

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Georgia Powell
Phone No. (415) 558-6371

DATE: March 25, 2019

TO: Police Department
Inspector Nelly Gordon
Phone No. (415) 837-7273

AP Block/Lot Nos.: 0343 / 001

Zoning: RC-4

Quad: NE Planning Team

Record No.: 2019-004228MIS

Please submit your response within three weeks; the Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in May of 2019.

PLEASE EMAIL YOUR RESPONSE BY: April 15, 2019, to John Carroll, Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Center for New Music, Inc.

Business name: The Center for New Music

Application address: 55 Taylor Street
San Francisco, CA 94102

Applicant contact info: D. Riley Nicholson
415-275-2466

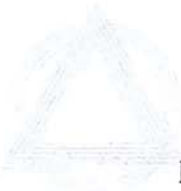
PLANNING REVIEW: Approval Denial

Planning Staff Contact: Seema Adina

Please print review comments on a trailing page.

POLICE REVIEW: Approval Denial

Please print review comments in a trailing report.



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 MAR 22 PM 12:13

March 21, 2019

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

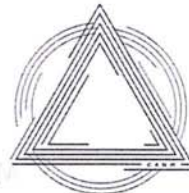
-and-
Department of Alcoholic Beverage Control
33 New Montgomery St.
Suite 1230
San Francisco, CA 94105

Mailing Address:
Center for New Music
55 Taylor St.
San Francisco, CA 94102

The Center for New Music (C4NM) was founded in 2012 by co-founders Brent Miller (current Executive Director) and Adam Fong, and has been in residence at 55 Taylor Street from the birth of the organization. The mission of C4NM is to foster contemporary music's growth by giving practicing artists access to professional resources and expertise, and by providing them with opportunities for sharing knowledge and exploring new ideas. We present approximately 150 concerts, workshops, gallery exhibitions, and music-focused events every year.

We are applying for a Type 64 liquor license so that we can serve alcoholic beverages to our audiences directly before concerts, at intermission, and directly after concerts. This would allow us to join the rest of the theaters and venues in our neighborhood in offering this option to our patrons. Alcoholic beverages would only be available to ticketed patrons of the shows during regular performances. For concerts and performances, our normal operating hours are 5pm-10pm on weekdays, and 12pm-10pm on weekends, depending on the length of the show and the artist's desired concert start time. Should we be approved for this liquor license, we will only serve alcoholic beverages up to two hours before the concert and one hour afterwards.

Currently we have been utilizing one-day liquor licenses for selected concerts on our calendar, and to date have received no community complaints regarding our use of daily liquor licenses. In fact, many of our neighbors and patrons have expressed enthusiastic support for the expansion of our beverage offerings to all performances. We have found that on nights when we have daily liquor licenses, we are able to draw larger audiences to our venue. Audiences expect, from experience at other local organizations like EXIT Theater, Pianofight, Cuttingball Theater, The



Warfield, A.C.T., and others, to be able to enjoy a glass of wine or a drink before or during a show. This license would therefore help us draw more audiences to our neighborhood and help provide a positive influx of foot traffic to the heart of the Tenderloin. As our audiences are drawn from all over the city, it will also help enhance the arts experience for patrons from across San Francisco, thereby serving public convenience or necessity.

For these reasons we respectfully request that the Board of Supervisors and ABC make a finding that issuance of a Type 64 license at this location will serve public convenience or necessity. If you have any questions about this application or C4NM's operations, please contact me at Brent@centerfornewmusic.com or at 415-275-2466.

Sincerely,

Brent Miller
Co-Founder and Executive Director

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions This form is to be used for all applications for original issuance or premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME
CENTER FOR NEW MUSIC SAN FRANCISCO, INC.

2. PREMISES ADDRESS (Street number and name, city, zip code) **55 Taylor St San Francisco CA 94102-3916**

3. LICENSE TYPE
64

4. TYPE OF BUSINESS

<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Hofbrau/Cafeteria	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club
<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club	<input type="checkbox"/> Veterans Club
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern: Beer	<input type="checkbox"/> Fraternal Club
<input type="checkbox"/> Bed & Breakfast:	<input type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine	<input type="checkbox"/> Wine Tasting Room
<input type="checkbox"/> Wine only	<input type="checkbox"/> All		

Supermarket Membership Store Service Station Swap Meet/Flea Market

Liquor Store Department Store Convenience Market Drive-in Dairy

Drug/Variety Store Florist/Gift Shop Convenience Market w/Gasoline

Other - describe: **64- Special On-Sale General Theater**

5. COUNTY POPULATION
5,335/883,963

6. TOTAL NUMBER OF LICENSES IN COUNTY

<input type="checkbox"/> On-Sale	<input type="checkbox"/> Off-Sale	286	<input checked="" type="checkbox"/> On-Sale	<input type="checkbox"/> Off-Sale
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7. RATIO OF LICENSES TO POPULATION IN COUNTY

8. CENSUS TRACT NUMBER
125.01

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

<input checked="" type="checkbox"/> On-Sale	<input type="checkbox"/> Off-Sale	18	<input checked="" type="checkbox"/> On-Sale	<input type="checkbox"/> Off-Sale
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10. NO. OF LICENSES EXISTING IN CENSUS TRACT

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

Yes, the number of existing licenses exceeds the number allowed

No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER
176

14. TOTAL NUMBER OF REPORTING DISTRICTS
654

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS
55,022

16. AVERAGE NO. OF OFFENSES PER DISTRICT
84

17. 120% OF AVERAGE NUMBER OF OFFENSES
100

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT
190

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17

No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.

b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.

c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name: **Board of Supervisors**

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

jm

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

see attached addendum

22. APPLICANT SIGNATURE

B S M

23. DATE SIGNED

3/21/19

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes

No

See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Mr. Brent MILLER

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

File Number: 604372
Receipt Number: 2560275
Geographical Code: 3800
Copies Mailed Date: March 15, 2019
Issued Date:

EXEC. DIR.
(415) 275-2466

DISTRICT SERVING LOCATION: SAN FRANCISCO
First Owner: CENTER FOR NEW MUSIC SAN FRANCISCO, INC.
Name of Business: CENTER FOR NEW MUSIC
Location of Business: 55 TAYLOR ST
SAN FRANCISCO, CA 94102-3916
County: SAN FRANCISCO
Is Premise inside city limits? Yes
Census Tract 0125.01

Mailing Address:
(If different from
premises address)

Type of license(s): 64

Transferor's license/name:

Dropping Partner: Yes No

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Table with 7 columns: License Type, Transaction Type, Fee Type, Master, Dup, Date, Fee. Rows include ANNUAL FEE, ORIGINAL FEES, FEDERAL FINGERPRINTS, STATE FINGERPRINTS, and a Total row.

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

Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of SAN FRANCISCO Date: March 15, 2019

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

CENTER FOR NEW MUSIC SAN FRANCISCO, INC.



California Department of Alcoholic Beverage Control
License Query System Summary as of 03/24/2019

License Information	
License Number:	604372
Primary Owner:	CENTER FOR NEW MUSIC SAN FRANCISCO, INC.
ABC Office of Application:	24 - SAN FRANCISCO

Business Name
CENTER FOR NEW MUSIC

Business Address
55 TAYLOR ST
SAN FRANCISCO, CA. 94102
County: SAN FRANCISCO Census Tract: 0125.01

Licensee Information
Licensee: CENTER FOR NEW MUSIC SAN FRANCISCO, INC.
Company Information
OFFICER: GIBSON, PAUL RANDOLPH CARTER (PRESIDENT)
OFFICER: GIBSON, PAUL RANDOLPH CARTER (DIRECTOR)
OFFICER: CAPATI, ALISTER F (DIRECTOR)
OFFICER: CAPATI, ALISTER F (SECRETARY/ASST SEC)
OFFICER: YANG, DENNIS TED (DIRECTOR)
OFFICER: YANG, DENNIS TED (TREASURER)
OFFICER: ANDREWS, MARGARET (DIRECTOR)
OFFICER: MILLER, BRENT MICHAEL (DIRECTOR)
OFFICER: SHAW, SUELI (DIRECTOR)

License Types
1) License Type: 64 - SPECIAL ON-SALE GENERAL THEATER
License Type Status: PENDING
Status Date: 15-MAR-2019 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: Fee Code: P40
License Type was Transferred On: From:
License Type was Transferred On: To:

Operating Restrictions
... No Operating Restrictions found ...

Disciplinary Action
... No Active Disciplinary Action found ...

Disciplinary History
... No Disciplinary History found ...

Holds
Hold Date: 15-MAR-2019 Type: FORM 220

Escrows
... No Escrow found ...

For a definition of codes, view our glossary.

Recommend approval of ABC Type 64 license in conjunction with theatre (d.b.a. Center for New Music); an Arts and Recreation Entertainment use, principally permitted in the RC-4 Zoning District per Planning Code Section 209.4