

1 [Liquor License, 1957 Union Street]

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3 **Resolution determining that the issuance of a Type 20 On-Sale Beer and Wine**
4 **Public Premises Liquor License to Melissa Gisler Modanlou, for Spuntino di**
5 **Ottimista located at 1957 Union Street (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.**

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10 WHEREAS, Melissa Gisler Modanlou is seeking issuance of a Type 20 On-Sale
11 Beer and Wine Public Premises Liquor License for Spuntino di Ottimista, located at
12 1957 Union Street; and,

13 WHEREAS, The Planning Department has verified that the area is properly
14 zoned and recommends approval with conditions; 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 On-Sale Beer and Wine Public Premises Liquor License, to Gisler Modanlou, for
21 Spuntino di Ottimista located at 1957 Union Street, will serve the public convenience or
22 necessity of the people of the City and County of San Francisco.

23 Planning Department Conditions: 1) Pursuant to Planning Code Section 790.55 ABC
24 License Type 20 is permitted with the permitted principal use as a grocery/specialty
25 food store, gross floor area devoted to Alcoholic Beverages is limited to accessory use

1 limits set forth in Planning Code Section 703.2(b)(1)(C)(vi); 2) Occasional wine-tasting
2 would (a) occur during regular operating hours only, (b) take place no more than twice
3 each week for no more than four hours each occurrence and on further occasional
4 appointment-only basis, (c) not occur on a premises on which any type of permit from
5 the entertainment Commission is held, (d) not occur in an area physically separated
6 from the main grocery/specialty food store retail area by full-height partitions that
7 otherwise prevent clear visual access to and from the main retail area and (e) be limited
8 to one ounce servings and three servings per individual customer per day; 3) Pursuant
9 to Planning Code Section 725.27, the existing retail grocery/specialty food store is
10 allowed to operate between the hours of 6 a.m. until 2 a.m. as of right and requires
11 Conditional Use authorization to operate between the hours of 2 a.m. and 6 a.m. within
12 the Union Street Neighborhood Commercial Zone District.

13 Police Department conditions: 1) Wine-tasting shall occur only between the hours of
14 9:00 a.m. to 8:00 p.m. each day of the week; 2) There shall be no more than two (2)
15 Wine Tastings per week and for no more than four (4) hours per occurrence; 3)
16 Occasional Wine Tastings may occur on an appointment basis only. An appointment
17 log shall be maintained and made available for review upon request by local law
18 enforcement; 4) Wine Tasting shall be limited to the area licensed for on-sale
19 consumption as designated on ABC form 257 and access shall be limited to those age
20 21 years and older; 5) The licensee(s) shall not maintain or construct any type of
21 enclosed room intended to separate the Wine Tasting area from the interior space of
22 the licensed premises; 6) Wine Tastings shall be limited to one (1) ounce servings and
23 limited to three (3) servings per individual customer per day; 7) The on-sale
24 consumption of beer or malt beverages is strictly prohibited; 8) No open and or
25 resealed/re-corked containers of alcohol shall be removed from the premise; 9) The

1 consumption of alcoholic beverages by customers shall be served from behind a
2 counter where a clerk will obtain the product; no self-service of alcoholic beverages will
3 be permitted; 10) There shall be no consumption of alcoholic beverages on the sidewalk
4 area in front of or adjacent to the premise.

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City and County of San Francisco
Tails
Resolution

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

File Number: 100684

Date Passed: July 13, 2010

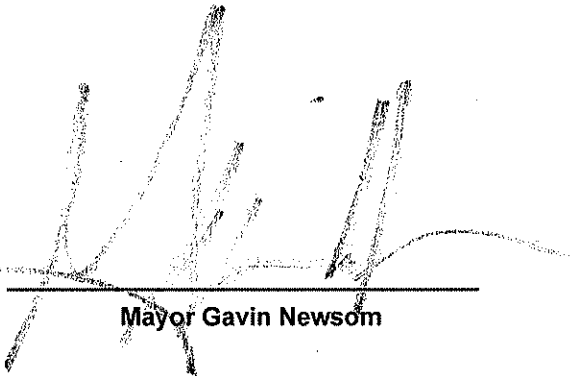
Resolution determining that the issuance of a Type 20 On-Sale Beer and Wine Public Premises Liquor License to Melissa Gisler Modanlou, for Spuntino di Ottimista, located at 1957 Union Street (District 2), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

July 13, 2010 Board of Supervisors - ADOPTED


Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

File No. 100684

I hereby certify that the foregoing Resolution was ADOPTED on 7/13/2010 by the Board of Supervisors of the City and County of San Francisco.



Mayor Gavin Newsom



Angela Calvillo
Clerk of the Board

July 19, 2010

Date Approved