

File No. 201204

Committee Item No. 2

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services

Date: Dec. 10, 2020

Board of Supervisors Meeting:

Date: _____

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

- Police Department Response – December 3, 2020
- Planning Department Response – November 9, 2020
- Referral – October 27, 2020
- PC or N Request Letter – October 22, 2020
- _____

Prepared by: John Carroll

Date: Dec. 4, 2020

Prepared by: John Carroll

Date: _____



San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
*Public Convenience or
Necessity Recommendation*

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

Supervisor Rafael Mandelman
Supervisor Catherine Stefani
Supervisor Shamman Walton

Ofc. JOEL SALMONSON #732

From: ^{F02} Lt. Georgia Sawyer #1565
Officer in Charge
ALU/Permits Unit 415-553-9550

Date: December 3, 2020

Subject: P.C.N. Investigation Regarding: THV Hospitality LLC
DBA: San Francisco Wine Society
408 Merchant St
San Francisco, CA. 94111-2900

San Francisco Wine Society has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 42 (On-Sale Beer and Wine-Public Premise) license to be located at 408 Merchant St. (located Sansome St. and Battery St.)

Hours of Operation:

2:00 p.m. to 10:00 p.m. Sunday-Monday and 2:00 p.m. to 12:00 a.m. Tuesday-Saturday.

Digest:

San Francisco Wine Society would like to operate a Wine Bar to include Beer and Wine sales, located at 408 Merchant St. If approved, this license will allow them to sell On-Sale Beer and Wine.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From September 2019 to September 2020

5 calls for service

Police Reports:

From September 2019 to September 2020

0 police reports

San Francisco Plot Information:

This premise is located in Plot: **152**

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

This plot had **190** police reports for **2019**, which is **83 higher** than the **Citywide “High Crime”** average

State Census Tract Information:

This premise is located in Census Tract: **611.00**
Population for this tract is: **4,307**

On-sale license authorized by census tract: **15**
Active on-sale licenses: 91 with 0 pending

Off-sale licenses authorized by census tract: **3**
Active off-sale licenses: 9 with 0 pending

Departmental Recommendation:

Points of consideration: **0**

No opposition from **Central Station**.

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

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

0 - Protest.

0 - Support

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

Conditions for Type 42- On-Sale Beer and Wine Public Premise

1. Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the most recently certified ABC-253.
2. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on the ABC-253.
3. When the said outdoor patio area of the premises is being utilized for the sales, service and consumption of alcoholic beverages, a premise employee shall be in attendance and maintain continuous supervision at all times of said area to ensure orderly conduct of patrons.

It should be noted that as of November 19, 2020 the applicant had agreed to the above listed recommended conditions.

Google Maps 408 Merchant St



Google Maps 408 Merchant St



Image capture: Apr 2019 © 2020 Google

San Francisco, California

Google

Street View

**LIQUOR LICENSE
PUBLIC CONVENIENCE OR
NECESSITY REFERRAL**

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

DATE: October 27, 2020

AP Block/Lot Nos.: 0206/002

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

Zoning: C-3-O, 200S

Quad: NE Planning Team

Record No.: _____

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

PLEASE EMAIL YOUR RESPONSE BY: November 13, 2020, to John Carroll, Public Safety and Neighborhood Services Committee Clerk.

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

Applicant name: TVH Hospitality LLC

Business name: San Francisco Wine Society

Application address: 408 Merchant Street
San Francisco, CA 94111

Applicant contact info: Danielle Kuzinich
Danielle@SanFranciscoWineSociety.com
(925)565-5603

PLANNING REVIEW: Approval Denial

Planning Staff Contact: [Michelle Langlie michelle.langlie@sfgov.org](mailto:Michelle.Langlie@sfgov.org)

Please print review comments on a trailing page.

POLICE REVIEW: Approval Denial

Please print review comments in a trailing report.

From: [Langlie, Michelle \(CPC\)](#)
To: [Carroll, John \(BOS\)](#)
Cc: [Botn, Kurt \(CPC\)](#)
Subject: RE: Liquor License - 408 Merchant Street - San Francisco Wine Society
Date: Monday, November 9, 2020 4:52:05 PM
Attachments: [LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL San Francisco Wine Society 408 Merchant Street.pdf](#)
[image001.png](#)

Hi John,

Please see the attached referral. Planning is recommending approval. Per the ABC License referral dated 10/15/20, Planning recommended approval as follows:

ABC referral - Type 42. Recommend approval retail sales and service use permitted in the C-3-0 per PC Section 210.2.

Please let me know if you require any additional information.

Best,
Michelle

Michelle M. Langlie (she/her/hers)
Senior Preservation Planner | PIC Specialist
Northeast Team | Current Planning

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7410 | General Inquiries: pic@sfgov.org | www.sfplanning.org
[San Francisco Property Information Map](#)

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

Limited in-person OTC permit services are provided at the 49 SVN Permit Center from 7:30 a.m. to 3:30 p.m. Monday through Friday by appointment only (OTC plans permits) and first-come, first-served (OTC no plans permits). See <https://sfdbi.org/limitedservices> for more information.

From: Carroll, John (BOS) <john.carroll@sfgov.org>
Sent: Tuesday, October 27, 2020 2:25 PM
To: CPC.Referrals <CPC.Referrals@sfgov.org>; Sawyer, Georgia (POL) <Georgia.Sawyer@sfgov.org>
Cc: Danielle@SanFranciscoWineSociety.com; Mundy, Erin (BOS) <erin.mundy@sfgov.org>; Angulo, Sunny (BOS) <sunny.angulo@sfgov.org>; Hepner, Lee (BOS) <lee.hepner@sfgov.org>; Yan, Calvin (BOS) <calvin.yan@sfgov.org>; Alabanza, Analyn@ABC <Analyn.Alabanza@abc.ca.gov>; Rose.Meyer@ABC.ca.gov; Macchi, Patrick (POL) <patrick.macchi@sfgov.org>; Salmonson, Joel (POL) <Joel.R.Salmonson@sfgov.org>; Wong, Joanne (POL) <joanne.k.wong@sfgov.org>; Sainez, Maricela (POL) <Maricela.Sainez@sfgov.org>; Botn, Kurt (CPC) <kurt.botn@sfgov.org>
Subject: Liquor License - 408 Merchant Street - San Francisco Wine Society

Greetings,

The office of the Clerk of the Board has received a letter requesting public convenience or necessity

findings for a liquor license. This matter is being referred to you for response via the following linked document:

[Referral Letter - Planning and Police Departments – October 27, 2020](#)

You may review the entire matter on our [Legislative Research Center](#) by following the link below:

-

[Board of Supervisors File No. 201204](#)

After receiving review from the Planning and Police Departments, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for consideration in the license matter.

The Public Safety and Neighborhood Services Committee may tentatively schedule this hearing for a regular remote meeting in December of 2020.

I request the Planning Department's response before November 13, 2020. Please confirm receipt of this message.

You may review the fact sheet for public convenience or necessity requests from the San Francisco Board of Supervisors via the following link:

[Liquor License Public Convenience or Necessity Request](#)

Thanks for the review.

John Carroll

Assistant Clerk

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information

The staff of San Francisco Wine Society will be well trained for food safety and beverage service. On average we expect that 3 floor staff, 2 kitchen staff, and 1 manager will be present during operating hours. Management and beverage staff will have TIPS Alcohol Certifications. We plan to support our staff by offering them scholarships to those who want to further their education with the Court of Master Sommeliers and Masters of Wine programs.

We are committed to continue providing quality food and beverages for locals and tourists alike in a safe and relaxed environment. San Francisco Wine Society will employ 8-10 new hires providing jobs, tax revenues and charitable donations to the local community.

I have spent the last fifteen years managing restaurants in San Francisco and spent the last nine years managing The Hidden Vine until it closed in January. I now have the opportunity to continue managing and operating the same location as its owner. With so many iconic restaurants and bars in San Francisco not reopening due to the hardships of COVID, I would love the chance to revive one of San Francisco most revered wine bars.

Thank you for your consideration of our application to provide alcohol sales to the guests of San Francisco Wine Society.

Sincerely,

A handwritten signature in black ink, appearing to read 'Danielle Kuzinich', with a large, sweeping flourish extending to the right.

Danielle Kuzinich,
Email: Danielle@SanFranciscoWineSociety.com
Cell Phone: (925)565-5603

THV Hospitality LLC, dba San Francisco Wine Society
408 Merchant Street
San Francisco, CA 94111

Mailing Address:
Danielle Kuzinich
719 Willard Street
Houston, TX 77006

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions: This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME: **THV Hospitality LLC**

2. PREMISES ADDRESS (Street and City, State, Zip): **408 Merchant St, San Francisco, CA 94111**

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

5. COUNTY POPULATION: **833,869 / 4,307**

6. TOTAL NUMBER OF LICENSES IN COUNTY: On-Sale Off-Sale **282** On-Sale Off-Sale

8. CENSUS TRACT NUMBER: **0611.00**

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT: **15** On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT: **94** On-Sale Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

Yes, the number of existing licenses exceeds the number allowed

No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

Yes (Go to item #13) No (Go to item #20)

13. CRIME REPORT NUMBER: **152**

14. TOTAL NUMBER OF REPORTING DISTRICTS: **654**

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS: **55,022**

16. AVERAGE NO. OF OFFENSES PER DISTRICT: **84.13**

17. 10% OF AVERAGE NUMBER OF OFFENSES: **10.8**

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT: **193**

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 "Yes" 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 25500.16(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:

[Signature]

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

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

22. APPLICANT SIGNATURE

23. DATE SIGNED

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

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., over concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958.1 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

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

Yes

No

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

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

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED

To: San Francisco Board of Supervisors

From: THV Hospitality, LLC dba San Francisco Wine Society
408 Merchant Street
San Francisco, CA 94111

Re: Letter of Public Convenience & Necessity

October 16th, 2020

To whom it may concern,

I, Danielle Kuzinich, am writing on behalf of San Francisco Wine Society - a wine bar located at 408 Merchant Street, San Francisco, CA 94111. I applied for a type 42 on sale beer and wine license through the San Francisco ABC office on September 18th, 2020. This license will replace the type 42 license that was previously issued here and had been in operation without ABC violation since October of 2011.

I posted required signage at the premises on September 30th, 2020, which will remain up for the required 30-day posting period. Required mailers were sent out on October 14th, 2020 to all residences within a 500' radius.

San Francisco Wine Society is an elegant wine bar with an emphasis on service and hospitality. Society to us is about inclusion, community, diversity and participation. We value the importance of human interactions, so there will be no TVs or screens. With table service of approximately 71 seated guests, our wine bar will operate from 2:00 PM to 10:00 PM Sunday – Monday and will be open from 2:00 PM to 12:00 AM Tuesday – Saturday as demand requires and for special engagements. The wine bar will undergo some slight cosmetic improvements but will operate much like it has since 2011 with a private dining room, patio seating, outdoor bocce ball court, and bar seating.

Our menu will consist of sharable plates encouraging a relaxed dining experience in an upscale environment. We will source quality, seasonal ingredients from local farms and artisan producers. We will feature a different wine region each month allowing us to guide our guests on a journey of time and place. Through education and empowerment, we will create a culture that is attractive to locals and tourists.

For our community, we will be donating 100% of the proceeds of a specialized wine by the glass to sponsor lunch and music programs for Bay Area elementary students. We hope to donate upwards of \$80,000 to those programs by the end of 2021.

We expect that approximately 55% of revenue to come from wine, 35% from food, and 10% from non-alcohol beverage sales.

The staff of San Francisco Wine Society will be well trained for food safety and beverage service. On average we expect that 3 floor staff, 2 kitchen staff, and 1 manager will be present during operating hours. Management and beverage staff will have TIPS Alcohol Certifications. We plan to support our staff by offering them scholarships to those who want to further their education with the Court of Master Sommeliers and Masters of Wine programs.

We are committed to continue providing quality food and beverages for locals and tourists alike in a safe and relaxed environment. San Francisco Wine Society will employ 8-10 new hires providing jobs, tax revenues and charitable donations to the local community.

I have spent the last fifteen years managing restaurants in San Francisco and spent the last nine years managing The Hidden Vine until it closed in January. I now have the opportunity to continue managing and operating the same location as its owner. With so many iconic restaurants and bars in San Francisco not reopening due to the hardships of COVID, I would love the chance to revive one of San Francisco most revered wine bars.

Thank you for your consideration of our application to provide alcohol sales to the guests of San Francisco Wine Society.

Sincerely,

A handwritten signature in black ink, appearing to read 'Danielle Kuzinich', enclosed within a hand-drawn oval border.

Danielle Kuzinich,
Email: Danielle@SanFranciscoWineSociety.com
Cell Phone: (925)565-5603

THV Hospitality LLC, dba San Francisco Wine Society
408 Merchant Street
San Francisco, CA 94111

Mailing Address:
Danielle Kuzinich
719 Willard Street
Houston, TX 77006

October 17th 2020

To whom it may concern,

Yesterday I mailed a copy of my PCN letter and forgot to include the ABC-245 form. Please disregard the first letter mailed. Included in this letter is both the PCN and ABC-245 form.

Thank you for your time.

Sincerely,



Danielle Kuzinich
THV Hospitality LLC, dba San Francisco Wine Society

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2020 OCT 22 PM 3:54
BY JK

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Carolyn Randolph Cantu

TO: Department of Alcoholic Beverage Control
33 NEW MONTGOMERY STREET
STE 1230
SAN FRANCISCO, CA 94105
(415) 356-6500

File Number: 621615
Receipt Number: 2654287
Geographical Code: 3800
Copies Mailed Date: October 16, 2020
Issued Date:

(512) 431-7688

DISTRICT SERVING LOCATION: SAN FRANCISCO

First Owner: CALIFORNIOS RESTAURANT GROUP LLC

Name of Business: CALIFORNIOS

Location of Business: 355 11TH ST
SAN FRANCISCO, CA 94103-4343

County: SAN FRANCISCO

Is Premises inside city limits? Yes Census Tract: 0178.02

Mailing Address:(If different from premises address) 780 DARTMOUTH ST
SAN FRANCISCO, CA 94134-1810

Type of license(s): 41 Dropping Partner: Yes No

Transferor's license/name:

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2020 OCT 22 PM 3:54
BY *mw*

License Type	Transaction Type	Master	Secondary LT And Count		
41 - On-Sale Beer And Wine - Eating P ORI		Y			
License Type	Transaction Description	Fee Code	Dup	Date	Fee
Application Fee	ADD PRIMARY LICENSE TYPE	NA	0	10/16/20	\$905.00
41 - On-Sale Beer And Wine - Eat	ANNUAL FEE	NA	0	10/16/20	\$455.00
Total					\$1,360.00

Have you ever been convicted of a felony? No

Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? No

STATE OF CALIFORNIA County of SAN FRANCISCO

Date: October 16, 2020

Applicant Name(s)

CALIFORNIOS RESTAURANT GROUP LLC