

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: City Operations & Neighborhood Ser. Date: February 22, 2010

Board of Supervisors Meeting Date 3/22/10

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 Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input checked="" 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"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence |

OTHER

(Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>
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Completed by: Victor Young
Completed by: Victor Young

Date February 18, 2010
Date 2-24-10

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

of 002

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[Liquor License, 2111 Market Street]

Resolution determining that the issuance of a Type 42 On-Sale beer and wine public premises license to Maarten Bon, for Cork located at 2111 Market Street, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

WHEREAS, Maarten Bon is seeking issuance of a Type 42 On-Sale beer and wine public premises license for Cork, located at 2111 Market Street; and,

WHEREAS, The Planning Department has verified that the area is properly zoned; and,

WHEREAS, The Police Department recommends that the liquor license application be approved with conditions; now, therefore, be it

RESOLVED, That in accordance with Section 23958.4 of the California Business and Professions Code, the Board of Supervisors of the City and County of San Francisco hereby determines for the foregoing reasons that the issuance of a Type 42 On-Sale beer and wine public premises license to Maarten Bon for Cork, located at 2111 Market Street will serve the public convenience or necessity of the people of the City and County of San Francisco.

Conditions: (1) The sales, service and consumption of alcoholic shall be permitted only between the hours of 11:00 a.m. to 11:00 p.m. Sunday – Thursday and

1 11:00 am and 12 Midnight Friday and Saturday; (2) No open and or resealed/re-corked
2 containers of alcoholic beverages shall be removed from the premises; (3) No noise
3 shall be audible beyond the area under the control of the licensee(s); (4) No wine shall
4 be sold with an alcoholic content greater than 15% by volume except "Dinner Wines"
5 which have been aged two years or more and maintained in corded bottles; (5) There
6 shall be no consumption of alcoholic beverages on the sidewalk area in front of or
7 adjacent to the premises; (6) Petitioner shall not make structural changes in the
8 premises interior without prior written approval from the Department; (7) The interior
9 lighting maintained therein shall be sufficient to make easily discernible the appearance
10 and conduct of all persons and patrons in that portion of the premises where alcoholic
11 beverages are sold, served, delivered or consumed; (8) The exterior of the premises
12 shall be equipped with lighting of sufficient power to illuminate and make easily
13 discernible the appearance and conduct of all persons on or about the premises.
14 Additionally, the position of such lighting shall not disturb the normal privacy and use of
15 any neighboring residences; (9) Loitering (loitering is defined as, "to stand idly about;
16 linger aimlessly without lawful business") is prohibited on any sidewalk or property
17 adjacent to the licensed premises under the control of the licensee; (10) The
18 petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the
19 premises over which they have control; (11) Graffiti shall be removed from the premises
20 and all parking lots under the control of the licensee within 72 hours of application. If
21 the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall
22 remove the graffiti with 72 hours following the beginning of the next weekday.
23
24
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San Francisco Police Department *Vice Crimes Division*

Alcoholic Beverage License

To: The San Francisco Board of Supervisors' Committee on City Operations
& Neighborhood Services

Supervisor Carmea Chu
Supervisor John Avalos
Supervisor Sean Elsbernd

From: Inspector Dave Falzon 
Vice Crimes Division 415/553-9369

Date: February 19, 2010

Subject: P.C.N. Investigation Regarding: **Mr. Maarten Bon**
dba Cork
2111 Market Street
748-0708

Mr. Maarten Bon on behalf of Cork has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 42 (On-Sale beer & wine public premises) license for 2111 Market Street (located between Church Street and 15th Street).

Proposed Hours of Operation:

Sunday-Monday	Closed
Tuesday - Thursday	11:00 p.m. – 11:00 p.m.
Friday - Saturday	11:00 a.m. – 12:00 midnight

Digest

If approved, this license will allow the applicant(s) to serve on-sale/off-sale beer and wine. No person under the age of 21 years shall enter or remain in this public premises.

Letters of Protest:

No record

Letters of Support:

No record

Police Calls for Service:

From November 2, 2009 to February 2, 2010

7

Police Reports:

From February 2, 2009 to February 2, 2010

1

San Francisco Plot Information:

This premise is located in Plot 403

486 Police Reports were recorded for this plot in 2009

This plot is 265 Police Report(s) over the citywide average (plus 20%) of 221 Police Reports.

State Census Tract Information:

This premise is located in Census Tract 0203

Population for this tract is: 3145

On-sale license authorized by census tract: 10

Active on-sale licenses: 28 with 0 pending

Off-sale licenses authorized by census tract: 4

Active off-sale licenses: 6 with 0 pending

District Station Recommendation:

Mission Police Station recommendation: *Approval w/conditions*

Vice Crime Division Recommendation:

Points of consideration:

APPROVAL w/conditions recommendation forwarded by **Mission Police Station**.

Applicant premise is located in a "high crime" area.

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

No Record letters of protest.

No Record letters of support.

Vice Crimes Division concurs with the **APPROVAL w/conditions** recommendation forwarded by **Mission Police Station**.

Proposed Conditions:

- 1) The sales, service and consumption of alcoholic shall be permitted between only between the hours of 11:00 a.m. to 11:00 p.m. Sunday – Thursday and 11:00 am and 12 Midnight Friday and Saturday.
- 2) No open and or resealed/re-corked containers of alcoholic beverages shall be removed from the premises.
- 3) No noise shall be audible beyond the area under the control of the licensee(s).
- 4) No wine shall be sold with an alcoholic content greater than 15% by volume except "Dinner Wines" which have been aged two years or more and maintained in corded bottles.
- 5) There shall be no consumption of alcoholic beverages on the sidewalk area in front of or adjacent to the premises.
- 6) Petitioner shall not make structural changes in the premises interior without prior written approval from the Department.
- 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) 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.

9) Loitering (loitering is defined as, "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalk or property adjacent to the licensed premises under the control of the licensee.

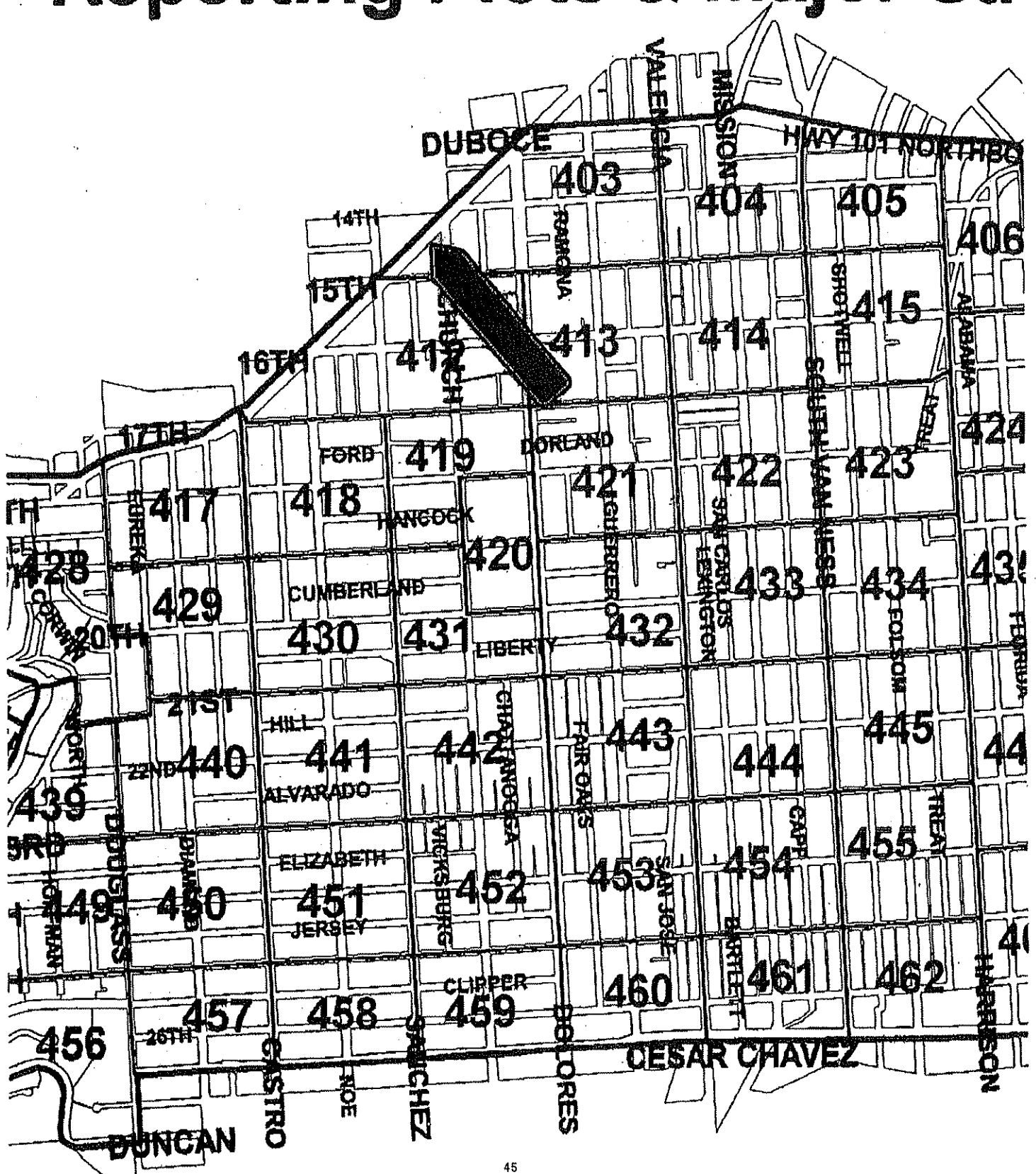
10) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.

11) 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.

end.

403

MISSION DISTRICT Reporting Plots & Major Str



SEE 647 MAP

667

COPYRIGHT 1998 Thomas Bros. Maps



SITE 668 MAP

Calls-For-Service

Page 1 of 1

export To  **New!**

Records 1 through 8 of 8

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
100302659		01/30/2010	17:20:07	C	917	3D1D	ADV	2111 MARKET ST
100182385		01/18/2010	16:19:32	C	915	3D11D	ADV	2111 MARKET ST
093611881		12/27/2009	16:30:10	B	915	3D74	CIT	2111 MARKET ST
093580884	091306940	12/24/2009	09:07:43	B	915	3D74	CIT	2111 MARKET ST
093290496		11/25/2009	06:31:53	B	915	3D71	ADV	2111 MARKET ST
092910970		10/18/2009	07:00:08	B	915	3D71	ADV	2111 MARKET ST
092661303		09/23/2009	10:23:01	B	915	4M2B	HAN	2111 MARKET ST
092621292		09/19/2009	09:38:36	B	915	3D1A	ADV	2111 MARKET ST

End of document

RECEIVED

LIQUOR LICENSE REVIEW

TO: Planning Department File: 1000083
AnMarie Rodgers/CTYPLN/SFGOV
Georgia Powell/CTYPLN/SFGOV@SFGOV
Fax No: 558-6409

Block/lot: 3542/041
Zoning: Upper Market NCT
Quad: SW
YRB # 1000088

TO: Inspector Dave Falzon
Police Department
Fax No: 970-3088

DATE: January 26, 2010

This item is scheduled to be heard at a meeting on February 22, 2010. PLEASE E-MAIL OR FAX YOUR RESPONSE BY: February 16, 2010 to Victor Young, Clerk of City Operations and Neighborhood Services Committee. Fax No: 554-7714 or victor.young@sfgov.org

Applicant Name: Maarten Bon
and Business Name: MFMB Wines Inc. dba Cork
Applicant Address: 2111 Market Street
and Phone No. 415-748-0708

PLANNING COMMENTS: Approval Denial

A new wine bar (bar use) at the subject property has been granted Conditional use authorization by the CPC under Case No. 2009-0773C. Use must comply with Conditions of Approval of Motion No. 18022, which are attached. *[Signature]* 2/19/10
Approved Planning Dept. Adrian C. Putra

POLICE COMMENTS: Approval Denial

File 100083

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 JAN 12 PM 2:03
BY _____

Maarten Bon
4071A 24th Street
San Francisco, CA 94114
(415) 748-0708

Angela Calvillo
Clerk
San Francisco Board of Supervisors
City Hall, Room 244
San Francisco, CA 94102

Dear Madam Clerk:

I am writing to request a Public convenience and Necessity hearing before the Board of Supervisors related to my application for a Type 42 License for Cork, a Wine Bar to be located at 2111 Market Street.

We are eager to provide local San Francisco Wines in a comfortable, attractive setting that introduces local wines. Our planned hours of operation are Tuesday-Thursday, 11:00 a.m. to 11:00 p.m. and Friday and Saturday 11:00 a.m. to Midnight and closed on Sundays and Mondays.

Please feel free to contact me at the above number or corkwinebar@live.com

Thanks for your consideration and assistance.

Sincerely,



MAARTEN BON

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

M F M B Wines Inc

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

2111 Market St., San Francisco, CA 94114

3. LICENSE TYPE

42

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 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 checked="" type="checkbox"/> Other - describe: | <i>On Sale Beer & Wine Public Premises</i> | | |

5. COUNTY POPULATION

3145

6. TOTAL NUMBER OF LICENSES IN COUNTY

- On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

- On-Sale Off-Sale

9. CENSUS TRACT NUMBER

0203

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

- 10* On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

- 2874* 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

402

14. TOTAL NUMBER OF REPORTING DISTRICTS

654

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

120,307

16. AVERAGE NO. OF OFFENSES PER DISTRICT

184

17. 120% OF AVERAGE NUMBER OF OFFENSES

221

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

189

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

PC & N required

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.

Governing Body/Designated Subordinate Name:

Board of Supervisors

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

WAD 10/28/09



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 1/22/2010*

License Information	
License Number: 484071	Status: PENDING
Primary Owner: MFMB WINES INC	
ABC Office of Application: SAN FRANCISCO	
Business Name	
Doing Business As: CORK A WINE BAR	
Business Address	
Address: 2111 MARKET ST Census Tract: 0203.	
City: SAN FRANCISCO County: SAN FRANCISCO	
State: CA Zip Code: 94114-1321	
Licensee Information	
Licensee: MFMB WINES INC	
Company Officer Information	
Officer: BON MAARTEN M, PRESIDENT	
Officer: FARINAS MAURICE E, SECRETARY TREASURER	
License Types	
1) License Type: 42 - ON-SALE BEER AND WINE - PUBLIC PREMISES	
License Type Status: PENDING	
Status Date: 28-OCT-2009	Term: Month(s)
Original Issue Date:	Expiration Date:
Master: Y	Duplicate: 0 Fee Code: NA
Current Disciplinary Action	
. . . <i>No Active Disciplinary Action found</i> . . .	
Disciplinary History	
. . . <i>No Disciplinary History found</i> . . .	
Hold Information	
Hold Date:	Type: FORM 220
Escrow	
. . . <i>No Escrow found</i> . . .	

- - - End of Report - - -

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