

File No. 160250

Committee Item No. 2

Board Item No. 56

### 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

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

OTHER

(Use back side if additional space is needed)

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | PCN Application Letter - 03/15/2016 (WITH RES APPLICATION) |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | LL Referral - 03/16/2016                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Response Planning - 03/28/2016                             |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Response Police - 06/15/2016                               |
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Completed by: Erica Major

Date June 24, 2016

Completed by: JMM

Date 7/16/2016

1 [Liquor License - 927 Post Street]

2

3 **Resolution determining that the issuance of a Type 20 off-sale beer and wine**  
4 **license to Raton 927 LLC, dba Raton 927 located at 927 Post Street (District 6),**  
5 **will serve the public convenience or necessity of the City and County of San**  
6 **Francisco in accordance with California Business and Professions Code, Section**  
7 **23958.4, and recommending that the California Department of Alcoholic Beverage**  
8 **Control impose conditions on the issuance of the license.**

9

10 WHEREAS, Raton 927 LLC, is seeking the issuance of a Type 20 off-sale beer  
11 and wine license for Raton 927 located at 927 Post 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 six (6) protests with the Department  
15 of Alcoholic Beverage Control under California Business and Professions Code, Section  
16 24013, and recommends that the Department of Alcoholic Beverage Control issue the  
17 liquor license with conditions; and

18 WHEREAS, The conditions recommended by the Police Department are the  
19 following: 1) sales of alcoholic beverages shall be permitted only between the hours of  
20 7:00 a.m. to 12:00 a.m. midnight daily; 2) no noise shall be audible beyond the area  
21 under the control of the licensee as defined on the ABC-257, dated 2/22/2016; 3) no  
22 malt beverage shall be sold with an alcoholic content greater than 5.7% by volume; 4)  
23 the sales of beer or malt beverages in quantities of 16 oz., 20 oz., 32 oz., 40 oz., or  
24 similar size containers is prohibited; 5) loitering (is defined as "to stand idly about; linger  
25 aimlessly without lawful business") is prohibited on any sidewalks or property adjacent

1 to the licensed premises under the control of the licensee as depicted on the ABC-257,  
2 dated 2/22/2016; 6) no beer or malt beverage shall be sold in quantities of less than  
3 manufacturer pre-packaged six packs per sale with the exception of wine-coolers, beer  
4 coolers which must be sold in manufacturer pre-packaged multi-unit quantities of four  
5 (4) or more; and 7) wine shall not be sold in bottles or containers small than 750 ml;  
6 now, therefore, be it

7       RESOLVED, That in accordance with California Business and Professions Code,  
8 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
9 hereby determines that the issuance of a Type 20 off-sale beer and wine license to 927  
10 LLC, dba Raton 927 located at 927 Post Street (District 6), will serve the public  
11 convenience or necessity of the City and County of San Francisco; and, be it

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

RECEIVED VIA EMAIL  
FILE 160250  
6/16/2016




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) 415-837-7287

**Date:** May 13, 2016

**Subject:** P.C.N. Investigation Regarding: Raton 927 LLC  
DBA: Raton 927  
927 Post St  
(707) 938-8931

Mike Cook on behalf of Raton 927 LLC has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 20 (Off Sale Beer and wine) License for 927 Post St (located between Larkin and Hyde Streets).

Hours of Operation:

Daily 7 a.m to 9 p.m

**Digest:**

Raton 927 LLC would like to accommodate their patrons by providing beer and wine for off sale purchases to enjoy with their high end deli-style, take-out restaurant. If approved, this license will allow Raton 927 LLC to operate as a package store providing beer and wine.

**Letters of Protest:**

**6 letters of protest**

**Letters of Support:**

**No Record**

**Police Calls for Service:**

From March 2015 to March 2016

**3 Calls for service**

**Police Reports:**

From March 2015 to March 2016: 0

**San Francisco Plot Information:**

This premise is located in Plot **542**

A High Crime area is defined as **99** or more police incidents in a plot for the year of **2015**.

This plot had **312** police incidents for **2015**, which is **213** over the Citywide "High Crime" average.

**State Census Tract Information:**

This premise is located in Census Tract **122.01**

Population for this tract is: **4,567**

On-sale license authorized by census tract: **16**  
Active on-sale licenses: **22**

Off-sale licenses authorized by census tract: **4**  
Active off-sale licenses: **4**

**Departmental Recommendation:**

Points of consideration: 2

Chinese Grace Church (931 Larkin St)

Community Youth Center (1038 Post St)

**Central Station has no opposition**

Applicant premise is located in a **"high crime"** area.

Applicant premise is located in an **low saturation area** area.

**6** - Record of protest.

**0** - Record of support.

ALU Recommendation: Approval with the following conditions:

1. Sales of alcoholic beverages shall be permitted only between the hours of 7:00 a.m. to 12:00 a.m. midnight daily.
2. No noise shall be audible beyond the area under the control of the licensee as defined on the ABC-257, dated 2/22/2016.
3. No malt beverage shall be sold with an alcoholic content great than 5.7% by volume.
4. The sales of beer or malt beverages in quantities of 16 oz., 20 oz., 32 oz., 40 oz., or similar size containers is prohibited.
5. 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 2/22/2016.
6. No beer or malt beverages shall be sold in quantities of less than manufacturer pre-packaged six packs per sale with the exception of wine-coolers, beer coolers which must be sold in manufacturer pre-packaged multi-unit quantities of four (4) or more.
7. Wine shall not be sold in bottles or containers smaller than 750 ml.

END

NF  
1.500



# LIQUOR LICENSE REVIEW

**TO:** Planning Department **File:** 160250  
AnMarie Rodgers/CTYPLN/SFGOV  
Georgia Powell/CTYPLN/SFGOV@SFGOV  
Fax No.: (415) 558-6409

Block/lot: 0302 / 027  
Zoning: RL-4  
Quad: NE

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

**DATE:** March 15, 2016

Record # 2016-003460 MIS

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This item is tentatively scheduled to be heard in four to six weeks.  
**PLEASE EMAIL YOUR RESPONSE BY:** April 20, 2016, to Erica Major, Public Safety and Neighborhood Services Committee Clerk.  
**Erica.Major@sfgov.org - Fax No: 554-7771**

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**Applicant Name:** Mike Cook  
927 Raton  
**and Business Name:** (927 Post Street)  
**Applicant Address:** 927 Post Street  
San Francisco, CA 94109  
**and Phone No.** (707) 938-8931

**PLANNING COMMENTS:**  Approval  Denial

Approved, ABC Type 20 license is permitted w/ Retail use in the RL-4 District, pursuant to Code Section 209.3

*[Signature]*  
NICHOLAS FORER 415-575-9167  
3/29/16

**POLICE COMMENTS:**  Approval  Denial

3/4/2016

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2016 MAR 15 PM 3:42

BY el

Attn: California Alcoholic Beverage Control  
33 New Montgomery Street, Ste. 1233  
San Francisco, CA. 94102

Re: Type 20 Application  
927 Post Street, dba Raton 927  
San Francisco, CA. 94109

Attn: California Alcoholic Beverage Control, and San Francisco Board of Supervisors,

The Raton 927 is a single story building with a full basement. The building has been restored to a very high level of restoration, keeping the original appearance and integrity of the building. Significant seismic upgrades were done.

This will be a high end, deli-style, take-out only restaurant. A full commercial kitchen has been installed in the basement. The ground floor will feature a full delicatessen counter with a specialty grocery section featuring fine foods, locally grown foods, and specialty foods.

The kitchen will be run by a full-time chef who will establish and oversee the preparation of day to day items. Guest chefs will be featured from time to time, contributing specialty dishes or entire meals to the take-out menu. The business will be a location where patrons can get a freshly prepared sandwich for lunch, or pick up a full chef prepared meal to take home for dinner. The hours of operation are anticipated to be between 9 AM and 10 PM daily. Alcohol sales are intended to compliment meals and are expected to be a minor (5-10%) of sales. The take-out menu will include suggestions for pairing wines with meals.

We respectfully request your support of our proposed business project, a business that we feel will serve as a 'Public Convenience and Necessity'.

Sincerely

  
Mike Cook

707. 983.8931 / [mike.cook@kkr.com](mailto:mike.cook@kkr.com)

Jim Saxton, Liquor Licenses of San Francisco Bay Area

925. 689.6766 / [sfliqorlicenses@gmail.com](mailto:sfliqorlicenses@gmail.com)

David J. Villa-Lobos, CLA Consulting

415. 921.4192 / [admin@communityleadershipalliance.net](mailto:admin@communityleadershipalliance.net)



**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

Raton 927 LLC

2. PREMISES ADDRESS (Street number and name, city, zip code)

927 Post St., San Francisco CA 94109-5841

3. LICENSE TYPE

20

4. TYPE OF BUSINESS

- |   |  |  |  |
|---|--|--|--|
| <input type="checkbox"/> Full Service Restaurant      | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge     | <input type="checkbox"/> Private Club      |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club       | <input type="checkbox"/> Night Club          | <input type="checkbox"/> Veterans Club     |
| <input type="checkbox"/> Cafe/Coffee Shop             | <input type="checkbox"/> Brew Pub          | <input type="checkbox"/> Tavern: Beer        | <input type="checkbox"/> Fraternal Club    |
| <input type="checkbox"/> Bed & Breakfast:             | <input type="checkbox"/> Theater           | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only                    | <input type="checkbox"/> All               |  |  |
- 
- |   |  |  |  |
|---|--|--|--|
| <input type="checkbox"/> Supermarket        | <input type="checkbox"/> Membership Store  | <input type="checkbox"/> Service Station               | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store       | <input type="checkbox"/> Department Store  | <input type="checkbox"/> Convenience Market            | <input type="checkbox"/> Drive-in Dairy        |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline |  |
| <input type="checkbox"/> Other - describe:  |  |  |  |

5. COUNTY POPULATION

845,602

6. TOTAL NUMBER OF LICENSES IN COUNTY

1060

On-Sale  Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

On-Sale  Off-Sale

CENSUS TRACT NUMBER

122.01

8. NO. OF LICENSES ALLOWED IN CENSUS TRACT

4

On-Sale  Off-Sale

9. NO. OF LICENSES EXISTING IN CENSUS TRACT

4

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

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

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

13. CRIME REPORTING DISTRICT NUMBER

542

14. TOTAL NUMBER OF REPORTING DISTRICTS

653

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

53,160

16. AVERAGE NO. OF OFFENSES PER DISTRICT

81

17. 120% OF AVERAGE NUMBER OF OFFENSES

97

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

291

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)

- 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

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.
- 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 conjunction 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: Board of Supervisors

**FOR DEPARTMENT USE ONLY**

PREPARED BY (Name of Department Employee)

## LIQUOR LICENSE REVIEW

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

**File:** 160250

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

**DATE:** March 15, 2016

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**PLEASE EMAIL YOUR RESPONSE BY:** April 20, 2016, to Erica Major, Public  
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927 Raton  
**and Business Name:** (927 Post Street)  
**Applicant Address:** 927 Post Street  
San Francisco, CA 94109  
**and Phone No.** (707) 938-8931

**PLANNING COMMENTS:**       Approval       Denial

**POLICE COMMENTS:**       Approval       Denial