



City and County of San Francisco

Meeting Minutes

Public Safety and Neighborhood Services Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Catherine Stefani, Joel Engardio, Matt Dorsey

Clerk: Monique Crayton
(415) 554-7750 ~ monique.crayton@sfgov.org

Thursday, October 10, 2024

10:00 AM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Catherine Stefani, Joel Engardio, and Matt Dorsey

The Public Safety and Neighborhood Services Committee met in regular session on Thursday, October 10, 2024, with Chair Catherine Stefani presiding. Chair Stefani called the meeting to order at 10:03 a.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Stefani, Vice Chair Engardio, and Member Dorsey were noted present. A quorum was present.

COMMUNICATIONS

Monique Crayton, Public Safety and Neighborhood Services Committee Clerk, instructed members of the public that public comment is taken on each item on the agenda. Alternatively, written comments may be submitted through email (monique.crayton@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

240857 [Liquor License Transfer - 406 Clement Street - Neck of the Woods]

Hearing to consider that the transfer of a Type-90 on-sale general music venue liquor license to Urban Life Inc., to do business as Neck of the Woods located at 406 Clement Street (District 1), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

08/30/24; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the transfer of a Type-90 on-sale general music venue liquor license to Urban Life Inc., to do business as Neck of the Woods located at 406 Clement Street (District 1).

09/04/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

09/04/24; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

09/05/24; RESPONSE RECEIVED. The Police Department submitted a response 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.

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.

4) At any time, the premise is providing live entertainment, the petitioner(s) shall have two (2) uniformed security guard(s) on the premises and shall maintain order therein to prevent any activity which would interfere with the quiet enjoyment of their nearby residents, or the surrounding community. The uniform security guards must be licensed by the State of California Department of Consumer Affairs.

09/19/24; RESPONSE RECEIVED. The Planning Department is recommending approval of a Type 90 - On-Sale General Music Venue License Type allowed. Continuing nighttime entertainment use and Place of Entertainment (MB0601489 and EC - 969 POE, Amended 11/16/2022). Therefore the Type 90 license is in compliance with the legal land uses.

Heard in Committee. Speaker(s): Officer Andrew Froines (Police Department); presented information and answered questions raised throughout the discussion.

Chair Stefani moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making the determination that the transfer of a Type-90 on-sale general music venue liquor license to the applicant will serve the public convenience or necessity. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

Resolution determining that the transfer of a Type-90 on-sale general music venue liquor license to Urban Life Inc., doing business as Neck of the Woods, located at 406 Clement Street (District 1), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Chair Stefani moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

240858 [Liquor License Issuance - 1535 Folsom Street - Eve Nightclub]

Hearing to consider that the issuance of a Type-90 on-sale general music venue liquor license to Goth Inc., to do business as Eve Nightclub located at 1535 Folsom Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

09/04/24; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the issuance of a Type-90 on-sale general music venue liquor license to Goth Inc., to do business as Eve Nightclub located at 1535 Folsom Street (District 6).

09/06/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

09/06/24; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

09/12/24; RESPONSE RECEIVED. The Planning Department is recommending approval of ABC Type 90 License for a Nighttime Entertainment use (DBA "Eve") principally permitted in a WMUG Zoning District for properties fronting Folsom Street between 7th Street and Division Street. Continuation of existing use authorized under M-14191 on September 12, 1996.

09/25/24; RESPONSE RECEIVED. The Police Department submitted a response 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.
- 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.
- 4) At any time, the premise is providing live entertainment, the petitioner(s) shall have two (2) uniformed security guard(s) on the premises and shall maintain order therein to prevent any activity which would interfere with the quiet enjoyment of their nearby residents, or the surrounding community. The uniform security guards must be licensed by the State of California Department of Consumer Affairs.

Heard in Committee. Speaker(s): Officer Andrew Froines (Police Department); presented information and answered questions raised throughout the discussion. Jemma Jorel Lester (Proper Pour Co.); spoke in support of the matter.

Chair Stefani moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the issuance of a of a Type-90 on-sale general music venue liquor license to the applicant will serve the public convenience or necessity The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

Resolution determining that the issuance of a Type-90 on-sale general music venue liquor license to Goth Inc., doing business as Eve Nightclub, located at 1535 Folsom Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Chair Stefani moved that this Hearing be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

240917 [Liquor License Issuance - 1116 Folsom Street - The Nosh Box]

Hearing to consider that the issuance of a Type-42 on-sale beer and wine liquor license to LE MOT JUSTE LLC, to do business as THE NOSH BOX located at 1116 Folsom Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

09/13/24; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the issuance of a Type-42 on-sale beer and wine liquor license to LE MOT JUSTE LLC, to do business as NOSH BOX THE located at 1116 Folsom Street (District 6).

09/13/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

09/19/24; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

09/26/24; RESPONSE RECEIVED. SF Planning recommends approval for a Type 42 ABC license in conjunction with continuance of an existing non-conforming bar/liquor store use in the NCT (Folsom Street Neighborhood Commercial Transit) zoning district and the SOMA Youth and Family and Western SOMA special use districts, per Planning Code Sections 180, 249.40A, 757, and 823. This recommendation does not authorize a change of use; please note that Restaurants require Conditional Use Authorization within the SOMA Youth and Family special use district.

09/27/24; RESPONSE RECEIVED. The Police Department submitted a response 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.

Heard in Committee. Speaker(s): Officer Andrew Froines (Police Department); presented information and answered questions raised throughout the discussion. Stephen Wade (The Nosh Box); spoke in support of the matter.

Chair Stefani moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the issuance of a of a Type-42 on-sale beer and wine liquor license to the applicant will serve the public convenience or necessity. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

Resolution determining that the issuance of a Type-42 on-sale beer and wine liquor license to LE MOT JUSTE LLC, to do business as THE NOSH BOX located at 1116 Folsom Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4; and requesting that the California Department of Alcoholic Beverage Control impose a condition on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Chair Stefani moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Stefani, Engardio, Dorsey

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 10:16 a.m.

N.B. The Minutes of this meeting set forth all actions taken by the Public Safety and Neighborhood Services Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.