

File No. 170155

Committee Item No. 1

Board Item No. 16

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Neighborhood Services

Date April 12, 2017

Board of Supervisors Meeting

Date APRIL 18, 2017

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)

- LL Referral 02/06/17
- Planning Response 02/22/17
- Police Response 04/04/17
- DBI Receipt 3/23/2017
- _____
- _____
- _____
- _____
- _____
- _____
- _____

Completed by: Erica Major Date April 6, 2017

Completed by: JAM Date 4/13/2017

1 [Liquor License - 277 Taylor Street]

2
3 **Resolution determining that the issuance of a Type 64 special on-sale general**
4 **theatre license to The Cutting Ball Theater, dba Cutting Ball Theatre, located at**
5 **277 Taylor Street (District 6), will serve the public convenience or necessity of**
6 **City and County of San Francisco in accordance with California Business and**
7 **Professions Code, Section 23958.4, and recommending that the California**
8 **Department of Alcoholic Beverage Control impose conditions on the issuance of**
9 **the license.**

10
11 WHEREAS, The Cutting Ball Theatre, dba Cutting Ball Theatre is seeking the
12 issuance of a Type 64 special on-sale general theatre license to 277 Taylor Street
13 (District 6); and

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

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

20 WHEREAS, The conditions recommended by the Police Department are the
21 following: 1) sales, service, and consumption of alcoholic beverages shall be permitted
22 between the hours of 10:00 a.m. to 11:00 p.m. each day of the week; 2) all sales and
23 service of alcoholic beverages for consumption in the theater auditoriums shall be made
24 only from concession stands, portable stands or bars, or fixed bars, and shall not be
25 sold, served, or delivered to customers by individual ambulatory vendors, commonly

1 known as "hawkers"; 3) point of sale of alcoholic beverages shall not be maintained
2 within the theater auditoriums; 4) notwithstanding conditions "2" and "3", above, and
3 only when the theater auditoriums is configured with designated seating, alcoholic
4 beverages may be sold or served by waiters or waitresses in the general spectator
5 seating areas under the following conditions:

- 6 a. Only persons occupying seats in the theater auditoriums shall be permitted to
7 order and be served alcoholic beverages
- 8 b. Orders from patrons seated in the theater auditoriums must be made to the
9 waiter or waitress serving that area and the alcoholic beverages must be
10 personally delivered to the patron by the waiter or waitress who took the
11 order.
- 12 c. The waiter or waitress serving in the theater auditoriums shall not carry a
13 supply of unordered alcoholic beverages.

14 5) no more than two (2) alcoholic beverages shall be sold or served to any one (1)
15 person during any transaction; 6) alcoholic beverages shall be served in containers
16 which significantly differ in appearance from those containers utilized for non-alcoholic
17 beverages; containers for beer shall not exceed 16 ounces; 7) at all times when the
18 premises is exercising the privileges of its license, an employee of the premises shall
19 enter and monitor the activity within the theater auditoriums on a regular basis, but no
20 less than once every 30 minutes; 8) loitering (defined as "to stand idly about; linger
21 aimlessly without lawful business") is prohibited on any sidewalks or property adjacent
22 to the licensed premises under the control of the licensee(s) as depicted on the ABC-
23 257 dated 2/12/2017; 9) noise shall not be audible beyond the area under the control of
24 the licensee as depicted on ABC-257 dated 2/12/2017; and 10) the sale of alcoholic
25 beverages for consumption off the premises is strictly prohibited; now, therefore, be it

1 RESOLVED, That in accordance with California Business and Professions Code,
2 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
3 hereby determines that the issuance of a Type 64 general theatre license to The Cutting
4 Ball Theater, dba Cutting Ball Theater, located at 277 Taylor Street (District 6), will
5 serve the public convenience or necessity of the City and County of San Francisco; and,
6 be it

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

170155
UPDATED VERSION



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 Hillary Ronen
Supervisor Jeff Sheehy
Supervisor Sandra Lee Fewer

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

Date: April 5, 2016

Subject: P.C.N. Investigation Regarding: The Cutting Ball Theatre
DBA: Cutting Ball Theatre
277 Taylor St
(415) 292-4700

Carissa Ibert on behalf of Cutting Ball Theatre, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 64 (Special On Sale General- theatre) License for 277 Taylor St (Located between Eddy and Ellis streets).

Hours of Operation:



10:00 am and 11:00 pm

Daily

Digest:

Cutting Ball Theatre has operated as a theatre at 277 Taylor since 2007. They would like to provide beer, wine and distilled spirits to their audience members. If approved, this license will allow Cutting Ball Theatre to sell on-sale beer, wine, and distilled spirits at this premises before a show and at their intermissions.

Letters of Protest:

0

Letters of Support:

0

Police Calls for Service:

From August 2015 to August 2016

5 Calls for service

Police Reports:

From August 2015 to August 2016: 0

San Francisco Plot Information:

This premise is located in Plot 176

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

This plot had 327 police incidents for 2015, which is 228 over the Citywide "High Crime" average.

State Census Tract Information:

This premise is located in Census Tract 125.02

Population for this tract is: 3,821

On-sale license authorized by census tract: 13

Active on-sale licenses: 4

Off-sale licenses authorized by census tract: 3

Active off-sale licenses: 5

Departmental Recommendation:

Points of consideration: 3 consideration points

Tenderloin Station has no opposition

Applicant premise is located in a "high crime" area.

Applicant premise is **not** 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 between the hours of 10:00 a.m. to 11:00 p.m. each day of the week.
- 2 All sales and service of alcoholic beverages for consumption in the theater auditoriums shall be made only from concession stands, portable stands or bars, or fixed bars, and shall not be sold, served, or delivered to customers by individual ambulatory vendors, commonly known as "hawkers."
- 3 Points of sale of alcoholic beverages shall not be maintained within the theater auditoriums.
- 4 Notwithstanding conditions #2 & #3, above, and only when the theater auditoriums is configured with designated seating, alcoholic beverages may be sold or served by waiters or waitresses in the general spectator seating areas under the following conditions:
 - a. Only persons occupying seats in the theater auditoriums shall be permitted to order and be served alcoholic beverages.
 - b. Orders from patrons seated in the theater auditoriums must be made to the waiter or waitress serving that area and the alcoholic beverages must be personally delivered to the patron by the waiter or waitress who took the order.
 - c. The waiter or waitress serving in the theater auditoriums shall not carry a supply of unordered alcoholic beverages.
- 5 No more than two (2) alcoholic beverages shall be sold or served to any one (1) person during any transaction.

- 6 Alcoholic beverages shall be served in containers which significantly differ in appearance from those containers utilized for non-alcoholic beverages. Containers for beer shall not exceed 16 ounces.
- 7 At all times when the premises is exercising the privileges of its license, an employee of the premises shall enter and monitor the activity within the theater auditoriums on a regular basis, but no less than once every 30 minutes.
- 8 Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee(s) as depicted on the ABC-257 dated 2-12-17.
- 9 Noise shall not be audible beyond the area under the control of the licensee as depicted on ABC-257 dated 2-12-17.
- 10 The sale of alcoholic beverages for consumption off the premises is strictly prohibited.

It should be noted that the applicant has agreed with the above listed recommended conditions.

RECEIVED

FEB - 6 2017

LIQUOR LICENSE REVIEW

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
TO NEIGHBORHOOD PLANNING

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

File: 170155

Block/Lot: 0332/001

Zoning: RC-4

Quad: NE

Record # 2017-001561 MI

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

DATE: February 6, 2017.

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: March 22, 2017, to Erica Major, Public Safety and Neighborhood Services Committee Clerk.
Erica.Major@sfgov.org - Fax No: 554-7771

Applicant Name: The Cutting Ball Theater
and Business Name: (Cutting Ball Theater)
Applicant Address: 277 Taylor Street
San Francisco, CA 94102
and Phone No. (415) 292-4700

PLANNING COMMENTS: Approval Denial

ABC LICENSE TYPE 04 IS PERMITTED AS AN ACCESSORY USE TO A PERMITTED ARTS ACTIVITY USE WITHIN THE RC-4 DISTRICT PER PC SECTION 204.3 AND 209.3. SUBJECT TO GOOD NEIGHBOR POLICIES IN PC SXN. 249.5(b)(6)

POLICE COMMENTS: Approval Denial

APPROVED
Dept. of Building Insp.

MAR 23 2017

Tom C. Hill
TOM C. HILL, E.E.
DIRECTOR
DEPT. OF BUILDING INSPECTION

ROVED FOR ISSUANCE

BLDG. FORM 3/8

APPLICATION NUMBER
M770667

OSHA APPROVAL REQ'D
APPROVAL NUMBER

**APPLICATION FOR BUILDING PERMIT
ADDITIONS, ALTERATIONS OR REPAIRS**

**CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION**

FORM 3 OTHER AGENCIES REVIEW REQUIRED
FORM 8 OVER-THE-COUNTER ISSUANCE

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HERewith AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

8 NUMBER OF PLAN SETS

DO NOT WRITE ABOVE THIS LINE

DATE FILED	FILING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB	BLOCK & LOT
		277 TAYLOR ST	0332 001
PERMIT NO.	ISSUED	(2A) ESTIMATED COST OF JOB	(2B) REVISED COST:
1A20300	3-23-17	\$243.66	BY: DATE

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR.	(5A) NO. OF STORIES OF OCCUPANCY:	(6A) NO. OF BASEMENTS AND CELLARS:	(7A) PRESENT USE:	(8A) OCCUP. CLASS	(9A) NO. OF DWELLING UNITS:
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DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR.	(5) NO. OF STORIES OF OCCUPANCY:	(6) NO. OF BASEMENTS AND CELLARS:	(7) PROPOSED USE (LEGAL USE)	(8) OCCUP. CLASS	(9) NO. OF DWELLING UNITS:
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(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED?	YES <input type="checkbox"/> NO <input type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION?	YES <input type="checkbox"/> NO <input type="checkbox"/>	(12) ELECTRICAL WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED?	YES <input type="checkbox"/> NO <input type="checkbox"/>
---	--	---	--	---------------------------------------	--	-------------------------------------	--

(14) GENERAL CONTRACTOR	ADDRESS	ZIP	PHONE	CALIF. LIC. NO.	EXPIRATION DATE
-------------------------	---------	-----	-------	-----------------	-----------------

(15) OWNER - LESSEE (CROSS OUT ONE)	CUT ADDRESS	BTRCH#	PHONE (FOR CONTACT BY DEPT.)
277 Taylor Street	CUTTING RAIL THEATER AT BLCK 0332 LOT 001 AS: 277 TAYLOR ST		415-419-3584

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?	YES <input type="checkbox"/> NO <input type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING?	YES <input type="checkbox"/> NO <input type="checkbox"/>	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA	SQ. FT.
--	--	---	--	--	--	---------

(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?	YES <input type="checkbox"/> NO <input type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?	YES <input type="checkbox"/> NO <input type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN)	YES <input type="checkbox"/> NO <input type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?	YES <input type="checkbox"/> NO <input type="checkbox"/>
--	--	---	--	---	--	---	--

(25) ARCHITECT OR ENGINEER (DESIGN <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/>)	ADDRESS	CALIF. CERTIFICATE NO.
---	---------	------------------------

(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")	ADDRESS
--	---------

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building or structure or scaffolding used during construction is to be closer than 6'0" to any wire containing more than 750 volts. See Sec 395, California Penal Code.

Pursuant to San Francisco Building Code, the building permit shall be posted on the Job. The owner is responsible for approved plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown, revised drawings showing correct grade lines, cuts and fills, and complete details of retaining walls and wall footings must be submitted to this department for approval.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) OR (24).

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

In dwellings, all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX

- OWNER
- ARCHITECT
- LESSEE
- AGENT
- CONTRACTOR
- ENGINEER

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERE TO WILL BE COMPLIED WITH.

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have worker's compensation coverage under (I) or (II) designated below, or shall indicate item (III), (IV), or (V), whichever is applicable. If however item (V) is checked, item (IV) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declarations:

- () I. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- () II. I have and will maintain worker's compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My worker's compensation insurance carrier and policy number are:
Carrier: _____
Policy Number: _____
- () III. The cost of the work to be done is \$100 or less.
- () IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the worker's compensation provisions of the Labor Code of California and fail to comply therewith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.
- () V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the worker's compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

Signature of Applicant or Agent: *Tom C. Hill* Date: 3/23/17

CONDITIONS AND STIPULATIONS

APPROVED: FOR ADDRESS ONLY CENTRAL PERMIT BUREAU	By <u>WFC</u> WAI FONG CHEUNG, DBI MAR 23 2017
APPROVED: <u>MA</u> DEPARTMENT OF CITY PLANNING	BUILDING INSPECTOR, DEPT. OF BLDG. INSP.
APPROVED: BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	MECHANICAL ENGINEER, DEPT. OF BLDG. INSPECTION
APPROVED: CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION	BUREAU OF ENGINEERING
APPROVED: DEPARTMENT OF PUBLIC HEALTH	REDEVELOPMENT AGENCY
APPROVED: HOUSING INSPECTION DIVISION	(Arrow pointing down from previous row)

DATE: _____
REASON: _____
NOTIFIED MR. _____
DATE: _____
REASON: _____
NOTIFIED MR. _____
DATE: _____
REASON: _____
NOTIFIED MR. _____
DATE: _____
REASON: _____
NOTIFIED MR. _____
DATE: _____
REASON: _____
NOTIFIED MR. _____
DATE: _____
REASON: _____
NOTIFIED MR. _____
DATE: _____
REASON: _____
NOTIFIED MR. _____

HOLD SECTION - NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or departments noted on this application, and attached statements or conditions or stipulations, which are hereby made a part of this application.

Number of attachments

CENTRAL PERMIT BUREAU
 1660 Mission Street
 San Francisco, California 94103

CITY AND COUNTY OF SAN FRANCISCO
 DEPARTMENT OF BUILDING INSPECTION
 (415)558-6088

Receipt No: 1420300
 Application/Permit No: M770667

PERMIT IS GRANTED TO

ERECT ALTER BUILDING ERECT SIGN DATE OF ISSUE 23-MAR-17
 DEMOLISH BUILDING GRADE FILING FEE RECEIPT # _____
 LOWER CURB OCCUPY STREET SPACE
 EXCAVATE STREET OR SIDEWALK POST NOTICE
 HOUSE NUMBER CERTIFICATE REPAIR OR CONSTRUCT SIDEWALK

THIS PERMIT IS GRANTED IN ACCORDANCE WITH PROVISIONS OF THE CHARTER AND ORDINANCES OF THE CITY AND COUNTY OF SAN FRANCISCO AND/OR THE CURRENT STANDARD SPECIFICATIONS OF THE DEPARTMENT OF BUILDING INSPECTION

* ADDITIONAL INFORMATION REGARDING SPECIFIC PERMITS IS GIVEN ON THE BACK OF THIS FORM.

SUPPLEMENTAL FEE PAID:

FINAL PLAN CHECK EXPEDITER FEE PENALTY
 STRUCTURAL LTR DCP FEE

DBI P/C PAID AT FILING

AUDITED FOR REFUND	FEE
HOUSE #	195.3
CPB PROCESSING FEE	48.36

OWNER: _____
 LOCATION OF JOB: HOUSE NUMBER: EXISTING ASSIGNED
 STREET ADDRESS: 277 TAYLOR ST BLOCK/LOT: 0332/001

 METES AND BOUNDS

FRONTAGE FT # STORIES TYPE LEGAL OCCUPANCIES
 BUILDING USE ESTIMATED COST \$ 244.00
 SIDEWALK SQ. FTGE ST. SPACE LINEAR FT. 9 FT. CURB SECT. TO BE LOWERED
 PARKING METER LINEAR FT. PARKING METER DAYS

WORK MUST COMMENCE ON BUILDING WITHIN TIME PER CODE, UNLESS EXTENSION AUTHORIZED PRIOR TO EXPIRATION. IF UNDER ENFORCEMENT ORDERS, SPECIAL TIME PERIODS SPECIFIED IN NOTICE OF VIOLATION OR ABATEMENT ORDER WILL APPLY.

TIME FOR COMPLETION OF WORK UNDER THIS BUILDING PERMIT EXPIRES AFTER DATE OF ISSUANCE. IF UNDER ENFORCEMENT ORDERS, SPECIAL TIME PERIODS WHERE SPECIFIED WILL APPLY. (NOTE: STREET SPACE PERMIT EXPIRES ON COMPLETION OF WORK OR WHEN REVOKED BY DIRECTOR OF PUBLIC WORKS. SEE BACK OF FORM FOR OTHER TIME LIMITS.)

SURCHARGE	0.00
BOA SURCHARGE	0.00
SUBTOTAL OF FEES WITH APPLICABLE SURCHARGES	\$243.66

THE CUTTING BALL THEATER 415-292-4700
 FEE PAYOR
 277 TAYLOR STREET
 ADDRESS
 SAN FRANCISCO CA 94102
 CITY

PERMIT 1420300
 APPEAL
 CENTRAL PERMIT BUREAU-D.B.I. WFCHEUNG

SUBTOTAL OTHER FEES	
TOTAL	\$ 243.66

SEPARATE PERMITS MUST BE OBTAINED FOR ELECTRICAL, PLUMBING OR OTHER RELATED WORK
 9003 ev.10/95)

1000

WARNING

Pursuant to Article 20 of Chapter 10, Part II of the San Francisco Municipal Code (Public Works Code), certain building permits may be issued only after the permittee analyzes the soil for the presence of hazardous wastes and, where applicable, certifies that it has completed site mitigation. No officer, employee, or agency of the City conducted the soil sampling and analysis, recommended site mitigation measures, conducted the site mitigation or checked or verified the reports submitted or work performed for accuracy, reliability or adherence to protocols. In issuing this permit, neither the city nor any of its officers or employees make any representation that the soil on or about the site is free from the presence of hazardous wastes. Nor does the City's implementation of this process relieve any person from their duties and responsibilities relating to hazardous waste contamination under state and federal law. Neither soil analysis pursuant to Article 20 of Public Works Code nor the issuance of this permit is intended to alter, extinguish, or transfer these responsibilities.

ADDITIONAL INFORMATION

1. Building Permit.
All requests for extension of time must be in writing to Director, Dept. of Building Inspection. Permits are issued subject to Appeal within 15 days to Board of Permit Appeals. Incur no expenses until right of Appeal has lapsed.
2. Demolition Permit.
If Demolition involves Abandonment of Side Sewer Permittee must obtain a Side Sewer Permit. The Side Sewer will then be blocked at the Main Sewer.
3. Permit to Lower Curb/To Excavate in Street or Sidewalk.
Issued to construct Auto Runway as per Article 15. Public Works Code.
Excavation should be carried out in accordance with Article 8 of Public Works Code.
If issued with Building permit time for completion is same as Building; if issued alone, complete work within 6 months from date of Permit. Void if not started within 6 months.
4. Street Space Permit.
No refuse, excavated materials, concrete or mortar is to be disposed of upon Paved Streets, catch basins or into the City sewer system. No material or equipment shall be left on Roadway of Police Tow-Away-Zone during hours when Tow-Away Rule is in force. Gutters and Waterways must be kept clear.
All provisions of Section 724.3 of the Public Works Code are incorporated into this permit by reference.
Street and sidewalk areas occupied must not exceed a width 1/2 the width of the sidewalk plus 1/3 the width of the Roadway fronting.
5. Permit to Repair or Construct Sidewalk.
Handicap Ramps required in vicinity of Crosswalks per plan No.11-33, 982, Ch. 2. Before beginning any work under this permit contact your Area Inspector Tel. 554-5837. Permit valid for 3 months from date issued, unless extension authorized.
Some sidewalks have been constructed over a subsidewalk basement or other below ground structure. Issuance of this permit does not limit, modify, or alter in any way the responsibility of the property owner to ensure that such subsidewalk space complies with the San Francisco Building Code, Electrical Code, Fire Code, Mechanical Code, Plumbing Code, Public Works Code, and other Municipal Codes. In addition, issuance of this permit does not limit the liability of the property owner or his or her agent if work pursuant to this permit or the actions of a third party result in damage to the sidewalk or subsidewalk structure; consequently, permittees proceed at their own risk. The City and County of San Francisco makes no representations that issuance of a sidewalk permit will or will not directly or indirectly affect a subsidewalk structure. The Department of Building Inspection, in conjunction with the Department of Public Works, issues permits to construct or alter subsidewalk spaces separately from a sidewalk permit. Property owners are encouraged to seek the advice of qualified professionals to independently analyze the structural integrity of subsidewalk space and determine whether such space should be improved or modified.
6. Hold Harmless Clause.
The Permittee(s) by acceptance of this permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands and actions.

BOARD OF PERMIT APPEALS STIPULATIONS.

THE CUTTING BALL THEATER

EXPLORE EXPERIMENTAL

February 6, 2017

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

Re: Type 64 Application
The Cutting Ball Theater
277 Taylor Street
San Francisco, CA 94102

Mailing Address:
The Cutting Ball Theater
141 Taylor Street
San Francisco, CA 94102
415-292-4700

Attn: California Alcoholic Beverage Control, San Francisco Police Department
ALU and San Francisco Board of Supervisors

Dear Angela Calvillo,

Cutting Ball Theater was founded by Rob Melrose and Paige Rogers in 1999 and has been in residence at Exit on Taylor, located at 277 Taylor Street, since 2007. We are an award-winning theater company that produces a season of three full-length productions, with a total of 48-60 performances each year.

We are seeking this Type 64 liquor license so we can serve alcoholic beverages to our audiences during pre-show and intermission. This would allow us to join the rest of the theaters 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. Our normal operating hours are from Wednesday- Sunday between 5 pm – 10 pm, depending on the night of the week and the length of the show.

Currently we have found that on nights when we have daily liquor licenses, we are able to draw larger audiences to our theater. Audiences expect, from experience at other institutions such as A.C.T., the Magic Theater or Piano Fight, to be able to enjoy a glass of wine or a drink before a show. This license would therefore help us draw more audiences to our neighborhood and help provide a positive influx of foot traffic at night 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. To date, we have not received a negative response from any community member or group about

2017 FEB -6 PM 1:10
AK

Board
Oskar Eustis
Ken Melrose
Suzan-Lori Parks
Walter Wilkie
Robert Woodruff

Directors
Erik Blachford
Eric Brown
Mary Anne Cook
Amanda Felson
Darren Isom
Sarah Kowalczyk
Tom Lima
Daniel Lockwood
Laura Mason
Janet Maughan
Rob Melrose
Reva Rao
Kate Roberts
Dave Yrueta

Director
Paige Rogers

Artistic Director
Liz Olson



141 Taylor Street
San Francisco, CA 94102
www.cuttingball.com
info@cuttingball.com
(415) 292-4700

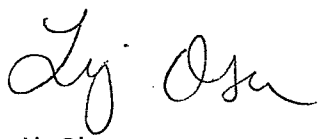
THE CUTTING BALL THEATER

EXPLORE EXPERIMENTAL

our use of daily liquor licenses. In fact, many of our neighbors and patrons have expressed support for the expansion of our beverage offerings to all performances.

For these reasons we respectfully request that the Board of Supervisors 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 Cutting Ball's operations, please contact me at liz@cuttingball.com or at my office line at 415- 292-4700.

Sincerely,



Liz Olson
Managing and Producing Director

Board

- Oskar Eustis
- Ken Melrose
- Suzan-Lori Parks
- alter Wilkie
- Robert Woodruff

Directors

- Erik Blachford
- Eric Brown
- Mary Anne Cook
- Amanda Felson
- Darren Isom
- Sarah Kowalczyk
- Tom Lima
- Daniel Lockwood
- Laura Mason
- Janet Maughan
- Rob Melrose
- Reva Rao
- Kate Robards
- Dave Yrueta

Director

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Managing And Producing Director

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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

Cutting Ball Theater

2. PREMISES ADDRESS (Street number and name, city, zip code)

277 Taylor St., San Francisco CA 94102-2711

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

On-Sale Off-Sale 275 On-Sale Off-Sale

8. CENSUS TRACT NUMBER

125.02

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

On-Sale Off-Sale 4 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

176

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

432

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)

INVESTIGATION CHECKLIST

Instructions to Applicant:

Thank you for filing your application. The application will be assigned to a representative for investigation. After the application is initially reviewed, the representative will notify you if additional information is

DATE: 8/26/16
FILE NUMBER: 572691
TYPE: 64

necessary for the investigation. **Failure to respond to the requests for additional information will be considered an abandonment of the application and it will be administratively withdrawn.** The items needed for our investigation are checked below. *Please furnish them to this office as soon as possible to avoid delays or denial of your application.* When completing forms, print in ink or type. For questions or help, please call and ask to speak with your assigned investigator or licensing representative at _____ (415) _____.

- Post your premises with Form ABC-207, Public Notice. . . (white poster), or ABC-207-B, Public Notice. . . (yellow poster). Your 30-day statutory waiting period begins when you post the notice. Make sure to date the notice.
- ABC-293, Affidavit of Posting - Sign, date and return.
- ABC-207-A, Notice of Application - Publish one time in a newspaper of general circulation in the city where the licensed premises will be located. If none, publish in a newspaper of general circulation in the city nearest the premises.
- ABC-207-C, Notice of Application to Sell Alcoholic Beverages - Publish once a week for three consecutive weeks. Publish in a newspaper of general circulation in the city where the licensed premise will be located. If none, publish in a newspaper of general circulation in the city nearest the premises.
- ABC-207-D, Notice of Application for Change in Ownership of Alcoholic Beverage License - Publish one time in a newspaper of general circulation in the city where the licensed premises will be located. If none, publish in a newspaper of general circulation in the city nearest the premises.
- ABC-528, Instructions to Applicants. . . Section 23985.5, 500' law.
- ABC-207-E, Notice of Intention to Engage in the Sale of Alcoholic Beverages - Mail to certain addresses within 500' of the premises. Follow instructions on Form ABC-528.
- ABC-207-F, Declaration of Service by Mail (Section 23985.5, 500' law). Complete, sign, date and return with a copy of the ABC-207-E.
- Copy of Conditional Use Permit - Obtain from your city or county planning department.
- Verification (proof) of Funds (e.g., bank statements, savings passbooks, loan papers, real estate papers, financial statement, gift/loan letters, etc.).
- ABC-208-A/B, Individual Personal/Financial Affidavit - The following person(s) must complete the form:

- Live Scan (fingerprints) for the following person(s) - Please provide second copy of BCII 8016 signed by Live Scan operator:
LAURA-ANN MASON, ERIC BLACKFORD
THOMAS LIMA, ROBERT MELROSE
- Re-record and provide certified copy of ABC-227 or ABC-227-A, Notice of Intended Transfer, to include corrections:

- ABC-245, Information and Instructions re: Section 23958.4 (Public Convenience or Necessity).
- ABC-282, Declaration re Temporary Permit - Required if applicant is not available to sign Form ABC-280, Temporary Retail Permit.

INVESTIGATION CHECKLIST (Cont.)

- ABC-283, Information Concerning Temporary Permit - Information only; please read.
- Copy of Menu Food Lessee Agreement
- Agreement: Manager Franchise
- Non-retail applicant: Contact Bureau of Alcohol, Tobacco and Firearms National Revenue Center, to find out if a Federal Basic Permit is needed (no need to furnish copy of it to ABC). ATF National Revenue Center, 550 Main St., Cincinnati, OH 45202-3263. Phone: (800) 398-2282; email: natirevctr@cinc.atf.treas.gov; website: www.atf/treas.gov/alcohol/permits/htrn.
- Non-retail applicant: Contact ABC Headquarters, (916) 419-2571, concerning the need for: Malt Beverage Price Schedule (ABC-701), Territorial Agreements, Label Approval Application (ABC-412), Certificate of Compliance (ABC-578 and ABC-410), and Out-of-State Distilled Spirits Shipper's Certificate (ABC-413 and ABC-414).
- Non-retail applicants, except Type 06, 08, 14, 16, 17, 27 and 29, will be contacted directly by the Board of Equalization, Excise Tax Division concerning security deposit and registration requirements for excise tax due on alcoholic beverages.
- Retail applicant: Contact the Bureau of Alcohol, Tobacco and Firearms Distribution Center, (800) 937-8864, about the Special Tax Registration; ATF-5630.5, Annual Special Tax Registration and Return; ATF-5170.2, Liquor Laws and Regulations for Retail Dealers.
- Petition for Conditional License.
- ABC-203, Acknowledgment of ABC Laws, Rules or Regulations.
- Rule 60(j) or (l) affidavit.
- ABC-226, Statement re Consideration Deposited in Escrow - Date mailed to escrowholder: _____
Escrowholder must sign and mail to ABC.
- You may need to provide verification (proof) of the source of your funds (e.g., bank statements, savings passbooks, loan papers, real estate papers, financial statement, gift/loan letters, etc.).
- SIGN & RETURN APPLICANT INFO
- NON-PROFIT
- NEED PCN
-
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Posting should be accomplished within 5 days from the date of application.

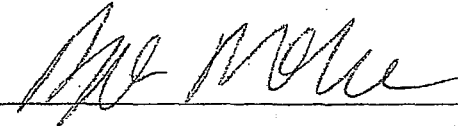
Investigation cannot progress until this completed form, Affidavit of Posting, has been received by this office.

Date of Filing Application: **August 26, 2016**

Name of Applicant(s): **CUTTING BALL THEATER THE**
Address of Premises: **277 TAYLOR ST
SAN FRANCISCO, CA 94102-2711**
License(s) Applied for: **64 - Special On-Sale General Theater**

I hereby certify under penalty of perjury that pursuant to the provisions of Section 23985 of the Alcoholic Beverage Control Act and Rule 109, Title 4, Chapter 1, California Code of Regulations, after filing an application to engage in the sale of alcoholic beverages at the above-designated premises, I did date the posting notice and on said date did post the notice in a conspicuous place on the premises and said notice shall remain posted for a period of at least 30 consecutive days.

NOTICE DATED AND POSTING: 8/29/2016

SIGNATURE OF APPLICANT:  DATE 8/29/16

Please return within five (5) days to:

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

Section 23985 and Rule 109,

Section 23985. POSTING NOTICE. After filing an application to engage in the sale of any alcoholic beverage at any premises, notice of intention to so commence shall be posted in a conspicuous place at the entrance to the premises. The applicant shall notify the department of the date when such notice is first posted. No License shall be issued for the premises until the notice has been so posted for at least 30 consecutive days. The notice shall be in such form as the department shall prescribe.

Notice of the application for a license pursuant to Section 24044 shall be posted at the proposed premises after the application is filed and shall remain so posted for at least 30 consecutive days. The applicant shall notify the department of the date when such notice is first posted.

Rule 109. POSTING NOTICE. After filing an application to sell alcoholic beverages at any premises, the applicant shall post on the proposed premises notice of intention to sell alcoholic beverages. The notice shall be at least two feet in length and fourteen inches in width. This notice shall be posted in a conspicuous place which can be readily observed by ordinary passersby at or near the entrance to the premises. In the case of a vacant lot, posting shall be on a post or stake of permanent material, at the midpoint of the largest boundary fronting on a public thoroughfare at a point not more than ten (10) feet from the sidewalk, or roadway in the absence of any sidewalk. This notice must be mounted upon heavy cardboard or wood backing affixed to the post or stake so as to be readily visible from the sidewalk or roadway.

The notice shall remain posted for at least 30 consecutive days.

LIQUOR LICENSE REVIEW

TO: Planning Department **File:** 170155
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: February 6, 2017

This item is tentatively scheduled to be heard in four to six weeks.

PLEASE EMAIL YOUR RESPONSE BY: March 22, 2017, to Erica Major, Public Safety and Neighborhood Services Committee Clerk.

Erica.Major@sfgov.org - Fax No: 554-7771

Applicant Name: The Cutting Ball Theater
and Business Name: (Cutting Ball Theater)
Applicant Address: 277 Taylor Street
San Francisco, CA 94102
and Phone No. (415) 292-4700

PLANNING COMMENTS: Approval Denial

POLICE COMMENTS: Approval Denial

