

**From:** [Marc Bruno](#)  
**To:** [BOS Legislation, \(BOS\)](#); [BOS-Legislative Aides](#); [BOS-Supervisors](#)  
**Cc:** [angela.cavillo@sfgov.org](mailto:angela.cavillo@sfgov.org); [Marc Bruno](#)  
**Subject:** Agenda Item 25, File 220727: New Beer & Wine License at 775 Filbert Street  
**Date:** Tuesday, November 15, 2022 1:55:26 PM  
**Attachments:** [SFPD Recommendation 110322.pdf](#)  
[PCN Request 090222.pdf](#)

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*Re: Agenda Item 25, File 220727: New Beer & Wine License at 775 Filbert Street, a location that has never before served as a bar or a restaurant and has numerous residents living directly above.*

November 15, 2022

Dear Supervisors, Clerk of the Board and Legislative Aides:

I oppose the applicant's request for an exception to the overly saturated number of bars in this technically determined "high crime" neighborhood.

The SFPD report, attached, reads, on P. 3 of 4:

"Applicant premise is located in a **"High Crime"** area.

Applicant premise is located in a **"High Concentration"** area."

["High Crime" and "High Concentration" boldface in original report.]

Consequent to the high concentration of bars and the high crime, SFPD approves the application **with these two conditions:**

(1) No loitering,

and

(2) "No noise shall be audible at any nearby residence."

In direct contradiction to Condition (2), alcohol permit applicant writes that his business hours shall be "Daily 7 a.m. to 12 a.m.," and, further, his plan "is to make the shared space outside 775 Filbert a place where tourists and locals can come and 'lock their love' as the parkette will feature the words 'I love you' in every language."

["Request for Determination of Public Convenience or Necessity at 775 Filbert" Pp 1, 2, attached.]

While I admire the idea of painting "Love" in many languages on a shared space, what "love" does applicant show his neighbors when not a single one has written a letter favoring a business plan that includes a noisy outdoor space open until midnight?

\* \* \*

In this respect, it is important to note that many neighbors never received notice of the application, and, further, that the lowest edge of the requisite notice on the building is seven feet above the sidewalk, making it almost impossible to read.

\* \* \*

The Board of Supervisors should not approve this application nor the report of the Board's "Public Safety" Subcommittee because the conditions upon which the SFPD approved this, namely, "No noise shall be audible at any nearby resident" is contradicted by the applicant's own business plan.

Applicant's request is an egregious contradiction of the conditions that, "No noise shall be audible at any nearby residence."

**The Proposed Bar is Too Small to Run without a Shared Space**

775 Filbert is 290 square feet. Most recently, it was used as a vegan grocery store, a neighborhood serving business. Applicant's stated plan to add square footage with a shared patio (a shared space) makes business sense, but it is not sensible for this location. Furthermore, it contradicts the conditions upon which it was approved.

Sincerely,

Marc Bruno

15 Nobles Alley

San Francisco CA 94133

(and)

St. Vincent de Paul Society, St. Peter and Paul Church

666 Filbert Street / San Francisco, CA 94133



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 Myrna Melgar**

**From:** Lt. Steve Jonas #79  
Officer in Charge  
ALU/Permits Unit 415-553-9550

**Date:** November 3, 2022

**Subject:** P.C.N. Investigation Regarding: Chez Brando, LLC  
DBA: Chez Brando  
775 Filbert St.  
San Francisco, CA. 94133

Chez Brando LLC, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 42 (On-Sale Beer and Wine Public Premise) license to be located at 775 Filbert St. (located between Powell St. and Mason St.)

**Hours of Operation:**

7:00 am to 12:00 am, each day of the week.

**Digest:**

Chez Brando would like to operate a wine bar to be located at 775 Filbert St. If approved, this license will allow them to sell Beer and Wine.

**Letters of Protest**

1

**Letters of Support**

3

**Police Calls for Service:**

From August 2021 to August 2022

**1 call for service**

**Police Reports:**

From August 2021 to August 2022

**0 police reports**

**San Francisco Plot Information:**

This premise is located in Plot: **120**

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

This plot had 98 police reports for **2021**, which is 2 **higher** than the **Citywide “High Crime”** average

**State Census Tract Information:**

This premise is located in Census Tract: **107.02**

Population for this tract is: **1,626**

On-sale license authorized by census tract: **5**

Active on-sale licenses: 46 with 0 pending

Off-sale licenses authorized by census tract: **1**

Active off-sale licenses: 6 with 0 pending

**Departmental Recommendation:**

Points of consideration: **5**

No opposition from **Central Station**.

Applicant premise **is** located in a "**High Crime**" area.

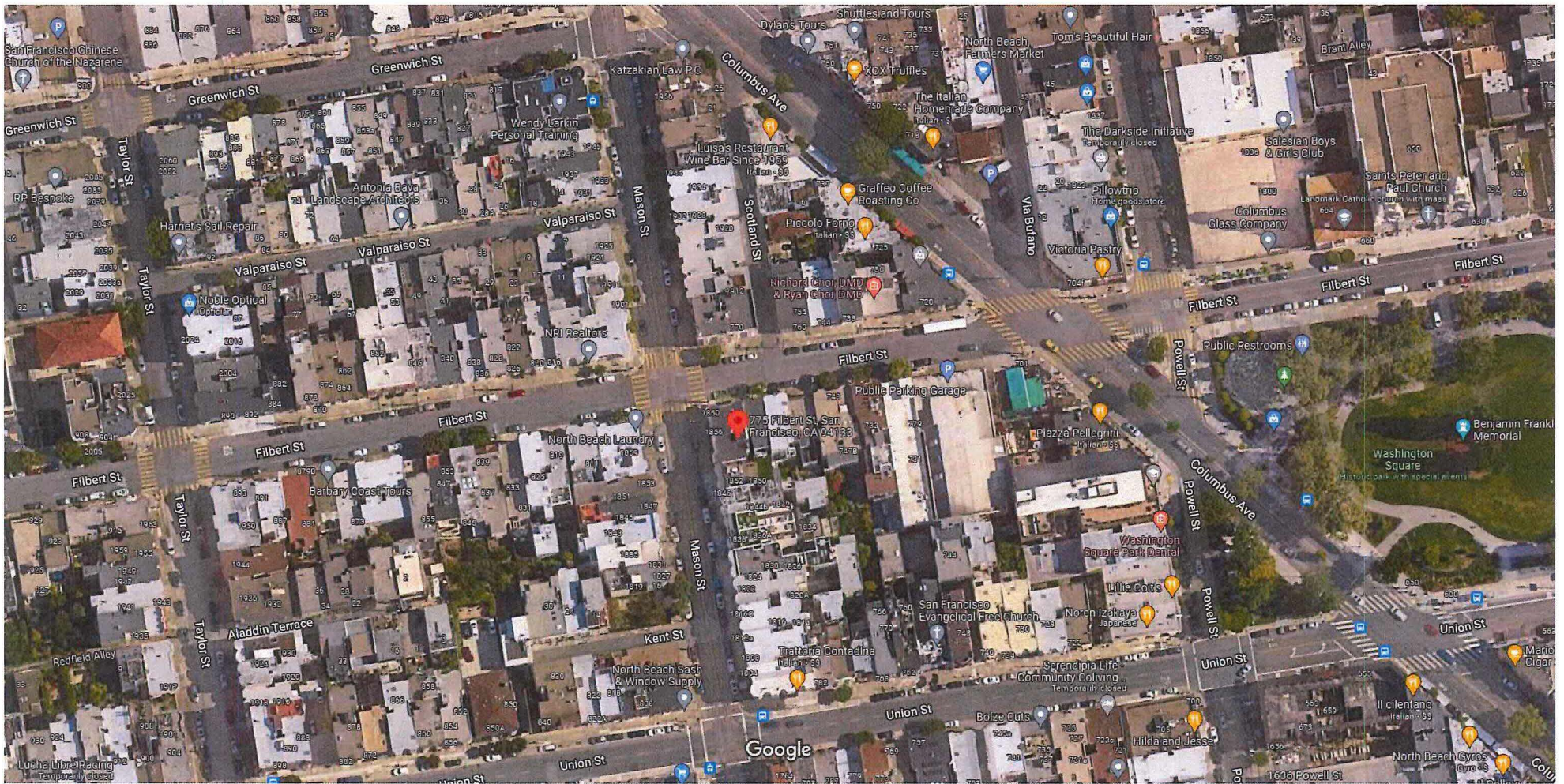
Applicant premise **is** located in a "**High Concentration**" area.

**1** - Protest.

**3** - Support

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

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 the ABC-253.
2. No noise shall be audible at any nearby residence.



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

September 1, 2022

Subject: Request for Determination of Public Convenience or Necessity

Applicant:

Brando Jessie  
4153233773 or 6289467863  
[brando@chezbrando.com](mailto:brando@chezbrando.com)

Business:

Chez Brando LLC  
775 Filbert Street, San Francisco, CA 94133

Mailing Address:

Brando Jessie  
1854 Mason Street, San Francisco, CA 94133

License Type: 42 New Issuance

Proposed business hours: Daily 7am to 12am

Department of Alcohol Beverage Control Application filed August 18, 2022 at the San Francisco Office. License type & Number: 42-640553 (See Attached)

Public Notice of Application to Sell Alcoholic Beverages posted at 775 Filbert Street on August 19, 2011 and Notice of Intent to Sell Alcohol Mailing to all residents within 500ft mailed by US Post on August 31, 2022 (See attached)

Explanation of how the license will serve the public convenience or necessity:

**First**, to my knowledge I am the longest continuously operating African-American business owner in the North Beach neighborhood of San Francisco and opening Chez Brando is critical to my survival! Under my dba EBJ Enterprises, since 1999 I have been serving my community and like many other small business owners the pandemic has pushed me to the brink of closing my doors! I can't do that! I must continue, for myself and for the African-American community at large! The importance of this really hit home just a few days ago. On August 29, 2022 while standing outside of 775 Filbert (Chez Brando) I was approached by a young African-American male! He told me his name, Christian, he then said, "I had been told by my girlfriend that I had to meet you. She said that you are opening this wine bar and I really wanted to meet you." I then invited him inside and we talked for about 30 minutes. I will never forget what he told me. Christian said, "It is so important to me that you open this wine bar. As a young

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SEP -2 AM 11:25  
CITY OF SAN FRANCISCO  
DEPARTMENT OF ALCOHOL BEVERAGE CONTROL

do it." Christian's dream is to open his own business in the food and beverage industry and seeing someone who looks like him, doing something he wants to do, really helps! **Second**, A unique opportunity! As I understand it, Chez Brando may be the 1st African-American owned and operated wine bar in all of San Francisco! Also, the Small Business Association asked that I include in this request the following, *"San Francisco's Black population is only 5.4% with Black business owners less than 3%. Economic equity may be described as when the resources and available assets associated with the economy of a particular area or a specific region are considered to be balanced and allow citizens to participate in that economy without experiencing any bias based on race, creed, color, religion, or gender, etc. It is the fairness of a wide distribution of access to economic wealth. It means honest inclusion in a local economy in which all can take part, prosper, and reach their full capacity."* **Third**, in addition to myself Chez Brando will provide jobs for at least 2 full-time employees and 1 or more part-time employees! **Fourth**, as my wine bar is French (featuring French wines, cheeses, and charcuterie) it provides variety, without presenting competition to the Italian, organic and other types of wine bars currently in North Beach! **Fifth**, the location is off the main thoroughfares and offers my neighbors a place to take a glass of wine or beer closer to home and we will feature a happy hour, something no wine bar in the area offers. I believe locals should be able to come home after a hard day's work and get a nice glass of wine or beer without fear of breaking the bank! **Sixth**, situated on the corner of Filbert street and Mason street, where the cable car passes and Alcatraz can be seen on clear days, Chez Brando offers tourists a classic "San Francisco environment and view." Additionally, my plan is to make the parkette outside of Chez Brando a place where tourists and locals can come and "lock their love" as the parkette will feature the words, "I love you." in every language! **Seventh**, a sense of quaintness. My neighbors and I have already had several "PotLuck" events at the parkette and the sense of community is incredible! **Eighth**, my wine bar also focuses on wine education and we will be helping people to overcome their "fear of wine knowledge". With a background in chemistry, having done projects at Exxon, Coca-Cola, and the National Science Foundation and collecting French wines for many years I will offer San Francisco a unique experience! Whether it's drawing the actual chemical structures and formulas of wine components to help people better understand what happens when we drink a wine or discussing 2000 years of wine history, Chez Brando will be a place of community learning and sharing as much as a wine bar! Additionally, we will be inviting winemakers, sommeliers, and wine educators to give presentations. **Ninth**, to help other local businesses! I have already begun working with other businesses in the neighborhood and Bay Area to feature "local products" on the Chez Brando menu!

Sincerely,



Brando Jessie

Owner Chez Brando LLC



Posting should be accomplished within 5 days from the date of application.

Investigation cannot progress until this completed form, Affidavit of Posting, has been received by this office.

Date of Filing Application: **August 18, 2022**

Name of Applicant(s): **CHEZ BRANDO LLC**  
Address of Premises: **775 FILBERT ST  
SAN FRANCISCO, CA 94133-2703**  
License(s) Applied for: **42 - On-Sale Beer And Wine - Public Premises**

I hereby certify under penalty of perjury that pursuant to the provisions of Section 23985 of the Alcoholic Beverage Control Act and Rule 109, Title 4, Chapter 1, California Code of Regulations, after filing an application to engage in the sale of alcoholic beverages at the above-designated premises, I did date the posting notice and on said date did post the notice in a conspicuous place on the premises and said notice shall remain posted for a period of at least 30 consecutive days.

NOTICE DATED AND POSTING: August 19, 2022

SIGNATURE OF APPLICANT:  DATE 8/19/2022

Please return within five (5) days to:

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

Section 23985 and Rule 109,  
Section 23985. POSTING NOTICE. After filing an application to engage in the sale of any alcoholic beverage at any premises, notice of intention to so commence shall be posted in a conspicuous place at the entrance to the premises. The applicant shall notify the department of the date when such notice is first posted. No License shall be issued for the premises until the notice has been so posted for at least 30 consecutive days. The notice shall be in such form as the department shall prescribe.

Notice of the application for a license pursuant to Section 24044 shall be posted at the proposed premises after the application is filed and shall remain so posted for at least 30 consecutive days. The applicant shall notify the department of the date when such notice is first posted.

Rule 109. POSTING NOTICE. After filing an application to sell alcoholic beverages at any premises, the applicant shall post on the proposed premises notice of intention to sell alcoholic beverages. The notice shall be at least two feet in length and fourteen inches in width. This notice shall be posted in a conspicuous place which can be readily observed by ordinary passersby at or near the entrance to the premises. In the case of a vacant lot, posting shall be on a post or stake of permanent material, at the midpoint of the largest boundary fronting on a public thoroughfare at a point not more than ten (10) feet from the sidewalk, or roadway in the absence of any sidewalk. This notice must be mounted upon heavy cardboard or wood backing affixed to the post or stake so as to be readily visible from the sidewalk or roadway.

The notice shall remain posted for at least 30 consecutive days.

Complete this form, attach the original Form ABC-207E and return to ABC office listed below. Refer to Instructions, Form ABC-528, for more information.

