

File No. 160248

Committee Item No. 1

Board Item No. 55

### COMMITTEE/BOARD OF SUPERVISORS

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Committee: Public Safety and Neighborhood Services Date June 29, 2016

Board of Supervisors Meeting

Date July 17, 2016

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- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
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OTHER (Use back side if additional space is needed)

- PCN Application Letter - 03/14/2016
- LL Referral - 03/14/2016
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Completed by: Erica Major Date June 24, 2016

Completed by: [Signature] Date 7/6/2016

1 [Liquor License - 141 Gough Street]

2  
3 **Resolution determining that the issuance of a Type 21 off-sale general license to**  
4 **Phitak Raxakoul for San Francisco Wine and Cheese, Inc. dba San Francisco**  
5 **Wine and Cheese located at 141 Gough Street (District 5), will serve the public**  
6 **convenience or necessity of the City and County of San Francisco, in accordance**  
7 **with California Business and Professions Code, Section 23958.4, and**  
8 **recommending that the California Department of Alcoholic Beverage Control**  
9 **impose conditions on the issuance of the license.**

10  
11 WHEREAS, Phitak Raxakoul is seeking the issuance of a Type 21 off-sale  
12 general license dba San Francisco Wine and Cheese located at 141 Gough Street  
13 (District 5); and

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

16 WHEREAS, The Police Department has filed zero (0) protests with the  
17 Department of Alcoholic Beverage Control under California Business and Professions  
18 Code, Section 24013, and recommends that the Department of Alcoholic Beverage  
19 Control issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the  
21 following: 1) sales of alcoholic beverages shall be permitted between the hours of 10:00  
22 a.m. and 10:00 p.m. each day of the week; 2) loitering (is defined as "to stand idly  
23 about; linger aimlessly without lawful business") is prohibited on any sidewalks or  
24 property adjacent to the licensed premises under control of the licensee(s) as depicted  
25 on the ABC-257 dated 08/25/2015; 3) the sales, service, and consumption of powdered

1 alcohol or like non-liquid alcoholic beverage based product is prohibited; 4) there shall  
2 be no cups, glasses, or similar receptacles commonly used for drinking of beverages,  
3 sold, furnished, or given away at the petitioner's premises in quantities of less than  
4 twenty-four in their original multi-container package; 5) the sale of distilled spirits in  
5 sizes smaller than 200 ml is strictly prohibited; 6) the sale of beer or malt beverages in  
6 quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is prohibited; and 6)  
7 wine shall not be sold in bottles or containers smaller than 750 ml; now, therefore, be it


8       RESOLVED, That in accordance with California Business and Professions Code,  
9 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
10 hereby determines for the foregoing reasons that the issuance of a Type 21 off-sale  
11 general license to Phitak Raxakoul dba San Francisco Wine and Cheese located at 141  
12 Gough Street (District 5), will serve the public convenience or necessity of the City and  
13 County of San Francisco; and, be it

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



San Francisco Police Department  
**ABC Liaison Unit**

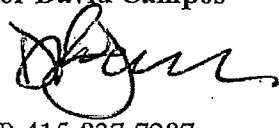
RECEIVED VIA EMAIL  
6/16/2016  
FILE 160248



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: San Francisco Wine and Cheese Inc  
DBA: San Francisco Wine and Cheese  
141 Gough  
(510) 604-7547

Phithak Raxakoul on behalf of San Francisco Wine and Cheese Inc has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 21 (Off Sale General-Package Store) License for 141 Gough (located between Lily and Oak Streets).

Hours of Operation:

Sunday, Wednesday through Saturday 11 a.m. to 10 p.m.

**Digest:**

San Francisco Wine and Cheese Inc would like to accommodate their patrons by providing fine spirits for their patrons to purchase along with their fine cheese selections. If approved, this license will allow San Francisco Wine and Cheese Inc. to operate as a package store, providing beer, wine, and distilled spirits.

**Letters of Protest:**

**No Record**

**Letters of Support:**

**No Record**

**Police Calls for Service:**

From February 2015 to February 2016

**5 Calls for service**

**Police Reports:**

From February 2015 to February 2016: 0

**San Francisco Plot Information:**

This premise is located in Plot **558**

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

This plot had **283** police incidents for **2015**, which is **184** over the **Citywide "High Crime"** average.

**State Census Tract Information:**

This premise is located in Census Tract **168.02**

Population for this tract is: **3,264**

On-sale license authorized by census tract: **11**

Active on-sale licenses: **18**

Off-sale licenses authorized by census tract: **3**

Active off-sale licenses: **4**

**Departmental Recommendation:**

Points of consideration: none

**Northern Station has no opposition**

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

Applicant premise is located in an "undue concentration" area.

0 - Record of protest.

0 - Record of support.

ALU Recommendation: Approval with the following conditions:

Sale of alcoholic beverages shall be permitted only between the hours of 10:00 a.m. and 10:00 p.m. each day of the week.

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 control of the licensee(s) as depicted on the ABC — 257 dated 08/25/15

The sales, service and consumption on powdered alcohol or like non-liquid alcoholic beverage based product is prohibited.

There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages, sold, furnished, or given away at the petitioner's premises in quantities of less than twenty-four in their original multi-container package.

The sale of distilled spirits in sizes smaller than 200 ml is strictly prohibited.

The sale of beer or malt beverages in quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is prohibited.

Wine shall not be sold in bottles or containers smaller than 750 ml.

END



NF  
C6027

### LIQUOR LICENSE REVIEW

TO: Planning Department File: 160248  
AnMarie Rodgers/CTYPLN/SFGOV  
Georgia Powell/CTYPLN/SFGOV@SFGOV  
Fax No.: (415) 558-6409

*Block/lot: 0838/003  
Zoning: NCT  
Quad: NE  
Record # 2016-003361 MIS*

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

DATE: March 14, 2016

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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:** Phithak "Pete" Raxakoul  
San Francisco Wine and Cheese, Inc.  
**and Business Name:** (141 Gough Street)  
**Applicant Address:** 141 Gough Street  
San Francisco, CA 94102  
**and Phone No.** (510) 604-7547

**PLANNING COMMENTS:**  Approval  Denial

*Approved; ABC Type 21 License is permitted in conjunction w/specialty  
storey (retail use) within the Hayes NCT District, pursuant to code section  
700.40.*

**POLICE COMMENTS:**  Approval  Denial

*Michael Foster 3/29/16 415-575-9167*

**Applicant Name and**

**Daytime phone number:** Phithak "Pete" Raxakoul

(510) 6047547  
countrycheesecompany@gmail.com

**Business Name**

**And Address:** San Francisco Wine and Cheese inc.  
141 Gough Street  
San Francisco, CA 94102

**Business Hours:** Monday: CLOSED  
Tuesday: 11AM10PM  
Wednesday: 11AM10PM  
Thursday: 11AM10PM  
Friday: 11AM10PM  
Saturday: 11AM10PM  
Sunday: CLOSED

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2016 MAR 14 PM 12:08  
BY [Signature]

February 29, 2016

To Whom it may concern,

My name is Phithak "Pete" Raxakoul, and I am the owner of San Francisco Wine & Cheese Inc. We are a fine food specialty store in Hayes Valley. We have applied to the California Department of Alcoholic Beverage Control (ABC) for a Type 21 Off Sale General License. This type of license authorizes the sale of spirits to those at least twenty one years of age for consumption off the premises.

San Francisco Wine & Cheese, Inc. is a fine food specialty store located on Gough St. offering over 180 cheeses from all over the world and over 120 fine wines from local and international vineyards. We also carry other fine food gifts, such as those created by artisanal Bay Area chocolatiers and bakers. We opened in August of 2015, and we were met with open arms from nearby residents who were pleased to have a neighborhood store specializing in unique, high quality local food products not available in most markets.

We want to offer fine spirits to our customers, who have expressed an interest in small, independent distilleries. For example, we've had customers searching for a fine bottle of handcrafted Bourbon to give to their in laws as an anniversary gift. We've have other customers inquire about a specific aperitif to complement a family dinner party. A few business men over the holidays inquired about gift baskets in which they wanted us to include bottles of fine Brandy.



These customers are affluent, fine food aficionados who are eager to patronize local small businesses and not big box stores. By fulfilling their fine spirit gift requests, we keep these customers shopping in our neighborhood. In addition, stocking only the best products draws other affluent fine food customers to our store and neighborhood. It's good for everyone on the street. The customer who buys a fine bottle of Scotch is often the same customer who buys a painting from the art gallery next store and dines at the well respected restaurant on the corner. It benefits all of the small business owners.

We do not intend to cater to a general liquor store clientele. This is because we are fine food professionals, and we want to share our information and interest with like minded individuals. Our customers are looking for finely crafted, family owned, distilled spirits. We are a family business also. We believe in and want to support that tradition. With this license, we are able to support small, family owned distilleries as well as provide internationally recognized products produced at the highest standards for our customers.

Sincerely,

Phithak "Pete" Raxakoul, Owner

A handwritten signature in cursive script that reads "Phithak Raxakoul". The signature is written in black ink and is positioned below the typed name.

## LIQUOR LICENSE REVIEW

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Georgia Powell/CTYPLN/SFGOV@SFGOV  
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