

File No. 120466

Committee Item No. 3  
Board Item No. \_\_\_\_\_

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: City Operations

Date 6/25/12

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget Analyst Report
- Legislative Analyst Report
- Youth Commission Report
- Introduction Form (for hearings)
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Award Letter
- Application
- Public Correspondence

#### OTHER

(Use back side if additional space is needed)

<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"/>	_____

Completed by: Derek Evans

Date 6/21/12

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

BOS-11  
City of Clerk



May 4, 2012

By Hand Delivery

File # 120466

Angela Calvillo  
Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, California 94102

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2012 MAY -4 PM 3:27  
JY MR

Re: Request for Resolution of Public Convenience or Necessity  
Target Corporation, dba CityTarget  
101 4<sup>th</sup> Street, San Francisco 94103

Dear Ms. Calvillo,

Target Corporation ("Target") has applied to the Department of Alcoholic Beverage Control for a Type 20 Off-Sale Beer and Wine license at the new CityTarget store, opening in the San Francisco Metreon Centre later this year. Because the new store is located in a census tract that has an "undue concentration" of off-sale licenses under Section 23958.4 of the Business and Professions Code, Target is requesting a determination by the Board of Supervisors that public convenience or necessity will be served by issuance of the license.

Target has applied for a person-to-person, premises-to-premises transfer of an existing Type 20 license to its new store location in the San Francisco Metreon Centre at the corner of Fourth Street and Mission Street. The new 100,000 square-foot store will occupy the entire second floor of the Metreon and will employ approximately 250 team members. The store hours will be 8:00 a.m. to 11 p.m. Monday – Friday and 8:00 a.m. to 10 p.m. Sunday, with extended store hours during the holiday season.

The new store will be one of the first CityTargets in California. The new-format CityTarget stores are smaller in size than a traditional Target store and designed specifically to meet the needs of urban residents and visitors. The San Francisco CityTarget, centrally located in downtown San Francisco, will provide commuters, tourists and nearby residents the convenience of one-stop shopping for urban living essentials.

A significant component of CityTarget will be its grocery section. CityTarget will offer a full-range of grocery products, including fresh meats, fresh vegetables and produce and fresh bakery items, along with a selection of dry goods. Along with its grocery offerings, Target would like to be able to offer customers the ability to purchase beer and wine. Adding beer and wine to its grocery offerings will provide downtown residents (as well as commuters doing their home shopping downtown) with a convenient, one stop-destination for grocery and beverage purchases.

Angela Calvillo  
Clerk of the Board  
May 4, 2012  
Page 2

For these reasons, we respectfully request that the Board of Supervisors make a finding that licensing CityTarget with a Type 20 off-sale beer and wine license will serve public convenience or necessity. If you have any questions about CityTarget's proposed operations, please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script that reads "Beth Aboulafia".

Beth Aboulafia



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 Sean Elsbernd**  
**Supervisor Carmen Chu**  
**Supervisor Christina Olague**

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

**Date:** June 20, 2012

**Subject:** P.C.N. Investigation Regarding: Target Corporation  
DBA: City Target  
101 Forth Street  
Beth Aboulafia  
(415)362-1215

Beth Aboulafia, on behalf of Target Corporation, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 20 (Off-Sale Beer and Wine-Store) license for 101 Fourth Street, located next to the northeast corner of Mission Street and Forth Street. City Target will be inside the Metreon, San Francisco, a commercial space with numerous retail establishments and eateries.

It should be noted that during the application process, notification date for the 500' mailer was on May 10, 2011. The Notice to the Public was posted on May 9, 2011.

For the purposes of this hearing, the California Department of Alcoholic Beverage Control (ABC) seeks a determination from the Board of Supervisors as to the approval or denial of this license.

**Police Calls for Service:** From July 2010 to January 2011

**101 Police calls**

**Police Reports:** From July 2010 to January 2011

**14 Reports**

**San Francisco Plot Information:**

This premise is located in Plot **224**

The High Crime area is defined as 215 or more police reports in a plot.

This plot had **480** police reports recorded for 2010. This is **over** the High Crime area definition by **265** police reports.

Applicant premises is located in a "High Crime" area.

**State Census Tract Information:**

This premise is located in Census Tract **176.02**

Population for this tract is: **534**

On-sale license authorized by census tract: **2**

Active on-sale licenses: **71**

Off-sale licenses authorized by census tract: **1**

Active off-sale licenses: **7**

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

**Letters of Protest:**

**Three (3) letters of protest** were received by the California Department of Alcoholic Beverage Control, (ABC).

**Letters of Support:**

**No record** with the California Department of Alcoholic Beverage Control, (ABC).

**Departmental Recommendation:**

No opposition from **Southern Station**

ALU recommends approval. The following conditions have been recommended to the California Department of Alcoholic Beverage Control, (ABC):

1. Sales and service of alcoholic beverages shall be permitted between the hours of 10:00 am and 10:00 pm daily.
2. No more than 5% of the square footage of the premises will be used for the display of alcoholic beverages.

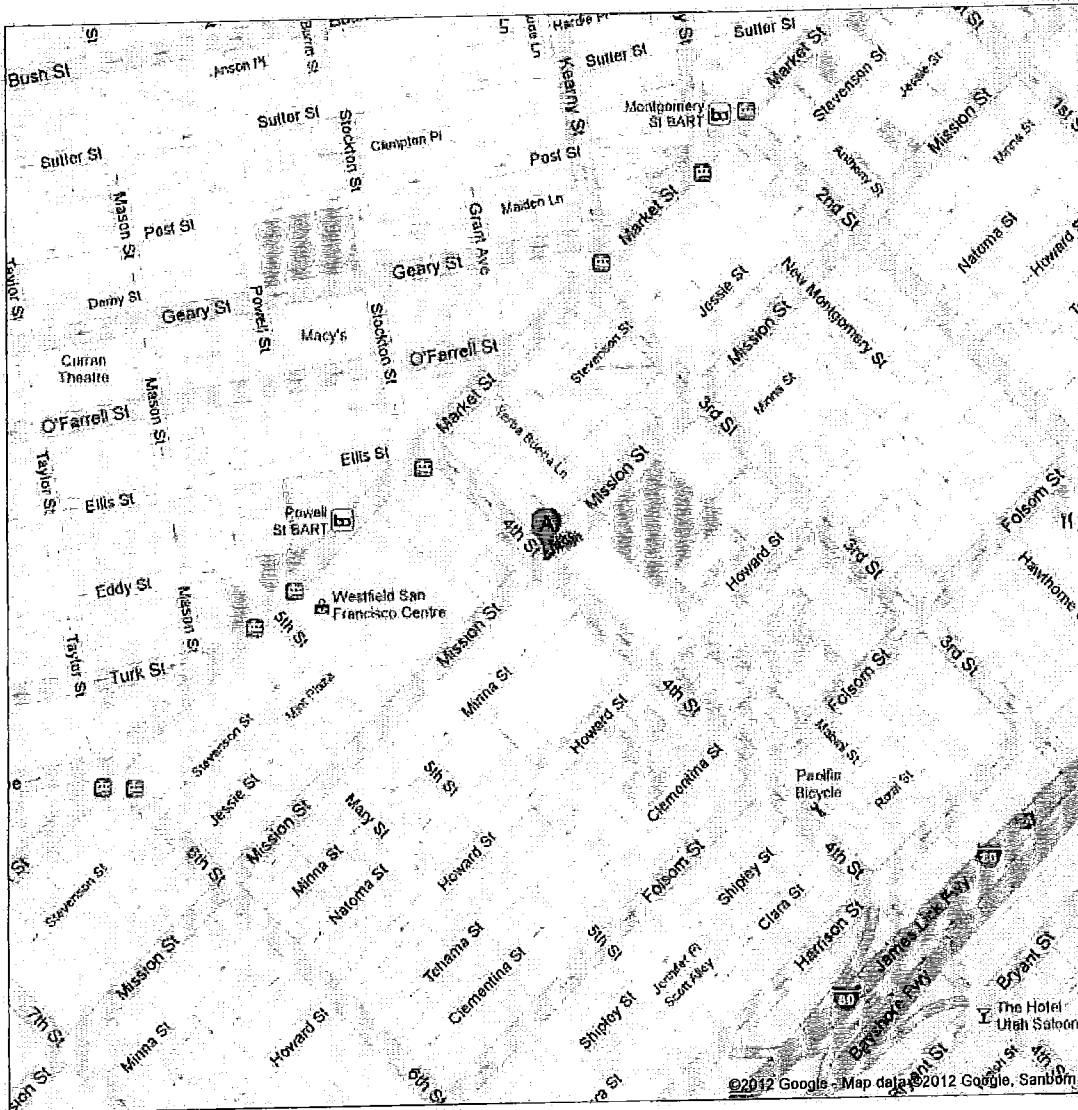
3. No noise shall be audible beyond the area under the control of the licensee as depicted on the ABC-257.
4. No malt beverage shall be sold with an alcoholic content great than 5.7% by volume.
5. The sales of beer or malt beverages in quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers are prohibited.
6. No beer or malt beverages shall be sold in quantities of less than manufacturer pre-packaged six packs per sale with the exception of wine-coolers, beer coolers which must be sold in manufacturer pre-packaged multi-unit quantities of four (4) or more.
7. No wine shall be sold with an alcoholic content of great than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles.
8. Wine shall not be sold in bottles or containers smaller than 750 ml.

Thank you

Google

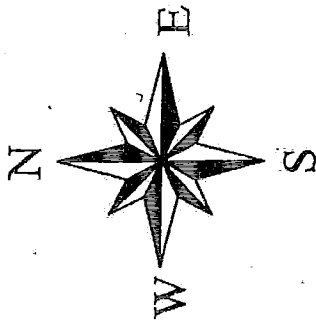
Address 101 4th St  
San Francisco, CA 94103

City Target  
20-510439

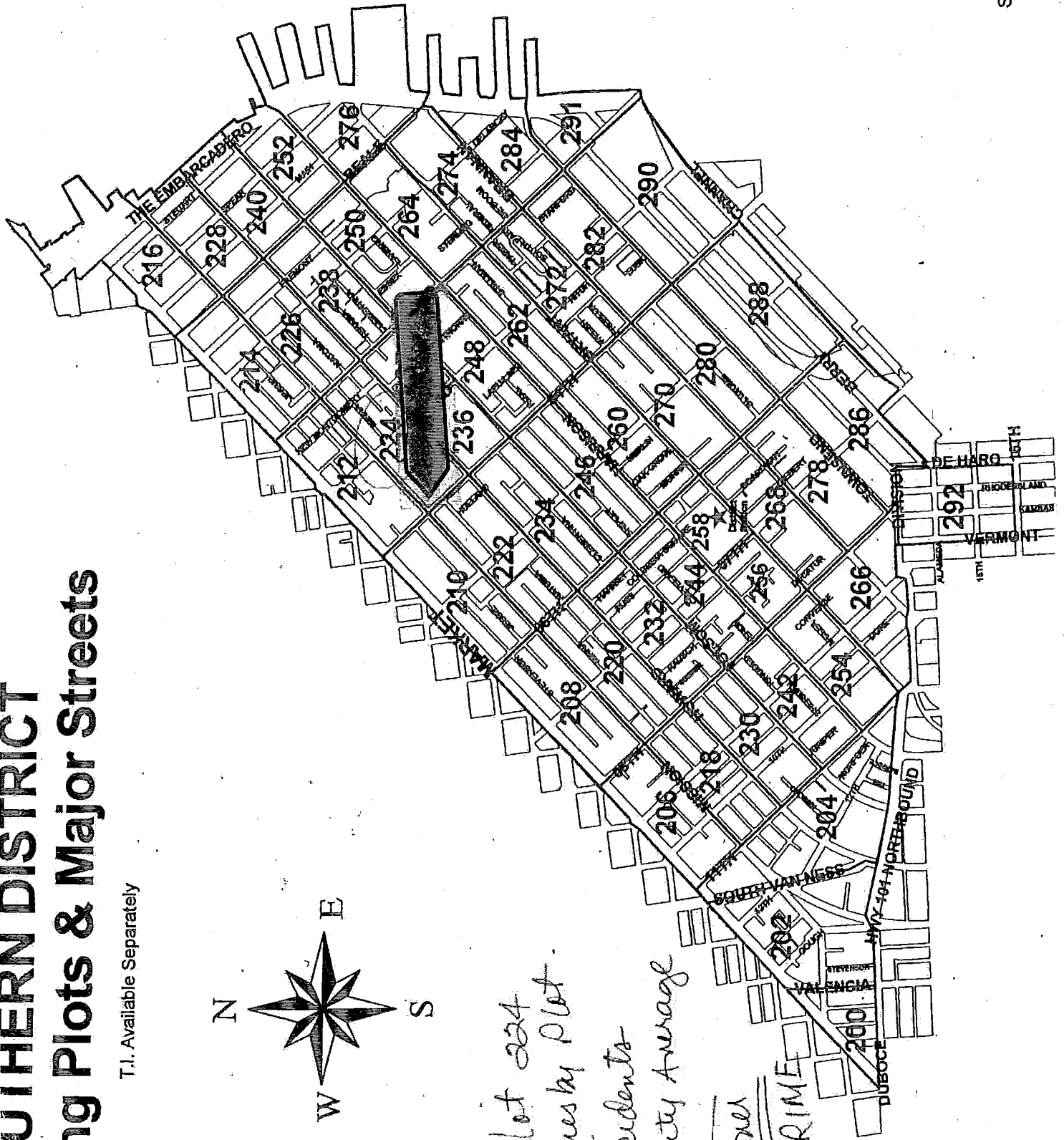


# SOUTHERN DISTRICT Plotting Plots & Major Streets

T.I. Available Separately



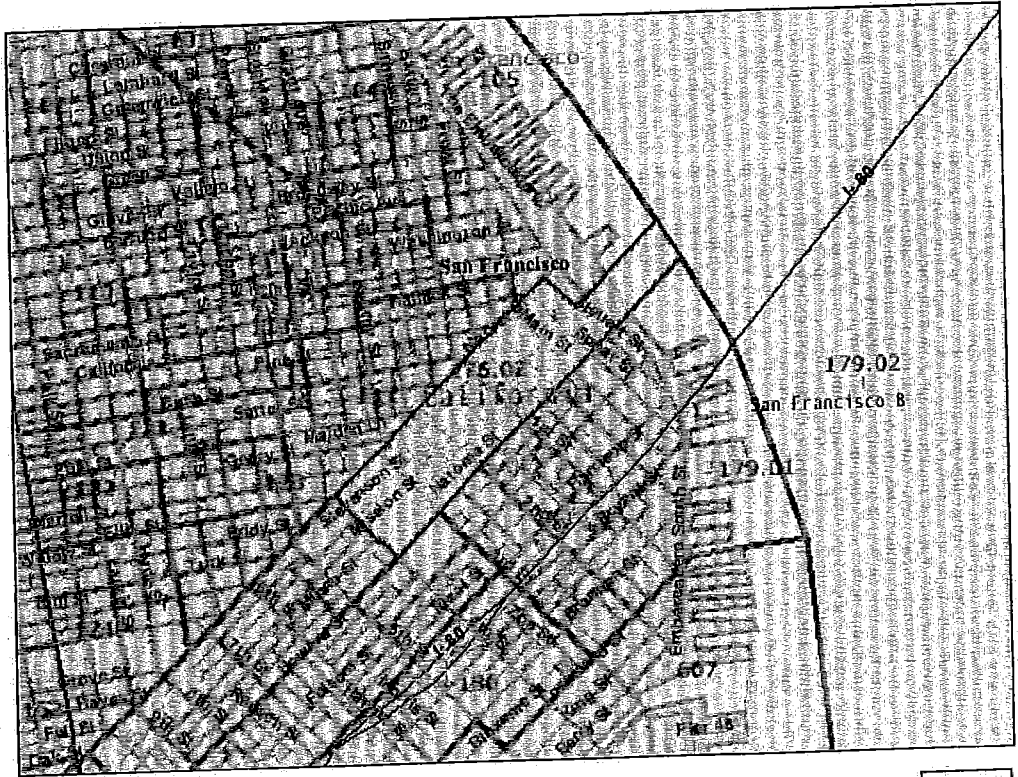
Police Plot 224  
 2010 Crimes by Plot  
 480 Incidents  
 215 - City Average  
265 over  
 HIGH CRIME





Census Tract 176.02, San Francisco County, California

- Boundaries**
- State
  - County
  - Census Tract
  - Block Group
  - Block
  - Place
  - Place
  - Urban Area
  - Urban Area
- Features**
- Major Road
  - Street
  - Stream/Waterbody
  - Stream/Waterbody



2.8 miles across

Close

export To  **New!**

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
110253205		01/25/2011	19:26:09	C	601			101 4TH ST
110112050		01/11/2011	15:25:15	B	601	9B10	HAN	101 4TH ST
110092966		01/09/2011	20:33:25	B	910		CANC	101 4TH ST
110082564	110024716	01/08/2011	18:47:39	B	806	3B1D	REP	101 4TH ST
110073550		01/07/2011	22:50:58	B	905	3B11D	NOM	101 4TH ST
110053219		01/05/2011	19:41:45	I	000			101 4TH ST
110022188		01/02/2011	18:11:37	C	800			101 4TH ST
110013268		01/01/2011	19:53:13	C	488			101 4TH ST
103641295		12/30/2010	11:35:17	C	000			101 4TH ST
103640194		12/30/2010	01:24:33	A	910	3B12E	HAN	101 4TH ST
103623152		12/28/2010	21:53:43	C	000			101 4TH ST
103622978		12/28/2010	20:54:19	B	601	3B53D	HAN	101 4TH ST
103622845		12/28/2010	20:07:55	C	7F	9B10	HAN	101 4TH ST
103622835		12/28/2010	20:02:50	C	7F	9A10	HAN	101 4TH ST
103600621		12/26/2010	08:51:37	C	903	9B10	HAN	101 4TH ST
103582789		12/24/2010	21:53:40	C	488	3B1D	HAN	101 4TH ST
103582780		12/24/2010	21:51:10	C	488			101 4TH ST
103582692		12/24/2010	21:21:25	C	488			101 4TH ST
103533560		12/19/2010	23:16:37	C	000			101 4TH ST
103533083		12/19/2010	21:00:56	A	240	3B1D	HAN	101 4TH ST
103531656		12/19/2010	13:36:07	C	601	3B1C	HAN	101 4TH ST
103522456		12/18/2010	17:37:08	C	7F	9B10	HAN	101 4TH ST
103521431		12/18/2010	12:26:07	C	7F	9B10	HAN	101 4TH ST
103521425		12/18/2010	12:23:47	C	7F	9B10	HAN	101 4TH

24

								ST
103520502		12/18/2010	03:54:10	B	913		DUP	101 4TH ST
103520496		12/18/2010	03:52:24	B	601	3B13E	HAN	101 4TH ST
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103500074		12/16/2010	00:28:22	I	917	2R03B	ADV	101 4TH ST
103462395		12/12/2010	17:26:40	C	488	9B10	DUP	101 4TH ST
103462353	101143737	12/12/2010	17:13:01	B	418	9B10	ARR	101 4TH ST
103451235		12/11/2010	11:02:08	B	913	3B3A	HAN	101 4TH ST
103451230		12/11/2010	11:02:07	B	913			101 4TH ST
103451225		12/11/2010	11:00:51	C	800			101 4TH ST
103451223		12/11/2010	11:00:01	C	800			101 4TH ST
103451220		12/11/2010	10:58:09	C	800			101 4TH ST
103451214		12/11/2010	10:56:39	C	000			101 4TH ST
103431730		12/09/2010	13:45:27	A	261	3B2A	NOM	101 4TH ST
103361343		12/02/2010	11:32:51	C	915	9B10	HAN	101 4TH ST
103311553		11/27/2010	13:48:56	C	917	9B10	HAN	101 4TH ST
103250226		11/21/2010	01:17:42	A	910	3B11D	HAN	101 4TH ST
103233063		11/19/2010	20:53:41	B	601	3B14D	ADV	101 4TH ST
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103142783		11/10/2010	17:15:23	C	903	9B10	HAN	101 4TH ST
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103071586	101021280	11/03/2010	13:27:30	A	240	9B10	HAN	101 4TH ST
103031403		10/30/2010	11:47:54	B	311	3B1C	GOA	101 4TH ST
103012177		10/28/2010	14:56:25	C	000			101 4TH ST
102991971		10/26/2010	14:14:40	C	10-22			101 4TH ST

25

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102921787		10/19/2010	13:06:37	C	000			101 4TH ST
102800018		10/07/2010	00:03:11	B	913	3B12D	HAN	101 4TH ST
102753896		10/02/2010	21:54:27	C	000			101 4TH ST
102753828	100917535	10/02/2010	21:37:54	B	487	3B11E	REP	101 4TH ST
102700687		09/27/2010	08:04:41	C	917			101 4TH ST
102691689		09/26/2010	13:39:54	B	240	3B1A	HAN	101 4TH ST
102691646		09/26/2010	13:23:07	C	000			101 4TH ST
102680749		09/25/2010	05:47:02	B	100A	3B12E	PAS	101 4TH ST
102670935		09/24/2010	09:06:59	C	000			101 4TH ST
102670913		09/24/2010	08:58:52	B	240			101 4TH ST
102623169	100870284	09/19/2010	19:22:58	B	405	3B11D	CIT	101 4TH ST
102552609		09/12/2010	17:18:24	B	405	3B13D	CANC	101 4TH ST
102552594	100845243	09/12/2010	17:16:42	B	405	3B13D	ARR	101 4TH ST
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102523277		09/09/2010	19:11:33	C	470	3B12D	HAN	101 4TH ST
102520198		09/09/2010	01:39:42	B	100		CANC	101 4TH ST
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102491347		09/06/2010	11:41:07	B	100A	3B1A	CAN	101 4TH ST
102491324		09/06/2010	11:33:50	B	418	3B	HAN	101 4TH ST
102482771		09/05/2010	19:02:53	C	915	9B10	UTL	101 4TH ST
102473932		09/04/2010	22:53:13	B	405	3B11D	HAN	101 4TH ST
102454007		09/02/2010	21:39:15	I	221	2R03B	ADV	101 4TH ST
102432767	100802914	08/31/2010	16:58:25	C	ARR	3B43C	ARR	101 4TH

26

								ST
102432714		08/31/2010	16:46:48	C	7I	3B43C		101 4TH ST
102421696		08/30/2010	12:44:49	C	800			101 4TH ST
102421300		08/30/2010	11:00:38	C	000			101 4TH ST
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102402222		08/28/2010	15:26:28	C	488			101 4TH ST
102402067		08/28/2010	14:38:19	B	405		CANC	101 4TH ST
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102281694		08/16/2010	12:56:09	C	000			101 4TH ST
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102271642		08/15/2010	12:59:09	B	910	3B1A	HAN	101 4TH ST
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102262674		08/14/2010	17:40:10	B	418	3B11D	ABA	101 4TH ST
102260166		08/14/2010	00:44:30	C	488			101 4TH ST
102252624		08/13/2010	17:35:03	C	903	9B10	HAN	101 4TH ST
102242016		08/12/2010	14:45:39	B	000			101 4TH ST
102233226		08/11/2010	19:16:09	B	914	PS86E	HAN	101 4TH ST
102223358		08/10/2010	19:48:38	B	405	3B200	CAN	101 4TH ST
102202131		08/08/2010	15:28:44	B	915	9B10	ADV	101 4TH ST
102201931	100725156	08/08/2010	14:22:58	B	807	3B4A	HAN	101 4TH ST
102172563	100715840	08/05/2010	16:35:27	B	213	3X143	REP	101 4TH ST
102162252		08/04/2010	14:35:24	C	601	9B10	HAN	101 4TH ST

25

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
102091630		07/28/2010	12:28:12	A	800	3B1A	HAN	101 4TH ST

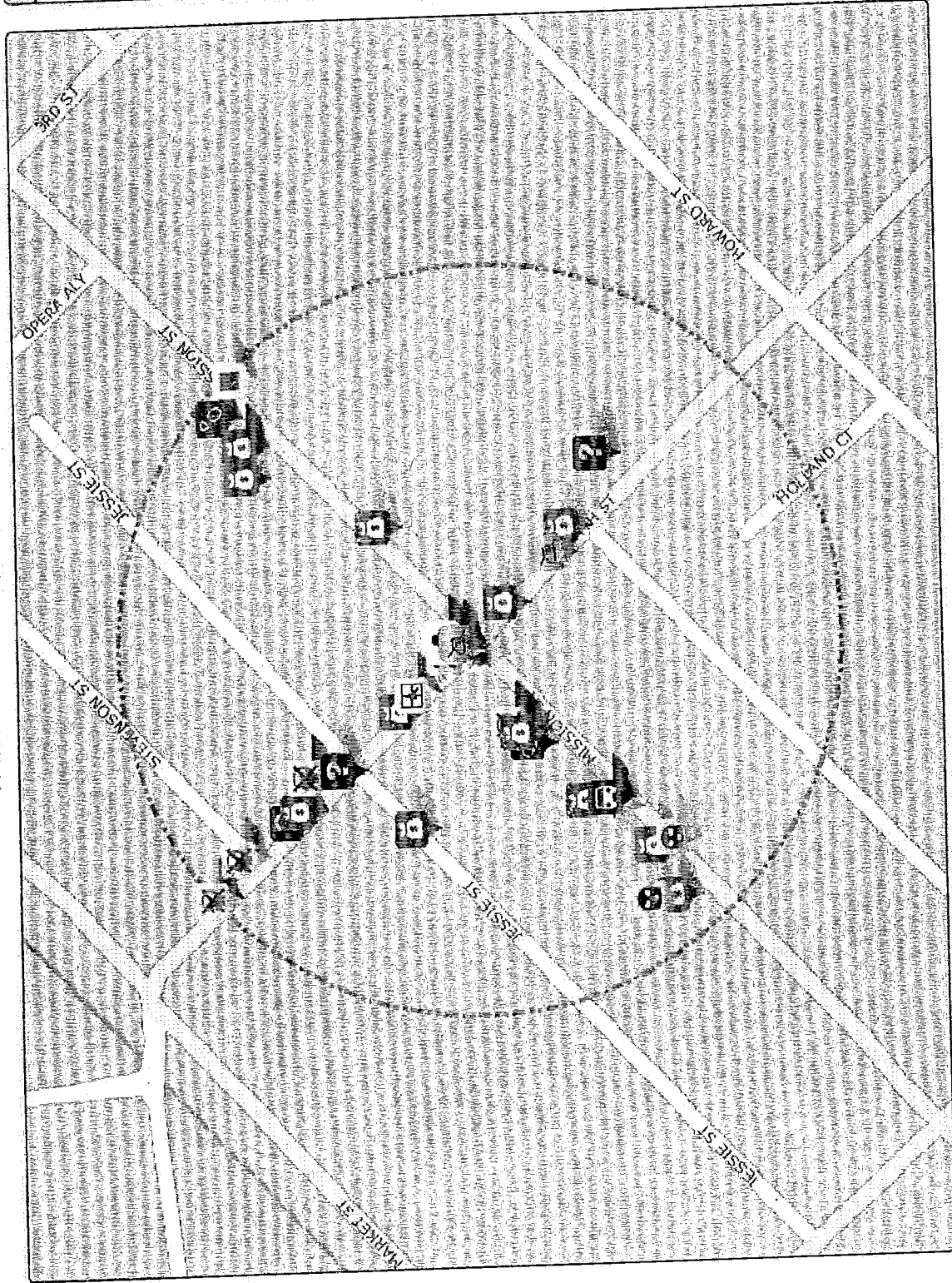
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**End of document**

# 101-4th Street 500' radius

7/1/2010-01/31/2011

San Francisco Police Department



Map Legend	
	Incidents (287)
	Larceny/Theft (86)
	Non-Criminal (44)
	Fraud (25)
	Other Offenses (22)
	Assault (15)
	Warrants (15)
	Warrants (14)
	Trespassing (10)
	Suspicious Occurrence (10)
	Vandalism (9)
	Robbery (8)
	Missing Person (7)
	Drunkness (5)
	Burglary (4)
	Drug/Narcotic (3)
	Vehicle Theft (3)
	Forgery/Counterfeiting (2)
	Recovered Vehicle (2)
	Liquor Laws (1)
	Secondary Codes (1)
	Disorderly Conduct (1)

All representations on this map are distributed and transmitted "AS IS" without warranties of any kind, either expressed or implied including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. In no event shall San Francisco Police Department become liable to users of these data for any loss or damages, consequential or otherwise, including but not limited to time, money, goodwill, arising from the use, operation or modification of the data. The visual presentation of data is being provided strictly as a courtesy, not as an obligation to its users.

WARNING: This map does not meet the national map accuracy standards.

RECEIVED

MUN 07 2011

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

Dept of Alcoholic Beverage Control  
San Francisco

- 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](http://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 this completed form, ABC-510-A, will be provided to the applicant.

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

TARGET T 2766 STORE  
(Name(s) of Applicant(s))

For premises at:

101 4TH ST 2ND FLOOR SF CA 94103  
(Exact address of proposed premises)

CONCERNS -

on the grounds that:

- CONSIDERATION POINTS UNDER B&P CODE § 23789 WITHIN 1000'
  - CHILDREN'S DEVELOPMENT CENTER - MOSCONE ROOF 4TH & FOLSOM
  - CHILDREN'S CARNIVAL - MOSCONE ROOF - 4TH & HOWARD
  - CHILDREN'S PLAY CIRCLE - CENTER - MOSCONE ROOF - HOWARD
  - ICE SKATING CENTER - FOLSOM ST - MOSCONE ROOF
  - BOWLING CENTER - MOSCONE ROOF - 4TH & FOLSOM.
  - SF. PARK CODE FOR VERBA BUENA GARDENS - PROHIBITING ALCOHOLIC BEVERAGES.
  - HIGH CRIME UNDER B&P CODE § 23958.4(C)
  - OVER CONCENTRATION § 23958.4
- BECAUSE OF THE ABOVE CONCERNS THE FOLLOWING CONDITIONS MUST BE APPLIED, SEE P. 2

Check here if additional sheets attached

I, MARVIS J. PHILLIPS, declare under penalty of perjury:

PRINT (Name of Protestant)

PUBLIC SAFETY CHIEF - ANTI-DUI AND BETTER DIST G.

(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

Marvis J. Phillips

PROTESTANT'S TELEPHONE NUMBER (Optional)

(415) 674-1935

SIGNED AT (City and state)

SAN FRANCISCO, CALIFORNIA

DATE SIGNED

31 MAY 2011 1740 HRS

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

230 EDWY ST #1206, SAN FRANCISCO, CA 94102-6526

ABC-510-A (10/07)

CC: SFPD - ALCOHOLIC PERMIT SECTION

CC: SFPD - SOUTHERN STATION - ALCOHOLIC PERMIT OFFICER

11 CC: SFPD - SOUTHERN STATION - ALCOHOLIC PERMIT OFFICER



**Protest Against Alcoholic Beverage License Application (Page 2 of 4 pages)**

**Applicant: Target T2766 Store AKA Target Corporation**  
**Applicant Address: 191-4th Street, San Francisco, CA 94103**

**Protestant: Michael Nulty, P.O. Box 420846, San Francisco, CA 94142-0846**

After surveying the area around the new Target store and talking with both security, nearby residents and merchants about the effects a large chain store would have in retailing any forms of liquor to the public in the manner of a off-sale license.

Nearby merchants express the lower price point the a large retailer can sell their liquor at which would take away customers of already existing smaller established community serving stores. Local residents have the same concerns that a retailer such as Target can offer lower priced liquor which nearby already established licensed stores would have a hard time competing against. There is a strong support of local retailers to stay in business and to maintain their existing stores and customer base. We do want to see more smaller stores closing because of their loss of revenue.

The main concern residents and security have is enforcing and protecting the already established San Francisco Park Code for Yerba Buena Gardens (a copy of rules are attached as page 3). This code specially mentions smoking and alcoholic beverages which are intended to be sold by Target. Additional concerns by security is the drain on public resources in dealing with shoplifters. The San Francisco Police Department continues to shrink in the number of officers. And San Francisco continues to increase in population bringing more security tasks to perform with fewer police officers.

The next concern is Yerba Buena Gardens itself. Open Space with the following consideration points Ice Skating Center, Play Circle, Bowling Center, Child Development Center, and Carousel; several adjacent parking garages and facilities; and St. Patrick's Church. (a copy of map are attached as page 4)

Issuance of the license to the premises would add an undue concentration of licenses; licensing the premises aggravates an already existing police problems in a high-crime area; and the premises is within 500 feet of open space.

I do not know what the security plan for the new store is nor do I know which exists will be used by the public.

Because of the above concerns the following conditions must be applied.

Employees of the establishment shall walk a 100 feet radius from the premises sometime between 30 minutes after closing time and 8AM the following morning and shall pick up and dispose of any discarded beverage containers and other trash left by patrons.

The establishment shall provide outside lighting in a manner sufficient to illuminate street and adjacent sidewalk areas and parking as appropriate to maintain security.

No alcoholic beverages shall be consumed on any outdoor property adjacent to the establishment.

No person under the age of 21 shall sell or package alcoholic beverages.

Employees of the establishment shall regularly police the area under the control of the establishment in an effort to prevent the loitering of persons about the premises.

The establishment shall promptly remove any graffiti from the exterior of the premises.

Proper signage at all exists informing patrons of the San Francisco Park Code for Yerba Buena Gardens.

Sales of Alcohol only permitted between the hours of 8AM to 10PM 7 days a week.

No fortified wines can be sold.

No malt liquor bottles or cans.

Sell single containers of alcoholic beverage in clear plastic carry-out bags.

Beer & Wine must be sold in manufactured pre-packed multi-unit quantities only.

RECEIVED

JUN 07 2011

Dep't of Alcoholic Beverage Control  
San Francisco

# Welcome To Yerba Buena Gardens

Open Sunrise to 10 PM



In order to keep the Gardens enjoyable for everyone, the following uses are not allowed:

- Smoking
  - Littering
  - Swimming, Wading or Bathing
  - Climbing
  - Alcoholic Beverages
  - Animals (Except Service & Companion Animals)
  - Feeding of birds and animals
  - Riding Bicycles
  - Flying Kites
  - Team Sports
- No wheeled conveyances including:  
Skateboard, Roller Skates, Roller Blades  
and Carts.

San Francisco Park Code is Enforced in the Gardens

## LIQUOR LICENSE REVIEW

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

**File:** 120466

*Block/lot: 3723/115*  
*Zoning: C-3-S*  
*Quad: NE*  
*ms #1201079*

**TO:** Inspector Kenneth Stocker  
Police Department  
Fax No.: 553-1463

**DATE:** May 15, 2012

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This item is scheduled to be heard at a meeting on June 25, 2012. **PLEASE EMAIL YOUR RESPONSE BY:** June 21, 2012, to Gail Johnson, Clerk, City Operations and Neighborhood Services Committee.

**Gail.Johnson@sfgov.org - Fax No: 554-7714**

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**Applicant Name:** Beth Aboulafia  
**and Business Name:** City Target */101-4th Street ✓*  
**Applicant Address:** Hinman & Carmichael LLP  
260 California Street, Suite 1001  
San Francisco, CA 94111  
**and Phone No.** (415) 362-1215

**PLANNING COMMENTS:**  Approval  Denial

*Type 20 liquor license.*  
*Permitted per Section 218(b) Planning Code*  
*Daniel Hamblay 6/12*

**POLICE COMMENTS:**  Approval  Denial