

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Matt Dorsey, Chair
Public Safety and Neighborhood Services Committee

FROM: Monique Crayton, Assistant Clerk

DATE: December 13, 2024

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, December 17, 2024

The following file should be presented as COMMITTEE REPORT at the regular Board meeting on Tuesday, December 17, 2024. This resolution was acted upon at the regular Public Safety and Neighborhood Services Committee meeting on Thursday, December 12, 2024, at 10:00 a.m., by the votes indicated.

Item No. 29 File No. 241052

Resolution determining that the issuance of a Type-48 on-sale general public premises liquor license to VBC SF LLC, to do business as Vita Brevis Club, located at 969 Market Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Matt Dorsey - Aye
 Supervisor Joel Engardio - Aye

cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Brad Russi, Deputy City Attorney

File No. 241052

Committee Item No. 1

Board Item No. 29

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Ngbh Services

Date: December 12, 2024

Board of Supervisors Meeting:

Date: December 17, 2024

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract / DRAFT Mills Act Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

- Police Department Report – 112224
- Planning Department Review – 110524
- PC or N Referral to Planning and Police – 102524
- PC or N Request Letter – 102324
- _____
- _____
- _____
- _____
- _____

Prepared by: Monique Crayton

Date: December 6, 2024

Prepared by: Monique Crayton

Date: December 13, 2024

Prepared by: _____

Date: _____

1 [Liquor License Issuance - 969 Market Street - Vita Brevis Club]

2

3 **Resolution determining that the issuance of a Type-48 on-sale general public**
4 **premises liquor license to VBC SF LLC, doing business as Vita Brevis Club,**
5 **located at 969 Market Street (District 6), will serve the public convenience or**
6 **necessity of the City and County of San Francisco, in accordance with California**
7 **Business and Professions Code, Section 23958.4; and requesting that the**
8 **California Department of Alcoholic Beverage Control impose conditions on the**
9 **issuance of the license.**

10

11 WHEREAS, VBC SF LLC, is seeking the issuance of a Type-48 on-sale general
12 public premises liquor license to do business as Vita Brevis Club, located at 969 Market
13 Street (District 6); and

14 WHEREAS, The Planning Department has verified that the area is properly
15 zoned and recommends approval; and

16 WHEREAS, The Police Department has filed zero protests and zero letters of
17 support with the Department of Alcoholic Beverage Control under California Business
18 and Professions Code, Section 24013, and recommends that the Department of
19 Alcoholic Beverage Control issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the
21 following: 1) Petitioner(s) shall actively monitor the area under their control in an effort
22 to prevent the loitering of persons on any property adjacent to the licensed premises as
23 depicted on the ABC-253; 2) (1) Except as provided in Condition 2 below, no noise shall
24 be audible beyond the area under the control of the license; (2) Any noise caused by
25 entertainment or amplified sound that is subject to the provisions of an active

1 Entertainment Permit issued by the San Francisco Entertainment Commission shall be
2 authorized in accordance with the limits established by that Entertainment Permit,
3 including any limitation on hours during which entertainment or amplified sound is
4 permitted. A violation of the entertainment or amplified sound noise conditions of the
5 Entertainment Permit, as determined by the San Francisco Entertainment Commission
6 (or any successor agency), shall be deemed to be a violation of this Condition. Any
7 noise that is not subject to, or is beyond the scope of, the Entertainment Permit shall be
8 subject to Condition 1 above. "Entertainment Permit" means any of the following: a Just
9 Add Music permit, a Limited Live Performance permit, a Place of Entertainment permit,
10 a Fixed Place Amplified Sound permit, or any similar such permit issued by the San
11 Francisco Entertainment Commission; 3) At any time the premise is providing live
12 entertainment the petitioner(s) shall have two (2) uniformed security guard(s) on the
13 premises and shall maintain order therein to prevent any activity which would interfere
14 with the quiet enjoyment of their nearby residents, or the surrounding community. The
15 uniform security guards must be licensed by the State of California Department of
16 Consumer Affairs; now, therefore, be it

17 RESOLVED, That in accordance with California Business and Professions Code,
18 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
19 hereby determines that issuance of a Type-48 on-sale general public premises liquor
20 license to VBC SF LLC, doing business as Vita Brevis Club, located at 969 Market
21 Street, will serve the public convenience or necessity of the City and County of San
22 Francisco; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors of the City and County of
24 San Francisco hereby endorses and adopts the recommendations of the Police
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1 Department listed above and recommends that the Department of Alcoholic Beverage
2 Control issue the license with those conditions.

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San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
Public Convenience or
Necessity Recommendation

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

Supervisor Catherine Stefani
Supervisor Matt Dorsey
Supervisor Joel Engardio

From: Lt. David Goff #1465
Officer in Charge **ASGT. ANDREW FROINES #2050 AF#2050**
ALU/Permits Unit 415-553-9550
For Lt. Goff #1465

Date: November 22, 2024

Subject: P.C.N. Investigation Regarding: First Owner: VBC SF LLC.
DBA: Vita Brevis Club
969 Market St.
San Francisco CA. 94103
ABC File # 48-661061

VBC SF LLC., operating as “Vita Brevis Club”, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 48 (On Sale General for Public Premises) license to be located at 969 Market St. (located between 5th St. and 6th St.)

Hours of Operation:

6am to 2am each day of the week.

Digest:

“VBC SF LLC.” would like to operate a On Sale General for Public Premises to be located at 969 Market St. If approved, this license will allow them to sell Wine, Beer, and Distilled Spirits.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From August 5, 2023 to August 5, 2024

18 calls for service

Police Reports:

From August 5, 2023 to August 5, 2024

0 police reports

San Francisco Plot Information:

This premise is located in Plot: 210A

A High Crime area is defined as **103** or more police reports in a plot for the year of **2023**.

This plot had 1,171 police reports for **2023**, which is 1,068 **Higher** than the **Citywide** **“High Crime”** average.

State Census Tract Information:

This premise is located in Census Tract: **176.02**
Population for this tract is: **3,649**

On-sale license authorized by census tract: **12**
Active on-sale licenses: 38 with 0 pending

Off-sale licenses authorized by census tract: **3**
Active off-sale licenses: 6 with 0 pending

Departmental Recommendation:

Points of consideration: **0**

No opposition from **Tenderloin Station**.

Applicant premise **is** located in a “**High Crime**” area.

Applicant premise **is** located in a “**High Concentration**” area.

0 - Protest.

0 - Support

ALU Recommendation: **Approval with the condition:**

1. Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the ABC-253.

2. 1) Except as provided in Condition 2 below, no noise shall be audible beyond the area under the control of the licensee. (SF district office only).

(2) Any noise caused by entertainment or amplified sound that is subject to the provisions of an active Entertainment Permit issued by the San Francisco Entertainment Commission shall be authorized in accordance with the limits established by that Entertainment Permit, including any limitation on hours during which entertainment or amplified sound is permitted. A violation of the entertainment or amplified sound noise conditions of the Entertainment Permit, as determined by the San Francisco Entertainment Commission (or any successor agency), shall be deemed to be a violation of this Condition. Any noise that is not subject to, or is beyond the scope of, the Entertainment Permit shall be subject to Condition 1 above.

“Entertainment Permit” means any of the following: a Just Add Music permit, a Limited Live Performance permit, a Place of Entertainment permit, a Fixed Place Amplified Sound permit, or any similar such permit issued by the San Francisco Entertainment Commission. (SF district office only)

3. At any time, the premise is providing live entertainment, the petitioner(s) shall have two (2) uniformed security guard(s) on the premises and shall maintain order therein to prevent any activity which would interfere with the quiet enjoyment of their nearby residents, or the surrounding community. The uniform security guards must be licensed by the State of California Department of Consumer Affairs.

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LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Attn: _____
Phone No. _____

DATE: October 25, 2024
AP Block/Lot Nos.: 3704/070
Zoning: C-3-G - downtown-general - 120-X

TO: Police Department
Andrew Froines
Phone No. (415) 837-7254

Quad: _____
Record No.: _____

Please submit your response within two weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in December of 2024.

PLEASE EMAIL YOUR RESPONSE by November 6, 2024, to:
Monique Crayton, Public Safety and Neighborhood Services Committee Clerk.
monique.crayton@sfgov.org ~ (415) 554-7750


Applicant name: VBA SF LLC

Business name: VITA BREVIS CLUB

Application address: 969 Market Street

**Applicant contact info: Nick Colla
415- 579-1412
nick@collaray.com**

PLANNING REVIEW: Approval Denial

Planning Staff Contact: 
Elizabeth Mau
(Please add comments on a trailing page.)

POLICE REVIEW: Approval Denial

(Please add comments in a trailing report.)

Recommend approval for an ABC Type 48 License for a Nighttime Entertainment Use (DBA Vita Brevis Club) principally permitted in a C-3-G Zoning District per Planning Code Section 210.2. Change of Use approved by Planning through 2024-005944PRL, BPA No. 202406275441 on 6/27/2024.

From: [Crayton, Monique \(BOS\)](#)
To: [CPC.Referrals](#); [Froines, Andrew \(POL\)](#); nick@collaray.com
Cc: [Alabanza, Analyn@ABC](mailto:Alabanza_Analyn@ABC); amarjit.tamber@abc.ca.gov; [Wong, Joanne \(POL\)](#); [Jonas, Stephen \(POL\)](#); [Logan, Sam \(BOS\)](#); [Dahl, Bryan \(BOS\)](#); [Ebadi, Mahanaz \(BOS\)](#); [Owen, David \(BOS\)](#); [Tam, Madison \(BOS\)](#)
Subject: Liquor License Issuance - 969 Market Street - Vita Brevis Club - BOS File No. 241052
Date: Friday, October 25, 2024 3:50:00 PM

Greetings,

The office of the Clerk of the Board has received a letter requesting public convenience or necessity findings for a liquor license issuance. I'm referring this matter to you for response via the following linked document:

[Referral Letter - Planning and Police Departments – October 25, 2024](#)

You may review the entire matter on our [Legislative Research Center](#) by following the link below:

- Board of Supervisors [File No. 241052](#)

After receiving review from the Planning and Police Departments, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for consideration in the license matter.

The Public Safety and Neighborhood Services Committee will tentatively schedule this hearing for a regular meeting in December of 2024.

I request the Planning Department's response before November 6, 2024. Please confirm receipt of this message.

You may review the fact sheet for public convenience or necessity requests from the San Francisco Board of Supervisors via the following link:

[Liquor License Public Convenience or Necessity Request](#)

Thanks for the review.

Monique C. Crayton (she/her)

Assistant Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7750 | Fax: (415) 554-5163

monique.crayton@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Attn: _____
Phone No. _____

DATE: October 25, 2024
AP Block/Lot Nos.: 3704/070
Zoning: C-3-G - downtown-
general – 120-X

TO: Police Department
Andrew Froines
Phone No. (415) 837-7254

Quad: _____
Record No.: _____

Please submit your response within two weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in December of 2024.

PLEASE EMAIL YOUR RESPONSE by November 6, 2024, to:
Monique Crayton, Public Safety and Neighborhood Services Committee Clerk.
monique.crayton@sfgov.org ~ (415) 554-7750

Applicant name: VBA SF LLC

Business name: VITA BREVIS CLUB

Application address: 969 Market Street

Applicant contact info: Nick Colla
415- 579-1412
nick@collaray.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: _____
(Please add comments on a trailing page.)

POLICE REVIEW: Approval Denial

(Please add comments in a trailing report.)



250 COLUMBUS AVE, STE #200
SAN FRANCISCO, CA 94133

Friday, October 18, 2024

Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Rm 244
San Francisco, California 94103

**Re: VBC SF LLC - Liquor License "PCN" Request, Type 48, Pending License 661061,
969 Market Street, San Francisco, California 94103**

To the Clerk of the Board:

The purpose of this letter is to respectfully request VBC SF LLC, doing business as the Vita Brevis Club ("Licensee") be placed on the Board's Calendar for Public Convenience and Necessity ("PCN") approval for the issuance of a California Department of Alcoholic Beverage Control ("ABC") Type 48 liquor license (the "License") at 969 Market Street (the "Premises").

The Licensee acquired the License, which was previously located at 5051 Mission Street, San Francisco, with the intention of transferring the License to the Premises for the purpose of operating a cocktail lounge with an art gallery theme that will feature emerging local artists. The Premises, which was most recently an art gallery, had been vacant throughout the majority of the pandemic.

The issuance of the License at the Premises will serve a public convenience and necessity to San Francisco, and especially the Mid-Market Street area, because it will not only activate an underutilized space on the Market Street corridor, but the business will generate much needed job opportunities for the service industry and will also promote local up and coming artists. While the Licensee seeks authorization to open from 6:00 a.m. to 2:00 a.m. so that it will have flexibility to host special events, normal business hours would range from 11:00 a.m. to 11:00 p.m. on Monday through Thursday and 11:00 a.m. to 2:00 a.m. on Friday through Sunday. By operating during evening hours, the issuance of the License will provide some much needed storefront activation during nonbusiness hours on the Market Street corridor.

As such, the Licensee seeks the Board of Supervisors' affirmative ruling that its application serves a public convenience and necessity to our City. Please contact me to schedule a hearing date. I can be reached at 415-579-1412 or via email at nick@collaray.com. Thank you in advance for your time and consideration.

Very Truly Yours,

Nick Colla
Colla & Ray LLP
Attorneys for VBC SF LLC

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2024 OCT 23 AM 9:30
BY [Signature]

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

ABC 211 (6/99)

Matthew Kemball

415 494 9769

TO: Department of Alcoholic Beverage Control
33 NEW MONTGOMERY STREET
STE 1230
SAN FRANCISCO, CA 94105
(415) 356-6500

File Number: 661061
Receipt Number: 2920461
Geographical Code: 3800
Copies Mailed Date: August 5, 2024
Issued Date:

303

DISTRICT SERVING LOCATION: SAN FRANCISCO

First Owner: VBC SF LLC
Name of Business: VITA BREVIS CLUB
Location of Business: 969 MARKET ST
SAN FRANCISCO, CA 94103-1701

County SAN FRANCISCO

Is Premises inside city limits Yes Census Tract: 0176.01

Mailing Address:(If different from premises address) 660 4TH ST #323
SAN FRANCISCO, CA 94103

Type of license(s): 48 Dropping Partner: Yes No

Transferor's license/name: 31119 / GRAND LODGE OF CALIFORNIA ORDER SON

Table with 4 columns: License Type, Transaction Type, Master, Secondary LT And Count. Row 1: 48 - On-Sale General Public Premises, EXC/PER/PRM, Y

Table with 6 columns: License Type, Transaction Description, Fee Code, Dup, Date, Fee. Rows include Application Fee (FEDERAL FINGERPRINTS, STATE FINGERPRINTS, LICENSE TYPE EXCHANGE, DBL TRF: PREMISES AND PERSON) and 48 - On-Sale General Public Pre ANNUAL FEE. Total Fee: \$3,103.00

Have you ever been convicted of a felony? No
Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? No

STATE OF CALIFORNIA County of SAN FRANCISCO Date: August 5, 2024

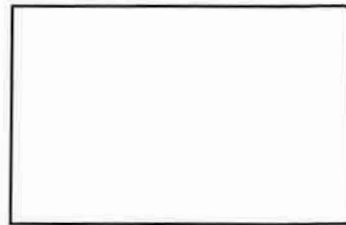
Applicant Name(s)

VBC SF LLC

RECEIVED BOARD OF SUPERVISORS SAN FRANCISCO 2024 AUG 12 AM 9:38

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor [] inquiries..."
- 5. City Attorney Request
- 6. Call File No. [] from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the Board on []

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Clerk of the Board

Subject:

Liquor License Issuance - 969 Market Street - Vita Brevis Club

Long Title or text listed:

Hearing to consider that the issuance of a Type-48 on-sale general public premises liquor license to VBC SF LLC, doing business as Vita Brevis Club, located at 969 Market Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco.

241052

Signature of Sponsoring Supervisor: