

File No. 100686

Committee Item No. 3

Board Item No. 19

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: City Operations & Neighborhood Ser. Date: June 28, 2010

Board of Supervisors Meeting

Date 7/13/10

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Ethics Form 126 |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input checked="" type="checkbox"/> | <input checked="" 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"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence |

OTHER

(Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: Victor Young

Date June 24, 2010

Completed by: Victor Young

Date _____

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

01/11/11

1 [Liquor License, 1455 Van Ness Avenue]

2
3 **Resolution determining that the issuance of a Type 20 Off-Sale Beer and Wine**
4 **Liquor License to Parisima and Amanzio Tamanti for Tosco Wines, Inc. dba Vino**
5 **Nostro, located at 1455 Van Ness Avenue (District 2), will serve the public**
6 **convenience or necessity of the people of the City and County of San Francisco,**
7 **in accordance with Section 23958.4 of the California Business and Professions**
8 **Code, with conditions.**

9
10 WHEREAS, Parisima and Amanzio Tamanti are seeking issuance of a Type 20
11 Off-Sale Beer and Wine Liquor License for Vino Nostro, located at 1455 Van Ness
12 Avenue; and,

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

15 WHEREAS, The Police Department recommends that the liquor license
16 application be approved with conditions; now, therefore, be it

17 RESOLVED, That in accordance with Section 23958.4 of the California Business
18 and Professions Code, the Board of Supervisors of the City and County of San
19 Francisco hereby determines for the foregoing reasons that the issuance of a Type 20
20 Off-Sale Beer and Wine Liquor License, to Parisima and Amanzio Tamanti for Vino
21 Nostro, located at 1455 Van Ness Avenue, will serve the public convenience or
22 necessity of the people of the City and County of San Francisco.

23 Conditions: 1) The sales and service of alcoholic beverages shall not exceed
24 10:00 a.m. to 8:00 p.m. each day of the week; 2) No alcoholic beverages shall be
25 consumed on any property adjacent to the licensed premises under the control of the

1 licensee(s); 3) The sales and service of beer or malt beverages is strictly prohibited; 4)
2 No wine shall be sold with an alcoholic content greater than 15% by volume except
3 "Dinner Wines" which have been aged two years or more and maintained in corked
4 bottles; 5) Wine shall not be sold in bottles or containers smaller than 750 ml.; 6) No
5 person under the age of 21 shall sell or deliver alcoholic beverages; 7) Loitering
6 (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is
7 prohibited on any sidewalks or property adjacent to the licensed premises under the
8 control of the licensee; 8) The petitioner(s) shall be responsible for maintaining free of
9 litter the area adjacent to the premises over which they have control; 9) Graffiti shall be
10 removed from the premises and all parking lots under the control of the licensee within
11 seventy-two (72) hours of application. If the graffiti occurs on a Friday or weekend day,
12 or on a holiday, the licensee shall remove the graffiti within seventy-two (72) hours
13 following the beginning of the next weekday.

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San Francisco Police Department
ABC Liaison Unit

Alcoholic Beverage License

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

Supervisor Carmen Chu
Supervisor John Avalos
Supervisor Bevan Dufty

From: Inspector Dave Falzon
ABC Liaison Unit (ALU) 553-9369

Date: June 24, 2010

Subject: P.C.N. Investigation Regarding: Ms. Parissima Tamanti
Tosco Wines Inc. dba Vino Nostro
1455 Van Ness Ave
517-2950

Ms. Parissima Tamanti on behalf of Tosco Wines Inc. dba Vino Nostro has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 20 (Off-sale Beer & Wine) license for 1455 Van Ness Ave (located between Laguna Street and Buchanan Street).

Proposed Hours of Operation:

Sunday	Closed
Monday –Friday	10:30 a.m. – 7:30 p.m.
Saturday	10:00 a.m. – 7:00 p.m.

Digest:

If approved this license will allow the applicant to sell off-sale wine.

Letters of Protest:

No record

Letters of Support:

No record

Police Calls for Service:

From February 16, 2010 to June 16, 2010

No Record

Police Reports:

From June 16, 2009 to June 16, 2010

1 – Grand Theft

San Francisco Plot Information:

This premise is located in Plot 540

291 Police Reports were recorded for this plot in 2009

This plot is 70 Police Report(s) over the citywide average (plus 20%) of 221 Police Reports.

State Census Tract Information:

This premise is located in Census Tract 151

Population for this tract is: 2420

On-sale license authorized by census tract: 8
Active on-sale licenses: 13 with 0 pending

Off-sale licenses authorized by census tract: 3
Active off-sale licenses: 6 with 0 pending

Departmental Recommendation:

Points of consideration:

APPROVAL w/conditions recommendation forwarded by the ALU.

Applicant premise is located in a “high crime” area.

Applicant premise is located in an “undue concentration” area.

No Record letter of protest.

No Record letters of support.

Recommendation: **APPROVAL w/conditions**

Proposed Conditions:

1. The sales and service of alcoholic beverages shall not exceed 10:00 a.m. to 8:00 p.m. each day of the week.
 2. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s).
 3. The sales and service of beer or malt beverages is strictly prohibited.
 4. No wine shall be sold with an alcoholic content greater than 15% by volume except "Dinner Wines" which have been aged two years or more and maintained in corked bottles.
 5. Wine shall not be sold in bottles or containers smaller than 750 ml.
 6. No person under the age of 21 shall sell or deliver alcoholic beverages.
 7. 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.
 8. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
 9. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within seventy-two (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 seventy-two (72) hours following the beginning of the next weekday.
- end.

Census Tract 151, San Francisco County, California - Reference Map - American FactFin... Page 1 of 1

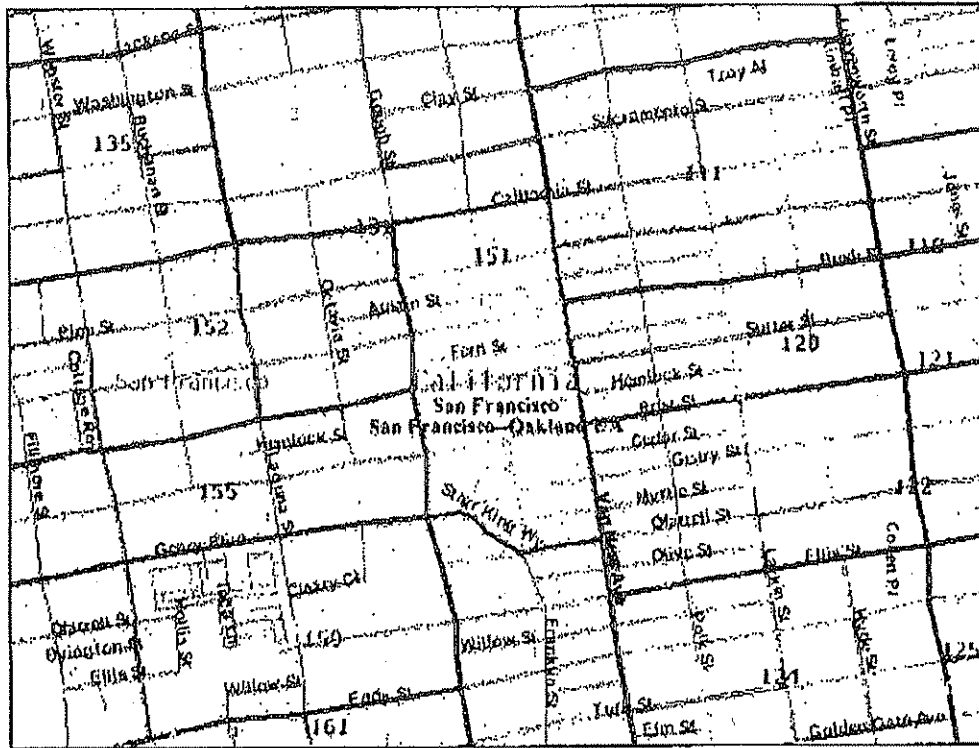
Census Tract 151, San Francisco County, California

Boundaries

- State
- County
- Census Tract
- Block Group
- Block
- Place
- Urban Area
- Urban Area

Features

- Major Road
- Street
- Stream/Waterbody
- Stream/Waterbody



1.1 mile across

Close

1455 VAN. NESS AVE

VINO NOSTRO

06/24/2010 20:32 SFPD VICE CRIMES -> B OF SUPERVISOR

NO. 445 P15


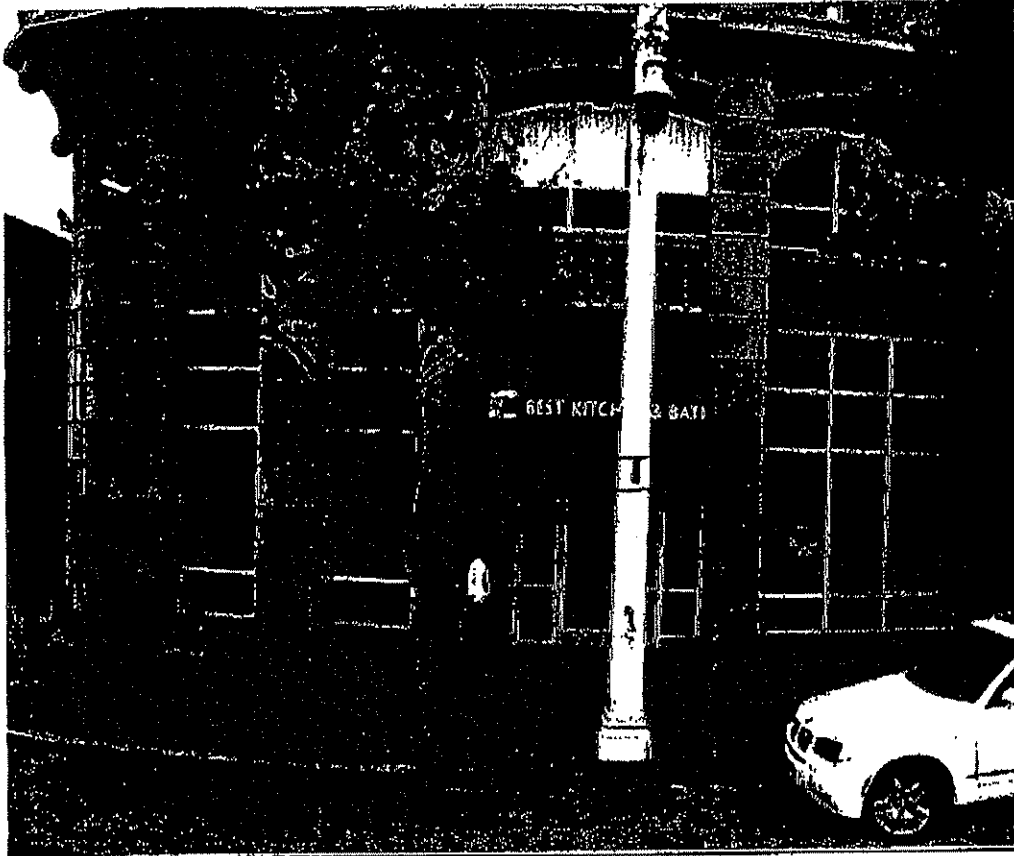
1455 Van Ness Avenue, San Francisco, CA - Google Maps

Page 1 of 1

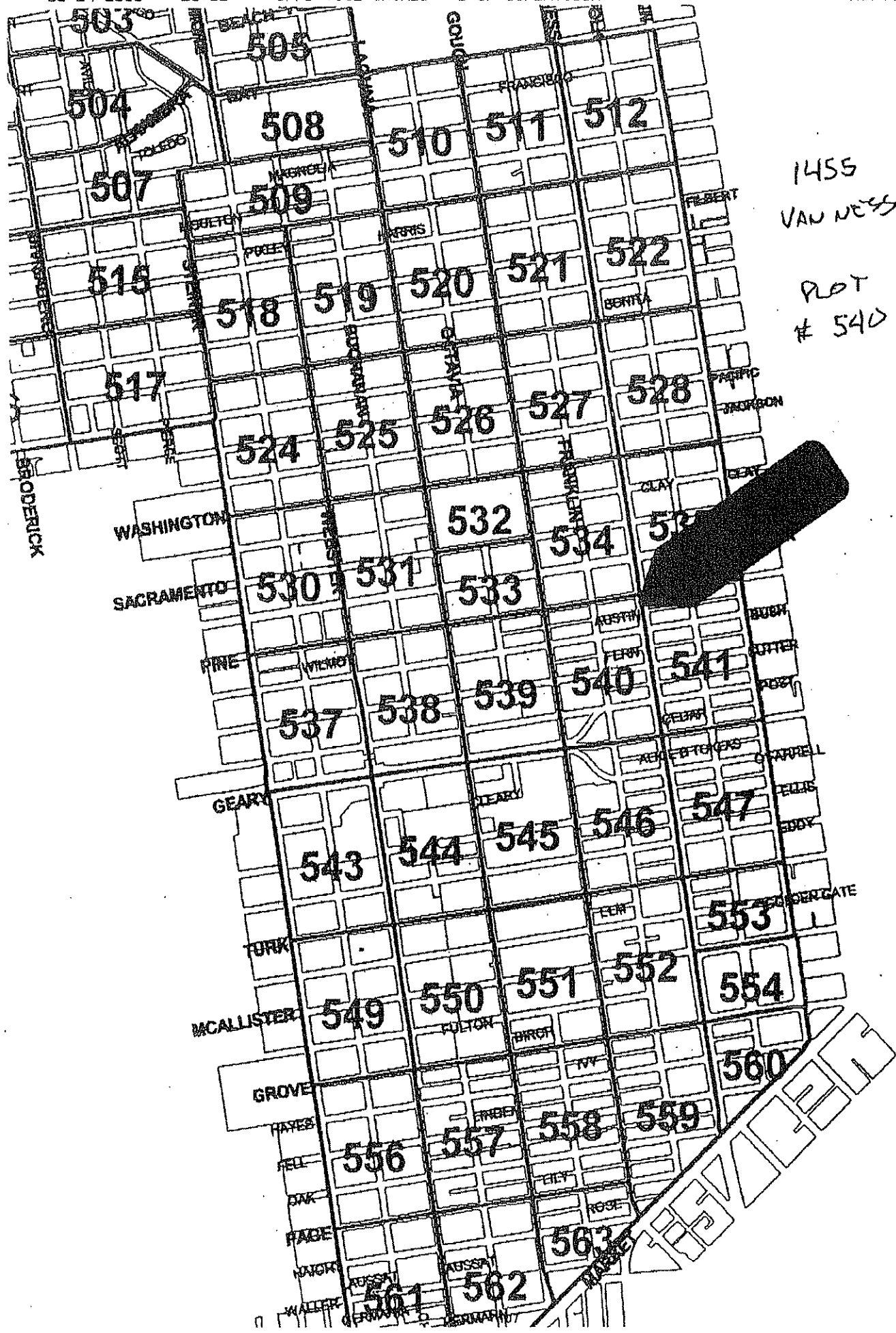
Google maps

Address 1455 Van Ness Ave
San Francisco, CA 94109

Save trees. Go green!
 Download Google Maps on your phone at google.com/gmm

1455 VAN NESS AVE



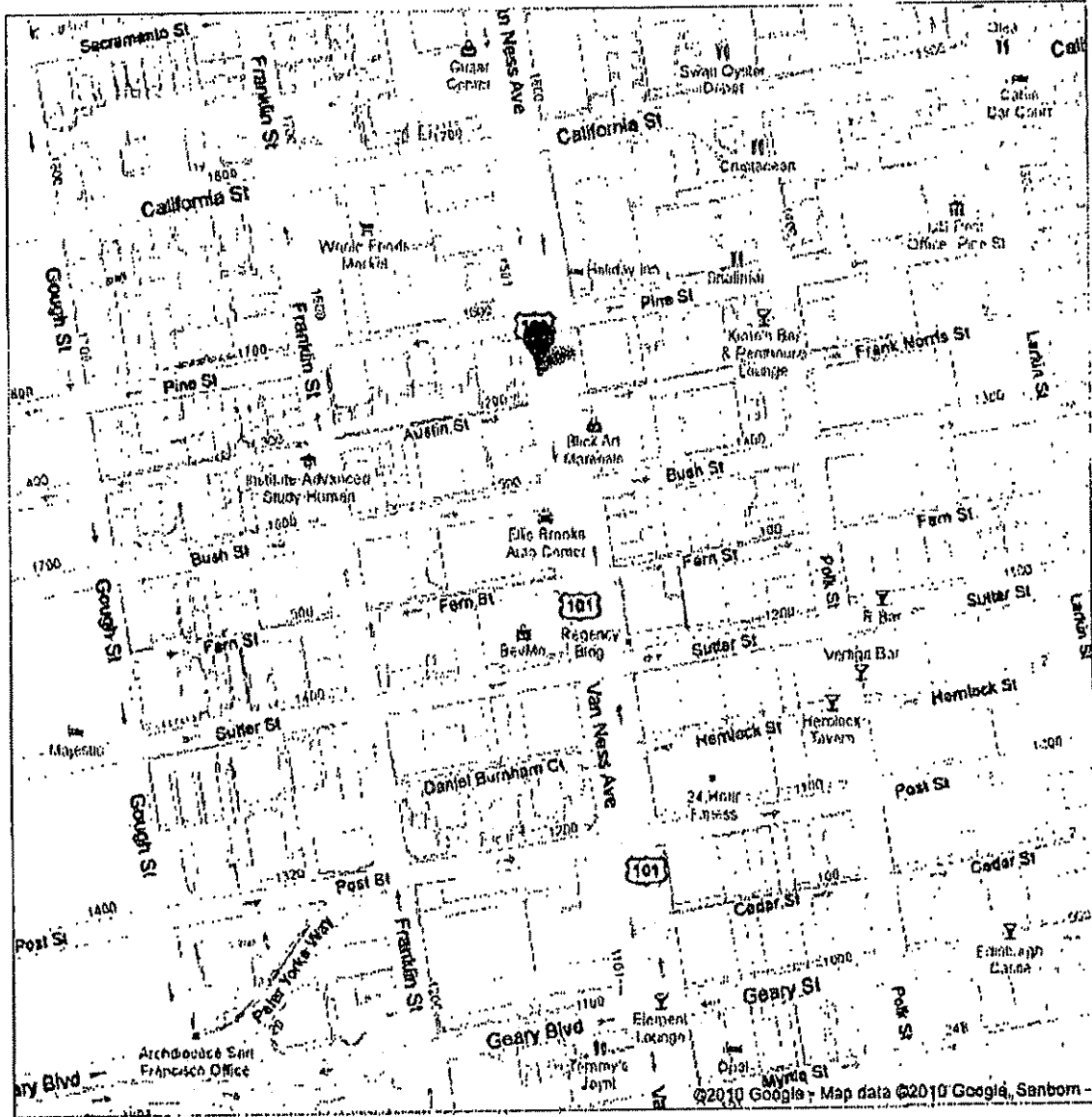
1455 Van Ness Avenue, San Francisco, CA - Google Maps

Page 1 of 1

Google maps

Address 1455 Van Ness Ave
San Francisco, CA 94109

Get Google Maps on your phone
Text the word "GMAPS" to 456453



1455 VAN NESS AVE

06/24/2010 20:32 SFPD VICE CRIMES -> B OF SUPERVISOR

NO.445 P1B
Page 1 of 1

1455 Van Ness

Route

Print

FROM: ECADWEE
TO: PT00TUA

ISN: 00034 DATE: 06/24/10 TIME: 11:15:26 ADMIN MSG
OBN: 00010 DATE: 06/24/10 TIME: 11:15:30

No records match search criteria

06/24/2010 20:32 SFPD VICE CRIMES -> B OF SUPERVISOR

NO. 445 D19
Page 1 of 1

1455 VAN NESS AVE

Route Print

FROM: CABLE ISN: 14256 DATE: 06/24/10 TIME: 12:46:18 ADMIN MSG
TO: PT00T10A OSN: 00016 DATE: 06/24/10 TIME: 12:46:19
06304 GRAND THEFT FROM A BUILDING UNAGG: 5D
INCACCNO:090937300/A OCCFROMTO:09/11/09/1300/09/11/09/1315
1455 VAN NESS AV
CLEARED:

06/24/2010 20:32 SFPD VICE CRIMES → B OF SUPERVISOR

NO.445 020
Page 1 of 1

1485 Van Ness Ave

Route

Print

FROM: CABLE ISN: 14258 DATE: 06/24/10 TIME: 12:46:18 ADMIN MSG
TO: PTD021UA OSN: 00017 DATE: 06/24/10 TIME: 12:46:41
043-PGM-QACN REJ/ NO ACCIDENT REPORT ON FILE



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: June 22, 2010

TO: Clerk of the Board
City Operations and Neighborhood Services Committee

FROM: Scott F. Sanchez, Acting Zoning Administrator
415-558-6350 or scott.sanchez@sfgov.org

RE: Liquor License Review (File: 100686),
DBA Tosco Wines Inc. dba Vino Nostro
1455 Van Ness Avenue - Issuance of ABC License Type 20
off-sale beer and wine license to a retail wine store

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

This memorandum supersedes a previous review dated June 10, 2010.

The Planning Department can recommend approval of the proposed ABC License Type 20 as an accessory use pursuant to Planning Code Section 703.2 (b)(1)(C)(vi) for Vino Nostro at 1455 Van Ness Avenue within an RC-4 (Residential-Commercial Combined, High Density) Zoning District.

Currently, the RC-4 Zoning District restricts ground floor commercial uses to those that are principal uses within the nearest NC Zoning District; however, the Department is proposing a Planning Code amendment that would restore a previous provision that would allow ground floor commercial uses that are principal uses within the C-2 (Community Business) Zoning District. If and when this amendment is adopted, the subject use will be allowed to occupy the full floor area (without accessory use limitations) without further Planning Department review.

Memo

LIQUOR LICENSE REVIEW

TO: Planning Department **File: 100686**
AnMarie Rodgers/CTYPLN/SFGOV
Georgia Powell/CTYPLN/SFGOV@SFGOV
Fax No: 558-6409

TO: Inspector Dave Falzon **BLOCK/LOT: 0666/030**
Police Department **ZONING: RC-4/NC-3**
Fax No: 970-3088 **QUAD: NW**

DATE: April 13, 2010 **MB# 1000572**

This item is scheduled to be heard at a meeting on June 28 10, 2010. **PLEASE E-MAIL OR FAX YOUR RESPONSE BY: June 13, 2010, to Victor Young, Clerk of City Operations and Neighborhood Services Committee.**

E-Mail: victor.young@sfgov.org

Applicant Name: Parisima and Amanzio Tamanti
Business Name: Tosco Wines Inc. dba Vino Nostro

Applicant Address: 1455 Van Ness Avenue
and Phone No. 415-517-2950

PLANNING COMMENTS: Approval Denial

See attached memo.

Sharon Young, 558-6346

6/10/10

POLICE COMMENTS: Approval Denial



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: June 10, 2010

TO: Clerk of the Board
City Operations and Neighborhood Services Committee

FROM: Sharon Young, Planner 558-6346
Neighborhood Planning Division, Northwest Quadrant

RE: Liquor License Review (File: 100686),
DBA Tosco Wines Inc. dba Vino Nostro
1455 Van Ness Avenue - Issuance of ABC License Type 20
off-sale beer and wine license to a retail wine store

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

At the present time, the Planning Department cannot recommend approval to add ABC License Type 20 to the proposed retail wine store dba Vino Nostro at 1455 Van Ness Avenue within an RC-4 (Residential-Commercial Combined, High Density) Zoning District.

The proposed retail wine store is considered a liquor store use pursuant to Planning Code Section 790.55. Within the RC-4 Zoning District, the proposed liquor store use is not currently permitted as a principally permitted use within the nearest NC Zoning District. However, in late 2010, there are proposed Planning Code text amendments which would amend the RC-4 Zoning District controls which would allow your proposed liquor store use as a permitted use within the nearest C-2 (Community Business) Zoning District.

Memo

May 20, 2010

TOSCO WINES INC.
Parisima & Amanzio Tamanti
240 South Garrard blvd # 15
Richmond, CA 94801
(510)232-7400

File 100686

BY *[Signature]*

2010 MAY 27 PM 2:50

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

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

INFORMATION of APPLICANT for PCN

Name of owners: Parisima & Amanzio Tamanti (415) 517-2950

Business Name: Tosco Wines Inc. dba, VINO NOSTRO

Business location: 1455 Van Ness Ave. San Francisco, CA 94109

Type of license: 20 off sale beer and wine license

Type of Transfer: Premise TO premise & person TO person

Current licensee: Dabit Michael Najib dba Polk & green Market. License# 377271 *(511600)*

Current address of license: 2222 Polk Street San Francisco, CA 94109

Mailing Address: 240 South Garrard Blvd. # 15 Richmond, CA 94801

Business hours: Monday to Saturday 10:30AM TO 7:30 PM Sunday closed.

Letter of Public Convenience or Necessity

Dear Board of Supervisors and public officials,

I am pleased to write this letter explain Tosco wines inc. dba, Vino Nosto application for type 20 off sale beer & wine license and articulating why a license will not only be a public convenience, but also an opportunity for our community to thrive.

After over 25 years of experience with Italian wines, we have decided to have a unique wine shop in San Francisco.

We are eager to provide fine Italian wines in a comfortable and attractive store that introduce and educate customers to the different variety of wines from Italy.

Our goal is to bring the vibrancy of new life and work to local community and its residence.

Having a specialized Italian wine store, which close at 7:30 P.M will not enhance crime in the area!

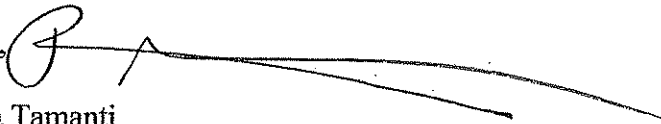
Opening a new store on Van Ness Ave with all the present vacancies only attracts more small business to the area.

For these reasons, Tosco Wines Inc. requests that the board of Supervisors give their approval of our request for ABC license. We would be happy to discuss any community concern or conditions by law enforcement officials.

Please feel free to Contact me at the above number.

Thank you for your consideration and assistance.

Sincerely,



Parissima Tamanti
Tosco Wines Inc.
(415)517-2950

Attached; please find a letter from San Francisco towers / Episcopal communities
Director of security



SAN FRANCISCO
TOWERS

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

May 20, 2010

RE: Application for ABC License of Mr. & Mrs. Amanzio Tamanti: Tosco Wines, Inc.

To Whom It May Concern:

We are very happy to accept the lease from Mr. & Mrs. Tamanti for their retail store for their corporation, TOSCO WINES INC. dba; Vino Nostro. Their presence in our commercial space will enhance the quality of life for our residents age 65 or older. As a Life Care Facility, often times residents are concerned they will be "cut off" from outside activities. With the retail shop of Tosco wines on our property Tosco Wines INC. Will serve the 300 plus residents of San Francisco Towers, as well as other community residents within walking distance of the shop. There is no business with the type of unique operation offered by TOSCO Wines INC. in the area.

Due to the specialization of the store, imports of fine Italian wines from all regions of Italy, Tosca Wines shall provide an exclusive, inimitable experience and opportunity for the community at large.

The retail space at 1455 Van Ness Ave. has been vacant for quite some time. To have an active involved business on the Van Ness corridor will provide for better police interaction and offer a distinctive opportunity for the neighborhood.

Your positive consideration of their application will be greatly appreciated. It is with great pleasure we welcome TOSCO Wines, Inc. to our "family" at San Francisco Towers.

Sincerely,


Sherris Goodwin

Director of Security

San Francisco Towers

1661 Pine Street

San Francisco, CA 94109

415-447-5502

SGoodwin@jtm-esc.org

1661 Pine Street • San Francisco, CA 94109

Tel: (415) 776-0500 • Fax: (415) 776-5192

License: 380540292

www.escf.org

Department of Alcoholic Beverage Control
INFORMATION AND INSTRUCTIONS -
SECTION 23958.4 B&P

State of California
 ARNOLD SCHWARZENEGGER, Gov.

- Instructions** This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME
TOSCO WINES, INC.

2. PREMISES ADDRESS (Street number and name, city, zip code)
1455 VAN NESS AVE. SAN FRANCISCO, CA 94109-4637

3. LICENSE TYPE
20

4. TYPE OF BUSINESS

<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Hofbrau/Cafeteria	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club
<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club	<input type="checkbox"/> Veterans Club
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern: Beer	<input type="checkbox"/> Fraternal Club
<input type="checkbox"/> Bed & Breakfast:	<input type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine	<input type="checkbox"/> Wine Tasting Room
<input type="checkbox"/> Wine only	<input type="checkbox"/> All		

<input type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy
<input type="checkbox"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline	
<input checked="" type="checkbox"/> Other - describe: WINE STORE			

5. COUNTY POPULATION 2420	6. TOTAL NUMBER OF LICENSES IN COUNTY <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	7. RATIO OF LICENSES TO POPULATION IN COUNTY <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale
8. CENSUS TRACT NUMBER 0151	9. NO. OF LICENSES ALLOWED IN CENSUS TRACT 3 <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale	10. NO. OF LICENSES EXISTING IN CENSUS TRACT 6 <input checked="" type="checkbox"/> On-Sale <input type="checkbox"/> 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 540	14. TOTAL NUMBER OF REPORTING DISTRICTS 654	15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS 170,367
16. AVERAGE NO. OF OFFENSES PER DISTRICT 184	17. 120% OF AVERAGE NUMBER OF OFFENSES 221	18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT 423

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 25503.18(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: **SF Board of Supervisors**

FOR DEPARTMENT USE ONLY
 PREPARED BY (Name of Department Employee)

[Signature] 5/10/10

