

File No. 220252

Committee Item No. 1

Board Item No. 20

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services

Date: May 12, 2022

Board of Supervisors Meeting:

Date: May 24, 2022

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

- PCN Request, dtd 3/4/22
- PCN Referral, dtd 3/9/22
- Police Department Response, dtd 5/5/22
- Planning Department Response, dtd 5/6/22
- _____
- _____
- _____
- _____
- _____

Prepared by: Alisa Somera

Date: May 6, 2022

Prepared by: _____

Date: _____

1 [Liquor License Transfer - 3140 Mission Street - Roccapulco]

2

3 **Resolution determining that premise-to-premise/person-to-person transfer of a**
4 **Type-48 on-sale general public premises liquor license to Blue Ice Entertainment,**
5 **LLC, doing business as Roccapulco, located at 3140 Mission Street (in District 9),**
6 **will serve the public convenience or necessity of the City and County of San**
7 **Francisco; and requesting that the California Department of Alcoholic Beverage**
8 **Control impose conditions on the issuance of the license.**

9

10 WHEREAS, Blue Ice Entertainment, LLC, is seeking the premise-to-
11 premise/person-to-person transfer of a Type-48 on-sale general public premises liquor
12 license to do business as Roccapulco, located at 3140 Mission Street (District 9); and

13 WHEREAS, The Planning Department has verified that the area is properly
14 zoned and recommends approval; and

15 WHEREAS, The Police Department has filed two protests and zero letters of
16 support with the Department of Alcoholic Beverage Control under California Business
17 and Professions Code, Section 24013, and recommends that the Department of
18 Alcoholic Beverage Control issue the liquor license with conditions; and

19 WHEREAS, The conditions recommended by the Police Department are the
20 following: 1) Petitioner(s) shall actively monitor the area under their control in an effort to
21 prevent the loitering of persons on any property adjacent to the licensed premises as
22 depicted on ABC-253; 2) the sale of alcoholic beverages for off-sale consumption is
23 strictly prohibited; 3) no noise shall be audible at any nearby residence; and 4) at any
24 time, the premise is providing live entertainment, the petitioner(s) shall have two (2)
25 uniformed security guard(s) on the premises and shall maintain order therein to prevent

1 any activity which would interfere with the quiet enjoyment of their nearby residents, or
2 the surrounding community; the uniform security guards must be licensed by the State
3 of California Department of Consumer Affairs.; now, therefore, be it

4 RESOLVED, That in accordance with California Business and Professions Code,
5 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
6 hereby determines that the premise-to-premise/person-to-person transfer of a Type-48
7 on-sale general public premises liquor license to Blue Ice Entertainment, LLC, doing
8 business as Roccapulco, located at 3140 Mission Street (in District 9), will serve the
9 public convenience or necessity of the City and County of San Francisco; and, be it

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

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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

From: Lt. Steve Jonas #79
Officer in Charge
ALU/Permits Unit 415-553-9550

Date: May 5, 2022

Subject: P.C.N. Investigation Regarding: Blu Ice Entertainment, LLC
DBA: Roccapulco
3140 Mission St.
San Francisco, CA. 94110-4504

Blu Ice entertainment LLC has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 48 (On-Sale General Public Premise) license to be located at 3140 Mission St. (located between Cesar Chavez and Precita Ave.)

Hours of Operation:

10:00 a.m. to 2:00 a.m. each day of the week.

Digest:

Blu Ice Entertainment LLC would like to operate a Bar at 3140 Mission St. If approved, this license will allow them to sell Beer, Wine and Distilled Spirits.

Letters of Protest

2

Letters of Support

0

Police Calls for Service:

From January 2020 to January 2021

1 call for service

Police Reports:

From January 2020 to January 2021

1 police report

San Francisco Plot Information:

This premise is located in Plot: **803**

A High Crime area is defined as **84** or more police reports in a plot for the year of **2020**.

This plot had 70 police reports for **2020**, which is 14 **lower** than the **Citywide “High Crime”** average

State Census Tract Information:

This premise is located in Census Tract: **253.00**

Population for this tract is: **4,362**

On-sale license authorized by census tract: **15**

Active on-sale licenses: 49 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 **Ingleside Station**.

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

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

2 - Protest.

0 - Support

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

1. Conditions for Type 48- On-Sale General Public Premise

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.
2. The sale of alcoholic beverages for off-sale consumption is strictly prohibited.
3. No noise shall be audible at any nearby residence.
4. At any time, the premise is providing live entertainment, the petitioner(s) shall have two (2) uniformed security guard(s) on the premises and shall maintain order therein to prevent any activity which would interfere with the quiet enjoyment of their nearby residents, or the surrounding community. The uniform security guards must be licensed by the State of California Department of Consumer Affairs.



Medical Foundation

Sophia's Beauty Lounge

Cesar Chavez

Cesar Chavez

Cesar Chavez

Cesar Chavez

Cesar Chavez

Cesar Chavez

CPMC Mission Bernal Cafe

P

CPMC Mission Bernal Campus

H

Eyebrow Care

Central American Resource Center of...

Mission Workforce Development - Career...

Rossi Builders

CPMC Emergency, Mission Bernal Campus

St. Lukes EP Ambulance Bay

Valencia St

EagleRider Motorcycle Rentals and Tours San...

3140 Mission St, San Francisco, CA 94110

Dr. Greenthumb

Fog City Community Fitness

Baby Blues BBQ

Mission Bernal Hospital garage

P

El Rio

Precita Ave

Precita Ave

San Francisco Car Care/Mission Tires Auto repair shop

Mission Liquor Store

Duncan St

Duncan St

Tiffany Ave

Valencia St

P

San Francisco Car Care/Mission Tires Auto repair shop

Mission Liquor Store

Duncan St

San Jose Avenue

Mission St

Powers Ave

Rich Biendis Barbershop

Philippe Grandvoinet

Coso and Precita Mini Park

Google

Department of Alcoholic Beverage Control
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)
 ABC 211 (6/99)

State of California

*ATTY. MARK RENNIE,
 Consultant*

TO: Department of Alcoholic Beverage Control
 33 NEW MONTGOMERY STREET
 STE 1230
 SAN FRANCISCO, CA 94105
 (415) 356-6500

File Number: 623407
 Receipt Number: 2660147
 Geographical Code: 3800
 Copies Mailed Date: January 15, 2021
 Issued Date:

(415) 981-5400

DISTRICT SERVING LOCATION: SAN FRANCISCO 6574/001B
 First Owner: **BLU ICE ENTERTAINMENT LLC** NCD
 Name of Business: **ROCCAPULCO** SE
 Location of Business: **3140 MISSION ST** 2021-000741MIS
SAN FRANCISCO, CA 94110-4504
 County: **SAN FRANCISCO**
 Is Premises inside city limits? **Yes** Census Tract: **0253.00**

Mailing Address:(If different from premises address)

Type of license(s): **48** Dropping Partner: Yes No

Transferor's license/name: **511096 / BLOSSOM HILL GROUP LLC**

License Type	Transaction Type	Master	Secondary LT And Count		
48 - On-Sale General Public Premises	PER/PRM	Y			
License Type	Transaction Description	Fee Code	Dup	Date	Fee
Application Fee	DBL TRF. PREMISES AND PERSON	NA	0	01/15/21	\$1,250.00
48 - On-Sale General Public Prem	ANNUAL FEE	P40	0	01/15/21	\$1,235.00
Total					\$2,485.00

Have you ever been convicted of a felony? **No**
 Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? **No**

STATE OF CALIFORNIA County of SAN FRANCISCO Date: January 15, 2021

Applicant Name(s)

BLU ICE ENTERTAINMENT LLC

Recommendation for Approval for 3140 Mission Street for an ABC Type 48 license under Planning Section Code 740

Elton Wu

Elton Wu 1-28-2021 628-652-7415

RECEIVED

JAN 29 2021

Department of Alcoholic Beverage Control
 San Francisco

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Attn: Edgar Oropeza
Phone No. edgar.oropeza@sfgov.org

DATE: March 9, 2022

AP Block/Lot Nos.: 6574 / 001B
Zoning: NCD Mission Bernal
Quad: SE Planning Team
Record No.: 2022-002117MIS

TO: Police Department
Joel Salmonson
Phone No. (415) 553-1115

Please submit your response within three weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for the regular meeting of May 12, 2022.

PLEASE EMAIL YOUR RESPONSE by Wednesday, May 4, 2022, to:
Alisa Somera, Public Safety and Neighborhood Services Committee Clerk.
alisa.somera@sfgov.org ~ (415) 554-7711

Applicant name: Blue Ice Entertainment, LLC
Business name: Roccapulco
Application address: 3140 Mission Street
San Francisco, CA 94110-4504
Applicant contact info: Mark Rennie, Legal Counsel
(415) 981-4500 / mark@markrennielaw.com

PLANNING REVIEW: **Approval** **Denial**

Planning Staff Contact: Edgar Oropeza / edgar.oropeza@sfgov.org
(Please add comments on a trailing page.)

POLICE REVIEW: **Approval** **Denial**
(Please add comments in a trailing report.)

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2022 MAR -4 PM 4:23

BY

gls

MARK E. RENNIE
ATTORNEY AT LAW
870 MARKET STREET
THE FLOOD BUILDING, SUITE 1260
SAN FRANCISCO, CALIFORNIA 94102

(415) 981-4500

TELECOPIER (415) 981-3334

February 24, 2022

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

Re: Blue Ice Entertainment, LLC dba Roccapulco
California ABC Liquor License Transfer
3140 Mission Street, San Francisco, CA 94110-4504

Public Convenience and Necessity Determination Request

ABC Type 48 License—On-Sale General Public Premises

Premise to Premise/ Person to Person Transfer from 440 Broadway St, SF CA

To 3140 Mission Street SF CA 94110

Dear Ms. Calvillo:

This office represents Blue Ice Entertainment, LLC dba Roccapulco. My clients have applied to the California Department of Alcoholic Beverage Control (ABC) for a premise to premise / person to person transfer of a Type 48 ABC license owned by their sister company Blossom Hill Group, LLC to their Roccapulco nightclub at 3140 Mission Street, San Francisco. This transfer is to allow Roccapulco to operate as a Type-48 (over 21) nightclub and music venue instead of as a Type-47 nightclub and restaurant (bonafide eating place).

Roccapulco was shuttered between March 16, 2020 and August 2021 due to the COVID-19 pandemic lockdown. The business is located on Mission Street and has a long bus stop in front of the venue, so we have not been able to build a parklet in front of the business. The pandemic has severely impacted the business. The food operation/ restaurant portion of the operation consistently loses money and my clients hopes that by converting to a Type-48 ABC license (twenty-one and over) and closing the restaurant, that the business will be able to survive after the venue is allowed to reopen.

The area surrounding Roccapulco is densely populated and there are residences within 100 ft. of the business. Our location has been a beloved Latin Music venue, nightclub and restaurant for

many decades and has served the Mission community well. This request is to allow the Roccapulco to change its operation to a nightclub and venue only and to close the restaurant portion of the business. This will help the long-term economic viability of the business. The existing type-47 ABC license will be sold to pay off debt, if this new Type-48 license privilege is approved by this Board and the California ABC.

The area is properly zoned [NCD- Mission Bernal Neighborhood Commercial District] for this type of license and we do not foresee any problems with the San Francisco Police Department approving this change in our ABC license, with conditions. We have the support for this application from many of our neighbors, and are open to the imposition of conditions, if necessary, to this license.

Roccapulco is one of the few Latin-focused nightclubs and venues left in the Mission District of San Francisco. Our continued operation in the Mission District will benefit many residents and tourists who might otherwise have to travel to other Bay Area cities for a similar musical experience.

The nightclub is locally owned, and thus revenue and taxes will stay in the community. Conversion of our ABC license will also maintain jobs for local residents. This license will allow us to remain open and we believe will sustain the pedestrian traffic to the venue which keeps more eyes on the street and makes the neighborhood safer. There are no similar Salsa and Tejano nightclubs and concert venues in San Francisco.

The revitalized Roccapulco will give back to the community. Our hospitality group owns several other nightclubs in San Francisco, including Club 6 and 550 Barneveld. We have always raised money for charities and intend to donate food and monies to local charities including La Cocina, Mission Cultural Center and The Community Housing Partnership.

Allowing this license to issue to this location, in accordance with § 23958.4 of the California Business and Professions code, will allow the residents of San Francisco and tourists to continue enjoying Salsa and Tejano concerts in the Mission District, have a great concert experience, and enjoy a glass of wine, or cocktail. Approval of this license will definitely serve the public convenience and necessity of our Mission District neighbors and of the people of the City and County of San Francisco, California.

Thank you in advance for your consideration of this request.

Yours Truly,



Mark Rennie

Corporate Counsel

Blue Ice Entertainment, LLC