



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Motion 18520

HEARING DATE: JANUARY 19, 2012

*Date:* January 12, 2012  
*Case No.:* **2011.0471C**  
*Project Address:* **1111 California Street**  
*Zoning:* RM-4 (Residential Mixed, High Density) District  
65-A Height and Bulk District  
Nob Hill Special Use District  
*Block/Lot:* 0253/020  
*Project Sponsor:* Allan Casalou  
1111 California Street  
San Francisco, CA 94108  
*Staff Contact:* Kevin Guy – (415) 558-6163  
[kevin.guy@sfgov.org](mailto:kevin.guy@sfgov.org)

**ADOPTING FINDINGS RELATED TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION TO CONTINUE THE EXISTING NONCONFORMING ASSEMBLY AND ENTERTAINMENT USES OF THE "NOB HILL MASONIC CENTER", AND TO CONTINUE THE EXISTING FOOD AND BEVERAGE SERVICE USES WITHIN THE CENTER, PURSUANT TO PLANNING CODE SECTIONS 185(e) AND 303, ON A PROPERTY WITHIN THE RM-4 (RESIDENTIAL MIXED, MEDIUM DENSITY) DISTRICT, THE 65-A HEIGHT AND BULK DISTRICT, AND THE NOB HILL SPECIAL USE DISTRICT.**

### PREAMBLE

On August 12, 2011, Steven Vettel, acting on behalf of Allan Casalou, ("Project Sponsor", representing the California Masonic Memorial Temple), submitted a request with the City and County of San Francisco Planning Department ("Department") for a Conditional Use authorization (Case No. 2011.0471C) to continue the existing non-conforming assembly and entertainment uses, as well as the existing food and beverage service uses, at the Nob Hill Masonic Center ("Center") located at 1111 California Street ("Project Site"), within the RM-4 Zoning District and the Nob Hill Special Use District ("SUD"), pursuant to Planning Code Section ("Section") 238(d). No enlargement, intensification, or extension of the existing nonconforming use is proposed as part of the request for Conditional Use authorization.

The requested Conditional Use Authorization is not subject to the California Environmental Quality Act ("CEQA") because it is not defined as a project under CEQA Guidelines section 15060(c)(2) and Section

15378 because the continued operation of the existing uses will not result in a direct or reasonably foreseeable indirect physical change in the environment.

On January 19, 2012, the San Francisco Planning Commission (“Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0471C.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. 2011.0471C, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

## **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Center has operated since 1958, hosting activities associated with the Freemasons, as well as a variety of events that include music, comedy, and cultural performances, civic events (such as graduations and naturalization ceremonies), exhibitions, and corporate meetings. The assembly and entertainment functions of the Center became nonconforming in 1978, when the subject property was rezoned to the RM-4 District, which does not permit such activities. The proposal is to continue the operation of the nonconforming entertainment and assembly uses, as well as the existing food and beverage service uses, which are conditionally permitted within the Nob Hill Special Use District. No enlargement or intensification of the existing nonconforming use, and no change to the physical configuration of the Center is proposed as part of the request for Conditional Use authorization. The maximum capacity of the auditorium would remain at 3,282 persons.

The Center has operated since the 1950's without substantial operational conditions, other than those imposed by the Planning Code and other applicable regulations. Conditions of approval are proposed to maintain the historic level of operating intensity and to minimize impacts to the surrounding neighborhood. These conditions would limit the number of annual events and operating hours, promote safety and security, address parking and traffic control, set parameters for loading operations, limit hours for serving alcoholic beverages, and establish a program to monitor and enforce these conditions.

3. **Site Description and Present Use.** The Project Site is located on the south side of California Street between Jones and Taylor Streets, Block 0253, Lot 020. The subject property is located

within the RM-4 (Residential Mixed, High Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District. The Project Site gently slopes along the California Street frontage, but is steeply sloped along the Taylor Street frontage. The Center occupies nearly the entire site, and includes approximately 118,000 square feet of assembly and entertainment space, 17,000 square feet of administrative space utilized by the Freemasons, and a parking garage containing approximately 565 off-street parking spaces. The property measures 49,841 square feet, including a 25-foot wide flag portion fronting on Pine Street. This flag portion provides access to a loading area, and secondary access to the parking garage.

4. **Surrounding Properties and Neighborhood.** The Project Site is located within the Nob Hill neighborhood, an area characterized by a mix of hotel, institutional, and high-density residential uses. Neighborhood-serving commercial uses are scattered at various corners throughout the neighborhood, as well as along nearby commercial strips on Polk Street, Pacific Avenue, and the Chinatown neighborhood to the east. Several prominent institutional uses (including the Grace Cathedral and the Pacific Union Club) and hotels (the Fairmont and the Mark Hopkins Intercontinental) are clustered in the immediate vicinity on California Street between Powell and Jones Streets.

The scale of existing buildings varies greatly in the vicinity of the Project Site. Taller buildings, some exceeding twelve stories in height, are clustered near the crest of Nob Hill. This cluster accentuates and exaggerates the underlying topography, creating a recognizable orientation point within the skyline of the City. Buildings are generally lower to the in the downslope areas, averaging four to five stories in height. The building immediately to the west is a 16-story residential tower, while the remainder of the block to the south is comprised of lower-scale residential uses.

5. **Public Comment.** Staff has received a large number of communications regarding the project. A significant number of these communications have questioned the historic frequency and number of events (particularly live entertainment events) that have occurred in the past and would serve as a baseline for future operating conditions. Several communications also claim that the Center has infrequently served alcohol at prior events, at fewer beverage stations than the five stations proposed for continued operation. Members of the public have also raised concerns regarding traffic, noise (from patron activity and loading operations), parking impacts (from patrons, tour buses, and equipment trucks), and changes in the type of events that would be held at the Center.
6. **Planning Code Compliance:** The Commission finds that the project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Uses.** Section 185(e) permits nonconforming uses to continue operation beyond specified termination dates through the Conditional Use authorization process, provided that no intensification or enlargement of the use is proposed. Section 238(d) permits eating and drinking uses (except large fast-food restaurants) within the Nob Hill SUD, through the Conditional Use authorization process.

*The existing Center was operated as a permitted use until 1978, when the subject property was rezoned to the RM-4 Zoning District. The RM-4 District does not permit entertainment and assembly uses, therefore, the Center became non-conforming with this rezoning. The Project Sponsor is requesting Conditional Use authorization to continue the operation of the nonconforming assembly and entertainment uses of the Center, without any enlargement or intensification. Conditions of approval are proposed to maintain the historic level of operating intensity and to minimize impacts to the surrounding neighborhood.*

*The Project Sponsor proposes to operate five food and beverage stations concession stations within the Center, and has represented that this would be a continuation of the average number of food and beverages stations that have historically operated within the Center. Until 2010, individual event promoters were responsible for obtaining "one-day" permits from the California Department of Alcoholic Beverage Control (ABC). These permits applied to the premises of the Center, and did not describe a specific number of concession stations. There is insufficient evidence to reliably establish an historic average in terms of the number of these stations. Therefore, this motion does not include any conditions with respect to the quantity of stations.*

- B. Off-Street Parking.** Section 151 theater or auditorium uses to provide one parking space for every eight seats up to 1,000 seats, plus one space for each ten seats in excess of 1,000.

*The existing Masonic Center garage contains 565 parking spaces. However, 205 of these spaces are currently leased to monthly leaseholders. A condition of approval has been added requiring that the Center provide off-street parking spaces within the garage in perpetuity for the use of event patrons, in an amount which conforms to the requirements of Planning Code Section 151. This conditions stipulates that the number of spaces may not be reduced or otherwise made unavailable due to monthly leases or other commitments of spaces within the garage.*

- C. Loading.** Section 152 requires off-street freight loading for uses above a certain size. An Other Entertainment use that measures between 100,001 to 200,000 square feet of gross floor area would be required to provide one off-street loading space.

*The gross floor area of the Center measures approximately 118,000 square feet. An existing loading dock is accessed via Pine Street and measures approximately 35 feet in length by 10 feet in width. This loading space fails to meet several aspects of the Planning Code as follows:*

- 1) Enclosure: Pursuant to Section 155(p), a loading area within 50 feet of an "R" District shall be completely enclosed within a building if the area is used in regular night operation. Given the nature of the proposed Other Entertainment use, it is expected that this loading dock would be used at night. The dock is unenclosed and is located within an "R" District, and therefore fails to meet the enclosure requirement of the Planning Code.*
- 2) Dual-Use of Loading Dock: According to the Project Sponsor, the loading dock area also partially serves as a secondary driveway for vehicles to access the Masonic Center parking garage.*

*Because the existing loading dock does not comply with these aspects of the Planning Code, the Center is considered to be a "noncomplying structure" as defined by Section 180(a)(2). The Planning Code calculates loading requirements based on the gross floor area of a structure. Because the Project would continue the existing operation of the Center, and would not increase the overall gross floor area of the structure, the Project is not considered an intensification that would increase the number of required loading spaces pursuant to the Planning Code.*

- D. Hours of Operation.** Section 185(e) does not specify hours of operation of nonconforming uses which are permitted to continue operation through Conditional Use authorization.

*A Condition of approval have been added requiring that all weeknight events end by 11:00PM, and all weekend events end by 11:30PM. In addition, this condition would allow the Project Sponsor to seek authorization from the San Francisco Police Department, the Planning Department, and the Entertainment Commission for up to three events per year that extend until 1:00AM.*

- 7. Planning Code Section 303(c)** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use Authorization. On balance, the Project does comply with said criteria in that:

- A.** The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

*The Center is a venue of regional cultural, entertainment, and civic importance that has hosted a wide variety of events since 1958. In addition to activities associated with the Freemasons, these events include music, comedy, and cultural performances, civic events (such as graduations and naturalization ceremonies), exhibitions, and corporate meetings. However, the operation of a venue with Citywide and regional significance, has the potential to cause a number of substantial impacts to the surrounding area.*

*The Center has operated since the 1950's without substantial operational conditions, other than those imposed by the Planning Code and other applicable regulations. The imposition of conditions of approval will allow the Center to continue operating as a important entertainment, cultural, and civic venue while minimizing impacts to the surrounding neighborhood. Conditions have been added that limit the number of events and operating hours, promote safety and security, address parking and traffic control, set parameters for loading operations, limit hours for serving alcoholic beverages, and establish a program to monitor and enforce these conditions. On balance, these conditions will allow the venue to continue operating in a manner that is desirable for the community and the City as a whole, and is compatible with the area, and reflects historic operating conditions at the Center.*

- B.** The proposed use or feature will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, or injurious to property, improvements, or potential development in the vicinity, with respect to aspects including, but not limited to the following:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The size and shape of the site and the size, shape, and arrangement of the building would not change. With the imposition of the conditions of approval for the Project, the site and the building are adequate for the proposed use.*

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading, including provision of car-share parking spaces, as defined in Section 166 of this Code;

*The Center includes a garage with 565 parking spaces. A condition of approval has been added requiring that the Center provide off-street parking spaces within the garage in perpetuity for the use of event patrons, in an amount which conforms to the requirements of Planning Code Section 151. In addition, the Grace Cathedral garage and the Crocker garage are each located within one-half block of the Project Site and offer a total of 330 parking spaces. These garages could therefore accommodate parking needs which are not met within the Masonic Center garage. The Project Sponsor proposes to offer fixed-priced parking for larger events, with parking that can be pre-purchased at the time that the patron orders tickets for an event.*

*The area is moderately well-served by transit, with four MUNI lines (1 - California, 27 - Bryant, and the California and Powell-Hyde Cable Car lines) available within two blocks of the Project Site. In addition, patrons have the option to arrive at the Center by taxi, walking, or bicycling.*

*Because the Pine Street loading dock is unsuitable for use by large delivery vehicles, such loading is proposed to occur from the curbside parking on California Street. The Planning Code does not specifically regulate curbside parking, however, several operational conditions of approval have been added to help minimize impacts related to this curbside loading activity. Specifically, the Project Sponsor must seek approval from the San Francisco Police Department to designate a temporary truck and passenger loading zone on the south side of California Street, extending from the Masonic Center garage entrance approximately 185 feet to the west, prior to and during large events. This zone would serve multiple purposes, as enumerated and restricted by the conditions of approval, and as summarized below:*

- 1) *Large trucks would park within this zone during the transfer of stage equipment and other materials for events. After the unloading activities conclude, the delivery trucks would be stored off site for the duration of the event. The trucks would return to load the materials at the end of the event, and would not be parked overnight on California Street.*

- 2) *Up to two performer buses may park within this zone beginning at to 1.5 hours prior to the beginning of an event, and may remain within the zone during the duration of the event. No more than two performer buses may park within this zone at any time, and no performer buses shall be permitted to park within this zone overnight. The Project Sponsor shall be required to install shore power (following receipts of all necessary approvals) to provide electrical power to these performer buses and avoid the use of*

*engines or generators. The sponsor must also research the viability of utilizing off-street parking facilities in the vicinity to park performer buses during events.*

*3) The remainder of the zone (not occupied by performer buses or delivery trucks) is intended for passenger drop-off, taxi loading, and queuing for vehicles entering the Masonic Center garage.*

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*All events scheduled for the Center would occur within the interior of the building. Therefore, all noise directly resulting from events such as concerts is attenuated and is not perceptible outside of the building. The majority of pedestrian queuing for events would occur within the interior of the building, in the main lobby area, reducing conversational noise from waiting patrons. Shore power will be installed adjacent to street parking spaces that will accommodate performer bus parking, so that engines or generators will not need to run continuously to power accessories within these parked vehicles. Rubber or vinyl mats and curb and ramp transition strips would be placed to reduce the noise generated by loading activities requiring dollies or other rolling conveyances. The project proposes no interior or exterior changes to the Center, therefore, the Project is not expected to generate new dust or glare.*

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

*The Project Site is completely built-out and no changes are proposed to the exterior with regards to landscaping, open spaces, lighting, or signs. Conditions of approval have been added to ensure that the parking, loading, and other functions associated with the events at the Center operate in a manner that minimizes impacts to the surrounding neighborhood. These conditions are discussed further under item 8(B)(ii) above.*

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

*The Project complies with the applicable requirements of the Planning Code, and will not adversely affect the policies of the General Plan as discussed under Item #8 below.*

- 8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

## **ARTS ELEMENT**

### **OBJECTIVE I-1:**

**RECOGNIZE THE ARTS AS NECESSARY TO THE QUALITY OF LIFE FOR ALL SEGMENTS OF SAN FRANCISCO.**

**Policy I-1.1**

Promote inclusion of artistic considerations in local decision-making.

**Policy I-1.2**

Officially recognize on a regular basis the contributions arts make to the quality of life in San Francisco.

**Policy I-1.4**

Provide access to the creative process and cultural resources for all neighborhoods, cultural communities, and segments of the city and its populations.

**OBJECTIVE VI-1**

SUPPORT THE CONTINUED DEVELOPMENT AND PRESERVATION OF ARTISTS' AND ARTS ORGANIZATIONS' SPACES.

**Policy VI-1.4**

Preserve existing performing spaces in San Francisco.

*The Center is a venue of regional cultural, entertainment, and civic importance that has hosted a wide variety of events since 1958. Some events of these events have been associated with the Freemasons, civic events, and exhibitions. However, the Center has a longstanding tradition of hosting performance arts events, including music of all genres, comedy, dance, and cultural performances. These events strengthen the recognition and reputation of San Francisco as a city that is supportive of the arts. Such activities strengthen the recreational and cultural vitality of San Francisco, bolster tourism, and support the local economy by drawing patrons from throughout the region. The Project would allow for the continued operation and viability of the Center as a venue to host performing arts events.*

**COMMERCE AND INDUSTRY ELEMENT**

**OBJECTIVE 8:**

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL CENTER FOR CONVENTIONS AND VISITOR TRADE.

**Policy 8.1**

Guide the location of additional tourist related activities to minimize their adverse impacts on existing residential, commercial, and industrial activities.

*These policies includes guidelines that seek to avoid the negative impacts to residential uses resulting from entertainment venues. Conditions have been added that limit the number of evening events and operating hours, promote safety and security, address parking and traffic control, set parameters for loading operations, limit hours for serving alcoholic beverages, and establish a program to monitor and enforce these conditions. These conditions of approval will allow the Center to continue its existing operation while minimizing impacts to the surrounding neighborhood.*

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:



- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The Project would not displace any retail establishments or compromise employment opportunities in the area.*

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The Project would not displace any existing housing. The conditions of approval will ensure that the venue will operate in a manner that preserves and enhances the cultural and economic diversity of the neighborhood and the City, while minimizing negative impacts to the character of the area.*

- C. That the City's supply of affordable housing be preserved and enhanced.

*The Project will not result in the loss of any existing affordable housing units*

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*For patrons who wish to drive private vehicles to events, adequate parking exists at the Masonic Center garage, and other nearby garages. The area is moderately well-served by transit, and patrons may choose to arrive to the event by a mode other than private vehicles (transit, taxis, walking, or bicycles). Conditions of approval have been added to address parking and circulation of performer buses, equipment trucks, and patron vehicles.*

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The Project does not include any commercial office space, and will enhance opportunities for service sector employment.*

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Project does not involve any construction activities that would compromise the structural integrity of the existing building.*

- G. That landmarks and historic buildings be preserved.

*No exterior or interior changes are proposed for the Project. Any future alterations and signage would be required to comply with applicable preservation standards.*

H. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Project, which does not include any physical expansion of the existing building envelope, would not impact any parks or open spaces or their access to sunlight.*

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2011.0471C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated January 19, 2012, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No.**

**18520. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.**

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 19, 2012.

Linda D. Avery  
Commission Secretary

AYES: Miguel, Antonini, Borden, Fong, Moore

NAYS:

ABSENT: Sugaya (Recused)

ADOPTED: January 19, 2012

# **EXHIBIT A**

## **AUTHORIZATION**

This authorization is for a conditional use to allow the continuation of the existing nonconforming assembly and entertainment uses, as well as the existing food and beverage service uses (d.b.a. Nob Hill Masonic Center) located at 1111 California Street, Block 0253, Lot 020 pursuant to Planning Code Sections 185(e) and 303 within the RM-4 District, the 65-A Height and Bulk District, and the Nob Hill Special Use District; in general conformance with plans, dated January 19, 2012, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0471C and subject to conditions of approval reviewed and approved by the Commission on January 19, 2012 under Motion No 18520. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

## **RECORDATION OF CONDITIONS OF APPROVAL**

Prior to the commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on January 19, 2012 under Motion No 18520.

## **SEVERABILITY**

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

## **CHANGES AND MODIFICATIONS**

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

## Conditions of approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

1. **Validity and Expiration.** The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. The approved use must be commenced within three years of the approval of this Conditional Use authorization. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if the use has not commenced within three (3) years of the date of the Motion approving the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## Monitoring

### PARKING AND TRAFFIC

2. **Parking Requirement.** The Project Sponsor shall make available to the general public within the Masonic Center garage no less than number of off-street parking spaces required by Planning Code Section 151 for "theater or auditorium" uses (a minimum of 1 parking space per 8 patron occupancy for the first 1,000 patrons, plus 1 space per 10 patrons above 1,000 patrons in the Auditorium). The number of spaces shall not be reduced or otherwise be made unavailable for the use of the Masonic Center due to monthly leases or other arrangements.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

3. **Parking Fee.** There shall be a fixed parking fee for events with more than 1,250 ticketed attendees.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

4. **Pre-Paid Parking.** The Project Sponsor shall offer pre-paid parking to event attendees who purchase tickets in advance of the event date through an on-line ticket service. Such pre-paid parking passes shall specify the location of the garage for which the ticket has been paid (either the Masonic Center garage or any other nearby garage that enters into a cooperating agreement with the Project Sponsor for pre-paid parking) and the location of the garage's entrance.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

5. **Bicycle Parking.** The Project Sponsor shall provide not less than 26 Class I or Class II bicycle parking spaces at the property, consistent with Planning Code Section 155.2.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

6. **Pine Street Access.** The Project Sponsor shall allow access to the Masonic Center garage through the Pine Street loading dock prior to events for holders of pre-paid parking tickets in order to reduce vehicle queuing on California Street. The Pine Street loading dock shall also be used for exiting from the garage after events.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

7. **Traffic Management.** The Project Sponsor shall minimize vehicular queuing on California Street by use of the following strategies events with more than 1,250 ticketed patrons:

- Increase traffic staffing inside the California Street garage entrance to increase the rate of vehicular entry to the garage.
- Position security personnel (including San Francisco Police Department services when warranted) outside the garage to assist with controlling and directing

## Monitoring

traffic, including directing patrons to other nearby garages if and when the Masonic Center garage is full.

- Convert the center lane of the existing garage entrance ramp to a second inbound lane to increase queuing room within the garage.
- Event staff shall ensure that u-turns are prevented and that the cable car lane is free-flowing.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

8. **Overflow Parking.** The Project Sponsor shall consult with nearby public garages to inform arriving patrons that those garages can be used to park for performances and events when the Center's garage is full.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

9. **Loading Zone.** The Project Sponsor shall apply for designation of a truck and bus loading zone and passenger zone for drop-off by taxis and other vehicles and additional garage queuing for the approximately 185-foot long curb zone on California Street between the entrance to the Center garage and Gramercy Tower (1177 California Street) driveway, to be in effect only prior to and during events at the Masonic Center. The drop-off zone shall be sufficient to accommodate a minimum of three taxis or private vehicles dropping off passengers at one time.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

10. **Loading on California Street.** The Project Sponsor shall seek a special event "no parking" permit from the Police Department whenever it anticipates loading or bus operations on California Street and direct trucks to park in that zone. No double-parking of trucks shall be permitted. The Project Sponsor may load and unload from the California Street curb only stage sets, performance equipment, and related materials associated with specific events. Pursuant to the regulations of the Department of Building Inspection, a sign shall be posted on the access ramp during loading and unloading operations that notifies disabled persons of the duration of the loading and provides specific information about alternative means of disabled access into the building, which alternative access shall be maintained at all times during loading and unloading operations on California Street. After the conclusion of unloading activities, trucks using the California Street curb loading zone shall depart the premises, park off-site, and not return for loading until near the conclusion of the performance. No overnight curb parking of trucks shall be permitted on California Street.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

11. **Loading Noise.** To minimize noise during loading and unloading operations on California Street, the Project Sponsor shall install prior to loading and unloading activities a resilient surface material, such as rubber or vinyl, on truck ramps, pavement, sidewalk and the ramp and incorporate transition strips between different surfaces and shall direct that truck

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engines be turned off except when moving the vehicle or functions that require engine power are occurring, such as lowering or raising of hydraulic ramps.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

12. Personnel conducting loading and unloading activities on California Street shall be instructed to minimize the volume of conversation and prohibit the playing of amplified music outside the building during loading and unloading, particularly during nighttime hours.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

13. **Performer Bus Parking.** During the one and one-half hour period prior to the start of events, no more than two performer buses shall park on the south side of California Street, so that the remainder of the 185-foot long curbside area is available for attendee unloading and loading and vehicle queuing into the garage. The Project Sponsor shall direct any additional buses to park in other bus parking zone(s) the City chooses to designate near the corner of California and Taylor Streets, such as on Taylor Street adjacent to Huntington Park or on the north side of California Street. The Project Sponsor shall make best available efforts to evaluate and demonstrate to the Zoning Administrator the physical and operational feasibility of storing performer buses at nearby off-street parking facilities during events.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

14. **"Shore" Power.** The Project Sponsor shall provide electric power on the south side of California Street for event buses in order to ensure the quiet and clean powering of these vehicles and shall direct that all performer buses parking at this zone connect to this electric power and not run their engines or generators.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

15. The project sponsor shall seek permission from the appropriate City agency or adjacent property owners to install electric power adjacent to any other City-designated bus parking zone that is within ½ block of the property, if feasible, so that, if there is a feasible method of providing electric power, the Project Sponsor shall direct performer buses to connect to this electric power and not run their engines or generators.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

16. **Overnight Bus Parking Prohibited.** Overnight curb parking of buses or habitable trailers for performers, support staff, or other associated with the operations or productions at the property shall not be permitted on either side of California Street. The Project Sponsor shall include in any contract or agreement, or rules or guidance given to any performers, support staff, or others associated with the operations or productions at the property a requirement to abide by this condition. The Project Sponsor shall remain responsible for compliance with this condition, regardless of such notice or contractual provisions.



## Monitoring

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

### MONITORING - AFTER ENTITLEMENT

17. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

18. **Monitoring.** The Project requires monitoring of the conditions of approval in this Motion. The Project Sponsor or the subsequent responsible parties for the Project shall pay fees as established under Planning Code Section 351(e) (1) and work with the Planning Department for information about compliance.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

19. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## Operation

### OPERATION

20. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>*

21. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>*

22. **Noise Control.** The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

*For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, [www.sfdph.org](http://www.sfdph.org)*

*For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, [www.sfdbi.org](http://www.sfdbi.org)*

*For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-1012 or 415-5530123, [www.sf-police.org](http://www.sf-police.org)*

23. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor. The community liaison shall make available, upon request, a list of future scheduled events which will be updated on a monthly basis.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

24. **Notices Posted at Bars and Entertainment Venues.** Notices urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to not litter or block driveways in the neighborhood, shall be well-lit and prominently displayed at all entrances to and exits from the establishment.

## Operation

*For information about compliance, contact the Entertainment Commission, at 415 554-6678, [www.sfgov.org/entertainment](http://www.sfgov.org/entertainment)*

25. **Entertainment and Assembly.** The entertainment and assembly functions shall be performed within the enclosed building only. The building shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance. Bass and vibrations shall also be contained within the enclosed structure. The Project Sponsor shall obtain all necessary approvals from the Entertainment Commission within a reasonable timeframe following project approval. The authorized entertainment use shall also comply with all of the conditions imposed by the Entertainment Commission.

*For information about compliance, contact the Entertainment Commission, at 415 554-6678, [www.sfgov.org/entertainment](http://www.sfgov.org/entertainment)*

26. **Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

27. **Event Operations Manual.** The Project Sponsor shall maintain, update over time, provide to event personnel, and make available to the Planning Department an event Operations Manual to include:

- A security plan to ensure neighborhood safety before, during and after performances, including in Huntington Park and near Grace Cathedral.
- A traffic control plan, including deployment of traffic control personnel outside the venue to assist patron unloading and loading, queuing into the garage, and enforcement of the Parking and Traffic, Loading and Performer Bus Parking conditions set forth below.
- Trash pick-up program within two hours after each event in the four blocks bounded by Sacramento, Jones, Pine and Mason Streets.
- Direction to event personnel to assure compliance with these conditions of approval.

28. **Patron Queuing.** All patron queuing for events with general admission attendance shall occur within the Masonic Center property, including the main lobby and in the plaza fronting on California Street.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

29. **Food and Beverage Service.** Food and beverage service is limited to service to patrons of on-site assembly and entertainment events within the Nob Hill Masonic Center. There shall be no operations of a restaurant, either full-service or self-service, open to members of the public who are not patrons of assembly or entertainment uses within the Masonic Center.

## Operation

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

30. **Alcohol Sales.** Following the conclusion of the last intermission of an event, or one hour prior to the conclusion of an event within no intermission, a maximum of three concession stands may serve alcoholic beverages. One hour prior to the conclusion of an event, line markers shall be placed at the end of each of the lines. No patron approaching a line for a concession stand after the placement of the line marker will be served an alcoholic beverage, with the intent that alcohol service will conclude 45 minutes prior to the end of an event. There shall be no minimum purchase of alcohol required, and a maximum of two alcoholic beverages may be served per order.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

31. **Police Department Review.** If an event has presented a pattern of safety and security problems in previous concert seasons or at other venues, then the Project Sponsor shall consult with the Police Department to determine whether the Project Sponsor can provide adequate safety and through utilization of its security personnel, contracted private security, and/or on-duty or off-duty Police officers. To the extent that the Chief of Police reasonably determines, based entirely on the ability to provide safety and security and not on the expressive content of the event, that the Project Sponsor cannot provide adequate safety and security for any proposed event or that the event's historic pattern establishes that safety and security issues cannot be adequately handled at the venue regardless of the Project Sponsor's security plan, the Chief of Police may order that the event shall not be held. This provision does not supersede any subsequent regulations regarding place of entertainment permits.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

32. **Off-Duty Police Officers.** Project Sponsor shall comply with Administrative Code Section 10-B, and if off-duty officers are hired pursuant to subsections thereof, a minimum of two officers be hired for events with 1,250 or more presold tickets; if SFPD determines that more than two officers are required, the Project Sponsor shall provide the additional officers.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## Maximum Occupancy and Events

### MAXIMUM OCCUPANCY AND EVENTS

33. **Occupancy.** No more than 3,282 patrons shall be permitted for events in the auditorium on the main floor level and mezzanine of the Masonic Center.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

34. **Number of Events.** There shall be an annual maximum of 68 live entertainment events, and an annual maximum of 219 events not involving live entertainment, held at the Masonic Center. Notwithstanding these limitations, there shall be no limitations on the number of events that are attended by 250 patrons or fewer.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

35. **Event Hours.** All events shall conclude by 11:00PM on weeknights (non-holiday Sunday-Thursday evenings) and 11:30PM on weekends (Friday, Saturday, and holiday evenings). Up to three events per year may extend until 1:00AM, subject to prior consultation with and approval by the San Francisco Police Department, the San Francisco Planning Department, and the Entertainment Commission a minimum of 30 days prior to the date of such an event.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*