

File No. 230591

Committee Item No. 2

Board Item No. 60

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Ngbh Services

Date: July 13, 2023

Board of Supervisors Meeting:

Date: July 25, 2023

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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input 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 / DRAFT Mills Act 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

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Police Department Report – July 6, 2023</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Department Review – June 8, 2023</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PC or N Referral to Planning and Police – May 19, 2023</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PC or N Request Letter – May 18, 2023</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: John Carroll

Date: July 7, 2023

Prepared by: John Carroll

Date: July 21, 2023

Prepared by: _____

Date: _____

1 [Liquor License Transfer - 2398 Webster Street - Ales Unlimited]

2

3 **Resolution determining that the premise-to-premise transfer of a Type-42 on-sale**
4 **beer and wine public premises liquor license to Ales Unlimited LLC, doing**
5 **business as Ales Unlimited, located at 2398 Webster Street (District 2), will serve**
6 **the public convenience or necessity of the City and County of San Francisco, in**
7 **accordance with California Business and Professions Code, Section 23958.4.**

8

9 WHEREAS, Ales Unlimited LLC, is seeking the premise-to-premise transfer of a
10 Type-42 on-sale beer and wine public premises liquor license to do business as Ales
11 Unlimited, located at 2398 Webster 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 protests and zero letters of
15 support with the Department of Alcoholic Beverage Control under California Business
16 and Professions Code, Section 24013, and recommends that the Department of
17 Alcoholic Beverage Control issue the liquor license with no additional conditions; now,
18 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 premise-to-premise transfer of a Type-42 on-sale beer and
22 wine public premises liquor license to Ales Unlimited LLC, doing business as Ales
23 Unlimited, located at 2398 Webster Street, will serve the public convenience or
24 necessity of the City and County of San Francisco.

25

From: [Carroll, John \(BOS\)](#)
To: [Donovan, Dominica \(BOS\)](#); [DPH-Infoebbetstogoodtogo-mff](#)
Cc: [Alabanza, Analyn@ABC](#); [amarjit.tamber@abc.ca.gov](#); [Del Rosario, Mick \(BOS\)](#); [Rosas, Lorenzo \(BOS\)](#); [Balba, Ryan \(CPC\)](#); [CPC.Referrals](#); [Salmonson, Joel \(POL\)](#); [Wong, Joanne \(POL\)](#); [Jonas, Stephen \(POL\)](#); [Logan, Sam \(BOS\)](#)
Subject: RE: Liquor License Transfer - 2398 Webster Street - Ales Unlimited - BOS File No. 230591
Date: Thursday, July 6, 2023 5:02:00 PM
Attachments: [image001.png](#)

Greetings,

The Police Department has completed their review of the subject public convenience or necessity request and has forwarded their recommendations. For your convenience, I have the review available from the link below:

[Police Department Response – July 6, 2023](#)

The Police Department's ALU is recommending approval with on additional conditions.

The Public Safety and Neighborhood Services Committee will hold this hearing at 10 am on Thursday, July 13, 2023.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

-

[Board of Supervisors File No. 230591](#)

Thanks for the review.

John Carroll

Assistant Clerk

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415)554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*



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 Catherine Stefani
Supervisor Matt Dorsey
Supervisor Joel Engardio

From: Lt. Steve Jonas #798
Officer in Charge
ALU/Permits Unit 415-553-9550

Date: July 6, 2023

Subject: P.C.N. Investigation Regarding: Ales Unlimited, LLC
DBA: Ales Unlimited, LLC
2398 Webster St.
San Francisco, CA. 94115

Ales Unlimited LLC, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 42 (On-Sale Beer and Wine Public Premise) license to be located at 2398 Webster St. (located between Jackson St. and Washington St.)

Hours of Operation:

10:00am to 10:00pm each day.

Digest:

Ales Unlimited LLC would like to operate (within their current Type-21) an area where Beer and Wine could be sold and tasted, on location at 2398 Webster St. If approved, this license will allow them to sell Beer and Wine and consume it on the premises.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From March 2022 to March 2023

4 calls for service

Police Reports:

From March 2022 to March 2023

0 police reports

San Francisco Plot Information:

This premise is located in Plot: **525**

A High Crime area is defined as **109** or more police reports in a plot for the year of **2022**.

This plot had 49 police reports for **2022**, which is 60 **lower** than the **Citywide “High Crime”** average.

State Census Tract Information:

This premise is located in Census Tract: **135.00**
Population for this tract is: **2,912**

On-sale license authorized by census tract: **9**
Active on-sale licenses: 14 with 0 pending

Off-sale licenses authorized by census tract: **2**
Active off-sale licenses: 8 with 0 pending

Departmental Recommendation:

Points of consideration: **0**

No opposition from **Northern Station**.

Applicant premise **is** located in a Low **Crime**” area.

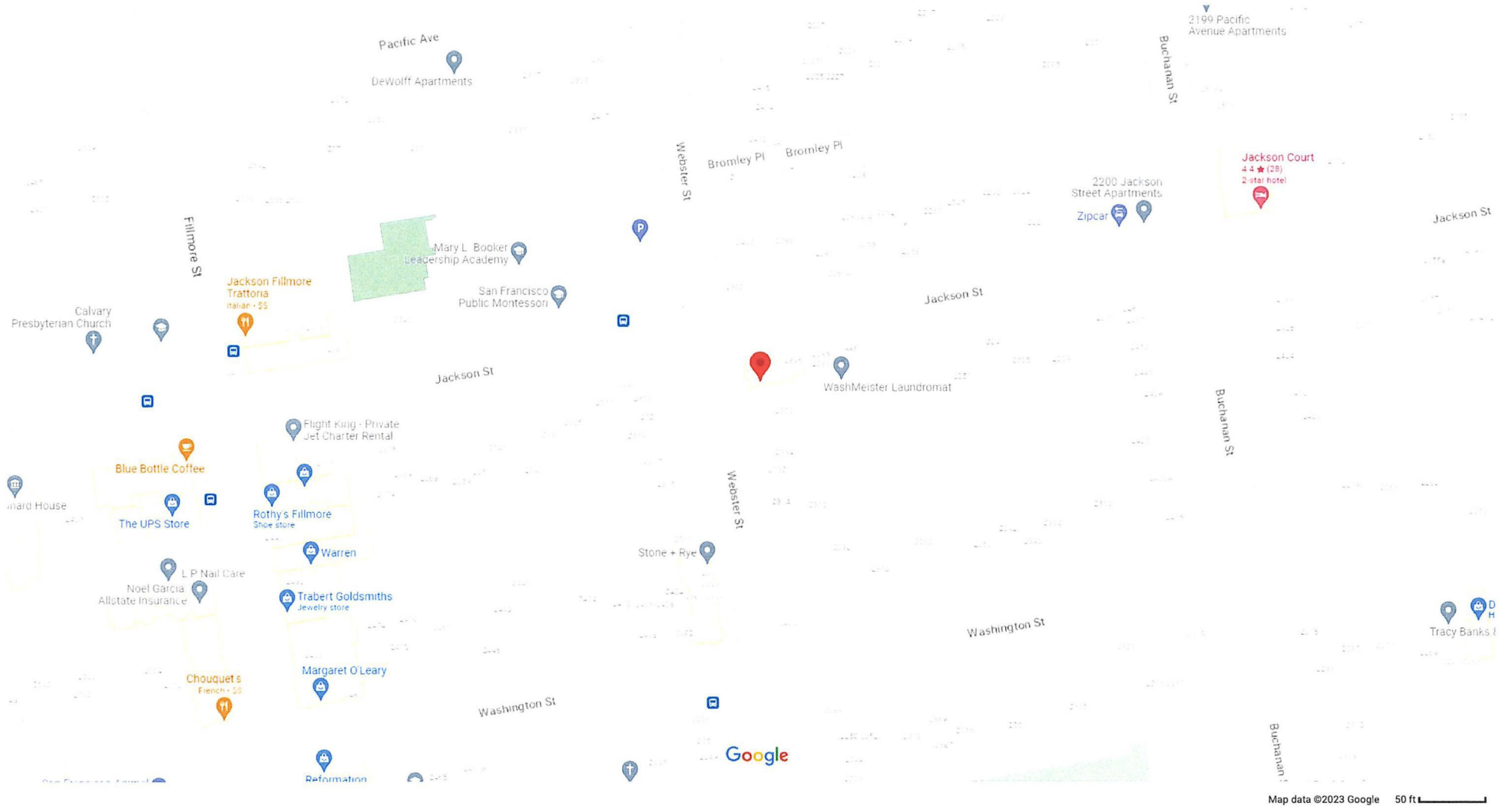
Applicant premise **is** located in a “**High Concentration**” area.

0 - Protest.

0 - Support

ALU Recommendation: **Approval with no additional conditions.**

2398 Webster St



Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Friday, June 9, 2023 4:45 PM
To: Salmonson, Joel (POL); Wong, Joanne (POL); Jonas, Stephen (POL)
Cc: Alabanza, Analyn@ABC; amarjit.tamber@abc.ca.gov; Donovan, Dominica (BOS); Logan, Sam (BOS); Del Rosario, Mick (BOS); Rosas, Lorenzo (BOS); DPH-Infoebbetstsgoodtogo-mff; Balba, Ryan (CPC); CPC.Referrals
Subject: RE: Liquor License Transfer - 2398 Webster Street - Ales Unlimited - BOS File No. 230591
Categories: 230591

Good afternoon,

The Planning Department has completed their review of the subject application, and has forwarded their recommendation for approval. For your convenience, I have the review available from the link below:

[Planning Dept. Response - Received June 8, 2023](#)

The matter is now awaiting review by the Police Department's ALU.

After receiving review from the Police Department, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for their consideration in the license matter.

The Public Safety and Neighborhood Services Committee will tentatively schedule this hearing for the regular meeting of July 13, 2023.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 230591](#)

Thanks for the review.

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Attn: _____
Phone No. _____

DATE: May 19, 2023

AP Block/Lot Nos.: 0604/027

Zoning: RH-2, 40-X

TO: Police Department
Joel Salmonson
Phone No. (415) 553-1115

Quad: _____

Record No.: _____

Please submit your response within three weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for the regular meeting of July 13, 2023.

PLEASE EMAIL YOUR RESPONSE by June 9, 2023, to:

John Carroll, Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org ~ (415) 554-4445

Applicant name: Ales Unlimited LLC

Business name: Ales Unlimited

Application address: 2398 Webster Street

Applicant contact info: Steve Smith
415-346-6849
415-260-6034
info@alesunlimited.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: _____
(Please add comments on a trailing page.)

POLICE REVIEW: Approval Denial

(Please add comments in a trailing report.)

Planning Recommendation:

Recommend approval: Type 42 license permitted with associated permitted tasting room (bar) use at existing LCU liquor store. Subject to the conditions of Planning Code Sections 186 and 202.2(a).


A handwritten signature in black ink, appearing to read "Ryan Balba", with a long horizontal flourish extending to the right.

Ryan Balba, Planner 6/8/23

Ales Unlimited, LLC
Dba Ales Unlimited
2398 Webster Street
San Francisco, CA 94115

May 16th, 2023

Clerk, Board of Supervisor
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2023 MAY 18 PM 2:35
BY 

Dear Board of Supervisors,

We respectfully request your support in a Type 42 Premise to Premise Transfer (ABC License #568319) to be added to our current Type 21 License (ABC License #520456).

In April 2023 we received an Eviction Notice at the premises where our ABC license #568319 is attached. The Bldg. got foreclosed during the pandemic and the new landlord did neglect the bldg. and a Task Force was send out. Supervisor Dean Preston and his Legislative Aide, Kyle Smeallie visited our location in the past and have been trying to support us to stay at the location. We also had support from Deputy City Attorney, Wade Chow but unfortunately, we not been able to communicate with the landlord for almost a year to find a resolution.

Please accept this letter as a part of our PCN application for the Type 42 Premise to Premise transfer. We have completed the application with the ABC on March 6th, 2023, and all fees are paid and up to date. We also have completed the appropriate mailings to residents within 500 feet and on March 6th, 2023, same day as the filling of the application, we posted our application on front window of our Business. Our license representative at ABC, Ethan McGriff, said that the only missing link would be ABC-245, Part 3 to be filled out by The Board of Supervisors.

We hold the Type 21 license at our location since July 3rd, 2009. Our hours of operation are Daily from 10am to 10pm. The hours will remain the same when we add the Type 42 license. We had the Type 42 license at the location where we got evicted since July 25th, 2016. Both locations never had any infractions.

With Type 21 license at our current location our distributors, winery and beer representatives are unable to provide us with sufficient tastings to materially help our business to grow and generate revenue to compensate for the steady rent increase in San Francisco. After speaking to ECN and CPC we been advised to transfer our Type 42 license to our existing location which has the Type 21 license so that we could offer Wine and Beer tastings too our customers and schedule educational lesson from our suppliers. Tastings is necessary for us since we sell many small batch wines, and we focus on product lines from smaller producers which most patrons are unfamiliar with. We would need to be able to serve them a glass or flight of wines or beers

to taste in order to show them a selection of what we offer. About 60% of our products are from Northern California.

We had to make minor changes to our store layout to accommodate the Type 42 license, which ABC already reviewed. This upgrade to our store will have no negative impact to the community as we already been asked when we would start offering the service since existing customers and neighbors seen the posting at our store and the letter, we send out to notify them.

Richard Sucre, Deputy Director San Francisco Planning has reviewed our proposal and advised us that we do not need a conditional use permit at our location.

The quality of our wine and beer selection over the past 14 years is both exquisite and unique. Our new marketing is targeted to our patrons in Pacific Heights and adding beer and wine tasting will enhance our unique lineup and we hope to increase traffic. Our patrons will be able to sample and purchase and enjoy our unique lineup at home.

We believe the Type 42 license is essential to our survival so clients can purchase tasted wines or beer before committing on buying a bottle or case.

Respectfully,

A handwritten signature in black ink, appearing to read "Steve Sub". The signature is written in a cursive, flowing style.

Ales Unlimited, LLC
Dba Ales Unlimited
P: (415) 346-6849 M: (415) 260-6034
Email: info@alesunlimited.com

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

MR. STEVE SMITH

TO: Department of Alcoholic Beverage Control
33 NEW MONTGOMERY STREET
STE 1230
SAN FRANCISCO, CA 94105
(415) 356-6500

File Number: 520456
Receipt Number: 2781874
Geographical Code: 3800
Copies Mailed Date: March 6, 2023
Issued Date:

(415) 346-6849

BY [Signature]

2023 MAR -9 AM 9:06

RECEIVED BOARD OF SUPERVISORS SAN FRANCISCO

DISTRICT SERVING LOCATION: SAN FRANCISCO
First Owner: ALES UNLIMITED LLC
Name of Business: ALES UNLIMITED LLC
Location of Business: 2398 WEBSTER ST SAN FRANCISCO, CA 94115-1807
County: SAN FRANCISCO

Is Premises inside city limits? Yes Census Tract: 0135.00

Mailing Address:(If different from premises address)

Type of license(s): 42 Dropping Partner: Yes No [X]

Transferor's license/name: 568319 / ALES UNLIMITED LLC

Table with 4 columns: License Type, Transaction Type, Master, Secondary LT And Count. Row 1: 42 - On-Sale Beer And Wine - Public P PRM, Y

Table with 6 columns: License Type, Transaction Description, Fee Code, Dup, Date, Fee. Row 1: Application Fee, PREMISES TO PREMISES TRF, NA, 0, 03/06/23, \$855.00. Row 2: Total, \$855.00

Have you ever been convicted of a felony? No

Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? No

STATE OF CALIFORNIA County of SAN FRANCISCO Date: March 6, 2023

Applicant Name(s)

ALES UNLIMITED LLC



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control

Report Date: Friday, May 19, 2023

LICENSE INFORMATION

License Number: 520456 **Primary Owner:** ALES UNLIMITED LLC

Office of Application: 24 - SAN FRANCISCO

BUSINESS NAME

ALES UNLIMITED LLC

BUSINESS ADDRESS

2398 WEBSTER ST , SAN FRANCISCO, CA, 94115

County: SAN FRANCISCO **Census Tract:** 0135.00

LICENSEE INFORMATION

Licensee: ALES UNLIMITED LLC

Company Information

OFFICER: SMITH, STEVE (MEMBER)

MEMBER: SMITH, STEVE



LICENSE TYPES

Allow up to six weeks for expiration date updates after fee waiver or renewal fee

submittal.

21 - OFF-SALE GENERAL

License Type Status: ACTIVE **Status Date:** 08-MAY-2012 **Term:** 12 Month(s)

Original Issue Date: 07-MAY-2012 **Expiration Date:** 31-JUL-2023 **Master:** Y **Duplicate:**

From License Number: [21-480358](#)

Fee Code: P40 **Transfers:** Transferred On: 07-MAY-2012

42 - ON-SALE BEER AND WINE - PUBLIC PREMISES

License Type Status: PENDING **Status Date:** 06-MAR-2023 **Term:** 12 Month(s)

Original Issue Date: **Expiration Date:** **Master:** Y **Duplicate:** **Fee Code:** P40

Transfers: From License Number: [42-568319](#)

42 - ON-SALE BEER AND WINE - PUBLIC PREMISES

License Type Status: WITHDRAWN **Status Date:** 07-FEB-2013 **Term:** 12 Month(s)

Original Issue Date: **Expiration Date:** **Master:** Y **Duplicate:** **Fee Code:** P40

Transfers:

OPERATING RESTRICTIONS:

No Operating Restrictions found

DISCIPLINARY ACTION:

No Active Disciplinary Action found



DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

Hold Type: FORM 220 **Hold Date:** 06-MAR-2023 **Hold Type:**

BOARD OF EQUALIZATION HOLD **Hold Date:** 30-MAY-2019 **Hold Type:**

BOARD OF EQUALIZATION HOLD **Hold Date:** 30-MAY-2019 **Hold Type:** FORM 220

Hold Date: 10-AUG-2012

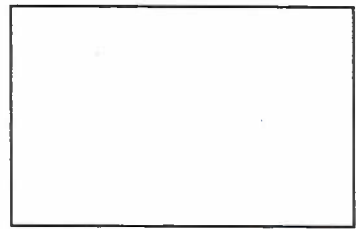
ESCROWS:

No Escrow found



Introduction Form

(by a Member of the Board of Supervisors or the Mayor)



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor _____ inquiries..."
- 5. City Attorney Request
- 6. Call File No. _____ from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No. _____
- 9. Reactivate File No. _____
- 10. Topic submitted for Mayoral Appearance before the Board on _____

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):


Clerk of the Board

Subject:

Liquor License Transfer - 2398 Webster Street - Ales Unlimited

Long Title or text listed:

Hearing to consider that the premise-to-premise transfer of a Type-42 on-sale beer and wine public premises liquor license to Ales Unlimited LLC, doing business as Ales Unlimited, located at 2398 Webster Street (District 2), will serve the public convenience or necessity of the City and County of San Francisco.

Signature of Sponsoring Supervisor: 

230591