

File No. 221180

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Ngbh Services

Date: January 26, 2023

Board of Supervisors Meeting:

Date: _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract / DRAFT Mills Act Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

- Police Department Report – January 19, 2023
- Planning Department Review – December 8, 2022
- PC or N Referral to Planning and Police – November 18, 2022
- PC or N Request Letter – November 14, 2022
- _____
- _____
- _____
- _____
- _____

Prepared by: John Carroll

Date: January 20, 2023

Prepared by: _____

Date: _____

Prepared by: _____

Date: _____

Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Thursday, January 19, 2023 2:57 PM
To: Aboulafia@Beveragelaw.com
Cc: Alabanza, Analyn@ABC; Leo Alfaro (BOS); Dahl, Bryan (BOS); Ebadi, Mahanaz (BOS); Tam, Madison (BOS); CPC.Referrals; Lane, Emily (CPC); amarjit.tamber@abc.ca.gov; Wong, Joanne (POL); Jonas, Stephen (POL); Salmonson, Joel (POL); Donovan, Dominica (BOS)
Subject: RE: Liquor License Transfer - 1540 Mission Street - Bar Agricole - BOS File No. 221180
Categories: 221180, 2023.01.26 - PSNS

Good afternoon,

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 – January 19, 2023](#)

The Police Department's ALU is recommending approval with the no additional conditions.

This matter is on agenda for a hearing on January 26, 2023, at 10:00 a.m.

The agenda will post on January 20, 2023.

Please respond to this message and let me know who to expect in attendance at the January 26, 2023 PSNS meeting.

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

[Board of Supervisors File No. 221180](#)

Thanks for the review.

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

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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.




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 Myrna Melgar

From: Lt. Steve Jonas #79 
Officer in Charge
ALU/Permits Unit 415-553-9550

Date: January 19, 2023

Subject: P.C.N. Investigation Regarding: Bar Agricole Inc.
DBA: Bar Agricole
1540 Mission St.
San Francisco, CA. 94103

Bar Agricole Inc., has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 21 (Off-Sale General) license to be located at 1540 Mission St. (located between 11th St. and 12th St.)

Hours of Operation:

10:00 am to 11:00 pm each day.

Digest:

Bar Agricole Inc. would like to operate a small liquor store to be located inside Bar Agricole's existing Type-47 location at 1540 Mission St. If approved, this license will allow them to sell Beer, Wine and Distilled Spirits.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From July 2021 to July 2022

0 calls for service

Police Reports:

From July 2021 to July 2022

0 police reports

San Francisco Plot Information:

This premise is located in Plot: **204**

A High Crime area is defined as **96** or more police reports in a plot for the year of **2021**.

This plot had 239 police reports for **2021**, which is 143 **higher** than the **Citywide "High Crime"** average

State Census Tract Information:

This premise is located in Census Tract: **177.00**

Population for this tract is: **2,841**

On-sale license authorized by census tract: **9**

Active on-sale licenses: 54 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 **Southern Station**.

