

File No. 151112 Committee Item No. 1  
Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Neighborhood Services Date April 28, 2016

#### Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input 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 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 type="checkbox"/>	PCN Application Letter - 10/22/2015
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Liquor License Referral - 10/30/2015
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Planning Department Response - 11/12/2015
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Planning Department Response - 12/21/2015
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Police Report Response - 04/22/2016
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
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<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Erica Major Date April 22, 2016  
Completed by: \_\_\_\_\_ Date \_\_\_\_\_



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) 415-837-7576

**Date:** April 18, 2016

**Subject:** P.C.N. Investigation Regarding: Haddad, Issa S  
DBA: West Portal Daily Xpress  
36 W. Portal Ave., SF, 94127-1304  
Issa Haddad

Mr. Issa S. Haddad on behalf of West Portal Daily Xpress has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 21 (Off- Sale General) License for 36 W. Portal Ave. (located between Vincente Street and Ulloa Street).

Hours of Operation:

8:00 am – 11:00 pm Daily

**Digest:**

West Portal Daily Xpress is seeking to add an Alcohol Beverage License to its existing convenient store in the West Portal area of San Francisco. West Portal Daily Xpress has been in business at its current location for four (4) years. If approved, this license will allow West Portal Daily Xpress to sell Off-Sale Beer, Wine and Distilled Spirits.

**Letters of Protest:**

**No Record**

**Letters of Support:**

**No Record**

**Police Calls for Service:**

From October 2014 to October 2015

**0 calls for service**

**Police Reports:**

From October 2014 to October 2015

**0 police reports**

**San Francisco Plot Information:**

This premise is located in Plot **980**

A High Crime area is defined as **98** or more police reports in a plot for the year of **2014**.

This plot had **71** police reports for **2014**, which is **21** under the **Citywide "High Crime"** average.

**State Census Tract Information:**

This premise is located in Census Tract: **308.00**

Population for this tract is: **5,667**

On-sale license authorized by census tract: **19**

Active on-sale licenses: **48** with **0** pending

Off-sale licenses authorized by census tract: **5**

Active off-sale licenses: **9** with **0** pending

**Departmental Recommendation:**

Points of consideration: **3**

No opposition from Taraval Station

Applicant premise **is not** 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**

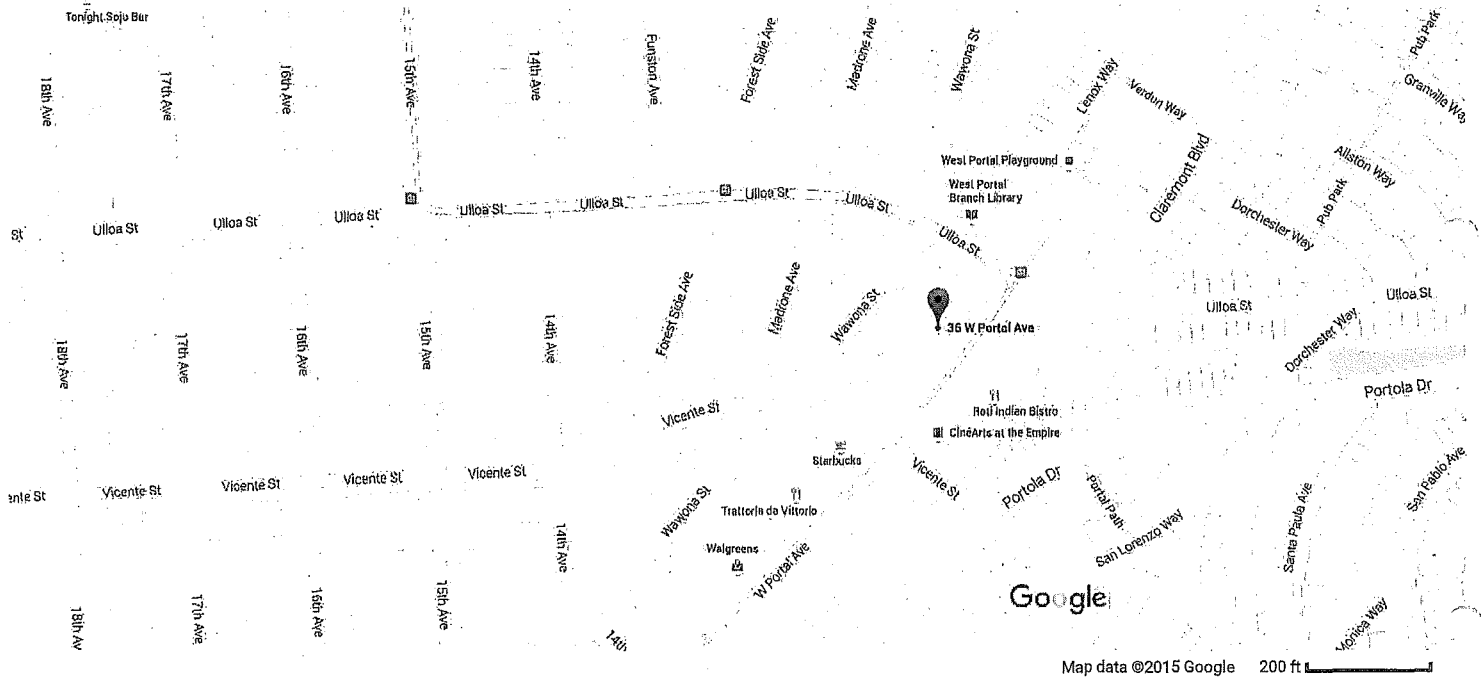
**Conditions for Type 21 Off-Sale General**

1. Sales of alcoholic beverages shall be permitted between the hours of 8:00 am to 11:00 pm each day of the week. .
2. No person under the age of 21 shall sell or deliver alcoholic beverages. .
3. No pre-package beer or malt beverages shall not be sold as single unit
4. No wine shall be sold with an alcoholic content of great than 15% by volume except for “Dinner Wines” which have been aged two years or more and maintained in corded bottles.
5. No distilled spirits shall be sold in bottles or containers smaller than 600ml.

6. Beer, malt beverages, and wine coolers in containers of 16 oz or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.
7. The sale, service and consumption of powdered alcohol or like non-liquid alcoholic beverage based product is prohibited

End

Google Maps 36 W Portal Ave



11/11/2017

36 W Portal Ave - Google Maps

Google Maps 36 W Portal Ave

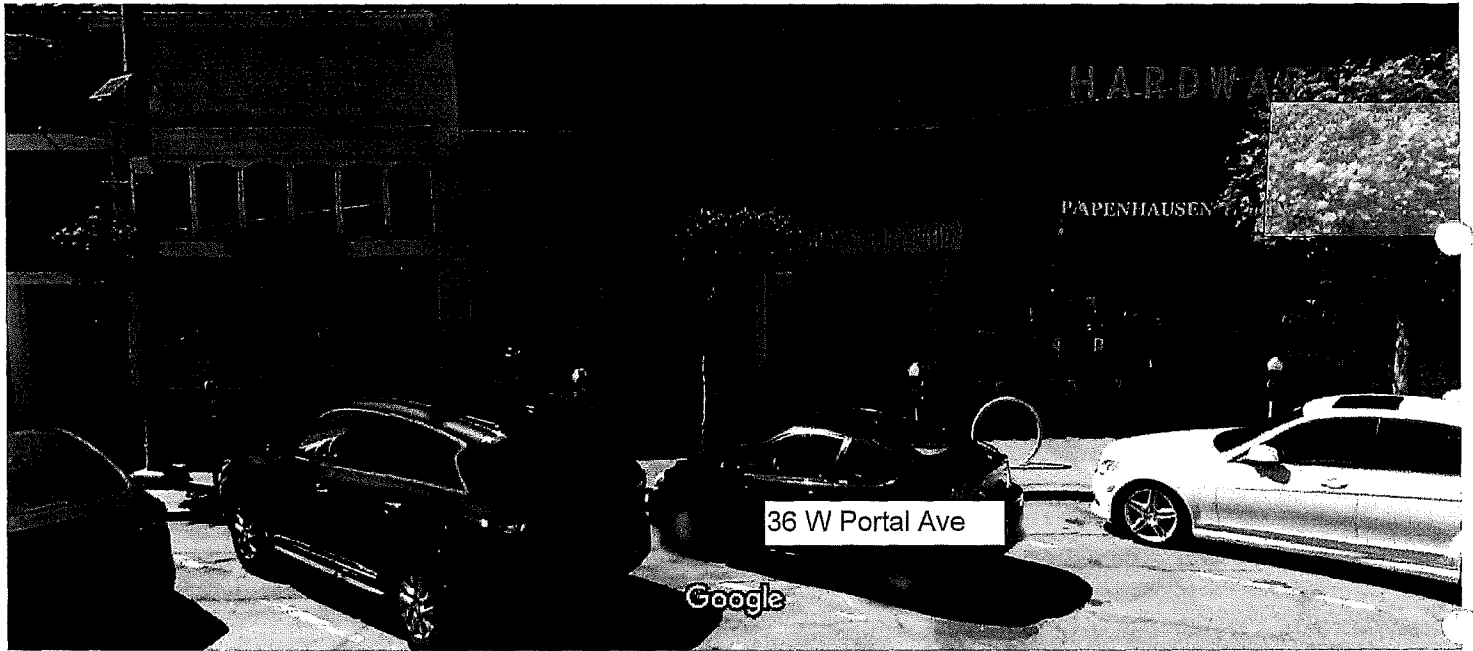


Image capture: Aug 2015 © 2015 Google

San Francisco, California

Street View - Aug 2015

<https://www.google.com/maps/place/36+W+Portal+Ave,+San+Francisco,+CA+94127/@37.7404252,-122.4663069,3a,39.9y,308.8h,84.2t/data=!3m1!1e1!3m1!1sdxabXfrPz9HyJM8Ll9l01Al2e0l6s%2F%2Fgeo2.ggp...> 1/1

## LIQUOR LICENSE REVIEW



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

File: 151112

TO: Police Department  
Lieutenant David Falzon  
Phone: 575-6097

prod#  
2015-014491MIS

DATE: October 30, 2015

This item is tentatively scheduled to be heard in four to six weeks.  
**PLEASE EMAIL YOUR RESPONSE BY:** November 23, 2015, to Erica Major,  
Public Safety and Neighborhood Services Committee Clerk.

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

**Applicant Name:** Issa Haddad  
**and Business Name:** West Portal Daily Xpress  
(36 West Portal Avenue)

**Applicant Address:** 36 West Portal Avenue  
San Francisco, CA 94127  
**and Phone No.** (415) 410-5268

**PLANNING COMMENTS:** ☒ Approval ☐ Denial

Pursuant to PL Sec 703.2, approve accessory use  
off-sale beer, wine, distilled spirits to an existing  
Specialty Grocery. Gross floor area dedicated to sales/marketing  
of beer wine spirits limited to

**POLICE COMMENTS:** ☐ Approval ☐ Denial

less than 15%  
of total gross  
floor area.  
See attached plan



August 28, 2015

Attn: Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA. 94102

Re: PCN Request for Acquisition of a Type 21 Off-Sale Beer-Wine and Distilled  
Spirits Liquor License.  
Mr. Issa Haddad - dba: West Portal Daily Xpress' - 36 West Portal Street,  
San Francisco, CA.

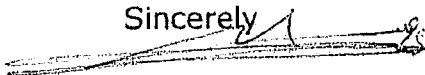
Dear Honorable Board of Supervisors,

The 'West Portal Daily Xpress' is currently a 'Magazine and Newspaper'  
clearinghouse of sorts. However, the good folks of the West Portal  
community have been asking that we reduce the percentage of store space  
dedicated to reading material, and create instead a neighborhood serving  
market. An overwhelming number of community members have asked that  
we afford them a convenient and necessary "One-Stop-Shop"; with grocery  
and household items, local Craft Beers and Wines, and a fine selection of  
Distilled Spirits to accommodate their needs as relates to at-home cocktail  
parties, and holiday get-togethers with friends and relatives.

And in addition to completely changing our business plan, we would also  
ponder and brainstorm on a branding name change that will better suit our  
new business plan.

Please do not hesitate in contacting us if you should have questions or  
concerns.

Sincerely,

  
Issa Haddad, Owner  
415. 410.5268

[haddadissa10@yahoo.com](mailto:haddadissa10@yahoo.com)

Jim Saxton, Liquor Licenses of San Francisco Bay Area  
925. 689.6766

[sfliquorlicenses@gmail.com](mailto:sfliquorlicenses@gmail.com)

David J. Villa-Lobos, CLA Consulting  
415. 921.4192

[admin@communityleadershipalliance.net](mailto:admin@communityleadershipalliance.net)

150822 11:32

RECEIVED  
SAN FRANCISCO  
BOARD OF SUPERVISORS  
AUG 29 2015



# SAN FRANCISCO PLANNING DEPARTMENT

## NOTICE OF PLANNING DEPARTMENT REQUIREMENTS

November 12, 2015

Issa Haddad,  
West Portal Daily Express  
36 West Portal Avenue  
Via: haddadissa10@yahoo.com

**RE: ABC and PCN Referral for ABC Type 21 – Off-sale beer, wine and distilled spirits**  
**Subject Property: "West Portal Daily Express" 36 West Portal Avenue, San Francisco, CA 94127**  
**Block/Lot: 2931/004A**  
**Zoning: West Portal Avenue NCD**

Dear Mr. Haddad:

The Planning Department has received your Zoning Referral to for an ABC Type 21 Off-sale license to permit off-sale beer, wine and distilled spirits at an existing Specialty Grocery (Sales and Service, Other Retail - Planning Code Section 790.102). Such applications are forwarded to the Planning Department to ensure the proposed use is consistent with San Francisco's zoning regulations.

As required in the application that you submitted, please submit a floor plan, drawn to scale of 1/4-inch or 1/8-inch showing the entire footprint of the store and clearly designating all areas used for off-sale beer, wine and distilled spirits sales. Please note that the area devoted for off-sale beer, wine and distilled spirits within a retail/specialty grocery store use is limited to less than 15% of the gross square footage of the establishment (including all areas devoted to the display and sale of alcoholic beverages) pursuant to Planning Code within the accessory use limits as set forth in Section 703.2(b)(1)(C)(vi). Failure to submit a floor plan may result in the denial of your application. Please do so as soon as possible so that the Planning Department can make a recommendation to the Police Department prior to hearing date. Additionally, please submit photographs of the interior of the store. (The floor plan and photographs can be submitted via email to the planner's address below).

If the square footage dedicated to the off-sale of beer, wine, and distilled spirits (including all areas devoted to the display and sale of alcoholic beverages) within a retail/specialty grocery store use is greater than 15% of the gross square footage of the establishment, the use is no longer considered Accessory to a Specialty Grocery but is a considered a Liquor Store (Planning Code

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Section 790.55), and Planning Code Section 312 neighborhood notice is required prior to Planning staff approval or denial.

Please submit the floor plan to **Marcelle Boudreaux**. You can also direct any questions concerning this letter to him at **(415) 575-9140** or **Marcelle.Boudreaux@sfgov.org**. Thank you for your attention to this notice. An early and complete response on your part will help expedite our review of your permit application.

cc: Jim Saxton, [sfliqorlicenses@gmail.com](mailto:sfliqorlicenses@gmail.com)  
Erica Major, [Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org)

August 28, 2015

Attn: Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
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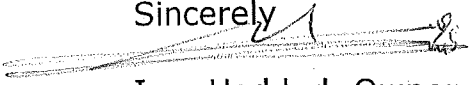
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[admin@communityleadershipalliance.net](mailto:admin@communityleadershipalliance.net)

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BOARD OF SUPERVISORS  
SAN FRANCISCO  
2015 OCT 22 PM 3:21

15112

## INFORMATION AND INSTRUCTIONS -

## SECTION 23958.4 B&amp;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

Haddad, Issa S.

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

36 W. Portal Ave., San Francisco, CA 94127

## 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

836,620

## 6. TOTAL NUMBER OF LICENSES IN COUNTY

1026

☐ On-Sale ☒ Off-Sale

## 7. RATIO OF LICENSES TO POPULATION IN COUNTY

☐ On-Sale ☐ Off-Sale

## 8. CENSUS TRACT NUMBER

0308.00

## 9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

5

☐ On-Sale ☒ Off-Sale

## 10. NO. OF LICENSES EXISTING IN CENSUS TRACT

5

☐ 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

980

## 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

71

## 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 2. 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

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in

22. APPLICANT SIGNATURE

123 DATE SIGNED

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

☐ Yes☐ No

1

See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26 CITY/COUNTY OFFICIAL NAME

127 CITY/COUNTY OFFICIAL TITLE

128 CITY/COUNTY OFFICIAL PHONE NUMBER.

29 CITY/COUNTY OFFICIAL SIGNATURE:

DATE SIGNED: