

RECEIVED  
MAR - 7 2018

2



# LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

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

BOS File No. 180231

Block/lot: 0117/021

TO: Police Department  
Inspector Nelly Gordon  
Phone No. (415) 837-7273

Zoning: NCD

Quadr: NE

DATE: March 9, 2018

Record # 2018-003384 MIS

Please submit your response in four to six weeks for the matter to be heard.  
**PLEASE EMAIL YOUR RESPONSE BY:** April 20, 2018, to John Carroll, Public Safety and Neighborhood Services Committee Clerk.

[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org) - Phone No: 554-4445

**Applicant name:** Giovanni Specialties LLC

**Business name:** Giovanni Italian Specialties

**Application address:** 629 Union Street  
San Francisco, CA 94133

Assessor's Parcel Block No. 117, Lot No. 021  
North Beach Neighborhood Commercial District  
Northeast Planning Quadrant

**Applicant contact info:** Rodney Ciganovich, ABC Licensing Consultant  
P.O. Box 506  
Woodland, CA 95776  
530-304-4005  
rciganovichconsultant@yahoo.com

**PLANNING REVIEW:**  Approval  Denial

Planning Record No. 2018-003384 MIS  
Planning Staff Contact: Andrew Perry 415-575-9017

Please print review comments on a trailing page.

Type 21 ABC License is permitted with a Specialty Grocery use within the North Beach NCD and SUD; however, food manufacturing onsite which constitutes a

**POLICE REVIEW:**  Approval  Denial

Please provide review comments in a trailing report. "Specialty Food Manufacturing" use is not permitted. Recommended for approval as per P.C. Sec. 722, 780.3, 702 and 703(d).

PC or N Referral Letter

*Andrew Perry* 6/5/18  
Andrew Perry



Rodney Ciganovich, ABC Licensing Consultant  
P.O. Box 506  
Woodland, CA. 95776-0506  
Telephone: 530-304-4005  
Email: rciganovichconsultant@yahoo.com

**ABC LICENSE INFORMATION:**

The type 21, Off-Sale General license is being purchased from 2794 California Street, located within Supervisor Catherine Stefani's District 2. The current ABC application is requesting transfer of ownership from the current licensee to the applicant and from the current licensee's location to the applicant's location of 629 Union Street which is located within Supervisor Aaron Peskin's District 3.

**Current license being purchased / transferred from:**

The Abundant Market Inc.

Dbas: Abundant Market

2794 California Street

San Francisco, CA. 94115

Current Status: License is Surrendered to ABC (indicating that the license privileges are not being utilized at this time) and the business is closed.

**Purchaser and intended location where license is to be transferred:**

Giovanni Specialties LLC (Managing Members: Anthony "Tony" Gemignani, Julie Noel Gemignani)

Dbas: Giovanni Italian Specialties

629 Union Street (between Columbus Avenue and Stockton Street)

San Francisco, CA. 94133-2812

Current status: Premises is open and operating as a small specialty retail shop/grocery store that makes and sells fresh pasta.

**APPLICANT INFORMATION:**

Giovanni Specialties LLC is owned by Anthony "Tony" Gemignani and his wife Julie Gemignani. Tony is an established business owner, restaurateur and ABC licensee in San Francisco's North Beach neighborhood and other locations. His current businesses are as follows –

Capo's Chicago Pizza & Fine Italian Dinners - 641 Vallejo Street, San Francisco, CA.

Tony's Pizza Napoletana - 1570 Stockton Street, San Francisco, CA.

Tony's Coal Fired Pizza and Slice House - 1556 Stockton Street, San Francisco, CA.

Slice House – 680 2<sup>nd</sup> Street, San Francisco, CA.

Slice House – AT&T Park, San Francisco, CA.

Slice House – 1535 Haight Street, San Francisco, CA.

Slice House at The Market – 1355 Market Street, Ste. 100, San Francisco, CA.

Slice House - 1500 Mt. Diablo Blvd., Walnut Creek, CA.

Pizza Rock – 1020 K Street, Sacramento, CA.

Pizza Rock – 201 North 3<sup>rd</sup> Street, Las Vegas, NV.

Pizza Rock at Green Valley Ranch Resort & Spa – 2300 Paseo Verde Parkway, Henderson, NV.  
Slice House at Green Valley Ranch resort & Spa - 2300 Paseo Verde Parkway, Henderson, NV.

Tony is a twelve (12) time world pizza champion chef. He teaches in San Francisco at the International School of Pizza and The United States School of Pizza which are associated with the prestigious pizza school Scuola Italiana Pizzaioli (20 schools worldwide) in Italy.

**BUSIENSS OPERATION INFORMATION:**

Giovanni Italian Specialties is a small specialty retail shop/grocery store that makes and sells fresh pasta located in the North Beach neighborhood of San Francisco at 629 Union Street, across from Washington Square. The store is not a large premises, measuring approximately 594 square feet in size.

The store is located in a mixed use area of stores and restaurants on the ground floor with hotels, flats, apartments and offices located above the ground floor of some buildings.

The primary purpose of the store is to highlight and offer Italian products from both international and local sources. The store offers freshly made pasta which is made daily on the premises, international and local goods, home-cooked favorites, customized gift baskets, canned and bottled food products, pasta salad, olive oils, fresh mozzarella, baked products, imported cookies, kitchen / cooking wares and a selection of books to name but a few of the items carried in the store.

No other store in the immediate area is a small specialty retail shop/grocery store that makes and sells fresh pasta items and has the same variety of international and local products in one location that Giovanni Italian Specialties offers.

The applicant is applying to ABC for a person to person and premises to premises transfer (double transfer) of the type 21 Off-Sale General license for the business to provide patrons the opportunity and convenience to purchase beer, wine, and distilled spirits for off-premises consumption while shopping at the store.

Italian wines and liqueurs will be the primary alcoholic beverage products that the store is planning to offer to patrons to compliment the groceries and food products available at the store.

The store's hours of operation are 11:00 am to 7:00 pm, each day of the week. Estimated percentage of alcoholic beverage sales, as compared to all other food and non-alcohol items, is estimated to be 5-10%. A copy of ABC form ABC-257, Licensed Premises Diagram and Planned Operation (Retail) is attached for your review.

**SUBSTANTIATION FOR A POSITIVE FINDING OF PUBLIC CONVENIENCE OR NECESSITY:**

1. The issuance of the applied-for license would be a benefit to local residents who are within walking distance of the store from the nearby neighborhood residential areas surrounding the premises.

2. The issuance of the applied-for license would be a benefit to local residents who are within bicycling distance of the store from the nearby neighborhood residential areas surrounding the premises.
3. The issuance of the applied-for off-sale license would benefit local workers and business people who work in the immediate area who are within walking distance of the premises.
4. The issuance of the applied-for off-sale license would benefit persons traveling through the area on their way home who shop at the premises for groceries and other items prior to boarding public transportation.

Current public transportation that serves the area is the San Francisco Municipal Railway with bus stops located across the street on Union Street and on both east and west sides of the 600 block of Columbus Avenue which is located within one block, northwest of the premises.

Other public transportation serving the area is a variety of established public taxi cabs and other taxi cab type services (Uber, Lyft, etc.).

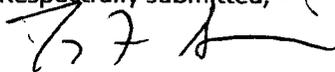
5. The issuance of the applied-for off-sale license would benefit tourists and visitors to the North Beach area and the City in general. Tourists and visitors travel to the North Beach area from other neighborhoods within San Francisco, the Bay area, greater California and from other States, and persons from around the world.
6. The issuance of the applied-for license would benefit the public in general at this location for the premises is unique and there are no other like premises in the area that offers the groceries, prepared foods, freshly made pasta, and other products that this premises offers.

SUMMARY:

The premises will be a small specialty retail shop/grocery store that makes and sells fresh pasta which will provide unique food products for off-premises consumption for persons who live and work in the immediate area, and countless persons who visit and travel through the area. It would be a convenience to the public for the premises to be able to offer off-sale beer, wine and distilled spirits while they patronize the premises for its food, grocery, freshly made pasta and other products.

The Applicant wishes for the Board to consider the above facts and hopes that they find that the issuance of the applied-for Off-Sale type 21 Off-Sale General license would fulfill the public's convenience or necessity and allow the issuance of said license.

