

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Phone No. (415) 558-6371

DATE: June 14, 2021

AP Block/Lot Nos.: 0595/002

TO: Police Department
Alcohol Liaison Unit
Phone No. (415) 553-9550

Zoning: Polk Street NCD 65-A

Quad: NE Planning Team

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 a regular meeting in July of 2021.

PLEASE EMAIL YOUR RESPONSE BY July 2, 2021, to John Carroll,
Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Albeco, Inc.

Business name: Mollie Stone's Market

Application address: 1600 Jackson Street
San Francisco, CA 94109

Applicant contact info: Justin A. Zucker
415-567-9000
izucker@reubenlaw.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: _____



Please print review comments on a trailing page.

Recommend approval; ABC Type 21 license (off-sale general) is permitted with General Grocery Use (Retail Sales and Service Use) in the Polk Street NCD Zoning District, pursuant to PC Section 723.

POLICE REVIEW: Approval Denial

Please print review comments in a trailing report.

REUBEN, JUNIUS & ROSE, LLP

Justin A. Zucker
jzucker@reubenlaw.com

June 4, 2021

Delivered Via USPS & E-Mail

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

Re: Liquor License "PCN" Request
1600 Jackson Street – Mollie Stone's Market
Our File No.: 11465.01

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2021 JUN - 7 PM 3:37
BY *JN*

Dear Ms. Calvillo:

Our office represents Mollie Stone's Market ("Mollie Stone's"), the project sponsor of a new Mollie Stone's grocery store at 1600 Jackson Street (the "Project"). Mollie Stone's applied for a building permit for the new store on November 21, 2019, which is under review by the Department of Building Inspection (BPA No. 2019.11.21.7869). The Planning Department issued a Class 32 Categorical Exemption Determination for the Project on June 30, 2020 (Planning Case No. 2019-022328ENV).

Mollie Stone's is seeking a type-21 (off-sale general) license from the California Department of Alcoholic Beverage Control ("ABC"). Mollie Stone's has filed an application with the ABC for a license transfer. The type-21 license would be transferred from H&W Liquors located at 801 Hayes Street (previous license No. 21-540207). Due to the overconcentration of this type of ABC license in this census tract and the Project's location in a high crime reporting district, Mollie Stone's must obtain a determination by the Board of Supervisors that the public convenience and necessity will be served by the issuance of this license for operations at 1600 Jackson Street.

The Project will establish a locally owned and operated full-service grocery store at 1600 Jackson Street, within an existing building at the corner of Jackson and Polk Streets. The existing commercial building has been vacant since 2014. Mollie Stone's proposes interior renovations to the first and second floors to convert approximately 44,748 square feet of the existing retail space to a new grocery store, including a coffee shop with a patio and back of house space. The Project would provide 45 on-site parking spaces in an existing below grade garage. Six Class 2 bike spaces would be provided on each of the Project's two street frontages.

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
492 9th Street, Suite 200, Oakland, CA 94607
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Ms. Angela Calvillo
Clerk of the Board of Supervisors
June 4, 2021
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The grocery store will sell daily-needs goods to neighborhood residents, including a wide variety of food and household products. Typical business hours will be approximately from 7 a.m. to 10 p.m. daily, with the coffee shop opening at 5:30 a.m. Business hours may be extended in advance of major holidays to accommodate increased demand and for the convenience of customers.

Mollie Stone's was founded locally in 1986 and a majority of employees are union workers. With roots in healthy, natural and specialty foods, Mollie Stone's stores provide a place where customers can get their natural and organic produce, meats, health and beauty products, and also conventional necessities and popular name-brand products. The new grocery store at 1600 Jackson Street will offer that same range of grocery products—including produce, fish and meat, cheeses, dairy, frozen food products, household items, and alcohol. Including beer, wine, and liquor in the store's offerings would serve the public convenience and necessity by increasing the variety of goods offered at this location—bringing a truly full-service grocery store to the neighborhood.

The new Mollie Stone's will provide area residents and visitors with a convenient “one-stop” shopping option. While there are six other establishments in the census tract with off-sales licenses, none are full-service grocery stores. For the most part, they are specialty stores including a cheese shop, wine shop, and liquor stores. While there are two markets in the neighborhood, they are small “corner” markets with limited inventory without the wide variety of goods that will be available at the new Mollie Stone's store. Mollie Stone's would be the only full-service grocery store with an off-sale license in the census tract.

Including alcohol in the offerings of this store would also serve the public convenience and necessity by establishing an alcohol retailer that has a vast experience with the sale of alcohol and is a responsible retailer with an effective training and management policy and equipment for controlling the sale of alcohol. Mollie Stone's will extensively train its employees related to alcohol sales at new hire orientations, including acknowledgement of the store's alcohol sale policy. The store will be equipped with smart registers programmed to lock upon an alcohol sale until the cashier enters the customer's birthdate to confirm she/he is of age before proceeding. In addition, the store will be equipped with a state-of-the-art camera system with 90-day memory storage.

Mollie Stone's has completed the ABC noticing requirements pursuant to state law. Mollie Stone's sent a mailed notice regarding the proposed ABC license to all residents within 500 feet of the Project on September 18, 2020, and posted notice on the Project site on September 17, 2020. Mollie Stone's has received a favorable reaction by the neighborhood to the store.

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

Ms. Angela Calvillo
Clerk of the Board of Supervisors
June 4, 2021
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Please contact me at 415-567-9000 with any questions.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Justin A. Zucker

Enclosure:

Exhibit A – License No. 619261

EXHIBIT A



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control**Report Date:** Friday, June 04, 2021**LICENSE INFORMATION****License Number:** 619261 **Primary Owner:** ALBECO INC **Office of Application:**

24 - SAN FRANCISCO

BUSINESS NAME

MOLLIE STONE'S MARKET

BUSINESS ADDRESS

1600 JACKSON ST , SAN FRANCISCO, CA, 94109

County: SAN FRANCISCO **Census Tract:** 0110.00**LICENSEE INFORMATION****Licensee:** ALBECO INC**Company Information**

OFFICER: STONE, MICHAEL JOEL (PRESIDENT)

OFFICER: STONE, MICHAEL JOEL (DIRECTOR)

OFFICER: STONE, AARON RICHARD (DIRECTOR)

OFFICER: STONE, AARON RICHARD (TREASURER)

OFFICER: STONE, ELLIOTT WILLIAM (DIRECTOR)

OFFICER: STONE, ELLIOTT WILLIAM (VICE PRESIDENT/SECRETARY)

OFFICER: CERAR, EDWARD FRANCIS (DIRECTOR)

STOCKHOLDER: MOSTBE COMPANY

LICENSE TYPES

21 - OFF-SALE GENERAL

License Type Status: PENDING **Status Date:** 08-SEP-2020 **Term:** 12 Month(s)

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

From License Number: 21-540207

86 - INSTRUCTIONAL TASTING LICENSE

License Type Status: PENDING **Status Date:** 08-SEP-2020 **Term:** 12 Month(s)

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

From License Number: 21-540207

OPERATING RESTRICTIONS:

No Operating Restrictions found

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

Hold Type: BOARD OF EQUALIZATION HOLD **Hold Date:** 08-AUG-2019 **Hold Type:**
FORM 220 **Hold Date:** 08-SEP-2020

ESCROWS:

CALIFORNIA BUSINESS ESCROW, 1748 MAIN ST ESCALON,CALIFORNIA 95320