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

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

DATE: April 16, 2024

AP Block/Lot Nos: 3553/014
Zoning: PDR-1G, 68-X
Quad: _____
Record No.: _____

Please submit your response within two weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in May of 2024.

PLEASE EMAIL YOUR RESPONSE by April 26, 2024, to:
Monique Crayton, Public Safety and Neighborhood Services Committee Clerk.
monique.crayton@sfgov.org ~ (415) 554-7750

Applicant name: **The Lab SF**

Business name: **The Lab**

Application address: **2948 16th Street**

Applicant contact info: **Andrew Smith**
andrew@thelab.org
415-864-8855

Jemma Jorel Lester
jemma@properpourco.com
845-389-3958

PLANNING REVIEW: ☒ **Approval** ☐ **Denial**

Planning Staff Contact: Edgar Oropeza, Senior Planner 4/16/2024
(Please add comments on a trailing page.)

POLICE REVIEW: ☐ **Approval** ☐ **Denial**
(Please add comments in a trailing report.)

From:	Oropeza, Edgar (CPC)
To:	Crayton, Monique (BOS)
Subject:	RE: Liquor License Issuance - 2948-16th Street - The Lab - BOS File No. 240358
Date:	Tuesday, April 16, 2024 4:11:00 PM
Attachments:	PCN Referral 041624.pdf

Hi and thank you for your attention to this email concerning 2948 16th Street. **The Planning Department recommend approval for the proposed type 64 per Planning Code Section 249.60 (b)(1)(B), for a Non-Profit Theater located within the Mission Alcoholic Beverage Special Use District**. Attached is the recommendation document.

SEC. 249.60. MISSION ALCOHOLIC BEVERAGE SPECIAL USE DISTRICT.

The Mission Alcoholic Beverage Special Use District (SUD) applies to the area generally bounded by Guerrero Street, San Jose Avenue, Randall Street, Mission Street, Cesar Chavez Street, Potrero Avenue and Fourteenth Street, as designated on Sectional Maps 7SU and 8SU of the Zoning Map of the City and County of San Francisco. The controls apply only within the boundaries of the SUD. There is a large number of establishments dispensing alcoholic beverages, including beer and wine, for both on-site and off-site consumption in this area. Bars and Restaurants are concentrated on the commercial corridors of Valencia Street, Mission Street, and 24th Street. Liquor Stores selling off-site liquor are distributed throughout this area. This concentration of alcoholic beverage establishments has contributed to numerous peace, health, safety and general welfare problems in the area.

The SUD, which has been in effect since 1987, was established to prohibit new establishments, or expansion of existing establishments, selling alcoholic beverages within the area and prohibited the transfer of liquor licenses. This has resulted in a freezing of entitlements that have less rigorous required operating conditions than are required today. While a net increase in Liquor Stores will continue to be prohibited, the transfer of a liquor license is permissible if the operating conditions currently in effect in the City and County of San Francisco are imposed on the transferee. The area would also benefit from new Grocery Stores of any size that may incidentally sell alcoholic beverages.

The following restrictions shall apply within such district:

(a) **Prohibition of New Liquor Stores.** No new Liquor Store, shall be permitted in the SUD, except that an existing Liquor Store may relocate pursuant to subsection (c) below.

(b) Allowed Alcohol-related Uses. Certain uses which are not likely to generate negative impacts on the surrounding area shall be allowed within the SUD as set forth below:

(1) The following uses shall be eligible for liquor licenses transferred from within the SUD as well as licenses transferred from outside the SUD:

(A) **Bona Fide Eating Places.** A Restaurant Use operating as a Bona Fide Eating Place shall be permitted to serve alcoholic beverages in this SUD.

(B) Non-Profit Theaters. A non-profit theater shall be permitted to serve alcoholic beverages in this SUD. A "non-profit theater" shall mean a building or part of a building intended to be used for the specific purposes of presenting any act, play, revue, pantomime, scene, song, dance act, or song and dance act, conducted or participated in by one or more persons, whether or not such person or persons are compensated for such performance, and which is exempted from payment of income tax under Section 23701d of the California Revenue and Taxation Code and Section 501(c)(3) of the Internal Revenue Code of the United

States. A "non-profit theater" shall not include any dance hall, as defined in Section 1022 of the Police Code, a billiard parlor, pool hall, bowling alley, or Adult Business.

For better response times, email communication is best.

Edgar Oropeza, Planner III
D 9 - D10
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct:628-652-7416| sfplanning.org
San Francisco Property Information Map: https://sfplanninggis.org/pim/

INFORMATION INQUIRIES MAY BE SENT TO PIC@SFGOV.ORG.

Permit services are available at the Permit Center at 49 South Van Ness.

From: Crayton, Monique (BOS) <monique.crayton@sfgov.org>
Sent: Tuesday, April 16, 2024 2:47 PM
To: CPC.Referrals <CPC.Referrals@sfgov.org>; Salmonson, Joel (POL) <Joel.R.Salmonson@sfgov.org>; Froines, Andrew (POL) <Andrew.Froines@sfgov.org>; Jemma Jorel Lester <jemma@properpourco.com>
Cc: Alabanza, Analyn@ABC <Analyn.Alabanza@abc.ca.gov>; amarjit.tamber@abc.ca.gov; Wong, Joanne (POL) <joanne.k.wong@sfgov.org>; Jonas, Stephen (POL) <Stephen.Jonas@sfgov.org>; Donovan, Dominica (BOS) <dominica.donovan@sfgov.org>; Oropeza, Edgar (CPC) <edgar.oropeza@sfgov.org>; VanHouten, Ben (ECN) <ben.vanhouten@sfgov.org>; Herrera, Ana (BOS) <ana.herrera@sfgov.org>; Ferrigno, Jennifer (BOS) <jennifer.ferrigno@sfgov.org>; Prager, Jackie (BOS) <jackie.prager@sfgov.org>; Chung Hagen, Sheila (BOS) <sheila.chung.hagen@sfgov.org>; Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Liquor License Issuance - 2948-16th Street - The Lab - BOS File No. 240358

Greetings,

The office of the Clerk of the Board has received a letter requesting public convenience or necessity findings for a liquor license Issuance. I'm referring this matter to you for response via the following linked document:

Referral Letter - Planning and Police Departments – April 16, 2024

You may review the entire matter on our Legislative Research Center by following the link below:

Board of Supervisors File No. 240358

After receiving review from the Planning and Police Departments, 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 consideration in the license matter.

The Public Safety and Neighborhood Services Committee will tentatively schedule this hearing for a regular meeting in May of 2024.

I request the Planning Department's response before April 26, 2024. Please confirm receipt of this message.

You may review the fact sheet for public convenience or necessity requests from the San Francisco Board of Supervisors via the following link:

Liquor License Public Convenience or Necessity Request

Thanks for the review.

Monique C. Crayton (she/her)
Assistant Clerk
Board of Supervisors - Clerk's Office
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-7750 | Fax: (415) 554-5163
monique.crayton@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

THE LAB

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2024 APR -9 AM 9:18
BY

Angela Calvillo, Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
415-554-4445

Re: Liquor License "PCN" Request
Original Type #64 - 657056

To the Clerk of the Board,

The purpose of this letter is to respectfully request to be placed on the Board's PSNS Subcommittee calendar for Public Convenience and Necessity review for our Type 64 ABC license.

The Lab is a 501(c)(3) not-for-profit charitable organization founded in 1984, which hosts over 50 singular events of performance art, film, poetry, and experimental music annually, and which has a current and valid Entertainment Permit with the City and County of San Francisco. We have been based in the Redstone Building in the Mission District since 1995, where we welcome over 12,000 visitors annually.

We are seeking a **Type 64 Special On-sale General license** for nonprofit theater company to better serve our guests by offering alcoholic beverages. The Lab is internationally recognized for our equitable payment of artists, dedicating over $150,000 annually to supporting over a hundred individual artists across our projects, and the ability to sell alcoholic beverages would allow our organization to devote more resources toward our mission of supporting working Bay Area artists.

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

Please include our ABC representative, Jemma Jorel Lester, on correspondence scheduling our hearing date. She can be reached via email at jemma@properpourco.com. Thank you for your kind consideration of this request.

Sincerely,

Andrew Smith, Executive Director
andrew@thelab.org / (415) 864-8855

Department of Alcoholic Beverage Control
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE
ABC 211 (6/99)

State of California

Jemma Lester (845) 389-3958

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

File Number: **657056**
Receipt Number: **2874587**
Geographical Code: **3800**
Copies Mailed Date: **March 6, 2024**
Issued Date:

DISTRICT SERVING LOCATION: **SAN FRANCISCO**

First Owner: **LAB SF THE**

Name of Business: **LAB THE**

Location of Business: **2948 16TH ST**
SAN FRANCISCO, CA 94103

County **SAN FRANCISCO**

Is Premises inside city limits **Yes** Census Tract: **0201.02**

Mailing Address:(If different from premises address)

Type of license(s): **64** Dropping Partner: Yes___ No✓

Transferor's license/name:

License Type	Transaction Type	Master	Secondary LT And Count
64 - Special On-Sale General Theater	ORI	Y	

License Type	Transaction Description	Fee Code	Dup	Date	Fee
Application Fee	ADD PRIMARY LICENSE TYPE	NA	0	03/06/24	$1,175.00
Application Fee	FEDERAL FINGERPRINTS	NA	4	03/06/24	$96.00
Application Fee	STATE FINGERPRINTS	NA	4	03/06/24	$156.00
64 - Special On-Sale General The	ANNUAL FEE	P40	0	03/06/24	$925.00
				Total	$2,352.00

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: March 6, 2024

Applicant Name(s)

LAB SF THE

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2024 MAR 11 AM 9:29
BY