

File No. 170665

Committee Item No. 1

Board Item No. 8

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services  
Board of Supervisors Meeting:

Date: February 28, 2018  
Date: March 6, 2018

#### Cmte Board

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

- |                                     |                                     |  |
|-------------------------------------|-------------------------------------|--|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>SFPD ALU Response - Received February 21, 2018</u>            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Department Response - Received January 22, 2018</u>  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Comm. Motion No. 20076 - CUA - December 14, 2017</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral Letter - August 28, 2017</u>                         |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PC or N Request Letter - August 25, 2017</u>                  |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>ABC Form ABC-211 - July 12, 2017</u>                          |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>ABC License Query - August 24, 2017</u>                       |

Prepared by: John Carroll  
Prepared by: John Carroll

Date: February 23, 2018  
Date: March 1, 2018

1 [Liquor License - 4522-3rd Street - Sav More Market]

2  
3 **Resolution determining that the transfer of a Type-21 off-sale general beer, wine,**  
4 **and distilled spirits license to Abdalla F. Joseph, doing business as Sav More**  
5 **Market located at 4522-3rd Street (District 10), will serve the public convenience**  
6 **or necessity of the City and County of San Francisco, in accordance with**  
7 **California Business and Professions Code, Section 23958.4.**

8  
9 WHEREAS, Abdalla F. Joseph, doing business as Sav More Market located  
10 at 4522-3rd Street (District 10), is seeking the transfer of a Type-21 off-sale general  
11 beer, wine, and distilled spirits liquor license; and

12 WHEREAS, The Planning Department has verified that the area is properly  
13 zoned and recommends approval; and

14 WHEREAS, The Police Department has filed zero (0) protests and zero (0)  
15 letters of support with the Department of Alcoholic Beverage Control under California  
16 Business and Professions Code, Section 24013, and recommends that the Department  
17 of Alcoholic Beverage Control issue the liquor license with conditions; and

18 WHEREAS, The conditions recommended by the Police Department are the  
19 following: 1) sales of alcoholic beverages shall be permitted between the hours of 7:00  
20 a.m. to 2:00 a.m. daily; 2) the following alcoholic beverages shall not be sold in  
21 quantities of fewer than three (3) individual containers per sale: pre-mixed wine  
22 products commonly known as "wine coolers," pre-mixed distilled spirits-based  
23 cocktails; 3) no distilled spirits shall be sold in bottles or containers smaller than 50  
24 milliliters; 4) petitioner(s) shall actively monitor the area under their control in an effort to  
25 prevent the loitering of persons on any property adjacent to the licensed premises as

1 depicted on the most recently certified ABC-253; and 5) any graffiti painted or marked  
2 upon the premises or on any adjacent area under the control of the licensee(s) shall be  
3 removed or painted over within 72 hours of being applied; now, therefore, be it

4       RESOLVED, That in accordance with California Business and Professions Code,  
5 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
6 hereby determines that the transfer of a Type-21 off-sale beer, wine, and distilled spirits  
7 liquor license to Abdalla F. Joseph, doing business as Sav More Market located  
8 at 4522-3rd Street (District 10), will serve the public convenience or necessity of the City  
9 and County of San Francisco; and, be it

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



San Francisco Police Department  
**ABC Liaison Unit**



Alcoholic Beverage License -  
*Public Convenience or  
Necessity Recommendation*

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

**Supervisor Jeff Sheehy**  
**Supervisor Hillary Ronen**  
**Supervisor Aaron Peskin**

**From:** A/C Lieutenant Nelly Gordon  
Officer in Charge  
ABC Liaison Unit (ALU) 415-553-9550.

**Date:** February 21, 2018

**Subject:** P.C.N. Investigation Regarding: Abdalla, F. Joseph  
DBA: Sav More Market  
4522 3<sup>RD</sup> Street  
San Francisco, CA. 94124-2106  
Mark E. Rennie  
(415) 981-4500

Mr. Abdalla F. Joseph on behalf of Sav More Market has filed an application with the California Department of Alcoholic Beverage Control seeking to relocate his -Type 21 (Off-Sale General) License from 4500 - 3<sup>RD</sup> Street to 4522- 3<sup>RD</sup> Street (located between McKinnon Ave. and LaSalle Ave.).

Hours of Operation:

7:00 am to 2:00 am daily.

**Digest:**

Abdalla F. Joseph is looking to relocate from 4500 3<sup>RD</sup> Street to 4522 3<sup>RD</sup> Street in San Francisco in the Bayview District. Abdalla F. Joseph has been in business for over 20 years in the Bayview neighborhood. If approved, this license will allow Abdalla F. Joseph to sell Off-Sale Beer, Wine and Distilled Spirits.

**Letters of Protest:**

No Validated Record

**Letters of Support:**

No Validated Record

**Police Calls for Service:**

From July 2016 to July 2017

10 call for service

**Police Reports:**

From September 2016 to September 2017

5 police report

**San Francisco Plot Information:**

This premise is located in Plot: 334

A High Crime area is defined as 78 or more police reports in a plot for the year of 2016.

This plot had 64 police reports for 2016, which is 14 less than the Citywide "High Crime" average.

**State Census Tract Information:**

This premise is located in Census Tract: 612.00

Population for this tract is: 4,089

On-sale license authorized by census tract: 14

Active on-sale licenses: 4 with 0 pending

Off-sale licenses authorized by census tract: 3

Active off-sale licenses: 5 with 0 pending

**Departmental Recommendation:**

Points of consideration: 3

No opposition from **Bayview District**

Applicant premise is located in a "**Low Crime**" area.

Applicant premise is located in an "**undue concentration**" area.

0 - Record of protest.

0 - Record of support.

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

1. Sales of alcoholic beverages shall be permitted between the hours of 7:00 am to 2:00 am daily.
2. The following alcoholic beverages shall not be sold in quantities of fewer than three (3) individual containers per sale:
  1. Pre-mixed wine products commonly known as "wine coolers",
  2. Pre-mixed distilled spirits-based cocktails
3. No distilled spirits shall be sold in bottles or containers smaller than 50 ml.
4. Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the most recently certified ABC-253
5. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 72 hours of being applied.

End

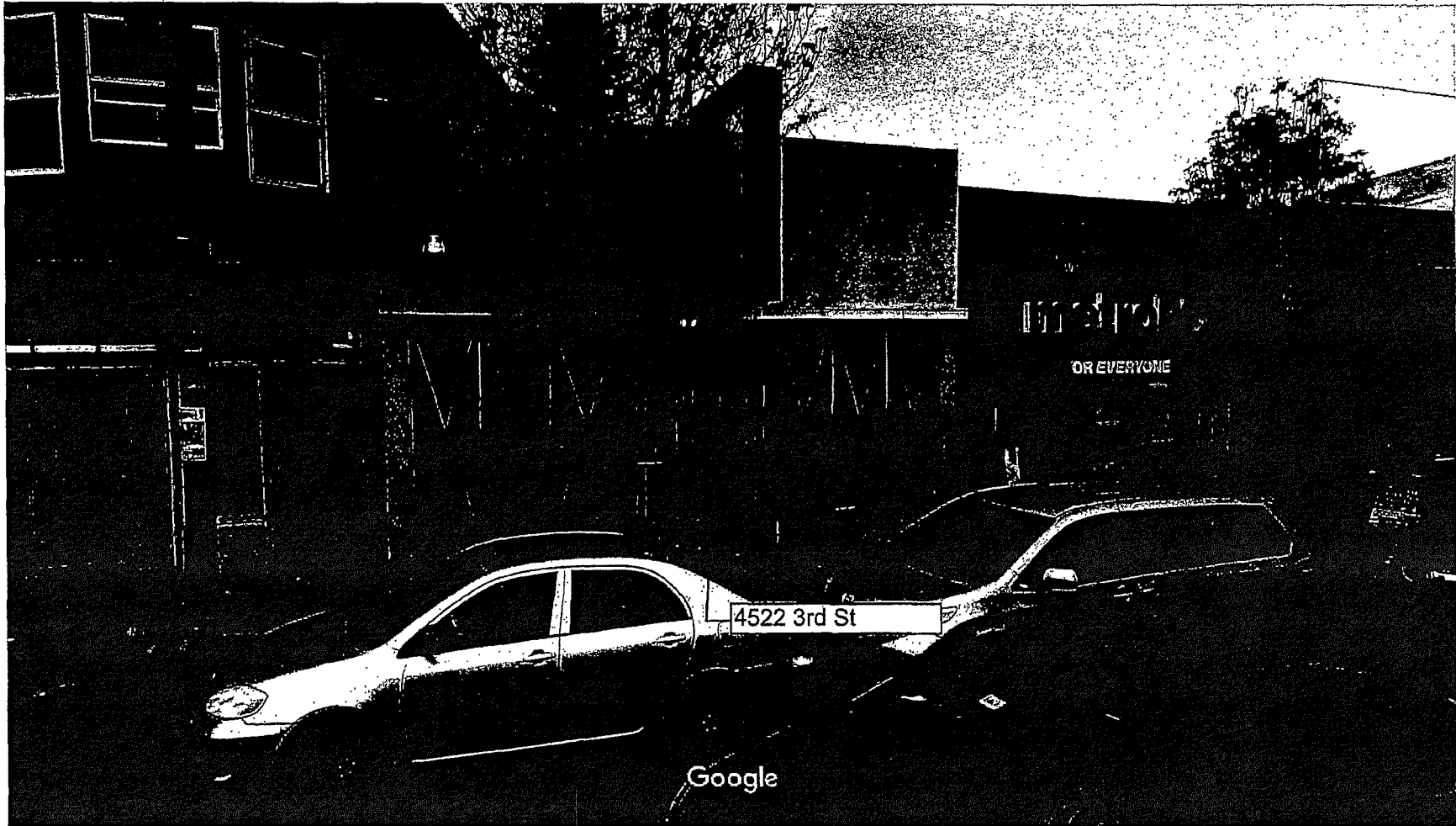
# Google Maps 4522 3rd St



7/19/2017

4522 3rd St - Google Maps

Google Maps 4522 3rd St



252

San Francisco, California

Street View - Apr 2017

Image capture: Apr 2017 © 2017 Google United States



## Carroll, John (BOS)

---

**From:** Carroll, John (BOS)  
**Sent:** Wednesday, February 21, 2018 2:19 PM  
**To:** Lambricht, Koledon (BOS); (carolyn.goossen@sfgov.org); 'Angulo, Sunny (sunny.angulo@sfgov.org)'  
**Cc:** 'justin.gebb@abc.ca.gov'; 'Meyer, Rose @ABC'; Gordon, Nelly (POL); George, Gigi (POL); Macchi, Patrick (POL); CPC.Referrals; Kittler, Sophia (BOS); Chicuata, Brittnei (BOS); Chisti, Aliya (BOS); 'rennie23@gmail.com'  
**Subject:** Liquor License PC or N - Liquor License - 4522-3rd Street - Sav More Market  
**Categories:** 170665

Good afternoon,

The Police Department has completed their review of the subject public convenience or necessity request, and has forwarded their recommendation for approval with conditions. For your convenience, I have their review available from the link below:

[Police Department Response - February 21, 2018](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170665](#)

This request for findings of public convenience or necessity may be heard at a future regular meeting of the Public Safety and Neighborhood Services Committee.

Thanks for the review.

**John Carroll**  
Assistant Clerk  
Board of Supervisors  
San Francisco City Hall, Room 244  
San Francisco, CA 94102  
(415)554-4445 - Direct | (415)554-5163 - Fax  
[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org) | [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)



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

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

*Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

## **Carroll, John (BOS)**

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**From:** Carroll, John (BOS)  
**Sent:** Tuesday, January 23, 2018 11:25 AM  
**To:** Gordon, Nelly (POL); George, Gigi (POL)  
**Cc:** (carolyn.goossen@sfgov.org); Kittler, Sophia (BOS); Chicuata, Brittni (BOS); Chisti, Aliya (BOS); 'rennie23@gmail.com'; Powell, Georgia (CPC); CPC.Referrals; 'Meyer, Rose @ABC'; 'justin.gebb@abc.ca.gov'  
**Subject:** Liquor License PC or N Referral - 4522-3rd Street - Sav More Market  
**Categories:** 170665

Good morning,

The Planning Department has completed their review of the subject application, and has forwarded their recommendation for approval. For your convenience, I have their review available from the link below:


[Planning Dept. Response - Received January 22, 2018](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170665](#)

Thanks for the review.

**John Carroll**  
**Assistant Clerk**  
Board of Supervisors  
San Francisco City Hall, Room 244  
San Francisco, CA 94102  
(415)554-4445 - Direct | (415)554-5163 - Fax  
[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org) | [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)

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

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RECEIVED

AUG 28 2017

LIQUOR LICENSE REVIEW

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
NEIGHBORHOOD PLANNING

Planning Department  
AnMarie Rodgers/CTYPLN/SFGOV  
Georgia Powell/CTYPLN/SFGOV@SFGOV  
Fax No.: (415) 558-6409

File: 170665

TO: Police Department  
Inspector Nelly Gordon  
Phone: (415) 837-7273

DATE: August 28, 2017

Block/Lot: 5296/019  
Zoning: NSC-3  
Quadr: SE

Record # 2017-011355 M1

Please submit your response in four to six weeks for the matter to be heard.  
**PLEASE EMAIL YOUR RESPONSE BY:** October 6, 2017, to John Carroll,  
Public Safety and Neighborhood Services Committee Clerk.  
[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org) - Fax No: 554-5163

**Applicant Name:** Abdalla F. Joseph  
**Business Name:** Sav More Market  
  
**Application Address:** 4522 3<sup>rd</sup> Street  
San Francisco, CA 94124-2106  
  
**and contact info:** Contact: Mark E. Rennie  
870 Market Street  
The Flood Building, Suite 1260  
San Francisco, CA 94102  
Ph: (415) 981-4500  
Fx: (415) 981-3334

**PLANNING COMMENTS:**

Approval  Denial

PER PLANNING CODE SECTION 7029 249.62, RECOMMEND  
APPROVAL FOR THE RELOCATION OF LIQUOR LICENSE (DBA  
SAV MORE MARKET). THOUGH WITH IN THE THIRD STREET ALCOHOL  
RESTRICTED USE DISTRICT, PC 249.62 (a)(3)(B)(IV) PERMITS THE  
RELOCATION WITH A CONDITIONAL USE AUTHORIZATION  
PERM-101100.20076 CASE NO. 2017-007658 CUA WAS APPROVED  
AND THE CUA WAS GRANTED.

**POLICE COMMENTS:**

Approval  Denial

APPROVED  
-122.12



# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- |  |  |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415)           | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412)            | <input type="checkbox"/> Other                             |

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

## Planning Commission Motion No. 20076

HEARING DATE: DECEMBER 14, 2017

Case No.: 2017-007658CUA  
 Project Address: 4522 3<sup>RD</sup> STREET  
 Zoning: NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District  
40-X Height and Bulk District  
Third Street Alcohol Restricted Use District  
Third Street Special Use District  
 Block/Lot: 5296/019  
 Project Sponsor: Jeremy Paul  
584 Castro Street #466  
San Francisco, CA 94114  
jeremy@quickdrawsf.com or (415) 552-1888  
 Staff Contact: Linda Ajello Hoagland - (415) 575-6823  
linda.ajellohoagland@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTION 249.62, 303 AND 712 OF THE PLANNING CODE TO RELOCATE AN EXISTING LIQUOR ESTABLISHMENT/GROCERY STORE (D.B.A. SAV MOR MARKET) WITHIN THE THIRD STREET ALCOHOL RESTRICTED USE DISTRICT AT 4522 THIRD STREET WITHIN THE NEIGHBORHOOD COMMERCIAL, MODERATE SCALE (NC-3) DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPT FINDINGS PER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

### PREAMBLE

On June 20, 2017, Jeremy Paul (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization for the subject property at 4522 3<sup>rd</sup> Street, Lot 019 in Assessor's Block 5296, (hereinafter "subject property"), pursuant to Planning Code Sections 249.62, 303 and 712 to relocate an existing existing liquor establishment/grocery store (d.b.a. Sav Mor Market) within the Third Street Alcohol Restricted Use District in the NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk Districts.

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption.

The Planning Department Commission Secretary is the custodian of records; the file for Case No. 2017-007658CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

On December 14, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2017-007658CUA.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. 2017-007658CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

#### **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The site ("Project Site"), Lot 019 in the Assessor's Block 5296, is located on the western side of 3<sup>rd</sup> Street, between La Salle and Mc Kinnon Avenues in the Neighborhood Commercial, Moderate Scale (NC-3) Zoning District, the Third Street Alcohol Restricted Used District, Third Street Special Use District, Fringe Financial Service Restricted Use District, and a 40-X Height and Bulk District. The property is developed with a single-story over basement commercial building with one storefront. The subject tenant space is currently vacant, and the last known use was a retail use in the early 1990's. The subject property is located mid-block lot, with approximately 27 feet of frontage on 3<sup>rd</sup> Street. The subject commercial space is approximately 1,125 square feet in size and occupies approximately 27 feet of frontage on 3<sup>rd</sup> Street. In total, the site is approximately 2,374 square feet.
3. **Surrounding Properties and Neighborhood.** The subject property is located mid-block on the west side of 3<sup>rd</sup> Street, between La Salle and Mc Kinnon Streets, in Bayview Hunters Point neighborhood. As stated in the Planning Code, the surrounding zoning district is intended to provide a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, while also providing convenient goods and services to the surrounding neighbors. The Project site is located in an area of mixed-use character and on a corridor composed primarily of ground floor commercial/retail uses and upper floor residential. Uses surrounding the Project site include a grocery store, bar, eating and drinking establishments, convenience markets, retail sales and residential uses. Most commercial businesses are open during the day while the District's bars and restaurants are also active in the evening. Dwelling units are generally located above the limited ground-story commercial uses

along 3<sup>rd</sup> Street within the NC-3 Zoning District. The surrounding neighborhood to the west and across 3<sup>rd</sup> Street to the east, which are predominantly residential, are located within the RH-1 (Residential House, Single-Family) and RH-2 (Residential House, Two-Family) Districts.

4. **Project Description.** The Project Sponsor proposes to relocate an existing liquor establishment/grocery store (d.b.a. Sav Mor Market) to 4522 3<sup>rd</sup> Street within the Third Street Alcohol Restricted Use District. The Project proposes a change of use from a vacant retail use to a liquor establishment/grocery store. No exterior modifications to the building are proposed as part of the project. Any related exterior signage would be submitted under a separate sign permit application.

The Project Sponsor has operated Sav Mor Market at 4500 3<sup>rd</sup> Street for approximately 27 years. The Project Sponsor recently lost their lease and seeks to relocate the business and off-sale liquor license to a vacant commercial space four doors down, within the same block, at 4522 3<sup>rd</sup> Street. The proposed tenant space is larger than the existing location and will allow the expansion of the grocery component of the business including the sale of fresh food and produce. The existing hours of operation are seven days a week from 6:00 am to 2:00 am and are proposed to remain the same in the new location.

5. **Public Comment.** The Department has received one letter in opposition of the project and ten letters in support.

The opponent states that the sale of alcohol in this location is not appropriate due to its proximity to a future school, which will occupy the space at 4500 3<sup>rd</sup> Street (current location of Sav Mor Market). Further, he states this use is inconsistent with Policy 2.3 of the Bayview Hunters Point Area Plan, since the plan calls for a restriction of uses such as liquor sales establishments on Third Street.

Those in support of the Project, including residents of the surrounding neighborhood and merchant groups, stating that Sav Mor is a great necessity within the neighborhood that has been relied upon for years and that it is one of the "few family-owned businesses on 3<sup>rd</sup> Street that have a solid, respectable businesses serving the Bayview community."

6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - a. **Third Street Alcohol Restricted Use District.** Pursuant to Planning Code Section 249.62(a)(3)(B)(iv), re-location of an existing Prohibited Liquor Establishment in the Third Street Alcohol RUD to another location within the same Third Street Alcohol RUD with conditional use authorization from the City Planning Commission, provided that the original premises shall not be occupied by a Prohibited Liquor Establishment, unless by another Prohibited Liquor Establishment that is also relocating from within the Third Street Alcohol RUD.

*The Project Sponsor seeks to relocate an existing Prohibited Liquor Establishment to another location within the Third Street Alcohol RUD and is seeking Conditional Use Authorization from the Planning Commission. The original premises will not be occupied by a Prohibited Liquor Establishment, and therefore complies with this requirement pursuant to Planning Code Section 249.62.*

- b. **Use Size.** Planning Code Section 121.2 requires non-residential uses to be limited to a maximum of 4,000 square feet in size within the NC-3 Zoning District. Modifications to this requirement may be granted through the Conditional Use Authorization process.

*The size of the existing ground floor non-residential tenant space is approximately 1,125 gross square feet and thus complies with this requirement.*

- c. **Hours of Operation.** Principally permitted hours of operation are from 6 a.m. to 2 a.m. and conditionally permitted hours of operation are from 2 a.m. to 6 a.m. in the NC-3 District. Permitted hours of operation pertain specifically to the hours which a commercial establishment may be open for business.

*The Projects proposed hours of operation are seven-days per week 6:00 am to 2:00 am; therefore, the Project complies with this requirement.*

- d. **Signage.** Article 6 of the Planning Code outlines the requirements for signage on the existing building.

*Any proposed signage shall comply with the limitations of the Planning Code and individual signs are subject to the review and approval of the Planning Department. The Project Sponsor will work with staff to propose signage that is aligned with the intent of the Sign Regulations.*

- 7. **Conditional Use Authorization.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

- a. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The proposed 1,125 square foot liquor establishment/grocery store use is appropriately sized for the district, which consists of small-scale buildings and neighborhood serving uses, which include a grocery store, bars, restaurants, retail sales and residential uses. The Project will not introduce a new use; rather it will relocate an existing established business four doors down from the location in which it has operated for approximately 27 years. The proposed tenant space is larger than the existing location and will allow the expansion of the grocery component of the business including the sale of fresh food and produce and will provide services which are compatible with the neighborhood and desirable for the community.*

- b. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The proposed liquor establishment/grocery store use will operate within the existing vacant commercial space, and no expansion of the building envelope is proposed.*

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The Planning Code does not require parking in the NC-3 Zoning District. Loading requirements apply to uses that are 10,000 gross square feet or more. The gross square footage of the Project is approximately 1,125 square feet, therefore loading is not required. The subject site is well-served by public transit, minimizing the need for private vehicle trips.*

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*The Project will not produce noxious or offensive emissions related to noise, glare, dust, or odor. The proposed activities would be within an enclosed building, thus providing ample sound insulation.*

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

*The Planning Code does not require any parking or loading for the proposed project. There is no proposed addition of or change to signs as part of the Conditional Use Authorization. No additional landscaping is proposed. There is one existing tree in front of the building on 3<sup>rd</sup> Street.*

- c. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

*The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.*

- d. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

*As the proposed liquor establishment/grocery store is relocating within the Third Street Alcohol Restricted Use District, it will continue to serve the neighborhood in code-complying manner. The*



*Project is consistent with the stated purpose of the Neighborhood Commercial, Moderate Scale District in that the intended use is located at the ground floor, will provide compatible convenience goods for the immediately surrounding neighborhoods and is in character with the commercial uses found within the Zoning District.*

8. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

## **NEIGHBORHOOD COMMERCE**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

##### **Policy 1.1:**

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

##### **Policy 1.2:**

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

##### **Policy 1.3:**

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

*The proposed development will provide desirable goods and services to the residents of the neighborhood and will provide resident employment opportunities to those in the community. The proposed project is consistent with activities of the commercial land use plan of the Neighborhood Commercial, Moderate Scale District.*

#### **OBJECTIVE 2:**

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

##### **Policy 2.1:**

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

*The Project consists of the relocation of an existing liquor establishment/grocery store four doors away from its existing location into a vacant storefront, thus allowing it to remain in the neighborhood. The Project*

*would not add a new use to the Neighborhood Commercial District nor would it displace any current tenants.*

**OBJECTIVE 6:**

**MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.**

**Policy 6.1:**

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

*No commercial tenant would be displaced and the project would not prevent the District from achieving optimal diversity in the types of goods and services available in the neighborhood. The project site is currently vacant.*

The following guidelines, in addition to others in this objective for neighborhood commercial districts, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications, which require case-by-case review and City Planning Commission approval. Pertinent guidelines may be applied as conditions of approval of individual permit applications. In general, uses should be encouraged which meet the guidelines; conversely, uses should be discouraged which do not.

*There is a concern with the potential over-concentration of food-service establishments. The Commerce and Industry Element of the General Plan contains Guidelines for Specific Uses. For take-out food, convenience stores, and similar quick-stop establishments, the Guidelines state, "quick-stop establishments include fast food restaurants, self-service restaurants, take-out food, convenience stores and other quick-stop establishments which may or may not involve food service. These latter uses may include small or medium-sized grocery stores, film processing stores, video rental outlets, dry cleaners, and other establishments which primarily provide convenience goods and services and generate a high volume of customer trips." Planning staff has performed a site survey of the Neighborhood Commercial, Moderate Scale District, where the proposed project is located. The Project, which will be relocating to a vacant storefront on the same block, will be interspersed with other retail businesses and will not create an undue concentration of one product type.*

**Policy 6.2:**

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to the economic and technological innovation in the marketplace and society.

*An independent owner is sponsoring the proposal. The proposed use is a neighborhood serving use. This is not a Formula Retail use.*

**BAYVIEW HUNTERS POINT AREA PLAN**

**Objectives and Policies**

**OBJECTIVE 2:**

IMPROVE USE OF LAND ON THIRD STREET BY CREATING COMPACT COMMERCIAL AREAS, ESTABLISHING NODES FOR COMPLEMENTARY USES, AND RESTRICTING UNHEALTHY USES.

**Policy 2.3:**

Restrict uses such as liquor sales establishments on Third Street.

*The proposed project will relocate an existing liquor establishment/grocery store within the same block on Third Street and will include the expansion of its grocery component to include fresh food and produce, which will better serve the residents in the surrounding neighborhood. The Project will not create a net new liquor sales establishment on Third Street. Furthermore, the Project will comply with Planning Code Section 249.62 which pertains to the relocation of existing liquor establishments on Third Street.*

9. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:

A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The project proposes to relocate an existing liquor establishment/grocery store within the same block and will continue to serve the neighborhood as it has for over two decades.*

B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The existing residential units in the surrounding neighborhood would not be adversely affected. The proposal proposes to relocate an existing liquor establishment/grocery store within the same block and will occupy an existing commercial space that has been vacant for many years. No residential units will be lost and no exterior modifications to the building will be made.*

C. That the City's supply of affordable housing be preserved and enhanced.

*The Project will not involve any modifications to the existing residential units in the building, thus preserving the supply of housing.*

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

*The proposed project is at mid-block at 4522 3rd Street and is well-served by transit. It is highly likely that both employees and customers of the proposed project will either walk or use Muni to arrive at the subject location as several bus lines operate within a few blocks of the site.*

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The Project does not include the creation of commercial office development, and will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project. The Project will relocate an existing business into a vacant commercial storefront within the same city block, thus there is no impact.*

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code.*

- G. That landmarks and historic buildings be preserved.

*The Project will not involve any exterior modifications to the existing building and will not impact any landmarks or historic buildings.*

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Project is located within an existing building and will have no negative impact on existing parks and open spaces.*

10. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

**DECISION**

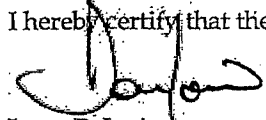
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2017-007658CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 30, 2017 and October 18, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 20076. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives NOTICE that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on December 14, 2017.

  
Jonas P. Ionin  
Commission Secretary

AYES: Fong, Hillis, Johnson, Koppel, Melgar, Moore and Richards

NAYS: None

ABSENT: None

ADOPTED: December 14, 2017

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow the relocation of an existing existing liquor establishment/grocery store (d.b.a. Sav Mor Market) 4522 3<sup>rd</sup> Street within the Third Street Alcohol Restricted Use District. The Project proposes a change of use from a vacant retail use to a liquor establishment/grocery located at 4522 3<sup>rd</sup> Street, Block 5296, Lot 019 pursuant to Planning Code Sections 249.62, 303 and 712, within the Neighborhood Commercial, Moderate Scale District and 40-X Height and Bulk District; in general conformance with plans, dated May 30, 2017 and October 18, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2017-007658CUA and subject to conditions of approval reviewed and approved by the Commission on December 14, 2017 under Motion No. 20076. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on December 14, 2017 under Motion No. 20076.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. 20076 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### SEVERABILITY

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

### CHANGES AND MODIFICATIONS

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

## Conditions of Approval, Compliance, Monitoring, and Reporting

### PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING - AFTER ENTITLEMENT

6. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
7. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## OPERATION

8. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.  
*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>*
9. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.  
*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>*
10. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*



11. Security.

- a. The Project Sponsor shall install and maintain exterior lighting sufficient to fully illuminate the entry and sidewalk area extending to the curb for the length of the building frontage.
- b. The Project Sponsor shall install and maintain security cameras on the exterior of the property sufficient for monitoring and recording activities on the sidewalk for the length of the subject building street frontage.

12. Interior Floor Plan.

- a. The Project Sponsor shall not display alcohol within 15 feet of the store entry so that alcohol products are not visible from the street.
- b. Pursuant to the guidelines of the *HealthyRetailSF* program, not more than 15% of the floor area of the store shall be dedicated to alcohol sales.
- c. Not less than 45% of the floor area of the store shall be dedicated to sales and display of "Healthy Products" as designated by *HealthyRetailSF*.

*HealthyRetailSF is led and deployed by the Office of Economic and Workforce Development (OEWD) in partnership with the San Francisco Department of Public Health (SFDPH). For more information about this program, visit [www.HealthyRetailSF.org](http://www.HealthyRetailSF.org)*

## Carroll, John (BOS)

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**From:** Carroll, John (BOS)  
**Sent:** Monday, August 28, 2017 1:43 PM  
**To:** Rodgers, AnMarie; Powell, Georgia (CPC); Gordon, Nelly (POL)  
**Cc:** Morales, Carolina (BOS); Chan, Yoyo (BOS); Kittler, Sophia (BOS); Chicuata, Brittini (BOS); 'rennie23@gmail.com'; 'justin.gebb@abc.ca.gov'; 'joan.bernardino@abc.ca.gov'  
**Subject:** Liquor License PC or N Referral - 4522-3rd Street - Sav More Market  
**Categories:** 170665

Good afternoon,

The office of the Clerk of the Board has received a letter requesting Public Convenience or Necessity recommendations for a liquor license transfer. This matter is being referred to you for response via the following linked document:

[Referral Letter to Planning and Police Departments](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 170665](#)

**I request the department's response before October 6, 2017.**

Thanks for the review.

**John Carroll**

**Assistant Clerk**

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415)554-4445 - Direct | (415)554-5163 - Fax

[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org) | [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)

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

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

*Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

## LIQUOR LICENSE REVIEW

**TO:** Planning Department **File:** 170665  
AnMarie Rodgers/CTYPLN/SFGOV  
Georgia Powell/CTYPLN/SFGOV@SFGOV  
Fax No.: (415) 558-6409

**TO:** Police Department  
Inspector Nelly Gordon  
Phone: (415) 837-7273

**DATE:** August 28, 2017

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Please submit your response in four to six weeks for the matter to be heard.  
**PLEASE EMAIL YOUR RESPONSE BY:** October 6, 2017, to John Carroll,  
Public Safety and Neighborhood Services Committee Clerk.

**[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org) - Fax No: 554-5163**

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**Applicant Name:** Abdalla F. Joseph  
**Business Name:** Sav More Market

**Application Address:** 4522 3<sup>rd</sup> Street  
San Francisco, CA 94124-2106

**and contact info:** Contact: Mark E. Rennie  
870 Market Street  
The Flood Building, Suite 1260  
San Francisco, CA 94102  
Ph: (415) 981-4500  
Fx: (415) 981-3334

**PLANNING COMMENTS:**  Approval  Denial

**POLICE COMMENTS:**  Approval  Denial

MARK E. RENNIE  
ATTORNEY AT LAW  
870 MARKET STREET  
THE FLOOD BUILDING, SUITE 1260  
SAN FRANCISCO, CALIFORNIA 94102

(415) 981-4500  
TELECOPIER (415) 981-3334

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2017 AUG 25 PM 3:59  
AK

August 21, 2017

Angela Calvillo  
Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

Via Messenger

Re: Abdalla F. Joseph dba Sav More Market  
California ABC Liquor License Transfer  
4522 3<sup>rd</sup> Street, San Francisco, CA 94124-2106  
**Public Convenience and Necessity Determination Request**  
*ABC Type-21 —Off-Sale General*  
*Premise to Premise Transfer from 4500 3<sup>rd</sup> St to 4522- 3<sup>rd</sup> St. SF CA 94124*

Dear Ms. Cavillo:

This office represents Abdalla F. Joseph dba Sav More Market. My client presently owns a small market located at 4500 3<sup>rd</sup> Street. Unfortunately, Mr. Joseph has lost his lease and wishes to move two doors away to 4522- 3<sup>rd</sup> Street, to a building that his family has purchased. We have submitted an application to the California Department of Alcoholic Beverage Control (ABC) to move the business and their On-Sale General license [Type 21] to their new intended location.

Sav More Market is a local Bayview market that has been serving the community since 1998. This family has owned three other markets on 3<sup>rd</sup> Street beginning in the 1960's. Mr. Joseph was born in the Bayview, as were many of his siblings. He attended local public schools and graduated from Archbishop Riordan High School in San Francisco.

This proposed relocation of Sav More Market is now being vetted by the San Francisco Planning Department, and we expect that the matter will be heard before the San Francisco Planning Commission in September or October 2017. Public testimony will be taken at that hearing and we believe that this transfer will be approved subject to conditions. There have been meetings concerning this move with neighbors and Supervisor Cohen and they are in support of the proposed transfer.

Mr. Joseph and his large extended family are skilled market owners and operators. They are very much a part of the Bayview neighborhood and have been for over 50 years. It is my client's desire to move his business 1/3 of a block away to his new location and continue to support the neighborhood and remain part of the vibrant Bayview community. As the proposed new location is larger than the current location, Mr. Joseph wishes to expand his product offering to include more fresh produce and local items.

Sav More Market has been well-managed and non-problematic since 1998. There have been no noise complaints and minimal police issues during the past twenty years. My client will continue in the new location to be respectful to the neighborhood and to his customers. Sav More is committed to providing an excellent experience for their customers and will strive to make its 3<sup>rd</sup> Street area safer and crime free. Foremost, they will be Good Neighbors.

The requested move, if approved, will allow Sav-More to offer more of what they are known for: friendly service and great value in a relaxed, and social atmosphere. Sav More will continue to provide jobs in the service industry that support and enhance opportunity for local residents and support other local businesses in the Bayview neighborhood. The approval by the Board of Supervisors of the transfer of this existing ABC license would not have any detrimental effect on the surrounding neighborhood or the City of San Francisco. The clientele of this operation typically lives in the neighborhood and poses no public safety problems.

For the reasons outlined above, applicant Abdalla F. Joseph dba Sav More Market respectfully requests that this letter be forwarded to the Public Safety & Neighborhood Services Committee of the Board and that this Committee and the full Board of Supervisors make a determination under California Business and Professions Code Section 23958.4 that the public need or convenience would be served by the premise-to-premise transfer of this liquor license to a new location at 4522 3<sup>rd</sup> Street.

Thank you for your consideration of this request.

Yours truly,



Mark E. Rennie

MER/mb

Cc: Abdalla Joseph  
(Acting) Lt. Nelly Gordon, Officer-in-Charge SFPD ALU

Department of Alcoholic Beverage Control  
**APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)**  
 ABC 211 (6/99)

State of California  
*Mark Rennie*

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

File Number: **583110**  
 Receipt Number: **2439380**  
 Geographical Code: **3800**  
 Copies Mailed Date: **July 7, 2017**  
 Issued Date:

*(415) 981-5400*

2017 JUL 12 PM 2:21  
 BOARD OF EQUALIZATION  
 SAN FRANCISCO

DISTRICT SERVING LOCATION: SAN FRANCISCO  
 First Owner: **JOSEPH, ABDALLA FAIZ**  
 Name of Business: **SAV MORE MARKET**  
 Location of Business: **4522 3RD ST  
 SAN FRANCISCO, CA 94124-2106**

County: **SAN FRANCISCO**  
 Is Premise inside city limits? **Yes** Census Tract **0612.00**

Mailing Address:  
 (If different from premises address) **77 WESTPARK DR  
 DALY CITY, CA 94015-1056**

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

Transferor's license/name: **338057 / JOSEPH, ABDALLA FAIZ** Dropping Partner: Yes  No

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
21 - Off-Sale General	PREMISE TO PREMISE TRANSFER NA		Y	0	07/07/17	\$100.00
Total						\$100.00

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: **July 7, 2017**

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)

JOSEPH, ABDALLA FAIZ



**California Department of Alcoholic Beverage  
Control**  
*License Query System Summary*  
*as of 8/24/2017*

<b>License Information</b>
<b>License Number:</b> 583110
<b>Primary Owner:</b> JOSEPH, ABDALLA FAIZ
<b>ABC Office of Application:</b> 24 - SAN FRANCISCO
<b>Business Name</b>
<b>Doing Business As:</b> SAV MORE MARKET
<b>Business Address</b>
<b>Address:</b> 4522 3RD ST <b>Census Tract:</b> 0612.00
<b>City:</b> SAN FRANCISCO <b>County:</b> SAN FRANCISCO
<b>State:</b> CA <b>Zip Code:</b> 94124
<b>Licensee Information</b>
<b>Licensee:</b> JOSEPH, ABDALLA FAIZ
<b>License Types</b>
<b>1) License Type:</b> 21 - OFF-SALE GENERAL
<b>License Type Status:</b> PENDING
<b>Status Date:</b> 07-JUL-2017 <b>Term:</b> 12 Month(s)
<b>Original Issue Date:</b> <b>Expiration Date:</b>
<b>Master:</b> Y <b>Duplicate:</b> 0 <b>Fee Code:</b> P40
<b>License Type was Transferred On:</b> <b>FROM:</b> <u>21-338057</u>
<b>Operating Restrictions</b>

<i>... No Operating Restrictions found ...</i>
<b>Current Disciplinary Action</b>
<i>... No Active Disciplinary Action found ...</i>
<b>Disciplinary History</b>
<i>... No Disciplinary History found ...</i>
<b>Hold Information</b>
<b>Hold Date:</b> 07-JUL-2017 <b>Type:</b> FORM 220
<b>Escrow</b>
<i>... No Escrow found ...</i>

--- End of Report ---

For a definition of codes, view our [glossary](#).





**California Department of Alcoholic Beverage  
Control**  
*License Query System Summary  
as of 8/24/2017*

<b>License Information</b>
<b>License Number:</b> 338057
<b>Primary Owner:</b> JOSEPH, ABDALLA FAIZ
<b>ABC Office of Application:</b> 24 - SAN FRANCISCO
<b>Business Name</b>
<b>Doing Business As:</b> SAV MORE MARKET
<b>Business Address</b>
<b>Address:</b> 4500 3RD ST <b>Census Tract:</b> 0612.00
<b>City:</b> SAN FRANCISCO <b>County:</b> SAN FRANCISCO
<b>State:</b> CA <b>Zip Code:</b> 94124
<b>Licensee Information</b>
<b>Licensee:</b> JOSEPH, ABDALLA FAIZ
<b>License Types</b>
1) <b>License Type:</b> 21 - OFF-SALE GENERAL
<b>License Type Status:</b> ACTIVE
<b>Status Date:</b> 23-MAR-1998 <b>Term:</b> 12 Month(s)
<b>Original Issue Date:</b> 23-MAR-1998 <b>Expiration Date:</b> 28-FEB-2018
<b>Master:</b> Y <b>Duplicate:</b> 0 <b>Fee Code:</b> P40
<b>License Type was Transferred On:</b> 23-MAR-1998 <b>FROM:</b> <u>21-291979</u>
<b>License Type was Transferred On:</b> <b>TO:</b> <u>21-583110</u>

<b>2) License Type: TEMPORARY PERMIT</b>
<b>License Type Status: EXPIRED</b>
<b>Status Date: 01-JAN-1998      Term: 4 Month(s)</b>
<b>Original Issue Date: 01-JAN-1998      Expiration Date: 30-APR-1998</b>
<b>Master:      Duplicate:      Fee Code:</b>
<b>License Type was Transferred On: 23-MAR-1998      FROM: <u>21-291979</u></b>
<b>License Type was Transferred On:      TO: <u>21-583110</u></b>
<b>3) License Type: TEMPORARY PERMIT</b>
<b>License Type Status: EXPIRED</b>
<b>Status Date: 01-JAN-1998      Term: 4 Month(s)</b>
<b>Original Issue Date: 01-JAN-1998      Expiration Date: 30-APR-1998</b>
<b>Master:      Duplicate:      Fee Code:</b>
<b>License Type was Transferred On: 23-MAR-1998      FROM: <u>21-291979</u></b>
<b>License Type was Transferred On:      TO: <u>21-583110</u></b>
<b>Operating Restrictions</b>
<i>... No Operating Restrictions found ...</i>
<b>Current Disciplinary Action</b>
<i>... No Active Disciplinary Action found ...</i>
<b>Disciplinary History</b>
<b>Reg. Number: 04056737</b>
<b>1) Section: 25658(a)</b>
<b>2) Section: 24200 (a&amp;b)</b>
<b>Proceeding Status: CLOSED      Decision: POIC</b>
<b>Suspension Days: 15      Stayed Days      POIC/Fine:</b>
<b>Suspension Start Date:</b>

<b>Suspension End Date:</b>
<b>Hold Information</b>
<i>... No Active Holds found ...</i>
<b>Escrow</b>
<i>... No Escrow found ...</i>

*--- End of Report ---*

For a definition of codes, view our [glossary](#).

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

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

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [ ]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

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

Sponsor(s):

Clerk of the Board

Subject:

Liquor License - 4522-3rd Street - Sav More Market

The text is listed below or attached:

Hearing to consider that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits license to Abdalla F. Joseph, doing business as Sav More Market located at 4522-3rd Street (District 10), will serve the public convenience or necessity of the City and County of San Francisco.

Signature of Sponsoring Supervisor: *Alisa Gomez*

For Clerk's Use Only: *fr*