

File No. 160209

Committee Item No. 2

Board Item No. 27

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Neighborhood Services Date April 28, 2016

Board of Supervisors Meeting Date May 10, 2016

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/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- PCN Application Letter -
- Liquor License Referral - 03/04/2016
- Planning Department's Response - 03/09/2016
- Police Department's Response - 04/22/2016
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Completed by: Erica Major Date April 22, 2016

Completed by: JM Date 5/2/2016

1 [Liquor License - 401 Van Ness]

2
3 **Resolution determining that the issuance of a Type 64 general theatre license to**
4 **the San Francisco Opera Association located at 401 Van Ness (District 5), will**
5 **serve the public convenience or necessity of City and County of San Francisco in**
6 **accordance with California Business and Professions Code, Section 23958.4, and**
7 **recommending that the California Department of Alcoholic Beverage Control**
8 **impose conditions on the issuance of the license.**

9
10 WHEREAS, San Francisco Opera Association is seeking the issuance of a Type
11 64 general theatre license located at 401 Van Ness (District 5); and

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

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

18 WHEREAS, The conditions recommended by the Police Department are the
19 following: 1) sales, service, and consumption of alcoholic beverages shall be permitted
20 only between the hours of 10:00 a.m. and 12:00 a.m.; 2) the sale and serving of
21 alcoholic beverages shall be limited to ticketholders only during, and two hours prior to
22 and one hour after, a bona fide theater performance of the theater company. A bona
23 fide theater performance is defined as the "licensee must actually operate a troupe of
24 actors or other performers for the purpose of putting on a performance"; 3) sales,
25 service, and consumption of alcoholic beverages shall be made only from stationary

1 bars or portable bars and waiter/waitress service; and shall not be sold, served, or
2 delivered to customers by individual ambulatory vendors; 4) the sale of the alcoholic
3 beverages for consumption off the premises is strictly prohibited; 5) alcoholic beverages
4 shall be limited to no more than 2 beverages per person per sale; 6) alcoholic
5 beverages shall be served in containers clearly distinguishable from non-alcoholic
6 beverages containers; and 7) an employee or security guard shall be assigned the
7 responsibility of ensuring all alcoholic beverages remain inside the permitted area
8 whenever the privileges of the ABC license are being exercised; now, therefore, be it

9 RESOLVED, That in accordance with California Business and Professions Code,
10 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
11 hereby determines that the issuance of a Type 64 general theatre license to San
12 Francisco Opera Association located at 401 Van Ness (District 5), will serve the public
13 convenience or necessity of the City and County of San Francisco; and, be it

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




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 Jane Kim
Supervisor John Avalos
Supervisor David Campos

From: Lieutenant Dave Falzon 
Officer in Charge
ABC Liaison Unit (ALU) 415-837-7287

Date: April 12, 2016

Subject: P.C.N. Investigation Regarding: San Francisco Opera Association
DBA: San Francisco Opera
401 Van Ness Ave
(415) 551-5190

Lynne Winslow on behalf of San Francisco Opera Association has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 64 (Special On-Sale General Theatre) License for 401 Van Ness Ave (located between Grove and McAllister Streets).

Hours of Operation:

Daily

TBD per performance.

Digest:

San Francisco Opera Association would like to accommodate their patrons and provide beverage service for each of their performances. If approved, this license will allow San Francisco Opera Association to sell On-Sale beer, wine, and distilled spirits..

Letters of Protest:

No Record

Letters of Support:

No Record

Police Calls for Service:

From January 2015 to January 2016

31 Calls for service

Police Reports:

From January 2015 to January 2016: 4

San Francisco Plot Information:

This premise is located in Plot **552**.

A High Crime area is defined as **99** or more police incidents in a plot for the year of **2015**.

This plot had **236** police incidents for **2015**, which is **137** over the Citywide "High Crime" average.

State Census Tract Information:

This premise is located in Census Tract **162.00**

Population for this tract is: **2,541**

On-sale license authorized by census tract: **9**

Active on-sale licenses: **45**

Off-sale licenses authorized by census tract: **2**

Active off-sale licenses: **6**

Departmental Recommendation:

Points of consideration: none

Northern Station has no opposition

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:

- 1 Sales, service, and consumption of alcoholic beverages shall be permitted only between the hours of 10:00 a.m. to 12:00 a.m.
- 2 The sale and serving of alcoholic beverages shall be limited to ticketholders only during, and two hours prior to and one hour after, a bona fide theater performance of the theater company. A bona fide theater performance is defined as the "licensee must actually operate a troupe of actors or other performers for the purpose of putting on a performance".
- 3 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.
- 4 The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
- 5 Alcoholic beverages shall be limited to no more than 2 beverages per person per sale.
- 6 Alcoholic beverages shall be served in containers clearly distinguishable from non-alcoholic beverage containers.
- 7 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

Google Maps 401 Van Ness Ave



9/21/2015

415 Van Ness Ave - Google Maps

Google Maps 415 Van Ness Ave

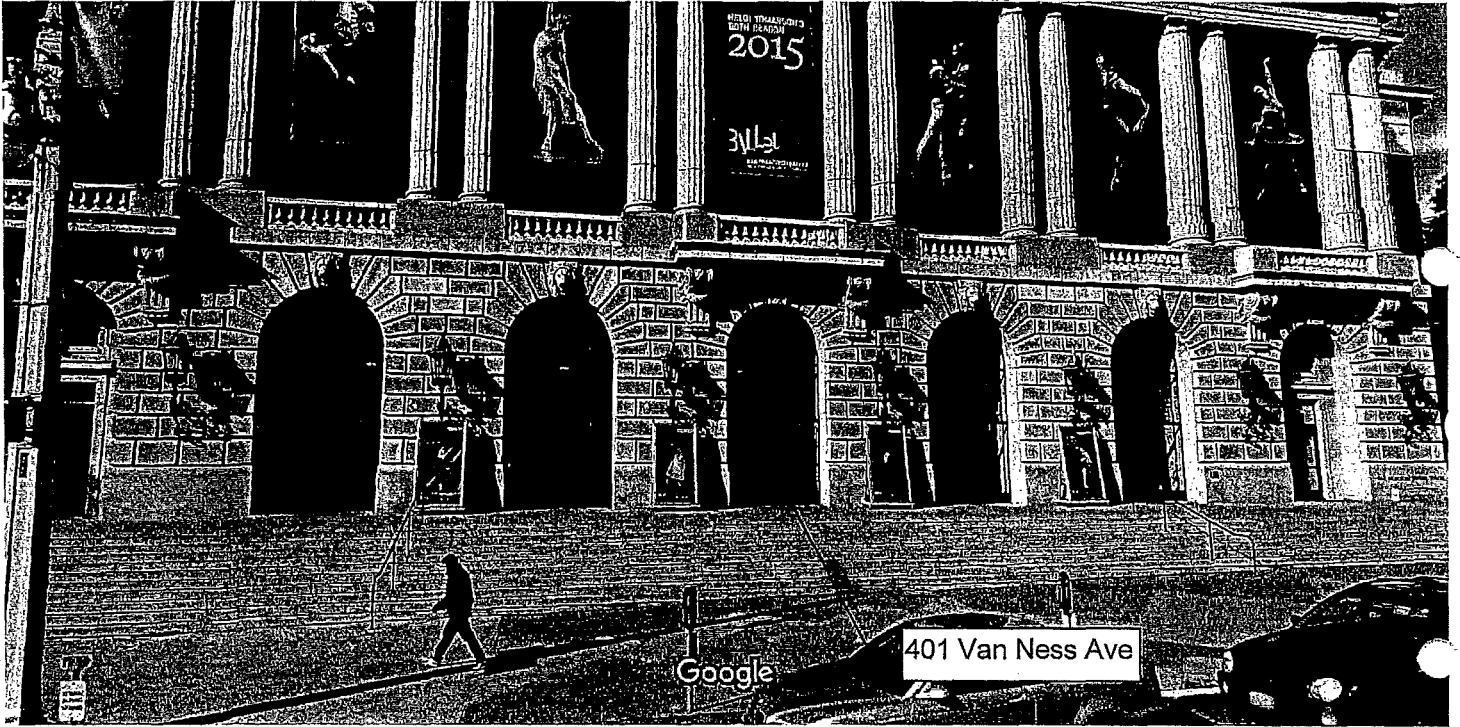


Image capture: Feb 2015 © 2015 Google

San Francisco, California

Street View - Feb 2015

https://www.google.com/maps/place/401+Van+Ness+Ave,+San+Francisco,+CA+94102/@37.7786235,-122.4200507,3a,48y,272.2h,96.65t/data=!3m1!1e1!3m1!1s8QMGuPeOUI_BbyvFCS6E1QI2a0!3s%2F%2Fga.. 1/2



NP
closed

LIQUOR LICENSE REVIEW

Received via Email
3/9/2016

TO: Planning Department **File:** 160209
AnMarie Rodgers/CTYPLN/SFGOV
Georgia Powell/CTYPLN/SFGOV@SFGOV
Fax No.: (415) 558-6409

TO: Police Department
Inspector Nelly Gordon
Phone: (415) 837-7273

DATE: March 4, 2016

Block/lot: 07806/001
Zoning: P
Quadr: NE
Record # 2016-003070 MIS

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: April 13, 2016, to Erica Major, Public
Safety and Neighborhood Services Committee Clerk.
Erica.Major@sfgov.org - Fax No: 554-7771

Applicant Name: San Francisco Opera Association
and Business Name: (401 Van Ness Avenue)

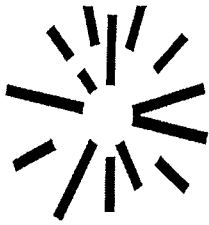
Applicant Address: 301 Van Ness Avenue
San Francisco, CA 94102
and Phone No. (415) 565-3295
(415) 551-5190

PLANNING COMMENTS: Approval Denial

ABC type 64 license is permitted with Accessory nonpublic
use in the P district, pursuant to code section 211.1. 2/8/16

POLICE COMMENTS: Approval Denial

~~_____~~
NICHOLE FOSTER
(415) 575-9167



SF OPERA
LAB

Wilsey Center
2016 Performance Series

March 3, 2016

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 MAR -3 AM 11:48
BY [Signature]

Re: San Francisco Opera Association Application for Liquor License
For the Wilsey Center for Opera, 4th Floor, 401 Van Ness

Dear Sirs,



The purpose of this letter is to request to be placed on the Board's Calendar for Public Convenience and Necessity with regard to the San Francisco Opera Association's application for a Type 64 Theater License for the new Wilsey Center for Opera and our new 299- seat flexible theater space the Dianne and Tad Taube Atrium Theater on the 4th Floor of 401 Van Ness Avenue.

The Veterans Building recently re-opened in September following a 26-month, \$156 million City sponsored seismic retrofit, as well as a \$21 million Opera sponsored theatrical space and tenant improvement project. The centerpiece of the Opera's project is a unique venue, the Diane B. Wilsey Center for Opera, where the 4th floor of the Veterans Building will come alive once again with public performances in the newly established Taube Atrium Theater, a state-of-the-art performance venue designed to be configured in multiple ways, providing both performer and audience members with a very personal approach to the concert experience. From traditional theater-style performances and seating, to cabaret settings with café tables and performances in the round, to more experimental configurations, the Taube Atrium Theater will offer intimate and adventurous experiences.

In order to best accommodate our patrons we would like to provide beverage service and light concessions for each of our performances. Hours of operation will begin 90 minutes prior to each performance and one hour post performance, depending on the program. By operating our own services at this relatively small performance space we will save on the wear and tear of the venue, and provide convenience to our patrons and the public considering the theater is on the fourth floor of the War Memorial Veteran's Building. Since SFMOMA last occupied this space in 1994 there has been no concessionaire, so this is a new license.

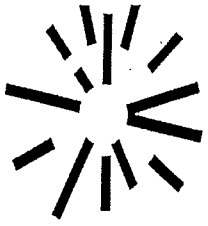
San Francisco Opera is committed to consolidating our facilities at Civic Center and expanding the increasingly vibrant performing arts offerings in the district.

We seek the San Francisco Board of Supervisors affirmative ruling that our application serves the public convenience and necessity of our City.

Sincerely,  

Michael TW Simpson, Chief Financial Officer Alternate Contact: Lynne Winslow

1602119



SF OPERA
LAB

Wilsey Center
2016 Performance Series

San Francisco Opera Association
301 Van Ness Avenue
San Francisco, CA 94102
V (415) 565-3295
F (415) 551-6329
msimpson@SFOpera.com

White Rain Productions
746 Hayes Street
San Francisco, CA 94102
V (415) 551-5190
lynne@whiterainproductions.com

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

- Instructions This form is to be used for all applications for original issuance or premises to 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
San Francisco Opera Association

2. PREMISES ADDRESS (Street number and name, city, zip code) **401 Van Ness Ave., 4th Floor, San Francisco CA 94102-4522**

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 checked="" type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine	<input type="checkbox"/> Wine Tasting Room
<input type="checkbox"/> Wine only	<input type="checkbox"/> All		

<input type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy
<input type="checkbox"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline	
<input type="checkbox"/> Other - describe:			

5. COUNTY POPULATION **845,602**

6. TOTAL NUMBER OF LICENSES IN COUNTY **275** On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY On-Sale Off-Sale

8. CENSUS TRACT NUMBER **62**

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT **9** On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT **44** On-Sale Off-Sale

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 **552**

14. TOTAL NUMBER OF REPORTING DISTRICTS **653**

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS **53,160**

16. AVERAGE NO. OF OFFENSES PER DISTRICT **81**

17. 120% OF AVERAGE NUMBER OF OFFENSES **97**

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT **247**

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

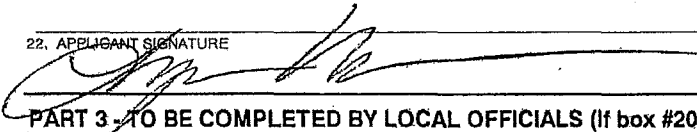
PREPARED BY (Name of Department Employee)
willie bulanadi

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 its area. You may attach a separate sheet or additional documentation, if desired. Do not proceed to Part 3.

A license is required for SF Opera Lab performances because the ~~per~~ venue is on the Fourth floor and there are no convenient services that can be used. As a small theater concessions must be handled by the non-profit so as not to be cost prohibitive.

22. APPLICANT SIGNATURE



23. DATE SIGNED

3/2/16

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

SF Opera Lab Performances, Spring 2016

Performance Date	Event and Start Time	Hours of Service
March 11, 2016	• Winteriesse at 8 pm	6:00pm-10:30pm
March 12, 2016	• Winteriesse at 8 pm	6:00pm-10:30pm
March 13, 2016	• Winteriesse at 3 pm	1:00pm-5:30pm
April 2, 2016	• Svadba at 8 pm	6:00pm-10:30pm
April 3, 2016	• Svadba at 3 pm	1:00pm-5:30pm
April 5, 2016	• Svadba at 8 pm	6:00pm-10:30pm
April 6, 2016	• Svadba at 8 pm	6:00pm-10:30pm
April 7, 2016	• Chamberworks at 8 pm	6:00pm-10:30pm
April 8, 2016	• Svadba at 8 pm	6:00pm-10:30pm
April 9, 2016	• Svadba at 8 pm	6:00pm-10:30pm
April 10, 2016	• Svadba at 3 pm	1:00pm-5:30pm
April 14, 2016	• Triplets of Belleville at 8pm	6:00pm-10:30pm
April 15, 2016	• Triplets of Belleville at 11am	9:00am-1:30pm
April 15, 2016	• Triplets of Belleville at 8pm	6:00pm-10:30pm
April 16, 2016	• Triplets of Belleville at 5pm and 9pm	3:00pm-11:30pm
April 17, 2016	• Triplets of Belleville at 2pm and 5pm	12:00pm-7:30pm
April 19, 2016	• Triplets of Belleville at 11am	9:00am-1:30pm
April 19, 2016	• Triplets of Belleville at 8pm	6:00pm-10:30pm
April 20, 2016	• Chamberworks at 8pm	6:00pm-10:30pm
April 21, 2016	• Triplets of Belleville at 8pm	6:00pm-10:30pm
April 22, 2016	• Triplets of Belleville at 11am	9:00am-1:30pm
April 22, 2016	• Triplets of Belleville at 9pm	7:00pm-11:30pm
April 23, 2016	• Triplets of Belleville at 7:30pm	6:00pm-10:30pm
May 6, 2016	• Voigt Lessons at 7pm	5:00pm-9:30pm
May 8, 2016	• Voigt Lessons at 7pm	5:00pm-9:30pm