

File No. 111381

Committee Item No. 1

Board Item No. _____

**COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST**

Committee: **City Operations & Neighborhood
Services Committee**

Date 2/27/12

Board of Supervisors Meeting

Date _____

LIQUOR LICENSE HEARING

Cmte Board

- | | | |
|-------------------------------------|--------------------------|----------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Applicant's Letter |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Police Department Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Planning Department Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Clerk's Correspondence |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Other |

- _____
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Completed by Gail Johnson

Date 2/23/12

Completed by _____

Date _____

*file a charge
Joy 1 Cons*

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 DEC 30 PM 2:26
BY RBC

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

File 111381

December 30, 2011

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

Re: ZFC Concepts, LLC dba SLOANE SQUARE[D]
California ABC Liquor License Transfer
1525 Mission Street, San Francisco, CA 94103
Public Convenience and Necessity Determination Request
*ABC Type 48 License—On-Sale General Public Premises
Premise to Premise Transfer from 1525 Mission Street SF CA 94103 to
1525 Mission Street SF CA 94103
[expansion of public occupancy into adjacent portion of building].*

Dear Ms. Cavillo:

This office represents ZFC Concepts, LLC dba **Sloane Square[d]**. My clients have applied to the California Department of Alcoholic Beverage Control (ABC) for a premise to premise transfer of their On-Sale General Public Premises license. This premise to premise transfer is to allow applicant to operate and sell alcohol beverages to the public in an expanded portion of their building at 1525 Mission Street, San Francisco. The expansion space of the 1525 Mission building was previously occupied by Paige Gallery. Since May 2009, my client has operated a type-48 on-sale general ABC license on their original premises at the same address.

My client has received a Certificate of Occupancy from the SF Department of Building Inspection and an assembly permit from SF Fire Department to allow use of the expansion portion of the building for public occupancy. This request is for a certificate of public convenience (“PCN”) required before the ABC will permit my client’s ABC license privileges to cover the original and expansion area.

Sloane Square[d] (“Sloane”) currently holds a valid Place of Entertainment license on the original premises, which allows them to provide live and DJ music to their patrons until 2 am. **Sloane** is scheduled to appear before the San Francisco Entertainment Commission on January 10, 2012 for approval of its current Place of Entertainment permit to allow entertainment in the expanded area of the establishment.

As part of its commitment to ensure that its operation in the expanded premises did not disturb its neighbors, **Sloane** has spent in excess of \$150,000 on sound mitigation measures. That work was designed by Charles Salter, a professor of Architectural Acoustics at UC Berkeley College of Environmental Design. On December 29, 2011, the music system for the entire club was given a sound test by the Entertainment Commission sound inspector, Vaj Grinelli, and easily passed. This sound test showed **no** sound bleed into any adjoining business or residence. Sloane will use a sound limiter to ensure that its music will not disturb the neighboring residences.

Sloane Square[d]'s mission is to provide a standard of excellence unparalleled in San Francisco nightlife, and it is devoted to participating in the improvement of its community. Along with providing employment to 40 hard-working and responsible individuals, **Sloane Square[d]** is developing a series of events that will provide a platform for non-profit organizations to network and fundraise. This platform will open the doors for dialogue between businesses and communities to discuss and come up with different ways of integrating the benefits of commerce with the educational and social concerns and community needs that the non-profit sector champions.

Sloane Square[d] has provided its venue for meetings and gatherings for the Lafayette, Minna, Natoma Neighborhood Association, of which it is a proud participating member. It has also hosted a number of benefits, including “*Hoodie People*”, where sweatshirts, jackets and hooded sweaters were collected for donation to the Second Annual Hoodies Drive benefiting *St. Anthony's Foundation*. Sloane also supports *100 Black Men of America, Inc.*, an organization committed to utilizing the talents of its members to motivate and empower at-risk children and people to achieve and become self-sufficient contributors economically and socially to their communities. Supporting these groups—and many other non-profits—is part of the standard of excellence **Sloane Square[d]** promotes and embodies.

The approval by the Board of Supervisors of Sloane's expanded ABC licensed-premises would not have any detrimental effect on the surrounding neighborhood or the City of San Francisco. The clientele of this operation fit well into the existing neighborhood and have posed no public safety problems. This expansion will also provide additional job opportunities to the community.

Angela Calvillo, Clerk of the Board
Sloane PCN Request
December 30, 2011
Page 3

For the reasons outlined above, applicant ZFC Concepts, LLC dba **Sloane Square[d]** respectfully requests that this letter be forwarded to the City Operations & Neighborhood Services Committee of the Board and that this Committee and the full Board of Supervisors make a determination under California Business and Professions Code Section 23958.4 that the public need or convenience would be served by the issuance of a liquor license to ZFC Concepts, LLC dba **Sloane Square[d]** at 1525 Mission Street, San Francisco that covers the entire original and expansion areas.

