

Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Friday, December 23, 2022 9:53 AM
To: Salmonson, Joel (POL)
Cc: Oropeza, Edgar (CPC); Samonsky, Ella (CPC); CPC.Referrals; Wong, Joanne (POL); Jonas, Stephen (POL); Wong, Alan (BOS); Alabanza, Analyn@ABC; amarjit.tamber@abc.ca.gov; Ferrigno, Jennifer (BOS); Herrera, Ana (BOS); Lerma, Santiago (BOS); Saini, Nikita (BOS); Heller, Morgan (ECN); Alejandro Aguayo
Subject: RE: Liquor License Transfer - 3336-24 Street - Francisco Javier Villalobos
Categories: 221297

Good morning,

The Planning Department has completed their review of the subject application, and has forwarded their recommendation for approval. For your convenience, I have the review available from the link below:

[Planning Dept. Response - Received December 22, 2022](#)

The matter is now awaiting review by the Police Department's ALU.

After receiving review from the Police Department, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for their consideration in the license matter.

The Public Safety and Neighborhood Services Committee will tentatively schedule this hearing for a regular meeting in February of 2023.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 221297](#)

Thanks for the review.

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

BOARD of SUPERVISORS



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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: CPC Referrals
Phone No. edgar.oropeza@sfgov.org

DATE: December 22, 2022

AP Block/Lot Nos.: 3643/013
Zoning: Mission NCT 55-X
Quad: Mission
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 the regular meeting of February 23, 2023.

PLEASE EMAIL YOUR RESPONSE by January 6, 2023, to:
John Carroll, Public Safety and Neighborhood Services Committee Clerk.
john.carroll@sfgov.org ~ (415) 554-4445

Applicant name: Francisco Javier Villalobos

Business name: TBD

Application address: 3336-24 Street
San Francisco, CA 94110

Applicant contact info: Francisco Javier Villalobos 415-706-1488
Alejandro Aguayo regalitoalex@gmail.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: edgar.oropeza@sfgov.org
(Please add comments on a trailing page.)

POLICE REVIEW: Approval Denial

(Please add comments in a trailing report.)

Carroll, John (BOS)

From: Oropeza, Edgar (CPC)
Sent: Thursday, December 22, 2022 2:39 PM
To: Carroll, John (BOS); Samonsky, Ella (CPC)
Subject: Re: Liquor License Transfer - 3336-24 Street - Francisco Javier Villalobos
Attachments: ABC referral - 3336 24th St - Francisco Javier Villalobos (ID 1342423).pdf

Categories: 221297

Hi and thank you for your attention to this email.

The Planning Department recommends to approve the type 48 proposed at 3336 24th Street. This recommendation is for a change of ownership only. The legal commercial use for the said address is a bar use as defined in section 102 of the Planning Code.

The existing bar use is located in the [Mission Alcohol Restrict Special](#) Use District. Per section 249.60,

(c) **Existing Liquor Establishments.** For purposes of this subsection, "liquor establishment" shall mean any establishment licensed by the State of California to sell alcoholic beverages except for those uses listed in subsection (b)(1)-(2) above. Any liquor establishment lawfully existing prior to the effective date of this Ordinance No. [180-13](#) and licensed by the State of California for the retail sale of alcoholic beverages, so long as otherwise lawful, is considered a nonconforming use pursuant to Section [180](#), and is subject to the restrictions of Sections [181](#) and [183](#) with the following exceptions:

(a) **Discontinuance and Abandonment of a Nonconforming Use, Generally.** Whenever a nonconforming use has been changed to a conforming use, or discontinued for a continuous period of three years, or whenever there is otherwise evident a clear intent on the part of the owner to abandon a nonconforming use, such use shall not after being so changed, discontinued, or abandoned be reestablished, and the use of the property thereafter shall be in conformity with the use limitations of this Code for the district in which the property is located. Where no enclosed building is involved, discontinuance of a nonconforming use for a period of six months shall constitute abandonment.



ARTICLE 7: NEIGHBORHOOD COMMERCIAL DISTRICTS - American Legal Publishing Corporation

Disclaimer: This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality. American Legal Publishing Corporation provides these documents for informational purposes only. These

documents should not be relied upon as the definitive authority for local legislation.

codelibrary.amlegal.com

Email is the best way to reach me. See below for more information.

**Edgar Oropeza, Senior Planner
PIC Specialist, Districts 9 & 10**

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7416 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Carroll, John (BOS) <john.carroll@sfgov.org>

Sent: Thursday, December 22, 2022 11:28 AM

To: CPC.Referrals <CPC.Referrals@sfgov.org>; Salmonson, Joel (POL) <Joel.R.Salmonson@sfgov.org>

Cc: Wong, Joanne (POL) <joanne.k.wong@sfgov.org>; Jonas, Stephen (POL) <Stephen.Jonas@sfgov.org>; Wong, Alan (BOS) <alan.wong1@sfgov.org>; Alabanza, Analyn@ABC <Analyn.Alabanza@abc.ca.gov>; amarjit.tamber@abc.ca.gov <amarjit.tamber@abc.ca.gov>; Ferrigno, Jennifer (BOS) <jennifer.ferrigno@sfgov.org>; Herrera, Ana (BOS) <ana.herrera@sfgov.org>; Lerma, Santiago (BOS) <santiago.lerma@sfgov.org>; Saini, Nikita (BOS) <nikita.saini@sfgov.org>; Oropeza, Edgar (CPC) <edgar.oropeza@sfgov.org>; Heller, Morgan (ECN) <morgan.heller@sfgov.org>; Alejandro Aguayo <regalitoalex@gmail.com>

Subject: Liquor License Transfer - 3336-24 Street - Francisco Javier Villalobos

Greetings,

The office of the Clerk of the Board has received a letter requesting public convenience or necessity findings for a liquor license transfer. I'm referring this matter to you for response via the following linked document:

[Referral Letter - Planning and Police Departments – December 22, 2022](#)

You may review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 221297](#)

After receiving review from the Planning and Police Departments, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for consideration in the license matter.

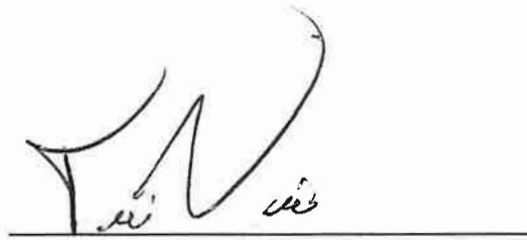
The Public Safety and Neighborhood Services Committee may tentatively schedule this hearing for a regular meeting in February of 2023.

I request the Planning Department's response before January 6, 2023. Please confirm receipt of this message.

You may review the fact sheet for public convenience or necessity requests from the San Francisco Board of Supervisors via the following link:

To the Board of Supervisors

My name is Francisco Javier Villalobos, previous owner of Spitfire Rose, a bar located at 1790 San Jose Ave San Francisco, CA 94112. I am requesting to relocate my type 48 liquor license in a location the always been a bar for a decades the used be call the attic or 24 street bar. Which authorizes me to sell beer, wine, and spirits to the address 3336 24th St, San Francisco, CA 94110. I want to open up a community bar that represents the San Francisco Mission culture and allows for people in the neighborhood to come socialize while having a few drinks. As the owner, I will add a security cameras around the bar and outside the bar also I will ensure I take all the right steps to make sure my business does not interfere with the quiet enjoyment of the nearby residences. Everything will be operated indoors and the entertainment will only consist of background music and two, maximum three, TV's. With me controlling both entertainment systems, noise levels will be controlled at a regular volume to make sure noise coming from inside the business does not come out. The max capacity of the bar is 50 people and the base clientele will consist of people from the neighborhood as well as tourists. The desired hours of operations will be from 12:00 noon till 2:00 AM with flexible times for operation.



Att: Francisco Villalobos

415) 706 1488

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2022 DEC 21 PM 3:03
BY 

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 *Villalobos, Francisco Javier*

2. PREMISES ADDRESS (Street number and name, city, zip code) *3336 24th St., San Francisco, CA 94110*

3. LICENSE TYPE *48*

4. TYPE OF BUSINESS

<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Hofbrau/Cafeteria	<input checked="" type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club
<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input checked="" 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		

<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"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline	
<input type="checkbox"/> Other - describe:			

5. COUNTY POPULATION *875,070*

6. TOTAL NUMBER OF LICENSES IN COUNTY
 On-Sale Off-Sale

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

8. CENSUS TRACT NUMBER *209*

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

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

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)
 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 *954*

14. TOTAL NUMBER OF REPORTING DISTRICTS
654

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS
54,049

16. AVERAGE NO. OF OFFENSES PER DISTRICT
82.64

17. 120% OF AVERAGE NUMBER OF OFFENSES
99.16

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT
219

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)

AM

WRB

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Francisco Villalobos

(415) 706-1488

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

File Number: 644296
Receipt Number: 2763966
Geographical Code: 3800
Copies Mailed Date: November 23, 2022
Issued Date:

DISTRICT SERVING LOCATION: SAN FRANCISCO

First Owner: VILLALOBOS, FRANCISCO JAVIER

Name of Business:

Location of Business: 3336 24TH ST
SAN FRANCISCO, CA 94110-3825

County: SAN FRANCISCO

Is Premises inside city limits? Yes Census Tract: 0209.00

Mailing Address:(If different from premises address) 811 TREAT AVE
APT # 3
SAN FRANCISCO, CA 94110-2734

Type of license(s): 48 Dropping Partner: Yes No

Transferor's license/name: 427974 / VILLALOBOS, FRANCISCO JAVIER

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Table with 4 columns: License Type, Transaction Type, Master, Secondary LT And Count. Row 1: 48 - On-Sale General Public Premises, PRM, Y.

Table with 6 columns: License Type, Transaction Description, Fee Code, Dup, Date, Fee. Row 1: Application Fee, PREMISES TO PREMISES TRF, NA, 0, 11/23/22, \$815.00. Total: \$815.00

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: November 23, 2022

Applicant Name(s)

VILLALOBOS, FRANCISCO JAVIER

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

File Number: 644296
Receipt Number: 2763966
Geographical Code: 3800
Copies Mailed Date: November 23, 2022
Issued Date:

DISTRICT SERVING LOCATION: SAN FRANCISCO 3643/013
First Owner: VILLALOBOS, FRANCISCO JAVIER Dist 9
Name of Business: NCT
Location of Business: 3336 24TH ST 2022-011535MIS
SAN FRANCISCO, CA 94110-3825
County: SAN FRANCISCO
Is Premises inside city limits? Yes Census Tract: 0209.00
Mailing Address:(If different from premises address) 811 TREAT AVE
APT # 3
SAN FRANCISCO, CA 94110-2734
Type of license(s): 48 Dropping Partner: Yes ___ No
Transferor's license/name: 427974 / VILLALOBOS, FRANCISCO JAVIER

<u>License Type</u>	<u>Transaction Type</u>	<u>Master</u>	<u>Secondary LT And Count</u>		
48 - On-Sale General Public Premises	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	PREMISES TO PREMISES TRF	NA	0	11/23/22	\$815.00
Total					\$815.00

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: November 23, 2022

Applicant Name(s)

VILLALOBOS, FRANCISCO JAVIER

Recommend to approve the existing bar, type 48 use located at 3336 24th Street. this use was not deemed abandoned per section 178.

E. Lopez 11/29/2022



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control

Report Date: Thursday, December 22, 2022

LICENSE INFORMATION

License Number: 644296 **Primary Owner:** VILLALOBOS, FRANCISCO JAVIER

Office of Application: 24 - SAN FRANCISCO

BUSINESS ADDRESS

3336 24TH ST , SAN FRANCISCO, CA, 94110

County: SAN FRANCISCO **Census Tract:** 0209.00

LICENSEE INFORMATION

Licensee: VILLALOBOS, FRANCISCO JAVIER

LICENSE TYPES

Allow up to six weeks for expiration date updates after fee waiver or renewal fee submittal.

48 - ON-SALE GENERAL PUBLIC PREMISES

License Type Status: PENDING **Status Date:** 23-NOV-2022 **Term:** 12 Month(s)

Original Issue Date: **Expiration Date:** **Master:** Y **Duplicate:** **Fee Code:** P40

Transfers: From License Number: [48-427974](#)

OPERATING RESTRICTIONS:

No Operating Restrictions found

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

Hold Type: FORM 220 **Hold Date:** 23-NOV-2022

ESCROWS:

No Escrow found