

File No. 230469

Committee Item No. 1

Board Item No. 29

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Public Safety and Ngbh Services

Date: June 8, 2023

Board of Supervisors Meeting:

Date: June 27, 2023

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- Budget and Legislative Analyst Report
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- Introduction Form
- Department/Agency Cover Letter and/or Report
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OTHER

- Police Department Report – June 1, 2023
- Planning Department Review – May 18, 2023
- PC or N Referral to Planning and Police – April 21, 2023
- PC or N Request Letter – April 14, 2023
- _____
- _____
- _____
- _____
- _____

Prepared by: John Carroll

Date: June 1, 2023

Prepared by: John Carroll

Date: June 21, 2023

Prepared by: _____

Date: _____

1 [Liquor License Issuance - 2565 Mission Street - Arena SF]

2

3 **Resolution determining that the issuance of a Type-90 on-sale general music**
4 **venue liquor license to Qualia Entertainment Inc., to do business as Arena SF**
5 **located at 2565 Mission Street (District 9) 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, Qualia Entertainment Inc., is seeking the issuance of a Type-90 on-
12 sale general music venue liquor license to do business as Arena SF, located at 2565
13 Mission Street (District 9); 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 one protest 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 ABC-253; 2) Entertainment provided shall not be audible at any nearby
24 residence or consideration point; and 3) Between the hours of 7:00 pm and 2:00 am, or
25 at any time the premises are providing entertainment, the petitioner(s) shall provide at

1 least one (1) uniformed security guard(s) on the premises and shall maintain order
2 therein and prevent any activity which would interfere with the quiet enjoyment of their
3 property by nearby residents or the surrounding community; the licensed uniform
4 security guard must be licensed by the State of California Department of Consumer
5 Affairs; now, therefore, be it

6 RESOLVED, That in accordance with California Business and Professions Code,
7 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
8 hereby determines that the issuance of a Type-90 on-sale general music venue liquor
9 license to Qualia Entertainment Inc., to do business as Arena SF located at 2565
10 Mission Street, will serve the public convenience or necessity of the City and County of
11 San Francisco; and, be it

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

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Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Thursday, June 1, 2023 6:23 PM
To: rennie23@gmail.com
Cc: Alabanza, Analyn@ABC; amarjit.tamber@abc.ca.gov; Donovan, Dominica (BOS); Ferrigno, Jennifer (BOS); Herrera, Ana (BOS); Lerma, Santiago (BOS); Prager, Jackie (BOS); CPC.Referrals; Salmonson, Joel (POL); Wong, Joanne (POL); Jonas, Stephen (POL)
Subject: RE: Liquor License Issuance - 2565 Mission Street - Arena SF - BOS File No. 230469
Categories: 230469

Greetings,

The Police Department has completed their review of the subject public convenience or necessity request and has forwarded their recommendations. For your convenience, I have the review available from the link below:

[Police Department Response – June 1, 2023](#)

The Police Department's ALU is recommending approval with the following conditions:

- 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 ABC-253;
- 2) Entertainment provided shall not be audible at any nearby residence or consideration point; and
- 3) Between the hours of (7:00 pm and 2:00 am), or at any time the premises are providing entertainment, the petitioner(s) shall provide at least one (1) uniformed security guard(s) on the premises and shall maintain order therein and prevent any activity which would interfere with the quiet enjoyment of their property by nearby residents or the surrounding community. The licensed uniform security guard must be licensed by the State of California, Department of Consumer Affairs.

The Public Safety and Neighborhood Services Committee will hold this hearing at 10 am on Thursday, June 8, 2023.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 230469](#)

Thanks for the review.

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445



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



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. Steve Jonas #79
Officer in Charge
ALU/Permits Unit 415-553-9550

Date: June 1, 2023

Subject: P.C.N. Investigation Regarding: Qualia Entertainment Inc.
DBA: Opal
2565 Mission St.
San Francisco, CA. 94110

Qualia Entertainment Inc. (Opal), has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 90 (On-Sale General Music Venue) license to be located at 2565 Mission St. (located between 21st St. and 22nd St.)

Hours of Operation:

7:00 pm to 2:00 am each day.

Digest:

Qualia Entertainment Inc. would like to operate a Music Hall with alcohol sales to be located at 2565 Mission St. If approved, this license will allow them to sell Beer, Wine and Distilled Spirits.

Letters of Protest

1

Letters of Support

0

Police Calls for Service:

From January 2022 to January 2023

5 calls for service

Police Reports:

From January 2022 to January 2023

3 police reports

San Francisco Plot Information:

This premise is located in Plot: **444**

A High Crime area is defined as 109 or more police reports in a plot for the year of **2022**.

This plot had 320 police reports for **2022**, which is 211 **higher** than the **Citywide "High Crime"** average.

State Census Tract Information:

This premise is located in Census Tract: **208.01**
Population for this tract is: **3,618**

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: **5**

No opposition from ?? **Station.**

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

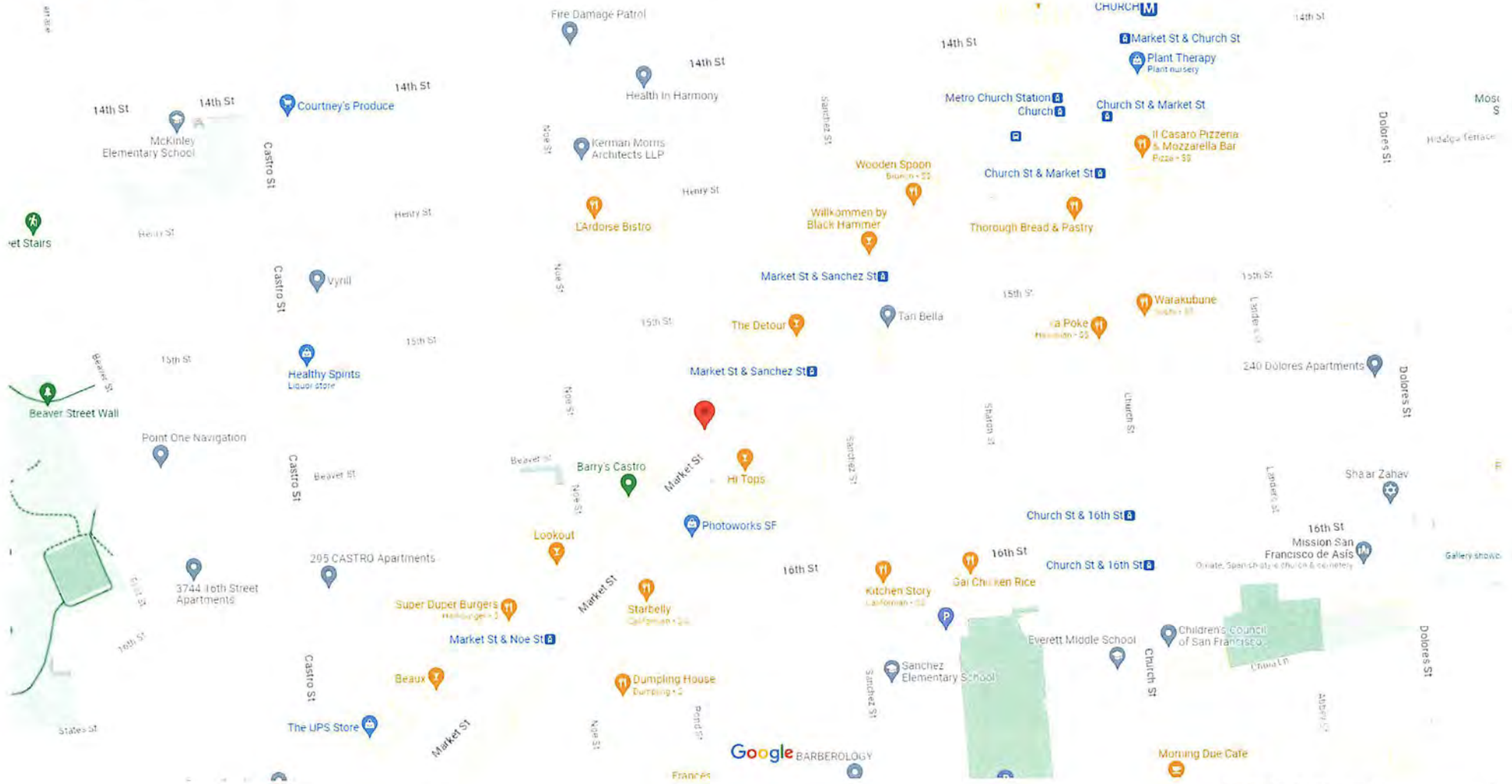
Applicant premise **is** located in a “**High Concentration**” area.

1 - Protest.

0 - Support

ALU Recommendation: **Approval with the following conditions.**

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 ABC-253.
2. Entertainment provided shall not be audible at any nearby residence or consideration point.
3. Between the hours of (7:00 pm and 2:00 am), or at any time the premises are providing entertainment, the petitioner(s) shall provide at least one (1) uniformed security guard(s) on the premises and shall maintain order therein and prevent any activity which would interfere with the quiet enjoyment of their property by nearby residents or the surrounding community. The licensed uniform security guard must be licensed by the State of California, Department of Consumer Affairs.



Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Wednesday, May 24, 2023 11:53 AM
To: reddie23@gmail.com; Salmonson, Joel (POL); Wong, Joanne (POL); Jonas, Stephen (POL)
Cc: Alabanza, Analyn@ABC; amarjit.tamber@abc.ca.gov; Donovan, Dominica (BOS); Ferrigno, Jennifer (BOS); Herrera, Ana (BOS); Lerma, Santiago (BOS); Prager, Jackie (BOS); CPC.Referrals
Subject: RE: Liquor License Issuance - 2565 Mission Street - Arena SF - BOS File No. 230469
Categories: 230469

Good morning,

The Planning Department has completed their review of the subject application, and has forwarded their recommendation for approval. For your convenience, I have the review available from the link below:

[Planning Dept. Response - Received May 18, 2023](#)

The matter is now awaiting review by the Police Department's ALU.

After receiving review from the Police Department, 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 their consideration in the license matter.

The Public Safety and Neighborhood Services Committee will tentatively schedule this hearing for the regular meeting of June 8, 2023.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 230469](#)

Thanks for the review.

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445



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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.

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

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Attn: Edgar Oropeza
Phone No. _____
edgar.oropeza@sfgov,,.org

DATE: April 21, 2023

AP Block/Lot Nos.: 3615/022
Zoning: Mission NCT 65-B

TO: Police Department
Joel Salmonson
Phone No. (415) 553-1115

Quad: Dist 9
Record No.: 2023-003673MIS

Please submit your response within three weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for the regular meeting of June 8, 2023.

PLEASE EMAIL YOUR RESPONSE by May 12, 2023, to:
John Carroll, Public Safety and Neighborhood Services Committee Clerk.
john.carroll@sfgov.org ~ (415) 554-4445

Applicant name: Qualia Entertainment Inc.

Business name: **Arena SF**

Application address: 2565 Mission Street
San Francisco, CA 94110

Applicant contact info: Mark Rennie
rennie23@gmail.com
415-981-4500

PLANNING REVIEW: **Approval** **Denial**

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

POLICE REVIEW: **Approval** **Denial**

(Please add comments in a trailing report.)

Carroll, John (BOS)

From: Oropeza, Edgar (CPC)
Sent: Monday, May 22, 2023 3:14 PM
To: Carroll, John (BOS)
Subject: Type 90 Recommendation 2565 Mission Street -

Categories: 230469

Hi John, the Planning Department with direction of the Zoning Administrator Corey Teague, recommends approval for the proposed type 90 at 2565 Mission Street. The site is located within the Mission RUSD as defined in Planning Code Section 249.60. In this case the ZA has determined that the type 90 meets the intent of the Mission RUSD in that:

- the Type 90s can be approved for existing entertainment establishments that already have another license (Type 47, 48, etc.) without impacting their established land uses (i.e., Nighttime Entertainment, General Entertainment, Restaurant, Bar, etc.).
 - 2565 Mission Street has been operating with a type 47 on or before 01-NOV-1976, per the California ABC
 - The type 47 has been in continual use since then.
 - 2565 Mission Street has operated with an established land use of General Entertainment / Nighttime Entertainment. This operation has been operating prior to and continually since 1995.

Thank you for your attention to this email.

Edgar Oropeza,
Senior Planner, Planning Information Center, Current Planning

Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103

Direct: 415-558-6381 **Fax:** 415-558-6409

Email: edgar.oropeza@sfgov.org

Web: www.sfplanning.org



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2023 APR 14 PM 4:37

MARK E. RENNIE
ATTORNEY AT LAW
1222 SUTTER STREET
SAN FRANCISCO, CALIFORNIA 94109

BY



(415) 981-4500

April 11, 2023

Angela Calvillo
Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Via Messenger

Re: Qualia Entertainment, Inc. dba Arena SF
Original California ABC Liquor License Transfer- Type 90 Music Venue License
2565 Mission Street, San Francisco, CA 94110-2511
Public Convenience and Necessity Determination Request
ABC Type-90 — Music Venue General License.
Conversion of Type 47 ABC license to new Type-90 On-Sale General Music Venue License

Dear Ms. Cavillo:

This office represents Qualia Entertainment, Inc. dba Arena SF. My client has applied to the California Department of Alcoholic Beverage Control (ABC) for an original Type-90 On-Sale General Music License. Currently Qualia Entertainment is operating a music /entertainment venue with a California ABC Type-47 license (Bonafide Eating Place license). The operation of the business under the proposed new license will remain identical.

A Type-90 ABC license is a new license (2023) that authorizes the sale of beer, wine, and distilled spirits at retail for consumption on the premises in a music entertainment facility, as defined in Business and Professions Code Section 23550. Sale, service, and consumption of alcoholic beverages are limited to the time period from 2 hours before a live performance until one hour after the live performance. Minors are allowed on the premises.

There are surrounding residences within 100 feet of my client's venue. Our establishment is in the middle of the Mission District and has been a music venue, restaurant, and bar for many years. It is well run and has served the community well for many years. With this new Type-90 license, if granted, my client intends to maintain his current operation with a slightly curtailed food operation.