Thank you for your consideration of this request.

Yours truly,



Mark E. Rennie

MER/mb

Cc: Dane Zuccaro, Managing Member, Sloane Square[d]
Inspector Ken Stockard, SFPD
Inspector Julie Lazar, SFPD
Supervisor Jane Kim



San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
*Public Convenience and
Necessity Recommendation*

To: The San Francisco Board of Supervisors' Committee on City
Operations & Neighborhood Services

Supervisor Sean Elsbernd
Supervisor Carmen Chu
Supervisor Christina Olague

From: Inspector Julie Lazar
ABC Liaison Unit (ALU) 553-1049

Date: February 21, 2012

Subject: P.C.N. Investigation Regarding: ZFC Concepts LLC
DBA: Sloane
1525 Mission Street
Mark E. Rennie
(415) 981-5400

Mark E. Rennie on behalf of Sloane has filed an application with the California Department of Alcoholic Beverage Control seeking a premises expansion- Type 48 (On-Sale General for Public Premises) license for 1525 Mission Street (located between 11th Street and Lafayette Street).

Hours of Operation:

Daily 5:00 p.m. – 2:00 a.m.

Digest:

Currently the front of this business was licensed by ABC as a Type 48. The owner has expanded his business to the rear area of 1525 Mission Street. The purpose of this hearing is to determine if the expanded portion of the premises will be licensed as part of the ABC Type 48.

It should be noted that during the application process, notification date for the 500' mailer was August 9, 2011. The Notice to the Public was posted on August 9, 2011. There are 4 letters of protest and no letters of support. The ABC seeks a determination from the Board of Supervisors as to the approval or denial of this license.

Letters of Protest:

4

Letters of Support:

No record

Police Calls for Service:

From August 2010 to August 2011

19

Police Reports:

From August 2010 to August 2011

6

San Francisco Plot Information:

This premise is located in Plot **202**

533 Police Reports were recorded for this plot in *2010*

This plot has **318** Police Report(s) over the citywide average (plus 20%) of 215 Police Reports.

State Census Tract Information:

This premise is located in Census Tract **177**

Population for this tract is: **1,777**

On-sale license authorized by census tract: **7**

Active on-sale licenses: **33** with **1** pending

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

Active off-sale licenses: **9** with **0** pending

Departmental Recommendation:

Points of consideration:

No opposition from **Southern Station**

Applicant premise **is** located in a “high crime” area.

Applicant premise **is** located in an “undue concentration” area.

4 documented protests.

No Record of support.

ALU Recommendation: **Approval w/conditions**

The current existing conditions shall remain and be transferred to the new license, with additional conditions as followed:

1. Between the hours of 10:00 p.m. and to until one-half hours past closing the licensee shall provide security personnel(s). The number of security personnel(s) shall be sufficient to maintain order therein and prevent any activity which would interfere with the quiet enjoyment of their property by nearby residents. Said personnel shall be readily identifiable as security personnel. In addition, security personnel shall make frequent visits to areas, including parking lots, to ensure patrons from the premises do not disturb the peace, quiet and comfort of persons in the neighborhood.
2. The petitioner shall utilize electronic surveillance and recording equipment that is able to view all exits and entrance points of the exterior of the premises. The electronic surveillance/recording shall be operational at all times that the premises is open to the public. Said electronic recording shall be maintained for no less than 72 hours and shall be made available to the Department or Police Department upon demand.
3. Any door(s) or window(s) that opens to Minna Street shall be kept closed at all times during the operation of the premises and shall not be used as an entrance or exit for patrons. Said door(s) or window(s) shall be use for emergency or to permit deliveries only. Said door(s) not to consist solely of a screen or ventilated security door.

ZFC CONCEPTS LLC

dba: Sloan

1525 Mission St.

San Francisco. CA 94103 - 2512

1. The sale of alcoholic beverages for consumption off the premise is strictly prohibited.
2. No noise shall be audible beyond the area under the control of the license as defined on the ABC – 257 dated 07/18/2008.
3. No person under the age of twenty-one (21 years of age) shall sell, furnish, or deliver alcoholic beverages.
4. There shall be no coin operated games or video machines maintained upon the premises at any time.
5. Loitering (loitering as defined as “to stand idly about; linger aimlessly without lawful business”) is prohibited on any sidewalks or property adjacent to the license premises under the control of the licensee.
6. The petitioners shall be responsible for maintaining free of litter the area adjacent to the premise over which they have control.
7. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hrs of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti within 72 hours following the beginning of the next weekday.
8. Petitioners shall not make structural changes in the premise interior without prior written approval from the Department.
9. The interior lighting maintained therein shall be sufficient to make easily discernible the appearance and conduct of all persons and patrons in that portion of the premises where alcoholic beverages are sold, served, delivered or consumed
10. The exterior of the premise shall be equipped with lighting sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the premises. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residence.
11. At no time shall any persons under the age of 21 enter or remain in this public premise.

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 15th DAY OF May, 2009

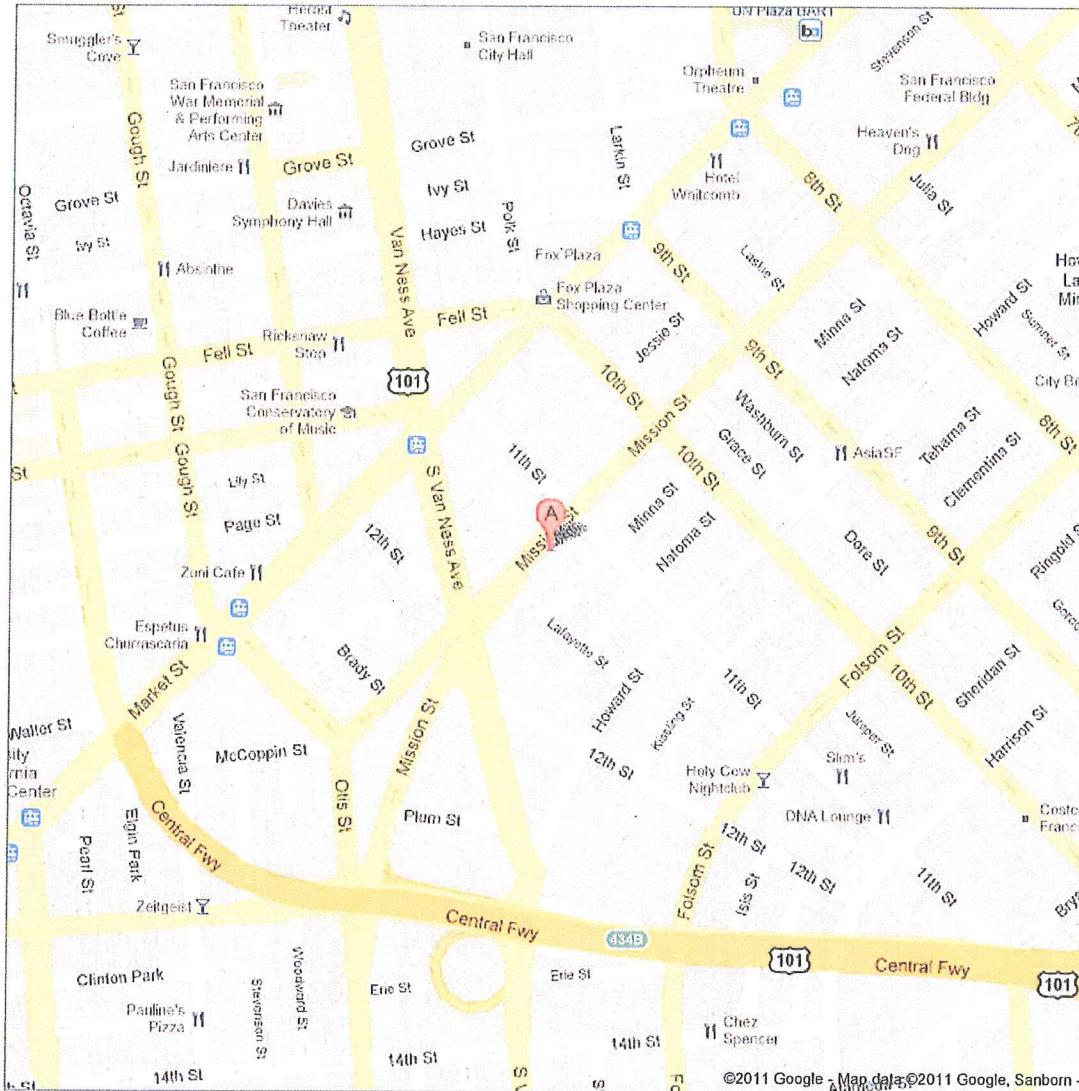

Cassidy Fegan
Applicant/Petitioner

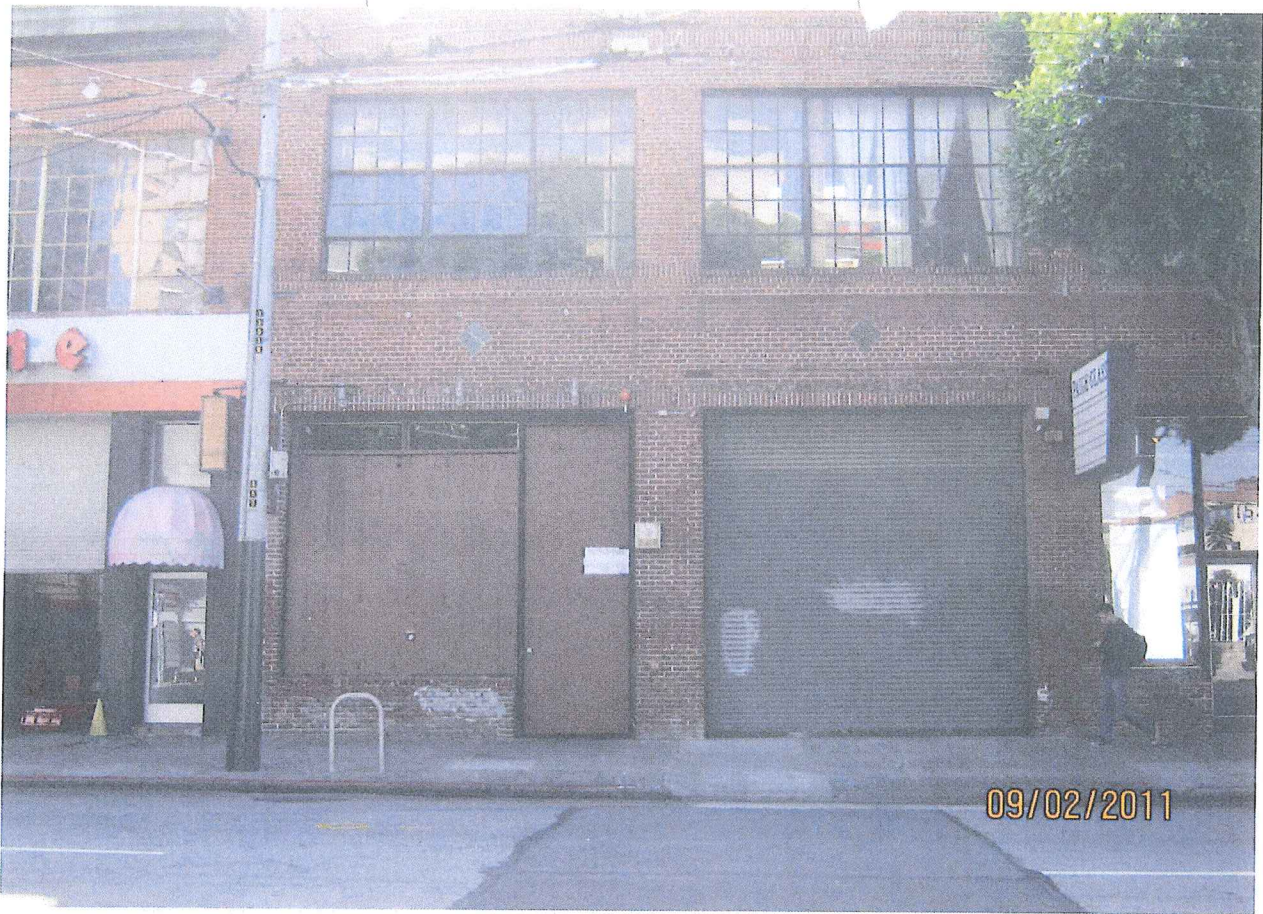
[Signature]
Applicant/Petitioner



Address 1525 Mission St
San Francisco, CA 94103

Get Google Maps on your phone
Text the word "GMAPS" to 466453





DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

PUBLIC NOTICE OF APPLICATION TO SELL ALCOHOLIC BEVERAGES

APPLICANT ZFC CONCEPTS LLC

TYPE OF LICENSE 48 ON-SALE GENERAL PUBLIC PREMISES

BUSINESS NAME SLOAN

ADDRESS OF PREMISES 1525 MISSION ST., SAN FRANCISCO CA 94103

APPLICANT HAS FILED FOR: NEW LICENSE PREMISES TO PREMISES TRANSFER (EXPANSION)
 CHANGE IN LICENSE PRIVILEGES

IF A VERIFIED PROTEST IS TO BE MADE AGAINST THIS APPLICATION, IT MUST BE RECEIVED BY ANY OFFICE OF THE DEPARTMENT OR DEPARTMENTAL HEADQUARTERS, 3927 LEHNAHE DRIVE, SUITE 100, SACRAMENTO 95834, WITHIN 30 DAYS OF DATE POSTED. PROTESTS MUST BE VERIFIED. FURTHER INFORMATION REGARDING THIS APPLICATION AND VERIFICATION FORMS MAY BE OBTAINED AT

SAN FRANCISCO A.B.C. DIST OFF
 71 STEVENSON STREET, SUITE 1500
 SAN FRANCISCO, CA 94105
 TEL. 415-356-6500

WARNING

Every **09/02/2011** before, effective 30 days prior to 30 days from the date it was posted is subject to fine or imprisonment in the County Jail (Section 616, Penal Code).

PREMISES ARE ~~NOT~~ ALREADY LICENSED TO SELL ALCOHOLIC BEVERAGES.

export To  **New!**

Records **1** through **3** of **3**

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
<u>110471350</u>	110140691	02/16/2011	11:47:32	B	470	9B14	REP	1525 MISSION ST
<u>110220177</u>		01/22/2011	00:55:15	C	488			1525 MISSION ST
<u>103560271</u>		12/22/2010	03:00:51	I	852			1525 MISSION ST

End of document

8/20/2010 - 2/20/2011

export To  **New!**

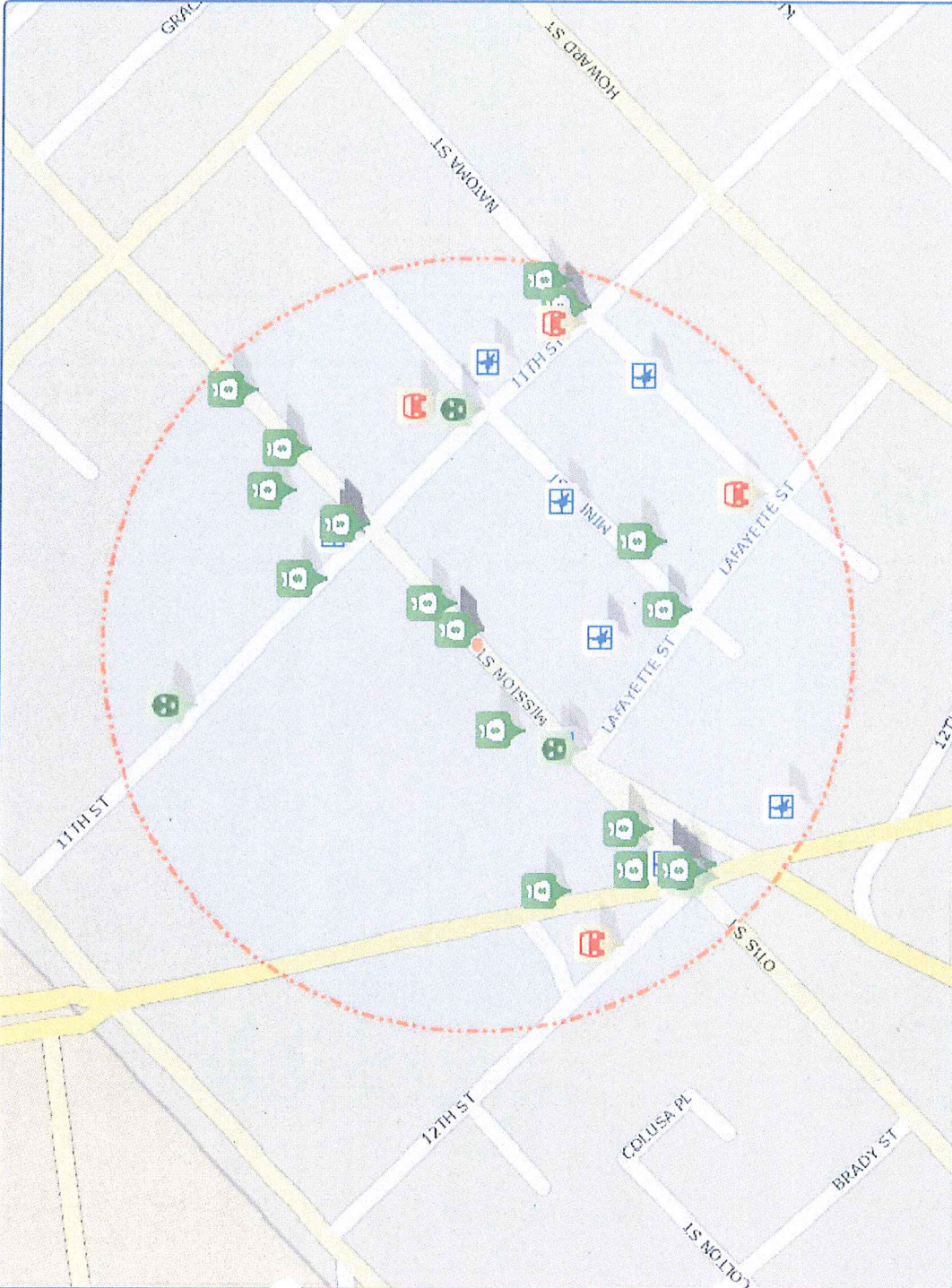
Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
112150171		08/03/2011	01:40:59	C	903	3B11E	HAN	1525 MISSION ST
112150153		08/03/2011	01:25:30	C	903	3B11E	HAN	1525 MISSION ST
112143568		08/02/2011	23:44:06	C	903	3B11E	HAN	1525 MISSION ST
112130874		08/01/2011	09:57:12	C	000			1525 MISSION ST
112120538		07/31/2011	03:30:43	C	240			1525 MISSION ST
112120318		07/31/2011	01:50:50	C	000	3B	DUP	1525 MISSION ST
112120313	110610741	07/31/2011	01:48:14	A	418	3B15E	HAN	1525 MISSION ST
112110283		07/30/2011	01:53:53	C	903	3B90	HAN	1525 MISSION ST
111941612	110561081	07/13/2011	13:12:08	C	488	3H00	REP	1525 MISSION ST
111823919		07/01/2011	22:33:57	C	903	3B90	HAN	1525 MISSION ST
111683909	110489091	06/17/2011	23:53:47	C	903	3B24	HAN	1525 MISSION ST
111133413		04/23/2011	22:07:33	C	903	3B14E	HAN	1525 MISSION ST
110982172	110286712	04/08/2011	15:05:11	C	488	3B00	REP	1525 MISSION ST
110890174		03/30/2011	01:56:58	C	852			1525 MISSION ST
110883083	110257503	03/29/2011	19:53:34	C	909	3B00	REP	1525 MISSION ST
110720141		03/13/2011	00:37:12	A	418	3B	HAN	1525 MISSION ST

End of document

2/20/2011
8/20/2011

1525 Mission St

San Francisco Police Department



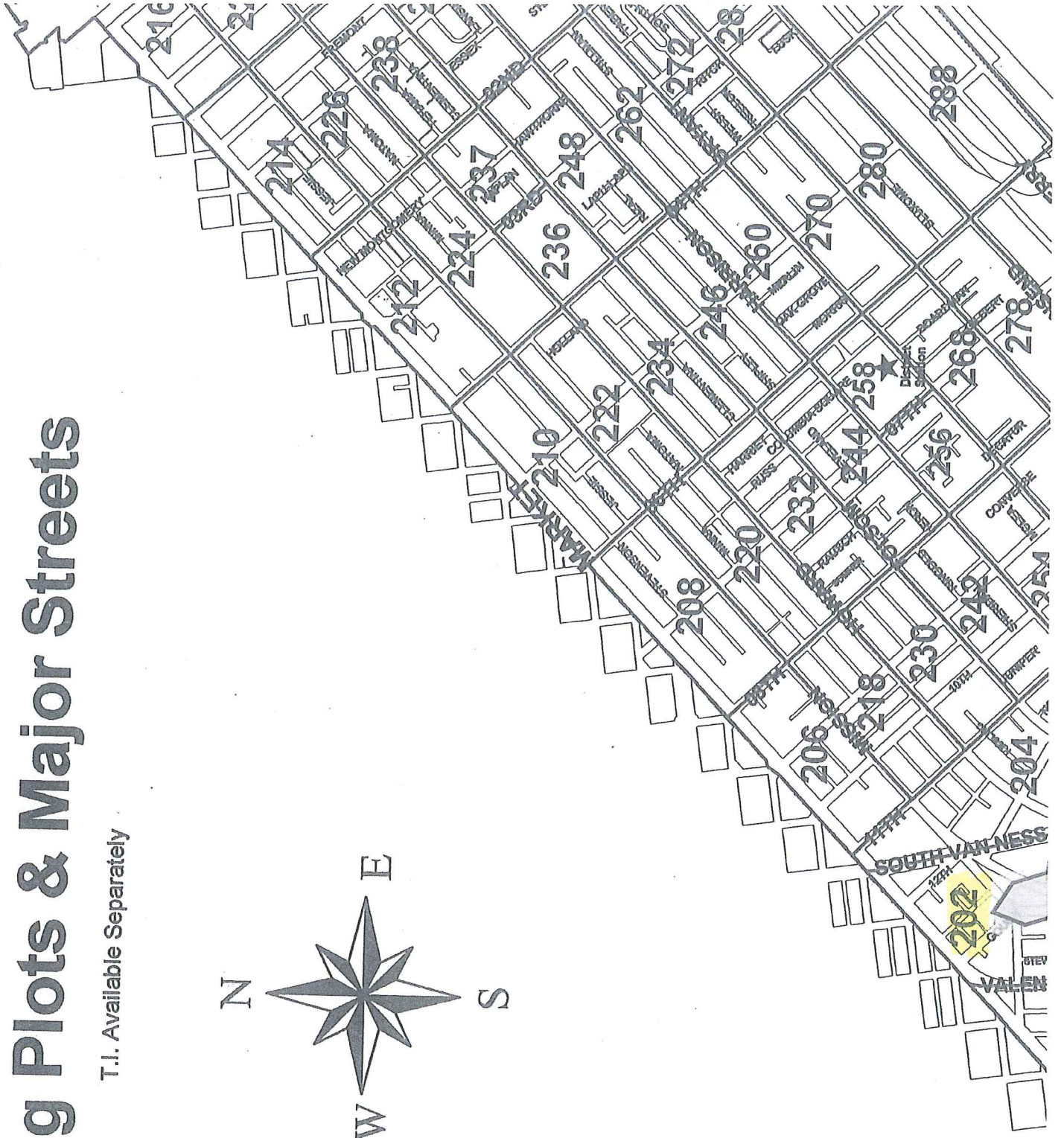
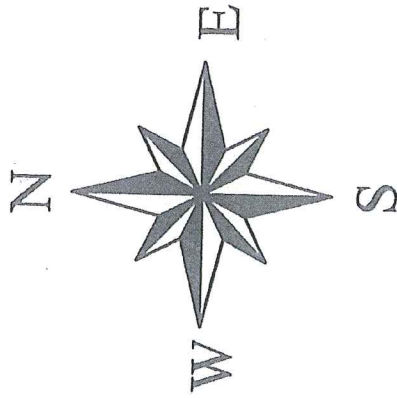
Map Legend	
Incidents (88)	
Larceny/Theft (49)	
Burglary (14)	
Robbery (10)	
Vehicle Theft (8)	
Assault (5)	
Warrants (2)	

All representations on this map are distributed and transmitted "AS IS" without warranties of any kind, either expressed or implied including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. In no event shall San Francisco Police Department become liable to users of these data for any loss or damages, consequential or otherwise, including but not limited to time, money, goodwill, arising from the use, operation or modification of the data. The visual presentation of data is being provided strictly as a courtesy, not as an obligation to its users.

WARNING: This map does not meet the national map accuracy standards.

SOUTHERN DISTRICT Reporting Plots & Major Streets

T.I. Available Separately





1525 Mission St-Sloane

Legend:

Boundaries

- State
- '10 County
- '10 Census Tract

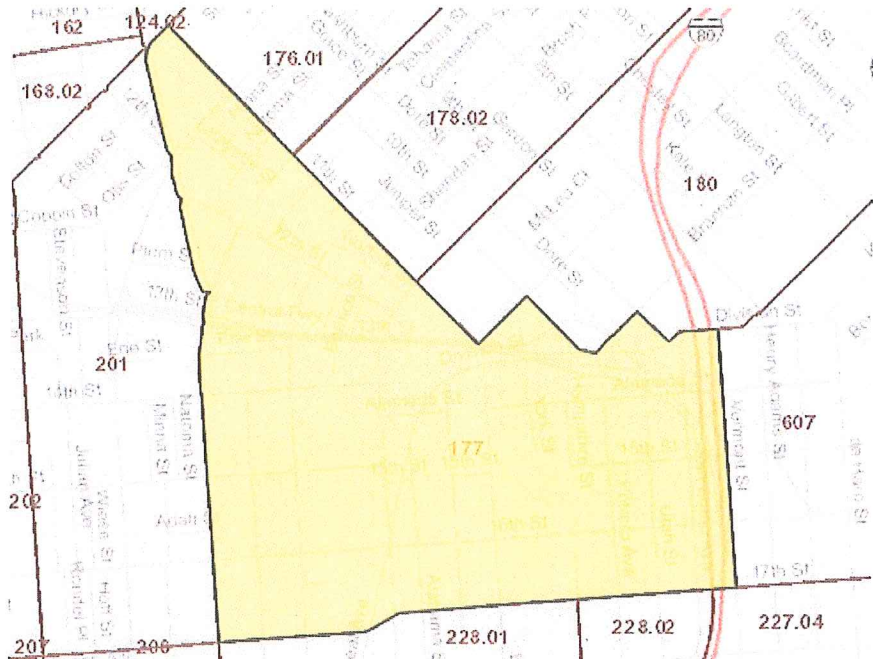
Features

- Major Road
- Street
- Stream/Waterbody

Your Selections

- Your Selections

Items in grey text are not visible at this zoom level



Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

State of California

- Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.
- A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Sloane

(Name(s) of Applicant(s))

For premises at:

1525 Mission Street, San Francisco, CA 94103

(Exact address of proposed premises)

on the grounds that:

We have had continuous problems with Sloane since their expansion.

Every night they are open we have consistent noise problems that they have not fixed despite numerous complaints. These include audible noise and my walls vibrating due to the bass.

