

File No. 160680

Committee Item No. 3

Board Item No. 57

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Neighborhood Services

Date June 29, 2016

Board of Supervisors Meeting

Date JULY 17, 2016

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)

- PCN Application Letter - 06/10/2016
- LL Referral - 06/13/2016
- Response Planning - 06/14/2016
- Response Police - 06/15/2016
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Completed by: Erica Major

Date June 24, 2016

Completed by: JMM

Date 7/16/2016

1 [Liquor License - 29-3rd Street]

2  
3 **Resolution determining that the issuance of a Type 48 on-sale general public**  
4 **premises license to Destination Bars, Inc. for The Lark located at 29-3rd Street**  
5 **(District 6), will serve the public convenience or necessity of the City and County**  
6 **of San Francisco in accordance with California Business and Professions Code,**  
7 **Section 23958.4, and recommending that the California Department of Alcoholic**  
8 **Beverage Control impose conditions on the issuance of the license.**

9  
10 WHEREAS, Destination Bars, Inc. is seeking the issuance of a Type 48 on-sale  
11 general public premises license for The Lark located at 29-3rd Street (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 (0) protests with the  
15 Department of Alcoholic Beverage Control under California Business and Professions  
16 Code, Section 24013, and recommends that the Department of Alcoholic Beverage  
17 Control issue the liquor license with conditions; and

18 WHEREAS, The conditions recommended by the Police Department, as  
19 amended, are the following: 1) sales of alcoholic beverages shall be permitted between  
20 the hours of 9:00 a.m. to 2:00 a.m. each day of the week; 2) the sale of alcoholic  
21 beverages for off-sale consumption is strictly prohibited; now, therefore, be it

22 **RESOLVED**, That in accordance with California Business and Professions Code,  
23 **Section 23958.4, the Board of Supervisors of the City and County of San Francisco**  
24 **hereby determines that the issuance of a Type 48 on-sale general public premises**  
25 **license to Destination Bars, Inc. for The Lark located at 29-3rd Street (District 6), will**

1 serve the public convenience or necessity of the City and County of San Francisco; and,  
2 be it

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

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

RECEIVED 6/16/2016  
FIVE NO. 160680



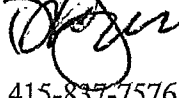
San Francisco Police Department  
**ABC Liaison Unit**



Alcoholic Beverage License -  
Public Convenience and  
Necessity Recommendation

**To:** The San Francisco Board of Supervisors' Committee on Public Safety  
and Neighborhood Services

**Supervisor Jane Kim**  
**Supervisor John Avalos**  
**Supervisor David Campos**

**From:** Lieutenant Dave Falzon   
Officer in Charge  
ABC Liaison Unit (ALU) 415-837-7576

**Date:** June 13, 2016

**Subject:** P.C.N. Investigation Regarding: Brain Sheehy  
DBA: The Lark  
29- 3<sup>RD</sup> Street  
San Francisco, CA 94103

Mr. Brian Sheehy on behalf of The Lark has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 48 (On- Sale General Public Premise) License for 29-3<sup>RD</sup> Street (located between Market Street and Mission Street).

Hours of Operation:

9:00 am – 2:00 am Daily

**Digest:**

The Lark is seeking to exchange an On- Sale General Eating Alcohol Beverage License (Type 47) to an On- Sale General Public Premises (Type 47) in the Downtown area of San Francisco. The Lark previous name was Daves and had been in business at the current location for 27 years. If approved, this license will allow The Lark to sell On-Sale Beer, Wine and Distilled Spirits, which will allow 21 and over patrons only.

**Letters of Protest:**

**No Record**

**Letters of Support:**

**No Record**

**Police Calls for Service:**

From October 2014 to October 2015

**8 calls for service**

**Police Reports:**

From October 2014 to October 2015

**0 police reports**

**San Francisco Plot Information:**

This premise is located in Plot **212**

A High Crime area is defined as **106** or more police reports in a plot for the year of **2015**.

This plot had **618** police reports for **2015**, which is **512** over the **Citywide "High Crime"** average.

**State Census Tract Information:**

This premise is located in Census Tract: **615**  
Population for this tract is: **11,502**

On-sale license authorized by census tract: **41**  
Active on-sale licenses: **148** with **0** pending

Off-sale licenses authorized by census tract: **10**  
Active off-sale licenses: **24** with **0** pending

**Departmental Recommendation:**

Points of consideration: **0**

No opposition from **Central Station**

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

Applicant premise is located in an "**Over Saturated**" area.

**0** - Record of protest.

**0** - Record of support.

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

**Conditions for Type 48- On- Sale General Public Premises**

1. Sales of alcoholic beverages shall be permitted between the hours of 9:00 am to 2:00 am each day of the week.
2. The sale of alcoholic beverages for off-sale consumption is strictly prohibited.

End.

RECEIVED VIA EMAIL  
6/14/2016 AP  
160680

## LIQUOR LICENSE REVIEW

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

File: 160680

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

Block/Lot: 3707/057  
Zoning: C-3-0  
Squad: NE  
Record # 2016-007746 M18

DATE: June 13, 2016

---

This item is tentatively scheduled to be heard in four to six weeks.  
**PLEASE EMAIL YOUR RESPONSE BY:** July 27, 2016, to Erica Major, Public  
Safety and Neighborhood Services Committee Clerk.

[Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org) - Fax No: 554-7771


---

**Applicant Name:** Future Bars Group  
The Lark Bar  
**and Business Name:** (29-3rd Street)  
**Applicant Address:** 29-3rd Street  
San Francisco, CA 94103  
**and Phone No.** (415) 713-8182

**PLANNING COMMENTS:**  Approval  Denial

Type 48 ABC License and Bar use is permitted in the  
C-3-0 Zoning District per P.C. Sec. 210.2. No notification  
required for change of use from Restaurant to Bar.

**POLICE COMMENTS:**  Approval  Denial

  
Andrew Perry  
6/14/16

# THE LARK BAR

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2016 JUN 10 PM 2:50

June 8, 2016

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

Re: Liquor License "PCN" Request - Dave's Bar & Deli License Transfer to Lark Bar  
Future Bars Group  
dba Destination Bars Inc, The Lark Bar  
29 Third Street, San Francisco, CA94103

Dear Deputy Clerk:

The purpose of this letter is to respectfully request to be placed on the Board's calendar for Public Convenience and Necessity approval with regard to our pending application to transfer and exchange an existing Type 47 license for a Type 48 On-Sale General Public Premise license at the same location. We would like to explain our motivation and intent with regard to this transfer and exchange.

Our company, known as the Future Bars Group, operates such bars as Swig, Bourbon & Branch, Tradition, Rickhouse, Cask Stores and Local Edition. We recently agreed to purchase Dave's Bar & Deli at 29 Third Street at Market St. Dave's Bar was operated at this same location by the same owner, Dave Supple, for 28 years with a Type 47 ABC License. Upon the filing of the initial license transfer application, we were informed by the ABC that the operation of the business did not meet all the requirements of a Type 47 license, as the business had operated more like a bar rather than as a bona fide restaurant with a full kitchen and food service capabilities. There is only a small deli style kitchen preparation area at this location, and it is physically impossible to add a full kitchen with an extraction hood, given the small size of the bar area which is under 1,000 square feet. A Type 48 license would be a more appropriate license for this operation and would match the type of operation we propose for The Lark Bar.

For these reasons, we have applied to transfer and exchange the existing Type 47 for a Type 48 so that we may be in compliance with the ABC rules. We would continue to offer food from the small deli kitchen located inside the bar, even though food service is not required with a Type 48 License. The Type 48 License would also prohibit any persons under 21 years to be allowed on the premises. This location has served the convenience of locals and visitors for 28 years, and we hope to continue to offer the Lark Bar as a convenient option for many years to come.



Just as it was with the previous Dave's Bar, our Lark Bar will continue to operate as a neighborhood sports bar. There will not be any live entertainment offered.

Our typical hours of operation are 11:00 am to 2:00 am, 7 days per week. We would like to continue the option of showing World Cup Soccer, European Soccer and the Olympics on occasions to accommodate earlier time zones prior to 11am, but not before 6am.

Our 15 years of responsibly operating licensed establishments in San Francisco has allowed us to cultivate community support for this change. We will continue to vigilantly monitor the surrounding area to ensure the safety of our business and customers at all times and we will not serve obviously intoxicated people. We already have two licensed locations in the same building, namely Cask on Third, and Local Edition, so we are quite well known in the neighborhood.

As part of the license transfer process we held an open house at the bar to outline our changes, and every resident within 1000 feet of the address was informed of our proposed license change. There were no protests received by the ABC pertaining to the license transfer.

We seek the Board of Supervisor's affirmative ruling that our application serves the public convenience and necessity of our City.

If you have any questions, please call me at 415-713- 8182. for approval to proceed with Cask.

Sincerely,

A handwritten signature in cursive script that reads "Brian Sheehy". The signature is written in black ink and extends across the width of the page.

Brian Sheehy  
President, Future Bars Group

244 Kearny St, 7<sup>th</sup> Floor  
San Francisco,  
CA 94108

Cell: 415 713 8182

## LIQUOR LICENSE REVIEW

**TO:** Planning Department **File:** 160680  
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:** June 13, 2016

---

This item is tentatively scheduled to be heard in four to six weeks.  
**PLEASE EMAIL YOUR RESPONSE BY:** July 27, 2016, to Erica Major, Public  
Safety and Neighborhood Services Committee Clerk.

**[Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org) - Fax No: 554-7771**

---

**Applicant Name:** Future Bars Group  
The Lark Bar  
**and Business Name:** (29-3rd Street)  
**Applicant Address:** 29-3rd Street  
San Francisco, CA 94103  
**and Phone No.** (415) 713-8182

**PLANNING COMMENTS:**  Approval  Denial

**POLICE COMMENTS:**  Approval  Denial