

BOARD of SUPERVISORS



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

MEMORANDUM

CITY OPERATIONS AND NEIGHBORHOOD SERVICES

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor John Avalos, Chair
City Operations and Neighborhood Services

FROM: Gail Johnson, Committee Clerk

DATE: August 2, 2011

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, August 2, 2011

The following files should be presented as a **COMMITTEE REPORT** at today's Board Meeting. These items were acted upon at the Committee Meeting on Tuesday, August 2, 2011, at 10:00 a.m., by the votes indicated.

Item No. 50 File No. 110343

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Craig and Elizabeth Wathen, for the expansion of the City Beer Store into the adjacent office space located at 1168 Folsom Street (District 6), 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.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Avalos: Aye
 Mar: Aye
 Elsbernd: Aye

Item No. 51

File No. 110544

Resolution determining that the premise to premise transfer of a Type 48 on-sale general public premises liquor license from 1060 Geary Street to 1423 Polk Street (District 3), to Lori Martens for KoKo Cocktails (dba the HI-LO Club), 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.

RECOMMENDED AS A COMMITTEE REPORT

Vote:	Avalos:	Aye
	Mar:	Aye
	Elsbernd:	Aye

Item No. 52

File No. 110864

Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2012 to continue to receive funding for the "Comprehensive HIV Prevention Programs" grant from the Centers for Disease Control and Prevention, requesting \$8,085,000 in HIV prevention funding for San Francisco; from January 1, 2012, through December 31, 2012.

RECOMMENDED AS A COMMITTEE REPORT

Vote:	Avalos:	Aye
	Mar:	Aye
	Elsbernd:	Aye

cc: Angela Calvillo, Clerk of the Board
Cheryl Adams, Deputy City Attorney
Rick Caldeira, Legislative Deputy Director
Binder Copy

File No. 110343

Committee Item No. 1

Board Item No. 50

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: City Operations & Neighborhood
Services Committee

Date 8/2/11

Board of Supervisors Meeting

Date 8/2/11

LIQUOR LICENSE HEARING

Cmte Board

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Applicant's Letter
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Police Department Report
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Planning Department Report
<input type="checkbox"/>	<input type="checkbox"/>	Clerk's Correspondence
<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Other

- _____
- _____
- _____
- _____
- _____
- _____

Completed by Gail Johnson
Completed by gg

Date 7/28/11
Date 8/2/11

1 [Liquor License Expansion – 1168 Folsom Avenue]

2
3 **Resolution determining that the issuance of a Type 42 on-sale beer and wine**
4 **public premises license to Craig and Elizabeth Wathen, for the expansion of the**
5 **City Beer Store into the adjacent office space located at 1168 Folsom Street**
6 **(District 6), will serve the public convenience or necessity of the people of the**
7 **City and County of San Francisco, in accordance with Section 23958.4 of the**
8 **California Business and Professions Code, with conditions.**

9
10 WHEREAS, Craig and Elizabeth Wathen are seeking the expansion of a Type 42
11 on-sale beer and wine public premises license for the expansion of the City Beer Store
12 into the adjacent office space located at 1168 Folsom Street; and,

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

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

17 RESOLVED, That in accordance with Section 23958.4 of the California Business
18 and Professions Code, the Board of Supervisors of the City and County of San
19 Francisco hereby determines for the foregoing reasons that the issuance of a Type 42
20 on-sale beer and wine public premises license to Craig and Elizabeth Wathen for the
21 expansion of a Type 42 on-sale beer and wine public premises license for the
22 expansion of the City Beer Store into the adjacent office space located at 1168 Folsom
23 Street, will serve the public convenience or necessity of the people of the City and
24 County of San Francisco.

1 Conditions: (1) Petitioners shall not permit their patrons or the general public to
2 litter or congregate on the sidewalks adjacent to the licensed premises. (2) The
3 petitioners shall be responsible for maintaining free of litter the area adjacent to the
4 premises over which they have control. (3) No noise shall be audible beyond the area
5 under control of the licensees. (4) There shall be no live entertainment of any type
6 permitted on the premises. (5) Sales and service of alcoholic beverages shall be
7 permitted only between the hours of 10:00 a.m. to 10:00 p.m. each day of the week. (6)
8 Individual servings shall not exceed six-ounce pours of beer or four-ounce pours of
9 wine.

strike
&techel
ALCOHOLIC BEVERAGE LAW

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2011 APR 19 AM 11:12

BY AK

File 110343

April 19, 2011

Angela Calvillo, Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

RE: City Beer Store, LLC dba City Beer Store
California ABC Liquor License Premises Expansion
1168 Folsom Street, San Francisco, CA 94103
Public Convenience or Necessity Determination Resolution 1059-06
ABC Type 42-On Sale Beer and Wine Public Premises Expansion

Dear Miss Calvillo:

Our client, City Beer Store, LLC, holds a Type 42 license (License #509679) and is expanding the premises. In connection with the expansion, the City Beer Store has been asked by the Department of Alcoholic Beverage Control (ABC) to provide a letter confirming the public convenience or necessity for the premises expansion. Given the fact that the City Beer Store's address, entrance, and purpose is remaining the same the ABC licensing representative assigned to the pending transfer application has stated that a letter from the Board allowing the existing PCN Resolution Number 1059-06 to carry forward and include the expanded premises would be sufficient. We understand this is not the typical process for obtaining a PCN resolution, but since the address is not changing, PCN Resolution Number 1059-06 has already been provided for the address, and the ABC investigator suggested such a process, our client is interested in understanding the best way to proceed in order to obtain a PCN resolution covering the current address and its expanded premises.

The City Beer Store is an established family owned and operated tasting bar and retail shop focusing on the "Better Beer" specialty market. Better Beer refers to malt beverages consisting mainly of domestic micro and imported beers. The City Beer Store's selection has a primary focus on the American craft segment; rounded out with high-end imported products. City Beer Store will continue to sell beer related merchandise, specialty snack items, kegs and gift baskets. The activities originally presented and approved for the City Beer Store in PCN Resolution 1059-06 will continue in the expanded premises.

The City Beer Store is expanding into an adjacent office space to become ADA compliant and add room for educational events and a wider variety of stocked product. The premises address will remain unchanged. The City Beer Store's hours of operation will remain unchanged and continue to reflect Tuesday-Saturday 12:00 pm-10:00 pm, Sunday from 12:00 pm-6:00 pm and closed on Mondays. The premises entrance will also remain unchanged. The store has a good rapport with its neighbors and has not had any disturbances or citations in nearly five years of operation. Public convenience or necessity is served both in the neighborhood and citywide because City Beer Store is the only store in San Francisco focusing exclusively on "Better Beer." Customers appreciate and seek out the store's vast knowledge of "Better Beer," and enjoy the convenience of sampling product on premise. By expanding, City Beer Store will be better able to meet those needs. City Beer Store will continue to employ individuals to assist with their business, bringing jobs to the area. City Beer Store will continue to serve the community in a positive and responsible manner.

Our client sincerely appreciates the previous support the Board has given. Please let us know if the existing PCN Resolution Number 1059-06 approval can be carried forward to include the expanded premises. Thank you for your consideration of this request.

Sincerely,



Katherine Robb
Counsel for City Beer Store

Cc: Gail Johnson, Clerk Neighborhood Services Committee
Inspector Falzon, San Francisco Police Department



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 5/2/2011*

License Information
License Number: 509679
Primary Owner: CITY BEER STORE LLC
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: CITY BEER STORE
Business Address
Address: 1168 FOLSOM ST UNIT 101 Census Tract: 0178.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94103
Licensee Information
Licensee: CITY BEER STORE LLC
<i>Company Officer Information</i>
Officer: WATHEN, CRAIG VINCENT (MEMBER)
Officer: WATHEN, ELIZABETH BARBARA (MEMBER)
License Types
1) License Type: 42 - ON-SALE BEER AND WINE - PUBLIC PREMISES
License Type Status: PEND
Status Date: 05-APR-2011 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM: 42-475335
Current Disciplinary Action
<i>... No Active Disciplinary Action found ...</i>
Disciplinary History
<i>... No Disciplinary History found ...</i>
Hold Information
Hold Date: 05-APR-2011 Type: FORM 220
Escrow
<i>... No Escrow found ...</i>

--- End of Report ---

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



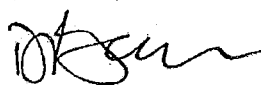
San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
*Public Convenience and
Necessity Recommendation*

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

Supervisor Avalos
Supervisor Mar
Supervisor Elsbernd

From: Inspector Dave Falzon 
Officer in Charge
ABC Liaison Unit (ALU) 553-1049

Date: July 29, 2011

Subject: P.C.N. Investigation Regarding: City Beer Store
1168 Folsom Street
Ms. Katherine Robb
415/226-1400

Ms. Katherine Robb on behalf of City Beer Store has filed an application with the California Department of Alcoholic Beverage Control seeking a premises expansion -Type 42 (On-Sale Beer & Wine Pubic Premises) license for 1168 Folsom Street (located between 7th Street and 8th Street).

Hours of Operation:

Daily 12 noon – 10:00 p.m.

Digest:

This premises is currently licensed as a ABC Type 42. The purpose of this hearing is to determine the premises can expanding its business and license into the adjacent space. There will be no increase in the number of ABC licenses in this plot regardless of the determination. If approved this license will allow the applicant to sell on and off sale beer and wine in the adjacent space. This premises will not have a distilled spirits privilege. The premises will be restricted to those 21 years of age and older.

Letters of Protest:

No Record

Letters of Support:

No Record

Police Calls for Service:

From May 2010 to May 2011

No Record

Police Reports:

From July 2010 to July 2011

9

San Francisco Plot Information:

This premise is located in Plot **232**

528 Police Reports were recorded for this plot in *2010*

This plot is **311** Police Report(s) over the citywide average (plus 20%) of 215 Police Reports.

State Census Tract Information:

This premise is located in Census Tract **0178**

Population for this tract is: **5829**

On-sale license authorized by census tract: **15**

Active on-sale licenses: **44** with **1** pending

Off-sale licenses authorized by census tract: **7**

Active off-sale licenses: **16** with **0** pending

Departmental Recommendation:

Points of consideration:

No opposition from **Southern Station**

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

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


No Record of protest.

No Record of support.

ALU Recommendation: **Approval**

premises has existing conditions that will transfer to expanded space

end.

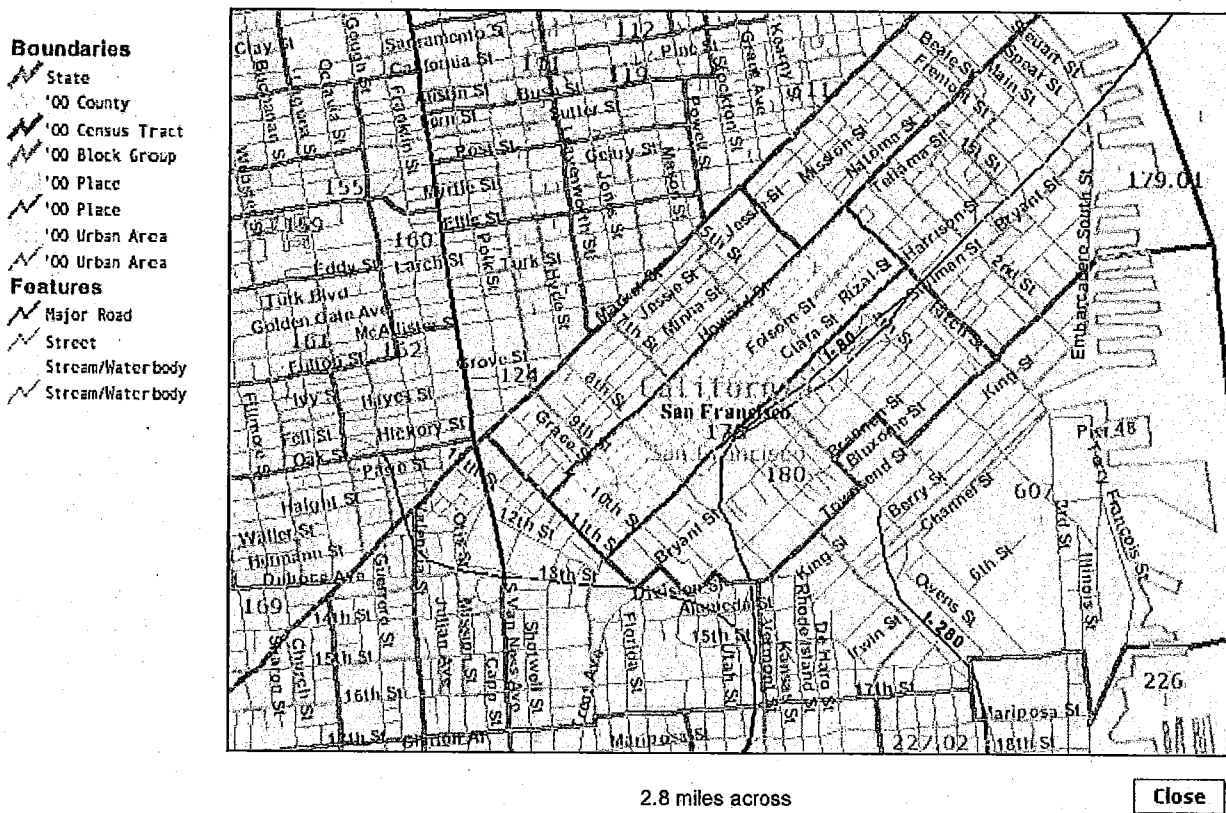
export To  **New!**

Records 1 through 9 of 9

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
<u>111940840</u>		07/13/2011	09:29:20	C	10-6V	1Y56		1168 FOLSOM ST
<u>111870880</u>		07/06/2011	09:38:34	C	6P	1Y56	HAN	1168 FOLSOM ST
<u>111733853</u>		06/22/2011	23:07:42	C	000			1168 FOLSOM ST
<u>111411841</u>		05/21/2011	13:20:13	B	418		CANC	1168 FOLSOM ST
<u>110831618</u>		03/24/2011	13:09:27	C	7I	3D49	HAN	1168 FOLSOM ST
<u>110803118</u>		03/21/2011	20:16:09	I	000			1168 FOLSOM ST
<u>110410247</u>		02/10/2011	02:48:40	C	000			1168 FOLSOM ST
<u>110410244</u>		02/10/2011	02:42:32	C	000			1168 FOLSOM ST
<u>110410242</u>		02/10/2011	02:43:31	C	000			1168 FOLSOM ST

End of document

Census Tract 178, San Francisco County, California

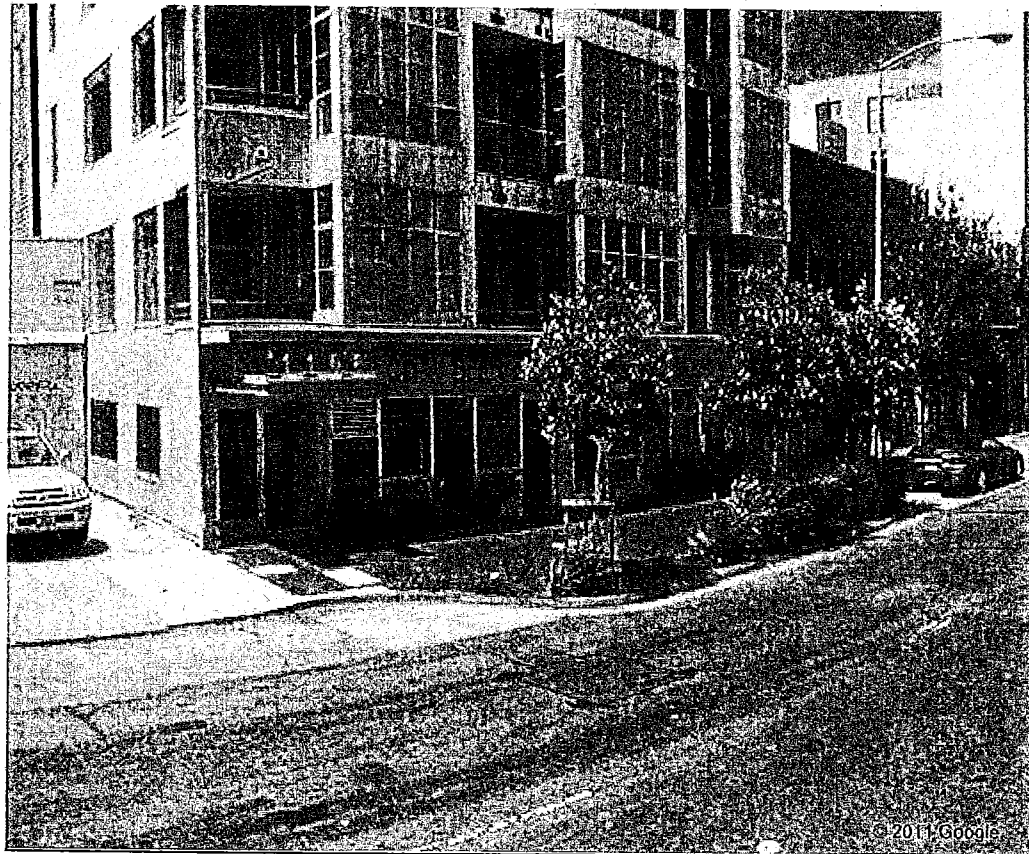


Google maps

Address Folsom Street / Rodgers Street

Address is approximate

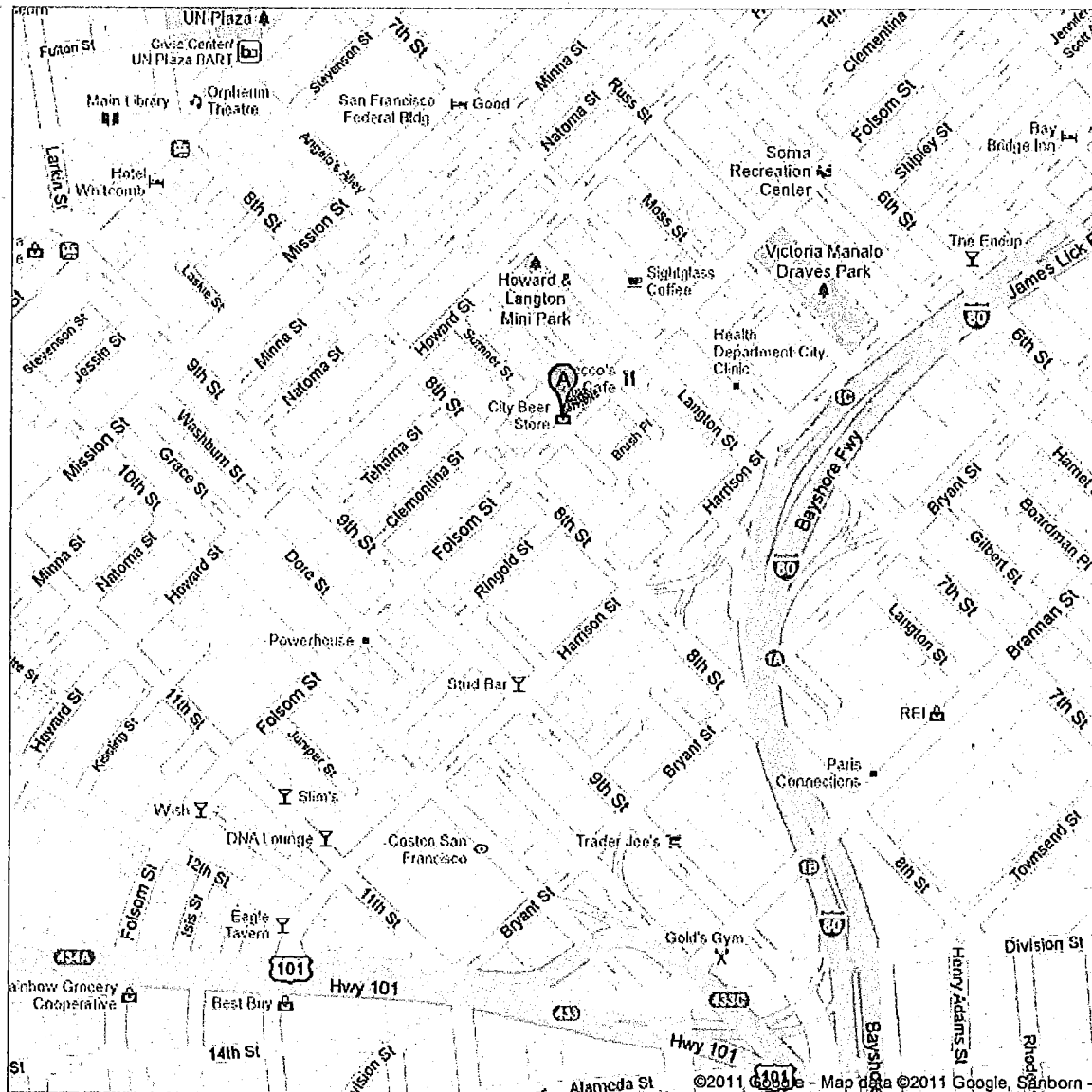
City Beer Store
Type 42-509679



Google maps

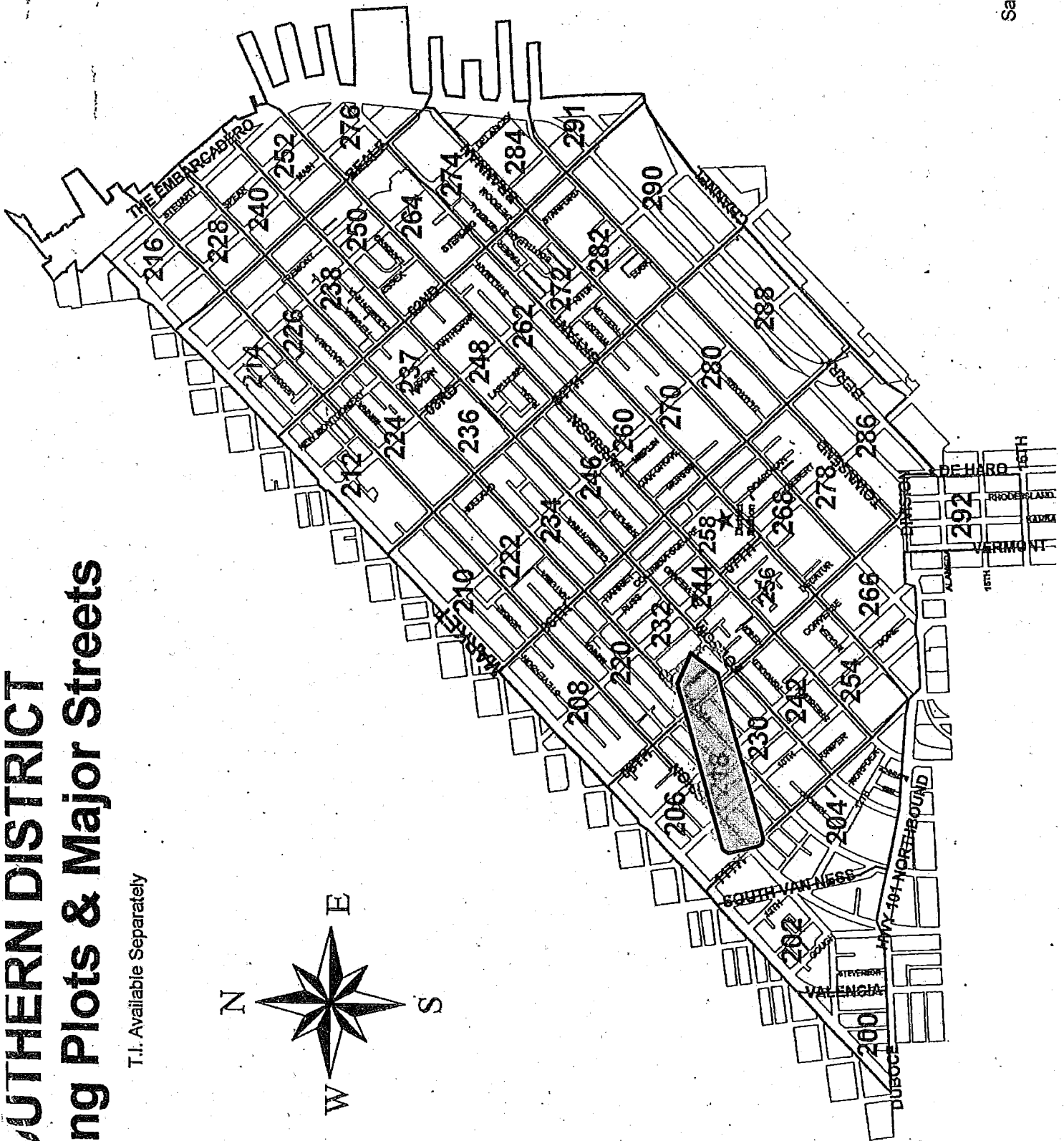
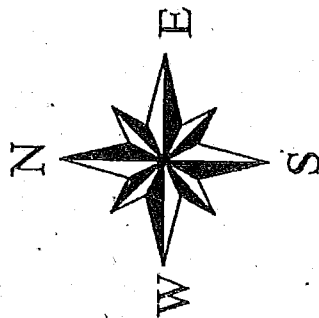
Address 1168 Folsom St
San Francisco, CA 94103

Notes City Beer Store
Type 42-509679



SOUTHERN DISTRICT Plotting Plots & Major Streets

T.I. Available Separately



LIQUOR LICENSE REVIEW

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

File: 110343

TO: Inspector Dave Falzon
Police Department
Fax No.: 553-1463

Block/lot: 3730/254
Zoning: SLR
Quad: SE
MB #1100991

DATE: May 4, 2011

This item is scheduled to be heard at a meeting on June 13, 2011. **PLEASE E-MAIL YOUR RESPONSE BY: June 9, 2011, to Gail Johnson, Clerk, City Operations and Neighborhood Services Committee.**

Gail.Johnson@sfgov.org - Fax No: 554-7714

Applicant Name: Craig and Elizabeth Wathen
and Business Name: City Beer Store (1168 Folsom Street)
Applicant Address: c/o Katherine Robb
Strike & Techel
930 Montgomery St., Suite 502
and Phone No. (415) 226-1400

PLANNING COMMENTS: ☒ Approval ☐ Denial

Per Planning Code Section 8/6.31. Section 3/2
notification completed 07/13/11 with no public
comment.

Erika S. Jackson 558-6363
07/18/11

POLICE COMMENTS: ☐ Approval ☐ Denial