



San Francisco Police Department
ABC Liaison Unit




Alcoholic Beverage License -
*Public Convenience or
Necessity (PCN)*

Supervisor District: 6

To: The San Francisco Board of Supervisors' Committee on Public Safety
and Neighborhood Services

Supervisor Eric Mar
Supervisor David Campos
Supervisor Julie Christensen

From: Lieutenant Dave Falzon 
Officer in Charge
ABC Liaison Unit (ALU) 575-6097

Date: April 28, 2015

Subject: P.C.N. Investigation Regarding: Flatiron Wines, LLC
dba Flatiron Wines
2 New Montgomery Street, SF, 94105
Ms. Beth Aboulafia

Ms. Beth Aboulafia on behalf of Flatiron Wines has filed an application with the California Department of Alcoholic Beverage Control (ABC) seeking a Type-21 (Off-Sale General) and a Type-42 (On-Sale Beer & Wine Bar) License for 2 New Montgomery Street (located between Market Street and Jessie Street). The proposed space is part of the Palace Hotel and will have New Montgomery Street access.

Hours of Operation:

Daily 9:00 a.m. – 9:00 p.m.

Digest:

Flatiron Wines is proposing a premises of multi-tasting rooms that will allow On-Sale of beer and wines as well as Off-Sale of beer, wine and distilled spirits. The applicants currently operate a similar premises on the East Coast (www.flatiron-wines.com), this is their first venture into the San Francisco market. Flatiron Wines will focus on fine wines and distinct microbrew tastings as well as off-sale beer, wine and premium distilled spirits.

If approved, this license will allow Flatiron Wines to sell Off-Sale beer, wine and distilled spirits as well as On-Sale of beer and wine.

Letters of Protest:

2

Letters of Support:

No Record

Police Calls for Service:

From February 2014 to February 2015

146- Homeless related, Alarm related, Assault/ Battery related, Sexual Assault related, and Theft related. *Note all calls occurred prior to this premises.*

Police Reports:

From February 2014 to February 2014

19 - *Note all calls occurred prior to this premises.*

San Francisco Plot Information:

This premise is located in Plot **212**

A High Crime area is defined as **99** or more police reports in a plot for the year of **2013**.

This plot had **553** police reports for **2013**, which is **454** over the **Citywide “High Crime”** average.

State Census Tract Information:

This premise is located in Census Tract **615**

Population for this tract is: **11,502**

On-sale license authorized by census tract: **40**

Active on-sale licenses: **140** with **0** pending

Off-sale licenses authorized by census tract: **11**

Active off-sale licenses: **22** with **0** pending

Departmental Recommendation:

Points of consideration: **None**

No opposition from **Southern Station**

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

Applicant premise **is** located in an “**Undue Concentration**” area.

2 - Record of protest.

0 - Record of support.

ALU Recommendation: **Approval with the following conditions**

Conditions for Type 21 (Off Sale General) and Type 42 (On Sale Beer and Wine Public Premise)

1. No noise shall be audible beyond the area under the control of the license.
2. No person under the age of 21 shall sell or deliver alcoholic beverages.
3. No wine shall be sold with an alcoholic content of great than 15% by volume except for “Dinner Wines” which have been aged two years or more and maintained in corked bottles.
4. Wine shall not be sold in bottles or containers smaller than 375ml.
5. Beer, malt beverages, and wine coolers in containers of 16oz. or less cannot be sold by single containers, but must be sold in manufacture pre-packaged multi-unit quantities.
6. 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.
7. The sale, service and consumption of powder alcohol or like non-liquid alcoholic beverage based product is prohibited.
8. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 9:00 a.m. and 10:00 pm each day of the week.

end.

Falzon, Dave (POL)

From: Falzon, Dave (POL)
Sent: Monday, April 27, 2015 7:41 AM
To: 'Immirkirk@gmail.com'
Subject: 2 New Montgomery

Hello Laura: I heard from our permit officer at Southern Station that you had concerns regarding this ABC license transfer. If you would like to discuss this in more detail I would be happy to assist. Feel free to call my office at your convenience. Best regards, Dave

*Lt. Dave Falzon
Officer-in-Charge
ABC Liaison Unit (ALU)*



San Francisco Police Department
Police Headquarters, 6th Floor
1245 3rd Street
San Francisco, CA 94158
415/575-6097

1 of 2

LT. D. FALZON #507 

From: Laura Kirk <lmmkirk@gmail.com>
Sent: Tuesday, April 21, 2015 2:01 PM
To: SFPD Southern Station, (POL)
Subject: liquor license on New Montgomery Street

Captain DeFilipo,

I hope this finds you well. Dan Dillon gave me your name, because are working together in protesting the transfer of a liquor license to 2 New Montgomery Street, which was previously a sushi restaurant.

As it stands now, Rudy Corpuz Jr. from United Playaz has submitted a letter of protest to the ABC, and we are waiting for a hearing notice. We were wondering if you would be willing to weigh in on this issue to express some concern since there are already at least 4 off-site liquor stores within a block radius of the proposed site and the proposed site is in your district.

Please feel free if you have any additional questions to let me know!

Best,
Laura Kirk

2 of 2

LT. D. FALZON #507D

Department of Alcoholic Beverage Control

State of California

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- **Please print legibly or type.** Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Flatiron Wines and Spirits

(Name(s) of Applicant(s))

For premises at:

2 New Montgomery Street, San Francisco CA

(Exact address of proposed premises)

on the grounds that:

- 1.) Public Need and Convenience is already fulfilled with the existence of 3 other liquor outlets within the square block.
- 2.) This is in an area where crime is a concern, and easy access to liquor will only aggravate this issue.
- 3.) As a community leader I hope to see the neighborhood move towards supporting businesses that will add value to the community beyond the sale of alcohol.

Check here if additional sheets attached

I, Rudy Corpuz Jr.

, declare under penalty of perjury:

PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

Rudy Corpuz Jr.
PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

San Francisco CA
SIGNED AT (City and State)

DATE SIGNED

1038 Howard St. San Francisco CA 94103
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

March 23, 2015

RECEIVED

ABC-510-A (Rev. April 2010)

1 of 2

MAR 24 2015
Dept of Alcoholic Beverage Control
San Francisco

LT. D. FALZON #507

Justin Grebb
San Francisco District Director, California ABC
33 New Montgomery St. Suite 1230
San Francisco, CA 94105



Rudy Corpuz Jr.
Founder and Executive Director of United Playaz
1083 Howard Street
San Francisco CA 94103

March 19, 2015

Dear Mr. Grebb,

This letter constitutes a formal protest against the issuance of a liquor license to Flatiron Wines and Spirits at 2 New Montgomery Street, San Francisco CA 94105. This new liquor license which would add a liquor store to a saturated area, with 164 active alcoholic beverage control license in this census tract and already 22 off-sale liquor licenses. This is of particular concern to me, as the leader of United Playaz.

For the past twenty years, United Playaz in the SoMa district has provided youth with after school activities and workshops, keeping them off the streets. From academic enrichment, violence prevention, after school programs, community and crisis response services, case management, workforce developments, events and workshops, United Playaz has reached many youth and adults and has been a vital resource in the neighborhood. Recently, we were able to purchase the building in which we daily welcome around 75 youth, ensuring the continuance of our program for many years to come. I am proud of the community and broad support network we have built around the United Playaz and the welcome reception it has received among all officials in the city.

As part of our mission, we help monitor the neighborhood and try to ensure that the neighborhood we operate in presents our youth with good examples of contributions they could make themselves. Liquor outlets lead to higher rates of crime, already of between New Montgomery and Seventh St., which is only aggravated by easy access to alcohol. Additionally, the existing number of liquor outlets in the area clearly fulfills the Public Need and Convenience. Convenience is actually maximized in this part of town due to the existence of the current Zain's Liquor Store around the corner on Third, in addition to Cask Store also on Third, F&M Smokes at 57 New Montgomery (across the street from this proposed application) and Dean's Fine Cigars and Liquors on Market at Third.

This particular space could be better utilized, and I am writing today to protest the use of this space as such.

Sincerely,

Rudy Corpuz Jr.
Founder and Executive Director of United Playaz

2 of 2

LT. D. FALZON #507

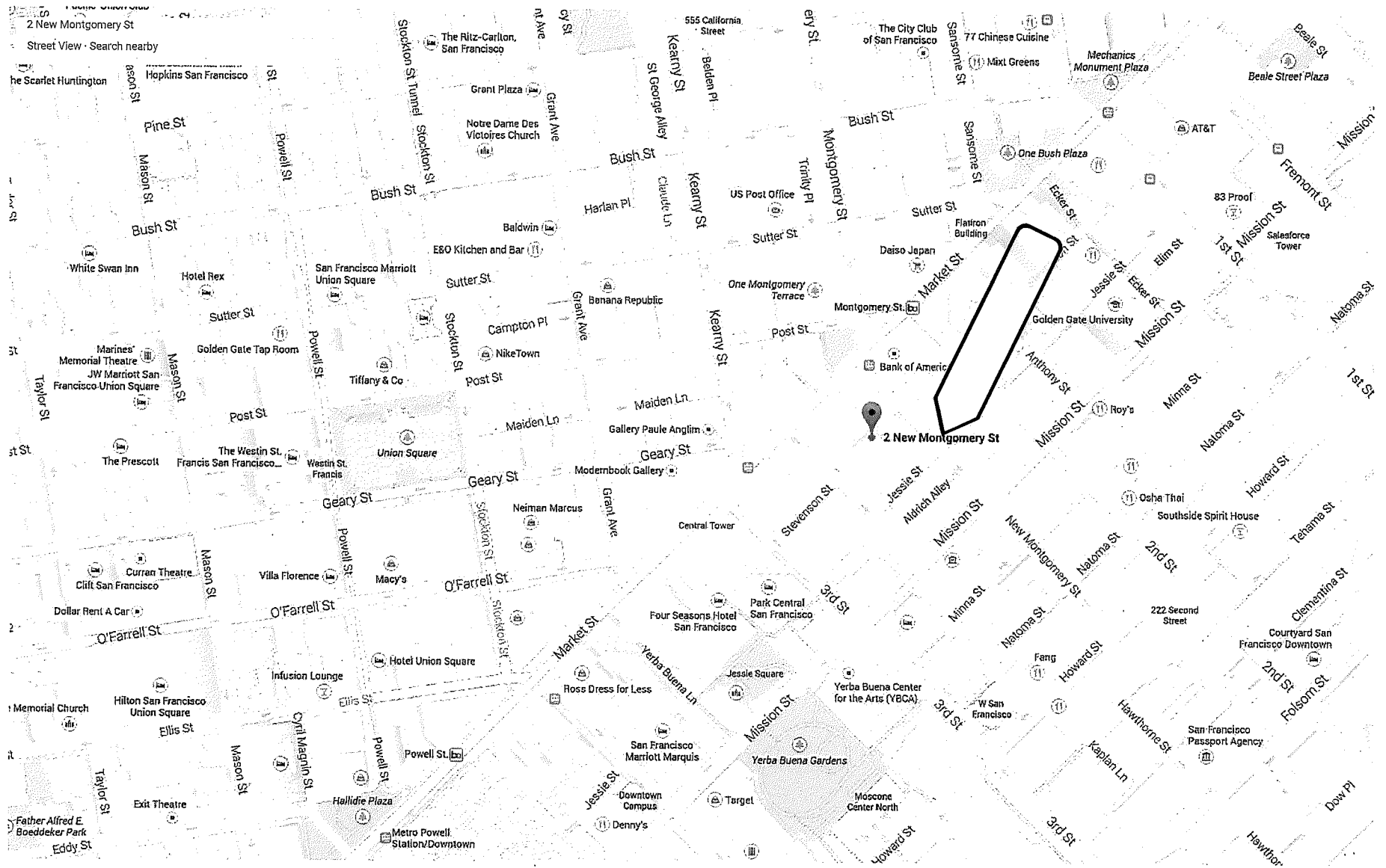
RECEIVED

MAR 24 2015

Dept of Alcoholic Beverage Control
San Francisco



Image capture: Mar 2015 © 2015 Google

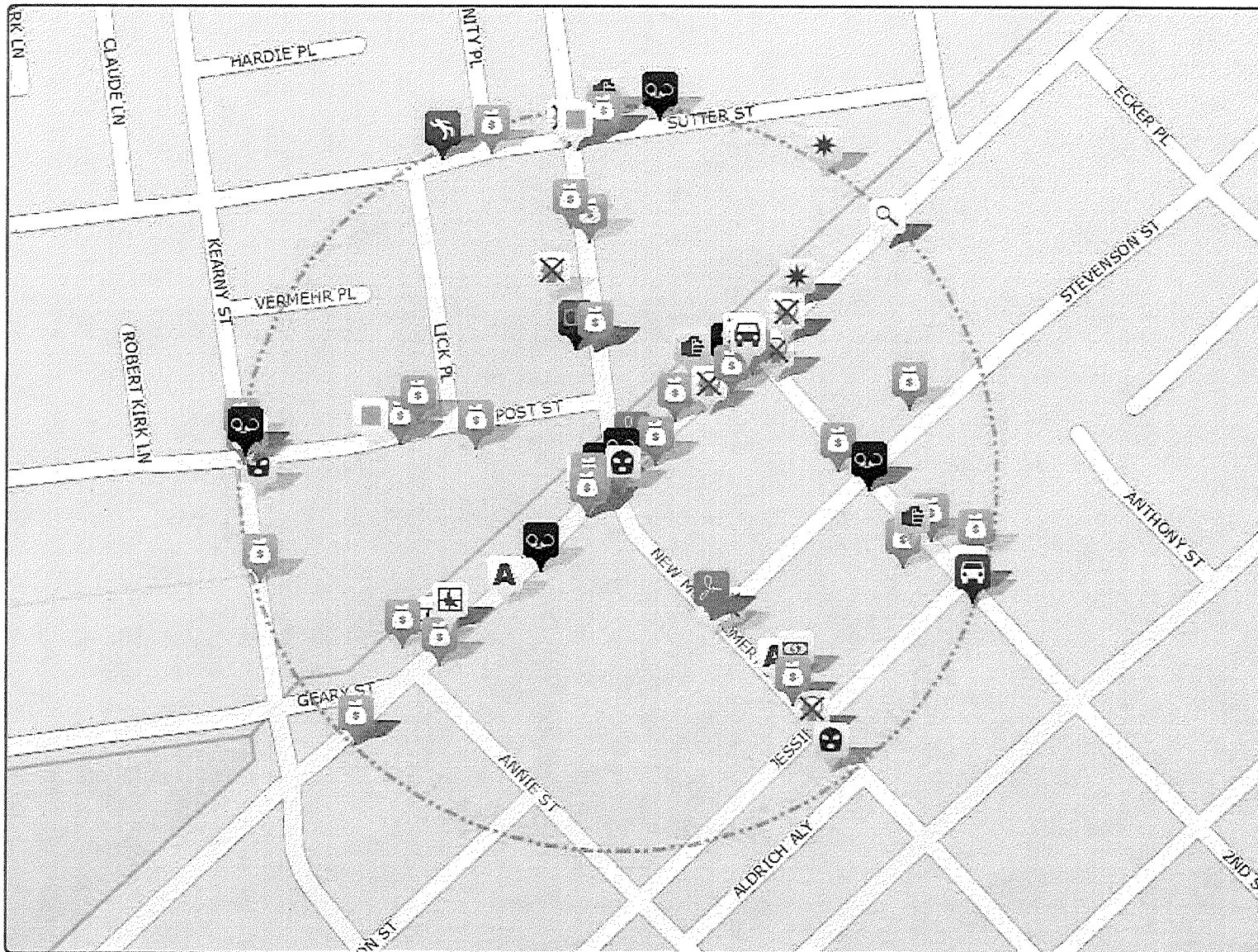


Map data ©2015 Google 200 ft

2 New Montgomery St

2/27/14 - 2/26/15

San Francisco Police Department



| Map Legend | |
|-----------------|----------------------------|
| Incidents (520) | |
| | Larceny/Theft (161) |
| | Non-Criminal (96) |
| | Warrants (43) |
| | Other Offenses (38) |
| | Assault (32) |
| | Fraud (25) |
| | Robbery (21) |
| | Vandalism (16) |
| | Suspicious Occurrence (15) |
| | Warrants (13) |
| | Burglary (12) |
| | Forgery/Counterfeiting (7) |
| | Missing Person (6) |
| | Trespassing (6) |
| | Secondary Codes (6) |
| | Vehicle Theft (5) |
| | Drug/Narcotic (4) |
| | Drunkenness (2) |
| | Disorderly Conduct (2) |
| | Bad Checks (2) |
| | Homicide (2) |
| | Embezzlement (2) |
| | Recovered Vehicle (1) |
| | Loitering (1) |
| | Extortion (1) |
| | Weapon Laws (1) |



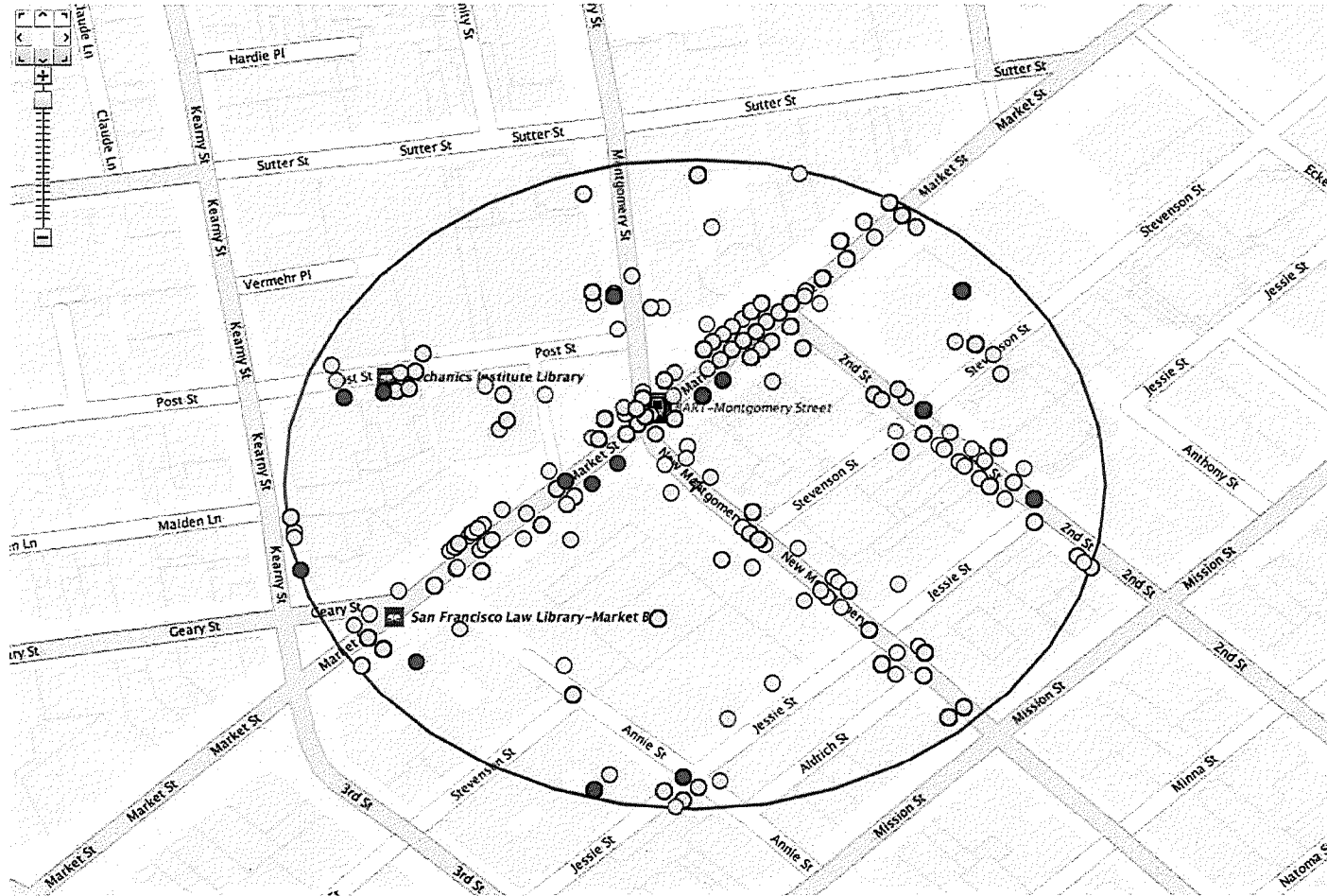
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WARNING: This map does not meet the national map accuracy standards.

Map Incidents Search Reports

2834 matching records were found. Click here to download excel report

CDW Map



- Criminal Homicide ● Aggravated Assault ○ Motor Vehicle Theft ● Robbery ● Call for Service (Priority A) ○ Call for Service (Priority B)
- Forcible Rape ● Burglary ● Arson ○ Larceny ○ Call for Service (Priority C) ● All Other

Selections

Time Period

- Last 4 hours
- Last 24 hours
- Enter Date Range

Select "Enter Date Range" to enter date range below

Date Time Range From

02/27/2014

Date Time Range To

02/26/2015

Type Of Incident

- Incident
- Dispatch Call
- Priority A Only
- Call Type

Type Of Crime (Not applicable for Dispatch Calls)

- All Crimes
- Part I
- Part II

Location

- San Francisco
- Central
- Southern
- Bayview
- Mission
- Northern
- Park
- Richmond
- Ingleside
- Taraval
- Tenderloin

Select "Specify" to enter an address below

- Specify

Street Number

2

Street Name

NEW MONTGOMERY

Area Around Address