



City and County of San Francisco

Meeting Minutes

Public Safety and Neighborhood Services Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Catherine Stefani, Joel Engardio, Matt Dorsey

Clerk: Monique Crayton

(415) 554-7750 ~ monique.crayton@sfgov.org

Thursday, July 11, 2024

10:00 AM

City Hall, Committee Room 263

Regular Meeting

Present: 2 - Joel Engardio, and Matt Dorsey

Excused: 1 - Catherine Stefani

The Public Safety and Neighborhood Services Committee met in regular session on Thursday, July 11, 2024, with Vice Chair Joel Engardio presiding. Vice Chair Engardio called the meeting to order at 10:01 a.m.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Vice Chair Engardio, and Member Dorsey were noted present. Chair Stefani was noted not present. A quorum was present.

COMMUNICATIONS

Monique Crayton, Public Safety and Neighborhood Services Committee Clerk, instructed members of the public that public comment is taken on each item on the agenda. Alternatively, written comments may be submitted through email (monique.crayton@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

AGENDA CHANGES

There were no agenda changes.

Chair Stefani Excused from Attendance

Vice Chair Engardio moved that Chair Stefani be excused from attendance from the Public Safety and Neighborhood Services Committee Meeting of July 11, 2024. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

REGULAR AGENDA

240502 [Health Code - Requiring Retail Pharmacies to Stock Buprenorphine]

Sponsors: Dorsey; Mandelman, Ronen, Preston and Peskin

Ordinance amending the Health Code to require each retail pharmacy in San Francisco that stocks controlled substance prescription drugs to stock sufficient buprenorphine to provide for at least two new prescriptions, provide for an affirmative defense for retail pharmacies that ordered replacement prescriptions, and establish penalties for violating the requirement to stock sufficient buprenorphine.

05/14/24; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 6/13/2024.

05/22/24; REFERRED TO DEPARTMENT. Referred to the Department of Public Health and Office of the City Attorney for informational purposes.

05/22/24; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and comment.

Heard in Committee. Speaker(s): Dr. Jeffrey Hom (San Francisco Department of Public Health); presented information and answered questions raised throughout the discussion.

**Supervisor Dorsey moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT.
The motion carried by the following vote:**

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

240591 [Liquor License Issuance - 475 Haight Street - The Faight]

Hearing to consider that the issuance of a Type-90 on-sale general music venue liquor license to Faight Collective SF LLC, to do business as The Faight located at 475 Haight Street (District 5), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

05/29/24; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the issuance of a Type-90 on-sale general music venue liquor license to Faight Collective SF LLC, to do business as The Faight located at 475 Haight Street (District 5).

05/31/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

05/31/24; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

06/27/24; RESPONSE RECEIVED. The Police Department submitted a response 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;
- 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 ABC-253;
- 3) (1) Except as provided in Condition 2 below, no noise shall be audible beyond the area under the control of the licensee. (2) Any noise caused by entertainment or amplified sound that is subject to the provisions of an active Entertainment Permit issued by the San Francisco Entertainment Commission shall be authorized in accordance with the limits established by that Entertainment Permit, including any limitation on hours during which entertainment or amplified sound is permitted. A violation of the entertainment or amplified sound noise conditions of the Entertainment Permit, as determined by the San Francisco Entertainment Commission (or any successor agency), shall be deemed to be a violation of this Condition. Any noise that is not subject to, or is beyond the scope of, the Entertainment Permit shall be subject to Condition 1 above. "Entertainment Permit" means any of the following: a Just Add Music permit, a Limited Live Performance permit, a Place of Entertainment permit, a Fixed Place Amplified Sound permit, or any similar such permit issued by the San Francisco Entertainment Commission; and
- 4) At any time, the premise is providing live entertainment, the petitioner(s) shall have two (2) uniformed security guard(s) on the premises and shall maintain order therein to prevent any activity which would interfere with the quiet enjoyment of their nearby residents, or the surrounding community. The uniform security guards must be licensed by the State of California Department of Consumer Affairs.

07/01/24; RESPONSE RECEIVED. The Planning Department recommended approval of a Type 90 On-Sale General Music Venue License Type allowed. Limited Live Performances at the subject property are considered an authorized accessory use to the primary general retail use and permitted in NC districts.

Heard in Committee. Speaker(s): Officer Andrew Froines (Police Department); presented information and answered questions raised throughout the discussion.

A determination that the public convenience or necessity would be served was recommended by the committee.

Member Dorsey moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the issuance of a Type-90 on-sale general music venue liquor license to the applicant will serve the public convenience or necessity. The motion carried by the following vote: The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

Resolution determining that the issuance of a Type-90 on-sale general music venue liquor license to Faight Collective SF LLC, to do business as The Faight located at 475 Haight Street (District 5), 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 requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Member Dorsey moved that this Resolution be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

240467 [Liquor License Transfer - 3250 Mission Street - Evergreen Market]

Hearing to consider that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Ayob's Community Market Corp., doing business as Evergreen Market, located at 3250 Mission Street (District 9), will serve the public convenience or necessity of the City and County of San Francisco. (Public Safety and Neighborhood Services Committee)

05/09/24; RECEIVED. The applicant submitted a request for a determination on the public convenience or necessity of the transfer of a Type-21 off-sale beer, wine and distilled liquor license to Ayob's Community Market Corp., to do business as Evergreen Market located at 3250 Mission Street (District 9).

05/13/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.
RECEIVED AND ASSIGNED to the Public Safety and Neighborhood Services Committee

05/13/24; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

05/23/24; RESPONSE RECEIVED. The Police Department submitted a response 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;
- 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 ABC-253; and
- 3) Sales, service and of alcoholic beverages shall be permitted between the hours of 8:00am and 8:00pm daily.

07/01/24; RESPONSE RECEIVED. The Planning Department recommended approval per Planning Code Sections 102, 740 and 249.60(1)(B) for transfer of Type 21 license from outside of district for accessory use to new non-formula retail grocery store (change of use permitted per permit number 202403198189). Pursuant to grocery store definition under the Planning Code, no more than 15% of occupied floor area may be devoted to alcohol display and sales.

Heard in Committee. Speaker(s): Officer Andrew Froines (Police Department); Ismael Ahmed (Evergreen Market); presented information and answered questions raised throughout the discussion.

Member Dorsey moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to the applicant will serve the public convenience or necessity. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Ayob's Community Market Corp., doing business as Evergreen Market, located at 3250 Mission Street (District 9), 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 requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

Member Dorsey moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

240631 [Liquor License Transfer - 340 Balboa Street - Tomorrows Wine]

Hearing to consider that the person-to-person, premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Tofino Wines Inc., to do business as Tomorrows Wine located at 340 Balboa Street (District 1), will serve the public convenience or necessity of the City and County of San Francisco. (Clerk of the Board)

05/23/24; RECEIVED. The applicant submitted a request for a person-to-person, premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Tofino Wines Inc, to do business as Tomorrows Wine located at 340 Balboa Street (District 1).

06/04/24; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

06/04/24; REFERRED TO DEPARTMENT. Referred to the Planning Department and Police Department for recommendation.

06/11/24; RESPONSE RECEIVED. The Planning Department recommends approval. ABC license type 20 is permitted on the ground floor of a liquor store/wine shop within the Inner Balboa Street Neighborhood Commercial District per Planning Code Section 735.

06/27/24; RESPONSE RECEIVED. The Police Department submitted a response 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;

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 ABC-253; and

3) When tasting is being conducted, there shall be signs in a conspicuous space at the entrance and/or exits of the premise as depicted on the ABC-253, which will state "NO ALCOHOLIC BEVERAGES BEYOND THIS POINT" Said signs shall be no less than 7" x 11" in size and contain lettering no less 1" in height.

Heard in Committee. Speaker(s): Officer Andrew Froines (Police Department); Mark Nevin (Tomorrows Wine); presented information and answered questions raised throughout the discussion.

A determination that the public convenience or necessity would be served was recommended by the committee.

Member Dorsey moved that this Hearing be PREPARED IN COMMITTEE AS A RESOLUTION, making a determination that the person-to-person, premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to the applicant will serve the public convenience or necessity. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

Resolution determining that the person-to-person, premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Tofino Wines Inc., to do business as Tomorrows Wine located at 340 Balboa Street (District 1), 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 requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Clerk of the Board)

Member Dorsey moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 2 - Engardio, Dorsey

Excused: 1 - Stefani

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 10:28 a.m.

N.B. The Minutes of this meeting set forth all actions taken by the Public Safety and Neighborhood Services Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.