

File No. 211124

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services

Date: November 19, 2021

Board of Supervisors Meeting:

Date: _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
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- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

- Police Department Response – November 12, 2021
- Planning Department Response – October 29, 2021
- Referral – October 2, 2021
- PC or N Request Letter – October 18, 2021
- _____

Prepared by: Alisa Somera

Date: November 12, 2021

Prepared by: _____

Date: _____




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
Supervisor Matt Haney

From: Lt. Stephen Jonas #79 
Officer in Charge
ALU/Permits Unit 415-553-1115

Date: November 12, 2021

Subject: P.C.N. Investigation Regarding: Bottle Bacchanal, LLC
DBA: BOTTLE BACHANAL
4126-18th St.
San Francisco, CA. 94110-2452

Bottle Bacchanal, LLC has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 21 (Off-Sale General) license to be located at 4126-18th St. (located Castro St. and Collingwood St.)

Hours of Operation:

12:00 p.m. to 8:00 p.m. each day of the week.

Digest:

Bottle Bacchanal would like to operate a specialty liquor store at 4126-18th St. If approved, this license will allow them to sell Off-Beer, Wine and Distilled Spirits.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From July 2020 to July 2021

0 calls for service

Police Reports:

From July 2020 to July 2021

0 police reports

San Francisco Plot Information:

This premise is located in Plot: **417**

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

This plot had **88** police reports for **2020**, which is **4 higher** than the **Citywide “High Crime”** average

State Census Tract Information:

This premise is located in Census Tract: **205.00**
Population for this tract is: **2,583**

On-sale license authorized by census tract: **8**
Active on-sale licenses: 35 with 0 pending

Off-sale licenses authorized by census tract: **2**
Active off-sale licenses: 15 with 0 pending

Departmental Recommendation:

Points of consideration: **0**

No opposition from **Mission Station**.

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

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

0 - Protest.

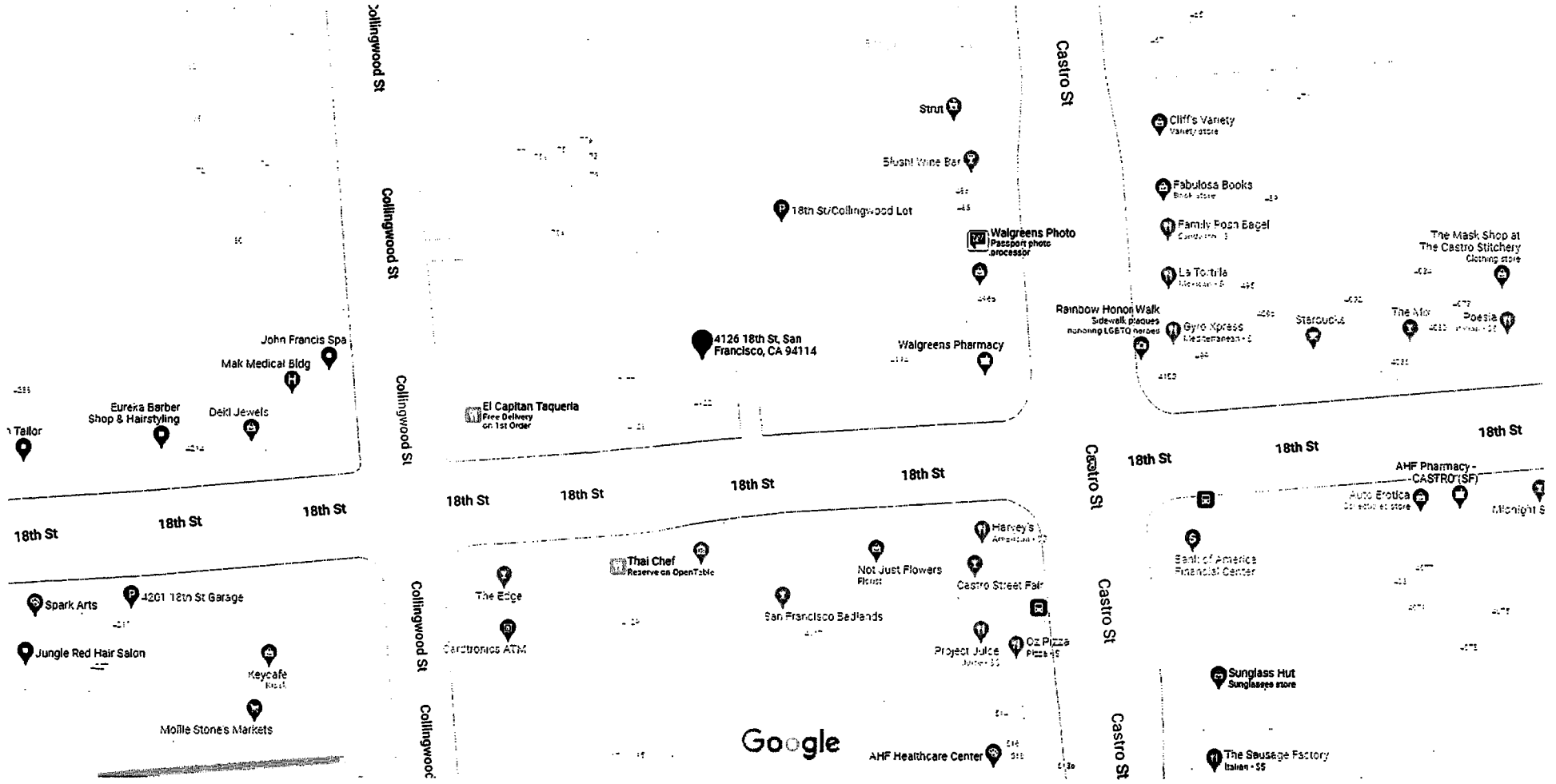
0 - Support

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

Conditions for Type 21- Off-Sale General

1. Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on ABC-253.

It should be noted that as of November 9, 2021 the applicant had agreed to the above listed recommended condition.



**LIQUOR LICENSE
PUBLIC CONVENIENCE OR
NECESSITY REFERRAL**

Received via Email
10/29/2021 @ 2:47 p.m.

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

DATE: October 20, 2021
AP Block/Lot Nos.: 2647/015
Zoning: Castro Street NCD 40-X
Quad: SW Planning Team
Record No.: 2021-010777MIS

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 a regular meeting in September of 2021.

PLEASE EMAIL YOUR RESPONSE BY November 5, 2021, to John Carroll, Public Safety and Neighborhood Services Committee Clerk.
john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Bottle Bacchanal, LLC

Business name: Bottle Bacchanal

Application address: 4126-18 Street
San Francisco, CA 94114

Applicant contact info: Beth Hughes, Owner of Bottle Bacchanal
203-444-2307
beth@bottlebacchanal.com
and, Jemma Jorel Lester
510-788-5881 ext 2
jemma@abclicensecompany.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: Cathleen Campbell Cathleen.campbell@sfgov.org 415-575-8732

Please print review comments in a trailing report.

POLICE REVIEW: Approval Denial

Please print review comments in a trailing report.

Bottle Bacchanal

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2021 OCT 18 PM 2:45 October 15, 2021

John Carroll, Assistant Clerk
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
415-554-4445

BY

JA

Re: Liquor License "PCN" Request
Transfer Type 21, *Pending License*: #628181
4216 18th St., San Francisco, CA 94114

To the Clerk of the Board,

The purpose of this letter is to respectfully request to be placed on the Board's calendar for Public Convenience and Necessity approval with regard to our Type 21 ABC license. We are trying to open an approachable but high-quality bottle shop to meet the tastes, budgets and curiosity of the Castro neighborhood's unique patrons.

Our business proves to be necessary in San Francisco, as there is a passion for natural wine, which is our focus, along with craft spirits and specialty beer. There needs to be outlets for the small batch, artisanal producers of liquor, beers and wine, along with education and events promoting them. We will carry everything needed to enjoy and share these products at home and with friends and family, including glassware, bar sets, and books.

Our desired hours of operation are 12:00pm - 8:00pm. We will vigilantly monitor the surrounding area to ensure the safety of our business and customers at all times and maintain a lawful business. Our experience in this area has allowed us to cultivate very good relationships with community leaders and members.

We seek the SF Board of Supervisor's affirmative ruling that our application serves the public convenience and necessity of our City.

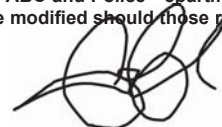
Please contact us along with our representative, Jemma Jorel Lester, for scheduling our hearing date. She can be reached at 510-788-5881 ext 2 or via email at jemma@abclicensecompany.com. Thank you for your kind consideration of this request.

Sincerely,


Beth Hughes, Owner, Bottle Bacchanal
(203) 444-2307
beth@bottlebacchanal.com

Recommend Approval ABC License Types-21 permitted pursuant to Planning Commission Motion 20982 under 2021-005099CUA. Liquor Store use is authorized for on site tastings per conditions of approval on September 9, 2021. The owners also have expressed intentions to see ing a Type 86 license which is subject to n Site ine Tastings Planning Code Requirements for Liquor Store Uses; 1 occur entirely during regular operating hours only, 2 ta e place no more than twice each wee for no more than four hours each occurrence and on a further occasional appointment-only basis, not occur on a premises on which any type of permit from the ntertainment Commission is held, 4 not occur in an area physically separated from the main liquor store retail area by full height partitions or partitions that otherwise prevent clear visual access to and from the main retail area and 5 be limited to one ounce servings and three servings per individual customer per day. Should th establishment not adhere to each of these five conditions it would be considered a bar. t was also noted that conditions 4 and 5, above, reflect ABC and Police epartment policies at the time of this interpretation, and may be modified should those regulations change.

Cathleen Campbell 10.29.21



4216 18TH STREET • SAN FRANCISCO, CA 94114



PLANNING COMMISSION MOTION NO. 20982

HEARING DATE: SEPTEMBER 9, 2021

Record No.: 2021-005099CUA
Project Address: 4126 18th Street
Zoning: Castro Street Neighborhood Commercial (NCD) Zoning District
40-X Height and Bulk District
Block/Lot: 2647/015
Project Sponsor: Beth Hughes
Bottle Bacchanal, LLC
4126 18th St
San Francisco, CA 94114
Property Owner: 4126-4130 18th Street LLC
P.O. Box 14021
San Francisco
Staff Contact: Cathleen Campbell – (628)-652-7387
Cathleen.Campbell@sfgov.org

ADOPTING FINDINGS TO ESTABLISH A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 202.2, 303, AND 715, TO ALLOW A LIQUOR STORE USE (D.B.A "BOTTLE BACCHANAL", SPECIALIZING IN NATURAL WINES AND ARTISANAL BEVERAGES) MEASURING 779 SQUARE FEET, ON THE GROUND FLOOR OF AN EXISTING THREE-STORY MIXED-USE BUILDING AT 4126 18TH STREET (ASSESSOR'S BLOCK 2647, LOT 015) WITHIN THE CASTRO STREET NEIGHBORHOOD COMMERCIAL ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On May 19, 2021 Beth Hugh's of Bottle Bacchanal, LLC (hereinafter "Project Sponsor") filed Application No. 2021-005099CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to allow a Liquor Store Use within an existing three-story mixed-use building (hereinafter "Project") at 4126 18th Street, Assessor's Block 2647 and Lot 015 (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act ("CEQA") under Class 3 categorical exemptions.

On September 9, 2021, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization (CUA) Application No. 2021-005099CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2021-005099CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2021-005099CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The proposal is for a new Liquor Store Use (D.B.A. "Bottle Bacchanal", specializing in natural wines and artisanal beverages) on the ground floor (approximately 779 square feet) of an existing tenant space. An existing 310 square feet accessory office use at the second floor is proposed to remain, for a total of 1,089 square feet commercial tenant space. The operators are also seeking a Type-86 ABC license to allow limited on-site tastings of certain wines and spirits in the store.
- 3. Site Description and Present Use.** The Project is located on one lot that is approximately 1,875 square feet. The property has an approximately 25-foot frontage along 18th Street and contains a three-story mix-use building with a commercial unit of approximately 1,089 square feet. The building was previously occupied by Specs in the City, a health services use and is currently vacant. The 1,089 square feet tenant space comprises of 779 square feet retail space at the first floor and a 310 square feet office use at the second floor.
- 4. Surrounding Properties and Neighborhood.** The Project Site is located within the Castro Street NCD. The immediate context is mixed in character with residential and commercial uses. The immediate neighborhood context includes one to three story commercial and mixed-use buildings along 18th and Castro Streets. Residential apartments and condo buildings that are two to three stories tall on other blocks. Market Street is three blocks away; it is a Transit Preferential Street from the General Plan. Castro Street is a shopping, entertainment, and dining destination for residents within the immediate area as well as those throughout the City. Other zoning districts in the vicinity of the Project Site include: RH-1 (Residential House, Single Family), RH-2 (Residential House, Two Family), RH-3 (Residential House, Three Family), and NC-1 (Neighborhood Commercial, Cluster)
- 5. Public Outreach and Comments.** The project sponsor canvassed local Castro Street businesses on August 13, 14, 21, 22. A petition was circulated and signed by 10 local businesses. The project sponsor presented at Castro Merchants Association on May 4 and Sept 2. The project sponsor will be presenting at the Eureka Valley Neighborhood Association on Sept. 14. Additionally, the Project sponsor correspondence directly with Okan Sengun, LGBT Asylum Project, Phil Kim, LYRIC Center for LGBTQ+ Youth, Castro Cultural Association, and Tom Temprano, Legislative Aide, office of supervisor Rafael Mandelman.

The Department has received correspondence from one person from the LGBT Asylum Project regarding the proposed project. This correspondence has expressed support to the project. Specifically, the correspondence expressed the support for a local entrepreneur to provide desirable goods and services to the neighborhood within an existing vacant space.

6. Planning Code Compliance. The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. Use.** The establishment of a Liquor Store Retail use in the Castro Street NCD Zoning District requires a Conditional Use Authorization pursuant to Planning Code Section 715.

The Project Sponsor is requesting a Conditional Use Authorization to establish a Liquor Store retail use in the Castro Street NCD.

- B. Use Size.** Within the Castro Street NCD, the Planning Code principally permits Retail Sales and Service Uses (including Liquor Store Retail use) at up to 1,999 sq ft per lot and conditionally permits them from 4,000 square feet and above.

The Project is a change of use to an existing 1,089 square feet tenant space, which is less than the 1,999 square feet principally permitted use size.

- C. Sidewalk Maintenance:** Planning Code Section 202.2(a)(6)(A) states that the Liquor Store Employees of the establishment shall walk a 100-foot radius from the premises sometime between 30 minutes after closing time and 8:00 a.m. the following morning, and shall pick up and dispose of any discarded beverage containers and other trash left by patrons.

The subject commercial space shall be maintained in compliance with this Section. The proposed use is subject to the standard conditions of approval for liquor stores and outlined in Exhibit A.

- D. Hours of Operation.** The Castro Street NCD principally permits Non-Residential uses to operate from 6 am to 2 am.

The Project Sponsor proposes that the business be open from 12pm to 8pm every day. Therefore, the Project has compliant hours of operation.

- E. Street Frontage in Mixed Use Districts.** Section 145.1 of the Planning Code requires that within Mixed Use Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed.

Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade. Planning Code Section 202.2(a)(6)(C) In addition, all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.

The subject commercial space complies with this requirement and shall be maintained in compliance with this Section. No significant modification to the front façade is proposed, and the interior changes do not impact compliance with this Section. The subject commercial space has approximately 14 feet 9 inches of frontage along 18th Street and the majority of the frontage devoted to the entry. The glazing is not to be obscured and all signage will be required to comply with Article 6 and 202.2(a)(6)(C) of the Planning Code. The proposed use is subject to the standard conditions of approval for liquor stores and outlined in Exhibit A.

- F. **On Site Wine Tastings:** Planning Code Interpretation, Subject: Wine and Beer Tasting, Liquor Stores, Bars, Effective Date: 8/05 (Revised 1/14), This Section states that within NC Districts, establishments that serve liquor with ABC License Types 42, 47, 49, 61, or 78 are considered "bar" uses. An interpretation rendered in November 1986 had asserted that "a wine tasting room as part of the retail sales of wine is treated as a bar in the Neighborhood Commercial Districts." It was noted that an exception to this interpretation involves cases in which intermittent and/or occasional wine and/or beer tasting is offered. This minor and related activity is analogous to the dispensation of sample-sized portions of food items by many grocers. Much as those grocers are not considered to be restaurant uses, liquor stores which provide incidental wine tastings are not considered to be bar uses, rather such tasting would comprise a permitted accessory use. Any such tasting would (1) occur entirely during regular operating hours only, (2) take place no more than twice each week for no more than four hours each occurrence and on a further occasional appointment-only basis, (3) not occur on a premises on which any type of permit from the Entertainment Commission is held, (4) not occur in an area physically separated from the main liquor store retail area by full-height partitions or partitions that otherwise prevent clear visual access to and from the main retail area and (5) be limited to one ounce servings and three servings per individual customer per day. Should the establishment not adhere to each of these five conditions it would be considered a "bar." It was also noted that conditions 4 and 5, above, reflect ABC and Police Department policies at the time of this interpretation, and may be modified should those regulations change.

The subject commercial use plans to offer on-site tastings of some of their products with a Type-86 ABC license. The subject use will adhere to the above interpretation requirements to maintain an accessory wine tasting use to the primary Liquor Store use. The proposed use is subject to the standard conditions of approval for liquor stores and outlined in Exhibit A.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The size of the proposed use is in keeping with other storefronts on the block face. The proposed liquor store will not impact traffic or parking in the District. The proposed use will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the Castro neighborhood by providing an upscale liquor retailer.

- B. The proposed project will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety, or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape, and arrangement of structures;

The height and visible bulk of the existing building will remain the same. The Project will not alter the existing appearance or character of the project vicinity.

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Planning Code does not require parking or loading for any uses, and the site is very well served by transit services.

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust, and odor;

The proposed use is subject to the standard conditions of approval for liquor stores and outlined in Exhibit A. The Project is not expected to produce noxious or offensive emissions related to noise, glare, and dust.

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The Project would not alter the site's landscaping, open spaces, parking and loading areas, service areas, or lighting. All new signage will be made to comply with the requirements of Article 6 of the Planning Code.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

- D. That use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

The Project Site is in the Castro Street NCD, where Liquor Store Retail Uses are allowed on the first floor of buildings with a Conditional Use Authorization. The Applicant is pursuing a CUA in compliance with Section 715. The proposed project is consistent with the stated purpose of the Castro Street Neighborhood Commercial District in that the intended use is located at the ground

floor and will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime and early evening hours.

- 8. Additional Conditional Use Findings for Liquor Store Uses** Planning Code Section 303 (z) outlines additional findings for the Commission when reviewing proposals for new Liquor Stores. The Commission shall consider “With regard to the Conditional Use application for a Liquor Store use, the Planning Commission shall consider, in addition to the criteria set forth in subsection (c) above:(1) the existing concentration of Liquor Store uses within 300 feet of the proposed location; and (2) the availability of General Grocery or Specialty Grocery stores in the area selling alcoholic beverages as well as a range of foods.”

The subject parcel is not located within a 300-foot radius of a parcel containing an existing Liquor Store use. Alcoholic beverages may be purchased within the several General Grocery or Specialty Grocery stores along 18th and Castro Streets, specifically, Rossi’s Deli, Mollie Stones Market, and Walgreens. The Bottle Bacchanal will be in keeping with the scale and character of the District, will support retail activity in the area, and will help meet neighborhood demand for natural wines and artisanal beverages.

- 9. General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

NEIGHBORHOOD COMMERCE

Objectives and Policies

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

Policy 1.2

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

Policy 1.3

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.1

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1:

Promote the attraction, retention, and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

Policy 3.2

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

OBJECTIVE 4

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.8:

Provide for the adequate security of employees and property.

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.1

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

Policy 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

Policy 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship, and which are responsive to economic and technological innovation in the market place and society

The proposal is for a new Liquor Store Use (D.B.A. "Bottle Bacchanal", specializing in natural wines and artisanal beverages) on the ground floor (approximately 779 square feet) of an existing tenant space. An existing 310 square foot accessory office use at the second floor is proposed to remain, for a total of 1,089 square feet commercial tenant space. The subject commercial use plans to offer on-site tastings of some of their products with a Type-86 ABC license. The Project is not a Formula Retail use.

The proposed use will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community. The Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan. The proposal would enhance the district by providing an upscale liquor store in an area that is not over concentrated by similar uses. The business would be locally owned, and the proposed alterations are within the existing building footprint.

The Project would activate an existing, vacant storefront with a new Liquor Store use, providing goods that are desirable for the neighborhood and attracting new customers to the vicinity. Castro Street is a central shopping, dining, and entertainment corridor, offering goods and services at a variety of price-points. Bottle Bacchanal will support the activation of the Castro Street commercial corridor from coronavirus-induced temporary and permanent business closures and will be conveniently located so as to be accessible to tens-of-thousands residents. Overall, there exists a diversity and balance of goods and services within the general vicinity and the proposed Project would help maintain that balance.

10. Planning Code Section 101.1(b) establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The proposal would enhance the district by providing an upscale liquor store in an area that is not over concentrated by similar uses. The business would be locally owned and the proposed alterations are within the existing building footprint.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

No housing is impacted by the Project. The building exterior is maintained, preserving neighborhood character. Residential units in the surrounding neighborhood would not be adversely affected by the project. The proposed establishment's operations are not expected to have any negative impacts on the neighborhood or its character

- C. That the City's supply of affordable housing be preserved and enhanced,

The Project has no effect on housing and does not convert housing to a non-residential use.

- D. That commuter traffic does not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project site is extremely well-served by transit. It is presumable that the employees would commute by transit thereby minimizing possible effects on neighborhood street parking.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The existing 310 square feet office use at the second floor is proposed to remain and will be used by the Project Sponsor for operations associated with the Liquor Store use and will not be open or accessible to the public. There is no commercial office development associated with the Project and there would be no displacement of any existing industrial or service businesses in the area.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

Any construction associated with Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code.

- G. That landmarks and historic buildings be preserved.

This Project would not impact the Historic Resource status of this property.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project will have no adverse effect on existing parks and open spaces.

- 11.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 12.** The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety, and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2021-005099CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated May 3, 2021, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action, or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives NOTICE that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 9, 2021.



Jonas P Ionin Digitally signed by Jonas P Ionin
Date: 2021.10.18 10:14:23 -07'00'

Jonas P. Ionin
Commission Secretary

AYES: Tanner, Diamond, Fung, Imperial, Moore, Koppel
NAYS: None
ABSENT: Chan
ADOPTED: September 9, 2021

EXHIBIT A

Authorization

This authorization is for a conditional use to allow a Liquor Store use, measuring approximately 779 Square Feet, on the ground floor of an existing three-story mixed-use building at 4126 18th Street, Block 2647 and Lot 015, pursuant to Planning Code Sections 202.2, 303, and 715, within the Castro Street NCD Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated May 3, 2021, and stamped “EXHIBIT B” included in the docket for Record No. 2021-005099CUA and subject to conditions of approval reviewed and approved by the Commission on September 9, 2021 under Motion No. **20982**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on September 9, 2021 under Motion No. **20982**.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **20982** shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section, or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. “Project Sponsor” shall include any subsequent responsible party.

Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 6. Additional Project Authorization.** The Project Sponsor shall obtain operating licenses from Alcoholic Beverage Control prior to commencing any Liquor Sales, wine tastings, or other activities per Planning Code Section 202.2(a)(6) and Planning Code Interpretation, Subject: Wine and Beer Tasting, Liquor Stores, Bars, Effective Date: 8/05 (Revised 1/14).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Design – Compliance at Plan Stage

- 7. Transparency and Fenestration.** Pursuant to Planning Code Section 145.1, the site shall be maintained with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade. In addition, Planning Code Section 202.2(a)(6)(C) requires all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

- 8. Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

- 9. Garbage, Composting, and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility, and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

- 10. Signage.** Signs must be permitted and shall be subject to review and approval by Planning Department. Compliance with Article 6 and Sections 202.2(a)(6), 145, 303.1, and 703.3 of the Planning Code will be required. Planning Code Section 202.2(a)(6)(A) requires all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the

premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

Monitoring - After Entitlement

- 11. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 12. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Operation

- 13. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. Planning Code Section 202.2(a)(6)(A) states that the Liquor Store Employees of the establishment shall walk a 100-foot radius from the premises sometime between 30 minutes after closing time and 8:00 a.m. the following morning, and shall pick up and dispose of any discarded beverage containers and other trash left by patrons.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, www.sfpublishworks.org

- 14. Transparency Advertising and Signage.** Planning Code Section 202.2(a)(6)(A) requires all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

- 15. On Site Wine Tastings:** Planning Code Interpretation, Subject: Wine and Beer Tasting, Liquor Stores, Bars, Effective Date: 8/05 (Revised 1/14) Requires (1) occur entirely during regular operating hours only, (2) take place no more than twice each week for no more than four hours each occurrence and on a further occasional appointment-only basis, (3) not occur on a premises on which any type of permit from the Entertainment Commission is held, (4) not occur in an area physically separated from the main liquor store retail area by full-height partitions or partitions that otherwise prevent clear visual access to and from the main retail area and (5) be limited to one ounce servings and three servings per individual customer per day. Should the establishment not adhere to each of these five conditions it would be considered a "bar." It was also noted that conditions 4 and 5, above, reflect ABC and Police Department policies at the time of this interpretation, and may be modified should those regulations change.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7313, www.sfplanning.org

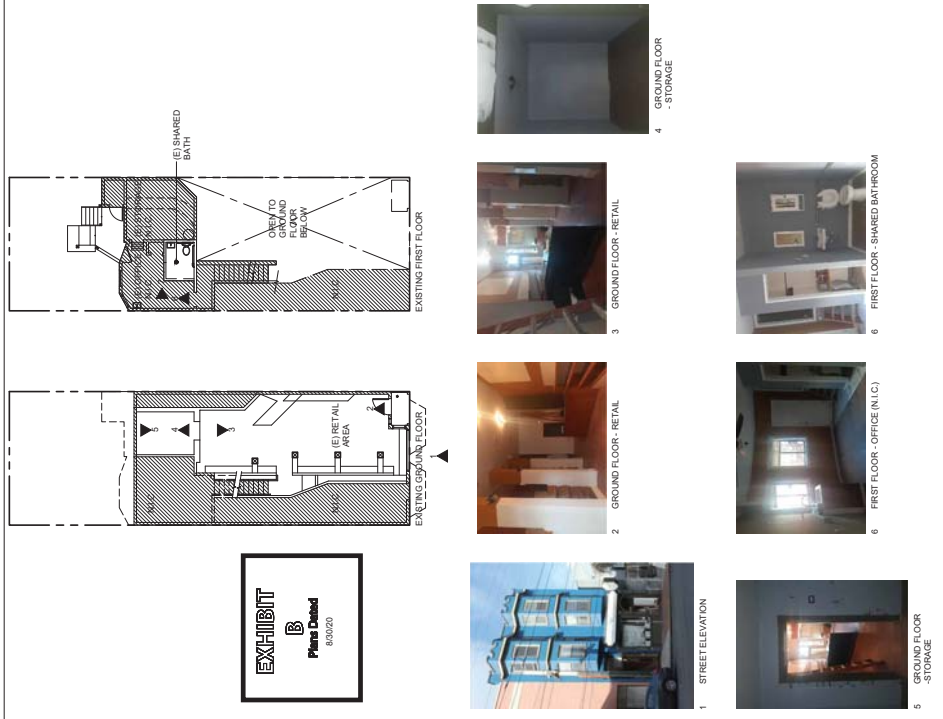
- 16. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

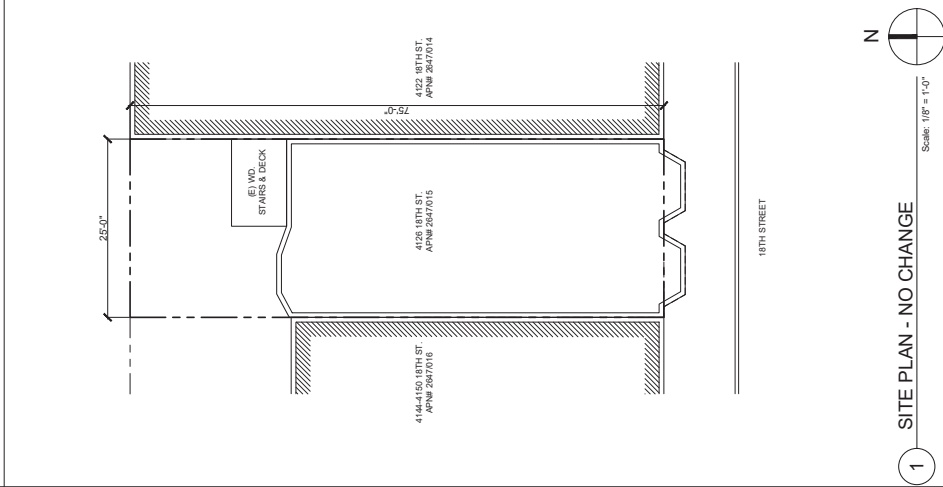
CONDITIONAL USE PERMIT BOTTLE BACCHANAL 4126 18TH STREET SAN FRANCISCO, CA 94114



EXISTING CONDITIONS



SITE PLAN



SHEET INDEX

A0.0	TITLE SHEET
A1.0	EXISTING FLOOR PLANS

PROJECT INFORMATION

PROJECT DESCRIPTION
 INTERIOR RENOVATION OF EXISTING RETAIL SPACE. NO EXTERIOR STOREFRONT WORK TO BE PERFORMED.
 PROJECT ADDRESS: 4126 18TH STREET, SAN FRANCISCO, CALIFORNIA 94114
 APN: (BLOCK/LOT): 264715

LOT SIZE: 1,875 SF.
 TOTAL BUILDING AREA: 4,650 SF
 EXISTING PROPOSED USE AREA:
 EXISTING GROUND FLOOR USE AREA: 779 SF
 EXISTING SECOND FLOOR USE AREA: 779 SF
 NO CHANGE IN USE AREA.

BUILDING HT. BULK: 40'-0" MAX.
 BUILDING TYPE: V
 ZONING DISTRICT: NCD-CASTRO STREET NEIGHBORHOOD COMMERCIAL
 SPECIAL SIGN DISTRICT: NO
 ADA PERMIT @ ENTRY: YES
 ADD HANDSHP FOR ENTRY: 2003 10026459 & 2003 10319150 POWER DR W/ PUSH PADS.

WINE TASTING ACCESSORY USE

TASTINGS TO BE LIMITED TO NO MORE THAN ONE THIRD OF THE TOTAL FLOOR AREA. TASTINGS SHALL BE LIMITED TO ONE THIRD OF THE TOTAL FLOOR AREA WHICH IS ACCESSORY AND TASTING NOT TO OCCUR IN AN AREA PHYSICALLY SEPARATED FROM THE MAIN LIQUOR STORE RETAIL AREA BY FULL-HEIGHT PARTITIONS OR PARTITIONS THAT OTHERWISE PREVENT CLEAR VISUAL ACCESS TO AND FROM THE MAIN RETAIL AREA.

PROJECT DESCRIPTION

(E) INTERIOR COSMETIC ALTERATIONS FOR NEW TENANT. NO STRUCTURAL WORK TO BE PERFORMED. (E) TUBBING FIXTURES AND SHELVES TO REMAIN.

APPLICABLE CODES

SAN FRANCISCO PLANNING CODE
 SAN FRANCISCO GENERAL PLAN

PROJECT DIRECTORY

ARCHITECT
 TECTA ASSOCIATES
 JEREMY PAUL
 SAN FRANCISCO, CA 94110
 (415) 382-5857 (FAX)
 CONTACT AHMAD MOHAZAB
 AHMAD@TECTA.COM
 CASMIR@TECTA.COM

OWNER
 BETH HUGHES
 BETH@BOTTLEBACCHANAL.COM
 SAN FRANCISCO, CA 94114
 (415) 999-8050
 JERICM@GOLDHORNK.COM

PERMIT CONSULTANT
 JERICM@GOLDHORNK.COM



ARCHITECTURAL PROJECT NO.: 2100305

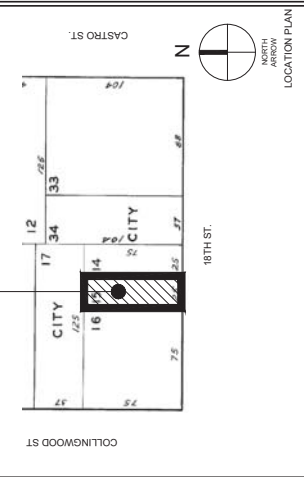
BOTTLE BACCHANAL
 4126 18th STREET
 SAN FRANCISCO, CALIFORNIA 94114

NO.	DATE	REVISIONS

COMMISSION HEARING: 09/29/2021

DRAWING TITLE:
 COVER SHEET

DRAWING NUMBER:
A0.0



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

State of California

Ms. Paola Hurtado,
Consultant
(510) 788-5881
X3

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

File Number: **628181**
 Receipt Number: **2675130**
 Geographical Code: **3800**
 Copies Mailed Date: **July 12, 2021**
 Issued Date:

DISTRICT SERVING LOCATION: **SAN FRANCISCO** 2647/015
 First Owner: **BOTTLE BACCHANAL LLC** SW
 Name of Business: **BOTTLE BACCHANAL** NCD
 Location of Business: **4126 18TH ST** 2021-006972MIS
SAN FRANCISCO, CA 94114-2410

County: **SAN FRANCISCO**
 Is Premises inside city limits? **Yes** Census Tract: **0205.00**

Mailing Address:(If different from premises address) **2426 MISSION ST # 1 SAN FRANCISCO, CA 94110-2452**

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

Transferor's license/name: **348377 / LEE, ELLIE YANG**

<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	STATE FINGERPRINTS	NA	1	07/12/21	\$39.00
Application Fee	DBL TRF: PREMISES AND PERSON	NA	0	07/12/21	\$1,250.00
Application Fee	FEDERAL FINGERPRINTS	NA	1	07/12/21	\$24.00
21 - Off-Sale General	ANNUAL FEE	NA	0	07/12/21	\$814.00
Total					\$2,127.00

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: July 12, 2021

Applicant Name(s)

BOTTLE BACCHANAL LLC

Recommend Approval ABC License Types-21 permitted pursuant to Planning Commission Motion 20982 under 2021-005099CUA. Liquor Store use authorized for on site tastings per conditions of approval on September 9, 2021.

Cathleen Campbell 10/29/22



LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

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

DATE: October 20, 2021
AP Block/Lot Nos.: 2647/015
Zoning: Castro Street NCD 40-X
Quad: SW Planning Team
Record No.: _____

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 a regular meeting in September of 2021.

PLEASE EMAIL YOUR RESPONSE BY November 5, 2021, to John Carroll, Public Safety and Neighborhood Services Committee Clerk.
john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Bottle Bacchanal, LLC

Business name: Bottle Bacchanal

Application address: 4126-18 Street
San Francisco, CA 94114

Applicant contact info: Beth Hughes, Owner of Bottle Bacchanal
203-444-2307
beth@bottlebacchanal.com
and, Jemma Jorel Lester
510-788-5881 ext 2
jemma@abclicensecompany.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: _____

Please print review comments on a trailing page.

POLICE REVIEW: Approval Denial

Please print review comments in a trailing report.

Bottle Bacchanal

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2021 OCT 18 PM 2:45 October 15, 2021

John Carroll, Assistant Clerk
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
415-554-4445

BY

JA

Re: Liquor License "PCN" Request
Transfer Type 21, *Pending License*: #628181
4216 18th St., San Francisco, CA 94114

To the Clerk of the Board,

The purpose of this letter is to respectfully request to be placed on the Board's calendar for Public Convenience and Necessity approval with regard to our Type 21 ABC license. We are trying to open an approachable but high-quality bottle shop to meet the tastes, budgets and curiosity of the Castro neighborhood's unique patrons.

Our business proves to be necessary in San Francisco, as there is a passion for natural wine, which is our focus, along with craft spirits and specialty beer. There needs to be outlets for the small batch, artisanal producers of liquor, beers and wine, along with education and events promoting them. We will carry everything needed to enjoy and share these products at home and with friends and family, including glassware, bar sets, and books.

Our desired hours of operation are 12:00pm - 8:00pm. We will vigilantly monitor the surrounding area to ensure the safety of our business and customers at all times and maintain a lawful business. Our experience in this area has allowed us to cultivate very good relationships with community leaders and members.

We seek the SF Board of Supervisor's affirmative ruling that our application serves the public convenience and necessity of our City.

Please contact us along with our representative, Jemma Jorel Lester, for scheduling our hearing date. She can be reached at 510-788-5881 ext 2 or via email at jemma@abclicensecompany.com. Thank you for your kind consideration of this request.

Sincerely,



Beth Hughes, Owner, Bottle Bacchanal
(203) 444-2307
beth@bottlebacchanal.com