

File No. 130069

Committee Item No. 4

Board Item No. 29

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Neighborhood Services and Safety Date 4/4/13

Board of Supervisors Meeting Date 4/16/13

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Legislative Analyst Report
- Youth Commission Report
- Introduction Form (for hearings)
- 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 (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Derek Evans Date 3/29/13
 Completed by: Derek Evans Date 4/16/13

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
 The complete document can be found in the file.

1 [Liquor License - 820-26th Street]

2
3 **Resolution determining that the issuance of Type 42 on-sale beer and wine**
4 **license to Cesar Ascarrunz for Cesar's Ballroom, located at 820-26th Street**
5 **(District 10), will serve the public convenience and necessity of the City and**
6 **County of San Francisco, in accordance with California Business and**
7 **Professions Code, Section 23958.4, and recommending that the California**
8 **Department of Alcoholic Beverage Control impose conditions on the issuance of**
9 **the license.**

10
11 WHEREAS, Cesar Ascarrunz is seeking the issuance of a Type 42 on-sale beer
12 and wine license for Cesar's Ballroom, located at 820-26th Street; and,

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

15 WHEREAS, The Police Department has filed one protest with the Department of
16 Alcoholic Beverage Control under California Business and Professions Code, Section
17 24013, and recommends that the Department of Alcoholic Beverage Control issue the
18 liquor license with conditions; and

19 WHEREAS, The conditions recommended by the Police Department are the
20 following: 1) Sales, service and consumption of alcoholic beverages shall be permitted
21 between the hours of 7:00 PM until 12:00 AM (midnight) Sunday through Thursday and
22 7:00 PM until 2:00 AM Friday and Saturday; 2) The petitioner(s) shall be responsible for
23 maintaining free of litter the area adjacent to the premises over which they have control;
24 3) Loitering (defined as "to stand idly about, linger aimlessly without lawful business") is
25 prohibited on any sidewalks or property adjacent to the licensed premises under the

1 control of the licensee as depicted on the ABC-257; 4) Graffiti shall be removed from
2 the premises and all parking lots under the control of the licensee within 72 hours of
3 application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the
4 licensee shall remove the graffiti with 72 hours following the beginning of the next
5 weekday; 5) The exterior of the premises shall be equipped with lighting of sufficient
6 power to illuminate and make easily discernible the appearance and conduct of all
7 persons on or about the premises. Additionally, the position of such lighting shall not
8 disturb the normal privacy and use of any neighboring residences; 6) No noise shall be
9 audible beyond the area under the control of the licensee as depicted on ABC-257;
10 7) The interior lighting maintained therein shall be sufficient to make easily discernible
11 the appearance and conduct of all persons and patrons in that portion of the premises
12 where alcoholic beverages are sold, served, delivered or consumed; 8) This license
13 shall not be exchanged for an on-sale general alcohol license; 9) The petitioner shall
14 utilize electronic surveillance and recording equipment that is able to view the outside of
15 the premises, including all entrances and exits, and that is actively monitored and
16 recorded. This electronic surveillance shall be utilized during operating hours. Said
17 electronic recording shall be kept at least 30 days and shall be made available to the
18 Department and police department upon demand; now, therefore, be it

19 RESOLVED, That in accordance with California Business and Professions Code,
20 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
21 hereby determines that the issuance of a Type 42 on-sale beer and wine license to
22 Cesar Ascarrunz for Cesar's Ballroom, located at 820-26th Street, will serve the public
23 convenience or necessity of the City and County of San Francisco; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors of the City and County of
25 San Francisco hereby endorses and adopts the recommendations of the Police

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Department listed above, and recommends that the Department of Alcoholic Beverage Control issue the license with those conditions.



San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
Public Convenience or 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: Inspector Joseph Fong
ABC Liaison Unit (ALU) 553-1049

Date: March 28, 2013

Subject: P.C.N. Investigation Regarding:
DBA: Cesar's Ballroom
820 26th Street
Ascarrunz, Cesar
(415) 977-0203

Cesar Ascarrunz has filed an application with the California Department of Alcoholic Beverage Control (ABC) seeking to add a Type 42 (On-Sale Beer and Wine-Public Premises) license for 820 26th Street (located at the north side of 26th Street at 3rd Street).

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 December 2011 to December 2012

0

Police Reports: From December 2011 to December 2012

0

Notifications

It should be noted that during the application process, 500' mailer was not required as there are no residences within the 500' radius. The Notice to the Public was posted on December 28, 2012.

San Francisco Plot Information:

This premises is located in Plot 321.

The High Crime area is defined as 86 or more police reports in a plot.

This plot had 33 police reports recorded for 2012.

Applicant premises is **not** located in a "High Crime" area.

State Census Tract Information:

This premises is located in Census Tract 9809.

Population for this tract is: 350.

On-sale license authorized by census tract: 1.

Active on-sale licenses: 12.

Off-sale licenses authorized by census tract: 0.

Active off-sale licenses: 10.

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

Letters of Protest:

1 letter of protest with the California Department of Alcoholic Beverage Control, (ABC).

Letters of Support:

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

Departmental Recommendation:

No opposition from Bayview Police Station if agrees to recommended conditions

ALU recommends: Approval with the below conditions:

1. Sales, service and consumption of alcoholic beverages shall be permitted between the hours of 7:00 pm until 12:00 pm (midnight); Sunday through Thursday, and 7:00 pm until 2:00 am, Friday and Saturday.
2. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
3. 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 as depicted on the ABC-257, dated _____.
4. 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 with 72 hours following the beginning of the next weekday.
5. 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.
6. No noise shall be audible beyond the area under the control of the licensee as depicted on ABC-257, dated _____.
7. 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.
8. This license shall not be exchanged for an on sale general alcohol license.
9. The petitioner shall utilize electronic surveillance and recording equipment that is able to view the outside of the premises, including all entrances and exits, and that is actively monitored and recorded. This electronic surveillance shall be utilized during operating hours. Said electronic recording shall be kept at least 30 days and shall be made available to the Department and police department upon demand.

*Note: Inspector Van Koll met with the applicant, Cesar Ascarrunz, and they discussed and agreed to the above conditions.

Thank you,



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 1/7/2013*

License Information
License Number: 528888
Primary Owner: ASCARRUNZ, CESAR
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: CESAR'S BALLROOM
Business Address
Address: 820 26TH ST Census Tract: 9809.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94107
Licensee Information
Licensee: ASCARRUNZ, CESAR
License Types
1) License Type: 42 - ON-SALE BEER AND WINE - PUBLIC PREMISES
License Type Status: PENDING
Status Date: 28-DEC-2012 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM:
Current Disciplinary Action
... <i>No Active Disciplinary Action found</i> ...
Disciplinary History
... <i>No Disciplinary History found</i> ...
Hold Information
Hold Date: 28-DEC-2012 Type: FORM 220
Escrow
... <i>No Escrow found</i> ...

--- End of Report ---

For a definition of codes, view our [glossary](#).

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
•Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
•You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.
•A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

CESAR ASCARRUAZ (Name(s) of Applicant(s))

For premises at:

870 22nd St SF 94107 (Exact address of proposed premises)

on the grounds that:

- 1) Undue concentration Business & Professional Code Section 23958.4
2) High crime Business & Professional Code Section 23958.4 (c)
3) Definition of High of high crime Business & Professional Code Section 23958.4 (c) (1)

Conditions For Approval

- A) No off-sale beer & wine allowed.
B) No-coin operated or mechanical devises or pool table.
C) Hours of operation: 10AM - 12AM 7 DAY A WEEK
D) No live entertainment or D. J. entertainment allowed.
E) A San Francisco Health Code Section 1009 No Smoking sign shall be posted on door.
F) A No loitering sign shall be posted on door.
G) No - after - hours permit allowed.

H) ALCOHOL SALES MUST BE TIED TO THE PURCHASE OF FOOD BY THE SAME PERSON AT THE SAME TIME

I) CAMERAS + VIDEO SURVEILLANCE EQUIPMENT MUST BE HEED FOR 30 DAYS

J) HAS CODE 11532 NO LOITERING MUST BE POSTED + BEHIND

K) SFPD § 25 NO TRESSPASSING SIGN MUST BE POSTED

Check here if additional sheets attached

I, Marvis J. Phillips, PUBLIC SAFETY CHAIR, declare under penalty of perjury:

PRINT (Name of Protestant)

ALLIANCE FOR A BETTER DISTRICT

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

Handwritten signature of Marvis J. Phillips

PROTESTANT'S TELEPHONE NUMBER (Optional)

415 674-1435

SIGNED AT (City and state)

SAN FRANCISCO CALIFORNIA

DATE SIGNED

7 JAN 2013

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)


230 EDWY ST #1706 SAN FRANCISCO, CA 94102-6526

ABC-510-A (07/08)

cc: SFPD - ALLI BSO BRYANT
cc: SFPD - MISSION STATION - PERMIT OFFICER
cc: FILE

Call No	Agency	Call Type	Disposition
Report No	Jurisdiction	Dispatch Area	# Prior Calls
Unit ID	Origin	Dept ID	Priority
Rep Area	Area	Sector	
Location	820 26TH ST		Range
Apartment	City		
Entry Oper	Dispatch Oper		
From Date	01/05/2012	To Date	07/04/2012
From Time		To Time	
Comments			
<input type="button" value="Search"/>			

