



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: MAY 5, 2011

Date: April 28, 2011
Case No.: **2011.0071C**
Project Address: **401 Broadway**
Zoning: Broadway Neighborhood Commercial District
65-A-1 Height and Bulk District
Block/Lot: 0163/001
Project Sponsor: Marsha Garland
Garland Public & Community Relations
535 Green Street
San Francisco, CA 94133
Staff Contact: Kevin Guy – (415) 558-6163
kevin.guy@sfgov.org
Recommendation: **Approval with Conditions**

1650 Mission St.
Suite 400
San Francisco,
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415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The project sponsor proposes to establish a small self-service restaurant (d.b.a. Broadway Corner Pocket). The business would also include a "billards academy", which would include twelve pool tables and instructional services for pool players. This use is categorized as "Other Entertainment", and is principally permitted within the Broadway Neighborhood Commercial District ("NCD") per Planning Code Section 714.48. While the food service and pool table components of the business would not be physically demised, the entire establishment would be limited to a maximum of 49 seats in order to be considered a Small Self-Service Restaurant, per the definition in Planning Code Section 790.91. The project would include various interior tenant improvements, as well as the replacement of one exterior door. No other exterior changes are proposed for the building, and the size of the existing tenant space would not change. At this time, the project sponsor does not propose to sell any alcohol on-site, but have indicated that they may pursue alcohol sales in the future. Bar uses are principally permitted within the Broadway NCD, therefore, the addition of alcohol sales would not require Conditional Use Authorization.

SITE DESCRIPTION AND PRESENT USE

The project is located on the southwest corner of Broadway and Montgomery Street, Block 0163, Lot 001. The property is located within the Broadway NCD and the 65-A-1 Height and Bulk District. The project site is developed with a three-story commercial building, with ground-floor commercial space and 35 dwelling units situated on the upper stories. The commercial space measures approximately 3,600 square feet, and was previously occupied by a bar known as "Crowbar" which closed in 2007.

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

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	April 15, 2011	April 15, 2011	20 days
Posted Notice	20 days	April 15, 2011	April 13, 2011	22 days
Mailed Notice	10 days	April 25, 2006	April 13, 2011	22 days

PUBLIC COMMENT

- To date, the Department has received thirteen letters and emails in support of the project. These communications express support for the establishment of an active business which will occupy a tenant space that has been vacant for several years. The Department has received no communications in opposition to the project.

ISSUES AND OTHER CONSIDERATIONS

- The Commerce and Industry Element of the General Plan contains Guidelines that discourage the overconcentration of eating and drinking establishments within NCD's. For NCD's with an established pattern of service to a broad market (such as the Broadway corridor) attracting visitors from throughout the City and the region, the guidelines state that it is appropriate to allow a slightly higher concentration of such establishments. Department staff estimates that approximately 21% of the frontage within the Broadway NCD is occupied by eating and drinking establishments. The Broadway corridor between Columbus Avenue and Montgomery Street is more heavily characterized by adult entertainment uses than by eating and drinking establishments. Therefore, the project will help to diversify the mix of uses in the immediate area, and will not contribute to an overconcentration of eating establishments within the Broadway

NCD. In addition, the business includes a substantial entertainment component (pool tables), and will not solely revolve around food service

- The project would allow the establishment of an independent, locally-owned small business. The relocated business would occupy a storefront which is currently vacant, contributing to the overall vitality of the Broadway NCD.
- The business is not a Formula Retail use and would serve the immediate neighborhood, as well as visitors to the area. The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow the establishment of a small self-service restaurant within the Broadway NCD, pursuant to Planning Code Section 714.44.

BASIS FOR RECOMMENDATION

The Department believes this project is necessary and/or desirable under Section 303 of the Planning Code for the following reasons:

- The project promotes the establishment of a new locally-owned business and contributes to the viability of the overall Broadway NCD.
- The project would not displace an existing retail tenant providing convenience goods and services to the neighborhood, and would not result in a net increase in the number of bars in the area.
- By offering both food service and entertainment, the business will diversify the mix of uses in the area, and will serve a wide variety of residents and visitors to the area.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION: Approval with Conditions
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Attachments:

Block Book Map
Sanborn Map
Aerial Photographs
Zoning Map
Public Correspondence
Site Photographs
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 checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | <input type="checkbox"/> Health Dept. review of RF levels |
| <input checked="" type="checkbox"/> Sanborn Map | <input type="checkbox"/> RF Report |
| <input checked="" type="checkbox"/> Aerial Photo | <input type="checkbox"/> Community Meeting Notice |
| <input checked="" type="checkbox"/> Context Photos | <input type="checkbox"/> Inclusionary Affordable Housing Program:
Affidavit for Compliance |
| <input checked="" type="checkbox"/> Site Photos | |

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

Planner's Initials

KG: G:\Documents\Projects\401 Broadway\2011.0071C - 401 Broadway - DRAFT EXEC SUM.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

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Planning Commission Draft Motion

HEARING DATE: MAY 5, 2011

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Case No.: **2011.0071C**
Project Address: **401 Broadway**
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65-A-1 Height and Bulk District
Block/Lot: 0163/001
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535 Green Street
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, AND 714.44 OF THE PLANNING CODE TO ALLOW A SMALL SELF-SERVICE RESTAURANT (D.B.A. BROADWAY CORNER POCKET) WITHIN THE BROADWAY NEIGHBORHOOD COMMERCIAL) DISTRICT AND THE 65-A-1 HEIGHT AND BULK DISTRICT.

PREAMBLE

On January 26, 2011, Marsha Garland, acting on behalf of Fang Liu and Shun Lin Chow (“Project Sponsor”) filed an application with the Planning Department (“Department”) for Conditional Use Authorization under Planning Code Sections (“Section”) 303, and 714.44 to allow a small self-service restaurant (d.b.a. Broadway Corner Pocket) at 401 Broadway, within the Broadway Neighborhood Commercial District (“NCD”) and the 65-A-1 Height and Bulk District. The business would also include a “billiards academy” including twelve pool table, which is classified as an Other Entertainment use pursuant to Section 790.38, and is principally permitted within the Broadway NCD.

On May 5, 2011, the San Francisco Planning Commission (“Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2011.0071C.

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

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. 2011.0071C, 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 is located on the southwest corner of Broadway and Montgomery Street, Block 0163, Lot 001 ("Project Site"). The property is located within the Broadway NCD and the 65-A-1 Height and Bulk District. The Project Site is developed with a three-story commercial building, with ground-floor commercial space and 35 dwelling units situated on the upper stories. The commercial space measures approximately 3,600 square feet, and was previously occupied by a bar known as "Crowbar" which closed in 2007.
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 proposes to establish a small self-service restaurant (d.b.a. Broadway Corner Pocket). The business would also include a "billiards academy", which would include twelve pool tables and instructional services for pool players. This use is categorized as "Other Entertainment", and is principally permitted within the Broadway NCD per Section 714.48. While the food service and pool table components of the business would not be physically demised, the entire establishment would be limited to a maximum of 49 seats in order to be considered a Small Self-Service Restaurant, per the definition in Section 790.91. The project would include various interior tenant improvements, as well as the replacement of one

exterior door. No other exterior changes are proposed for the building, and the size of the existing tenant space would not change. At this time, the Project Sponsor does not propose to sell any alcohol on-site, but have indicated that they may pursue alcohol sales in the future. Bar uses are principally permitted within the Broadway NCD, therefore, the addition of alcohol sales would not require Conditional Use Authorization.

5. **Public Comment.** To date, the Department has received thirteen letters and emails in support of the Project. These communications express support for the establishment of an active business which will occupy a tenant space that has been vacant for several years. The Department has received no communications in opposition to the Project.
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. **Use.** Section 714.44 states that Conditional Use Authorization is required for a Small Self-Service Restaurant, as defined by Planning Code Section 790.91, within the Broadway NCD.

The Project Sponsor is requesting Conditional Use Authorization for the Small Self-Service Restaurant component of the business. The business would also include a billiards academy containing twelve pool tables. This use is categorized as "Other Entertainment", and is principally permitted within the Broadway NCD per Section 714.48. Per Section 790.91, a Small Self-Service Restaurant contains fewer than 50 seats and less than 1,000 square feet of gross floor area. The proposed food preparation area and adjacent service counter measures approximately 450 square feet. Patrons may choose to consume their food at one of the tables adjacent to the pool tables. Therefore, in order for the business to comply with the seating limitations for a Small Self-Service Restaurant, a condition of approval has been added that the entire establishment may not have more than 49 seats. With the granting of the requested Conditional Use authorization, including the cited condition of approval, the Project complies with the use regulations of the Broadway NCD.

- B. **Hours of Operation.** Planning Code Section 714.27 states that a Conditional Use Authorization is required for maintaining hours of operation from 2:00AM to 6:00AM, as defined by Planning Code Section 790.48.

Initially, the Project Sponsor plans to operate the business between the hours of 10:00AM to 1:30AM. After six months of operation, the Project Sponsor plans to consult with the San Francisco Police Department to consider extending the business hours to 1:45AM. Therefore, the business would operate during hours which are principally permitted within the Broadway NCD.

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

The existing tenant space measures approximately 3,600 square feet, therefore the Project does not require any off-street parking.

- D. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that NC Districts containing specific uses have at least ½ the total width of the new or altered structure at the commercial street frontage devoted to entrances to commercially used space, windows or display space at the pedestrian eye-level. Such windows shall use clear, un-tinted glass, except for decorative or architectural accent. Any decorative railings or decorated grille work, other than wire mesh, which is placed in front or behind such windows, shall be at least 75 percent open to perpendicular view and no more than six feet in height above grade.

Except for the replacement of one of the existing entry doors, the Project proposes no changes to the exterior of the building. Along Montgomery Street, which is the primary frontage of the tenant space, approximately half of the storefront consists of glazing.

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 Broadway NCD, particularly along Broadway between Columbus and Montgomery Streets, is heavily characterized by adult entertainment establishments. The Project is desirable because it would diversify the mix of dining and entertainment options in the area.

- 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.

- 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 Planning Code does not require parking or loading for a 4,000 square-foot restaurant or pool hall. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The area is well-served by transit, and should not generate a substantial demand for parking.

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

The proposed use is subject to the standard conditions of approval for restaurants as outlined in Exhibit A. Conditions 9, 10, 16, and 17 specifically obligate the project sponsor to mitigate odors and noise generated by the business.

- 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. The Department shall review all lighting and signs proposed for the new business in accordance with Conditions 6 and 7 of Exhibit A.

- 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. Section 714.1 specifically states that, "Neighborhood-serving businesses are strongly encouraged." Given the hybrid nature of the Project (including both food service and pool tables), the business would serve the dining and entertainment needs of a variety of local residents and visitors.

- 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 1.3:

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

In order for a neighborhood commercial district to remain viable and serve the needs of the surrounding neighborhood, it must exhibit a healthy balance of different types of commercial uses. The Project would diversify the mix of uses in the area, offering a new dining and entertainment establishment in an area heavily characterized by adult entertainment uses. This policy includes guidelines that discourage the overconcentration of eating and drinking establishments within neighborhood commercial districts. Given that the business includes a substantial entertainment component, and does not solely revolve around food service, the Project would not contribute to an overconcentration of eating establishments. In addition, the tenant space was previously occupied by a bar, and is currently vacant. Therefore, the project will not displace retail uses that provide for neighborhood-serving convenience goods and services.

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.

The Project is desirable because it will allow the establishment of a small business that is locally-owned. The business will occupy an existing tenant space that is currently vacant, contributing to the vitality of the District.

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 optimal diversity in the types of goods and services available in the neighborhood.

The following guidelines, in addition to others in this objective for neighborhood commercial districts, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications, which require case-by-case review and City

Planning Commission approval. Pertinent guidelines may be applied as conditions of approval of individual permit applications. In general, uses should be encouraged which meet the guidelines; conversely, uses should be discouraged which do not.

Eating and Drinking Establishments

Eating and drinking establishments include bars, sit-down restaurants, fast food restaurants, self-service restaurants, and take-out food. Associated uses, which can serve similar functions and create similar land use impacts, include ice cream stores, bakeries and cookie stores. Guidelines for eating and drinking establishments are needed to achieve the following purposes:

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.
- The regulation of eating and drinking establishments should consider the following:
 - Balance of retail sales and services;
 - Current inventory and composition of eating and drinking establishments;
 - Total occupied commercial linear frontage, relative to the total district frontage;
 - Uses on surrounding properties;
 - Available parking facilities, both existing and proposed;
 - Existing traffic and parking congestion; and
 - Potential impacts on the surrounding community.

There is a concern with the potential over-concentration of eating and drinking establishments. The Commerce and Industry Element of the General Plan contains Guidelines for Specific Uses. For eating and drinking establishments, the Guidelines state, "the balance of commercial uses may be threatened when eating and drinking establishments occupy more than 20% of the total occupied commercial frontage... Except in districts with an established pattern of service to a broad market, such as North Beach, such establishments should not occupy more than 25% of the total commercially-occupied frontage in a district."

The Broadway NCD can be characterized as a district with an established pattern of service to a broad market, attracting visitors from throughout the City and the region. Therefore, it is appropriate to allow a slightly higher concentration of eating establishments. Department staff estimates that approximately 21% of the frontage within the Broadway NCD is occupied by eating and drinking establishments. The Broadway corridor between Columbus Avenue and Montgomery Street is more heavily characterized by adult entertainment uses than by eating and drinking establishments. Therefore, the Project will help to diversify the mix of uses in the immediate area, and will not contribute to an overconcentration of eating establishments within the Broadway NCD.

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 allow the establishment of a locally-owned business. The business will occupy a storefront that is currently vacant, and will not displace a retail tenant that provides convenience goods and services to the surrounding neighborhood.

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

No housing would be removed by the project. The business would be entirely operated within the enclosed ground floor, and would need to comply with the Noise Control Ordinance. Therefore, the existing dwelling units on the upper floors will not be adversely impacted by the business. The business will occupy a storefront that is currently vacant, and will enhance the commercial vitality of the Broadway NCD.

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

No housing is removed for this Project.

- 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. The Project will establish a new, locally-owned business.

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

Although there would be some interior tenant improvements to the subject commercial space, 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.

The Project proposes only minor alterations to the existing exterior storefront. The alterations would not negatively impact any historic features of the building.

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

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on 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. 2011.0071C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 5, 2011, 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 May 5, 2011.

Linda D. Avery
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: May 5, 2011

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Small Self-Service Restaurant (d.b.a. Broadway Corner Pocket) located at 401 Broadway, Block 0163, Lot 001, pursuant to Planning Code Sections 303 and 714.44 within the Broadway Neighborhood Commercial District and the 65-A-1 Height and Bulk District; in general conformance with plans, dated May 5, 2011, and stamped "EXHIBIT B" included in the docket for Case No. 2011.0071C and subject to conditions of approval reviewed and approved by the Commission on May 5, 2011 under Motion No XXXXXX. The business would also include a billiards academy with twelve pool tables within the same tenant space. This use is categorized as an Other Entertainment use, per Planning Code Section 790.38, and is principally permitted within the Broadway Neighborhood Commercial District. 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 May 5, 2011 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXXX 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.

Performance

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

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

Design

DESIGN – COMPLIANCE AT PLAN STAGE

3. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
4. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
5. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
6. **Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
7. **Signage.** The Project Sponsor shall develop a signage program for the Project which shall be subject to review and approval by Planning Department staff before submitting any building permits for construction of the Project. All subsequent sign permits shall conform to the approved signage program. Once approved by the Department, the signage program/plan information shall be submitted and approved as part of the site permit for the Project. All exterior signage shall be designed to compliment, not compete with, the existing architectural character and architectural features of the building.
For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
8. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

Design

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415-701-4500, www.sfmta.org

9. **Noise.** Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

10. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Monitoring

MONITORING - AFTER ENTITLEMENT

11. **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

12. **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

13. **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

Operation

OPERATION

14. **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>

15. **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>*

16. **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

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, 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

17. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

18. **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

Operation

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

19. **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.

For information about compliance, contact the Entertainment Commission, at 415 554-6678, www.sfgov.org/entertainment

20. **Other Entertainment.** The Other Entertainment 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.

For information about compliance, contact the Entertainment Commission, at 415 554-6678, www.sfgov.org/entertainment

21. **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

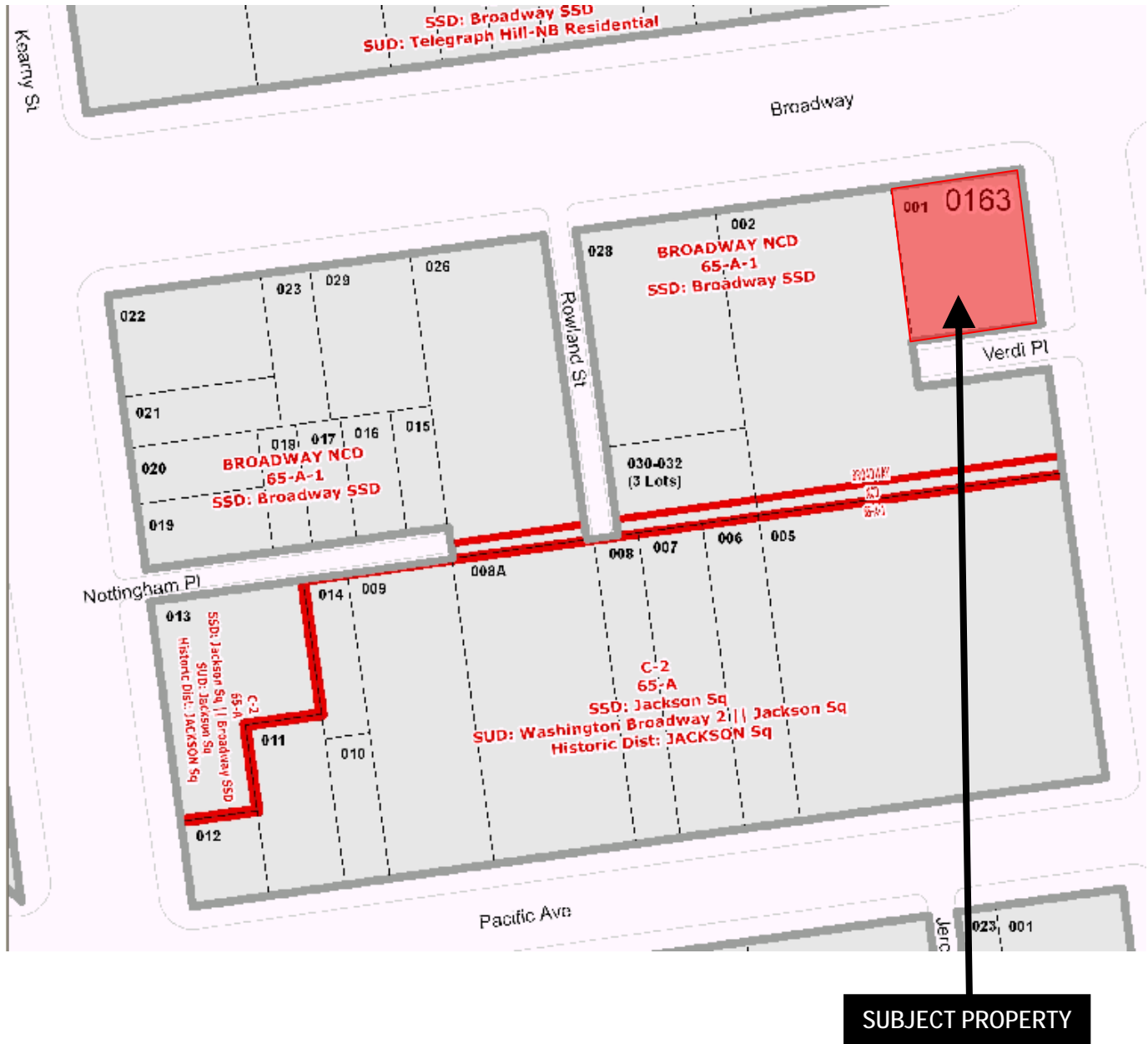
22. **Hours of Operation.** The subject establishment is limited to the following hours of operation: 6:00AM to 2:00AM daily.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

23. **Number of Seats.** In order to comply with the seating limitations for Small Self-Service Restaurants, as defined in Planning Code Section 714.44, the business shall not provide more than 49 seats for patrons.

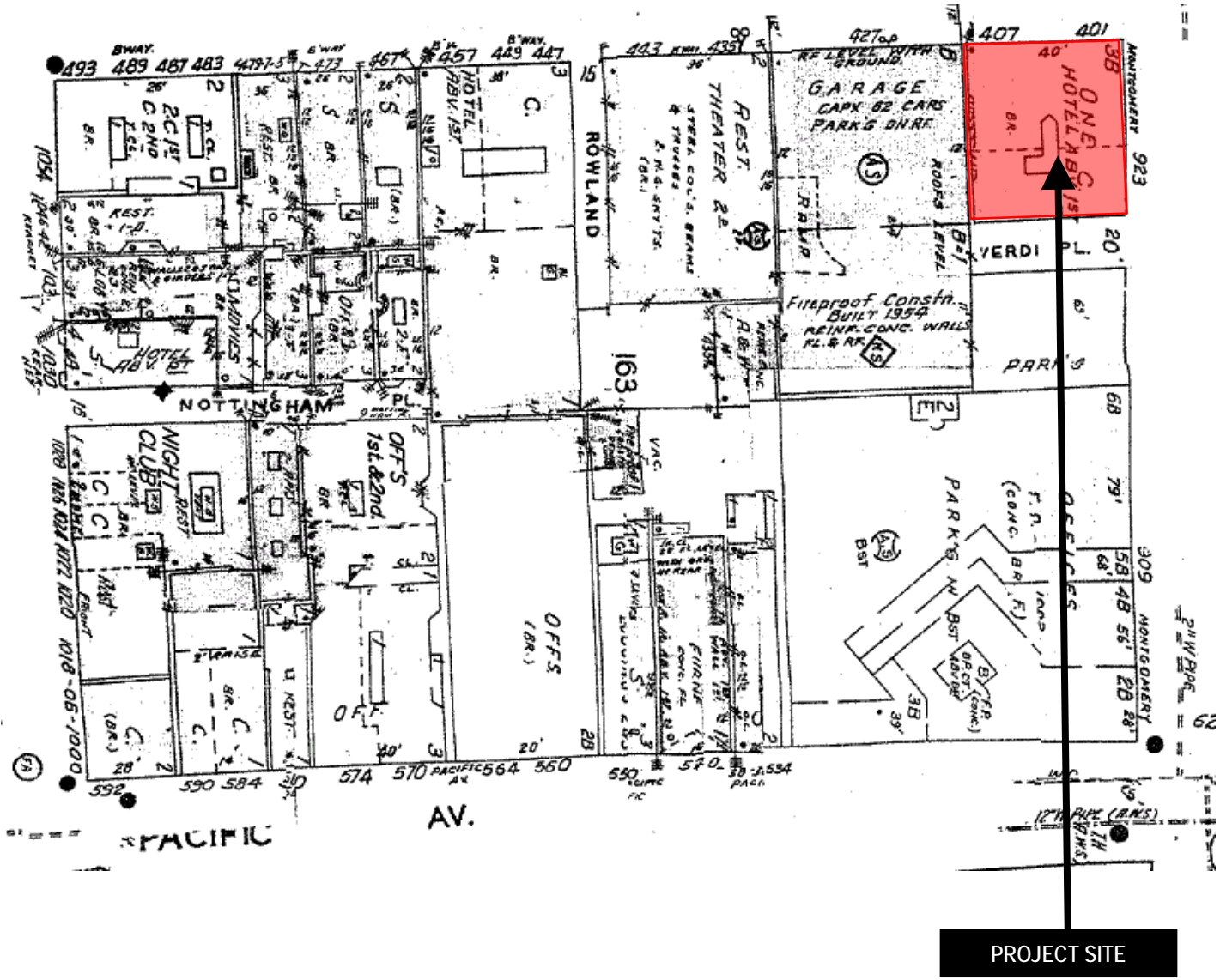
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Parcel Map



Conditional Use Authorization
Case Number 2011.0071C
401 Broadway

Sanborn Map*

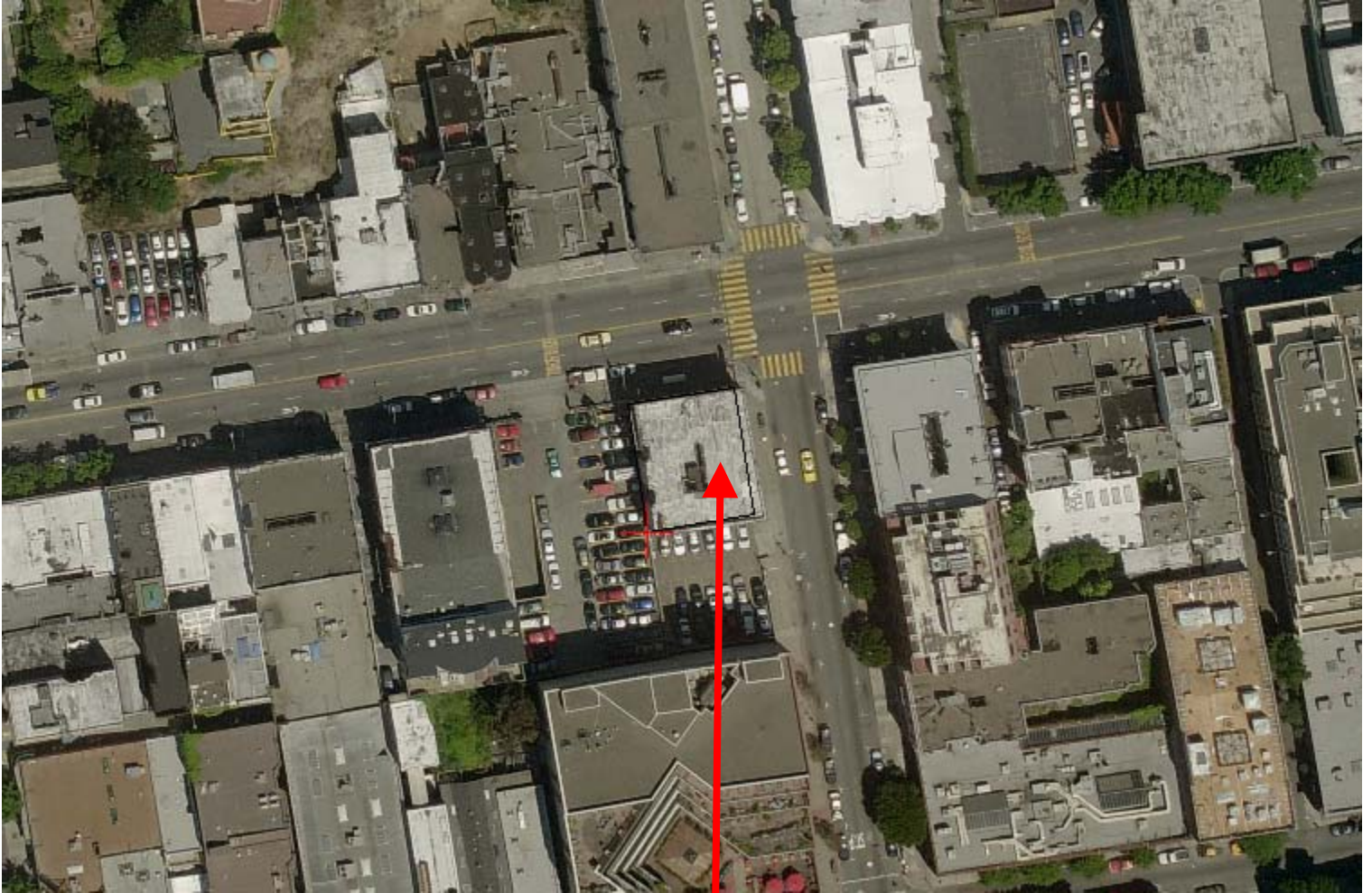


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization
 Case Number 2011.0071C
 401 Broadway

Aerial Photo

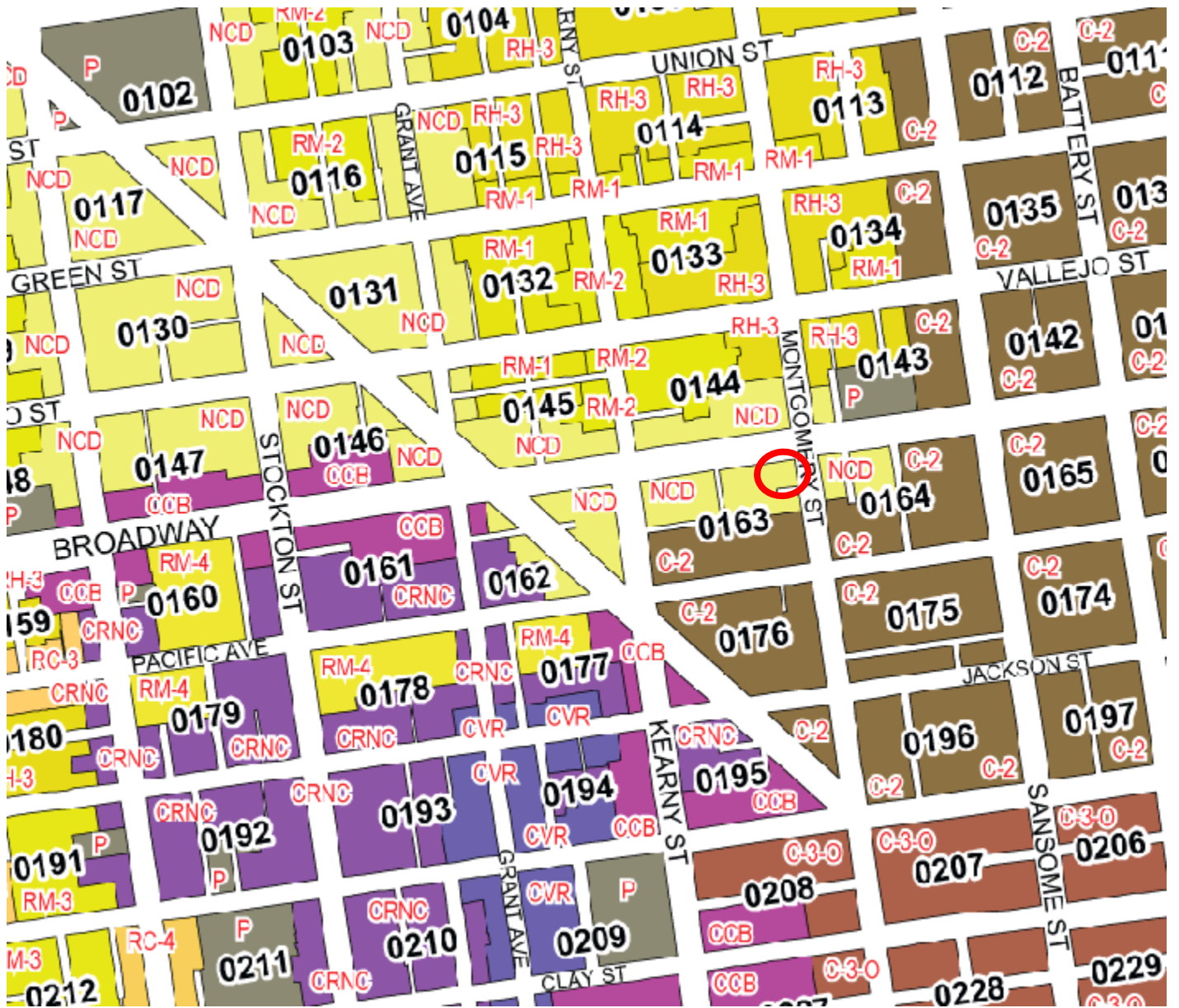


PROJECT SITE



Conditional Use Authorization
Case Number 2011.0071C
401 Broadway

Zoning Map



Conditional Use Authorization
Case Number 2011.0071C
401 Broadway

From: [Marsha Garland](#)
To: [Kevin Guy](#)
Subject: Fwd: 401 Broadway
Date: 03/14/2011 02:04 PM
Attachments: [PastedGraphic-1.pdf](#)

We just received this e-mail of support. Marsha

As a new owner/operator who has made a considerable investment at 473 Broadway (Monroe's), I want to make certain that all my neighbors and any new businesses are good owners and operators. I see no adverse effect with the business model of a billiards academy and a small self service restaurant. As a businessman myself, I realize that this new business will face economic challenges with the fact that they are not going to be offering beer and wine initially. If they can make their business model economically sustainable and maintain safety then I'm all for it. I do realize that the addition of surveillance cameras not only will help their business but will keep the adjacent parking lot in check.

I wish my neighbors well and wish to go on record as supportive of their conditional use permit application.

Sincerely

Nader Marvi
Monroe
473 Broadway Street
San Francisco CA 94133
nader@monroesf.com
415.772.9002

Marsha Garland
Garland Public & Community Relations
Buon Gusto Sausage Factory Building
535 Green Street
San Francisco, CA 94133
Phone: 415-956-0279
Mobile: 415-531-2911
E-Mail: marshagarland@att.net

Also on the Premises:

From: [Marsha Garland](#)
To: [Kevin Guy](#)
Subject: Fwd: letter of support 401 Broadway
Date: 03/08/2011 02:18 PM
Attachments: [PastedGraphic-1.pdf](#)

Kevin: Below is a letter we just received. Marsha Garland

To whom it may concern,

As a business owner and operator since Feb 2009 on the Broadway Corridor I am concerned that increasing vacancies are contributing to vagrancy, crime, graffiti and overall urban blight. Therefore, the fact that the owners of the building at 401 Broadway plan to operate the business displays a pride of ownership and 12 billiard tables and a self-service restaurant will bring more positive energy to the corridor.

It is my understanding they are not applying for beer and wine. I have NO opposition to a beer and wine on-premise establishment there as its prior use was full liquor. I also understand they are willing to put in conditions that state the patrons of the billiards academy must be at least 21, which shows they are catering to a more mature audience.

I hope this letter of support will be considered during their application process.

Dario Zucconi
The Vin Club
515 Broadway
SF, CA 94133

Marsha Garland

FEBRUARY 2ND, 2011

435 BROADWAY SF, LLC
BROADWAY STUDIOS
KARL FLESKOT
435 BROADWAY
SAN FRANCISCO, CA 94133

RE: CONDITIONAL USE APPROVAL FOR 401 BROADWAY

A. 12 PULL TABS - DBA BROADWAY BILLIARDS

B. SMALL SERVICE SERVICE RESTAURANT ACADEMY

50 SEATS OR LESS DBA BROADWAY CORNER PICKET
(AMERICAN FOOD)

~~RE~~ I HAVE OWNED BROADWAY STUDIOS FOR 15 YEARS.
UNFORTUNATELY 401 BROADWAY HAS BEEN VACANT
FOR FOUR YEARS, WHICH IS NOT GOOD FOR
BUSINESSES ON BROADWAY. STRONG AND STABLE
BUSINESS ON BROADWAY WILL IMPROVE BROADWAY
IMAGE, WHICH ALSO WILL BE VERY GOOD FOR
SAFETY.

THANK YOU FOR YOUR SUPPORT,

KARL B. FLESKOT

KARL B. FLESKOT OWNER AND PROPERTY OWNER

KHALID AL-SALTI

415 397 1310
415 297 8643

BROADWAY CIGARS AND LIQUOR
FINE WINE

550 Broadway St
San Francisco CA
94133

Re Support 401 Broadway
conditional use permits.

to Commission,

I Kelly SALTi owner

operator of Broadway CIGAR and LIQUORS
located at 550 Broadway want to support
the conditional use application at 401
Broadway. I am concerned about the
vacancy issue along the corridor. ENR-COS
just shuttered. Bib ALS 556 is leaving at the
end of the month. Pretty soon it will be all by
myself. The city needs to do more to support
small business. Billiards and a small self
service restaurant does not negatively
impact the community.


1 28 11

TO THE PLANNING COMMISSION

I support the CU APPLICATION FOR 401 BROADWAY

- 1) 12 pool tables
- 2) Small restaurant (self service)

I live at 142 Bartol, directly across the street from the proposed site, I used to go to the Crow Bar over 5 years ago, but the space has been vacant too long,

Vacancy cost a lot of social problems, we must support this business, for the growth of the Broadway area.

I work in North Beach, and I want to keep the community prosperous.

Egidio Marchis

E. Marchis

TO THE PLANNING COMMISSION.

I SUPPORT THE CU COMMUNITY FOR
401 BROADWAY.

PLACE HAS BEEN VACANT TOO LONG,

I LIVE IN THE NEIGHBORHOOD AND

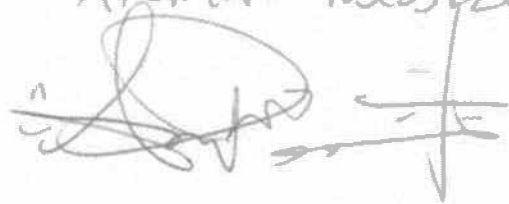
I'D LOVE TO SEE NEW BUSINESSES

GROWING UP IN THE BLOCK.

I WORK IN A POPULAR RESTAURANT
ON COLUMBUS AVE.

1250 MONTGOMERY ST
JR

RENATO ANDREA PESOSOLWA MARIA



Dear Planning Commission,

My name is Mark Covello and I live and work up in the North Beach area. Recently I heard of a new billiards hall called Broadway Billiards Academy going in to a building that has been vacant for the last 3 years. It will house 12 pool tables and provide a self service food vendor named Broadway Corner Pocket. The Academy will allow for a nice competitive but relaxed environment for patrons to play pool at their leisure (which North Beach is lacking) and provide some business to the declining Broadway area. For the last couple years I have seen many business go under and it would be nice to bring something fresh and exciting like a billiards hall to the area. I also understand that there will be no alcohol sales for the 1st year which is good to see if the establishment is legitimate. I am in full support of both the Broadway Billiards Academy and Broadway Corner Pocket. Thank you for your time and a speedy decision.

Mark
Covello



DEREK VIVERRETTA
402 Broadway
San Francisco, CA 94133

March 21, 2011

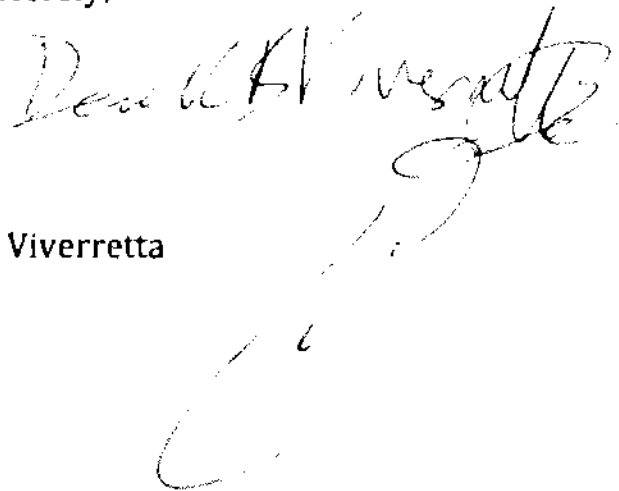
To Whom It May Concern:

I would like to go on record as supportive of the project being developed for 401 Broadway. As I understand it, the project is a billiards academy and a small self-service restaurant.

I think that both uses would be excellent for our block.

There are too many vacancies on this street and vacancies lead to problems.

Sincerely,

A handwritten signature in black ink, appearing to read "Derek Viverretta". The signature is written in a cursive style and is positioned to the right of the typed name.

Derek Viverretta



Cathay Post No. 384

Department of California

1524 Powell Street

San Francisco, CA 94133-3806

美國退伍軍人會華系支會

Re: Broadway Billiards Academy, 401 Broadway

To Whom It May Concern:

Personally, I have known Mr. Shun (Sunny) Lin Chow for over 10 years. He is a responsible man and a person who does what he says he will do. He is well known to many members of the American Legion Cathay Post No. 384, many of whom are willing to speak on his behalf at the upcoming conditional use permit hearing.

We are pleased to know that finally after four years that a vacancy on Broadway is being filled. Vacancies invite graffiti, homelessness, vandalism and crime, especially one as large as the site at 401 Broadway.

We have looked at Mr. Chow's business model and are pleased to see that he is incorporating activities for veterans.

The Broadway Billiards Academy will provide more eyes and ears on the street and will do much to support the concept of safety first and foremost.

For all of the above reasons, our post strongly supports the proposed business at 401 Broadway.

Very Truly

Ron Lee



December 29, 2010

Fang Liu

Shun Li Chow

PO Box 562
Millbrae, CA 94030
Re: 401 Broadway, Block 0163/Lot 001

Dear Ms. Liu and Mr. Chow:

Based on the letter of determination and the presentation before the North Beach Merchants Association Board, we are writing a letter of support to provide a business opportunity DBA Broadway Billiards Academy (12 tables) and a self-service restaurant called "Corner Pocket," which would consist primarily of American food in compliance with the Broadway Special Use District.

We realize at this time that you are not going to apply for a liquor license and that you will wait at least one year before exploring that opportunity. Given these circumstances, I am happy to inform you that our North Beach Merchants Association Board has voted unanimously to give its full public support of your business plan and operation at this time. Further, given that the hours of your business operation are proposed to be 11 am – 2 am, our NBMA Board is also very pleased that you are considering putting cameras and lights on the side of your establishment to monitor activity in the adjacent parking lot.

We believe this will enhance public safety and lower criminal activity in the entire area.

Because you own the building and have owned the building for the last 10 years, we realize that you have a greater chance of economic sustainability than a lessee may.

Please feel free to notify the other community groups both business and residential of our full support of this business plan and you may use this letter of support before any SF City permit agency that requires proof of community business support for your permit purposes.

Rack 'em up!

Sincerely,

Daniel Macchiarini, Board President

North Beach Merchants Association

BECA

BROADWAY ENTERTAINMENT & CULTURAL ASSOCIATION OF SAN FRANCISCO

March 16, 2011

Kevin Guy
Planner
San Francisco Planning Department
1550 Mission Street - 4th Floor
San Francisco, CA 94103

Re: 401 Broadway Street, San Francisco, CA

Dear Mr. Guy:

I am president of BECA (the Broadway Entertainment and Cultural Association) which represents many of the businesses on Broadway.

I am writing in support of a conditional use permit application for 401 Broadway.

I have met with Marsha Garland at the site and reviewed the applicant's plans.

We support the granting of a conditional use permit to allow two primary uses:
a small self-service restaurant and a billiards academy with twelve tables.

I understand the business will open with no liquor and will be open only to those over twenty-one.

BECA feels that this will be a welcomed addition to the Broadway Corridor .

Very truly yours,

John Charles Espedal
President BECA

cc Marsha Garland





April 12, 2011

Dear Planning Commissioners:

After review of the project at 401 Broadway, including the business plan and the security plan, and after listening to police input, our group voted unanimously in support of the concept of the Broadway Billiards Academy and the small, self-service restaurant, Broadway Corner Pocket, as long as everything is principally permitted by the Planning Code.

Although not a land use issue but keeping in the spirit of what is necessary and desirable, North Beach Neighbors gives approval if the following conditions are met:

1. One security guard per every 50 guests i.e., if there are 150 people on the premise then that would require three security personnel between the hours of 9:30 pm and 1:30 am, Thursday – Sunday;
2. All patrons of the billiards academy must be 21 years of age;
3. Surveillance high resolution cameras must be installed in the interior of the ground floor space and the exterior west side of the building overlooking the adjacent parking lot;
4. The security plan must be fulfill all the requirements of the code and be approved by Central Police Station;
5. Also, the academy will have a 1:30 am closure in the spirit of staggered closing with an automatic granting of 1:45 am after six months of operation providing there are no incidents or reports that create a safety hazard.

North Beach Neighbors wants commercial vacancies to be filled by responsible owner/operators.

Sincerely,

Chuck Thomas
Planning and Zoning Chair

亲爱的住客：你们好！

作为401-407Broadway的住客，大家都知道楼下一层约4000平方尺的商业铺位已空置4年多，我们写此信是想告知大家我们现在对这块空间的计划。

我们(Chow/Fu Family Trust)准备利用这块空间建立一所台球学校 (called Broadway Billiards Academy)，放置12张台桌，约占空间75%，再配合一间小型餐馆(called Broadway Corner Pocket)，约占空间25%，目前，我们正在申请与这两项经营项目有关的所有许可证。

我们打算每天开门营业，21岁以下的未成年人不允许进入台球区域，餐馆不允许卖酒，但一年后我们看情况，可能会申请一个淡酒牌。作为业主，我们将亲自参与经营管理，我们计划成为BCA(the Billiards Congress of America)的一份子，认真严肃对待学校这个角色。

我们不希望给大家带来任何问题或居住不便。

如果您有任何问题或想法，请与楼房经理联系。

谢谢大家花时间阅读此信。

Shun Lin Chow
Fang Liu

3/31/2011

Dear 401-407 Broadway Tenant:

We are writing this to advise you of our project for the ground floor of the building you live in. The ground floor has been empty for almost four years. The space is very large, about 4,000 square feet.

The Chow/Fu Family Trust is planning to establish the Broadway Billiards Academy and a small, self-service restaurant called Broadway Corner Pocket. We will operate the business ourselves. There is space for 12 billiards tables. We plan to become part of the Billiards Congress of America and take seriously our role as a school.

Currently, we are trying to get all the permits we need to operate the two businesses. The Billiards Academy will occupy approximately 75% of the space and the restaurant around 25%.

We will be open daily. No minors will be allowed on the premises. No alcohol license is being applied for at this time although we may consider getting a beer and wine license after a year or so.

We do not anticipate any problem with noise and do not want to disturb your tenancy.

If you have questions or concerns regarding our plans, please let the building manager know.

Thank you for taking the time to read this.

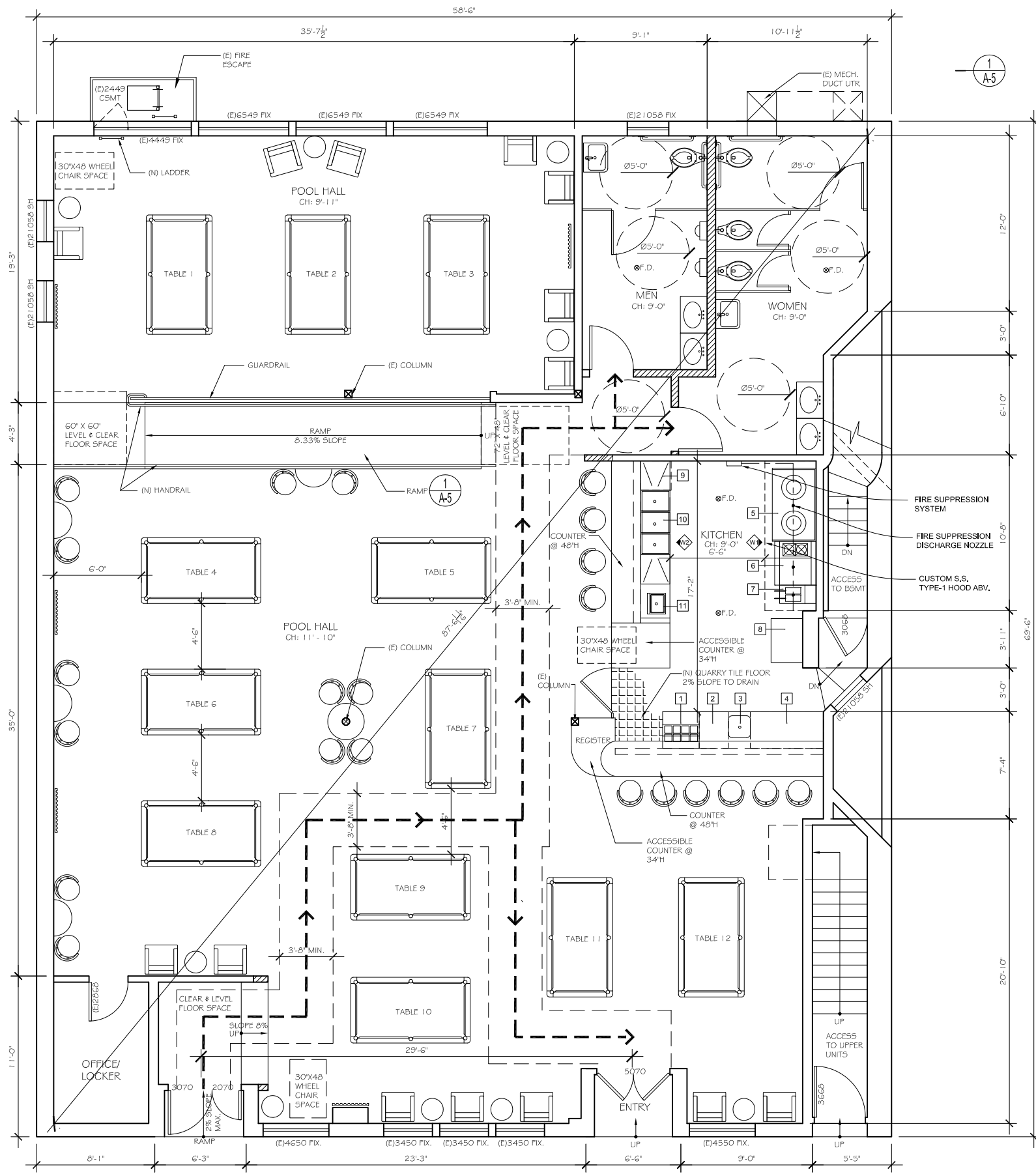
Shun Lin Chow

Fang Liu

3/31/2011







MARK	EQUIPMENTS	SIZE
1	FOOD PREP, REFRIGERATOR	30"W X 30"D X 36"H
2	UNDER COUNTER ICE MAKER	24"W X 24"D X 36"H
3	FOOD PREP, SINK	18"W X 18"L X 12"D
4	UNDER COUNTER FREEZER	60"W X 31.5"D X 36"H
5	2-HEADS WOK RANGE	60"W X 36"D X 36"H
6	2 HEADS RANGE w/ GRIDDLE & OVEN	36"W X 36"D X 36"H
7	GAS DEEP FRYER	15"W X 30"D X 36"H
8	GLASS DOOR REFRIGERATOR	36"W X 28"D X 78"H
9	3 COM. SINK w/ DRIP PAN	54"W X 24"D X 36"H w/ 3" DRIP PAN
10	UNDERCOUNTER DISHWASHER	24"W X 25"D X 34"H
11	HAND SINK	18"W X 16"D

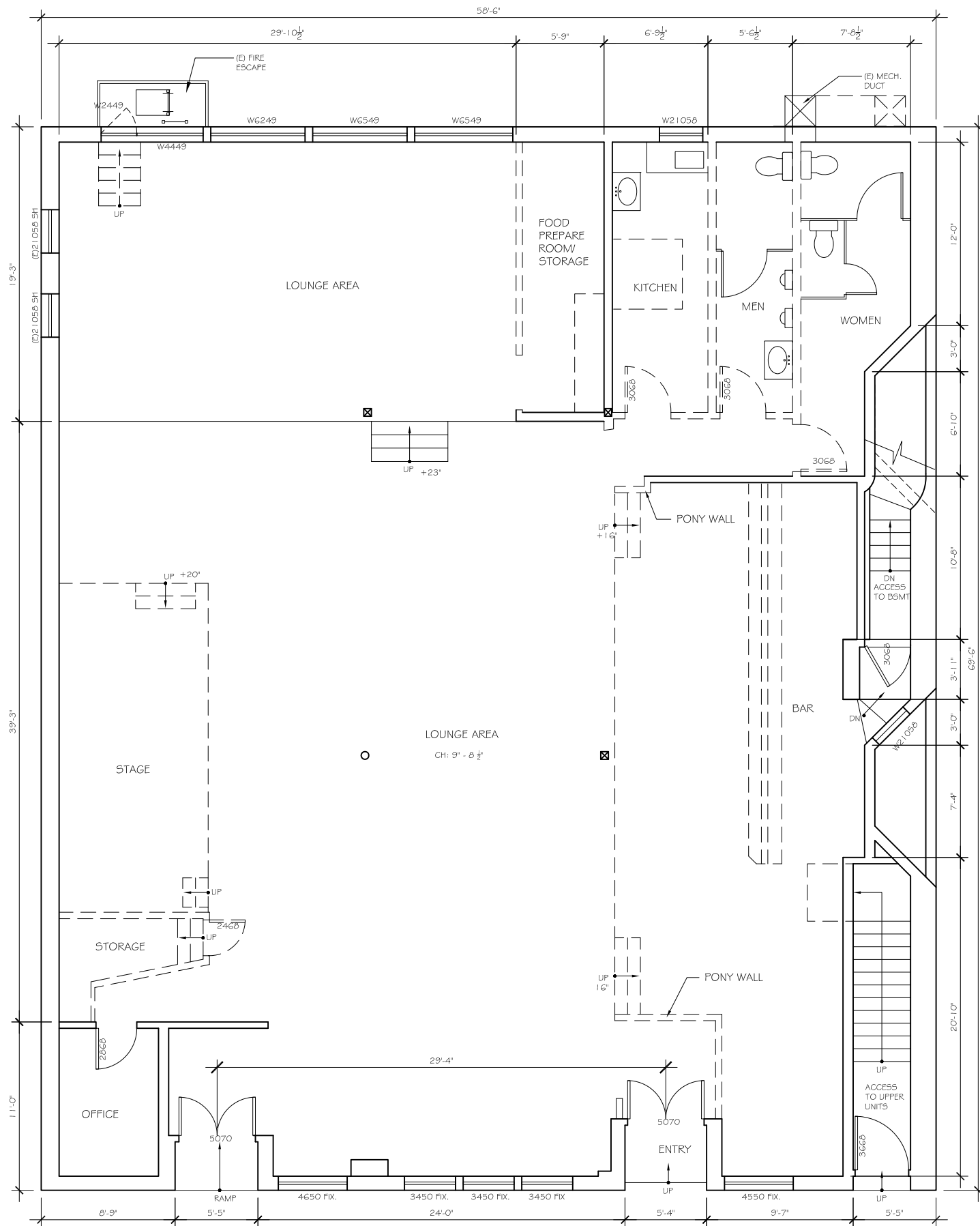
KITCHEN FINISHING:

- WALL FINISH: ALL WALL FINISH SHALL HAVE 6" HIGH MIN. QUARRY TILE ROUND TOP WALL COVE BASE TO FLOOR.
 FULL HEIGHT STAINLESS STEEL PANEL UP TO BOTTOM OF EXHAUST HOOD.
 4" HEIGHT STAINLESS STEEL PANEL AFF.
- NOTE: PROVIDE DOUBLE APPROVED SPLASH GUARDS OR FLASHING ON WALLS BEHIND SINKS AND COOKING EQUIPMENTS.
- CEILING FINISH: SEMI-GLOSS PAINT OVER SMOOTH FINISH OF 5/8" TYPE "X" GYPSUM BOARD.
- NOTE: ALL WALL AND CEILING SHALL ALSO BE LIGHT IN COLOR WITH 70% REFLECT IN FOOD AND UTENSIL AREAS.

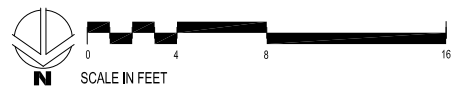
NOTE: ALL MECHANICAL WORK & FIRE SPRINKLER SYSTEM TO BE SUBMITTED SEPARATE PERMIT.

PROPOSED FLOOR PLAN
 1/4" = 1'-0"

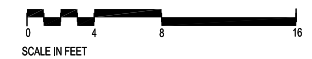




EXISTING FLOOR PLAN
 $\frac{1}{4}'' = 1'-0''$



EXISTING FRONT ELEVATION
 $\frac{3}{16}'' = 1'-0''$



PROPOSED FRONT ELEVATION
 $\frac{3}{16}'' = 1'-0''$

