File No. 120962 Committee Item No. 1
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: City Operations **Date** 11/26/12

Board of Supervisors Meeting **Date** _____

Cmte	Board	
☐	☐	**Motion**
☐	☐	**Resolution**
☐	☐	**Ordinance**
☐	☐	**Legislative Digest**
☐	☐	**Budget and Legislative Analyst Report**
☐	☐	**Legislative Analyst Report**
☐	☐	**Youth Commission Report**
☐	☐	**Introduction Form (for hearings)**
☒	☐	**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)**

☐	☐	
☐	☐	
☐	☐	
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☐	☐	

Completed by: Derek Evans **Date** 11/21/12
Completed by: _____ **Date** _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

San Francisco Police Department
ABC Liaison Unit

Alcoholic Beverage License -
Public Convenience and Necessity Recommendation

To: The San Francisco Board of Supervisors' Committee on City Operations & Neighborhood Services

Supervisor Sean Elsbernd
Supervisor Carmen Chu
Supervisor Christina Olague

From: Inspector Nelly Gordon
ABC Liaison Unit (ALU) 553-1049

Date: October 30, 2012

Subject: P.C.N. Investigation Regarding: Pectopah, LLC
DBA: TBD
748 Innes Street
Mikhail Brodsky
(510)208-2803

Mikhail Brodsky has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 42 (On-Sale Beer and Wine-Public Premises) license for 748 Innes Street, (located on the north side of the 700 block of Innes and the cross street Arelious Walker).

For the purposes of this hearing, the California Department of Alcoholic Beverage Control (ABC) seeks a determination from the Board of Supervisors as to the approval or denial of this license.

Police Calls for Service: From July 2011 to January 2012

None

Police Reports: From July 2011 to January 2012

None

Notifications
It should be noted that during the application process, notification date for the 500' mailer was on 5/29/2012. The Notice to the Public was posted on 5/17/2012.

San Francisco Plot Information:

This premise is located in Plot **354**

The High Crime area is defined as 215 or more police actions in a plot.

This plot had **543** police actions recorded for 2010.

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

State Census Tract Information:

This premise is located in Census Tract **0231.03**

Population for this tract is: **3725**

On-sale license authorized by census tract: **12**
Active on-sale licenses: **0**

Off-sale licenses authorized by census tract: **3**
Active off-sale licenses: **1**

Applicant premise **is not currently** located in an "undue concentration" area.

Letters of Protest:

No record with the California Department of Alcoholic Beverage Control, (ABC).

Letters of Support:

No record with the California Department of Alcoholic Beverage Control, (ABC).

Departmental Recommendation:

No opposition from **Bayview Station**

ALU recommends approval. The following conditions have been recommended to the California Department of Alcoholic Beverage Control, (ABC):

1. Sales, service and consumption of alcoholic beverages shall be permitted between the hours of 10:00 am to Midnight each day of the week.

2. The sale of alcoholic beverages for off-sale consumption is strictly prohibited.

3. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.

4. 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 as depicted on the ABC-257, dated_____.

5. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti within 72 hours following the beginning of the next week day.

6. The exterior of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the premises. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.

7. No noise shall be audible beyond the area under the control of the licensee as defined on the ABC-257 dated_____.

8. The interior lighting maintained therein shall be sufficient to make easily discernable the appearance and conduct of all persons and patrons in that portion of the premises where alcoholic beverages are sold, served, delivered or consumed.

California Department of Alcoholic Beverage Control

License Query System Summary as of 9/10/2012

License Information

License Number: 521783

Primary Owner: PECTOPAH LLC

ABC Office of Application: 24 - SAN FRANCISCO

Business Name

... No Active DBA found ...

Business Address

Address: 748 INNES AVE **Census Tract:** 0231.03

City: SAN FRANCISCO **County:** SAN FRANCISCO

State: CA **Zip Code:** 94124

Licensee Information

Licensee: PECTOPAH LLC

Company Information

Officer: BRODSKY, MIKHAIL (MANAGER)

Officer: BRODSKY, MIKHAIL (MEMBER)

License Types

1) License Type: 42 - ON-SALE BEER AND WINE - PUBLIC PREMISES

License Type Status: PENDING

Status Date: 11-MAY-2012 **Term:** 12 Month(s)

Original Issue Date: **Expiration Date:**

Master: Y **Duplicate:** 0 **Fee Code:** P40

License Type was Transferred On: **FROM:**

Current Disciplinary Action

... No Active Disciplinary Action found ...

Disciplinary History

... No Disciplinary History found ...

Hold Information

Hold Date: 11-MAY-2012 **Type:** FORM 220

Escrow

... No Escrow found ...

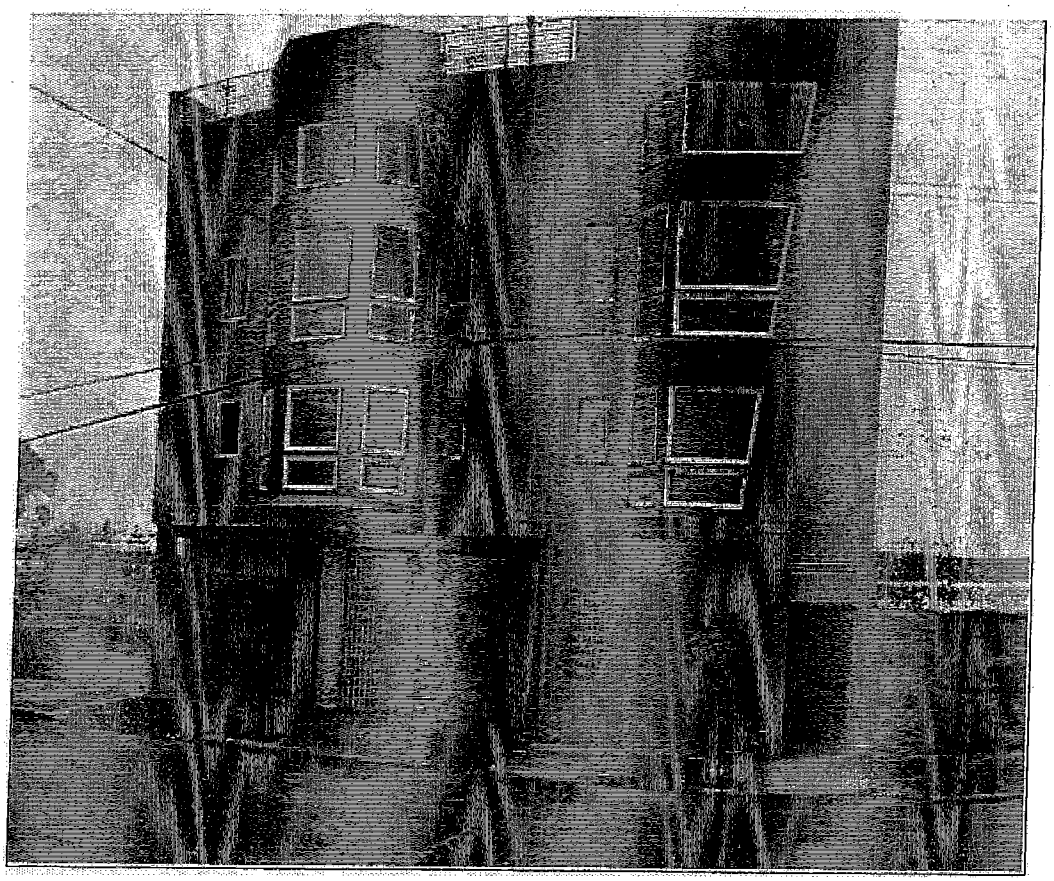
--- End of Report ---

For a definition of codes, view our glossary.