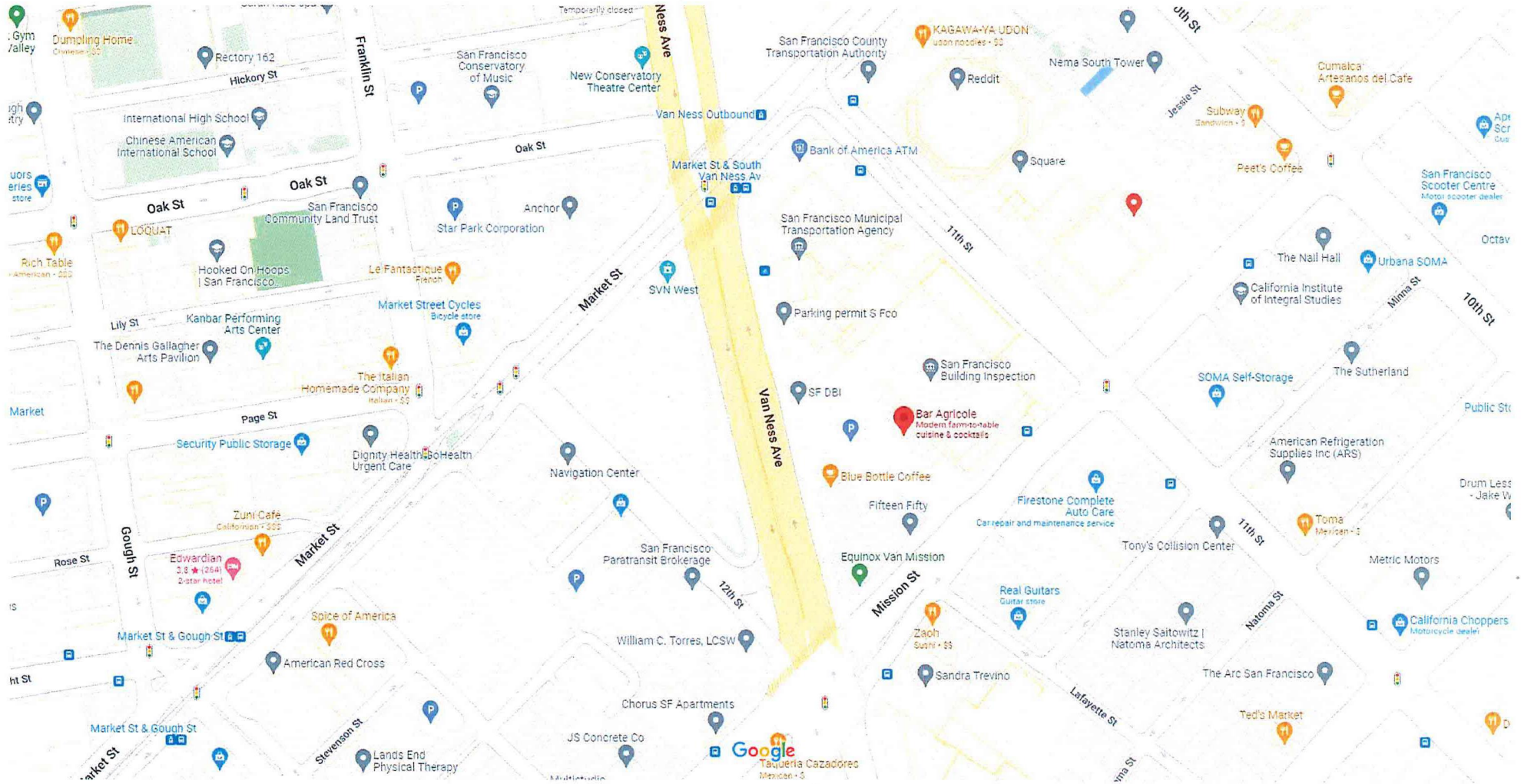
Applicant premise **is** located in a “**High Crime**” area.

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

0 - Protest.

0 - Support

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



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: Emily Lane
Phone No. 628-652-7582

DATE: November 18, 2022
DIST 6

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

AP Block/Lot Nos.: 3506 / 012
Zoning: C-3-G – Downtown General
Quad: District 6 SOMA
Record No.: 2022-011441MIS

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

PLEASE EMAIL YOUR RESPONSE by December 8, 2022, to:

John Carroll, Public Safety and Neighborhood Services Committee Clerk.

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

Applicant name: Bar Agricole, Inc.

Business name: Bar Agricole

Application address: 1540 Mission Street

Applicant contact info: Beth Aboulafia
415-362-1215, ext. 104
<mailto:Aboulafia@Beveragelaw.com>

PLANNING REVIEW: **Approval** **Denial**

Planning Staff Contact: Emily Lane, Assistant Planner, (628) 652-7582, emily.lane@sfgov.org
(Please add comments on a trailing page.)

POLICE REVIEW: **Approval** **Denial**

(Please add comments in a trailing report.)



12/08/2022

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

Re: BOS referral - Liquor License Public Convenience or Necessity Referral for Bar Agricole – 1540 Mission Street
Planning Department Files No. 2022-011441MIS

To Whom It May Concern:

The Planning Department is recommending approval of the attached ABC Type 21 (Off-Sale General) License for a new Liquor Store dba Bar Agricole at 1540 Mission Street. A Liquor Store is a Retail Sales and Service Use that is principally permitted in the Downtown General Commercial Zoning District (C-3-G) per Planning Code Section 210.2. The new business is required to comply with the Operating Conditions for Liquor Stores detailed in Planning Code Section 202.2(a)(6).

If you have any questions related to Planning's evaluation, please contact me at 628-652-7582.

Sincerely,

A handwritten signature in blue ink that reads "Emily Lane".

Emily Lane, Assistant Planner
District 6 | Current Planning

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7582 | General Inquiries: pic@sfgov.org | www.sfplanning.org
[San Francisco Property Information Map](#)

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Ms. LINA CAROLAN

(Hinman & Carmichael)

(415) 362-1215

X107

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

File Number: 629508
Receipt Number: 2735082
Geographical Code: 3800
Copies Mailed Date: July 7, 2022
Issued Date:

DISTRICT SERVING LOCATION: SAN FRANCISCO

First Owner: BAR AGRICOLE, INC.
Name of Business: BAR AGRICOLE
Location of Business: 1540 MISSION ST
SAN FRANCISCO, CA 94103-2513

County: SAN FRANCISCO

Is Premises inside city limits? Yes Census Tract: 0177.00

Mailing Address:(If different from premises address) 1150 MISSION AVE
SAN RAFAEL, CA 94901-2915

Type of license(s): 21 Dropping Partner: Yes No X

Transferor's license/name: 573541 / ZAYED MARKET INC

Table with 4 columns: License Type, Transaction Type, Master, Secondary LT And Count

Table with 6 columns: License Type, Transaction Description, Fee Code, Dup, Date, Fee

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: July 7, 2022

Applicant Name(s)

BAR AGRICOLE, INC.

Recommend Approval - Type 21 (Off-Sale General) License for a new Liquor Store dba Bar Agricole at 1540 Mission Street. A Liquor Store is a Retail Sales and Service Use that is principally permitted in the Downtown General Commercial Zoning District (C-3-G) per Planning Code Section 210.2. The business is required to comply with the Operating Conditions for Liquor Stores detailed in Planning Code Section 202.2(a)(6).

Digitally signed by Emily Lane
Date: 2022.12.08 12:27:59 -08'00'

November 6, 2022

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

Re: Request for Resolution of Public Convenience or Necessity - Bar Agricole, Inc.
1540 Mission St., San Francisco, CA 94103

Dear Board of Supervisors:

Bar Agricole, Inc. ("Bar Agricole") has applied to the Department of Alcoholic Beverage Control for a Type 21 Off-Sale General license for a new beer, wine and spirits retail shop. Because the new retail shop is located in a census tract that has an "undue concentration" of off-sale licenses under Section 23958.4 of the California Business and Professions Code, we are requesting a determination by the Board of Supervisors that public convenience or necessity will be served by issuance of the license.

Bar Agricole has applied for a person-to-person, premises-to-premises transfer of an existing Type 21 license to its new retail store location on Mission Street. The approximately 300 square foot retail store will be located in a portion of the space occupied by the newly re-opened Bar Agricole restaurant. The retail store will have a separate entrance off Mission Street, and will be open daily from 10 a.m. to 6 p.m.

Bar Agricole was established in 2010 as an urban tavern that pioneered a craft distillery-focused approach to its bar program, receiving James Beard Foundation Awards for Outstanding Bar Program and Outstanding Restaurant Design. After relaunching the restaurant in its new Mission Street location, Bar Agricole is now focusing its bar program on single-origin spirits and will be introducing a collection of proprietary, single-origin spirits, each with its own unique sense of place, for restaurant customers to enjoy through its bar program. Bar Agricole would also like to make these products available to consumers through its retail store and via online sales.

Although the store will offer some limited beer selections, the majority of the shop will be devoted to a specially curated selection of wines and single-origin distilled spirits. Bar Agricole has established relationships with an expanding collection of growers and producers offering a broad range of distilled spirits and looks forward to introducing these products to a growing consumer audience.

For the reasons set forth above, we respectfully request that the Board of Supervisors make a finding that issuance of the Type 21 license to Bar Agricole will serve public convenience or necessity.

Should you have any questions or concerns, please contact our alcoholic beverage attorney, Beth Aboulafia at 415-362-1215, ext. 104, or aboulafia@beveragelaw.com.

Sincerely,



Thad Vogler, President Bar Agricole, Inc.

**BAR
AGRICOLE**

1540 Mission Street,
San Francisco, CA 94103

baragricole.co
info@baragricole.co



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control

Report Date: Friday, November 18, 2022

LICENSE INFORMATION

License Number: 629508 **Primary Owner:** BAR AGRICOLE, INC. **Office of Application:**

24 - SAN FRANCISCO

BUSINESS NAME

BAR AGRICOLE

BUSINESS ADDRESS

1540 MISSION ST , SAN FRANCISCO, CA, 94103

County: SAN FRANCISCO **Census Tract:** 0177.00

LICENSEE INFORMATION

Licensee: BAR AGRICOLE, INC.

Company Information

OFFICER: VOGLER, THADDEUS MILSTEAD (DIRECTOR)

OFFICER: VOGLER, THADDEUS MILSTEAD (PRESIDENT/SECRETARY)

STOCKHOLDER: VOGLER, THADDEUS MILSTEAD

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: PENDING **Status Date:** 07-JUL-2022 **Term:** 12 Month(s)

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

Transfers: From License Number: [21-573541](#)

47 - ON-SALE GENERAL EATING PLACE

License Type Status: ACTIVE **Status Date:** 06-JUL-2022 **Term:** 12 Month(s)

Original Issue Date: 05-JUL-2022 **Expiration Date:** 30-JUN-2023 **Master:** Y **Duplicate:**

From License Number: [47-564616](#)

0 **Fee Code:** P40 **Transfers:** Transferred On: 05-JUL-2022

58 - CATERER PERMIT

License Type Status: ACTIVE **Status Date:** 05-JUL-2022 **Term:** 12 Month(s)

Original Issue Date: 05-JUL-2022 **Expiration Date:** 30-JUN-2023 **Master:** N **Duplicate:**

From License Number: [47-564616](#)

1 **Fee Code:** P40 **Transfers:** Transferred On: 05-JUL-2022

OPERATING RESTRICTIONS:

No noise shall be audible at any nearby RESIDENCES.

Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the most recently certified ABC-253.

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

Hold Type: FORM 220 **Hold Date:** 07-JUL-2022

ESCROWS:

No Escrow found

Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Friday, November 18, 2022 11:48 AM
To: CPC.Referrals; Salmonson, Joel (POL)
Cc: Wong, Wesley (CPC); Aboulafia@Beveragelaw.com; Wong, Alan (BOS); Alabanza, Analyn@ABC; 'Rose.Meyer@ABC.ca.gov'; Leo Alfaro (BOS); Dahl, Bryan (BOS); Ebadi, Mahanaz (BOS); Tam, Madison (BOS); Somera, Alisa (BOS)
Subject: Liquor License Transfer - 1540 Mission Street - Bar Agricole
Categories: 221180

Greetings,

The office of the Clerk of the Board has received a letter requesting public convenience or necessity findings for a liquor license transfer. I'm referring this matter to you for response via the following linked document:

[Referral Letter - Planning and Police Departments – November 18, 2022](#)

You may review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 221180](#)

After receiving review from the Planning and Police Departments, 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 consideration in the license matter.

The Public Safety and Neighborhood Services Committee may tentatively schedule this hearing for a regular meeting in January of 2023.

I request the Planning Department's response before December 8, 2022. Please confirm receipt of this message.

You may review the fact sheet for public convenience or necessity requests from the San Francisco Board of Supervisors via the following link:

[Liquor License Public Convenience or Necessity Request](#)

Thanks for the review.

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

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BOARD of SUPERVISORS



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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: Wesley Wong
Phone No. 628-652-7466

DATE: November 18, 2022

AP Block/Lot Nos.: 3506 / 012
Zoning: C-3-G – Downtown General
Quad: Mission
Record No.: _____

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

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

PLEASE EMAIL YOUR RESPONSE by December 8, 2022, to:

John Carroll, Public Safety and Neighborhood Services Committee Clerk.

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

Applicant name: Bar Agricole, Inc.

Business name: Bar Agricole

Application address: 1540 Mission Street

Applicant contact info: Beth Aboulafia
415-362-1215, ext. 104
<mailto:Aboulafia@Beveragelaw.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.)

November 6, 2022

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

Re: Request for Resolution of Public Convenience or Necessity - Bar Agricole, Inc.
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For the reasons set forth above, we respectfully request that the Board of Supervisors make a finding that issuance of the Type 21 license to Bar Agricole will serve public convenience or necessity.

Should you have any questions or concerns, please contact our alcoholic beverage attorney, Beth Aboulafia at 415-362-1215, ext. 104, or aboulafia@beveragelaw.com.

Sincerely,



Thad Vogler, President Bar Agricole, Inc.

**BAR
AGRICOLE**

1540 Mission Street,
San Francisco, CA 94103

baragricole.co
info@baragricole.co



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control

Report Date: Friday, November 18, 2022

LICENSE INFORMATION

License Number: 629508 **Primary Owner:** BAR AGRICOLE, INC. **Office of Application:**

24 - SAN FRANCISCO

BUSINESS NAME

BAR AGRICOLE

BUSINESS ADDRESS

1540 MISSION ST , SAN FRANCISCO, CA, 94103

County: SAN FRANCISCO **Census Tract:** 0177.00

LICENSEE INFORMATION

Licensee: BAR AGRICOLE, INC.

Company Information

OFFICER: VOGLER, THADDEUS MILSTEAD (DIRECTOR)

OFFICER: VOGLER, THADDEUS MILSTEAD (PRESIDENT/SECRETARY)

STOCKHOLDER: VOGLER, THADDEUS MILSTEAD

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: PENDING **Status Date:** 07-JUL-2022 **Term:** 12 Month(s)

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

Transfers: From License Number: [21-573541](#)

47 - ON-SALE GENERAL EATING PLACE

License Type Status: ACTIVE **Status Date:** 06-JUL-2022 **Term:** 12 Month(s)

Original Issue Date: 05-JUL-2022 **Expiration Date:** 30-JUN-2023 **Master:** Y **Duplicate:**

From License Number: [47-564616](#)

0 **Fee Code:** P40 **Transfers:** Transferred On: 05-JUL-2022

58 - CATERER PERMIT

License Type Status: ACTIVE **Status Date:** 05-JUL-2022 **Term:** 12 Month(s)

Original Issue Date: 05-JUL-2022 **Expiration Date:** 30-JUN-2023 **Master:** N **Duplicate:**

From License Number: [47-564616](#)

1 **Fee Code:** P40 **Transfers:** Transferred On: 05-JUL-2022

OPERATING RESTRICTIONS:

No noise shall be audible at any nearby RESIDENCES.

Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the most recently certified ABC-253.

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

Hold Type: FORM 220 **Hold Date:** 07-JUL-2022

ESCROWS:

No Escrow found

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Ms. UNA CAROLAN
(Hinman & Carmichael)
(415) 362-1215
X107

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

File Number: 629508
Receipt Number: 2735082
Geographical Code: 3800
Copies Mailed Date: July 7, 2022
Issued Date:

DISTRICT SERVING LOCATION: SAN FRANCISCO

First Owner: **BAR AGRICOLE, INC.**
Name of Business: **BAR AGRICOLE**
Location of Business: **1540 MISSION ST
SAN FRANCISCO, CA 94103-2513**

County: **SAN FRANCISCO**

Is Premises inside city limits? **Yes** Census Tract: **0177.00**

Mailing Address:(If different from premises address) **1150 MISSION AVE
SAN RAFAEL, CA 94901-2915**

Type of license(s): **21** Dropping Partner: Yes ___ No X

Transferor's license/name: **573541 / ZAYED MARKET INC**

<u>License Type</u>	<u>Transaction Type</u>	<u>Master</u>	<u>Secondary LT And Count</u>		
21 - Off-Sale General	PER/PRM	Y			
<u>License Type</u>	<u>Transaction Description</u>	<u>Fee Code</u>	<u>Dup</u>	<u>Date</u>	<u>Fee</u>
Application Fee	DBL TRF: PREMISES AND PERSON	NA	0	07/07/22	\$1,305.00
21 - Off-Sale General	ANNUAL FEE	NA	0	07/07/22	\$849.00
Total					\$2,154.00

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: **July 7, 2022**

Applicant Name(s)

BAR AGRICOLE, INC.