

File No. 210348

Committee Item No. 1

Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services

Date: May 13, 2021

Board of Supervisors Meeting:

Date: \_\_\_\_\_

#### 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

- Police Department Response – May 7, 2021
- Planning Department Response – April 22, 2021
- Referral – April 6, 2021
- PC or N Request Letter – April 5, 2021
- \_\_\_\_\_

Prepared by: John Carroll

Date: May 7, 2021

Prepared by: John Carroll

Date: \_\_\_\_\_

Prepared by: John Carroll

Date: \_\_\_\_\_

**From:** [Carroll, John \(BOS\)](#)  
**To:** [David Villa-Lobos](#); "[Lovett, Li \(BOS\)](#)"; [Monge, Paul \(BOS\)](#); [Beinart, Amy \(BOS\)](#); [Lerma, Santiago \(BOS\)](#)  
**Cc:** [Alabanza, Analyn@ABC](#); [Rose.Meyer@ABC.ca.gov](#); [Wu, Elton \(CPC\)](#); [CPC.Referrals](#); [Sainez, Maricela \(POL\)](#); [Salmonson, Joel \(POL\)](#)  
**Subject:** RE: Liquor License Transfer - 3347-24th Street - 24 Bart Liquor Store  
**Date:** Friday, May 7, 2021 1:44:00 PM  
**Attachments:** [image001.png](#)

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Good afternoon,

The Police Department has completed their review of the subject public convenience or necessity request and has forwarded their recommendations. For your convenience, I have the review available from the link below:

[Police Department Response – May 7, 2021](#)

The Police Department's ALU is recommending approval with the following condition:

1) Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on ABC-253.

**This matter is now agendized for a hearing on May 13, 2021. Here is a copy of the agenda for your information:**

[Public Safety and Neighborhood Services Committee- Regular Meeting Agenda – May 13, 2021](#)

**Please respond to this message and let me know who to expect in attendance at our remote meeting. I will send invitations midweek next week with instructions on how to attend and be heard during the meeting.**

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 210348](#)

Thanks for the review.

**John Carroll**

**Assistant Clerk**

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415) 554-4445

**(VIRTUAL APPOINTMENTS)** To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.



San Francisco Police Department  
***ABC Liaison Unit***



Alcoholic Beverage License -  
*Public Convenience or  
Necessity Recommendation*

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

**Supervisor Gordon Mar**  
**Supervisor Catherine Stefani**  
**Supervisor Matt Haney**

**From:** Lt. Georgia Sawyer #1565  
Officer in Charge  
ALU/Permits Unit 415-553-9550

**Date:** May 6, 2021

**Subject:** P.C.N. Investigation Regarding: Binaya Pokharel  
DBA: 24 Bart Liquor Store  
3347-24th St.  
San Francisco, CA. 94110-3869

Binaya Pokharel has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 21 (Off-Sale General) license to be located at 3347-24 St. (located Mission St. and Bartlett St.)

**Hours of Operation:**

6:00 am to 12:00 am each day of the week.

**Digest:**

24 Bart Liquor Store would like to operate a liquor store to include Beer, Wine and Distilled Spirits sales, located at 3347-24th St. If approved, this license will allow them to sell Off-Sale General.

**Letters of Protest**

0

**Letters of Support**

0

**Police Calls for Service:**

From February 2020 to February 2021

**3 calls for service**

**Police Reports:**

From February 2020 to February 2021

**0 police reports**

**San Francisco Plot Information:**

This premise is located in Plot: **454**

A High Crime area is defined as **107** or more police reports in a plot for the year of **2019**.

This plot had **196** police reports for **2019**, which is **89 higher** than the **Citywide “High Crime”** average

**State Census Tract Information:**

This premise is located in Census Tract: **209.00**  
Population for this tract is: **4,372**

On-sale license authorized by census tract: **15**  
Active on-sale licenses: 51 with 0 pending

Off-sale licenses authorized by census tract: **3**  
Active off-sale licenses: 9 with 0 pending

**Departmental Recommendation:**

Points of consideration: **0**

No opposition from **Mission Station**.

Applicant premise **is** located in a “**High Crime**” area.

Applicant premise **is** located in a “**High Concentration**” area.

**0** - Protest.

**0** - Support

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

**Conditions for Type 21- Off-Sale General**

1. Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on ABC-253.

It should be noted that as of April 30, 2021 the applicant had agreed to the above listed recommended condition.

**From:** [Carroll, John \(BOS\)](#)  
**To:** [Sainez, Maricela \(POL\)](#); [Salmonson, Joel \(POL\)](#)  
**Cc:** [David Villa-Lobos](#); ["Lovett, Li \(BOS\)"](#); [Monge, Paul \(BOS\)](#); [Beinart, Amy \(BOS\)](#); [Lerma, Santiago \(BOS\)](#); [Alabanza, Analyn@ABC](#); [Rose.Meyer@ABC.ca.gov](#); [Wu, Elton \(CPC\)](#); [CPC.Referrals](#)  
**Subject:** RE: Liquor License Transfer - 3347-24th Street - 24 Bart Liquor Store  
**Date:** Friday, April 23, 2021 12:53:00 PM  
**Attachments:** [image001.png](#)

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Good afternoon,

The Planning Department has completed their review of the subject application, and has forwarded their recommendation for approval. For your convenience, I have the review available from the link below:

[Planning Dept. Response - Received April 22, 2021](#)

The matter is now awaiting review by the Police Department's ALU.

After receiving review from the Police Department, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for their consideration in the license matter.

**The Public Safety and Neighborhood Services Committee may tentatively schedule this hearing for a regular remote meeting in June of 2021.**

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 210348](#)

Thanks for the review.

**John Carroll**

**Assistant Clerk**

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415) 554-4445

**(VIRTUAL APPOINTMENTS)** To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

*Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.*



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

# LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

**TO:** Planning Department  
Phone No. (415) 558-6371

**DATE:** April 6, 2021

**AP Block/Lot Nos.:** 6516/023

**TO:** Police Department  
Inspector Georgia Sawyer  
Phone No. (415) 553-9550

**Zoning:** Mission Street NCT 55-X

**Quad:** SE Planning Team

**Record No.:** 2021-003491MIS

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Please submit your response within three weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in June of 2021.

**PLEASE EMAIL YOUR RESPONSE BY** April 23, 2021, to John Carroll,  
Public Safety and Neighborhood Services Committee Clerk.

[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org) - Phone No: 554-4445

---

**Applicant name:** Binaya Pokharel

**Business name:** 24 Bart Liquor Store

**Application address:** 3347-24 Street  
San Francisco, CA 94110

**Applicant contact info:** David Villa-Lobos  
CLA Consulting  
415-921-4192  
[david\\_villalobos@sbcglobal.net](mailto:david_villalobos@sbcglobal.net)

**PLANNING REVIEW:**  Approval  Denial

Planning Staff Contact: Elton Wu [elton.wu@sfgov.org](mailto:elton.wu@sfgov.org) 628-652-7415

**Please print review comments on a trailing page.**

Recommend approval for 3347 24th Street for an ABC Type 21 License per Planning Code Section 102, 249.60, and 754. All areas devoted to the display and sale of the alcoholic beverages must occupy less than 15% of the occupied floor area of the establishment.

**POLICE REVIEW:**  Approval  Denial

**Please print review comments in a trailing report.**

Attn: San Francisco Board of Supervisors  
City and County of San Francisco, Ca.

Re: 3347 24th Street (dba: 24 Bart Liquor store )  
San Francisco, Ca. 94110  
**Type 21 Off-Sale Beer Wine & Distilled Spirits**

Dear Honorable San Francisco Board of Supervisors,

My business name is called 24 Bart Liquor Store and it is located on 24th Street San Francisco CA, 94110 in Mission. I plan to sell liquor, beer, groceries, dairy goods, medicine, and some stationery and household products. I believe it will benefit the community members because I am also a member of the community.


I strongly believe that bringing a liquor store to the neighborhood would benefit the community as a convenience. If anyone needs a few things that do not warrant a trip to the local grocery store, a trip to the convenience store down the street makes more sense. It also offers an economic boost to the community by providing job opportunities.

