

File No. 201174

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services

Date: Dec. 10, 2020

Board of Supervisors Meeting:

Date: _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- 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 – December 3, 2020
- Planning Department Response – October 22, 2020
- Referral – October 19, 2020
- PC or N Request Letter – October 13, 2020
- _____

Prepared by: John Carroll

Date: Dec. 4, 2020

Prepared by: John Carroll

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 Rafael Mandelman
Supervisor Catherine Stefani
Supervisor Shamman Walton

Ofc. JOEL SALMONSON #732

From: *For* Lt. Georgia Sawyer #1565
Officer in Charge
ALU/Permits Unit 415-553-9550

Date: December 3, 2020

Subject: P.C.N. Investigation Regarding: Jodeh, Tawfiq Fayez
DBA: TONY BALONEY'S
1098 Howard St
San Francisco, CA. 94103-2820

Tawfiq Jodeh has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 21 (Off-Sale General) license to be located at 1098 Howard St. (located 7th St. and 6th St.)

Hours of Operation:

9:00 a.m. to 9:00 p.m. each day of the week.

Digest:

Tawfiq Jodeh would like to operate a Limited Restaurant/Specialty Grocery (Tony Baloney's) to include Beer, Wine and Distilled spirits sales, located at 1098 Howard St. If approved, this license will allow them to sell Off-Sale General.

Letters of Protest

0

Letters of Support

2

Police Calls for Service:

From August 2019 to August 2020

5 calls for service

Police Reports:

From August 2019 to August 2020

2 police reports

San Francisco Plot Information:

This premise is located in Plot: **220**

A High Crime area is defined as **107** or more police reports in a plot for the year of **2019**.

This plot had **259** police reports for **2019**, which is 152 **higher** than the **Citywide** "**High Crime**" average

State Census Tract Information:

This premise is located in Census Tract: **176.01**

Population for this tract is: **7,630**

On-sale license authorized by census tract: **27**

Active on-sale licenses: 98 with 0 pending

Off-sale licenses authorized by census tract: **6**

Active off-sale licenses: 13 with 0 pending

Departmental Recommendation:

Points of consideration: **0**

No opposition from **Southern Station**.

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

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

0 - Protest.

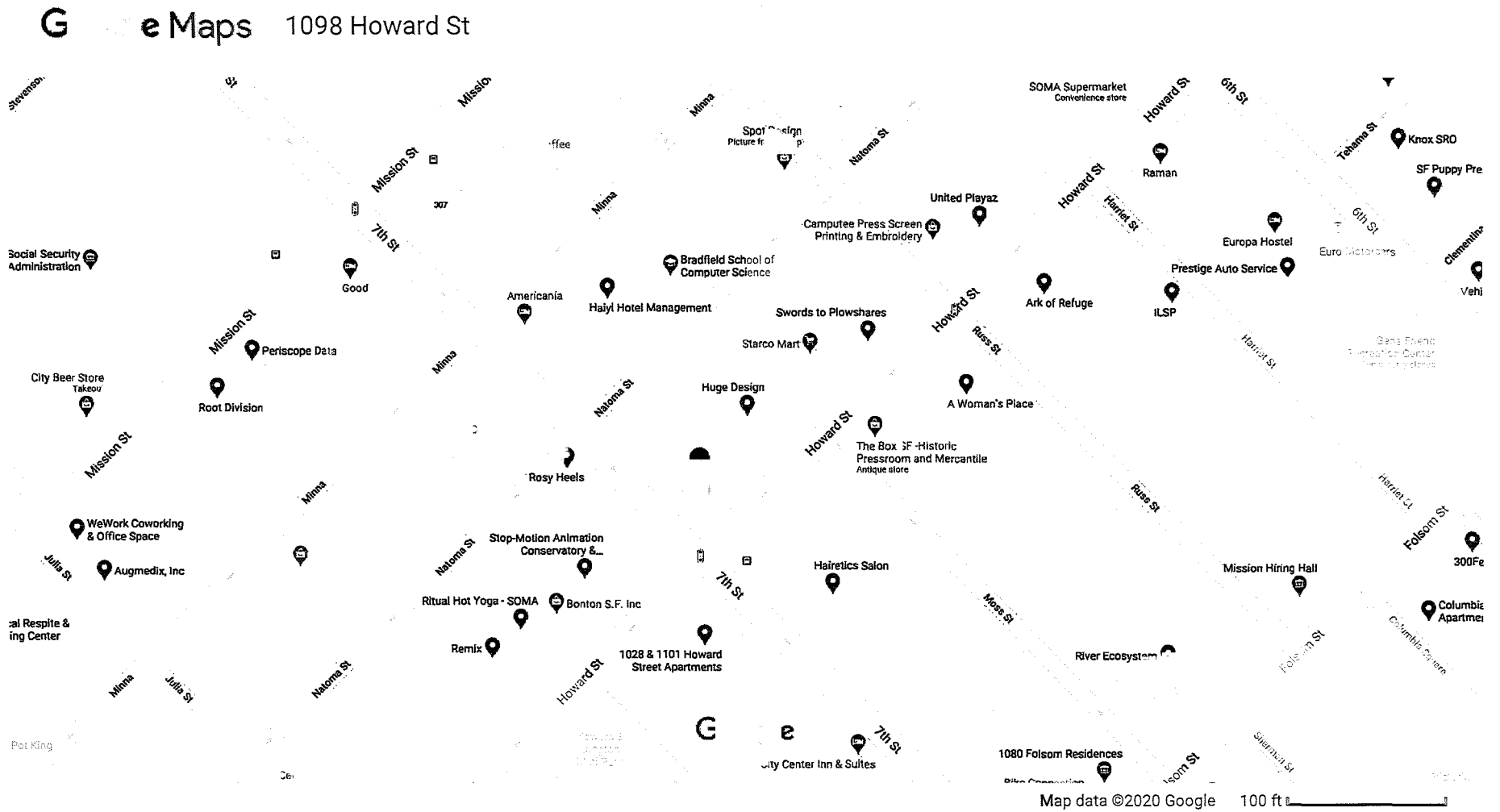
2 - Support

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 the most recently certified ABC-253.

It should be noted that as of November 11, 2020 the applicant had agreed to the above listed recommended condition.



Google Maps 1098 Howard St



Image capture: Oct 2019 © 2020 Google

San Francisco, California

Google

Street View

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

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

DATE: October 19, 2020

AP Block/Lot Nos.: 3726/118

TO: Police Department
Inspector Georgia Sawyer
Phone No. (415) 553-9550

Zoning: 85-X MUG

Quad: SE Planning Team

Record No.: 2020-009461MIS

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 December of 2020.

PLEASE EMAIL YOUR RESPONSE BY: November 6, 2020, to John Carroll, Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Tawfiq Fayez Jodeh

Business name: Tony Baloney's

Application address: 1098 Howard Street
San Francisco, CA 94103

Applicant contact info: David J. Villa-Lobos, Licensing Agent
CLA Consulting
P.O. Box 642201
San Francisco, CA. 94164
415.921.4192
david_villalobos@sbcglobal.net

PLANNING REVIEW: Approval Denial

Planning Staff Contact: Michael Christensen 4155758742 Michael.Christensen@sfgov.org

Please print review comments on a trailing page.

POLICE REVIEW: Approval Denial

Please print review comments in a trailing report.

On October 2, 2020, Building Permit Application No. 202010025735 was filed to change the use of the ground floor commercial space at 1098 Howard from Limited Restaurant to Specialty Grocery, in order to allow the business (dba Tony Baloney's) to obtain a Type 21 ABC License. A Type 21 ABC License permits an establishment to sell beer, wine and distilled spirits for consumption off the premises where sold. Under the Planning Code, this license type is permitted in conjunction with a Specialty Grocery use, but not a Limited Restaurant.

As such, the Planning Department recommends approval of the requested PCN letter, subject to the following conditions:

1. The sponsor shall COMPLETE BPA 202010025735 by obtaining and issued permit and completing all inspections.
2. The site shall maintain shelves and product sales of a Specialty Grocer and shall not revert to a Limited Restaurant use after license approval. Specifically, the site shall maintain at least 85% of the gross floor area for sale of "specialty food products such as baked goods, pasta, cheese, confections, coffee, meat, seafood, produce, artisanal goods, and other specialty food products, and may also offer additional food and non-food commodities related or complementary to the specialty food products."
3. No more than 15% of the gross floor area shall be devoted to the sale of alcohol products.
4. The business shall comply with the operating conditions of Planning Code Section 202.2(a)(1).



Michael Christensen - PLN

PLANNING

October 22, 2020

Attn: San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2020 OCT 13 PM 3:06

BY 

Re: Tony Baloney's (Type 21 Application)
1098 Howard Street
San Francisco, CA. 94103

Dear Honorable Board of Supervisors,

Our business (Tony Baloney's) serves as a public convenience and necessity as we've served the neighborhood for almost 30 years and acted as a place of both convenience and gathering for residents and local employees alike. We understand what the community needs and have adjusted our business to continue to serve our customers best as San Francisco and the SOMA have changed over the years.

Adding a liquor license to our business will allow us to better serve our customers' needs especially in a time where people need to be able to go to one local shop to have their essential needs met rather than multiple locations. If approved we plan on dedicating approximately ten percent of our space to high end craft beers, local wines and only very high-end distilled spirits. We humbly ask for your support.

Thank you most Sincerely.

 Aminah Joudeh

Aminah Joudeh
Tony Baloney's
(415)697-9397

Hours of Operation: 9:am to 9:pm

David J. Villa-Lobos, Licensing Agent
CLA Consulting
P.O. Box 642201
San Francisco, CA. 94164
415.921.4192
david_villalobos@sbcglobal.net

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

Jodeh, Tawfiq Fayed

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

1098 Howard St., San Francisco, CA 94103

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

883,869

6. TOTAL NUMBER OF LICENSES IN COUNTY

- On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1/132

- On-Sale Off-Sale

8. CENSUS TRACT NUMBER

0170.01

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

6

- On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

9

- 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

220

14. TOTAL NUMBER OF REPORTING DISTRICTS

054

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

15,022

16. AVERAGE NO. OF OFFENSES PER DISTRICT

84.13

17. 120% OF AVERAGE NUMBER OF OFFENSES

100.8

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

232

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)

AD

