

File No. 150812

Committee Item No. 4

Board Item No. 26

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Public Safety & Neighborhood Services Date October 15, 2015

Board of Supervisors Meeting Date October 27, 2015

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER (Use back side if additional space is needed)

- PCN Request _____
- _____
- _____
- _____
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- _____
- _____

Completed by: Derek Evans Date October 9, 2015

Completed by: Erica Major Date October 23, 2015

1 [Liquor License Transfer - 705 Columbus Avenue]

2
3 **Resolution determining that the transfer of a Type 21 off-sale general license from**
4 **500 Laguna Street to 705 Columbus Avenue (District 3), to Carrie Peters, for Red**
5 **Fangs, LLC, dba Rialto Mercato, will serve the public convenience or necessity of**
6 **the City and County of San Francisco, in accordance with California Business**
7 **and Professions Code, Section 23958.4, and recommending that the California**
8 **Department of Alcoholic Beverage Control impose conditions on the issuance of**
9 **the license.**

10
11 WHEREAS, Carrie Peters is seeking the transfer of a Type 21 off-sale general
12 license from 500 Laguna Street to 705 Columbus Avenue (District 3) for Red Fangs,
13 LLC, dba Rialto Mercato; and

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

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

20 WHEREAS, The conditions recommended by the Police Department are the
21 following: 1) Sales of alcoholic beverages shall be permitted between the hours of 9:00
22 a.m. and 10:00 p.m. daily; 2) loitering (defined as "to stand idly about; linger aimlessly
23 without lawful business") is prohibited on any sidewalks or property adjacent to the
24 licensed premises under the control of the licensee as depicted on the ABC-257; 3) no
25 person under the age of 21 shall sell or deliver alcoholic beverages; 4) the sale of

1 distilled spirits in size small than 200 ml is strictly prohibited; 5) the sale, service and
2 consumption of powder alcohol or like non-liquid alcoholic beverage based product is
3 prohibited; 6) no wine shall be sold with an alcoholic content greater than 15% by
4 volume except for "Dinner Wines" which have been aged two years or more and
5 maintained in corked bottles; and 7) wine shall not be sold in bottles or containers small
6 than 375 ml ; now, therefore, be it

7 RESOLVED, That in accordance with California Business and Professions Code,
8 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
9 hereby determines that the transfer of a Type 21 off-sale general license from 500
10 Laguna Street to 705 Columbus Avenue (District 3), to Carrie Peters, for Red Fangs,
11 LLC, dba Rialto Mercato, will serve the public convenience or necessity of the City and
12 County of San Francisco; and, be it

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

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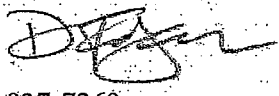
San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
*Public Convenience and
Necessity Recommendation*

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

Supervisor Eric Mar
Supervisor David Campos
Supervisor Julie Christensen

From: Lieutenant Dave Falzon 
Officer in Charge
ABC Liaison Unit (ALU) 837-7269

Date: October 6, 2015

Subject: P.C.N. Investigation Regarding: Red Fangs LLC
DBA: Rialto Mercato
705 Columbus Ave.
Carrie Peters
(510) 788-5881

Tanya Booth of The Spanish Table California, LLC has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 21 (Off-Sale General) License for 705 Columbus Ave (located between Powell and Mason Streets).

Hours of Operation:

9:00 a.m.-10:00 p.m. daily

Digest:

Carrie Peters on behalf of Red Fangs, LLC has applied for a type-21 (Off-Sale General) license. Red Fangs wishes to operate as a Specialty Food and Alcohol store carrying items mainly from Italy and Hungary. If approved, this will allow Red Fangs to sell Off-Sale Beer and Wine.

Letters of Protest:

No Record

Letters of Support:

No Record

Police Calls for Service:

From July 2014 to July 2015

0

Police Reports:

From July 2014 to July 2015

0

San Francisco Plot Information:

This premise is located in Plot **120**

A High Crime area is defined as **98** or more police reports in a plot for the year of **2014**.

This plot had **92** police reports for **2014**, which is **7** under the Citywide "High Crime" average.

State Census Tract Information:

This premise is located in Census Tract **0107.00**

Population for this tract is: **5,592**

On-sale license authorized by census tract: **19**

Active on-sale licenses: **80** with **1** pending

Off-sale licenses authorized by census tract: **5**

Active off-sale licenses: **8** with **1** pending

Departmental Recommendation:

Points of consideration:

No opposition from Central Station

Applicant premise is not located in a "high crime" area.

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

0 - Record of protest.

0 - Record of support.

ALU Recommendation: Approval with the following conditions:

Conditions for Type 21 (Off-Sale General)

1. Sales of alcoholic beverages shall be permitted between the hours of 9:00 a.m. and 10:00 p.m. daily.
2. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee as depicted on the ABC-257, dated _____.
3. No person under the age of 21 shall sell or deliver alcoholic beverages.
4. The sale of distilled spirits in sizes smaller than 200 ml is strictly prohibited.
5. The sale, service and consumption of powder alcohol or like non-liquid alcoholic beverage based product is prohibited.
6. No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles.
7. Wine shall not be sold in bottles or containers smaller than 375 ml.

End

LIQUOR LICENSE REVIEW

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

File: 150812

TO: Police Department
Lieutenant Dave Faizon
Inspector Nelly Gordon
Fax No.: 553-1463

Blocklot: 0090/038

Zone: HCD

Quadr: NE

Record # 2015-009660MI

DATE: July 29, 2015

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: August 24, 2015, to Derek Evans,
Clerk, Neighborhood Services and Safety Committee.

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



Applicant Name: Carrie Peters
and Business Name: Rialto Mercado
(705 Columbus Avenue)

Applicant Address: 705 Columbus Avenue
San Francisco, CA 94133
and Phone No. (510) 788-5881

PLANNING COMMENTS: Approval Denial

ABC LICENSE TYPE 21 IS PERMITTED IN CONJUNCTION WITH
USE AS SPECIALTY GROCERY PER PC SECTIONS 722.40, 703.2,
AND 790.102. CHANGE OF USE RECORDED BY BPA NO.
2015/0058833. DISPLAY OF ALCOHOLIC BEVERAGES LIMITED TO 15%

POLICE COMMENTS: OF FLOOR AREA.



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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
JUL 27 PM 2:42

Re: Red Fangs, LLC dba Rialto Mercado, Liquor License "PCN" Request at 705
Columbus Ave, San Francisco, CA 94133

Transfer Type 21 - Off Sale General

To the Clerk of the Board,

I am writing on behalf of my client, Red Fangs, LLC. The purpose of this letter is to respectfully request to be placed on the Board's calendar for Public Convenience and Necessity approval with regard to our transfer Type 21 Off Sale General license. We are renovating the street level premises at 705 Columbus Avenue, and wish to operate as a specialty food and alcohol store, carrying items that can ONLY be found in the Rialto Mercado. My client has a thriving business curating products from other countries (Italy and Hungary mainly) and has longed to have a shop to show and serve the professionals and visitors of this area.

This neighborhood is thriving with business, yet there are none like this one within the City of San Francisco. My client will cater to the residents and tourists who spend their days in this part of town to find unique items to be just such the items the purchase and take back to their country.

Hours of operation will 11:00am - 7:00pm - my client has no intention of staying open later than 7pm. My client will vigilantly monitor the surrounding area to ensure the safety of the business and customers at all times and maintain a lawful business. My client has operated another ABC in the area, a Type 41 at Daflora (#41-298095) since 1994 with no problems. My client's 21-year history in this area has allowed her to cultivate very good relationships with community leaders and members.

We seek the SF Board of Supervisor's affirmative ruling that our application serves the public convenience and necessity of our City.

Please let me know at your earliest possible convenience our hearing date and time. Thank you for all you do Derek!

Sincerely,

Carrie A Peters



**California Department of Alcoholic
Beverage Control**
License Query System Summary
as of 7/28/2015

License Information
License Number: 559188
Primary Owner: RED FANGS LLC
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: RIALTO MERCATO
Business Address
Address: 705 COLUMBUS AVE Census Tract: 0107.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94133
Licensee Information
Licensee: RED FANGS LLC
Company Information
Officer: GASPAR, FLORENCE C (MANAGER)
License Types
1) License Type: 21 - OFF-SALE GENERAL
License Type Status: PENDING
Status Date: 06-JUL-2015 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM: 21-528719
Current Disciplinary Action
<i>No Active Disciplinary Action found.</i>
Disciplinary History
<i>No Disciplinary History found.</i>
Hold Information
Hold Date: 06-JUL-2015 Type: FORM 220
Escrow
Escrow: ABC ESCROW, 2222 DAMON ST LOS ANGELES, CALIFORNIA 90021

--- End of Report ---



**California Department of Alcoholic
Beverage Control
License Query System Summary
as of 7/28/2015**

License Information
License Number: 528719
Primary Owner: O CAMINO
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: NOSA RIA
Business Address
Address: 500 LAGUNA ST Census Tract: 0162.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94102
Licensee Information
Licensee: O CAMINO
Company Information
Officer: BARGIELA, MANUEL (DIRECTOR)
Officer: AVERY, KRISTA LEE (PRESIDENT)
Officer: BARGIELA, MANUEL (PRESIDENT)
Officer: AVERY, KRISTA LEE (SECRETARY TREASURER)
Stock Holder: BARGIELA, MANUEL
License Types
1) License Type: 21 - OFF-SALE GENERAL
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Status Date: 07-JAN-2015 Term: 12 Month(s)
Original Issue Date: 21-MAY-2013 Expiration Date: 30-APR-2016
Master: Y Duplicate: 0 Fee Code: P40
Condition: OPERATING RESTRICTIONS
License Type was Transferred On: 21-MAY-2013 FROM: 21-189015
License Type was Transferred On: TO: 21-559188
Current Disciplinary Action
... No Active Disciplinary Action found ...
Disciplinary History
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Hold Information
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--- End of Report ---

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

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

File: 150812

TO: Police Department
Lieutenant Dave Falzon
Inspector Nelly Gordon
Fax No.: 553-1463

Block/lot: 0090/0388

Zoning: HCD

Quad: NE

Record # 2015-009660 M/S

DATE: July 29, 2015

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: August 24, 2015, to Derek Evans,
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Derek.Evans@sfgov.org - Fax No: 554-7714



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and Business Name: Rialto Mercado
(705 Columbus Avenue)

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POLICE COMMENTS: OF FLOOR AREA.



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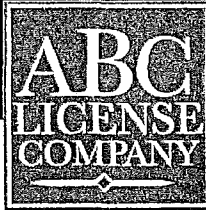
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PLANNING COMMENTS: Approval Denial

POLICE COMMENTS: Approval Denial