

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
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TDD/TTY No. 554-5227

MEMORANDUM

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Rafael Mandelman, Chair
Public Safety and Neighborhood Services Committee

FROM: John Carroll, Assistant Clerk

DATE: September 25, 2020

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, September 29, 2020

The following file should be presented as a COMMITTEE REPORT at the Board meeting, Tuesday, September 29, 2020. This item was acted upon at the regular Public Safety and Neighborhood Service Committee meeting on Thursday, September 24, 2020, at 10:00 a.m., by the votes indicated.

Item No. 77 File No. 200354

Resolution determining that the issuance of a Type-99 on-sale general for special use liquor license to the Saint Joseph's Arts Foundation located at 1401 Howard Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Rafael Mandelman - Aye
Supervisor Catherine Stefani - Aye
Supervisor Shamman Walton - Aye

Cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Anne Pearson, Deputy City Attorney

File No. 200354

Committee Item No. 1

Board Item No. 77

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services

Date: Sept. 24, 2020

Board of Supervisors Meeting:

Date: Sept. 29, 2020

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form
<input type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Correspondence

OTHER

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Applicant's Presentation – September 24, 2020</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Police Department Response – September 10, 2020</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Planning Department Response – August 31, 2020</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Referral – April 3, 2020</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>PC or N Request Letter – April 1, 2020</u>

Prepared by: John Carroll

Date: Sept. 18, 2020

Prepared by: John Carroll

Date: Sept. 25, 2020

1 [Liquor License - 1401 Howard Street - Saint Joseph's Arts Foundation]

2
3 **Resolution determining that the issuance of a Type-99 on-sale general for special**
4 **use liquor license to the Saint Joseph's Arts Foundation located at 1401 Howard**
5 **Street (District 6), will serve the public convenience or necessity of the City and**
6 **County of San Francisco; and requesting that the California Department of**
7 **Alcoholic Beverage Control impose conditions on the issuance of the license.**

8
9 WHEREAS, Saint Joseph's Arts Foundation is seeking the issuance of a Type-99
10 on-sale general for special use liquor license to do business at 1401 Howard Street
11 (District 6); 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 protests and zero letters of
15 support with the Department of Alcoholic Beverage Control under California Business
16 and Professions Code, Section 24013, and recommends that the Department of
17 Alcoholic Beverage Control issue the liquor license with conditions; and

18 WHEREAS, The conditions recommended by the Police Department are the
19 following: 1) Petitioner(s) shall actively monitor the area under their control in an effort
20 to prevent the loitering of persons on any property adjacent to the licensed premises as
21 depicted on the most recently certified form ABC-253; and 2) No noise shall be audible
22 at any nearby residences or consideration points; now, therefore, be it

23 **RESOLVED**, That in accordance with California Business and Professions Code,
24 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
25 hereby determines that the issuance of a Type 99 on-sale general for special use liquor

1 license to Saint Joseph's Arts Foundation, doing business at 1401 Howard Street, will
2 serve the public convenience or necessity of the City and County of San Francisco; and,
3 be it

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

The background of the entire image is a traditional marbled paper pattern, often called a 'stone' or 'shell' pattern. It features intricate, swirling, and feathered designs in a palette of deep red, white, and black, with some subtle hints of blue and brown. The pattern is dense and covers the entire frame. In the center, there is a rectangular area with a light cream or off-white background. This central area is enclosed by a thin, double-lined black border. Within this central area, the text 'SAINT JOSEPH'S' is written in a large, elegant, black serif font. Below it, the words 'ARTS SOCIETY' are written in a smaller, all-caps, black serif font. At the bottom of the central area, the date 'SEPTEMBER 2020' is written in a bold, all-caps, black sans-serif font.

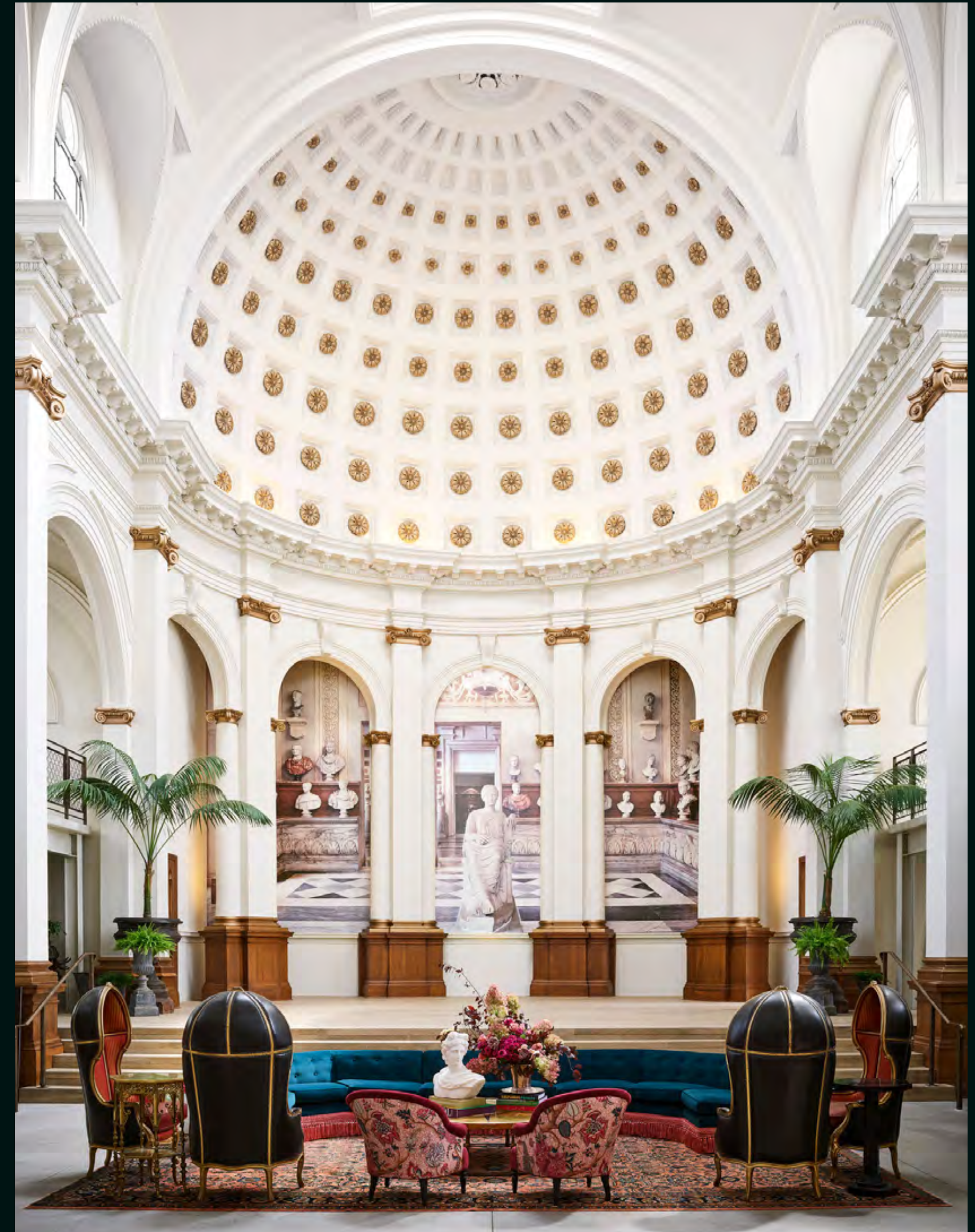
SAINT JOSEPH'S

ARTS SOCIETY

SEPTEMBER 2020

MISSION

Saint Joseph's Arts Society is dedicated to elevating the shared human experience through the cultivation of art and design, conversation and creativity.



COMMUNITY SUPPORT

We open our doors for tours of Saint Joseph's for many organizations across the bay area.

United Playaz
SOMA West Community Benefits Development
Fine Arts Museum of San Francisco
San Francisco Conservatory of Music
Oakland Museum Council on Architecture
Golden Gate Men's Chorus
Mission Language & Vocational School
San Francisco Heritage Foundation

Additionally, we have supported countless Bay Area Non profits host their fundraisers at Saint Joseph's including:

Goodwill Job Fair
Saint Anthony's
SF Art Institute
Michael Tilson Thomas and the Symphony
Festival Napa Valley



**ABC LICENSE TYPE 99
BUSINESS AND PROFESSIONS CODE - BPC
DIVISION 9. ALCOHOLIC BEVERAGES [24045.78]**

“The department may issue a special on-sale general license to a nonprofit arts foundation operating within a former church that is over 100 years old, on the National Register of Historic Places, and is located in designated Landmark No. 120 by the City and County of San Francisco, and is exempt from the payment of income taxes under Section 23701d of the Revenue and Taxation Code and Section 501(c)(3) of the Internal Revenue Code.”



COMMUNITY OUTREACH AND LICENSE TYPE 99 APPLICATION TIMELINE

- 2018 - Open House
- August 30th, 2019 Business and Professions Code 24045.78 sponsored by Assemblyman Chiu and approved by Governor Newsom
- 2019 - Open House
- December, 2019 - Application Filed
- January, 2020 Business and Professions Code 24045.78 enacted by Governor Newsom
- February 27th, 2020 - ABC License Application Shows online as Pending
- March, 2020 - Open House
- April 20th, 2020 - ABC Remote Inspection



NEIGHBORHOOD NOTIFICATIONS
PLACE OF ENTERTAINMENT
MARCH 2020



1468 FOLSOM



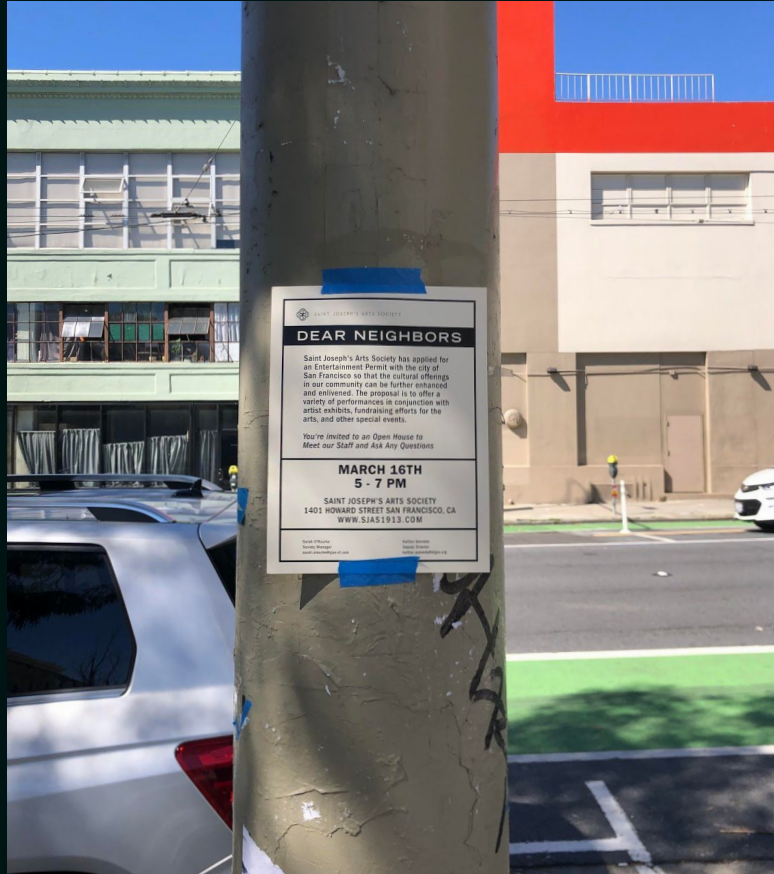
LA MAISON (241 10TH STREET)



NEW BOHEMIA SIGNS (281 9TH STREET)



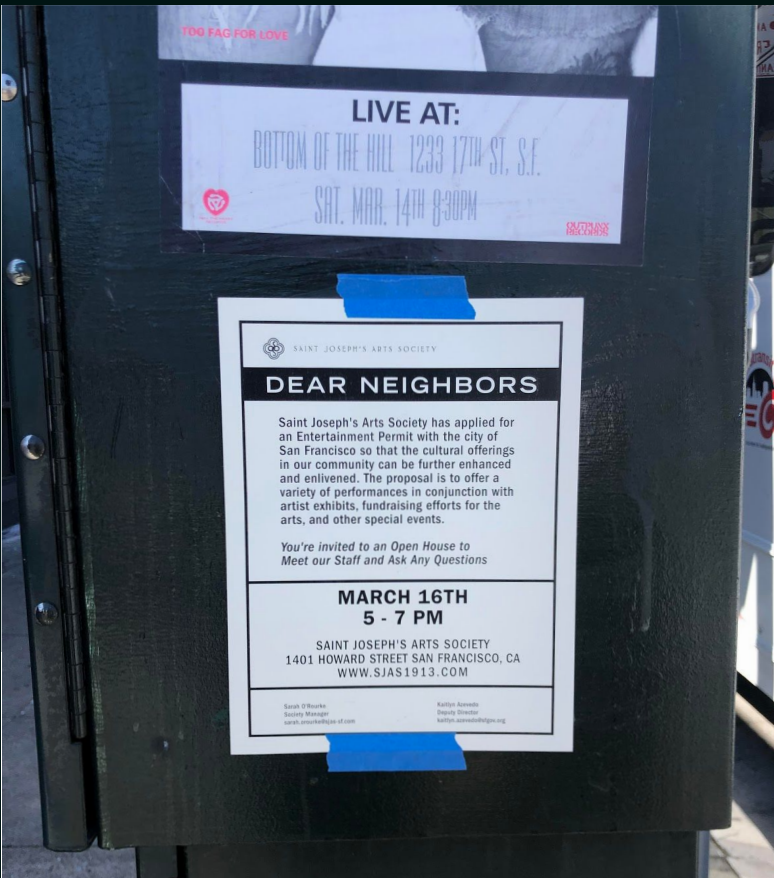
ASIA SF (205 9TH STREET)



1450 HOWARD



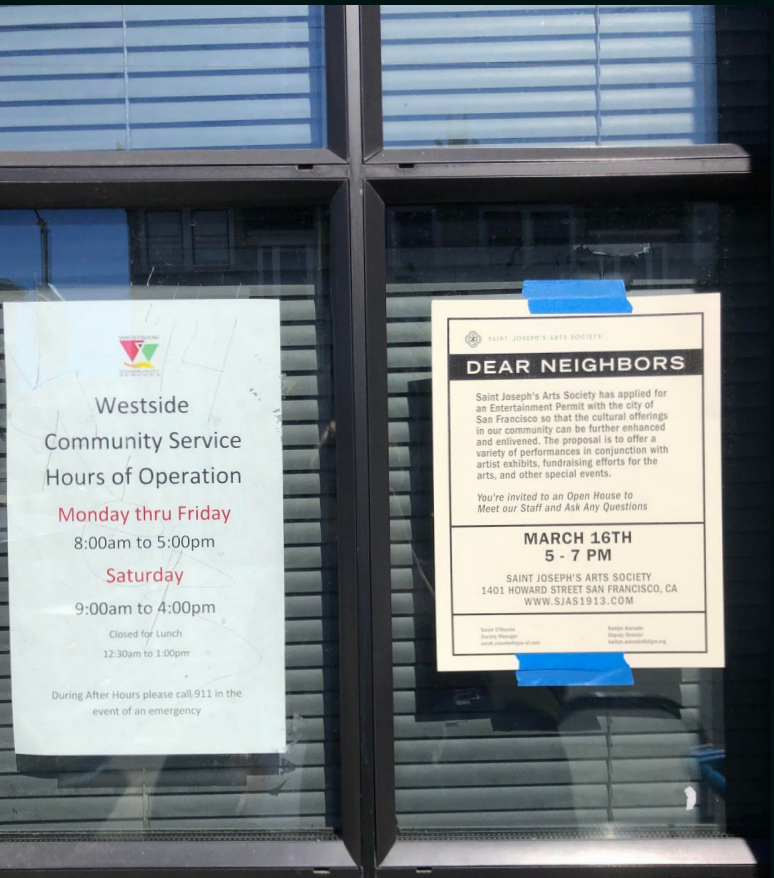
HOWARD & 11TH



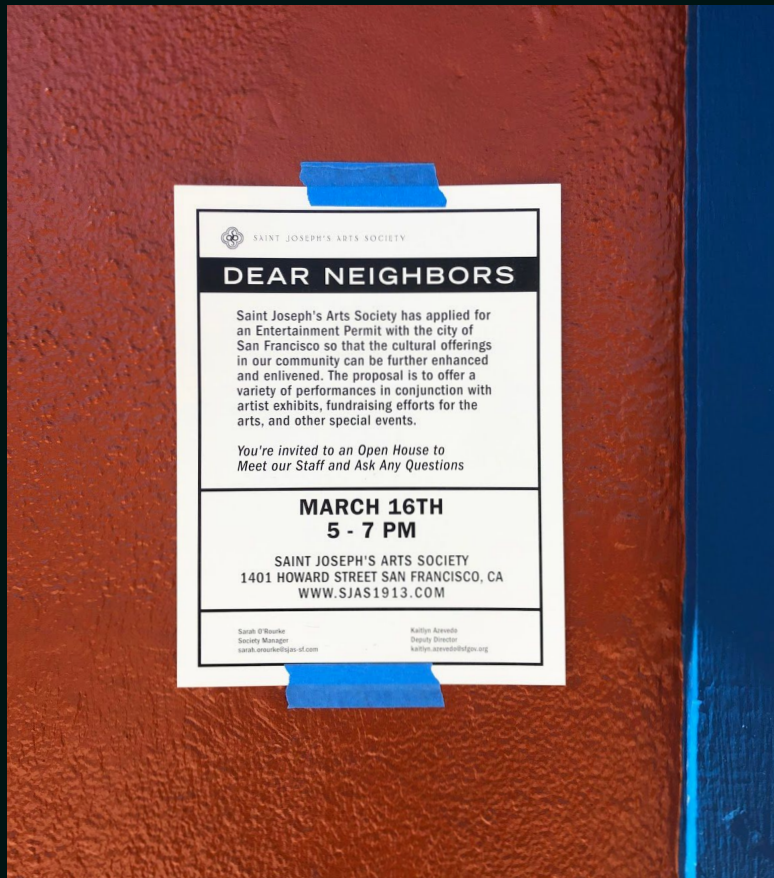
1500 HOWARD



1450 HOWARD



WESTSIDE COMMUNITY SERVICE



METRIC MOTORS

NOTIFICATION
MEMORIALIZE CHANGE OF USE
SEPTEMBER, 2020





Thank you!

Jon Gasparini
Rye On The Road

190 8th Street San Francisco, CA 94103
415.786.7804
jon@ryeontheroad.com

June 19, 2019

To Whom It May Concern,

I am writing to express my unwavering support for Ken Fulk and St Joseph's Art Society.

As a small business owner and resident of District 6 since 1997, I am filled with gratitude and pride that such an ambitious restoration and community-minded endeavor has been realized in my neighborhood.

My boutique beverage catering company, Rye On The Road, is one block away and has flourished over the past 10 years due to the support, generosity, and professionalism that Ken Fulk has practiced.

My affiliation with St Joesph's Art Society has allowed my business to employ several hospitality professionals with a living wage in a city that is increasingly a challenge for people in my profession. The additional good fortune of being exposed to the creative arts and sharing the space with our community has enriched this experience.

Please do not hesitate contact me with any questions.

Kind Regards,

Jon Gasparini
415-786-7804
Rye On The Road
190 8th Street, San Francisco

STEEL + LACQUER

SAN FRANCISCO

steelandlacquer.com

(415) 503-1210

August 15, 2019

The Honorable Gavin Newsom
Governor, State of California
State Capitol, Room 1173
Sacramento, CA 95814

Re: REQUEST FOR SIGNATURE- AB 1370 (Chiu)- Alcoholic beverage licenses: nonprofit arts foundation

Dear Governor Newsom,

On behalf of, Steel + Lacquer (salon company), we request your signature on AB 1370 (Chiu). AB 1370 would allow the historical Saint Joseph's Church, a National Historic Landmark as well as a San Francisco Landmark (#120,) to retain a special on-sale general license through the Department of Alcoholic Beverage Control for the purposes of permitting the Saint Joseph's Art Foundation to allow for the sale and consumption of alcohol during events. These events provide access to cultural and artistic assets throughout the year, which help to support the mission of the foundation as well as various non-profits and community groups sponsoring and hosting the events.

Saint Joseph's Church is a 22,000 square foot Romanesque revival church located at 1401 Howard Street in the City and County of San Francisco. After receiving significant damage in the 1989 Loma Prieta earthquake, the structure was closed and abandoned until 2008, when a local developer and contractor purchased Saint Joseph's Church and began the laborious process of obtaining National Park Service and local approvals for the rehabilitation and restoration of Saint Joseph's Church. The restoration was completed in 2018 and Saint Joseph's Church re-opened its doors on October 1, 2018.

Since its reopening, the Saint Joseph's Arts Foundation, the non-profit arm of the Saint Joseph's Arts Society, has begun holding various public programming events and daily tours, and hosts events for local non-profits and community groups. In less than four months, events hosted at Saint Joseph's Church and facilitated by the Saint Joseph's Arts Foundation, have raised over \$8 million for local non-profit theater companies, Maternity Care, clean water and affordable housing for disaster victims.

Currently, any event that is held at Saint Joseph's Church where alcohol is served requires partnership with an existing ABC licensee, for which that entity holds an active Type 47 or Type 48 license at an existing location in San Francisco. This entails the license holder applying in person at least 3 business days in advance at the local ABC District office for a Caterer Permit, which authorizes the licensee to serve and charge for alcoholic beverages upon the premises, in addition to paying a fee of \$142 and \$25 for each day of service. Furthermore, under the license rules and requirements each location that uses such a license, in this case Saint Joseph's Church, is limited to a maximum of 24 licensed events per year. Not only is the process and time to obtain each caterer event permit arduous and complex, it places a limit on the number of licensed caterer permit events allowed in one year, significantly straining Saint Joseph's Arts Foundation's ability to use the landmark structure to


facilitate events for local community groups, non-profits, local artists as well as events to support the foundation's mission.

AB 1370 would allow for an ABC license that would permit the types of events envisioned in Saint Joseph's Church. The license proposed would allow the Saint Joseph's Arts Foundation to operate within Saint Joseph's Church, providing access to cultural and artistic assets throughout the year to people of all ages and allowing for the sale of alcohol during these events to support the mission of the foundation, as well as various non-profits and community groups sponsoring and hosting the events.

For these reasons we ask you to sign AB 1370. Saint Joseph's Church is not a bar or a nightclub, nor it is a private club, event space or restaurant. It is a cultural asset, a National Landmark and a San Francisco Landmark (#120). It sat vacant and unused for 30 years and now is a restored community and cultural asset that is proposed for public and community use in support of the arts.

Thank you for your consideration in signing AB 1370. **If you should have any questions, please contact me at 415-503-1210.**

Sincerely,

A handwritten signature in dark ink, appearing to read "Jarrod", followed by a stylized, loopy flourish.

Jarrod Aldama
Co-founder of Steel + Lacquer (salon company)

DATE: September 24, 2020

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Supervisor Rafael Mandelman
Chairperson

RE: Public Safety and Neighborhood Services Committee
COMMITTEE REPORT

Pursuant to Board Rule 4.20, as Chair of the Public Safety and Neighborhood Services Committee, I have deemed the following matter is of an urgent nature and request it be considered by the full Board on September 29, 2020, as a Committee Report:

200354 [Liquor License - 1401 Howard Street - Saint Joseph's Arts Foundation]

Hearing to consider that the issuance of a Type-99 on-sale general for special use liquor license to the Saint Joseph's Arts Foundation located at 1401 Howard Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco.

This matter will be heard at a regular Meeting of the Public Safety and Neighborhood Services Committee on September 24, 2020 at 10:00 a.m.

Rafael Mandelman




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 Rafael Mandelman
Supervisor Catherine Stefani
Supervisor Shamman Walton

From: Lt. Georgia Sawyer #1565 
Officer in Charge
ALU/Permits Unit 415-553-9550

Date: September 10, 2020

Subject: P.C.N. Investigation Regarding: Saint Joseph's Arts Foundation
DBA: TBD
1401 Howard St
San Francisco, CA. 94103-2522

Saint Joseph's Arts Foundation has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 99 (On-Sale General for Special Use) license to be located at 1401 Howard St. (located 10th St. and 11th St.)

Hours of Operation:

6:00 a.m. to 2:00 a.m. each day of the week.

Digest:

Saint Joseph's arts Foundation would like to operate a non-profit event space to include Beer, Wine and Spirits sales located at 1401 Howard St. If approved, this license will allow Saint Joseph's Arts Foundation to sell On-Sale General for Special Use.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From February 2019 to February 2020

12 calls for service

Police Reports:

From February 2019 to February 2020

2 police reports

San Francisco Plot Information:

This premise is located in Plot: **230**

A High Crime area is defined as **107** or more police reports in a plot for the year of **2019**.

This plot had **150** police reports for **2019**, which is 43 **more** than the **Citywide "High Crime"** average

State Census Tract Information:

This premise is located in Census Tract: **178.02**

Population for this tract is: **4,516**

On-sale license authorized by census tract: **16**

Active on-sale licenses: 52 with 0 pending

Off-sale licenses authorized by census tract: **3**

Active off-sale licenses: 7 with 0 pending

Departmental Recommendation:

Points of consideration: 1

No opposition from **Southern Station**.

Applicant premise **is** located in a “**High Crime**” area.

Applicant premise **is** located in a “**High Concentration**” area.

0 - Protest.

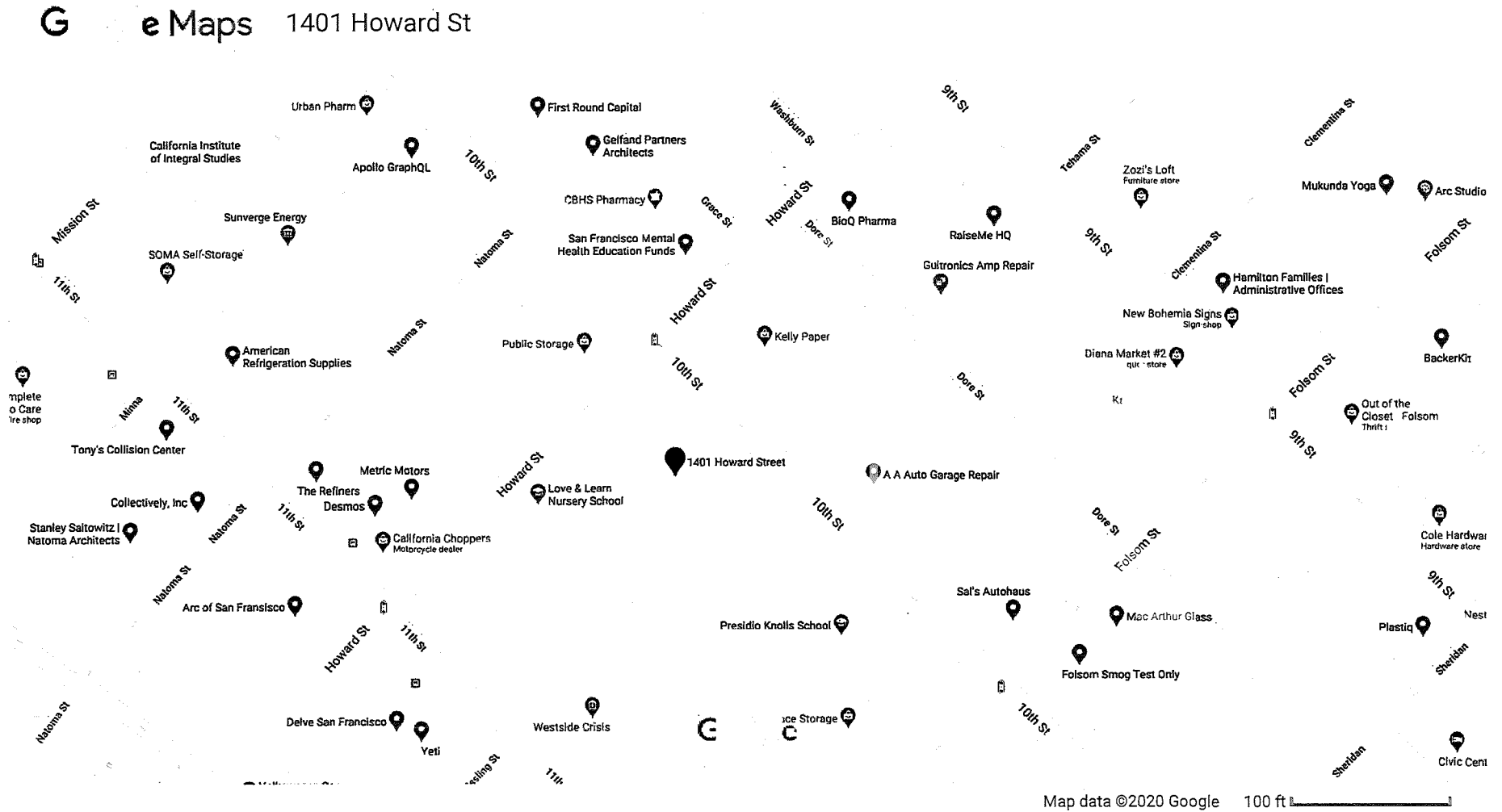
0 - Support

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

Conditions for Type 99- On Sale General for Special Use

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 most recently certified ABC-253.
2. No noise shall be audible at any nearby residences or consideration point.

It should be noted that as of June 8, 2020 the applicant had agreed to the above listed recommended conditions.



LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Phone No. (415) 558-6371

DATE: April 3, 2020

TO: Police Department
Inspector Georgia Sawyer
Phone No. (415) 553-9550

AP Block/Lot Nos.: 3517 / 0398041
Zoning: RCD 55/65X
Quad: SE Planning Team
Record No.: 2020-004361MIS

Please submit your response within three weeks; the Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in May of 2020.

PLEASE EMAIL YOUR RESPONSE BY: April 24, 2020, to John Carroll,
Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Saint Joseph's Arts Foundation

Business name: Saint Joseph's Arts Foundation

Application address: 1401 Howard Street
San Francisco, CA 94103

Applicant contact info: Samuel Ray
Colla and Ray, LLP
sam@collaray.com
415-579-1413

PLANNING REVIEW: ☒ Approval ☐ Denial

Planning Staff Contact: [Xinyu Liang, Xinyu.Liang@sfgov.org](mailto:Xinyu.Liang@sfgov.org)

Please print review comments on a trailing page.

POLICE REVIEW: ☐ Approval ☐ Denial

Please print review comments in a trailing report.

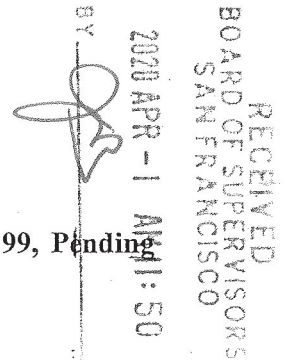
Recommend approval of the continuation of Café/Restaurant use and changing the existing Office use to Nighttime Entertainment use, contingent upon the completion of Building Permit # 202008222374.

City and County of San Francisco Board of Supervisors
c/o John Carroll, Assistant Clerk
1 Dr. Carlton B. Goodlett Place, Rm 244
San Francisco, California 94103



March 27, 2020

**Re: Saint Joseph's Arts Foundation - Liquor License "PCN" Request, Type 99, Pending
License 615466, 1401 Howard Street, San Francisco, California 94103**



To the Clerk of the Board:

The purpose of this letter is to respectfully request the Saint Joseph's Art's Foundation ("Saint Joseph's") be placed on the Board's Calendar for Public Convenience and Necessity approval for a new California Department of Alcoholic Beverage Control Type 99 liquor license located at 1401 Howard Street in District 6.

Saint Joseph's is located inside of a Romanesque revival church that was constructed in 1913 and designated as a San Francisco and National Historic Landmark in 1980. Nine years later, the Saint Joseph's Church was nearly destroyed during the Loma Prieta earthquake and the structure was closed and abandoned. Saint Joseph's Church sat vacant for the next 20 years, exposed to the elements, decaying, crumbling, and falling into significant disrepair. In 2016, work began on a two-year restoration, which revitalized the 100-year-old Saint Joseph's Church, transforming it from an abandoned building to a haven, a forum, and a source of inspiration for artists, patrons, and the public. Saint Joseph's is open to the public and available to local artists and community groups for exhibits, performances, events, and fundraisers, and serves as a beacon to people of all ages to engage with the artistic community in an inviting atmosphere.

Saint Joseph's has applied for a special on-sale general liquor license, which the Department of Alcoholic Beverage Control is authorized to issue to a nonprofit arts foundation operating within a former church, that is over 100 years old, on the National Register of Historic Places, and is located in designated Landmark No. 120 by the City and County of San Francisco. Saint Joseph's is uniquely qualified to meet these requirements and is organized as a California nonprofit public benefit corporation for the express purpose of engaging in charitable and educational activities within Section 501(c)(3) of the Internal Revenue Code. Saint Joseph's has

notified all residents within 500 feet of the building of its ABC application. Saint Joseph's now seeks the Board of Supervisors' affirmative ruling that its application serves a public convenience and necessity of our City. Please contact me to schedule a hearing date. I can be reached at 415-579-1413 or via email at sam@collaray.com. Thank you in advance for your time and consideration.

Very Truly Yours,

A handwritten signature in dark ink, appearing to read 'Sam Ray', with a stylized flourish at the end.

Samuel Ray
Colla & Ray LLP
Attorneys for Saint Joseph's Art Society