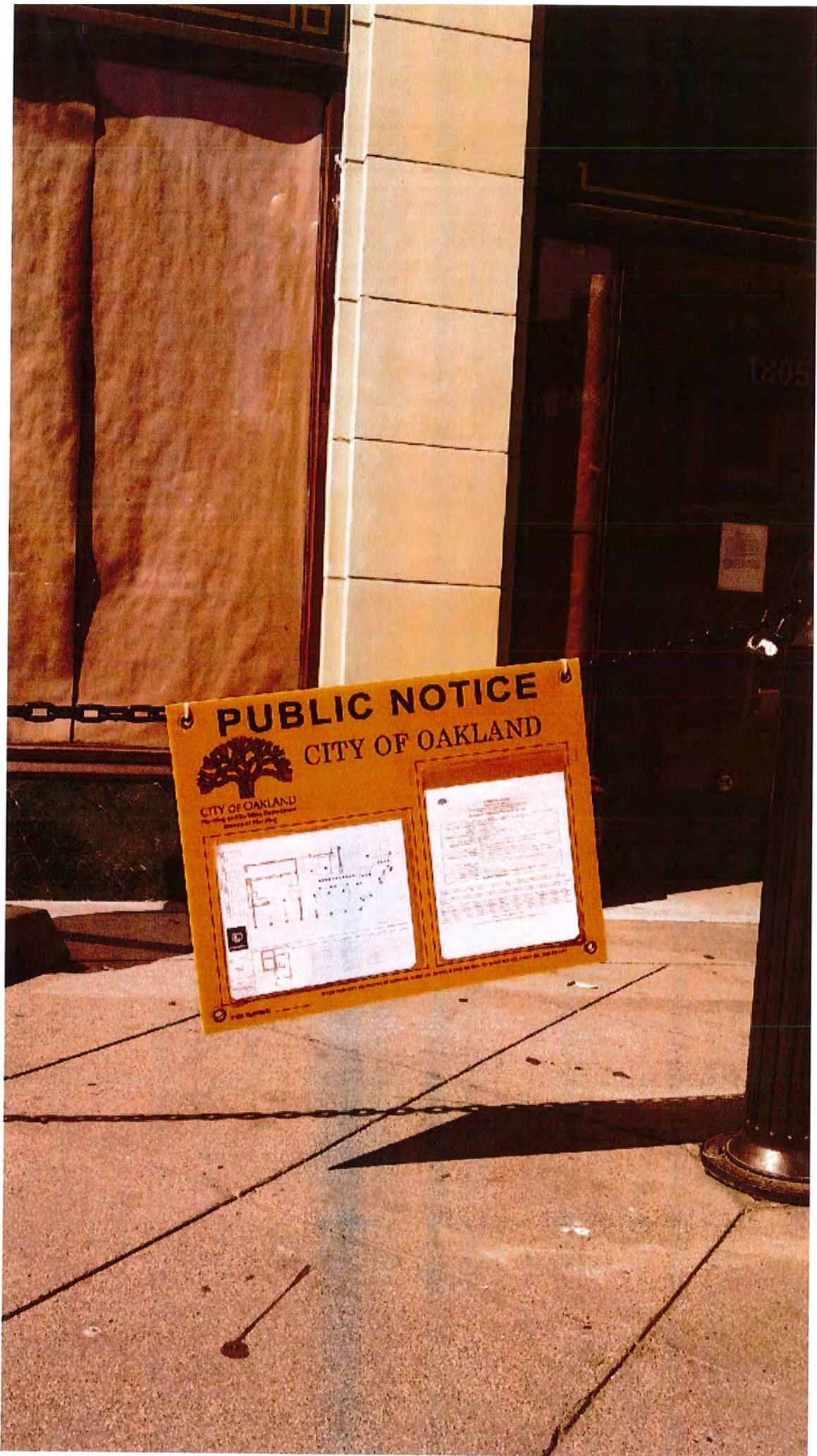
Your comments and questions, if any, should be directed to the Bureau of Planning, 250 Frank H. Ogawa Plaza, 2nd Floor, Oakland, California 94612-2031 at or prior to the public hearing to be held on October 17, 2018, at Oakland City Hall, Council Chambers, 1 Frank H. Ogawa Plaza, Oakland, California 94612. The public hearing will start at 6:00 p.m.

If you challenge the Planning Commission decision on appeal and/or in court, you will be limited to issues raised at the public hearing or in correspondence delivered to the Bureau of Planning, at, or prior to, the public hearing on this case. If you wish to be notified of the decision of any of these cases, please provide the case planner with a regular mail or email address.

Please note that the description of the application found above is preliminary in nature and that the project and/or such description may change prior to a decision being made. Except where noted, once a decision is reached by the Planning Commission on these cases, they are appealable to the City Council. Such appeals must be filed within ten (10) calendar days of the date of decision by the Planning Commission and by 4:00p.m. An appeal shall be on a form provided by the Bureau of Planning, and submitted to the same at 250 Frank H. Ogawa Plaza, Suite 2114, to the attention of the Case Planner. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the City of Oakland or wherein the decision is not supported by substantial evidence and must include payment in accordance with the City of Oakland Master Fee Schedule. Failure to file a timely appeal will preclude you from challenging the City's decision in court. The appeal itself must raise every issue that is contested along with all the arguments and evidence previously entered into the record prior to or at the public hearing mentioned above. Failure to do so will preclude you from raising such issues during the appeal hearing and/or in court.

POSTING DATE: September 28, 2018

IT IS UNLAWFUL TO ALTER OR REMOVE THIS NOTICE WHEN POSTED ON SITE



PUBLIC NOTICE
CITY OF OAKLAND



CITY OF OAKLAND
Planning & Public Works Department
Division of Planning



Item	Description	Quantity
1.	1000 sq ft of land	1
2.	1000 sq ft of land	1
3.	1000 sq ft of land	1
4.	1000 sq ft of land	1
5.	1000 sq ft of land	1
6.	1000 sq ft of land	1
7.	1000 sq ft of land	1
8.	1000 sq ft of land	1
9.	1000 sq ft of land	1
10.	1000 sq ft of land	1

FOR MORE INFORMATION, PLEASE CONTACT THE PLANNING & PUBLIC WORKS DEPARTMENT AT (415) 774-2200.