Motion disapproving decision of the Planning Commission by its Motion No. 18042, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street; Motion authorizing conditional use subject to the conditions imposed by the Planning Commission, by its Motion No. 18042, as amended by the Board on May 4, 2010, and subject to additional conditions imposed by the Board of Supervisors on May 4, 2010.

MOVED, That the decision of the Planning Commission by its Motion No. 18042, dated March 4, 2010, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street to change the existing non-conforming entertainment use of the "Nob Hill Masonic Center" to "Other Entertainment," pursuant to Planning Code Sections 182(B)(1) and 723.48, and to add permanent food and beverage service for patrons of entertainment and assembly events, pursuant to Planning Code Section 238(D), on a property within the RM-4 (Residential Mixed, High-Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, on property located at 1111 California Street, Lot No. 020 in Assessor's Block No. 0253, is disapproved; and be it

FURTHER MOVED, That the Board of Supervisors hereby approves the issuance of Conditional Use Application No. 2008.1072C on property located at 1111 California Street, Lot No. 020 in Assessor's Block No. 0253, subject to the conditions imposed by the Planning Commission in its Motion No. 18042, dated March 4, 2010, as amended by the Board of Supervisors on May 4, 2010, and subject to the additional conditions imposed by the Board on May 4, 2010, as set forth below:
Amending Condition No. 9: No more than 3,300 patrons shall be permitted for events in the auditorium on the main floor level and mezzanine level of the Masonic Center.

Amending Condition No. 10: There shall be an annual maximum of 85 live entertainment events held at the Masonic Center that start at 7:00 p.m. or later, of which no more than 60 live entertainment events may utilize general admission attendance without assigned seating for patrons in the lower (floor) level of the auditorium. There shall be an annual maximum of 20 events not involving live entertainment held at the Masonic Center that start at 7:00 p.m. or later.

Amending Condition No. 13: All events shall conclude by 11:00 p.m. on weeknights (non-holiday Sunday-Thursday evenings) and 11:30 p.m. on weekends (Friday, Saturday, and holiday evenings). Up to three events per year may extend until 1:00 a.m. on weekends (Friday, Saturday, and holiday evenings), subject to prior consultation with and approval by the San Francisco Police Department, the San Francisco Planning Department, and the Entertainment Commission a minimum of 30 days prior to the date of such event.

Amending Condition No. 14: All patron queuing for events with general admission attendance shall occur within the interior of Masonic Center property, i.e. the main lobby area and Exhibition Hall.

Amending Condition No. 17: There shall be a fixed parking fee for events with more than 1,250 ticketed attendees.

Amending Condition No. 20: The Project Sponsor shall minimize vehicular queuing on California Street by use of the following strategies events with more than 1,250 ticketed patrons:

• Increase traffic staffing inside the California Street garage entrance to increase the rate of vehicular entry to the garage.
Position security personnel (including San Francisco Police Department services when warranted) outside the garage to assist with controlling and directing traffic, including directing patrons to other nearby garages if and when the Masonic Center garage is full.

- Convert the center lane of the existing garage entrance ramp to a second inbound lane to increase queuing room within the garage.

- Event staff shall ensure u-turns are prevented and that the cable car lane is free flowing.

Amending Condition 24: The Project Sponsor shall use the Pine Street loading dock for all loading and unloading to the commercial kitchen and for normal building operation supplies.

24(a) The Pine Street loading area shall be upgraded to enclose end of ramp and improve access to passenger elevators.

Amending Condition 26: The Project Sponsor shall seek a special event “no parking” permit from the Police Department whenever it anticipates loading or bus operations on California Street and direct trucks to park in that zone. No double-parking of trucks shall be permitted. The Project Sponsor may load and unload from the California Street curb only stage sets, performance equipment, and related materials associated with specific events. Pursuant to the regulations of the Department of Building Inspection, a sign shall be posted on the access ramp during loading and unloading operations that notifies disabled persons of the duration of the loading and provides specific information about alternative means of disabled access into the building, which alternative access shall be maintained at all times during loading and unloading operations on California Street.

26(a) Performers shall use the house system for primary sound and lights.

Amending Condition 28: Personnel conducting loading and unloading activities on California Street shall be instructed to minimize the volume of conversation and prohibit the
playing of amplified music outside the building during loading and unloading, particularly
during nighttime hours.

28(a) There shall be no loading or unloading on California Street before 7:00
a.m.

28(b) Scheduled event loading on California Street shall be limited to 125 days
per year.

Amending Condition No. 31: During the one and one-half hour period prior to the start
of events, no more than two performer buses shall park on the south side of California Street,
so that the remainder of the 185-foot long curbside area is available for attendee unloading
and loading and vehicle queuing into the garage. The Project Sponsor shall direct any
additional buses to park in other bus parking zone(s) the City chooses to designate near the
corner of California and Taylor Streets, such as on Taylor Street adjacent to Huntington Park
or on the north side of California Street. The Project Sponsor shall make best available efforts
to evaluate and demonstrate to the Zoning Administrator the physical and operational
feasibility of storing performer buses at nearby off-street parking facilities during events.

31(a) The Project Sponsor shall make commercially reasonable best efforts to
secure space in the closest parking garage to park the maximum number of performer buses
that can fit inside that garage and if space is secured from the garage owner, that number of
buses shall be parked inside the garage.

Amending Condition No. 36. Following the conclusion of the last intermission of an
event, a maximum of two publicly-accessible concession stands and one "VIP" concession
stand (not accessible by the general public) may serve alcoholic beverages. One hour prior to
the conclusion of an event, line markers shall be placed at the end of each of the lines. No
patron approaching a line for a concession stand after the placement of the line marker will be
served an alcoholic beverage, with the intent that alcohol service will conclude 45 minutes prior to the end of an event.

36(a) There shall be no minimum purchase required and a maximum of two drinks served per order.

Amending Condition 39: The Planning Department shall report to the Planning Commission on the status of compliance with these conditions of approval within 6 months following the re-opening of the auditorium after construction is completed, and every 6 months thereafter for the first four years of post-construction operations, and once a year after the first 4 years upon the request of the District Supervisor or the Chief of Police. If the Zoning Administrator determines, or the Planning Commission requests, a public informational hearing may be held on the compliance report. A copy of the Planning Department’s report to the Planning Commission shall be provided to the Project Sponsor, the San Francisco Police Department, and the Nob Hill Association (or successor organization).

Adding Condition 42: Project Sponsor shall be required to comply with all noise ordinance limits in Municipal Police Code 29, or any successor ordinance.

Adding Condition 43: If an event has presented a pattern of safety and security problems in previous concert seasons or at other venues, then the Project Sponsor shall consult with the Police Department to determine whether the Project Sponsor can provide adequate safety and through utilization of its security personnel, contracted private security and/or on-duty or off-duty Police officers. To the extent that the Chief of Police reasonably determines, based entirely on the ability to provide safety and security and not on the expressive content of the event, that the Project Sponsor cannot provide adequate safety and security for any proposed event or that the event’s historic pattern establishes that safety and security issues cannot be adequately handled at this venue regardless of the Project Sponsor’s security plan, the Chief of Police may order that the event shall not be held. This
provision does not supersede any subsequent regulations regarding place of entertainment permits.

Adding Condition 44: Project Sponsor shall comply with Administrative Code Section 10-B, and if off-duty officers are hired pursuant to subsections thereof, a minimum of two officers be hired for events with 1,250 or more presold tickets; if SFPD determines that more than two officers are required, the project sponsor shall provide the additional officers.

Adding Condition 45: Project Sponsor shall encourage the use of public transit through its on-line marketing sites, including links to transit providers.
Motion disapproving decision of the Planning Commission by its Motion No. 18042, approving
Conditional Use Application No. 2008.1072C on property located at 1111 California Street.

May 04, 2010 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE
BEARING NEW TITLE
Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and
Mirkarimi
Noes: 1 - Alioto-Pier

May 04, 2010 Board of Supervisors - APPROVED AS AMENDED
Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and
Mirkarimi
Noes: 1 - Alioto-Pier

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on 5/4/2010
by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board