The area is properly zoned [NCT-Mission Street Neighborhood Commercial Transit] for this type of ABC license. We do not see any problems with the San Francisco Police Department approving this new ABC license, with conditions. We have the support for this application from

many of our neighbors, and are open to the imposition of conditions, if necessary, to this license.

Arena SF is locally owned, and thus revenue and taxes from the business will stay in the community. This new license will allow Arena SF to sell its current ABC Type-47 license and use the proceeds on a complete remodel of the premises. This new license will allow the venue to remain open and viable, will sustain the pedestrian traffic to other businesses in the neighborhood, and keep more "eyes on the street" and make the neighborhood safer after 10 PM. Like many small businesses in San Francisco, the COVID-19 shutdown has been problematic for this venue.

Arena SF is part of the Arena Nightlife Group which owns music venues in San Francisco, Orange County, Los Angeles, and Mountain View. Arena SF has been well-managed and non-problematic since 2019. There have been no noise complaints and minimal police issues since the business opened four years ago. My client will continue with this new ABC music venue license to be respectful to the neighborhood and to its customers. Arena SF is committed to providing a welcoming atmosphere, top-notch music, and great service. Foremost, they will be Good Neighbors.

For the reasons outlined above, applicant Qualia Entertainment dba Arena SF respectfully requests that this letter be forwarded to the Public Safety & Neighborhood Services Committee of the Board and that this Committee and the full Board of Supervisors make a determination under California Business and Professions Code Section 23958.4 that the public need or convenience would be served by allowing this new ABC Type-90 liquor license to issue at this location.

Thank you for your consideration of this request.

Yours truly,



Mark E. Rennie

MER/mb

Cc: Jackson Chang,
Officer-in-Charge SFPD ALU

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Atty. MARK RENNIE
consultant
(415) 621-2300

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

File Number: 645496
Receipt Number: 2772908
Geographical Code: 3800
Copies Mailed Date: January 23, 2023
Issued Date:

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2023 JAN 26 AM 8:56

DISTRICT SERVING LOCATION: SAN FRANCISCO
First Owner: QUALIA ENTERTAINMENT INC.
Name of Business: OPAL
Location of Business: 2565 MISSION ST
SAN FRANCISCO, CA 94110-2511
County: SAN FRANCISCO

Is Premises inside city limits? Yes Census Tract: 0208.01
Mailing Address:(If different from premises address) 533 AIRPORT BLVD
STE 400
BURLINGAME, CA 94010-2013

Type of license(s): 90 Dropping Partner: Yes No

Transferor's license/name:

License Type	Transaction Type	Master	Secondary LT And Count		
90 - On-Sale General Music Venue	ORI	Y			
License Type	Transaction Description	Fee Code	Dup	Date	Fee
Application Fee	ADD PRIMARY LICENSE TYPE	NA	0	01/23/23	\$17,335.00
90 - On-Sale General Music Venu	ANNUAL FEE	P40	0	01/23/23	\$1,355.00
Total					\$18,690.00

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: January 23, 2023

Applicant Name(s)

QUALIA ENTERTAINMENT INC.



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control

Report Date: Saturday, April 22, 2023

LICENSE INFORMATION

License Number: 645496 **Primary Owner:** QUALIA ENTERTAINMENT INC.

Office of Application: 24 - SAN FRANCISCO

BUSINESS NAME

OPAL

BUSINESS ADDRESS

2565 MISSION ST , SAN FRANCISCO, CA, 94110

County: SAN FRANCISCO **Census Tract:** 0208.01

LICENSEE INFORMATION

Licensee: QUALIA ENTERTAINMENT INC.

Company Information

OFFICER: CHANG, JACKSON T (DIRECTOR)

OFFICER: CHANG, JACKSON T (PRESIDENT/TREASURER)

OFFICER: HO, DAVID LOI (SECRETARY/ASST SEC)

OFFICER: HO, DAVID LOI (DIRECTOR)

STOCKHOLDER: ARENA NIGHTLIFE GROUP LLC

LICENSE TYPES

Allow up to six weeks for expiration date updates after fee waiver or renewal fee submittal.

90 - ON-SALE GENERAL MUSIC VENUE

License Type Status: PENDING **Status Date:** 23-JAN-2023 **Term:** 12 Month(s)

Original Issue Date: **Expiration Date:** **Master:** Y **Duplicate:** **Fee Code:** P40

Transfers:

OPERATING RESTRICTIONS:

No Operating Restrictions found

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

Hold Type: H & L PROTEST **Hold Date:** 28-FEB-2023 **Hold Type:** FORM 220 **Hold Date:**

23-JAN-2023

ESCROWS:

No Escrow found