

**LIQUOR LICENSE
PUBLIC CONVENIENCE OR
NECESSITY REFERRAL**

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

DATE: December 30, 2020

AP Block/Lot Nos.: 1524/001

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

Zoning: Geary NCD; 40-X

Quad: NW Planning Team

Record No.: 2020-008252MIS

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 February of 2021.

PLEASE EMAIL YOUR RESPONSE BY January 22, 2020, to John Carroll, Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Dakhaz, Inc.

Business name: Mainland Market & Produce

Application address: 5601 Geary Boulevard
San Francisco, CA 94121

Applicant contact info: Navid Hoomanrad
512-217-3516
navid.hoomanrad@gmail.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: Moses Corrette

Please print review comments on a trailing page.

POLICE REVIEW: Approval Denial

Please print review comments in a trailing report.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

10/31/2020

2020 DEC 29 AM 10:57

BY 

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

Re: Dakhaz inc
Mainland Market & Produce
5601 Geary Blvd
San Francisco, CA 94121
Pending license # 21- 619328

To whom it may concern:

This letter is in regards to the California Business and Professions Code, Section 23958.4.

Dakhaz Inc, dba., Mainland Market & Produce is applying for an ABC Type 21 off - sale general liquor license at 5601 Geary Blvd, San Francisco, CA 94121. This type 21 license is being purchased from an existing licensee and is being transferred to the location located at 5601 Geary Blvd. This ABC license application was filed on 9/10/20 with the San Francisco ABC district office located at 33 New Montgomery St, ste 1230, San Francisco, CA 94105, via Fed Ex. All residents within a 500 ft radius have been notified via USPS mail delivery on 10/09/2020 with ABC Form (ABC 207E), and a posting notice of intent to engage in the sale of alcohol was posted on the front of the premises on 9/15/2020.

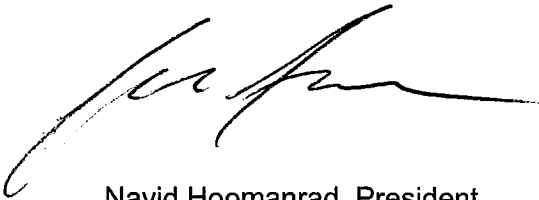
Mainland Market & Produce is a full service, high-end organic grocery store with a full produce offering, a butcher shop, and will soon have a full service deli and kitchen. The store's hours of operation are 8 am - 8 pm, seven days a week. Unlike specialty stores or convenience stores, the Mainland Market is a full service grocer providing local residents a "one-stop-shop" for grocery needs, avoiding the need to visit multiple stores. However, many Mainland Market shoppers that purchase their weekly groceries at the store have to go elsewhere to purchase alcohol beverages. Permitting Mainland Market to sell alcohol beverages would benefit customers in multiple ways. For example, customer safety would improve by allowing customers to obtain all groceries and alcohol beverages at a single location, particularly during the Covid era in which each additional store visit creates a potential exposure risk. Moreover, as our lives become increasingly hectic, added efficiencies and time savings in our daily tasks can benefit everyone.

There are several nearby stores with ABC Type 21 licenses, but these stores are fundamentally different from the full-service Mainland Market. For example, one is a very small liquor store that carries only liquor, wine, beer, and a few snacks. Another is a Russian grocery store that caters predominantly to the Russian community and has only Russian grocery items. Thus, there is a need in the community for a full service grocery and alcohol beverage store, to allow residents to obtain everything in a single visit to one location.

In summary, we would serve a need and convenience for one-stop, full service shopping of a broad range of groceries, produce, and meat for the general public not currently provided by other markets or liquor based stores. The space is currently zoned as "General Grocery". As a General Grocery, the area devoted to the display and sale of alcohol beverages must not occupy 15% or more of the Occupied Floor Area of the establishment. We intend to operate in strict compliance with this regulation.

Thank you in advance for your consideration and taking the time to assess this request. Please feel free to reach out with any questions via email or phone.

Dakhaz Inc

A handwritten signature in black ink, appearing to read 'Navid Hoomanrad', written in a cursive style.

Navid Hoomanrad, President
navid.hoomanrad@gmail.com
5601 Geary Blvd, San Francisco, CA 94121
512.217.3516

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 DAKHAZ INC		
2. PREMISES ADDRESS (Street number and name, city, zip code) 5601 Geary Blvd San Francisco, CA 94121-2214		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"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern: Beer
<input type="checkbox"/> Bed & Breakfast:	<input type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine
<input type="checkbox"/> Wine only	<input type="checkbox"/> All	<input type="checkbox"/> Private Club
<input type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input checked="" type="checkbox"/> Convenience Market
<input type="checkbox"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline
<input type="checkbox"/> Other - describe:		<input type="checkbox"/> Swap Meet/Flea Market
<input type="checkbox"/> Drive-in Dairy		
5. COUNTY POPULATION 4,334/883,869	6. TOTAL NUMBER OF LICENSES IN COUNTY <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	7. RATIO OF LICENSES TO POPULATION IN COUNTY 1,132 <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale
8. CENSUS TRACT NUMBER 477.01	9. NO. OF LICENSES ALLOWED IN CENSUS TRACT 3 <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale	10. NO. OF LICENSES EXISTING IN CENSUS TRACT 4 <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> 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?)		
<input checked="" type="checkbox"/> Yes, the number of existing licenses exceeds the number allowed		
<input type="checkbox"/> No, the number of existing licenses is lower than the number allowed		
12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?		
<input checked="" type="checkbox"/> Yes (Go to Item #13) <input type="checkbox"/> No (Go to Item #20)		
13. CRIME REPORTING DISTRICT NUMBER 734	14. TOTAL NUMBER OF REPORTING DISTRICTS 654	15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS 55,022
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 42
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)		
<input type="checkbox"/> Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17		
<input checked="" type="checkbox"/> 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)		
<input type="checkbox"/> 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.		
<input type="checkbox"/> 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.		
<input checked="" type="checkbox"/> 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)

jm

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.

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):

Planning Department comments: Recommend approval. Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or type 21 (off-sale general) which occupy less than 15% of the Occupied Floor Area of the establishment (including all areas devoted to the display and sale of alcoholic beverages) are permitted as an accessory use.

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED