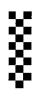
File No	130849	Committee Ite Board Item N		1				
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COMMITTEE/BOARD OF SUPERVISORS								
	AGENDA PACKET	T CONTENTS	LIST					
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Committee:	Neighborhood Services &	Safety	Date Noven	nber 7, 2013				
Board of Su	pervisors Meeting	[	Date					
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	Motion							
	Resolution							
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	Legislative Digest		*					
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	Department/Agency Cove	er Letter and/C	or Report					
	Grant Information Form							
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Completed	by: Derek Evans	Date	11/1/	13				
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# San Francisco Police Department ABC Liaison Unit



Alcoholic Beverage License -Public Convenience and Necessity Recommendation

To:

The San Francisco Board of Supervisors' Committee on City

Operations & Neighborhood Services

Supervisor David Campos Supervisor Eric Mar Supervisor Norman Yee

From:

Sgt. Gigi George

Officer Alberto Duarte

ABC Liaison Unit (ALU) 553-1049

Date:

October 10, 2013

Subject:

P.C.N. Investigation Regarding:

On the Fly, Inc.

DBA: Wingtip

550 Montgomery Street

Daniel Kramer (415)237-6395

Dan Kramer, on behalf of On the Fly, Inc., dba Wingtip, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 21 (Off-Sale General) license for 550 Montgomery Street. Wingtip is a retailer of high end men's clothing and accessories.

It should be noted that during the application process, notification date for the 500' mailer was on August 29, 2013. The Notice to the Public was posted on August 16, 2013.

For the purposes of this hearing, the California Department of Alcoholic Beverage Control (ABC) seeks a determination from the Board of Supervisors as to the approval or denial of this license.

Police Calls for Service:

From August 2012 to August 2013

3 Police calls

**Police Reports:** 

From August 2012 to August 2013

2 Reports

550 Montgomery Street, 21-536058

#### San Francisco Plot Information:

This premise is located in Plot 150

The High Crime area is defined as 100 or more police reports in a plot.

This plot had 119 police reports recorded for 2011. This is the High Crime area definition by 265 police reports.

Applicant's premises is located in a "High Crime" area.

#### State Census Tract Information:

This premise is located in Census Tract 0611,00

Population for this tract is: 4,30

On-sale license authorized by census tract: 14 Active on-sale licenses: 71

Off-sale licenses authorized by census tract: 4 Active off-sale licenses: 8

Applicant's premise is currently located in an "over concentrated" area with control from the ABC.

#### **Letters of Protest:**

Zero (0) letters of protest were received by the California Department of Alcoholic Beverage Control, (ABC).

#### **Letters of Support:**

No record with the California Department of Alcoholic Beverage Control, (ABC).

### Departmental Recommendation:

No opposition from Central Station

**ALU** recommends approval. ALU had recommended conditions which were struck by ABC.

Thank you

550 Montgomery Street, 21-536058

Other.

Applicant's Proposed Action

Existing License - New Owner

Existing License - New Location .

New License - Owner - Location

## ABC Licensing Unit (ALU)

#### San Francisco Police Department

To:

Commanding Officer

Company A

From:

Deputy Chief John Loftus

**Operations Bureau** 

Date:

08/22/2013

Subject:

Alcoholic Beverage License Review

An application has been filed with the California Department of Alcoholic Beverage Control for:

Premises Location: 550 Montgomery St, DBA-Wingtip License Type:

Off-Sale Beer/Wine (minors allowed)

Off-Sale Beer/Wine/Distilled Spirits (minors allowed)

⊔ type-40	On-sai	e neer nar	r (minors d	allowea)			•		
□ Type-41	On-Sal	e Restaura	ant Beer/	Wine (mi	nors allowe	d)			
□ Туре-42	On-Sale Beer/Wine Bar (must be 21 yrs or >)								
□ Type-47	On-Sal	e Restaura	ont Beer/	Wine/Dis	lilled Spirits (	minors a	llowed)		
□ Type-48		e Bar (mus			•	•	.,,		
□ Other:			·	•					. 1
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For specific information regarding this investigation contact the following ALU member:

Officer Alberto Duarte

ext, 553-9836

ALU FAX: 553-1463

Commanding Officer (signature/datb)

Permit Officer (signature/date)

ALU Simion Response 111810

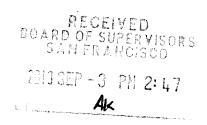
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: Steve Matthias #1977.

## LIQUOR LICENSE REVIEW

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TO:		lelly Gordon Parcy Keller 53-1463	20mis: C-3-0 Qual: NE MB#1301438	•
PLEASE EN	MAIL YOUR	cheduled to be heard in four RESPONSE BY: October 1 vices and Safety Committee	5, 2013, to Derek Evans.	
		<u> Evans@sfgov.org</u> - Fax No		
Applicant N and Busine		Daniel Kramer On the Fly, Inc., dba Wing (550 Montgomery Street)		
Applicant A		556 Commercial Street San Francisco, CA 94111 (415) 237-6395		
PLANNIN ABC TYPE	IG COMM 2 21 L	MENTS: Approv 10ense 15 fermette ox Code.	al Denial A Pen Section 218 (b) we Shamling 558-6. 9/23/13	9 396
THE		Jan	9/23/13	

# strike &techel



August 29, 2013

#### Via Email and U.S. Mail

(derek.evans@sfgov.org)

San Francisco Board of Supervisors Neighborhood Services and Safety Committee 1 Dr. Carlton B. Goodlet Place, Room 244 San Francisco, CA 94102 Attn: Derek Evans

Request for Determination of Public Convenience or Necessity for Wingtip located at Re:

550 Montgomery St., Ground Floor

Dear Members of the Neighborhood Services and Safety Committee:

This firm represents On the Fly, Inc., dba Wingtip ("Wingtip"). Wingtip recently applied for the transfer of a Type-21 license (see application no. 535058) to its retail store located on the ground floor of 550 Montgomery St. (the "Store").

We have been informed by the Department of Alcoholic Beverage Control ("ABC") that a determination of public convenience or necessity by the Board of Supervisors is a condition to the ABC's issuance of this license. On behalf of Wingtip, we respectfully request that the Board determine that the issuance of a Type-21 license to Wingtip will serve public convenience or necessity.

#### I. **Project Description.**

Since 2008, Wingtip has been selling high-end men's clothing and accessories, including barware such as crystal wine decanters, pewter carafes, champagne flutes and crystal glassware. Screenshots from Wingtip's website showing examples of the items it offers is attached hereto as Exhibit A. In September, 2012, Wingtip moved into its current location at 550 Montgomery St. As a complement to its existing offering, Wingtip desires to offer a high-end selection of smallbatch bourbons, craft whiskeys, and single-malt scotches to its clientele.

The offering will be displayed in an 8' x 20' locked glass case, which will be located behind the security desk on the ground level. This security desk is staffed at all times during business hours. Business hours are Monday – Friday 10:00 a.m. to 7:00 p.m., and on Saturdays from 10:00 a.m. -6:00 p.m. The Store is not open on Sundays.

170249

## II. The Product Mix is Designed to Appeal only to Bourbon, Whiskey and Scotch aficionados.

With price points starting at \$30 per bottle and ranging upward of \$3,000 per bottle, the product mix will be specifically tailored to discerning Bourbon, Whiskey and Scotch lovers who are looking for a unique or hard-to-find addition to their personal collection or a special gift for a colleague or friend. The selection is not designed to appeal to the casual drinker, nor is it designed to attract those looking to abuse alcohol.

# III. The issuance of a License to the Store will Not have a Detrimental Impact on the Surrounding Area.

Because all bottles will be displayed in a locked glass case located behind the security desk which is staffed at all times during business hours, coupled with the price-points of the proposed offering and the fact that the Store is not open past 7:00 p.m., the issuance of the License will not pose a security risk to the community nor create any additional burdens on local law enforcement.

While the Store may be located in a census tract (0611.00) with "undue concentration" (as defined by Business & Professions Code § 23958.4), this is largely due to the fact that census tract 0611.00 is located in the heart of San Francisco's Financial District, which has fewer residents than many other census tracts, and not because of an excessively high number of retail outlets in the census tract. Moreover, as a result of the methodology by which "undue concentration" is determined (i.e. the number of licenses vs. the population in the census tract), almost every census tract in California located in a heavily commercial/retail area with a low population density – such as census tract 0611.00 – has "undue concentration." Therefore, Wingtip respectfully requests that the Board consider the fact that the Store is located in a census tract with a low population in the heart of San Francisco's Financial District when addressing the issue of "undue concentration."

#### IV. The Sale of Alcohol at the Store will serve Public Convenience or Necessity.

While there may be other stores that sell distilled spirits in the area, Wingtip's offering will be unique in that the focus will be solely on high-end and difficult to locate small-batch bourbons, craft whiskeys, and single-malt scotches. This offering will provide its customers with the convenience of one-stop shopping and enable them to be able to purchase high-end barware, and accessories as well as the distilled spirits to complement these luxury products in the same Store. Wingtip is committed to being a good community partner, and will provide this product offering to its customers without negatively impacting the surrounding area.

#### V. Conclusion.

The issuance of a Type-21 license to the Store will enable Wingtip to provide its customers with the perfect complement to the luxury accessories it currently sells, by offering a high-end selection of distilled spirits that is currently not available in most stores the area. Wingtip is committed to providing this offering in a safe, responsible and secure manner, with minimal disruption to the surrounding neighborhood and no added burden to local law enforcement.

For these reasons, Wingtip respectfully requests that the Board determine that public convenience or necessity will be served by the issuance of a Type-21 license to the Store. Thank you in advance for your consideration.

Very truly yours,

Daniel J. Kramer, Esq.

## **EXHIBIT A**

## Examples of items sold at Wingtip

[See attached]

WINGTIP

**REWARDS** 

**EARN 10%** 

CREDIT

FOR EVERY

ORDER

**FREE** 

**SHIPPING** 

ON ORDERS OF

\$50+

TOP SELLERS

IN GLASSWARE &

**DECANTERS** 

SIGN IN MY ACCOUNT SHOPPING CART GIFTS SALE CLUB

#### CLOTHING ACCESSORIES GROOMING WINE & SPIRITS CIGARS LEISURE FOR THE HOME

Wine & Spirits . Glassware & Decanters

#### **CATEGORIES**

#### Glassware & **Decanters**

Beer Glasses

Wine

Stemware

Cocktail &

Spirits

Glasses

Champagne

Flutes

All Purpose

Glassware

Carafes &

**Pitchers** 

Decanters

Corkscrews &

Openers

**Bar Toys** 

Service Items

Flasks

Wine Bottle

Carriers

Wine Aroma

Kits & Maps

#### **BRANDS**

Select a Bran

#### LIFESTYLES

**Old School** 

Wall Street

Professor

Sportsman

Hipster

## **GLASSWARE & DECANTERS**



Beer Glasses



Wine Stemware



Cocktail & Spirits Glasses



Champagne Flutes All Purpose Glassware



Carafes & Pitchers



Riedel Tequila Glass Set of 2 \$24.00



Match Pewter Double Old Fashioned Glass in Crystal \$71.00

#### **BREAKING NEWS**

Decanters

GIFTS FOR MEN

Gift Guide

SALE

Sale Items



Spiegelau Lager Glass

17oz 2 pcs.



Nachtmann Aspen Whisky

Tumbler Set of 6

\$84.90



Spiegelau Wheat Beer

17oz 2 Pcs.



Spiegelau IPA Glass Set

of 2

\$24.90



Riedel Vinum Champagne Glass Set of 2 \$59.00



Riedel Sommeliers Single Malt Whiskey Glass \$79.00



\$24.90



Spiegelau Stemmed



**Store Hours** Monday - Friday 10am - 7pm Saturday 10am - 6pm

> Sunday Closed



#### Wingtip

550 Montgomery St. San Francisco, CA

Store: (415) 765-0993 Web: (866) 880-8481 service@wingtip.com

Parking

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**Ordering** 

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Wingtip Rewards

Wingtip Services

**Connections** 

Modern Gentleman's Blog

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SIGN IN MY ACCOUNT SHOPPING CART
GIFTS SALE CLUB

#### CLOTHING ACCESSORIES GROOMING WINE & SPIRITS CIGARS LEISURE FOR THE HOME

Wine & Spirits > Corkscrews & Openers

#### **CATEGORIES**

Glassware & Decanters

Corkscrews

& Openers

Bar Toys Service Items

Flasks

Wine Bottle Carriers

Wine Aroma Kits & Maps

#### **BRANDS**

Select a Brar

#### LIFESTYLES

Old School

Wall Street

Professor

Sportsman

Hipster

GIFTS FOR MEN

Gift Guide

SALE

Sale Items

## **CORKSCREWS & OPENERS**

Most Popular

ΑII



Laguiole Champagne Saber

\$179.95

Tokens & Icons MLB Game-Used Bat Bottle Opener

Opener \$105.00 - \$125.00



Tokens & Icons Golf Club Bottle Opener \$60.00 - \$75.00

FREE SHIPPING ON ORDERS OF \$50+

WINGTIP

**REWARDS** 

**EARN 10%** 

CREDIT

FOR EVERY

ORDER

TOP SELLERS

IN CORKSCREWS & OPENERS



Laguiole Champagne Saber \$179.95



Tokens & Icons Golf Club Bottle

Icons Golf Club Bottle Opener \$60.00 -

\$75.00

6 Colors Available



Mulholland Brothers
Rosewood Corkscrew
W/ Case

\$50.00 - \$55.00



Forge de Laguiole Sommelier Corkscrew \$182.00 - \$280.00



Tokens & Icons College
Football Stadium Bottle
Opener
\$75.00

6 Colors Available



Match Pewter Forged

Bottle Opener

\$65.00



Tokens & Icons Tennis
Racquet Bottle Opener
\$65.00



Forge de Laguiole Sommelier Stamina Wood Corkscrew \$260.00 - \$340.00



Abbeyhorn Drinking Horn on Polished Horn Stand \$60.00



Riedel Tequila Glass Set of 2 \$24.00



Agresti Chest w/ 24 Wine Aroma Kit \$2,995.00

Store Hours
Monday - Friday
10am - 7pm
Saturday
10am - 6pm
Sunday
Closed



#### Wingtip

550 Montgomery St. San Francisco, CA Store: (415) 765-0993 Web: (866) 880-8481 service@wingtip.com Parking

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SIGN IN MY ACCOUNT SHOPPING CART
GIFTS SALE CLUB

#### CLOTHING ACCESSORIES GROOMING WINE & SPIRITS CIGARS LEISURE FOR THE HOME

Wine & Spirits . Wine Bottle Carriers

#### **CATEGORIES**

Glassware & Decanters

Corkscrews &

Openers

Bar Toys

Service Items

Flasks

## Wine Bottle Carriers

Wine Aroma Kits & Maps

#### **BRANDS**

Select a Brar

#### LIFESTYLES

Old School

Wall Street

Professor

Sportsman

Hipster

GIFTS FOR MEN

Gift Guide

SALE

Sale Items

## WINE BOTTLE CARRIERS

Most Popular

ΑII

WINGTIP REWARDS

EARN **10%**CREDIT
FOR EVERY

ORDER

FREE SHIPPING

ON ORDERS OF \$50+

**TOP SELLERS** 

IN WINE BOTTLE CARRIERS



Moore & Giles Bartender Roll-Up

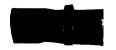
\$150.00



Moore & Giles Meehan
Utility Bag
\$660.00



Mulholland Brothers
Vintage Waxed Canvas
2-Bottle Wine Carrier
\$285.00



4 Colors Available



Mulholland Brothers
Two Bottle Wine Carrier
\$285.00 - \$425.00

2 Colors Available



Mulholland Brothers

Deco Single Bottle Wine

Carrier

\$235.00

2 Colors Available



Mulholland Brothers
Deco Two Bottle Wine
Carrier
\$300.00

Moore & Giles Bartender Roll-Up \$150.00



Mulholland Brothers Two Bottle Wine Carrier \$285.00 -\$425.00

2 Colors Available



Mulholland Brothers Six
Bottle Wine Carrier
\$425.00



Perlage Champagne Saver \$295.00



Mulholland Brothers
Single Bottle Wine
Carrier
\$185.00



Mulholland Brothers Vintage Waxed Canvas 2-Bottle Wine Carrier \$285.00



Moore & Giles Meehan Utility Bag \$660.00

Store Hours Monday - Friday 10am - 7pm Saturday 10am - 6pm Sunday

Closed



Wingtip

550 Montgomery St. San Francisco, CA

Store: (415) 765-0993 Web: (866) 880-8481 service@wingtip.com

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SIGN IN MY ACCOUNT SHOPPING CART GIFTS SALE CLUB

#### CLOTHING ACCESSORIES GROOMING WINE & SPIRITS CIGARS LEISURE FOR THE HOME

Accessories > Other Accessories

#### **CATEGORIES**

Professional Cases

Cufflinks, Tie Bars, Studs

Wallets &

Money Clips Clothing &

Shoe Care

Luggage

Pens &

Stationery

Belts &

**Braces** 

Umbrellas

Knives

Sunglasses &

Readers

Horn

Accessories

Cases

Sticks and

Canes

Flasks

Watch

Winders

Men's Jewelry

Boxes

Magnifying

Key Fobs

Miscellany

Collar Stays

## OTHER ACCESSORIES



Cases



Walking Sticks and Canes



Flasks



FREE SHIPPING

WINGTIP

CREDIT

ORDER

ON ORDERS OF \$50+

**TOP SELLERS** 

IN OTHER **ACCESSORIES** 



Watch Winders

Key Fobs

Other **Accessories** 

Walking

Glasses



Men's Jewelry Boxes

Miscellany



Magnifying Glasses

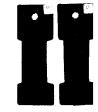




Collar Stays



Wurkin Stiffs Polo Stays \$28.00



Wolverine Flat Waxed Shoelaces \$12.00

#### **BRANDS**

Select a Bran

#### **BREAKING NEWS**

#### LIFESTYLES

Old School Wall Street Professor Sportsman

GIFTS FOR MEN

Hipster

Gift Guide

SALE

Sale Items



Bills Khakis Deerskin Leather Fleece-Lined Driving Gloves \$75.00



Concord Scorched Derby
Walking Stick with
Ergonomic Handle
\$120,00



Moore & Giles Camera Strap \$145.00



Concord Executive Clipper in Tan Leather Case \$22.00



Zero Halliburton Carbon Fiber Attache \$2,350.00 - \$2,500.00



Concord Executive 3-piece Clipper Set \$58.00



Wurkin Stiffs 2.5" Power Stays - 3 Pair \$40.00



Wurkin Stiffs Replacement Power Buttons \$15.00

Store Hours Monday - Friday 10am - 7pm Saturday 10am - 6pm Sunday

Closed



#### Wingtip

550 Montgomery St. San Francisco, CA Store: (415) 765-0993 Web: (866) 880-8481 service@wingtip.com Parking

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SIGN IN MY ACCOUNT SHOPPING CART **GIFTS** SALE CLUB

#### CLOTHING ACCESSORIES GROOMING WINE & SPIRITS CIGARS LEISURE FOR THE HOME

Clothing . Sport Coats

#### **CATEGORIES**

Shoes

Shirts

**Pants** 

Outerwear

Sweaters &

Vests

Suits

#### **Sport Coats**

**Sport Coats** 

Blazer **Buttons** 

Cut Lengths

Luxury Men's Ties, Pocket

Squares, and

Silks

Socks &

Underwear

Shorts &

Swim

Sleep &

Lounge Wear Scarves,

Gloves &

Hats

#### **BRANDS**

Select a Bran

#### LIFESTYLES

Old School

Wall Street

Professor

Sportsman

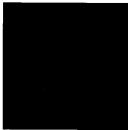
## SPORT COATS



Sport Coats



Blazer Buttons



Cut Lengths



TOP SELLERS IN SPORT COATS

WINGTIP

REWARDS

EARN 10%

CREDIT

FOR EVERY

ORDER

FREE

**SHIPPING** 

ON ORDERS OF

\$50+

## **BREAKING NEWS**



Peter Millar Light Weight Wool Navy Sport Coat -44R Only



Peter Millar Grey Summer Wool Blazer - 42R \$482.50

\$965.00



Peter Millar Teal and Chocolate Plaid Sport Coat

\$1,250.00



Peter Millar 100% Cashmere Navy Sports Coat

\$1,300.00



Peter Millar Cotton / Linen Soft Jacket -Sage/Long/ X-Large Only \$147.50 \$295.00



Holland & Sherry Antique Silver Celtic Cross Blazer Button \$18.00



Wingtip Super 100s Navy Blazer - 44R, 44T, 40S

Only

\$510.00



Peter Millar Chocolate and Cherry Plaid Sport Coat

\$1,100.00

#### Department of Alcoholic Beverage Control

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

State of California Daniel Kramer

TO: Department of Alcoholic Beverage Control

33 NEW MONTGOMERY STREET

**SUITE 1230** 

SAN FRANCISCO, CA 94105

(415) 356-6500

File Number: 536058

Receipt Number: 2185615 Geographical Code: 3800

Copies Mailed Date: August 14, 2013

Issued Date:

DISTRICT SERVING LOCATION:

SAN FRANCISCO

First Owner:

ON THE FLY INC

Name of Business:

WINGTIP

Location of Business:

**550 MONTGOMERY ST** 

**GROUND FLR** 

SAN FRANCISCO, CA 94111-2534

County:

SAN FRANCISCO

Is Premise inside city limits?

Yes

Census Tract 0611.00

Mailing Address:

(If different from premises address)

Type of license(s):

21

Transferor's license/name: 388383 / STREET FAIR INC

Dropping Partner: Yes

License Type	Transaction Type	Fee Type	Master	<u>Dup</u>	<u>Date</u>	<u>Fee</u>
21 - Off-Sale General	ANNUAL FEE	NA	Y	0	08/14/13	\$582.00
21 - Off-Sale General	PREMISE TO PREMISE TRANSFER	NA	Y	0	08/14/13	\$100.00
21 - Off-Sale General	PERSON-TO-PERSON TRANSFER	NA	Y	0	08/14/13	\$1,250.00
					Total	\$1,932.00

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?

Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

#### STATE OF CALIFORNIA

#### County of SAN FRANCISCO

Date: August 14, 2013

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf, (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

See 211 Signature Page

ON THE FLY INC

Re-record ABC 227

## **LIQUOR LICENSE REVIEW**

TO:	Planning De AnMarie Roo Georgia Pov Fax No.: 55	<b>File:</b> 130849 V					
TO:	Police Depa Inspector Ne Inspector Da Fax No.: 55	elly Gordon arcy Keller					
DATE:	September 9, 2013						
PLEASE EN	<b>IAIL YOUR R</b> borhood Serv	ESPONSE B ices and Safe	heard in four to s  Y: October 15, 2  ety Committee.  org - Fax No: 5	2013, to Derek Evans,			
Applicant N and Busine		•	er nc., dba Wingtip omery Street)				
Applicant A		556 Commercial Street San Francisco, CA 94111 (415) 237-6395					
PLANNIN	IG COMM	ENTS:	☐ Approval	☐ Denial			
POLICE (	COMMEN	TS:	☐ Approval	☐ Denial			