

BOARD of SUPERVISORS



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MEMORANDUM

PUBLIC SAFETY & NEIGHBORHOOD SERVICES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Eric Mar, Chair
Public Safety & Neighborhood Services Committee

FROM: Derek Evans, Assistant Clerk

DATE: September 18, 2015

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, September 22, 2015

The following file should be presented as a COMMITTEE REPORT at the Board meeting, Tuesday, September 22, 2015. This item was acted upon at the Public Safety and Neighborhood Service Committee Regular Meeting on Thursday, September 17, 2015, at 2:00 p.m., by the votes indicated.

Item No. 3 File No. 150558

Resolution determining that the transfer of a Type 21 off-sale general license from 2887 Bryant Street to 2111 Harrison Street (District 9), to Beth Aboulafia, for Gus's Community Market, LLC, dba Gus's Market, 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.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Eric Mar - Aye
Supervisor David Campos - Aye
Supervisor Julie Christensen - Absent

Cc: Board of Supervisors
Angela Calvillo, Clerk of the Board
Rick Caldeira, Legislative Deputy
Jon Givner, Deputy City Attorney

1 [Liquor License Transfer - 2111 Harrison Street]

2
3 **Resolution determining that the transfer of a Type 21 off-sale general license from**
4 **2887 Bryant Street to 2111 Harrison Street (District 9), to Beth Aboulafia, for Gus's**
5 **Community Market, LLC, dba Gus's Market, 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 recommending that the**
8 **California Department of Alcoholic Beverage Control impose conditions on the**
9 **issuance of the license.**

10
11 WHEREAS, Beth Aboulafia is seeking the transfer of a Type 21 off-sale general
12 license from 2887 Bryant Street to 2111 Harrison Street (District 9) for Gus's
13 Community Market, LLC, dba Gus's Market; 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 (0) protests with the
17 Department of Alcoholic Beverage Control under California Business and Professions
18 Code, Section 24013, and recommends that the Department of Alcoholic Beverage
19 Control issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the
21 following: 1) Sales of alcoholic beverages shall be permitted between the hours of 8:00
22 am to Midnight each day of the week; (2) No more than 5% of the square footage of the
23 public retail space (not including the storage area) of the premises will be used for the
24 display of alcoholic beverages; (3) No wine shall be sold with an alcoholic content of
25 great than 15% by volume except for "Dinner Wines," which have been aged two years

1 or more and maintained in corked bottles; (4) Wine shall not be sold in bottles or
2 containers smaller than 375 ml; (5) No noise shall be audible beyond the area under
3 control of the license; (6) The sale, service and consumption of powder alcohol or like
4 non-liquid alcoholic beverage based product is prohibited; and (7) The sale of distilled
5 spirits in sizes smaller than 375 mL is strictly prohibited; now, therefore, be it

6 RESOLVED, That in accordance with California Business and Professions Code,
7 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
8 hereby determines that the transfer of a Type 21 off-sale general license from 2887
9 Bryant Street to 2111 Harrison Street (District 9), to Beth Aboulafia, for Gus's
10 Community Market, LLC, dba Gus's Market, will serve the public convenience or
11 necessity of the City and County of San Francisco; and, be it

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