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## Planning Commission Motion No. 18578

HEARING DATE: APRIL 12, 2012

*Date:* April 5, 2012  
*Case No.:* **2011.1216 C**  
*Project Address:* **9 WEST PORTAL AVENUE**  
*Zoning:* West Portal Neighborhood Commercial District  
 26-X Height and Bulk District  
*Block/Lot:* 2979A/029  
*Project Sponsor:* James Robinson & Gail Ferriss  
 9 West Portal Avenue  
 San Francisco, CA 94127  
*Staff Contact:* Doug Vu – (415) 575-9120  
[doug.vu@sfgov.org](mailto:doug.vu@sfgov.org)

**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTION 303 OF THE PLANNING CODE, TO MODIFY CONDITIONS OF APPROVAL CONTAINED IN MOTION NO. 18163, CASE NO. 2010.0422C, TO ALLOW AN INCREASE IN THE HOURS OF OPERATION AND AN INCREASE IN THE PERMITTED NUMBER OF SEATS WITHIN THE EXISTING BAR AND LIQUOR STORE (D.B.A. VIN DEBUT), LOCATED WITHIN THE WEST PORTAL NEIGHBORHOOD COMMERCIAL DISTRICT (NCD) AND 26-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On October 27, 2011, James Robinson (hereinafter "Project Sponsor") filed an application (hereinafter "Application") with the Planning Department (hereinafter "Department") for Conditional Use authorization pursuant to Planning Code Section 303, on the property located at 9 West Portal Avenue, Assessor's Lot 029 in Block 2979A (hereinafter "Property"), to modify the Conditions of Approval contained in Motion No. 18163, Case No. 2010.0422C, to allow an increase in the hours of operation, the number of seats within the existing bar and liquor store (d.b.a. Vin Debut), allow outdoor tables and chairs, and remove the limitations and requirements on floor area devoted to on-site tasting and retail sales, respectively, per the application dated October 27, 2010 and labeled "EXHIBIT B" (hereinafter "Project), within the West Portal Neighborhood Commercial District (hereinafter "West Portal NCD") and 26-X Height and Bulk District.

On April 12, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Case No. 2011.1216C.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption under CEQA.

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 Sponsor, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. 2011.1216C, 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. **Site Description and Present Use.** The Property is located on the east side of West Portal Avenue between Ulloa and Vicente Streets. The lot currently contains a two-story commercial structure built circa 1922 that is divided into two ground-floor commercial tenant spaces, with office space on the second floor. Vin Debut abuts Eezy Freezy Health and Gourmet Foods to the south, and the Squat and Gobble Restaurant to the north. Vin Debut contains approximately 1,100 square feet of gross floor area and approximately 34'-9" of frontage along West Portal Avenue. The subject property is within the West Portal Neighborhood Commercial District (NCD) and 26-X Height and Bulk District.

Vin Debut is currently permitted to operate as a liquor store with a limited bar component. Their existing limitations include: (1) restriction to only Alcoholic Beverage Control Type 20 and 42 liquor licenses (Off-Sale Beer and Wine, and On-Sale Beer and Wine for Public Premises, respectively); (2) hours of operation until 11:00p.m. Sunday – Thursday, and 12:00 a.m. (midnight) Friday – Saturday, with the provision that private events closed to the public may exceed these hours if appropriate signage is posted; (3) outside tables and chairs not permitted; (4) no more than one-third of the occupied floor area dedicated to the sale and service of alcohol for on-site consumption; (5) minimum two-thirds of the area must be dedicated to retail displays; and (6) no more than nineteen (19) seats provided for on-site wine consumption.

3. **Surrounding Properties and Neighborhood.** Land uses located within the subject block of West Portal Avenue include predominantly one- and two-story buildings containing primarily neighborhood-serving commercial uses on the ground floor with office space located above. The

West Portal NCD is surrounded by low-density residential neighborhoods consisting of predominantly single-family detached dwellings.

The controls in this District are designed to preserve the existing family-oriented village character of West Portal Avenue. The building standards limit building heights to 26 feet and two stories, and maintain the existing pattern of rear yards at the ground level and above. The height, bulk, and design of new development, especially on large lots, should respect the small-scale character of the District and its surrounding residential neighborhoods. Lot mergers creating large lots are discouraged. Individual nonresidential uses require conditional use permits above 2,500 square feet and are restricted to 4,000 square feet as an absolute limit to conform to the existing small use sizes in the District.

Special controls on commercial uses are designed to protect the existing mix of ground-story retail uses and prevent further intensification and congestion in the District. No new financial services are permitted. Since the District and surrounding neighborhoods are well served by the existing number of eating and drinking establishments, new bars, restaurants and take-out food generally are discouraged. Any proposed new establishment should be carefully reviewed to ensure that it is neighborhood-serving and family –oriented, and will not involve high-volume take-out food or generate traffic, parking, or litter problems. Large fast-food restaurants and small self-service restaurants are prohibited. Medical and business or professional services are permitted at the first two stories, but additional ground-story locations are to be closely monitored to ensure that the current balance between retail and office uses is maintained. Existing service stations are encouraged to continue operating, but changes in their size, operation, or location are subject to review. Other automotive uses are prohibited. The neighborhood-oriented, retail character of the District is further protected by prohibiting hotels and nonretail uses on the ground floor. The daytime orientation of the District is maintained by prohibitions of entertainment uses and late-night commercial operating hours.

4. **Project Description.** The Project necessitates a Conditional Use Authorization, pursuant to Planning Code Section 303, in order to modify the Conditions of Approval contained in Motion No. 18163, Case No. 2010.0422C, to allow an increase in the permitted hours of operation and the number of seats within the existing bar and liquor store (d.b.a. Vin Debut). The granting of this Conditional Use Authorization would expand the bar component and allow Vin Debut to operate until 1:00 a.m. Sunday – Thursday, until 2:00 a.m. Friday – Saturday, until 2:00 a.m. on January 1, increase the amount of floor area dedicated to the sale and service of alcohol for on-site consumption, have up to 45 seats within the bar, and allow outdoor tables and chairs.
5. **Public Comment.** The Department has received a substantial amount of support for the request to modify the existing Conditions of Approval, including 12 letters from individuals, organizations and businesses such as the West Portal Avenue Association, Papenhausen Hardware, Squat & Gobble Restaurant, and Barbagelata Real Estate. In addition, a petition to remove the restrictions on hours of operation and guest seating with signatures from 255 individuals has also been received.

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. **Hours of Operation.** Planning Code Section 729.27 permits businesses in the West Portal NCD to be open from 6:00 a.m. until 2:00 a.m. daily.

*The hours of operation included in Motion No. 18163, Case No. 2010.0422C limited the business to operate from 9:00 a.m. to 11:00 p.m. Sunday – Thursday, and 9:00 a.m. to 12:00 a.m. Friday – Saturday. The proposed hours of operation are from 9:00 a.m. to 1:00 a.m. Sunday – Thursday, 9:00 a.m. to 2:00 a.m. Friday – Saturday, and 9:00 a.m. to 2:00 a.m. on January 1. The hours of operation requested by the Project Sponsor are consistent with the permitted hours of operation in the West Portal NCD.*

- B. **Bar Use.** Planning Code Section 729.41 permits bars in the West Portal NCD with Conditional Use authorization.

*A Conditional Use Authorization was approved on June 4, 2009, under Case No. 2009.0273C; Motion 17897, to allow a bar at the Subject Property. A Conditional Use Authorization was subsequently approved on August 5, 2010, under Case No. 2010.0422C: Motion 18163, which modified Conditions of Approval numbers 11 and 15 to increase the hours of operation and increase the number of chairs permitted in the bar, respectively.*

*This Conditional Use Authorization seeks to modify Condition numbers 11 and 15 (hours of operation and number of chairs, respectively), and eliminate numbers 12, 14, and 16 (prohibition of sidewalk tables and chairs, limitation of floor area dedicated to the sale/service of alcohol for on-site consumption, and minimum required floor area dedicated to retail displays, respectively).*

- C. **Liquor Store.** Planning Code Section 729.45 permits liquor stores in the West Portal NCD by right.

*The existing liquor store component of Vin Debut will remain at the Property.*

- D. **Signage.** Vin Debut currently has a permitted sign erected on the street façade of the building. Any future signage or alterations to the existing signage will be subject to the relevant provisions of the Planning Code and will be reviewed by the Planning Department prior to the issuance of any sign permit.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The Project will provide a use that is necessary and desirable for the neighborhood in that it will expand the viability of a well-used existing neighborhood-serving business. The commercial use is compatible with the existing uses in the general vicinity of the Property. The envelope of the existing building will not be enlarged, and the façade of the building will not be altered.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

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

*There are no proposed modifications to the exterior of the structure on the Property. The interior layout of the building will be minimally modified to accommodate additional seating and service for patrons of the bar.*

- 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;

*Traffic conditions will remain substantially unaltered by this Project because the proposed use is a neighborhood-serving business that is frequented by foot, cab or public transportation by many residents of the surrounding neighborhoods. The majority of the comments received in support of this Project mention this is a neighborhood serving establishment that is an integral part of the community. Parking is not required in the West Portal NCD for uses that occupy less than 5,000 square feet of floor area.*

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

*The Project includes the expansion of business hours and an increase in the permitted seating for patrons of the bar, and will therefore not create any noxious or offensive emissions such as glare, dust or odors.*

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

*The Project does not require any additional landscaping or screening, and any newly proposed signage shall be subject to review by the Department and required to meet all applicable provisions set forth in Article 6.*

- 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 all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.*

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

## **COMMERCE AND INDUSTRY ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

#### **Policy 1.1:**

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

#### **Policy 1.2:**

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

#### **Policy 1.3:**

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

*Modifying the existing Conditions of Approval would provide desirable services to the neighborhood and employment opportunities to the West Portal community. Vin Debut is locally owned and operated and currently provides a similar service to the community. The business has operated with strict conditions for the past three years with no complaints. Based on their history, an increase to their hours of operation and number of seats will enable development that provides substantial net benefits to the community with negligible undesirable consequences.*

*The intensity of uses proposed at the Property are compatible with other businesses along West Portal Avenue, and the restriction to limit Alcoholic Beverage Control licenses to Types 20 and 42 (beer & wine sales only) in Exhibit A is imposed to address potential concerns about a traditional "full bar" within this family-oriented neighborhood.*

#### **OBJECTIVE 2:**

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

#### **Policy 2.1:**

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

*Allowing modifications to the existing Conditions of Approval will enable the retention and operational expansion of the existing locally-owned wine bar and liquor store. Vin Debut has become a successful local wine bar and wine store in the West Portal NCD. Increasing its permitted hours of operation and number of seats will enable continued success of the local small business.*

**OBJECTIVE 6:**

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

**Policy 6.1:**

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the City's neighborhood commercial districts, while recognizing and encouraging diversity among the Districts.

*Modifying the existing Conditions of Approval would not prevent the West Portal NCD from achieving optimal diversity in the types of goods and services available throughout the neighborhood. Rather, allowing less restrictive hours of operation and an increased capacity for customers would benefit the NCD, making it more viable by accommodating more foot traffic to the NCD during later evening hours, which brings additional "eyes to the street" from nearby residents. It will also provide an after dinner amenity to residents dining on West Portal Avenue.*

**Policy 6.2:**

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

*The Applicant is an independent San Francisco entrepreneur. The business owners have recognized the demand by local residents to expand the availability of on-site wine consumption at the Property.*

**AIR QUALITY ELEMENT**

**Objectives and Policies**

**OBJECTIVE 3:**

DECREASE THE AIR QUALITY IMPACTS OF DEVELOPMENT BY COORDINATION OF LAND USE AND TRANSPORTATION DECISIONS.

**Policy 3.2:**

Encourage mixed land use development near transit lines and provide retail and other types of service oriented uses within walking distance to minimize automobile dependent development.

*The Project supports this Policy due to its location across the street from the West Portal/Ulloa Street MUNI Station. This station is served by three light-rail lines (K, L and M) and two bus lines (17 and 48). The Property is also surrounded by residential neighborhoods, making it within walking distance to a large number of its customers.*

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 granting of this Conditional Use Authorization will not adversely affect the existing neighborhood-serving retail uses in the area because there is only one other business within the West Portal NCD that offers a similar use (Que Syrah, located at 230 West Portal Avenue). Many neighborhood commercial districts have businesses that compete with other similar businesses, as it provides choices and variety for consumers. The modifications to the existing hours of operation, number of permitted seats within the bar, and the limitations and requirements on floor area devoted to on-site tasting and retail sales, respectively, are in response to customer demand, thus enhancing neighborhood-serving retail.*

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

*The immediate vicinity is characterized predominantly by commercial buildings of one to two stories in height with ground floor retail uses along West Portal Avenue. No changes are proposed to the existing building envelope and no existing housing will be removed. The modification of the existing hours of operation and number of seats within the bar area preserves the cultural and economic diversity of the neighborhood as it provides variety and additional consumer options for patrons of the West Portal NCD without displacing any existing businesses.*

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

*No housing will be removed for this Project.*

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

*The Property measures 1,100 square feet and will have a low demand on neighborhood parking. The area is well served by public transit, with a MUNI underground station near the intersection of West Portal Avenue and Ulloa Street, with access to the K, L, and M light rail lines, as well as the 17 and 48 bus lines. A substantial number of neighbors have commented this is a neighborhood-serving establishment that is patronized by those who live in the adjacent residential areas. The Project will not impede MUNI transit nor will it overburden the City's streets or neighborhood parking.*



- 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 will not displace any industrial and service sector uses. Service sector employment opportunities may increase as a result of the increased hours of operation and permitted number of seats.*

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

*The Property will comply with all required seismic and life safety codes in order to achieve the possible preparedness to protect against injury and loss of life in the event of an earthquake.*

- G. That landmarks and historic buildings be preserved.

*The existing structure is not a landmark or historic building, and the Project does not propose any exterior alterations.*

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

*The Project does not include any changes to the existing building envelope and will have no negative impact on existing parks and open spaces.*

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. 2011.1216C** subject to the following conditions attached hereto as "EXHIBIT A" 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. 18578. 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 April 12, 2012.

Linda D. Avery  
Commission Secretary

AYES: Commissioners Antonini, Borden, Moore, Miguel, and Wu

NAYES: Commissioner Sugaya

ABSENT: Commissioner Fong

ADOPTED: April 12, 2012

## **EXHIBIT A**

### **AUTHORIZATION**

This authorization is for a Conditional Use, pursuant to Planning Code Section 303, in order to modify the Conditions of Approval contained in Motion No. 18163 (Case No. 2010.0422C) to allow an increase in the permissible hours of operation (9:00 a.m. to 1:00 a.m. Sunday – Thursday, 9:00 a.m. to 2:00 a.m. Friday – Saturday, and 9:00 a.m. to 2:00 a.m. on January 1), up to 45 chairs within the existing bar and liquor store (d.b.a. Vin Debut), outdoor tables and chairs, and the removal of limitations and requirements on floor area devoted to on-site tasting and retail sales, respectively, for the use located at 9 West Portal Avenue (Block 2979A, Lot 029) within the West Portal NCD and 26-X Height and Bulk District, subject to Conditions of Approval reviewed and approved by the Commission on April 12, 2012 under Motion No. 18578. 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 issuance of the building permit or 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 April 12, 2012 under Motion No. 18578.

### **PRINTING OF CONDITIONS OF APPROVAL ON PLANS**

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18578 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### **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. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

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

### DESIGN

3. **Signage.** Any signs on the property shall be made to comply with the requirements of Article 6 of the Planning Code applying to nonconforming uses.

### MONITORING

4. **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)*

5. **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

6. **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>*
7. **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>*
8. **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 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.  
*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 415-553-0123, [www.sf-police.org](http://www.sf-police.org)*
9. **Community Liaison.** Prior to the implementation of 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 community liaison officer will be James Robinson, who can be contacted at (415) 350-1136, or via email at [james@vindebut.com](mailto:james@vindebut.com). 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.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
10. **Hours of Operation.** The hours of operation for the subject bar and liquor store shall be 9:00 a.m. to 1:45 a.m., daily.

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

11. **Alcoholic Beverage Control.** The subject bar and liquor store is limited to Alcoholic Beverage Control license Types 20 (Off Sale Beer & Wine) and 42 (On Sale Beer & Wine – Public Premises).
12. **Seating Capacity.** No more than forty-five (45) seats may be provided within the bar and liquor store, and no more than eight (8) chairs may be provided for sidewalk seating.
13. **Existing Conditional Use Authorization.** This Motion shall supersede all Conditions of Approval contained in Motion No. 18163 (Case No. 2010.0422C).