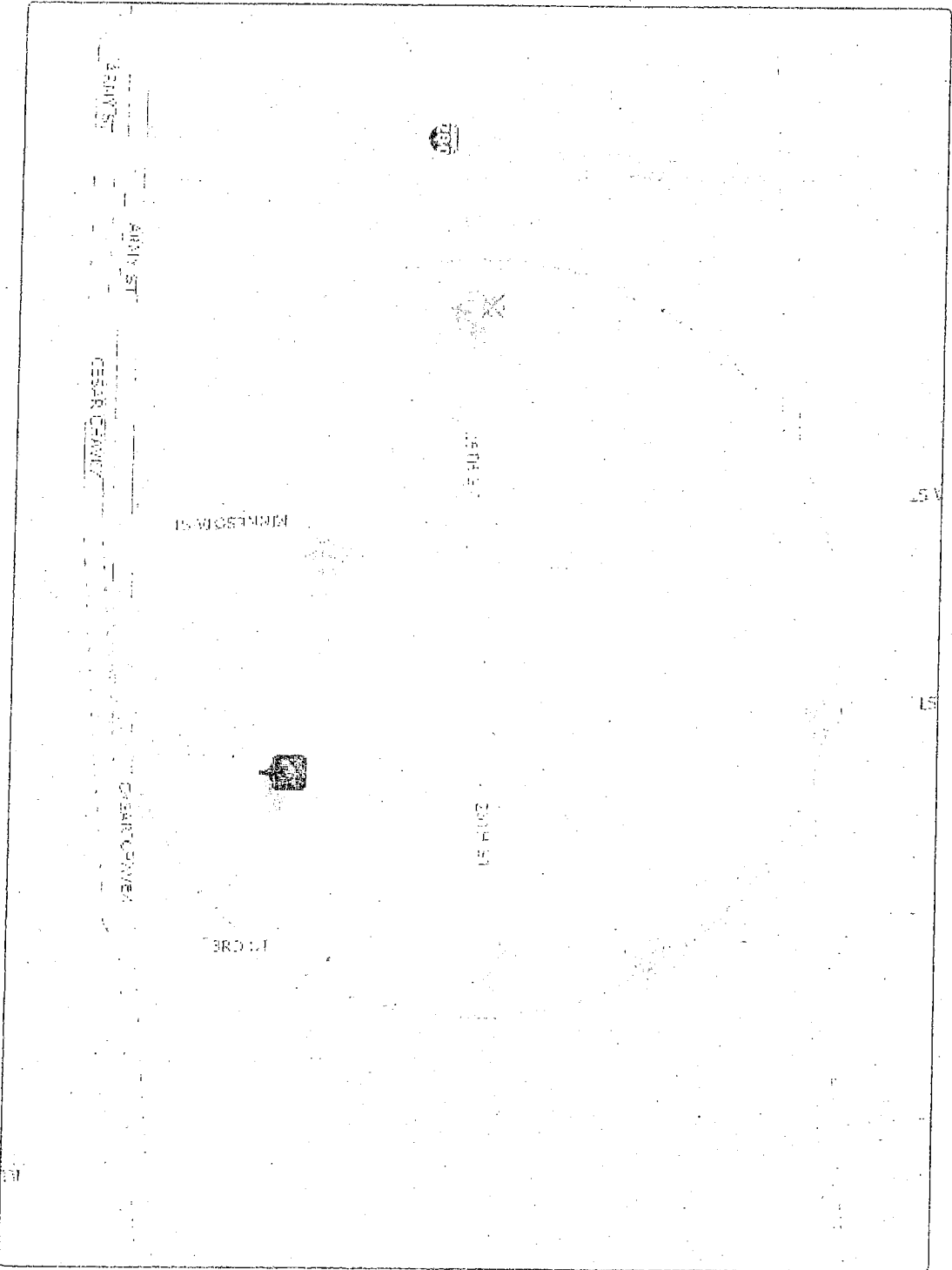
No hits found

Call No	Agency	Call Type	Disposition
Report No	Jurisdiction	Dispatch Area	# Prior Calls
Unit ID	Origin	Dept ID	Priority
Rep Area	Area	Sector	
Location 820 26TH ST			Range
Apartment	City		
Entry Oper	Dispatch Oper		
From Date 07/05/2012	To Date 01/04/2013	From Time	To Time
Comments			
 Search			

No hits found

820 25th St
500 Feet

San Francisco Police Department



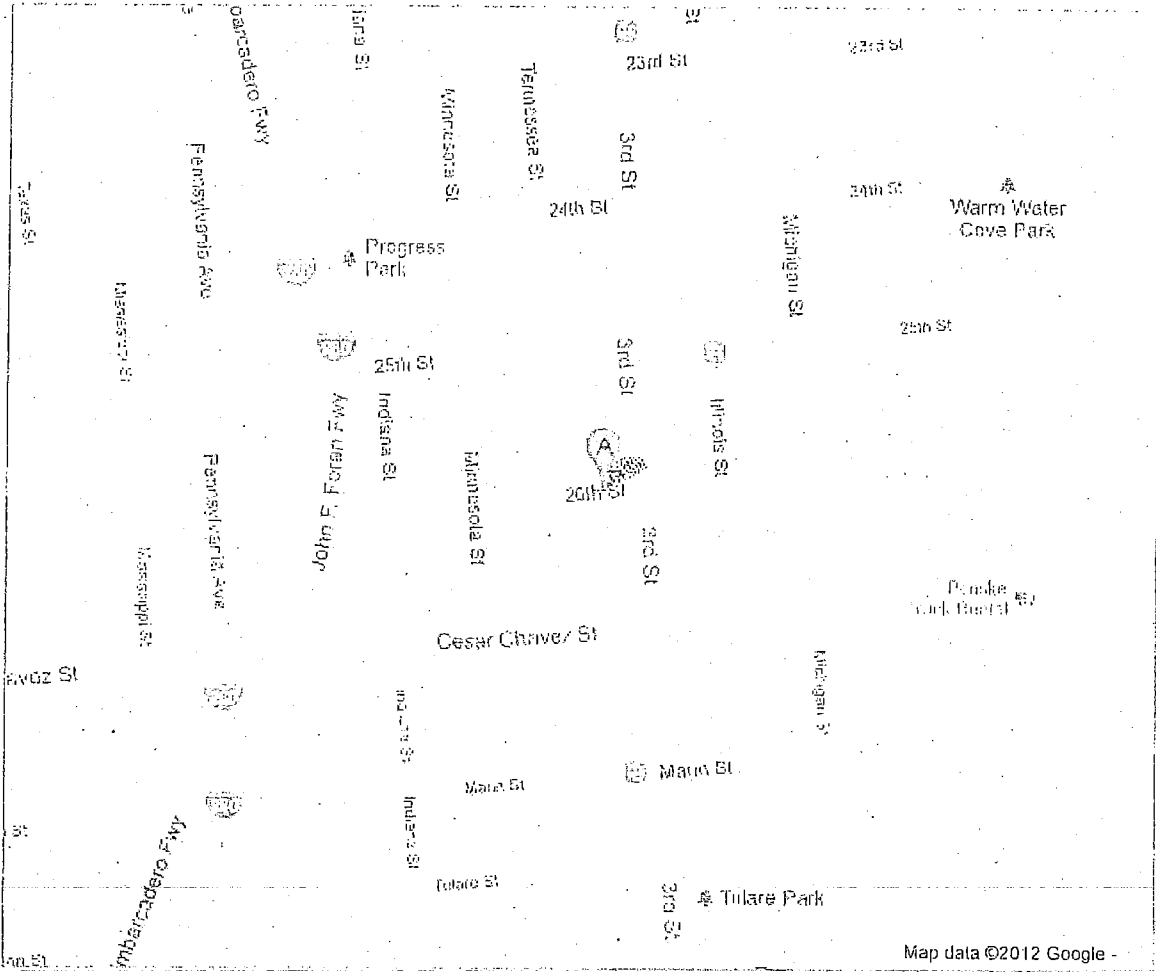
Map Legend	
	Incidents (20)
	Larceny/Theft (6)
	Other Offenses (4)
	Non-Criminal (2)
	Burglary (2)
	Vehicle Theft (2)
	Suspicious Occurrence (1)
	Weapon Laws (1)
	Vandalism (1)
	Warrants (1)