Google

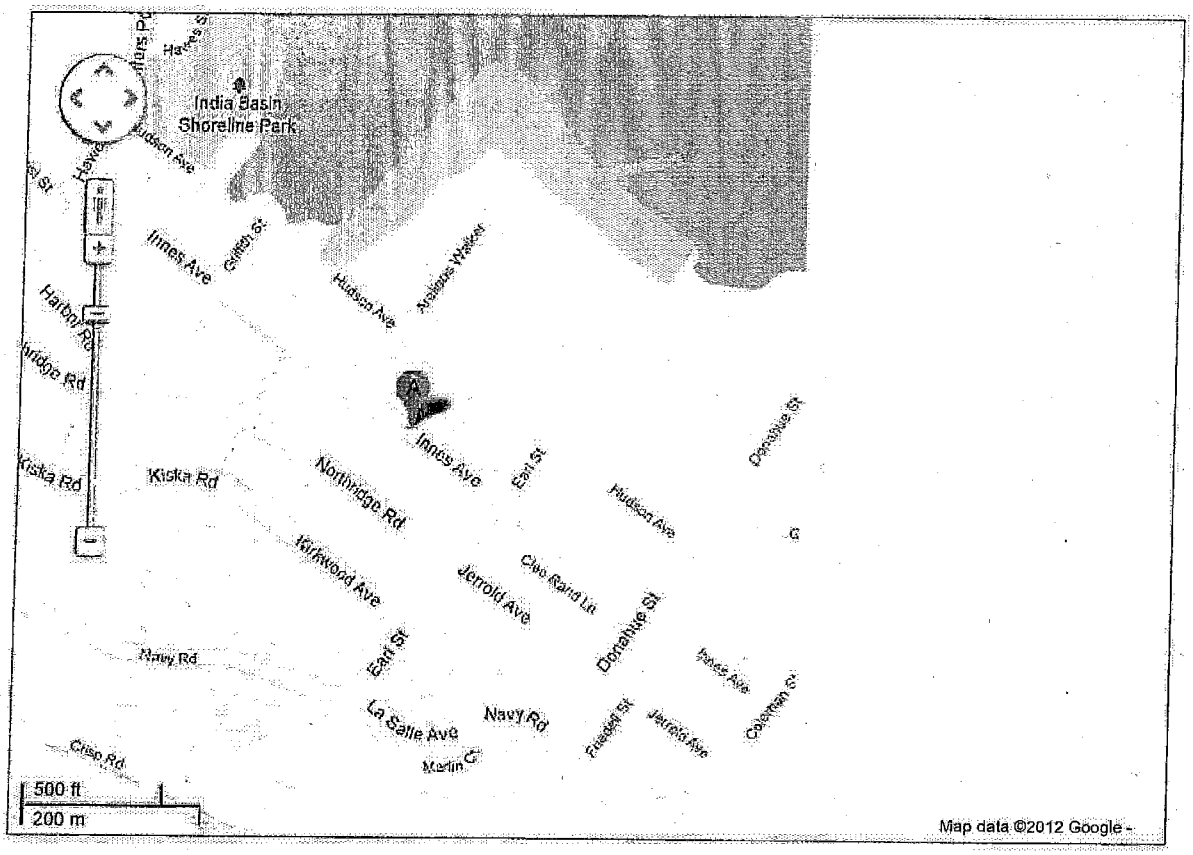
Address ~~756 Innes Avenue~~

Address is approximate



Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



Department of Alcoholic Beverage Control

State of California
Edmund G. Brown Jr., Governor

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
PECTOPAH LLC

2. PREMISES ADDRESS (Street number and name, city, zip code)
748 Innes Avenue, San Francisco A 94124-2901

3. LICENSE TYPE
42

4. TYPE OF BUSINESS

Full Service Restaurant	Hofbrau/Cafeteria	Cocktail Lounge	Private Club
Deli or Specialty Restaurant	Comedy Club	Night Club	Veterans Club
Cafe/Coffee Shop	Brew Pub	Tavern: Beer	Fraternal Club
Bed & Breakfast:	Theater	Tavern: Beer & Wine	Wine Tasting Room
Wine only / All			

Supermarket	Membership Store	Service Station	Swap Meet/Flea Market
Liquor Store	Department Store	Convenience Market	Drive-in Dairy
Drug/Variety Store	Florist/Gift Shop	Convenience Market w/Gasoline	

X Other - describe: Snack Area in Health Spa

5. COUNTY POPULATION	6. TOTAL NUMBER OF LICENSES IN COUNTY	7. RATIO OF LICENSES TO POPULATION IN COUNTY
4649/812,820	317 X On-Sale Off-Sale	On-Sale Off-Sale
8. CENSUS TRACT NUMBER	9. NO. OF LICENSES ALLOWED IN CENSUS TRACT	10. NO. OF LICENSES EXISTING IN CENSUS TRACT
231.03	17 X On-Sale Off-Sale	0 X 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

X No, the number of existing licenses is lower than the number allowed

1X PUB

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

X Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER	14. TOTAL NUMBER OF REPORTING DISTRICTS	15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS
354	654	117,571
16. AVERAGE NO. OF OFFENSES PER DISTRICT	17. 120% OF AVERAGE NUMBER OF OFFENSES	18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT
179	214.8	543

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)

X 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

PC & N

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.

X 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 conjuction 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: SF BOARD OF SUPERVISORS

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)
JM

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documention, if desired. Do *not* proceed to Part 3.

PECTOPAH LLC is a club of sauna and banya fans located at Archimedes BANYA, the first in San Francisco complex of urban baths, saunas, and spa. It is based on international mainly Russian and German traditions, which are based on beer and wine consumption for rest and fun. The beer is crutialy important in such an establishment for liquid substitution, intensively lost in saunas. Russian and German population of the Bay Area will greatly appreciate ability to have the license at Archimede

22. APPLICANT SIGNATURE: [signature] 23. DATE SIGNED: 6.11.12

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance.
Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?
☐ Yes ☐ No ☐ See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity)

26. CITY/COUNTY OFFICIAL NAME | 27. CITY/COUNTY OFFICIAL TITLE | 28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE | 30. DATE SIGNED

Department of Alcoholic Beverage Control

PLANNED OPERATION (RETAIL)

SECTION I - FOR ALL RETAIL APPLICANTS

1. APPLICANT NAME(S): Peotopah LLC

2. LICENSE TYPE(S): Type 42 On-Sale Beer & Wine Premises

3. PREMISES ADDRESS (Street number and name, city, zip code): 748 Innes Avenue, San Francisco CA 94124

4. NEAREST CROSS STREET: Earl Street

5. TYPE OF BUSINESS (Choose one that best describes the planned operation)

- [ ] Full Service Restaurant
- [ ] Cafeteria/Hofbrau
- [ ] Cocktail Lounge
- [ ] Private Club
- [ ] Deli or Specialty Restaurant
- [ ] Comedy Club
- [ ] Night Club
- [ ] Veterans Club
- [ ] Cafe/Coffee Shop
- [ ] Brew Pub
- [ ] Tavern
- [ ] Fraternal Club
- [ ] Bed & Breakfast
- [ ] Theater
- [ ] Wine Tasting Room

- [ ] Supermarket
- [ ] Membership Store
- [ ] Service Station
- [ ] Swap Meet/Flea Market
- [ ] Liquor Store
- [ ] Department Store
- [ ] Convenience Market
- [ ] Drive-in Dairy
- [ ] Variety/Drug Store
- [ ] Gift Shop/Florist
- [ ] Convenience Market w/Gasoline
- [x] Other - describe: Snack Area in Health Spa

6. PATRON CAPACITY: 49

7. SURROUNDING AREA: [x] Commercial [ ] Rural [x] Residential [ ] Industrial [ ] Other

8. PREMISES IS LOCATED IN: [x] Free Standing Building [ ] Shopping Center (Name): [ ] 10 Units or Less [ ] More than 10 Units

9. FOOD SERVICE: [x] None [ ] Minimal [ ] Full Meals

10. PARKING LOT? [ ] Yes [x] No

11. PATIO? [x] Yes [ ] No

12. WILL YOU HIRE A MANAGER? (Rule 57.5) [ ] Yes [x] No

13. WILL YOU HAVE A FOOD LESSEE? (Rule 57.7) [ ] Yes [x] No

14. MEAL TYPE: [ ] Dinner House [ ] Seafood [ ] Fast Food/Deli [ ] Other: [ ] Pizza/Pasta

15. TYPE OF FOOD: [ ] American [ ] Greek [ ] Indian [ ] French [ ] Chinese [ ] Korean [ ] Italian [ ] Thai [ ] Japanese [ ] Other: Russia

16. HOURS OF FOOD SERVICE
BREAKFAST HOURS From: To:
LUNCH HOURS From: To:
DINNER HOURS From: To:

17. OPERATING HOURS

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am	10:00 am
Closing Time	0:01 am	0:01 am	0:01 am	0:01 am	0:01 am	0:01 am	0:01 am

18. ENTERTAINMENT (One or more may apply. Please describe any entertainment with an asterisk (*) below)

- [ ] None
- [ ] *Amplified Music
- [ ] Patron Dancing
- [ ] Card Room
- [x] Recorded Music
- [ ] *Live Entertainment
- [ ] Bikini/Topless/Exotic
- [ ] Movies
- [ ] Juke Box
- [ ] *Floor/Stage Shows
- [ ] Pool/Billiard Tables
- [ ] "Hot Spot"/Lottery
- [ ] *Other
- [ ] Karaoke
- [ ] *Amateur/Pro Sports Events
- [ ] Video/Coin-Operated Games

