

BOARD of SUPERVISORS



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

July 31, 2017

Justin Gebb
California Department of Alcoholic Beverage Control
33 New Montgomery St., Suite 1230
San Francisco, CA 94105


Dear Mr. Gebb:

The following is a determination from the San Francisco Board of Supervisors regarding the Public Convenience or Necessity application submitted by Garfield Beach CVS, LLC, doing business as CVS, located at 799 Beach Street. The Board of Supervisors Public Safety and Neighborhood Services Committee conducted a public hearing on July 12, 2017, and Resolution No. 286-17 was approved by the Board of Supervisors on July 18, 2017.

The Department of Alcohol Beverage Control is receiving this correspondence in accordance with California Business and Professions Code, Section 23958.4, affirming that the San Francisco Board of Supervisors recommends the California Department of Alcoholic Beverage and Control impose conditions on the issuance of the license.

If you have any questions, please contact me at (415) 554-5184, or John Carroll at (415) 554-4445.

Sincerely,


Angela Calvillo
Clerk of the Board

C: Dave Falzon, Police Department
Nelly Gordon, Police Department
Joan Bernardino, Department of Alcoholic Beverage Control
John Kevlin, Reuben, Junius & Rose, LLP



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Certified Copy
Resolution

170513 [Liquor License Transfer - 799 Beach Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license Garfield Beach CVS, LLC, dba CVS, located at 799 Beach Street (District 2), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4; and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Public Safety and Neighborhood Services Committee)

7/18/2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

7/27/2017 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO


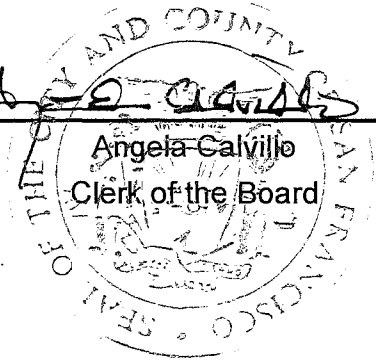
CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

July 31, 2017

Date


Angela Calvillo
Clerk of the Board


1 [Liquor License Transfer - 799 Beach Street]

2
3 **Resolution determining that the transfer of a Type 20 off-sale beer and wine**
4 **license Garfield Beach CVS, LLC, dba CVS, located at 799 Beach Street**
5 **(District 2), will serve the public convenience or necessity of the City and County**
6 **of San Francisco in accordance with California Business and Professions Code,**
7 **Section 23958.4; and recommending that the California Department of Alcoholic**
8 **Beverage Control impose conditions on the issuance of the license.**

9
10 WHEREAS, Garfield Beach CVS, LLC, dba CVS is seeking the transfer of a
11 Type 20 off-sale beer and wine license located at 799 Beach Street (District 2); 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 8:00
20 a.m. and 11:00 p.m. daily; 2) no more than 5% of the square footage of the premises
21 will be used for the display of alcoholic beverages; 3) the sales of beer or malt
22 beverages in quantities of 16 ounces, 22 ounces, 32 ounces, 40 ounces, or similar size
23 containers is prohibited; 4) no beer, malt beverages, or wine coolers in containers of 16
24 ounces or less shall be sold by single containers, but must be sold in manufacturer pre-
25 packaged multi-unit quantities; 5) no malt beverage shall be sold with an alcoholic

1 content greater than 5.7% by volume; 6) wine shall not be sold in bottles or containers
2 smaller than 750 milliliters; 7) no wine shall be sold with an alcoholic content of greater
3 than 15% by volume; 8) graffiti shall be removed from the premises and all parking lots
4 under the control of the licensee within 72 hours of application; if the graffiti occurs on a
5 Friday or weekend day, or on a holiday, the licensee shall remove the graffiti within 72
6 hours following the beginning of the next week day; and 9) loitering (defined as "to stand
7 idly about; linger aimlessly without lawful business") is prohibited on any sidewalks of
8 property adjacent to the licensed premises under the control of the licensee as depicted
9 on the ABC-275; now, therefore, be it

10 RESOLVED, That in accordance with California Business and Professions Code,
11 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
12 hereby determines that the transfer of a Type 20 off-sale beer and wine license to
13 Garfield Beach CVS, dba CVS, located at 799 Beach Street (District 2), will serve the
14 public convenience or necessity of the City and County of San Francisco; and, be it

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



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 170513

Date Passed: July 18, 2017

Resolution determining that the transfer of a Type 20 off-sale beer and wine license Garfield Beach CVS, LLC, dba CVS, located at 799 Beach Street (District 2), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4; and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

July 12, 2017 Public Safety and Neighborhood Services Committee - PREPARED IN COMMITTEE AS A RESOLUTION

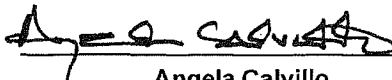
July 12, 2017 Public Safety and Neighborhood Services Committee - RECOMMENDED

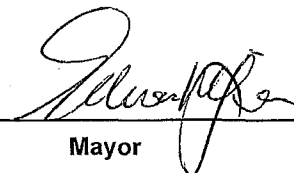
July 18, 2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170513

I hereby certify that the foregoing Resolution was ADOPTED on 7/18/2017 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor

7/27/17
Date Approved