ABC District Office:

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

Applicant(s) Name(s):

**CHEZ BRANDO LLC**

Premises Address:

**775 FILBERT ST  
SAN FRANCISCO, CA 94133-2703**

I, Brando Jessie, do hereby declare that on 8/31/2022 served by mail upon each  Resident of real property  owner of real property within a 500-foot radius of the above-designated premises, by depositing in the United States Mail, with postage fully prepaid, a sealed envelope containing a true copy of the Notice of Intention to Engage in the Sale of Alcoholic Beverages (ABC-207E), a copy of which is attached hereto, giving the name(s) of the applicant(s), the type(s) of license(s) applied for, the address of the premises where the business is to be conducted, addressed to the resident/occupant for each of the following addresses (*If more space is needed, use reverse or attach a separate sheet*):

ADDRESS CITY ZIP CODE

Continued on reverse or on attachment

*I declare under the penalty of perjury that the foregoing is true and correct.*

Executed at San Francisco, California, this 31<sup>st</sup> day of August, 2022

  
Signature

**NOTICE OF INTENTION TO ENGAGE IN THE SALE OF ALCOHOLIC BEVERAGES**

ABC-207-E (9/05)

To the Resident or Owner of Real Property Within a 500' Radius:

The applicant(s) for an alcoholic beverage license must mail this notice to every resident of real property within a 500 foot radius of the premises (Section 23985.5 of the Business and Professions Code). The applicant must mail this notice within 15 days of posting the premises. Any protest against the issuance of the license(s) must be received at any office of the Department of Alcoholic Beverage Control (ABC) or Departmental Headquarters within 30 days of the date the premises are posted, or within 30 days of the mailing of this notification, whichever is later. To obtain a copy of the protest form, ABC-510-A, please contact your local ABC office or go online to [www.abc.ca.gov](http://www.abc.ca.gov).

Date of Mailing: 8/31/22 Date Premises Posted: 8/19/2022

The below-named applicant(s) has applied for a license to sell alcoholic beverages at:

775 Filbert St  
San Francisco, CA 94133-2703

Type of license(s) applied for:

42-On-Sale Beer adn Wine-Public Premises

The name(s) of the applicant(s) is/are:

CHEZ BRANDO LLC

The dba (doing business as) is (if known):

Chez Brando

Further information regarding this application or filing a protest may be obtained at:

**Department of Alcoholic Beverage Control**  
**33 New Montgomery St**  
**Ste 1230**  
**San Francisco, CA 94105**  
**415.356.6500**

**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

CHEZ BRANDO LLC

2. PREMISES ADDRESS (Street number and name, city, zip code)

775 FILBERT ST SAN FRANCISCO, CA 94133-2703

3. LICENSE TYPE

42

4. TYPE OF BUSINESS

- |   |  |  |  |
|---|--|--|--|
| <input type="checkbox"/> Full Service Restaurant      | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge     | <input type="checkbox"/> Private Club      |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club       | <input type="checkbox"/> Night Club          | <input type="checkbox"/> Veterans Club     |
| <input type="checkbox"/> Cafe/Coffee Shop             | <input type="checkbox"/> Brew Pub          | <input type="checkbox"/> Tavern: Beer        | <input type="checkbox"/> Fraternal Club    |
| <input type="checkbox"/> Bed & Breakfast:             | <input type="checkbox"/> Theater           | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only                    | <input type="checkbox"/> All               |  |  |

- |   |  |  |  |
|---|--|--|--|
| <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 |  |

Other - describe: **Beer and Wine Public Premises**

5. COUNTY POPULATION

1,626/875,010

6. TOTAL NUMBER OF LICENSES IN COUNTY

On-Sale  Off-Sale

293

7. RATIO OF LICENSES TO POPULATION IN COUNTY

On-Sale  Off-Sale

8. CENSUS TRACT NUMBER

107.02

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

5  On-Sale  Off-Sale

27

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

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

120

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

99.16

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

98

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name: Board of Supervisors

**FOR DEPARTMENT USE ONLY**

PREPARED BY (Name of Department Employee)

jm

**PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)**

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

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22. APPLICANT SIGNATURE

23. DATE SIGNED

**PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)**

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes                             No                             See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

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26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED