

File No. 140338

Committee Item No. 3

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Neighborhood Services & Safety Date July 17, 2014

Board of Supervisors Meeting Date _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Application |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|--------------------------|---------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Liquor License PCN</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Completed by: Derek Evans Date 7/11/14

Completed by: _____ Date _____

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



San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
*Public Convenience and
Necessity Recommendation*

To: The San Francisco Board of Supervisors-Neighborhood Services and
Safety Committee

Supervisor David Campos
Supervisor Eric Mar
Supervisor Norman Yee

From: Officer Alberto Duarte
ABC Liaison Unit (ALU) 553-1049

Date: May 15, 2014

Subject: P.C.N. Investigation Regarding: Garfield Beach CVS, LLC
DBA: CVS Pharmacy #10391
1 Jefferson St
John Kevlin
(415) 567-9000

John Kevlin on behalf of Garfield Beach CVS, LLC, *dba* CVS Pharmacy, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 21 (Off-Sale General) license for 1 Jefferson Street. CVS has set the goal of enhancing their overall convenience by adding the sales of wines, beers and distilled spirits.

It should be noted that during the application process, there was no mailer notification, as there are no residents within 500 feet. The Notice to the Public was posted on April 30, 2014.

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 April 2013 to April 2014

0 Police calls

Police Reports: From April 2013 to April 2014

0 Reports **all reports written using the address, are not specific to the premise.**

San Francisco Plot Information:

This premise is located in Plot **110**

The High Crime area is defined as **86** or more police reports in a plot.

This plot had **146** police reports recorded for 2013.

The Applicant's premise **is** located in a "**High Crime**" area.

State Census Tract Information:

This premise is located in Census Tract **101.00**

Population for this tract is: **3,739**

On-sale license authorized by census tract: **12**

Active on-sale licenses: **71**

Off-sale licenses authorized by census tract: **3**

Active off-sale licenses: **13**

Applicant's premise **is currently** located in an "**undue concentrated**" area.

Letters of Protest:

Zero (0) letters of protest were received by the California Department of Alcoholic Beverage Control, (ABC).

Letters of Support:

None recorded with the California Department of Alcoholic Beverage Control, (ABC).

Departmental Recommendation:

The Deemed Approved Off Sale Alcohol Use Nuisance Regulations shall apply.

ALU recommends approval with the following conditions (attached).

File #: **21-543933**

First Owner:

Garfield Beach CVS, LLC

Name of Business:

CVS Pharmacy

Location of Business:

1 Jefferson Street

San Francisco, CA 94133-1217

Conditions for Type 21 General Off Sale License

1. Sales of alcoholic beverages shall be permitted only the hours of 10 am to 10:00 pm daily.
2. No wines shall be sold with an alcoholic content greater than 15% by volume except for "dinner wines" which have been aged two years or more.
3. Alcoholic beverages shall not be sold in bottles or containers 375 ml and under.
4. No malt alcoholic beverages shall be sold.
5. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
6. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee as depicted on the applicant's ABC-257 form.
7. The exterior of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the premises. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.

Officer Al. Duarte #1433

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

MICHAEL BREWSTER

TO: Department of Alcoholic Beverage Control
33 NEW MONTGOMERY STREET
SUITE 1230
SAN FRANCISCO, CA 94105
(415) 356-6500

File Number: 543933
Receipt Number: 2224809
Geographical Code: 3800
Copies Mailed Date: April 9, 2014
Issued Date:
(951) 698-6868

DISTRICT SERVING LOCATION: SAN FRANCISCO
First Owner: GARFIELD BEACH CVS LLC
Name of Business: CVS PHARMACY #10391
Location of Business: 1 JEFFERSON ST
SAN FRANCISCO, CA 94133-1217
County: SAN FRANCISCO

Is Premise inside city limits? Yes Census Tract 0101.00
Mailing Address: 1 CVS DRIVE
MAIL DROP BOX 23062A
WOONSOCKET, RI 02895-6146

Type of license(s): 21

Transferor's license/name: 354386 / COMPETITION CLOSE OUTS Dropping Partner: Yes No
INC

Table with 7 columns: License Type, Transaction Type, Fee Type, Master, Dup, Date, Fee. Rows include Off-Sale General licenses and a Total row.

Have you ever been convicted of a felony? No
Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? No
Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of SAN FRANCISCO Date: April 9, 2014

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s) Applicant Signature(s)
See 211 Signature Page

GARFIELD BEACH CVS LLC

LONGS DRUG STORES CALIFORNIA LLC

SS

FROM: PTOOALUA ISN: 2 ITIME: 04/16/2014 07:24:16
TO: PP00ALUZ OSN: 0 OTIME: 04/16/2014 07:24:16

Original Message

FROM: CABLE ISN: 04572 DATE: 04/16/14 TIME: 07:24:08 ADMIN MSG
TO: PTOOALUA OSN: 00002 DATE: 04/16/14 TIME: 07:24:12

S A N F R A N C I S C O P O L I C E D E P A R T M E N T
G E O G R A P H I C L O C A T I O N S Y S T E M

REQUESTED LOCATION => 0001 /JEFFERSON /ST
TYPE => PREMISE ADDRESS
HOUSE NUMBER => 0001
STREET NAME => JEFFERSON
STREET TYPE => STREET
STREET NUMBER => 0880
LOW HOUSE NUMBER => 0001
HIGH HOUSE NUMBER => 2199
HIGH HOUSE ON BLOCK => 0099
BLOCKFACE NUMBER => 13522
HIGH CROSS STREET => 1092
INTERSECTION NUMBER => 01460
REPORTING AREA => 110
DISTRICT => CENTRAL
CENSUS TRACT => 000101



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 7/7/2014*

License Information
License Number: 543933
Primary Owner: GARFIELD BEACH CVS LLC
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: CVS PHARMACY #10391
Business Address
Address: 1 JEFFERSON ST Census Tract: 0101.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94133
Licensee Information
Licensee: GARFIELD BEACH CVS LLC
Company Information
Officer: CVS PHARMACY INC (MANAGING MEMBER)
Officer: MOFFATT, THOMAS (PRESIDENT)
Officer: CIMBRON, LINDA (SECRETARY/ASST SEC)
Officer: LUKER, MELANIE (SECRETARY/ASST SEC)
Officer: DENALE, CAROL ANN (VICE PRESIDENT/TREASURER)
Licensee: LONGS DRUG STORES CALIFORNIA LLC
Company Information
Officer: LONGS DRUG STORES LLC (MEMBER)
License Types
1) License Type: 21 - OFF-SALE GENERAL
License Type Status: PENDING
Status Date: 09-APR-2014 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM: 21-354386
Current Disciplinary Action
<i>... No Active Disciplinary Action found ...</i>
Disciplinary History
<i>... No Disciplinary History found ...</i>
Hold Information
Hold Date: 11-MAY-2012 Type: FRANCHISE TAX HOLD
Hold Date: 09-APR-2014 Type: FORM 220
Eserow

Escrow: CALIFORNIA BUSINESS ESCROW INC, 1748 MAIN ST
ESCALON,CALIFORNIA 95320

--- End of Report ---

For a definition of codes, view our [glossary](#).

RECEIVED

LIQUOR LICENSE REVIEW

APR 8 - 2014

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

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

File: 140338

Block/Lots: 0014/001

TO: Police Department
Inspector Nelly Gordon
Inspector Darcy Keller
Fax No.: 553-1463

Zoning: C-2

Quad: NE

MB # 1400536

DATE: April 8, 2014

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: May 6, 2014, to Derek Evans, Clerk,
Neighborhood Services and Safety Committee.

Derek.Evans@sfgov.org - Fax No: 554-7714

Applicant Name: John Kevlin
and Business Name: Garfield Beach CVS, LLC
(1 Jefferson Street)

Applicant Address: 1 Bush Street, Suite 600
San Francisco, CA 94104
and Phone No. (415) 567-9000

PLANNING COMMENTS: Approval Denial

Type 21 ABC license permitted per section 21B of

the planning code. *Amymj* AUNE BRACK 415-575-9078 4/24/14

POLICE COMMENTS: Approval Denial

Evans, Derek

From: John Kevlin [jkevin@reubenlaw.com]
Sent: Friday, July 11, 2014 3:33 PM
To: Evans, Derek
Cc: Andrew Junius
Subject: 1 Jefferson Street
Attachments: LTR - Evans re ABC license 1 Jefferson 4-25-14.pdf

Hey Derek,

Good chatting with you. Attached is the letter we sent identifying the new address of where the license is being transferred from. It sounds like we can still have the hearing next week and have the resolution state the correct address. As long as the final resolution identifies the correct address, we are fine. Thanks.

John

John Kevlin

REUBEN, JUNIUS & ROSE LLP

Reuben, Junius & Rose, LLP
One Bush Street, Suite 600
San Francisco, CA 94104
tel: 415-567-9000
fax: 415-399-9480
email: jkevin@reubenlaw.com
twitter: @JKLandSF

PRIVILEGE AND CONFIDENTIALITY NOTICE

The information in this electronic mail is intended for the named recipients only. It may contain privileged and confidential matter. If you have received this electronic mail in error, please notify the sender immediately by replying to this e-mail or by collect call to (415) 567-9000. Do not disclose the contents to anyone. Thank you.

REUBEN, JUNIUS & ROSE, LLP

April 25, 2014

By Messenger

Mr. Derek Evans
Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

**Re: Change in Liquor License "PCN" Request – 1 Jefferson Street – CVS
Our File No.: 7127.14**

Dear Mr. Evans:

Our office represents Armstrong Development Inc. ("Armstrong"), the project sponsor of a new CVS convenience goods store located at the ground floor of 1 Jefferson Street (the "Project"). On April 3, 2014 we submitted a PCN request. The purpose of this letter is to update you on changes made to our ABC application since our April 3 letter.

As explained in our April 3 request, on February 19, 2014, the San Francisco Department of Building Inspection approved and issued a building permit for the Project. Tenant improvements are currently underway to prepare the space for CVS's operation. On April 3, we submitted on behalf of CVS a request for a type-21 off-sale beer, wine and spirits license from the California Department of Alcohol Beverage Control ("ABC") after Armstrong filed an application with ABC on behalf of CVS for a license transfer. Under the April 3 request, the license would have been transferred from the former Opera Plaza Grocery and Delicatessen, located at 601 Van Ness Avenue, to the CVS at 1 Jefferson Street.

We now propose to transfer a license from Spencer & Daniels, located at 1541 Polk Street, License Number 543933. Enclosed is a copy of the updated online license tracking printout for the new license.

The same considerations addressed in the April 3 letter as to why the public convenience and necessity are served by the issuance of a liquor license for operations at 1 Jefferson Street apply to the currently proposed liquor license transfer.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin
Sheryl Reuben¹ | David Silverman | Thomas Tunny | Jay F. Drake | John Kevlin
Lindsay M. Petrone | Melinda A. Sarjapur | Kenda H. McIntosh | Jared Eigerman^{2,3} | John McInerney III²

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

One Bush Street, Suite 600
San Francisco, CA 94104

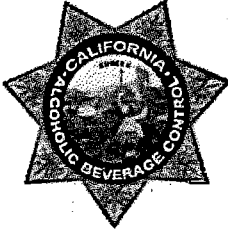
tel: 415-567-9000
fax: 415-399-9480

www.reubenlaw.com



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 4/20/2014*

License Information
License Number: 354386
Primary Owner: COMPETITION CLOSE OUTS INC
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: SPENCER & DANIELS
Business Address
Address: 1541 POLK ST Census Tract: 0111.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94109
Licensee Information
Licensee: COMPETITION CLOSE OUTS INC
Company Information
Officer: KAHN, DANIEL PERRY (PRESIDENT)
Stock Holder: KAHN, DANIEL PERRY
License Types
1) License Type: 21 - OFF-SALE GENERAL
License Type Status: SURRENDERED
Status Date: 16-MAY-2012 Term: 12 Month(s)
Original Issue Date: 17-AUG-1999 Expiration Date: 31-JUL-2014
Master: Y Duplicate: 0 Fee Code: P40
Condition: OPERATING RESTRICTIONS
License Type was Transferred On: 17-AUG-1999 FROM: 21-47144
License Type was Transferred On: TO: 21-543933
Current Disciplinary Action
... No Active Disciplinary Action found ...
Disciplinary History
Reg. Number: 02053144
1) Section: 24200(a&b)
2) Section: 25612.5(c)(10)
Proceeding Status: CLOSED Decision: POIC
Suspension Days: 5 Stayed Days POIC/Fine: 939.75
Suspension Start Date:
Suspension End Date:
Reg. Number: 09071756



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 4/20/2014*

License Information
License Number: 543933
Primary Owner: GARFIELD BEACH CVS LLC
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: CVS PHARMACY #10391
Business Address
Address: 1 JEFFERSON ST Census Tract: 0101.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94133
Licensee Information
Licensee: GARFIELD BEACH CVS LLC
Company Information
Officer: CVS PHARMACY INC (MANAGING MEMBER)
Officer: MOFFATT, THOMAS (PRESIDENT)
Officer: CIMBRON, LINDA (SECRETARY/ASST SEC)
Officer: LUKER, MELANIE (SECRETARY/ASST SEC)
Officer: DENALE, CAROL ANN (VICE PRESIDENT/TREASURER)
Stock Holder: CVS PHARMACY INC
Licensee: LONGS DRUG STORES CALIFORNIA LLC
Company Information
Officer: LONGS DRUG STORES LLC (MEMBER)
License Types
1) License Type: 21 - OFF-SALE GENERAL
License Type Status: PENDING
Status Date: 09-APR-2014 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM: 21-354386
Current Disciplinary Action
.. No Active Disciplinary Action found ..
Disciplinary History
.. No Disciplinary History found ..
Hold Information
Hold Date: 11-MAY-2012 Type: FRANCHISE TAX HOLD

REUBEN, JUNIUS & ROSE, LLP

RECEIVED
OFFICE OF SUPERVISOR
SAMI FRATTISCO
2014 APR -4 PM 3:01
le

April 3, 2014

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

**Re: Liquor License "PCN" Request – 1 Jefferson Street – CVS
Our File No.: 7127.14**

Dear Ms. Calvillo:

Our office represents Armstrong Development Inc. ("Armstrong"), the project sponsor of a new CVS convenience goods store located at the ground floor of 1 Jefferson Street (the "Project"). On February 19, 2014, the San Francisco Department of Building Inspection approved and issued a building permit for the Project. Tenant improvements are currently underway to prepare the space for CVS's operation.

CVS now seeks a type-21 off-sale beer, wine and spirits license from the California Department of Alcohol Beverage Control ("ABC"). Armstrong has filed an application with ABC on behalf of CVS for a license transfer (License No. 540710, See Form ABC-245, enclosed). The license would be transferred from the former Opera Plaza Grocery and Delicatessen, located at 601 Van Ness Avenue, to the CVS at 1 Jefferson Street. Due to the overconcentration of this type of ABC license in this census tract and the store's location in a high crime reporting district, CVS 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 1 Jefferson Street.

The Project will establish a CVS store at 1 Jefferson Street in the ground floor of a retail building at the corner with Powell Street. The CVS would occupy approximately 10,430 square feet. The CVS would sell over-the-counter drugs, beauty products and cosmetics, photo finishing, seasonal merchandise, greeting cards, and groceries (such as milk, bread and eggs). The proposed hours of operation are 7 a.m. to 10 p.m. daily.

The CVS will offer a wide variety of convenience goods in the highly-travelled Fisherman's Wharf area of San Francisco. Adding beer, wine and liquor to the offerings of this CVS store would serve the public convenience and necessity of the neighborhood by increasing the variety of goods offered at this location. Area workers, residents and tourists will have a new store that will provide a convenient, "one-stop" shopping experience.

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin
Sheryl Reuben¹ | David Silverman | Thomas Tunny | Jay F. Drake | John Kevlin
Lindsay M. Petrone | Melinda A. Sarjapur | Kenda H. McIntosh | Jared Eigerman^{2,3} | John McInerney III²

1. Also admitted in New York 2. Of Counsel 3. Also admitted in Massachusetts

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San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

www.reubenlaw.com

Ms. Angela Calvillo

April 3, 2014

Page 2

Adding alcohol to the offerings of this CVS would also serve the public convenience and necessity by establishing an alcohol retailer that has vast experience with the sale of alcohol and is a responsible retailer with an effective training and corporate-wide management policy for controlling the sale of beer and wine. CVS's employee training program, approved by the ABC, must be completed by all employees within 14 days of their hire and before they are permitted to operate the registers. CVS has a zero-tolerance policy – any employee knowingly or recklessly selling any age restricted product to a minor or to an adult purchasing product for a minor is subject to disciplinary action up to termination. Security cameras are equipped throughout the store and particularly in the area of beer and wine sales which are monitored by store management, regional loss prevention, CVS corporate, and can be made available to the Police Department upon request. All checkouts are equipped with electronic scan diction systems to control the sale of age restricted products and prompt cashiers to require proper identification before a sale is completed.

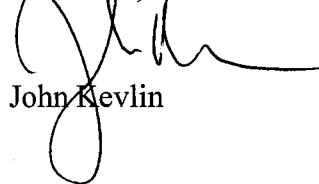
CVS is committed operating a store at 1 Jefferson Street that is welcomed by the neighborhood. CVS has already engaged the local neighborhood group, the Fisherman's Wharf Community Benefits District (the "CBD"), and has voluntarily agreed to a list of conditions on the alcohol license (see letter attached). This includes restricting the sale of alcohol to 7 a.m. to 10 p.m., even if CVS chooses to expand the hours of operation of the store. The CBD's executive committee has reviewed and discussed the letter and has indicated that it has no concerns regarding the proposed alcohol sales. CVS will also be meeting with the San Francisco Police Department regarding this off-sale license in the coming weeks to discuss any concerns they have.

For the reasons outlined above, I respectfully request that this letter be forwarded to the City Operations 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 beer, wine and spirits license to this CVS location.

Please contact me with any questions you have.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



John Kevlin

Encl.

One Bush Street, Suite 600
San Francisco, CA 94104

tel: 415-567-9000
fax: 415-399-9480

REUBEN, JUNIUS & ROSE, LLP

www.reubenlaw.com

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

Garfield Beach CVS, LLC and Longs Drug Stores California, LLC

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

1 Jefferson St San Francisco CA 94133-1217

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 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 checked="" 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: 3,739/812,820

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: 101

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT: 3 On-Sale Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT: 13 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: 110

14. TOTAL NUMBER OF REPORTING DISTRICTS: 653

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS: 46,883

16. AVERAGE NO. OF OFFENSES PER DISTRICT: 72

17. 120% OF AVERAGE NUMBER OF OFFENSES: 86

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT: 146

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

PC & N

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 12.27.2013



**California Department of Alcoholic
Beverage Control**
License Query System Summary
as of 3/24/2014

License Information
License Number: 540710
Primary Owner: GARFIELD BEACH CVS LLC
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: CVS PHARMACY #10391
Business Address
Address: 1 JEFFERSON ST Census Tract: 0101.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94133
Licensee Information
Licensee: GARFIELD BEACH CVS LLC
<i>Company Information</i>
Officer: CVS PHARMACY INC (MANAGING MEMBER)
Officer: MOFFATT, THOMAS (PRESIDENT)
Officer: CIMBRON, LINDA (SECRETARY/ASST SEC)
Officer: LUKER, MELANIE (SECRETARY/ASST SEC)
Officer: DENALE, CAROL ANN (VICE PRESIDENT/TREASURER)
Stock Holder: CVS PHARMACY INC
Licensee: LONGS DRUG STORES CALIFORNIA LLC
<i>Company Information</i>
Officer: LONGS DRUG STORES LLC (MEMBER)
Officer: MOFFATT, THOMAS (PRESIDENT)
Officer: CIMBRON, LINDA (SECRETARY/ASST SEC)
Officer: LUKER, MELANIE (SECRETARY/ASST SEC)
Officer: DENALE, CAROL ANN (VICE PRESIDENT/TREASURER)
Stock Holder: LONGS DRUG STORES LLC
License Types
1) License Type: 21 - OFF-SALE GENERAL
License Type Status: PENDING
Status Date: 27-DEC-2013 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM: 41-435764
Current Disciplinary Action

<i>. . . No Active Disciplinary Action found . . .</i>	
Disciplinary History	
<i>. . . No Disciplinary History found . . .</i>	
Hold Information	
Hold Date: 27-DEC-2013	Type: FORM 220
Hold Date: 03-JAN-2014	Type: FRANCHISE TAX HOLD
Escrow	
Escrow: CALIFORNIA BUSINESS ESCROW INC, 1748 MAIN ST ESCALON, CALIFORNIA 95320	

--- End of Report ---

For a definition of codes, view our [glossary](#).



**California Department of Alcoholic
Beverage Control**
License Query System Summary
as of 3/24/2014

License Information	
License Number: 435764	
Primary Owner: HAGOS, TESFALEM	
ABC Office of Application: 24 - SAN FRANCISCO	
Business Name	
Doing Business As: OPERA PLAZA GROCERY & DELICATESSEN	
Business Address	
Address: 601 VAN NESS AVE STE K Census Tract: 0160.00	
City: SAN FRANCISCO County: SAN FRANCISCO	
State: CA Zip Code: 94102	
Licensee Information	
Licensee: HAGOS, TESFALEM	
Licensee: HAGOS, YORDANOS WOLDEZHI	
License Types	
1) License Type: 21 - OFF-SALE GENERAL	
License Type Status: SURRENDERED	
Status Date: 31-JUL-2013 Term: 12 Month(s)	
Original Issue Date: 11-AUG-2006 Expiration Date: 31-JUL-2014	
Master: Y Duplicate: 0 Fee Code: P40	
License Type was Transferred On: 11-AUG-2006 FROM: 21-375554	
License Type was Transferred On: TO: 21-540710	
2) License Type: 41 - ON-SALE BEER AND WINE - EATING PLACE	
License Type Status: CANCELED	
Status Date: 31-JUL-2013 Term: 12 Month(s)	
Original Issue Date: 11-AUG-2006 Expiration Date: 31-JUL-2013	
Master: Y Duplicate: 0 Fee Code: P40	
License Type was Transferred On: 11-AUG-2006 FROM: 41-375554	
3) License Type: TEMPORARY PERMIT	
License Type Status: EXPIRED	
Status Date: 01-MAY-2006 Term: 4 Month(s)	
Original Issue Date: 01-MAY-2006 Expiration Date: 28-AUG-2006	
Master: Duplicate: Fee Code:	
License Type was Transferred On: 11-AUG-2006 FROM: 21-375554	
License Type was Transferred On: TO: 21-540710	
4) License Type: TEMPORARY PERMIT	

License Type Status: EXPIRED		
Status Date: 01-MAY-2006	Term: 4 Month(s)	
Original Issue Date: 01-MAY-2006	Expiration Date: 28-AUG-2006	
Master:	Duplicate:	Fee Code:
License Type was Transferred On: 11-AUG-2006		FROM: 41-375554
Current Disciplinary Action		
... No Active Disciplinary Action found ...		
Disciplinary History		
... No Disciplinary History found ...		
Hold Information		
Hold Date: 03-JAN-2014	Type: FRANCHISE TAX HOLD	
Escrow		
... No Escrow found ...		

--- End of Report ---

For a definition of codes, view our [glossary](#).



1375 Exposition Blvd
Suite 101
Sacramento, CA 95815
916-643-9610 Phone
916-643-9613 Fax

March 4, 2014

Troy Campbell
Fisherman's Wharf Community Benefits District
Address
City, State Zip

Re: CVS Store at 1 Jefferson Street

Dear Troy:

Thank you for taking the time to meet with us last week regarding the proposed CVS store at 1 Jefferson Street. At that meeting, we discussed the issue of alcohol sales at the store. We understand alcohol sales are a sensitive issue throughout San Francisco, and this is one of the reasons we wanted to reach out to the Fisherman's Wharf CBD early on to explain our proposal for alcohol sales at the store and the safeguards and conditions we have put in place to ensure no negative impacts will result.

We would appreciate it if you could share this letter with the executive committee for review. Ultimately, we are seeking the CBD's endorsement of the store and a license for alcohol sales, and we would be happy to discuss these conditions further with you and the executive committee.

Alcohol Sales at 1 Jefferson Street

The CVS store at 1 Jefferson will offer a wide variety of health products, groceries, and other convenience goods in the heavily-travelled Fisherman's Wharf neighborhood. The retail area of the store will be 7,920 square feet and the area of alcohol sales is proposed to be 255 square feet, just 3.2% of the entire retail floor area. Alcohol sales would include beer, wine and liquor. Adding the sale of alcohol at this location would serve the neighborhood by increasing the variety of goods offered at this store. Area residents and visitors will have a new convenience store that will provide a convenient, "one-stop" shopping experience where alcohol is an ancillary purchase.

CVS has vast experience with the sale of alcohol and is a responsible retailer with an effective training and company-wide management policy for controlling these sales. CVS's employee training program, approved by the State Alcoholic Beverages Commission, must be completed by all employees within 14 days of their hire and before they are permitted to operate the registers. CVS has a zero-tolerance policy – any employee knowingly or recklessly selling any age-restricted product to a minor or to an adult purchasing the product for a minor is subject to disciplinary action including possible termination. Security cameras are equipped throughout the store, particularly in the area of alcohol sales, which are monitored by store management, regional loss prevention, CVS corporate, and will be made available to the San Francisco

Police Department upon request. All checkouts are equipped with electronic scan detection systems to control the sale of age-restricted products and prompt cashiers to require proper identification before a sale is completed. CVS will continue to work with the San Francisco Police Department to ensure safe and responsible sale of alcohol at this location.

Proposed Conditions

CVS proposes the following conditions be attached to the alcohol license:

1. The hours of operation for the store are currently proposed to be 7 a.m. to 10 p.m. If CVS should decide to increase its hours due to customer demand, CVS would be prohibited from selling alcohol past 10 p.m. regardless of the hours of operation. Customer access to all alcohol will be restricted after 10 p.m. by using any combination of locked cooler cases, gondola covers, and/or physical barricades at the ends of the aisles where the product is located on the sales floor.
2. All wine and liquor bottles will be secured and capped to ensure that an individual must make a purchase using a valid identification in order to avoid delinquent behavior.
3. No more than 5% of the square footage of the premises will be used for the display of alcoholic beverages.
4. No malt beverage shall be sold with an alcoholic content greater than 5.7% by volume.
5. The sale of single beer or malt beverages in quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is prohibited.
6. No beer or malt beverages, wine coolers or beer coolers shall be sold in quantities of less than 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 corded bottles.
8. Interior security cameras will be installed within the store and concentrated in the area of alcohol products. These cameras will be monitored during store hours by on-site management, CVS regional and corporate operations, and made available to the SFPD for a minimum of 30 days upon request. External cameras will be installed and operated, focused on the perimeter of the store. Output from these cameras will be shared with the SFPD, upon request.
9. Interior store layout for the placement of alcohol products will be designed to allow employees and management to easily monitor activities visually.

1375 Exposition Blvd
Suite 101
Sacramento, CA 95815
916-643-9610 Phone
916-643-9613 Fax

10. All checkouts will be equipped with electronic scan detection systems to control the sale of age-related products and to prompt cashiers to require proper identification before a sale is completed.
11. Loitering will be prohibited on adjacent sidewalks surrounding the store at all times. Store management will be responsible for site security and monitoring the property during hours of operation.
12. Store will provide a posted phone number to report site vandalism, loitering, or other concerns with mandated response to the person reporting the issue within forty-eight (48) hours. Vandalism and graffiti will be removed within twenty-four (24) hours of reporting and all other issues will be dealt with as expeditiously as possible.
13. The alcohol license will be transferred from another location within Supervisorial District 3.

CVS **has not** filed an application with the state Alcohol Beverages Control Board for a license transfer yet. We wanted to reach out to the community and receive feedback before initiating that process. Please let us know the outcome of your discussion with the CBD or if you would like us to attend a meeting of the executive committee to discuss the store with them as well. CVS is looking forward to being a positive addition to the Fisherman's Wharf neighborhood. Thank you for your consideration of this matter.

Very truly yours,



Josh Eisenhut
Armstrong Development

Member, Board of Supervisors
District 9



orig: COB
c: NSS clerk
leg Dep
City and County of San Francisco

DAVID CAMPOS

DATE: July 11, 2014
TO: Angela Calvillo
Clerk of the Board of Supervisors
FROM: Supervisor David Campos
RE: Neighborhood Services and Safety Committee
COMMITTEE REPORT

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2014 JUL 11 PM 12:01
AK

Pursuant to Board Rule 4.20, as Chair of the Neighborhood Services and Safety Committee, I have deemed the following matter is of an urgent nature and request it be considered by the full Board on July 22, 2014, as a Committee Report:

140338 Liquor License Transfer - 1 Jefferson Street

To be PREPARED IN COMMITTEE AS A RESOLUTION:

Resolution determining that the transfer of a Type 21 off-sale general license from 601 Van Ness Avenue to 1 Jefferson Street (District 3), to John Kevlin for Garfield Beach CVS, LLC, and Longs Drug Stores California, LLC, dba CVS, 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.

This matter will be heard in the Neighborhood Services and Safety Committee Regular Meeting on July 17, 2014, at 10:00 a.m.

A handwritten signature in black ink that reads "David Campos".

LIQUOR LICENSE REVIEW

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

File: 140338

TO: Police Department
Inspector Nelly Gordon
Inspector Darcy Keller
Fax No.: 553-1463

DATE: April 8, 2014

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: May 6, 2014, to Derek Evans, Clerk,
Neighborhood Services and Safety Committee.

Derek.Evans@sfgov.org - Fax No: 554-7714

Applicant Name: John Kevlin
and Business Name: Garfield Beach CVS, LLC
(1 Jefferson Street)

Applicant Address: 1 Bush Street, Suite 600
San Francisco, CA 94104
and Phone No. (415) 567-9000

PLANNING COMMENTS: Approval Denial

POLICE COMMENTS: Approval Denial