

Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Tuesday, January 29, 2019 1:30 PM
To: BOS-Supervisors; BOS-Legislative Aides
Cc: 'Calvillo, Angela (angela.calvillo@sfgov.org)'; Somera, Alisa (BOS); Board of Supervisors, (BOS); 'paola@abclicensecompany.com'; Carrie Peters
Subject: FW: Continuance Request - Item 181025
Attachments: Signed Continuance Request BOS_1and8.pdf
Categories: 181025

Supervisors and Aides:

This request relates to agenda item No. 30 on today's Board agenda.

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

[Board of Supervisors File No. 181025](#)

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

 Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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

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From: Paola Hurtado [mailto:paola@abclicensecompany.com]
Sent: Tuesday, January 29, 2019 12:47 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: Fregosi, Ian (BOS) <ian.fregosi@sfgov.org>; Gallagher, Jack (BOS) <jack.gallagher@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>; Wong, Alan (BOS) <alan.wong1@sfgov.org>; Wright, Edward (BOS) <edward.w.wright@sfgov.org>; Cancino, Juan Carlos (BOS) <juancarlos.cancino@sfgov.org>; Low, Jen (BOS) <jen.low@sfgov.org>; Smeallie, Kyle (BOS) <kyle.smeallie@sfgov.org>; Mundy, Erin (BOS) <erin.mundy@sfgov.org>; Burch, Percy (BOS) <percy.burch@sfgov.org>; Sandoval, Suhagey (BOS) <suhagey.sandoval@sfgov.org>; Carrie Peters <carrie@abclicensecompany.com>
Subject: Continuance Request - Item 181025

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To John Carroll:

Please see attached letter of continuance request for today's hearing for Item 181025. Please confirm receipt. Thank you.

Paola Horevicz Hurtado, *Associate*

ABC License Company

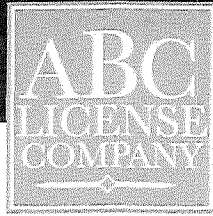
(510) 788-5881 ext. 3 direct

(510) 255-5176 fax

337 17th Street #101, Oakland, CA 94612

[website](#)

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

Re: 1and8 Inc. dba Museum of Ice Cream, Liquor License "PCN" Request at 1 Grant Avenue, San Francisco, CA 94108
Item 181025 Liquor License 1 Grant Avenue - Museum of Ice Cream

Original Type 42 - On-Sale Beer & Wine Public Premises

To the Clerk of the Board,

We respectfully request to have the above referenced Item Number continued to a later mutually agreed upon date.

We do plan to attend the hearing today; and apologize for this inconvenience.

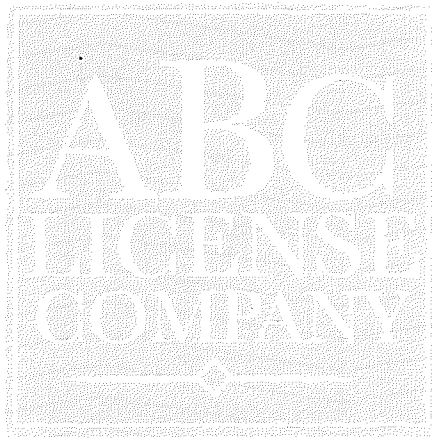
We deeply feel we need to do more community outreach here.

Please confirm receipt of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carrie A Peters', with a long horizontal flourish extending to the right.

Carrie A Peters



Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Tuesday, January 29, 2019 10:02 AM
To: BOS-Supervisors; BOS-Legislative Aides
Cc: 'Jemma Lester'; 'Calvillo, Angela (angela.calvillo@sfgov.org)'; Somera, Alisa (BOS); Board of Supervisors, (BOS)
Subject: FW: Museum of Ice Cream - follow up information for Type 42 ABC License
Attachments: Museum of Ice Cream - Info about Type 42 ABC License.pdf; SIGNED_Conditions_1and8Inc.pdf; Museum of Ice Cream Layout.pdf
Categories: 181025

Thank you for your message, Ms. Lester.

By this message, the attached documents are forwarded to the care of the Board members. I will add these documents to the file for this PC or N matter.

Supervisors and Aides:

These support documents relate to agenda item No. 30 on today's Board agenda.

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

[Board of Supervisors File No. 181025](#)

John Carroll
Assistant Clerk
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From: Jemma Lester [mailto:jemma@abclicensecompany.com]
Sent: Monday, January 28, 2019 9:24 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Fwd: Museum of Ice Cream - follow up information for Type 42 ABC License

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi John,

Here is the letter that was sent to Supervisor Peskin and his Chief of Staff, which includes a copy of the letter sent to each Supervisor's staff.

----- Forwarded message -----

From: **Danica Jacinto** <caramel@museumoficecream.com>

Date: Fri, Jan 25, 2019 at 11:56 AM

Subject: Museum of Ice Cream - follow up information for Type 42 ABC License

To: <Sunny.Angulo@sfgov.org>

Cc: Manish Vora <flavor@museumoficecream.com>, Jemma Lester <jemma@abclicensecompany.com>, Gabrielle Yacoob <scoop@museumoficecream.com>

Supervisor Peskin & Ms. Angulo,

Thank you for taking the time to meet with us yesterday on such short notice. We take your concerns extremely seriously and want to work with you to find common ground on this project.

Regarding the concerns you brought up yesterday, here are our responses:

1. Keeping minors from entering the mezzanine: we will have a uniformed employee positioned at the entrance/exit doorway downstairs checking ID's and ensuring no alcoholic beverages leave the space. We will have all staff who work in the mezzanine and at the door complete the LEAD (Licensee Education on Alcohol & Drugs) Training offered by the Department of ABC prior to opening. We have no interest in overly intoxicated patrons disrupting the experience for others, and will also maintain standards of not-serving already intoxicated patrons.

2. We understand that you're skeptical about an establishment serving beer and wine at 9am. Would reducing our hourly restrictions to starting at 11am alleviate some of your concern. This would allow us to serve our earlier guests on their way out of the museum and non-ticketed patrons who want to stop in around lunch time.

In addition, we are also sending the attached letter to the full Board to review, including our conditions letter and a layout of our space. We spoke with aids from each office Thursday afternoon (aside from Supervisor Stefani whose office was closed) and have provided them with our contact information to address any concerns.

Our patrons are generally upstanding people and we have experienced minimal disruptive behavior in each of our locations. Although the addition of alcohol certainly increases the likelihood of the problems you expressed concern over, the tone of the space is consistent with the rest of the museum: colorful, joyful, and happy. It's not just lip service, we are committed to creating an uplifting experience for patrons and the addition of this license would serve as another way to explore and innovate our mission.

Thank you again for your candor in relaying your office's concerns. We truly hope we have addressed them and again apologize for our failure at outreach. We hope our actions demonstrate how seriously we take this. You will have direct access to our management team to address any concerns going forward.

We appreciate the work you do with the many competing interests of District 3. It's a challenging and dynamic district and we're proud to represent it for the city.

Sincerely,

MANISH VORA
President and Co-Founder

DANICA JACINTO
General Manager SF

MUSEUM OF
ICE CREAM

--

Jemma J. Lester, Director

ABC License Company

(510) 788-5881 ext. 2 phone

(845) 389-3958 mobile

(510) 255-5176 fax

337 17th Street, Suite 101, Oakland, CA 94612

WEBSITE



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MUSEUM OF ICE CREAM

WWW.MUSEUMOFICECREAM.COM

Honorable District Supervisors,

Museum of Ice Cream is reaching out to inform you of our application for an On-Sale Beer & Wine Public Premises (Type 42 ABC License) so we can expand our services to offer beer and wine at a designated and separate space within our Museum.

When we opened our doors in September 2017, we never thought that our small idea would be embraced so widely in the Bay Area and that we would be able to bring the magic of ice cream and community to over 600,000 museum goers permanently. We also recognize that it is through the City's support that we can continue to do our work here in San Francisco.

As we look to our future, we believe this license will provide patrons with a 'taste' of what the MOIC adventure does entail, whether or not they have purchased tickets. It adds another element where we can innovate on our mission. It also serves as another downtown catchpoint for tourists and locals to spend their day.

On Wednesday, Jan. 23, 2019, a motion to deny our application was recommended by District Supervisor Peskin, a primary concern being that we had not completed appropriate outreach to his office to explain what the operation would entail.

We have since met with his office to discuss our application and are providing them with the additional information they require. In the spirit of transparency and clear communication, we are also informing you of the same. We are seeking the motion to be reversed at the Full Board Meeting on Tuesday, January 29, 2019. We ask for your support.

One main concern by Supervisor Peskin's office was how we intend to distinguish this adult-only space from the youthful spirit of our museum experience. ID checks will be held at all times the bar area (on a separate floor) is open. This is the only area where alcohol can be served or consumed, as you can see the attached diagram showing the layout. Nobody is walking around the museum with alcohol.

There will be staff stationed at the downstairs door that leads to the stairs. Our staff members are easily recognizable to customers, we wear brightly colored uniforms with name tags and direct guests through the museum spaces like tour guides. The mezzanine will be staffed by 3-5 employees per shift, so there will be ample monitoring of patrons and beverages. Misbehaving clientele will be quickly addressed as the mezzanine space is visually open to the first floor and that would negatively impact the mood of the whole premises. Maintaining a positive, fun environment for everyone is a top priority.



MUSEUM OF ICE CREAM

WWW.MUSEUMOFICECREAM.COM

In terms of security, we have some unique needs based on our popularity and our location. As you may have seen, our tickets sell out quickly and queues form around the block from Grant Street to O'Farrell. This has been the case in our New York City and Los Angeles locations as well.

Though there is always a crowd to manage, we generally find that the type of person interested in coming to an experience like ours is willing to follow the rules and maintain a high standard of good behavior. Our whole intent with this undertaking is to make people happy, and our guests generally leave in that state of mind. If anything, we feel we're putting people who visit us back into the world a little better than they started that day.

We want to add this adult experience to cater better to the families and groups that spend their day with us. We are consistently innovating to improve our experience and help people connect-- in person, offline, and in a joyful way. Our application with the Department of ABC requested hours consistent with our operating hours (9:00 am - 9:00 pm Sun - Thurs and 9:00 am - 12:00 am Fri -Sat). Museum guests can stop in before or after their tour and it is open to the public, just like our gift shop is. We anticipate our busiest hours will be 3-8pm and are discussing with Supervisor Peskin's office if there is a more agreeable opening hour for our alcohol service.

We have toured 3 members of the San Francisco Police Department's Alcohol Liaison Unit through the space and they approved our application with the attached restrictions, including hourly restrictions and no "to go" sales permitted.

We ask for your support in reversing the motion to deny our request for Public Convenience or Necessity at Tuesday's meeting. We are always learning how to be better neighbors and constituents in this beautiful city and thank you for the opportunity to develop our brand here. Any missteps have helped us learn and improve.

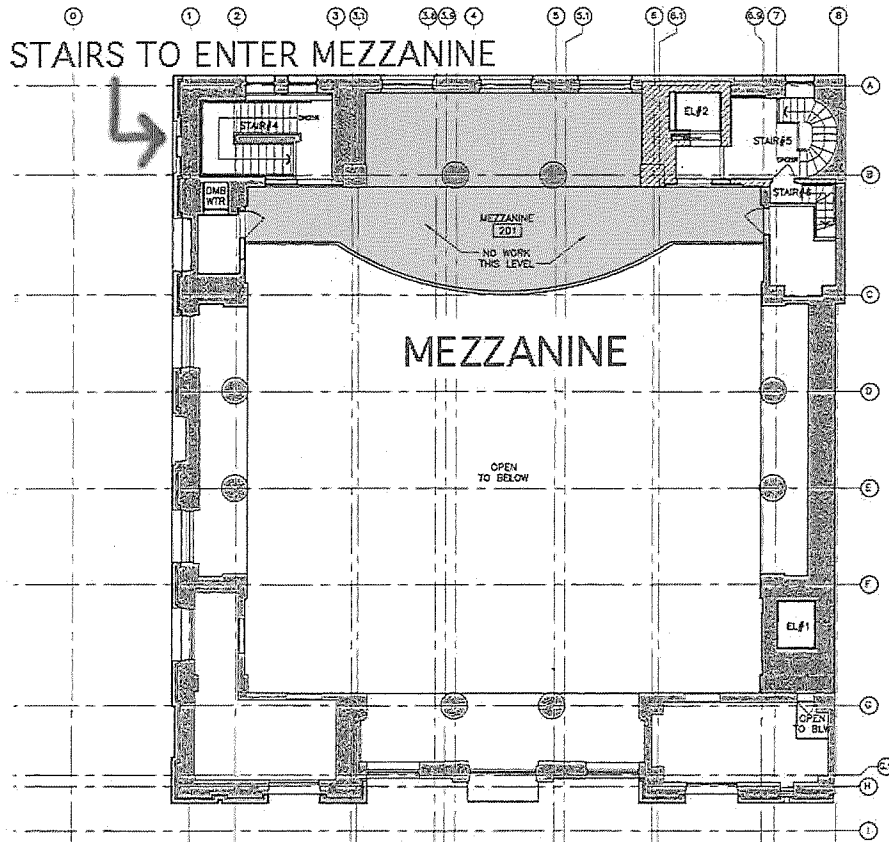
Please don't hesitate to reach out if you have any additional concerns that we can address prior to Tuesday's full Board meeting.

Sincerely,

Manish Vora, President and Co-Founder

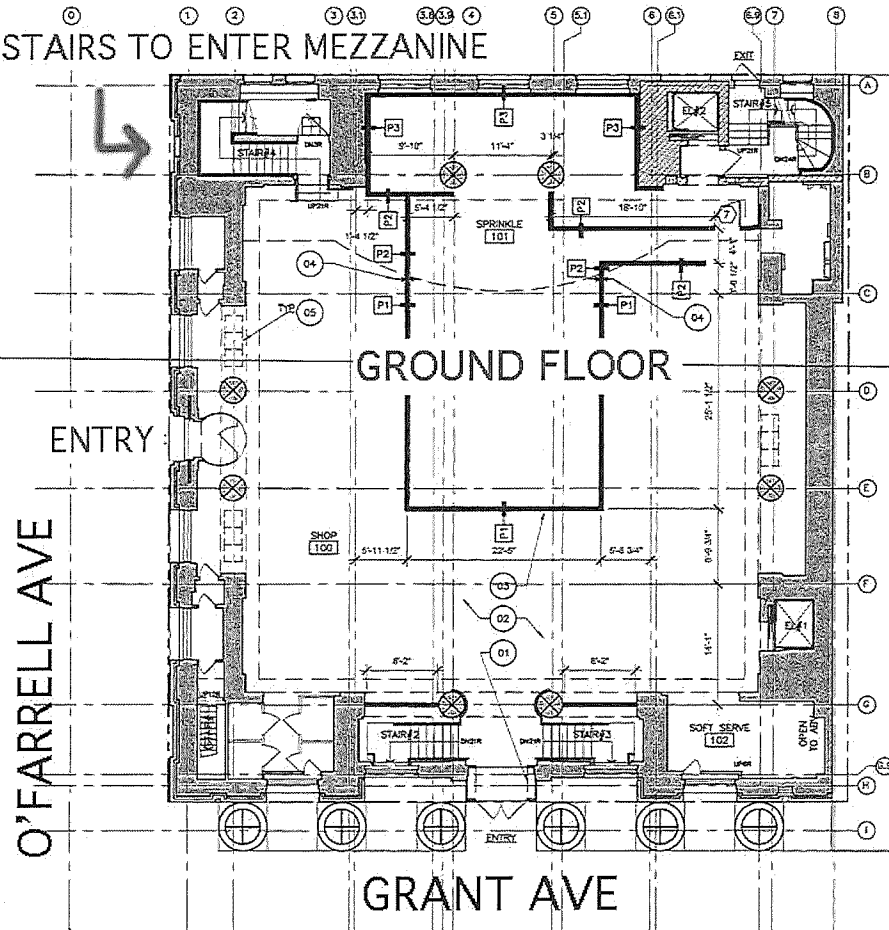
Danica Jacinto, General Manager and Head of Operations SF





= LICENSED AREA
(ALCOHOL SERVED AND CONSUMED ONLY WITHIN MEZZANINE)

4 MEZZANINE FLOOR PLAN
SCALE: 1/8"=1'-0"



Not Pictured:
There is another floor below the ground level that contains the majority of the MOIC experience.

Beer & wine would be served only in the designated area indicated above.

O'FARRELL AVE

GRANT AVE

BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF

1AND8 INC WHICH WILL DO BUSINESS IN
CALIFORNIA AS MUSEUM OF ICE CREAM
MUSEUM OF ICE CREAM
1 GRANT AVE
SAN FRANCISCO, CA 94108-5801

} FILE 42-600073

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} REG.

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**PETITION FOR CONDITIONAL
LICENSE**

For Issuance of an On-Sale Beer And Wine - Public
Premises - License

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, pursuant to Section 23958 of the Business and Professions Code, the Department may deny an application for a license where issuance would result in or add to an undue concentration of licenses; and,

WHEREAS, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4 of the Business and Professions Code, than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency; and,

WHEREAS, the proposed premises are located in Census Tract #0117. where there presently exists an undue concentration of licenses as defined by Section 23958.4 of the Business and Professions Code; and

WHEREAS, the proposed premises are located within the immediate vicinity of a church, to wit: Epic Church and St. Patricks Catholic Church, and issuance of the applied-for license without the below-described condition would interfere with the normal operation of said facility and constitute grounds for the denial of the application under the provisions of Section 23789 of the Business and Professions Code; and

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare and morals;

NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follow to-wit:

MS MV
Initials

- 1 Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 9:00 a.m. and 12:00 a.m. Sunday through Wednesday and 9:00 a.m. and 1:00 a.m. on Thursday, Friday, and Saturday.
- 2 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 most recently certified ABC-253.
- 3 The sale of alcoholic beverages for consumption off the premises is prohibited.


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This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 15 DAY OF January, 2019.


Applicant/Petitioner


Applicant/Petitioner