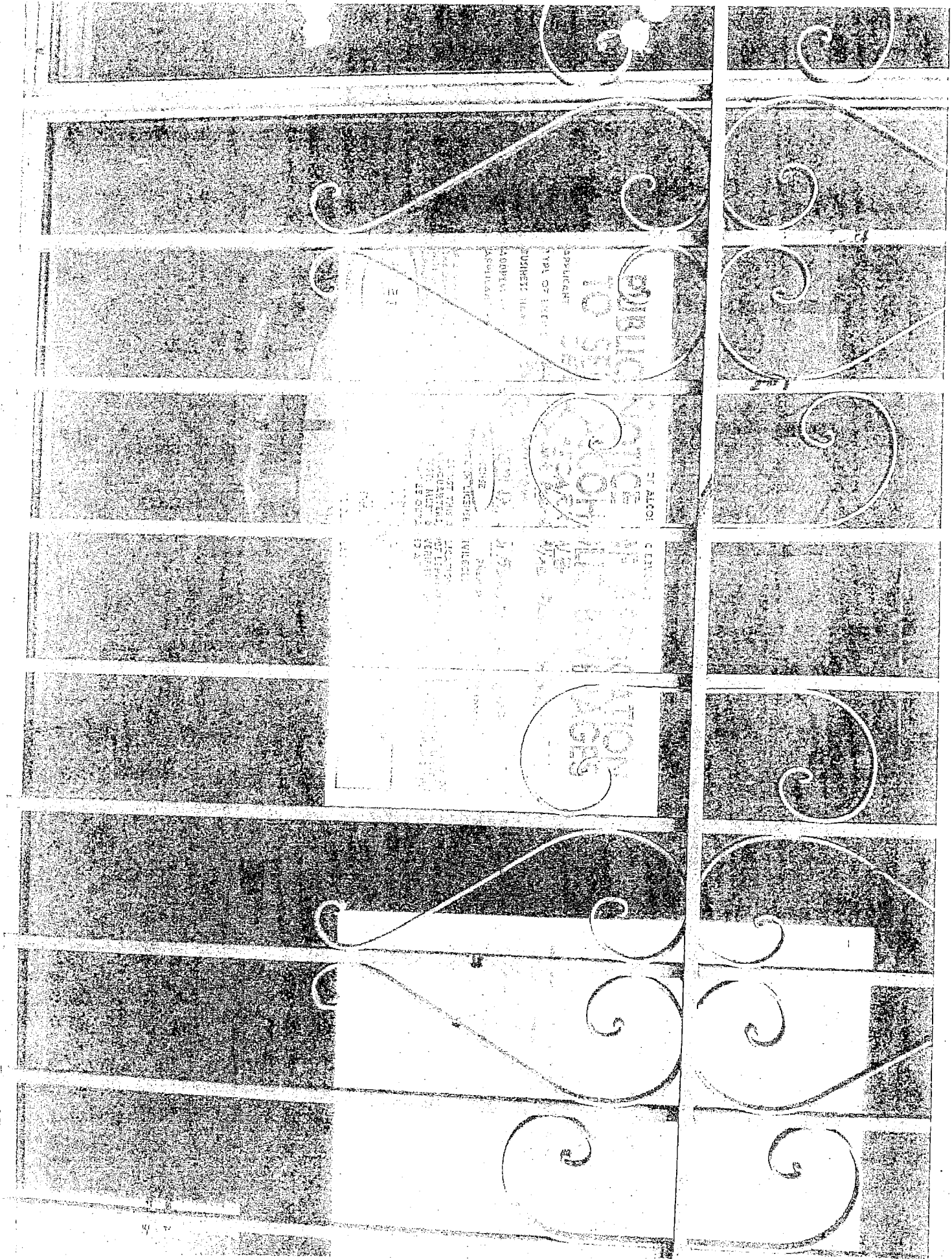
All representations on this map are distributed and transmitted "AS IS" without warranties of any kind, either expressed or implied including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. In no event shall San Francisco Police Department become liable to users of these data for any loss or damages, consequential or otherwise, including but not limited to time, money, goodwill, arising from the use, operation or modification of the data. The visual presentation of data is being provided strictly as a courtesy, not as an obligation to its users.

WARNING: This map does not meet the national map accuracy standards.

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.





LIQUOR LICENSE REVIEW

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

File: 130069

TO: Police Department
Inspector Nelly Gordon
Inspector Joseph Fong
Fax No.: 553-1463

Block/lot: 4295/010
Zoning: PDR-1-G
Quad: 8E
Sub # 1300121

DATE: January 24, 2012

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: February 7, 2012, to Derek Evans,
Clerk, City Operations and Neighborhood Services Committee.

Derek.Evans@sfgov.org - Fax No: 554-7714

Applicant Name: Cesar Ascarrunz
and Business Name: Cesar's Ballroom
(820-26th Street)

Applicant Address: 91 Miguel Street
San Francisco, CA 94131
and Phone No. (415) 821-1156

PLANNING COMMENTS: Approval Denial

RECOMMEND APPROVAL TYPE 42 ABC LICENSE IS ALLOWED IN
PDR-1-G PER PC SECTION 218

POLICE COMMENTS: Approval Denial

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2013 JAN 24 PM 1:34

DM

Cesar Ascarrunz

Mailing: 91 Miguel St, S.F., CA 94131

Phone: (415) 821-1156, Fax: (415) 800-7624

Business: Cesar's Ballroom, 820 26th St, S.F., CA, 94107

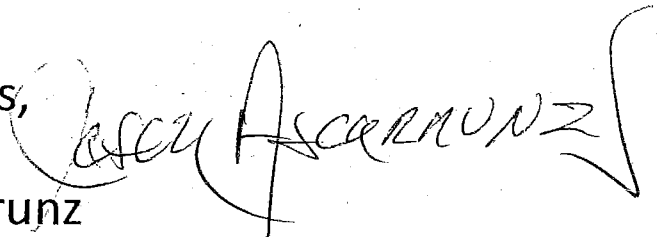
License: Beer and Wine #42 General Premises

Operation Hours: Friday/Saturday 7pm-2am

Thursday 7pm-12midnight

The license #42 Beer and Wine General Premises serves the public convenience by allowing customers to come enjoy a nice glass of wine or beer while dancing and listening to the best live orchestra's. I have been providing this type of entertainment for many years. By request of thousands of people, I am complying with their wishes. Cesar's Ballroom will create at least fifty jobs: orchestra's, security guard's, cashier's, bartender's, server's, and public relations.

Best Regards,



Cesar Ascarrunz

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

Cesar Ascarrunz

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

820 26th St., San Francisco, CA 94107

3. LICENSE TYPE

4a

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 checked="" 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

812,820

6. TOTAL NUMBER OF LICENSES IN COUNTY

284

- On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

- On-Sale Off-Sale

8. CENSUS TRACT NUMBER

9809.00

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

- On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

13

- 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

3x publication

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

321

14. TOTAL NUMBER OF REPORTING DISTRICTS

654

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

117,571

16. AVERAGE NO. OF OFFENSES PER DISTRICT

179

17. 120% OF AVERAGE NUMBER OF OFFENSES

214.8

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

89

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.

(BACK)

Board of Supervisors

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

ASD

1451

Instructions to the Applicant: Complete Items 1 - 14. Sign and date the form and submit it to ABC.

1. APPLICANT(S) NAME (Last, first, middle) ASCARRUNZ, CESAR		
2. PREMISES ADDRESS (Street number and name, city, zip code) 820 26th Street, S.F. CA.		3. PARCEL NUMBER OF PROPERTY (Obtain from County Assessor's Office) 4295/008
4. TYPE OF LICENSE APPLIED FOR 42	5. UPGRADE OF LICENSED PRIVILEGES <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6. CURRENT LICENSE TYPE AT THIS LOCATION, IF ANY NONE
7. TYPE OF BUSINESS (i.e., restaurant, mini-mart, gas station, etc.) BALLROOM DANCING		8. ARE THE PREMISES INSIDE THE CITY LIMITS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

For answers to Questions 9 - 14, contact your local city OR county planning department (if inside the city limits, contact city planning; if outside, contact county planning).

9. HOW ARE APPLICANT PREMISES ZONED? STATE TYPE (i.e., "C" commercial, "R" residential, etc.) PDR-1-G		
10. DOES ZONING PERMIT INTENDED USE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	11. IS A CONDITIONAL USE PERMIT (C.U.P.) NEEDED? (If yes, please attach copy of receipt or C.U.P.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	12. IF YES, DATE YOU FILED APPLICATION FOR C.U.P.
13. NAME OF PLANNER CONTACTED AT PLANNING DEPARTMENT Isoken Omokaro		14. PLANNER'S PHONE NUMBER 415.558.6403

Under the penalty of perjury, I declare the information in this affidavit is true to the best of my knowledge.

15. APPLICANT'S SIGNATURE (One signature will suffice)	16. DATE SIGNED
--	-----------------

FOR DEPARTMENT USE ONLY

<input type="checkbox"/> C.U.P. Approved	IF APPROVED, EFFECTIVE DATE	FILE NUMBER
<input type="checkbox"/> C.U.P. Denied	DATE DENIED	

GENERAL INFORMATION

•Section 23790 of the Business and Professions Code says that ABC may not issue a retail license contrary to a valid zoning ordinance. This form will help us determine whether your proposed business is properly zoned for alcoholic beverage sales.

•A conditional use permit (CUP) (Item 11) is a special zoning permit granted after an individual review of proposed land-use has been made. CUP's are used in situations where the proposed use may create hardships or hazards to neighbors and other community members who are likely to be affected by the proposed use. The ABC district office will not make a final recommendation on your license application until after the local CUP review process has been completed. If the local government denies the CUP, ABC must deny your license application.

23790. Zoning ordinances. No retail license shall be issued for any premises which are located in any territory where the exercise of the rights and privileges conferred by the license is contrary to a valid zoning ordinance of any county or city.

Premises which had been used in the exercise of those rights and privileges at a time prior to the effective date of the zoning ordinance may continue operation under the following conditions:

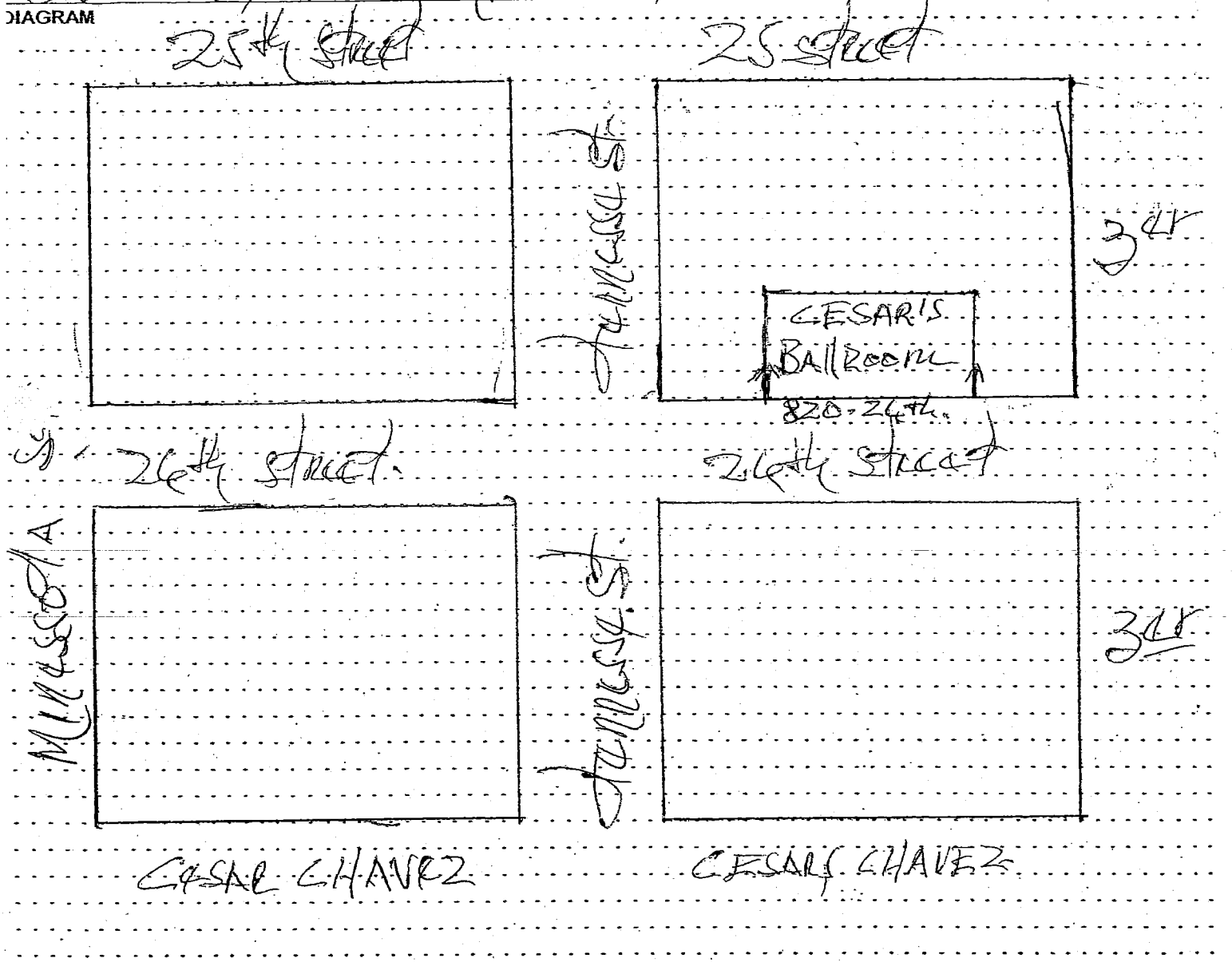
- (a) The premises retain the same type of retail liquor license within a license classification.
- (b) The licensed premises are operated continuously without substantial change in mode or character of operation. For purposes of this subdivision, a break in continuous operation does not include:
 - (1) A closure for not more than 30 days for purposes of repair, if that repair does not change the nature of the licensed premises and does not increase the square footage of the business used for the sale of alcoholic beverages.
 - (2) The closure for restoration of premises rendered totally or partially inaccessible by an act of God or a toxic accident, if the restoration does not increase the square footage of the business used for the sale of alcoholic beverages.

SUPPLEMENTAL DIAGRAM

Instructions to Applicant:

Draw a sketch of the area on which the licensed premises is or will be located. Show adjacent structures and nearest cross streets. If this is an event for a daily license, catering authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.

1. APPLICANT NAME (Last, first, middle) ASCARRUNZ, CESAR	2. LICENSE TYPE 42
3. PREMISES ADDRESS (Street number and name, city, zip code) 820 26th Street, San Francisco, CA 94107	4. NEAREST CROSS STREET TENNESSE



I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

APPLICANT SIGNATURE Cesar Ascarrunz	DATE SIGNED 12/28/2012
CERTIFIED CORRECT (Signature)	FOR ABC USE ONLY
PRINTED NAME	INSPECTION DATE

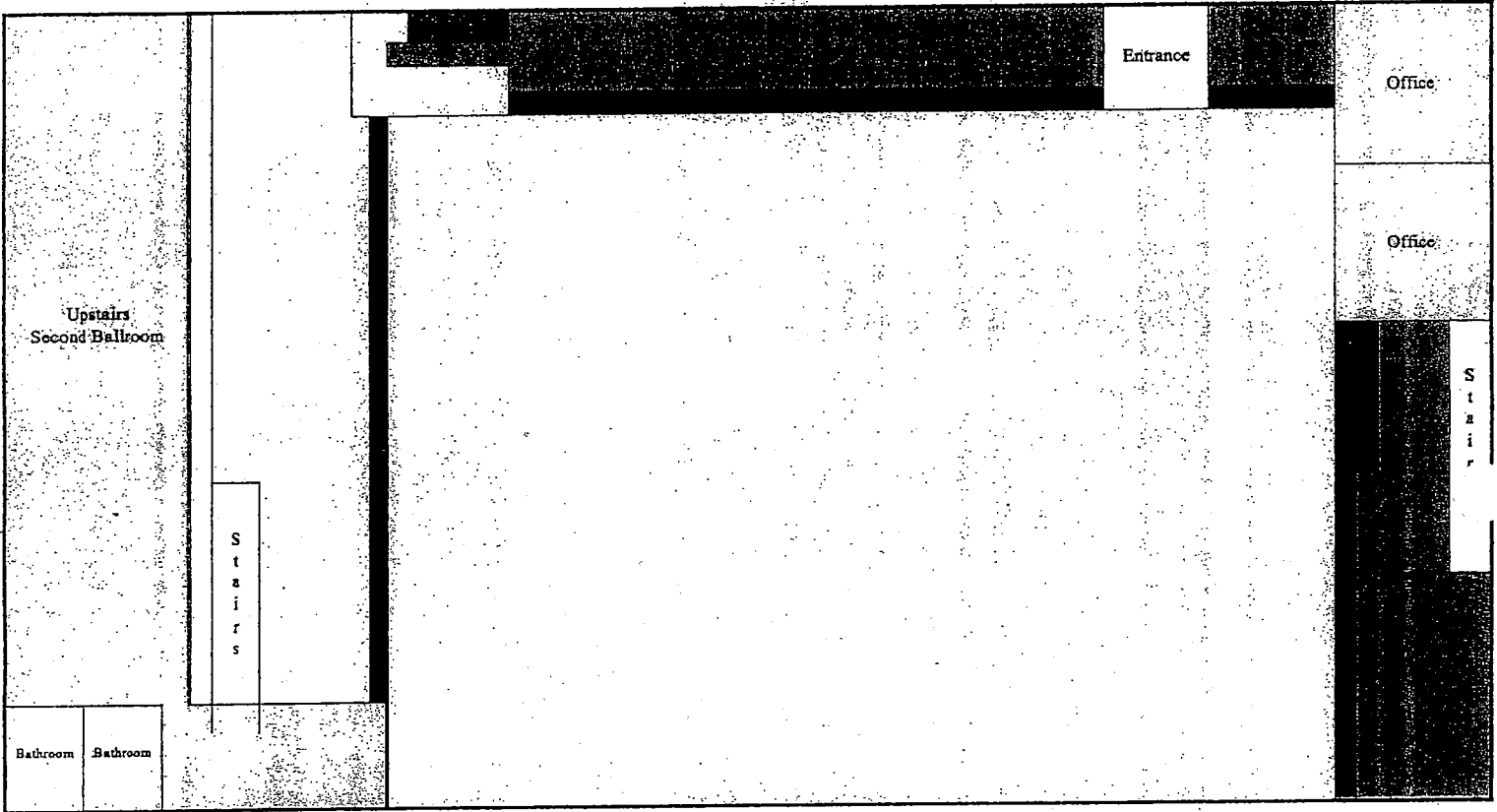
LICENSED PREMISES DIAGRAM (RETAIL)

1. APPLICANT NAME (If Individual: Last, first, middle) Ascarrunz, Cesar	2. LICENSE TYPE 42
---	------------------------------

3. PREMISES ADDRESS (Street number and name, city, zip code) 820 26th St, San Francisco, CA 94107	4. NEAREST CROSS STREET Tennessee Street
---	--

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.).

DIAGRAM



100 F.

It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required) <i>Cesar Ascarrunz</i>	DATE SIGNED 12/28/2012
---	----------------------------------

FOR ABC USE ONLY

CERTIFIED CORRECT (Signature)	PRINTED NAME	INSPECTION DATE
-------------------------------	--------------	-----------------

CESAR'S PRODUCTIONS

91 MIGUEL STREET, SAN FRANCISCO, CA 94131

TEL: 415-821-1156 FAX: 415-800-7624

WWW.CESARSPRODUCTIONS E-MAIL: CESAR@CESARSPRODUCTIONS.COM

March 11, 2013

Supervisor Malia Cohen
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2013 MAR 11 AM 9:53
DUC

Dear Supervisor Cohen,

I am writing to request your support for an exciting new entertainment and employment project in your District.

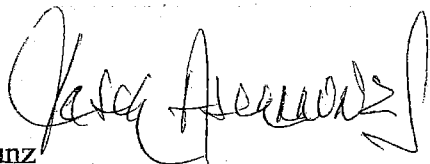
In February, I was pleased to receive an Entertainment Permit for Cesar's Ballroom at 820 26th Street (between Tennessee & 3rd Streets) in District 10.

Two weeks ago, the Clerk of the Board of Supervisors sent me the list of pending PCN determination in which my Cesar's Ballroom is listed for a Type 42 on-sale license. As you can imagine, I am anxious to launch my club, where I will employ more than 50 people in this new entertainment venue.

I would be very grateful for any assistance you can lend in moving this approval forward. Let me know if I can provide you and your staff with any additional information.

Thank you.

Kind regards,



Cesar Ascarrunz

d. v. Mayor Ed Lee
Board of Supervisors

CESAR'S PRODUCTIONS

91 MIGUEL STREET, SAN FRANCISCO, CA 94131

TEL: 415-821-1156 FAX: 415-800-7624

WWW.CESARSPRODUCTIONS E-MAIL: CESAR@CESARSPRODUCTIONS.COM

March 4, 2012

Greg Suhr
Chief of Police
San Francisco Police Department
850 Bryant Street
San Francisco, CA 94103

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2012 MAR 11 AM 9:53

duc

Dear Chief Suhr,

In February, I was pleased to receive an Entertainment Permit for Cesar's Ballroom at 820 26th Street (between Tennessee & 3rd Streets) in District 10. I am grateful to Inspector Richard VanKoll of your ABC Liaison Unit for his thoughtful and prompt review of my application (#130069).

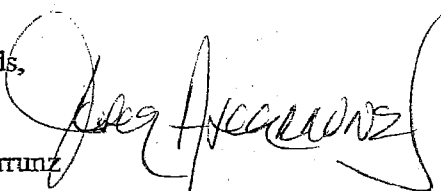
Last week, the Clerk of the Board of Supervisors sent me the list of pending PCN determination in which my Cesar's Ballroom is listed for a Type 42 on-sale license. As you can imagine, I am anxious to launch my club, where I will employ more than 50 people in this new entertainment venue.

I would be very grateful for any assistance you can lend in moving this approval forward.

Thank you.

Kind regards,

Cesar Ascarrunz



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2013 MAR 11 AM 9:53

OK

File #: Entertainment Permit

First Owner: Cesar Ascarrunz
Name of Business: Cesar's Ballroom
Location of Business: 820 26th ST
San Francisco, CA

Live entertainment shall be permitted between the hours of 7:00 pm. and 1:30 am; Thursday through Sunday.

The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.

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 as depicted on the ABC-257, dated _____.

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 with 72 hours following the beginning of the next week day.

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.

No noise shall be audible beyond the area under the control of the licensee as defined on the ABC-257, dated _____.

As per state law, all venue security staff will have a state issued guard card (a copy of which will be sent to SFPD Bayview Station). All security staff will be over 21 years of age, (If permit holder is using an outside security company, that Security Company will send a copy of their PPO and insurance to SFPD Bayview Station along with the copies of the security staff guard cards).

Security personnel shall maintain order therein and prevent any activity would interfere with the quiet enjoyment of their property by nearby residents. Said personnel shall be clothed in such a manner as to be readily identifiable as security.

All bar staff will be ABC LEAD trained, copies of which will be sent to SFPD Bayview Station.

If permit holder is using outside promoters there must be a contract in places between the promoter and venue prior to the event, also all outside promoters must have special event insurance prior to the event and be registered with the city.

The petitioner shall utilize electronic surveillance and recording equipment that is able to view the outside of the premises, including all entrances and exits, and that is actively monitored and recorded. This electronic surveillance shall be utilized during operating hours. Said electronic recording shall be kept at least 30 days and shall be made available to the Department and police department upon demand.

Permit holder to provide monthly calendar of events to Bayview Police Station Permit Officer and at least two weeks prior notice of events being held at venue which shall indicate a contact person for daytime and nighttime use in case of emergency or complaints. Notification should be in writing (via email at bayviewstation.permitofficer@sfgov.org) and/or with verbal confirmation from Permit Officer at (415) 671-2313.

Inspector Richard VanKoll
SFPD, ABC Liaison Unit (ALU)

From: Evans, Derek <derek.evans@sfgov.org>

To: ascarrunz <ascarrunz@aol.com>

Subject: Pending PCN determinations

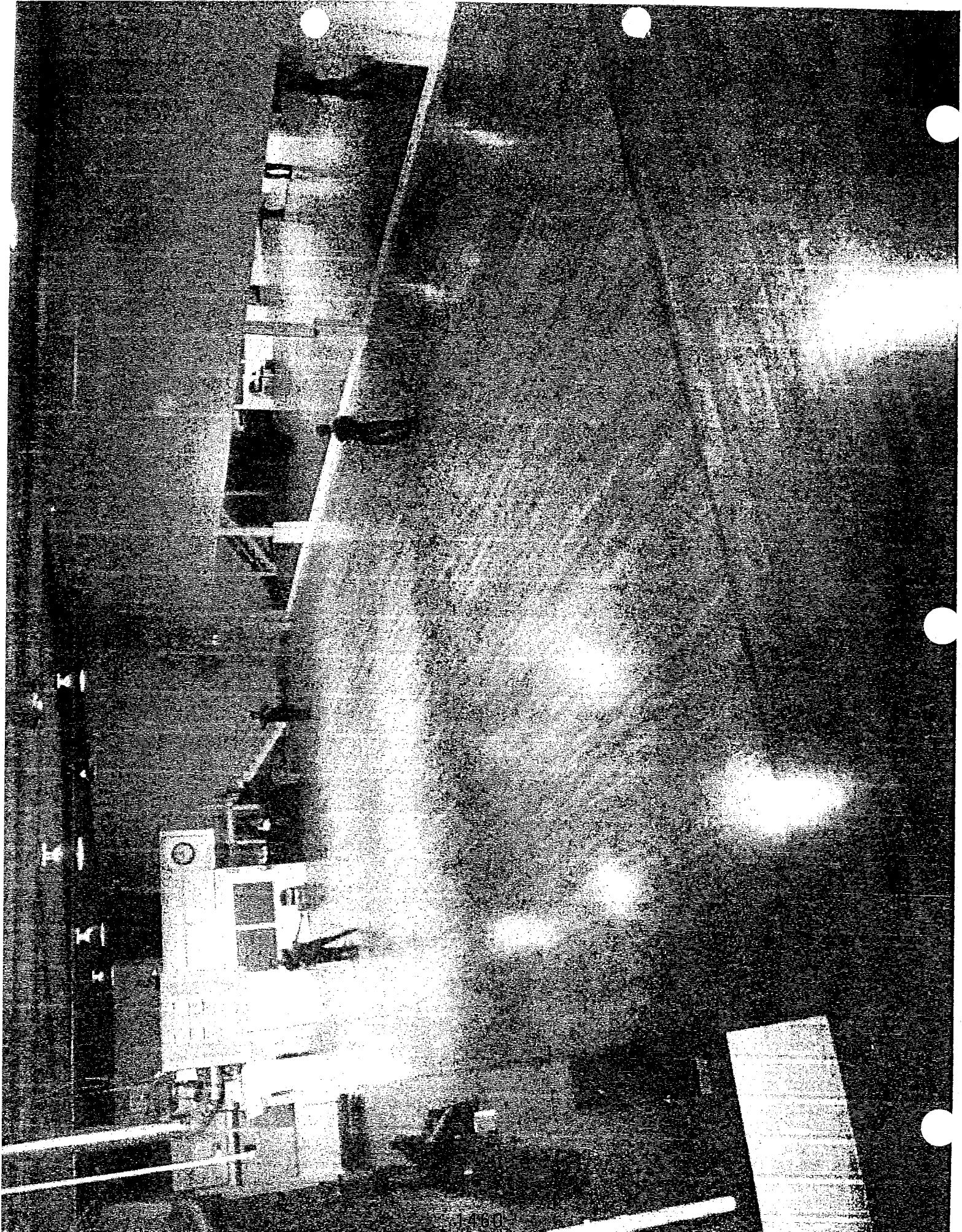
Date: Mon, Feb 25, 2013 4:36 pm

120864	8/21/2012	1600 Post Street (D5) (Han Mi Gift Center) (Type-21 off-sale)
120961	9/21/2012	543-2nd Street (D6) (Zaza Spa) (Type-42 on-sale)
121016	10/17/2012	3910 Geary Boulevard (D1) (Kama Surtra Lounge) (Type-42 on-sale)
121063	10/26/2012	717 Battery Street (D3) (The Battery) (Type-57 special on-sale)
121082	10/30/2012	57 New Montgomery Street (D6) (FM Smokes & Wine) (Type-21 off-sale)
121083	11/1/2012	1 Polk Street (D6) (The Beer Hall) (Type-42 on-sale)
121140	12/4/2012	2001 Market Street (D8) (Whole Foods) (Type-20 off-sale)
121159	12/21/2012	34 Mason Street (D6) (Beer Café) (Type-42 on-sale)
121160	12/27/2012	3801-18th Street (D8) (Mate Veza) (Type-20 off-sale, transfer)
130033	1/11/2013	555 Howard Street (D6) (Eagle Club Indoor Golf) (Type-41 on-sale)
130067	1/22/2013	500 Laguna Street (D5) Nosa Ria (Type 21 off-sale, transfer)
130069	1/24/2013	820-26th Street (D10) Cesar's Ballroom (Type 42 on-sale)
130134	2/15/2013	2379 Chestnut Street (D2) We Olive (Type 42 on-sale)
130163	2/15/2013	2545-24th Street (D10) Playland, LLC (Type 48 on-sale)

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2013 MAR 11 AM 9:54
Just

Approved: JAN/2013

Derek K. Evans
 Assistant Committee Clerk



LIQUOR LICENSE REVIEW

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

File: 130069

TO: Police Department
Inspector Nelly Gordon
Inspector Joseph Fong
Fax No.: 553-1463

DATE: January 24, 2012

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: February 7, 2012, to Derek Evans,
Clerk, City Operations and Neighborhood Services Committee.
Derek.Evans@sfgov.org - Fax No: 554-7714

Applicant Name: Cesar Ascarrunz
and Business Name: Cesar's Ballroom
(820-26th Street)

Applicant Address: 91 Miguel Street
San Francisco, CA 94131
and Phone No. (415) 821-1156

PLANNING COMMENTS: Approval Denial

POLICE COMMENTS: Approval Denial

