

File No. 150054

Committee Item No. 4

Board Item No. 23

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Public Safety & Neighborhood Services Date March 5, 2015

Board of Supervisors Meeting Date March 17, 2015

#### Cmte Board

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

#### OTHER (Use back side if additional space is needed)

- Liquor License PCN Request
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Completed by: Derek Evans Date 2/27/15

Completed by: Derek Evans Date 3/10/15

An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document can be found in the file.

1 [Liquor License - 1127 Market Street]

2  
3 **Resolution determining that the issuance of a Type 64 general theatre license to**  
4 **1127 Market Street (District 6), to Nancy Livingston for the American**  
5 **Conservatory Theater, will serve the public convenience or necessity of City and**  
6 **County of San Francisco in accordance with California Business and Professions**  
7 **Code, Section 23958.4, and recommending that the California Department of**  
8 **Alcoholic Beverage Control impose conditions on the issuance of the license.**

9  
10 WHEREAS, Nancy Livingston is seeking the issuance of a Type 64 general  
11 theatre license to 1127 Market Street (District 6) for the American Conservatory  
12 Theater; and,

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

15 WHEREAS, The Police Department has filed zero (0) protests with the  
16 Department of Alcoholic Beverage Control under California Business and Professions  
17 Code, Section 24013, and recommends that the Department of Alcoholic Beverage  
18 Control issue the liquor license with conditions; and

19 WHEREAS, The conditions recommended by the Police Department are the  
20 following: 1) Sales, service and consumption of alcoholic beverages shall be made only  
21 from stationary bars or portable bars and waiter/waitress service; and shall not be sold;  
22 served, or delivered to customers by individual ambulatory vendors; 2) The sale of  
23 alcoholic beverages for consumption off the premises is strictly prohibited; 3) Alcoholic  
24 beverages shall be served in containers clearly distinguishable from non-alcoholic  
25 beverage containers; 4) The sale of alcoholic beverages shall be limited to no more

1 than two (2) beverages per person per sale; and 5) An employee or security guard shall  
2 be assigned the responsibility of ensuring all alcoholic beverages remain inside the  
3 permitted area whenever the privileges of the ABC license are being exercised; now,  
4 therefore, be it

5 RESOLVED, That in accordance with California Business and Professions Code,  
6 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
7 hereby determines that the issuance of a Type 64 general theatre license to 1127  
8 Market Street (District 6), to Nancy Livingston for the American Conservatory Theater,  
9 will serve the public convenience or necessity of the City and County of San Francisco;  
10 and, be it

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

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San Francisco Police Department  
**ABC Liaison Unit**



Alcoholic Beverage License -  
*Public Convenience and  
Necessity Recommendation*

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

Supervisor Eric Mar  
Supervisor David Campos  
Supervisor Julie Christensen

**From:** Lieutenant Dave Falzon  
Officer in Charge  
ABC Liaison Unit (ALU) 553-1049

**Date:** February 20, 2015

**Subject:** P.C.N. Investigation Regarding: American Conservatory Theatre Foundation  
DBA: The Strand  
1127 Market Street, SF, 94103  
Nancy Livingston

Ms. Nancy Livingston on behalf of American Conservatory Theatre Foundation has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 64 (special On-Sale General) License for 1127 Market Street (located between 7<sup>TH</sup> Street and United Plaza).

Hours of Operation:

Daily 5 p.m.-12 a.m.

**Digest:**

American Conservatory Theatre- "ACT" is seeking to start a new theatre at 1127 Market Street in San Francisco. ACT currently operates two theatres in the San Francisco area, one located at 413-415 Geary Street in the Union Square area and the second location being at 1117 Market Street located in the mid-Market Street area. ACT is a famed program that has been known for their theater company and acting school. The ACT has been a location for many years for people to enjoy fully staged productions. Both theatres mentioned prior have been selling alcoholic beverages to their customers for several years. ACT is now seeking a license for their new location. If approved, this license will allow ACT to sell ON-Sale Beer, Wine and Distilled Spirits in the theatre.

**Letters of Protest:**

**No Record**

**Letters of Support:**

**No Record**

**Police Calls for Service:**

From September 2013 to September 2014

**0 calls for service**

**Police Reports:**

From September 2013 to September 2014.

**2 police reports- Public Nuisance Reports**

**San Francisco Plot Information:**

This premise is located in Plot 208

A High Crime area is defined as 99 or more police reports in a plot for the year of 2013.

This plot had 429 police reports for 2013, which is 330 over the Citywide "High Crime" average.

**State Census Tract Information:**

This premise is located in Census Tract 176.01

Population for this tract is: 7,630

On-sale license authorized by census tract: 26

Active on-sale licenses: 73 with 0 pending

Off-sale licenses authorized by census tract: 7

Active off-sale licenses: 8 with 0 pending

**Departmental Recommendation:**

Points of consideration:

No opposition from Southern Station

Applicant premise is located in a "High Crime" area.

Applicant premise is located in an "undue concentration" area.

0 - Record of protest.

0 - Record of support.

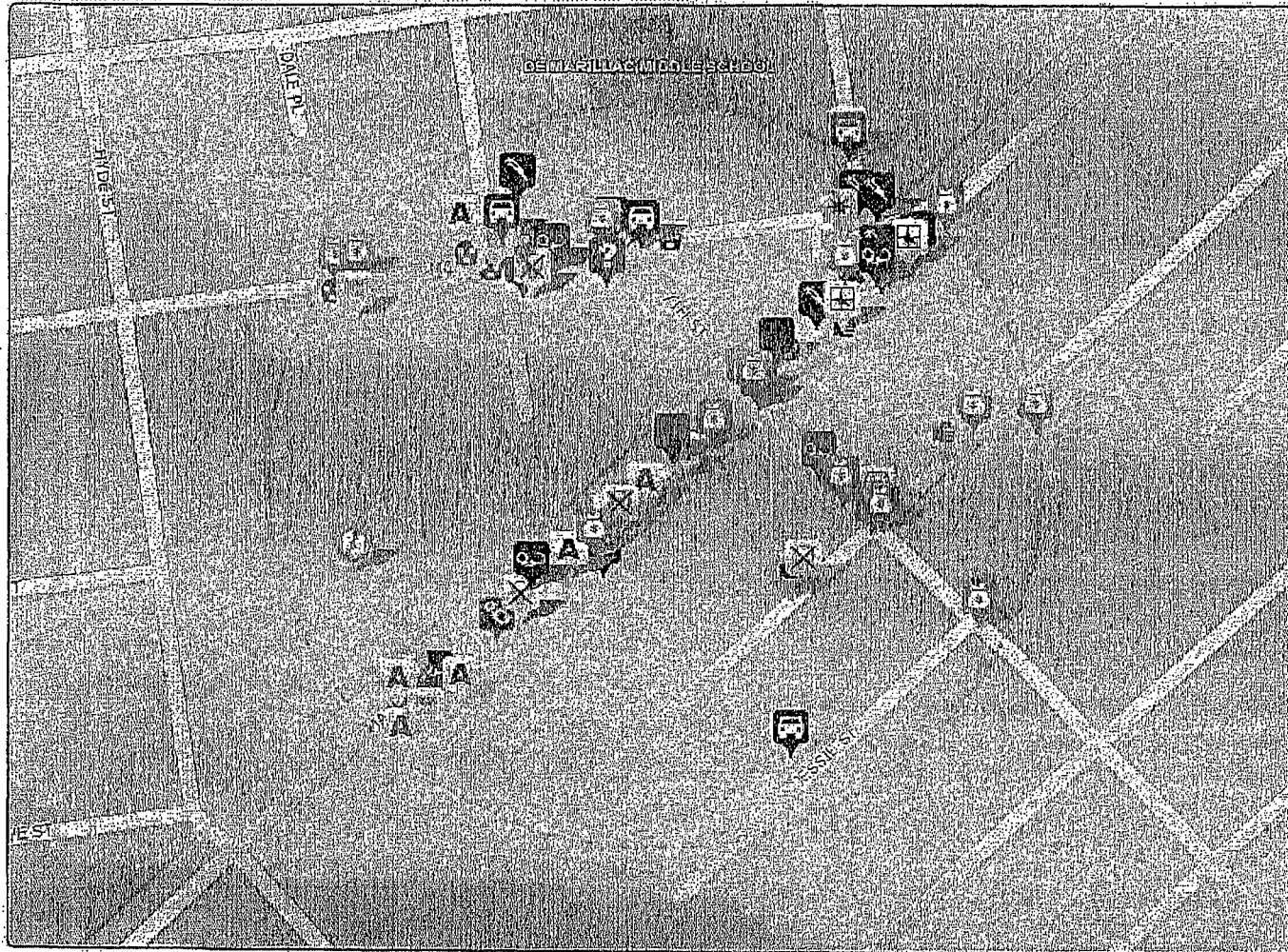
ALU Recommendation: **Approval with the following conditions**





























**Conditions for Type 64 ( Special On- Sale General Theatre).**

1. Sales, service and consumption of alcoholic beverages shall be made only from stationary bars or portable bars and waiter/waitress service; and shall not be sold; served, or delivered to customers by individual ambulatory vendors.
2. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
3. Alcoholic beverages shall be served in containers clearly distinguishable from non-alcoholic beverage containers.
4. The sale of alcoholic beverages shall be limited to no more than 2 beverages per person per sale.
5. An employee or security guard shall be assigned the responsibility of ensuring all alcoholic beverages remain inside the permitted area whenever the privileges of the ABC license are being exercised.

End

1127 Market St  
09/22/2013-09/22/2014



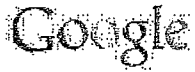
Map Legend	
Incidents (1336):	
	Drug/Narcotic (198)
	Other Offenses (174)
	Larceny/Theft (168)
	Warrants (161)
	Warrants (146)
	Non-Criminal (120)
	Assault (116)
	Robbery (58)
	Vandalism (27)
	Burglary (25)
	Weapon Laws (24)
	Suspicious Occurrence (21)
	Drunkenness (14)
	Forgery/Counterfeiting (13)
	Missing Person (12)
	Fraud (10)
	Trespassing (8)
	Disorderly Conduct (7)
	Liquor Laws (6)
	Secondary Codes (6)
	Recovered Vehicle (5)
	Vehicle Theft (5)
	Embezzlement (3)
	Sex Offenses, Forcible (2)
	D.U.I. (2)
	Family Offenses (2)
	Kidnapping (2)
	Arson (1)

905

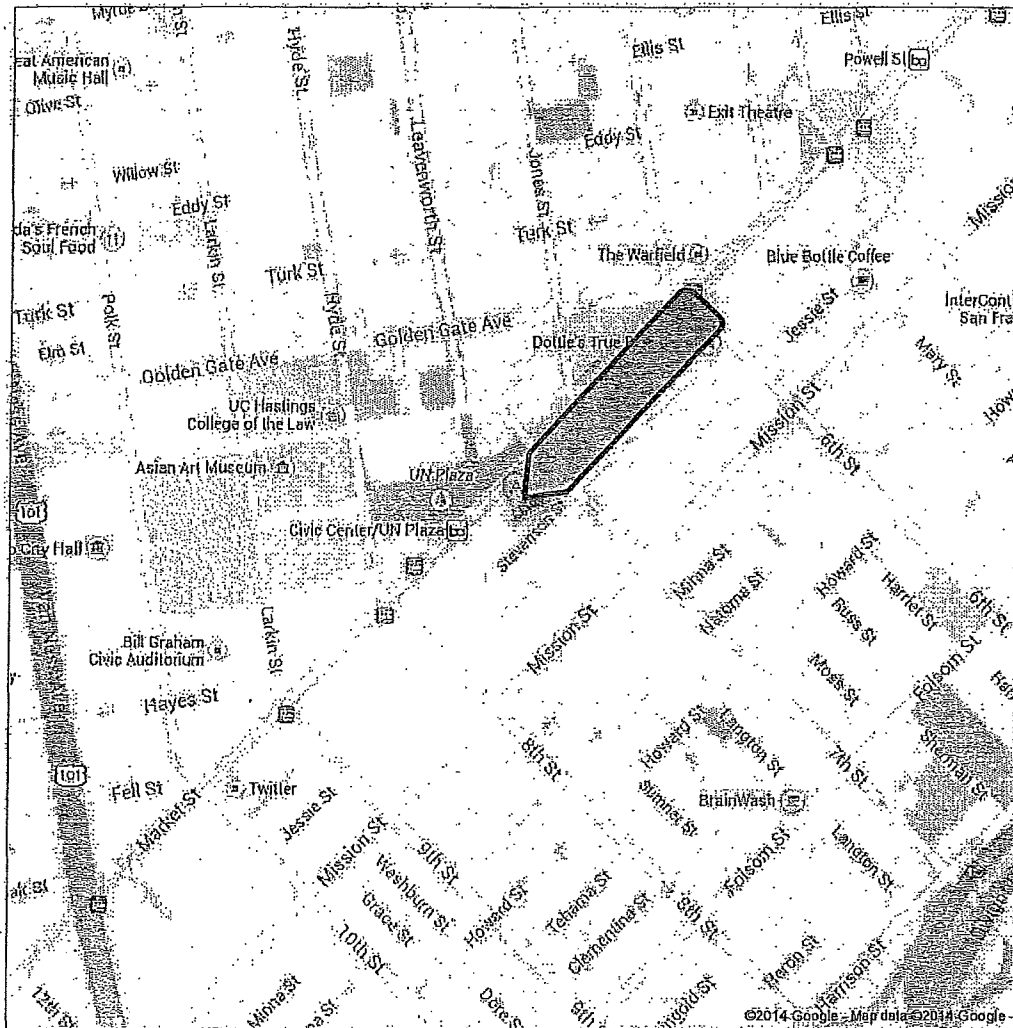


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WARNING: This map does not meet the national map accuracy standards.



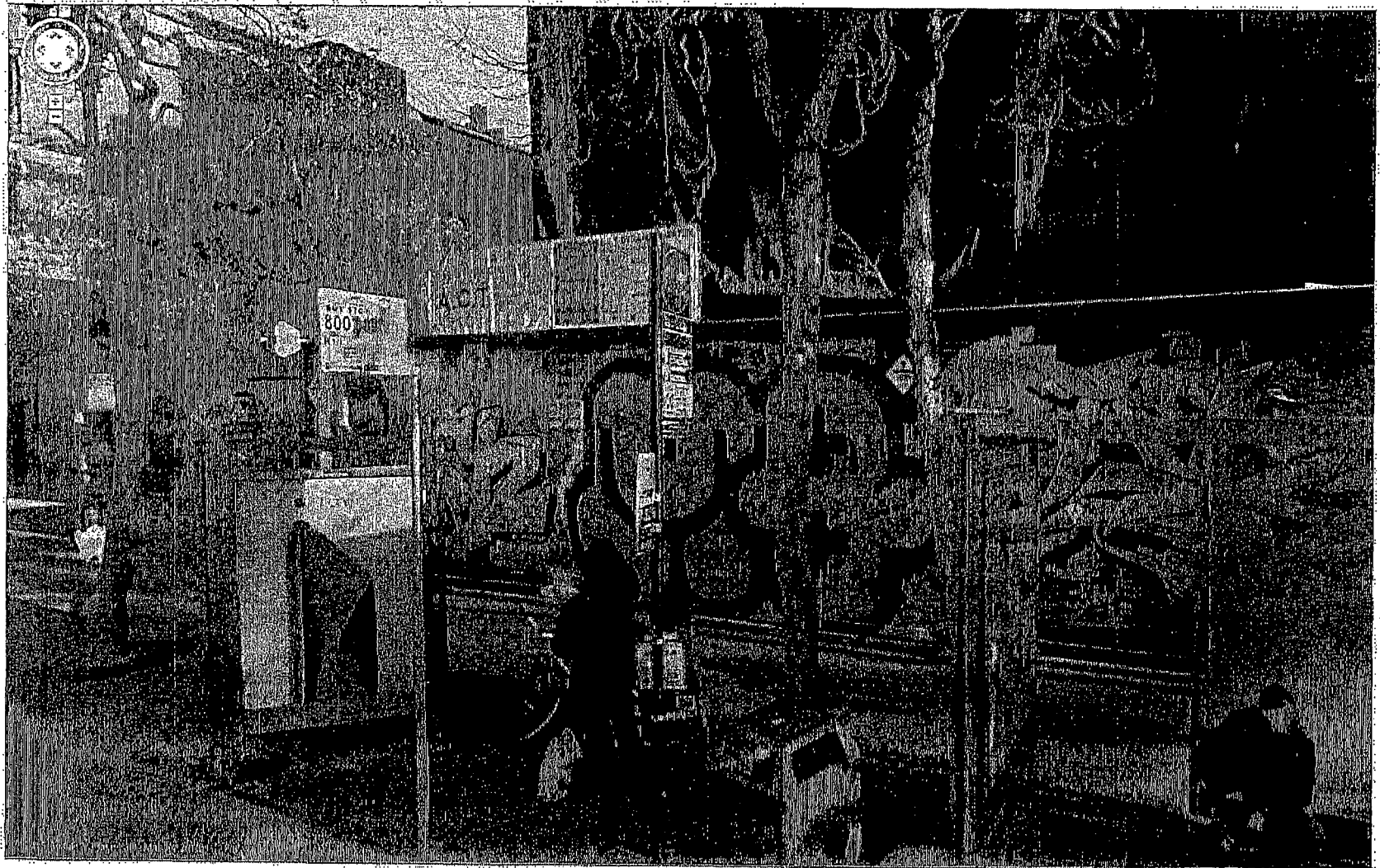
Address: 1127 Market St  
San Francisco, CA 94103





Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



907

LIQUOR LICENSE REVIEW



TO: Planning Department  
AnMarie Rodgers/CTYPLN/SFGOV  
Georgia Powell/CTYPLN/SFGOV@SFGOV  
Fax No.: 558-6409

File: 150054

*Block/Lot: 3702/046  
Zoning: C-3-G  
Quad: NE*

TO: Police Department  
Lieutenant Dave Falzon  
Inspector Nelly Gordon  
Fax No.: 553-1463

*Record # 2015-00076 MIS*

DATE: January 22, 2015

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This item is tentatively scheduled to be heard in four to six weeks.  
**PLEASE EMAIL YOUR RESPONSE BY:** February 26, 2015, to Derek Evans,  
Clerk, Neighborhood Services and Safety Committee.  
**Derek.Evans@sfgov.org - Fax No: 554-7714**

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**Applicant Name:** Nancy Livingston  
**and Business Name:** American Conservatory Theatre Foundation  
dba The Strand  
(1127 Market Street)

**Applicant Address:** 30 Grant Street, 7<sup>th</sup> Floor  
San Francisco, CA 94108  
**and Phone No.** (415) 749-2228

**PLANNING COMMENTS:**  Approval  Denial

*ABC LICENSE TYPE W4 IS PERMITTED IN CONJUNCTION  
WITH THEATER USE IN THE C-3-G ZONING DISTRICT.*

*Casey CARLY GRAB 2-4-2015*

**POLICE COMMENTS:**  Approval  Denial

150054



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

Re: American Conservatory Theatre Foundation dba The Strand, Liquor License "PCN"  
Request at 1127 Market Street, San Francisco, 94108

Original Type 64 – Special On Sale General Theater License

To the Clerk of the Board,

The purpose of this letter is to respectfully request to be placed on the Board's calendar for Public Convenience and Necessity approval with regard to our original Type 64 Theater license. We are renovating the historic Strand Theater on Market Street, and wish to serve alcoholic beverages during performance times as is customary with this type and caliber of event venue.

We currently operate a license at the American Conservatory Theater at 415 Geary Street in San Francisco with the same type of license and we've proven responsible with our service in the past. This license will be no different.

Serving a variety of beverages serves the theater-going community and enables us to sustainably provide a quality cultural experience to the residents and visitors to San Francisco. Alcohol sales greatly improve our sustainability. A thriving business is good for the city, and we are one of the best in terms of our world-class performances offered in our venue, and the beautifully designed and maintained interior. We are undergoing a beautiful renovation to this derelict building and restoring it to its former beauty. We care deeply for the well being of the city, especially these areas that have fallen into some hard luck. We are cleaning up the vicinity, free from crime and nuisance, and attract paying and respectful patrons to our establishment and the neighborhood.

We vigilantly monitor the surrounding area to ensure the safety of our business and customers, do not serve obviously intoxicated people, and have good relationships with community leaders and members.

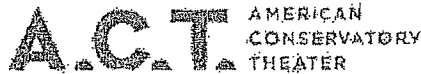
We seek the SF Board of Supervisor's affirmative ruling that our application serves the public convenience and necessity of our City.

Sincerely,

A handwritten signature in black ink that reads "Nancy Livingston".

Nancy Livingston, Chairman of the Board

30 Grant Street, 7<sup>th</sup> Floor, San Francisco, CA 94108 • (415) 749-2228



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

Re: American Conservatory Theatre Foundation dba The Strand, Liquor License "PCN"  
Request at 1127 Market Street, San Francisco, 94108

Original Type 64 – Special On Sale General Theater License

To the Clerk of the Board,

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We seek the SF Board of Supervisor's affirmative ruling that our application serves the public convenience and necessity of our City.

Sincerely,

A handwritten signature in black ink that reads "Nancy Livingston". The signature is written in a cursive, flowing style.

Nancy Livingston, Chairman of the Board