

File No. 201022

Committee Item No. 3

Board Item No. 14

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services
Board of Supervisors Meeting:

Date: October 22, 2020

Date: November 3, 2020

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 and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input 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"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Police Department Response – October 15, 2020</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Department Response – September 21, 2020</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral – September 11, 2020</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PC or N Request Letter – September 8, 2020</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | <u>_____</u> |

Prepared by: John Carroll

Date: October 15, 2020

Prepared by: John Carroll

Date: October 30, 2020

1 [Liquor License Transfer - 2190 Union Street - Luke's Local]

2

3 **Resolution determining that the transfer of a Type-20 off-sale beer and wine**
4 **liquor license to Luke's Local, Inc., doing business as Luke's Local, located**
5 **at 2190 Union Street (District 2), will serve the public convenience or necessity of**
6 **the City and County of San Francisco; and requesting that the California**
7 **Department of Alcoholic Beverage Control impose conditions on the issuance of**
8 **the license.**

9

10 WHEREAS, Luke's Local, Inc., is seeking the transfer of a Type-20 off-sale beer
11 and wine liquor license to do business as Luke's Local, located at 2190 Union Street
12 (District 2); and

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

15 WHEREAS, The Police Department has filed one protest and zero letters of
16 support with the Department of Alcoholic Beverage Control under California Business
17 and Professions Code, Section 24013, and recommends that the Department of
18 Alcoholic Beverage Control issue the liquor license with conditions; and

19 WHEREAS, The conditions recommended by the Police Department are the
20 following: 1) Petitioner(s) shall actively monitor the area under their control in an effort
21 to prevent the loitering of persons on any property adjacent to the licensed premises as
22 depicted on the most recently certified ABC-253; and 2) The petitioner(s) shall be
23 responsible for maintaining free of litter the area adjacent to the premises over which
24 they have control, as depicted on the ABC-253; now, therefore, be it

25

1 RESOLVED, That in accordance with California Business and Professions Code,
2 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
3 hereby determines that transfer of a Type-20 off-sale beer and wine liquor license to
4 Luke's Local, Inc., doing business as Luke's Local, located at 2190 Union Street, will
5 serve the public convenience or necessity of the City and County of San Francisco; and,
6 be it

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

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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 Rafael Mandelman
Supervisor Catherine Stefani
Supervisor Shamman Walton

From: Lt. Georgia Sawyer #1565 
Officer in Charge
ALU/Permits Unit 415-553-9550

Date: October 15, 2020

Subject: P.C.N. Investigation Regarding: Luke's Local Inc.
DBA: LUKE'S LOCAL
2190 Union St
San Francisco, CA. 94123-4004

Luke's Local Inc. has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 20 (Off-Sale Beer and Wine) license to be located at 2190 Union St. (located Fillmore St. and Webster St.)

Hours of Operation:

8:00 a.m. to 9:00 p.m. each day of the week.

Digest:

Luke's Local would like to operate a full service grocery to include Beer and Wine sales, located at 2190 Union St. If approved, this license will allow them to sell Off-Sale Beer and Wine.

Letters of Protest

1

Letters of Support

0

Police Calls for Service:

From August 2019 to August 2020

5 calls for service

Police Reports:

From August 2019 to August 2020

0 police reports

San Francisco Plot Information:

This premise is located in Plot: **518**

A High Crime area is defined as **107** or more police reports in a plot for the year of **2019**.

This plot had **137** police reports for **2019**, which is **30 higher** than the **Citywide “High Crime”** average

State Census Tract Information:

This premise is located in Census Tract: **130.00**
Population for this tract is: **4,044**

On-sale license authorized by census tract: **14**
Active on-sale licenses: 88 with 0 pending

Off-sale licenses authorized by census tract: **3**
Active off-sale licenses: 30 with 0 pending

Departmental Recommendation:

Points of consideration: **0**

No opposition from **Northern Station**.

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

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

1 - Protest.

0 - Support

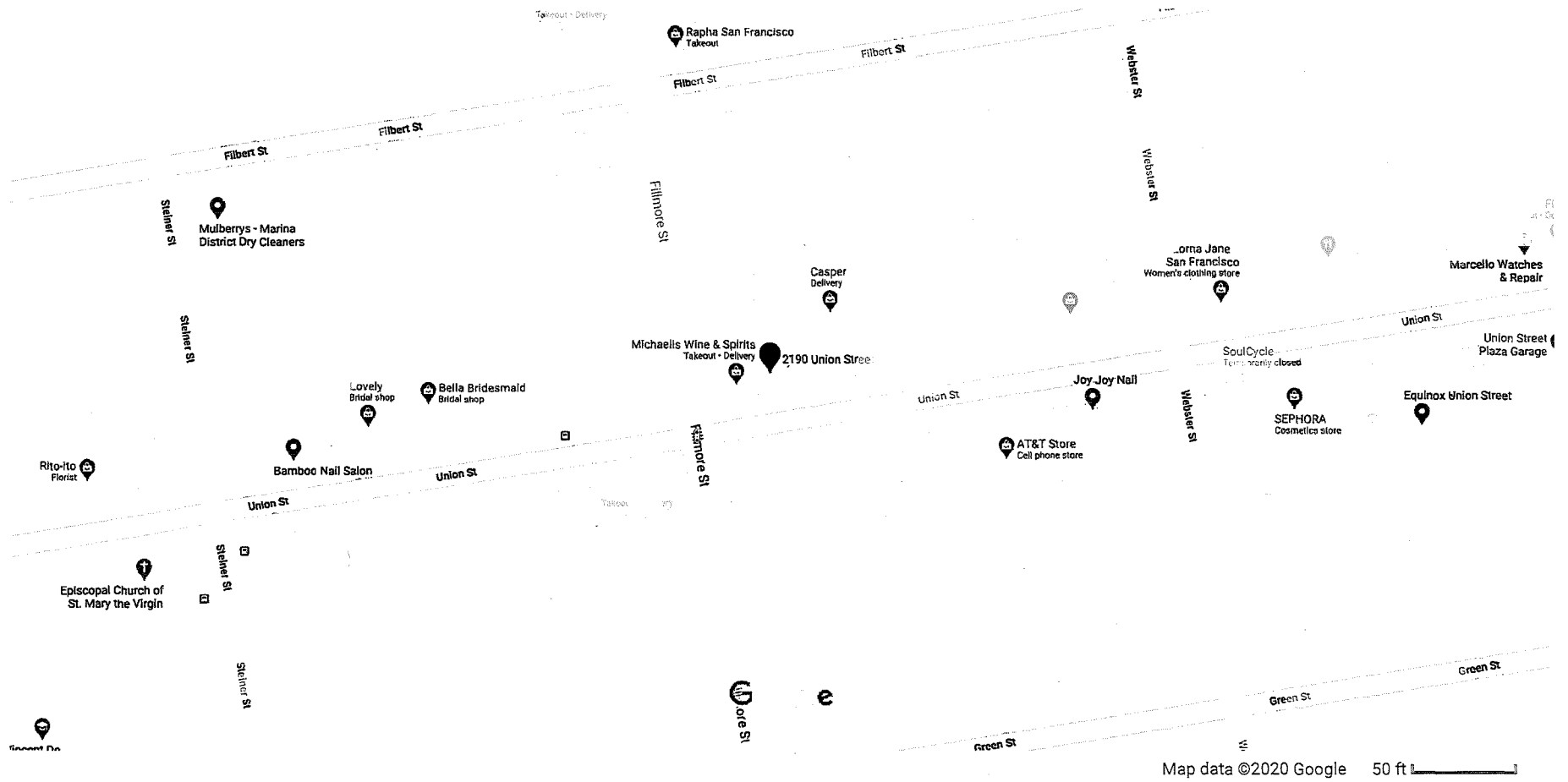
ALU Recommendation: **Approval with following conditions:**

Conditions for Type 20- Off-Sale Beer and Wine

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 most recently certified ABC-253.
2. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on the ABC-253.

It should be noted that as of October 15, 2020 the applicant had agreed to the above listed recommended conditions.

Google Maps 2190 Union St



LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Phone No. (415) 558-6371

DATE: September 11, 2020

AP Block/Lot Nos.: 0533/019

TO: Police Department
Inspector Georgia Sawyer
Phone No. (415) 553-9550

Zoning: 40-X Union Street NCD

Quad: NW Planning Team

Record No.: _____

Please submit your response within three weeks; the Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in November of 2020.

PLEASE EMAIL YOUR RESPONSE BY: October 2, 2020, to John Carroll,
Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Luke's Local, Inc.

Business name: Luke's Local

Application address: 2190 Union Street
San Francisco, CA 94123

Applicant contact info: Luke Chappell
luke@lukeslocal.com
415-633-6904

PLANNING REVIEW: Approval Denial

Planning Staff Contact: _____

Please print review comments on a trailing page.

POLICE REVIEW: Approval Denial

Please print review comments in a trailing report.

From: [Carroll, John \(BOS\)](#)
To: [Carroll, John \(BOS\)](#)
Subject: FW: Liquor License Transfer - 2190 Union Street - Luke's Local
Date: Tuesday, September 22, 2020 11:30:50 AM

From: Corrette, Moses (CPC) <moses.corrette@sfgov.org>
Sent: Monday, September 21, 2020 5:08 PM
To: Carroll, John (BOS) <john.carroll@sfgov.org>; CPC.Referrals <CPC.Referrals@sfgov.org>
Subject: RE: Liquor License Transfer - 2190 Union Street - Luke's Local

John-
Sorry to be slow on the pickup.

2190 Union Street is located in the Union Street NCD, Section 725 of the Planning Code. Luke's Local is a non-Formula Retail General Grocery Store as defined in Section 102 as a Retail Sales and Service use. The definition includes in part, *(b) May provide beer, wine, and/or liquor sales for consumption off the premises with a California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or type 21 (off-sale general) which occupy less than 15% of the Occupied Floor Area of the establishment (including all areas devoted to the display and sale of alcoholic beverages)*. Therefore, the Planning Department recommends approval for the proposed license transfer.

Best,
Moses

Moses Corrette, Senior Planner
Northwest/Current Planning
San Francisco Planning

PLEASE NOTE MY NEW ADDRESS AND PHONE NUMBER AS OF AUGUST 17:

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7356 | www.sfplanning.org

[San Francisco Property Information Map](#)

IN ORDER FOR US TO MOVE, OUR OFFICE WILL BE CLOSED WITH NO ACCESS TO PHONES OR E-MAIL ON THURSDAY, AUGUST 13 and FRIDAY, AUGUST 14. WE APPRECIATE YOUR PATIENCE.

Due to COVID-19, San Francisco Planning is not providing any in-person services, but we are operating remotely. Our staff are [available by e-mail](#), and the Planning and Historic Preservation Commissions are convening remotely. The public is [encouraged to participate](#). Find more information on our services [here](#).

To: Office of the Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2020 SEP -8 AM 11:30

BY 

From: Luke's Local Inc.
960 Cole St.
San Francisco, CA 94117

9/3/20

RE: Letter of Public Convenience & Necessity – 2190 Union St. San Francisco, CA 94123

To whom it may concern,

Luke's Local Inc., in preparation for opening our second full-service grocery store within San Francisco at 2190 Union St., has requested a TYPE 20 Off-Sale Beer and Wine License. We are applying for a transfer of an existing license. Our application was submitted with the SF ABC office on 8/26/20. We notified neighbors and surrounding business by sending out the required ABC mailers on 9/3/2020 and posted required signage at the premises on 9/3/2020, which will remain up for the 30-day posting period. Our proposed business hours at 2190 Union will be 8am – 9pm, 7 days/wk.

Luke's Local is a full-service grocery store with our first neighborhood market in Cole Valley having been established in December of 2016. We offer a wide selection of affordable foods and grocery products, ready-made meals from our commissary kitchen, a full-service butcher and deli counter, and a delivery service. Since the opening of our first neighborhood market we have become a hub for our community and a much-loved grocer within the Cole Valley neighborhood. We hope to do the same within the Cow Hollow neighborhood with the opening of our second location this November at 2190 Union St.

We currently offer a well curated selection of Wine, Beer, and Spirits at Cole St. and hope to continue this offering at Union St., limited to Wine and Beer. We are a family friendly business and encourage responsible behavior from our customers as well as staff. Our staff are trained to follow all applicable laws and guidelines regarding the sale and non-consumption of alcohol products in or around the store. In our nearly 4 years in business at Cole we have been a responsible retailer with no incident related to the sale of alcohol. If granted, we expect approximately 10% of revenue to come from Alcohol sales with the remaining 90% coming from food products and household goods.

We pride ourselves in offering both specialty as well as common grocery products and being a one-stop shop for our customer's weekly grocery trips. We believe the convenience of being able to pick up your favorite bottle of wine along with a fresh baguette and prime cut of meat from our butcher counter is vital to offering great service to our community. We recognize the high density of liquor licenses in the San Francisco area, but believe if approved for this license, we

would act as a net positive within this community by providing a reliable, affordable grocery which is notably missing from the surrounding area.

We also seek to be a great neighbor within the community to both our business neighbors as well as adjacent residential neighbors. Our feedback from both businesses on the street as well as residential customers has been wonderful so far; everyone seems very excited to have a small business grocer coming in. We have also spoken to the convenience store directly next door to 2190 and they expressed excitement with “it’s going to really revitalize this block and bring more business to all the existing retailers”. We agree with this sentiment and believe the business we will bring to the block, as well as the jobs we will create within the community, can really revitalize an area that has been hit hard by the current economic environment.

We thank you for your consideration of our application in this matter!

Sincerely,

Luke’s Local Staff and Management

Luke Chappell 

If you have any further question, feel free to reach out to:
Luke@lukeslocal.com & Scott@lukeslocal.com
C: 415-633-6904

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

LUKE'S LOCAL, INC.

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

2190 UNION ST SAN FRANCISCO, CA 94123-4004

3. LICENSE TYPE

20

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: SPECIALTY GROCERY | | | |

5. COUNTY POPULATION

4,044,883,869

6. TOTAL NUMBER OF LICENSES IN COUNTY

On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1,132 On-Sale Off-Sale

8. CENSUS TRACT NUMBER

130

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

3

On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

10

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

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

518

14. TOTAL NUMBER OF REPORTING DISTRICTS

654

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

55,022

16. AVERAGE NO. OF OFFENSES PER DISTRICT

84.13

17. 120% OF AVERAGE NUMBER OF OFFENSES

100.8

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

85

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.

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 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 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)

jm

WE

PART 2 - TO BE COMPLETED BY THE APPLICANT (if box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do not proceed to Part 3.

22. APPLICANT SIGNATURE



23. DATE SIGNED

9/3/2020

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (if box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes

No

See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED