

Pozzuoli Winery dba Centro Orange, 208 E Chapman, Orange, CA 92867

"23" Small Beer Manufacturer

CUP: 3202-23

Prepared by: Christopher Moten, Sergeant

Date: August 22, 2023

I received the above referenced CUP application for the use of a current ABC Type 23 license (Small Beer Manufacturer). My investigation showed the following statistics:

Figures supplied by the State Department of Alcohol Beverage Control (ABC) for the location in Census Tract #: 759.02 shows:

The number of ON-SALE licenses allowed are: 8

The number of ON-SALE licenses existing are: 23

The number of OFF-SALE licenses allowed are: 3

The number of OFF-SALE licenses existing are: 3

Crime Statistics and Activity:

This location is in Reporting District 13N. The crime statistics for Reporting District 13N in 2022 shows crimes at 82. The average number of reported crimes per reporting district is 72. Additionally, Reporting District 13N is ranked 27 out of 91 districts in the City of Orange, and is 14% above the average of reported crimes. (High crime is considered 20% above the average reported crime within all reporting districts in the city per BP Code 23958.4).

In 2022, there were approximately 47 arrests in Reporting District 13N. 15 of those arrests were related to alcohol use. These offenses included: 11 arrests for CVC 23152-Driving Under the Influence of Alcohol, 2 arrests for Orange Municipal Code 9.16.020-Drinking Alcohol in Public, 1 arrest for Orange Municipal Code 12.48.030-Possess Alcoholic Beverage in Park, and 1 arrest for PC 647(f)-Drunk in Public.

Evaluation:

The applicant currently has three ABC licenses; two in Tustin - "Centro Storico" (ABC 47 & 58), and "Archaic Craft Brewery & Centro" (ABC 23) and one in San Miguel - "Pozzuoli Winery" (ABC 02). An Alcoholic Beverage Control record check of these three locations showed no history of disciplinary actions. According to information provided by ABC, a type 23 license would cover the operation of Centro-Orange.

Conclusion:

ON-SALE IS OVER CONCENTRATED

OFF-SALE IS NOT OVER CONCENTRATED

NOT A HIGH CRIME AREA

Forward to Planning for review.

ORANGE POLICE DEPARTMENT

CUP CONDITIONS

OPERATIONAL CONDITIONS:

1. ☒ In conjunction with the ongoing operation of the business, the premises shall comply with all requirements placed upon it by the State Alcoholic Beverage Control (ABC) Board.
2. ☒ This Conditional Use Permit (CUP) shall be reviewed one year from the date of approval and may be reviewed each year thereafter. The review shall be conducted jointly by the Community Development Director and Police Chief or designees. The purpose of this review shall be to identify uniquely adverse issues such as curfew, loitering, vandalism, criminal activity, noise, or nuisance resulting from approval of the CUP. If such issues are identified, the CUP shall be presented to the Planning Commission for their consideration of conditions, modifications or revocation.
3. ☒ The activity level of the business shall be monitored by the Police Department to establish the level of police services used for the business. Should the level of police services demonstrate that the applicant has not controlled excessive, or unnecessary activity resulting in high use of police services then this Conditional Use Permit shall be reviewed for consideration of further conditions, modifications or revocation.
4. ☒ The quarterly gross sales of on-site alcoholic beverages shall be no more than 60% of the total gross sales of the business from the beginning of *September 2023 to the end of August 2024*. The quarterly gross sales of the on-site alcoholic beverages shall be no more than 45% of the total gross sales of the business from the beginning of September 2024 to the end of August 2025. After August 2025, the quarterly gross sales of on-site alcoholic beverages shall be no more than 35% of the total gross sales of the business. The licensee shall at all times maintain records which reflect separately the gross sales of on-site and off-site gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available upon request.
5. ☒ The premises shall be maintained as a small beer manufacturer/restaurant and interior construction will remain consistent with plans submitted for review by the Planning Commission. No changes to the floor plans will occur unless a permit is issued by the Community Development Department.
6. ☒ No person in the establishment shall appear in such a manner that the genitals, pubic hair, pubic hair region, buttocks, anus, natal cleft, anal region, nipple or areola is exposed to public view or is not covered by an opaque covering.
7. ☒ The subject alcoholic beverage license shall not be exchanged for a public premises type license nor operated as a public premise.

8. ☐ The sale of beer and/or wine for consumption off the premises shall be prohibited.
9. ☒ No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the license.
10. ☒ All on-sale alcohol shall be consumed on the subject site, within the defined dining areas. Signs shall be posted on all exits of the premises, which prohibit alcoholic beverages from leaving the confines of the premises. Alcohol for off-sale consumption shall be sold in sealed containers.
11. ☒ The premises shall be maintained as a small beer manufacturer/bona fide restaurant and shall provide a menu containing an assortment of foods sold.
12. ☒ The hours of operation shall be Monday – Sunday 11:00 am until 10:00 pm. These hours do not restrict employees from being on the premises before opening for preparations and deliveries or after close for clean-up. Clean-up may not be conducted by patrons.
13. ☒ At no time shall there be a fee for entrance/admittance into the premises.
14. ☒ Employees and/or contract security personnel shall not consume any alcoholic beverages prior to or during their work shift. Any and all security officers provided shall comply with all state and local ordinances regulating their services, including, without limitation, Chapter 11.5 of Division 3 of the California Business and Profession Code.
15. ☒ The applicant agrees to indemnify, hold harmless, and defend the City, its officers, agents, and employees from any and all liability or claims that may be brought against the City arising out of its approval of this permit, save and except that caused by City's active negligence.

ALCOHOL & FOOD SERVICE CONDITIONS:

16. ☒ At all times when the premises are open for business, the sale and service of alcoholic beverages shall be made only in conjunction with the sale of food.
17. ☒ Food service, with an available menu, shall be available until closing time on each day of operation.
18. ☒ Alcoholic beverages served for on-site consumption shall be served by a waiter/waitress only, and only to seated patrons at permitted tables or seating areas.
19. ☒ Alcoholic beverages shall be sold and served in containers, which are distinguishable from other non-alcoholic beverages sold at the premise or other establishment sharing the patio.
20. ☒ There shall be no bar or lounge area upon the licensed premises maintained for the sole purpose of the sale, service, or consumption of alcoholic beverages directly to patrons for consumption.
21. ☒ Alcoholic "samplers" served for on-site consumption will be served in the following quantities: samplers will consist of no more than 5 glasses containing either 2 or 3 ounces depending on alcohol content (ac). For a beer with more than 13% ac. the pour would be 2 ounces, and for beer with less than 13% ac. the pour would be 3 ounces.

22. ☒ Alcoholic "tasters" served for on-site consumption will be served in the following quantities depending on alcohol content (ac): For a beer with more than 13% ac. the pour would be 4 ounces. For a beer with 8% to 13% ac. the pour would be 8 ounces. For a beer with less than 8% ac. the pour would be 14 ounces.
23. ☒ There shall be no "Happy Hours" when alcoholic beverages are offered at a reduced rate. The Orange Police Department does not oppose to "Centro Orange" hosting a "Happy Hour," but will accommodate and allow the business to offer alcoholic beverages in combination with non-alcoholic beverages and food items at a reduced price Monday thru Thursday from 4pm to 6pm.
24. ☒ There should be no time when alcoholic beverages are sold at a ratio of two for one; no "stacking" of beverages, which means the serving of two alcoholic beverages at one time to the same customer; and no sales to an "empty chair", which means that each customer must be physically present at the time of the order of any alcoholic beverage.
25. ☒ There shall be no promotions encouraging intoxication or drinking contests.
26. ☒ There shall be no requirement to purchase a minimum number of drinks.
27. ☒ No alcoholic beverages shall be sold from any temporary locations on the premises such as ice tubs, barrels, or any other containers.
28. ☒ The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.
29. ☐ The sale of beer or malt beverages in quantities of quarts, 22 ounces, 32 ounces, 40 ounces, or similar size containers is prohibited. Beer, malt beverages, and wine coolers in containers of 16 ounces or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities.
30. ☐ The sale of beer and wine for off-site consumption shall be incidental to the operation of the store. No more than 15% of the gross floor area shall be dedicated to the sale of beer and wine.
31. ☒ No wine shall be sold with an alcoholic content greater than 15% by volume.
32. ☐ No wine coolers shall be sold in less than a four-pack quantity.
33. ☒ No sale of alcoholic beverage shall be made from a drive-up window.
34. ☐ No beer or wine advertising shall be located on motor fuel islands and no advertising for beer or wine shall be visible from outside the building.

PATIO CONDITIONS:

- 35. ☒ The patio shall be enclosed and any gates located on the patio shall remain closed during business hours. Signs shall be posted on patio gates indicating "No alcohol beyond this point". Sign shall be posted on the patio gate indicating "Emergency Exit Only".
- 36. ☒ The petitioner shall not employ or permit any persons to solicit or encourage others, directly or indirectly, to buy them drinks in the licensed premises under any commission percentage salary or other profit.
- 37. ☒ Patrons on the patio shall be seated by a host/hostess only, with no self-seating permitted.
- 38. ☒ Any music or amplified sound in the outdoor patio area shall not be audible beyond the premises, in such a manner as to disturb the peace, quiet, and comfort of neighboring occupants, or any reasonable person residing or working in the area.
- 39. ☒ An employee shall visually monitor the patio at all times to monitor alcohol.

SPECIAL EVENTS:

- 40. ☒ No portion of the premises shall be deemed to be "private" for the purposes of dispensing alcoholic beverages to selected patrons, where the licensee recognizes any form of membership cards, keys or passes which would entitle the holder entry or preferential admittance or exclusive use of any portion of the mentioned premises.
- 41. ☒ The use of a promoter (such as a night-club operator) or sub-leasing the premises to be used in conjunction with dancing and/or live entertainment is prohibited.
- 42. ☒ There shall be no live entertainment (including karaoke), disc jockey, amplified music, or dancing permitted on the premises at any time. Amplified music over a built-in system designed for background music shall be permitted so long as the music is not audible outside when doors are open.
- 43. ☒ There shall be no special promotional events held on the property, unless a written request for such is received and approved by the City of Orange Community Development Director and the Police Department's Vice Unit at least one week in advance of the event.

COIN OPERATED MACHINES:

- 44. ☒ There shall be no pool tables or coin-operated games maintained upon the premises at any time.
- 45. ☐ The business may utilize a token coin system to reduce the likelihood of theft and burglaries for U.S. currency in coin operated machines. Should the token system be implemented, the requirements for a burglary alarm system may be waived.

46. ☐ All coin change machines, dollar bill change machines, or token machines that accept and retain U.S. currency shall meet the following:

- A.) The machine is to be designed and constructed to be resistant to unauthorized forced entry attempts from any accessible side of the machine.
- B.) The machine is to be installed and secured to prevent its removal from the point of installation within the business.

SECURITY & EXTERIOR:

- 47. ☒ The parking lot of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the parking lot.
- 48. ☒ Lighting in the parking area of the premises shall be directed, positioned and shielded in such a manner so as not to unreasonably illuminate the window area of nearby residences.
- 49. ☒ The owner shall install and maintain a closed circuit television system capable of readily identifying facial features, and stature of all patrons entering the establishment during hours of operation and monitoring the rear of the premises. The camera system shall keep a minimum 30 day library of events, which shall be available for downloading and inspection by the Orange Police Department.
- 50. ☒ Any music or amplified sound shall not be audible beyond the premises, in such as manner as to disturb the peace, quiet, and comfort of neighboring occupants, or any reasonable person residing or working in the area.
- 51. ☒ The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which he/she has control.
- 52. ☒ There shall be no exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages that are clearly visible to the exterior shall constitute a violation of this condition.
- 53. ☒ Exterior doors and windows, as well as the interior of the business, shall be protected by an approved alarm system, which shall detect an attempted entry or presence of people within the business during closing hours.
- 54. ☒ Uniformed security will be provided by the applicant on days/nights when special event broadcast(s) are being promoted. One security guard per 100 customers shall be present during these broadcasts/events.
- 55. ☒ Provide an interior night light to illuminate the interior, and maintain an unobstructed view through storefront windows to provide police patrol officers the ability to observe unlawful activity within the business.
- 56. ☒ The owner or manager of the licensed premises shall maintain on the premises a written security policy and procedures manual addressing at a minimum the following items: Handling

obviously intoxicated persons; establishing a reasonable ratio of employees to patrons, based upon activity level, in order to monitor beverage sales and patron behavior; handling patrons involved in fighting or arguing; handling loitering about the building and in the immediate adjacent area that is owned, leased, rented or used under agreement by the Licensee(s); verifying age/checking identification of patrons; warning patrons of reaching their drinking limit/potential intoxication and refusing to serve; calling the police regarding observed or reported criminal activity.


57. ☒ The applicant shall comply with all federal, state, municipal laws and / or ordinances. Any violations of these laws in connection with this use may be a cause for revocation of this permit.

TRAINING:


58. ☒ All employees of petitioner who sell or serve alcoholic beverage products shall be required to complete a training program in alcoholic beverage compliance, crime prevention techniques and the handling of violence. For new employees of petitioner, such training program must be completed within 30 days of the date of hire. The employees must provide the City of Orange Police Department, Vice Unit, a copy of completed Alcohol Management Program (AMP) certificate.

MISCELLANEOUS:

59. ☐ The business shall prohibit the admission of, or allow any person under the age to 18 years to remain upon the premises after the hour of 10:00 PM, unless accompanied by an adult.
60. ☒ Graffiti shall be removed from the exterior walls and windows of the premises within 72 hours of discovery
61. ☐ The business shall prohibit the admission of, or allow any person under the age of 18 years to remain upon the premise between the hours of 8:00 a.m. and 3:00 p.m. Monday and Friday, when Orange Unified School District (OUSD) has school in session, unless that person is accompanied by a parent or legal guardian. This condition shall apply to all school students, including those who attend schools other than those in OUSD.



Dan Adams
Chief of Police



Eric Rosauer
Captain, Investigative Services



Scott Trausch
Lieutenant,
Invest. Services



Chris Moten
Sergeant

BUSINESS ESTABLISHMENT ALCOHOL MANAGEMENT AND EDUCATION PROGRAM AGREEMENT

This Business Establishment Alcohol Management and Education Program Agreement (the "Agreement") is made and entered into as of Tuesday, **February 7th, 2023**, by and between the **CITY OF ORANGE**, a municipal corporation (the "City"), and **Pozzuoli Winery, Inc.**, a **S-Type** corporation (herein referred to as "Owner"), with reference to the following:

- A. Owner is the owner and operator of, or intends to own and operate, that certain alcohol retail establishment (as those terms are defined in Chapter 5.49 of the Orange Municipal Code) commonly known as **Centro Orange**, and located, or to be located, at **208 E. Chapman Avenue** (the "Premises") in the City of Orange, County of Orange, State of California.
- B. Owner has applied, or intends to apply, to the Department of Alcoholic Beverage Control of the State of California ("ABC") for a "Retailer's on-sale license" (as that term is defined under Chapter 1 of Division 9 of the Business and Professions Code of the State of California) to operate an alcohol retail establishment at the Premises; and
- C. The Owner has applied, or intends to apply, to the City for a conditional use permit under and pursuant to Section 17.30.030 of the Orange Municipal Code to authorize the sale of alcoholic beverage at the Premises; and
- D. No conditional use permit may be issued under and pursuant to Section 17.30.030 of the Orange Municipal Code to a person who applies to ABC for a Retailer's on-sale for an alcohol retail establishment without each such person having first sought and obtained from the City an approved Business Establishment Alcohol Management and Education Program pursuant to the provisions of Chapter 5.49 of the Orange Municipal Code; and
- E. Owner desires to ensure that the Premises are used or maintained in such a way as to encourage safe and responsible alcohol practice by consumers and to reduce alcohol-related problems and, accordingly, to enter into this Agreement in fulfillment of the requirement of Section 17.30.030 and Chapter 5.49 of the Orange Municipal Code;

NOW, THEREFORE, the parties hereby agree as follows:

1. Covenants, Conditions, and Restrictions. For favorable action on, and approval of, the Owner's application for a conditional use permit for the Premises, Owner hereby covenants that the Premises shall be used, occupied, and maintained subject to the following covenants, conditions, and restrictions, all of which are for the purpose of enhancing the attractiveness, usefulness, value, and desirability of the Premises, the surrounding property, and the public at large, and to minimize possible adverse effects on the public health, safety, peace, and general welfare.
 - a. Controls shall be established to maintain occupancy levels allowed by the City's Fire Department, and these Fire Department approved levels will not be exceeded.
 - b. Except in case of an emergency, the Owner shall not permit its patrons to enter or exit the Premises through any entrance/exit other than the primary entrance/exit, excluding entrances/exits from patio areas. Steps shall be taken by the Owner to discourage unauthorized exiting.
 - c. Aisles and hallways shall be kept clear in order to allow patrons to move freely about the Premises.
 - d. All patrons who appear under the age of thirty (30) shall be required to show some form of identification or they will not be served an alcoholic beverage. A sign indicating this policy shall be prominently posted in a place that is clearly visible to patrons. The size, format, form, placement, and language of the sign shall be determined by the Chief of Police (or designee). Only the following forms of identification will be acceptable:
 - Valid driver's license
 - Valid State identification card
 - Valid passport
 - Current military identification
 - US Government immigrant identification card

All forms of out-of-state identification shall be checked by the authorized representative of the Owner of the Premises in the Driver's License Guide. Upon presentment to the authorized representative of the Owner of the Premises, the patron's form of identification shall be removed from the patron's wallet or any plastic holder and inspected for any alterations through a closed visual inspection and/or use of a flashlight or "Retro-reflective viewer".

- e. Persons who appear obviously intoxicated shall not be admitted into the Premises.
- f. Patrons who appear obviously intoxicated shall not be served.
- g. There shall be no requirement to purchase a minimum number of alcoholic beverages to participate in any promotional activity or gain admittance to the Premises.
- h. There shall be no "stacking" of drinks by or for a single patron.
- i. When serving pitchers exceeding twenty-four (24) ounces of an alcoholic beverage, all patrons receiving such pitcher, as well as all patrons who will be consuming all or any portion of such pitcher, shall present an ID to the server if appearing to be under the age of thirty (30), if not previously checked at the entrance to the Premises.
- j. Oversized containers or pitchers containing in excess of twenty-four (24) ounces of an alcoholic drink will not be sold to a single patron for their sole consumption.
- k. Any patron who (1) fights or challenges another person to fight, (2) maliciously and willfully disturbs another person by loud or unreasoned noise, or (3) uses offensive words, which are inherently likely to provoke an immediate violent reaction, shall not be tolerated.
- l. An incident log shall be maintained at the Premises on a continual basis with at least one year of entries and be readily available for inspection by a police officer. The log is for recording any physical altercations, injuries, and objectionable conditions that constitute a nuisance occurring in, on, or at the Premises, including the immediately adjacent area that is owned, leased, or rented by the Owner. The log will indicate date, time, description of incident, and action taken. "Objectionable conditions that constitute a nuisance" means disturbance of the peace, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking, or excessive loud noise.

- m. If contract security personnel are utilized in, on, or at the Premises they shall be properly licensed by the State of California, bureau of Security and Investigative Services.
- n. Security personnel required by the conditional use permit issued for the Premises shall be in a uniform or clothing, which is readily identifiable as a security person. They shall maintain order and enforce the establishment's no loitering policy, and shall take "reasonable steps" (as that term is defined in subparagraph (3) of Section 24200 of the California Business and Professions Code) to correct objectionable conditions that constitute a nuisance.
- o. Employees and contract security personnel shall not consume any alcoholic beverages during their work shift.
- p. Contract security services, proprietary security personnel, or personnel assuming the functions typically associated with security shall be familiar with establishment's written policy and procedures on ejecting patrons for cause.
- q. The Owner or manager of the Premises shall notify the Chief of Police (or designee) at least three (3) days in advance of a special promotion or special event scheduled at the Premises.
- r. The Owner or manager of the Premises shall not employ or use any person in the sale or service of alcoholic beverages in or upon the Premises while such person is unclothed pursuant to Section 143.2 and 143.3 of Title 4 of the California Code of Regulations.
- s. The Owner or manager of an alcohol retail establishment shall maintain at the Premises a file containing the names and dates of employment of every person who serves alcoholic beverages for consumption by patrons on the Premises and every manager, which file shall also include a copy of each such person's certificate of completion of a Responsible Beverage Service Training course. Upon request, said file shall be made available for review to a representative of the Police Department of the City of Orange.

- t. All management, supervisors, and lead personnel shall be familiar with the Business Establishment Alcohol Management and Education Program, as set forth in this Agreement, dating and signing the acknowledgment page in the program indicating they have read and understand the program.
- u. Handling obviously intoxicated patrons.
-Offer non-alcoholic drinks like water / coffee and offer something to eat. Do not serve alcohol to any intoxicated patron.
- v. Establishing a reasonable ratio of employees to patrons, based activity level in order to monitor beverage sales and patron behavior.
-1 employee to 10 patrons on an average business night. -2 employees to 10 patrons on busy nights.
- w. Establishing what types of containers, glassware, or similar method will be used to distinguish alcoholic beverages from non-alcoholic drinks.
-Wine will be served in stemless or stem glasses-Beer will be served in pints-Water & Non-Alcoholic Drinks will be served in tumbler style glasses.
- x. Handling patrons involved in fighting or arguing.
-Patrons that are physically fighting should be escorted out of the restaurant and the Police Dept. notified. Patrons in an argument should be told to take it outside so as to not disrupt other customers. If they refuse, the Police Dept. should be notified.
- y. Establishing procedures to handle loitering about the building and in the immediately adjacent area that is owned, leased, rented, or used under agreement by the Owner.
-Post a sign that states "No Loitering"-Notify someone loitering to politely move to another location-Notify Police Dept. If they refuse to stop loitering.
- z. Establishing hours of operation and hours in which alcoholic beverages may be served.

CAFE: 9am - 9pm Daily

RESTAURANT: 11:30am - 2pm + 4pm-9pm Daily (10pm on Weekends)

Alcohol served from 10am -- 9/10pm Daily

2. Conflict or Inconsistency

- a. To the extent that there is any conflict or inconsistency between the terms and conditions of the conditional use permit issued, or to be issued, for the Premises and the terms and conditions imposed by ABC for a Retailer's on-sale license for the Premises, the terms and conditions imposed by the City under the conditional use permit shall control and govern the rights and obligations of the Owner; provided, however, that nothing contained herein is intended to or shall operate to preempt any ABC rule or regulation and to the extent it is determined by an authorized representative of ABC that an ABC rule or regulation conflicts with a term or condition of the conditional use permit, the ABC rule or regulation in question shall govern and control.
 - b. Nothing contained in this Agreement shall be construed so as to require Owner to perform any act contrary to law, and whenever there is any conflict between any provision of this Agreement and any present or future statute, law, ordinance or regulation contrary to which the parties shall have no legal right to contract, the latter shall prevail, but in such event the provisions of this Agreement affected shall be curtailed and limited only to the extent necessary to bring it within the requirements of the law.
3. Amendment. The Owner may petition the City's Chief of Police not more frequently than once each year, commencing on the first anniversary of the approval of the conditional use permit, for modification, supplement or amendment to one or more of the policies and procedures established under and pursuant to this Agreement. The City's Chief of Police may, in his/her sole discretion, authorize and approve any modification, supplement, or amendment to the policies and procedures in response to said petition, which approval shall be in writing in the form of an amendment to this Agreement. Subsequent petitions for modifications, supplements, or amendments shall be filed, if at all, upon the anniversary of the date of the approval/disapproval from the City's Chief of Police of the Owner's petition.
- a. Governing Law. This Agreement shall be governed by the laws of the State of California.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set forth hereinabove.

"OWNER"

Pozzuoli Winery, Inc., A S-Type corporation

By: 

Printed Name: **Enrico David Pozzuoli**

Title: **President**

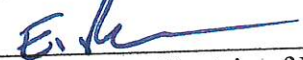
By: 


Printed Name: **Daniela Monica Pozzuoli**

Title: **Secretary**

"CITY"

CITY OF ORANGE, a municipal corporation

By:  8-23-23
Eric Rosauer, Captain of Investigations


SGT of Vice Unit
(Initial)

APPROVED AS TO FORM:

Senior Assistant City Attorney

Please fill out and provide the following information reference your application for a modification / new license.

Business Name: **Pozzuoli Winery Inc dba "Centro Orange"**

Business Location: **208 E Chapman Ave, Orange, CA 92866**

Date: **02-08-2023**

1. Names & DOB of all principals / owners.

Enrico D Pozzuoli 06-01-1963

Daniela M Pozzuoli 04-30-1965

2. Names of all managers:

Enrico D Pozzuoli

Daniela M Pozzuoli

Federica A Fierro

Alessandro E Pozzuoli

Marissa L Pozzuoli

Giulio D Pozzuoli

3. Name of business owner:

Enrico & Daniela Pozzuoli

4. Length of lease:

10yrs

5. Proposed days & hours of operation.

Café: 9am - 9pm Daily

Restaurant: 11:30am - 2pm + 4pm - 9pm Daily

6. Are you planning on having any live entertainment?

It would be limited to a single musician on a special event basis.

7. Do you plan on using a DJ, live band or karaoke?

No.

8. Do you plan on having any dancing?

No.

9. Do you plan on having any coin operated games? If so, how many?

No.

10. How is alcohol served? (For example: Sold at point of sale or served by wait staff? Please explain)

Alcohol (Beer & Wine) will be served primarily by trained waitstaff. We will sell our Canned Beer & Growlers for offsite sales as permitted by a 23 duplicate license at the point of sale.

11. How are patrons to be seated?

We will have a seat yourself area for the Café along the counter we are proposing, and the restaurant patrons will be seated either by a server or host.

12. Are you planning on having "happy hour"? (Drink or food offered at reduced prices or free)

Yes. We will have a Happy Hour Monday – Thursday from 4-6pm. We will discount appetizers & beer / wine by 15%.

13. Do you plan on hosting a special events at this location? If so, what type of events?
We will host family events up to 25 persons on a reservation basis only.

14. Do you plan on renting out or leasing this business to any third party or agents?
No.

15. Are you planning on having any private or V.I.P. rooms?
We would like to use the wine cellar in the basement as a proposed VIP room for up to 25 people on a reservation basis only. Based on Building Dept. Approval / Exiting requirements.

16. What other businesses that hold an ABC license are you involved with? If yes, please provide the names and addresses of these businesses.

Pozzuoli Winery Inc Holds Multiple Licenses:

-Pozzuoli Winery (02) 513173

-Archaic Craft Brewery and Centro (23) 546173

-Centro Storico (47)(58) 612782

-All in Good Standing

17. Do you plan on charging admission?
No.

18. Does the business have a patio area? If yes, are you planning on serving any alcoholic beverage on this patio?

The proposed location will have outdoor patios and we are planning on serving alcohol at those locations.

19. How are patrons seated and served alcohol on patio?
At tables & chairs by waitstaff only.

20. Will there be any amplified systems: television, sound, music, or paging system used in the patio area? (Explain in detail)

We will have some music speakers and 2-3 televisions mounted on the ceiling. We are a family restaurant...we will not blast loud music.

21. List all businesses and their addresses you have been connected to in the last five years as well as co-owners and co-workers.

Pozzuoli Winery Inc (Enrico & Daniela Pozzuoli – 100% owners)

405 El Camino Real, Tustin, CA 92780

Centro-Archaic Craft Brewery (Enrico & Daniela Pozzuoli – 100% owners)

140 E Main Street, Tustin, CA 92780

Storico Spaghetteria (Enrico & Daniela Pozzuoli – 100% owners)

405 El Camino Real, Tustin, CA 92780

City of Orange

2022 Part I Crime & Part II Arrest

Average # for all RD's - 66

RD	PART 1 Crime	PART 2 Arrests	TOTAL	% of Avg
61	164	281	445	574%
12	151	226	377	471%
51	78	253	331	402%
032E	73	203	276	318%
99	11	185	196	197%
077S	120	73	193	192%
035E	65	124	189	186%
013S	26	110	136	106%
071W	126	7	133	102%
045E	92	39	131	98%
022E	78	51	129	95%
022W	42	77	119	80%
43	76	41	117	77%
021W	71	37	108	64%
041E	79	24	103	56%
71	77	21	98	48%
87	55	43	98	48%
24	47	50	97	47%
33	48	49	97	47%
065E	41	51	92	39%
31	40	48	88	33%
044N	33	55	88	33%
11	50	38	88	33%
023W	38	49	87	32%
15	37	45	82	24%
041W	64	18	82	24%
027E	45	34	79	20%
017E	47	31	78	18%
045W	60	17	77	17%
077N	40	35	75	14%
013N	35	38	73	11%
032W	29	44	73	11%
016E	41	30	71	8%
047E	43	25	68	3%
036S	33	34	67	2%
057S	26	40	66	0%

023E	31	32	63	-5%
055E	28	35	63	-5%
055W	30	33	63	-5%
76	26	33	59	-11%
016W	38	18	56	-15%
054W	39	17	56	-15%
025E	28	25	53	-20%
46	35	16	51	-23%
065W	21	30	51	-23%
026S	23	27	50	-24%
035W	18	32	50	-24%
56	32	17	49	-26%
047W	34	13	47	-29%
034N	31	15	46	-30%
164	29	15	44	-33%
017W	26	18	44	-33%
026N	24	19	43	-35%
037E	25	14	39	-41%
025W	25	11	36	-45%
067N	15	18	33	-50%
117W	17	14	31	-53%
071E	20	10	30	-55%
067S	21	5	26	-61%
054E	13	11	24	-64%
036N	12	11	23	-65%
044S	10	13	23	-65%
127S	17	6	23	-65%
027W	15	7	22	-67%
134	17	4	21	-68%
137	18	3	21	-68%
66	11	9	20	-70%
084S	12	6	18	-73%
14	13	4	17	-74%
074S	13	4	17	-74%
117E	14	3	17	-74%
147	14	2	16	-76%
117N	6	10	16	-76%
064S	9	5	14	-79%
057N	10	3	13	-80%
174	11	0	11	-83%
071S	11	0	11	-83%
144	7	3	10	-85%
084N	8	1	9	-86%

97	7	1	8	-88%
124	7	1	8	-88%
034S	7	1	8	-88%
184	3	4	7	-89%
021E	5	2	7	-89%
94	4	2	6	-91%
114	4	2	6	-91%
127N	5	1	6	-91%
074N	3	2	5	-92%
38	1	3	4	-94%
064N	3	1	4	-94%
18	1	1	2	-97%
154	2	0	2	-97%
157	2	0	2	-97%
071N	1	1	2	-97%

RD 13N - ARRESTS

DR #	Violation	DATE	ADDRESS	RD
22-01-0521	23152 (A) DUI ALCOHOL	1/16/2022	1 Plaza Square	013N
22-05-0042	OMC 12.48.030(A) - Alcohol in Park	5/2/2022	1 Plaza Square	013N
22-07-0003	23152(B) DUI ALCOHOL/0.08 PERCENT	7/1/2022	1 PLAZA SQUARE	013N
22-07-0067	647 (F) DISORDERLY CONDUCT:ALCOHOL	7/3/2022	1 Plaza Square	013N
22-10-0901	11364(A) POSSESS UNLAWFUL PARAPHERNALIA	10/26/2022	101 S. Glassell Street	013N
22-10-0743	23152(B) DUI ALCOHOL/0.08 PERCENT	10/20/2022	130 N Lemon St	013N
22-08-0789	11350(A) POSSESS NARCOTIC CONTROLLED SUBSTANCE	8/25/2022	137 S. Glassell St	013N
22-09-0096	3056 VIOLATION PAROLE:FELONY	9/4/2022	161 S Orange St	013N
22-01-0991	647 (E) DISORDERLY CONDUCT:LODGE WITHOUT OWNERS	1/31/2022	161 S Orange St	013N
22-02-0532	11364 (A) POSSESS UNLAWFUL PARAPHERNALIA	2/18/2022	161 S Orange St	013N
22-03-0584	594(B)(1) VANDALISM (\$400 OR MORE)	3/16/2022	161 S Orange St	013N
22-02-0043	11550 (A) USE/UNDER INFLUENCE OF CONTROLLED SUBSTANCE	2/2/2022	161 S. Orange St.	013N
22-08-0747	3691(A) TRESPASS:RAILROAD PROPERTY	8/23/2022	194 N Atchison St	013N
22-04-0172	647(E) DISORDERLY CONDUCT:LODGE WITHOUT OWNERS	4/6/2022	20 Plaza Sq	013N
22-05-0885	647(E) DISORDERLY CONDUCT:LODGE WITHOUT OWNERS	5/27/2022	20 Plaza Sq	013N
22-04-0052	11377(A) POSSESS CONTROLLED SUBSTANCE	2/2/2022	205 S Glassell St	013N
22-01-0342	OMC 9.16.020 - Drinking in Public	1/11/2022	22 PLAZA SQUARE	013N
22-05-0618	3056 VIOLATION PAROLE:FELONY	5/18/2022	22 Plaza Square	013N
22-04-0175	602(M) TRESPASS:OCCUPY PROPERTY WITHOUT CONSENT	4/6/2022	291 S Shaffer St	013N
22-09-0174	148.9(A) GIVE FALSE ID TO PO	12/3/4533	300 E Chapman Ave	013N
22-05-0156	647(A) SOLICIT LEWD ACT IN PUBLIC	5/5/2022	304 E. ALMOND	013N
22-10-0695	166(C)(1) CONTEMPT OF COURT:VIOLATE PROTECTIVE ORDER/ETC	10/19/2022	365 S Grand St	013N
22-01-0400	422 THREATEN CRIME W/INTENT TO TERRORIZE	1/13/2022	378 S Orange St	013N
22-05-0075	11377(A) POSSESS CONTROLLED SUBSTANCE	5/3/2022	436 S Orange St	013N
22-08-0894	11377(A) POSSESS CONTROLLED SUBSTANCE	8/28/2022	481 S Glassell St	013N
22-08-0754	69(A) OBSTRUCT/RESIST EXEC OFCR	8/23/2022	481 S. Glassell St	013N
22-01-0329	11350 (A) POSSESS NARCOTIC CONTROLLED SUBSTANCE	1/11/2022	546 E. Chalyrn Cir	013N

ABC Licenses - Census 759.02

License Number	Status	License Type	Orig. Iss. Date	Expir. Date	Premises Addr.	Business Name
15975	ACTIVE	58	8/18/1960	5/31/2024	143 & 145 S LEMON ST, ORANGE, CA 92666-6214 Census Tract: 0759.02	AMERICAN LEGION POST 132
15975	ACTIVE	52	8/18/1960	5/31/2024	143 & 145 S LEMON ST, ORANGE, CA 92666-6214 Census Tract: 0759.02	AMERICAN LEGION POST 132

194636	ACTIVE	41	11/21/1986	6/30/2024	36 PLAZA SQ, ORANGE, CA 92866 Census Tract: 0759.02	FELIX CONTINENTAL CAFE
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431169	ACTIVE	58	7/3/2006	6/30/2024	141 S GLASSELL ST, ORANGE, CA 92866-1421 Census Tract: 0759.02	GABBIS MEXICAN KITCHEN
431169	ACTIVE	47	7/3/2006	6/30/2024	141 S GLASSELL ST, ORANGE, CA 92866-1421 Census Tract: 0759.02	GABBIS MEXICAN KITCHEN

470049	ACTIVE	21	1/1/1994	10/31/2023	481 S GLASSELL ST, ORANGE, CA 92866-1905 Census Tract: 0759.02	K & B MARKET
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480590	ACTIVE	58	2/18/2010	9/30/2024	100-108 S GLASSELL ST, ORANGE, CA 92866-1422Census Tract: 0759.02	FRANCOLI GOURMET
480590	ACTIVE	21	2/18/2010	2/29/2024	100-108 S GLASSELL ST, ORANGE, CA 92866-1422Census Tract: 0759.02	FRANCOLI GOURMET
480590	ACTIVE	47	2/18/2010	9/30/2024	100-108 S GLASSELL ST, ORANGE, CA 92866-1422Census Tract: 0759.02	FRANCOLI GOURMET

482597	ACTIVE	58	11/3/2009	10/31/2023	190 S GLASSELL ST, STE C&D, ORANGE, CA 92866-1479Census Tract: 0759.02	HAVEN CRAFT KITCHEN & BAR
482597	ACTIVE	47	11/3/2009	10/31/2023	190 S GLASSELL ST, STE C&D, ORANGE, CA 92866-1479Census Tract: 0759.02	HAVEN CRAFT KITCHEN & BAR

509836	ACTIVE	47	6/7/2011	5/31/2024	182 S ORANGE ST, ORANGE, CA 92866-1424Census Tract: 0759.02	AVILAS EL RANCHITO MEXICAN RESTAURANT
513703	ACTIVE	47	2/2/2012	5/31/2024	234 W CHAPMAN AVE, ORANGE, CA 92866-1304Census Tract: 0759.02	WAHOOS FISH TACO

556012	ACTIVE	41	8/3/2015	7/31/2023	101 S GLASSELL ST, ORANGE, CA 92866- 1421 Census Tract: 0759.02	BLAZE PIZZA
579451	ACTIVE	41	5/24/2017	4/30/2024	2757 N GRAND AVE, SANTA ANA, CA 92705-8751 Census Tract: 0759.02	BUCCANEER PIZZA
589265	ACTIVE	41	2/28/2019	1/31/2024	240 W CHAPMAN AVE, STE 100, ORANGE, CA 92866-1304 Census Tract: 0759.02	TACO STAND 100% MEXICAN GRILL, THE
591459	ACTIVE	47	1/16/2019	12/31/2023	240 W CHAPMAN AVE, STE 101, ORANGE, CA 92866-1304 Census Tract: 0759.02	SNOOZE AN AM EATERY
593961	ACTIVE	41	12/21/2018	11/30/2023	100 W CHAPMAN AVE, ORANGE, CA 92866-1405 Census Tract: 0759.02	URTH CAFE
610562	ACTIVE	41	8/12/2020	7/31/2024	10 PLAZA SQ, STE 101, ORANGE, CA 92866-1411 Census Tract: 0759.02	BUTATON
615035	ACTIVE	41	5/24/2021	4/30/2024	111 S GLASSELL ST, ORANGE, CA 92866 Census Tract: 0759.02	TABU SHABU
615452	ACTIVE	20	4/17/2020	3/31/2024	684 S GLASSELL ST, ORANGE, CA 92866- 3019 Census Tract: 0759.02	CADMART

615495	ACTIVE	41	5/10/2021	4/30/2024	109 S GLASSELL ST, ORANGE, CA 92866- 1421 Census Tract: 0759.02	O SEA
622360	ACTIVE	41	1/19/2021	12/31/2023	136 S GLASSELL ST, ORANGE, CA 92866- 1422 Census Tract: 0759.02	CAFE ZOCALO LLC
623232	ACTIVE	47	3/24/2021	2/29/2024	118 W CHAPMAN AVE, ORANGE, CA 92866-1405 Census Tract: 0759.02	BOSSCAT KITCHEN
628725	ACTIVE	41	9/23/2021	8/31/2024	240 W CHAPMAN AVE, STE 102, ORANGE, CA 92866-1316 Census Tract: 0759.02	WAZABI SUSHI

639447	ACTIVE	47	9/19/2022	8/31/2023	116-120 E CHAPMAN AVE, ORANGE, CA 92866-1402 Census Tract: 0759.02	HECTORS ON THE CIRCLE
639447	ACTIVE	68	9/19/2022	8/31/2023	116-120 E CHAPMAN AVE, ORANGE, CA 92866-1402 Census Tract: 0759.02	HECTORS ON THE CIRCLE
639899	ACTIVE	41	10/6/2022	9/30/2023	238 W CHAPMAN AVE, STE 100, ORANGE, CA 92866-1304 Census Tract: 0759.02	OJAI BURGER
644135	ACTIVE	47	3/28/2023	2/29/2024	204 W CHAPMAN AVE, ORANGE, CA 92866-1304 Census Tract: 0759.02	FINNEYS CRAFTHOUSE & KITCHEN