

Carroll, John (BOS)

From: Marvis Phillips <marvisphillips@gmail.com>
Sent: Thursday, May 09, 2019 8:00 AM
To: Board of Supervisors, (BOS); Stefani, Catherine (BOS); Mandelman, Rafael (BOS); Walton, Shamann (BOS)
Subject: Re: Daldas Grocery Liquor License Premise to Premise transfer

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

On Thu, May 9, 2019 at 12:55 AM Marvis Phillips <marvisphillips@gmail.com> wrote:

Dear Public Safety Committee Members,

My name is Marvis J. Phillips and I am a 'Community Watch Block Captain' in the Tenderloin (35 yrs). I am in support of the Premise to Premise transfer of the Type 21 Off-Sale General License for Daldas Grocery from 200 Eddy Street to 186 Eddy Street.

We need good responsible business like Daldas within this community and by moving his business to this new location Bill will be expanding (nearly doubling store size) within the Tenderloin Community and being able to offer many additional and new items for his customer base.

I have been a shopper at Daldas for 36 years since they were at 199 Eddy, before they move to 200 Eddy, when they replaced Eddy/Taylor Market in (1994(5))(?).

Thank you for considering this matter, and again I am in support of this Liquor License Transfer, and I request your support on this item to show your support for improving proper food sales within the Tenderloin.

Sincerely,
Marvis J. Phillips
Community Watch Block Captain-Tenderloin

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Marvis J. Phillips
Board Chair
District 6 Community Planners

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Marvis J. Phillips
Board Chair
District 6 Community Planners

From: Don Falk

Sent: Wednesday, May 08, 2019 4:20 PM

To: Supervisor Shamann Walton <shamann.walton@sfgov.org>; Supervisor Rafael Mandelman <rafael.mandelman@sfgov.org>; Supervisor Catherine Stefani <Catherine.Stefani@sfgov.org>

Cc: Alexandra Goldman <AGoldman@TNDC.org>; Shelley Dyer <sdyer@tndc.org>

Subject: TNDC supports Liquor License Transfer (168-86 Taylor Street)--Item #190304

Dear Supervisors Stefani, Mandelman and Walton:

On behalf of Tenderloin Neighborhood Development Corporation, I write to express support for the proposed premise-to-premise liquor license to Dalda's Market at 168-186 Eddy Street. The item (#190304) is on the Agenda of the Public Safety and Neighborhood Services meeting tomorrow.

Dalda's is one of seven members of TNDC's Tenderloin Healthy Corner Store Coalition, and we have been working with them over several years to facilitate their move to our affordable housing development at 168-86 Eddy Street. The development comprises 113 affordable apartments, primarily for families, of which approximately 30% are set aside for households coming out of homelessness. Families will begin moving in later this month.

Dalda's is currently a TNDC tenant in our Ritz Hotel, across the street from their proposed new location. The new space is nearly twice as large as their current space, and they will continue to operate in the new space as a Healthy Corner Store. The partnership and lease we have developed with Dalda's calls for TNDC to provide below-market rent, in return for which Dalda's will offer a bundle of healthy foods discounted to community members at an amount equivalent to the value of the rent reduction. Dalda's has agreed to our request that they not sell "airline" sized bottles of alcohol, and likewise that they are prohibited from devoting more space for alcohol sales in the new, larger space than they do in their current space. We have scrutinized Dalda's financial projections and agree with their assessment that their store is not feasible without alcohol sales.

In addition to our collective efforts to advance food security in the Tenderloin, I think you all will appreciate the community process that our staff orchestrated leading up to Dalda's' selection. I'm attaching a summary in case that's helpful or interesting to you. It's worth noting as well that beyond the food security use the community expressed enthusiasm for, many members advocated for Dalda's in particular.

Please don't hesitate to contact me with any questions or comments at the email address above or (415) 264-7949 (cell). Thank you very much. –Don

Donald S. Falk, Chief Executive Officer | Tenderloin Neighborhood Development Corporation (TNDC) | 201 Eddy Street | San Francisco, CA 94102 | (415) 358-3923 w | (415) 264-7949 c | dfalk@tndc.org | [@DonaldFalk](https://www.instagram.com/DonaldFalk) | Pronouns: he/him

Eddy and Taylor Development Retail Space Community Engagement Summary

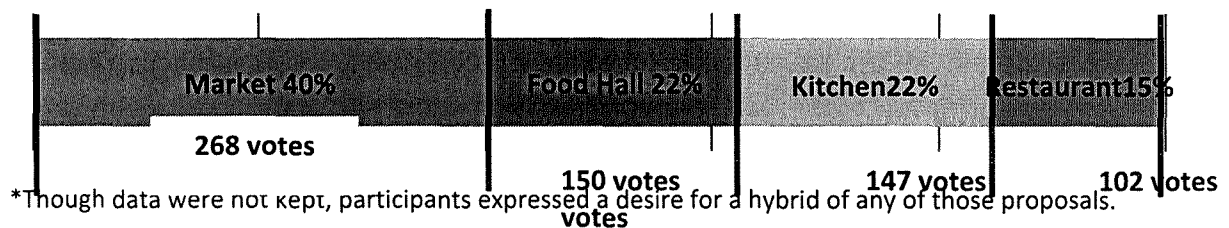
From January to March, 2017, five community leaders have conducted a community engagement process to determine the best food-related use of the retail space on the Eddy and Taylor TNDC housing development. The process involved presentations (Roadshows) and Pop-ups where the leaders explained four proposals related to food: a market, community kitchen, community restaurant, and food hall.

The engagement consisted of 28 events: 12 roadshows and 16 pop-ups targeting residents and organizations in the neighborhood. Of the 13 roadshows, 8 were for local organizations such as TL Healthy Corner Store Coalition, Market Street for the Masses, or St. Anthony's Staff; the 4 were for resident associations, such as the Tenderloin Filipino-American Community Association, or the Chinese Rights Community Association. The 16 pop-ups consisted of 7 residential buildings in the area (4 were TNDC buildings); 4 sidewalk pop-ups on Eddy and Taylor Streets; 3 at St. Anthony's Dining room; 2 at Glide.

On most roadshows and pop-ups, participants were invited to place a sticker on the presentation board of the proposal they thought was the best fit for the retail space (dot voting). Other instances were done via vote by hand or voted via distributed one pager. Participants were only allowed to vote for one proposal.

The results from the engagement are as follows:

Proposal Votes (Total votes: 667)



Community Engagement Notes:

When possible, the leaders engaged in discussions with participants and comments were noted down. The notes were categorized into 4 main qualities: Affordability, Community Serving, Jobs/Trainings, and Variety of Choices; and 4 main concerns: Expensive, Unwelcoming, Safety & Cleanliness, and Lack of Choices. The results on the next page were based on the number of comments made that fell in one of those categories.

Notes on Qualities (Total mentions: 205)



Notable Comments on Qualities:

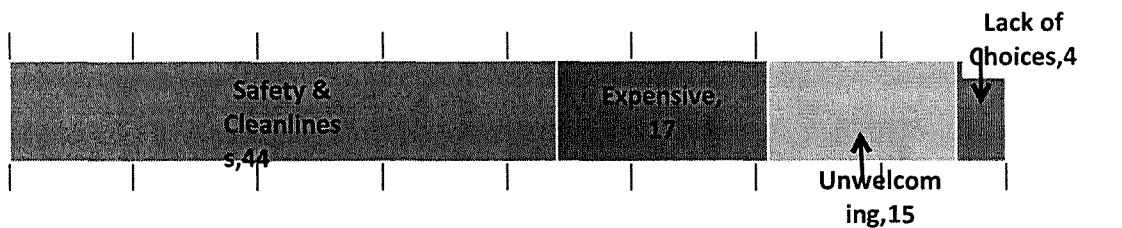
*Affordability: prices catering to low income and/or fixed income (e.g. SSDI recipients) and must accept EBT/Snap and Food Vouchers.

*Jobs/Training: employing locally; providing vocational/professional training – including supportive employment; help in starting, running, & support in a local business; and opportunities for economic growth

*Community serving: needs for healthy foods, fresh produce, and not sell alcohol; serving as a community space; accessibility; and services for other needs in the neighborhood.

* Variety of choices: products/services that is reflective of the community’s diverse ethnic background.

Note on Concerns (Total mentions: 80):



Notable Comments on Concerns:

*Safety and Cleanliness: overwhelmingly, this category received the most comments under. Public safety comments ranged from concerns on illegal activities in and outside the retail space; traffic and sidewalk safety; and the safe use of the space. Cleanliness ranged from sidewalk cleanliness, public restroom access, and cleanliness of the facility.

