



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: JANUARY 13, 2011

Date: January 6, 2011
Case No.: **2010.0513C**
Project Address: **473 BROADWAY**
Zoning: Broadway Neighborhood Commercial District (NCD)
65-A-1 Height and Bulk District
Block/Lot: 0163/029
Project Sponsor: Arvin Matthew
c/o Marsha Garland
535 Green Street
San Francisco, CA 94133
Staff Contact: Aaron Hollister – (415) 575-9078
aaron.hollister@sfgov.org
Recommendation: **Approval with Conditions**

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The project sponsor is seeking Conditional Use Authorization to amend Planning Commission Motion No. 16193 for Case No. 2001.0262C to allow electronically amplified music (an "Other Entertainment" use) between 12 a.m. and 2 a.m. for a bar use (d.b.a. Monroe). A Condition of Approval from the 2001 Conditional Use Authorization does not allow electronic amplification between the hours of 12 a.m. and 6 a.m. at the subject site. The previously approved Conditional Use authorized the subject space to expand to approximately 4,300 square feet, which exceeds the principally permitted use size of 2,999 square feet in the Broadway NCD.

SITE DESCRIPTION AND PRESENT USE

The project site is located on the south side of Broadway, between Kearny and Montgomery Streets, Lot 029 in Assessor's Block 0163. The property is located within the Broadway Neighborhood Commercial District and a 65-A Height and Bulk District. The Project Site is occupied by two, two-story commercial buildings with an interior connection for the subject commercial tenant space, which occupies a storefront in each of the respective buildings. The subject buildings were both built in 1907 and are both listed in the North Beach Survey of Historic Buildings as contributory buildings and are considered historic resources. The subject commercial space has contained a series of bar uses since at least 1995 with the last two tenants being "Hi-Ball Lounge" and "Dragon Bar".

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Broadway NCD is part of a larger commercial area that includes North Beach, Chinatown, and Jackson Square. The Broadway NCD functions as a regional and citywide entertainment district derived

from a concentration of nightclubs, music halls, adult theaters, bars, and restaurants between Grant Avenue and Montgomery Street, and it attracts locals and visitors alike, mainly in the evening and late-night hours.

The surrounding development is a variety of multi-story, mixed-use buildings. Nearby ground-floor uses include eating and drinking establishments, small-scale retail stores, and nighttime entertainment. The upper stories are generally occupied by office space, apartments, and residential hotels. The scale of development throughout the area consists of low- and mid-rise buildings (one- to four-story structures). The height limit in the area is 65 feet.

ENVIRONMENTAL REVIEW

The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA), Section 15303 (Class 3, Conversion of Small Structures).

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	December 24, 2010	December 22, 2010	22 days
Posted Notice	20 days	December 24, 2010	December 24, 2010	20 days
Mailed Notice	20 days	December 24, 2010	December 17, 2010	27 days

PUBLIC COMMENT

- The Department has received letters of support from the North Beach Chamber of Commerce and the North Beach Merchant's Association.
- The Department has received a letter of opposition from a condo association located at 455 Vallejo Street.

ISSUES AND OTHER CONSIDERATIONS

- The Police Department has recommended that the amplified music cease at 1:30 a.m. for the first year of the business operation. The Police Department would also be open to reviewing the bar's operation and permitting amplification until 1:45a.m. if "appropriate" after one year of operation. The project sponsor has met with the Police Department and agreed to the Police Department's terms. The attached Conditions of Approval will have a 1:30 a.m. stop time for electronically amplified music at the subject site.
- The subject block and several of the immediately adjacent blocks experience well-chronicled problems with late-night crime from patrons of the area, many of whom have been in the area's bars and clubs. The Police Department has stated in the past that much of the late-night crime in the area stems from bar and club patrons lingering in the area past the typical 2:00 a.m. closing time of many of the bars and clubs in the area. The Police Department has indicated to Planning Department staff that it is the Police Department's desire to have a staggered closing of the late-night businesses to help clear-out the area in an orderly, expedient and safe manner. The Police Departments believes that 1:30 a.m. amplified music stop time will help achieve these goals.

- Similar bar uses in the Broadway NCD are allowed to have amplified music as an “Other Entertainment” use until 2 a.m. as a principally permitted use.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must authorize a Conditional Use to amend the previous Conditional Use Authorization under Case No. 2001.0262C to allow electronically amplified music between the hours of 12 a.m. and 2 a.m. at the subject site.

BASIS FOR RECOMMENDATION

The Department believes this project is desirable and compatible with the neighborhood **to allow electronically amplified music to be permitted between the hours of 12:00 a.m. and 1:30 a.m.** under Section 303 of the Planning Code for the following reasons:

- The project would allow the subject commercial tenant the opportunity to more closely operate as a principally permitted business in the Broadway NCD.
- With a 1:30 a.m. stop time for electronically amplified music, the Police Department is supportive of the request as it will assist in their late-night policing efforts in the area.
- The project promotes small-business ownership.
- The project is a neighborhood-serving use.
- The proposed Project meets all applicable requirements of the Planning Code.

RECOMMENDATION: Approval with Conditions
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Attachments:

- Block Book Map
- Sanborn Map
- Aerial Photographs
- Photographs
- Correspondence
- Reduced Plans

Attachment Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map | <input type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | |
| <input checked="" type="checkbox"/> Sanborn Map | |
| <input checked="" type="checkbox"/> Aerial Photo | |
| <input checked="" type="checkbox"/> Context Photos | |
| <input checked="" type="checkbox"/> Site Photos | |

Exhibits above marked with an "X" are included in this packet

 AJH
Planner's Initials

AJH: G:\DOCUMENTS\Projects\CU\473 Broadway\473 Broadway Executive Summary.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Inclusionary Housing (Sec. 315)
- Jobs Housing Linkage Program (Sec. 313)
- Downtown Park Fee (Sec. 139)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 314)
- Other

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Planning Commission Draft Motion

HEARING DATE: JANUARY 13, 2011

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Project Address: **473 BROADWAY**
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 65-A-1 Height and Bulk District
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTION 303 OF THE PLANNING CODE TO AMEND PLANNING COMMISSION MOTION NO. 16193 FOR CASE NO. 2001.0262C TO ALLOW AN OTHER ENTERTAINMENT USE BETWEEN THE HOURS OF 12:00 A.M. AND 1:30 A.M. AT 473 BROADWAY WITHIN ASSESOR’S BLOCK 0163, LOT 029, LOCATED WITHIN THE BROADWAY NEIGHBORHOOD COMMERCIAL DISTRICT AND A 65-A-1 HEIGHT AND BULK DISTRICT.

PREAMBLE

On June 30, 2010 Arvin Matthew in care of Marsha Garland (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Section 303 of the Planning Code (hereinafter, “Code”) to amend Planning Commission Motion No. 16193 for Case No. 2001.0262C to allow an Other Entertainment use between the hours of 12 a.m. and 2 a.m.. Specifically, the Project Sponsor is requesting electronically amplified music between 12 a.m. and 2 a.m. (collectively, “Project”) at 473 Broadway (hereinafter, “Project Site”) within the Broadway Neighborhood Commercial District (“NCD”) and a 65-A-1 Height and Bulk District.

On January 13, 2011, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0513C.

The project is categorically exempt pursuant to the California Environmental Quality Act (CEQA), Section 15303 (Class 3, Conversion of Small Structures)

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. 2010.0513C, 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 project site is located on the south side of Broadway, between Kearny and Montgomery Streets, Lot 029 in Assessor's Block 0163. The property is located within the Broadway Neighborhood Commercial District and a 65-A Height and Bulk District. The Project Site is occupied by two, two-story commercial buildings with an interior connection for the subject commercial tenant space, which occupies a storefront in each of the respective buildings. The subject buildings were both built in 1907 and are both listed in the North Beach Survey of Historic Buildings as contributory buildings and are considered historic resources. The subject commercial space has contained a series of bar uses since at least 1995 with the last two tenants being "Hi-Ball Lounge" and "Dragon Bar".
3. **Surrounding Properties and Neighborhood.** The Broadway NCD is part of a larger commercial area that includes North Beach, Chinatown, and Jackson Square. The Broadway NCD functions as a regional and citywide entertainment district derived from a concentration of nightclubs, music halls, adult theaters, bars, and restaurants between Grant Avenue and Montgomery Street, and it attracts locals and visitors alike, mainly in the evening and late-night hours.

The surrounding development is a variety of multi-story, mixed-use buildings. Nearby ground-floor uses include eating and drinking establishments, small-scale retail stores, and nighttime entertainment. The upper stories are generally occupied by office space, apartments, and residential hotels. The scale of development throughout the area consists of low- and mid-rise buildings (one- to four-story structures). The height limit in the area is 65 feet.

4. **Project Description.** The Project Sponsor is seeking Conditional Use Authorization to amend Planning Commission Motion No. 16193 for Case No. 2001.0262C to allow electronically amplified music (an "other entertainment" use) between 12 a.m. and 2 a.m. for a bar use (D.B.A.

Monroe). A Condition of Approval from the 2001 Conditional Use Authorization does not allow electronic amplification between the hours of 12 a.m. and 6 a.m. at the subject site. The previously approved Conditional Use authorized the subject space to expand to approximately 4,300 square feet, which exceeds the principally permitted use size of 2,999 square feet in the Broadway NCD.

5. **Public Comment.** The Department has received letters of support from the North Beach Chamber of Commerce and the North Beach Merchant's Association. The Department has received a letter of opposition from a condo association located at 455 Vallejo Street.
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. **Other Entertainment.** Planning Code Section 714.48 states that Other Entertainment Uses as defined by Planning Code Section 790.38 are principally permitted on the first and second stories in the Broadway NCD.

The Project Sponsor is requesting Conditional Use Authorization to allow electronically amplified music between the hours of 12 a.m. and 2 a.m. A previous Conditional Use Authorization does not allow amplified music between the hours of 12 a.m. and 6 a.m. at the Project Site.

- B. **Hours of Operation.** Planning Code Section 714.27 allows hours of operation from 6:00 a.m. until 2:00 a.m. as of right and requires Conditional Use Authorization to operate between the hours of 2:00 a.m. and 6:00 a.m.

The Project Sponsor is not requesting Conditional Use authorization to operate between the hours of 2:00 a.m. and 6:00 a.m.

- C. **Off-Street Parking.** Planning Section 151 of the Planning Code requires off-street parking for every 200 square-foot of occupied floor area, where the occupied floor area exceeds 5,000 square-feet.

The occupied floor area of the existing tenant space measures less than 5,000 square feet and the Project proposes no physical expansion of the space. The Project is not required to provide parking.

- D. **Loading.** Section 152 requires off-street freight loading for uses above a certain size. Businesses such as the existing bar are not required to provide off-street loading if they measures less than 100,000 square feet in gross floor area.

With a gross floor area under 100,000 square feet, the project is not required to provide off-street loading.

- E. **Formula Retail.** Section 703.3 places notification requirements and other restrictions on formula retail uses.

The Project is not considered to be a Formula Retail Use as defined by Section 703.3 of the Planning Code.

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 has been found to be desirable for and compatible with the neighborhood as the Project is anticipated to enhance the viability of an existing business and contribute to the overall vibrancy of the Broadway NCD. The project would allow the subject commercial tenant an opportunity to more closely operate as a principally permitted business in the Broadway NCD. Similar night-time uses are allowed to have electronically amplified music until 2 a.m. as of right.

The request is also anticipated to help with policing efforts in the area. The subject block and several of the immediately adjacent blocks experience a well-chronicled problem with late-night crime from patrons of the area, many of whom have been in the area's bars and clubs. The Police Department has stated in the past that much of the late-night crime in the area stems from bar and club patrons lingering in the area past the typical 2:00 a.m. closing time of many of the bars and clubs in the area. The Police Department has indicated to Planning Department staff that it is the Police Department's desire to have a staggered closing of the late-night businesses to help clear-out the area in an orderly, expedient and safe manner. The Police Departments believes that 1:30 a.m. amplified music stop time will help them achieve these goals.

- 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;

The size and shape of the site and the size, shape, and arrangement of the building are adequate for the Project. The Project would not physically expand the existing building or tenant space.

- 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;

The Project will not adversely impact public transit or overburden the existing supply of parking in the neighborhood. The area is well-served by ample public transportation. Off-street parking and loading are not required for the Project

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

Residents and businesses located in the vicinity of entertainment uses are often concerned about the noise that could be generated by amplified music. "Exhibit A" of this motion contains a condition that requires all noise and odors to be regulated so as not to be nuisance to nearby businesses or residents. The amplified music must also comply with the San Francisco Noise Ordinance. Additionally, the hours of the entertainment use would be limited so that the potential for noise is eliminated earlier than the typical business closing time of 2:00 a.m. To further limit the possible impact of noise on neighboring properties, the use of electronically amplified music would be limited to the interior spaces of the Project Site only.

- 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 at the commercial ground level; therefore, no landscaping will need to be provided. Any future changes in lighting and signage would be required to comply with the requirements of the Planning Code, the Secretary of the Interior's Standards for the Treatment of Historic Properties, the Urban Design Element of the General Plan, and other applicable regulations and policies

- 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.

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The Project will provide development that is in conformity with the purpose of the zoning controls for the Broadway NCD as set forth in Planning Code Section 714.1. The Broadway NCD serves as a Citywide and regional entertainment district for locals and visitors due to a high concentration of nightclubs, music halls, adult theatres, bars and restaurants. The proposed extension of hours for electronic amplification of music will not further contribute to over-concentrating the high number of night uses in the area as the bar use is already established. Furthermore, the amplified music stop time of 1:30 a.m. will also assist in the Police Department's efforts in the area as outlined above.

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

NEIGHBORHOOD COMMERCE

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.

Approval of the Project will preserve and enhance a bar use that serves both the neighborhood and visitors to the Broadway entertainment district. The Project will not detract from the character of the neighborhood or discourage active retail uses. The proposed extension of hours of amplified music will help the Project Sponsor compete more evenly with other similar businesses in the area that are permitted to have amplified music until 2 a.m. as-of-right.

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.

No commercial tenant would be displaced and the project would not prevent the district from achieving diversity in the types of goods and services available in the neighborhood.

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.

An independent entrepreneur is sponsoring the proposal. The proposed use is a neighborhood serving use. This is not a Formula Retail use.

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 expand the existing bar, and would therefore not decrease the square footage that could be made available to other types of neighborhood-serving retail uses or service establishments. The project will contribute to the viability of a locally owned business, which will preserve and enhance opportunities for resident employment.

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

The business currently occupies a ground-floor commercial tenant space, and no expansion of the tenant is proposed. Therefore, no housing units will be displaced by the Project. The proposal only includes extending hours of electronically amplified music. Any entertainment use must be approved by the Entertainment Commission, who also regulates noise which may be of concern to the neighbors.

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

The Project would not have any impacts on the City's supply of affordable housing.

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

The Project would not adversely impact public transit or place a burden on the existing supply of parking in the neighborhood. The area is well-served by public transportation.

- 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.

There is no commercial office development associated with the Project. No industrial or service sector uses would be displaced.

- 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 changes are proposed for the Project. Any future storefront 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. 2010.0513C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans filed with the Application as received on June 30, 2010, 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. XXXXX. 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 13, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: January 13, 2011

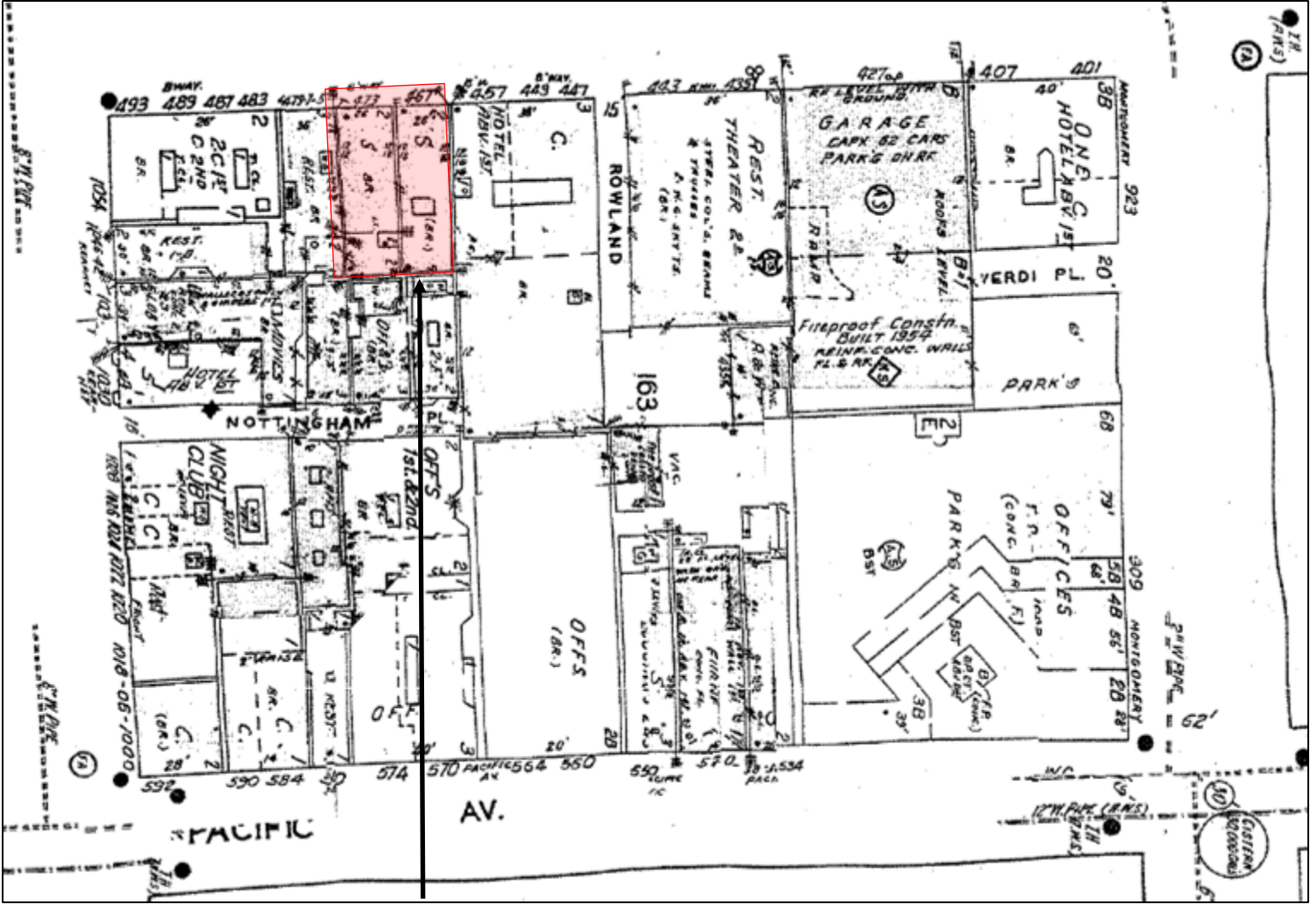
Exhibit A

Conditions of Approval

1. This authorization is for a Conditional Use to amend Motion No. 16193 for Case Number 2001.0262C to allow electronically amplified music until 1:30 a.m. as an Other Entertainment use located at 473 Broadway, Assessor's Block 0163, Lot 029, pursuant to Planning Code Section 303 within the Broadway Neighborhood Commercial District and a 65-A-1 Height and Bulk District; in general conformance with plans, dated June 30, 2010, and stamped "EXHIBIT B" included in the docket for Case No. 2010.0513C and subject to conditions of approval reviewed and approved by the Commission on January 13, 2011, under Motion No XXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.
2. The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. The operator of the establishment shall obtain all necessary approvals from the San Francisco Entertainment Commission prior to having electronically amplified music at the Project Site between the hours of 12:00 a.m. and 1:30 a.m. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if an approval from the Entertainment Commission has not been obtained within three (3) years of the date of the Motion approving the Project. This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue an approval by the Entertainment Commission is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such approvals.
3. 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 13, 2011, under Motion No XXXXX.
4. The Other Entertainment use 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 prior to operation. The authorized entertainment use shall also comply with all of the conditions imposed by the Entertainment Commission.

5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. An enclosed waste storage area shall be provided within the establishment. All trash and recycling containers shall be kept within the building until pick-up by the disposal company.
11. The operator of the establishment shall maintain the entrances and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at minimum, daily sweeping, litter pickup and disposal, and washing or steam/pressure cleaning of the main entrance and abutting sidewalks at least once every two weeks.
12. Prior to issuance of a building permit application 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 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.

Sanborn Map*



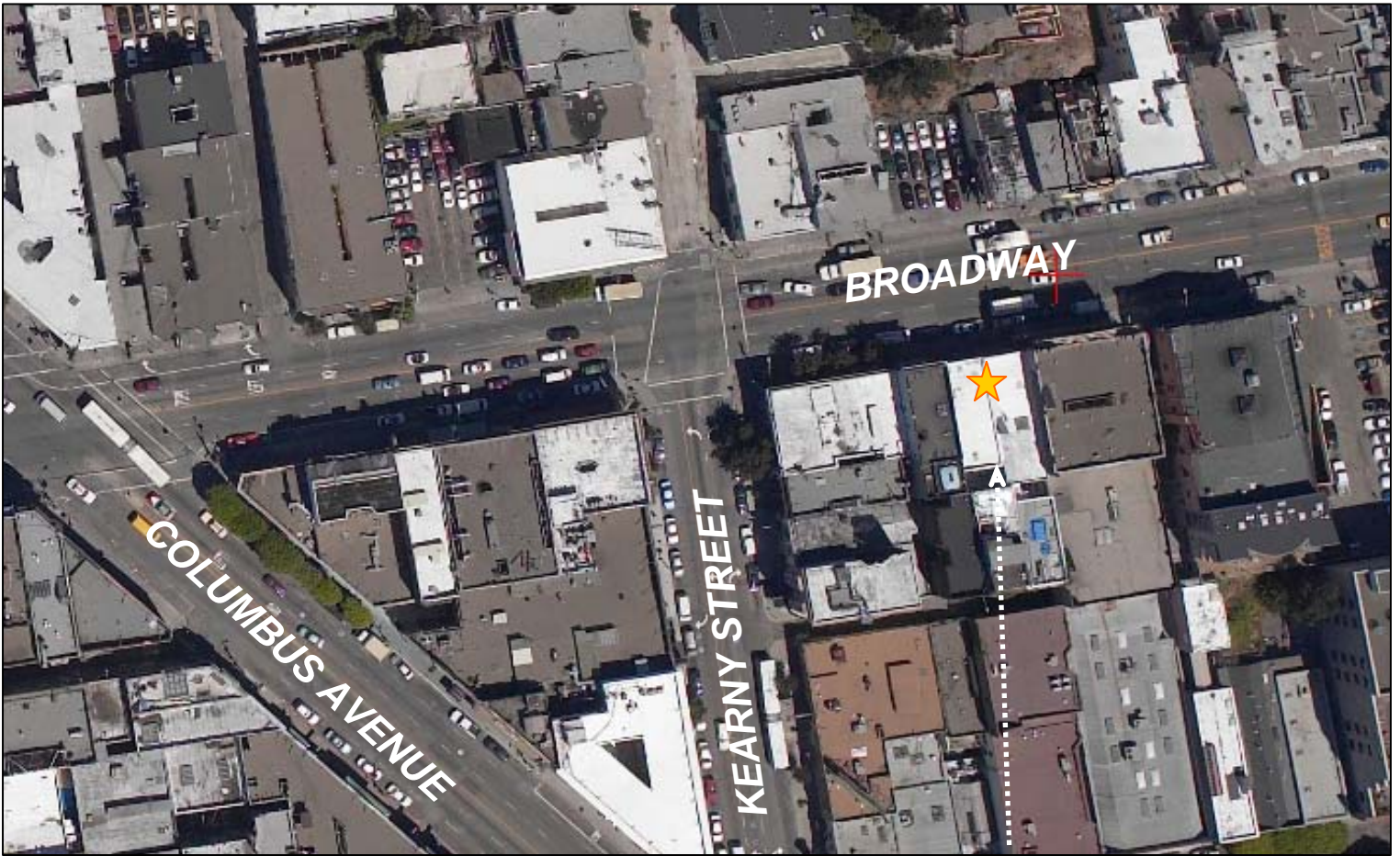
SUBJECT PROPERTY



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Conditional Use Authorization Request
 Case Number 2010.0513C
 Conditional Use Amendment
 473 Broadway

Aerial Photo



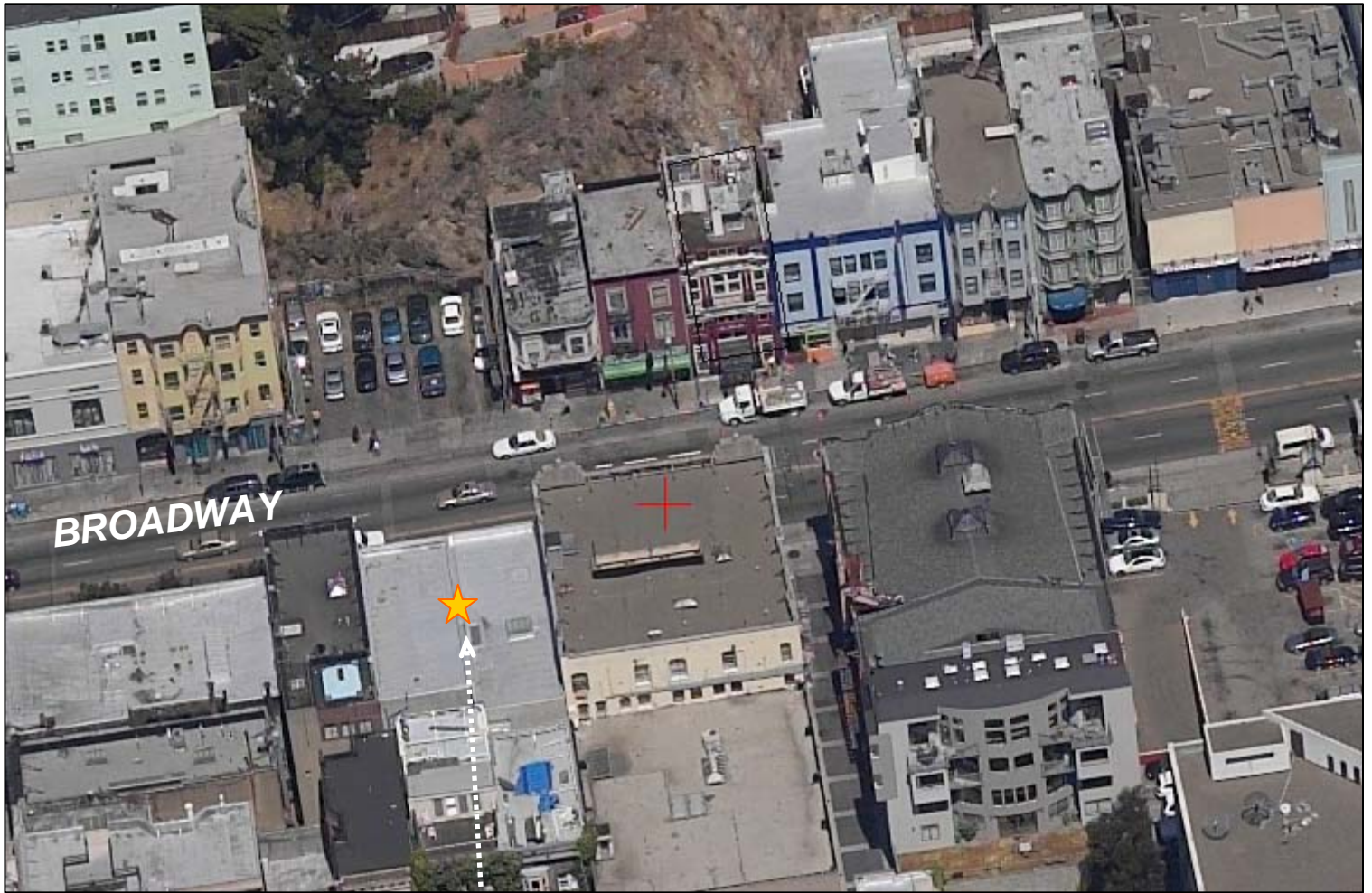
SUBJECT PROPERTY



Conditional Use Authorization Request
Case Number 2010.0513C
Conditional Use Amendment
473 Broadway

Aerial Photo

North-Facing



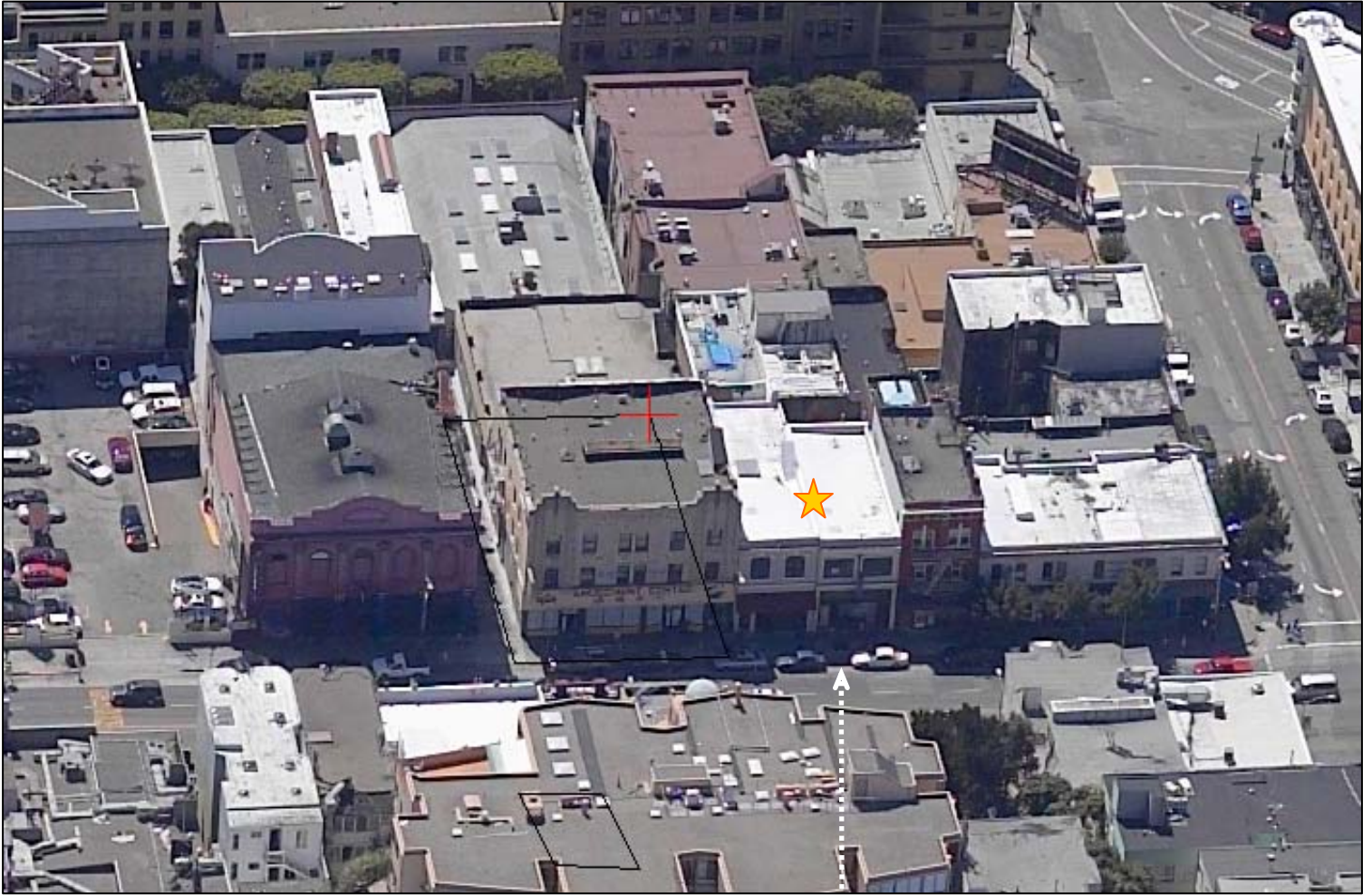
SUBJECT PROPERTY



Conditional Use Authorization Request
Case Number 2010.0513C
Conditional Use Amendment
473 Broadway

Aerial Photo

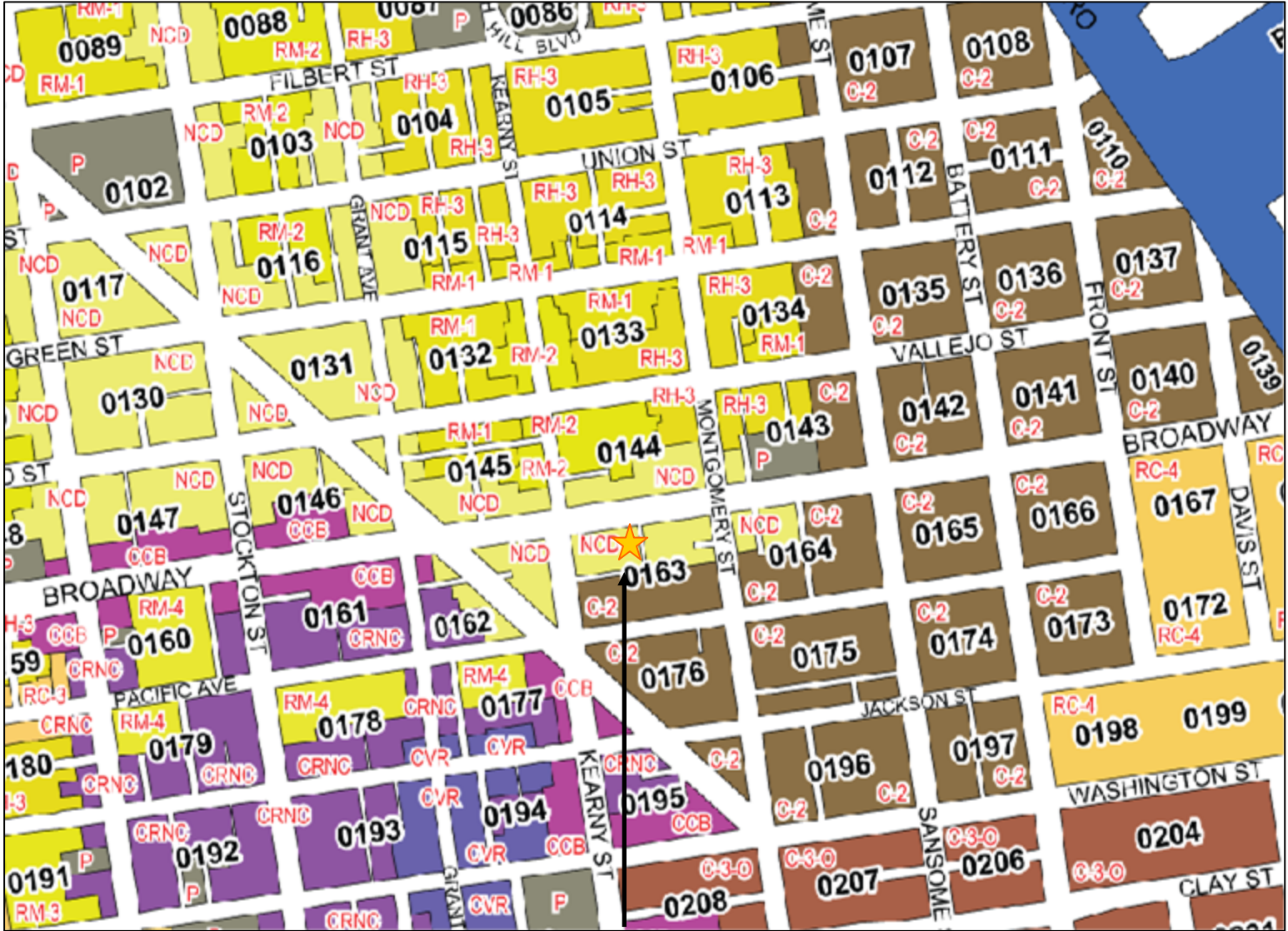
South-Facing



SUBJECT PROPERTY



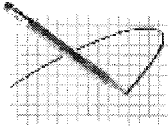
Zoning Map



SUBJECT PROPERTY



Conditional Use Authorization Request
Case Number 2010.0513C
Conditional Use Amendment
473 Broadway



Steve Matthias/SFPD/SFGOV

10/14/2010 03:47 PM

To Aaron J Hollister/CTYPLN/SFGOV@SFGOV

cc Kevin Cashman/SFPD/SFGOV@SFGOV

bcc

Subject Monroe

History:

 This message has been replied to and forwarded.

Dear Aaron,

Per our conversation, I am sending Central Station's recommendation regarding Monroe, located at 473 Broadway. The applicant requested to have amplified music till 2:00am. After consulting with Captain Cashman, I recommend that the amplified music be permitted to play till 1:30am for the first year in business. After that initial year, Central Station would be open to reviewing their operation and permitting amplification until 1:45am if appropriate.

Please feel free to call me with any questions,

Thank you,

Officer Steve Matthias #1977
Central Station Permit Officer



September 20th, 2010
Nader and Matt Incorporated,
dba Monroe,
473 Broadway

Dear Monroe,

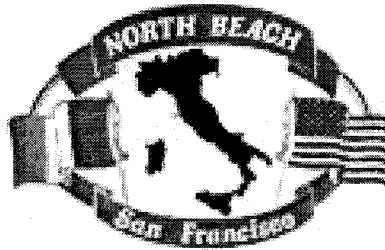
I am happy to inform you that our NBMA Board has voted by majority to support your conditional use permit application to our SF Planning Dept. for the removal of a current condition stating you cannot have amplified music between the hours of 12 midnight and 2 a.m.

As long time representatives of businesses in the North Beach/Broadway area, we believe that you should be allowed to compete in an atmosphere of equality. Therefore, you may use this letter of support before our SF Planning Commission to demonstrate general North Beach small business support for the removal of the above condition so as to allow you to have amplified music in your establishment until but not to exceed 2 a.m. nightly.

Sincerely,

Dan Macchiarini
North Beach Merchants Association,
Board President
(415)982-2229

NORTH BEACH
CHAMBER OF COMMERCE



December 15, 2010

Re: Nader and Matt Incorporated
dba Monroe
473 Broadway
San Francisco, CA 94133

To Whom It May Concern:

The North Beach Chamber of Commerce is always concerned about vacancy, vagrancy and crime. We have reviewed the business model for Monroe and feel that the business will be a positive presence in the neighborhood and a much-needed addition to North Beach.

We will leave the shut down time up to the discretion of the San Francisco Police Department and/or Planning Commissioners to act in the best interests of all.

Please feel free to contact me if you would like to discuss this further.

Thank you very much for your consideration of this project.

Sincerely,



Brandy Martz
President

cc: Garland P.R.

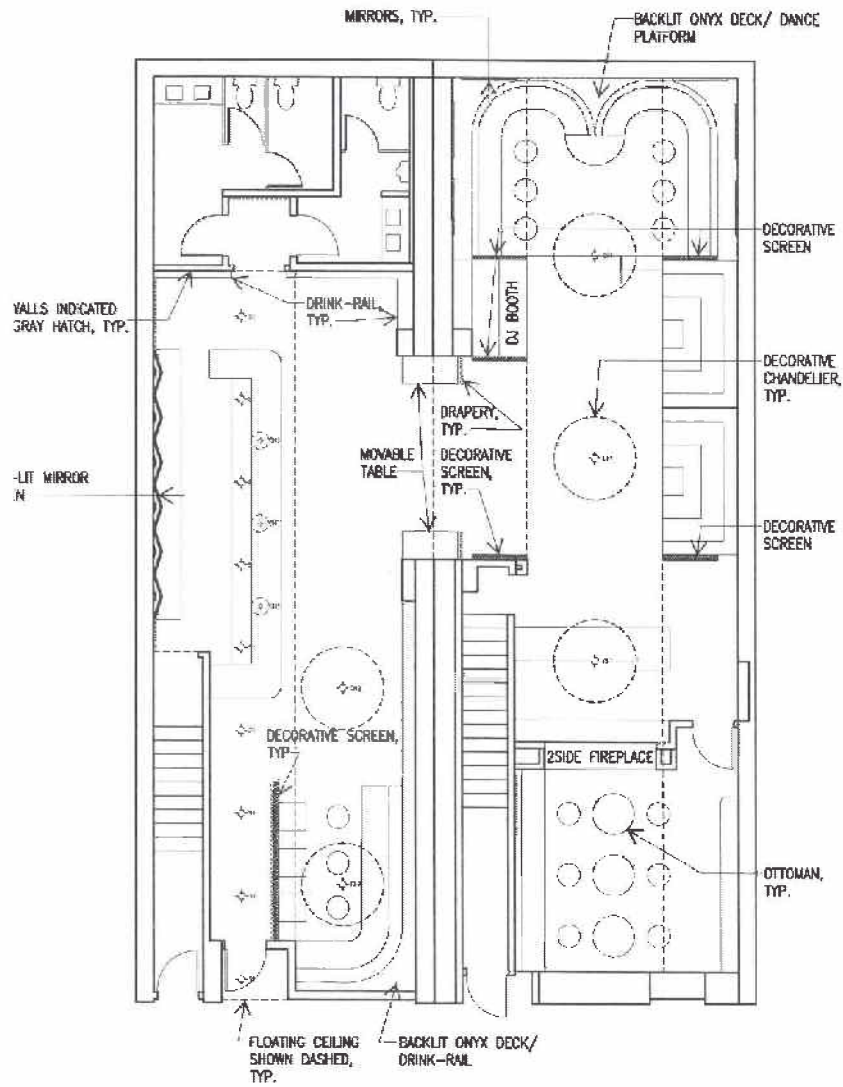
San Francisco Planning Commission 12:22:10

This letter is in response to P. C. motion no. 16193 for case no. 2001.0262C, a request to allow amplified music for bar use between 12 am and 2 am at 473 B'way.

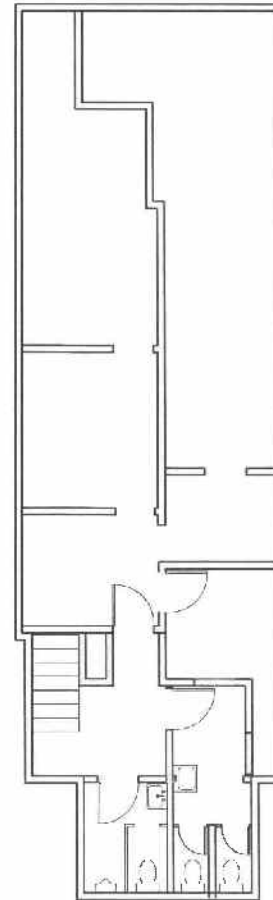
On behalf of the 45 units that occupy 455 Vallejo St., which is across the street from 473 B'way, I plead the Planning Commission denies the request.

Noise pollution on B'way is already more than should be tolerated. Car and motorcycle races, drunken revelers and very loud amplified dance music can often be heard well after midnight; Please do not add to this racket.

Yours truly,
William Downes
455 Vallejo St. # 212
94133-4146



GROUND LEVEL PLAN



BASEMENT PLAN

<p>SAN FRANCISCO, CA</p>	<h2>FLOOR PLAN</h2> <p>1/8" = 1'-0" MARCH 6, 2010</p>	<p><i>Mr. Important</i> DESIGN</p> <p>3749 Enos Ave Oakland, Ca 94619 415.573.9840 misterimportant.com</p>
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