



**CITY OF HAYWARD**  
**AGENDA REPORT**

Planning Commission

Meeting Date 2/22/01

Agenda Item \_\_\_\_\_

**TO:** Planning Commission

**FROM:** Richard E. Patenaude, AICP, Acting Principal Planner

**SUBJECT:** Use Permit Application No. 00-160-19 – Yemane Tsegay (Applicant), Alfred Antonini (Owner): Request to Establish a Nightclub/Restaurant within an Existing Commercial Building - *The Property Is Located at 1004 "B" Street at Main Street in a CC-P/C (Central City – Plaza/Commercial) District*

**RECOMMENDATION**

Staff recommends that the Planning Commission *deny* the conditional use permit for the proposed nightclub/restaurant subject to the attached findings.

**DISCUSSION**

The applicant proposes to operate a nightclub/restaurant ("Club Velvet") within the building at the northeast corner of "B" and Main Streets. Alcoholic beverages, coffee and food would be served. The proposed food service menu is limited and the applicant would not be prepared to deliver full meal service for six to nine months following the opening of the facility. The planned hours of operation are Monday through Wednesday 11:30 a.m. to 10:00 p.m.; Thursday through Saturday 11:30 a.m. to 2:00 a.m.; and Sunday 1:00 p.m. to 10:00 p.m. Dinner seating would end at 8:30pm. Live music is planned Sunday through Wednesday 7:00 p.m. to 10:00 p.m., and Thursday through Saturday 7:00 p.m. to 2:00 a.m.

Nightclubs require approval of a Conditional Use Permit in the *Central City – Plaza/Commercial Subdistricts*. No changes to the exterior of the building are anticipated; new signs would be subject to review by the Citizens Advisory Board.

Background

The building occupies approximately 3,870 square feet of the 4,050-square-foot property, with 45 feet of frontage on "B" Street and 86 feet of frontage on Main Street. It consists of two stories; a portion of the second story is leased for office use. The proposed use would occupy the entire first floor and the second-story mezzanine. There is minimal on-site parking;

however, the property is near Municipal Parking Lots 1 and 2, and no additional on-site parking would be required. The building was constructed in 1938 as a bank. A church occupied the building from 1994 to 1998. The lower floor has been vacant since that time.

The property is surrounded by a variety of retail and service commercial uses, including a number of entertainment and food service uses. The Green Shutter Hotel building directly to the south contains *The Bistro* (approximately 1,000 square feet), which serves specialty beers and other beverages along with a lunch menu; live music is featured during the evening hours. Also located within the Green Shutter is *Rue de Main*, a restaurant with a full lunch and dinner menu. *Buffalo Bill's* (approximately 4,400 square feet), at the easterly end of the block, is a micro-brewery with a full lunch and dinner menu. *Dave's Dance Place* is located on "B" Street to the west; it offers no food or beverage service. *Rumors*, a bar, is located immediately to the north. The Planning Commission also recently approved a use permit for another bar, *The Turf Club*, to the north on Main Street. *The Turf Club* was relocated from its previous location on Mission Boulevard due to the *Albertson's* project, now under construction; its relocation required an attempt to keep it within the redevelopment project area and the permit did not result in the issuance of an additional liquor license.

The downtown is generally located within the *Central City - Commercial (CC-C)* Zoning Subdistrict. In addition, the frontages along "B" and Main Streets are located in the *Central City - Plaza* Subdistrict. The General Plan land use designation is *Retail & Office Commercial (ROC)*.

#### Zoning/General Policy Plan Issues

The purpose of the "CC-P" Subdistrict is to establish a unique environment of retail and other complementary uses contributing to the pedestrian nature and quality image of "B" and Main Streets. The *Core Area Plan* states that

*"the fundamental principle that must drive any changes to "B" Street is that there be continuous, active retail uses visible and directly accessible from the street. The store's contents, advertising and displays should be diverse and variegated to enliven the pedestrian environment."*

The applicant believes that the proposed use fulfills the City's objectives because the business will be open in the afternoon and evening hours, serving food to an "upscale" clientele while jazz music is played in the background. However, meal service would be a secondary function as the number of tables available for this function is limited and meal service is proposed to end at 8:30pm.

In staff's opinion, the limited food service provided by the proposed *Club Velvet* would not provide an active draw and limits its desirability for inclusion in the downtown mix of uses. The floor plan indicates that the primary function of the facility is as a nightclub. A greater number of tables would be reserved for the bar service than for the food service, and the food-service tables are relegated to the perimeter of the facility. Additionally, it does not appear

that the applicant has adequately planned for the necessary kitchen facilities; the plans indicate only a hastily-drawn kitchen area following urging from staff that food service would be appropriate for this location. The type of food service provided is not unique and does not add to the variety already provided in the immediate area.

The General Policies Plan states that "pedestrian amenities, cultural facilities, and open space resources will be augmented and negative aspects constrained in making the downtown area an attractive center for the whole City." One of the strategies for compliance with this policy is to "prohibit ... establishment of new uses such as card parlors, pawn shops, and bars that will detract from the enhancement of downtown."

While the consumption of alcohol is a part of community life, it is important to manage alcohol availability in the downtown in a positive way that enhances the economic and social character of this vital area of our City. The successful revitalization of downtown will likely include new restaurants and entertainment facilities, many of which will sell alcoholic beverages and will hopefully become an asset to downtown. However, staff believes the applicant has not demonstrated that the proposed use will primarily function as other than a nightclub. While this "B" Street block face can accept another alcoholic beverage outlet (two may be permitted per block face with *Buffalo Bill's* as the only existing outlet), the proposed facility will not enhance the character of this area. Rather than be complementary to other uses, it will increase the availability and visibility of alcohol establishments adjacent to this highly-visible intersection in a manner that is not consistent with the desired redevelopment of downtown. A full-service facility, including entertainment and unique food and beverage service accessible to all segments of the population, would better meet the goals of the General Plan Policies for the downtown.

The Police Department believes that the proposed business raises public safety concerns. Past experience suggests that this type of facility quickly reduces its food service and the use becomes solely a nightclub characterized by lines of people waiting to gain entry into the building; the surrounding sidewalks do not provide sufficient space to accommodate such lines as well as other pedestrian traffic. Rather than acting to "enliven the pedestrian environment," such sidewalk activity could act to dissuade pedestrian traffic. There already is a high number of service calls related to the public consumption of alcohol and public drunkenness in the Downtown; an additional outlet would require additional police resources that could affect the quality of life in other portions of the City as police resources are shifted away from the neighborhoods. They believe that alcoholic beverages are readily available in the Downtown area. An increase in alcoholic beverage off-sale availability would further compromise the safety of residents and visitors who frequent the Downtown area.

## ENVIRONMENTAL REVIEW

Projects that are denied do not require CEQA review. If the Planning Commission were to elect to approve the project, the hearing should be continued to allow time to prepare the necessary environmental documents and conditions of approval.

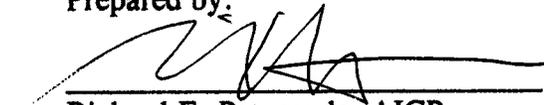
## PUBLIC HEARING NOTICE

On December 4, 2000, a Notice of Public Hearing was mailed to every property owner and occupant within 300 feet of the property as noted on the latest assessor's records. Staff has received four letters objecting to the proposal, including one from CommPre citing the experience of the operators, the limited food service, the lack of a feasibility study, and the overconcentration of alcohol beverage outlets in the downtown.

## CONCLUSION

Staff does not share the applicant's belief that the proposed use is appropriate for the downtown. Staff believes that, due to its limited service and accessibility, the proposed use will primarily function as a bar or cocktail lounge due to its limited food service. Rather than be complementary to other uses, it will increase the availability of alcohol in a manner that is not consistent with the desired redevelopment of downtown. Therefore, staff recommends that the Planning Commission deny the Use Permit for the proposed nightclub/restaurant facility.

Prepared by:



Richard E. Patenaude, AICP  
Acting Principal Planner

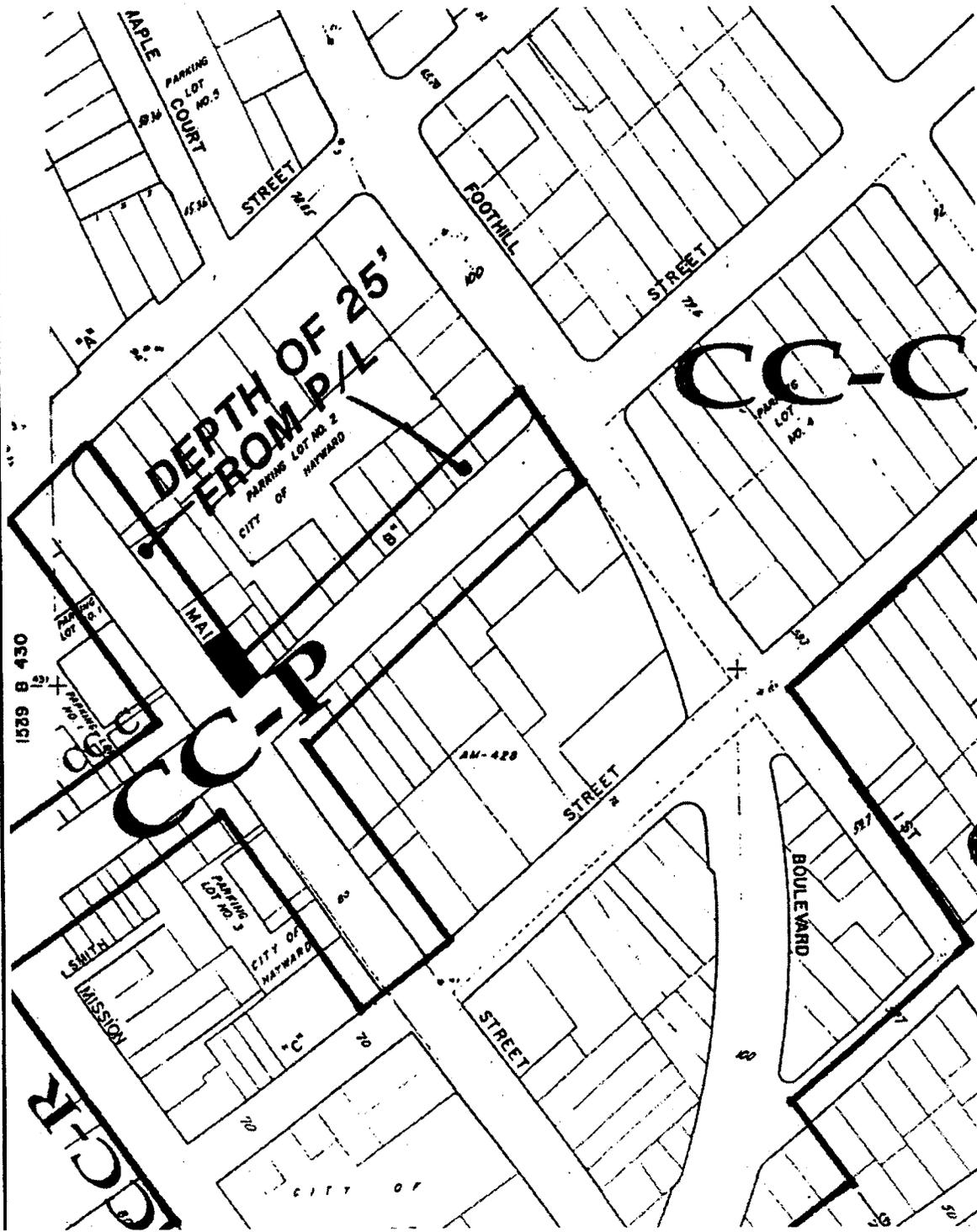
Recommended by:



Dyana Anderly, AICP.  
Planning Manager

Attachments:

- A. Area/Zoning Map
- B. Findings for Denial
- C. Plans
- D. Letters



Area & Zoning Map

UP 00-160-19

Address: 1004 B Street

Applicant: Alfred Antonini

Owner: Yemane Tsegay

ATTACHMENT A

**FINDINGS FOR DENIAL**  
**Use Permit Application 00-160-19**  
**Yemane Tsegay (Applicant)**  
**Alfred Antonini (Owner)**  
**1004 "B" Street**

1. The proposed facility, which primarily functions as a nightclub, is not desirable for the public convenience or welfare in that, as proposed with limited food service, it is detrimental to the desired pedestrian-oriented and quality uses envisioned for the downtown area and proposes a service already sufficiently provided by businesses such as *The Bistro, Buffalo Bill's, Rue de Main* and *Rumors*;
2. The proposed facility will impair the character and integrity of the *Central City - Plaza (CC-P)* District as it does *not* provide a unique and high-quality service amid the existing and proposed mix of pedestrian-oriented uses desired for the downtown area and which otherwise may be located in the subject structure in that meal service is a secondary function to the nightclub operation, that the proposed business would increase the availability and visibility of alcohol in a manner not consistent with desired development, and that the proposed business would impair public safety in the downtown and the city as a whole;
3. The proposed facility will be detrimental to the public health, safety, or general welfare in that the proposed use introduces an additional alcohol beverage outlet that may be detrimental to the existing and proposed mix of pedestrian-oriented uses desired for the downtown area, an area already served by establishments selling alcoholic beverages; and
4. The proposed facility will not be in harmony with applicable City policies as the *General Policies Plan* envisions that additional bars not be permitted in the downtown area and as the facility provides only limited food service.
5. Projects that are denied do not require review pursuant to CEQA.

# **Business Plan Outline for Club Velvet**

## ***The Club Velvet***

Club Velvet  
1004 B. St.  
Hayward Ca  
510 888-9337

## ***Summary***

Club Velvet will be a Jazz Club located in downtown Hayward California planning to open in spring 2001. This venue will provide a unique environment to enjoy Jazz music in the downtown area. A combination of a full service restaurant, espresso coffee bar with an appetizer menu and a full service bar is planned to afford a relaxed social experience for our patrons. The full restaurant is scheduled to open late summer or early fall of 2001. Live and recorded jazz music will be offered.

The downtown Hayward area is currently undergoing a major redevelopment incorporating additional high-density housing, City of Hayward building upgrades and street improvements. We believe that the high vacancy rate, development of new housing and businesses and a lack of this type of venue offering jazz music in the area enables a major opportunity to enhance the downtown area for local businesses, shoppers and new residences of the new housing.

## ***Ownership***

The club is owned by Mr. Yemane Tsegay of San Jose Ca and will be managed by his son Mr. Peter Tsegay also of San Jose Ca. This is a sole proprietor minority owned business.

Prepared by Anthony Morin for Mr. Yemane Tsegay & Mr. Peter Tsegay  
Revised version 1/05/2001

## ***History and Position to Date***

### **Introduction**

Club Velvet is a new endeavor in the downtown Hayward area. It is being patterned after Kimball's East in Emeryville Ca. offering a combination of Jazz music and food service. Late dining and live entertainment will be offered three nights a week. This was not initially planned as a full service restaurant however we are proceeding with the planning for this option and are scheduling the restaurant to open approximately 6 months after our initial opening not to exceed 9 months after initial opening. We will commit to this as a condition of a Conditional Use Permit.

### **Mission Statement**

Club Velvet's management team mission is to create a unique experience in the appreciation of Jazz for it's patrons and associates alike. We endeavor to become a magnet for upscale clientele into the area and serve our local residential and business as an incubator for new clients and businesses into the downtown area.

### **Community Expectations**

The City of Hayward expects a unique upscale Jazz Club and restaurant that will accent the downtown redevelopment currently under way. There is a large number of new high density housing units being built in the immediate area as well as a general sprucing up the downtown area.

### **Management Team**

Mr. Peter Tsegay	COO & Club Manager
Mr. Jacque Pryor	Operations & Entertainment Manager
Mr. Preston Powell	Community & Entertainment Advisor

### **Products and Services**

- Jazz music both live groups and recorded.
- Espresso coffee bar with appetizer menu. \*
- Interim limited menu for 1<sup>st</sup> 6 to 9 months of operation. \*
- Full service restaurant to open late summer 2001. \*
- A full bar serving mixed drinks, beer and wine.
- Late dinner and dancing 3 nights a week.
- Open to all ages during all business hours.
- Available for private parties, wedding receptions etc.
  
- See attachments

## ***Market***

### **Community Support and Reaction**

Several local businesses including Sea Angles Touch have shown very positive support to this venue in the downtown area, recognizing our potential to be a draw for clients and new businesses into the downtown area.

COMPREE, community prevention for alcohol problems, has expressed concern based on the number of liquor licenses per census track in this area. We are working with them reviewing our plans to focus on the jazz entertainment and food service aspects of our business.

### **Customers**

Our target customer is upscale and part of the local businesses, patrons of those business, local residence as well as Jazz fans through out the East Bay.

### **Features**

Live entertainment Sunday to Wednesday 7:00pm to 10:00 pm and Thursday to Saturday 7:00pm to 2:00am. Recorded music will be used during all other hours of operation.

### **Customer Expectations**

Our customer will want a relaxed safe environment to enjoy a full sit-down meal or a light snack during the day or a full evening of live Jazz entertainment.

### **Competitors**

There are no local businesses offering this unique venue. The closest Jazz Club is in Emeryville Ca that offers a full service dinner restaurant open evenings and weekends only.

## ***Business Strategy***

### **Operating Hours**

Planned hours of operation are as follows:

- Sunday 1:00 pm to 10:00 pm
- Monday to Wednesday 11:30am to 10:00 pm
- Thursday to Saturday 11:30am to 2:00am
- Dinning seating until 8:30pm

### **Pricing Policy**

The pricing policy will be built around attempting to develop "a target customer" who is both affluent and Jazz fans. We plan to provide an environment for our patrons that will focus on the appreciation of Jazz along with a dinning in a comfortable setting. This approach has been very successfully employed at Kimball's East in Emeryville.

### **Advertising and Promotion**

Advertising in the A&G newspaper group have already been placed and will continue. Promotion with local radio stations and a cooperative effort with other Jazz Clubs in the area will be a second prong in this strategy. Joint usage of jazz acts will afford effective use of networking in the "Jazz Community".

A phone recording 510 887-9337 is operating and will have current information on entertainment groups scheduled.

### **Entertainment and Entertainment Groups**

We will acquire our groups to provide the live entertainment though the Operation Manager Jacque Pryor. Jacque has 14 years experience in the Jazz entertainment business in northern California area and is well known to several hundred local and out of town jazz groups. We expect to pay a range of \$250 to \$1000 per group. We will use a DAT taping system in house to provide jazz music during hours when live jazz in not being provided. This type of tape music system is currently in use at a great number of clubs and is considered preferable to compact disk or other methods by our operations manager.

### **Staffing**

A high caliber enthusiastic staff is key to support the venue we put forward and to serve our customer expectations. In addition to an appreciation of jazz and a complete understanding our customer expectations staff will attend training provided in Hayward addressing responsible serving of alcohol and resources in handling of patron situations that may occur as a result of alcohol consumption.

### **Location**

1004 B. St. Hayward Ca

This location is an old *elegant* bank building in the heart of the downtown area.

## ***Forecasting***

### **Financial Forecasts**

Financial projections are based on assumptions made in conjunction with the input of Mr. Jacque Pryor retained as operations manager. Mr. Pryor has extensive experience in this type of business in the east bay. Our plans will be updated to include the full restaurant option at a later time.

### **Door Count**

We are projecting an initial average door count Monday thru Thursday of 75 per day off-peak and 125 per evening on-peak, Friday off-peak of 100 on-peak of 200, Saturday off-peak of 60 on-peak of 250, and Sunday an overall average of 75. It needs to be noted that these door counts are very conservative as this part of downtown currently has a high vacancy rate approximately 40%. When additional business open and the high-density housing are occupied our door traffic will increase in all time slots.

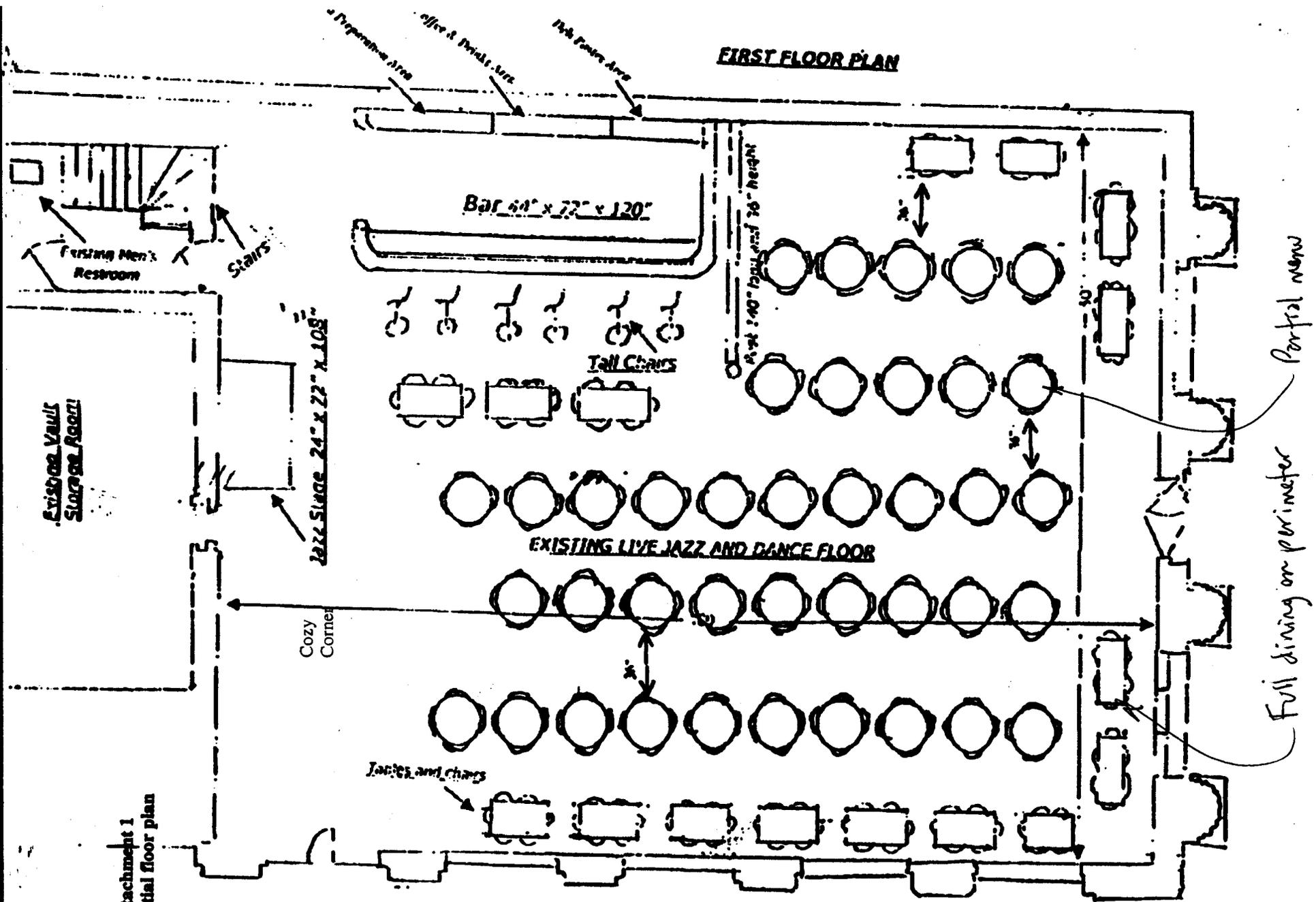
### **Sensitivity Analysis**

There has been an evaluation of public parking immediately available for both the quantity of available spaces as well as adjacency for security considerations for our patrons. SEAL-MAR Security President Tommie Turner completed this survey. His findings were very favorable and have been documented.

### **Financing Requirements**

Mr. Yemane Tsegay owner will provide all financing. Mr. Tsegay plans to invest \$75,000 to \$100,000 into the building for fixtures, painting, carpets and equipment. The full restaurant option being planned will revise these financing figures and will be updated at that time.

**FIRST FLOOR PLAN**



Existing Vault Storage Room

Stairs

Existing Men's Restroom

Jazz Stage 24" x 22" x 108"

Bar 60" x 72" x 120"

Tall Chairs

EXISTING LIVE JAZZ AND DANCE FLOOR

Cozy Corner

Jackets and chairs

Partial menu

Full dining on perimeter

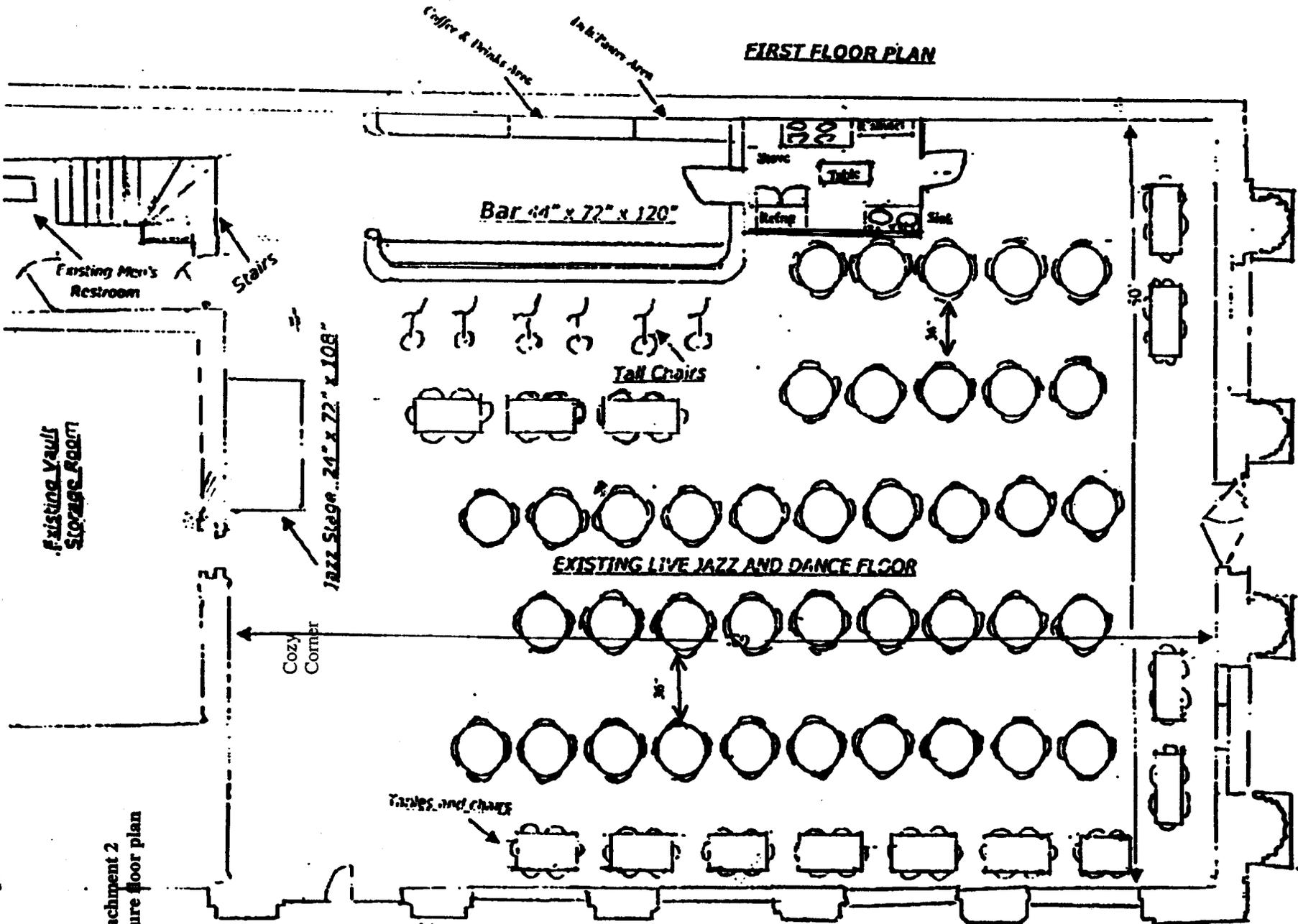
Attachment 1  
Initial floor plan

Initial Restaurant Layout Floor Plan

Aplicant's Name: Vincenzo Toppo  
858 S. Cypress Ave.  
San Jose, Ca 95117  
Phone: (408) 247-882.

Name and Location of Property  
Irwin's Pub  
1024 B St  
Hayward, Ca 94542

**FIRST FLOOR PLAN**



Existing Vault Storage Room

Attachment 2  
Future floor plan

Full Restaurant Layout Floor Plan

Application of Some Yucca Therapy  
358 S. Cypress Ave.  
San Jose, Ca 95117  
Phone: (408) 247-4421

Name and Location of Property  
Bar/Therapy Club  
1805 B St  
Hayward, Ca 94541

**Soup**

Soup of the Day (Ask your Server) ..... 4.50

**Salads**

Baby Mixed Greens Salad ..... 6.50  
*With balsamic or blue cheese dressing*

Caesar Salad ..... Small 5.50 Lg. 8.50

Baby Spinach Salad ..... 8.95

*With smoked chicken, spicy walnuts, pickled onions, tossed with walnut vinaigrette*

Bay Shrimp, Tomato, Avocado Salad ..... 8.75

*With balsamic vinaigrette*

**Appetizers**

Dungeness Crabcake ..... 9.25

*With a mixed corn relish*

Garlic Bread..... 4.50

Spicy Buffalo Wings ..... 6.95

*With ranch dressing*

Special Appetizer (Ask Your Server) ..... 9.95

**Dinners**

Grilled Salmon ..... 17.50

*With key lime caper butter sauce, served with rice pilof or mash potatoes and sauteed vegetables*

New York Steak ..... 17.95

*Served with garlic mashed potatoes or vegetables (seasonal)*

Fried Catfish ..... 15.95

*With french fries*

Kimball's Bay Seafood Salad Sandwich ..... 11.95

*on wheat bread w/a cup of Clam Chowder*

Chicken Breast Marsala Fettecine ..... 15.95

*Served with sautéed vegetables (seasonal)*

**Desserts**

Chocolate Decadence Cake with Berry Sauce ..... 5.50

Pie of the day (ask your server) ..... 5.50

Cheese Platter ..... 8.95

Fruit Platter ..... 8.95

15% Tax and Gratuity for Parties of 6 or more.  
 Visa, Mastercard, and American Express Accepted

Initial menu

**Soup**

Soup of the Day (Ask your Server) ..... 4.50

**Salads**

Baby Mixed Greens Salad ..... 6.50  
*With balsamic or blue cheese dressing*

Caesar Salad ..... Small 5.50 Lg. 7.50

Baby Spinach Salad ..... 8.95

*With smoked chicken, spicy walnuts, pickled onions, tossed with walnut vinaigrette*

Bay Shrimp, Tomato, Avocado Salad ..... 8.75

*With balsamic vinaigrette*

**Appetizers**

Dungeness Crabcake ..... 9.25

*With a mixed corn relish*

Garlic Bread..... 4.50

Spicy Buffalo Wings ..... 6.95

*With ranch dressing*

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*on wheat bread w/a cup of Clam Chowder*

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Cheese Platter ..... 8.95

Fruit Platter ..... 8.95

15% Tax and Gratuity for Parties of 6 or more.  
 Visa, Mastercard, and American Express Accepted

## Espresso menu



### Starlight Coffee Co.

has carefully chosen a fine selection of coffee from around the world. Our coffee beans are locally roasted to ensure the very freshest cup of coffee.

#### **Regular Coffees**

Colombian - Dark French  
Costa Rica - Dark French  
Guatemalan - Full City  
Kona Blend - Full City, 1/2 Colombian  
Kenyan - Light French  
Celebes - Light French  
Sumatran - Dark French

#### **Decaf Coffees**

Colombian Decaf - Dark French  
Indonesian Blend Decaf - Dark French  
Vanilla Hazelnut Decaf - Full City

#### **Flavored Coffees**

Vanilla Hazelnut - Full City  
Irish Creme - Full City

Starlight Blend - Dark French, Full City  
Gene & Larry's Special Blend - Blend of Dark Frenches

*(Whole beans available by the pound or 1/2 pound)*

#### **Granita . . .**

Try our Delicious "Starlight Homemade Granita Recipe" to satisfy that summer thirst - available year round.

#### **All Our Coffee Drinks . . .**

Available decaffeinated or regular, with single or double espresso shots. We use lowfat milk, or nonfat milk upon request.

#### **Other Beverages . . .**

Try a steaming cup of hot chocolate, or choose from a wide variety of teas, or a refreshing Italian soda in many flavors.

#### **Breakfast Pastries . . .**

We proudly feature "LeBoulangier" pastries delivered fresh daily.

#### **Make Starlight Coffee Co.**

##### **Your Morning Stop**

for the freshest in pastries, bagels, croissants or muffins.

Ask about our special "Starlight Continental Breakfast" or

##### **Make Starlight Coffee Co.**

##### **Your Evening Stop**

after your dinner, meeting, or late night movie, for a delicious sweet slice of carrot cake or cheesecake for dessert.

#### **Assorted Desserts Available**

for that sweet tooth,  
White Chocolate Cheesecake, Chocolate Fantasy Cake, Dutch Apple Cheesecake, Carrot Cake and More!!!

### **Starlight Coffee**

will strive to provide the very best quality in coffee, juices, pastries & bagels. Quality coffee and excellent customer service are our priorities at Starlight Coffee Co.

#### **Regular Blend**

Our finest house blend.

#### **Americano Espresso**

Strong tasting coffee made with dark roasted beans.

#### **Espresso**

Brewed for rich flavor. For a perfect espresso look for the creme floating on top.

#### **Cafe Latte**

A single espresso, with steamed milk.

#### **Cappuccino**

Espresso with a little steamed milk topped with foam.

#### **Mocha**

Coffee and chocolate combined for a delicious taste.

Espresso, chocolate and steamed milk topped with whipped cream.

#### **Espresso Con Panna**

A single espresso topped with whipped cream.

#### **Espresso Macchiato**

Classic espresso topped with the lightest foam skimmed from steamed milk.

