File No. <u>230196</u>

Committee Item No. <u>1</u> Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

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Committee: <u>Public Safety and Ngbh Services</u> Board of Supervisors Meeting: Date: <u>April 27, 2023</u> Date: _____

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OTHER



| Prepared by: | John Carroll | Date: | April 21, 2023 |
|--------------|--------------|-------|----------------|
| Prepared by: | | Date: | |
| Prepared by: | | Date: | |

| From: | Carroll, John (BOS) |
|--------------|---|
| To: | Greg Lindgren |
| Cc: | Alabanza, Analyn@ABC; amarjit.tamber@abc.ca.gov; Bernandino, Joan@ABC; Donovan, Dominica (BOS); Tam, Madison (BOS); Dahl, Bryan (BOS); Leo Alfaro (BOS); Ebadi, Mahanaz (BOS); CPC.Referrals; Giacomucci, Monica (CPC); San, William (CPC); Salmonson, Joel (POL); Wong, Joanne (POL); Jonas, Stephen (POL) |
| Subject: | RE: Liquor License Transfer - 140-10 Street - Rye Bar - BOS File No. 230196 |
| Date: | Monday, April 17, 2023 3:04:00 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 – April 6, 2023

The Police Department's ALU is recommending approval with the following conditions:

1) 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 ABC-253; and

2) Entertainment provided shall not be audible at any nearby residence or consideration point.

The Public Safety and Neighborhood Services Committee will hold this hearing at 10 am on Thursday, April 27, 2023.

I invite you to review the entire matter on our <u>Legislative Research Center</u> by following the link below:

Board of Supervisors File No. 230196

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 <u>here</u> 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



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 #79 Officer in Charge ALU/Permits Unit 415-553-9550

Date: April 6, 2023

Subject: P.C.N. Investigation Regarding:

Rye Bar, Inc. DBA: Rye Bar, Inc. 140-10th St. San Francisco, CA. 94103

Rye Bar Inc., has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 48 (On-Sale General Public Premise) license to be located at 140-10th St. (located between Minna St. and Natoma St.)

Hours of Operation:

11:00am to 12:00am (midnight) Sunday-Thursday, 11:00am to 2:00am Friday-Saturday.

Digest:

Rye Bar Inc. would like to operate a bar to be located at 140-10th 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 February 2022 to February 2023

1 call for service

Police Reports:

From February 2022 to February 2023

0 police reports

San Francisco Plot Information:

This premise is located in Plot: 218

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

This plot had 97 police reports for **2022**, which is 12 **lower** than the **Citywide "High Crime"** average.

State Census Tract Information:

This premise is located in Census Tract: **176.03** Population for this tract is: **5,518**

On-sale license authorized by census tract: **18** Active on-sale licenses: 15 with 0 pending

Off-sale licenses authorized by census tract: 4 Active off-sale licenses: 4 with 0 pending

Departmental Recommendation:

- Points of consideration: 0
- No opposition from Southern Station.
- Applicant premise is located in a "Low Crime" area.
- Applicant premise is located in a "Low Concentration" area.
- **0** Protest.
- 0 Support

ALU Recommendation: Approval with the following conditions:

- 1. 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 ABC-253.
- 2. Entertainment provided shall not be audible at any nearby residence or consideration point.

Google Maps 140 10th St



Map data ©2023 Google 50 ft

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| From: | <u>Carroll, John (BOS)</u> |
|-----------------------|---|
| To: | <u>Salmonson, Joel (POL); Wong, Joanne (POL); Jonas, Stephen (POL)</u> |
| Cc: | "Alabanza, Analyn@ABC"; "amarjit.tamber@abc.ca.gov"; "Bernandino, Joan@ABC"; "Greg Lindgren"; Donovan, Dominica (BOS); Tam, Madison (BOS); Dahl, Bryan (BOS); Leo Alfaro (BOS); Ebadi, Mahanaz (BOS); CPC.Referrals; Giacomucci, Monica (CPC); San, William (CPC) |
| Subject: | RE: Liquor License Transfer - 140-10 Street - Rye Bar - BOS File No. 230196 |
| Date: Attachments: | Friday, March 3, 2023 10:28:00 AM <u>image001.png</u> |

Good morning,

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 March 3, 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 a regular meeting of April 13, 2023.

I invite you to review the entire matter on our <u>Legislative Research Center</u> by following the link below:

Board of Supervisors File No. 230196

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.

Kolick here to complete a Board of Supervisors Customer Service Satisfaction form.

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

DATE: February 22, 2023

AP Block/Lot Nos.: 3510/006 Zoning: <u>RCD 55-X</u> Quad: <u>Dist 6</u> Record No.: <u>2023-001636MIS</u>

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 April 13, 2023.

PLEASE EMAIL YOUR RESPONSE by March 10, 2023, to:

John Carroll, Public Safety and Neighborhood Services Committee Clerk. john.carroll@sfgov.org ~ (415) 554-4445 Applicant name: Rye Bar, Inc. Business name: Rye Bar Application address: 140-10th Street San Francisco, CA 94103 Applicant contact info: Greg Lindgren (415) 786-7803 greg@ryesf.com **PLANNING REVIEW:** Approval Denial Monica Giacomucci, monica.giacomucci@sfgov.org, 628-652-7414 Planning Staff Contact: (Please add comments on a trailing page.) **POLICE REVIEW:** Approval Denial (Please add comments in a trailing report.)

Planning recommends approval. ABC Types 48 and 58 permit Bar and Catering. Bar uses principally permitted in RCD Zoning District per PC Section 758. Catering component to be 10% of business model, so permitted as accessory use.

Greg Lindgren (415) 786-7803 greg@ryesf.com Rye Bar, Inc 688 Geary Street San Francisco, CA 94102

Clerk of the Board of Supervisors C/O John Carroll, Public Safety and Neighborhood Services Committee San Francisco Board of Supervisors 1 Dr Carlton B Goodlett Pl #244 San Francisco, CA 94102

Re: Type 48 License Transfer to 140 10th Street, San Francisco - PCN

Dear Members of the Board,



We are writing today to ask you for your support and approval for our application to transfer a Type 48 liquor license to 140 10th Street. We filed with the ABC to transfer our license on February 14, 2023. Along with this application we are in the process of sending a mailing notification to residents within a 500' radius of the address. With the concentration of licenses in our great city we are required to propose how this establishment serves a public convenience and necessity for the neighborhood and the city in general. This excerpt from our city planning code encourages this very use:

The Regional Commercial District (RCD) is located along the 9th Street and 10th Street corridors, generally running from Mission Street to Harrison Street, and provides for a wide variety of commercial uses and services to a population greater than the immediate neighborhood. While providing convenience goods and services to the surrounding neighborhood, the RCD corridors are also heavily trafficked thoroughfares into and out of the City that serve shoppers from other neighborhoods and cities.

A diverse commercial environment is encouraged for the RCD. Eating and drinking establishments, general retail, office, certain auto uses, and production, distribution, and repair uses generally are permitted with certain limitations at the first and second stories. Arts Activities are encouraged on all floors and Nighttime Entertainment uses are allowed on the First and Second Stories in historic building with Conditional Use authorization, except that Nighttime Entertainment uses are Principally Permitted in Article 10 Landmark Building No. 120 (currently St. Joseph's Church at 1401 Howard Street).

We began our journey in this industry in North Beach at the Basque Hotel with our first bar, 15 Romolo. Coming up on 25 years, we do our best to operate a safe space that honors the rich heritage of the North Beach neighborhood. In 2000, we opened our second establishment, Rosewood, which was also in North Beach/Chinatown on Broadway. Notably, the San Francisco Chronicle featured our interior in the Sunday design section of the newspaper. We operated in good standing there until 2013, and we unfortunately had to move out as a result of that property changing ownership when our landlord passed away. The rent was quadrupled at that location. In 2006 we opened Rye on Geary Street, and 2017 The Cordial on Jessie Street. Along with our employees, we are hands on at our premises daily. Our neighbors - San Franciscans of diverse backgrounds consistently stop by to tell us how they enjoy our establishment because they live or work nearby and they like coming in and appreciate that we are there.



We believe our establishments and the way we operate, who we employ, and who we serve fit the definition of providing a **public convenience** providing quality affordable drinks in a welcoming atmosphere. We also can be viewed as a **necessity**, elevating public safety, quality of life, creating good jobs, and contributing to San Francisco's world class reputation. We understand our city and our neighborhoods. We look to make neighborhoods better by creating affordable, safe and inspiring places to spend time socially. At the time of this writing, San Francisco is experiencing a moment where we need some optimistic growth: to have open businesses instead of vacant spaces, to generate tax revenue and local employment. The sidewalk and street outside this location is subject to the quality of life issues which we are all too familiar with these days: frequent discarding of used needles, refuse, and human waste. Since we have been here, we have taken on the responsibility as partners to our city, public works, and CBD, to keep the area clean and safe for everyone's benefit. This is a daily necessity and we optimistically are up to the task of improving the cleanliness of the sidewalk for the benefit of: San Francisco and its citizens and visitors, and most of all our immediate neighbors who live on the same street.

As with all our spots, we'd like to operate within the hours allowed by the State. Daytime until 2am. We also recognize that the world is changing, and we mainly want to operate when people would like to patronize us. In some cases, that may mean operating with an earlier closing time. We envision a casual, affordable, 3rd space for the neighborhood and for the people who work in the area to gather with bar service, spirits, wine and beer, but also coffee, probiotic drinks like kombucha and non-alcoholic options such as mocktails. We are mindful that drinking culture changes and evolves, and we see the need for providing a welcome environment for people who don't drink alcohol. We hope to establish the kind of rapport with the neighbors on 10th and the adjacent streets such that they can use the space as a safe and inviting community hub. We will reach out to build relationships with a goal of strengthening neighborhood bonds and physically and aesthetically improving the streetscape together.

Thank you all for your service to our great city,

gren, Co-Owner nolo, Rye, The Cordial



Alcoholic Beverage Control

Report Date: Wednesday, February 22, 2023

LICENSE INFORMATION

License Number: 646013 Primary Owner: RYE BAR, INC. Office of Application:

24 - SAN FRANCISCO

BUSINESS NAME

RYE BAR, INC

BUSINESS ADDRESS

140 10TH ST , SAN FRANCISCO, CA, 94103

County: SAN FRANCISCO Census Tract: 0176.03

LICENSEE INFORMATION

Licensee: RYE BAR, INC.

Company Information

OFFICER: LINDGREN, GREGORY JOHN (CHIEF EXECUTIVE OFFICER) OFFICER: GASPARINI, JON THOMAS (SECRETARY/ASST SEC) STOCKHOLDER: GASPARINI, JON THOMAS STOCKHOLDER: LINDGREN, GREGORY JOHN

LICENSE TYPES

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

48 - ON-SALE GENERAL PUBLIC PREMISES

License Type Status: PENDING Status Date: 14-FEB-2023 Term: 12 Month(s)

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

Transfers: From License Number: 48-516141

58 - CATERER PERMIT

License Type Status: PENDING Status Date: 14-FEB-2023 Term: 12 Month(s)

Original Issue Date: Expiration Date: Master: N Duplicate: 1 Fee Code: P40

Transfers: From License Number: 48-516141

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: 14-FEB-2023

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ESCROWS:

No Escrow found

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Carroll, John (BOS)

| From: | Carroll, John (BOS) |
|-------------|--|
| Sent: | Wednesday, February 22, 2023 4:35 PM |
| То: | CPC.Referrals; Salmonson, Joel (POL) |
| Cc: | Alabanza, Analyn@ABC; amarjit.tamber@abc.ca.gov; Bernandino, Joan@ABC; Wong, Joanne (POL); Jonas, Stephen (POL); Greg Lindgren; Donovan, Dominica (BOS); Tam, Madican (BOS): Dable Brian (BOS): Lee Alfore (BOS): Fordi, Mehanar (BOS) |
| Subject: | Madison (BOS); Dahl, Bryan (BOS); Leo Alfaro (BOS); Ebadi, Mahanaz (BOS) Liquor License Transfer - 140-10 Street - Rye Bar - BOS File No. 230196 |
| Subject. | LIQUOT LICENSE TRANSIEL - 140-10 STEEL - KYE BAL - BOS FILE NO. 230190 |
| Categories: | 230196 |

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 – February 22, 2023

You may review the entire matter on our <u>Legislative Research Center</u> by following the link below:

Board of Supervisors File No. 230196

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 will tentatively schedule this hearing for a regular meeting on April 13, 2023.

I request the Planning Department's response before March 10, 2023. 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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- TO: Planning Department Attn: _____ Phone No.
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| DATE: February 22, | 2023 |
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AP Block/Lot Nos.: 3510/006 Zoning: <u>RCD 55-X</u> Quad: _____ Record No.: _____

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30 ARD OF SUPERVISORS SAN FRANCISCO 2023 FEB 17 PM 12: 58

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LICENSE TYPES

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48 - ON-SALE GENERAL PUBLIC PREMISES

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

Transfers: From License Number: 48-516141

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Original Issue Date: Expiration Date: Master: N Duplicate: 1 Fee Code: P40

Transfers: From License Number: 48-516141

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: 14-FEB-2023

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ESCROWS:

No Escrow found

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1 Ferry Building, Suite 50 San Francisco, CA 94111 Ohlone Ramaytush Land

tel: 415.291.3276 fax: 415.291.3275

info@foodwise.org foodwise.org

BOARD OF DIRECTORS

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Nafis Jamal

Stacy Jed

Lee Koffler

Shakirah Simley

Dilan Urun

⊺oyia Wortham

Executive Director Christine Farren April 3, 2023

Who Whom it May Concern,

I'm writing to share my wholehearted support for the owners, Jon Gasparini & Greg Lindgren, as well as their business Rye on the Road, in their wishes to have their ABC permit moved to their new location at 140 10th Street in San Francisco.

Both Jon & Greg as individuals, along with their staff and business, have been incredibly supportive of the nonprofit that I am privileged to work for, Foodwise Community (formerly CUESA). We are best known for running the Ferry Plaza Farmers Market and Mission Community Market, along with free food education programs for youth and adults alike. We host fundraising events multiple times a year for which we solicit pro bono beverage services and also ask for the donation of auction items. Rye on the Road has been an exceedingly generous supporter of Foodwise for well over a decade, consistently signing up to make and serve drinks, donate experiences to our auctions, and act as counsel when we are strategizing on how to make our events run more smoothly. This incredible support has made our work possible, professionalized our fundraisers, and directly benefited the financial health of our organization.

Along with being generous in time and knowledge, Jon & Greg are both ethical, kind humans who believe in giving back to their community in multiple ways. I have seen them donate to sister nonprofits and afterschool programs, and be recognized as leaders in the hospitality industry. I simply adore working with them, and would be happy to answer any questions you may have about their trustworthiness, commitment to community, and professionalism.

Warmly,

(Junstre &

Christine Farren Foodwise Executive Director

FROM THE DESK OF Caleb Zigas 415.305.5123

April 6, 2023

Dear Supervisors,

Jon Gasparini has been a consistent and generous supporter of La Cocina for over a decade. Both personally, and through his businesses, his support has made our work possible, grown our opportunities and had a direct financial impact on the work of La Cocina.

We launched our San Francisco Street Food Festival in 2009, without the capacity to manage our biggest fundraising stream, the bar. Jon changed that entirely, and worked with us tirelessly; donating time, talent and money to make the event a success. The impact of that event was access to markets for our business owners and visibility for La Cocina, not to mention bottom line. From there, he also jumped in to make our annual gala possible, to make our Voices From the Kitchen event delicious and any number of wild ideas that we had.

La Cocina would not be La Cocina without Jon.

Caleb

Caleb Zigas La Cocina 415.305.5123

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 Request for Letter beginning with "Supervisor 4. inquiries..." 5. City Attorney Request Call File No. 6. from Committee. Budget and Legislative Analyst Request (attached written Motion) 7. Substitute Legislation File No. 8. 9. Reactivate File No. Topic submitted for Mayoral Appearance before the Board on 10. 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 D 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 - 140-10 Street - Rye Bar Long Title or text listed: Hearing to consider that the transfer of a Type-48 on-sale general public premises liquor license to Rye Bar, Inc., to do business as Rye Bar located at 140-10 Street (District 6) will serve the public convenience or necessity of the City and County of San Francisco.

Signature of Sponsoring Supervisor: