

File No. 160184 Committee Item No. 4
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Neighborhood Services Date October 13, 2016

Board of Supervisors Meeting Date _____
Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>LL Referral - 02/24/2016</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Response Planning - 03/04/2016</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Response Police Dept - 08/31/2016</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Completed by: Erica Major Date October 7, 2016
Completed by: _____ Date _____



San Francisco Police Department
ABC Liaison Unit

RECEIVED VIA EMAIL
8/31/2016
160184



Alcoholic Beverage License -
*Public Convenience and
Necessity Recommendation*

To: The San Francisco Board of Supervisors' Committee on Public Safety
and Neighborhood Services

Supervisor Jane Kim
Supervisor John Avalos
Supervisor David Campos

From: Lieutenant Dave Falzon 
Officer in Charge
ABC Liaison Unit (ALU) 415-837-7576

Date: August 31, 2016

Subject: P.C.N. Investigation Regarding: Real Drinks INC.
DBA: Jackalope
1092 Post Street including 1104 Polk Street,
San Francisco, Ca. 94109
Cory Hunt
916-601-1782

Mr. Cory Hunt on behalf of **Jackalope** has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 48 (On Sale General- Public Premises) License for 1092 Post Street including 1104 Polk Street (located between Post Street and Hemlock Street).

Hours of Operation:

12:00 pm – 2:00 am Daily

Digest:

The premises located at 1092 Post Street has been in operation for 2 ½ years as a bar with a Type 48 (On – Sale General Public Premises). The applicant would like to expand their business to include the premise located at 1104 Polk Street. If approved, this license will allow the applicant to sell On-Sale Beer, Wine and Distilled Spirits at 1104 Polk Street.

Letters of Protest:

No Record

Letters of Support:

No Record

Police Calls for Service:

From January 2015 to January 2016

4 calls for service

Police Reports:

From January 2015 to January 2016

0 police reports

San Francisco Plot Information:

This premise is located in Plot **541**

A High Crime area is defined as **106** or more police reports in a plot for the year of **2015**.

This plot had **733** police reports for **2015**, which is **627** over the **Citywide “High Crime”** average.

State Census Tract Information:

This premise is located in Census Tract: **120.00**
Population for this tract is: **3,833**

On-sale license authorized by census tract: **13**
Active on-sale licenses: **63** with **0** pending

Off-sale licenses authorized by census tract: **3**
Active off-sale licenses: **23** with **0** pending

Departmental Recommendation:

Points of consideration: **3**

No opposition from **Northern Station**

Applicant premise **is** located in a "**High Crime**" area.

Applicant premise **is** located in an "**undue concentration**" area.

0 - Record of protest.

0 - Record of support.

ALU Recommendation: **Denial**

Google Maps 1092 Post St



Map data ©2016 Google 50 ft

Google Maps 1096 Post St

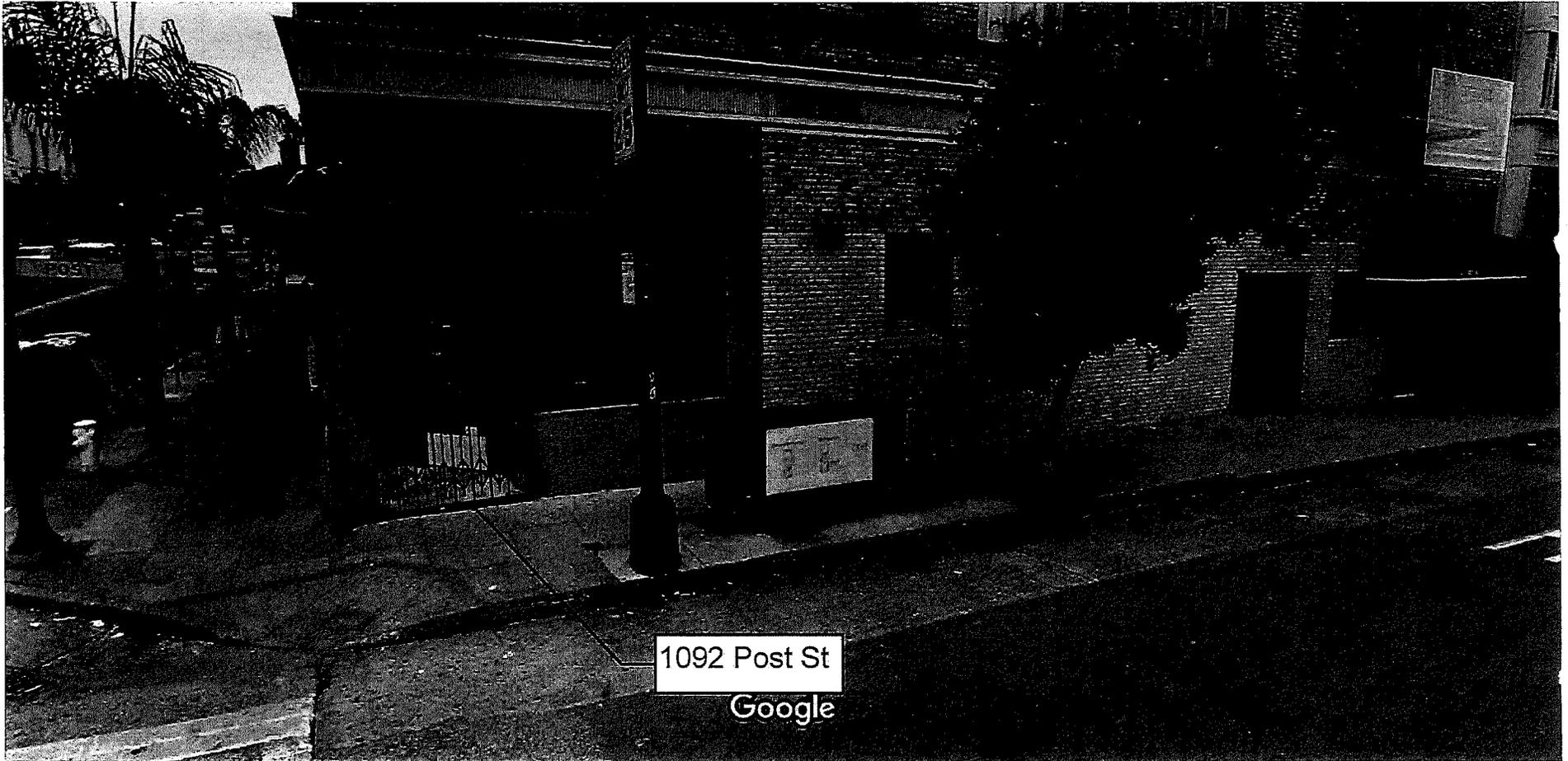
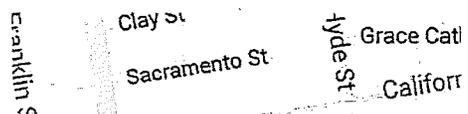


Image capture: Aug 2015 © 2016 Google

San Francisco, California

Street View - Aug 2015





160184

SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 19714

HEARING DATE: AUGUST 4, 2016

Case No.: 2016-002498CUA
 Project Address: 1092 POST STREET & 1104 POLK STREET
 Zoning: Polk Street Neighborhood Commercial District (NCD)
 Lower Polk Street Alcohol Restricted Use District
 130-E Height and Bulk District
 Block/Lot: 0692/012
 Project Sponsor: David Villa-Lobos
 Community Leadership Alliance (CLA) Consulting
 P.O. Box 642201
 San Francisco, CA 94164
 Staff Contact: Andrew Perry -- (415) 575-9017
andrew.perry@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 178, 723.41, AND 788 OF THE PLANNING CODE TO EXPAND AN EXISTING BAR (D.B.A. JACKALOPE), CURRENTLY LOCATED AT 1092 POST STREET, INTO THE ADJACENT STOREFRONT AT 1104 POLK STREET, WITHIN THE POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT (NCD), THE LOWER POLK STREET ALCOHOL RESTRICTED USE DISTRICT (RUD), AND A 130-E HEIGHT AND BULK DISTRICT.

PREAMBLE

On February 24, 2016, David Villa-Lobos (hereinafter "Project Sponsor"), on behalf of Cory Hunt, filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Sections 303, 178, 723.41, and 788 to expand an existing Bar (d.b.a. Jackalope), currently located at 1092 Post Street, into the adjacent storefront at 1104 Polk Street, within the Polk Street Neighborhood Commercial District (NCD), the Lower Polk Street Alcohol Restricted Use District (RUD), and a 130-E Height and Bulk District.

On August 4, 2016, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-002498CUA.

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

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2016-002498CUA, 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 eastern side of Polk Street, between Post and Hemlock Streets, Block 0692, Lot 012. The property is developed with a four-story structure containing a commercial ground floor and forty-eight residential dwelling units above, constructed circa 1917, with full lot coverage at approximately 9,600 square feet of lot area, 120 feet of frontage along Polk, and 80 feet of frontage along Post and Hemlock. The subject building has eight commercial spaces along Polk Street; the existing bar occupies the corner location at Polk and Post Streets, while the adjacent space (1104 Polk) was previously occupied by a Fringe Financial Service use and is now vacant. The building is a known historic resource, identified as the Burlingame Apartments and within the National and California Register "Lower Nob Hill Apartment Hotel Historic District".
3. **Surrounding Properties and Neighborhood.** The surrounding neighborhood consists of a variety of commercial and mixed-use buildings mostly featuring residential uses above ground floor commercial establishments. The scale of development in the area consists of a mix of mid-rise buildings, ranging from two- to five-story structures, most of which were built in the early 1900s. The subject property is located within the Lower Polk Invest in Neighborhoods corridor as well as the Lower Polk Street Alcohol Restricted Use District, which was added to the Planning Code in 2013 in order prevent additional alcohol-serving establishments from coming to the neighborhood, as there was an existing problem with crime due to the already large number of establishments serving alcohol.

The neighborhood features a diverse array of restaurants, art galleries, health clubs, bars, shops and lounges, and is particularly well-known for its night life destinations. Several social organizations are also located on the corridor and in the surrounding neighborhood, providing an array of support services for at-risk youth, the critically ill and homeless individuals and families.

4. **Project Description.** The project sponsor requests a Conditional Use Authorization pursuant to Planning Code Sections 303, 178, 723.41, and 788 to expand an existing Bar (d.b.a. Jackalope),

currently located at 1092 Post Street, into the adjacent storefront at 1104 Polk Street. The expansion represents an increase in size of approximately 760 square feet, bringing the overall use size to 1,470 square feet. The existing Bar is considered a permitted conditional use pursuant to Planning Code Section 179, as it was legally existing when Neighborhood Commercial District controls were first enacted. The Lower Polk Street Alcohol Restricted Use District does not allow any new Bars or Liquor Stores, however the proposed expanded Bar area would be covered under the existing Bar's Type 48 Alcohol Beverage Control (ABC) License, and is permitted upon authorization of a Conditional Use. The existing Bar began operating as Jackalope circa November 2014 and has received generally positive reviews from the neighborhood, as they have added regular security at the entrance of the establishment to diffuse potential conflicts and discourage criminal activity in a neighborhood with an exceptionally high number of police calls.

5. **Public Comment/Community Outreach.** To date, the Department has not received any communications from members of the public in regard to the project.

The Project Sponsor has conducted outreach via email and a letter to the relevant neighborhood groups listed on the Planning Department's website, as well as to nearby merchant associations, and relevant elected officials, prior to submitting the subject application. The outreach materials described the proposed project and offered an opportunity to have a more in-depth meeting and presentation to each group if necessary. No group requested an additional meeting and both the Lower and Middle Polk Neighborhood Associations have indicated to the Project Sponsor that they have no objections to the proposed project.

The ABC Liaison Unit (ALU) of the San Francisco Police Department has provided the Department with information on crime incidents on and near the vicinity of the project site. For a one year period from January 2015 to January 2016, there were 3,836 total incidents reported within 500' of the project site, resulting in 397 Police Reports. However, only 4 of the incidents were specifically associated with the existing Bar, none of which resulted in a Police Report. The ALU has indicated that they will be recommending disapproval to the ABC and Board of Supervisors for the proposed Bar expansion, given the existing numbers of bars in the District and the already high volume of crime incidents.

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. **Enlargement of a Permitted Conditional Use.** Planning Code Section 178 states that a permitted conditional use may not be significantly altered, enlarged, or intensified, except upon approval of a new conditional use application.

The existing Bar use is considered a permitted conditional use per Planning Code Section 179, as the Bar use lawfully existed on the effective date of Ordinance No. 69-87, and was classified as a conditional use by the enactment of said ordinance. The proposed expansion into the adjacent storefront is considered significant as it effectively doubles the square footage of the existing bar. The Project Sponsor has submitted an application for Conditional Use Authorization to permit the significant expansion of a permitted conditional use.

- B. **Bar Use.** Planning Code Section 723.41 states that a Conditional Use Authorization is required for a Bar use, as defined by Planning Code Section 790.22, at or below the 1st story within the Polk Street NCD.

The Project Sponsor is requesting Conditional Use Authorization to establish a Bar use at the 1104 Polk Street commercial space, which would not be a new establishment, but an expansion of the existing bar at 1092 Post Street.

- C. **Transfer of ABC License Within Lower Polk Street Alcohol RUD.** Planning Code Section 788(d)(1) states that no new on-sale (Bars) or off-sale (Liquor Stores) liquor establishments shall be permitted within the Lower Polk Street Alcohol Restricted Use District (RUD); provided that a liquor establishment located in the RUD may transfer its alcohol license to another site, and provided further that any transfer of a license to a new location within the RUD shall require a conditional use permit for the new liquor establishment.

The Project Sponsor is requesting Conditional Use Authorization to transfer the existing bar's Type 48 License to the expanded location at 1104 Polk Street. Both the existing bar location at 1092 Post and the proposed expanded area at 1104 Polk are within the RUD. Under the Department of Alcoholic Beverages Control (ABC) regulations, the project requires a premise-to-premise transfer of the existing Type 48 License, which would cover the entire resulting bar area. The project does not result in a net new ABC License within the RUD.

- D. **Use Size.** Planning Code Sections 121.2 and 723.21 state that uses up to 2,499 square feet are principally permitted, and a Conditional Use Authorization is required for non-residential uses with 2,500 square feet or more of area within the Polk Street NCD.

The proposed expansion would bring the total gross floor area of the Bar use to approximately 1,470 square feet, and is therefore principally permitted in the District.

- E. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts, space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The Project includes active uses at the ground floor for the first 25 feet of building depth. The existing storefront is fenestrated with transparent windows and doors for approximately 93% of the subject frontage, measuring 14' wide. The proposal would remove the canvas awning currently covering the transom windows, as well as remove the unpermitted stickers and signage currently obscuring the windows of the Fringe Financial Service business, thereby improving the transparency of the façade. The project will retain the existing metal security gate that is at least 75% open to perpendicular view.

- F. **Off-Street Parking.** Planning Code Section 151 requires off-street parking for Bars at the rate of 1 for each 200 square feet of occupied floor area, where it exceeds 5,000 square feet.

The resulting Bar would have an occupied floor area that is approximately 1,470 square feet; therefore no off-street parking is required.

- G. **Off-Street Loading.** Planning Code Section 152 requires off-street loading spaces for Bars where the gross floor area of the use exceeds 100,000 square feet.

The resulting Bar would have a gross floor area that is approximately 1,470 square feet; therefore no off-street loading is required.

- H. **Bicycle Parking.** Planning Code Section 155.2 requires bicycle parking where a change of occupancy or increase in intensity of use would increase the number of total required bicycle parking spaces (inclusive of Class 1 and 2 spaces in aggregate) by 15 percent.

The proposed change of use and expansion of a Bar would not increase the number of total required bicycle parking spaces by 15 percent or more; therefore no bicycle parking is required.

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 proposed project involves the expansion of an existing Bar into the adjacent storefront area on the same property. Both the existing Bar space, as well as the proposed expansion area, are smaller spaces, each with about 700 square feet of floor area, therefore the proposal would result in a single establishment that is comparable in size, at approximately 1,470 square feet, as other Bar establishments in this District and around the City. The project does not involve any physical exterior modifications, only the merging of the interior spaces. Furthermore, the proposed Bar expansion would occupy a commercial area that is currently used as a Fringe Financial Service, with hours until approximately 6 p.m. The project would thus replace an undesirable use and promote activation of the space into the evening and late-night hours. Security employed by the Bar will be able to monitor the outside of the establishment as a deterrent to criminal activity, thus improving the safety of the area. The projects is located within the Lower Polk Street Alcohol Restricted Use District (RUD), however, the expansion of an existing Bar and transfer of the existing license to the adjacent space, is permissible

through a Conditional Use authorization and does not result in any net new ABC License within the RUD. For these reasons the project is desirable for and compatible with the neighborhood.

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

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

There are no changes proposed to the existing building envelope, and would involve a merging of two adjacent commercial spaces only. As the spaces are small as they exist currently, the project would still result in a modestly sized bar at 1,470 square feet. The project proposes only slight changes to the façade, primarily through the removal of a canvas awning and unpermitted signage and stickers in the windows of the current Fringe Financial Service business.

- 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 any off-street parking or loading for the expanded Bar use, nor is any existing or proposed. The site is well-served by transit with sixteen (16) MUNI bus lines within a quarter-mile. The bar expansion essentially doubles the existing bar area, which will likely lead to more patrons at the business, but with a resulting area of 1,470 square feet, the Project should not significantly affect accessibility and traffic patterns in the vicinity.

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

The expanded Bar will be subject to the standard Conditions of Approval for Bars as recorded in the Conditions of Approval found in Exhibit A, regulating the sidewalk area in front of the business, management of trash, recycle and composting containers, noise and odors.

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

The proposed project does not require any treatments in the way of landscaping, screening, open spaces, parking and loading areas, or service areas. Any additional lighting and signs proposed for the project in the future will be reviewed by the Department for compliance.

- 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 Use District.

The proposed project is consistent with the stated purposes of the Polk Street NCD in that the expanded Bar use would replace an existing, non-conforming Fringe Financial Service use, as these uses are not permitted in the District under today's Code. While the District controls aim to limit new eating and drinking uses, and the Lower Polk Street Alcohol RUD prohibits new bars and liquor stores, this project does not result in a new establishment, but rather the expansion of an existing establishment that has a good track record in the neighborhood and intends to have security present to monitor the sidewalk area in front of the bar, as a deterrent to criminal activity.

- E. That the use or feature satisfies the criteria specific to Conditional Use authorization applications for Eating and Drinking Uses found in Planning Code Section 303(o), in that the Planning Commission shall consider the existing concentration of eating and drinking uses in the area, and that such concentration should not exceed 25 percent of the total commercial frontage as measured in linear feet within the immediate area of the subject site, where the immediate area shall be defined as all properties located within 300' of the subject property and also located within the same zoning district.

The proposed project would be subject to the criteria of Planning Code Section 303(o) as it seeks Conditional Use Authorization to expand an existing bar. A recent field survey estimated that approximately 33.5% of commercial frontage in the immediate area, as defined by this Code section, is currently devoted to eating and drinking uses. The proposal would bring this percentage to 34.2%, which although is higher than the target identified in Code at 25%, does not suggest that this project would prevent the District from achieving an optimal balance of goods and services. It is worth noting that these percentages, as calculated under the Code, do not include the frontages of residential parcels in the immediate area, nor other parcels that are within 300 feet of the Subject Property, but are zoned RC-4.

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

COMMERCE AND INDUSTRY

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.

The proposed Bar expansion will be subject to the standard operating Conditions of Approval for bars, and the business will employ security that monitors the sidewalk area in front of the bar so as to limit nuisances and deter criminal activity in the neighborhood. The expanded bar does not require any expansion or alteration to the existing building, and will generally improve the façade, through the removal of the existing awning and unpermitted signage. Furthermore, the expanded business will replace a Fringe Financial Service business, and thus represents a net benefit to the community while mitigating potential negative consequences.

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 will allow an existing business to expand on its success in the immediately adjacent space, creating a larger and more suitable area, which will allow the business to meet its growing demand.

TRANSPORTATION ELEMENT

Objectives and Policies

OBJECTIVE 1:

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3:

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

The Project is located in an area well-served by public transit and along a major bicycle route on Polk Street, minimizing the need for private automobiles.

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 proposal would enhance the District through the replacement of a non-conforming Fringe Financial Service business, which would allow an existing bar, which has seen success in the neighborhood, to expand. The expanded bar will likely hire additional employees to staff the additional area.

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

The proposal will conserve and protect neighborhood character as it does not involve any building expansion or major alteration of the existing building, and merges two small commercial spaces into one viable space for the bar. Replacing a Fringe Financial Service establishment with a business with late-night hours should help activate this portion of the block and deter potential criminal activity.

- 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 site's location in proximity to many MUNI bus lines and a major bicycle thoroughfare greatly discourages the use of a private automobile to arrive at the site. Additionally, by having a larger bar area that can accommodate more people, patrons are less likely to have to wait outside, which previously might have interfered with a MUNI bus stop on that same corner.

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

The Project will not displace any service or industry establishment. The project will not affect industrial uses and it will enhance service-related opportunities as additional employees will likely be needed to staff the additional bar area.

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

The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The subject building is considered a contributor to a National Register Historic District, and the proposed expansion and façade alterations have been adequately reviewed under CEQA.

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

The project will have no negative effect on existing parks and open spaces.

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

DECISION

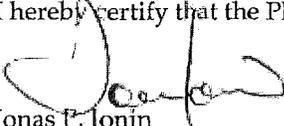
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2016-002498CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 28, 2015, 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. 19714. 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.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 4, 2016.


Jonas P. Ionin
Commission Secretary

AYES: Antonini, Fong, Hillis, Moore, Wu

NAYS: None

ABSENT: Johnson, Richards

ADOPTED: August 4, 2016

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to expand an existing Bar (d.b.a. Jackalope), currently located at 1092 Post Street, into the adjacent storefront at 1104 Polk Street, Block 0692, and Lot 012, pursuant to Planning Code Section(s) 303, 178, 723.41, and 788 within the Polk Street Neighborhood Commercial District, the Lower Polk Street Alcohol Restricted Use District, and a 130-E Height and Bulk District; in general conformance with plans, dated November 28, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2016-002498CUA and subject to conditions of approval reviewed and approved by the Commission on August 4, 2016 under Motion No 19714. 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 August 4, 2016 under Motion No 19714.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19714 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

3. **Diligent pursuit.** 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. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

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

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

MONITORING - AFTER ENTITLEMENT

6. **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
7. **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

8. **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>
9. **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>
10. **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 415-553-0123, www.sf-police.org

11. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

12. **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



SAN FRANCISCO
PLANNING
DEPARTMENT

Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-9425

T: 415.558.6378
F: 415.558.6409

GENERAL PLANNING INFORMATION

Notice of Special Restrictions (NSR): Recordation Instructions

Date:
August 2014

Subject:
Procedure to follow after an approval has been made for projects that require conditions of approval to be recorded on a property.

What you have received:

Two identical Notice of Special Restrictions (NSR) forms.

Prior to Recordation:

1. Enter the legal property description, as stated on the deed, in the space provided on each Notice of Special Restrictions (NSR) **OR** attach a copy of the legal description as "Exhibit A".
2. Have both original NSRs signed by the owner(s). **All property owners must sign the Notice of Special Restrictions.** Each signature must be notarized by a notary public.
3. Complete the header portion of the NSR with the mailing address to which the original recorded NSR should be returned.

At the Recorder's Office:

4. Record both original NSR forms at the Recorder's Office, open Monday through Friday, 8:00 a.m. to 4:00 p.m.

Note: The Recorder's Office will temporarily retain one of the two originals and return it to you by mail to the address you provide on the NSR header.

After Recordation:

All conditions of approval (from Planning Commission, Variance Decision, Historic Preservation Commission, Environmental MMRP, etc.) are required to be printed and attached to the Building Permit Application Index Sheet for the project at full sheet size. The Index Sheet shall also reference subsequent amendments or modifications.

- a) Make copies of the recorded NSR/conditions of approval onto full sheet size pages (2 sets). Bring these full size sheets to Central Permit Bureau, Department of Building Inspection, to be added as a revision to the Building Permit Application (BPA), between 8:00 a.m. and 4:00 p.m..
 - b) Drop off the recorded original NSR (hard-copy) to the Planning Department Reception Desk, between 9:00 a.m. and 5:00 p.m., to the assigned planner's attention, promptly after recordation. The Department will keep this original recorded document. Please also submit a digital version of the recorded NSR.
5. Any permit(s) on hold with the Department cannot be released until these two steps are completed.

After Delivery to Planning Department:

6. Once your planner receives the NSR, any pending permits may be approved and routed to the appropriate department to continue processing. Building Permit Applications are normally signed off and routed to Central Permit Bureau at 1660 Mission Street within 1-2 business days.

To check the status of a Building Permit Application, you may go online to the DBI permit tracking webpage at: <http://dbiweb.sfgov.org/dbipts/> or call 1-800-473-2534 (Permit Application Status)

USEFUL ADDRESSES

Recorder's Office
City Hall -
Room #190,
1 Dr. Carlton B.
Goodlet Place,
San Francisco, CA
P: 415-554-4176

Planning Department
Fourth Floor -
Reception Desk
1650 Mission Street,
San Francisco, CA
P: 415-558-6378

DBI/Central Permit
Bureau 2nd Floor -
Revisions Submittal
1660 Mission Street,
San Francisco, CA
P: 415-558-6070



**SAN FRANCISCO
PLANNING
DEPARTMENT**

**FOR OTHER PLANNING INFORMATION:
Call or visit the San Francisco Planning Department**

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**
FAX: **415.558.6409**
WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)

1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY

And When Recorded Mail To:

Name:

Address:

City:

State:

ZIP:

(Space Above This Line For Recorder's Use)

I (We) _____, the owner(s) of that certain real property situated in the City and County of San Francisco, State of California more particularly described as follows: (or see attached sheet marked "Exhibit A" on which property is more fully described):

BEING ASSESSOR'S BLOCK: 0692; LOT: 012;

COMMONLY KNOWN AS: 1092 POST STREET & 1104 POLK STREET;

hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II of the San Francisco Municipal Code (Planning Code).

Said Restrictions consist of conditions attached to **Conditional Use Application No. 2016-002498CUA** authorized by the Planning Commission of the City and County of San Francisco on **August 4, 2016**, as set forth in Planning Commission **Motion No. 19714**, to **expand an existing Bar (d.b.a. Jackalope), currently located at 1092 Post Street, into the adjacent storefront at 1104 Polk Street, Block 0692, and Lot 012, pursuant to Planning Code Section(s) 303, 178, 723.41, and 788 within the Polk Street Neighborhood Commercial District, the Lower Polk Street Alcohol Restricted Use District, and a 130-E Height and Bulk District.**

The restrictions and conditions of which notice is hereby given are:

AUTHORIZATION

This authorization is for a conditional use to expand an existing Bar (d.b.a. Jackalope), currently located at 1092 Post Street, into the adjacent storefront at 1104 Polk Street, Block 0692, and Lot 012, pursuant to Planning Code Section(s) 303, 178, 723.41, and 788 within the Polk Street Neighborhood Commercial District, the Lower Polk Street Alcohol Restricted Use District, and a 130-E Height and Bulk District; in general conformance with plans, dated November 28, 2015, and stamped "EXHIBIT B" included in the docket for Case No. 2016-002498CUA and subject to conditions of approval reviewed and approved by

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

the Commission on August 4, 2016 under Motion No 19714. 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 August 4, 2016 under Motion No 19714.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 19714 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.

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

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

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

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

3. **Diligent pursuit.** 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. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

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

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

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

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

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

MONITORING - AFTER ENTITLEMENT

6. **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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

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

7. **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

8. **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>

9. **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>

10. **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 415-553-0123, www.sf-police.org

11. **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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

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.

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

- 12. 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

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

(Signature) (Printed Name)

Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

(Signature) (Printed Name)

Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

(Signature) (Printed Name)

Dated: _____, **20** at _____, **California.**
(Month, Day) (City)

Each signature must be acknowledged by a notary public before recordation; add Notary Public Certification(s) and Official Notarial Seal(s).



Handwritten initials: NF

LIQUOR LICENSE REVIEW

TO: Planning Department
AnMarie Rodgers/CTYPLN/SFGOV
Georgia Powell/CTYPLN/SFGOV@SFGOV
Fax No.: (415) 558-6409

File: 160184

Block/lot: 0692/012

TO: Police Department
Inspector Nelly Gordon
Phone: (415) 837-7273

Zoning: NCD

Quad: NE

DATE: February 24, 2016

Reword # 2016-002833

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: April 6, 2016, to Erica Major, Public Safety and Neighborhood Services Committee Clerk.

MIS

Erica.Major@sfgov.org - Fax No: 554-7771

Applicant Name: Cory Hunt
and Business Name: Jackalope
(1104 Polk Street) *(including)*
Applicant Address: Cory Hunt
1092 Post Street
San Francisco, CA 94109
and Phone No. (916) 601-1872

PLANNING COMMENTS: Approval Denial

ABC Type 48 is permitted in conjunction w/ continuation of existing Bar use in the Polk street WCD, pursuant to Planning Code Sections 178 & 723.41.

POLICE COMMENTS: Approval Denial

Received via email
9/16/2016
File No. 160184



1151 Sutter Street, Suite 1 San Francisco, CA 94109 | Phone: 415-775-1180 | Fax: 415-775-1182

September 13, 2016

To Whom It May Concern:

On behalf of The Lower Polk Community Benefit District, I would like to extend my enthusiastic support for the Jackalope expansion into an adjacent business space under their existing entertainment permit.

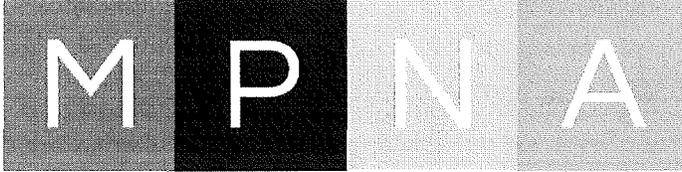
The current business owners have been invested in our neighborhood for over 4 years and have a demonstrated track record as exemplary neighbors and community members. In addition, their proposed expansion will add much needed safety and security to the neighborhood through the installation of new external security cameras that would provide San Francisco Police Department with additional tools to fight crime. In addition, Jackalope will be soundproofing their ceiling to make sure that they do not disturb the residents above them, and will continue to monitor their patrons so that they do not cause a disturbance in the neighborhood during business hours.

Despite making these additions, Jackalope will still be a small to moderate size establishment at 1400 square feet, which fits well within the existing fabric of our Lower Polk Street commercial corridor and community. Jackalope is a good, responsible business that we are happy to have in the neighborhood.

If you have any questions, comments, or concerns, please don't hesitate to contact me directly.

Thank you,

Christian Martin
Executive Director



Middle Polk Neighborhood Association

August 22, 2016

TO: Board of Supervisors
City and County of San Francisco

RE: Jackalope Expansion (1092 Post Street)

Dear Supervisors:

The Middle Polk Neighborhood Association supports the expansion of the Jackalope bar at 1092 Post St. (at the corner of Polk St.) into the adjacent commercial retail space to the north on the ground floor of the same building.

We welcome the expansion as it will replace an existing Payday Loan shop, a use we feel is no longer compatible with the Lower Polk neighborhood. The owner has also promised to install more security cameras to their business with the expansion, further enhancing safety and deterring criminal activity in the immediate vicinity.

MPNA has a good standing relationship with the owner of Jackalope as they own another bar business (Soda Popinski's at 1548 California St) in the Middle Polk neighborhood. Soda Popinski's has been an excellent neighbor, keeping outside noise to a minimum and always prioritizing safety and security. We are confident the owner will do the same with the Jackalope expansion and have been assured that ceiling soundproofing will be installed to minimize noise impact to the residents living above.

Overall we are very supportive of the expansion and look forward to the increased foot traffic it will bring to this stretch of Polk Street.

Regards,
Middle Polk Neighborhood Association

PO Box 640918
San Francisco, CA 94164-0918
<http://www.middlepolk.org>

160184

From: Major, Erica (BOS)
Sent: Thursday, August 11, 2016 4:18 PM
To: 'CommunityLeadershipAlliance'
Subject: RE: PCN for 1092 Post-1104 Polk: 2016-002498CUA Jackalope Expansion

Hi David,

Sure thing, I'll add it to 160184.

Best,

Erica Major
Assistant Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102
Phone: (415) 554-4441 | Fax: (415) 554-5163
Erica.Major@sfgov.org | www.sfbos.org

 Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

From: CommunityLeadershipAlliance [mailto:admin@communityleadershipalliance.net]
Sent: Thursday, August 11, 2016 4:03 PM
To: Major, Erica (BOS) <erica.major@sfgov.org>
Subject: Re: PCN for 1092 Post-1104 Polk: 2016-002498CUA Jackalope Expansion

Dear Ms. Major,

Would you please add the support letter below to the subject application's file?
Thank You
David Villa-Lobos
415-921-4192

----- Forwarded message -----

From: Chris Schulman <chris.schulman@gmail.com>
Date: Tue, Aug 2, 2016 at 12:45 PM
Subject: 2016-002498CUA Jackalope Expansion
To: planning@rodneyfong.com, "Richards, Dennis (CPC)" <dennis.richards@sfgov.org>,

wordweaver21@aol.com, richhillissf@yahoo.com, christine.d.johnson@sfgov.org,
mooreurban@aol.com, cwu.planning@gmail.com, "Perry, Andrew (CPC)" <andrew.perry@sfgov.org>

Honorable Commissioners,

I wanted to take a moment and email my support for the Jackalope expansion that will be before you on the consent calendar this Thursday.

I have met with the proprietor and under these circumstances, at this location, I believe this bar expansion is desirable for the neighborhood. This bar, which is at the corner of the NCD, will benefit the neighborhood by additional activation at a corner which is actually fairly quiet, and even with expansion will still be a small to moderate size bar. Along with the expansion, the owner has agreed to enhance the sound proofing, which will benefit the residents above.

There are additional bars that have discussed expansion. I want to be ahead of the game and state that this expansion was carefully considered. The location and size and scope, including that there is no entertainment led me to lend support to this project. Other projects will be considered on their merits and I still fully support the Restricted Use District and believe that over concentration of liquor establishments remain an issue in Lower Polk. Other projects may not meet the necessary or desirable threshold in the future.

I regret that my work schedule will likely not allow me to testify on this case should it be pulled from consent for any reason. I do look forward to likely testifying later in the afternoon, again work schedule permitting on 1433 Bush Street, which, after revisions I, along with my colleagues on Lower Polk Neighbors Board, fully support.

Best regards,

Chris Schulman

LIQUOR LICENSE REVIEW

TO: Planning Department
AnMarie Rodgers/CTYPLN/SFGOV
Georgia Powell/CTYPLN/SFGOV@SFGOV
Fax No.: (415) 558-6409

File: 160184

TO: Police Department
Inspector Nelly Gordon
Phone: (415) 837-7273

DATE: February 24, 2016

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: April 6, 2016, to Erica Major, Public
Safety and Neighborhood Services Committee Clerk.

Erica.Major@sfgov.org - Fax No: 554-7771

Applicant Name: Cory Hunt
and Business Name: Jackalope
(1104 Polk Street)

Applicant Address: Cory Hunt
1092 Post Street
San Francisco, CA 94109
and Phone No. (916) 601-1872

PLANNING COMMENTS: Approval Denial

POLICE COMMENTS: Approval Denial

12/16/2015

Attn: California Alcoholic Beverage Control
33 New Montgomery Street, Ste. 1233
San Francisco, CA. 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2015 FEB 24 AM 10:46

[Handwritten signature]

Re: Type 48 Application [Expanding Square Footage of an Already Licensed Premise]

1092 Post Street, 1104 Polk Street. dba Jackalope
San Francisco, CA. 94109

Attn: California Alcoholic Beverage Control, and San Francisco Board of Supervisors-

Lower Polk is a changing neighborhood and we've been a part of that positive transition over the past year. We've done two basic things to make that happen:

First, we've added regular, well-trained security, who are quick to diffuse situations and move along troublesome people likely to engage in criminal or otherwise negative behavior. We also have multiple visible security cameras outside to a) help police in case there is a crime and b) discourage criminals from acting out because they see the cameras there.

Second, we've changed the demographic by altering the music, refusing to serve problematic people, and a variety of other measures. Our demographic is one that is unlikely to engage in crime, and quick to report problems to our security to ensure that Jackalope continues to be a safe, welcoming place for people to hang out.

We've been so successful with these tactics that we've even had police officers stop by on several occasions to tell us how happy they are with the change we've brought to the neighborhood.

Even with all of our efforts, we still have some safety concerns that expansion would solve:

The current business in the space we would like to expand into is a payday loan location, which has attracted a crowd that can be difficult to deal with for a variety of reasons. For example, certain people that stand outside of that business are regularly offering drugs to anyone who walks by, which may be targeting the customer base, or it may be because that business is

160184

closed at 6 pm, which allows people to stand out front for much of the night with little interference. Allowing us to move into that space and implement the same security and customer measures we have at Jackalope would discourage that crowd from engaging in criminal behavior at that location. We are confident that regularly having security people at two businesses (in addition to cameras) directly next to each other later into the night would help deter a substantial amount of crime in the area.

Additionally, as we've grown more popular, capacity has become more of a concern, and adding an additional exit would solve that problem. Allowing us to expand would ensure more space for our customers, allow us to get customers out easier and more safely at closing, and, most importantly, would add an exit in case there were ever a need for an emergency evacuation.

Hours of Operation: 12:PM to 2:AM

Kind Regards,


Cory Hunt, Owner

Jackalope

916. 601.1782

cohunt@gmail.com

Jim Saxton, Liquor Licenses of San Francisco Bay Area

925. 689.6766

sfliqorlicenses@gmail.com

David J. Villa-Lobos, CLA Consulting

415. 921.4192

admin@communityleadershipalliance.net