Respectfully submitted, -



Anthony "Tony" Gemignani, Managing Member  
Giovanni Specialties LLC

Enc. ABC-257 form, Premises Diagram, Premises Operation (Retail)  
ABC-253 form, Supplemental Diagram  
ABC-245 form, Information and Instructions, Section 23958.4 B&P  
ABC-227, Recorded Notice  
Two (2) architectural diagrams of premises.  
Three (3) internet articles regarding store.  
Page with 30 photos of store from Yelp web-page.



Department of Alcoholic Beverage Control  
**PLANNED OPERATION (RETAIL)**

**SECTION I - FOR ALL RETAIL APPLICANTS**

1. APPLICANT NAME(S) <b>GIOVANNI SPECIALTIES LLC</b>	2. LICENSE TYPE(S) <b>21</b>
---	---------------------------------

3. PREMISES ADDRESS (Street number and name, city, zip code) <b>629 Union St., San Francisco, CA. 94133</b>	4. NEAREST CROSS STREET <b>Columbus Ave.</b>
--	---

5. TYPE OF BUSINESS (Choose one that best describes the planned operation)

<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Cafeteria/Hofbrau	<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	<input type="checkbox"/> Fraternal Club
<input type="checkbox"/> Bed & Breakfast	<input type="checkbox"/> Theater	<input type="checkbox"/> Wine Tasting Room	

---

<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 checked="" type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy
<input type="checkbox"/> Variety/Drug Store	<input type="checkbox"/> Gift Shop/Florist	<input type="checkbox"/> Convenience Market w/Gasoline	

Other - describe: **Specialty Market - Fresh made pasta and Italian goods.**

6. PATRON CAPACITY <b>15</b>	7. SURROUNDING AREA <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Rural <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other	8. PREMISES IS LOCATED IN <input checked="" type="checkbox"/> Free Standing Building <input type="checkbox"/> Shopping Center (Name): _____ <input type="checkbox"/> 10 Units or Less <input type="checkbox"/> More than 10 Units
---------------------------------	---	--

9. FOOD SERVICE <input checked="" type="checkbox"/> None <input type="checkbox"/> Minimal <input type="checkbox"/> Full Meals	10. PARKING LOT? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11. PATIO? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	12. WILL YOU HIRE A MANAGER? (Rule 57.5) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	13. WILL YOU HAVE A FOOD LESSEE? (Rule 57.7) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---	---	---	---

14. MEAL TYPE <input type="checkbox"/> Dinner House <input type="checkbox"/> Seafood <input type="checkbox"/> Fast Food/Deli <input type="checkbox"/> Other: <input type="checkbox"/> Pizza/Pasta	15. TYPE OF FOOD <input type="checkbox"/> American <input type="checkbox"/> Greek <input type="checkbox"/> Indian <input type="checkbox"/> French <input type="checkbox"/> Chinese <input type="checkbox"/> Korean <input type="checkbox"/> Italian <input type="checkbox"/> Thai <input type="checkbox"/> Japanese <input type="checkbox"/> Other:	16. HOURS OF FOOD SERVICE BREAKFAST HOURS From: _____ To: _____ LUNCH HOURS From: _____ To: _____ DINNER HOURS From: _____ To: _____
--	--	--

17. OPERATING HOURS	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am	11:00 am
Closing Time	7:00 pm	7:00 pm	7:00 pm	7:00 pm	7:00 pm	7:00 pm	7:00 pm

18. ENTERTAINMENT (One or more may apply. Please describe any entertainment with an asterisk (\*) below)

<input checked="" type="checkbox"/> None	<input type="checkbox"/> *Amplified Music	<input type="checkbox"/> Patron Dancing	<input type="checkbox"/> Card Room
<input type="checkbox"/> Recorded Music	<input type="checkbox"/> *Live Entertainment	<input type="checkbox"/> Bikini/Topless/Exotic	<input type="checkbox"/> Movies
<input type="checkbox"/> Juke Box	<input type="checkbox"/> *Floor/Stage Shows	<input type="checkbox"/> Pool/Billiard Tables	<input type="checkbox"/> *Hot Spot*/Lottery
<input type="checkbox"/> *Other	<input type="checkbox"/> Karaoke	<input type="checkbox"/> *Amateur/Pro Sports Events	<input type="checkbox"/> Video/Coin-Operated Games

\*Description: \_\_\_\_\_

19. PREMISES IS LOCATED ON <input type="checkbox"/> Major Thoroughfare <input checked="" type="checkbox"/> Secondary Street <input type="checkbox"/> Other	20. TYPE OF STRUCTURE <input type="checkbox"/> Single Story <input checked="" type="checkbox"/> Two-Story <input type="checkbox"/> Multi-Story - Number of stories: _____
--	---

21. PASS-THROUGH WINDOW? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	22. FIXED BARS? <input type="checkbox"/> Yes - how many: _____ <input checked="" type="checkbox"/> No	23. WHAT PERCENTAGE OF YOUR TOTAL SALES WILL BE ALCOHOLIC BEVERAGES? <b>5-10%</b>
---	--	--

**FOR ABC USE ONLY**

24. INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23790.5, etc.)	25. DATE ENTERED INTO CABIN
---	-----------------------------

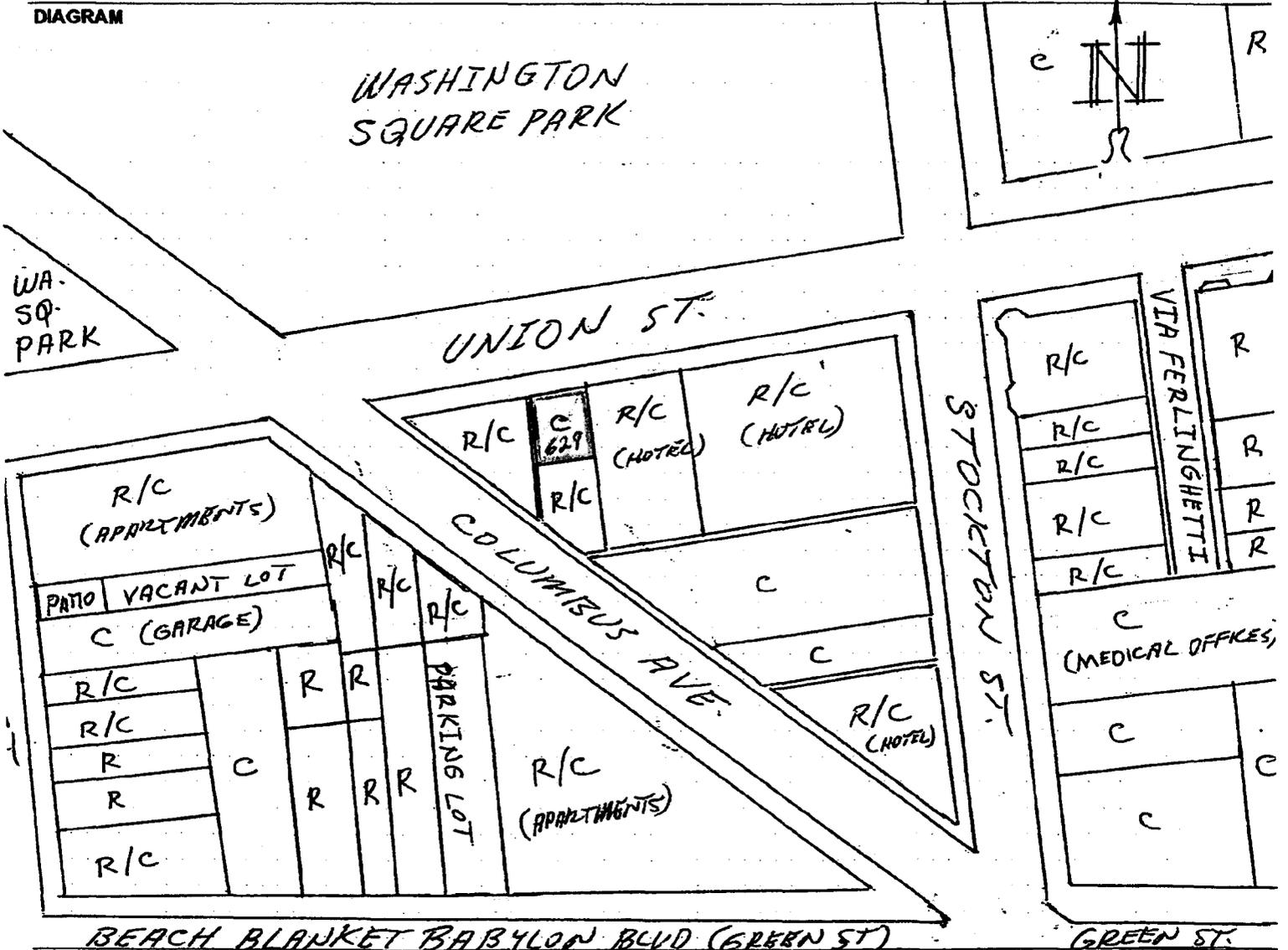
**SUPPLEMENTAL DIAGRAM**

**Instructions to Applicant:**

Draw a sketch of the area on which the licensed premises is or will be located. Show adjacent structures and nearest cross streets. If this is an event for a daily license, catering authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.

1. APPLICANT NAME (Last, first, middle) <b>GIOVANNI SPECIALTIES</b>	2. LICENSE TYPE <b>21</b>
3. PREMISES ADDRESS (Street number and name, city, zip code) <b>629 Union St., San Francisco, CA. 94133</b>	4. NEAREST CROSS STREET <b>Columbus Ave.</b>

**DIAGRAM**



**BEACH BLANKET BABYLON BLVD (GREEN ST.)** **GREEN ST.**

I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

APPLICANT SIGNATURE <i>[Signature]</i>	DATE SIGNED <b>2/28/18</b>
---	-------------------------------

**FOR ABC USE ONLY**

CERTIFIED CORRECT (Signature)	PRINTED NAME	INSPECTION DATE
-------------------------------	--------------	-----------------

ABC-253 (rev. 01-11)

KEY - R = RESIDENTIAL USE  
C = COMMERCIAL USE  
R/C = MIXED USE, RESIDENTIAL & COMMERCIAL USES

MAP NOT TO SCALE

**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

Giovanni Specialties LLC

2. PREMISES ADDRESS (Street number and name, city, zip code)

629 Union St., San Francisco CA 94133-2812

3. LICENSE TYPE

21

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 type="checkbox"/> Other - describe:  |  |  |  |

5. COUNTY POPULATION

866,583

6. TOTAL NUMBER OF LICENSES IN COUNTY

On-Sale  Off-Sale

1086

On-Sale  Off-Sale

8. CENSUS TRACT NUMBER

106

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

On-Sale  Off-Sale

3

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

8

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 REPORTING DISTRICT NUMBER

120

14. TOTAL NUMBER OF REPORTING DISTRICTS

653

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

51,848

16. AVERAGE NO. OF OFFENSES PER DISTRICT

79

17. 120% OF AVERAGE NUMBER OF OFFENSES

95

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

52

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 25503.16(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)





San Francisco Assessor-Recorder  
 Carmen Chu, Assessor-Recorder  
**DOC- 2018-K580219-00**

Check Number 1951  
 Tuesday, FEB 20, 2018 10:30:30  
 Ttl Pd \$17.00 Rcpt # 0005762735  
 oes/ES/1-2

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

Capital Trust Escrow  
 280 S. Beverly Drive, #300  
 Beverly Hills, CA 90212

DO NOT WRITE IN THE SPACE ABOVE Government Code  
 Section 27361.6 reserves space above for exclusive use of County Recorder

**NOTICE OF INTENDED TRANSFER OF RETAIL ALCOHOLIC BEVERAGE LICENSE UNDER SECTIONS 24073 AND 24074 CALIFORNIA BUSINESS AND PROFESSIONS CODE**

*Read instructions before completing*

1. LICENSEE(S) NAME(S) (Seller)

The Abundant Market Inc

2. PREMISES ADDRESS TO WHICH LICENSEE(S) HAS/HAVE BEEN ISSUED

2794 California St, San Francisco, CA 94115

3. LICENSEE(S) MAILING ADDRESS (if different)

c/o Marco D. Costales, Esq., 777 S. Figueroa St., 34th floor, Los Angeles, CA 90017

4. APPLICANT(S) NAME (Transferee or Buyer)

Giovanni Specialties LLC

5. PROPOSED BUSINESS ADDRESS (if different than item 2)

629 Union St., San Francisco, CA 94133

**\*\*Exempt from the fee per GC27368.1 (a) (1);**

6. MAILING ADDRESS OF APPLICANT

629 Union St., San Francisco, CA 94133

**not related to real property**

7. KIND OF LICENSE INTENDED TO BE TRANSFERRED

Off Sale General, License No. 21-529448

8. ESCROW HOLDER/GUARANTOR NAME

Capital Trust Escrow, Escrow # 007371-FM

9. ESCROW HOLDER/GUARANTOR ADDRESS

280 S. Beverly Drive, #300, Beverly Hills, CA 90212

10. TOTAL CONSIDERATION TO BE PAID FOR THE BUSINESS AND LICENSE, INCLUDING INVENTORY, WHETHER ACTUAL COST, ESTIMATED COST, OR A NOT-TO-EXCEED AMOUNT

CASH	<u>\$15,000.00</u>
CHECK(S)	\$ _____
DEMAND NOTE(S)	\$ _____
PROMISSORY NOTE(S)	\$ _____
TANGIBLE AND/OR; INTANGIBLE PROPERTY	\$ _____
<b>TOTAL AMOUNT</b>	<b><u>\$15,000.00</u></b>

The parties agree that the consideration for the transfer of the business and the license(s) is to be paid only after the Department of Alcoholic Beverage Control has approved the proposed transfer. The parties also agree and herein direct the above-named escrow holder to make payment or distribution within a reasonable time after the completion of the transfer of the license as provided in Section 24074 of the California Business and Professions Code.

LICENSEE'S SIGNATURE (Transferor or Seller) *The Abundant Market Inc.*

By Patrick Maury, Pres.

By Diane Christine Kernon

DATE SIGNED

*2/8/18*

APPLICANT'S SIGNATURE (Transferee or Buyer) *Giovanni Specialties LLC*

By Tony Gemignani, Managing Member

DATE SIGNED

One copy of this notice, **CERTIFIED** by the County Recorder, together with an additional copy must accompany the application for the transfer of the license.

**LA970878**

ABC-227 (02/07)

State of California, Department of Alcoholic Beverage Control.

**CERTIFIED COPY**

**EXECUTED IN COUNTERPART**

RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

Capital Trust Escrow  
280 S. Beverly Drive, #300  
Beverly Hills, CA 90212

DO NOT WRITE IN THE SPACE ABOVE Government Code  
Section 27361.6 reserves space above for exclusive use of County Recorder

**NOTICE OF INTENDED TRANSFER OF RETAIL ALCOHOLIC BEVERAGE LICENSE UNDER SECTIONS 24073 AND 24074 CALIFORNIA BUSINESS AND PROFESSIONS CODE**

*Read instructions before completing*

1. LICENSEE(S) NAME(S) (Seller)

The Abundant Market Inc

2. PREMISES ADDRESS TO WHICH LICENSEE(S) HAS/HAVE BEEN ISSUED

2794 California St, San Francisco, CA 94115

3. LICENSEE(S) MAILING ADDRESS (if different)

c/o Marco D. Costales, Esq., 777 S. Figueroa St., 34th floor, Los Angeles, CA 90017

4. APPLICANT(S) NAME (Transferee or Buyer)

Giovanni Specialties LLC

5. PROPOSED BUSINESS ADDRESS (if different than Item 2)

629 Union St., San Francisco, CA 94133

6. MAILING ADDRESS OF APPLICANT

629 Union St., San Francisco, CA 94133

7. KIND OF LICENSE INTENDED TO BE TRANSFERRED

Off Sale General, License No. 21-529448

8. ESCROW HOLDER/GUARANTOR NAME

Capital Trust Escrow, Escrow # 007371-FM

9. ESCROW HOLDER/GUARANTOR ADDRESS

280 S. Beverly Drive, #300, Beverly Hills, CA 90212

10. TOTAL CONSIDERATION TO BE PAID FOR THE BUSINESS AND LICENSE, INCLUDING INVENTORY, WHETHER ACTUAL COST, ESTIMATED COST, OR A NOT-TO-EXCEED AMOUNT

CASH	<u>\$15,000.00</u>
CHECK(S)	\$ _____
DEMAND NOTE(S)	\$ _____
PROMISSORY NOTE(S)	\$ _____
TANGIBLE AND/OR; INTANGIBLE PROPERTY	\$ _____
<b>TOTAL AMOUNT</b>	<b>\$15,000.00</b>

The parties agree that the consideration for the transfer of the business and the license(s) is to be paid only after the Department of Alcoholic Beverage Control has approved the proposed transfer. The parties also agree and herein direct the above-named escrow holder to make payment or distribution within a reasonable time after the completion of the transfer of the license as provided in Section 24074 of the California Business and Professions Code.

LICENSEE'S SIGNATURE (Transferor or Seller) The Abundant Market Inc

DATE SIGNED

By: Patrick Maury, Pres.

By: Diane Christine Kenton

APPLICANT'S SIGNATURE (Transferee or Buyer) Giovanni Specialties LLC

DATE SIGNED

By: Tony Gemignani, Managing Member

2/6/18

One copy of this notice, **CERTIFIED** by the County Recorder, together with an additional copy must accompany the application for the transfer of the license.

ABC-227 (02/07)

State of California, Department of Alcoholic Beverage Control.

**CERTIFIED COPY**

EXECUTED IN COUNTERPART

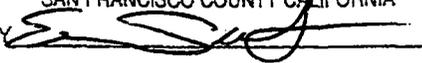
This is a true certified copy of the record  
if it bears the seal, imprinted in purple ink,  
of the Assessor-Recorder

CARMEN CHU

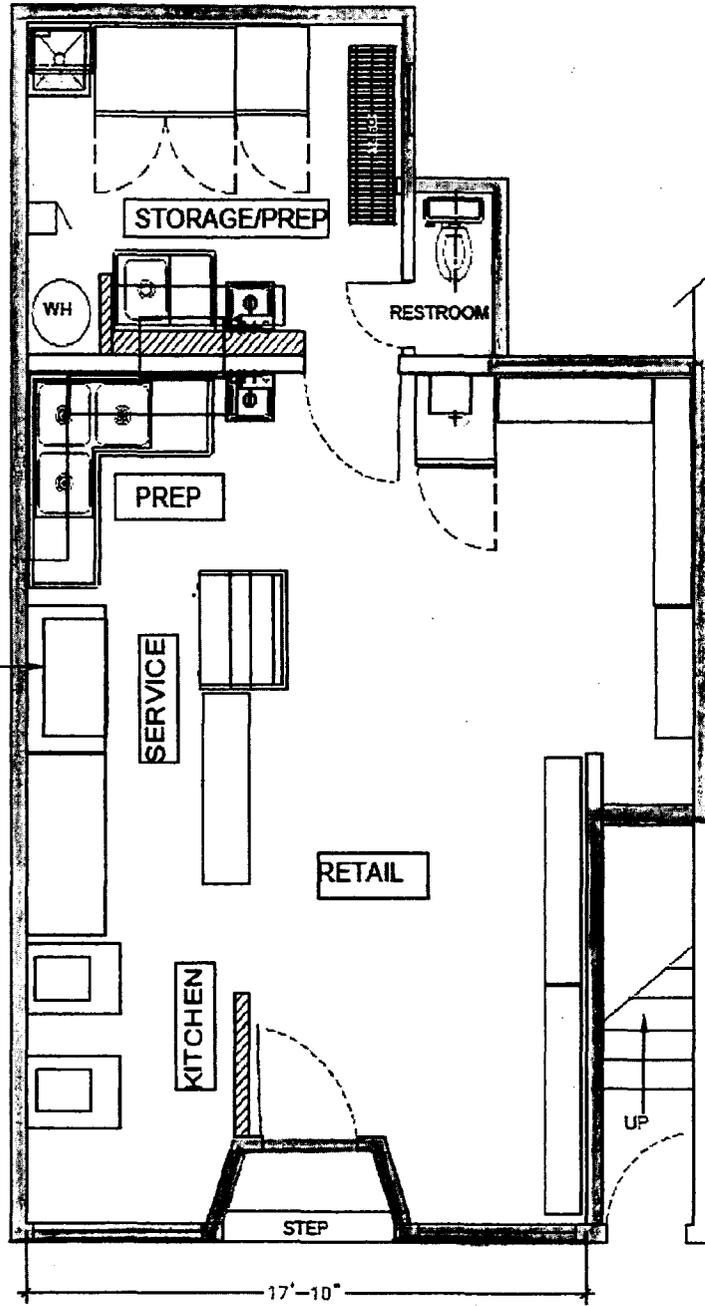
FEB 20 2018

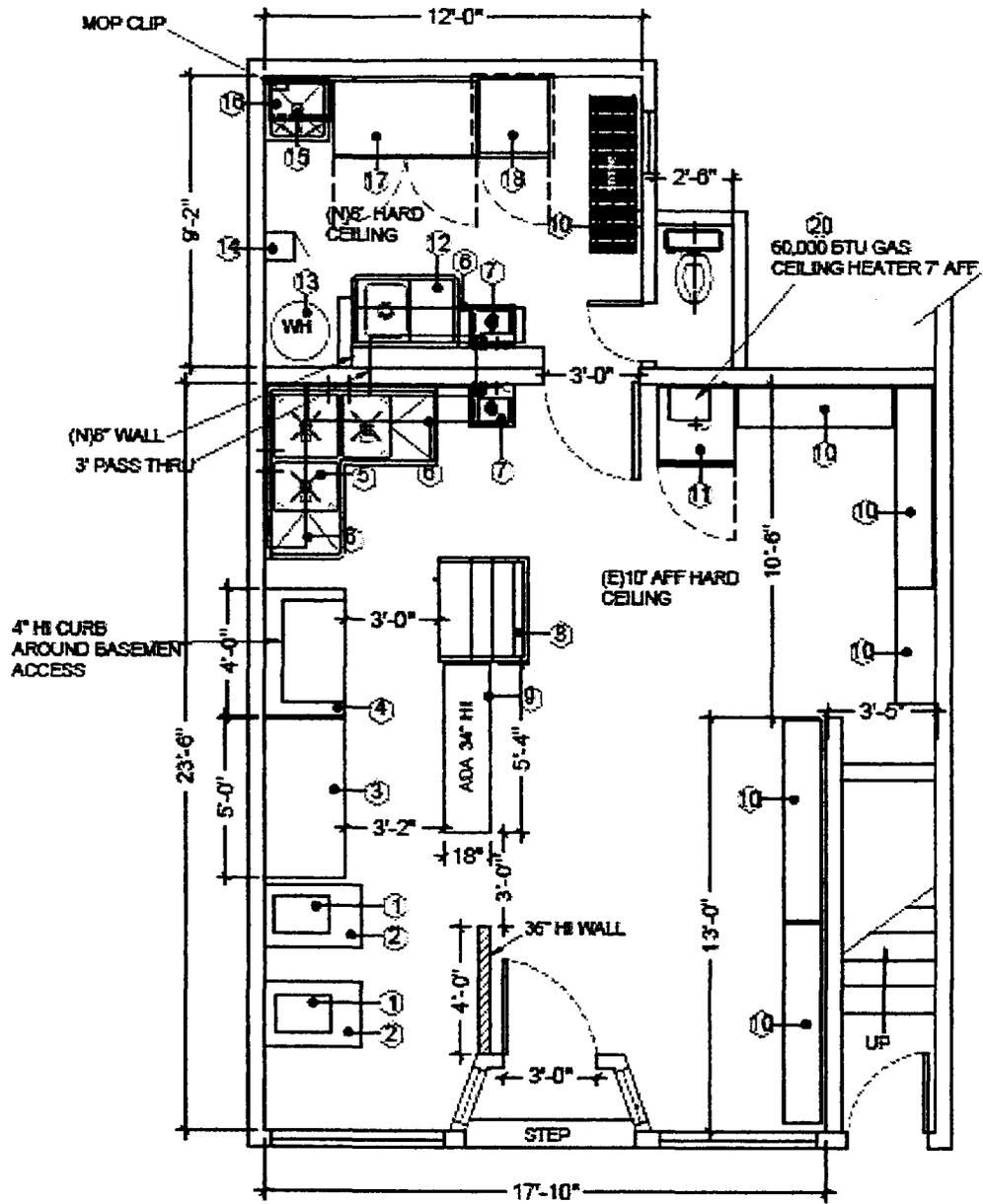


.....  
ASSESSOR - RECORDER  
SAN FRANCISCO COUNTY CALIFORNIA

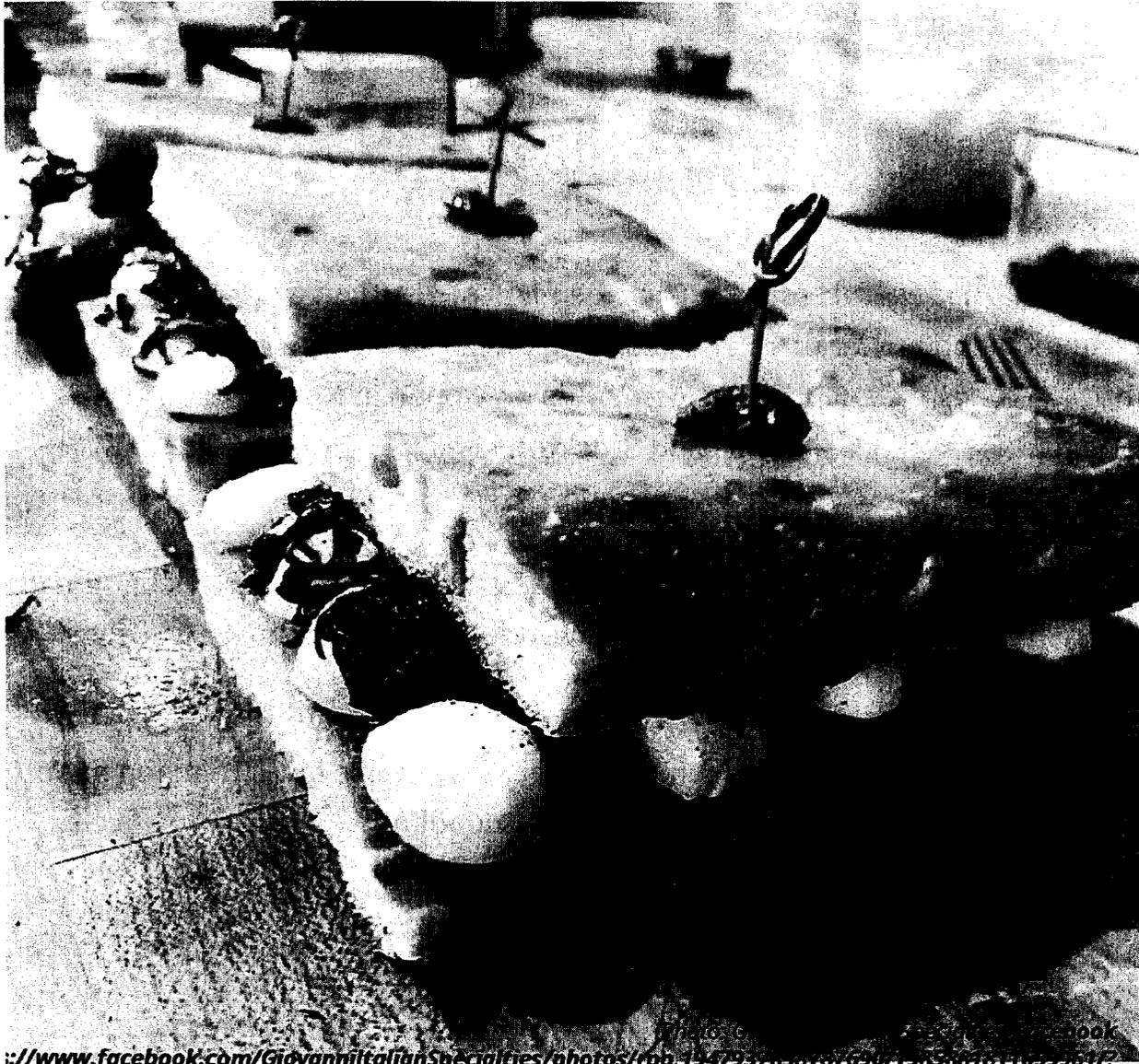
BY 

4" HI CURB  
AROUND BASEMENT  
ACCESS





## 'Giovanni Italian Specialities' Now Open In North Beach



[://www.facebook.com/GiovanniItalianSpecialities/photos/rpp.1947937636787650/1965681811655361/?type=3&theater\)](https://www.facebook.com/GiovanniItalianSpecialities/photos/rpp.1947937636787650/1965681811655361/?type=3&theater)

Fri. November 17, 2017, 3:29pm

by Alisa Scerrato

@editcatsf (<http://twitter.com/editcatsf>)  
website

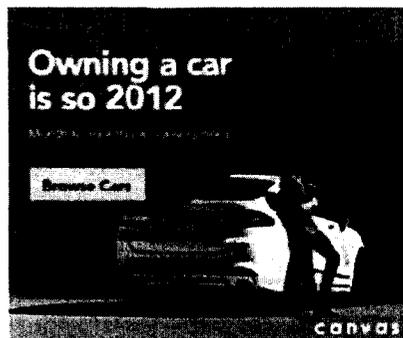
(<http://editcatsf.blogspot.com/2016/04/editcat.html>)

Neighborhoods

North Beach (</neighborhoods/north-beach>)

Location

629 Union St., San Francisco, CA



(/ads/380/388/2)

A new Italian general store by Tony Gemignani—12-time world pizza champion and owner of Tony's Pizza Napoletana (<http://tonyspizzanapoletana.com/>)—is now open in North Beach at 629 Union St. between Columbus and Stockton.

Giovanni Italian Specialties

(<https://www.facebook.com/GiovanniItalianSpecialties/>) carries handmade pasta, fresh foccacia, meat, cheese, imported goods from Italy, and other items.

The store is named after his son, Giovanni. "It's not like I was thinking about names—this really fell into my lap," he told Hoodline.

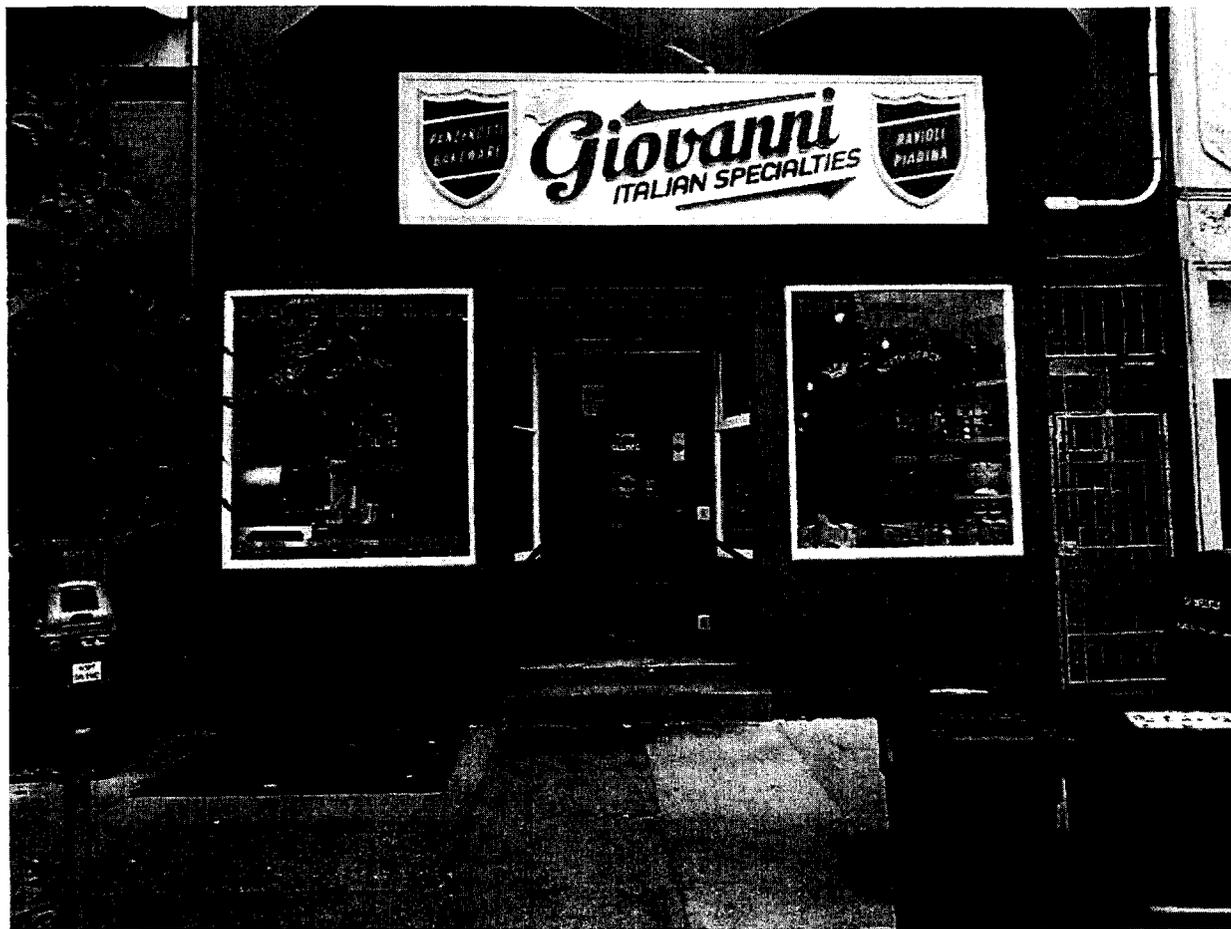


PHOTO: AL G./HOODLINE TIPLINE

"I really felt like North Beach needed an old-world Italian specialties shop," said Gemignani. "It's sad to see some of these places go away, and I'm trying to bring them back."

In the new spot, he manufactures fresh pasta and pestos for use in his restaurants.

"I moved all the equipment from all stores into Giovanni Specialties, so we now make all our pasta for the stores there," he said.

"Essentially, I created a company that now sells to my other companies, and now you're able to sell it by the pound." Local restaurants that purchase his pasta include China Live (<https://chinalivesf.com/>) on Broadway.



Tony Gemignani hanging fresh pasta in the window. | PHOTO: GIOVANNI ITALIAN SPECIALTIES/FACEBOOK

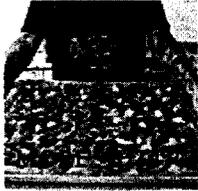
([HTTPS://WWW.FACEBOOK.COM/GIOVANNIITALIANSPECIALTIES/PHOTOS/RPP.194793?TYPE=3&THEATER](https://www.facebook.com/giovanniitalianspecialties/photos/rpp.194793?type=3&theater))

Gemignani added that he's a fan of retail businesses, particularly "boutique specialty stores" in cities like Boston and New York.

"To be able to bring that flavor back to San Francisco, that was something that was important to me," he said. "We have great imported items. The fresh pasta is a big deal, so now people can come and buy our fresh pasta."

This weekend, the shop is hosting a pre-Thanksgiving tasting with Ritrovo Italian Foods, where guests can sample bites from Giovanni's menu, as well as some of Ritrovo spices and sweets.

Store hours are noon to 7pm daily.



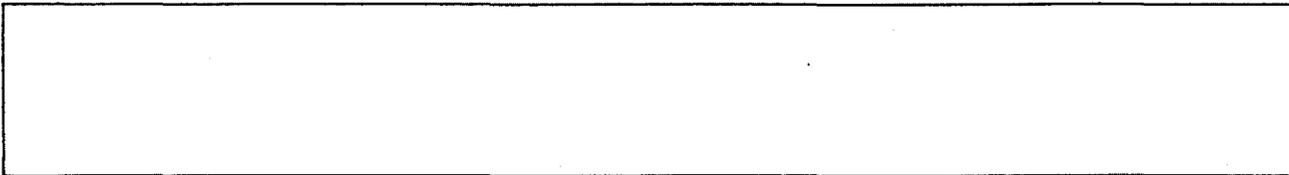
**Thanksgiving Tasting Event: Ritrovo Italian Foods**  
(<http://hoodline.com/events/thanksgiving-tasting-event-ritrovo-italian-foods>)

**WHEN** Nov. 19, 1-4pm

**WHERE** 629 Union St

There will be small tasting bites to sample some of

SAN FRANCISCO



SAN FRANCISCO RESTAURANT OPENINGS

# Tony Gemignani’s New Retail Store Has Fresh Pasta, Focaccia, and Detroit Pizza Pans

The Tony’s Pizza chef calls it a one-stop shop

by Caleb Pershan | Nov 20, 2017, 4:38pm PST



| Giovanni Italian Specialties/Facebook

Fans of **Tony's Pizza Napoletana** can now have chef **Tony Gemignani's** fresh Italian food at home, and not just by ordering takeout. His retail store, **Giovanni Italian Specialties**, in North Beach now sells fresh pasta, sauces, focaccia, and specialty cooking implements. The store, named for the chef's three-year-old son, recently celebrated its grand opening, not a moment too soon for holiday shopping and Italian feast-creating.

So far, the biggest customer for Giovanni's is Gemignani himself. He's moved all pasta production from his restaurants to the shop, which makes about 150 pounds of pasta per day with three extruders going "pretty much on round the clock, 7 days a week, 8 hours a day." Gemignani also makes pasta for China Live, the nearby Chinatown restaurant, and for patrons who want fresh pasta to go. Along with sauces and meatballs, those have been the food store's hottest items in its first few weeks of soft-opening mode.

#### RELATED

Where to Eat and Drink in North Beach

Beyond prepared food to-go or to cook at home, Gemignani's shop is stocked with specialty cooking tools, many geared toward (obviously) pizza. "You want a Detroit pan, or a Chicago deep dish pan, we have that, and pizza ingredients," Gemignani says. "It's your one-stop shop." He's also got books on making pizza — "and not just mine," the chef hastens to add, "but books on pizza history, and books from other restaurants."

#### RELATED

Tony's Pizza Wades Into the World of Cheese Tea



Giovanni Italian Specialties/Facebook

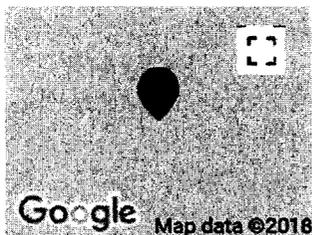


Giovanni Italian Specialties/Facebook

At a time when longtime North Beach food businesses like Caffe Roma have closed or struggle to remain open, Gemignani has been celebrated by neighborhood locals for bringing back a bit of old North Beach.

“That’s been nice to hear,” the chef says. “People say, ‘30 years ago there were places like this all over North Beach.’” Now, thanks to Giovanni, there’s one more.

- Pizza champ Tony Gemignani opening North Beach pasta shop [ESF]
- Openings: Giovanni Italian Specialties, Mau Is Back, Torraku Ramen, Ushio [Tablehopper]
- 'Giovanni Italian Specialities' Now Open In North Beach [Hoodline]

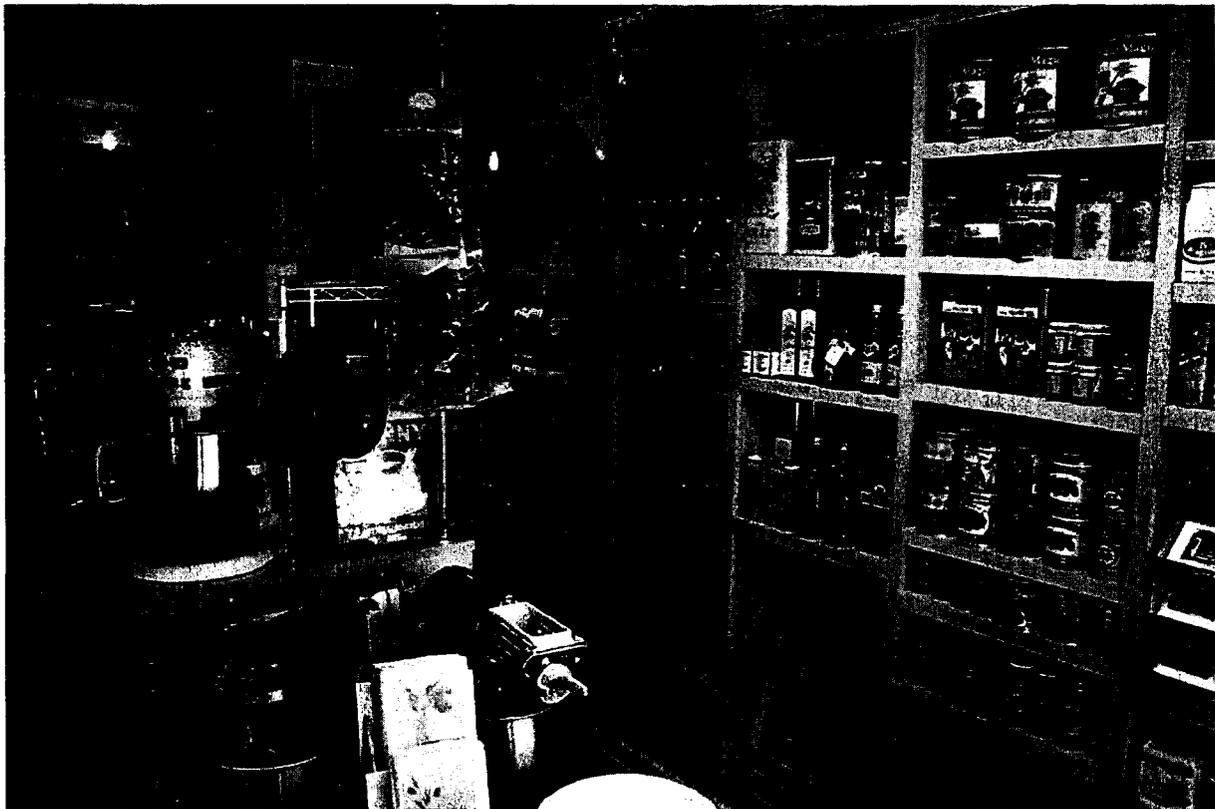


Giovanni Italian Specialties

629 Union Street, ,

# Tony Gemignani Opens Italian Specialty Shop In North Beach

BY KATIE SWEENEY | DINING + DRINKING, NEWS | DECEMBER 21, 2017



Giovanni Italian Specialties

**Tony Gemignani** is single-handedly bringing back the North Beach of another generation. The restaurateur and 12-time world pizza champion has opened his fourth location in the neighborhood, **Giovanni Italian Specialties**. "It's time to bring back an Italian specialties shop like the old retail stores you'd find in North Beach in the 50s, 60s and 70s," Gemignani told *Haute Living*. "I've been wanting to own a retail shop for years and years. My mom and I were always shopping when I was growing up, looking for little knick-knacks and I always wanted a place to call my own."



Delicious fresh Italian food can be found at Tony's new shop.

The selection of goods at Giovanni's includes local and international products and home-cooked favorites. The deli will offer a rotating assortment of to-go food items like fresh sauces, pasta, sandwiches, and meatballs. On weekends there will be specials of panzerotti (a small handheld savory pastry similar to a calzone), focaccia, and piadina (Italian flatbread sandwiches).



Shop for dried pasta at Giovanni's

For last minute holiday gifts and events, Gemingnani says there are “customizable gift baskets and the charcuterie that we have are perfect if you’re hosting a party. We have a cold pasta salad that’s awesome, fresh mozzarella that you can make into a Caprese. Our Mediterranean olive mix is really hot. We also have a lot of imported cookies—Torrone, Swedish smoked pecans, some spiced chocolate almonds from a woman in the neighborhood. Our book selection and ornament selection are great. We also have a lot of olive oil and tomato ceramic dish wear.”



San Francisco-themed tea lights made by Katheryn Hedges of Splendid Colors

Gemignani hand-picked many of the goods which include linens from artisanal Venetian markets, locally produced ceramics, cookbooks by chefs who are his friends, and specialty pizza pans so cooks can enjoy **Tony's Pizza Napoletana's** grandma, Detroit, and Sicilian-style pizzas at home. The imported handmade olive oil is Gemignani's favorite item. "The containers are called Oliera or olive oil cruet and are handmade in Naples. If you are a pizza maker or someone into food it's the best thing you can get," he says. Other goods he loves? "Our wooden tartuffo shavers are also special, you don't see too many made out of wood, so they are pricey but super cool. Giovanni's has a lot of the little things you love as a chef or a home chef. Our gnocchi boards are nice as well. We also have special little wooden San Francisco tea lights, made for us by **Katheryn Hedges** at **Splendid Colors**. The ones we carry are selling out really quickly—they have cable cars, Coit Tower, and Washington Square Park on them."



Gemignani isn't the first in his family to open a store. His Portuguese family owned a general store in the 1940s in Campbell, CA.

The retail shop and deli is named after Gemignani's first and only son, Giovanni, who was born three years ago. It was at that time when Gemignani started visualizing his first store. "I don't think you realize what it means to have a son until you have a son. Until you're a dad you don't know what it's like. So it was amazing to be able to celebrate his birth and open up an idea with that concept."



Gemignani checks on the drying pasta

Giovanni's also serves as a central location for Gemignani's pasta-making facilities. Every day his team makes over 150 pounds of fresh pasta for his Bay Area restaurants and other local eateries, like **China Live**, which is around the corner. Being a prominent figure in the community is important to Gemignani. He hopes to bring a nostalgic style of service to a younger customer base. "Our approach is soulful, personable, and curated with old world style in a space with new world feel."

*Giovanni Italian Specialties is now open 12 to 7 p.m. daily at 629 Union Street.*

[PREVIOUS POST](#)



[NEXT POST](#)



**Where To Celebrate Christmas Weekend In San Francisco**

Find tacos, cheap dinner, Max's

Near San Francisco, CA

Restaurants

Nightlife

Home Services

Write a Review

Events

Talk

Log In



# Photos for Giovanni Italian Specialties

**Giovanni Italian Specialties**  
★★★★ 5 reviews

Search photos...



Page 1 of 2

1 2 Next >

### About

- About Yelp
- Careers
- Press
- Investor Relations
- Content Guidelines
- Terms of Service
- Privacy Policy

### Discover

- The Local Yelp
- Yelp Blog
- Support
- Yelp Mobile
- Developers
- RSS

### Yelp for Business Owners

- Claim your Business Page
- Advertise on Yelp
- Yelp Reservations
- Yelp WiFi
- Business Success Stories
- Business Support
- Yelp Blog for Business Owners

### Languages

English ▾

### Countries

United States ▾

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

*RODNEY CIGANOVICH*

ABC 211 (6/99)

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

File Number: **591529** (530) 304-4005  
Receipt Number: **2484937**  
Geographical Code: **3800**  
Copies Mailed Date: **March 1, 2018**  
Issued Date:

DISTRICT SERVING LOCATION: **SAN FRANCISCO**  
First Owner: **GIOVANNI SPECIALTIES LLC**  
Name of Business: **GIOVANNI ITALIAN SPECIALTIES**  
Location of Business: **629 UNION ST  
SAN FRANCISCO, CA 94133-2812**  
County: **SAN FRANCISCO**  
Is Premise inside city limits? **Yes**

Census Tract **0106.00**

*[Handwritten signature]*  
2018 MAR -5 PM 4:19

Mailing Address:  
(If different from premises address)

Type of license(s): **21**

Transferor's license/name: **529448 / ABUNDANT MARKET INC. THE** Dropping Partner: Yes  No

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
21 - Off-Sale General	ANNUAL FEE	NA	Y	0	03/01/18	\$646.00
21 - Off-Sale General	PREMISE TO PREMISE TRANSFER	NA	Y	0	03/01/18	\$100.00
21 - Off-Sale General	PERSON-TO-PERSON TRANSFER	NA	Y	0	03/01/18	\$1,250.00
Total						\$1,996.00

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**

Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of **SAN FRANCISCO** Date: **March 1, 2018**

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

**GIOVANNI SPECIALTIES LLC**

See 211 Signature Page



California Department of Alcoholic Beverage Control  
 License Query System Summary as of 03/07/2018

<b>License Information</b>	
License Number:	591529
Primary Owner:	GIOVANNI SPECIALTIES LLC
ABC Office of Application:	24 - SAN FRANCISCO

<b>Business Name</b>
GIOVANNI ITALIAN SPECIALTIES

<b>Business Address</b>
629 UNION ST
SAN FRANCISCO, CA. 94133
County: SAN FRANCISCO                      Census Tract: 0106.00

<b>Licensee Information</b>
Licensee: GIOVANNI SPECIALTIES LLC
<b>Company Information</b>
OFFICER: GEMIGNANI, ANTHONY FELIX (MANAGER)
OFFICER: GEMIGNANI, JULIE NOEL (MANAGER)
MEMBER: GEMIGNANI, JULIE NOEL
MEMBER: GEMIGNANI, ANTHONY FELIX

<b>License Types</b>
1) License Type: 21 - OFF-SALE GENERAL
License Type Status: PENDING
Status Date: 01-MAR-2018                      Term: 12 Month(s)
Original Issue Date:                      Expiration Date:
Master: Y      Duplicate: 0      Fee Code: P40
License Type was Transferred On:                      From: 21-529448
License Type was Transferred On:                      To:

<b>Operating Restrictions</b>
... No Operating Restrictions found ...

<b>Disciplinary Action</b>
... No Active Disciplinary Action found ...

<b>Disciplinary History</b>
... No Disciplinary History found ...

<b>Holds</b>
Hold Date: 01-MAR-2018      Type: FORM 220

<b>Escrows</b>
Escrow: CAPITAL TRUST ESCROW, 280 S BEVERLY DR #300 BEVERLY HILLS, CALIFORNIA 90212

For a definition of codes, view our glossary.

## Perry, Andrew (CPC)

---

**From:** Tony Gemignani <luccabrosi@aol.com>  
**Sent:** Thursday, May 24, 2018 3:44 PM  
**To:** Perry, Andrew (CPC)  
**Cc:** rciganovichconsultant@yahoo.com  
**Subject:** Re: 629 Union St. - Giovanni Italian Specialties

I tried calling you and here was what I was going to say. From your original message below, ~~I will cease the manufacturing of pasta and move forward with the license.~~ Please let us know the logistics thank you

Respect the Craft

Tony Gemignani  
12 Time World Pizza Champion  
Chef/Owner/Author/Master Instructor  
Tony's Pizza Napoletana,  
Capo's, Pizza Rock, Slice House,  
Little Tony's, Tony's Coal Fire  
Giovanni Italian Specialties  
International School of Pizza  
C 510-427-6979  
[www.tonygemignani.com](http://www.tonygemignani.com)  
[www.thepizzabible.com](http://www.thepizzabible.com)  
[www.internationalschoolofpizza.com](http://www.internationalschoolofpizza.com)  
Writer for Pizza Today Magazine  
[www.pizzatoday.com](http://www.pizzatoday.com)

On Apr 17, 2018, at 9:47 AM, Perry, Andrew (CPC) <[andrew.perry@sfgov.org](mailto:andrew.perry@sfgov.org)> wrote:

Sounds good, 2:30 tomorrow (Wednesday) is on my calendar.

Thanks,

**Andrew Perry, Planner**  
**Northeast Team, Current Planning Division**  
San Francisco Planning Department  
1650 Mission Street, Suite 400 San Francisco, CA 94103  
Direct: 415.575.9017 | [www.sfplanning.org](http://www.sfplanning.org)  
[San Francisco Property Information Map](#)

---

**From:** Tony Gemignani [<mailto:luccabrosi@aol.com>]  
**Sent:** Monday, April 16, 2018 10:01 PM  
**To:** Perry, Andrew (CPC)  
**Subject:** Re: 629 Union St. - Giovanni Italian Specialties

Thanks for getting back to me. Can o call you at 2:30 on Wednesday?

Respect the Craft

Tony Gemignani  
12 Time World Pizza Champion  
Chef/Owner/Author/Master Instructor  
Tony's Pizza Napoletana,  
Capo's, Pizza Rock, Slice House,  
Little Tony's, Tony's Coal Fire  
Giovanni Italian Specialties  
International School of Pizza  
C 510-427-6979  
[www.tonygemignani.com](http://www.tonygemignani.com)  
[www.thepizzabible.com](http://www.thepizzabible.com)  
[www.internationalschoolofpizza.com](http://www.internationalschoolofpizza.com)  
Writer for Pizza Today Magazine  
[www.pizzatoday.com](http://www.pizzatoday.com)

On Apr 16, 2018, at 5:38 PM, Perry, Andrew (CPC) <[andrew.perry@sfgov.org](mailto:andrew.perry@sfgov.org)> wrote:

Hi Tony – welcome back, I hope your travels were enjoyable.

Sorry, I was away from my desk and busy with other things most of the day, could we try and schedule a call for another time this week? My schedule is fairly open, except for from about 2pm – 4pm tomorrow, and 3-4 on Wednesday. Let me know what would work for you.

Thanks,

**Andrew Perry, Planner**  
**Northeast Team, Current Planning Division**  
San Francisco Planning Department  
1650 Mission Street, Suite 400 San Francisco, CA 94103  
Direct: 415.575.9017 | [www.sfplanning.org](http://www.sfplanning.org)  
[San Francisco Property Information Map](#)

---

**From:** Tony Gemignani [<mailto:lucabrosi@aol.com>]  
**Sent:** Monday, April 16, 2018 7:54 AM  
**To:** Perry, Andrew (CPC)  
**Subject:** Re: 629 Union St. - Giovanni Italian Specialties

I'm back from my trip overseas. Can I give you a call sometime today? Thank you

Respect the Craft

Tony Gemignani  
12 Time World Pizza Champion  
Chef/Owner/Author/Master Instructor  
Tony's Pizza Napoletana,  
Capo's, Pizza Rock, Slice House,  
Little Tony's, Tony's Coal Fire  
Giovanni Italian Specialties  
International School of Pizza

C 510-427-6979

[www.tonygemignani.com](http://www.tonygemignani.com)

[www.thepizzabible.com](http://www.thepizzabible.com)

[www.internationalschoolofpizza.com](http://www.internationalschoolofpizza.com)

Writer for Pizza Today Magazine

[www.pizzatoday.com](http://www.pizzatoday.com)

On Mar 29, 2018, at 12:20 PM, Perry, Andrew (CPC) <[andrew.perry@sfgov.org](mailto:andrew.perry@sfgov.org)> wrote:

Hello Mr. Gemignani,

I have received and been assigned to review both your ABC Type 21 License referral, as well as your "PCN" referral also to add the referenced ABC license to the premises.

First, 629 Union Street is located within the North Beach Neighborhood Commercial District (NCD), as well as the North Beach Special Use District, which are regulated under Planning Code Sections 722 and 780.3, respectively. From the permit history, I see that Building Permit Application No. 2017.03.16.1651 was filed for the change of use from salon to the current retail store. This permit appears to have been approved by Planning on 3/16/17, and then there was a subsequent Planning approval on 8/4/17, with final issuance of the permit that same day, and CFC issuance on 12/19/17. In our approval language on the back of the permit, the use was characterized as a "specialty grocery", which is a principally permitted use within the North Beach NCD. Furthermore, I see that on 8/31/17, our Department also recommended approval of the DPH Health Permit referral for the business, again which was described in the application as, and approved to operate as a "specialty grocery".

Specialty Groceries, as defined in Planning Code Section 102, are permitted to have an associated Type 20/21 ABC License, provided that the area devoted to the sale and display of alcoholic beverages is limited to less than 15% of the occupied floor area of the establishment. So far, this probably all sounds good and makes sense to you, but here is where things start to get interesting.

As part of Ordinance 129-17, passed by the Board of Supervisors last year and effective on 7/30/2017, the North Beach SUD was amended to include the following definition and language:

**780.3(b)(1) Specialty Food Manufacturing.** A Commercial Use that includes the manufacturing and processing of foods on the premises for retail and/or wholesale sales and also provides a customer service counter for sale of such manufactured or processed food directly to the consumer. It may have seating as a minor and incidental use that occupies less than 15% of the Occupied Floor Area of the establishment. It includes, but is not limited to, bakeries, coffee roasters, confectionaries, chocolatiers, makers of homemade ice cream and handmade gelato or sorbet. **It shall not provide any alcohol sales for consumption on or off the premises.** (bolded for emphasis)

Additionally, in 780.3(c)(5) Specialty Food Manufacturing. Within the North Beach SUD a Specialty Food Manufacturing use, as defined in this Section 780.3(b), **may only be permitted with a Conditional Use authorization** on the Ground Floor or below. (bolded for emphasis)

In other NCDs in the city, it is possible for a business to have an accessory function of manufacturing, processing, and wholesaling foods or other goods; however, this is not seen within the North Beach NCD/SUD, which is instead governed by this new Specialty Food Manufacturing definition.

So, how does this all apply to your business, and where do you go from here? From the information you have provided, and additional research, it is clear that pasta production is part of your business model and is currently in operation on site. Officially, however, this aspect of the business should have been permitted as a distinct Specialty Food Manufacturing use as the ordinance was already in effect when approvals were issued. As this function has not been properly permitted, the business is currently not in compliance with the Planning Code, and I would advise you to file the necessary Conditional Use Authorization application in order to allow for such manufacturing uses on-site; it is likely this application would qualify for our more expedited "CB3P" review process. Failure to submit a CUA/CB3P application could result in future enforcement action by the Department. Of course, should you choose to pursue and obtain the required CUA for Specialty Food Manufacturing use however, you would then not be permitted to have any ABC license, based on the definition above.

Alternatively, you could choose to cease the manufacturing/production aspect of the business, and operate instead within the currently approved scope as a Specialty Grocery only. In this case, the Department could then recommend approval of a Type 20/21 ABC License.

I am at a public hearing this afternoon, but please let me know if you have any questions about this matter, and how you wish to proceed once you've had time to review. The application referrals will be placed on hold in the interim.

Thank you,

**Andrew Perry, Planner**  
**Northeast Team, Current Planning Division**  
San Francisco Planning Department  
1650 Mission Street, Suite 400 San Francisco, CA 94103  
Direct: 415.575.9017 | [www.sfplanning.org](http://www.sfplanning.org)  
[San Francisco Property Information Map](#)