

File No. 240631

Committee Item No. 4

Board Item No. 48

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Ngbh Services

Date: July 11, 2024

Board of Supervisors Meeting:

Date: July 23, 2024

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 and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Introduction Form
<input 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 / DRAFT Mills Act Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input type="checkbox"/>	Public Correspondence

OTHER

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Police Department Report – 062724</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Planning Department Review – 061124</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>PC or N Referral to Planning and Police – 060424</u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>PC or N Request Letter – 052324</u>
<input type="checkbox"/>	<input type="checkbox"/>	<u> </u>
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<input type="checkbox"/>	<input type="checkbox"/>	<u> </u>
<input type="checkbox"/>	<input type="checkbox"/>	<u> </u>

Prepared by: Monique Crayton

Date: July 5, 2024

Prepared by: Monique Crayton

Date: July 19, 2024

Prepared by:

Date:

1 [Liquor License Transfer - 340 Balboa Street - Tomorrows Wine]

2
3 **Resolution determining that the person-to-person, premise-to-premise transfer of**
4 **a Type-20 off-sale beer and wine liquor license to Tofino Wines Inc., to do**
5 **business as Tomorrows Wine, located at 340 Balboa Street (District 1), will serve**
6 **the public convenience or necessity of the City and County of San Francisco, in**
7 **accordance with California Business and Professions Code, Section 23958.4; and**
8 **requesting that the California Department of Alcoholic Beverage Control impose**
9 **conditions on the issuance of the license.**

10
11 WHEREAS, Tofino Wines Inc., is seeking the person-to-person, premise-to-
12 premise transfer of a Type-20 off-sale beer and wine liquor license to do business as
13 Tomorrows Wine, located at 340 Balboa Street (District 1); 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 protests and zero letters of
17 support with the Department of Alcoholic Beverage Control under California Business
18 and Professions Code, Section 24013, and recommends that the Department of
19 Alcoholic Beverage Control issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the
21 following: 1) Petitioner(s) shall actively monitor the area under their control in an effort
22 to prevent the loitering of persons on any property adjacent to the licensed premises as
23 depicted on the ABC-253; 2) The petitioner(s) shall be responsible for maintaining free
24 of litter the area adjacent to the premises over which they have control, as depicted on
25 ABC-253; and 3) When tasting is being conducted, there shall be signs in a

1 conspicuous space at the entrance and/or exits of the premise as depicted on the
2 ABC-253, which will state "NO ALCOHOLIC BEVERAGES BEYOND THIS POINT".
3 Said signs shall be no less than 7" x 11" in size and contain lettering no less 1" in
4 height; now, therefore, be it

5 RESOLVED, That in accordance with California Business and Professions Code,
6 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
7 hereby determines that the person-to-person, premise-to-premise transfer of a Type-20
8 off-sale beer and wine liquor license to Tofino Wines Inc., doing business as Tomorrows
9 Wine, located at 340 Balboa Street, will serve the public convenience or necessity of the
10 City and County of San Francisco; and, be it

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



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 Catherine Stefani
Supervisor Matt Dorsey
Supervisor Joel Engardio

From: Lt. Stephen Jonas #79
Officer in Charge
ALU/Permits Unit 415-837-7288

A/SGT. ANDREW FROINES #2050 *AF #2050*
For Lt. Jones

Date: June 18, 2024

Subject: P.C.N. Investigation Regarding: First Owner: Tofino Wines, Inc.
DBA: Tomorrow Wine
340 Balboa St.
San Francisco CA. 94118
ABC File # 20, 86-658586

Tofino Wines, Inc., operating as "Tomorrow Wine", has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 20 (Off Sale Beer and Wine) and a 86 (Instructional Tasting License) license to be located at 340 Balboa St. (located between 4th and 5th Ave.)

Hours of Operation:

12 pm to 8pm Tuesday, Wednesday, Thursday. 12pm to 9pm on Friday. 11am to 9pm Saturday. 11am to 6pm Sunday. Closed on Monday's. .

Digest:

"Tofino Wines, LLC." would like to operate a Retail Wine Shop to be located at 340 Balboa St. If approved, this license will allow them to sell Beer and Wine, as well as Instructional Tasting.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From April 18, 2023 to April 18 ,2024

0 calls for service

Police Reports:

From April 18, 2023 to April 18, 2024

0 police reports

San Francisco Plot Information:

This premise is located in Plot: **738**

A High Crime area is defined as **103** or more police reports in a plot for the year of **2023**.

This plot had 74 police reports for **2023**, which is 29 **Lower** than the **Citywide “High Crime”** average.

