

File No. 110178

Committee Item No. 3

Board Item No. _____

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

Committee: **City Operations & Neighborhood Services Committee** Date 4/11/11

Board of Supervisors Meeting Date _____

LIQUOR LICENSE HEARING

Cmte Board

- | | | |
|-------------------------------------|--------------------------|----------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Applicant's Letter |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Police Department Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Planning Department Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Clerk's Correspondence |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Other |

- _____
- _____
- _____
- _____
- _____
- _____

Completed by Gail Johnson Date 4/7/11
Completed by _____ Date _____

File # 110178

2/18/11
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 FEB 18 PM 3:57

TO: CLERK OF THE BOARD
FROM: JEREMY OGOR
RE: PC N REQUEST

My name is Jeremy Ogor and I can be reached at 516-647-1782 or 415-522-2440.

The business address is 863 Mission St, San Fran, CA 94103

I am applying for a type 42 license.

The business is located at 863 Mission St, San Fran, CA 94103. We are an art gallery and event venue.

The business name is The Artist Alley and the DBA is Bar Madira.

Our hours of operation are 11am-7pm 7 days a week. We are also opened at night as events are scheduled.

Our business is an improvement to the neighborhood. We draw people from all aspects of the city who are interested →

in the arts. The city has dedicated our neighborhood an art district and we are pioneers in establishing the arts in the SOMA neighborhood. Scheduled events for artists and others would require us to offer wine and beer as an added incentive for bringing more business to the area as well as the city as a whole,
Thank you.

Henry M. G.

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.

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2011 FEB 18 PM 2:56

PART 1 - TO BE COMPLETED BY ABC

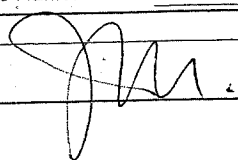
| | | | | | |
|---|---|--|---|--|--|
| 1. APPLICANT'S NAME JMO ENTERTAINMENT PARTNERS LLC | | | 3. LICENSE TYPE | | |
| 2. PREMISES ADDRESS (Street number and name, city, zip code) 863 MISSION ST. SAN FRANCISCO, CA 94103-3006 | | | | | |
| 4. TYPE OF BUSINESS | | | | | |
| <input type="checkbox"/> Full 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 | | | |
| <input type="checkbox"/> Other - describe: | | | | | |
| 5. COUNTY POPULATION 824,525 | 6. TOTAL NUMBER OF LICENSES IN COUNTY 317 <input checked="" type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale | | 7. RATIO OF LICENSES TO POPULATION IN COUNTY 1:2000 <input checked="" type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale | | |
| 8. CENSUS TRACT NUMBER 0104 | 9. NO. OF LICENSES ALLOWED IN CENSUS TRACT 16 <input checked="" type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale | | 10. NO. OF LICENSES EXISTING IN CENSUS TRACT 3 <input checked="" type="checkbox"/> On-Sale <input type="checkbox"/> 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?) <input type="checkbox"/> Yes, the number of existing licenses exceeds the number allowed <input checked="" type="checkbox"/> No, the number of existing licenses is lower than the number allowed IX PUB | | | | | |
| 12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS? <input checked="" type="checkbox"/> Yes (Go to Item #13) <input type="checkbox"/> No (Go to Item #20) | | | | | |
| 13. CRIME REPORTING DISTRICT NUMBER 222 | 14. TOTAL NUMBER OF REPORTING DISTRICTS 654 | | 15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS 120,367 | | |
| 16. AVERAGE NO. OF OFFENSES PER DISTRICT 184 | 17. 120% OF AVERAGE NUMBER OF OFFENSES 221 | | 18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT 963 | | |
| 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) <input checked="" type="checkbox"/> Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17 <input type="checkbox"/> No, the total number of offenses in the reporting district is lower than the total number in item #17 PC&N | | | | | |
| 20. CHECK THE BOX THAT APPLIES (check only one box) | | | | | |
| <input type="checkbox"/> a. If "No" is checked in both item #11 <u>and</u> item #19, <u>Section 23958.4 B&P does not apply</u> 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. | | | | | |
| <input type="checkbox"/> b. If "Yes" is checked in either item #11 <u>or</u> item #19, <u>and</u> 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 <u>applicant to complete Section 2</u> and bring the completed form to ABC when filing the application or as soon as possible thereafter. | | | | | |
| <input checked="" type="checkbox"/> c. If "Yes" is checked in either item #11 <u>or</u> item #19, <u>and</u> 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 <u>applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3</u> . The completed form will need to be provided to ABC in order to process the application. | | | | | |

Governing Body/Designated Subordinate Name:

SF BOARD OF SUPERVISORS

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)






San Francisco Police Department
ABC Liaison Unit

Alcoholic Beverage License -
*Public Convenience and
Necessity Determination*

To: The San Francisco Board of Supervisors' Committee on City Operations
& Neighborhood Services

Supervisor Avalos
Supervisor Mar
Supervisor Elsbernd

From: Inspector Dave Falzon 
Officer in Charge
ABC Liaison Unit (ALU) 553-1049

Date: April 8, 2011

Subject: P.C.N. Investigation Regarding: Mr. Jeremy Ogor
Bar Madira
863 Mission Street

Mr. Jeremy Ogor on behalf of Bar Madira has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 42 (On-Sale Beer & Wine Public Premises) license for 803-805 Howard Street (located between 4th Street and 5th Street).

Hours of Operation:

Daily 11:00 a.m. – 7:00 p.m.

Digest:

If approved, this license will allow the applicant to serve wine on premises. This type of licenses does not have a food requirement and those under the age of 21 are not allowed admittance.

Letters of Protest:

No Record

Letters of Support:

No Record

Police Calls for Service:

From April 2010 to April 2011

8

Police Reports:

From April 2010 to April 2011

No Record

San Francisco Plot Information:

This premise is located in Plot 222

184 Police Reports were recorded for this plot in 2009

This plot is 37 Police Report(s) under the citywide average (plus 20%) of 221 Police Reports.

State Census Tract Information:

This premise is located in Census Tract 176.01

Population for this tract is: 5829

On-sale license authorized by census tract: 16

Active on-sale licenses: 54 with 1 pending

Off-sale licenses authorized by census tract: 6

Active off-sale licenses: 11 with 0 pending

Departmental Recommendation:

Points of consideration:

Opposition from **Southern Station**

Applicant premise **is not** located in a "high crime" area.

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

No Record of protest.

No Record of support.

Applicant supports conditions.

ALU Recommendation: **Approval with Conditions**

1. Sales, service, and consumption of alcoholic beverages shall be permitted only between the hours of 11:00 a.m. and 10:00 p.m. Sunday-Thursday and 11:00 a.m. and 12:00 Midnight Friday-Saturday.
2. Noise ("noise is defined as any raucous sound that is produced in such a manner or to such a degree as to disturb the peace, quiet, and comfort of persons in the neighborhood") shall not be audible beyond the area under the control of the licensee as depicted on ABC-257, dated _____.
3. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
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.
5. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti within 72 hours following the beginning of the next week day.
6. The interior lighting maintained therein shall be sufficient to make easily discernible the appearance and conduct of all persons and patrons in that portion of the premises where alcoholic beverages are sold, served, delivered or consumed.

7. The exterior of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the premises. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.
8. Petitioner shall not make structural changes in the premises interior without prior written approval from the Department.
9. The sale of alcoholic beverages for off-sale is strictly prohibited.
10. The sale, service and consumption of beer or malt beverages is strictly prohibited.

end.

Census Tract 176.01, San Francisco County, California

- Boundaries**
- State
- '00 County
- '00 Census Tract
- '00 Block Group
- '00 Place
- '00 Place
- '00 Urban Area
- '00 Urban Area
- Features**
- Major Road
- Street
- Stream/Waterbody
- Stream/Waterbody

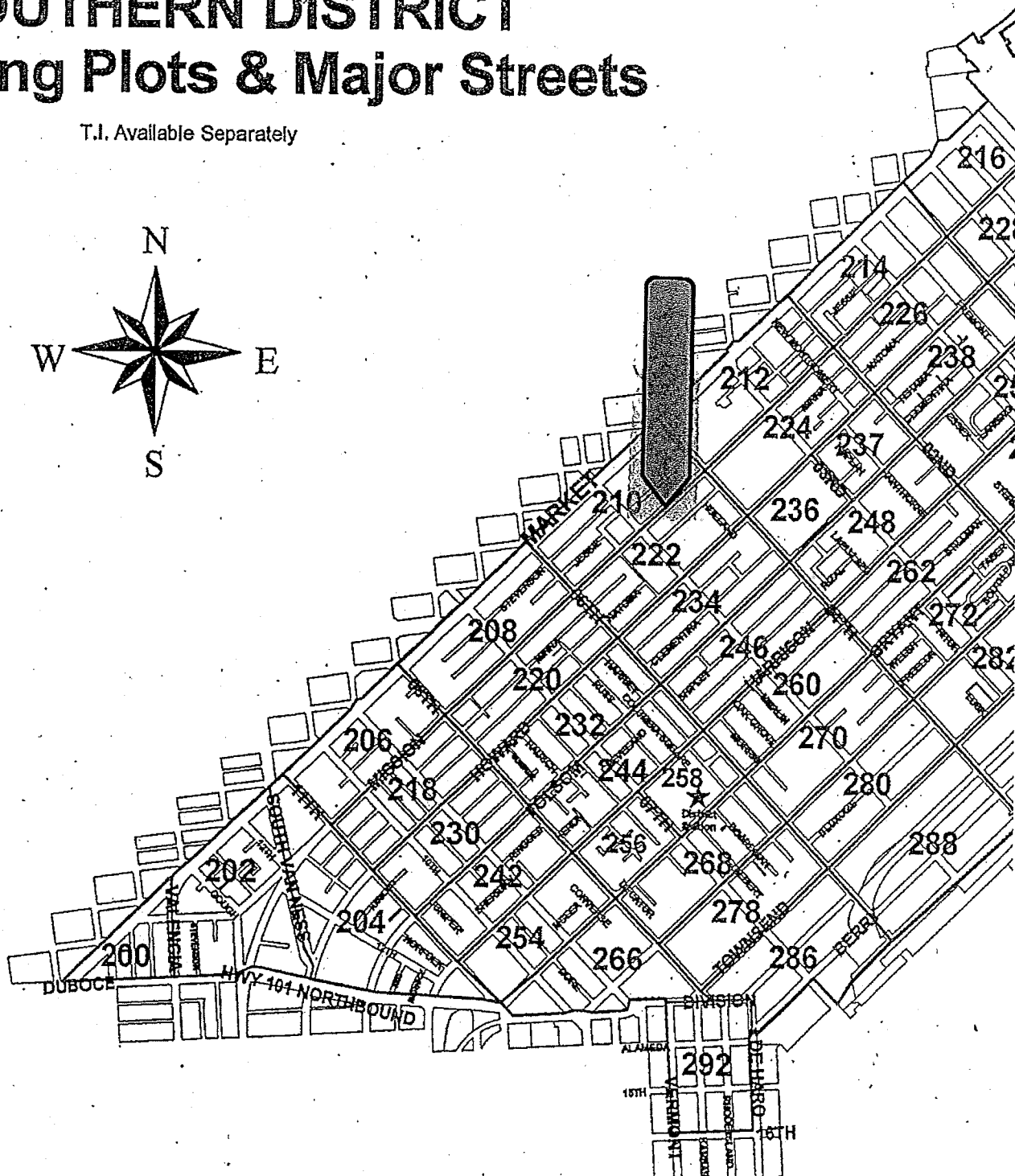


2.8 miles across

Close

SOUTHERN DISTRICT Reporting Plots & Major Streets

T.I. Available Separately



RECEIVED

MAR 3 - 2011

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
TAG TEAM

LIQUOR LICENSE REVIEW

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

File: 110178

*Block/lot: 3724/067
Zoning: C-3-S
Quad: NE
MSB # 1100504*

TO: Inspector Dave Falzon
Police Department
Fax No.: 553-1463

DATE: March 1, 2011

This item is scheduled to be heard at a meeting on March 28, 2011. **PLEASE E-MAIL YOUR RESPONSE BY: March 24, 2011**, to Gail Johnson, Clerk, City Operations and Neighborhood Services Committee.

Gail.Johnson@sfgov.org - Fax No: 554-7714

Applicant Name: Jeremy Ogor
and Business Name: Bar Madira

Applicant Address: 863 Mission Street
and Phone No. (516) 647-1782
(415) 522-2440

PLANNING COMMENTS: Approval Denial

permitted per Planning Code Section 218(b)

*[Signature] 3/4/11
Rick Crawford*

POLICE COMMENTS: Approval Denial