



Entertainment Commission

City and County of San Francisco



MINUTES

Meeting was held virtually and in-person

Tuesday, June 18, 2024

5:30 P.M.

Regular Meeting

COMMISSIONERS PRESENT: Ben Bleiman (President), Cyn Wang (Vice President), Maria Davis, Al Perez, Lt. Leonard Poggio, and Laura Thomas

COMMISSIONERS ABSENT: Anthony Schlander

STAFF IN ATTENDANCE: Executive Director Maggie Weiland; Deputy Director Kaitlyn Azevedo; Project and Communications Manager Dylan Rice; Commission Secretary May Liang; Senior Inspector Andrew Zverina

SPEAKER KEY:

- + indicates a speaker in support of an item;
- indicates a speaker in opposition of an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition

1. CALL TO ORDER AND ROLL CALL AT 5:37 PM

2. General Public Comment

Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

Public Comment: None

3. Approval of Meeting Minutes. Discussion and possible action to approve the minutes of the June 4, 2024 Commission meetings. [Discussion and Possible Action Item]

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Support Document: https://www.sf.gov/sites/default/files/2024-06/EC%20Meeting%20Minutes%20June%204%202024_Draft_0.pdf

Motion: Vice President Wang made a motion to approve the meeting minutes; Commissioner Davis seconded the motion.

Action: The Commission approved the minutes of the June 4, 2024 Commission meetings.

Ayes: President Bleiman, Vice President Wang, Commissioner Davis, and Commissioner Poggio

Nays: None

Public Comment: None

4. Report from Executive Director: Legislative/Policy Update: none; Staff and Office Update: none; Update on Board of Appeals Actions: none; Corrective Actions: none. [Discussion and Possible Action Item]

Public Comment: None

5. Report from Senior Inspector: Senior Inspector Andrew Zverina reports on recent enforcement activities. [Discussion and Possible Action Item]

Public Comment: None

6. Hearing and Possible Action regarding applications for permits under the jurisdiction of the Entertainment Commission. [Discussion and Possible Action Item]

Consent Agenda:

Commissioner Perez arrived during the consent agenda portion of the meeting.

- a. EC-1703 – Edward Sargent of GASHEAD PRODUCTIONS INC., *dba Murio's*, 1811 Haight St – Limited Live Performance that includes outdoor amplified sound & entertainment in parklet

Motion: Commissioner Davis made a motion to approve the permit with staff recommendations; Vice President Wang seconded the motion.

Action: The Commission approved the permit with staff recommendations.

Ayes: President Bleiman, Vice President Wang, Commissioner Davis, Commissioner Perez, and Commissioner Poggio

Nays: None

Public Comment: None

- b. EC-1791 - Eiad Eltawil of ELTAWIL BROTHERS LLC, *dba Yasmin*, 799 Valencia St – Limited Live Performance that includes outdoor amplified sound & entertainment in parklet

Motion: Vice President Wang made a motion to continue this item to the next Commission meeting; Commissioner Poggio seconded the motion.

Action: The Commission approved to continue the item to the next Commission meeting.

Ayes: President Bleiman, Vice President Wang, Commissioner Davis, Commissioner Perez, and Commissioner Poggio

Nays: None

Public Comment:

(=) Kevin Ortiz (Zoom), representative on behalf of Yasmin, agreed with the request of moving this item to the next Commission meeting and to host the community meeting.

(=/-) Charity Martin (Zoom), neighbor, agreed with the request of moving this item to the next Commission meeting and made comments in opposition of the permit application.

Regular Agenda:

- c. ECOTE24-228 – Charlie Schmitz of Noise Pop Industries, *dba Summer of Music*, various venues throughout San Francisco – One-Time Outdoor Event Permit with Extended Duration from June 22, 2024 to September 15, 2024, from 1:30pm-5:00pm each Saturdays and Sundays.

Motion: Vice President Wang made a motion to approve the permit with staff recommendations; Commissioner Poggio seconded the motion.

Action: The Commission approved the permit with staff recommendations.

Ayes: President Bleiman, Vice President Wang, Commissioner Davis, Commissioner Perez, and Commissioner Poggio

Nays: None

Public Comments: None

- d. ECOTE24-232 – Ben Davis of Illuminate the Arts, **dba Welcome 2024 (Pride Lasers)**, Harry Bridges Plaza, The Embarcadero at the Ferry Building – One-Time Outdoor Event Permit with Extended Duration on June 28 and 29, 2024 from 6:00pm to midnight and June 30, 2024 from 6:00pm-10:00pm.

Motion: Commissioner Poggio made a motion to approve the permit with staff recommendations; Commissioner Perez seconded the motion.

Action: The Commission approved the permit with staff recommendations.

Ayes: President Bleiman, Vice President Wang, Commissioner Davis, Commissioner Perez, and Commissioner Poggio

Nays: None

Public Comments: None

- e. EC-1780 – Tom Patella, Adam Rosenblum, and Elmer Mejicanos of MARINA MERCHANT LLC, **dba Causwell's**, 2346 Chestnut St – Fixed Place Amplified Sound in parklet

Motion: Vice President Wang made a motion to approve the permit with staff recommendations; Commissioner Davis seconded the motion.

Action: The Commission approved the permit with staff recommendations.

Ayes: President Bleiman, Vice President Wang, Commissioner Davis, Commissioner Perez, and Commissioner Poggio

Nays: None

Public Comments: None

- f. EC-1789 - Rick M. Haynes of SR VISIONS, LLC, **dba 7 Social**, 65 Post St – Place of Entertainment & Extended Hours Premises

Motion: Commissioner Davis made a motion to approve the permit with staff recommendations; Commissioner Poggio seconded the motion.

Action: The Commission approved the permit with staff recommendations.

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Ayes: President Bleiman, Vice President Wang, Commissioner Davis, Commissioner Perez, and Commissioner Poggio

Nays: None

Public Comments: None

- g. EC-1794 - Aaron Paul, Eric Passetti, and Jacob Roberts of ZHUZH BAR LLC, ***dba Zhuzh***, 1548 California St – Place of Entertainment

Commissioner Thomas arrived during item 6g of the Regular Agenda.

Motion: Commissioner Davis made a motion to approve the permit with staff recommendations; Commissioner Perez seconded the motion.

Action: The Commission approved the permit with staff recommendations.

Ayes: President Bleiman, Vice President Wang, Commissioner Davis, Commissioner Perez, Commissioner Poggio, and Commissioner Thomas

Nays: None

Public Comments: None

The Commission took a recess for a bathroom break between items 6g and 6h.

- h. EC-1783 – Karlo Avassapian of Next Level SF LLC, ***dba 1217 Lounge***, 1217 Sutter St – Place of Entertainment and Extended Hours Premises

Commissioner Perez left early for an excused reason.

The Commission took a recess for a break before making the motions for item 6h.

Deputy Director Kaitlyn Azevedo presented to the Commission about the Place of Entertainment (POE) permit application and Extended Hours Premises (EHP) permit application, including the timeline of the application including the opposition from the neighboring mosque and the subsequent steps taken to try and remediate the situation. The Commission was provided with a copy of the applications, letters of opposition, SFPD Northern Station's recommendation recommending approval of the POE permit and denial of the EHP permit, and a copy of Municipal Police Code Article 15.1 Section 1060.5 and Article 15.2 Section 1070.5 which outline the determinations for Place of Entertainment and Extended Hours Premises permits.

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The Commission was reminded that whatever action they took on the Place of Entertainment and Extended Hours Premises permit applications would need to be substantiated by the grounds set forth in Municipal Police Code as mentioned above. After taking public comment and deliberating both with the neighboring mosque and permit applicant, the Commission made the following decision regarding the Place of Entertainment and Extended Hours Premises permit applications:

Pursuant to Article 15.1 Section 1060.5 of the Municipal Police Code of the City and County of San Francisco, the Entertainment Commission **CONDITIONALLY GRANTED** the Place of Entertainment Permit for **dba 1217 Lounge** pending completion of required departmental inspections with the following conditions:

- (1) Permit holder shall comply with San Francisco Municipal Police Code under the jurisdiction of the Entertainment Commission, including but not limited to, Article 15, Article 15.1, Article 15.2, and Article 29.
- (2) Permit holder shall comply with the Commission-approved Security Plan.
- (3) Adhere to the Entertainment Commission's Good Neighbor Policy.
- (4) Indoor entertainment allowed Friday - Sunday 11:30pm – 2:00am – no entertainment allowed during the month of Ramadan each year.
- (5) Sound abatement internal limit approved at 88dBA/100dBC maximum, measured from the corner of the bar nearest the entrance.
- (6) There shall be a minimum of 4 security guards working on Friday - Sunday nights during entertainment.
- (7) At least two guards shall be outside at all times during entertainment on Friday – Sunday nights.
- (8) Beginning at 11:30pm on Friday - Sunday nights during entertainment, door policies shall include: ID check, bag check, pat-down, and wand prior to entry. A female guard will be onsite to perform female pat-downs.

This decision was made on the basis that the Commission found no grounds for denial of the Place of Entertainment permit per Article 15.1 Section 1060.5 Subsection (f)(1-5). The only section with potential factual basis for denial was Article 15.1 Section 1060.5 Subsection (f)(5), but this was overruled by the Commission based on the sound test Commission staff conducted both within 1217 Lounge and within the neighboring mosque. When the sound was on at 1217 Lounge using the issued sound limit in compliance with MPC Article 29, it only increased the

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volume inside of the mosque by 1 C-weighted decibel. However, it was noted by members of the mosque that the sound was still audible during the sound test. This among other concerns from the neighboring mosque were considered by the Commission in the issuance of the aforementioned conditions on this permit to ensure that entertainment would only be permissible outside of the hours of worship at the mosque.

Pursuant to Article 15.2 Section 1070.5 of the Municipal Police Code of the City and County of San Francisco, the Entertainment Commission hereby **DENIED** the Extended Hours Premises Permit for **dba 1217 Lounge**. This order was made on the basis that the Chief of Police or the Chief's designee, which in this case was the Northern Station Permit Office, recommended denial of the Extended Hours Premises Permit due to its direct proximity to a Place of Worship and the potential to disrupt the Place of Worship's practices during extended-hours (Article 15.1 Section 1060.5(f)(5) and (f)(7)).

Motion for Place of Entertainment Permit Application: Vice President Wang made a motion to conditionally grant the permit with the aforementioned conditions; Commissioner Davis seconded the motion.

The motion passed with the following 4-1 vote:

Ayes: President Bleiman, Vice President Wang, Commissioner Davis, and Commissioner Poggio

Nays: Commissioner Thomas

Motion for Extended Hours Premises Permit Application: President Bleiman made a motion to deny the permit; Commissioner Davis seconded the motion.

The motion passed with the following 5-0 vote:

Ayes: President Bleiman, Vice President Wang, Commissioner Davis, Commissioner Poggio, and Commissioner Thomas

Nays: None

Public Comments:

(Zoom Comments)

(=) Dr. Jonathan Butler, Vice Chair of the SF Interfaith Council, Associate Minister at Third Baptist Church and Vice President of the NAACP SF Branch, commented about defending the rights of this community to practice religious freedom in peace and without fear. He hopes the community and business owner can iron out the wrinkles in this matter.

(-) Jeremiah Jeffries, 1st Grade school teacher at Redding Elementary in the neighborhood and representative from the SF Muslim Community Center, commented in opposition of the permit

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application.

(+) Kevin Ortiz, Co-President of the San Francisco Latinx Democratic Club, commented that they submitted a letter of support for the lounge. He commented in support of the permit application.

(-) Nash Mashrah commented in opposition to the permit application.

(=/+) James Miller, Bar Manager for 1217 Lounge, commented with additional information about how the bar has accommodated for the mosque. He commented in support of the permit application.

(=/-) Mahabbah Kimberly, worshipper at the Masjid Al-Tawheed which is the mosque next door to bar, commented that though she appreciates the additional steps that the bar has taken, there still needs to be better communication and prompt responses. She commented with concerns about the permit application.

(-) Rina, neighbor to the bar, commented in opposition to the permit application.

(-) Sara A., worshipper at the mosque, commented in opposition to the permit application.

(+) Tamana hatef, neighbor to the bar, commented in support of the permit application.

(In-Person Comments)

(-) Sunny Angulo, Chief of Staff for SF Board of Supervisor President and District 3 Supervisor Aaron Peskin, read aloud a letter from Supervisor Peskin in opposition to the permit application.

(-) Hani Ganji, attorney representing the Masjid Al-Tawheed, pointed out legal codes that would cause issues with granting the permit. He commented in opposition of the permit application.

(-) Mohammed Gluzaili, an Imam for the Masjid Al-Tawheed who holds daily prayers, commented in opposition to the permit application.

(-) Soha Abdon, representative from Chinatown Community Development Center and IRC, commented in opposition to the permit application.

(-) Abdullah Homran, Vice President of the Masjid Al-Tawheed, commented in opposition to the permit application.

(-) Omar Al-Ejel, worshipper at the mosque and neighbor, commented in opposition to the permit application.

(-) Belah Mohamed, an Imam for the Masjid Al-Tawheed, commented in opposition to the permit application.

(-) Bushra Alabsi, early childhood teacher, youth advocate at the mosque and representative from Cross Cultural SF, along with her students, commented in opposition to the permit application.

(-) Tatiana Alabsi, worshipper at the mosque and resident in the Tenderloin, commented in opposition to the permit application.

(-) Saif Fara, worshipper at the mosque and resident in the Tenderloin, commented in opposition to the permit application.

(-) Kashif Abdullah, Board Member with the SF Interfaith Council and School Head for the SF Islamic School, read the letter from the Executive Director of the Council Michael Pappas about the permit application. He also commented in opposition of the permit application.

(-) Muhammad Yasir, resident of SF, labor union president and organizer with the Muslim

community, commented in opposition to the permit application.

(-) Hakim Tanaka, worshipper at the mosque, commented in opposition to the permit application.

(-) An SF resident, peace organizer and former attendee of the mosque's school, commented in opposition to the permit application.

(=/-) Chris Schulman, Lower Polk Community Benefit District representative, shared that the District does not hold a position on the matter. He did comment regarding frustrations with the outreach process that the business did and gave some context to the history of 1217 Sutter St.

(-) Izzy Aomran, worshipper at the mosque, commented in opposition to the permit application.

(=) Mark Rennie, neighbor to the bar and mosque, shared a photo from their window of the bar's location and gave context as a neighbor about what is happening in the area.

(=) Miriam Zouzounis, member of the Arab community and Vice President of the SF Small Business Commission, commented in thanks for continuing this item and hope that there can be an agreement reached that works for everyone. She hopes that the community's concerns are heard and offered to be involved between the community and the businesses.

(-) Hala Hijaz, who serves on the SFPD Chief Community Policing Forum, a part of the Interfaith Center at the Presidio, and Muslim community leader, commented in opposition to the permit application and specifically of the applicant.

7. Commissioner Comments & Questions; New Business Request for Future Agenda Items: This item is to allow Commissioners to introduce agenda items for future consideration, and to make announcements. [Action item and Announcements]

Public Comment: None

8. ADJOURNMENT at 9:31 PM