

File No. 130477

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Neighborhood Services & Safety Date June 20, 2013

Board of Supervisors Meeting Date _____

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)

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

Completed by: Derek Evans Date 6/14/13

Completed by: _____ Date _____

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



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 Nelly Gordon *WJG*
ABC Liaison Unit (ALU) 553-1049

Date: May 12, 2013

Subject: P.C.N. Investigation Regarding:

DBA: Café Terminus
10-16 California Street
Dennis Leary
415/215-0241

Alcyone, LLC, dba Café Terminus has filed an application with the California Department of Alcoholic Beverage Control (ABC) seeking a Type 48 (On-Sale General Public) for 10-16 California street (located on the north side of California street).

It should be noted that during the application process, notification date for the 500th mailer was on May 13, 2013. The Notice to the Public was posted on May 7, 2013.

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 March 2012 to March 2013
21 Police calls

Police Reports: From March 2012 to March 2013

San Francisco Plot Information:

This premise is located in Plot **154**

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

This plot had **104** police incidents recorded for 2012.

Applicant premises is located in a "High Crime" area.

State Census Tract Information:

This premise is located in Census Tract 0117.00

Population for this tract is: **1,783**

On-sale license authorized by census tract: **6**

Active on-sale licenses: **93**

Off-sale licenses authorized by census tract: **1**

Active off-sale licenses: **21**

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

Letters of Protest:

0 recorded with the California Department of Alcoholic Beverage Control, (ABC).

Letters of Support:

0 recorded with the California Department of Alcoholic Beverage Control, (ABC).

Departmental Recommendation:

No opposition from Central Police station if the applicant agrees to the recommended conditions.

ALU recommends approval. The following conditions have been recommended to the California Department of Alcoholic Beverage Control, (ABC):

1. Sales, service and consumption of alcoholic beverages shall be between 8:00 a.m. and 2:00 a.m. daily.
2. No noise shall be audible beyond the area under the control of the licensee as depicted on ABC-257, dated _____.

3. The sale of alcoholic beverages for off-sale consumption is strictly prohibited.

Note: On 5/31/2013 email received from Dennis Leary which stated that he agrees with the recommended conditions.

Thank you



**California Department of Alcoholic
Beverage Control
License Query System Summary
as of 5/27/2013**

License Information
License Number: 532922
Primary Owner: ALCYONE, LLC
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: CAFE TERMINUS
Business Address
Address: 10-16 CALIFORNIA ST Census Tract: 0117.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94111
Licensee Information
Licensee: ALCYONE, LLC
<i>Company Information</i>
Officer: LEARY, DENNIS WENDELL (MANAGER)
Officer: PASSETTI, ERIC MATHEW (MANAGER)
License Types
1) License Type: 48 - ON-SALE GENERAL PUBLIC PREMISES
License Type Status: PENDING
Status Date: 06-MAY-2013 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM: 48-411618
Current Disciplinary Action
<i>... No Active Disciplinary Action found ...</i>
Disciplinary History
<i>... No Disciplinary History found ...</i>
Hold Information
Hold Date: 06-MAY-2013 Type: FORM 220
Escrow
Escrow: GLEN OAKS ESCROW, 6100 SAN FERNANDO ROAD GLENDALE, CALIFORNIA 91201

--- End of Report ---

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



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 5/27/2013*

License Information
License Number: 411618
Primary Owner: LETHEULE, PIERRE JOSEPH
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: BLISS BAR
Business Address
Address: 4026 24TH ST Census Tract: 0211.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94114
Licensee Information
Licensee: LETHEULE, PIERRE JOSEPH
License Types
1) License Type: 48 - ON-SALE GENERAL PUBLIC PREMISES
License Type Status: SURRENDERED
Status Date: 15-FEB-2013 Term: 12 Month(s)
Original Issue Date: 07-APR-2004 Expiration Date: 31-DEC-2013
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: 07-APR-2004 FROM: 48-383033
License Type was Transferred On: TO: 48-532922
Current Disciplinary Action
<i>... No Active Disciplinary Action found ...</i>
Disciplinary History
<i>... No Disciplinary History found ...</i>
Hold Information
<i>... No Active Holds found ...</i>
Escrow
<i>... No Escrow found ...</i>

--- End of Report ---

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

export To  **New!**

Records **1** through **1** of **1**

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
123441015		12/09/2012	10:38:21	C	919	3A2C	CIT	16 CALIFORNIA ST

End of document

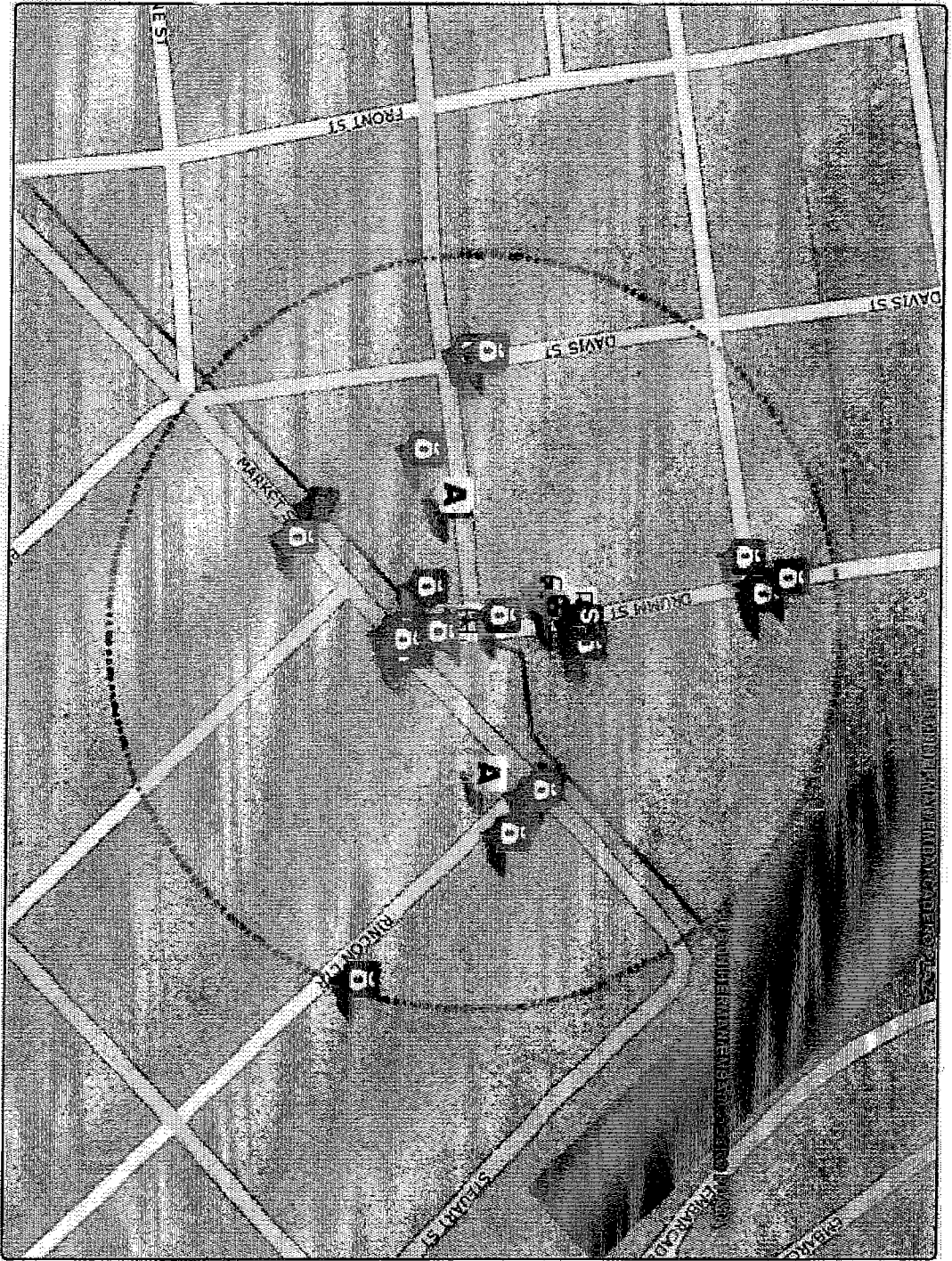
export To  **New!**









Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
122460895		09/02/2012	09:41:24	C	917	3A2C	ADM	16 CALIFORNIA ST
122331089		08/20/2012	10:18:56	C	915	3A44B	HAN	16 CALIFORNIA ST
122311770		08/18/2012	13:50:21	C	915	3A3A	HAN	16 CALIFORNIA ST
122311582		08/18/2012	12:55:19	C	000			16 CALIFORNIA ST
121891577		07/07/2012	13:18:23	C	915	3A2C	ADV	16 CALIFORNIA ST
121861706	120527534	07/04/2012	13:34:42	A	211	3A4A	REP	16 CALIFORNIA ST
121810722		06/29/2012	08:34:05	C	915	3A2C	ADV	16 CALIFORNIA ST
121810713		06/29/2012	08:33:37	C	000			16 CALIFORNIA AV
121771228		06/25/2012	11:06:40	C	915	3A31	GOA	16 CALIFORNIA ST
121560922		06/04/2012	09:44:29	C	919	3A4A	HAN	16 CALIFORNIA ST
121560803		06/04/2012	09:03:44	C	919	3A4A	HAN	16 CALIFORNIA ST
121541901		06/02/2012	15:17:32	C	915	3A11D	ADV	16 CALIFORNIA ST
121511084		05/30/2012	10:24:27	C	919	3A2C	ADV	16 CALIFORNIA ST
121471362		05/26/2012	12:32:28	C	915	3A2C	GOA	16 CALIFORNIA ST
121452727		05/24/2012	19:10:09	C	915	3A13D	UTL	16 CALIFORNIA ST
121432624		05/22/2012	18:19:31	C	915	3A44D	ADV	16 CALIFORNIA ST
121360729		05/15/2012	08:27:52	C	915	3A4A	ADV	16 CALIFORNIA ST
121320731		05/11/2012	08:17:19	C	915	3A42	HAN	16 CALIFORNIA ST
121290620		05/08/2012	08:07:42	C	915	3A11A	ADV	16 CALIFORNIA ST
121280808		05/07/2012	09:05:52	C	919	3A46A	GOA	16 CALIFORNIA ST

End of document

California/Drum

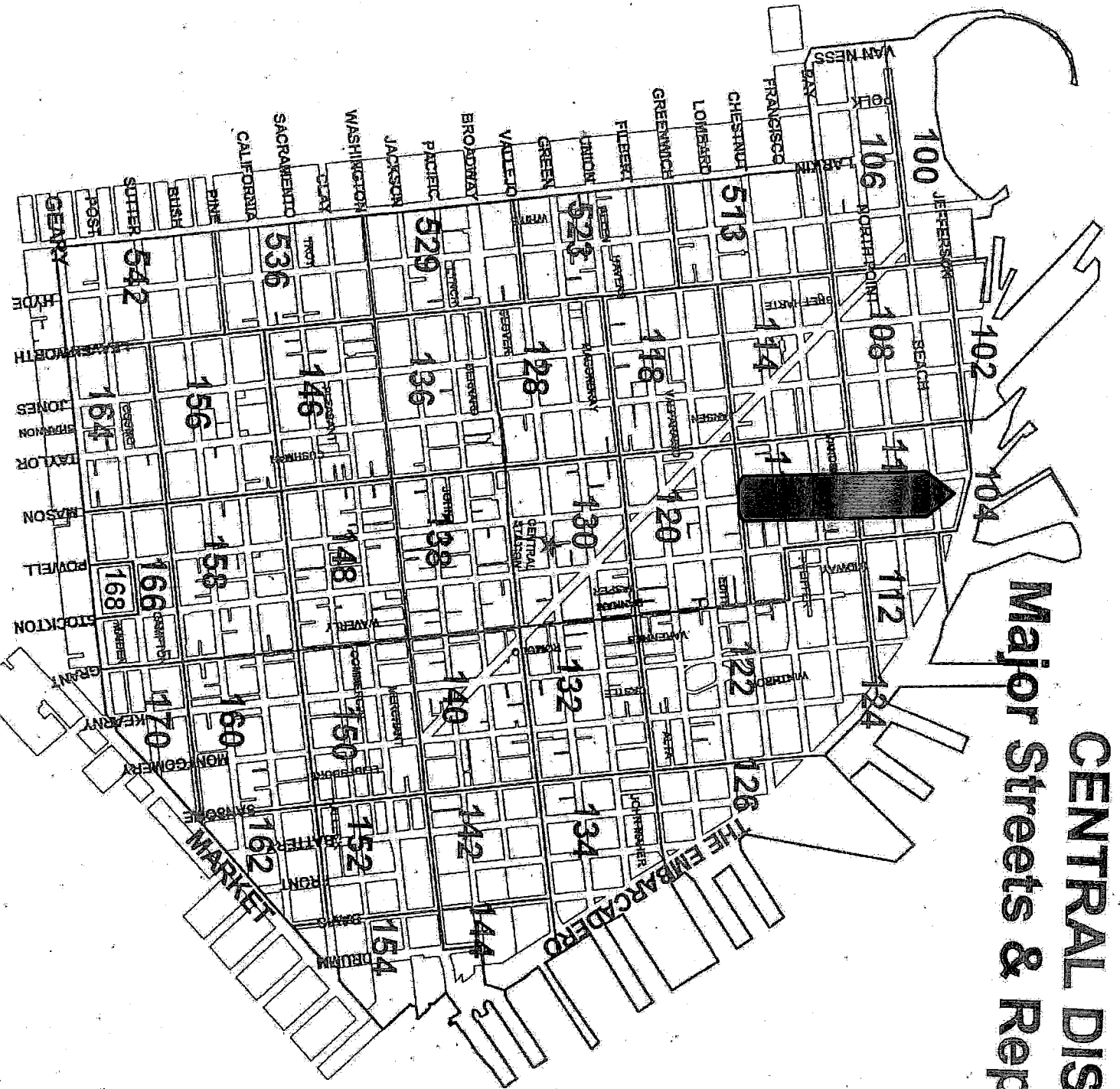
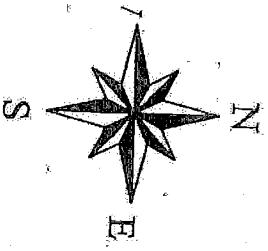
San Francisco Police Department 



Map Legend	
	Incidents (142)
	Larceny/Theft (100)
	Robbery (11)
	Burglary (10)
	Assault (9)
	Warrants (7)
	Vehicle Theft (4)
	Sex Offenses, Forcible (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.

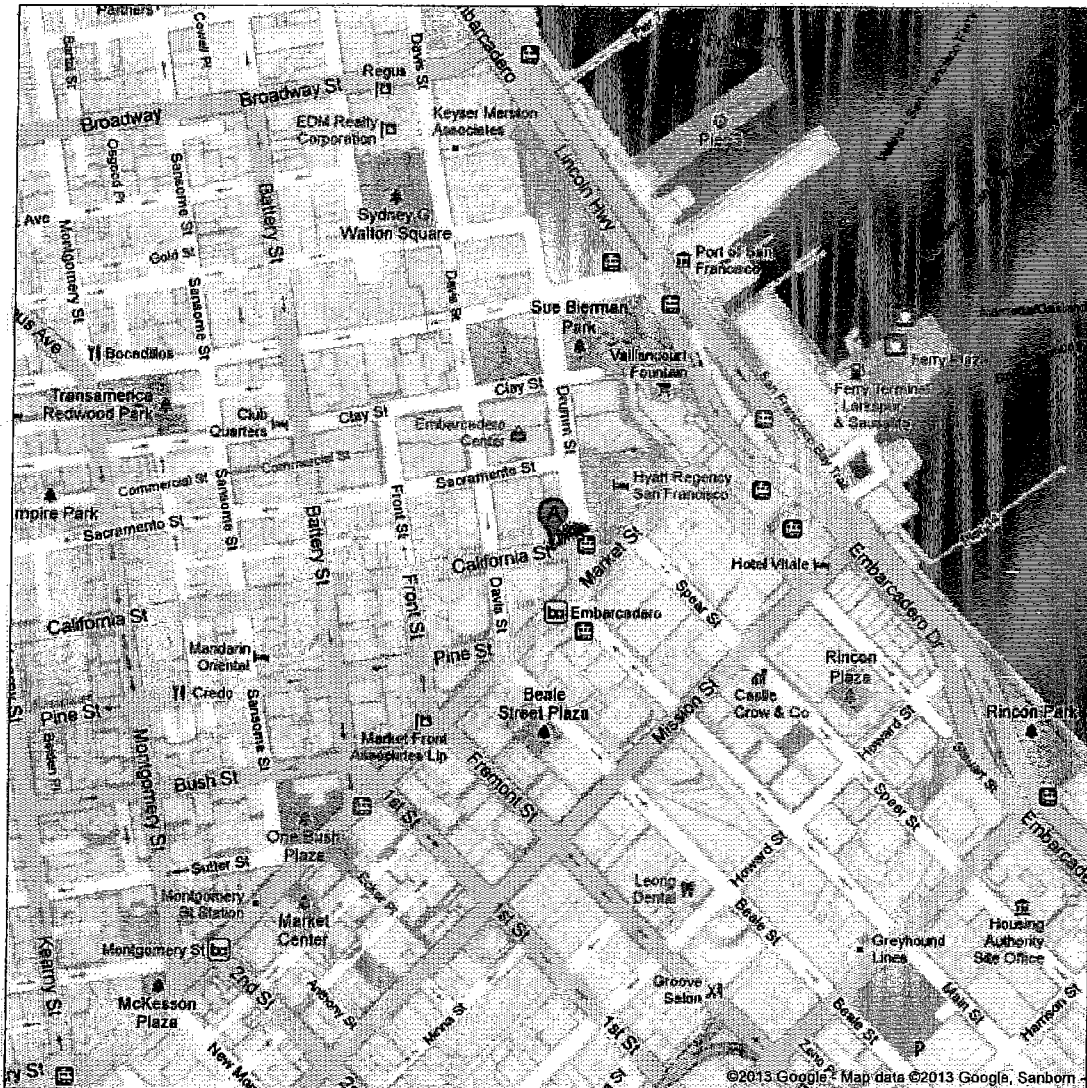
WARNING: This map does not meet the national map accuracy standards.





Address 10 California St
San Francisco, CA 94111

Get Google Maps on your phone
Text the word "GMAPS" to 466453





DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

PUBLIC NOTICE OF APPLICATION TO SELL ALCOHOLIC BEVERAGES

APPLICANT: ALCONE
 TYPE OF LICENSE: 4B - OFF-SALE GENERAL PUBLIC LICENSE
 BUSINESS NAME: ALCONE
 ADDRESS OF PREMISES: 1016 EAST 10TH ST. S.F. 94114
 APPLICANT HAS PREVIOUSLY: NEW LICENSE PREMISES TO PREMISES TRANSFER CHANGE IN LICENSE PRIVILEGES

IF A VERIFIED PROTEST IS TO BE MADE AGAINST THE APPLICATION, IT MUST BE RECEIVED BY ANY OFFICE OF THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL HEADQUARTERS, 1775 LEHMAN DRIVE, SUITE 2100, SACRAMENTO 95811, WITHIN 30 DAYS OF DATE OF APPLICATION AND VERIFICATION. PROTESTS MUST BE VERIFIED. FURTHER INFORMATION REGARDING THIS FORM MAY BE OBTAINED BY:

SAN FRANCISCO DISTRICT OFFICE
 2100 MARKET STREET, SUITE 120
 SAN FRANCISCO, CA 94102
 (415) 398-4400

WARNING

This notice is posted on the premises of the applicant. It is the responsibility of the applicant to ensure that the notice is clearly visible to the public. If the notice is not clearly visible, the Department may remove it and the applicant may be liable for the cost of replacement.

PREMISES ARE (NOT NOW) REAPPLICATED TO ALL ALCOHOLIC BEVERAGES

05/29/2013

LIQUOR LICENSE REVIEW

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

File: 130477

Block/lot: 0235/008
Zoning: C-3-O
Quota: WE
MIS# 1300837

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

DATE: May 17, 2013

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: June 28, 2013, to Derek Evans, Clerk,
Neighborhood Services and Safety Committee.

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

Applicant Name: Dennis Leary
and Business Name: Alcyone, LLC, dba Café Terminus
(10-16 California Street)

Applicant Address: 127 Stevenson Street
San Francisco, CA 94105
and Phone No. (415) 316-5800

PLANNING COMMENTS: Approval Denial

Type 48 license is permitted per section 208(b)
of the Planning Code
James Hanley
5/22/13 8-6392

POLICE COMMENTS: Approval Denial

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2013 MAY 16 PM 3:03

Ak

Angela Cavillo

Clerk of the Board

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

SF, CA, 94102

Re: Alcyone, LLC dba Café Terminus

California ABC Liquor License Application

10-16 California St, SF CA 94111

Public Convenience and Necessity Determination Request

ABC Type 48 License - Public Premises

Original License Application

Dear Ms Cavillo:

My organization, Alcyone, LLC, has applied for a type 48 license for my premises located at 10-16 California St, in the Financial District of San Francisco. This type of license authorizes the sale of alcoholic spirits for consumption on premises. The name of my operation is called Café Terminus.

Café Terminus will be a European style café located at the crossroads of one of the busiest intersections in the downtown area. The cross-streets are California and Drumm. The venue is surrounded on all sides by high density office towers, is adjacent to the end of the cable car line (hence the name Terminus), and is across the street from the Hyatt Regency, one of the largest hotels in the city. My plan is to make the Café a clean, sophisticated, and affordable addition to the mix of retail businesses on California Street, and provide a service for which there is, I believe, an unmet need.

Like the other businesses that I have established (Canteen, House of Shields), Café Terminus will be unique to the neighborhood, and will be an authentic social gathering place for a diverse group of workers of all income levels. The current businesses in the area are either expensive restaurants or corporate chains, which seem to cater to only narrow, and exclusive, segments of the downtown demographic. I want to create a place that is accessible to all - from cable car operators to tourists to non-profit workers to hotel bellmen. I believe that this kind of business is currently under threat in the financial district, with rapidly rising rents and a lack of developable space becoming the norm.

130477

For the food program at the Café, I will employ the cooking practices that I have built up over the course of my long cooking career – local ingredients, moderately priced, made by hand, and prepared by well compensated employees. As much as possible, we will prepare our ingredients onsite, and we will pursue a goal of zero waste, using a combination of sustainable packaging, composting, and recycling. Our projected hours will be from 7am until 2am, seven days per week.

The alcohol program at Café Terminus will be run with the highest degree of professionalism. My partner, Eric Passetti, will personally run the bar, as I will run the kitchen. I believe that we are distinctive as bar operators, as neither of us drinks alcohol, and we actively discourage the onsite consumption of alcohol by our employees. We have never had any strikes or action taken against us by the ABC or any law enforcement operation. I cannot stress strongly enough that we have absolutely no interest in running any kind of party bar or nightclub. We treat alcohol with respect and our customers will follow suit.

Café Terminus will fill the need for a friendly community gathering spot, with a large cohort of regular customers, and a racially, socially, and economically diverse crowd. I want to create the kind of place where a working class business person or city employee can enjoy a cup of coffee, a light meal, or an honest cocktail at the end of the day. I also believe that local employees need a venue such as Café Terminus to hold informal post-work gatherings, business meetings, or even a solitary lunch in an environment that is accessible to all. And not only will the café provide a benefit to the currently underserved neighborhood, the increased foot traffic to and from the venue at post-commute hours would make the block more dynamic, and the neighborhood safer.

As a brief biographical note, my partner and I have 35 years of combined restaurant and bar experience. We are entirely self-financed, and we have never used any investor money. My current operations (Canteen, The Sentinel, The House of Shields) have attracted considerable national and local acclaim.

The approval by the board of Supervisors of this original type 48 ABC license will not have any detrimental effect upon the surrounding neighborhood or the city of San Francisco. There are fewer than 200 residents within 500 feet of the business, and no churches or schools. The clientele of this operation will not pose any public safety problems – as a general rule, our customer base will be a bit older and a bit more responsible than what you might find in another district. And it goes without saying that the new project will create local job opportunities for the community.

In Summary, Café Terminus will be a powerful asset to the neighborhood and will serve the public convenience and necessity of the people and County of San Francisco. It will serve as a community meeting spot, provide a respite from the workday, and will contribute to San Francisco's growing reputation as the premier gastronomic destination in the country.

For the reasons outlined above, applicant Alcyone, LLC dba Café Terminus respectfully requests that this letter be forwarded to the City Operations and Neighborhood Services Committee of the Board and that the Committee and the full Board of Supervisors make a determination under the California Business and Professions Code 23958.4 that the public need or convenience would be served by the issuance of an original Type 48 liquor license to Alcyone LLC, dba Café Terminus at 10-16 California St, San Francisco.

Thank You for your consideration,

Sincerely,



Dennis Leary

Alcyone, Inc

127 Stevenson St

San Francisco, CA 94105

(415) 316-5800

cc: Capt Garrett Tim, Central Station
SFPD ALU

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BOARD OF SUPERVISORS
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Sincerely,



Dennis Leary

Alcyone, Inc

127 Stevenson St

San Francisco, CA 94105

(415) 316-5800

cc: Capt Garret Tom, Central Station
SFPD ALU

LIQUOR LICENSE REVIEW

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

File: 130477

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

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