* Expensive: both prices of products/services and the cost of running the retail space resulting in more expensive prices.

*Unwelcoming: concerns around retail space targeting tourist market vs. local residents; how the space presents itself as or how it’s perceived by the residents.

*Lack of choices: involved not having enough choices reflective of the community

Overall, the Market proposal was the most voted on with an emphasis on qualities in affordability and employment/business/training opportunities along with an overwhelming concern for public safety and cleanliness inside and outside the retail space.



HealthyRetailSF Program

May 8, 2019

Public Safety Committee

Dear Public Safety Committee Members,

I am writing this letter to recommend Satwinder Multani, owner of Daldas Market located at 200 Eddy Street, SF CA 94102.

Mr. Multani is currently participating in the Healthy RetailSF program (HRSF). This is a program that aims to strengthen the business and the community by increasing access to healthy food such as produce and low fat/sugar food.

Mr. Multani has been in business for over 10 years, and his business has been growing steadily. Through his active participation in the Tenderloin Community Benefit District, he felt that he could do more for its community and when he learned about HRSF program, he did not hesitate, applied, and is currently starting his third year in the program. He is the most enthusiastic, committed, and a mentor to other store owners new to the program.

Mr. Multani has been working with a team of consultants from Sutti Associates, Small Business Development Center (SBDC), and the Tenderloin Neighborhood Center (TNDC) to implement an Individual Development Plan that covers store layout, produce merchandising, inventory management, and community engagement. After seeing the great response from the community and the increasing demand for healthy food in the neighborhood, Mr. Multani accepted TNDC offer to move Daldas Market to the new building on Eddy and Taylor, where he will be able to have a greater impact in the community he serves.

Though HRSF program does not encourage the sale of alcohol, we understand businesses have to carry a product mix that allows them to sell affordable healthy food with low margins while paying for the cost of doing business in San Francisco.

Thanks in advance for your consideration. Please feel free to contact me at 415-254-5094 if you have any questions.

Sincerely,

Gabriela Sapp

Gabriela Sapp, MBA

Healthy RetailSF Case Manager

SBDC Consultant

EDDY & TAYLOR PROJECT

COME JOIN US AT OUR
MONTHLY COALITION
MEETING TO:

- Share input about the Eddy & Taylor project
- Vote on healthy menu items for Yemeni Kitchen
- Learn about how this project will increase food access in the Tenderloin

THURSDAY, JAN 24 2019

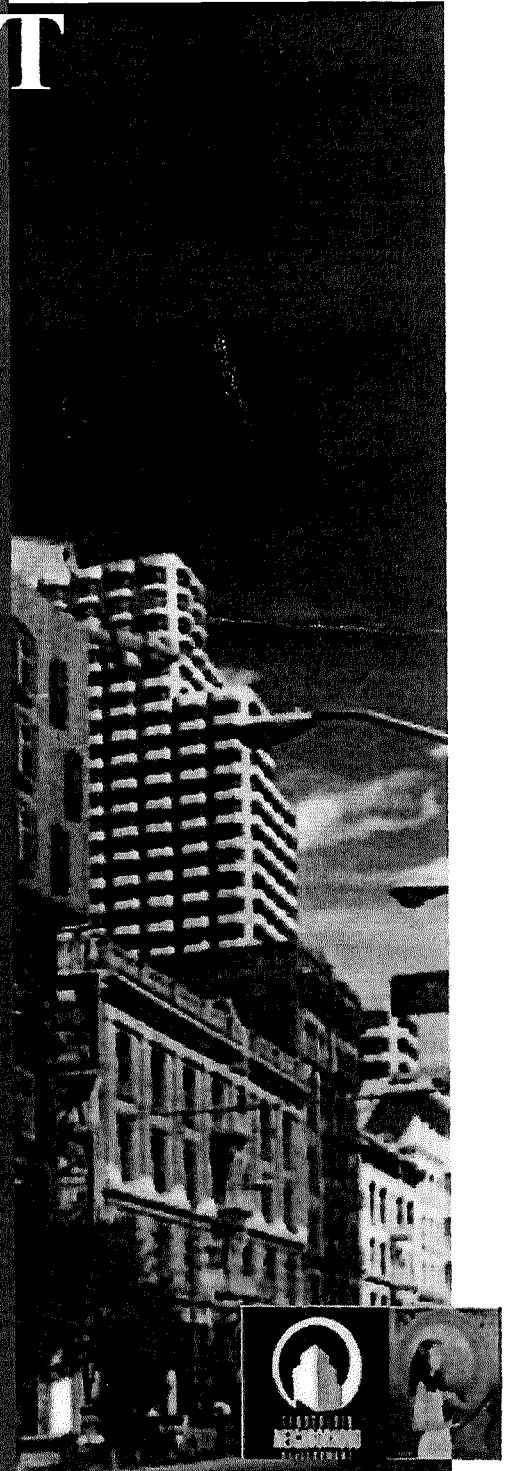
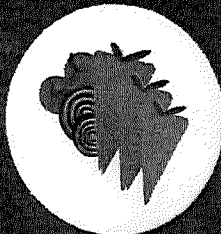
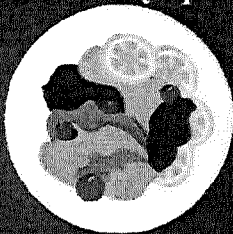
3:00 PM - 4:00 PM

Alexander Residence

Community Room

230 Eddy Street

Contact Shelley at (415)358-3967 if you have any questions.



Eddy and Taylor Development Retail Space Community Engagement Summary

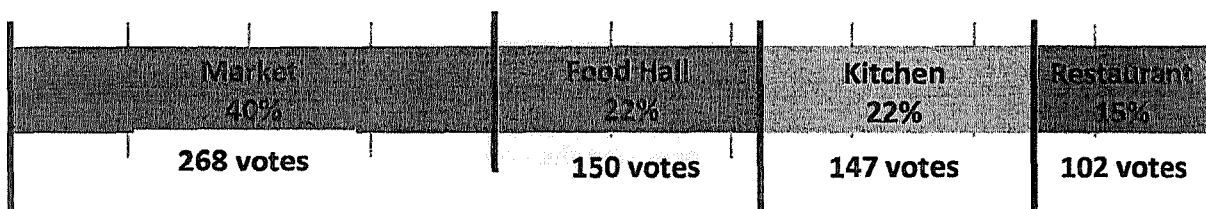
From January to March, 2017, five community leaders have conducted a community engagement process to determine the best food-related use of the retail space on the Eddy and Taylor TNDC housing development. The process involved presentations (Roadshows) and Pop-ups where the leaders explained four proposals related to food: a market, community kitchen, community restaurant, and food hall.

The engagement consisted of 28 events: 12 roadshows and 16 pop-ups targeting residents and organizations in the neighborhood. Of the 13 roadshows, 8 were for local organizations such as TL Healthy Corner Store Coalition, Market Street for the Masses, or St. Anthony's Staff; the 4 were for resident associations, such as the Tenderloin Filipino-American Community Association, or the Chinese Rights Community Association. The 16 pop-ups consisted of 7 residential buildings in the area (4 were TNDC buildings); 4 sidewalk pop-ups on Eddy and Taylor Streets; 3 at St. Anthony's Dining room; 2 at Glide.

On most roadshows and pop-ups, participants were invited to place a sticker on the presentation board of the proposal they thought was the best fit for the retail space (dot voting). Other instances were done via vote by hand or voted via distributed one pager. Participants were only allowed to vote for one proposal.

The results from the engagement are as follows:

Proposal Votes (Total votes: 667)



*Though data were not kept, participants expressed a desire for a hybrid of any of those proposals.

Community Engagement Notes:

When possible, the leaders engaged in discussions with participants and comments were noted down. The notes were categorized into 4 main qualities: Affordability, Community Serving, Jobs/Trainings, and Variety of Choices; and 4 main concerns: Expensive, Unwelcoming, Safety & Cleanliness, and Lack of Choices. The results on the next page were based on the number of comments made that fell in one of those categories.

SEC. 249.5. NORTH OF MARKET RESIDENTIAL SPECIAL USE DISTRICT.

- (a) **General.** A special use district entitled the "North of Market Residential Special Use District," which includes RC-4 and P Use Districts, the boundaries of which are shown on Sectional Map No. ISU^b of the Zoning Map, is hereby established for the purposes set forth below.
- (b) **Purposes.** In order to protect and enhance important housing resources in an area near downtown, conserve and upgrade existing low and moderate income housing stock, preserve buildings of architectural and historic importance and preserve the existing scale of development, maintain sunlight in public spaces, encourage new infill housing at a compatible density, limit the development of tourist hotels and other commercial uses that could adversely impact the residential nature of the area, and limit the number of commercial establishments which are not intended primarily for customers who are residents of the area, the following controls are imposed in the North of Market Residential Special Use District.
- (c) **Controls.** The following zoning controls are applicable in the North of Market Residential Special Use District. Certain controls are set forth in other Sections of this Code and are referenced herein.
- (1) **Conditional Use Criteria.** In making determinations on applications for conditional use authorizations required for uses located within the North of Market Residential Special Use District, the City Planning Commission shall consider the purposes as set forth in Subsection (b) above, in addition to the criteria of Section 303(c) of this Code.
 - (2) Notwithstanding the provisions of Section 209.8 of this Code, commercial establishments shall be limited to the ground floor and the first basement floor, except that such establishments may be permitted on the second story as a conditional use if authorized pursuant to Section 303 and Section 249.5(c)(1) of this Code.
 - (3) Garment shops that meet the qualifications set forth in Section 236(a) may be permitted on the ground floor and first basement floor as a conditional use if authorized pursuant to Section 303 and Section 249.5(c)(1) of this Code.
 - (4) The following uses are not permitted: (A) A hotel, inn, hostel or motel; and (B) massage establishments which are not incidental to the institutional uses permitted in Sections 217(a) through (d) of the Planning Code or are not incidental to a health club, gymnasium or other facility with a regular membership or other facility which is used primarily for instruction and training in body building, exercising, reducing, sports, dancing or other similar physical activities.
 - (5) In the portion of the area designated as Subarea No. 1 of the North of Market Residential Special Use District, as shown on Section Map ISU^b of the Zoning Map, the density ratio shall be one dwelling unit for each 125 square feet of lot area; in Subarea No. 2, as shown on Section Map ISU^b of the Zoning Map, the density ratio shall be one dwelling unit for each 200 feet of lot area. The double density provisions of Section 209.1(m) shall not result in greater density than that permitted in an RC-4 District.
 - (6) Off-street parking requirements may be modified by the City Planning Commission, as provided in Section 161(h) of this Code.
 - (7) A bulk district "T" shall apply pursuant to the provisions of Section 270, Table 270 of this Code.
 - (8) Special exceptions to the 80-foot base height limit in height and bulk districts 80-120-T and 80-130-T may be granted pursuant to the provisions of Section 263.7 of this Code.
 - (9) Building setbacks are required in this district pursuant to Section 132.2; provisions for exceptions are also set forth in Section 132.2 of this Code.
 - (10) Exceptions to the rear yard requirements for an RC-4 District may be granted pursuant to Section 134(f) of this Code.
 - (11) Awnings, canopies and marquees, as defined in Sections 790.20, 790.26 and 790.58 of this Code, and further regulated by the Building Code and Sections 249.5(c)(12), 136.2 and 607.4 of this Code are permitted.
 - (12) Signs located in the RC-4 portion of this district shall be regulated as provided in Section 607.4 of this Code.
 - (13) All provisions of the City Planning Code applicable in an RC-4 Use District shall apply within that portion of the district zoned RC-4, except as specifically provided above. All provisions of the City Planning Code applicable in a P Use District shall apply within that portion of the district zoned P, except as specifically provided above.
 - (14) All demolitions of buildings containing residential units shall be permitted only if authorized as a conditional use under Section 303 of this Code, unless the Director of the Department of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines that the building is unsafe or dangerous and that demolition is the only feasible means to secure the public safety. When considering whether to grant a conditional use permit for the demolition, in lieu of the criteria set forth in City Planning Code Section 303(c), consideration shall be given to the purposes of the North of Market Residential Special Use District set forth in Section 249.5(b), above, to the adverse impact on the public health, safety and general welfare due to the loss of existing housing stock in the

district and to any unreasonable hardship to the applicant if the permit is denied. Demolition of residential hotel units shall also comply with the provisions of the Residential Hotel Ordinance.

(d) **Liquor Establishments.** In addition to all other applicable controls set forth in this Code, Liquor Establishments in the North of Market Residential Special Use District shall be subject to the controls set forth in this Section.

(1) No Off-Sale Liquor Establishments shall be permitted in the North of Market Residential Special Use District.

(2) An Off-Sale Liquor Establishment lawfully existing in the North of Market Residential Special Use District and selling alcoholic beverages as licensed by the State of California prior to the effective date of this legislation may continue operation only under the following conditions, as provided by California Business and Professions Code Section 23790:

(A) The premises shall retain the same type of retail liquor license within a license classification; and

(B) The licensed premises shall be operated continuously without substantial change in mode or character of operation.

(3) The prohibition on Off-Sale Liquor Establishments shall not be interpreted to prohibit the following, provided that the type of California liquor license does not change, the location of the establishment does not change, and the square footage used for the display and sale of alcoholic beverages does not increase:

(A) A change in ownership of an Off-Sale Liquor Establishment or an owner-to-owner transfer of a California liquor license; or

(B) Re-establishment, restoration or repair of an existing Off-Sale Liquor Establishment on the same lot after total or partial destruction or damage due to fire, riot, insurrection, toxic accident or act of God; or

(C) Temporary closure of an existing Off-Sale Liquor Establishment for not more than ninety (90) days for repair, renovation or remodeling.

(4) The prohibition on Off-Sale Liquor Establishments shall not be interpreted to prohibit the following:

(A) Temporary uses, as described in Planning Code Section 205.1; or

(B) Establishment of an Off-Sale Liquor Establishment if application for such Off-Sale Liquor Establishment is on file with the California Department of Alcoholic Beverage Control prior to the effective date of this legislation; or

(C) Re-location of an existing Off-Sale Liquor Establishment in the North of Market Residential Special Use District to another location within the North of Market Residential Special Use District with conditional use authorization from the City Planning Commission, provided that (i) the type of California liquor license does not change, (ii) the square footage used for the display and sale of alcoholic beverages does not increase, and (iii) the original premises shall not be occupied by an Off-Sale Liquor Establishment unless by another Off-Sale Liquor Establishment that is also relocating from within the North of Market Residential Special Use District. Any such conditional use authorization shall include a requirement that the establishment comes with the "Good Neighbor Policies" set forth in Subsection (d)(6) below; or

(D) A change in liquor license from a Type 21 (Off-Sale General) to a Type 20 (Off-Sale Beer and Wine), provided that the square footage used for the display and sale of alcoholic beverages does not increase.

(5) The prohibition on Off-Sale Liquor Establishments shall be interpreted to prohibit the transfer of any California Alcoholic Beverage Control Board off-sale liquor license from a location outside of the North of Market Residential Special Use District to a location within the North of Market Residential Special Use District or the issuance of any original California Alcoholic Beverage Control Board off-sale liquor license for a location within the North of Market Residential Special Use District.

(6) The following "Good Neighbor Policies" shall apply to all Liquor Establishments in the North of Market Residential Special Use District in order to maintain the safety and cleanliness of the premises and vicinity:

(A) Employees of the establishment shall walk a 100-foot radius from the premises some time between 30 minutes after closing time and 8:00 a.m. the following morning, and shall pick up and dispose of any discarded beverage containers and other trash left by patrons;

(B) The establishment shall provide outside lighting in a manner sufficient to illuminate street and sidewalk areas and adjacent parking, as appropriate to maintain security, without disturbing area residences;

(C) No alcoholic beverages shall be consumed on any outdoor property adjacent to the establishment and which is under the control of the establishment, excepting those areas of the property that are enclosed and not visible from the sidewalk, are intended for patron services, are supervised by the establishment, and are not located adjacent to any sidewalk areas;

(D) No more than 33 percent of the square footage of the windows and clear doors of the establishment shall bear advertising or signage of any sort, and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.

This requirement shall not apply to premises where there are no windows, or where existing windows are located at a height that precludes a view of the interior of the premises to a person standing outside the premises;

(E) No person under the age of 21 shall sell or package alcoholic beverages;

(F) Employees of the establishment shall regularly police the area under the control of the establishment in an effort to prevent the loitering of persons about the premises; and

(G) The establishment shall promptly remove any graffiti from the exterior of the premises.

(7) For purposes of this Section, the following definitions shall apply:

(A) "Liquor Establishment" shall mean any enterprise selling alcoholic beverages pursuant to a California Alcoholic Beverage Control Board license.

(B) "Off-Sale Liquor Establishment" shall mean any enterprise selling alcoholic beverages pursuant to a California Alcoholic Beverage Control Board License Type 20 (Off-Sale Beer and Wine), Type 21 (Off-Sale General), or any other California Alcoholic Beverage Control Board License which includes the privilege to sell alcoholic beverages for consumption off of the premises. Typical Off-Sale Liquor Establishments may include, but are not limited to, grocery stores, supermarkets and other retail sales and services;

(C) "Alcoholic Beverages" shall mean "alcoholic beverages," as defined by California Business and Professions Code Sections 23004 and 23025;

(D) "Sell" or "Sale" shall mean and include any retail transaction whereby, for any consideration, an alcoholic beverage is transferred from one person to another. (Added by Ord. 165-85, App. 3/28/85; amended by Ord. 287-85, App. 6/6/85; Ord. 345-87, App. 8/21/87; Ord. 292-98, App. 10/2/98; Ord. 35-99, File No. 982065, App. 4/2/99)

T.L.H.C.S.C



Tenderloin Healthy Corner Store Coalition



COMMUNITY GATHERING about Healthy Retail & Food Access in the Tenderloin
201 Turk Community Room



Thursday July 11th, 2013 from 4pm – 6pm

THERE WILL BE...

- **FREE** food and drinks
- Speakers
- **FREE** copy of **HEALTHY** Tenderloin shopping guide
- Corner Store Research Results
- Raffle Prizes

This Event is brought to you by the Tenderloin Healthy Corner Store Coalition and Team Let's Stop Tobacco at the Vietnamese Youth Development Center. This is a open community event so we hope to see many Tenderloin residents



If you have any questions about this event, please feel free to contact the TLHCSC program coordinator, **Jessica Estrada** at Jessica@vydc.org or at 415-771-2600 ext. 104.

Tenderloin booze limits are uncorked

Feb 2, 2008 3:00 AM (16 hrs ago) by David Smith, The Examiner

SAN FRANCISCO ([Map](#), [News](#)) - A renewed effort in the Tenderloin to quell the fights, public urination and other potential fallout from drinking cheap liquor is under way with city officials once again turning to stores in the area to step up and be “good neighbors.”

City officials met Friday to refocus an effort on creating an “alcohol impact area.”

Last year, Mayor Gavin Newsom and other officials worked to bring an alcohol sales restriction program to the Tenderloin. But obstacles — such as state and federal laws that pre-empted The City from creating restrictions on the type, manner and place of liquor sales — stalled the project, Newsom said Friday.

Some Tenderloin merchants expressed concerns at the time that competitors could reap the benefits of denied customers buying from nonvolunteering stores.

Dariusz Kahan, the newly appointed director of The City’s Homelessness Policy, said a key consideration is encouraging stores to move to more fruit and grocery items. Officials are also investigating land-use issues such as permitting processes, the way licenses can be transferred to a family member and the inability to change products being sold, Kahan said.

Capt. Gary Jimenez of the Tenderloin Police Station, who attended Friday’s meeting, had hope for the effort.

“I think what [officials] are hoping is to create neighbors who will abdicate their making it affordable for people to get this substance,” he said.

But Ali Abdul, the manager of Pitco on Ellis Street, said liquor was a problem but the “main thing” was drugs on the street. Abdul said officials may be able to get merchants to abide by a prohibition on sales, but it may be a tough sell because it threatens a store’s bottom line.

dsmith@examiner.com

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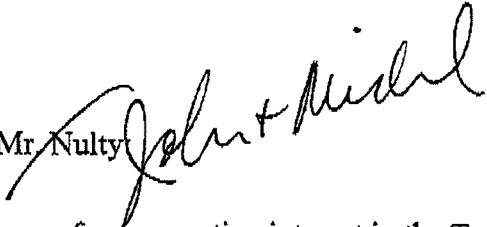
Leland Y. Yee, Ph.D.
San Francisco Board of Supervisors

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March 24, 1999

Mr. John and Michael Nulty
P.O. Box 421949
San Francisco, CA 94142

Dear Mr. Nulty


Thank you for your active interest in the Tenderloin. I wanted to let you know that this past Monday, the Board of Supervisors voted unanimously to pass the legislation banning new off-sale liquor licenses and imposing citywide good-neighbor policies on all liquor establishments in the Tenderloin.

That unanimous vote is a tribute to the Tenderloin community being well organized and speaking with a unified voice on this issue. This organization and unity will serve your community well in future endeavors to improve the neighborhood.

You have taken another step in revitalizing the Tenderloin. Supporting your efforts remains a priority to me. Please continue to let me know about issues of concern to you.

Sincerely,



Leland Y. Yee, Ph.D.
Member
Board of Supervisors

NOMBA



North of Market Business Association