LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Departm Referrals Phone No. (415)			DATE:	July 30, 2019			
TO:	Police Department Inspector Nelly Gor Phone No. (415) 83		Zoning: C	Lot Nos.: 0315/019 C-3-G Downtown General NE Planning Team o.:			
Neigh	Please submit your response within three weeks; the Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in September of 2019.						
	Safety and Neighbo		Committee C				
Appli	cant name:	Garfield Beach CVS					
Business name:		cvs	CVS				
Application address:		•	399 Geary Street San Francisco, CA 94104				
Applicant contact info:		John Kevlin Reuben, Junius 415-567-9000	& Rose LLF	כ			
PLA	NNING REVIE	W : ☐ Appr	oval [Denial			
Plann	ing Staff Contact:						
	Please print review comments on a trailing page.						
POL	POLICE REVIEW: Approval Denial						
	Please print re	eview comm	nents in a	a trailing report.			

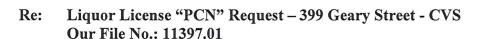
REUBEN, JUNIUS & ROSE, LLP

John Kevlin jkevlin@reubenlaw.com

July 23, 2019

Delivered Via Messenger

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



Dear Ms. Calvillo:

At Mr. John Kevlin's request, please find enclosed letter regarding a Liquor License "PCN" Request related to the above-referenced matter.

Please feel free to contact Mr. Kevlin at (415) 567-9000 if you have any questions.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Jennica Dandan Legal Assistant

REUBEN, JUNIUS & ROSE, LLP

John Kevlin jkevlin@reubenlaw.com

July 23, 2019

Delivered Via Messenger

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

Re: Liquor License "PCN" Request – 399 Geary Street - CVS

Our File No.: 11397.01

Dear Ms. Calvillo:

At Mr. John Kevlin's request, please find enclosed letter regarding a Liquor License "PCN" Request related to the above-referenced matter.

Please feel free to contact Mr. Kevlin at (415) 567-9000 if you have any questions.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Jennica Dandan Legal Assistant

REUBEN, JUNIUS & ROSE, LLP

John Kevlin jkevlin@reubenlaw.com

July 23, 2019

Delivered Via Messenger

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

Re: Liquor License "PCN" Request – 399 Geary Street - CVS

Our File No.: 11397.01

Dear Ms. Cavillo:

Our office represents CVS Health ("CVS"), the project sponsor of a new CVS retail store and pharmacy at 399 Geary Street (the "Project"). On February 21, 2019, CVS was issued a building permit (BPA No. 2019.02.15.3139) for the Project. Buildout is complete and CVS began operation at the site on May 15, 2019.

CVS now seeks a type-21 off-sale general license from the California Department of Alcohol Beverage Control ("ABC"). CVS has filed an application with ABC for a license transfer. The license would be transferred from the Villa Florence Hotel located at 225 Powell Street (previous License No. 47-515548), to the CVS store at 399 Geary Street (new License No. 599706). Due to the overconcentration of this type of ABC license in this census tract and the Project's location in a high crime reporting district, CVS must obtain a determination by the Board of Supervisors that the public convenience and necessity will be served by the issuance of this license for operations at 399 Geary Street.

The Project will establish a CVS retail store and pharmacy at 399 Geary Street, an existing building at the southeast corner of Geary and Mason Streets. The CVS would occupy approximately 4,320 square feet of ground floor space. The CVS would sell over-the-counter drugs, beauty products and cosmetics, photo finishing, seasonal merchandise, greeting cards, and groceries (such as milk, bread and eggs). The hours of operation are 7 a.m. to 12 a.m. daily.

The CVS will offer a wide variety of convenience goods in the neighborhood. Adding beer, wine and liquor to the offerings of this CVS store would serve the public convenience and necessity of the neighborhood by increasing the variety of goods offered at this location. Area workers,

Angela Calvillo Clerk of the Board of Supervisors July 23, 2019 Page 2 of 3

residents and tourists will have a new store that will provide a convenient, "one-stop" shopping experience.

Adding alcohol to the offerings of this CVS store would also serve the public convenience and necessity by establishing an alcohol retailer that has vast experience with the sale of alcohol and is a responsible retailer with an effective training and corporate-wide management policy for controlling the sale of alcohol. CVS's employee training program, approved by the ABC, must be completed by all employees within 14 days of their hire and before they are permitted to operate the registers. CVS has a zero-tolerance policy – any employee knowingly or recklessly selling any age restricted product to a minor or to an adult purchasing product for a minor is subject to disciplinary action up to termination. Security cameras will be equipped throughout the store and particularly in the area of alcohol sales, which will be monitored by on-site store management, CVS regional and corporate operations, and can be made available to the San Francisco Police Department upon request. The interior store layout for the placement of alcohol products will be designed to allow employees and management to easily monitor activities visually. Further, all checkouts will be equipped with electronic scan detection systems to control the sale of age-restricted products and prompt cashiers to require proper identification before a sale is completed.

Considering CVS's extensive history of alcohol sales in San Francisco, we are also enclosing with this letter a list of proposed conditions to apply to the PCN finding.

For the reasons outlined above, I respectfully request that this letter be forwarded to the Public Safety and Neighborhood Services Committee of the Board and that the Committee and the full Board of Supervisors make a determination under California Business & Professions Code §23958.4 that the public need or convenience would be served by the issuance of a type-21 off-sale general license to this CVS location.

Please contact me with any questions you have.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

John Kevlin

Enclosures

Angela Calvillo
Clerk of the Board of Supervisors
July 23, 2019
Page 3 of 3

399 Geary Street Proposed Conditions

CVS proposes the following conditions be attached to the alcohol license:

- 1. The hours of operation for the store are currently 7 a.m. to 12 a.m. Customer access to all alcohol will be restricted after 10 p.m. by using any combination of locked cooler cases, gondola covers, and/or physical barricades at the ends of the aisles where the product is located on the sales floor.
- 2. All liquor bottles will be secured and capped to ensure that an individual must make a purchase using a valid identification in order to avoid delinquent behavior.
- 3. No more than 5% of the square footage of the premises will be used for the display of alcoholic beverages.
- 4. No malt beverage shall be sold with an alcoholic content greater than 5.7% by volume.
- 5. The sale of single beer or malt beverages in quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is prohibited.
- 6. No beer or malt beverages, wine coolers or beer coolers shall be sold in quantities of less than manufacturer pre-packaged multi-unit quantities of four (4) or more.
- 7. No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles.
- 8. Interior security cameras will be installed within the store and concentrated in the area of alcohol products. These cameras will be monitored during store hours by on-site management, CVS regional and corporate operations, and made available to the SFPD for a minimum of 30 days upon request. External cameras will be installed and operated, focused on the perimeter of the store. Output from these cameras will be shared with the SFPD, upon request.
- 9. Interior store layout for the placement of alcohol products will be designed to allow employees and management to easily monitor activities visually.
- 10. All checkouts will be equipped with electronic scan detection systems to control the sale of age-related products and to prompt cashiers to require proper identification before a sale is completed.

Attachment

License Information





Home | Licensing | License Lookup | License Details

License Details

Report Date: Tuesday, July 23, 2019

LICENSE INFORMATION

License Number:

515548

Primary Owner:

LET IT FLHO LESSEE INC

Office of Application:

24 - SAN FRANCISCO

BUSINESS ADDRESS:

225 POWELL ST, SAN FRANCISCO, CA, 94102

County:

SAN FRANCISCO

Census Tract:

0123.01

LICENSEE INFORMATION

Licensee:

LET IT FLHO LESSEE INC

Company Information

OFFICER: FULLER, KENNETH GRANT (SECRETARY/ASST SEC)

OFFICER: FULLER, KENNETH GRANT (DIRECTOR)

OFFICER: FULLER, KENNETH GRANT (CHIEF FINANCIAL OFFICER)

OFFICER: YOUNG JR, ALFRED LEE (PRESIDENT)

OFFICER: YOUNG JR, ALFRED LEE (DIRECTOR)

OFFICER: GUAM, IAN MARK (VICE PRESIDENT/SECRETARY)

OFFICER: GUAM, IAN MARK (TREASURER)

OFFICER: GUAM, IAN MARK (DIRECTOR)

OFFICER: HAGAN, ROBERT KENNETH (VICE PRESIDENT)

OFFICER: HAGAN, ROBERT KENNETH (SECRETARY/ASST SEC)

LICENSE TYPES

21 - OFF-SALE GENERAL

License Type Status:

SURRENDERED

Status Date:

04-APR-2018

Term:

12 Month(s)

Original Issue Date:

09-FEB-2012

Expiration Date:

31-JAN-2020

2/20	19	License Details Alco
	Master: Y	
	Duplicate: 0	
	Fee Code: P40	
	Transfers: From License Number: 21-450182 Transferred On: 09-FEB-2012 To License Number: 21-599706	
	Conditions: None	
	47 - ON-SALE GENERAL EATI	NG PLACE
	License Type Status: ACTIVE	
	Status Date: 22-NOV-2017	
	Term: 12 Month(s)	
	Original Issue Date: 09-FEB-2012	
	Expiration Date: 31-JAN-2020	
	Master:	
	Duplicate: 0	
	Fee Code: P40	

From License Number: 47-450182 Transferred On: 09-FEB-2012

Transfers:

-				
Col	nd			nc
CU	IIU	u	v	113.

None

47 - ON-SALE GENERAL EATING PLACE

License Type Status:

ACTIVE

Status Date:

22-APR-2016

Term:

12 Month(s)

Original Issue Date:

09-FEB-2012

Expiration Date:

31-JAN-2020

Master:

N

Duplicate:

1

Fee Code:

P40

Transfers:

From License Number: 47-450182

Transferred On: 09-FEB-2012

Conditions:

None

58 - CATERER PERMIT

License Type Status:

ACTIVE

Status Date:

22-APR-2016

Term:

12 Month(s)

/22/20	119	License Details Alcoholic Beverag
	Original Issue Date: 09-FEB-2012	
	Expiration Date: 31-JAN-2020	
	Master:	
	Duplicate:	•
	Fee Code: P40	7
	Transfers: From License Number: 47-450182 Transferred On: 09-FEB-2012	
	Conditions: None	
	66 - CONTROLLED ACCESS (ABINET PERMIT
	License Type Status: ACTIVE	
	Status Date: 22-APR-2016	
	Term: 12 Month(s)	
	Original Issue Date: 09-FEB-2012	
	Expiration Date: 31-JAN-2020	
	Master:	

Fee Code:

Duplicate:

1

P40

T			
Tra	ns	те	rs:

From License Number: 47-450182

Transferred On: 09-FEB-2012

Conditions:

None

OPERATING RESTRICTIONS:

*Operating Restrictions exist. For more information, please see our Guidelines for Access to Records.

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

No Active Holds found

ESCROWS:

No Escrow found

For definition of codes, view our glossary

CAMPAIGNS

MEDIA

Register to Vote

Industry Advisories

Save Our Water

News Releases

Flex Alert

Videos

Amber Alert

SUPPORT

EXTERNAL

Technical Support

Office of Governor

Sitemap

BCSH

Customer Survey

Office of Traffic Safety

File a Complaint

TTB

Web Accessibility Certification

24 Hour Trace Hotline

For law enforcement only

LEAD

Licensee/Server Training





Home | Licensing | License Lookup | License Details

License Details

Report Date: Tuesday, July 23, 2019

LICENSE INFORMATION

License Number:

599706

Primary Owner:

GARFIELD BEACH CVS LLC

Office of Application:

24 - SAN FRANCISCO

BUSINESS NAME:

CVS PHARMACY #104195

BUSINESS ADDRESS:

399 GEARY ST STE B, SAN FRANCISCO, CA, 94102

County:

SAN FRANCISCO

Census Tract:

0123.01

LICENSEE INFORMATION

Licensee:

LONGS DRUG STORES CALIFORNIA LLC

Company Information

OFFICER: LONGS DRUG STORES LLC (MEMBER)

OFFICER: MOFFATT, THOMAS (PRESIDENT)

OFFICER: CIMBRON, LINDA (SECRETARY/ASST SEC)

OFFICER: DESOUSA, KIMBERLY MARIE (SECRETARY/ASST SEC)

OFFICER: LUKER, MELANIE (SECRETARY/ASST SEC)

OFFICER: BEAULIEU, SHEELAGH MARY (TREASURER)

OFFICER: CLARK, JEFFREY EDWARD (TREASURER)

OFFICER: DENALE, CAROL ANN (VICE PRESIDENT/TREASURER)

MEMBER: LONGS DRUG STORES LLC

Licensee:

GARFIELD BEACH CVS LLC

Company Information

OFFICER: CVS PHARMACY INC (MANAGING MEMBER)

OFFICER: MOFFATT, THOMAS (PRESIDENT)

OFFICER: CIMBRON, LINDA (SECRETARY/ASST SEC)

OFFICER: DESOUSA, KIMBERLY MARIE (SECRETARY/ASST SEC)

OFFICER: LUKER, MELANIE (SECRETARY/ASST SEC)

OFFICER: BEAULIEU, SHEELAGH MARY (TREASURER)

OFFICER: DENALE, CAROL ANN (VICE PRESIDENT/TREASURER)

MEMBER: CVS PHARMACY INC

LICENSE TYPES

21 - OFF-SALE GENERAL		
License Type Status: PENDING		
Status Date: 03-OCT-2018		
Term: 12 Month(s)		
Original Issue Date:		
Expiration Date:		
Master:		
Duplicate:	*	
Fee Code: P40		
Transfers: From License Number: 47-515548		
Conditions: None		
OPERATING RESTRICTIONS:		
No Operating Restrictions found		

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

Hold Type:

FORM 220

Hold Date:

03-OCT-2018

Hold Type:

H&LPROTEST

Hold Date:

05-NOV-2018

ESCROWS:

CALIFORNIA BUSINESS ESCROW INC, 1748 MAIN ST ESCALON, CALIFORNIA 95320

For definition of codes, view our glossary

CAMPAIGNS

Register to Vote

Save Our Water

Flex Alert

Amber Alert

MEDIA

Industry Advisories

News Releases

Videos

SUPPORT

Technical Support

Sitemap

Customer Survey

EXTERNAL

Office of Governor

BCSH

Office of Traffic Safety

File a Complaint

Web Accessibility Certification

TTB



24 Hour Trace Hotline

For law enforcement only



LEAD

Licensee/Server Training

Department of Alcoholic Beverage Control

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

State of California Michao

TO: Department of Alcoholic Beverage Control

33 NEW MONTGOMERY STREET

SUITE 1230

SAN FRANCISCO, CA 94105

(415) 356-6500

File Number: 599706

Receipt Number: 2530566 Geographical Code: 3800

Copies Mailed Date: October 3, 2018

Issued Date:

DISTRICT SERVING LOCATION:

SAN FRANCISCO

First Owner:

GARFIELD BEACH CVS LLC CVS PHARMACY #104195

Name of Business: Location of Business:

399 GEARY ST

STE B

SAN FRANCISCO, CA 94102

County:

SAN FRANCISCO

Is Premise inside city limits?

Yes

Census Tract 0123.01

Mailing Address: (If different from 1 CVS DR

MC #1160

premises address)

WOONSCKET, RI 02895-6146

Type of license(s):

21

Transferor's license/name: 515548 / LET IT FLHO LESSEE INC

Dropping Partner: Yes

		··					
License Type	Transaction Type	Fee Type	Master	<u>Dup</u>	<u>Date</u>	. <u>Fee</u>	
21 - Off-Sale General	ANNUAL FEE	NA ·	Y	0	10/03/18	\$646.00	
21 - Off-Sale General	PREMISE TO PREMISE TRANSFER	NA	Y	0	10/03/18	\$100.00	•
21 - Off-Sale General	PERSON-TO-PERSON TRANSFER	NA	Y	0	10/03/18	\$1,250.00	
					Total	\$1,996.00	

Have you ever been convicted of a felony? No

Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the No Department pertaining to the Act?

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: October 3, 2018

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

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

Applicant Name(s)

Applicant Signature(s)

See 211 Signature Page

GARFIELD BEACH CVS LLC

LONGS DRUG STORES CALIFORNIA LLC

LICENSED PREWISES DIAGRAM (RETAIL)							
A. APPLICANT NAME (Last, first, middle)	\ <u>\</u>	2. LICENSE TYPE					
Garfield Beach CVS, LLC/Longs Drug Stor	The state of the s	21 4. NEAREST CROSS STREET					
	~						
399 Geary St., Suite B, San The diagram below is a true and correct description	Francisco, CA 94102 1	walls and exterior					
boundaries of the premises to be licensed, inc	luding dimensions and identification	of each room (i.e., "storeroom",					
"office", etc.). DIAGRAM							
DIAGRAM		mananan mendukan menger					
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	Alpa Contact	40					
	MAGN. 87 M. 201. (13. 41	원역 					
	coholic 3et						
It is hereby declared that the above-describe	d boundaries, entrances and planned	operation as indicated on the					
reverse side, will not be changed without fir	st notifying and securing prior writte	en approval of the Department of					
Alcoholic Beverage Control. I declare unde	r penalty of perjury that the foregoin	g is true and correct.					
APPLICANT SIGNATURE (Only one signature required)	Linda M. Cimbron, Assistant Secretary	DATE SIGNED					
Gerla M. Umbion	EOD ARCHISE ONLY	8-99-9018					
,	ECID ABOTHER ONLY						

PRINTED NAME

INSPECTION DATE

CERTIFIED CORRECT (Signature)

Department of Alcoholic Beverage Control PLANNED OPERATION (RETAIL)

SECTION I - FOR ALL RETAIL APPLICANTS 1. APPLICANT NAME(S) 2. LICENSE TYPE(S)									
Garfield Beach CVS, LLC/Longs Drug Stores California LLC 3. PREMISES ADDRESS (Street number and name, city, zip code) 4. NEAREST CROSS STREET									
399 Geary Stree	399 Geary Street San Francisco, CA 94102 Mason St.								
5. TYPE OF BUSINESS (Choose									Olest
Full Service Restau			ia/Hofbrau		Cocktail	· •		Private (
Deli or Specialty Re	estaurant	Comed	<u> </u>		Night Cl∟	1D		Veteran	
Cafe/Coffee Shop		Brew P	ub	Tavern				Fraterna	al Club
Bed & Breakfast	*********	Theater	***************************************		Wine Tas	sting Room			
Supermarket		Membe	rship Store		Service S	Station		Swap M	eet/Flea Market
Liquor Store		Departr	nent Store		Convenie	ence Market		Drive-in	Dairy
X Variety/Drug Store		Gift Sho	p/Florist		Convenie	ence Market	w/Gasoline		
Other - describe:						/			
6. PATRON CAPACITY	7. SURROUNDIN		г.		PREMISES IS L				
27 / 7	Comme		Rural			nding Buildir			
N/A	Residen	πιαι	Industrial			Genter (Na	•	Diam th	1011-i
9. FOOD SERVICE	Other		10. PARKING LOT?	1	1. PATIO?		s or Less		an 10 Units 13. WILL YOU HAVE A
						ш.	MANAGER? (Rule 57.5)	FOOD LESSEE? (Rule 57.7)
X None Minima	IFull Mea	als	Yes V	lo	Yes	x No	Yes	X No	Yes k No
14. MEAL TYPE			15. TYPE OF FOOD	-		_		BREAKFAST	
Dinner House	Seafood	•	American		Greek	Indian	French	From:	To:
Fast Food/Deli	Other:		Chinese	Цŀ	Corean	Italian	Thai	From N/A	To: N/A
Pizza/Pasta	N/A		Japanese		Other:			From:	To:
17. OPERATING HOURS	nday	Monday	Tuesday	١.	Vednesday	Thurs	dav	Friday	Saturday
Opening Time 24 1	-				vouriesday	111013			
	1041								
Closing Time 18. ENTERTAINMENT (One or mic	ore may apply. Ple	ase describe any	entertainment with an asi	erick (*) t	elow)				•
x None			ed Music		Patron D	ancing	•	Card Ro	oom
Recorded Music		Live E	ntertainment		Bikini/To	pless/Exotic		Movies	
Juke Box		*Floor/S	Stage Shows	7	Pool/Billi	ard Tables			ot"/Lottery
*Other		Karaok	e		*Amateu	r/Pro Sports	Events	Video/C	oin-Operated Games
*Description:			ř						
19. PREMISES IS LOCATED ON Major Thoroughfare	_	□eacand	ary Street	2	Single St			X Two-Sto	nn.
Other	.	Поесона	ary Offeet			ry - Number	of stories:	X1W0-3K	лу
21. PASS-THROUGH WINDOW?	;	22. FIXED BARS	3 ?			iy i tullibel		ENTAGE OF YOUR	R TOTAL SALES WILL BE
∏Yes	x No	∏Yes - b	ow many:			x No	ALCOHOLIC	BEVERAGES?	
<u> </u>	ਯਿ	□,53-11	<u>-</u> .	ABC	USE ONLY			Jõ	
24. INFORMATION GIVEN (R-27,	R-107, Sec. 25612	.5. Sec. 23790.5					25. DATE ENTER	RED INTO CABIN	