

File No. 220253

Committee Item No. 2

Board Item No. 21

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
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- Application
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OTHER

- PCN Request, dtd 3/8/22
- PCN Referral, dtd 3/9/22
- Police Department Response, dtd 5/5/22
- Planning Department Response, dtd 3/10/22
- _____
- _____
- _____
- _____
- _____

Prepared by: Alisa Somera

Date: May 6, 2022

Prepared by: _____

Date: _____

1 [Liquor License Transfer - 2 Embarcadero Center, Suite R-2105 -
SFGIFTBASKETS.COM]

2

3 **Resolution determining that the person-to-person and premises-to-premises**
4 **transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor**
5 **license to Bear Eagle, Inc., doing business as SFGIFTBASKETS.COM, located at 2**
6 **Embarcadero Center, Suite R-2105 (District 3), will serve the public convenience**
7 **or necessity of the City and County of San Francisco, in accordance with**
8 **California Business and Professions Code, Section 23958.4.**

9

10 WHEREAS, Bear Eagle, Inc., is seeking the person-to-person and premises-to-
11 premises transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor
12 license to do business as SFGIFTBASKETS.COM, located at 2 Embarcadero Center,
13 Suite R-2105 (District 3); 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 protests and zero letters of
17 support with the Department of Alcoholic Beverage Control under California Business
18 and Professions Code, Section 24013, and recommends that the Department of
19 Alcoholic Beverage Control issue the liquor license with conditions; and

20 WHEREAS, The Police Department is recommending approval with no
21 conditions; now, therefore, be it

22 RESOLVED, That in accordance with California Business and Professions Code,
23 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
24 hereby determines that the person-to-person and premises-to-premises transfer of a
25 Type-21 off-sale general beer, wine, and distilled spirits liquor license to do business as

1 SFGIFTBASKETS.COM, located at 2 Embarcadero Center, Suite R-2105 (District 3),
2 will serve the public convenience or necessity of the City and County of San Francisco.
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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: Bear Eagle, Inc.
DBA: Sfgiftbaskets.com
2 Embarcadero Ctr. #R-2105
San Francisco, CA. 94111

Bear Eagle, Inc. has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 21 (Off-Sale General) license to be located at 2 Embarcadero Ctr. #R-2105. (located between Front St. and Davis St.)

Hours of Operation:

10:00 a.m. to 5:00 a.m. Monday through Friday, 11:00 a.m. to 5:00 p.m. on Saturday
and 12:00 p.m. to 4:00 p.m. Sunday.

Digest:

Bear Eagle Inc. would like to operate a gift basket shop at 2 Embarcadero Ctr. If approved, this license will allow them to sell Beer, Wine and Distilled Spirits.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From February 2021 to February 2022

0 calls for service

Police Reports:

From February 2021 to February 2022

0 police reports

San Francisco Plot Information:

This premise is located in Plot: **152**

A High Crime area is defined as **96** or more police reports in a plot for the year of **2021**.

This plot had 111 police reports for **2021**, which is 15 **higher** than the **Citywide “High Crime”** average

State Census Tract Information:

This premise is located in Census Tract: **105.00**

Population for this tract is: **3,234**

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

Active on-sale licenses: 109 with 0 pending

Off-sale licenses authorized by census tract: **2**

Active off-sale licenses: 32 with 0 pending

Departmental Recommendation:

Points of consideration: **0**

No opposition from **Central 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 no conditions.**



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: Michelle Langlie
Phone No. 628.652.7410

DATE: March 9, 2022

AP Block/Lot Nos.: 0231 / 023
Zoning: C-3-O Downtown-Office
Quad: NE Planning Team
Record No.: 2022-002123MIS

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 May 4, 2022, to:

Alisa Somera, Public Safety and Neighborhood Services Committee Clerk.
alisa.somera@sfgov.org ~ (415) 554-7711

Applicant name: Bear Eagle, Inc.

Business name: SFGIFTBASKETS.COM

Application address: 2 Embarcadero Center, Suite R-2015
San Francisco, CA 94111

Applicant contact info: Cheryl Maloney (cheryl@vanguardsf.com) ~ (415) 309-2722
Olga Antipova (info@cosmodentalsf.com) ~ (916) 801-7977
Rodney Ciganovich
(rciganovichconsultant@yahoo.com) ~ (530) 304-4005)

PLANNING REVIEW: Approval Denial

Planning Staff Contact: Michelle Langlie
(Please add comments on a trailing page.)

POLICE REVIEW: Approval Denial

(Please add comments in a trailing report.)



3/10/2022

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

Re: BOS referral - Liquor License Public Convenience or Necessity Referral
Planning Department File No. 2022-002123MIS

To Whom It May Concern:

The Planning Department is recommending approval of the pending Type 21 - Off-Site General application. Per the attached ABC referral response, a Type 21 ABC License is permitted in conjunction with an existing Retail Sales and Service dba SFGiftBaskets.com.

If you have any questions related to Planning's evaluation, please contact me at 628-652-7410.

Sincerely,

A handwritten signature in black ink that reads "Michelle M. Langlie".

Michelle M. Langlie (she/her/hers)
Senior Preservation Planner | PIC Specialist
Northeast Team | Current Planning
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7410 | General Inquiries: pic@sfgov.org | www.sfplanning.org
[San Francisco Property Information Map](#)

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)
ABC 211 (6/99)

Mr. Rodney CIGANOVICH
Consultant
(530) 304-4005

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

File Number: **635516**
Receipt Number: **2706233**
Geographical Code: **3800**
Copies Mailed Date: **February 17, 2022**
Issued Date:

DISTRICT SERVING LOCATION: **SAN FRANCISCO**

First Owner: **BEAR EAGLE, INC.** NE
Name of Business: **SFGIFTBASKETS.COM** 0231/023
Location of Business: **2 EMBARCADERO CTR.** C-3-O
R-2105 2022-001489MIS
SAN FRANCISCO, CA 94111

County: **SAN FRANCISCO**

Is Premises inside city limits? **Yes** Census Tract: **0105.00**

Mailing Address:(If different from premises address) **407 29TH ST**
5
SAN FRANCISCO, CA 94131

Type of license(s): **21** Dropping Partner: Yes ___ No

Transferor's license/name: **204567 / AZAR, SIMON SHUKRY**

| <u>License Type</u> | <u>Transaction Type</u> | <u>Master</u> | <u>Secondary LT And Count</u> | | |
|-----------------------|--------------------------------|-----------------|-------------------------------|-------------|------------|
| 21 - Off-Sale General | PER/PRM | Y | | | |
| <u>License Type</u> | <u>Transaction Description</u> | <u>Fee Code</u> | <u>Dup</u> | <u>Date</u> | <u>Fee</u> |
| Application Fee | DBL TRF: PREMISES AND PERSON | NA | 0 | 02/17/22 | \$1,305.00 |
| 21 - Off-Sale General | ANNUAL FEE | NA | 0 | 02/17/22 | \$849.00 |
| Total | | | | | \$2,154.00 |

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: February 17, 2022

Applicant Name(s)

BEAR EAGLE, INC.

Recommend approval of ABC referral - Type 21 (Off-Sale General/Package Store). Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Permitted in conjunction with existing Retail Sales and Service.

Michelle M. Langlie

Michelle Langlie, Senior Planner
SF Planner
628.652.7410

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

BEAR EAGLE, INC.
SFGIFTBASKETS.COM
2 EMBARCADERO CENTER, R-2105
SAN FRANCISCO, CA. 94111

2022 MAR -8 PM 2:35

BY JA

February 28, 2022

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

Re. Liquor License "PCN" Request
2 Embarcadero Ctr. Ste. R-2105, San Francisco, CA. 94111

Honorable Board of Supervisors,

On February 17, 2022, the California Department of Alcoholic Beverage Control accepted an application for a person to person and premises to premises transfer of a type 21, Off-Sale General license for Bear Eagle Inc., dba: SFGIFTBASKETS.COM, a small specialty retail shop located on the ground level at 2 Embarcadero Center, Suite R-2105, in San Francisco.

The shop features and highlights gift baskets and other gift items. Some of the gift baskets offered include a bottle of wine. The shop receives orders for the gift baskets by telephone, email, mail and from persons visiting the store. The gift baskets that include wine are shipped to the recipients. No over the counter sales of gift baskets with wine are allowed to be taken by the purchaser out of the shop. Gift baskets with wine can only be shipped to the intended recipient based on the regulations pertaining to the current type 85 Alcoholic Beverage Control (ABC) license.

The shop has been licensed with an ABC type 85, Limited Off-Sale – Wine license since December 3, 2015 with no record of disciplinary actions by ABC. This allows the shop to include a bottle of wine in a gift basket. Applicant wishes to obtain a type 21 Off-Sale General license in order to expand the variety of alcoholic beverages allowed to be included in the gift baskets by adding the options of including beer and distilled spirits.

The intended premises address in San Francisco is located in Supervisor Aaron Peskin's District 3. The location is within census tract #0105.00 which allows for two (2) Off-Sale type ABC licenses within the census tract, based on the most recent estimated population count. At the present time, eleven (11) Off-Sale type licenses are issued within this census tract. The census tract is deemed to be over-concentrated at this time with Off-Sale type licenses. If the type 21 license is approved for this location, the applicant will cancel their type 85 license resulting in no increase of the number of off-sale licenses within the census tract.

The premises is located within San Francisco Police Department's reporting beat #152. There are 654 total reporting beats within San Francisco with a total of 55,022 reported offenses. The average number of offenses per district is 84.13. The total number of reported offenses within reporting beat #152 is 193. The reporting beat is considered high crime for it exceeds the 120% average number of offenses which is 100.8.

Due to the undue-concentration, and the designation of high crime, the applicant is required by Section 23958.4 of the Business and Professions Code to apply for a "PCN" review by the San Francisco Board of Supervisors. After review of all pertinent facts regarding this premises and the surrounding area, applicant hopes and wishes that the Board will find that the issuance of the applied-for type 21 Off-Sale General license will fulfill the public's convenience or necessity.

APPLICANT CONTACT INFORMATION:

Bear Eagle, Inc.

Cheryl J. Maloney – President / Secretary / Stockholder (Primary occupation – Realty Agent)
407 29th St., Apt 5
San Francisco, CA. 94131
Telephone: (415) 309-2722
Email: cheryl@vanguardsf.com

Olga Antipova – Vice President, Treasurer, Stockholder (Primary occupation – Dentist)
1103 Aspen Ct.
San Francisco, CA. 94134
Telephone: (916) 801-7977
Email: info@cosmodentalsf.com

Rodney Ciganovich, ABC Licensing Consultant
P.O. Box 506
Woodland, CA. 95776-0506
Telephone: 530-304-4005
Email: rciganovichconsultant@yahoo.com

ABC LICENSE INFORMATION:

Current license issued to premises:

Type 85, Limited Off-Sale – Wine license. License originally issued on December 3, 2015 to Mitra Ghiasi, a sole proprietor. License was transferred to Bear Eagle Inc., a corporation, on September 6, 2021. There is no record of any ABC disciplinary actions against the license under the original and the new ownership.

ABC's description of the type 85 license – The Limited Off Sale Wine License allows for the sale of wine to consumers for consumption off the licensed premises. Sales are restricted to those solicited and accepted via direct mail, telephone, or the Internet and may not be conducted from a retail premises open to the public.

The current type 85 license is issued to the back counter and storage areas of the shop which is not accessible to the public. The shop area that is accessible to the public has gift baskets and other gift items displayed. Walk-in customers cannot purchase a gift basket with wine over the counter and take it out of the shop. Gift baskets with wine can only be shipped to the recipient of the gift basket away from the premises.

License being purchased / transferred from:

Simon Shukry AZAR
Dba: Buchanan Food Mart
2135 Buchanan Street

San Francisco, CA. 94115

ABC type 21, Off-Sale General (beer, wine and distilled spirits) is being purchased from 2135 Buchanan Street, located within Supervisor Catherine Stefani's District 2. The current ABC application is requesting transfer of ownership from the current licensee to the applicant and from the current licensee's location to the applicant's location at 2 Embarcadero Center, Suite R-2105, which is located within Supervisor Aaron Peskin's District 3.

Current status of license: License is Surrendered to ABC (indicating that the license privileges are not being utilized at this time) and the business is closed.

Purchaser and intended location where license is to be transferred:

Bear Eagle, Inc. (President: Cheryl J. Maloney, Olga Antipova, Vice President)
Dba: SFGIFTBASKETS.COM
2 Embarcadero Center, Suite R-2105 (Ground level, near center of building.)
San Francisco, CA. 94111

Current status: Premises is open and operating with an ABC type 85 Limited Off-Sale – Wine license as a small specialty retail shop offering gift baskets (with and without wine) and other gift and tourist items. If approved, the premises will be licensed with a type 21 Off-Sale General license to offer a wider variety of alcoholic beverages for their gift baskets.

APPLICANT INFORMATION:

Bear Eagle Inc., a California corporation, is owned by Cheryl J. Maloney (50% stockholder) and Olga Antipova (50% stockholder). Cheryl J. Maloney's primary occupation is a realty agent for Vanguard Properties in San Francisco. Olga Antipova's primary occupation is a dentist at Cosmo Dental in San Francisco.

Bear Eagle Inc. is registered with the California Secretary of State as a general stock corporation as of November 19, 2020. The current status of the corporation is "active".

BUSIENSS OPERATION INFORMATION:

SFGIFTBASKETS.COM is a specialty gift basket shop located in the ground level within Embarcadero 2 in the Financial District. The shop offers gift baskets, with and without wine, along with other gift and tourist items. The gift baskets which include wine cannot be sold directly to the public at the shop. All gift baskets with wine must be ordered and then shipped to the recipient. No customer can order a gift basket with wine and then take the basket with wine form the shop. The basket with wine can only be shipped.

The ownership of the shop wishes to expand the variety of off-sale alcoholic beverages it can include with its gift baskets and to be allowed to sell gift baskets with an alcoholic beverage to a customer at the shop who may then take the basket with them out of the shop. The type of ABC license that would permit this is the type 21 Off-Sale General license which will allow for off-sale beer, wine and distilled spirits.

The shop is located in a mixed-use area of retail stores, restaurants, financial institutions and offices in the Financial District. The store is located within Embarcadero 2, on the ground floor near the center of the building. The shop is not visible from the surrounding streets. Surrounding streets are Davis, Sacramento, Front and Clay Streets.

The addition of the type 21 license to the shop should not create an increase in vehicle or pedestrian traffic in the area. The Embarcadero complex of office buildings offer both street and off-street parking spaces.

No other store in the immediate area is a small specialty retail shop offering gift baskets, other gift items and tourist related items.

The applicant is applying to ABC for a person to person and premises to premises transfer (double transfer) of the type 21 Off-Sale General license for the business to provide patrons the opportunity and convenience to include beer, wine, and/or distilled spirits in the gift baskets that can be ordered by internet, telephone, mail or in-person.

The store's hours of operation are from 10:00 am to 5:00 pm, Monday through Friday, 11:00 am to 5:00 pm on Saturday and 12:00 pm to 4:00 pm on Sunday. Estimated percentage of alcoholic beverage sales, as compared to all other retail items, is estimated to be 25-30%. A copy of ABC form ABC-257, Licensed Premises Diagram and Planned Operation (Retail) is attached for your review.

SUBSTANTIATION FOR A POSITIVE FINDING OF PUBLIC CONVEINCE OR NECESSITY:

1. The issuance of the applied-for license would be a benefit to local business employees, office workers from the Embarcadero Center buildings and surrounding Financial District offices, patrons of other business in the area, local workers, persons visiting the area and tourists.
2. The issuance of the applied-for license would be a benefit to persons on the inter-net ordering gift baskets to be shipped to recipients in the City, the Bay Area, the State of California and the United States.
3. The intended premises operating hours are catered to local business and office workers in the Financial District and Embarcadero Center, daytime visitors and tourists walking through Embarcadero 2.
4. The intended premises will operate as a gift and gift basket store and not as a liquor store.

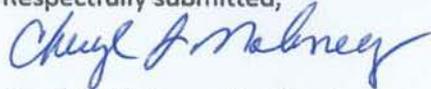
5. The issuance of the applied-for license would benefit the public in general at this location for the premises is unique and there are no other like premises in the area that offers the gifts, gift baskets and other items that this premises offers.
6. Current public transportation that serves the area is the San Francisco Municipal Railway and BART (Bay Area Rapid Transit). Other public transportation serving the area is a variety of established public taxi cabs and other private taxi cab type services (Uber, Lyft, etc.).

SUMMARY:

The premises will be a small specialty gift and gift basket shop where at the option of the purchaser an alcoholic beverage may be included in the gift basket. The issuance of the ABC license would benefit those who live and work in the immediate area, countless persons who visit and travel through the area and persons placing orders by mail, the internet and by telephone. It would be a convenience to the public for the premises to be able to offer off-sale beer, wine and distilled spirits while they patronize the premises for its gifts, gift baskets and other items.

The Applicant wishes for the Board to consider the above facts and hopes that they find that the issuance of the applied-for Off-Sale type 21 Off-Sale General license would fulfill the public's convenience or necessity and allow the issuance of said license.

Respectfully submitted,



Cheryl J. Maloney, President
Bear Eagle, Inc.

- Enc. ABC-257 form, Premises Diagram, Premises Operation (Retail)
ABC-253 form, Supplemental Diagram
ABC-245 form, Information and Instructions, Section 23958.4 B&P

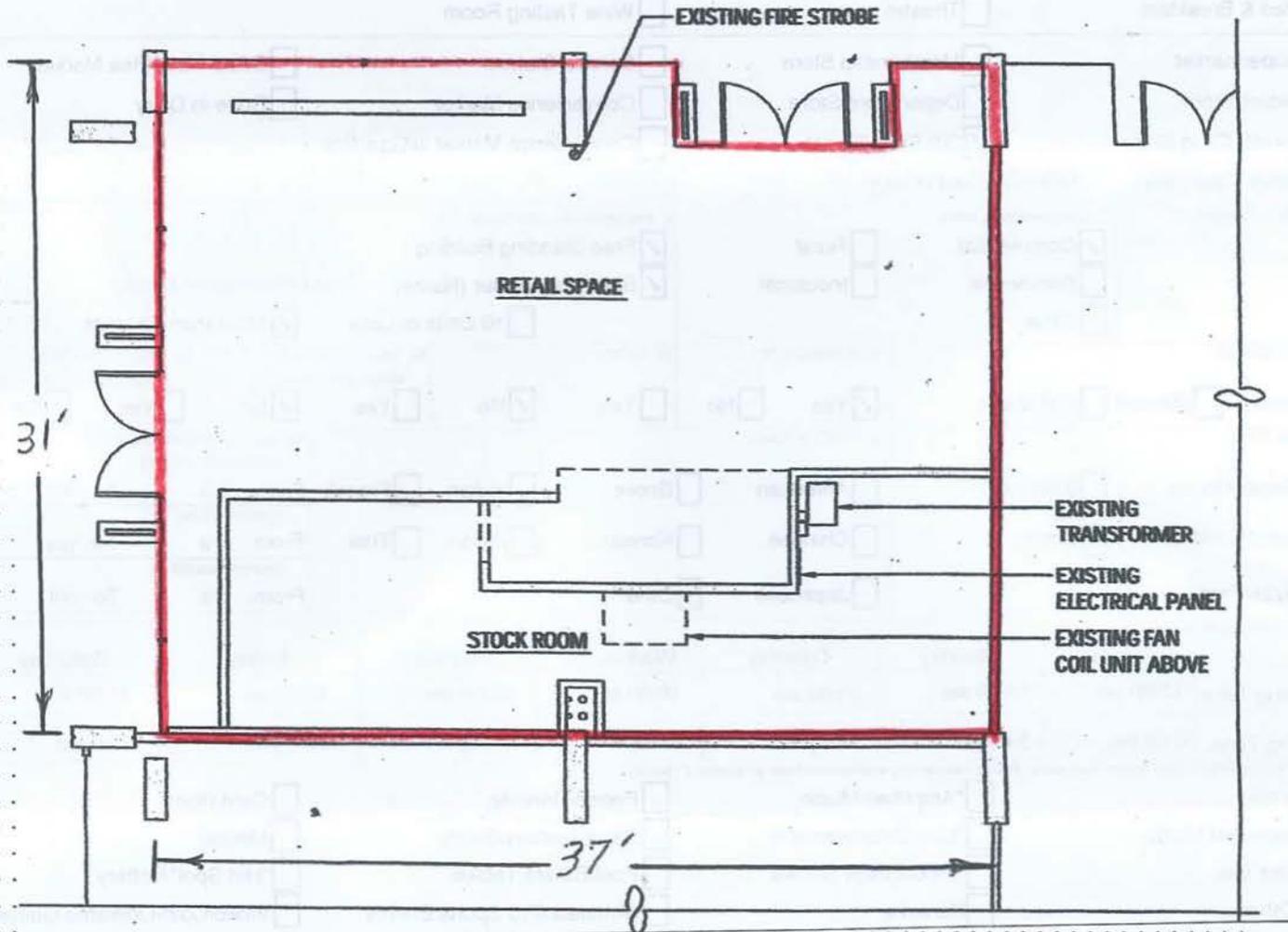
Department of Alcoholic Beverage Control
LICENSED PREMISES DIAGRAM (RETAIL)

State of California

| | |
|--|--------------------------------------|
| 1. APPLICANT NAME (Last, first, middle) Bear Eagle, Inc. | 2. LICENSE TYPE 21 |
| 3. PREMISES ADDRESS (Street number and name, city, zip code) 2 Embarcadero Ctr, R-2105, Office Area, San Francisco, CA. 94111 | 4. NEAREST CROSS STREET Davis St. |

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.).

DIAGRAM



It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

| | |
|---|-----------------------|
| APPLICANT SIGNATURE (Only one signature required) <i>Cheryl J. Maloney</i> | DATE SIGNED 1-5-22 |
| FOR ABC USE ONLY | |
| CERTIFIED CORRECT (Signature) | INSPECTION DATE |

Department of Alcoholic Beverage Control
PLANNED OPERATION (RETAIL)

SECTION I - FOR ALL RETAIL APPLICANTS

| | |
|---|---------------------------------|
| 1. APPLICANT NAME(S) Bear Eagle, Inc. | 2. LICENSE TYPE(S) 21 |
|---|---------------------------------|

| | |
|---|---|
| 3. PREMISES ADDRESS (Street number and name, city, zip code) 2 Embarcadero Ctr, R-2105, Office Area, San Francisco, CA. 94111 | 4. NEAREST CROSS STREET Davis St. |
|---|---|

5. TYPE OF BUSINESS (Choose one that best describes the planned operation)

| | | | |
|---|--|--|---|
| <input type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Cafeteria/Hofbrau | <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 | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast | <input type="checkbox"/> Theater | <input type="checkbox"/> Wine Tasting Room | |

| | | | |
|---|---|--|--|
| <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"/> Variety/Drug Store | <input checked="" type="checkbox"/> Gift Shop/Florist | <input type="checkbox"/> Convenience Market w/Gasoline | |

Other - describe: Gift / Gift basket shop.

| | | |
|---------------------------------|--|--|
| 6. PATRON CAPACITY 10 | 7. SURROUNDING AREA <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Rural <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other | 8. PREMISES IS LOCATED IN <input checked="" type="checkbox"/> Free Standing Building <input checked="" type="checkbox"/> Shopping Center (Name): <u>Two Embarcadero Center</u> <input type="checkbox"/> 10 Units or Less <input checked="" type="checkbox"/> More than 10 Units |
|---------------------------------|--|--|

| | | | | |
|--|---|---|---|---|
| 9. FOOD SERVICE <input checked="" type="checkbox"/> None <input type="checkbox"/> Minimal <input type="checkbox"/> Full Meals | 10. PARKING LOT? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 11. PATIO? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. WILL YOU HIRE A MANAGER? (Rule 57.5) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. WILL YOU HAVE A FOOD LESSEE? (Rule 57.7) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|--|---|---|---|---|

| | | |
|--|--|--|
| 14. MEAL TYPE <input type="checkbox"/> Dinner House <input type="checkbox"/> Seafood <input type="checkbox"/> Fast Food/Deli <input type="checkbox"/> Other: <input type="checkbox"/> Pizza/Pasta | 15. TYPE OF FOOD <input type="checkbox"/> American <input type="checkbox"/> Greek <input type="checkbox"/> Indian <input type="checkbox"/> French <input type="checkbox"/> Chinese <input type="checkbox"/> Korean <input type="checkbox"/> Italian <input type="checkbox"/> Thai <input type="checkbox"/> Japanese <input type="checkbox"/> Other: | 16. HOURS OF FOOD SERVICE BREAKFAST HOURS From: <u>n/a</u> To: <u>n/a</u> LUNCH HOURS From: <u>n/a</u> To: <u>n/a</u> DINNER HOURS From: <u>n/a</u> To: <u>n/a</u> |
|--|--|--|

| | | | | | | | |
|---------------------|----------|----------|----------|-----------|----------|----------|----------|
| 17. OPERATING HOURS | Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| Opening Time | 12:00 pm | 10:00 am | 10:00 am | 10:00 am | 10:00 am | 10:00 am | 11:00 am |
| Closing Time | 4:00 pm | 5:00 pm | 5:00 pm | 5:00 pm | 5:00 pm | 5:00 pm | 5:00 am |

18. ENTERTAINMENT (One or more may apply. Please describe any entertainment with an asterisk (*) below)

| | | | |
|--|--|---|--|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> *Amplified Music | <input type="checkbox"/> Patron Dancing | <input type="checkbox"/> Card Room |
| <input type="checkbox"/> Recorded Music | <input type="checkbox"/> *Live Entertainment | <input type="checkbox"/> Bikini/Topless/Exotic | <input type="checkbox"/> Movies |
| <input type="checkbox"/> Juke Box | <input type="checkbox"/> *Floor/Stage Shows | <input type="checkbox"/> Pool/Billiard Tables | <input type="checkbox"/> "Hot Spot"/Lottery |
| <input type="checkbox"/> *Other | <input type="checkbox"/> Karaoke | <input type="checkbox"/> *Amateur/Pro Sports Events | <input type="checkbox"/> Video/Coin-Operated Games |

*Description: _____

| | |
|--|---|
| 19. PREMISES IS LOCATED ON <input type="checkbox"/> Major Thoroughfare <input checked="" type="checkbox"/> Secondary Street <input type="checkbox"/> Other | 20. TYPE OF STRUCTURE <input type="checkbox"/> Single Story <input type="checkbox"/> Two-Story <input checked="" type="checkbox"/> Multi-Story - Number of stories: <u>30</u> |
|--|---|

| | | |
|---|--|---|
| 21. PASS-THROUGH WINDOW? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. FIXED BARS? <input type="checkbox"/> Yes - how many: _____ <input checked="" type="checkbox"/> No | 23. WHAT PERCENTAGE OF YOUR TOTAL SALES WILL BE ALCOHOLIC BEVERAGES? <u>20-30%</u> |
|---|--|---|

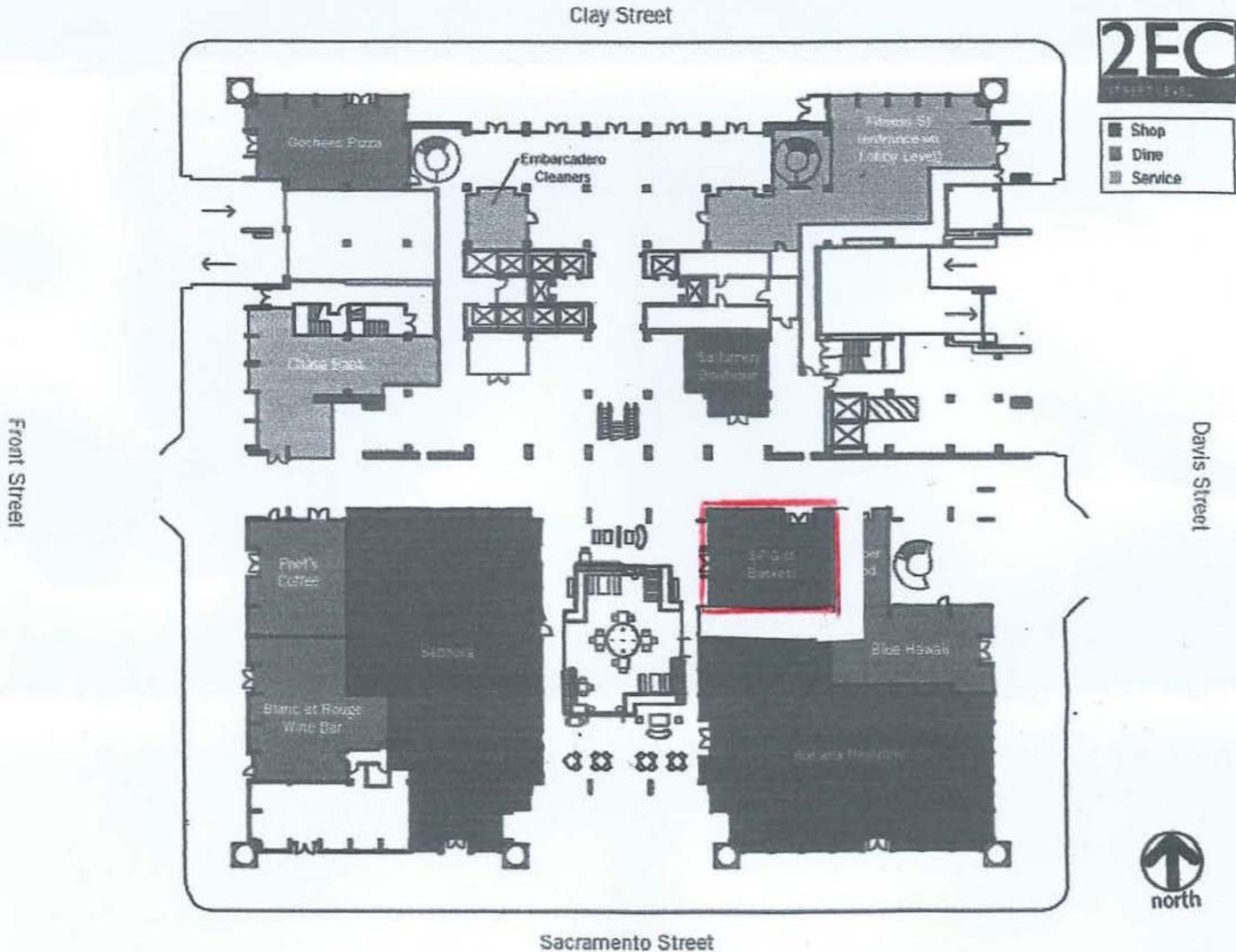
| | |
|---|-----------------------------|
| FOR ABC USE ONLY | 25. DATE ENTERED INTO CABIN |
| 24. INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23790.5, etc.) | |

Instructions to Applicant:

Draw a sketch of the area on which the licensed premises is or will be located. Show adjacent structures and nearest cross streets. If this is an event for a daily license, catering authorization, event authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.

| | |
|--|---|
| 1. APPLICANT NAME (Last, first, middle) Bear Eagle, Inc. | 2. LICENSE TYPE 21 |
| 3. PREMISES ADDRESS (Street number and name, city, zip code) 2 Embarcadero Ctr. R-2105, San Francisco, CA. 94111 | 4. NEAREST CROSS STREET Davis St. |

DIAGRAM



I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

| | |
|---|------------------------------|
| APPLICANT SIGNATURE <i>Cheryl J. Maloney</i> | DATE SIGNED <i>1-5-22</i> |
|---|------------------------------|

FOR ABC USE ONLY

| | | |
|-------------------------------|--------------|-----------------|
| CERTIFIED CORRECT (Signature) | PRINTED NAME | INSPECTION DATE |
|-------------------------------|--------------|-----------------|

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
BEAR EAGLE, INC.

2. PREMISES ADDRESS (Street number and name, city, zip code) **2 EMBARCADERO CTR R-2105, SAN FRANCISCO, CA 94111**

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 | | |

Supermarket Membership Store Service Station Swap Meet/Flea Market

Liquor Store Department Store Convenience Market Drive-in Dairy

Drug/Variety Store Florist/Gift Shop Convenience Market w/Gasoline

Other - describe:

5. COUNTY POPULATION **3,234/875,010**

6. TOTAL NUMBER OF LICENSES IN COUNTY
 On-Sale Off-Sale **1,136**

7. RATIO OF LICENSES TO POPULATION IN COUNTY
 On-Sale Off-Sale

8. CENSUS TRACT NUMBER **105**

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT
 On-Sale Off-Sale **2**

10. NO. OF LICENSES EXISTING IN CENSUS TRACT
 On-Sale Off-Sale **11**

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 **152**

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 **193**

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)

jm

Handwritten initials

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

BEAR EAGLE, INC.
SFGIFTBASKETS.COM
2 EMBARCADERO CENTER, R-2105
SAN FRANCISCO, CA. 94111

2022 MAR -8 PM 2:35

BY JA

February 28, 2022

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

Re. Liquor License "PCN" Request
2 Embarcadero Ctr. Ste. R-2105, San Francisco, CA. 94111

Honorable Board of Supervisors,

On February 17, 2022, the California Department of Alcoholic Beverage Control accepted an application for a person to person and premises to premises transfer of a type 21, Off-Sale General license for Bear Eagle Inc., dba: SFGIFTBASKETS.COM, a small specialty retail shop located on the ground level at 2 Embarcadero Center, Suite R-2105, in San Francisco.

The shop features and highlights gift baskets and other gift items. Some of the gift baskets offered include a bottle of wine. The shop receives orders for the gift baskets by telephone, email, mail and from persons visiting the store. The gift baskets that include wine are shipped to the recipients. No over the counter sales of gift baskets with wine are allowed to be taken by the purchaser out of the shop. Gift baskets with wine can only be shipped to the intended recipient based on the regulations pertaining to the current type 85 Alcoholic Beverage Control (ABC) license.

The shop has been licensed with an ABC type 85, Limited Off-Sale – Wine license since December 3, 2015 with no record of disciplinary actions by ABC. This allows the shop to include a bottle of wine in a gift basket. Applicant wishes to obtain a type 21 Off-Sale General license in order to expand the variety of alcoholic beverages allowed to be included in the gift baskets by adding the options of including beer and distilled spirits.

The intended premises address in San Francisco is located in Supervisor Aaron Peskin's District 3. The location is within census tract #0105.00 which allows for two (2) Off-Sale type ABC licenses within the census tract, based on the most recent estimated population count. At the present time, eleven (11) Off-Sale type licenses are issued within this census tract. The census tract is deemed to be over-concentrated at this time with Off-Sale type licenses. If the type 21 license is approved for this location, the applicant will cancel their type 85 license resulting in no increase of the number of off-sale licenses within the census tract.

The premises is located within San Francisco Police Department's reporting beat #152. There are 654 total reporting beats within San Francisco with a total of 55,022 reported offenses. The average number of offenses per district is 84.13. The total number of reported offenses within reporting beat #152 is 193. The reporting beat is considered high crime for it exceeds the 120% average number of offenses which is 100.8.

Due to the undue-concentration, and the designation of high crime, the applicant is required by Section 23958.4 of the Business and Professions Code to apply for a "PCN" review by the San Francisco Board of Supervisors. After review of all pertinent facts regarding this premises and the surrounding area, applicant hopes and wishes that the Board will find that the issuance of the applied-for type 21 Off-Sale General license will fulfill the public's convenience or necessity.

APPLICANT CONTACT INFORMATION:

Bear Eagle, Inc.

Cheryl J. Maloney – President / Secretary / Stockholder (Primary occupation – Realty Agent)

407 29th St., Apt 5

San Francisco, CA. 94131

Telephone: (415) 309-2722

Email: cheryl@vanguardsf.com

Olga Antipova – Vice President, Treasurer, Stockholder (Primary occupation – Dentist)

1103 Aspen Ct.

San Francisco, CA. 94134

Telephone: (916) 801-7977

Email: info@cosmodentalsf.com

Rodney Ciganovich, ABC Licensing Consultant

P.O. Box 506

Woodland, CA. 95776-0506

Telephone: 530-304-4005

Email: rciganovichconsultant@yahoo.com

ABC LICENSE INFORMATION:

Current license issued to premises:

Type 85, Limited Off-Sale – Wine license. License originally issued on December 3, 2015 to Mitra Ghiasi, a sole proprietor. License was transferred to Bear Eagle Inc., a corporation, on September 6, 2021. There is no record of any ABC disciplinary actions against the license under the original and the new ownership.

ABC's description of the type 85 license – The Limited Off Sale Wine License allows for the sale of wine to consumers for consumption off the licensed premises. Sales are restricted to those solicited and accepted via direct mail, telephone, or the Internet and may not be conducted from a retail premises open to the public.

The current type 85 license is issued to the back counter and storage areas of the shop which is not accessible to the public. The shop area that is accessible to the public has gift baskets and other gift items displayed. Walk-in customers cannot purchase a gift basket with wine over the counter and take it out of the shop. Gift baskets with wine can only be shipped to the recipient of the gift basket away from the premises.

License being purchased / transferred from:

Simon Shukry AZAR
Dba: Buchanan Food Mart
2135 Buchanan Street

San Francisco, CA. 94115

ABC type 21, Off-Sale General (beer, wine and distilled spirits) is being purchased from 2135 Buchanan Street, located within Supervisor Catherine Stefani's District 2. The current ABC application is requesting transfer of ownership from the current licensee to the applicant and from the current licensee's location to the applicant's location at 2 Embarcadero Center, Suite R-2105, which is located within Supervisor Aaron Peskin's District 3.

Current status of license: License is Surrendered to ABC (indicating that the license privileges are not being utilized at this time) and the business is closed.

Purchaser and intended location where license is to be transferred:

Bear Eagle, Inc. (President: Cheryl J. Maloney, Olga Antipova, Vice President)
Dba: SFGIFTBASKETS.COM
2 Embarcadero Center, Suite R-2105 (Ground level, near center of building.)
San Francisco, CA. 94111

Current status: Premises is open and operating with an ABC type 85 Limited Off-Sale – Wine license as a small specialty retail shop offering gift baskets (with and without wine) and other gift and tourist items. If approved, the premises will be licensed with a type 21 Off-Sale General license to offer a wider variety of alcoholic beverages for their gift baskets.

APPLICANT INFORMATION:

Bear Eagle Inc., a California corporation, is owned by Cheryl J. Maloney (50% stockholder) and Olga Antipova (50% stockholder). Cheryl J. Maloney's primary occupation is a realty agent for Vanguard Properties in San Francisco. Olga Antipova's primary occupation is a dentist at Cosmo Dental in San Francisco.

Bear Eagle Inc. is registered with the California Secretary of State as a general stock corporation as of November 19, 2020. The current status of the corporation is "active".

BUSIENSS OPERATION INFORMATION:

SFGIFTBASKETS.COM is a specialty gift basket shop located in the ground level within Embarcadero 2 in the Financial District. The shop offers gift baskets, with and without wine, along with other gift and tourist items. The gift baskets which include wine cannot be sold directly to the public at the shop. All gift baskets with wine must be ordered and then shipped to the recipient. No customer can order a gift basket with wine and then take the basket with wine form the shop. The basket with wine can only be shipped.

The ownership of the shop wishes to expand the variety of off-sale alcoholic beverages it can include with its gift baskets and to be allowed to sell gift baskets with an alcoholic beverage to a customer at the shop who may then take the basket with them out of the shop. The type of ABC license that would permit this is the type 21 Off-Sale General license which will allow for off-sale beer, wine and distilled spirits.

The shop is located in a mixed-use area of retail stores, restaurants, financial institutions and offices in the Financial District. The store is located within Embarcadero 2, on the ground floor near the center of the building. The shop is not visible from the surrounding streets. Surrounding streets are Davis, Sacramento, Front and Clay Streets.

The addition of the type 21 license to the shop should not create an increase in vehicle or pedestrian traffic in the area. The Embarcadero complex of office buildings offer both street and off-street parking spaces.

No other store in the immediate area is a small specialty retail shop offering gift baskets, other gift items and tourist related items.

The applicant is applying to ABC for a person to person and premises to premises transfer (double transfer) of the type 21 Off-Sale General license for the business to provide patrons the opportunity and convenience to include beer, wine, and/or distilled spirits in the gift baskets that can be ordered by internet, telephone, mail or in-person.

The store's hours of operation are from 10:00 am to 5:00 pm, Monday through Friday, 11:00 am to 5:00 pm on Saturday and 12:00 pm to 4:00 pm on Sunday. Estimated percentage of alcoholic beverage sales, as compared to all other retail items, is estimated to be 25-30%. A copy of ABC form ABC-257, Licensed Premises Diagram and Planned Operation (Retail) is attached for your review.

SUBSTANTIATION FOR A POSITIVE FINDING OF PUBLIC CONVEINCE OR NECESSITY:

1. The issuance of the applied-for license would be a benefit to local business employees, office workers from the Embarcadero Center buildings and surrounding Financial District offices, patrons of other business in the area, local workers, persons visiting the area and tourists.
2. The issuance of the applied-for license would be a benefit to persons on the inter-net ordering gift baskets to be shipped to recipients in the City, the Bay Area, the State of California and the United States.
3. The intended premises operating hours are catered to local business and office workers in the Financial District and Embarcadero Center, daytime visitors and tourists walking through Embarcadero 2.
4. The intended premises will operate as a gift and gift basket store and not as a liquor store.

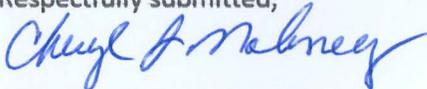
5. The issuance of the applied-for license would benefit the public in general at this location for the premises is unique and there are no other like premises in the area that offers the gifts, gift baskets and other items that this premises offers.
6. Current public transportation that serves the area is the San Francisco Municipal Railway and BART (Bay Area Rapid Transit). Other public transportation serving the area is a variety of established public taxi cabs and other private taxi cab type services (Uber, Lyft, etc.).

SUMMARY:

The premises will be a small specialty gift and gift basket shop where at the option of the purchaser an alcoholic beverage may be included in the gift basket. The issuance of the ABC license would benefit those who live and work in the immediate area, countless persons who visit and travel through the area and persons placing orders by mail, the internet and by telephone. It would be a convenience to the public for the premises to be able to offer off-sale beer, wine and distilled spirits while they patronize the premises for its gifts, gift baskets and other items.

The Applicant wishes for the Board to consider the above facts and hopes that they find that the issuance of the applied-for Off-Sale type 21 Off-Sale General license would fulfill the public's convenience or necessity and allow the issuance of said license.

Respectfully submitted,



Cheryl J. Maloney, President
Bear Eagle, Inc.

- Enc. ABC-257 form, Premises Diagram, Premises Operation (Retail)
ABC-253 form, Supplemental Diagram
ABC-245 form, Information and Instructions, Section 23958.4 B&P

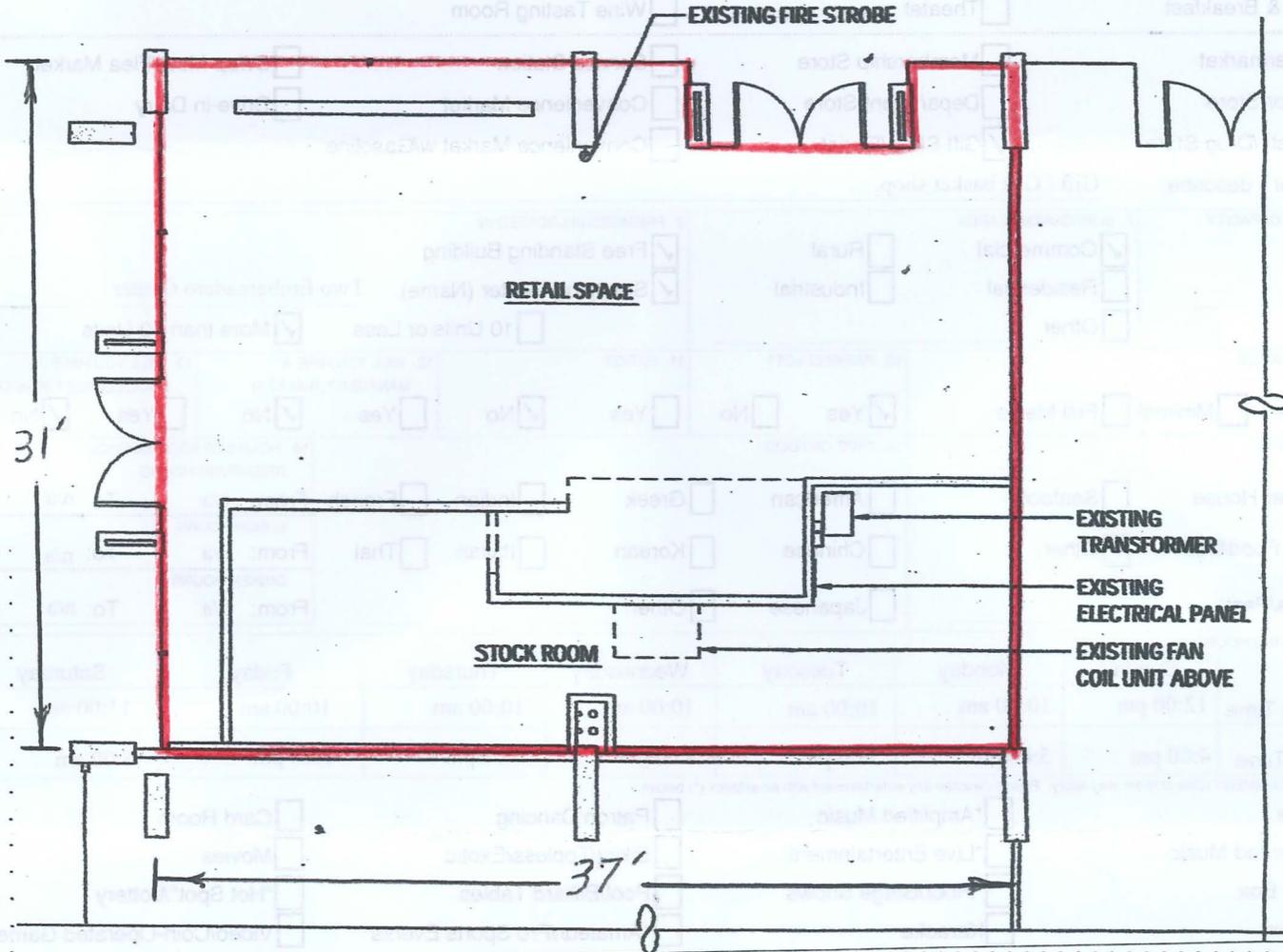
Department of Alcoholic Beverage Control
LICENSED PREMISES DIAGRAM (RETAIL)

State of California

| | |
|--|--------------------------------------|
| 1. APPLICANT NAME (Last, first, middle) Bear Eagle, Inc. | 2. LICENSE TYPE 21 |
| 3. PREMISES ADDRESS (Street number and name, city, zip code) 2 Embarcadero Ctr, R-2105, Office Area, San Francisco, CA. 94111 | 4. NEAREST CROSS STREET Davis St. |

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.).

DIAGRAM



It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

| | |
|---|-----------------------|
| APPLICANT SIGNATURE (Only one signature required) <i>Cheryl J. Maloney</i> | DATE SIGNED 1-5-22 |
|---|-----------------------|

| | | |
|-------------------------------|------------------|-----------------|
| CERTIFIED CORRECT (Signature) | FOR ABC USE ONLY | INSPECTION DATE |
|-------------------------------|------------------|-----------------|

Department of Alcoholic Beverage Control
PLANNED OPERATION (RETAIL)

SECTION I - FOR ALL RETAIL APPLICANTS

| | |
|---|---------------------------------|
| 1. APPLICANT NAME(S) Bear Eagle, Inc. | 2. LICENSE TYPE(S) 21 |
|---|---------------------------------|

| | |
|---|---|
| 3. PREMISES ADDRESS (Street number and name, city, zip code) 2 Embarcadero Ctr, R-2105, Office Area, San Francisco, CA. 94111 | 4. NEAREST CROSS STREET Davis St. |
|---|---|

5. TYPE OF BUSINESS (Choose one that best describes the planned operation)

| | | | |
|---|--|--|---|
| <input type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Cafeteria/Hofbrau | <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 | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast | <input type="checkbox"/> Theater | <input type="checkbox"/> Wine Tasting Room | |

| | | | |
|---|---|--|--|
| <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"/> Variety/Drug Store | <input checked="" type="checkbox"/> Gift Shop/Florist | <input type="checkbox"/> Convenience Market w/Gasoline | |

Other - describe: Gift / Gift basket shop.

| | | |
|---------------------------------|--|--|
| 6. PATRON CAPACITY 10 | 7. SURROUNDING AREA <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Rural <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other | 8. PREMISES IS LOCATED IN <input checked="" type="checkbox"/> Free Standing Building <input checked="" type="checkbox"/> Shopping Center (Name): <u>Two Embarcadero Center</u> <input type="checkbox"/> 10 Units or Less <input checked="" type="checkbox"/> More than 10 Units |
|---------------------------------|--|--|

| | | | | |
|--|---|---|---|---|
| 9. FOOD SERVICE <input checked="" type="checkbox"/> None <input type="checkbox"/> Minimal <input type="checkbox"/> Full Meals | 10. PARKING LOT? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 11. PATIO? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. WILL YOU HIRE A MANAGER? (Rule 57.5) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. WILL YOU HAVE A FOOD LESSEE? (Rule 57.7) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|--|---|---|---|---|

| | | |
|--|--|--|
| 14. MEAL TYPE <input type="checkbox"/> Dinner House <input type="checkbox"/> Seafood <input type="checkbox"/> Fast Food/Deli <input type="checkbox"/> Other: <input type="checkbox"/> Pizza/Pasta | 15. TYPE OF FOOD <input type="checkbox"/> American <input type="checkbox"/> Greek <input type="checkbox"/> Indian <input type="checkbox"/> French <input type="checkbox"/> Chinese <input type="checkbox"/> Korean <input type="checkbox"/> Italian <input type="checkbox"/> Thai <input type="checkbox"/> Japanese <input type="checkbox"/> Other: | 16. HOURS OF FOOD SERVICE BREAKFAST HOURS From: <u>n/a</u> To: <u>n/a</u> LUNCH HOURS From: <u>n/a</u> To: <u>n/a</u> DINNER HOURS From: <u>n/a</u> To: <u>n/a</u> |
|--|--|--|

| | | | | | | | |
|---------------------|----------|----------|----------|-----------|----------|----------|----------|
| 17. OPERATING HOURS | Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
| Opening Time | 12:00 pm | 10:00 am | 10:00 am | 10:00 am | 10:00 am | 10:00 am | 11:00 am |
| Closing Time | 4:00 pm | 5:00 pm | 5:00 pm | 5:00 pm | 5:00 pm | 5:00 pm | 5:00 am |

18. ENTERTAINMENT (One or more may apply. Please describe any entertainment with an asterisk (*) below)

| | | | |
|--|--|---|--|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> *Amplified Music | <input type="checkbox"/> Patron Dancing | <input type="checkbox"/> Card Room |
| <input type="checkbox"/> Recorded Music | <input type="checkbox"/> *Live Entertainment | <input type="checkbox"/> Bikini/Topless/Exotic | <input type="checkbox"/> Movies |
| <input type="checkbox"/> Juke Box | <input type="checkbox"/> *Floor/Stage Shows | <input type="checkbox"/> Pool/Billiard Tables | <input type="checkbox"/> "Hot Spot"/Lottery |
| <input type="checkbox"/> *Other | <input type="checkbox"/> Karaoke | <input type="checkbox"/> *Amateur/Pro Sports Events | <input type="checkbox"/> Video/Coin-Operated Games |

*Description: _____

| | |
|--|---|
| 19. PREMISES IS LOCATED ON <input type="checkbox"/> Major Thoroughfare <input checked="" type="checkbox"/> Secondary Street <input type="checkbox"/> Other | 20. TYPE OF STRUCTURE <input type="checkbox"/> Single Story <input type="checkbox"/> Two-Story <input checked="" type="checkbox"/> Multi-Story - Number of stories: <u>30</u> |
|--|---|

| | | |
|---|--|---|
| 21. PASS-THROUGH WINDOW? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. FIXED BARS? <input type="checkbox"/> Yes - how many: _____ <input checked="" type="checkbox"/> No | 23. WHAT PERCENTAGE OF YOUR TOTAL SALES WILL BE ALCOHOLIC BEVERAGES? 20-30% |
|---|--|---|

FOR ABC USE ONLY

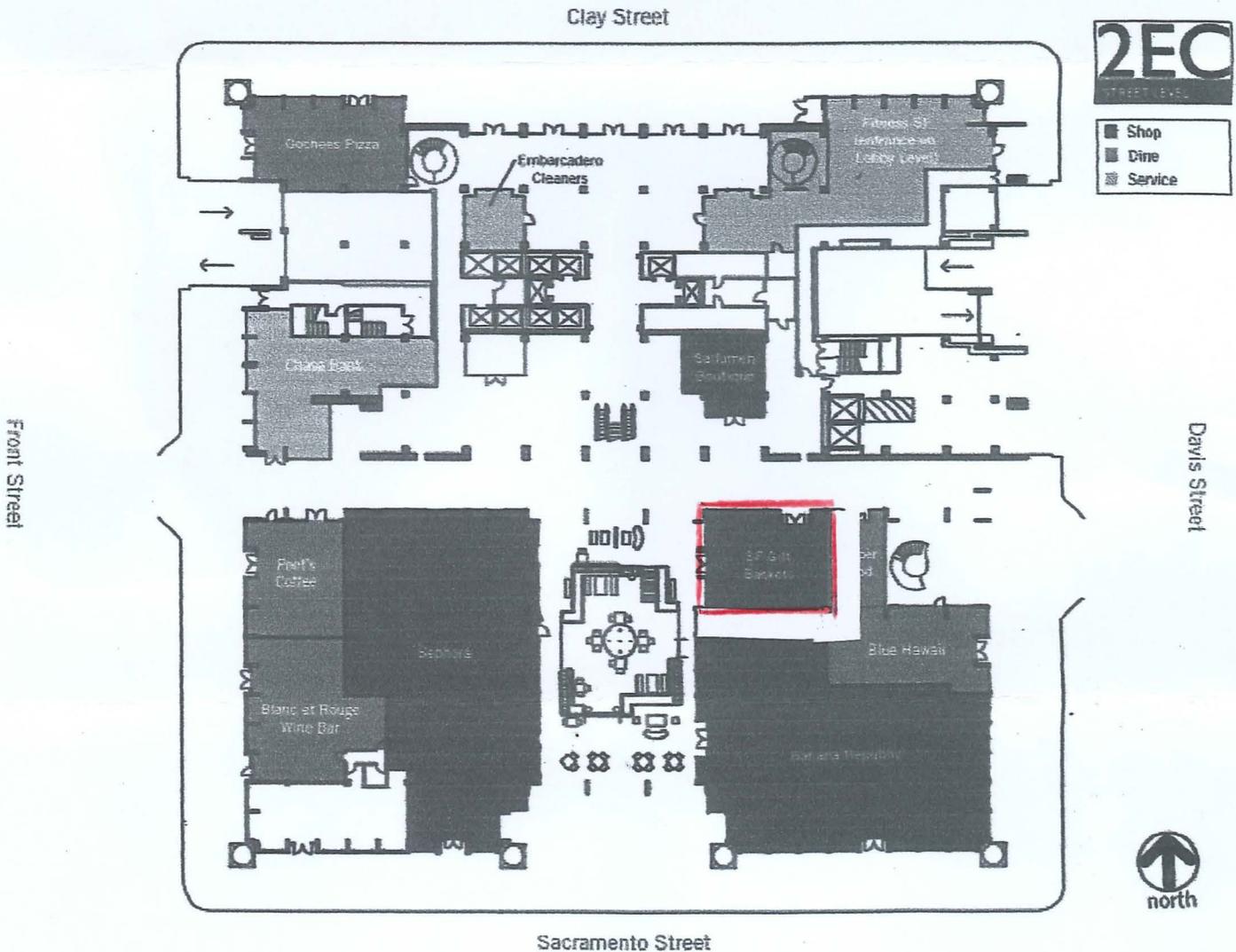
| | |
|---|-----------------------------|
| 24. INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23790.5, etc.) | 25. DATE ENTERED INTO CABIN |
|---|-----------------------------|

Instructions to Applicant:

Draw a sketch of the area on which the licensed premises is or will be located. Show adjacent structures and nearest cross streets. If this is an event for a daily license, catering authorization, event authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.

| | |
|--|---|
| 1. APPLICANT NAME (Last, first, middle) Bear Eagle, Inc. | 2. LICENSE TYPE 21 |
| 3. PREMISES ADDRESS (Street number and name, city, zip code) 2 Embarcadero Ctr. R-2105, San Francisco, CA. 94111 | 4. NEAREST CROSS STREET Davis St. |

DIAGRAM



I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

| | |
|---|------------------------------|
| APPLICANT SIGNATURE <i>Cheryl J. Maloney</i> | DATE SIGNED <i>1-5-22</i> |
|---|------------------------------|

FOR ABC USE ONLY

| | | |
|-------------------------------|--------------|-----------------|
| CERTIFIED CORRECT (Signature) | PRINTED NAME | INSPECTION DATE |
|-------------------------------|--------------|-----------------|

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
BEAR EAGLE, INC.

2. PREMISES ADDRESS (Street number and name, city, zip code) **2 EMBARCADERO CTR R-2105, SAN FRANCISCO, CA 94111**

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 | | |

Supermarket Membership Store Service Station Swap Meet/Flea Market

Liquor Store Department Store Convenience Market Drive-in Dairy

Drug/Variety Store Florist/Gift Shop Convenience Market w/Gasoline

Other - describe:

5. COUNTY POPULATION **3,234/875,010**

6. TOTAL NUMBER OF LICENSES IN COUNTY
 On-Sale Off-Sale **1,136**

7. RATIO OF LICENSES TO POPULATION IN COUNTY
 On-Sale Off-Sale

8. CENSUS TRACT NUMBER **105**

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT
 On-Sale Off-Sale **2**

10. NO. OF LICENSES EXISTING IN CENSUS TRACT
 On-Sale Off-Sale **11**

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 **152**

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 **193**

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)

jm

Handwritten initials