In addition, their patrons have been a hardship on the community. We have had problems with patrons exiting the club and being loud and disruptive, urinating, fighting, and engaging in sexual activity in parking lots and streets visible from my home.

Sloane has yet to address these issues which impact their neighbors. Until they do in a permanent fashion we don't believe it is appropriate to grant them a permanent license.

Check here if additional sheets attached

I, Matthew Small

PRINT (Name of Protestor)

declare under penalty of perjury:

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

SIGNED AT (City and State)

San Francisco, CA

PROTESTANT'S ADDRESS (Street number and name, City, State, Zip Code)

1042 Minna Street #1, San Francisco, CA 94103

PROTESTANT'S TELEPHONE NUMBER (Optional)

858-337-7226

DATE SIGNED

AUG 16 2011

ABC-510-A (07/06)

RECEIVED

AUG 16 2011

Dept of Alcoholic Beverage Control
San Francisco

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

State of California

- Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
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I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Sloane

(Name(s) of Applicant(s))

For premises at:

1525 Mission Street, San Francisco CA 94103

(Exact address of proposed premises)

on the grounds that:

Please see attached.

Sloane has continued to operate in a manner that has been intrusive to the neighborhood and continues to represent a nuisance to the local community. Sloane has responded with incremental, and ineffective improvements, while still continuing to expand to additional nights prior to addressing community concerns and now present themselves in the community as a "MegaClub"

While the neighborhood is supportive of continued growth of local business and Sloane has made attempts to address sound and safety issues, it is our opinion, Sloane has been operated in a manner that has harmed the public health, safety and welfare by significantly increasing pedestrian traffic, the incident of disorderly conduct and the level of noise in the area where Sloane is located. Sloane has failed to take effective reasonable steps to mitigate these conditions.

Check here if additional sheets attached

I, Kenneth Przewo, declare under penalty of perjury:
PRINT (Name of Protestant)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

SIGNED AT (City and State):

SF CA

PROTESTANT'S TELEPHONE NUMBER (Optional):

415-669-4223

DATE SIGNED

8/15/11

PROTESTANT'S ADDRESS (Street number and name, City, State, ZIP Code)

1025 MISSION ST #6 SF CA 94103

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

State of California

- Please refer to Form ABC-510, Instructions for Contesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.
- A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Sloane

(Name(s) of Applicant(s))

For premises at:

1525 Mission Street, San Francisco, CA 94103

(Exact address of proposed premises)

on the grounds that:

We have had continuous problems with Sloane since their expansion.

Every night they are open we have consistent noise problems that they have not fixed despite numerous complaints. These include audible noise and my walls vibrating due to the bass.

In addition, their patrons have been a hardship on the community. We have had problems with patrons exiting the club and being loud and disruptive, urinating, fighting, and engaging in sexual activity in parking lots and streets visible from my home.

Sloane has yet to address these issues which impact their neighbors. Until they do in a permanent fashion we don't believe it is appropriate to grant them a permanent license.

Check here if additional sheets attached

Catherine Norris

PRINT (Name of Protester)

declare under penalty of perjury:

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

SIGNED AT (City and State)

San Francisco, CA

PROTESTANT'S ADDRESS (Street number and name, city, state ZIP code)

1042 Minna Street #1, San Francisco, CA 94103

PROTESTANT'S TELEPHONE NUMBER (Optional)

714-655-7795

DATE SIGNED

RECEIVED

AUG 16 2011

LIQUOR LICENSE REVIEW

TO: Planning Department
AnMarie Rodgers/CTYPLN/SFGOV
Georgia Powell/CTYPLN/SFGOV@SFGOV
Fax No.: 558-6409

File: 111381

TO: Inspector Kenneth Stocker
Police Department
Fax No.: 553-1463

MB# 1200037

C-3-G

3511 / 075

DATE: January 4, 2012

This item is scheduled to be heard at a meeting on February 27, 2012. **PLEASE EMAIL YOUR RESPONSE BY:** February 23, 2012, to Gail Johnson, Clerk, City Operations and Neighborhood Services Committee.

Gail.Johnson@sfgov.org - Fax No: 554-7714

Applicant Name: Mark E. Renne
and Business Name: Sloane Square[d] (1525 Mission Street)

Applicant Address: 870 Market Street
The Flood Building, Suite 1260
San Francisco, CA 94102
and Phone No. (415) 981-4500

PLANNING COMMENTS: Approval Denial

TYPE 48 ABC LICENSE & EXPANSION OF ITS USE ALLOWED
WITHIN THE C-3-G ZONING DISTRICT UNDER PARAGRAPH 218(b).

[Signature]
JAN 18, 2012

POLICE COMMENTS: Approval Denial