File No. <u>170272</u>

Committee Item No. \_\_\_\_2 Board Item No. \_\_\_\_\_

### **COMMITTEE/BOARD OF SUPERVISORS**

AGENDA PACKET CONTENTS LIST

Committee:	Public Safety and Neighborhood Services	Date	June 5, 2017
	pervisors Meeting	Date	
	Public Correspondence (Use back side if additional space is neede	d)	
	LL Referral 03/14/17 Planning Response 03/20/17 Police Response 04/04/17 Power Point		

Completed by:	Erica Major	Date	June 1, 2017
Completed by:	•	Date	

#### PREPARED IN COMMITTEE 5/10/2017 RESOLUTION NO.

[Liquor License Transfer - 708 Polk Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license to S.A.K. Bars, Inc., dba Hotel Epik, located at 708 Polk Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, S.A.K. Bars, Inc., dba Hotel Epik is seeking the transfer of a Type 48 on-sale general public premises license located at 708 Polk Street (District 6); and

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

WHEREAS, The Police Department has filed zero (0) protests and zero (0) letters of support with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control issue the liquor license with conditions; and

WHEREAS, The conditions recommended by the Police Department are the following: 1) the sale of alcoholic beverages for consumption off the premises is strictly prohibited; 2) noise shall not be audible beyond the area under the control of the licensee as depicted on ABC-257, dated 1/18/2017; 3) sales, service, or consumption of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. to 2:00 a.m. each day of the week; and 4) loitering (defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the

Public Safety and Neighborhood Services Committee BOARD OF SUPERVISORS

licensed premises under the control of the licensee as depicted on the ABC-257, dated 1/18/2017; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines that the transfer of a Type 48 on-sale general public premises license to S.A.K. Bars, Inc., dba Hotel Epik located at 708 Polk Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby endorses and adopts the recommendations of the Police Department listed above, and recommends that the Department of Alcoholic Beverage Control issue the license with those conditions.



### San Francisco Police Department **ABC Liaison Unit**

### 170272 RECEIVED VIA EMAIL 4/4/2017



Alcoholic Beverage License -Public Convenience and Necessity Recommendation

To:

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

> Supervisor Hillary Ronen Supervisor Jeff Sheehy Supervisor Sandra Lee Fewer

From: Lieutenant Dave Falzon AN USAIM Officer in Charge ABC Liaison Unit (ALU) 415-837-7287

**Date:** April 5, 2016

Subject: P.C.N. Investigation Regarding:

S.A.K. Bars Inc DBA: Hotel Epic 708 Polk St (415) 279-7080

Carrie Peters on behalf of Hotel Epic, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 48 (On Sale General- Public Premise) License for 708 Polk St (Located between Eddy and Ellis streets).

Hours of Operation:

8:00 am to 2:00 am

#### Daily

#### **Digest:**

Hotel Epic would like to sell beer, wine and distilled spirits. If approved, this license will allow Hotel Epic to sell on-sale beer, wine and distilled spirits at this premises.

#### **Letters of Protest:**

0

#### Letters of Support:

0

#### Police Calls for Service:

From January 2015 to January 2016

0 Calls for service

#### Police Reports:

From January 2015 to January 2016: 0

#### San Francisco Plot Information:

This premise is located in Plot 547

A High Crime area is defined as 99 or more police incidents in a plot for the year of 2015.

This plot had 605 police incidents for 2015, which is 506 over the Citywide "High Crime" average.

#### **State Census Tract Information:**

This premise is located in Census Tract 124.02

Population for this tract is: 3,974

On-sale license authorized by census tract: 14 Active on-sale licenses: 34

Off-sale licenses authorized by census tract: **3** Active off-sale licenses: **3** 

#### **Departmental Recommendation:**

Points of consideration: No consideration points

#### Northern Station has no opposition

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

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

0 - Record of protest.

0 - Record of support.

ALU Recommendation: Approval with the following conditions:

- 1. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
- 2. Noise shall not be audible beyond the area under the control of the licensee as depicted on ABC-257, dated 1-18-17.
- 3. Sales, service, or consumption of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 2:00 a.m. each day of the week.
- 4. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee as depicted on the ABC-257, dated 1-18-17.

It should be noted that the applicant has agreed with the above listed recommended conditions.

	~		
RECEIN	EL DING OF EL	QUOR LICENSE RE	VIEW (PEE)
то: С <sup>(К 4</sup> )	Georgia Po	epartment odgers/CTYPLN/SFGOV well/CTYPLN/SFGOV@SI 15) 558-6409	File: 170272 =GOV Block/Lot: 0740/014
TO:		artment Ielly Gordon 5) 837-7273	=GOV Block/lot: 0740/014 Zonng: RC-4 Qual: NE
DATE:	March 14,	2017	Record #2017-0031
PLEASE	EMAIL YOUR	onse in four to six weeks fo RESPONSE BY: April 12, d Services Committee Cler <u>Major@sfgov.org</u> - Fax No	2017, to Erica Major, Public k.
Applicant	t Name:	S.A.K. Bars, Inc.	
	ness Name:	(Hotel Epik)	

Applicant Address:708 Polk Street<br/>San Francisco, CA 94109and Phone No.(415) 788-1000

PLANNING COMMENTS: Approval Denial Recommend Approval; ABC type 48 is permited w/ Bar Use Ekstail Salus & Service Use] In the RC-4 District, pulsiant to PC section 2093 POLICE COMMENTS: Approval Denial BERGDAVIS | PUBLIC AFFAIRS

### 170272

# MEMO

TO:Clerk of the BoardSan Francisco Board of Supervisors1 Dr. Carlton B. Goodlett Place, Room 244San Francisco, CA 94102

FROM:Evette Davis and Luis CuadraBergDavis Public Affairs

**DATE:** March 14, 2017

**RE:** Public Convenience and Necessity Resolution

BergDavis Public Affairs is submitting this request for a Public Convenience Necessity Resolution on behalf of the project sponsor, Amish Patel with SAKS Bars Inc. Mr. Patel intends to open a small bar in the approximately 1,000-square-foot vacant retail space located at 708 Polk Street, adjacent to the Hotel Epik.

### **Public Convenience and Necessity**

Situated just steps from San Francisco City Hall, Bill Graham Civic Auditorium, War Memorial Opera House, and Davies Symphony Hall, the proposed bar intends to serve the many City residents and tourists that frequent local Civic Center and Tenderloin destinations. The bar will also serve as an amenity for the newly-opened, 84-room Hotel Epik at 706 Polk Street.

### Facts About the Proposed Bar

- The hours of operation as proposed are 4:00 p.m. to 2:00 a.m., seven days a week.
- On-site security will be provided during hours of operation, ensuring visitors are respectful of their surroundings. Additionally, interior and exterior cameras will be installed.
- An application for a Type 48 license (on-sale general) has been submitted to the California Department of Alcohol Beverage Control (ABC). The license is being

### BERGDAV IS PUBLIC AFFAIRS

transferred within District 6, from the recently closed Volta Modern Brasserie at 868 Mission Street.

#### Outreach

Preliminary discussions with Sergeant Patrick Kennedy, SFPD Alcohol Liaison Unit, and Officer Steve Matthias, SFPD Central Station Alcohol Licensing, were favorable and did not reveal any substantive concerns. The project is supported by Randy Shaw, Tenderloin Housing Clinic and several of the local merchants.

Per the ABC requirements, a notification was mailed to all persons living within a 500' radius of the proposed site. The comment period closed on February 18, 2017 and there were no comments received by the ABC.

Residents that reside within the 500' foot radius were also invited to attend a community meeting on Wednesday, March 8 at 6pm at the SFPD Tenderloin. We also invited Supervisor Kim's office to attend the meeting and offered to provide an in-person project briefing. At the meeting, neighbors had the opportunity meet the project sponsors and architect and ask questions about the project. Over 1,900 invitations were mailed – one community member in support of the project attended the meeting.

Attached for your reference are the community meeting invitation and a project fact sheet.

#### **Contact Information**

Name: Amish Patel Phone: 415-279-7080 Business Name and Address: Nokturnal, 708 Polk Street, San Francisco, CA 94109 Mailing Address: 706 Polk Street, San Francisco, CA 94109

If you require additional information, please contact Luis Cuadra at 415-788-1000 ext. 206 or <a href="mailto:lcuadra@bergdavis.com">lcuadra@bergdavis.com</a>.

Thank you.



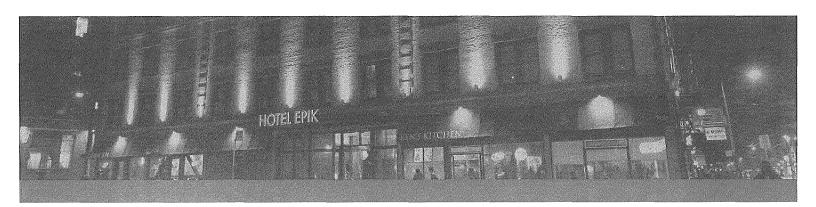
Dear neighbor,

You are receiving this official notification from the California Department of Alcoholic Beverage Control to inform you that the Hotel Epik located at 706 Polk Street has filed for a Type 48 license. The license is to open a small bar in the approximately 1,000 square foot vacant retail space adjacent to the hotel.

We are in the early stages of the project. Filing this application is the first step in what can be a months-long permitting process. Our future plans include holding a community meeting in February or March to provide neighbors with additional details and the opportunity to meet the bar owners.

In the meantime, if you have questions or would like more information, please contact the hotel's community relations liaison Luis Cuadra at lcuadra@bergdavis.com or (415) 788-1000 x206. To learn more about the Hotel Epik, please visit www.epiksf.com.

Sincerely, Hotel Epik





Dear Neighbor,

We would like to invite you to a neighborhood meeting on March 8, to discuss plans to open a small bar at 708 Polk Street. The proposed bar will occupy the approximately 1,000 square foot vacant retail space adjacent to the Hotel Epik.

This meeting is open for all to attend. Please feel free to forward this invitation to your friends and neighbors. To RSVP, request translation services or for more information, contact our community relations representative Luis Cuadra at 415-788-1000 ext. 206 or Icuadra@bergdavis.com.

**Date:** Wednesday, March 8, 2017

**Time:** 6:00 p.m. – 7:00 p.m.

**Location:** Tenderloin Police Station Community Room 301 Eddy Street

#### Estimado vecino:

Nos gustaría invitarlo a la reunión vecinal que se celebrará el 8 de marzo para debatir los planes de abrir un pequeño bar en 708 Polk Street. El bar propuesto ocupará el espacio comercial vacante de aproximadamente 1,000 pies cuadrados que se encuentra junto al Hotel Epik.

Esta es una reunión abierta a la que pueden asistir todos. Siéntase libre de reenviar esta invitación a sus amigos y vecinos. Para confirmar asistencia, solicitar servicios de traducción u obtener más información, contacte a nuestro representante de relaciones comunitarias Luis Cuadra al 415-788-1000 ext. 206 o lcuadra@bergdavis.com.

**Fecha:** Miércoles 8 de marzo de 2017

**Hora:** 6:00 p.m. – 7:00 p.m.

#### Lugar:

Estación de Policía de Tenderloin Community Room 301 Eddy Street

### 亲爱的街坊,

我们想要求您参加3月8日的社 区会议,讨论在708 Polk Street 开设一家小酒吧的计划。拟开设 的酒吧将占用Epik酒店附近约 1000平尺空置零售空间。

本次会议对所有人开放。请将本 份邀请转达给您的朋友和邻居。 答复邀请,请求翻译服务,或需 要获得更多信息,请致电415-788-1000 ext. 206或发送电邮 至lcuadra@bergdavis.com, 联系我们的社区关系代表Luis Cuadra。

日期: 2017年3月8日,周三

时间: 晚上6:00 – 晚上7:00

地点: Tenderloin警察局 社区室 301 Eddy Street



### Introducing Nokturnal at 708 Polk Street



SAK Bars Inc. is pleased to share its plans to open a small bar in the approximately 1,000-square-foot vacant retail space adjacent to the Hotel Epik at 708 Polk Street. Featuring an extensive American whiskey selection and a carefully chosen cocktail menu, Nokturnal intends to serve the many locals and tourists that frequent local Civic Center and Tenderloin destinations.

Although still in the conceptual design phase, the modern interior of the boutique bar will feature bold pops of color, dramatic accent lighting and a sleek fluorescent LED backlit bar. An intimate lounge area will offer the most current technological innovations in hospitality, including touch tables that guests can use to communicate with their servers, play games and create amazing visuals and virtual graffiti. Updating the exterior of the building with a glass façade and tasteful signage will complete the transformation of the vacant storefront.

SAK Bars Inc. is still in the early stages of the project. We have begun meeting with community leaders and are hosting a neighborhood meeting in March to provide neighbors with additional details and the opportunity to meet the bar owners. We anticipate going to the Public Safety and Neighborhood Services Committee for approval of our alcohol license in Spring 2017. Construction will commence immediately following project approval and is expected to take approximately two months to complete.

HOTEL EPIK

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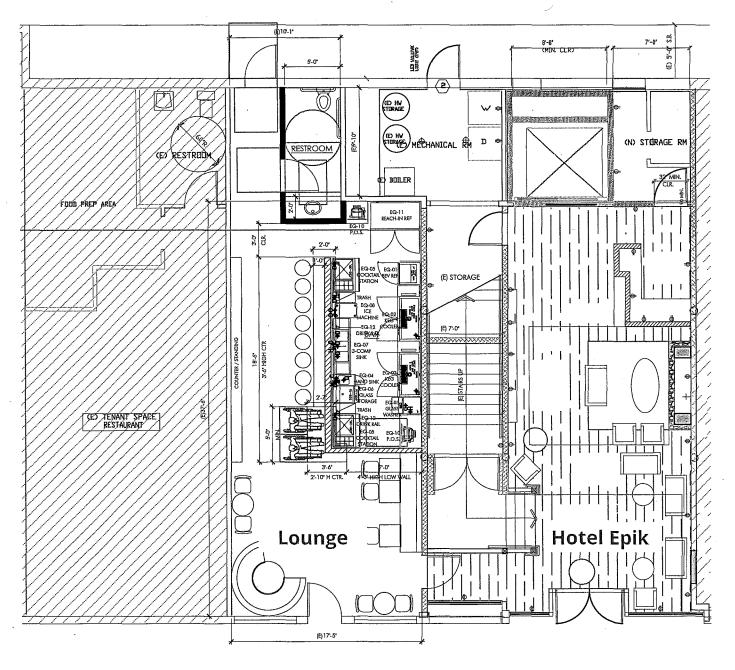
### Facts About Nokturnal

- The hours of operation as proposed are 4:00 p.m. to 2:00 a.m., seven days a week.
- On-site security will be provided during hours of operation, ensuring visitors are respectful of their surroundings. Additionally, interior and exterior security cameras will be installed.
- An application for a Type 48 license (on-sale general license) has been submitted to the California Department of Alcohol Beverage Control (ABC). Plans include transferring the liquor license from the recently closed Volta Modern Brasserie, located at 868 Mission Street.
- We are currently interviewing seasoned bar managers and expect that each bar shift will include a bartender, bartender assistant, cocktail server and door person.

To learn more about our plans or to request a meeting with the project team, please contact our community relations representative, Luis Cuadra, at lcuadra@bergdavis.com or 415-788-1000 ext. 206.

#### Who Are We

Founded by San Francisco natives brothers Amish, KP, and Kunal Patel, SAKS Bars Inc., is a newly formed bar management group. The company was founded on the basic principles of providing superior service, unique design and a relaxed atmosphere. Site Plan



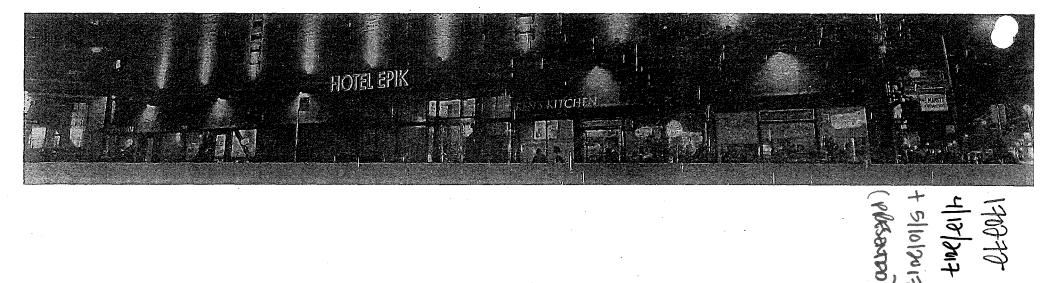
710 Polk Street

708 Polk Street

706 Polk Street

# Public Safety and Neighborhood Services Committee PCN Request

Bar Nokturnal 708 Polk Street



HOTEL EPIK

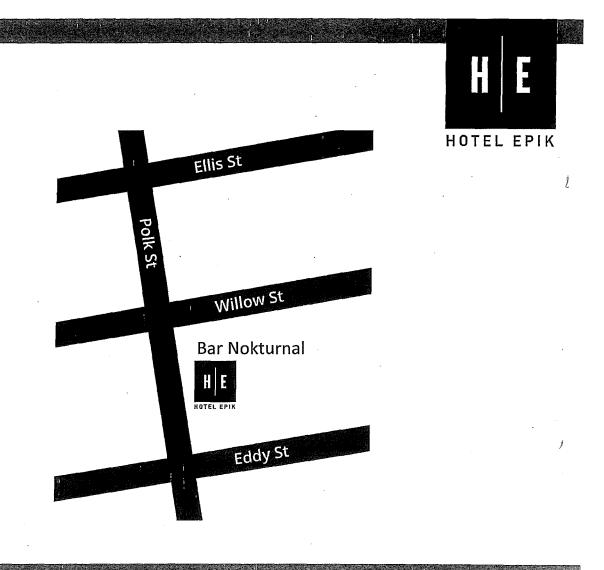
## Who We Are



Founded by San Francisco natives – brothers Amish, KP and Kunal Patel, S.A.K. Bars Inc., is a newly formed bar management group. The company was founded on the basic principles of providing superior service, unique design and a relaxed atmosphere.

### Location

 Located at 708 Polk Street between Eddy and Ellis Streets, S.A.K. Bars Inc. proposes to open a small bar in the approximately 1,000 square-foot vacant retail space adjacent to the Hotel Epik.



## Facts About Bar Nokturnal

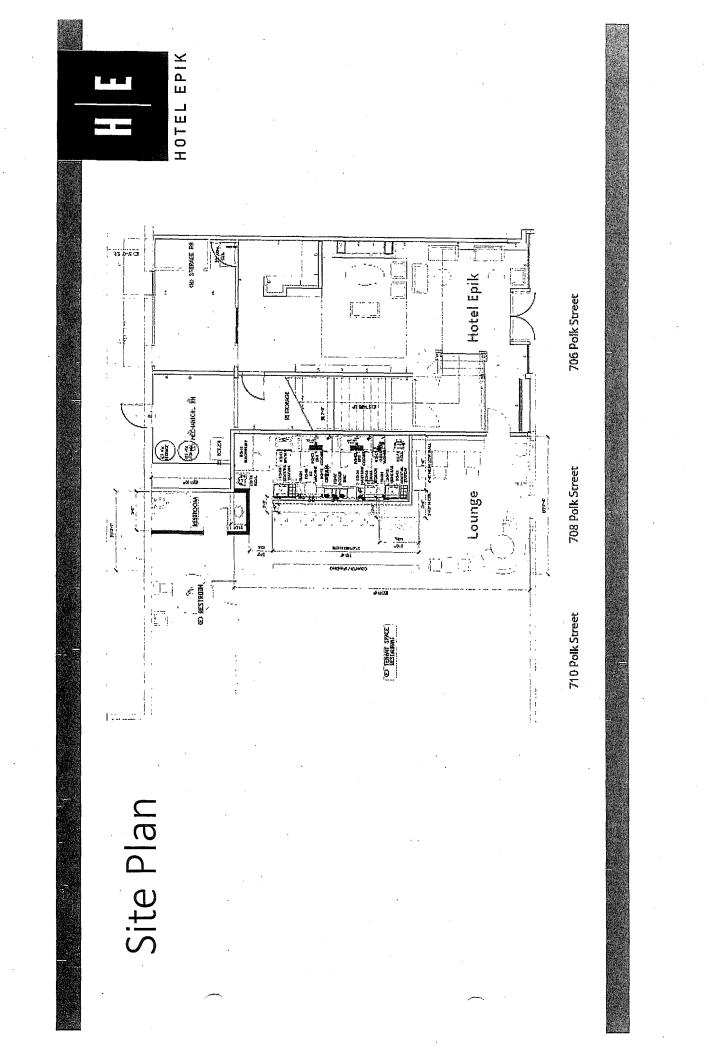


- The hours of operation as proposed are 3:00 p.m. to 2:00 a.m., seven days a week. Hours of operation may change based on business needs.
- On-site security will be provided from 8:00 p.m. to 2:00 a.m., seven days a week, ensuring visitors are respectful of their surroundings. Additionally, interior and exterior cameras will be installed.
- Capacity of the small bar is up to 49 people.
- We are currently interviewing seasoned bar managers and expect that each bar shift will include a bartender, cocktail server and door person.
- The Type 48 license is being transferred within District 6, from the recently closed Volta Modern Brasserie at 868 Mission Street.

## Design



- The modern interior of the boutique bar will feature bold pops of color, dramatic accent lighting and a sleek fluorescent LED backlit bar.
- An intimate lounge area will offer the most current technological innovations in hospitality, including touch tables that guests can use to communicate with their servers, play games and create amazing visuals and virtual graffiti.
- Updating the exterior of the building with a glass façade and tasteful signage will complete the transformation of the vacant storefront.



## Public Convenience and Necessity



- Situated just steps from the San Francisco City Hall, Bill Graham Civic Auditorium, War Memorial Opera House, and Davies Symphony Hall, the proposed bar is intended to serve the many City residents and tourists that frequent local Civic Center and Tenderloin destinations.
- The bar will also serve as an amenity for the newly-opened, 84-room Hotel Epik at 706 Polk Street.

## Community Outreach



- Per the ABC requirements, a notification was mailed to the all persons living within a 500' radius of the proposed site. There were no comments received by the ABC.
- Residents that reside within the 500' foot radius were also invited to attend a community meeting on Wednesday, March 8 at the SFPD Tenderloin Station. At the meeting, neighbors had the opportunity to meet the project sponsors and architect and ask questions about the project. Over 1,900 invitations were mailed one community member in support of the project attended the meeting.
- A merchant walk was conducted prior to the community meeting. Local merchants were given the meeting invitation and project fact sheet and provided with the opportunity to receive answers to their questions.
- The proposal is endorsed by Randy Shaw with the Tenderloin Housing Clinic.

## Community Meeting Invitation



HOTEL EPIK

Dear Neighbor,

#### We would like to invite you to a neighborhood meeting on March 8, to discuss plans to open a small bar at 708 Polk Street. The proposed bar will occupy the approximately 1,000 square foot vacant retail space adjacent to the Hotel Epik.

This meeting is open for all to attend. Please feel free to forward this invitation to your friends and neighbors. To RSVP, request translation services or for more information, contact our community relations representative Luis Cuadra at 415-788-1000 ext. 206 or kuadra@bergdavis.com.

Date: Wednesday, March 8, 2017

Time: 6:00 p.m. - 7:00 p.m.

Location: Tenderioin Police Station Community Room 301 Eddy Street

Estimado vecino: Nos gustaría invitario a la reunión vecinal que se celebrará el 8 de marzo para debatir los planes de abrir un pequeño bar en 708 Polk Street. El bar propuesto ocupará el espacio comercial vacante de aproximadamente 1,000 ples cuadrados que se encuentra junto al Hotel Epik. Esta es una reunión ablerta a la que pueden asistir todos. Sléntase libre de reenvlar esta Invitación a sus amigos v vecinos. Para confirmar asistencia, solicitar servicios de traducción u obtener más información, contacte a nuestro representante de relaciones comunitarias Luis Cuadra al 415-788-1000 ext. 206 o icuadra@bergdavis.com. Fecha: Miércoles 8 de marzo de 2017 Hora: 6:00 p.m. - 7:00 p.m. Lugar: Estación de Polícia de Tenderloin

Community Room 301 Eddy Street

#### 亲爱的街坊,

我们想娶求您参加3月8日的社 区会议,讨论在708 Polk Street 开设一家小酒吧的计划。拟开设 的酒吧将占用Epik酒店附近约 1000平尺空置零貨空间。

HOTEL EPIK

本次会议对所有人开放。请将本 份邀请转达给您的朋友和邻居。 答复邀请,请求翻译服务,或需 要获得更多信息, 请致电415-788-1000 ext. 206或发送电应 至lcuadra@bergdavis.com, 联系我们的社区关系代表Luis Cuadra.

日期: 2017年3月8日,周三 时间:

晚上6:00-晚上7:00

地点: TenderioinTender 社区室 301 Eddy Street

SOLUTION

# Project Fact Sheet

Introducing Nokturnal at 708 Polk Street

SAK Bars Inc. Is pleased to share its plans to open a small bar in the approximately 1,000-square-foot vacant retail space adjacent to the Hotel Epik at 708 Polk Street. Featuring an extensive American whiskey selection and a carefully chosen cocktail menu, Nokturnel intends to serve the many locals and tourists that frequent local Clvic Center and Tenderioin destinations.

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SAK Bars Inc. Is still in the early stages of the project. We have begun meeting with community leaders and are hosting a neighborhood meeting in March to provide neighbors with additional details and the opportunity to meet the ber owners. We anticipate going to the Public Safety and Neighborhood Services Committee for approval of our alcohol license in Spring 2017. Construction will commence immediately following project approval and is expected to take approximately two months to complete.



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HOTEL EPIK

Facts About Nokturnal The hours of operation as proposed are 4:00 p.m. to 2:00 a.m., seven days a week.

- On-site security will be provided during hours of operation, ensuring visions are respective of their surroungings. Additionally, Interior and exterior security cameras will be installed.
- An application for a Type 43 license (on-sile general license) has been submitted to the California Department of Alcohol Beverage Control (ASC) Plans Include transferring the liquor license from the recently closed Volta Modern Brasserie, located at 863 Mission Street.
- We are currently interviewing seasoned bar managers and expect that each bar shiftwill include a barender, barrender assistant, cocktail server and door person.

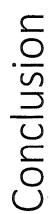
To learn more about our plans or to request a meeting with the project team, please contact our community relations representative, Luis Cuadra, at louadra@bergdavis.com or 415-788-1030 ext. 206.

Who Are Vie

Founded by San Francisco nativesbrothers Amish, KP, and Kunal Patel, SAKS Bars Inc., Is a newly formed bar management group. The company was founded on the basic principles of providing superior service, unique design and a relaxed atmosphere.



#### HOTEL EPIK





Thank you for your time this morning. We respectfully request your approval of our PCN request.

I am available to answer any questions.

From: Sent: To: Cc: Subject: Randy Shaw <randy@thclinic.org> Monday, April 10, 2017 10:54 AM Major, Erica (BOS) Icuadra@bergdavis.com; Amish Patel Liquor License for Epik Hotel

Re: File No. 170272

Dear Ms. Major,

I am writing to offer the Tenderloin Housing Clinic's strong support for the liquor license application for the Epik Hotel. I have known the owners of this hotel for years and they are a tremendous asset to the Tenderloin community. A liquor use adjacent to their hotel makes perfect sense and will not cause any problems in the surrounding area. I look forward to your approving their application.

If you have any questions, please do not hesitate to give me a call.

Very truly yours,

Randy Shaw

**Executive Director** 

CONFIDENTIALITY NOTICE: This document is intended for the use of the party to whom it is addressed and may contain information that is privileged, confidential, and protected from disclosure under applicable law. If you are not the addressee, or a person authorized to accept documents on behalf of the addressee, you are hereby notified that any review, disclosure, dissemination, copying, or other action based on the content of this communication is not authorized. If you have received this document in error, please immediately reply to the sender and delete or shred all copies.

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170272

From: Sent: To: Subject: rich@hechlerlaw.com Sunday, April 09, 2017 9:17 AM Major, Erica (BOS) Epik Bar

Dear Ms. Major:

I have been a "Van Ness Corridor/Tenderloin" resident for almost two decades.

Having recently attended a TTF community meeting and been briefed on the proposed Epik construction, I welcome the addition to the Epik Hotel, and support their effort to open an adjoining bar.

Notwithstanding the huge mendicant population in the area, I believe that Epik's current infusion of hotel guests and future potential of bar patrons will both attract needed and vital commerce to this challenging area of SF. Additionally I have found their layout and plans in this regard to be cogent and measured.

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I, therefore, urge you to facilitate their application.

Thank you for your consideration.

Sincerely,

**Richard B.Hechler** 

Sent from my iPhone

### LIQUOR LICENSE REVIEW

TO: Planning Department AnMarie Rodgers/CTYPLN/SFGOV Georgia Powell/CTYPLN/SFGOV@SFGOV Fax No.: (415) 558-6409

TO: **Police Department** Inspector Nelly Gordon Phone: (415) 837-7273

DATE: March 14, 2017

Please submit your response in four to six weeks for the matter to be heard. PLEASE EMAIL YOUR RESPONSE BY: April 12, 2017, to Erica Major, Public Safety and Neighborhood Services Committee Clerk.

Erica.Major@sfgov.org - Fax No: 554-7771

Applicant Name:	S.A.K. Bars, Inc.		
and Business Name:	(Hotel Epik)		
Applicant Address:	708 Polk Street San Francisco, CA 94109		
and Phone No.	(415) 788-1000		

PL	ANNING	COMMENTS:	Approv
		COMMENTS.	

al

Denial

File: 170272

**POLICE COMMENTS:** 

Approval

Denial