State Census Tract Information:

This premise is located in Census Tract: **451.00**
Population for this tract is: **5,048**

On-sale license authorized by census tract: **17**
Active on-sale licenses: 12 with 0 pending

Off-sale licenses authorized by census tract: **4**
Active off-sale licenses: 2with 0 pending

Departmental Recommendation:

Points of consideration: **1 Franklin McCoppin School**

No opposition from **Richmond Station**.

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

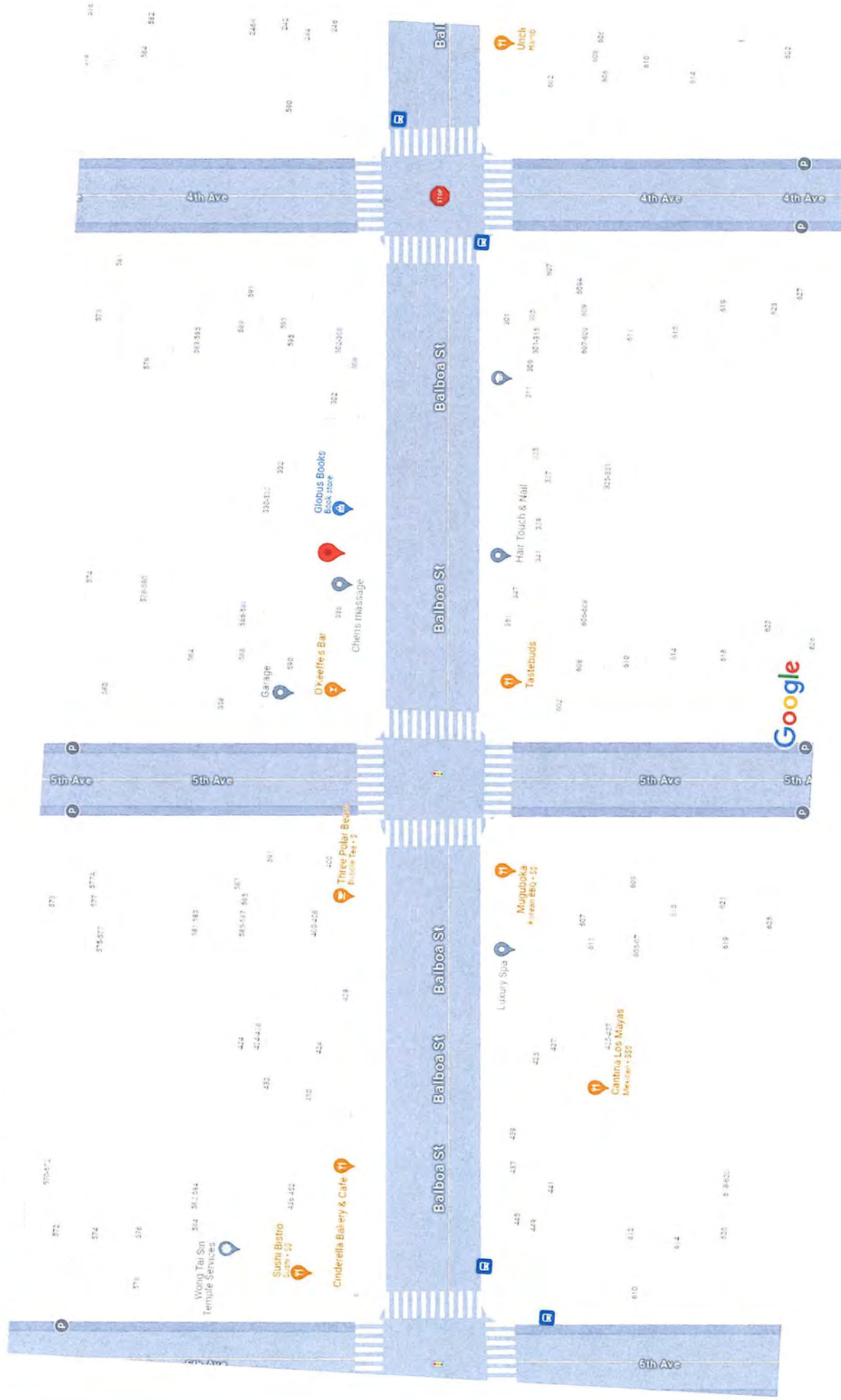
Applicant premise **is** located in a “**Low Concentration**” area.

0 - Protest.

0 - Support

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

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 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 ABC-253.
3. When tasting is being conducted, there shall be signs in a conspicuous space at the entrance and/or exits of the premise as depicted on the ABC-253, which will state “NO ALCOHOLIC BEVERAGES BEYOND THIS POINT”. Said signs shall be no less than 7” X 11” in size and contain lettering no less 1” in height.



BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

DATE: June 4, 2024

TO: Planning Department
Attn: _____
Phone No. _____

TO: Police Department
Andrew Froines
Phone No. (415) 837-7254

AP Block/Lot Nos.: 1547/027
Zoning: NCD - Inner Balboa Street
Neighborhood Commercial District
Height & Bulk Districts - 40-X
Quad: _____
Record No.: _____

Please submit your response within two weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in July of 2024.

PLEASE EMAIL YOUR RESPONSE by Friday, June 14, 2024, to:
Monique Crayton, Public Safety and Neighborhood Services Committee Clerk.
monique.crayton@sfgov.org ~ (415) 554-7750

Applicant name: Tofino Wines Inc.

Business name: Tomorrow Wines

Application address: 340 Balboa Street

Applicant contact info: Paola Horevicz Hurtado
510-788-5881 ext. 003 (main)
paola@abclicensecompany.com

PLANNING REVIEW: ☐ Approval ☐ Denial

Planning Staff Contact: _____
(Please add comments on a trailing page.)

POLICE REVIEW: ☐ Approval ☐ Denial

(Please add comments in a trailing report.)

From: [Crayton, Monique \(BOS\)](#)
To: [CPC.Referrals](#); [Froines, Andrew \(POL\)](#); paola@abclicensecompany.com
Cc: [Alabanza, Analyn@ABC](#); amarjit.tamber@abc.ca.gov; [Wong, Joanne \(POL\)](#); [Jonas, Stephen \(POL\)](#); [Logan, Sam \(BOS\)](#); [Burke, Robyn \(BOS\)](#); [Lee, Tiff \(BOS\)](#); [Yu, Angelina \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [Carroll, John \(BOS\)](#)
Subject: Liquor License Issuance- 340 Balboa Street - Tomorrow Wines - BOS File No. 240631
Date: Tuesday, June 4, 2024 11:46:00 AM

Greetings,

The office of the Clerk of the Board has received a letter requesting public convenience or necessity findings for a liquor license transfer. I'm referring this matter to you for response via the following linked document:

[Referral Letter - Planning and Police Departments – June 4, 2024](#)

You may review the entire matter on our Legislative Research Center by following the link below:

Board of Supervisors [File No. 240631](#)

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 will tentatively schedule this hearing for a regular meeting in July of 2024.

I request the Planning Department's response before June 14, 2024. 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.

Monique C. Crayton (she/her)

Assistant Clerk

Board of Supervisors - Clerk's Office

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

(415) 554-7750 | Fax: (415) 554-5163

monique.crayton@sfgov.org | www.sfbos.org

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

TOFINO WINES INC

Alisa Somera, Legislative Deputy Director
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
415-554-4445

Re: Liquor License "PCN" Request
Types 20 and 86, Pending License No: 658586
340 Balboa Street, San Francisco CA 94118

To the Clerk of the Board,

The purpose of this letter is to respectfully request to be placed on the Board's calendar for Public Convenience and Necessity approval regarding a Type 20 alcoholic beverage license that we have applied for at 340 Balboa Street. Tofino Wines Inc intends to open as a neighborhood wine merchant, combining our deep knowledge of wine and hospitality, to create a curated selection of wines that will serve the residents of the Richmond District and the whole of San Francisco. Our wine selections cannot be found in grocery stores, discount retailers or other big box stores; and we will provide friendly service backed by years of wine and retail expertise, whether we are engaging neighborhood locals, wine connoisseurs or other industry professionals.

Our business proves to be necessary in San Francisco, as there is a passion for small wine producers and wines made in natural way, but there is not an appropriate retail establishment to serve the needs of consumers with a great selection of wines, excellent customer service and education. Our operations will be a solution to this by offering attentive service to guests whether they are shopping for a \$24 bottle or a \$120 bottle. Our goal has always been to build long lasting relationships in the community and to provide a robust calendar of winemaker tasting and educational opportunities to learn about wine regions, grape varieties, and other timely topics in the wine industry, such as the impacts of the climate crisis on wine regions in California and abroad. While most of our tasting and educational classes will be open to the adult public, and we will offer small group tastings as well.

Tofino Wines Inc is a SF-based, family-owned company that operated a popular wine bar and wine retail shop called Tofino Wines at Geary and Masonic from April 2015 to April 2024. We have hundreds of local customers, many of whom live near 340 Balboa. Tofino Wines has received recognition as being one of San Francisco's best wine shops (from Esther Mobley, Senior Wine Critic, SF Chronicle, May 2024) and for specializing in and discovering new and exciting wines to introduce to customers. Some of our best customers were young winemakers working in Napa or Sonoma, or people studying wine in sommelier classes or a tasting group of their peers. These customers knew that we had wine they could not find anywhere else in Northern California.

We closed our business on Geary Blvd in April 2024 and plan to open a retail-only wine business at 340 Balboa that will build on both our existing customer relationships and experience in serving the community. It was very important for us, when looking for a new

TOFINO WINES INC

location, to stay close to the customers and community that we already built in the Richmond, Pacific Heights, Laurel Heights and Western Addition. We also believe that the number of customers who come from across the City to our wine store will boost traffic at the nearby restaurants along Balboa Street.

Our desired hours of operation are 12pm - 8pm Tuesdays through Thursdays, 12pm - 9pm Fridays, 11am - 9pm Saturdays and 11am-6pm Sundays. We will provide a welcoming and informative shopping experience, in a serious but relaxed atmosphere. Just as we did with our previous neighborhood business, it is our responsibility to vigilantly monitor the surrounding area to always ensure the safety of our business and our customers. This means maintaining a well-respected and lawful business. We expect our business to become a valuable part of the neighborhood and contribute to the energy and vibrancy of San Francisco as only small businesses can.

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

Sincerely,

A handwritten signature in black ink, consisting of stylized initials followed by a horizontal line.

Mark Nevin,
Tofino Wines Inc

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

ABC 211 (6/99)

PAOLA HURTADO

510 738 5881 X203

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

File Number: **658586**
 Receipt Number: **2888252**
 Geographical Code: **3800**
 Copies Mailed Date: **April 29, 2024**
 Issued Date:

DISTRICT SERVING LOCATION: **SAN FRANCISCO**

1547/027

First Owner: **TOFINO WINES, INC.**

Dist 1

Name of Business: **TOMORROW WINE**

NCD

Location of Business: **340 BALBOA ST**
SAN FRANCISCO, CA 94118

2024-003822MIS

County **SAN FRANCISCO**Is Premises inside city limits **Yes**Census Tract: **0451.00**

Mailing Address:(If different
 from
 premises address) **66 WOODLAND AVE**
SAN FRANCISCO, CA 94117

Type of license(s): **20, 86**Dropping Partner: Yes ☐ No ☐Transferor's license/name: **126014 / ROSEBOWL FLORIST INC**

<u>License Type</u>	<u>Transaction Type</u>	<u>Master</u>	<u>Secondary LT And Count</u>		
86 - Instructional Tasting License	ORI	Y			
20 - Off-Sale Beer And Wine	PER/PRM	Y			

<u>License Type</u>	<u>Transaction Description</u>	<u>Fee Code</u>	<u>Dup</u>	<u>Date</u>	<u>Fee</u>
Application Fee	DBL TRF: PREMISES AND PERSON	NA	0	04/29/24	\$1,065.00
86 - Instructional Tasting License	ANNUAL FEE	NA	0	04/29/24	\$460.00
20 - Off-Sale Beer And Wine	ANNUAL FEE	NA	0	04/29/24	\$470.00
Total					\$1,995.00

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: **April 29, 2024**

Applicant Name(s)

TOFINO WINES, INC.

ABC license type 20 is permitted on the ground floor of a liquor store/wine shop within the Inner Balboa Street Neighborhood Commercial District per Planning Code Section 735. License type 86 may be permitted if the following five criteria are met per Planning Code interpretation for Section 790.22: (1) instructional tasting events take place between 10 a.m. and 9 p.m., (2) instructional tasting events take place in an area at least temporarily separated from the remainder of the retail space, (3) no more than three tastings of distilled spirits, each no more than one-fourth of one ounce, are provided to any one person per day, (4) no more than three tastings of wine, each no more than one ounce, are provided to any one person per day, and (5) no more than eight ounces of beer are provided to any one person per day. The applicant is required to obtain a building permit for a change of use to liquor store/wine shop.

Mary C. Woods

Mary C. Woods, SF Planning Department
 5/31/2024

W. T. McCallum
 William McCallum
 6/11/2024

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☒ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor _____ inquiries..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. _____ from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No. _____
- ☐ 9. Reactivate File No. _____
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on _____

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Clerk of the Board

Subject:

Liquor License Transfer - 340 Balboa Street - Tomorrows Wine

Long Title or text listed:

Hearing to consider that the person-to-person, premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Tofino Wines Inc., to do business as Tomorrows Wine located at 340 Balboa Street (District 1), will serve the public convenience or necessity of the City and County of San Francisco

240631

Signature of Sponsoring Supervisor: _____

f. [Signature]