*Description:

19. PREMISES IS LOCATED ON: [x] Major Thoroughfare [ ] Secondary Street [ ] Other

20. TYPE OF STRUCTURE: [ ] Single Story [ ] Two-Story [x] Multi-Story - Number of stories: 5

21. PASS-THROUGH WINDOW? [ ] Yes [x] No

22. FIXED BARS? [x] Yes - how many: 1 [ ] No

23. WHAT PERCENTAGE OF YOUR TOTAL SALES WILL BE ALCOHOLIC BEVERAGES? 85%

FOR ABC USE ONLY

24. INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23790.5, etc.)

25. DATE ENTERED INTO GABIN

Department of Alcoholic Beverage Control

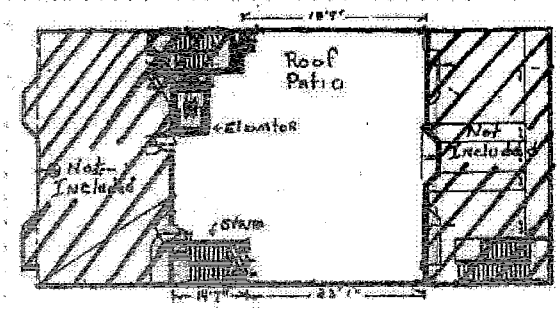
State of California

LICENSED PREMISES DIAGRAM (RETAIL)

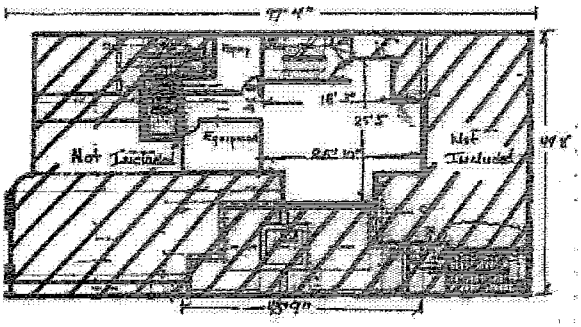
1. APPLICANT NAME (Last, first, middle)	2. LICENSE TYPE
Pectopah LLC	Type 42 On-Sale Beer & Wine Prem
3. PREMISES ADDRESS (Street number and name, city, zip code)	**4. NEAREST CROSS STREET**
748 Innes Avenue, San Francisco CA 94124	Earl Street

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, *including dimensions and identification of each room (i.e., "storeroom", "office", etc.).*

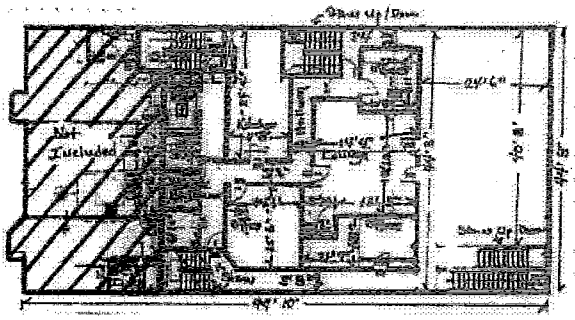
DIAGRAM



Roof Patio



Mezzanine (2ND Floor)



