File No. 240358 **Committee Item No.** 2
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: Public Safety and Ngbh Services **Date:** May 9,2024
Board of Supervisors Meeting: **Date:** _____

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OTHER

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Prepared by: Monique Crayton **Date:** May 3, 2024
Prepared by: _____ **Date:** _____
Prepared by: _____ **Date:** _____

From:	Crayton, Monique (BOS)
To:	CPC.Referrals; Froines, Andrew (POL); Jemma Jorel Lester
Cc:	Alabanza, Analyn@ABC; amarjit.tamber@abc.ca.gov; Wong, Joanne (POL); Jonas, Stephen (POL); Donovan, Dominica (BOS); Oropeza, Edgar (CPC); VanHouten, Ben (ECN); Herrera, Ana (BOS); Ferrigno, Jennifer (BOS); Prager, Jackie (BOS); Chung Hagen, Sheila (BOS); Carroll, John (BOS); Logan, Sam (BOS)
Subject:	RE: Liquor License Issuance - 2948-16th Street - The Lab - BOS File No. 240358
Date:	Thursday, May 2, 2024 11:26:00 AM
Attachments:	image001.png

Greetings,

The Police Department has completed their review of the subject public convenience or necessity request and has forwarded their recommendations. For your convenience, I have the review available from the link below:

Police Department Response – May 1, 2024

The Police Department's ALU is recommending approval with the following conditions:

1) 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 ABC-253;

2) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on ABC-253; and

3) (1) Except as provided in Condition 2 below, no noise shall be audible beyond the area under the control of the licensee; (2) Any noise caused by entertainment or amplified sound that is subject to the provisions of an active Entertainment Permit issued by the San Francisco Entertainment Commission shall be authorized in accordance with the limits established by that Entertainment Permit, including any limitation on hours during which entertainment or amplified sound is permitted. A violation of the entertainment or amplified sound noise conditions of the Entertainment Permit, as determined by the San Francisco Entertainment Commission (or any successor agency), shall be deemed to be a violation of this Condition. Any noise that is not subject to, or is beyond the scope of, the Entertainment Permit shall be subject to Condition 1 above. "Entertainment Permit" means any of the following: a Just Add Music permit, a Limited Live Performance permit, a Place of Entertainment permit, a Fixed Place Amplified Sound permit, or any similar such permit issued by the San Francisco Entertainment Commission.

The Public Safety and Neighborhood Services Committee will hold this hearing at 10 am on Thursday, May 9th.

I invite you to review the entire matter on our Legislative Research Center by following the link below:

Board of Supervisors File No. 240358

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.

San Francisco Police Department
ABC Liaison Unit

Alcoholic Beverage License -
Public Convenience or
Necessity Recommendation

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

Supervisor Catherine Stefani
Supervisor Matt Dorsey
Supervisor Joel Engardio

From: Lt. Stephen Jonas #79
Officer in Charge
ALU/Permits Unit 415-553-9550

Date: May 1, 2024

Subject: P.C.N. Investigation Regarding: First Owner: The Lab SF
DBA: The Lab
2948 16th Street
San Francisco CA. 94114

The Lab SF., operating as "The Lab", has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 64 (Special On Sale General Theater) license to be located at 2948 16th St. (located between Capp St. and South Van Ness Ave.)

Hours of Operation:

6pmm to 02:00am each day of the week.

Digest:

"The Lab SF" would like to operate a Live Entertainment Venue to be located at 2948 16th St. If approved, this license will allow them to sell Beer, Wine, and Distilled Spirits.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From March 2023 to March 2024

5 calls for service

Police Reports:

From March 2023 to March 2024

0 police reports

San Francisco Plot Information:

This premise is located in Plot: **414**

A High Crime area is defined as **103** or more police reports in a plot for the year of **2023**.

This plot had 486 police reports for **2023**, which is 383 **higher** than the **Citywide "High Crime"** average.

State Census Tract Information:

This premise is located in Census Tract: **201.02**
Population for this tract is: **3,081**

On-sale license authorized by census tract: **10**
Active on-sale licenses: 28 with 0 pending

Off-sale licenses authorized by census tract: **2**
Active off-sale licenses: 3 with 0 pending

Departmental Recommendation:

Points of consideration: **2**

No opposition from **Mission Station.**

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

Applicant premise **is** located in a **"High Concentration"** area.

0 - Protest.

0 - Support

ALU Recommendation: **Approval with the condition:**

1. 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 ABC-253.

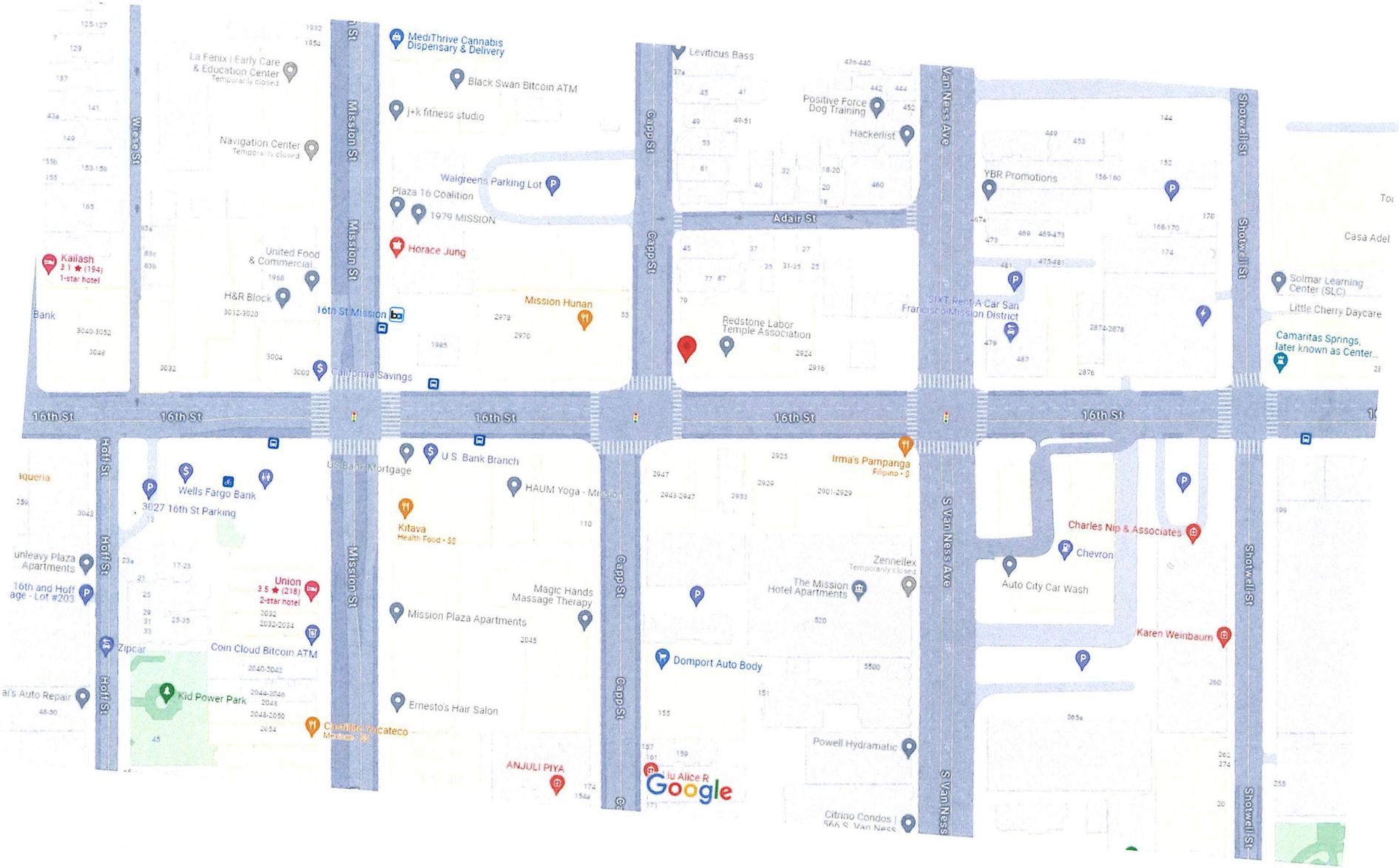
2. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on ABC-253.

3. (1) Except as provided in Condition 2 below, no noise shall be audible beyond the area under the control of the licensee. (SF district office only).

   (2) Any noise caused by entertainment or amplified sound that is subject to the provisions of an active Entertainment Permit issued by the San Francisco Entertainment Commission shall be authorized in accordance with the limits established by that Entertainment Permit, including any limitation on hours during which entertainment or amplified sound is permitted. A violation of the entertainment or amplified sound noise conditions of the Entertainment Permit, as determined by the San Francisco Entertainment Commission (or any successor agency), shall be deemed to be a violation of this Condition. Any noise that is not subject to, or is beyond the scope of, the Entertainment Permit shall be subject to

Condition 1 above. "Entertainment Permit" means any of the following: a Just Add Music permit, a Limited Live Performance permit, a Place of Entertainment permit, a Fixed Place Amplified Sound permit, or any similar such permit issued by the San Francisco Entertainment Commission. (SF district office only)

Google Maps 2948 16th St



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