

File No. 230082

Committee Item No. 1

Board Item No. 32

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Ngbh Services

Date: March 23, 2023

Board of Supervisors Meeting:

Date: April 4, 2023

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input 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 / DRAFT Mills Act Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Police Department Report – March 16, 2023</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Department Review – January 31, 2023</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PC or N Referral to Planning and Police – January 30, 2023</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>PC or N Request Letter – January 26, 2023</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: John Carroll

Date: March 17, 2023

Prepared by: John Carroll

Date: March 27, 2023

Prepared by: _____

Date: _____

1 [Liquor License Transfer - 655-22 Street - Mainstay Markets]

2

3 **Resolution determining that the premise-to-premise transfer of a Type-20 off-sale**
4 **beer and wine liquor license to Mainstay Markets, to do business as Mainstay**
5 **Markets located at 655-22 Street (District 10), will serve the public convenience or**
6 **necessity of the City and County of San Francisco, in accordance with California**
7 **Business and Professions Code, Section 23958.4; and requesting that the**
8 **California Department of Alcoholic Beverage Control impose conditions on the**
9 **issuance of the license.**

10

11 WHEREAS, Mainstay Markets is seeking the premise-to-premise transfer of a
12 Type-20 off-sale beer and wine liquor license to do business at 655-22 Street
13 (District 10); and

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

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

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

1 RESOLVED, That in accordance with California Business and Professions Code,
2 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
3 hereby determines that the premise-to-premise transfer of a Type-20 off-sale beer and
4 wine liquor license to Mainstay Markets, to do business as Mainstay Markets located
5 at 655-22 Street, will serve the public convenience or necessity of the City and County
6 of San Francisco; and, be it

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

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Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Thursday, March 16, 2023 1:58 PM
To: rstamey-white@beveragelaw.com
Cc: Alabanza, Analyn@ABC; amarjit.tamber@abc.ca.gov; Donovan, Dominica (BOS); Burch, Percy (BOS); Gallardo, Tracy (BOS); Gee, Natalie (BOS); Lopez-Weaver, Lindsey (BOS); Oropeza, Edgar (CPC); Samonsky, Ella (CPC); CPC.Referrals; Salmonson, Joel (POL); Wong, Joanne (POL); Jonas, Stephen (POL)
Subject: RE: Liquor License Transfer - 655-22 Street - Mainstay Markets - BOS File No. 230082
Categories: 230082, 2023.03.23 - PSNS

Greetings,

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

[Police Department Response – March 16, 2023](#)

The Police Department's ALU is recommending approval with the following conditions:

- 1) Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the ABC-253; and
- 2) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on ABC-253.

The Public Safety and Neighborhood Services Committee will hold this hearing at 10 am on Thursday, March 23, 2023.

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

[Board of Supervisors File No. 230082](#)

Thanks for the review.

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



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.



San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
*Public Convenience or
Necessity Recommendation*

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

Supervisor Catherine Stefani
Supervisor Matt Dorsey
Supervisor Joel Engardio

From: Lt. Steve Jonas #79
Officer in Charge
ALU/Permits Unit 415-553-9550

Date: March 16, 2023

Subject: P.C.N. Investigation Regarding: Mainstay Markets
DBA: Mainstay Markets
655-22nd St.
San Francisco, CA. 94107

Mainstay Markets, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 20 (Off-Sale Beer & Wine) license to be located at 655-22nd St. (located between 3rd St. and Illinois St.)

Hours of Operation:

7:00am to 9:00pm each day of the week.

Digest:

Mainstay Markets would like to operate a super market to be located at 655 22nd St. If approved, this license will allow them to sell Beer and Wine.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From January 2022 to January 2023

4 calls for service

Police Reports:

From January 2022 to January 2023

1 police report

San Francisco Plot Information:

This premise is located in Plot: **315**

A High Crime area is defined as **96** or more police reports in a plot for the year of **2021**.

This plot had 46 police reports for **2021**, which is 50 **lower** than the **Citywide “High Crime”** average.

State Census Tract Information:

This premise is located in Census Tract: **226.00**

Population for this tract is: **5,001**

On-sale license authorized by census tract: **17**

Active on-sale licenses: 42 with 0 pending

Off-sale licenses authorized by census tract: **4**

Active off-sale licenses: 8 with 0 pending

Departmental Recommendation:

Points of consideration: **0**

No opposition from **Bayview Station**.

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

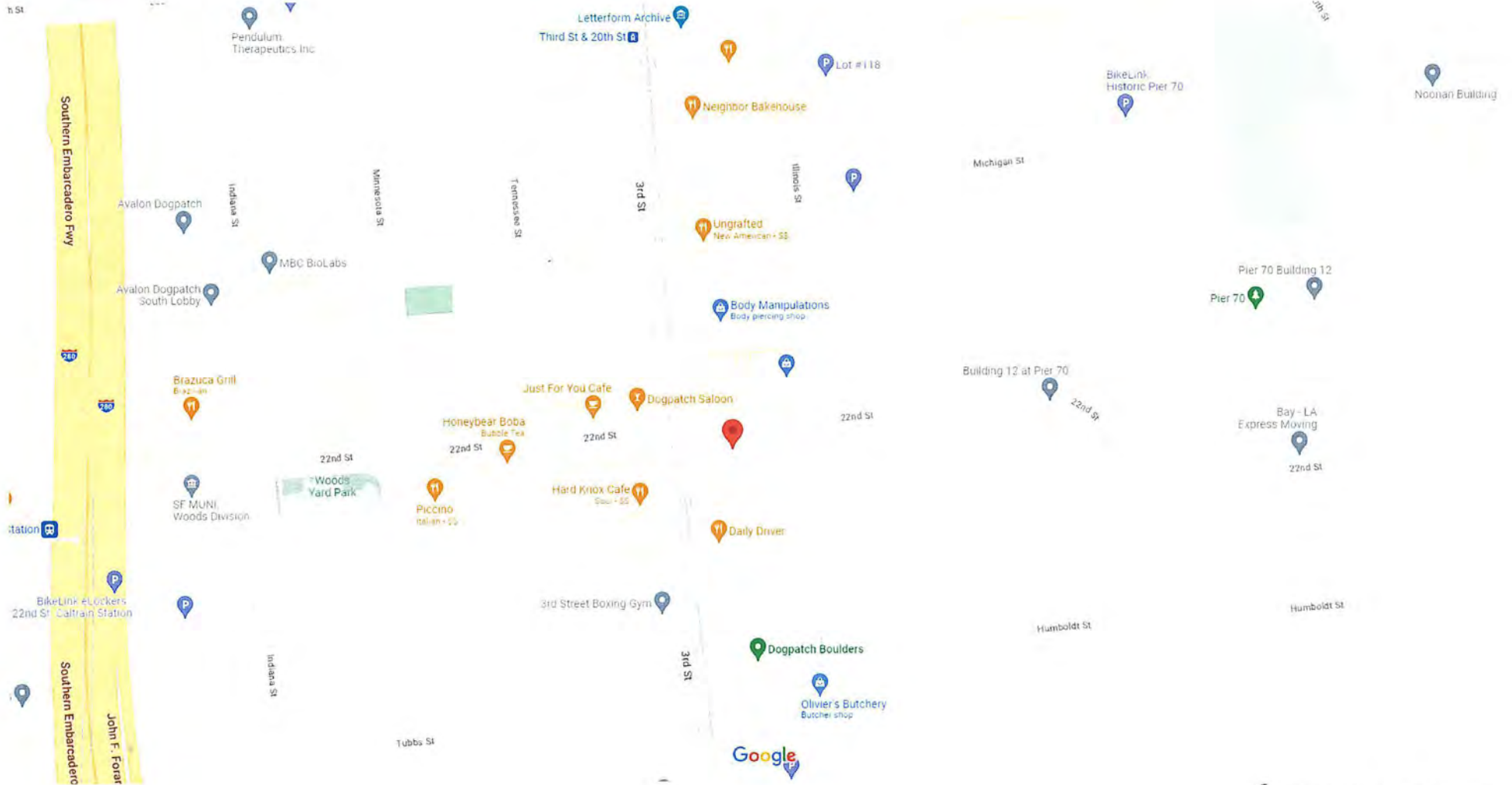
Applicant premise **is** located in a “**High Concentration**” area.

0 - Protest.

0 - Support

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

1. Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the ABC-253.
2. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on ABC-253.



Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Wednesday, February 1, 2023 3:56 PM
To: Salmonson, Joel (POL); Wong, Joanne (POL); Jonas, Stephen (POL)
Cc: Alabanza, Analyn@ABC; amarjit.tamber@abc.ca.gov; rstamey-white@beveragelaw.com; Feinberg, Giles (BOS); Donovan, Dominica (BOS); Burch, Percy (BOS); Gallardo, Tracy (BOS); Gee, Natalie (BOS); Lopez-Weaver, Lindsey (BOS); Oropeza, Edgar (CPC); Samonsky, Ella (CPC); CPC.Referrals
Subject: RE: Liquor License Transfer - 655-22 Street - Mainstay Markets - BOS File No. 230082
Categories: 230082

Good afternoon,

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

[Planning Dept. Response - Received January 31, 2023](#)

The matter is now awaiting review by the Police Department's ALU.

After receiving review from the Police Department, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for their consideration in the license matter.

The Public Safety and Neighborhood Services Committee will tentatively schedule this hearing for a regular meeting of March 23, 2023.

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

[Board of Supervisors File No. 230082](#)

Thanks for the review.

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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

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

From: [Oropeza, Edgar \(CPC\)](#)
To: [Carroll, John \(BOS\)](#); [Samonsky, Ella \(CPC\)](#)
Subject: Re: Liquor License Transfer - 655-22 Street - Mainstay Markets - BOS File No. 230082
Date: Tuesday, January 31, 2023 2:23:39 PM
Attachments: [image001.png](#)
[655 22nd st PCN Referral.013023.pdf](#)
[ABC referral - 655 22nd St - Mainstay Markets \(ID 1351552\).pdf](#)

Thank you all for your attention to this email, The SF Planning Department recommend approval:

Recommend to approve, existing grocery market - type 20 as an accessory use in this case, not considered a liquor store and abiding in the following manner, This classification shall not include retail uses that:

(a) are both (1) classified as a General Grocery, and (2) have a Gross Floor Area devoted to alcoholic beverages that is within the applicable accessory use limits for the use district in which it is located, in this case alcohol sales and displays are limited to no more than than one-third of the total floor area occupied by such use.

BPA TI approvals -

2019-002940PRL Project Light (PRL) 601 22ND ST

Opened: 3/11/2019

Status: Closed 3/11/2019

Assigned Planner: Oropeza Edgar: edgar.oropeza@sfgov.org / 628-652-7368

The project proposes the conversion of existing off street parking currently used as accessory parking for the industrial building into new retail sales and services use, a grocery store of roughly 3200 square feet. Please note as part of the approval the applicant is required to eliminate the two existing curb cuts, a new store front shall be created as shown on plans behind the existing roll up doors. Please note per the special use district the use size is less than 4000 square feet, retail sales and services uses are allowed on site to exceed 5,000 total square feet for the lot. The addition of the roughly 900 square feet will not exceed the permitted FAR for the subject building. Impact fees for the conversion are required per tier one, impact fees for the new mezzanine are required at tier three. Please note the total size of the said project is less than 5000 square feet and thus not subject to TSF fees. The occupant is identified as a small business per section 303.1. No BBNs or planning code complaints.

Address: 601 22ND ST 94107

Further Info:

Related Records:

[Related Documents](#) [201903114905](#)

[Project Features](#)

[Accela Citizen Access](#)

[Accela Automation*](#)

Email is the best way to reach me. See below for more information.

Edgar Oropeza, Senior Planner

BOARD of SUPERVISORS



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

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Attn: Edgar Oropeza
Phone No. _____
edgar.oropeza@sfgov.org

TO: Police Department
Joel Salmonson
Phone No. (415) 553-1115

DATE: January 30, 2023

AP Block/Lot Nos.: 4173/001

Zoning: PDR 1 G

Quad: D 9 / 10

Record No.: _____

Please submit your response within three weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for the regular meeting of March 23, 2023.

PLEASE EMAIL YOUR RESPONSE by February 17, 2023, to:

John Carroll, Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org ~ (415) 554-4445

Applicant name: Mainstay Markets

Business name: Mainstay Markets

Application address: 655 22nd Street
San Francisco, CA 94017

Applicant contact info: Rebecca Stamey-White
415-362-1215, ext. 106
rstamey-white@beveragelaw.com

PLANNING REVIEW: **Approval** **Denial**
Edgar Oropeza

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

POLICE REVIEW: **Approval** **Denial**
(Please add comments in a trailing report.)



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2023 JAN 26 AM 9:19
BY 

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

Re: Request for Resolution of Public Convenience or Necessity
Mainstay Markets
655 22nd Street, San Francisco CA 94017

Dear Board of Supervisors:

Mainstay Markets applied to the Department of Alcoholic Beverage Control for a Type 20 Off-Sale Beer and Wine license in the Dogpatch neighborhood in San Francisco. Because the store is located in a census tract that has an “undue concentration” of off-sale licenses under Section 23958.4 of the California Business and Professions Code, we request a determination by the Board of Supervisors that public convenience or necessity will be served by issuance of the license.

Mainstay Markets applied for a person-to-person, premises-to-premises transfer of an existing Type 20 license to its store location. The grocery store is open 7 days a week from 7 a.m. to 9 p.m. and offers the Dogpatch community convenient access to fresh produce, quality groceries, and everyday essentials. Mainstay Markets strives to provide its patrons with all the kitchen essentials in one-stop shopping. By offering beer and wine to its customers, Mainstay Markets alleviates the need for patrons to shop elsewhere. Customers expect this convenience when shopping at the local market.

A *mainstay* is something that acts as a source of support for its community. Mainstay Markets is dedicated to its community by offering quality products, supporting local growers, and hiring local employees.

For the reasons set forth above, we respectfully request that the Board of Supervisors make a finding that issuance of the Type 20 license to Mainstay Markets will serve public convenience or necessity.

Should you have any questions or concerns, please contact our alcoholic beverage attorney, Rebecca Stamey-White, at 415-362-1215, ext. 106, or rstamey-white@beveragelaw.com.

Sincerely,



Kerry Workman
Mainstay Markets, Vice President

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

File Number: 645383
 Receipt Number: 2771951
 Geographical Code: 3800
 Copies Mailed Date: January 17, 2023
 Issued Date:

Hinman & Carmichael LLP
(415) 362-1215

X107

DISTRICT SERVING LOCATION: SAN FRANCISCO
 First Owner: MAINSTAY MARKETS
 Name of Business: MAINSTAY MARKETS
 Location of Business: 655 22ND ST
 SAN FRANCISCO, CA 94107-3118
 County: SAN FRANCISCO
 Is Premises inside city limits? Yes
 Mailing Address:(If different from premises address)
 Type of license(s): 20 Dropping Partner: Yes No
 Transferor's license/name: 530387 / EDWARD R MARSZAL ENTERPRISES INC

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2023 JAN 20 AM 8:39
 BY *[Signature]*

License Type	Transaction Type	Master	Secondary LT And Count
20 - Off-Sale Beer And Wine	PER/PRM	Y	

License Type	Transaction Description	Fee Code	Dup	Date	Fee
Application Fee	STATE FINGERPRINTS	NA	3	01/17/23	\$117.00
Application Fee	DBL TRF: PREMISES AND PERSON	NA	0	01/17/23	\$990.00
Application Fee	FEDERAL FINGERPRINTS	NA	3	01/17/23	\$72.00
20 - Off-Sale Beer And Wine	ANNUAL FEE	NA	0	01/17/23	\$435.00
Total					\$1,614.00

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

STATE OF CALIFORNIA County of SAN FRANCISCO Date: January 17, 2023

Applicant Name(s)

MAINSTAY MARKETS



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control

Report Date: Saturday, January 28, 2023

LICENSE INFORMATION

License Number: 645383 **Primary Owner:** MAINSTAY MARKETS **Office of Application:**

24 - SAN FRANCISCO

BUSINESS NAME

MAINSTAY MARKETS

BUSINESS ADDRESS

655 22ND ST , SAN FRANCISCO, CA, 94107

County: SAN FRANCISCO **Census Tract:** 0226.00

LICENSEE INFORMATION

Licensee: MAINSTAY MARKETS

Company Information

OFFICER: WORKMAN, KERRY MAX (SECRETARY TREASURER)

OFFICER: WORKMAN, KERRY MAX (CHIEF FINANCIAL OFFICER)

OFFICER: WORKMAN, KERRY MAX (DIRECTOR)

OFFICER: WORKMAN, KERRY MAX (VICE PRESIDENT)

OFFICER: CHAN, JIM TZE CHING (DIRECTOR)

OFFICER: CHAN, JIM TZE CHING (PRESIDENT)

STOCKHOLDER: CHAN, JIM TZE CHING

STOCKHOLDER: WORKMAN, KERRY MAX

LICENSE TYPES

Allow up to six weeks for expiration date updates after fee waiver or renewal fee submittal.

20 - OFF-SALE BEER AND WINE

License Type Status: PENDING **Status Date:** 17-JAN-2023 **Term:** 12 Month(s)

Original Issue Date: **Expiration Date:** **Master:** Y **Duplicate:** **Fee Code:** P40

Transfers: From License Number: [20-530387](#)

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:** 17-JAN-2023

ESCROWS:

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

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Ms. Una CAROLAN

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

File Number: 645383
 Receipt Number: 2771951
 Geographical Code: 3800
 Copies Mailed Date: January 17, 2023
 Issued Date:

*Hinman & Carmichael LLP
 (415) 362-1215*

X/107

DISTRICT SERVING LOCATION: SAN FRANCISCO 4173/001
 First Owner: MAINSTAY MARKETS Dist 10
 Name of Business: MAINSTAY MARKETS PDR-1-G
 Location of Business: 655 22ND ST 2023-000533MIS
 SAN FRANCISCO, CA 94107-3118

County: SAN FRANCISCO
 Is Premises inside city limits? Yes Census Tract: 0226.00

Mailing Address:(If different from premises address)

Type of license(s): 20 Dropping Partner: Yes No

Transferor's license/name: 530387 / EDWARD R MARSZAL ENTERPRISES INC

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

<u>License Type</u>	<u>Transaction Description</u>	<u>Fee Code</u>	<u>Dup</u>	<u>Date</u>	<u>Fee</u>
Application Fee	STATE FINGERPRINTS	NA	3	01/17/23	\$117.00
Application Fee	DBL TRF: PREMISES AND PERSON	NA	0	01/17/23	\$990.00
Application Fee	FEDERAL FINGERPRINTS	NA	3	01/17/23	\$72.00
20 - Off-Sale Beer And Wine	ANNUAL FEE	NA	0	01/17/23	\$435.00
Total					\$1,614.00

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

STATE OF CALIFORNIA County of SAN FRANCISCO Date: January 17, 2023

Applicant Name(s)

MAINSTAY MARKETS

Recommend to approve, existing grocery market - type 20 as an accessory use in this case, not considered a liquor store and abiding in the following manner, This classification shall not include retail uses that:

(a) are both (1) classified as a General Grocery, and (2) have a Gross Floor Area devoted to alcoholic beverages that is within the applicable accessory use limits for the use district in which it is located, in this case alcohol sales and displays are limited to no more than than one-third of the total floor area occupied by such use.

E. Drape 2A 1/30/2023

Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Monday, January 30, 2023 5:18 PM
To: CPC.Referrals; Salmonson, Joel (POL)
Cc: Alabanza, Analyn@ABC; amarjit.tamber@abc.ca.gov; Wong, Joanne (POL); Jonas, Stephen (POL); rstamey-white@beveragelaw.com; Feinberg, Giles (BOS); Donovan, Dominica (BOS); Burch, Percy (BOS); Gallardo, Tracy (BOS); Gee, Natalie (BOS); Lopez-Weaver, Lindsey (BOS); Oropeza, Edgar (CPC)
Subject: Liquor License Transfer - 655-22 Street - Mainstay Markets - BOS File No. 230082
Categories: 230082

Greetings,

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

[Referral Letter - Planning and Police Departments – January 30, 2023](#)

You may review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 230082](#)

After receiving review from the Planning and Police Departments, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for consideration in the license matter.

The Public Safety and Neighborhood Services Committee will tentatively schedule this hearing for a regular meeting of March 23, 2023.

I request the Planning Department's response before February 17, 2023. Please confirm receipt of this message.

You may review the fact sheet for public convenience or necessity requests from the San Francisco Board of Supervisors via the following link:

[Liquor License Public Convenience or Necessity Request](#)

Thanks for the review.

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445

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

BOARD of SUPERVISORS



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

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Attn: _____
Phone No. _____

DATE: January 30, 2023

AP Block/Lot Nos.: 4173/001

Zoning: PDR 1 G

TO: Police Department
Joel Salmonson
Phone No. (415) 553-1115

Quad: _____

Record No.: _____

Please submit your response within three weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for the regular meeting of March 23, 2023.

PLEASE EMAIL YOUR RESPONSE by February 17, 2023, to:

John Carroll, Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org ~ (415) 554-4445

Applicant name: Mainstay Markets

Business name: Mainstay Markets

Application address: 655 22nd Street
San Francisco, CA 94017

Applicant contact info: Rebecca Stamey-White
415-362-1215, ext. 106
rstamey-white@beveragelaw.com

PLANNING REVIEW: Approval Denial

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

POLICE REVIEW: Approval Denial

(Please add comments in a trailing report.)



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2023 JAN 26 AM 9:19
BY 

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

Re: Request for Resolution of Public Convenience or Necessity
Mainstay Markets
655 22nd Street, San Francisco CA 94017

Dear Board of Supervisors:

Mainstay Markets applied to the Department of Alcoholic Beverage Control for a Type 20 Off-Sale Beer and Wine license in the Dogpatch neighborhood in San Francisco. Because the store is located in a census tract that has an “undue concentration” of off-sale licenses under Section 23958.4 of the California Business and Professions Code, we request a determination by the Board of Supervisors that public convenience or necessity will be served by issuance of the license.

Mainstay Markets applied for a person-to-person, premises-to-premises transfer of an existing Type 20 license to its store location. The grocery store is open 7 days a week from 7 a.m. to 9 p.m. and offers the Dogpatch community convenient access to fresh produce, quality groceries, and everyday essentials. Mainstay Markets strives to provide its patrons with all the kitchen essentials in one-stop shopping. By offering beer and wine to its customers, Mainstay Markets alleviates the need for patrons to shop elsewhere. Customers expect this convenience when shopping at the local market.

A *mainstay* is something that acts as a source of support for its community. Mainstay Markets is dedicated to its community by offering quality products, supporting local growers, and hiring local employees.

For the reasons set forth above, we respectfully request that the Board of Supervisors make a finding that issuance of the Type 20 license to Mainstay Markets will serve public convenience or necessity.

Should you have any questions or concerns, please contact our alcoholic beverage attorney, Rebecca Stamey-White, at 415-362-1215, ext. 106, or rstamey-white@beveragelaw.com.

Sincerely,



Kerry Workman
Mainstay Markets, Vice President

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

File Number: 645383
 Receipt Number: 2771951
 Geographical Code: 3800
 Copies Mailed Date: January 17, 2023
 Issued Date:
Hinman & Carmichael LLP
(415) 362-1215

DISTRICT SERVING LOCATION: SAN FRANCISCO
 First Owner: MAINSTAY MARKETS
 Name of Business: MAINSTAY MARKETS
 Location of Business: 655 22ND ST
 SAN FRANCISCO, CA 94107-3118
 County: SAN FRANCISCO
 Is Premises inside city limits? Yes
 Mailing Address:(If different from premises address)
 Type of license(s): 20 Dropping Partner: Yes No
 Transferor's license/name: 530387 / EDWARD R MARSZAL ENTERPRISES INC

X107
 RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2023 JAN 20 AM 8:39
 BY *[Signature]*

License Type	Transaction Type	Master	Secondary LT And Count		
20 - Off-Sale Beer And Wine	PER/PRM	Y			

License Type	Transaction Description	Fee Code	Dup	Date	Fee
Application Fee	STATE FINGERPRINTS	NA	3	01/17/23	\$117.00
Application Fee	DBL TRF: PREMISES AND PERSON	NA	0	01/17/23	\$990.00
Application Fee	FEDERAL FINGERPRINTS	NA	3	01/17/23	\$72.00
20 - Off-Sale Beer And Wine	ANNUAL FEE	NA	0	01/17/23	\$435.00
Total					\$1,614.00

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

STATE OF CALIFORNIA County of SAN FRANCISCO Date: January 17, 2023
 Applicant Name(s)
MAINSTAY MARKETS



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control

Report Date: Saturday, January 28, 2023

LICENSE INFORMATION

License Number: 645383 **Primary Owner:** MAINSTAY MARKETS **Office of Application:**

24 - SAN FRANCISCO

BUSINESS NAME

MAINSTAY MARKETS

BUSINESS ADDRESS

655 22ND ST , SAN FRANCISCO, CA, 94107

County: SAN FRANCISCO **Census Tract:** 0226.00

LICENSEE INFORMATION

Licensee: MAINSTAY MARKETS

Company Information

OFFICER: WORKMAN, KERRY MAX (SECRETARY TREASURER)

OFFICER: WORKMAN, KERRY MAX (CHIEF FINANCIAL OFFICER)

OFFICER: WORKMAN, KERRY MAX (DIRECTOR)

OFFICER: WORKMAN, KERRY MAX (VICE PRESIDENT)

OFFICER: CHAN, JIM TZE CHING (DIRECTOR)

OFFICER: CHAN, JIM TZE CHING (PRESIDENT)

STOCKHOLDER: CHAN, JIM TZE CHING

STOCKHOLDER: WORKMAN, KERRY MAX

LICENSE TYPES

Allow up to six weeks for expiration date updates after fee waiver or renewal fee submittal.

20 - OFF-SALE BEER AND WINE

License Type Status: PENDING **Status Date:** 17-JAN-2023 **Term:** 12 Month(s)

Original Issue Date: **Expiration Date:** **Master:** Y **Duplicate:** **Fee Code:** P40

Transfers: From License Number: [20-530387](#)

OPERATING RESTRICTIONS:

No Operating Restrictions found

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

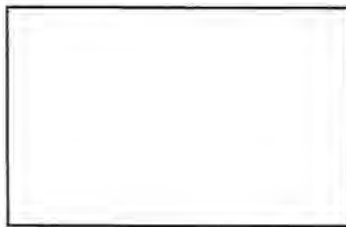
Hold Type: FORM 220 **Hold Date:** 17-JAN-2023

ESCROWS:

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

Introduction Form

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



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

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

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

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

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

- Yes No

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

Sponsor(s):

Clerk of the Board

Subject:

Liquor License Transfer - 655-22 Street - Mainstay Markets

Long Title or text listed:

Hearing to consider that the premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Mainstay Markets, to do business as Mainstay Markets located at 655-22 Street (District 10) will serve the public convenience or necessity of the City and County of San Francisco.

Signature of Sponsoring Supervisor:

Alivia Somera

230082