Or try a cup of steaming

#### **Hot Apple Cider**

#### **Hot Chocolate**

#### **Gourmet Hot Chocolate**

(choose from 24 delicious flavors)

#### **Herbal Teas - bags or loose**

(available in bulk)

#### **Summer Favorites**

Ice tea    Ice Cappuccino  
Ice Coffee Drinks    Italian Sodas (24 varieties)  
Gourmet juices - small & large

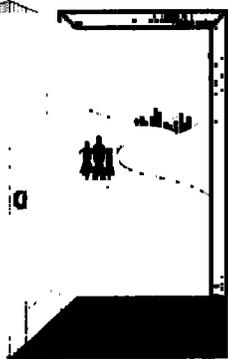
**RECEIVED**

FEB 1 2001

PLANNING DIVISION

February 1, 2001

**COMMPRE**



Richard Patenaude, Acting Principal Planner  
Department of Community Economic Development  
City of Hayward  
777 B. Street  
Hayward, Ca 94541

Subject: Yemane Tsegay, UP-00-160-19

Dear Mr. Patenaude:

Hayward Citizens for Responsible Liquor Outlets would like to express our opposition to the application for Club Velvet to locate in downtown Hayward on 1004 B. Street.

This address is located in census tract 4354, which is severely over concentrated with alcohol outlets. Currently, there are 33 on-sale active licenses, where 5 are allowed according to the California Alcoholic Beverage Control (ABC). In addition, there are six establishments with liquor licenses within 100 feet of the proposed location.

In order to make a decision to either support, remain neutral or oppose Club Velvet; we met with the applicant's representative Tony Morin and the proposed Operations Manager Jacque Pryor.

After our meeting, we decided to oppose the application for Club Velvet for the following reasons:

1. The applicants have no experience running this type of establishment.
2. Jacque Pryor was hired on a contractual basis only. If the applicants fail to follow his suggestions for the business he could leave at any time.
3. The plans for food service are not well developed and it is unknown when the food service would actually be available.
4. No feasibility study was done to show that this club would be successful in the City of Hayward.
5. The plan for alcohol service continues to change. For example, the applicant originally planned to sell alcohol after 5 p.m. and now plans to sell it during all business hours.

For the above reasons, we respectfully request that the Planning Commission deny this application.

Sincerely,

*Maureen C. Bessette*  
Maureen C. Bessette  
HCRLO

22652 Second Street  
Hayward, CA 94541  
(510) 247-8207  
(510) 247-8210 fax



A program of  
Horizon Services, Inc.

ATTACHMENT D

**ANTHONY B. VARNI**

22771 MAIN STREET

P.O. BOX 778

HAYWARD, CALIFORNIA 94543

(510) 886-5000

FACSIMILE  
(510) 538-8797

December 8, 2000

Commissioner Edward Bogue, Secretary  
Planning Division  
CITY OF HAYWARD  
729 Poinciana Street  
Hayward, CA 94545-2111

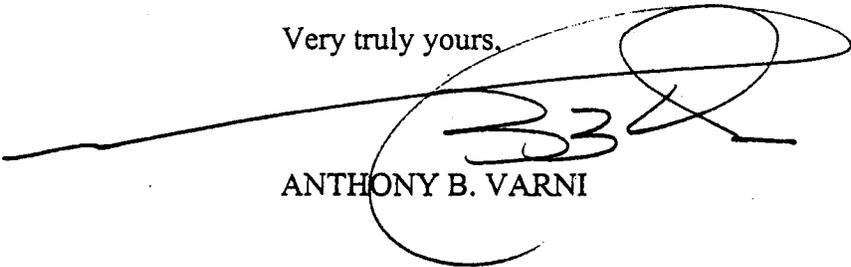
Re: Reference: (UP) 00-160-19  
Yemane Tsegay (Applicant)  
Alfred Antonini, Owner

Dear Mr. Bogue:

I am the owner of the property at 22561 Main Street, Hayward. This property is immediately across Main Street from the proposed location of the Jazz/Dance facility. Before making your decision with regard to this matter, I would request that you take the opportunity to visit the various bars and entertainment facilities which presently exist on Main Street and B Street within one block of the subject property. I would suggest that you visit them either about 4 o'clock in the afternoon or 9:30 in the evening. After you have taken this opportunity, if you still feel that there is some redeeming social value to add the Jazz Club at the corner of B Street and Main, may the Planning Gods go with you.

I would also ask, in evaluating this application that you remember the prior difficulties the City has had with nightclubs, in particular Miquels and The Loft. Also don't forget the difficulties that the County has had with the nightclubs in the Castro Valley area. For some reason these operations draw people to the area who tend to resolve their intolerance for the rights of others with violence. I will make every opportunity to attend the Planning Commission hearing. However, if I do not, please consider these my thoughts and position with regard to this application.

Very truly yours,



ANTHONY B. VARNI

ABV;jes

November 20, 2000

City Of Hayward  
Department of Community and Economic Development  
777 B. Street  
Hayward Ca 94541-5007  
Attn. Mr. Richard Patenaude  
Re. Pending Application for Mr. Peter Tsegay

Dear Richard,

I have been asked to provide Mr. Peter Tsegay impute and evaluation from a financial perspective relevant to his pending proposal to open a Jazz Club at 1004 B St. to be called Club Velvet.

My perspective of this project is aided by approx. 7 yrs. in Operations Management with Macys as well as over 10 years of managing stores for Lenscrafters and C&R Clothiers. In all these positions I held direct responsibilities for Profit & Loss as well as volume generation. I am currently engaged in the Financial Services sector.

I find Mr. Tsegay's plan to provide this unique form of entertainment in Hayward exciting for the community of Hayward from both a "Community & Fiscal Perspective".

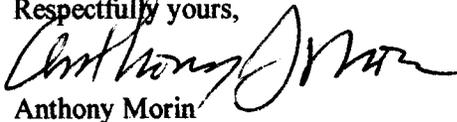
In reviewing this I have found the following items worthy of special mention:

***Downtown location currently zoned for this and approx. 50 vacant  
Incubator Business to attract new business to this area.  
Over \$100,000 in planned enhancements to an "Elegant Building"  
Tax revenue-generating for the City of Hayward.  
Food service and hours of operation conducive to both daytime and evening cliental.  
Venue complimentary to Hayward City Festival.  
Parking availability in the immediate area is very good.  
History of "Total Community Involvement" by Mr. Tsegay in both the Eritrean & the  
General community at large.***

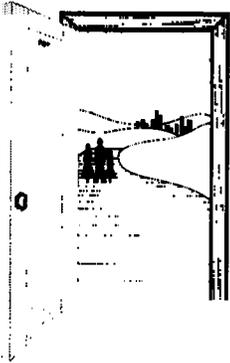
Mr. Tsegay has also taken the extra steps of securing advice on Security considerations in the area and has received strong support for this as well as his overall project from both the Security Advisor, several letters from the community and a favorable press.

I believe the uniqueness of this venue combining family casual friendly environment, food service, stimulating entertainment, and a tax revenue-generating source add a much need enhancement to downtown Hayward.

Respectfully yours,

  
Anthony Morin

COMMPRE



November 15, 2000

RECEIVED

NOV 17 2000

Richard Patenaude, Acting Principal Planner  
Department of Community Economic Development  
City of Hayward  
777 B Street  
Hayward, CA 94541-5007

PLANNING DEPT.

Subject: Peter Tsegay, UP-00-160-19  
Jazz/Dance Club 1004 'B' Street, Hayward

22652 Second Street  
Hayward, CA 94541  
(510) 247-8207  
(510) 247-8210 fax



A program of  
Horizon Services, Inc.

Dear Richard:

We have not received the application for this jazz/dance club. However, based on the information we have about the address, CommPre is opposed to this club locating in downtown Hayward.

This address is located in census tract 4354, which is severely over concentrated with alcohol licensed establishments. Currently there are 33 on-sale active licenses, where 5 are allowed, according to the California Alcoholic Beverage Control (ABC). There are 9 off-sale establishments, where 3 are allowed.

Currently there are at least six establishments with liquor licenses within 100 feet of this proposed jazz/dance club. We do not believe the addition of another liquor license for a dance club would be in the best interest of the community. The City of Hayward has repeatedly stated that it is seeking businesses that would bring patrons to the central business district during day time hours. This application would not be consistent with the city's goal.

The spirit of the conditional use permit includes preventing the undue concentration of alcohol establishments and the undesirable impacts on the community stemming from such establishments.

For these reasons we respectfully request that the Planning Commission upholds the city ordinance and deny this application.

Very truly yours,

Linda A. Pratt, M.A.  
Program Director

Cc: Hayward Police Department

Okey Justine  
25323 Ironwood Ct  
Hayward CA 94545  
(510) 782-6317

11/2/00

Richard Patenaude  
Planning Dept  
Hayward City Hall

Sir,

I am a resident of the city and wish to support the Velvet Club proposal on B Street and Main, I think this will not increase the property value in that area, but will equally bring business to merchants in the downtown area.

I can be reached on the above address or phone #. Thanks  
Okey Justine.

ANTHONY B. VARNI  
22771 MAIN STREET  
P. O. BOX 778  
HAYWARD, CALIFORNIA 94543  
(510) 886-5000

FACSIMILE  
(510) 538-8797

**RECEIVED**

OCT 05 2000

PLANNING DIVISION

October 4, 2000

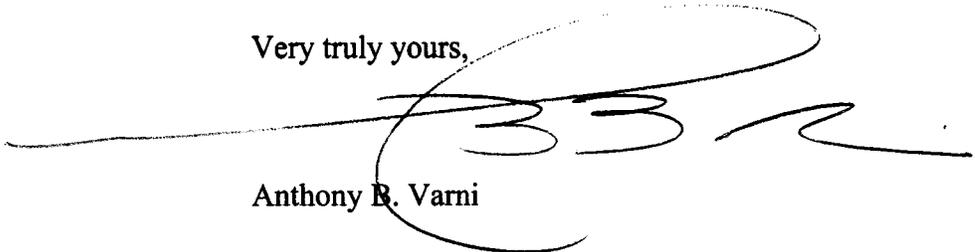
Richard E. Patenaude, AICP  
Planning Division  
777 "B" Street  
Hayward, CA 94541

Dear Mr. Patenaude:

Re: 1004 "B" Street, Hayward

I am in receipt of the City of Hayward's Official Notice regarding a proposal for a jazz/dance facility that offers live or recorded music with food and alcohol at the above-referenced address. As a property owner in this vicinity, I object to this proposal, because I feel there are already too many bars on Main Street near its "B" Street intersection. If this proposal is granted, there will be five (5) bars within a two block area.

Very truly yours,

  
Anthony B. Varni

ABV/ch/14  
patenaude.ltr

ATTACHMENT D

**From:** "Richard McKelvey" <rlmcke@hotmail.com>  
**To:** COHD.CED(RichardP)  
**Date:** Wed, Oct 4, 2000 12:55 PM  
**Subject:** jazz/dance facility at 1004 B st.

Richard:

In the mail today came the notice of the application for a jazz/dance facility which would serve food and alcohol. I am opposed to such a facility at that location. We do not need another alcohol (bar) facility in down town Hayward. I feel this sort of establishment would not meet the current city effort to establish a "family oriented" down town.

Thank you for the opportunity to express my opinion.

Richard McKelvey  
The Century Mark  
982 B St  
Hayward Ca. 94541

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Get Your Private, Free E-mail from MSN Hotmail at <http://www.hotmail.com>.

Share information about yourself, create your own public profile at <http://profiles.msn.com>.