Respectfully



**Binaya Pokharel**

David J. Villa-Lobos, Licensing Agent  
CLA Consulting  
P.O. Box 642201  
San Francisco, Ca. 94164  
415. 921.4192  
David\_villalobos@sbcglobal.net

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2001 APR -5 PM 3:38  
BY 



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 Pokharel, Binaya

2 PREMISES ADDRESS (Street number and name, city, zip code) 3347 24th St., San Francisco, CA 94110

3 LICENSE TYPE 21

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"/> Braw 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 checked="" 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 897,806

6 TOTAL NUMBER OF LICENSES IN COUNTY  On-Sale  Off-Sale

7 RATIO OF LICENSES TO POPULATION IN COUNTY 1/71  On-Sale  Off-Sale

8 CENSUS TRACT NUMBER 0209.00

9 NO OF LICENSES ALLOWED IN CENSUS TRACT 3  On-Sale  Off-Sale

10 NO OF LICENSES EXISTING IN CENSUS TRACT 9  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 454

14 TOTAL NUMBER OF REPORTING DISTRICTS 454

15 TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS 15,022

16 AVERAGE NO OF OFFENSES PER DISTRICT 84.13

17 120% OF AVERAGE NUMBER OF OFFENSES 100.8

18 TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT 304

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)

ABC

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 documentation, if desired. Do not proceed to Part 3.

Lined area for providing reasons for license issuance.

22. APPLICANT SIGNATURE

23. DATE SIGNED

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)

Lined area for additional comments.

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED

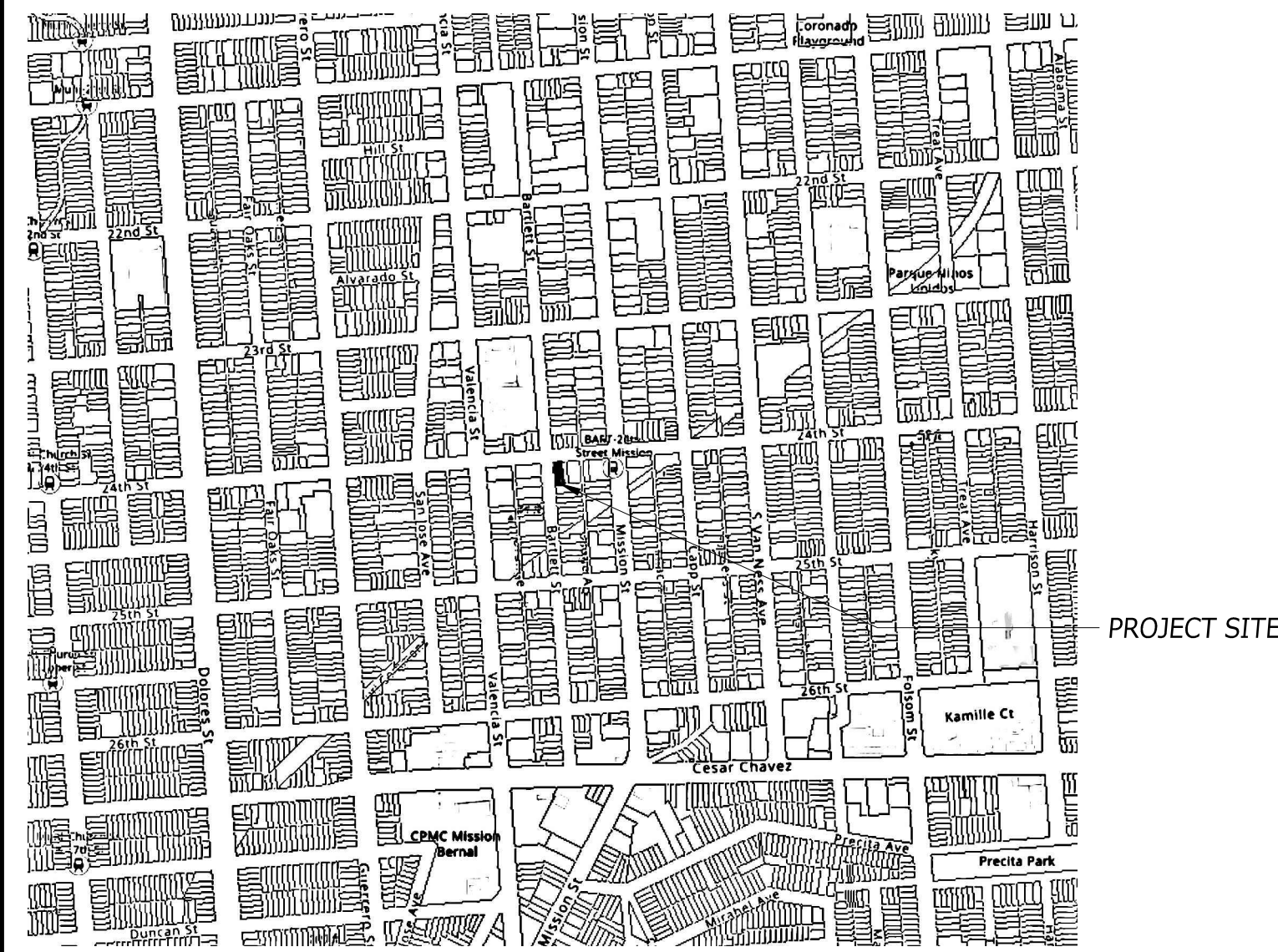
Sheet Index

A0.0 Cover Sheet

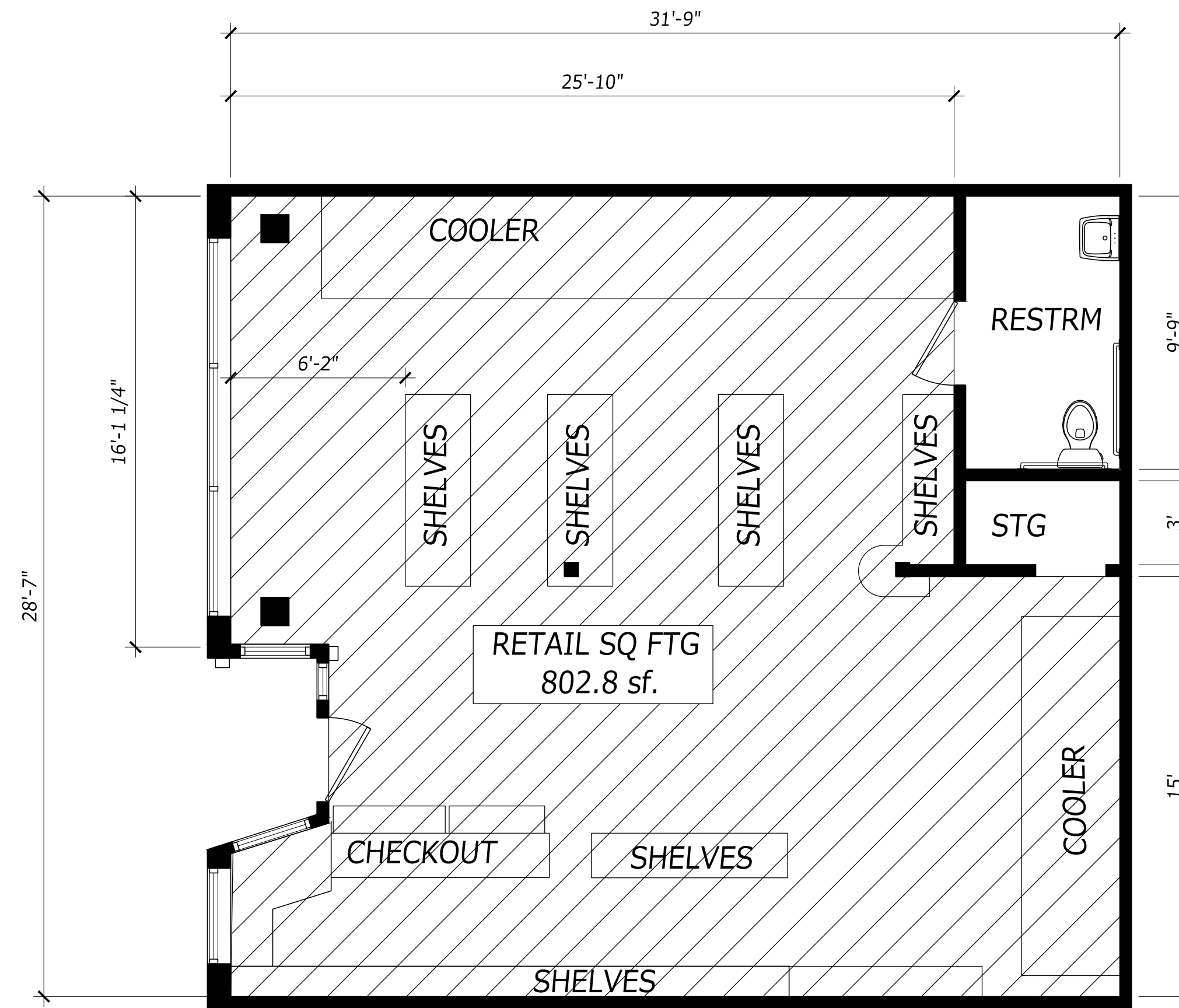
JOB INFORMATION

Job: Gurewitz Kitchen Remodel  
 Site: 184 Brentwood Ave.  
 Lot Size: 467.6 Sq. Ft.  
 Zoning: RH-1 (D)  
 Code: 2019 California Building Code  
 2019 California Electrical Code  
 2019 California Mechanical Code  
 2019 California Plumbing Code  
 2019 California Fire Code  
 2019 California Green Building Code  
 Local City Building Code and Amendments  
 Occupancy: B/R2  
 Const. Type: V-B  
 Historic Rating: 'C'  
 Lot: 0023  
 Block: 6516  
 Project Description:  
 LAND USE CHANGE

Peter Petrucci  
 A.I.A. N.C.A.R.B.  
 1165 Francisco No. 7  
 San Francisco, Calif.  
 415-674-8039

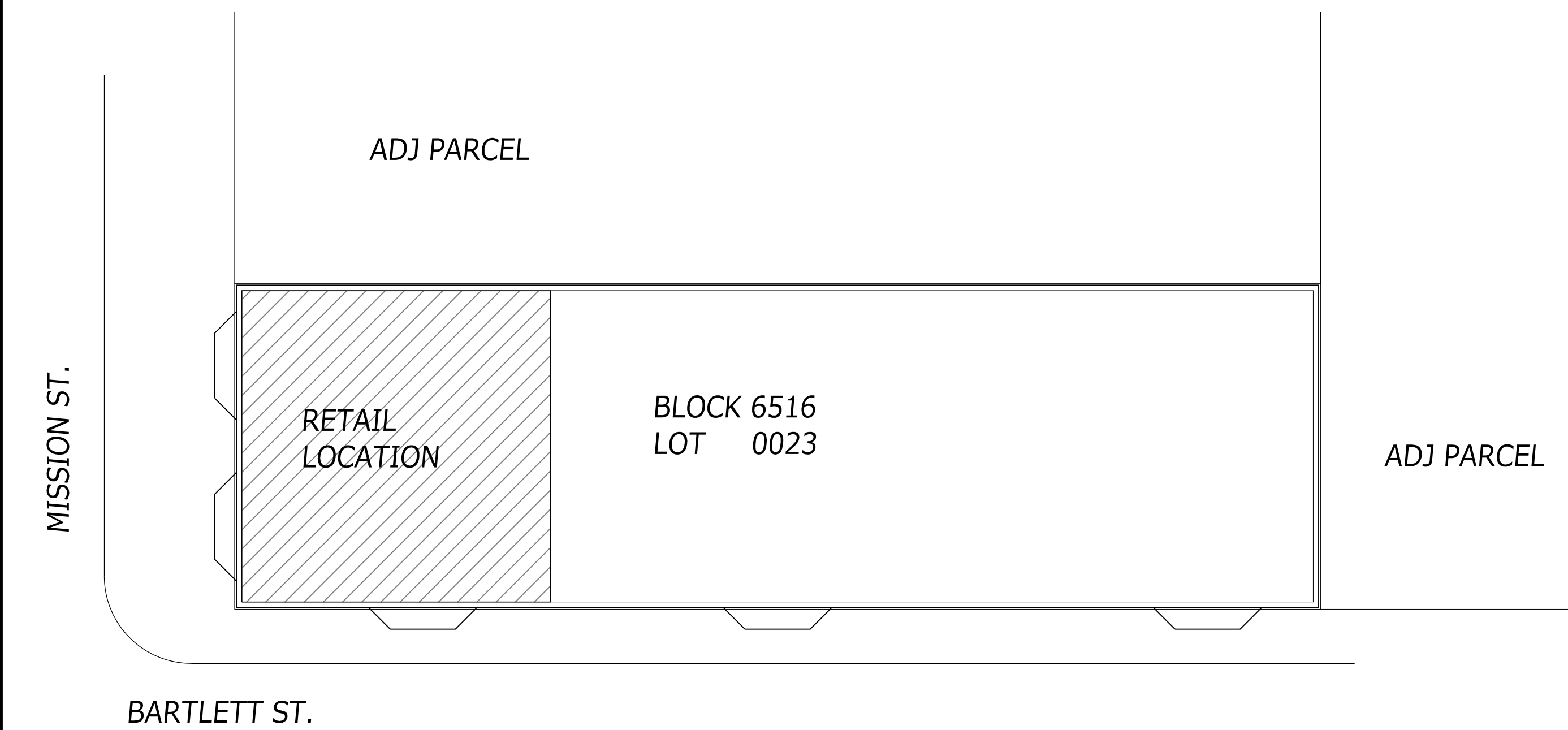


2 LOCATION MAP  
 N.T.S. PLAN NORTH

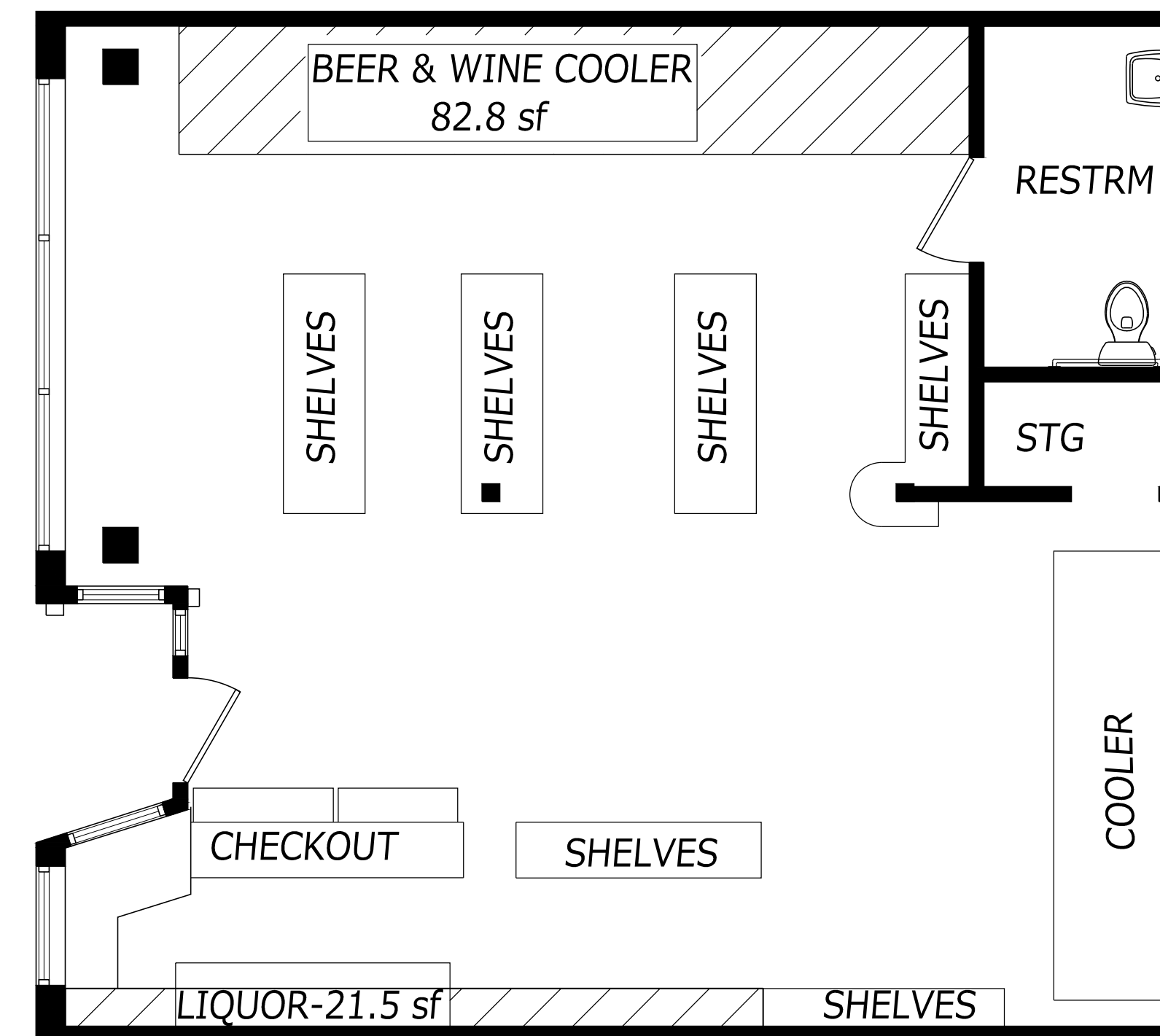


ALLOWABLE ALCOHOL SALES AREA  
 TOTAL RETAIL SF. 802.8 sf.  
 ALLOWABLE AREA  
 802.8 X 15% = 120.4 sf.

4 RETAIL AREA  
 1"=4" PLAN NORTH



1 SITE PLAN  
 1"=10' PLAN NORTH



ALCOHOL AREA	82.8
TOTAL	21.5
	104.5

104.5 sf < 120.4 sf ALLOWABLE

3 LIQUOR AREA  
 1"=4" PLAN NORTH

REVISION

24 Hour Bart  
 3347 24th Street  
 San Francisco, Calif.

FOR SFDBI USE ONLY

DESCRIPTION:  
 Cover

JOB NUMBER: 21-0050  
 DRAWN BY: PP  
 SCALE: -

A0.0

DATE: 4.19.21

NOTICE: As an instrument of service, this drawing is the property of the architect and may be used only for this project. Modifications to this drawing may be made only by the architect.

**From:** [Carroll, John \(BOS\)](#)  
**To:** [CPC.Referrals](#); [Sainez, Maricela \(POL\)](#); [Salmonson, Joel \(POL\)](#)  
**Cc:** [David Villa-Lobos](#); ["Lovett, Li \(BOS\)"](#); [Monge, Paul \(BOS\)](#); [Beinart, Amy \(BOS\)](#); [Lerma, Santiago \(BOS\)](#); [Alabanza, Analyn@ABC](#); [Rose.Meyer@ABC.ca.gov](#); [Wu, Elton \(CPC\)](#)  
**Subject:** Liquor License Transfer - 3347-24th Street - 24 Bart Liquor Store  
**Date:** Tuesday, April 6, 2021 3:37:00 PM  
**Attachments:** [image001.png](#)

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Greetings,

The office of the Clerk of the Board has received a letter requesting public convenience or necessity findings for a liquor license. This matter is being referred to you for response via the following linked document:

[Referral Letter - Planning and Police Departments – April 6, 2021](#)

You may review the entire matter on our [Legislative Research Center](#) by following the link below:

-

[Board of Supervisors File No. 210348](#)

After receiving review from the Planning and Police Departments, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for consideration in the license matter.

**The Public Safety and Neighborhood Services Committee may tentatively schedule this hearing for a regular remote meeting in June of 2021.**

**I request the Planning Department's response before April 23, 2021. Please confirm receipt of this message.**

You may review the fact sheet for public convenience or necessity requests from the San Francisco Board of Supervisors via the following link:

[Liquor License Public Convenience or Necessity Request](#)

Thanks for the review.

**John Carroll**

**Assistant Clerk**

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415) 554-4445

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The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

**Disclosures:** *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

# LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

**TO:** Planning Department  
Phone No. (415) 558-6371

**DATE:** April 6, 2021  
**AP Block/Lot Nos.:** 6516/023  
**Zoning:** Mission Street NCT 55-X  
**Quad:** SE Planning Team  
**Record No.:** \_\_\_\_\_

**TO:** Police Department  
Inspector Georgia Sawyer  
Phone No. (415) 553-9550

---

Please submit your response within three weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in June of 2021.

**PLEASE EMAIL YOUR RESPONSE BY** April 23, 2021, to John Carroll,  
Public Safety and Neighborhood Services Committee Clerk.  
[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org) - Phone No: 554-4445

---

**Applicant name:** Binaya Pokharel  
**Business name:** 24 Bart Liquor Store  
**Application address:** 3347-24 Street  
San Francisco, CA 94110  
**Applicant contact info:** David Villa-Lobos  
CLA Consulting  
415-921-4192  
[david\\_villalobos@sbcglobal.net](mailto:david_villalobos@sbcglobal.net)

**PLANNING REVIEW:**     Approval     Denial

Planning Staff Contact: \_\_\_\_\_

**Please print review comments on a trailing page.**

**POLICE REVIEW:**     Approval     Denial

**Please print review comments in a trailing report.**

Attn: San Francisco Board of Supervisors  
City and County of San Francisco, Ca.

Re: 3347 24th Street (dba: 24 Bart Liquor store )  
San Francisco, Ca. 94110  
**Type 21 Off-Sale Beer Wine & Distilled Spirits**

Dear Honorable San Francisco Board of Supervisors,

My business name is called 24 Bart Liquor Store and it is located on 24th Street San Francisco CA , 94110 in Mission. I plan to sell liquor, beer, groceries, dairy goods, medicine, and some stationery and household products. I believe it will benefit the community members because I am also a member of the community.


I strongly believe that bringing a liquor store to the neighborhood would benefit the community as a convenience. If anyone needs a few things that do not warrant a trip to the local grocery store, a trip to the convenience store down the street makes more sense. It also offers an economic boost to the community by providing job opportunities.

Respectfully



**Binaya Pokharel**

David J. Villa-Lobos, Licensing Agent  
CLA Consulting  
P.O. Box 642201  
San Francisco, Ca. 94164  
415. 921.4192  
David\_villalobos@sbcglobal.net

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2001 APR -5 PM 3:38  
BY 

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: Pokharel, Binaya

2 PREMISES ADDRESS (Street number and name, city, zip code): 3347 24th St., San Francisco, CA 94110

3 LICENSE TYPE: 21

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 checked="" 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: 897,806

6 TOTAL NUMBER OF LICENSES IN COUNTY: On-Sale  Off-Sale

7 RATIO OF LICENSES TO POPULATION IN COUNTY: 1,171 On-Sale  Off-Sale

8 CENSUS TRACT NUMBER: 0209.00

9 NO. OF LICENSES ALLOWED IN CENSUS TRACT: 3 On-Sale  Off-Sale

10 NO. OF LICENSES EXISTING IN CENSUS TRACT: 9 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: 454

14 TOTAL NUMBER OF REPORTING DISTRICTS: 454

15 TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS: 15,022

16 AVERAGE NO. OF OFFENSES PER DISTRICT: 84.13

17 120% OF AVERAGE NUMBER OF OFFENSES: 100.96

18 TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT: 304

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)

ABC



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 documentation, if desired. Do not proceed to Part 3.

Lined area for providing reasons for license issuance.

22. APPLICANT SIGNATURE

23. DATE SIGNED

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)

Lined area for additional comments.

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED