

File No. 110789

Committee Item No. 1

Board Item No. 8

**COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST**

Committee: **City Operations & Neighborhood
Services Committee**

Date 12/5/11

Board of Supervisors Meeting

Date 1/24/2012

LIQUOR LICENSE HEARING

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|----------------------------|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Applicant's Letter |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Police Department Report |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Planning Department Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Clerk's Correspondence |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Other |

- _____
- _____
- _____
- _____
- _____
- _____

Completed by Gail Johnson

Date 12/1/11

Completed by lg

Date 12/7/11

1 [Liquor License Transfer – 3950-24th Street]

2
3 Resolution determining that the transfer of a Type 21 off-sale general license from
4 6333 Geary Boulevard to 3950-24th Street (District 8) to Roberta L. Lang for Whole
5 Foods Market, California, Inc., dba Whole Foods Market, will serve the public
6 convenience or necessity of the people of the City and County of San Francisco, in
7 accordance with Section 23958.4 of the California Business and Professions Code,
8 with conditions.

9
10 WHEREAS, Roberta L. Lang is seeking the transfer of a Type 21 off-sale general
11 license for Whole Foods Market, California, Inc., dba Whole Foods Market, located at
12 3950-24th Street; and,

13 WHEREAS, The City Planning Department has verified that the area is properly
14 zoned; and,

15 WHEREAS, The Police Department recommends that the liquor license
16 application be approved with conditions; now, therefore, be it

17 RESOLVED, That in accordance with Section 23958.4 of the California Business
18 and Professions Code, the Board of Supervisors of the City and County of San Francisco
19 hereby determines for the foregoing reasons that the transfer of a Type 21 Off-Sale
20 General License from 6333 Geary Boulevard to 3950-24th Street, for Roberta L. Lang for
21 Whole Foods Market, California, Inc., dba Whole Foods Market, will serve the public
22 convenience or necessity of the people of the City and County of San Francisco.

23 Conditions: (1) Sales of alcoholic beverages shall be permitted between the hours
24 of 8:00 a.m. and 10:00 p.m. daily. (2) Sales, service and display of distilled spirits shall
25 be limited to one specific area with a shelf space not larger than 4 feet by 6 feet.

July 13, 2011

File 110789

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 JUL 27 PM 1:11

Re: Public Convenience and Necessity
Whole Foods Market California, Inc.
3950 24th St., San Francisco, CA 94114

Dear Ms. Calvillo:

Whole Foods Market California, Inc. dba Whole Foods Market, has applied with the Department of Alcoholic Beverage Control (ABC) to transfer a Type 21, Off-sale General license to our store in the Noe Valley District of San Francisco. Before ABC will issue the license, they require that we secure a Letter of Public Convenience and Necessity from the San Francisco Board of Supervisors. The following facts are required for this application:

Premise address: 3950 24th Street
San Francisco, CA 94114

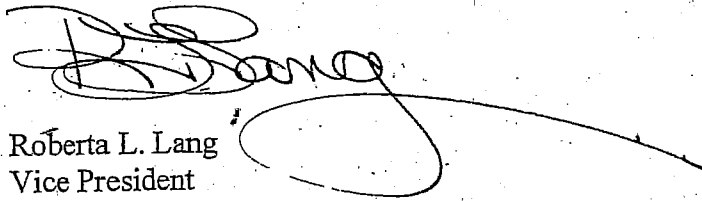
Mailing address: 5980 Horton Street, Suite 200
Emeryville, CA 94608

Operational hours: 8:00 AM to 10:00 PM, seven days a week

The Noe Valley Whole Foods Market offers a wide range of natural foods and an extensive selection of fine wines and beers and liquors from around the world. We believe that adding a selection of high quality spirits at this store will enhance our customers' shopping experience and best serve our local clientele. Therefore, we believe that the issuance of the Type 21 license at this location will provide a public convenience. A copy of the ABC-245 is also enclosed for your signature.

If any questions arise from this application, please contact one of our licensing consultant, Jay McPherson of CSA, at 800-400-1353.

Sincerely,


Roberta L. Lang
Vice President



naturally grown
since 1980



INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

WHOLE FOODS MARKET CALIFORNIA INC

2. PREMISES ADDRESS (Street number and name, city, zip code)

3950 24th St. San Francisco CA 94114-3704

3. LICENSE TYPE

21

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast: | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only | <input type="checkbox"/> All | | |

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-in Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| <input type="checkbox"/> Other - describe: | | | |

5. COUNTY POPULATION

3833/824,525

6. TOTAL NUMBER OF LICENSES IN COUNTY

955

On-Sale Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1:2500

On-Sale Off-Sale

8. CENSUS TRACT NUMBER

1

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

4

On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

6

On-Sale Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- Yes, the number of existing licenses exceeds the number allowed
- No, the number of existing licenses is lower than the number allowed

3X PUB

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

451

14. TOTAL NUMBER OF REPORTING DISTRICTS

654

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

120,367

16. AVERAGE NO. OF OFFENSES PER DISTRICT

184

17. 120% OF AVERAGE NUMBER OF OFFENSES

221

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

140

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

SF BOARD OF SUPERVISORS

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

JM

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22. APPLICANT SIGNATURE

23. DATE SIGNED

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes No See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26. CITY/COUNTY OFFICIAL NAME	27. CITY/COUNTY OFFICIAL TITLE	28. CITY/COUNTY OFFICIAL PHONE NUMBER
29. CITY/COUNTY OFFICIAL SIGNATURE		30. DATE SIGNED



San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
Public Convenience and
Necessity Recommendation

To: The San Francisco Board of Supervisors' Committee on City Operations
& Neighborhood Services

Supervisor Avalos
Supervisor Mar
Supervisor Elsbernd

From: Inspector Julie Lazar
ABC Liaison Unit (ALU) 553-1049

Date: November 30, 2011

Subject: P.C.N. Investigation Regarding: Whole Foods Market
3950-24th Street
Melanie Holt
(415) 282-4700

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 DEC - 1 PM 1:15
PC

Ms. Melanie Holt, Associate Store Team Leader, on behalf of Whole Foods Market has filed an application with the California Department of Alcoholic Beverage Control seeking a premises to premises -Type 21 (Off-Sale General) license for 3950-24th Street (located mid-block between Sanchez & Noe Street).

Hours of Operation:

Daily 8:00 a.m. - 10:00 p.m.

Digest:

This business is currently operating at 3950-24th Street (located mid-block between Sanchez & Noe Street), with an active Type 20 (Off-Sale Beer and Wine) license. If the Type 21 (Off-Sale General) license is approved, this license will allow the applicant to sell off-sale beer, wine, and distilled spirits at this location.

For the purposes of this hearing the ABC seeks a determination from the Board of Supervisors as to the approval or denial of this license.

Letters of Protest:

More than 50 letters of protest

Letters of Support:

No record

Police Calls for Service:

From September 2010 to September 2011

33

Police Reports:

From September 2010 to September 2011

6

San Francisco Plot Information:

This premise is located in Plot 451

103 Police Reports were recorded for this plot in 2010

This plot is 112 Police Report(s) under the citywide average (plus 20%) of 215 Police Reports.

State Census Tract Information:

This premise is located in Census Tract 211

Population for this tract is: 3833

On-sale license authorized by census tract: 14

Active on-sale licenses: 7 with 1 pending

Off-sale licenses authorized by census tract: 4

Active off-sale licenses: 6 with 0 pending

Departmental Recommendation:

Points of consideration:

Currently operating with Active Type 20 (Off-Sale Beer and Wine)

No opposition from Mission Station

Applicant premise is **not** located in a "high crime" area.

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

50 + Record of protest.

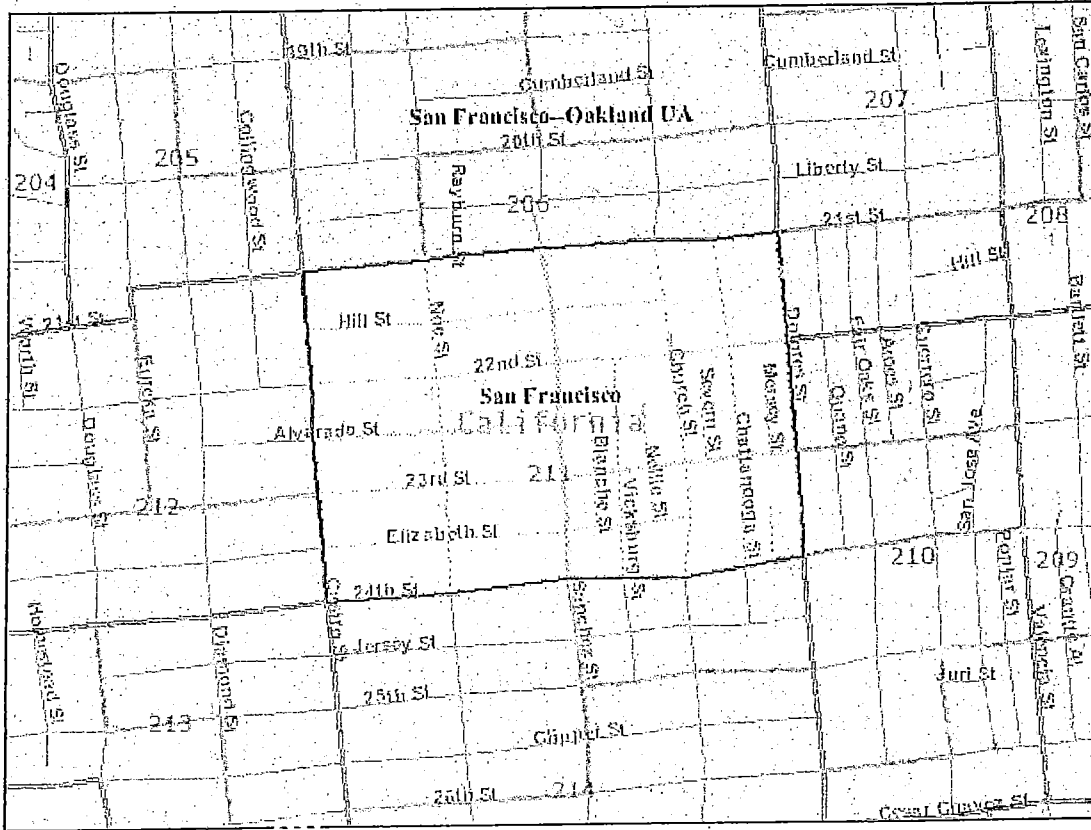
No - Record of support.

ALU Recommendation: **Approval w/conditions**

1. *Sales of alcoholic beverages shall be permitted between the hours of 8:00 a.m. and 10:00 p.m. daily.*
2. *Sales, service and display of distilled spirits shall be limited to one specific area with a shelf space not larger than 4'ft by 6'ft.*

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
112102315		7/29/11	16:18:38 B		917	3D42C	ADV	3950 24TH ST
112031364		7/22/11	11:57:17 C		601	3D42C	GOA	3950 24TH ST
112013254		7/20/11	19:05:31 B		917	3D42C	ADV	3950 24TH ST
112002977		7/19/11	19:38:56 B		917	3D11D	ADV	3950 24TH ST
111952738		7/14/11	17:47:15 C		915		CANC	3950 24TH ST
111812793		6/30/11	18:01:06 C		917	3D12C	ADV	3950 24TH ST
111783057		6/27/11	19:56:20 B		601	3D203	HAN	3950 24TH ST
111592997		6/8/11	19:12:07 B		905	3D44D	HAN	3950 24TH ST
111461960		5/26/11	14:43:43 C		917	3D42C	HAN	3950 24TH ST
111271479		5/7/11	12:25:11 C		811		CANC	3950 24TH ST
111082667		4/18/11	17:31:45 C		917	3D42C	ADV	3950 24TH ST
111012852		4/11/11	18:21:30 A		418	3D14D	HAN	3950 24TH ST
110881348		3/29/11	11:47:43 C		7A	3D20	HAN	3950 24TH ST
110542932		2/23/11	18:14:41 B		418	3D12D	GOA	3950 24TH ST
110532261	110157066	2/22/11	15:47:35 B		519	3D60	HAN	3950 24TH ST
110392581		2/8/11	17:56:30 C		917	3D12D	HAN	3950 24TH ST

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
110241722	110073296	1/24/11	13:42:56 C		488 3D42C		HAN	3950 24TH ST
110170037		1/17/11	00:12:55 C		415 3D13D		NOM	3950 24TH ST
110162496		1/16/11	18:28:56 C		917 3D42C		ADV	3950 24TH ST
103561308	101174964	12/22/10	11:39:55 B		405 3D42C		REP	3950 24TH ST
103511830		12/17/10	14:13:53 C		71	3D14A	HAN	3950 24TH ST
103482639		12/14/10	17:58:36 C		916 3H35		ADV	3950 24TH ST
103403029	101125901	12/6/10	19:52:42 B		405 3D2D		CIT	3950 24TH ST
103401826	101124840	12/6/10	14:13:32 B		405 3D2A		REP	3950 24TH ST
103381171		12/4/10	11:14:52 C		7A	3H13A	HAN	3950 24TH ST
103122831	101039904	11/8/10	18:37:42 B		405 3D90		HAN	3950 24TH ST
103081169		11/4/10	10:16:01 B		405 3D2A		HAN	3950 24TH ST
103072600		11/3/10	17:53:13 B		405 3D16D		CANC	3950 24TH ST
103072210		11/3/10	16:17:31 B		405		CANC	3950 24TH ST
103052017		11/1/10	14:03:24 C		917 3D15A		HAN	3950 24TH ST
102863998		10/13/10	23:41:06 C		415 3D44D		HAN	3950 24TH ST
102672249		9/24/10	15:02:57 C		585 3D42C		CIT	3950 24TH ST
102501952		9/7/10	13:36:48 C		585 3D42C		HAN	3950 24TH ST

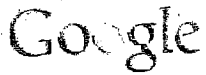


MISSION DISTRICT Reporting Plots & Major Streets



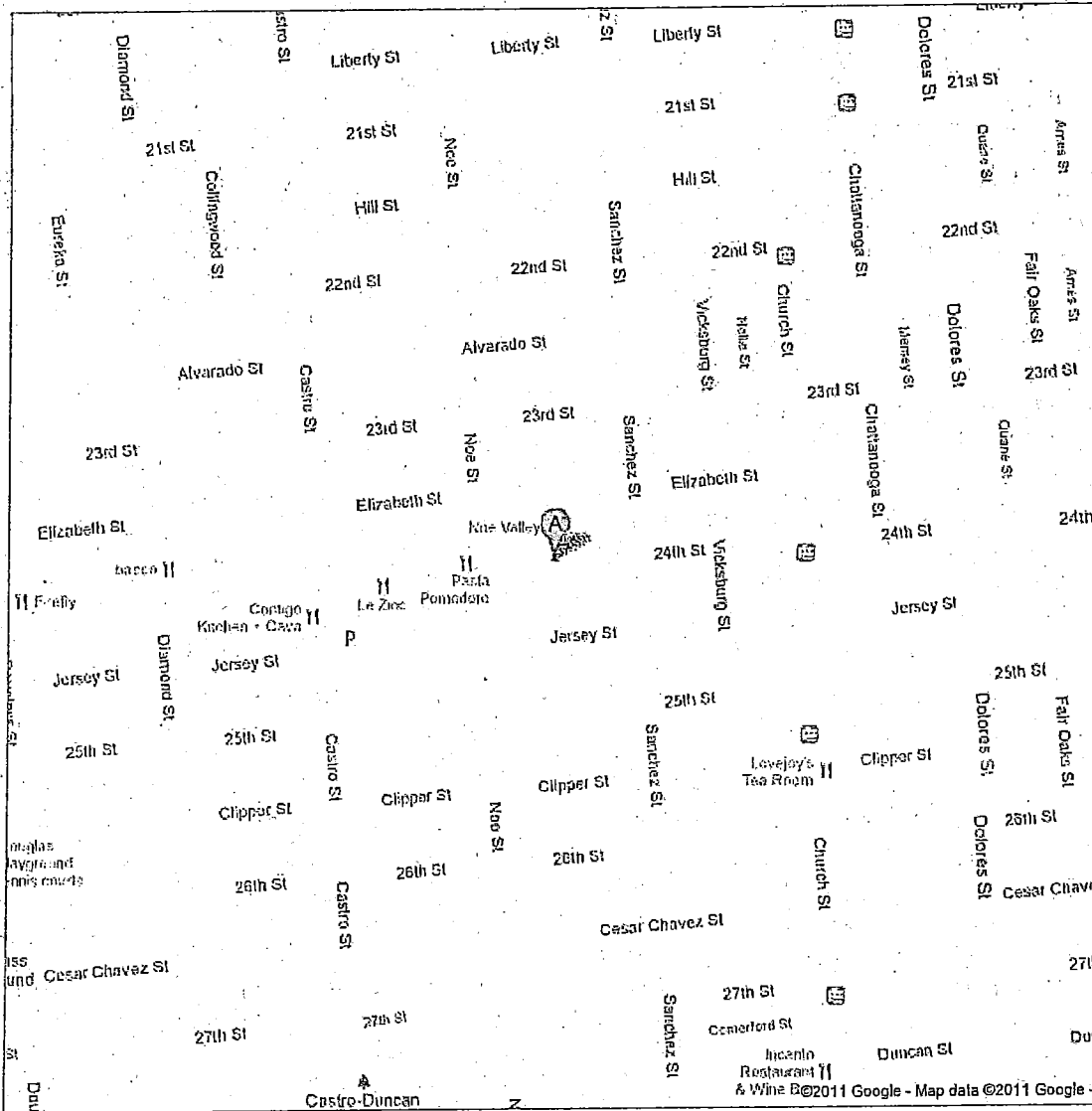
Plot
451
2010 pmw





Address 3950 24th St
San Francisco, CA 94114

Whole Foods Market






DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

PUBLIC NOTICE OF APPLICATION TO SELL ALCOHOLIC BEVERAGES

APPLICANT WHOLE FOODS MARKET CALIFORNIA, INC.
 TYPE OF LICENSE 216 OFF-PALE GENERAL
 BUSINESS NAME WHOLE FOODS MARKET
 ADDRESS OF PREMISES 3950 24TH ST. SAN FRANCISCO, CA 94114
 APPLICANT HAS FILED FOR: NEW LICENSE PREMISES TO PREMISES TRANSFER CHANGE IN LICENSE PRIVILEGES

IF A VERIFIED PROTEST IS TO BE MADE AGAINST THIS APPLICATION, IT MUST BE RECEIVED BY ANY OFFICE OF THE DEPARTMENT OR DEPARTMENTAL HEADQUARTERS, 1997 LENNAE DRIVE, SUITE 100, SACRAMENTO 95834, WITHIN 30 DAYS OF DATE POSTED. PROTESTS MUST BE VERIFIED. FURTHER INFORMATION REGARDING THIS APPLICATION AND VERIFICATION FORMS MAY BE OBTAINED AT:



DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
1997 LENNAE DRIVE, SUITE 100, SACRAMENTO, CA 95834
TEL: 916-338-6500

SAN FRANCISCO A.B.C. DIST. OFF.
71 STEVENSON STREET, SUITE 1500
SAN FRANCISCO, CA 94105
TEL: 415-358-6500

WARNING

Every person who intentionally falsifies, or causes to be falsified, any document or form which is required to be filed with the Department of Alcoholic Beverage Control is subject to criminal penalties under the provisions of Section 434, Penal Code.

07/26/2011

NOT ALREADY LICENSED TO SELL ALCOHOLIC BEVERAGES **(ALREADY) LICENSED TO SELL ALCOHOLIC BEVERAGES**



Bartman, J

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

State of California

- Please refer to Form ABC-510, Instructions for Contesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.
- A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

WHOLE FOODS

(Name(s) of Applicant(s))

For premises at:

24TH STREET NOE VALLEY

(Exact address of proposed premises)

on the grounds that: FIRST AND FOREMOST WHOLE FOODS PREVENTS ITS EMPLOYEES FROM UNIONIZING. THIS IS SIMPLY WRONG, ESPECIALLY GIVEN THE RICH HISTORY OF LABOR IN SAN FRANCISCO. MORE SPECIFICALLY, AS A RESIDENT OF NOE VALLEY FOR MORE THAN 20 YEAR I HAVE BECOME FRIENDS WITH THE OWNERS AND OPERATORS OF MANY OF NOE VALLEY'S FAMILY OWNED SMALL BUSINESSES. IT IS NO SECRET TO THESE SMALL BUSINESS OWNERS THAT WHOLE FOODS USES IT CORPORATE CLOUT UNFAIRLY BY USING PREDATORY PRICING TO COMPETE UNFAIRLY. A NUMBER OF SMALL BUSINESSES IN THE VICINITY HAVE ALREADY BEEN DRIVEN OUT OF BUSINESS BY WHOLE FOOD. STOP THE DAMAGE FROM CONTINUING. STOP WHOLE FOODS FROM DRIVING MORE SMALL BUSINESSES OUT OF BUSINESS

Check here if additional sheets attached

I, DONALD P. HILLA

PRINT (Name of Protestant)

declare under penalty of perjury AUG 02 2011

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof, and that the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE
[Signature]

SIGNED AT SAN FRANCISCO CA

PROTESTANT'S TELEPHONE NUMBER (Optional)

415-821-2454

DATE SIGNED

07.24.11

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)
300 VICKSBURG ST. NO. 5 SF CA 94114

ABC-510-A (07/08)



Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
 BEVERAGE LICENSE APPLICATION**

State of California

- Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.
- A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

WHOLE FOODS
(Name(s) of Applicant(s))

For premises at:

3950 24th St, SF 94114
(Exact address of proposed premises)

on the grounds that:

As a resident living in Noe Valley, I strongly disagree with your company selling liquor as it wouldn't be a positive asset contribution to a "family oriented" neighborhood. Whole Foods markets to be a "health food and "organic" type of market and selling liquor would drain that concept away. There are several bars, wine/liquor shops in the community steps away from your market for those who wish to purchase alcohol, providing more alcohol than what you currently supply would also not give an opportunity for smaller liquor businesses in the neighborhood to survive.

Check here if additional sheets attached

I, EVA KHOURI, declare under penalty of perjury:
(PRINT Name of Protester)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

Eva Khouri

PROTESTANT'S TELEPHONE NUMBER (Optional)

SIGNED AT (City and state)

SAN FRANCISCO CALIFORNIA

DATE SIGNED

8/1/2011

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

3902 24TH STREET APT A, SAN FRANCISCO CA 94114

ABC-510-A (07/08)

RECEIVED

AUG 04 2011

I strongly believe that selling alcohol would attract more congestion to the already over-flowed parking lot and street area, making it even more difficult and time consuming to find parking for those like myself who struggle everyday to find parking to our homes due to the amount of shoppers who already shop at your store. please consider my thoughts and concerns as I am against Whole Foods selling alcohol. Thank you.

EVA KHOURI

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

- Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.
- A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

WHOLE FOODS MARKET

(Name(s) of Applicant(s))

For premises at:

3950 24TH STREET SF CA 94114

(Exact address of proposed premises)

on the grounds that:

- THE ADDITION OF LIQUOR SALES WILL:
- 1) RESULT IN INCREASED TRAFFIC (CARS) IN PARKING LOT AND NEARBY STREETS.
 - 2) INCREASE ALCOHOL SALES IN NEIGHBORHOOD - THERE ARE ENOUGH ALCOHOL STORES & BARS EXISTING IN NEIGHBORHOOD ALREADY.

Check here if additional sheets attached

I, DINA DUSKO, declare under penalty of perjury:
PRINT (Name of Protestor)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

PROTESTANT'S TELEPHONE NUMBER (Optional)

415 332 9292

SIGNED AT (City and state)

SAN FRANCISCO, CA

DATE SIGNED

8/5/11

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

3902 24TH ST SF CA 94114

RECEIVED

AUG - 8 2011

We the undersigned, are against Whole Foods Market-Noe Valley selling liquor, at 3950 24th St, San Francisco CA 94114, for the following reasons:

Whole Foods-Noe Valley is a very busy store, their parking lot is small and full at all times. Cars are always overflowing onto 24th st causing traffic and noise. We are concerned that if Whole Foods sells liquor that it will definitely attract more shoppers into their store. Whole Foods doesn't have room to expand their parking lot. Therefore, there will be more traffic and noise along 24th street inconveniencing all residents. Also the lack of parking at Whole Foods, will make their shoppers park outside their premises, taking parking spots that otherwise would have been used by residents at the other local merchants. This will inconvenience residents further, and eventually hurt local businesses; therefore, we must protect the local merchants because this is what makes Noe Valley charming and attractive to its residents. Besides, there are already enough liquor stores in Noe Valley, this will cause a high concentration of stores that sell liquor in a small area.

I declare under penalty of perjury:

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

Name	Address	Signature	Date
1 John Meggitt	3902 B 24 th St SF 94114	[Signature]	7/27/11
2 Erik Hennings	166 Chalmers St SF CA 94114	[Signature]	7/27/2011
3 [Signature]	3885 24 th St SF	[Signature]	
4 Claudine Richman	724 Buena Vista Terrace	[Signature]	7/27/11
5 JOSEPH Padilla	3865 25 th St	[Signature]	7/25/11
6 CANDICE SMITH	300 VICKSBURG St	Candice Smith	7/25/11
7 JOE FEMINO	215 JERSEY ST SF	[Signature]	7/25/11
8 Mauread Carney	3911A 24th St SF	[Signature]	7/25/11
9 Bryson Jay Land	101 Jersey St	[Signature]	7-26
10 Pamela Beach	225 Hoko St SF	[Signature]	7-26
11 Patricia Kierlan	135 Clipper St #9	[Signature]	7/26/11
12 Frank Misiewicz	3930 24th St #10	[Signature]	7/26/11
13 Jennifer Lewis	1050 Sanchez St	[Signature]	7/26/11
14 Jennifer Lewis	1050 Sanchez St SF 94114	[Signature]	7/26/11

RECEIVED

APR - 8 2011

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Name	Address	Signature	Date
15	980 Fremont T. Andujar	981 Elizabeth #11	7/27/11
16	Anton Anton Loran	1070 Sanchez St	7/27/11
17	A. Carney	1056 Sanchez St	7/27/11
18	G. Gasser	1056 Sanchez St	7/27/11
19	Michael Koulouris	441 Vicksburg	7/27/11
20	CRAIG BIRD	3857 24 th ST #2	7/27/11
21	Matthew Cunningham	410 Elizabeth st #5	7/22/11
22	Anise Naser	3991 24th st	7/28/11
23	Robert Bazydla	1050 Sanchez St	7/28/11
24	Peter Gabel	386 Elizabeth St	7/28/11
25	Lisa Jaides	3868/12a 24th St	7/28/11
26	K. Wiley	4248 24th St	7/29/11
27	Eric Alexander	264 Fair Oaks	7/29/11
28	Michael Lehane	912 Noe	7/30/11

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Name	Address	Signature	Date
29 Russell Mavari	3807 22 nd St.		8-1-11
30 Dmitri Gouhauer	3862 24 th		8-1-11
31 Mike Gutierrez (lugger's)	3865 24 th		8-1-11
32 Casey Murray	551 ALVARADO		8-3-11
33 [Name obscured]	3890 24 th St		8-4-11
34 [Name obscured]	3911A 24 th St		8-4-11
35 [Name obscured]	3933 24 th St		8-4-11
36 [Name obscured]	264 LIBERTY		8-4-11
37 VERONICA RUEDRICH	3909 24 th ST.	Veronica Ruedrich	8/4/11
38 Kathleen McGarr	892 Noe St Apt E		8/4
39 MONICA McFADDEN	4062 24 th ST.	Monica McFadden	8/5/11
40 Darlene Crisp	280 Valley St	Darlene Crisp	8/5/11
41 [Name obscured]	462 CANTON ST #7	[Name obscured]	8/6/11
42 Sheila Istravick	3870 24 th Street	Sheila Istravick	8/6/11

1102 8 2011

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Name	Address	Signature	Date
43) NEIL MCKAY	1078 SANCHEZ ST	Neil McKay	8/6/2011
44) PATRICIA LARIZADEH	3866 24th St #3	P Larizadeh	8/6/2011
45) PABLO FERILLO	3866 24th St #3	P Ferillo	8/6/2011
46) Chris Kenney	1104 Sanchez	Chris Kenney	8/7/2011
47) Roland Sambo	3914 23 rd SF CA	R Sambo	8/7/2011
48) CLEMENT O'DONNELL	5928 22 nd SF CA	C O'Donnell	8/7/11
49) Cathy Erlwin	3632 26 th St SF CA	C Erlwin	8-7-11
50) Kara Swanson	278 Jersey St SF CA	Kara Swanson	8/7/11

RECEIVED

AUG - 8 2011

Dept of Alcoholic Beverage Control
San Francisco

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

- Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
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- A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Whole Foods noe-valley
(Name(s) of Applicant(s))

For premises at:

24th noe-valley 3950
(Exact address of proposed premises)

on the grounds that:

The Whole Foods Market is already causing significant traffic problems in the area, and adding a full liquor license will surely add to the traffic problems. In addition, there are other small liquor stores already able to fulfill the liquor buying needs of the neighborhood.

Check here if additional sheets attached

I, GORDON I.M. RONALD, declare under penalty of perjury:
PRINT (Name of Protestor)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE <u>Gordon I.M. Ronald</u>	PROTESTANT'S TELEPHONE NUMBER (Optional)
SIGNED AT (City and State) <u>San Francisco, Cal</u>	DATE SIGNED <u>8/4/11</u>
PROTESTANT'S ADDRESS (Street number and name, city, state, zip code) <u>1046 SANCHEZ ST SF CA 94114</u>	

ABC-510-A (07/08)

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AUG - 8 2011

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

State of California

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I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

WHOLE FOODS

(Name(s) of Applicant(s))

For premises at:

3950 24th street NOE VALLEY

(Exact address of proposed premises)

on the grounds that:

I am a noe valley resident for over 30 years, this neighborhood can not afford to have a big Super Market, ever since they move in the traffic is under no control, is not safe for our families, we do not need another business with a liquor license, we already have # 6 stores with liquor license, please consider this is a family NEIGHBORHOOD. We need to keep it as is.

Check here if additional sheets attached

I, PATRICIA LARIZADEN, declare under penalty of perjury:

(PRINT (Name of Protestant))

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

PROTESTANT'S TELEPHONE NUMBER (Optional):

415-264-5031

SIGNED AT (City and state)

S.F. CA

DATE SIGNED

8/6/11

PROTESTANT'S ADDRESS (Street number and name, City, state, zip code)

3866 24th st. S.F. CA. 94114

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ABC-510-A (07/08)

AUG - 8 2011

Dept of Alcoholic Beverage Control
San Francisco

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

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I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Whole Foods Noe Valley
(Name(s) of Applicant(s))

For premises at:

3950 24th ST San Francisco, CA, 94114

I'm the co-owner of St Clair's Liquors and property owner/partner at 3900 24th St. However, I'm protesting Whole Foods liquor license application as a concerned property owner.

Whole Foods in Noe Valley is already the main cause of congestion and noise on 24th St, because their parking lot is not big enough to handle all their customers. They hired a parking attendant to try to control the parking problem more efficiently, but that really doesn't alleviate congestion when the parking lot is full and cars overflowing to 24th st, which happens quite frequently. Congestion and noise on 24th is irritating and frustrating to nearby residents. It prevents the residents from the quiet enjoyment of their properties. Issuing Whole Foods a liquor license will make things go from bad to worse, causing public nuisance for residents in the immediate area.

Also Noe Valley's 24th St is commonly used by Firetrucks (Station 11 at 3880 26th St) and Ambulances responding to emergency calls, congestion on 24th St will slow down their respond time.

Whole Foods should not sell liquor, because there are already too many liquor stores in Noe Valley to satisfy its needs. Issuing a liquor license to Whole Foods will cause over concentration of liquor licenses in Noe Valley which might have unintended consequences such as an increase of crime, public drunkenness, and loitering. Those are common problems caused by over concentration of liquor licenses in other parts of San Francisco.

Please, don't issue Whole Foods a liquor license because their "premises no suitable" parking lot is small, and its close proximity to residents in the area. Besides, there are already over concentration of liquor licenses in such small neighborhood.

I, Maher Khouri, declare under penalty of perjury:
PRINT (Name of Protestant)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

Maher Khouri

PROTESTANT'S TELEPHONE NUMBER (Optional)

415-350-5960

SIGNED AT (City and state)

San Francisco California

DATE SIGNED

08/07/2011

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

3900 24th ST, SF, CA, 94114

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AUG - 8 2011

Dept of Alcoholic Beverage Control
San Francisco

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

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I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Whole Foods Market

(Name(s) of Applicant(s))

For premises at:

3950 24th St. S.F. Ca. 94114

(Exact address of proposed premises)

on the grounds that:

This block has too much traffic already! Much of it is in/at the Whole Foods Parking lot.

RECEIVED

AUG - 8 2011

There is also ~~more~~ more than enough places to purchase liquor already. No Thanks!

Check here if additional sheets attached

I, John P. Meggitt, declare under penalty of perjury:

PRINT (Name of Protestant)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

[Handwritten Signature]

PROTESTANT'S TELEPHONE NUMBER (Optional)

415 505 6856

SIGNED AT (City and State)

San Francisco, California

DATE SIGNED

8/5/11

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

39026 24th St. S.F. Ca. 94114

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
 BEVERAGE LICENSE APPLICATION**

State of California

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I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Whole Foods

(Name(s) of Applicant(s))

For premises at:

24th & Sanchez; 3950 24th St
 SF CA 94114

(Exact address of proposed premises)

on the grounds that:

If Whole Foods get a liquor license, then they will continue to hurt small businesses. The small businesses & sense of community are what draws me to Napa Valley. Furthermore there are already enough liquor stores in Napa Valley.
 Thank you,

Check here if additional sheets attached

I, Kara Swanson, declare under penalty of perjury:

PRINT (Name of Protestant)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

Kara Swanson

PROTESTANT'S TELEPHONE NUMBER (Optional)

(415) 994 8996

SIGNED AT (City and state)

SF CA

DATE SIGNED

7/30/11

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

278 JEWEL ST SF CA 94114

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ABC-510-A (07/08)

AUG - 8 2011

Department of Alcoholic Beverage Control
 State of California

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

State of California

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I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Whole Foods

(Name(s) of Applicant(s))

For premises at:

24th STREET IN NOE VALLEY

(Exact address of proposed premises)

on the grounds that:

AS A RESIDENT OF NOE VALLEY I STRONGLY
OPPOSE WHOLE FOODS GETTING A LIQUOR LICENSE.
THEY ARE AGAINST HAVING EMPLOYEES FROM UNIONIZED
THEY HAVE ALSO HURT SMALL BUSINESSES. NOE VALLEY
IS A GREAT COMMUNITY AND WE DON'T NEED A
CORPORATE COMPANY TO CRIPPLE ARE LOCAL LIQUOR
STORES. THERE ARE ALREADY 3 LIQUOR STORES IN THIS AREA
OF 3 BLOCKS. WHOLE FOODS ALREADY CONGESTS THE NEIGHBORHOOD
DAILY AS IS. I HAVE TO FIGHT THROUGH TRAFFIC EVERY TIME I PASS
WHOLE FOODS.

Check here if additional sheets attached

I, Jesse Castro, declare under penalty of perjury:
PRINT (Name of Protestant)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

Jesse Castro

PROTESTANT'S TELEPHONE NUMBER (Optional)

415-268-6567

SIGNED AT (City and State)

SF, CA

DATE SIGNED

7-31-11

PROTESTANT'S ADDRESS (Street number and name, city, state, zip 9500)

278 Juney St, SF CA 94114

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ABC-510-A (07/08)

AUG 8 2011

Department of Alcoholic Beverage Control
San Francisco

JB

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

State of California

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I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Whole Foods
(Name(s) of Applicant(s))

RECEIVED

For premises at:

3950 24th St San Francisco, CA 94114
(Exact address of proposed premises)

AUG - 8 2011

Dept of Alcoholic Beverage Control
San Francisco

on the grounds that:

I'm property owner at 3900 24th st, I'm against Whole Food selling liquor in Noe Valley. Whole Foods in Noe Valley is a very busy store, attracting many customers from within Noe Valley and the surrounding communities. Their parking lot is small and always full. Cars are always overflowing their parking lot onto 24th st, between Noe st and Sanchez st, causing traffic (gridlock at times) and noise (when traffic stops at Whole Foods parking lot entrance when full, drivers honk their cars horn). Right now Whole Foods parking lot can't handle all their customers, especially in the evenings and weekends. Adding liquor into their product line, will make things worse, because more shoppers will be attracted to their store. More customers will translate into more traffic mess and noise along 24th st, inconveniencing and degrading the quality of life of the residents, in the immediate vicinity, even more. This is a public nuisance to say the least.

As a result of the lack of parking at Whole Foods, their shoppers will park in the neighborhood streets and along 24th st, taking away parking spots that, otherwise, would have been used by the local businesses shoppers. This will add stress on already tight parking situation along 24th st business corridor. Congestion, noise, and no parking will cause Noe Valley residents to avoid shopping and dining at their favorite neighborhood local shops on 24th St. This will inconvenience and frustrate Noe Valley residents who like to shop and support their neighborhood small local businesses. Lots of Noe Valley residents takes pride in supporting the local merchants.

As a property owner, I have responsibility to protect my neighborhood residents and merchants alike, from further damage by Whole Foods. Whole Foods is already thriving, giving a liquor license will allow them to thrive more at the expense of all Noe Valley residents, especially to those who resides in the immediate area, by the loss of quiet enjoyment of their properties. Therefore, Whole Foods should not be granted a liquor license.

Check here if additional sheets attached

I, Mazen Khouri, declare under penalty of perjury:
PRINT (Name of Protester)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE <u>Mazen Khouri</u>	PROTESTANT'S TELEPHONE NUMBER (Optional)
SIGNED AT (City and state) San Francisco, California	DATE SIGNED 08/05/2011
PROTESTANT'S ADDRESS (Street number and name, city, state, zip code) 3900 24th St, San Francisco, CA 94114	

property address

ABC-510-A (07/08) Home Address: 16 Vista Ct.
South San Francisco, CA 94080

You can reach me
415 356 6599 P. 015

JB

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

State of California

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I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Whole Foods

(Name(s) of Applicant(s))

For premises at:

3950 27th St. between Noe & Sanchez

(Exact address of proposed premises)

on the grounds that:

Whole Foods promised when they opened to save not to undermine the local small businesses. They are a very good store but they would be seriously violating this commitment if they start selling hard liquor. There are many local stores including St. Clair's Skillet, Pumpjack and others who could have opposed their use permit who did not, and where they would be forcing out of business if they were AND they are a family-oriented grocery store - why must they sell hard liquor?

Check here if additional sheets attached.

1. Peter Gabel

PRINT (Name of Protester)

, declare under penalty of perjury:

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE
Peter Gabel

PROTESTANT'S TELEPHONE NUMBER (Optional)
415-642-9420

SIGNED AT (City and State)
380 Elizabeth St., SF CA 94114

DATE SIGNED
7/29/11

PROTESTANT'S ADDRESS (Street number and name, City, State, Zip code)
380 Elizabeth St., SF CA 94114

ABC-510-A (07/08)

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AUG - 8 2011

JB

State of California

Department of Alcoholic Beverage Control
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I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

WHOLE FOODS

(Name(s) of Applicant(s))

For premises at:

3950 24TH ST SAN FRANCISCO, CA 94114

(Exact address of proposed premises)

on the grounds that:

I'm a resident at 3902 24th St Apt A, and owner/partner of the mix-use building that contains my residence unit, at the corner of Sanchez St. I'm against issuing a liquor license to Whole Foods in Noe Valley. As a resident who lives close to Whole Foods, I noticed an increased level of congestion and noise along 24th St since Whole Foods opened for business. Whole Foods is popular and always busy; their parking lot is small, and always packed. When the parking lot is full, which happens few times a day and more frequently on weekends, cars come to stand still at Whole Foods parking lot entrance on 24th st. holding traffic behind them on both directions, beyond Sanchez St on the eastern side and Noe St on the western side. After few minutes in a traffic, drivers become impatient and starts honking their horns, inconveniencing and frustrating all residents on 24th St.

I believe if Whole Foods sells liquor that will increase the number of shoppers at their store. This will lead to more congestion; therefore, more noise for all residents in the immediate area. Unfortunately, our quality of life will be degraded. This is a public nuisance that would interfere in our quiet enjoyment of our properties.

Please, don't issue a liquor license to Whole foods for the sake of the neighborhood and its residents.

Check here if additional sheets attached

MUHANNAD KHOURI

, declare under penalty of perjury:

PRINT (Name of Protestant)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

Muhannad Khouri

SIGNED AT (City and state)

SAN FRANCISCO, CA

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

3902 24TH ST APT A SAN FRANCISCO, CA 94114

PROTESTANT'S TELEPHONE NUMBER (Optional)

415-350-8186

DATE SIGNED

08/02/2011

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AUG - 8 2011

ABC-510-A (07/08)

Department of Alcoholic Beverage Control

415 366 6699 P. 017

APR-11-2000 05:20 398 ABC SAN FRANCISCO

Whole Foods Market's Application - A Protest

My name is Edward Buzinky, and I have been a resident of San Francisco's Noe Valley for over twenty years. I recently noted the display of the ABC application to sell hard liquor on Whole Foods' glass façade, and hereby protest, on the basis of the public welfare, such application to sell hard liquor in addition to wine.

1. The health, vitality and vibrancy of Noe Valley's 24th Street commercial district is at stake.

Whole Foods has been very aggressive in stocking and selling popular foods and goods the surrounding (and much smaller) merchants stock and sell. Here are a few examples of the negative consequences this behavior has wrought:

- Whole Foods has expanded its offerings of ready-to-eat meals, and now it is my understanding that the Joe's 24th Street Cafe (3853 24th Street) and the Noe Valley Deli (4007 24th Street) are "for sale;"
- Whole Foods offers a wide variety of cheeses, and the 24th St. Cheese Co. (3893 24th Street) has seen its business decline;
- Whole Foods expands its cosmetics offerings, and it is my understanding Common Scents (3920 24th Street) is sold by its two owners for only shelving and inventory; and
- Whole Foods sells flowers, and the French Tulip (3903 24th Street) closes shop.

Where will this end? Will it end with a wildly-profitable Whole Foods surrounded by boarded-up store fronts? The health, vitality and vibrancy of 24th Street is at stake. This is our community; this is our public welfare.

I suggest the Department talk with merchants and hear their concerns about Whole Foods' attempt to corner the market on everything consumable, popular and for sale on 24th. I've asked and heard them. I've known these wonderful merchants for a generation! Enough is enough! Whole Foods knowingly leased a small store with limited parking, and I'm sure the store is wildly profitable for them and has been from the start. On balance, they must forgo hard liquor.

In addition, there are many stores in Noe Valley, perhaps too many, that already sell hard liquor. We do not need another for all the reasons discussed herein.

2. Expanding to hard liquor further increases Whole Foods' existing threat to the Public Welfare.

Whole Foods has a small parking lot and it is packed, with cars in both directions on 24th Street jockeying for position, blocking traffic, encroaching the sidewalk, talking on cell phones, watching the parking attendants, hearing horns honking from behind and waiting for an open space.

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AUG - 8 2011

TB

State of California

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

- Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.
- A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Whole Foods Market California Inc
(Name(s) of Applicant(s))

For premises at:

3950 24th St, San Francisco CA 94114-3704
(Exact address of proposed premises)

on the grounds that:

See the attached "Whole Foods Market's Application - A Protest," attached hereto and incorporated herein.

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AUG - 8 2011

Dept of Alcoholic Beverage Control
San Francisco

Check here if additional sheets attached

I, Edward P. Buzinky, declare under penalty of perjury:
PRINT (Name of Protestant)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE Edward P. Buzinky
SIGNED AT (City and state) San Francisco CA

PROTESTANT'S TELEPHONE NUMBER (Optional)
DATE SIGNED 8/5/2011

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)
4028 26th Street, San Francisco, CA 94131

ABC-510-A (07/08)

The one thing these drivers are not doing is watching out for the pedestrians trying to walk safely on the sidewalk! I'm relatively nimble, and it's dangerous for me. Does the Department realize how many moms and babies and toddlers and carriages are out on 24th any given day? Many, many people walk the sidewalk in front of Whole Foods, and are forced, at risk to their safety and well-being, to weave between idling cars and distracted drivers encroaching the sidewalk.

This is a tragedy waiting to happen.

In addition, on Sunday, July 24th, I witnessed the fire chief's red SUV, siren blasting, stopped cold in front of Whole Foods due to the lack of a path resulting from auto congestion both ways. The street stops both ways, many times a day - a result of cars attempting to access the Whole Foods' parking lot.

Should SF Fire, Rescue, and Police find a route other than 24th Street to respond to emergencies?

Or should SF Fire, Rescue and Police just have to accept periodic and unpredictable delays in response time, and our citizens who require fire or medical attention or police protection just have to be more patient?

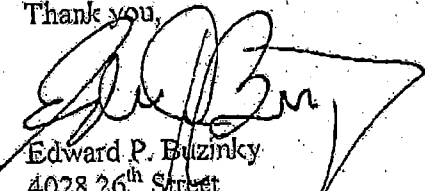
Obviously not, and I wouldn't want to stand idly by when the risks to public welfare are so obvious and demonstrable.

Selling hard liquor will only increase traffic to and around the store! These issues will only get worse.

The commercial, community, public and personal welfare is at risk.

I therefore oppose this application and pray for its denial.

Thank you,



Edward P. Buzinky
4028 26th Street
San Francisco, CA 94111

August 5, 2011

2011

Department of Alcoholic Beverage Control

State of California

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.
- A copy of your valid protest, including your name and address, will be provided to this applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Whole Foods

(Name(s) of Applicant(s))

For premises at:

3950 24th St.

(Exact address of proposed premises)

I am a long time resident of Noe Valley and I strongly believe 24th Street cannot absorb the increased traffic congestion that would be generated by granting Whole Foods permission to sell liquor at the 24th St. location. The parking lot at Whole Foods is most often at capacity and there is no room for expansion of that parking facility. Cars waiting to enter the parking lot on the narrow street cause back ups. In addition, street parking is extremely limited in the neighborhood already.

24th Street is a corridor for SF Muni and already, particularly at peak hours, there are back ups as cars wait to enter the small parking lot at Whole Foods. The street is only two lanes and if one lane heading west is backed, up as cars form a line to access the parking lot, it can result in long delays, increased noise (as drivers become impatient) and delays for SF Muni. If cars in both lanes are trying to enter the Whole Food parking lot, there is total and complete gridlock on the street.

24th Street is also a corridor for emergency vehicles and the added congestion would make it even more difficult for fire trucks, police and ambulances to reach their destinations.

Street parking is already at a premium in this neighborhood and adding a liquor license at Whole Foods would only aggravate that issue as additional customers look for street parking.

Check here if additional sheets attached

RECEIVED

declare under penalty of perjury:

1. Phyllis Van Hagen

(PRINT Name of Protester)

AUG 12 2011

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are there stated on information and belief, and as to those matters I believe to be true.

Department of Alcoholic Beverage Control
San Francisco

PROTESTANT'S SIGNATURE

Phyllis Van Hagen

SIGNED AT (City and state)

San Francisco CA 94114

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

4252 25th St. San Francisco CA 94114

PROTESTANT'S TELEPHONE NUMBER (Optional)

DATE SIGNED

8-10-11

ABC-510-A (07/08)

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AUG 4 - 2011

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
TAC TEAM

LIQUOR LICENSE REVIEW

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

File: 110789

*Blocklot: 3654/041
Zoning: 24th - Noe
Quad: SW
MB# 1101438*

TO: Inspector Dave Falzon
Police Department
Fax No.: 553-1463

DATE: August 4, 2011

This item is scheduled to be heard at a meeting on September 26, 2011.
PLEASE EMAIL YOUR RESPONSE BY: September 22, 2011, to Gail Johnson,
Clerk, City Operations and Neighborhood Services Committee.
Gail.Johnson@sfgov.org - Fax No: 554-7714

Applicant Name: Roberta L. Lang
and Business Name: Whole Foods Market (3950 24th Street)
Applicant Address: 5980 Horton Street, Suite 200
Emeryville, CA 94608
and Phone No. (800) 400-1353 (Jay McPherson of CSA)

PLANNING COMMENTS: Approval Denial

*Type 21 ABC license is allowed
in conjunction with a large retail
grocery store, per Planning
Code Section 790.55.*

[Signature] 9/16/11
Approved Planning Dept. Adrian C. Putra

POLICE COMMENTS: Approval Denial