Second Floor

It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

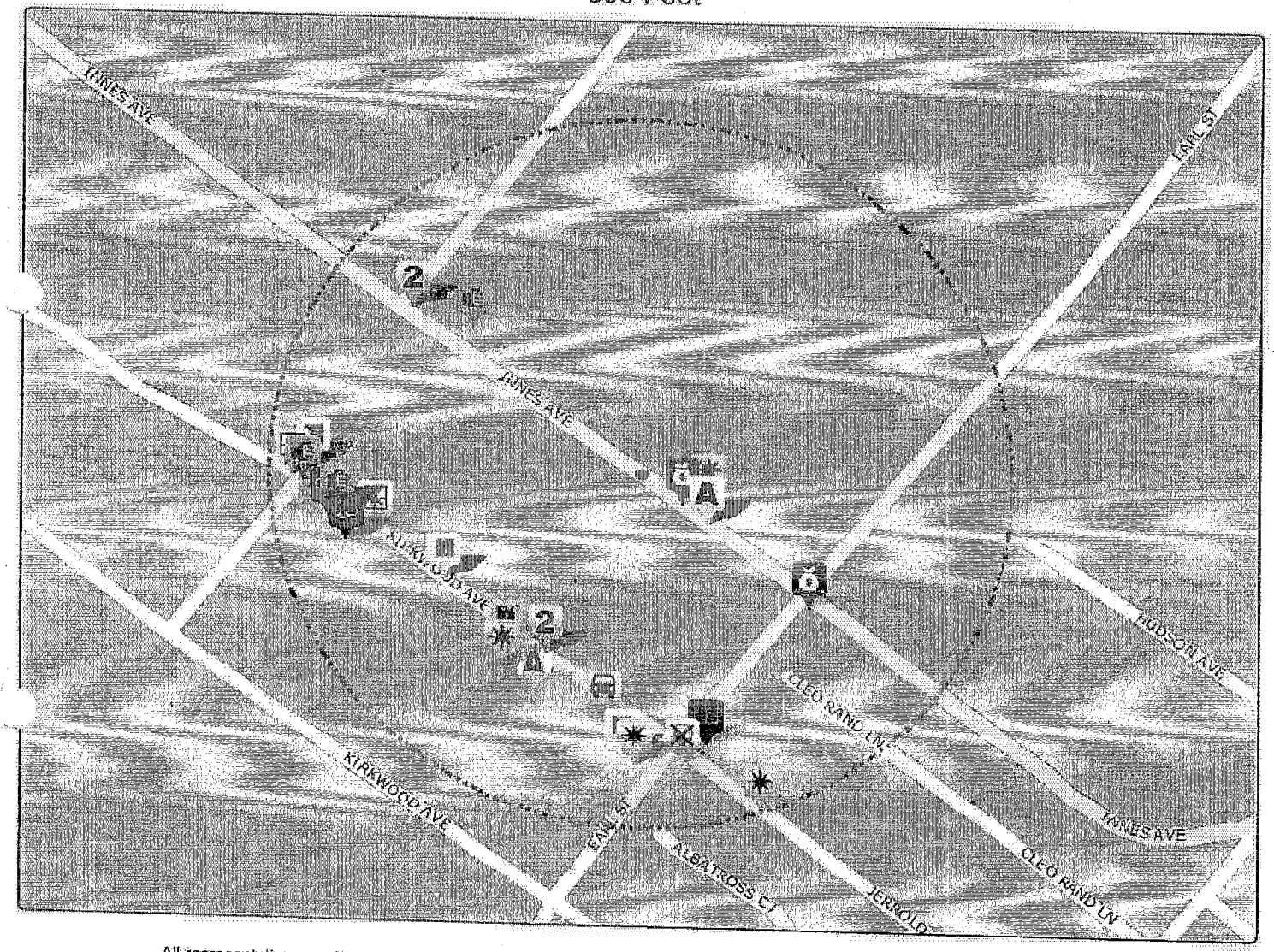
APPLICANT SIGNATURE (Only one signature required)		DATE SIGNED
	FOR ABC USE ONLY	
CERTIFIED CORRECT (Signature)	PRINTED NAME	INSPECTION DATE

ABC-257 (5/05)

748 Innes

500 Feet

San Francisco Police Department



Map Legend

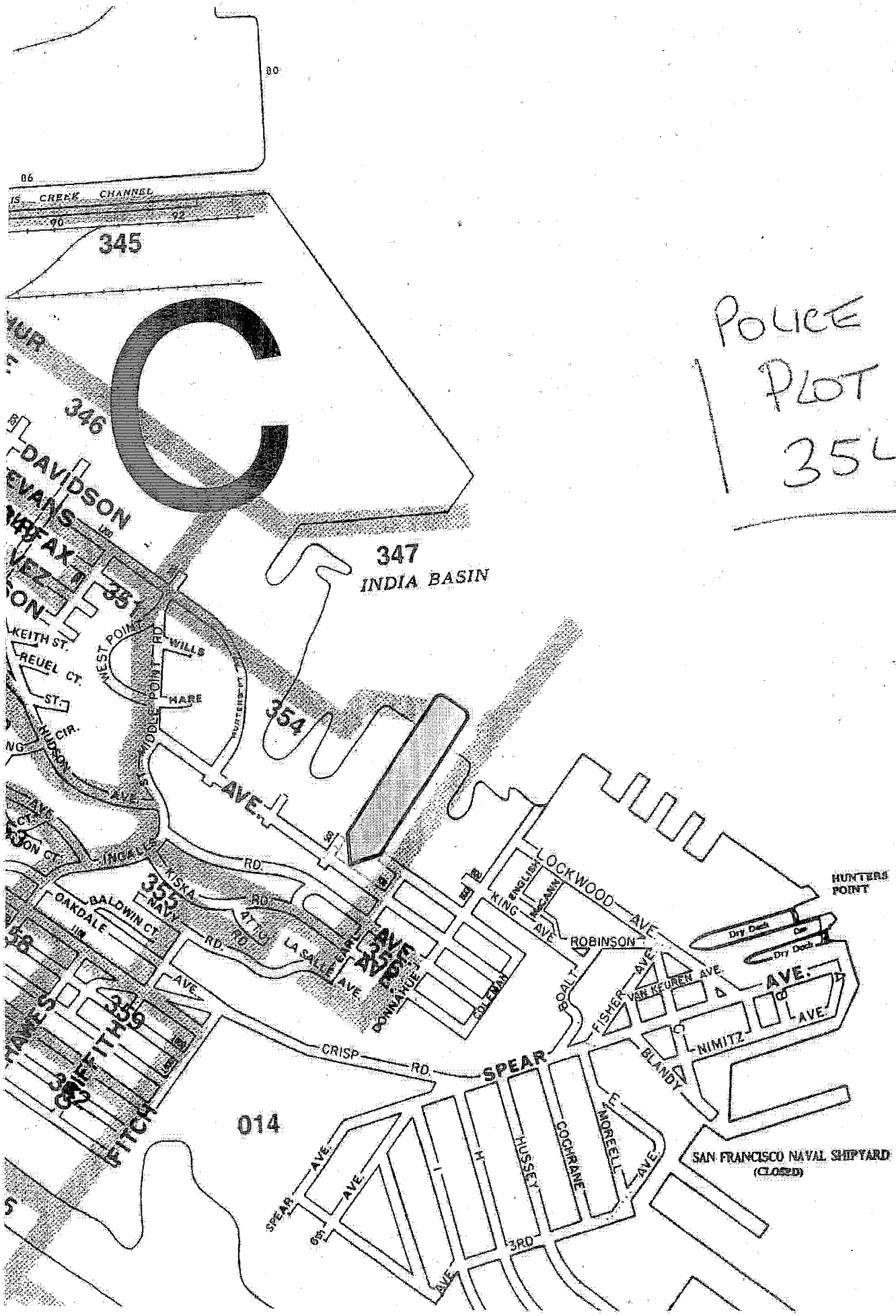
Incidents (56)

- Vandalism (9)
- Warrants (9)
- Assault (8)
- Other Offenses (6)
- Larceny/Theft (4)
- Warrants (4)
- Secondary Codes (3)
- Missing Person (2)
- Burglary (2)
- Weapon Laws (2)
- Non-Criminal (2)
- Vehicle Theft (1)
- Arson (1)
- Robbery (1)
- Fraud (1)
- Drug/Narcotic (1)

All representations on this map are distributed and transmitted "AS IS" without warranties of any kind, either expressed or implied including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. In no event shall San Francisco Police Department become liable to users of these data for any loss or damages, consequential or otherwise, including but not limited to time, money, goodwill, arising from the use, operation or modification of the data. The visual presentation of data is being provided strictly as a courtesy, not as an obligation to its users.

WARNING: This map does not meet the national map accuracy standards.

CrimeView Server
Printed: 5/17/2012 9:42:46 AM


POLICE
PLOT
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INDIA BASIN
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014
DAVIDSON
EVANS
KEITH ST.
REUEL CT.
WEST POINT
WILLS
HARE
HUDSON CIR.
HUDSON
AVE.
INGALLS
KISKA
RD.
BALDWIN CT.
OAKDALE
NAVY
LA SALLE AVE.
DONNAVUE
COLEMAN
LOCKWOOD
AVE.
ENGLISH
MCCANN
KING
ROBINSON
HUNTERS POINT
Dry Dock
BOALT
FISHER
VAN KEUREN AVE.
NIMITZ
BLANDY
CRISP
RD.
SPEAR
HUSSEY
COCHRANE
MORELL
3RD
SAN FRANCISCO NAVAL SHIPYARD
(CLOSED)

Call No	Agency	Call Type	Disposition
Report No	Jurisdiction	Dispatch Area	# Prior Calls
Unit ID	Origin	Dept ID	Priority
Rep Area	Area	Sector	
Location 748 INNES AVENUE			Range
Apartment	City		
Entry Oper	Dispatch Oper		
From Date 11/15/2011	To Date 05/15/2012	From Time	To Time
Comments			
Search			

No hits found

Call No	Agency	Call Type	Disposition
Report No	Jurisdiction	Dispatch Area	# Prior Calls
Unit ID	Origin	Dept ID	Priority
Rep Area	Area	Sector	
Location 748 INNES AVENUE			Range
Apartment	City		
Entry Oper	Dispatch Oper		
From Date 05/15/2011	To Date 11/14/2011	From Time	To Time
Comments			
Search			

No hits found

LIQUOR LICENSE REVIEW

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

File: 120962

Block/lot: 4644/005A
Zoning: NC-2
Quad: SE
MB # 1201796

TO: Police Department
Inspector Kenneth Stocker
Inspector Julie Lazar
Fax No.: 553-1463

DATE: September 28, 2012

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: November 2, 2012, to Derek Evans, Clerk, City Operations and Neighborhood Services Committee.
Derek.Evans@sfgov.org - Fax No: 554-7714

Applicant Name: Mikhail Brodsky
and Business Name: PECTOPAH, LLC (748 Innes Ave)

Applicant Address: 748 Innes Ave #100
San Francisco, CA 94124
and Phone No. (510) 208-2803

PLANNING COMMENTS: ☒ Approval ☐ Denial

RECOMMEND APPROVAL OF TYPE 42 ABC LICENSE PER PLANNING CODE SECTION 711.41.

OCT 10, 2012

POLICE COMMENTS: ☐ Approval ☐ Denial

PECTOPAH LLC

September 22, 2012

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 SEP 25 AM 10: 43

TO: Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, California 94102

FR: Mikhail Brodsky, President of PECTOPAH LLC
748 Innes Ave., #100, San Francisco, CA 94124
tel. 510-208-2803, email president@lincolnuca.edu

RE: Application for ABC License Type 42—On Sale Beer and Wine Public Premises

Dear Sir or Madam:

On behalf of PECHOPAH LLC I am asking for your support of our application for ABC License Type 42—On Sale Beer and Wine Public Premises. We plan to operate at 748 Innes Ave., #100, San Francisco, CA 94124 during Sundays through Saturdays from 10 am through midnight.

PECTOPAH LLC is a venue for spa and sauna lovers located in close associations with Archimedes Banya LLC and located in the same building. Archimedes Banya LLC is the first community bathing complex in San Francisco that follows Russian and German bathing traditions (banya - thermen). It provides different types of saunas and seam rooms, hot tubs, Jacuzzis, pools, massages, skin treatments and etc. About 150,000 of Russian speaking and 120,000 of German speaking people living in the Bay Area have been eagerly waiting for this sauna complex development for 13 years. It received more than eight thousand visits during the first 8 months of its operations. The thermal treatments require long (about 30 minutes) resting breaks between them. During these breaks people meet at PECTOPAH for social interaction and rest. Drinking beer is an integral part of the tradition and is the only thing that is still missing in our operations. Beer and wine will be sold to Archimedes visitors only, the venue is located past the banya entry.

Our premises are located in a separate detached building in an area near the entrance to former Hunters Point Shipyard. This is the first public business in the area which was considered dangerous and unsafe by many people of San Francisco and the Bay Area. We bring a lot of new people to the area and are re-establishing an improved reputation to the neighborhood. The popularity of the area is growing and this is important due to the future development of Hunters Point. The local population appreciates our effort to bring life to and security to the area (we have a guard outside our premises). During the 8 months of operation we have never had any incidents or conflicts with the neighbors or police.

Beer consumption is very important for the thermal bathing tradition. In addition to its relaxing qualities, it is an effective form of re-hydration following loss of liquid due to sweating. Russian and German populations of the Bay Area will be very thankful for your support. We believe that Archimedes Banya and PECTOPAH will become a signature destination among the attractions of San Francisco.

Thank you for cooperation, respectfully

Mikhail Brodsky, President

120962