

**RECOMMENDED  
CONDITIONS OF APPROVAL**

**PLN15-0032  
1517 East 14th Street  
Alameda County Assessor's Parcel Number 077-0545-031-00  
Long Beer'd LLC (applicant) and  
B. Gordon, J. Gordon, J. Mitchell (property owners)**

**I. COMPLIANCE WITH APPROVED PLANS**

A. The project shall comply with Exhibits A through M, attached to the staff report dated November 5, 2015, except as hereinafter modified. (Exhibits are on file at the City of San Leandro, Community Development Department, 835 East 14<sup>th</sup> Street, San Leandro, California, 94577).

Exhibit A – Cover Sheet  
Exhibit B – Site Survey  
Exhibit C – Site Plan and Elevations  
Exhibit D – Demolition Plan  
Exhibit E – Proposed Floor and Ceiling Plan  
Exhibit F – Enlarged Plans and Finish Schedule  
Exhibit G – Exiting and Accessibility  
Exhibit H – Building Sections  
Exhibit I – Interior Elevations  
Exhibit J – ADA Guidelines  
Exhibit K – Misc Details  
Exhibit L – Ceiling Details/Partition Types  
Exhibit M – Schedules

B. The applicant and property owner shall be responsible for assuring that any successor in interest who assumes responsibility for this zoning approval is informed of its terms and conditions.

**II. PERMITTED USES**

A. The Conditional Use Permit is an approval to establish an approximate 1,919 square foot craft beer tavern, defined in the San Leandro Zoning Code as a Bar, that will offer craft beer, draft wine, and craft soda with seating for 65 patrons within an existing building at 1517 East 14th Street; Assessor's Parcel Number 077-0545-031-00.

B. The business may be open to customers from 11 a.m. to 11 p.m. Sunday through Thursday and 11 a.m. to 12 a.m. Friday through Saturday. Any expansion or modification to the hours shall be requested in writing to the Community Development Director, who may approve the request or direct the matter to the Board of Zoning Adjustments.

C. Alcohol shall be served in appropriate containers (e.g. beer shall be poured into a glass and not served in its original glass or aluminum container).

- D. The subject site and Bar are limited to a Type 42 On Sale Beer & Wine – Public Premises license from the Department of Alcoholic Beverage Control. A Type 48 On Sale General – Public Premises license, which includes distilled spirits, shall not be allowed at the site and for the Bar.
- E. These conditions of approval shall be prominently posted at the business and shall be distributed to all staff and employees.

### **III. ON-SITE IMPROVEMENT/ADDITIONAL PERMITS**

- A. Applicants shall obtain the necessary permits to operate the business in the City of San Leandro, including a San Leandro Business License and any necessary permits required under State law or regulations.
- B. Prior to issuance of a business license for the use, the applicant shall submit precise details for signage to be proposed for the facade for review by the Community Development Director. Said details shall include but are not limited to location, color, or copy.
- C. Prior to issuance of a business license for the use, the applicant shall submit precise details for any proposed new lighting for the site. Any new outdoor lighting that would be used in the evening shall be fitted with light fixtures that have cut-offs, or shields, to eliminate any light spill over in accordance with “dark sky” protocols. Said lighting shall be subject to the review and approval of the Community Development Director.

### **IV. ENGINEERING AND TRANSPORTATION REQUIREMENTS**

- A. Pursuant to Government Code Section 66020, including Section 66020 (d) (1), the City HEREBY NOTIFIES the applicant for this Project that the 90-day approval period (in which the applicant may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) will begin on the date of the conditional approval of this Project. If you fail to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, you will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
- B. The proposed development shall comply with City ordinances, policies and regulations. All improvements shall be in accordance with the City’s Design Standards, Specifications and Standard Plans unless otherwise specifically approved by the City Engineer.
- C. The applicant shall pay design review fees, permit fees, inspection fees, sewer connection fees, and any other fees charged by the City or other reviewing agencies for the review, approval, permitting and inspection of the public and/or private improvements.

- D. The applicant shall obtain an Encroachment Permit from the Engineering and Transportation Department and pay encroachment permit fees for any work within the public right-of-way prior to the issuance of building permits for the project.
- E. The applicant shall have site improvements designed and stamped by a civil engineer registered to practice within the State of California. Applicant shall obtain approval of the City Engineer for all on and off site improvements prior to the issuance of Building Permits for the project.
- F. The applicant shall remove any unused driveways or damaged driveways, sidewalk, and curb and gutter along the full property frontage and shall construct new City standard driveway, sidewalk, curb and gutter in place of the removed items.
- G. The applicant shall comply with the following high standards for sanitation during construction of improvements: garbage cans, construction dumpsters, and debris piles shall be removed on a minimum weekly basis. All food related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers only and shall be regularly removed from the site. Inspections, conducted as part of the regular construction compliance, will be conducted to ensure compliance of the Applicant and contractors with this requirement.
- H. All on-site storm drain inlets shall be labeled “No Dumping – Drains to Bay” using thermoplastic paint.
- I. If food preparation or service becomes a part of the operations, the project shall have a sink or other contained area for cleaning floor mats, equipment, and hood filters, which is connected to a grease interceptor prior to discharging to the sanitary sewer system. The cleaning area shall be large enough to clean the largest mat or piece of equipment to be cleaned. The cleaning area shall be indoors or in a roofed area outdoors; both areas must be plumbed to the sanitary sewer. Outdoor cleaning areas shall be designed to prevent stormwater run-on from entering the sanitary sewer and to prevent stormwater run-off from carrying pollutants to the storm drain. Signs shall be posted indicating that all food/beverage service equipment washing activities shall be conducted in this area. The applicant shall contact the local sanitary district for specific connection and discharge requirements.
- J. Interior floor drains shall be plumbed to the sanitary sewer system and shall not be connected to storm drains.
- K. The applicant shall prevent spills and properly manage those that happen by immediately cleaning the spills with rags, absorbents, or wet dry vacuum. Fluids shall not accumulate or run across surfaces. The applicant shall never wash spills down, or allow spills to flow into storm or sewer drain inlet. Clean up absorbents immediately following their use.
- L. If installed, the applicant shall service oil/grease interceptors at least quarterly, and/or as more often as may be required by the City.

- M. If installed, the applicant shall service the under-sink grease traps at least weekly, or as more often as may be required by the City.
- N. The Project shall provide a roofed and enclosed area for dumpsters, recycling containers, compactors, and food waste containers. The area shall be designed to prevent water run-on to the area and runoff from the area and to contain litter and trash, so that it is not dispersed by the wind or runoff during waste removal. Dumpster drips from covered trash and food compactor enclosures shall be contained in the area or drained to the sanitary sewer.
- O. Sidewalks and parking lots shall be swept regularly to minimize the accumulation of litter and debris. Steam cleaning or low volume pressure washing may be performed only after pre-cleaning using dry methods, spot cleaning and recover in stained areas and removal of all mobile pollutants. Debris resulting from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Washwater containing any soap, cleaning agent or degreaser shall not be discharged into the storm drain.
- P. All on-site storm drains must be inspected and, if necessary, cleaned at least once a year immediately prior to the rainy season. Additional cleaning may be required by the City.

#### **V. ALAMEDA COUNTY FIRE DEPARTMENT REQUIREMENTS**

- A. The project shall comply with the applicable building and fire codes: Fire Extinguishers shall be provided with a rating of 2A 10B:C and with a sign identifying its location. 1 fire extinguisher for every 1,500 square feet of area.
- B. A Knox Box shall be provided for Fire Department access at the entrance.
- C. Illuminated Exit signs shall be provided at each means of egress.
- D. Emergency Lighting shall be provided throughout the facility.

#### **VI. BUILDING AND SAFETY DIVISION REQUIREMENTS**

- A. Based on the square footage and type of occupancies, architect needs to comply with the CBC Sec. 707 and 903.2.1.2 regarding Fire Barrier and Automatic Sprinkler Systems.

#### **VII. ENVIRONMENTAL SERVICES REQUIREMENTS**

- A. If CO<sub>2</sub> storage is greater than or equal to 1000 cubic feet (at STP), a Hazardous Materials Business Plan is required to be submitted to the California Environmental Reporting System at [cers.calepa.ca.gov](http://cers.calepa.ca.gov).

#### **VIII. PUBLIC WORKS REQUIREMENTS**

- A. Applicant is required to confirm trash enclosure's capacity for additional solid waste material and/or bins. All solid waste, recycling and organic materials must be contained inside of said enclosure at all times.

- B. Maintenance - The property owner, occupant and tenants shall maintain enclosure free of litter and other debris in accordance with San Leandro Municipal Code §3-15-215.
- C. Recycling Requirements - Applicant is subject to Alameda County Mandatory Recycling Ordinance#2012-01. Applicant should note organics service will be required by July 2016, business must provide space for organics bin(s) at that time

## **IX. SAN LEANDRO POLICE DEPARTMENT REQUIREMENTS**

- A. Any employee acting in the capacity of “security” must be readily identifiable as such, minimally with a shirt with large lettering stating “SECURITY” on the front and back – not to be covered by a jacket or other clothing item.
- B. No less than one State-certified security officer from a licensed security company is required between 8:00 p.m. and 12:00 a.m., Friday and Saturday nights, during any televised special sporting events shown in the bar, such as professional boxing, World Cup Soccer, Super Bowl, WWF/UFC/MMA fights, and similar events, OR at any time when community events, such as the Sausages and Suds Festival, Cherry Festival, Miracle on E. 14th St. and/or any other community events occur in which patrons of the community event may enter the establishment to consume alcoholic beverages.
- C. No live entertainment events, to include bands, comedy acts or professional dancing show without first applying for and being granted proper permit(s) from the City of San Leandro.
- D. Wall-mount digital music player (juke box) is acceptable. Music may only be played between 8:30 a.m.–12:00 a.m.
- E. No events utilizing a third-party promoter/marketing advertiser shall be allowed at any time.
- F. Alcoholic beverage service to end one-half hour before scheduled time of closing or at 1:30 a.m., whichever comes first.
- G. Max capacity of patrons and employees not to exceed the number as previously identified by the Alameda County Fire Marshall.
- H. Patrons may not enter the office or any designated “employee only area” at any time.
- I. Security cameras capable of digitally-recording audio and video for at least 72 hours must be installed inside and outside of the bar, covering the bar, entry/exit doors and parking lot. Video shall be made accessible to law enforcement upon request.
- J. Posting of all signage shall occur pursuant to section 25612.5 B&P.

- K. The business, owners, employees and operators will cooperate fully with the San Leandro Police Department regarding any criminal or community-related matters.
- L. Employees are to complete an ABC LEADs instructional training course within 3 months of hire and every 2 years thereafter.
- M. Business to participate in SLPD's Crime Free Business Program.
- N. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 48 hours of being applied.
- O. The rear doors of the premises shall be equipped on the inside with an automatic locking device and shall be closed at all times, and shall not be used as a means of access by patrons to and from the licensed premises. Temporary use of these doors for delivery of supplies does not constitute a violation.
- P. There shall be no amusement machines or video game devices in the premises at any time.
- Q. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on the ABC-257 dated and ABC-253.
- R. The petitioner(s) shall provide off-street parking spaces for vehicles for use by patrons of the premises.
- S. The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
- T. Trash shall not be emptied between the hours of 2am and 8am, nor after 10pm at night.
- U. No person under the age of 21 shall sell or deliver alcoholic beverages.
- V. No pay phone will be maintained on the interior or exterior of the premises.
- W. Loitering is prohibited on or around these premises or this area under the control of the licensee(s) as depicted on the ABC-257 dated and ABC-253.
- X. The possession of alcoholic beverages in open containers and the consumption of alcoholic beverages is prohibited on or around these premises as depicted on ABC-253.
- Y. The licensee shall keep the property, adjacent to the licensed premises and under the control of the licensee(s) as depicted on ABC-253, clear of newspaper racks, pay telephones, and any other objects which may encourage loitering.

- Z. Peace officers, as listed in Section 830.1 of the California Penal Code, and the Director and other persons employed by the Department of Alcoholic Beverage Control for the administration and enforcement of the Alcoholic Beverage Control Act are hereby authorized to visit and inspect the proposed premises as outlined in red on form ABC-257, at any time the undersigned is exercising the privileges authorized by the license on such premises.

## **X. CONSTRUCTION PROVISIONS**

- A. Construction activity shall not commence prior to 7:00 a.m. and shall cease by 7:00 p.m. Monday through Friday, and construction activity shall not commence prior to 8:00 a.m. and shall cease by 7:00 p.m. on Sunday and Saturday. No such construction is permitted on Federal holidays. As provided in the City of San Leandro's Noise Ordinance (ORDINANCE NO. 2003-005), "construction" shall mean any site preparation, assembly, erection, substantial repair, alteration, demolition or similar action, for or on any private property, public right-of-way, streets, structures, utilities, facilities or similar property. Construction activities carried on in violation of this Article may be enforced as provided in Section 4-1-1130, and may also be enforced by issuance of a stop work order and/or revocation of any or all permits issued for such construction activity.
- B. Construction activity shall not create dust, noise, or safety hazards for adjacent residents and properties. Dirt and mud shall not be tracked onto East 14<sup>th</sup> Street or surrounding streets from the project site.
- C. Truck hauling activities shall be restricted to 8:00 a.m. to 5:00 p.m. There shall be no truck hauling activity on Saturdays, Sundays and legal holidays.
- D. Procedures with the highest noise potential shall be scheduled for daylight hours, when ambient noise levels are highest.
- E. The contractor(s) shall be required to employ the quietest among alternative equipment or to muffle/control noise from available equipment.

## **XI. MAINTENANCE**

- A. The site shall be well-maintained and shall be kept free of litter, debris and weeds.
- B. Any graffiti on the portion of the property occupied by the applicant shall be removed.
- C. Garbage service shall be arranged through the appropriate franchised waste hauler and shall include trash, recycling and green/food waste service. Any complaints due to storage of food waste on site shall be remediated immediately.
- D. All signage shall be kept in a good, clean, sound condition at all times; any damages shall be promptly repaired.

## **XII. GENERAL CONDITIONS**

- A. The approvals granted by the City as a result of this application, as well as the Conditions of Approval, shall be recorded in the office of the County Recorder of Alameda County.

- B. No application for amendment of the application or Conditions of Approval may be accepted or submitted for processing by the City unless (i) there is full compliance with all terms of the application and Conditions of Approval; or (ii) the Community Development Director waives compliance with the terms of the application and Conditions of Approval pending application for the amendment.
  
- C. Pursuant to Zoning Code Section 5-2218, this approval shall lapse on November 5, 2016 unless a) a building permit has been issued, coupled with diligent progress evidencing good faith intention to commence the intended use, or b) a written request for a one-year extension of the site plan review is approved by the Community Development Director.