

File No. 160251 Committee Item No. 2  
Board Item No. 44

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

Committee: Public Safety and Neighborhood Services Date July 14, 2016

Board of Supervisors Meeting Date JULY 26, 2016  
Cmte Board

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

**OTHER (Use back side if additional space is needed)**

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PCN Application Letter - 03/16/2016</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>LL Referral - 03/16/2016</u>            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Response Planning - 03/24/2016</u>      |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Response Police - 07/08/2016</u>        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____                                      |
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Completed by: Erica Major Date July 8, 2016  
Completed by: [Signature] Date 07/19/2016

1 [Liquor License - 2836 Franklin Street]

2  
3 **Resolution determining that the issuance of a Type 21 off-sale general license to**  
4 **Najib Saliba and Hanan Saliba dba Franklin Market located at 2836 Franklin Street**  
5 **(District 2), will serve the public convenience or necessity of the City and County**  
6 **of San Francisco, in accordance with California Business and Professions Code,**  
7 **Section 23958.4, and recommending that the California Department of Alcoholic**  
8 **Beverage Control impose conditions on the issuance of the license.**

9  
10 WHEREAS, Najib Saliba and Hanan Saliba is seeking the issuance of a Type 21  
11 off-sale general license dba Franklin Market at 2836 Franklin Street (District 2); and

12 WHEREAS, The Planning Department has verified that the area is properly  
13 zoned and recommends approval; and

14 WHEREAS, The Police Department has filed zero (0) protests with the  
15 Department of Alcoholic Beverage Control under California Business and Professions  
16 Code, Section 24013, and recommends that the Department of Alcoholic Beverage  
17 Control issue the liquor license with conditions; and

18 WHEREAS, The conditions recommended by the Police Department are the  
19 following: 1) sales of alcoholic beverages shall be permitted only between the hours of  
20 8:00 a.m. and 2:00 a.m.; 2) loitering (is defined as "to stand idly about; linger aimlessly  
21 without lawful business") is prohibited on any sidewalks or properly adjacent to the  
22 licensed premises under control of the licensee(s) as depicted on the ABC-257 dated  
23 02/12/2016; 3) the sale of distilled spirits in sizes smaller than 200 ml is strictly  
24 prohibited; 4) not more than 15% of the square footage of the premises will be used for  
25 the display of alcoholic beverages; 5) the sale of beer of malt beverage(s) with an

1 alcoholic content than 5.7% by volume is prohibited; 6) the sale of beer or malt  
2 beverages in quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is  
3 prohibited; 7) no beer or malt beverages shall be sold in quantities of less than  
4 manufacturer pre-packaged six packs per sale with the exception of wine-coolers and  
5 beer coolers which must be sold in manufacturer pre-packaged multi-unit quantities of  
6 four (4) or more; 8) wine shall not be sold in bottles or containers smaller than 750 ml;  
7 and 9) no noise shall be audible beyond the area under the control of the licensee(s) as  
8 defined on the ABC-257 dated 02/12/2016; now, therefore, be it

9           RESOLVED, That in accordance with California Business and Professions Code,  
10 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
11 hereby determines for the foregoing reasons that the issuance of a Type 21 off-sale  
12 general license to Najib Saliba and Hanan Saliba dba Franklin Market located at 2836  
13 Franklin Street (District 2), will serve the public convenience or necessity of the City and  
14 County of San Francisco; and, be it

15           FURTHER RESOLVED, That the Board of Supervisors of the City and County of  
16 San Francisco hereby endorses and adopts the recommendations of the Police  
17 Department listed above and recommends that the Department of Alcoholic Beverage  
18 Control issue the license with those conditions.

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21  
22  
23  
24  
25




San Francisco Police Department  
**ABC Liaison Unit**



Alcoholic Beverage License -  
*Public Convenience and  
Necessity Recommendation*

**To:** The San Francisco Board of Supervisors' Committee on Public Safety  
and Neighborhood Services

**Supervisor Jane Kim**  
**Supervisor John Avalos**  
**Supervisor David Campos**

**From:** Lieutenant Dave Falzon   
Officer in Charge  
ABC Liaison Unit (ALU) 415-837-7287

**Date:** May 13, 2016

**Subject:** P.C.N. Investigation Regarding: 451 Bush St, Inc  
DBA: TBD  
447 Bush St  
(415) 235-3921

Carrie Peters on behalf of 451 Bush Street, Inc, has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 48 (On Sale General- Public Premise Bar, night club) License for 447 Bush St (located between Grant and Kearny Streets).

Hours of Operation:

Daily

6:00 a.m. to 2:00 a.m.

**Digest:**

451 Bush St Inc would like to add a cocktail lounge to their hotel located at 447 Bush St. If approved, this license will allow them to sell on sale beer, wine, and distilled spirits.

**Letters of Protest:**

0

**Letters of Support:**

0

**Police Calls for Service:**

From March 2015 to March 2016

**39 Calls for service**

**Police Reports:**

From February 2015 to February 2016: 0

**San Francisco Plot Information:**

This premise is located in Plot 160

A High Crime area is defined as 99 or more police incidents in a plot for the year of 2015.

This plot had 295 police incidents for 2015, which is 196 over the Citywide "High Crime" average.

**State Census Tract Information:**

This premise is located in Census Tract 117.00

Population for this tract is: 1,783

On-sale license authorized by census tract: 6  
Active on-sale licenses: 139

Off-sale licenses authorized by census tract: 1  
Active off-sale licenses: 44

**Departmental Recommendation:**

Points of consideration: 2 Schools, 3 Medical facilities

**Central Station has no opposition**

Applicant premise is located in a "**high crime**" area.

Applicant premise is located in an "**undue concentration**" area.

0 - Record of protest.

0 - Record of support.

ALU Recommendation: Approval with the following conditions:

1. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
2. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on the ABC-257, dated 04-14-2016.
3. No noise shall be audible beyond the area under the control of the petitioner(s) as defined on the ABC-257, dated 04-14-2016.
4. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee

END

Google Maps 447 Bush St



Google Maps Bush St



Image capture: Dec 2015 © 2016 Google

San Francisco, California

Street View - Dec 2015



RECEIVED VIA EMAIL  
3/24/2016

**LIQUOR LICENSE REVIEW**



**TO:** Planning Department **File:** 160251  
AnMarie Rodgers/CTYPLN/SFGOV  
Georgia Powell/CTYPLN/SFGOV@SFGOV  
Fax No.: (415) 558-6409

*Block/Lot: 0503/106*

**TO:** Police Department  
Inspector Nelly Gordon  
Phone: (415) 837-7273

*Zoning: NC-3  
Quad: NW*

**DATE:** March 16, 2016

*Record # 2016-003450 MMS*

This item is tentatively scheduled to be heard in four to six weeks.  
**PLEASE EMAIL YOUR RESPONSE BY:** April 20, 2016, to Erica Major, Public  
Safety and Neighborhood Services Committee Clerk.

**Erica.Major@sfgov.org - Fax No: 554-7771**

**Applicant Name:** Najib Saliba and Hanan Saliba  
**and Business Name:** Franklin Market  
(2836 Franklin Street)  
**Applicant Address:** 2836 Franklin Street  
San Francisco, CA 94123  
**and Phone No.** (415) 567-1194  
(415) 921-4192 (Consultant)

**PLANNING COMMENTS:**  Approval  Denial

*ABC license Type 21 is permitted in conjunction with  
the existing retail grocery / specialty grocery store use,  
(Note: Sale and display of alcohol restricted to 15% of gross  
square footage (120 sq ft).)  
- Damon Young 3/21/16*

**POLICE COMMENTS:**  Approval  Denial

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2016 MAR 15 PM 3:42

February 18, 2016

Attn: California Alcoholic Beverage Control  
33 New Montgomery Street, Ste. 1233  
San Francisco, CA. 94102

BY U

Re: PCN Hearing Request - Type 21 Beer/Wine/Distilled Spirits Off-Sale Liquor License  
DBA: Franklin Market, 2836 Franklin Street, San Francisco, CA. 94123

Dear California Alcoholic Beverage Control (ABC), San Francisco Board of Supervisors,


Franklin Market is proud to serve the Pacific Heights, Cow Hollow and surrounding SF communities. We specialize in the finest deli products, artisan sandwiches, local craft beers and wines, grocery and household products. Our passion for business, and people, is reflected in the impeccable service we provide and an unparalleled value for the community.

The Franklin Market has been here in Pacific Heights for over 26 years, and in this time we have been fortunate to receive the praises of our customers, and the privilege to serve our community with passion and desire. Franklin Market is intended to cater to folks residing in San Francisco's Pacific Heights and Cow Hollow, as well as neighboring communities.

We would greatly appreciate your support in our quest to accommodate what we and our patrons believe would serve as a Public Convenience and Necessity by complementing our fine food and grocery products with a high-end line of Craft Beers, Fine Wines and Premium Distilled Spirits.

If you have any additional questions or concerns regarding our beloved Franklin Market business, or/and our application for a type 21 Beer and Wine license, please do not hesitate in contacting us.

Hours of Operation:  
8: AM to 2: AM Monday-Sunday

Please contact:  
Najib & Hanan Saliba   
415-567-1194  
Jim Saxton, Liquor Licenses of San Francisco Bay Area  
925-689-6766  
David Villa-Lobos, CLA Consulting  
admin@CommunityLeadershipAlliance.net  
415-921-4192

Sincerely

Najib Saliba

160751

**From:** CommunityLeadershipAlliance [mailto:admin@communityleadershipalliance.net]  
**Sent:** Thursday, February 04, 2016 11:06 PM  
**To:** Farrell, Mark (BOS) <mark.farrell@sfgov.org>  
**Cc:** Stefani, Catherine <catherine.stefani@sfgov.org>; Montejano, Jess (BOS) <jess.montejano@sfgov.org>  
**Subject:** IMPORTANT: D-2 Supervisor's Office Assistance Request

Dear/Honorable Supervisor Mark Farrell, and/or Legislative Aides-

Our office is currently processing a type 21 liquor license sale and application for Franklin Street at Lombard. In addition to the mandated mailer we were hoping to perform community outreach to established neighborhood-merchant groups serving/representing the Franklin/Lombard area of District 2.

We thought that your office might provide us with the e-mail contacts for associations and groups in the subject area of D-2. The Planning Department's list provides e-mail and phone contact information for groups with interest in the Pacific Heights and Marina; we were hoping to reach groups located near and around Franklin and Lombard.

In addition, we will be requesting a meeting with your office to discuss in detail this liquor license application as mandated by the BOS 'Neighborhood Service and Public Safety Committee' in advance of the PCN hearing.

Your assistance would be very much appreciated.

Respectfully

**DAVID VILLA-LOBOS**  
**CLA CONSULTING**  
**Licensing & Permitting**  
P.O.BOX 642201 SF, CA.94164  
415.921.4192 Direct  
<http://www.communityleadershipalliance.net/>  
[www.facebook.com/LiquorLicensingSF](http://www.facebook.com/LiquorLicensingSF)

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS PRIVILEGED AND/OR CONFIDENTIAL INFORMATION INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED.

----- Forwarded Message -----

**From:** "Stefani, Catherine" <catherine.stefani@sfgov.org>  
**To:** CommunityLeadershipAlliance <admin@communityleadershipalliance.net>; "Farrell, Mark (BOS)" <mark.farrell@sfgov.org>  
**Cc:** "Montejano, Jess (BOS)" <jess.montejano@sfgov.org>; robert bardell <bbardell@comcast.net>  
**Sent:** Friday, February 5, 2016 11:09 AM  
**Subject:** RE: IMPORTANT: D-2 Supervisor's Office Assistance Request

Dear David,

This market falls in the boundaries of the Golden Gate Valley Neighborhood Association. Their president is Bob Bardell and he can be reached at [bbardell@comcast.net](mailto:bbardell@comcast.net). I've also copied him above.

I'm happy to speak with you about the liquor license transfer over the phone. I believe the owner of the new market is Rajib Saliba. I don't see the liquor license being an issue as the previous market had one before. Please feel free to call me to discuss.

Thanks!

Catherine Stefani  
Legislative Aide  
Office of Supervisor Mark E. Farrell  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Phone: (415) 554-7752  
Fax: (415) 554-7843

Sign Up For Our Newsletter!  
<http://new-markfarrell.nationbuilder.com/join>

**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 *Saliba, Najib / Saliba, Hanan*

2. PREMISES ADDRESS (Street number and name, city, zip code) *2836 Franklin St, San Francisco, CA 94123* 3. LICENSE TYPE *21*

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 checked="" 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 *845,600* 6. TOTAL NUMBER OF LICENSES IN COUNTY  On-Sale  Off-Sale 7. RATIO OF LICENSES TO POPULATION IN COUNTY *1060*  On-Sale  Off-Sale

8. CENSUS TRACT NUMBER *0129-01* 9. NO. OF LICENSES ALLOWED IN CENSUS TRACT *2*  On-Sale  Off-Sale 10. NO. OF LICENSES EXISTING IN CENSUS TRACT *4*  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 *511* 14. TOTAL NUMBER OF REPORTING DISTRICTS *653* 15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS *53,160*

16. AVERAGE NO. OF OFFENSES PER DISTRICT *81* 17. 120% OF AVERAGE NUMBER OF OFFENSES *97* 18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT *68*

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)

*is ad*

## LIQUOR LICENSE REVIEW

**TO:** Planning Department  
AnMarie Rodgers/CTYPLN/SFGOV  
Georgia Powell/CTYPLN/SFGOV@SFGOV  
Fax No.: (415) 558-6409

**File:** 160251

**TO:** Police Department  
Inspector Nelly Gordon  
Phone: (415) 837-7273

**DATE:** March 16, 2016

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This item is tentatively scheduled to be heard in four to six weeks.

**PLEASE EMAIL YOUR RESPONSE BY:** April 20, 2016, to Erica Major, Public Safety and Neighborhood Services Committee Clerk.

**[Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org) - Fax No: 554-7771**

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Franklin Market  
**and Business Name:** (2836 Franklin Street)  
**Applicant Address:** 2836 Franklin Street  
San Francisco, CA 94123  
**and Phone No.** (415) 567-1194  
(415) 921-4192 (Consultant)

**PLANNING COMMENTS:**     Approval     Denial

**POLICE COMMENTS:**     Approval     Denial