

File No. 130217

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Neighborhood Services & Safety

Date May 1, 2014

Board of Supervisors Meeting

Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input 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"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> | Application |
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Completed by: Derek Evans Date 4/28/14
Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.




San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
*Public Convenience or
Necessity Recommendation*

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

Supervisor David Campos
Supervisor Eric Mar
Supervisor Norman Yee

From: Inspector Nelly Gordon 
ABC Liaison Unit (ALU) 553-1049

Date: April 25, 2013

Subject: P.C.N. Investigation Regarding:

DBA: San Francisco Champagne Society
1097 Howard Street #101
Bill Marci
408/472-1007

San Francisco Champagne Society, LLC has filed an application with the California Department of Alcoholic Beverage Control (ABC) seeking a Type 42 (On-Sale Beer and Wine) for 1097 Howard street, #101 (located on the east side of Howard street).

It should be noted that during the application process, notification date for the 500' mailer was on March 4, 2013. The Notice to the Public was posted on February 25, 2013.

For the purposes of this hearing, the California Department of Alcoholic Beverage Control (ABC) seeks a determination from the Board of Supervisors as to the approval or denial of this license.

Police Calls for Service: From January 2012 to December 2012
12 Police calls

Police Reports: From January 2012 to December 2012

2

San Francisco Plot Information:

This premise is located in Plot **232**

The High Crime area is defined as **86** or more police reports in a plot.

This plot had **199** police incidents recorded for 2012.

Applicant premises is located in a "High Crime" area.

State Census Tract Information:

This premise is located in Census Tract 0178.02

Population for this tract is: **4,516**

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

Active on-sale licenses: **34**

Off-sale licenses authorized by census tract: **4**

Active off-sale licenses: **11**

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

Letters of Protest:

0 recorded with the California Department of Alcoholic Beverage Control, (ABC).

Letters of Support:

0 recorded with the California Department of Alcoholic Beverage Control, (ABC).

9 Letters of support received by the San Francisco Police Department.

Departmental Recommendation:

No opposition from Southern Police station if the applicant agrees to the recommended conditions.

ALU recommends approval. The following conditions have been recommended to the California Department of Alcoholic Beverage Control, (ABC):

1. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 11:00 am to 10:00 pm each day of the week.

2. The off-sale privilege shall not be used for operations conducted from retail store open to the public.
3. No noise shall be audible beyond the area under control of the licensee(s) as defined on ABC-257, dated 01/08/13.
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(s) as depicted on the ABC-257 dated 1/8/13.
5. 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-257 dated 01/08/13.
6. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti within 72 hours following the beginning of the next weekday.
7. 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 light shall not disturb the normal privacy and use of any neighboring residences.
8. Petitioner(s) shall make no changes in the premises interior without prior written approval from the Department.

Note: On 3/5/2013 Bill Marci was contacted and stated that he agrees with the conditions.

Thank you



**California Department of Alcoholic
Beverage Control**
License Query System Summary
as of 2/26/2013

License Information
License Number: 530334
Primary Owner: SAN FRANCISCO CHAMPAGNE SOCIETY, LLC
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
<i>... No Active DBA found ...</i>
Business Address
Address: 1097 HOWARD ST #101 Census Tract: 0178.02
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94103
Licensee Information
Licensee: SAN FRANCISCO CHAMPAGNE SOCIETY, LLC
Company Information
Officer: MARCI, WILLIAM FRANCIS III (MANAGER)
License Types
1) License Type: 42 - ON-SALE BEER AND WINE - PUBLIC PREMISES
License Type Status: PENDING
Status Date: 22-FEB-2013 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM: 42-485478
Current Disciplinary Action
<i>... No Active Disciplinary Action found ...</i>
Disciplinary History
<i>... No Disciplinary History found ...</i>
Hold Information
Hold Date: 22-FEB-2013 Type: FORM 220
Escrow
<i>... No Escrow found ...</i>

--- End of Report ---

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



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 2/26/2013*

License Information
License Number: 485478
Primary Owner: WINE B&B CO
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: SECRET WINE SHOP THE
Business Address
Address: 1097 HOWARD ST # 209 Census Tract: 0178.02
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94103
Licensee Information
Licensee: WINE B&B CO
Company Information
Officer: BERGMAN, CHRISTY D (PRESIDENT/SECRETARY)
Officer: RICHNOW, WILLIAM PAUL (VICE PRESIDENT)
Stock Holder: BERGMAN, CHRISTY D
License Types
1) License Type: 42 - ON-SALE BEER AND WINE - PUBLIC PREMISES
License Type Status: ACTIVE
Status Date: 08-NOV-2010 Term: 12 Month(s)
Original Issue Date: 05-NOV-2010 Expiration Date: 31-OCT-2013
Master: Y Duplicate: 0 Fee Code: P40
Condition: OPERATING RESTRICTIONS
Current Disciplinary Action
<i>... No Active Disciplinary Action found ...</i>
Disciplinary History
<i>... No Disciplinary History found ...</i>
Hold Information
<i>... No Active Holds found ...</i>
Escrow
<i>... No Escrow found ...</i>

- - - End of Report - - -

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

From: "Bill Marci" <bill@bma-ca.com>
To: <Nelly.Gordon@sfgov.org>

Date: Wednesday, March 06, 2013 03:41PM
Subject: FW: San Francisco Champagne Society

Hello Inspector Gordon. Jeff is my neighbor across the hallway in unit #104. -Bill

From: Jeff Fenton [mailto:jfenton@durkeedrayage.com]
Sent: Wednesday, March 06, 2013 11:25 AM
To: Bill Marci
Subject: San Francisco Champagne Society

To whom it concerns,

I am the owner of Unit #104 at 1097 Howard Street in San Francisco, also known as the Lighthouse Lofts building. I am the closet neighbor to Bill Marci in Unit #101. I am in full support of his current ABC application for the San Francisco Champagne Society to be located at the same address. I believe any additional traffic caused will be minimal and, at the very least, it will have a positive impact on both the building and the surrounding community.

I have known Mr. Marci for approximately 8 years and he has always conducted himself in a professional manner. His friends and acquaintances have always appeared to be of the highest caliber people, both in appearance and conduct. Please contact me directly at the number below if I can be of any further assistance.

Sincerely,

Jeff Fenton

Jeffrey J. Fenton, President

Durkee Drayage Company, Inc.

3655 Collins Avenue

Richmond, CA 94806

(510) 970-7550 ext. 106

www.durkeedrayage.com

Durkee Drayage Company supports at-risk youth by contributing to the Vincenzo Wine Tasting & Auction. To find out more, please go to: www.vincenzo.org

From: "Bill Marci" <bill@bma-ca.com>
To: <Nelly.Gordon@sfgov.org>
Date: Thursday, March 07, 2013 06:33AM
Subject: FW: San Francisco Champagne Society Support.

Good morning Inspector. Here is another letter for the files. Derek lives directly next to me in unit #102. -Bill

-----Original Message-----

From: Derek Huerta [<mailto:derek.huerta@gmail.com>]
Sent: Wednesday, March 06, 2013 8:44 PM
To: Bill Marci
Subject: Re: San Francisco Champagne Society Support.

Bill,

Below is the text of the letter. Please let me know if you want me to print/sign this, or how best to proceed.

The Dereks

San Francisco A.B.C. District Office
33 New Montgomery St., Suite 1230
San Francisco, CA 94105

To whom it may concern:

Bill Marci, owner and manager of San Francisco Champagne Society, LLC, has been a neighbor in the unit next to me since I moved in six years ago. Bill has demonstrated himself to be an excellent neighbor who has gone above and beyond to ensure that our building and the surrounding area are safe and clean. I have never had a negative incident with Bill, and if anything, he has helped mitigate unfavorable situations that have occurred within our building throughout the years.

Bill has taken an active role in contributing to an improved quality of our building by his role as the President of our HOA Board. Through his leadership, Bill has sincerely demonstrated that he cares about what is best for our building, at times, even at the expense of his own personal preferences. Bill's actions show that he cares about what is best for the building as a whole.

I am in favor of the transfer of License 42, On-Sale Beer and Wine for Public Premises from The Secret Wine Shop, which operated on the 3rd floor of our building, to San Francisco Champagne Society, LLC, which will operate on the first floor in close proximity to the front door of the building. The Secret Wine Shop has caused minimum disruption to our building, and similarly, Bill has assured that the hours of operation would be limited and any events will be private, and small in scale.

The San Francisco Champagne Society will be an excellent addition to our live/work building, and I highly recommend that the license is

transfer is approved accordingly.

Derek Huerta
1097 Howard St. Unit 102
San Francisco, CA 94103

From: "Bill Marci" <bill@bma-ca.com>
To: <Nelly.Gordon@sfgov.org>

Date: Wednesday, March 06, 2013 09:22AM
Subject: FW: Champagne Society

Hello again Inspector Gordon, here is support from unit #203 - Jon and Canela. Thanks-Bill

-----Original Message-----

From: Jon Riddle [<mailto:r.jonathan.riddle@gmail.com>]
Sent: Wednesday, March 06, 2013 8:30 AM
To: Bill Marci
Subject: Champagne Society

Bill,

As owners of unit 203 in the Lighthouse Lofts at 1097 Howard Street, San Francisco, we support your petition for a beer and wine license.

Best,
Jon Riddle and Canela Paine

From: "Bill Marci" <bill@bma-ca.com>
To: <Nelly.Gordon@sfgov.org>
Date: Tuesday, March 05, 2013 03:11PM
Subject: San Francisco Champagne Society Support.

Hello again Inspector Gordon, Here is another letter of support for the SFCS. This is my neighbor Anthony. -Bill

From: Anthony Gooran [mailto:anthony@organizer.com]
Sent: Tuesday, March 05, 2013 9:29 AM
To: Bill Marci
Subject: Re: San Francisco Champagne Society Support.

To Whom It May Concern,

I am a current resident at the 1097 Howard Lofts and am fully supportive in the San Francisco Champagne Society obtaining a type 42 liquor license for wine and beer.

Best Regards,

Anthony Gooran

From: "Bill Marci" <bill@bma-ca.com>
To: <Nelly.Gordon@sfgov.org>

Date: Tuesday, March 05, 2013 07:02AM
Subject: SFCS Support Letter

Hello again Inspector Gordon, This one is from James Chiang who is the only other original owner still in our building besides myself. James is in unit#207. -Bill

From: james chiang [mailto:james@jameschiang.com]
Sent: Monday, March 04, 2013 1:00 PM
To: Bill Marci
Subject: SFCS Support Letter

To ABC/

To Whom It May Concern,

I have known Bill Marci since the very beginning and construction of The Lighthouse Lofts Condominiums where we have both resided for almost 15 years now. He has always been extremely personable, helpful and especially proactive, in depth and in-person -in both our Homeowner's Association and especially our neighborhood community. It is a reflection of his attentive involvement and care that he is our elected HOA President.

Over the years I have sought Bill's advice and help on anything from construction to general policy and anything else and Bill has always been selfless and immediate in response with action and furthermore I'll emphasize- in person. He is a pillar of our community and approaches everything with honesty, transparency and respect for those involved. Bill's professional nature and personable presence is an asset to our building and our greater community.

I have no doubt the SFCS will be managed responsibly and capably and will add color, synergy and contribute to the fabric of our community. It's the unique individuals like Bill and his endeavor with the SFCS that make San Francisco such a great place. I look forward to welcoming the SFCS to our building.

Best Regards,

James Chiang

Lighthouse Lofts Condominium Unit 207 Owner

JAMESCHIANG + Jennifer Hutz

james direct 415 990 3100

jennifer hutz, agent 212 206 1976

<http://www.jameschiang.tumblr.com>

<http://www.jameschiang.com>

<http://www.jenniferhutz.com>

From: "Bill Marci" <bill@bma-ca.com>
To: <Nelly.Gordon@sfgov.org>
Date: Tuesday, March 05, 2013 07:01AM
Subject: FW: San Francisco Champagne Society Support.

Hi Inspector Gordon, This one is from Joey in Unit#301.

From: Joey [mailto:uncommonexposure@gmail.com]
Sent: Monday, March 04, 2013 1:24 PM
To: Bill Marci
Subject: Re: San Francisco Champagne Society Support.

To whom it may concern,

I am in complete support of Bill Marci and his venture to produce a Champagne Society for San Francisco. It is the generous and thoughtful individuals like Bill that help create fun, interesting and social environments for us all. Events like these also offer professional adults rich networking opportunities which support the further success of our city's small business community. I feel that the Lighthouse building would be exceptionally lucky to play host to this effort.

I look forward to participating!

Sincerely,

Joey Hayes

1097 Howard Street, Unit 301

San Francisco, CA 94103-2879

415-860-1005 [phone]

uncommonexposure@gmail.com [email]

From: "Bill Marci" <bill@bma-ca.com>
To: <Nelly.Gordon@sfgov.org>

Date: Tuesday, March 05, 2013 06:56AM
Subject: San Francisco Champagne Society

Hello Inspector Gordon, This one is from my neighbor Catherine who purchased unit #209 from Christy.

To whom It May Concern,

I have been a resident and business owner in San Francisco for 15 years. I am a new homeowner at 1097 Howard Street as well. I support Bill Marci's efforts to obtain a liquor license for his business, The San Francisco Champagne Society, not only as a resident but also as an entrepreneur. The SOMA area is unique for its unconventional business/residential climate and exciting, fresh ideas like Bill's make the neighborhood all the more attractive. The revenues small businesses generate for the City of San Francisco should not be overlooked, making Bill's efforts to obtain the license a positive good for all concerned.

Sincerely,

Catherine Hackworth

LETTER OF SUPPORT FOR SAN FRANCISCO CHAMPAGNE SOCIETY (SFCS)

To whom it may concern,

I am in favor of granting a type 42 liquor license for the SFCS, located at:
1097 Howard St, #101
San Francisco, CA 94103-2878

For reference:

- I am a resident and adult inhabitant of the city of San Francisco;
- I live and work in the building where the proposed establishment is to be located;
- I believe there is a need and desire in the neighborhood, and the building, for the proposed liquor licensed establishment.

It should also be noted that the petitioner has been forthcoming with the building residents and community of intent to apply for a liquor license. I foresee no problems arising in the building, or surrounding neighborhood, as a result of the proposed license.

Members of the Commission, it is my opinion that by granting the conditional license to the SFCS will serve to add to the continued economic vitality and enjoyment in the surrounding business district.

Mark Barger
1097 Howard St. #304
San Francisco, CA 94103
303-520-5101

March 5, 2013

Dear ABC,

I am a business owner and property owner in the SOMA neighborhood and I think the San Francisco Champagne Society would be a great addition to the neighborhood. I would like to add my support in Bill Marci getting the proper licensing to ensure the start of the SFCS.

Sincerely,

Greg M Griffin

www.barberlounge.com

415-944-0411

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>123510944</u>		12/16/2012	09:42:15	B	601	3B2A	UTL	1097 HOWARD ST
<u>122932557</u>		10/19/2012	17:14:33	A	100S	3B115	HAN	1097 HOWARD ST
<u>122861060</u>		10/12/2012	11:00:48	B	800	3B3A	GOA	1097 HOWARD ST
<u>122700891</u>		09/26/2012	09:36:35	C	488	3B3A	HAN	1097 HOWARD ST
<u>122671161</u>		09/23/2012	11:36:04	B	917	3B4A	UTL	1097 HOWARD ST
<u>122641531</u>		09/20/2012	12:54:55	C	459	3B2A	UTL	1097 HOWARD ST
<u>122531219</u>	120722063	09/09/2012	11:13:10	A	852	3B5C	REP	7TH ST/HOWARD ST
<u>122400749</u>		08/27/2012	09:06:27	C	919	3B51B	ADV	1097 HOWARD ST
<u>122302281</u>	120655527	08/17/2012	16:04:12	C	459	3B13D	REP	1097 HOWARD ST

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export To  **New!**

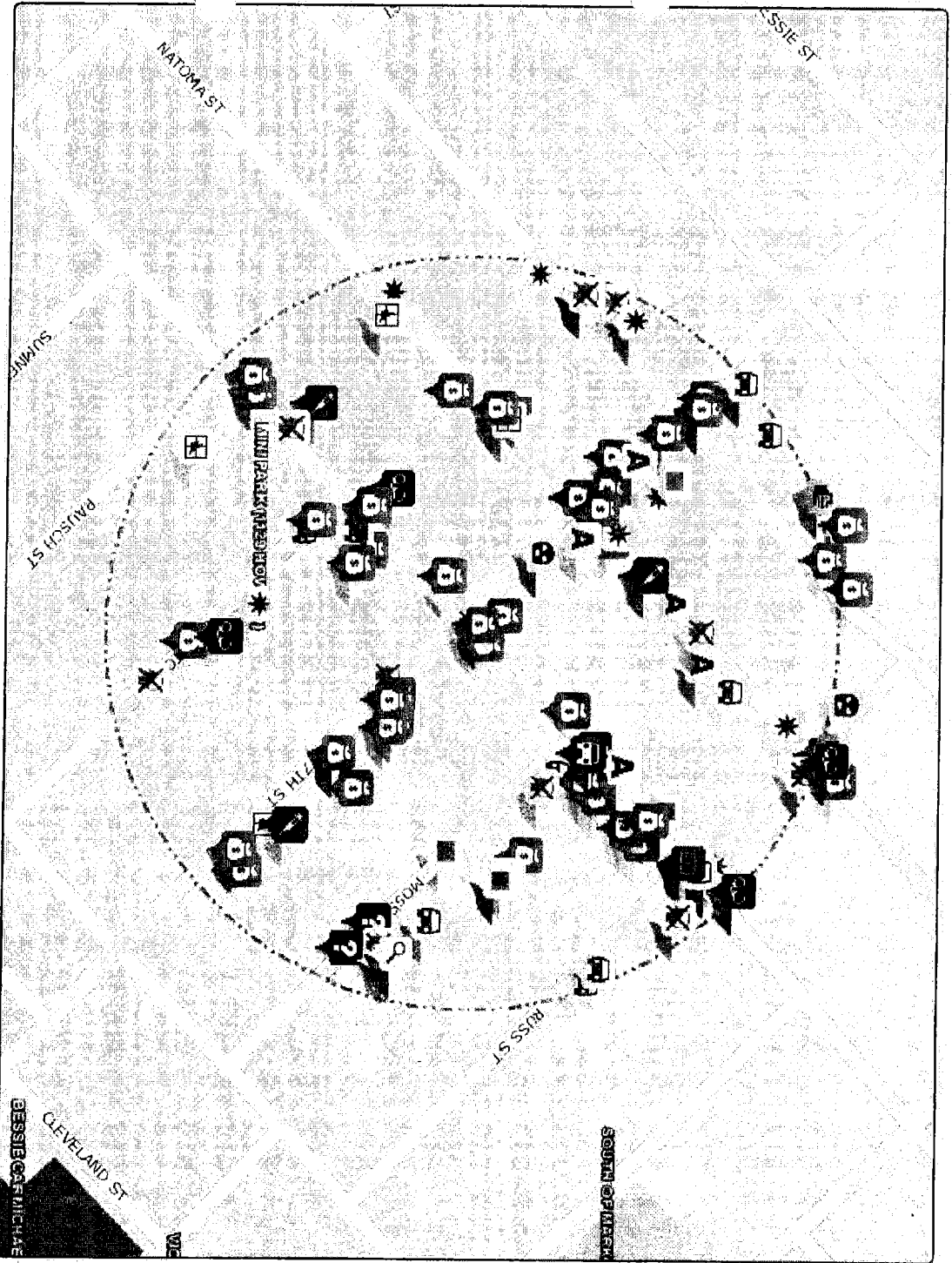
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<u>120752777</u>		03/15/2012	18:05:37	A	100S	3B13D	HAN	1097 HOWARD ST

End of document

1097 Howard St. 42-530334
 02/29/2012-02/27/2013 500 Ft.

San Francisco Police Department 



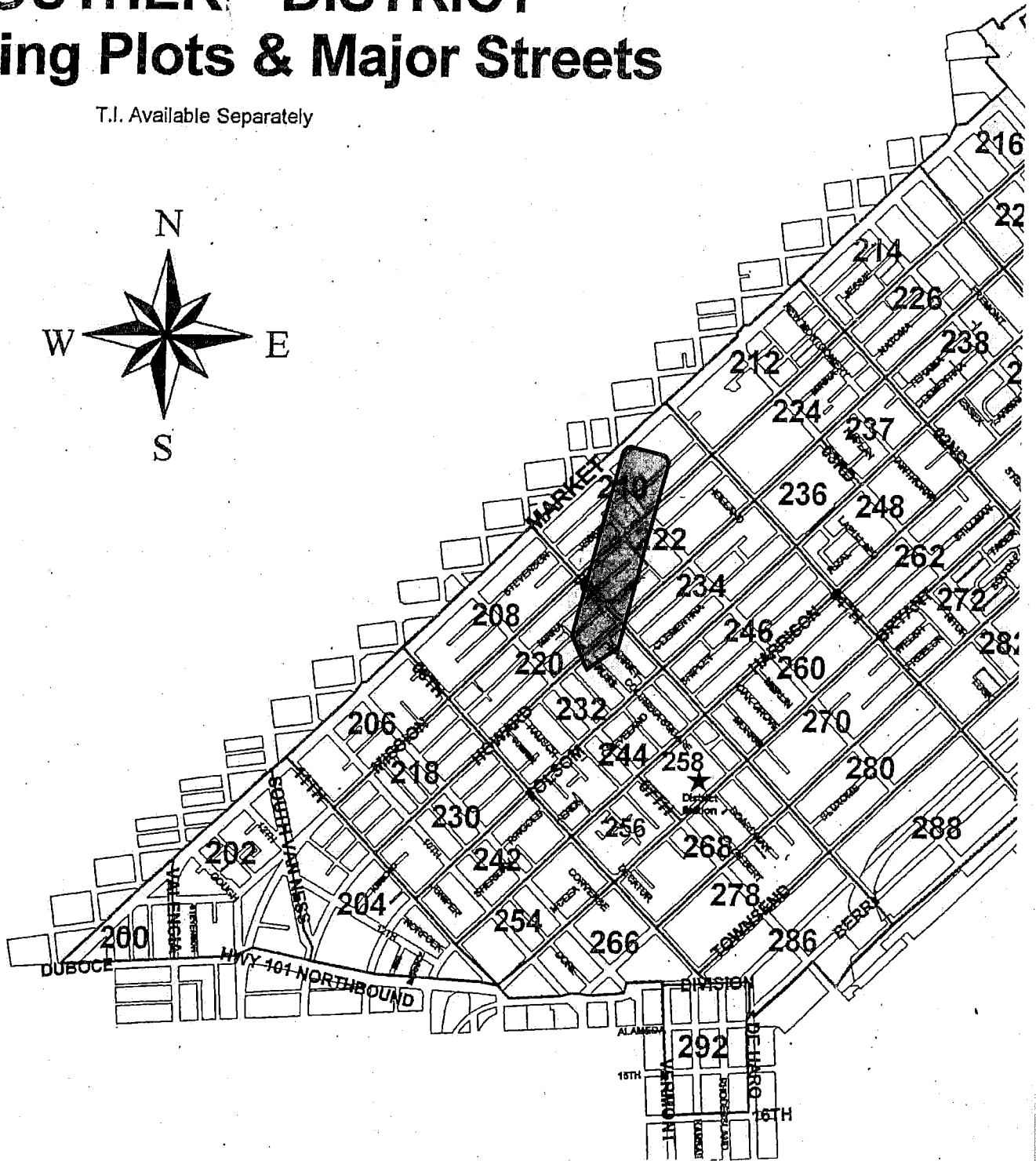
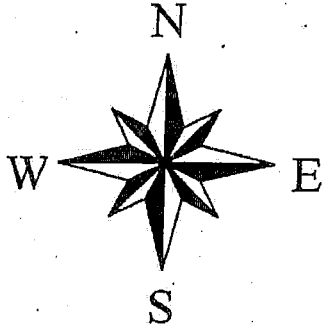
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	Larceny/Theft (111)
	Missing Person (110)
	Non-Criminal (32)
	Vandalism (31)
	Other Offenses (30)
	Warrants (20)
	Assault (18)
	Warrants (16)
	Vehicle Theft (15)
	Drug/Narcotic (13)
	Burglary (13)
	Robbery (11)
	Suspicious Occurrence (10)
	Secondary Codes (4)
	Fraud (3)
	Drunkenness (2)
	Runaway (2)
	Recovered Vehicle (1)
	Disorderly Conduct (1)
	Trespassing (1)
	Sex Offenses, Forcible (1)
	Kidnapping (1)
	Weapon Laws (1)

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

SOUTHERN DISTRICT Reporting Plots & Major Streets


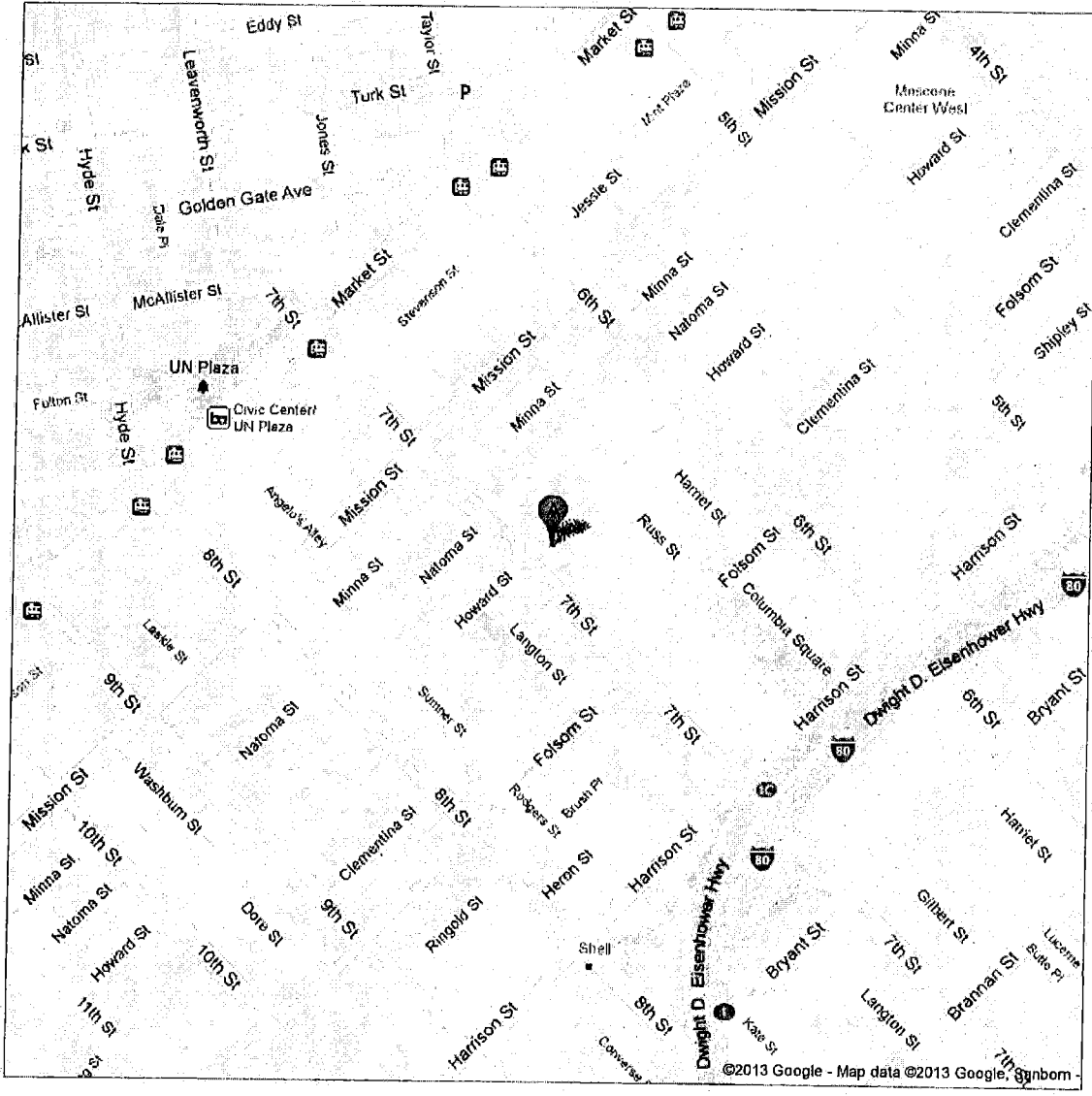
T.I. Available Separately





Address 1097 Howard St
1097 Howard St
San Francisco, CA 94103

Get Google Maps on your phone
Text the word "GMAPS" to 466453

©2013 Google - Map data ©2013 Google, Sanborn



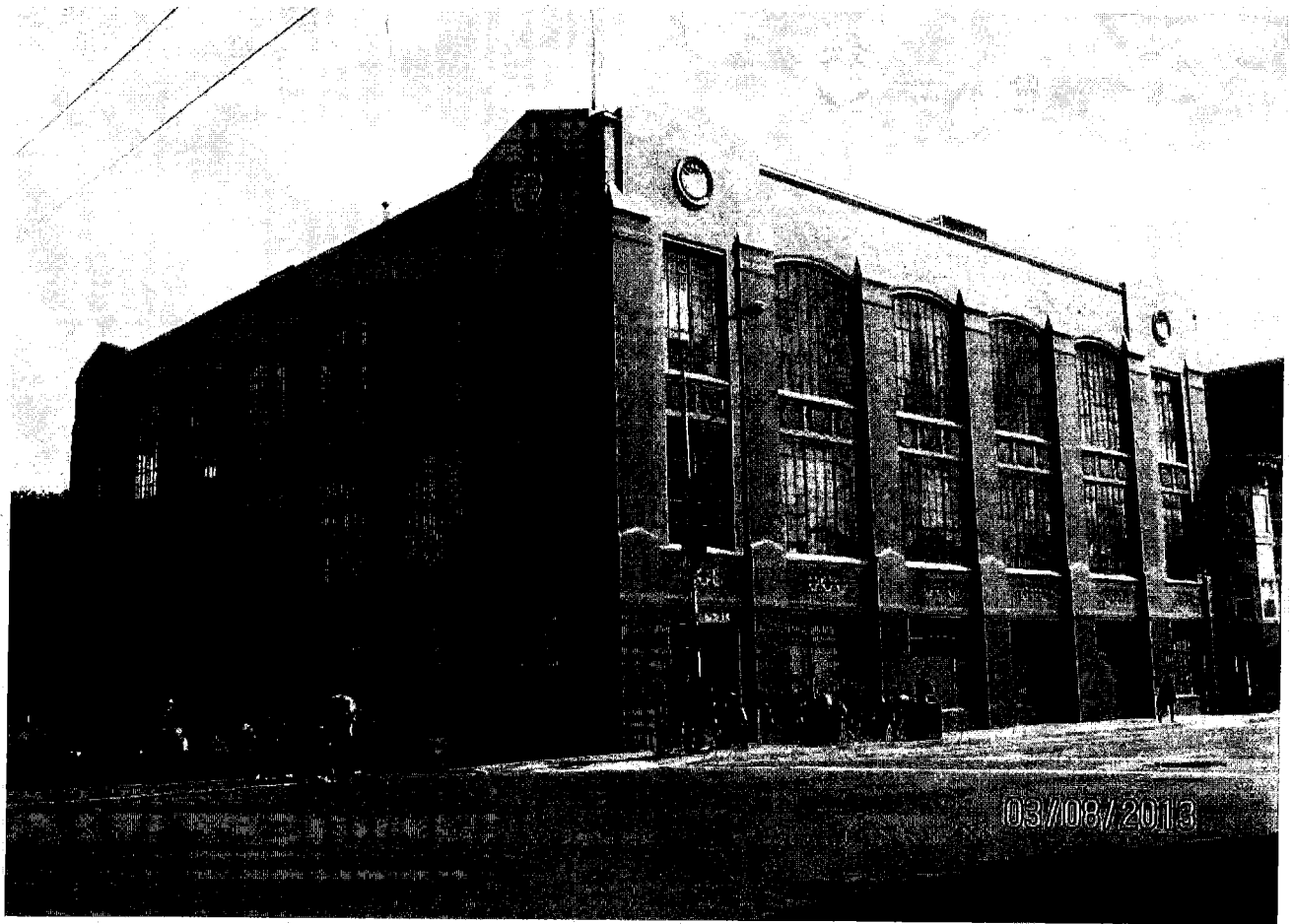
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

PUBLIC NOTICE OF APPLICATION TO SELL ALCOHOLIC BEVERAGES

APPLICANT SAN PRAK SOCI CHAMPAGNE SOCIETY
 TYPE OF LICENSE 42 ON-SALE BEER & WINE PUBLIC PREMISES
 BUSINESS NAME _____
 ADDRESS OF PREMISES 1097 HOWARD ST. #101 S. SACRAMENTO
 APPLICANT HAS FILED FOR: NEW LICENSE RIGHT TO PREMISES TRANSFER / A/R TRANSFER
CHANGE IN LICENSE TYPE

IF A MERCHISED PROTEST IS TO BE MADE AGAINST THIS APPLICATION IT MUST BE RECEIVED BY THE OFFICE OF THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, 400 N. SACRAMENTO STREET, WITHIN 30 DAYS OF DATE POSTED. PROTESTORS MUST PROVIDE SUFFICIENT INFORMATION REGARDING THIS APPLICATION AND VERIFICATION FORMS MAY BE OBTAINED FROM THE OFFICE OF THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL.

03/08/2013



LIQUOR LICENSE REVIEW

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

File: 130217

4.21.14
MB 1400612
2731.128
MLG

TO: Police Department
Inspector Nelly Gordon
Inspector Joseph Fong
Fax No.: 553-1463

DATE: February 25, 2013

This item is tentatively scheduled to be heard in four to six weeks.

PLEASE EMAIL YOUR RESPONSE BY: April 12, 2013, to Derek Evans, Clerk,
Neighborhood Services and Safety Committee.

Derek.Evans@sfgov.org - Fax No: 554-7714

Applicant Name: William Marci
and Business Name: San Francisco Champagne Society, LLC
(1097 Howard Street, Unit 101)

Applicant Address: 1097 Howard Street
San Francisco, CA 94103
and Phone No. (415) 437-1475

PLANNING COMMENTS: Approval Denial

Recommend approval of Type 42 ABC License per Planning Commission
Motion No. 18949

D. J. Harris 4.21.14
Approved Planning Dept. Danielle J. Harris

POLICE COMMENTS: Approval Denial



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- | | |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415) | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412) | <input type="checkbox"/> Other |

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion No. 18949

HEARING DATE: AUGUST 15, 2013

Date: August 8, 2013
Case No.: 2012.1528C
Project Address: 1097 HOWARD STREET UNIT, #101
Zoning: MUG (Mixed Use, General)
65-X Height and Bulk District
SUD: SOMA Youth and Family
Block/Lot: 3731/128
Project Sponsor: William Marci
1097 Howard Street #101
San Francisco, CA 94103
Staff Contact: Diego R Sánchez – (415) 575-9082
diego.sanchez@sfgov.org

ADOPTING FINDINGS RELATING TO CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 249.40A AND 840.47 OF THE PLANNING CODE TO ALLOW A BAR (DBA THE SAN FRANCISCO CHAMPAGNE SOCIETY) WITHIN THE MUG (MIXED USE, GENERAL) DISTRICT, THE SOMA YOUTH AND FAMILY SPECIAL USE DISTRICT AND A 65-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 20, 2012 William Marci (Project Sponsor) filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section 249.40A and 840.47.24 of the Planning Code to allow a bar (dba The San Francisco Champagne Society) within the MUG (Mixed Use, General) District, the SOMA Youth and Family Special Use District and a 65-X Height and Bulk District.

On August 15, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2012.1528C.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2012.1528C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the first floor of a three story live/work building at the southeast corner of 7th and Howard Streets. The project site is currently used by the Project Sponsor for commercial and residential purposes. The building permit application for the conversion of this building from industrial and office uses to live/work units was submitted in 1995 and received approval for occupancy from the Department of Building Inspection in 1999. The Department of Building Inspection granted the Certification of Final Completion for the unit in which the project is proposed, unit #101, in 2002.
3. **Surrounding Properties and Neighborhood.** The proposal is located at the intersection of 7th and Howard Streets within the South of Market Area neighborhood and the Mixed Use, General, Zoning District and the SOMA Youth and Family Special Use District. The area is characterized by mixed used developments, with retail/commercial uses on the ground floor and residential uses above. There are also many single and two story buildings whose main use is for commercial or light industrial purposes. To the south of the project, along Moss Alley, there are numerous multi-storied buildings wholly residential in nature. Properties in the immediate vicinity of the proposal are zoned WMUG (WSOMA Mixed Use, General), MUG (Mixed Use, General) and RED (Residential Enclave District).
4. **Project Description.** The project proposes to establish a wine and champagne tasting room with minor retail sales, dba The San Francisco Champagne Society, within a Live/Work unit that is currently used for commercial and residential purposes. The project sponsor intends to hold wine tasting events and education/appreciation classes of wines and champagne on a scheduled basis and will also sell minor amounts of wine and champagne in a retail capacity. The unit is approximately 1,140 square feet. 410 square feet will be dedicated to the tasting and retail use of the proposal. The project sponsor also intends to continue using the balance of the space, 730 square feet, as a commercial and residential area. The project is considered a bar under Planning

Code Section 790.22 because the wine tasting aspect of the proposal requires an ABC license type 42, authorizing the sale of wine for consumption on or off the premises

5. **Public Comment.** The Department has received nine letters from the public in support of the proposed project.
6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Useable Open Space.** Planning Code Section 135.3 states that, for uses other than dwelling units within the Eastern Neighborhoods Mixed Use Districts, all newly constructed structures, all structures to which gross floor area equal to 20 percent or more of existing gross floor area is added and all structures for which floor area is converted to office use, other than office use accessory to a non-office, shall provide and maintain useable open space for that part of the new, additional or converted square footage.

While the project is converting gross square footage to a new use, it is not subject to this provision as there is no new office space proposed as a principal use and there is no new construction or addition to the existing structure.

- B. **Off-Street Parking.** Planning Section 151.1 of the Planning Code establishes maximum amounts for off-street parking within the Mixed Use, General (MUG) Zoning District at no more than one space for each 1,500 square feet of gross floor area for retail uses.

The proposal does not provide off-street parking and therefore complies with the off-street parking requirements under Section 151.1.

- C. **SOMA Youth and Family Special Use District.** Section 249.4A of the Planning Code establishes the SOMA Youth and Family Special Use District. Within this Special Use District the establishment of a bar use, as defined in Planning Code Section 790.22, requires Conditional Use authorization.

The proposal is seeking Conditional Use authorization to establish a bar, as required by Planning Code Section 249.40A.

- D. **Neighborhood Notification.** Planning Code 312 requires neighborhood notification in the Eastern Neighborhoods Mixed Use Districts for a change in use from any one land use category to another land use category.

The proposal seeks to change the use of space from the Residential Uses land use category to the Retail Sales and Services land use category. Neighborhood notification was done in conjunction with the notification for the request for Conditional Use authorization.

7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

Because the proposal is within an existing Live/Work unit, there will be no enlargement of building envelope or any expansion visible from the public right of way. The proposal seeks to convert a portion of an existing Live/Work unit into a bar (for wine/champagne tastings) and a retail wine/champagne shop that will also hold small wine/champagne appreciation courses. This use, and its proposed size and intensity, are found to be necessary and desirable for the neighborhood and will be compatible with the mixed use character of the South of Market Area neighborhood.

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The proposal will be within an existing Live/Work unit and will not expand the building envelope or the unit size. Within the context of the greater neighborhood, the proposal should not create any new detrimental effects as the context is of a mix of residential uses coexisting with commercial and light industrial uses.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Planning Code does not require parking or loading for this proposal. Given the intensity of the use and the proximity to major public transit, it is not anticipated that the use will exacerbate problems with the traffic patterns in the area.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

Owing to the nature of the proposed use, it is not anticipated that there will arise noxious or offensive emissions.

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

Because the proposal is within an existing building there are no opportunities to provide additional landscaping or screening of the use and there are no off-street parking or loading spaces to screen as well.

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY

Objectives and Policies

OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 1.1:

Assist newly emerging economic activities.

The proposal is an emerging activity that blends of wine education and tastings with an associated retail wine shop that focuses on the limited production wines. It is an economic activity that is new and that can provide employment opportunities for city residents.

EAST SOMA AREA PLAN

Objectives and Policies

OBJECTIVE 1.1:

ENCOURAGE PRODUCTION OF HOUSING AND OTHER MIXED-USE DEVELOPMENT IN EAST SOMA WHILE MAINTAINING ITS EXISTING SPECIAL MIXED-USE CHARACTER.

Policy 1.1.8:

Permit small and moderate size retail establishments in mixed use areas of East SoMa, but permit larger retail only as part of a mixed-use development.

The proposed development is a retail establishment of small size, approximately 410 square feet, within the Mixed Use General (MUG) Zoning District, a mixed use district.

OBJECTIVE 1.3:

INSTITUTE FLEXIBLE "LEGAL NONCONFORMING USE" PROVISIONS TO ENSURE A CONTINUED MIX OF USES IN EAST SOMA.

Policy 1.3.1:

Continue existing legal nonconforming rules, which permit pre-existing establishments to remain legally even if they no longer conform to new zoning provisions, as long as the use was legally established in the first place.

The proposal will continue its non-conforming Live/Work status as only a fraction of existing space will be used as a retail establishment. Live/Work uses in the SOMA neighborhood had historically allowed work activities that were principally or conditionally permitted in the district.

OBJECTIVE 4.2:

ESTABLISH PARKING POLICIES THAT IMPROVE THE QUALITY OF NEIGHBORHOODS AND REDUCE CONGESTION AND PRIVATE VEHICLE TRIPS BY ENCOURAGING TRAVEL BY NON-AUTO MODES.

Policy 4.3.2:

For new non-residential development, provide flexibility by eliminating minimum off-street parking requirements and establishing caps generally equal to the previous minimum requirements. For office uses in East SoMa, parking requirements should be commensurate with general downtown parking standards.

The project does not propose any new off-street parking, as parking is not required in this zoning district. The use is implicitly encouraging patrons to utilize non-private automobile means of transport, in line with the Transportation Objectives of the East SOMA plan.

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The proposal will enhance the neighborhood serving retail base by providing a retail wine shop with wine tasting that would complement the existing retail uses in the area. The business would be locally owned.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The existing units in the building and other units within the surrounding neighborhood will not be adversely affected given the Conditions of Approval regulating the operation of the proposal. The proposal will blend well into the existing mixed use character of the area. The addition of a retail wine

shop that focuses on the provision of locally made wine will preserve and enhance the cultural and economic diversity of the City.

- C. That the City's supply of affordable housing be preserved and enhanced,

No housing is removed for this Project.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

Given the site's proximity to Market Street, the multiple public transit lines that run along Market Street and the intended number of patrons to be served by the use at any one time, it is not anticipated that the private automobile use by patrons will impede MUNI transit or overburden off-street parking.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

All alterations as a part of this proposal will meet the seismic code to insure, to the greatest extent possible, that any injury or loss of life in an earthquake is minimized.

- G. That landmarks and historic buildings be preserved.

The project does not include alterations to the exterior.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

11. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2012.1528C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated December 12, 2012, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 18949. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on August 15, 2013.

Jonas P. Ionin
Acting Commission Secretary

AYES: Commissioners Moore, Fong, Wu, Sugaya, and Antonini,

NAYES:

ABSENT: Commissioners Hillis, Borden

ADOPTED: August 15, 2013

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a bar (d.b.a. The San Francisco Champagne Society) located at 1097 Howard Street #101, Lot 128 in Assessor's Block 3731 pursuant to Planning Code Section(s) 303, 240.49A and 840.47 within the MUG District and a 65-X Height and Bulk District; in general conformance with plans, dated December 12, 2012, and stamped "EXHIBIT B" included in the docket for Case No. 2012.1528C and subject to conditions of approval reviewed and approved by the Commission on August 15, 2013 under Motion No. 18949. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on August 15, 2013 under Motion No. 18949.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 18949 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN

6. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

PROVISIONS

7. **Eastern Neighborhoods Infrastructure Impact Fee.** Pursuant to Planning Code Section 423 (formerly 327), the Project Sponsor shall comply with the Eastern Neighborhoods Public Benefit Fund provisions through payment of an Impact Fee pursuant to Article 4.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING - AFTER ENTITLEMENT

8. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

9. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

10. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>

11. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

12. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Evans, Derek

From: Bill Marci [bill@bma-ca.com]
Sent: Friday, April 11, 2014 11:23 AM
To: Evans, Derek
Subject: SFCS support
Attachments: March 5.docx

This is from the owner of a hair salon in my neighborhood.

I can send several more if you need them.

Thanks Derek -Bill

Bill Marci/San Francisco Champagne Society, LLC.
1097 Howard Street, #101
San Francisco, CA 94103-2878
PH: 408.472.1007
email: bill@bma-ca.com

March 5, 2013

Dear ABC,

I am a business owner and property owner in the SOMA neighborhood and I think the San Francisco Champagne Society would be a great addition to the neighborhood. I would like to add my support in Bill Marci getting the proper licensing to ensure the start of the SFCS.

Sincerely,

Greg M Griffin

www.barberlounge.com

415-944-0411

Evans, Derek

From: Bill Marci [bill@bma-ca.com]
Sent: Friday, April 11, 2014 11:21 AM
To: Evans, Derek
Subject: FW: Info for next meeting

From Jim Meko. He lead the SoMa Leadership council. Christy introduced me.

From: Jim Meko [mailto:jim.meko@comcast.net]
Sent: Wednesday, February 27, 2013 10:14 AM
To: Bill Marci
Subject: Re: Info for next meeting

Hi Bill,

I don't think this sounds like an earth-shattering change. It probably wouldn't interest many folks other than the occupants of your own building and the immediate neighbors. A flyer and a neighborhood meeting would be a good idea.

jim

On Feb 27, 2013, at 6:35 AM, Bill Marci <bill@bma-ca.com> wrote:

Good morning Jim, I have filed for a double transfer of the Type 42 Beer and Wine on premise license. The License was held by Christy Berman of the Secret Wine Shop at 1097 Howard Unit #209 and will be transferred to another unit in the same building – Unit #101. Please let me know how to introduce the change to our neighborhood. Thanks -Bill

From: Jim Meko [mailto:jim.meko@comcast.net]
Sent: Wednesday, February 20, 2013 3:28 PM
To: Bill Marci
Subject: Re: Info for next meeting

Hi Bill,

I'd be glad to.

Thanks.

On Feb 20, 2013, at 3:14 PM, Bill Marci <bill@bma-ca.com> wrote:

Ok – thanks Jim. I will take a closer look at the site. Could you please add me to your email list and let me know if there is another meeting in the future. –Bill

From: Jim Meko [mailto:jim.meko@comcast.net]
Sent: Monday, February 18, 2013 4:42 PM
To: Bill Marci
Subject: Re: Info for next meeting

Hi Bill,

We aren't meeting regularly at the moment. Folks got burned out. We're putting more emphasis on the website.

Jim Meko
SoMa Leadership Council
(415) 624-4309 cell
(415) 552-2424 fax
www.somaleadership.org

On Feb 18, 2013, at 1:40 PM, Bill Marci <bill@bma-ca.com> wrote:

Hi SoMa Leadership Council,

My name is Bill Marci and I have just recently taken over as HOA President for the Lighthouse Lofts building at 1097 Howard Street. Christy Bergman who lived in our building and owned and operated "The Secret Wine Shop" referred me to your site.

I am interested in attending your next meeting and would like to confirm the date time and place.

Please email or call me at 408-472-1007 with this information.

Thanks -Bill

Bill Marci/BMA
1097 Howard Street, #101
San Francisco, CA 94103-2878
PH: 408.472.1007
email: bill@bma-ca.com
www.bma-ca.com

Evans, Derek

From: Bill Marci [bill@bma-ca.com]
Sent: Friday, April 11, 2014 11:19 AM
To: Evans, Derek
Subject: FW: San Francisco Champagne Society

The other neighbor closest to my unit.

From: Jeff Fenton [mailto:jfenton@durkeedrayage.com]
Sent: Wednesday, March 06, 2013 11:25 AM
To: Bill Marci
Subject: San Francisco Champagne Society

To whom it concerns,

I am the owner of Unit #104 at 1097 Howard Street in San Francisco, also known as the Lighthouse Lofts building. I am the closet neighbor to Bill Marci in Unit #101. I am in full support of his current ABC application for the San Francisco Champagne Society to be located at the same address. I believe any additional traffic caused will be minimal and, at the very least, it will have a positive impact on both the building and the surrounding community.

I have known Mr. Marci for approximately 8 years and he has always conducted himself in a professional manner. His friends and acquaintances have always appeared to be of the highest caliber people, both in appearance and conduct. Please contact me directly at the number below if I can be of any further assistance.

Sincerely,
Jeff Fenton

Jeffrey J. Fenton, President
Durkee Drayage Company, Inc.
3655 Collins Avenue
Richmond, CA 94806
(510) 970-7550 ext. 106
www.durkeedrayage.com

Durkee Drayage Company supports at-risk youth by contributing to the Vincenzo Wine Tasting & Auction. To find out more, please go to: www.vincenzo.org

Evans, Derek

From: Bill Marci [bill@bma-ca.com]
Sent: Friday, April 11, 2014 11:18 AM
To: Evans, Derek
Subject: FW: San Francisco Champagne Society Support.

This is my neighbor directly next to my unit.

~~~~~  
  
San Francisco A.B.C. District Office  
33 New Montgomery St., Suite 1230  
San Francisco, CA 94105

To whom it may concern:

Bill Marci, owner and manager of San Francisco Champagne Society, LLC, has been a neighbor in the unit next to me since I moved in six years ago. Bill has demonstrated himself to be an excellent neighbor who has gone above and beyond to ensure that our building and the surrounding area are safe and cleanly. I have never had a negative incident with Bill, and if anything, he has helped mitigate unfavorable situations that have occurred within our building throughout the years.

Bill has taken an active role in contributing to an improved quality of our building by his role as the President of our HOA Board. Through his leadership, Bill has sincerely demonstrated that he cares about what is best for our building, at times, even at the expense of his own personal preferences. Bill's actions show that he cares about what is best for the building as a whole.

I am in favor of the transfer of License 42, On-Sale Beer and Wine for Public Premises from The Secret Wine Shop, which operated on the 3rd floor of our building, to San Francisco Champagne Society, LLC, which will operate on the first floor in close proximity to the front door of the building. The Secret Wine Shop has caused minimum disruption to our building, and similarly, Bill has assured that the hours of operation would be limited and any events will be private, and small in scale.

The San Francisco Champagne Society will be an excellent addition to our live/work building, and I highly recommend that the license is transfer is approved accordingly.

Derek Huerta  
1097 Howard St. Unit 102  
San Francisco, CA 94103

On Mon, Mar 4, 2013 at 11:58 AM, Bill Marci <bill@bma-ca.com> wrote:  
> Hi Derek (and Derek),  
>  
>  
>  
> I am working with the ABC to obtain a type 42 liquor license for wine  
> and  
> beer for the San Francisco Champagne Society. I need to secure letters

of

> support from my neighborhood to help build my case for the hearing.

Letters

> from neighbors in the building are especially helpful.

>

>

>

> If interested in supporting the SFCS then please reply via email with such

> a letter asap.

>

>

>

> Thanks for your time, -Bill

>

>

>

> Bill Marci/San Francisco Champagne Society, LLC.

>

> 1097 Howard Street, #101

>

> San Francisco, CA 94103-2878

>

> PH: 408.472.1007

>

> email: [bill@bma-ca.com](mailto:bill@bma-ca.com)

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>

## LIQUOR LICENSE REVIEW

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

**File:** 130217

**TO:** Police Department  
Inspector Nelly Gordon  
Inspector Joseph Fong  
Fax No.: 553-1463

*Block/Lot: 3731/128*  
*Zoning: MUB*  
*Quad: SE*  
*MUB # 1300216*

**DATE:** February 25, 2013

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This item is tentatively scheduled to be heard in four to six weeks.

**PLEASE EMAIL YOUR RESPONSE BY:** April 12, 2013, to Derek Evans, Clerk,  
Neighborhood Services and Safety Committee.

**Derek.Evans@sfgov.org - Fax No: 554-7714**

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**Applicant Name:** William Marci  
**and Business Name:** San Francisco Champagne Society, LLC  
(1097 Howard Street, Unit 101)

**Applicant Address:** 1097 Howard Street  
San Francisco, CA 94103  
**and Phone No.** (415) 437-1475

**PLANNING COMMENTS:**  Approval  Denial

*REQUIRED CONDITIONAL USE AUTHORIZATION NOT TO BE  
CONSIDERED BEFORE PLANNING COMMISSION*

**POLICE COMMENTS:**  Approval  Denial

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2013 FEB 27 PM 2:06

**Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
February 27, 2013**

**To whom it may concern:**

**My name is William Marci and my daytime phone number is 415-437-1475.**

**My business name is the San Francisco Champagne Society, LLC. and the business and mailing address is 1097 Howard Street, Unit #101 in San Francisco, CA 94103.**

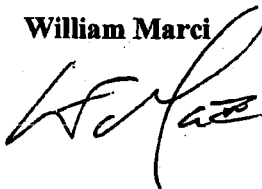
**I am applying for a Type 42 License with the ABC. It is a double transfer Person to Person/Premise to Premise from the Wine B&B Co. at 1097 Howard Street, Unit #209 San Francisco, CA 94103 to Unit #101 in the same building at 1097 Howard Street.**

**The business hours of operation will be Tuesday, Wednesday and Thursday 5 PM to 10 PM and Friday and Saturday 5 PM to 12 AM.**

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**Thank you,**

**William Marci**



**San Francisco Champagne Society, LLC.**  
1097 Howard Street, Unit#101 San Francisco, CA 94103 415-437-1475  
bill@bma.ca.com

130217



**INFORMATION AND INSTRUCTIONS -**

**SECTION 23958.4 B&P**

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- 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

San Francisco Champagne Society, LLC

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

1097 Howard St., #101, San Francisco, CA 94103-2881

3. LICENSE TYPE

42

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 checked="" 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 type="checkbox"/> Other - describe:  |                                            |                                                        |                                                |

5. COUNTY POPULATION

812,820

6. TOTAL NUMBER OF LICENSES IN COUNTY

284

On-Sale  Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

On-Sale  Off-Sale

8. CENSUS TRACT NUMBER

178.02

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

15

On-Sale  Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

34

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

3X PUB

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

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

13. CRIME REPORTING DISTRICT NUMBER

232

14. TOTAL NUMBER OF REPORTING DISTRICTS

653

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

46,883

16. AVERAGE NO. OF OFFENSES PER DISTRICT

72

17. 120% OF AVERAGE NUMBER OF OFFENSES

86

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

199

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 a 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 form 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)

willie bulanadi



---

**From:** Sanchez, Diego  
**Sent:** Monday, May 20, 2013 10:30 AM  
**To:** Evans, Derek  
**Cc:** Banales, Julian; Powell, Georgia  
**Subject:** RE: Liquor License - PCN Request - For Your Review 1049 Howard St (SF Champagne Society) - File No. 130217  
**Attachments:** 1097 Howard 101 PCN.PDF

Derek,

This request requires conditional use authorization. The project has yet to go before the Planning Commission to request conditional use authorization and so at this time the Planning Department cannot provide an approval for the request.

The Planning Department is working with the project applicant to assemble a complete application and conditional use authorization request and the Planning Department expects this to occur within the next few months.

Please note that I had sent the Planning Department response to this request to you back on March 14, 2013 via email. Attached is a pdf copy of the PCN request.

Diego R Sánchez  
Planner, SE Quadrant  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco CA 94103  
(415) 575 – 9082  
(415) 558 – 6409 fax

---

**From:** Powell, Georgia  
**Sent:** Monday, May 20, 2013 10:22 AM  
**To:** Sanchez, Diego  
**Cc:** Banales, Julian; Evans, Derek  
**Subject:** FW: Liquor License - PCN Request - For Your Review 1049 Howard St (SF Champagne Society) - File No. 130217

Diego,  
Please respond Derek's e-mail below.  
Thanks,  
Georgia

---

**From:** Evans, Derek  
**Sent:** Friday, May 17, 2013 4:18 PM  
**To:** Powell, Georgia; Banales, Julian  
**Subject:** RE: Liquor License - PCN Request - For Your Review 1049 Howard St (SF Champagne Society) - File No. 130217

Hello,

Any updates regarding this PCN request? Police sent their report on April 26<sup>th</sup>, so we are just waiting for Planning's recommendation.

Thank you,

**Derek K. Evans**  
**Assistant Committee Clerk**  
Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244  
San Francisco, CA 94102  
Phone: (415) 554-7702 | Fax: (415) 554-5163  
[derek.evans@sfgov.org](mailto:derek.evans@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.  
<http://www.sfbos.org/index.aspx?page=104>

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**From:** Powell, Georgia  
**Sent:** Monday, March 04, 2013 2:17 PM  
**To:** Banales, Julian  
**Cc:** Evans, Derek  
**Subject:** FW: Liquor License - PCN Request - For Your Review 1049 Howard St (SF Champagne Society) - File No. 130217

Julian,  
See attached PCN request for your review and approval. MB # is 1300216. Hard copy is in your mailbox.

Thanks,  
Georgia

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**From:** Evans, Derek  
**Sent:** Friday, March 01, 2013 4:03 PM  
**To:** Powell, Georgia; Gordon, Nelly; Fong, Joseph  
**Cc:** Wong, Linda (BOS); Ausberry, Andrea; Rodgers, AnMarie  
**Subject:** RE: Liquor License - PCN Request - For Your Review 1049 Howard St (SF Champagne Society) - File No. 130217

Hello,

Attached is a Public Convenience and Necessity Request for the subject liquor license. Please review and provide your response.

Thank you,

**Derek K. Evans**  
**Assistant Committee Clerk**  
Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244  
San Francisco, CA 94102

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2013 FEB 27 PM 2:06

**Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
February 27, 2013**

**To whom it may concern:**

**My name is William Marci and my daytime phone number is 415-437-1475.**

**My business name is the San Francisco Champagne Society, LLC. and the business and mailing address is 1097 Howard Street, Unit #101 in San Francisco, CA 94103.**


**I am applying for a Type 42 License with the ABC. It is a double transfer Person to Person/Premise to Premise from the Wine B&B Co. at 1097 Howard Street, Unit #209 San Francisco, CA 94103 to Unit #101 in the same building at 1097 Howard Street.**

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**William Marci**



**San Francisco Champagne Society, LLC.**  
1097 Howard Street, Unit#101 San Francisco, CA 94103 415-437-1475  
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130217

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Governing Body/Designated Subordinate Name: Board of Supervisors

**FOR DEPARTMENT USE ONLY**

PREPARED BY (Name of Department Employee)

willie bulanadi

## LIQUOR LICENSE REVIEW

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

**File:** 130217

**TO:** Police Department  
Inspector Nelly Gordon  
Inspector Joseph Fong  
Fax No.: 553-1463

**DATE:** February 25, 2013

---

This item is tentatively scheduled to be heard in four to six weeks.  
**PLEASE EMAIL YOUR RESPONSE BY:** April 12, 2013, to Derek Evans, Clerk,  
Neighborhood Services and Safety Committee.

**Derek.Evans@sfgov.org - Fax No: 554-7714**

---

**Applicant Name:** William Marci  
**and Business Name:** San Francisco Champagne Society, LLC  
(1097 Howard Street, Unit 101)

**Applicant Address:** 1097 Howard Street  
San Francisco, CA 94103  
**and Phone No.** (415) 437-1475

**PLANNING COMMENTS:**       Approval       Denial

**POLICE COMMENTS:**       Approval       Denial