File No	130446		ttee Item No tem No.	3
•		Doaru i	tem No	
	COMMITTEE/B	OARD OF	SUPERVIS	SORS
	AGENDA F	PACKET CONT	ENTS LIST	
Committee:	Neighborhood Ser	vices & Safety	Date _	July 18, 2013
Board of Su	pervisors Meeting		Date _	
Cmte Boa	rd			
	Motion			
	Resolution			
	Ordinance			
	Legislative Digest			
	<b>Budget and Legis</b>	_	Report	
	Legislative Analys	•		
	Youth Commissio	•		
H H	Introduction Form			~ w <b>i</b>
	Department/Agend	cy Cover Letter	and/or Repo	Drt
H	Grant Information	Form		
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H H	Subcontract Budg	iet		
	Contract/Agreeme			
H H	Form 126 – Ethics			
H H	Award Letter			
	Application		•	
	Public Correspon	dence		
OTHER	(Use back side if a	additional spac	e is needed)	•
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Completed I	<b>by:</b> Derek Evans	<u> </u>	Date	7/12/13
Completed I	oy:		)ate	



#### San Francisco Police Department \*\*ABC Liaison Unit\*\*



Alcoholic Beverage License -Public Convenience or Necessity Recommendation

To:

The San Francisco Board of Supervisors' Committee on City Operations &

Neighborhood Services

Supervisor David Campos Supervisor Eric Mar Supervisor Norman Yee

From:

Inspector Joseph Fong

ABC Liaison Unit (ALU) 553-1049

Date:

July 1, 2013

Subject:

P.C.N. Investigation Regarding:

DBA: Target 2675 Geary Blvd.

San Francisco, CA 94118

(415) 362-1215

Beth Aboulafia on behalf of the Target Corporation has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 21 (Off-Sale General) license for 2675 Geary Blvd located inside the Geary and Masonic shopping center.

This location was the site of an old Mervyn's department store and it is currently under renovation.

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 March 2012 to March 2013

116

**Police Reports:** 

From March 2012 to March 2013

#### **Notifications**

Notification date for the 500' mailer was on 3/11/2013.

The Notice to the Public was posted on 3/11/2013.

#### San Francisco Plot Information:

This premises is located in Plot 622.

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

This plot had 173 police reports recorded for 2012.

Applicant premises is located in a "high crime" area.

#### **State Census Tract Information:**

This premises is located in Census Tract 157.00

Population for this tract is: 7,832.

Off-sale licenses authorized by census tract: 7.

Active off-sale licenses: 4.

Applicant premise is **not** located in an "undue concentration" area.

#### **Letters of Protest:**

One protest is recorded with the California Department of Alcoholic Beverage Control.

#### **Letters of Support:**

**No** letter of support is recorded with the California Department of Alcoholic Beverage Control.

#### **Departmental Recommendation:**

No opposition from Park Police Station if the applicant agrees to the recommended conditions.

**ALU** recommends: Approval with the below conditions.

1. Sales of alcoholic beverages shall be permitted between the hours of 7:00 a.m. and 11:00 p.m. daily, except from Thanksgiving Day to New Year's Day, sales of alcoholic beverages shall be permitted from 6 a.m. to 12 midnight.

- 2. No more than 5% of the square footage of the premises will be used for the display of alcoholic beverages.
- 3. The sale of distilled spirits in sizes smaller than 200 ml is strictly prohibited.
- 4. No malt beverage shall be sold with an alcoholic content greater than 5.7% by volume except for microbrews, craft brews, organic and specialty malt products sold under such designations as stout, porter, IPA and ESB. This condition is intended to eliminate high alcohol, low-cost products that are frequently abused, but not prevent the sale of specialty and craft beer products.
- 5. The sale of beer or malt beverages in quantities of 16 oz., 20 oz., 22 oz., 32 oz., 40 oz., or similar size containers is prohibited, except for microbrews, craft brews, organic and specialty malt products sold under such designations as stout, porter, IPA and ESB. This condition is intended to eliminate high alcohol, low-cost products that are frequently abused, but not prevent the sale of specialty and craft beer products.
- 6. No beer or malt beverages or wine coolers shall be sold in quantities of less than the 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. Wine shall not be sold in bottles or containers smaller than 750 ml. unless sold in the manufacturer pre-packaged multi-unit quantities.

The applicant agreed to the recommended conditions.

Thank you,



#### California Department of Alcoholic Beverage Control License Query System Summary as of 4/9/2013

License Information
License Number: 530761
Primary Owner: TARGET CORPORATION
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: TARGET
Business Address
Address: SEQ GEARY BLVD. & MASONIC AVE Census Tract: 0157.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94118
Licensee Information
Licensee: TARGET CORPORATION
Company Information
Officer: JOHNSON, JAMES A (CHAIRMAN)
Officer: KOVACEVICH, RICHARD M (CHAIRMAN)
Officer: MULCAHY, ANNE M (CHAIRMAN)
Officer: SANGER, STEPHEN W (CHAIRMAN)
Officer: STALEY, WARREN R (CHAIRMAN)
Officer: STEINHAFEL, GREGG W (CHAIRMAN)
Officer: STEINHAFEL, GREGG W (CHIEF EXECUTIVE OFFICER)
Officer: ULRICH, ROBERT J (CHIEF EXECUTIVE OFFICER)
Officer: MULLIGAN, JOHN J (CHIEF FINANCIAL OFFICER)
Officer: JOHNSON, JAMES A (DIRECTOR)
Officer: MULCAHY, ANNE M (DIRECTOR)
Officer: SANGER, STEPHEN W (DIRECTOR)
Officer: TRUJILLO, SOLOMONO (DIRECTOR)
Officer: AUSTIN, ROXANNE S (DIRECTOR/GENERAL MANAGER)
Officer: DARDEN, CALVIN (DIRECTOR/GENERAL MANAGER)
Officer: TAMKE, GEORGE W (DIRECTOR/GENERAL MANAGER)
Officer: ANDERSEN, STACIA J (PRESIDENT)
Officer: NITSCHKE, DALE (PRESIDENT)
Officer: SCULLY, TERRENCE J (PRESIDENT)
Officer: STEINHAFEL, GREGG W (PRESIDENT)
Officer: DONLIN, DAVID L (SECRETARY/ASST SEC)

Officer: SIMARD, TERRI (SECRETARY/ASST SEC)	
Officer: REIF, JACK N (TREASURER)	
Officer: ROSS, SARA J (TREASURER)	
Officer: ADAMS, PATRICIA (VICE PRESIDENT)	-
Officer: BERG, BRYAN (VICE PRESIDENT)	
Officer: BUTZER, BART (VICE PRESIDENT)	<del></del>
Officer: DUPPLER, GREGORY J (VICE PRESIDENT)	
Officer: FIALA, BRIAN (VICE PRESIDENT)	<del></del>
Officer: FRANCIS, MICHAEL R (VICE PRESIDENT)	<del></del>
Officer: GARVIS, NATHAN K (VICE PRESIDENT)	
Officer: GRIFFITH, JOHN D (VICE PRESIDENT)	<del></del>
Officer: JENKINS, DEREK L (VICE PRESIDENT)	
Officer: JOHNSON, PATRICIA A (VICE PRESIDENT)	10
Officer: KAHN, SUSAN D (VICE PRESIDENT)	
Officer: KOFSKI, TRACY (VICE PRESIDENT)	
Officer: KOZLAK, JODEEN A (VICE PRESIDENT)	
Officer: MAGUIRE, RICHARD N (VICE PRESIDENT)	
Officer: MINNICK, MARY E (VICE PRESIDENT)	
Officer: MULLIGAN, JOHN J (VICE PRESIDENT)	
Officer: SCHIEL, TINA M (VICE PRESIDENT)	
Officer: SPRENGER, GINA (VICE PRESIDENT)	
Officer: STOVER, MITCHELL L (VICE PRESIDENT)	
Officer: TESIJA, KATHRYN A (VICE PRESIDENT)	
Officer: THOMPSON, ROBERT K (VICE PRESIDENT)	
Officer: WARD, LAYSHA (VICE PRESIDENT)	
Officer: WINDMEIER, JANE (VICE PRESIDENT)	<del></del>
Officer: BAER, TIMOTHY R (VICE PRESIDENT/SECRETARY)	-
Officer: HAALAND, COREY L (VICE PRESIDENT/TREASURER)	
Officer: SCHALK, JANET M (VICE PRESIDENT/TREASURER)	
License Types	
1) License Type: 21 - OFF-SALE GENERAL	- <u> </u>
License Type Status: PENDING	
Status Date: 06-MAR-2013 Term: 12 Month(s)	
Original Issue Date: Expiration Date:	
Master: Y Duplicate: 0 Fee Code: P40	
License Type was Transferred On: FROM: 21-461604	
Current Disciplinary Action	<u> </u>
No Active Disciplinary Action found	
Disciplinary History	
No Disciplinary History found	<del></del>
Hold Information	

Marian and the second s	
Hold Date: 06-MAR-2013	Type: FORM 220
Hold Date: 27-MAR-2013	Type: H & L PROTEST
Escrow	
Escrow: BAY COMMERCIA	L BANK, 3895 E CASTRO VALLEY BLVD STE A
CASTRO VALLEY, CALIFO	

--- End of Report ---

For a definition of codes, view our glossary.



#### California Department of Alcoholic Beverage Control License Query System Summary as of 4/9/2013

License Information
License Number: 461604
Primary Owner: ROBINSON, BENJAMIN FRANKLIN JR
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: 2ND AVENUE MINI MARKET
Business Address
Address: 500 2ND AVE Census Tract: 0451.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94118
Licensee Information
Licensee: ROBINSON, BENJAMIN FRANKLIN JR
License Types
1) License Type: 21 - OFF-SALE GENERAL
License Type Status: SURRENDERED
Status Date: 25-FEB-2013 Term: 12 Month(s)
Original Issue Date: 04-FEB-2008 Expiration Date: 31-JAN-2014
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: 04-FEB-2008 FROM: 21-438156
License Type was Transferred On: TO: 21-530761, 21-515470
Current Disciplinary Action
No Active Disciplinary Action found
Disciplinary History
Reg. Number: 11074248
1) Section: 25658(A)
2) Section: 24200(A&B)
Proceeding Status: CLOSED Decision: POIC
Suspension Days: 15 Stayed Days POIC/Fine: 1109.7
Suspension Start Date:
Suspension End Date:
Hold Information
Hold Date: 24-SEP-2011 Type: BOARD OF EQUALIZATION HOLD
Escrow
No Escrow found

--- End of Report ---

For a definition of codes, view our glossary.

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
130611629	9 130178569	03/02/2013	13:40:59	A	488	3F3C	REP	2675 GEARY BL
130532063	3	02/22/2013	15:11:51	С	71	3F14A		2675 GEARY BL
130531698	130154779	02/22/2013	13:30:11	C	488	3F14A	CIT	2675 GEARY BL
130500695	<u> </u>	02/19/2013	08:52:47	С	903	3F4A	HAN	2675 GEARY BL
130473087		02/16/2013	19:06:32	В	917	3F14D	UTL	2675 GEARY BL
130420306		02/11/2013	04:02:21	В	100A	3F14E	NCR	2675 GEARY BL
130401573	130115414	02/09/2013	13;32:33	В	852	3E2C	REP	2675 GEARY BL
130372619	130107530	02/06/2013	17:29:16	С	488	3F1D	REP	2675 GEARY BL
130351288		02/04/2013	11:50:00	С	000			2675 GEARY BL
130311405		01/31/2013	11:43:10	С	903	3F4A	HAN	2675 GEARY BL
130292271		01/29/2013	16:40:34	С	000			2675 GEARY BL
130261330	130073113	01/26/2013	12:10:02	А	488	3F37		2675 GEARY BL
130223001		01/22/2013	19:58:16	В	418		CANC	2675 GEARY BL
<u>130171150</u>		01/17/2013	11:02:54	С	909	3F4A		2675 GEARY BL
130071127		01/07/2013	11:06:39		903	3F4A		2675 GEARY BL
123632687	121044858	12/28/2012	19:48:00	В	852	3G00	4 4	2675 GEARY BL
123632518		12/28/2012	18:53:10	C	470		1	2675 GEARY BL
123591404	121035023	12/24/2012	13:46:27	Α	211	3F3A	, ,	2675 GEARY BL
123581087		12/23/2012	12:01:22	C	903	3F4A		2675 GEARY BL
123570950		12/22/2012	09:46:07	С	903	3F4A		2675 GEARY BL
123570820		12/22/2012	08:46:36	C !	903	3F4A		2675 GEARY BL
123521788	121015520	12/17/2012	14:50:55	В	852	3F14A		2675 GEARY BL
123490503		12/14/2012	06:55:14	C 9	903	3F4A	. It	2675 GEARY BL
123480664	-	12/13/2012	08:25:27	C S	903	3F4A	HAN	2675 GEARY

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						<u> </u>	· · · · · · · · · · · · · · · · · · ·	BL
123430603	3	12/08/2012	07:21:50	C	903	3F2A	HAN	2675 GEARY BL
123421146	2	12/07/2012	10:44:36	С	903	3F14A	HAN	2675 GEARY BL
123410992	) =	12/06/2012	10:18:44	С	903	3F14A	HAN	2675 GEARY BL
123401977	120981526	12/05/2012	14:42:58	С	487	3F14A	HAN	2675 GEARY BL
123401961		12/05/2012	14:40:42	С	903	3F14A	HAN	2675 GEARY BL
123400905	of manadaniths of	12/05/2012	09:20:37	С	903	3F14A	HAN	2675 GEARY BL
123351957		11/30/2012	14:52:08	С	903	3F12A	HAN	2675 GEARY BL
123342681		11/29/2012	19:34:05	C	903	3F44	HAN	2675 GEARY BL
123342050		11/29/2012	15:55:01	I	852			2675 GEARY BL
123341152		11/29/2012	11:07:21	С	903	3F14A	HAN	2675 GEARY BL
123340672	2000 - 10202	11/29/2012	08:24:18	C	903	3F14A	HAN	2675 GEARY BL
123331832		11/28/2012	14:52:10	С	903	3F14A	HAN	2675 GEARY BL
123303483		11/25/2012	22:05:54	С	903	3F14E	HAN	2675 GEARY BL
123280053		11/23/2012	00:26:54	С	903	3F14E	HAN	2675 GEARY BL
123273999		11/22/2012	23:53:25	С	903	3F14D	HAN	2675 GEARY BL
123273996		11/22/2012	23:53:11	С	903	3F14E	HAN	2675 GEARY BL
123273877		11/22/2012	22:59:59	С	903	3F14D		2675 GEARY BL
123273799		11/22/2012	22:29:50	С	903	3F14D	HAN	2675 GEARY BL
123273690		11/22/2012	21:57:10	С	903	3F14D	HAN	2675 GEARY BL
123273602		11/22/2012	21:20:45	I	000	3F14E	HAN	2675 GEARY BL
123273548		11/22/2012	20:50:09	С	903	3F14D	HAN	2675 GEARY BL
123273275		11/22/2012	18:20:13	С	903	3F14D	HAN	2675 GEARY BL
123273195		11/22/2012	17:33:15	С	903	3F14D		2675 GEARY BL
123273115		11/22/2012	16:52:52	С	903	3F		2675 GEARY BL
123241295	120936684	11/19/2012	11:21:07	В	487	3F14A		2675 GEARY BL
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123190104		11/14/2012	00:54:10	c	916	3F13E	HAN	2675 GEARY BL
123171610		11/12/2012	14:17:13	С	000			2675 GEARY BL
123131124	120904346	11/08/2012	11:17:26	С	487	3F14A	HAN	2675 GEARY BL
123112811	120899781	11/06/2012	19:18:03	В	852	3E00	HAN	2675 GEARY BL
122981601	·	10/24/2012	14:21:28	I	488	2R03F	ADV	2675 GEARY BL
122963022	120852604	10/22/2012	22:07:01	В	852	3G00	REP	2675 GEARY BL
122961028	120850755	10/22/2012	10:48:21	В	487	3F28	REP	2675 GEARY BL
122832826	120812056	10/09/2012	18:52:07	С	852			2675 GEARY BL
122762572	120790719	10/02/2012	16:04:56	С	594	3F14D	REP	2675 GEARY BL
122731963	120781633	09/29/2012	15:19:41	A	488	3F13D	GOA	2675 GEARY BL
122692470		09/25/2012	18:57:19	С	852			2675 GEARY BL
122620963		09/18/2012	10:23:48	C	901			2675 GEARY BL
122620961		09/18/2012	10:22:26	I	000			2675 GEARY BL
122612024		09/17/2012	16:39:12	С	601	3F12E	HAN	2675 GEARY BL
122561716		09/12/2012	13:39:26	С	903	3F61	HAN	2675 GEARY BL
122532528		09/09/2012	18:07:00	A	488	3F12D	HAN	2675 GEARY BL

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Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
12249219	6	09/05/2012	14:52:17	С	852			2675 GEARY BL
12247332	9 12070612	0 09/03/2012	23:53:53	Α	594	3F14E	HAN	2675 GEARY BL
12247332	Z	09/03/2012	23:54:12	В	100A		DUP	2675 GEARY BL
12247045	7	09/03/2012	05:54:23	В	100A	3F12E	NCR	2675 GEARY BL
122452760	<u>5</u>	09/01/2012	19:43:01	В	811	3F	GOA	2675 GEARY BL
122442984		08/31/2012	20:01:50	C	852	a make was and	CANC	2675 GEARY BL
		08/30/2012	16:37:59	В	852	3G00	REP	2675 GEARY BL
122432145		08/30/2012	16:02:53	C	852			2675 GEARY BL
122421159		08/29/2012	10:19:56	C	903	3F14A		2675 GEARY BL
122412249		08/28/2012	16:24:10	С	000		1	2675 GEARY BL
122400369	-	08/27/2012	05:40:19	В	100A	3F14E	1	2675 GEARY BL
		08/22/2012	19:03:41	В	852	3D00		2675 GEARY BL
122343134		08/21/2012	20:55:24		418			2675 GEARY BL
		08/07/2012	12:19:07		488	3F13A		2675 GEARY BL
122193143		08/06/2012	20:43:56	В	100A	3F14D	4	2675 GEARY BL
<u>122161743</u>		08/03/2012	13:31:45	c	903	3F14A	7 7 77	2675 GEARY BL
122112471		07/29/2012	19:02:59	В	100A	3F12D		2675 GEARY BL
		07/27/2012	21:39:27		852	3F13D		2675 GEARY BL
	120594389	07/27/2012	19:39:37	В	488	3F13D	1.	2675 GEARY 3L
121962722		07/14/2012	19;31;11	C	71	3F4D		2675 GEARY 3L
121942266		07/12/2012			488	3F1D		2675 GEARY 3L
121930965	· 	07/11/2012	09:42:26	C	903	3F13A	T.	2675 GEARY 3L
121871737	120530634	07/05/2012	12:42:00	C C	000	3F200	J:	2675 GEARY BL
L21871728	7	07/05/2012	12:40:10	c (	000		2	2675 GEARY

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L	2186251	12052813	4 07/04/2012	17:31:37	c	488	3A00	REP	BL 2675 GEARY
1	21801128	3	06/28/2012	10:46:41	В	910	3F4A	HAN	BL 2675 GEARY
1	21791310	120505825	06/27/2012	11:13:59	В	852	3F14A	REP	BL 2675 GEARY
1	21773286	120501027	06/25/2012	21:03:17	A	488	3F14E	REP	BL 2675 GEARY
1.	21701836	. t	06/18/2012	14:27:07	С	909	3F14A	HAN	BL 2675 GEARY BL
1.	21680936		06/16/2012	09:43:25	C	903	3F14A	HAN	2675 GÉARY BL
1	21642483		06/12/2012	17:45:30	В	418	3F4D	HAN	2675 GEARY BL
12	21612760		06/09/2012	19:35:48	В	100A	3F14D	PAS	2675 GEARY BL
12	21601035		06/08/2012	10:33:16	C	903	3F4A	HAN	2675 GEARY BL
12	21530884		06/01/2012	10:03:18	С	903	3F4A	HAN	2675 GEARY BL
12	1422790	120404120	05/21/2012	18:30:45	В	594	3F14D	REP	2675 GEARY BL
12	1381705		05/17/2012	13:51:04	C	488	3F14D	HAN	2675 GEARY BL
12	1301222		05/09/2012	10:51:19	С	903	3F13A	PAS	2675 GEARY BL
<u>12</u>	1290014		05/08/2012	00:04:26	В	459	3F14E	HAN	2675 GEARY BL
12	1191798	120337220	04/28/2012	14:18:18	С	000		INC	2675 GEARY BL
<u>12</u>	1191490		04/28/2012	12:35:12	С	909	3F202	REP	2675 GEARY BL
12	1112805		04/20/2012	18:04:10	В	470	3F13A	CAN	2675 GEARY BL
<u></u>	1041058		04/13/2012	10:35:20	С	903	3F14A	HAN	2675 GEARY BL
		120265477	04/03/2012	13:51:59	С	487	3F4C	HAN	2675 GEARY BL
	0893295		03/29/2012	20:51:47	А	646	3F14E	HAN	2675 GEARY BL
	0893149		03/29/2012	20:03:46	A	488	3F14D	HAN	2675 GEARY BL
	0892189	(	03/29/2012	15:28:30	С	000			2675 GEARY BL
	0811826			13:01:58	В	913	3F14C	PAS	2675 GEARY BL
	0811396			11:12:20		7A	3F23	HAN	2675 GEARY BL
120	791097		03/19/2012	10:47:42	С	903	3F14A	HAN	2675 GEARY BL

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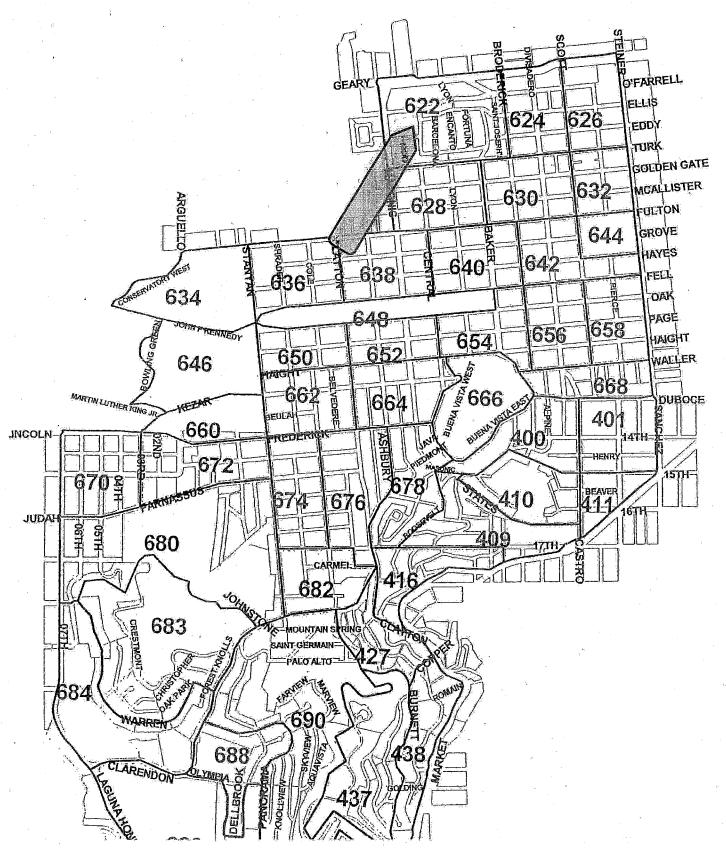
120773212		03/17/2012	20:43:14	В	100A	3F14D	NCR	2675 GEARY BL
120732987		03/13/2012		Α	211	3F14D	MOM	2675 GEARY BL
120672832	120190705	03/07/2012	18:34:40	А	211	3F13D	HAN	2675 GEARY BL

#### **End of document**

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37-903

# PARK DISTRICT Reporting Plots & Major Streets



## 2675 Geary

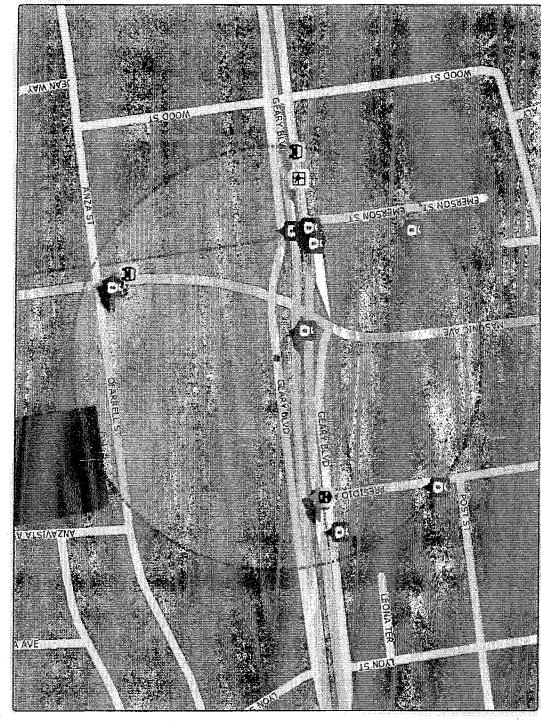
# San Francisco Police Department



Map Legend Incidents (91)

Larceny/Theft (75)

Warrants (1) Burglary (3) Robbery (6) Vehicle Theft (6)



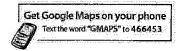
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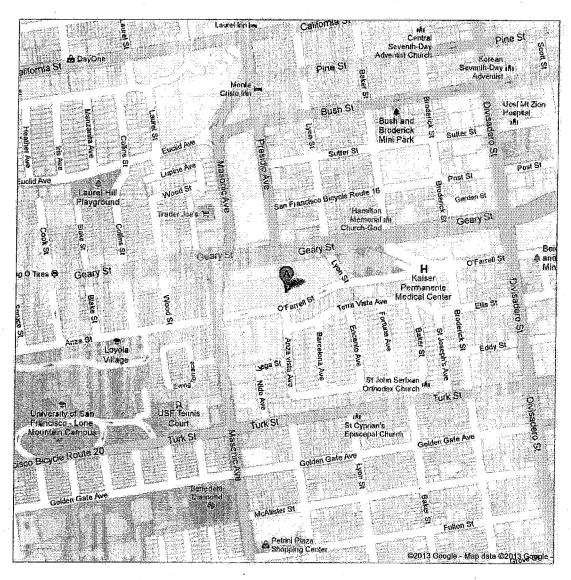
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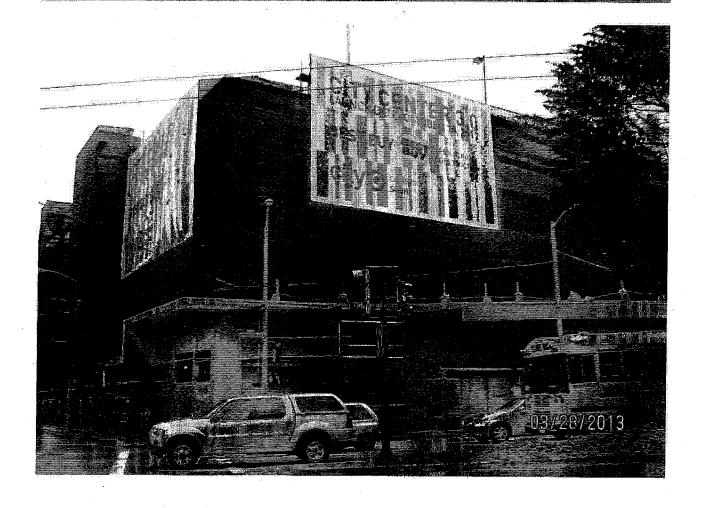
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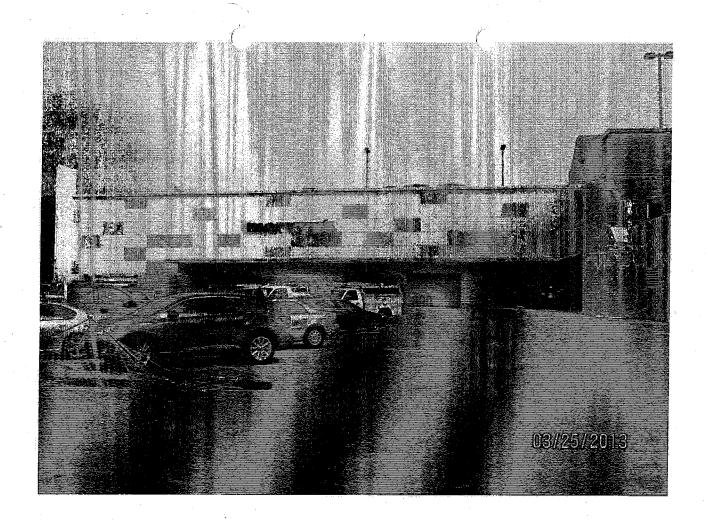




# DEPARTMENT OF ALCOHOLIP SEVENCE PORTION PUBLIC ACCIDENCE OF SA PLICATION TO SELL ALCOHOLIP SEVENCE PORTION TO SELL ALCOHOLIP SEVENCE PORTION APPLICANT TARGET AS PARTION TYPE OF INCRESS FALL OFF A CASHERAL BUSHESS MARK TARGET ADDRIES OF PRIMITES SEED OF ASSOCIATION OF THE PRIMITES SEED OF THE PRIMITES OF PRIMITES SEED OF THE PRIMITES SEE

03/28/2013





#### 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: TARGET CORPORATION (Name(s) of Applicant(s)) For premises at: SEO GEARY BLVD & MASONIC AVENUE, SAN FRANCISCO, CA 94118 (Exact address of proposed premises) on the grounds that: 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. -Sales of Alcohol only permitted between the hours of 8AM to 10PM 7 days a week. -No Spirits less then 500ml sold. -No mall liquor bottles or cans or fortified wines be sold. -Sell single containers of alcoholic beverage in clear plastic carry-out bags. -Beer & Wine must be sold in manufactured pre-packed multi-unit quantifies only. Check here if additional sheets attached Michael Nulty , declare under penalty of perjury: PRINT (Name of Protestant) (I) 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

SIGNED AT (City and state)

San Francisco, California

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

RELETYED

Post Office Box 420846; San Francisco, California 94142-0846

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those matters I believe to be true.

#### LIQUOR LICENSE REVIEW

TO:	Georgia Pov Fax No.: 55 Police Depa Inspector No Inspector Jo	dgers/CTYPLN/SFGOV vell/CTYPLN/SFGOV@SFG 8-6409 rtment elly Gordon seph Fong	File: 130446  GOV  BLOCK/LOT: 109  ZONING: NC-3  QUAD: NW  MB#1300738	94/001				
;	Fax No.: 55		· . · · · · · · · · · · · · · · · · · ·					
DATE:	May 10, 201	3						
This item is tentatively scheduled to be heard in four to six weeks.  PLEASE EMAIL YOUR RESPONSE BY: June 20, 2013, to Derek Evans, Clerk,  Neighborhood Services and Safety Committee.  Derek.Evans@sfgov.org - Fax No: 554-7714								
Applicant N and Busine		Beth Aboulafia Target Corporation, dba Ta (2675 Geary Boulevard)	arget					
Applicant A		260 California Street, Suite San Francisco, CA 94111 (415) 362-1215	e 101					
PLANNIN	NG COMM	ENTS: 🗵 Approva	l 🗌 Denial					
Condition	al Use aut d subject	is permitted in con horization under Case to Planning Code Sec d- Sharon M. Young,	e No. 2010.0623C (M tion 790.55(a),(b),	otion No.				
POLICE	COMMEN	TS: 🗌 Approva	I Denial					
		•		•				

#### PLANNING CODE SECTION. 790.55. LIQUOR STORE.

A retail use which sells beer, wine, or distilled spirits to a customer in an open or closed container for consumption off the premises and which needs a State of California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) or type 21 (off-sale general). This classification shall not include retail uses that:

- (a) are (1) classified as a general grocery store use as set forth in Section  $\underline{790.102}$ (a), or a specialty grocery store use as set forth in Section  $\underline{790.102}$ (b), or a self-service specialty food use as set forth in Section  $\underline{790.93}$ , and (2) have a gross floor area devoted to alcoholic beverages that is within the accessory use limits set forth in Section  $\underline{703.2}$ (b)(1)(C)(vi); or
- (b) have (1) a use size as defined in Section  $\underline{790.130}$  of this Code of greater than 10,000 gross square feet and (2) a gross floor area devoted to alcoholic beverages that is within accessory use limits as set forth in Section  $\underline{204.2}$  or  $\underline{703.2}$ (b)(1)(c) of this Code, depending on the zoning district in which the use is located.
- (c) For purposes of Planning Code Sections <u>249.5</u>, <u>781.8</u>, <u>781.9</u>, <u>782</u>, <u>783</u>, and <u>784</u>, the retail uses explicitly exempted from this definition as set forth above shall only apply to general grocery and specialty grocery stores that exceed 5,000s/f in size, that do not:
- (1) sell any malt beverage with an alcohol content greater than 5.7% by volume; any wine with an alcohol content of greater than 15% by volume, except for "dinner wines" that have been aged two years or more and maintained in a corked bottle; or any distilled spirits in container sizes smaller than 600 ml;
- (2) devote more than 15% of the gross square footage of the establishment to the display and sale of alcoholic beverages; and
- (3) sell single servings of beer in container sizes 24 oz. or smaller.

(Added by Ord. 260-00, File No. 001424, App. 11/17/2000; amended by Ord. 260-07, File No. 070617, App. 11/14/2007; Ord. 264-07, File No. 071532, App. 11/14/2007; Ord. 245-08, File No. 080696; Ord. <u>56-13</u>, File No. 130062, App. 3/28/2013, Eff. 4/27/2013)

#### AMENDMENT HISTORY

Section reorganized into subdivisions as shown; Ord. <u>56-13</u>, Eff. 4/27/2013.



#### SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

☐ Inclusionary Housing (Sec. 315)

☐ Jobs Housing Linkage Program (Sec. 313)

☐ Downtown Park Fee (Sec. 139)

First Source Hiring (Admin. Code)

☐ Child Care Requirement (Sec. 314)

☐ Other

1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception: 415.558.6378

Fax:

415.558.6409

Planning Information: 415.558.6377

Date:

July 21, 2011

Case No.:

2010.0623C

Project Address:

2675 GEARY BOULEVARD

Zoning:

NC-3 (Moderate-Scale Neighborhood Commercial) District

40-X/80-D Height and Bulk Districts

**Planning Commission Motion No. 18414** 

**HEARING DATE: JULY 28, 2011** 

Block/Lot:

1094/001

Project Sponsor:

Target Corporation ("Target")

c/o Daniel Frattin Reuben & Junius

1 Bush Street, Suite 600 San Francisco, CA 94104

Staff Contact:

Mary Woods - (415) 558-6315

mary.woods@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 121.2, 121.6, 303(C), 303(I), 703.4 AND 712.21 OF THE PLANNING CODE TO ALLOW A "FORMULA RETAIL USE" (D.B.A. TARGET) AND A USE SIZE UP TO 120,000 SQUARE FEET, IN AN NC-3 (MODERATE-SCALE NEIGHBORHOOD COMMERCIAL) DISTRICT AND 40-X/80-D HEIGHT AND BULK DISTRICTS.

#### **PREAMBLE**

On July 27, 2010, Target (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use authorization under Planning Code Sections 121.2, 121.6, 303(c), 303(i), 703.4 and 712.21 to allow a Formula Retail Use (d.b.a. Target) and a use size up to 120,000 square feet, in an NC-3 (Moderate-Scale Neighborhood Commercial) District, and 40-X/80-D Height and Bulk Districts.

On July 28, 2011, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2010.0623C.

The Department determined that the Project is not subject to the California Environmental Quality Act ("CEQA") as a nonphysical activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment per CEQA Guidelines Section 15060(c)(2).

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the Project Sponsor, Department staff, and other interested parties.

**MOVED,** that the Commission hereby authorizes the Conditional Use requested in Application No. 2010.0623C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

#### **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- 1. The above recitals are accurate and constitute findings of this Commission.
- 2. **Site Description and Present Use.** The Project is located at the southeast corner of Geary Boulevard and Masonic Avenue, in Assessor's Block 1094, Lot 001. The property is located within an NC-3 (Moderate-Scale Neighborhood Commercial) District and 40-X/80-D Height and Bulk Districts. The property is developed as a three-story shopping center (the City Center) that occupies an entire block, bounded by Geary Boulevard to the north, Masonic Avenue to the west, O'Farrell Street to the south, and Lyon Street to the east. The main shopping center structure fronts on the northern half of the lot facing Geary Boulevard while terraced surface parking lots cover the southern half of the lot facing O'Farrell Street.

The shopping center was built in 1951 and was used as a Sears Roebuck Company Department Store until the early 1990's. After Sears vacated, the retail space was subdivided and reoccupied by several large retailers, including Mervyns, Toys R Us, the Good Guys, and Office Depot. The Good Guys vacated its space on the second level of the shopping center in 2005, and Mervyns vacated its first and second levels in December of 2008. Toys R Us has also vacated its space which is currently occupied by Best Buy. Both retail spaces previously occupied by Mervyns and the Good Guys are still vacant.

3. Surrounding Properties and Neighborhood. The Project Site is situated towards the eastern end of the NC-3 District along the three-mile Geary Boulevard commercial corridor that stretches from the Western Addition to the Outer Richmond, through four neighborhoods. This corridor is bounded by Divisadero Street to the east and 28th Avenue to the west. The MUNI line "38-Geary" runs in front of the Project Site linking the Richmond area to Downtown and the Financial District. Other transit lines are also nearby and are within walking distance of the Site. Except for the commercial and institutional uses (i.e., Laurel Heights Shopping Center, Kaiser Permanente Medical Center, and University of San Francisco) located on the main streets, the Project Site is surrounded by predominantly residential dwellings and residentially zoned

districts. The Divisadero Street commercial corridor is two blocks east of the Project Site. Buildings facing the subject block range from two to four stories tall with several taller buildings interspersed. Commercial uses on the subject and facing blocks include office supplies, electronic devices, restaurants, bars, dental offices, hair salons, and other professional offices.

4. Project Description. The proposed Project is to convert vacant retail space (formerly "The Good Guys" and "Mervyns") in the City Center shopping mall to a general merchandise retail store (d.b.a. "Target") offering clothing, personal accessories, household goods, including home furnishings, electronics and groceries, which is a "formula retail use" as defined in Planning Code Section 703.3. The proposed Project, occupying the former Mervyns and Good Guys stores, will consist of approximately 106,000 square feet of retail space, with a potential to add an additional 14,000 square feet if vacant space becomes available within the shopping center, for a project total of approximately 120,000 square feet. The proposal involves interior remodeling work as well as exterior improvements including signage, which would require the creation of a Special Sign District. (The Planning Code text and Zoning Map amendments for the "City Center Special Sign District" under Case No. 2011.0656TZ will be heard concurrently with the Conditional Use request.) The existing City Center shopping center has approximately 601 offstreet parking spaces and five loading spaces; no additional parking or loading spaces are required or proposed. Pedestrian entrances and vehicular access to the Project are provided on Geary Boulevard, Masonic Avenue and O'Farrell Street while vehicular accesses are provided on Masonic Avenue and O'Farrell Street.

Section 312 -neighborhood notification was conducted in conjunction with the Conditional Use authorization process.

- 5. Public Comment. As of July 21, 2011, the Department has not received any correspondence with regard to the proposed Project. The Project Sponsor and Owner of the shopping center held community meetings on July 21, 2010 and July 14, 2011 regarding the proposed Project. In addition, the Project Sponsor and Owner engaged with interested members of the community and attended neighborhood meetings including the Masonic Streetscape Design Workshops, a presentation to the Anza Vista Neighborhood Association, and meetings with representatives of the Booker T. Washington Community Center and the Jewish Vocational Services.
- 6. First Source Hiring Program. The Project is subject to the requirements of the First Source Hiring Program (Chapter 83 of the Administrative Code) for commercial establishments in excess of 25,000 square feet. The Project Sponsor will comply with the requirements of this Program. Prior to the issuance of any Building Permit or a First Addendum to a Site Permit, the Project Sponsor will have an approved and signed First Source Hiring Memorandum of Understanding (MOU) from the First Source Hiring Administrator, which will be evidenced in writing. This MOU will include Exhibit A, Construction First Source Hiring Agreement, and Exhibit B, End-Use First Source Hiring Agreement.
- 7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

A. Large-Scale Retail Use Size. Planning Code Sections 121.2, 121.6 and 712.21 state that a Conditional Use authorization is required for non-residential use size exceeding 6,000 square feet and a single retail use in excess of 50,000 gross square feet in any zoning district other than the C-3 zoning districts.

The Project Sponsor intends to occupy existing vacant retail space, formerly occupied by Mervyns and the Good Guys on the first and second levels of the shopping center, approximately 106,000 square feet, with a potential to add an additional 14,000 square feet if vacant space becomes available within the shopping center, for a Project total of approximately 120,000 square feet.

B. **Formula Retail Use.** Planning Code Section 703.4 states that a Conditional Use authorization is required for a formula retail use, as defined by Planning Code Section 703.3, in any of the City's Neighborhood Commercial Districts.

Target is a formula retail use as defined in Planning Code Section 703.3. The Project Sponsor intends to occupy existing vacant retail space, formerly occupied by Mervyns and the Good Guys on the first and second levels of the shopping center.

C. General Merchandise Retail Store. Planning Code Section 712.40 allows general retail stores offering general groceries, clothing, personal accessories, household goods including home furnishings and electronics under "Other Retail Sales and Services" as defined by Planning Code Section 790.102 in NC-3 Districts.

The proposed Project will occupy existing vacant retail space on the first and second level of an existing shopping center. Previous tenants included the Mervyns store offering clothing, personal accessories and household goods, and the Good Guys store offering various electronic products.

D. Parking. Planning Section 151 of the Planning Code requires one off-street parking for every 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet, plus one for each 250 square feet of occupied floor area in excess of 20,000. Section 152 requires three off-street freight loading spaces plus one for each additional 80,000 square feet for retail stores over 100,000 square feet of structure or use. Section 155.4(e) requires 12 bicycle spaces for commercial buildings with major renovations where the gross square footage of the floor area exceeds 100,000 square feet.

The proposed Project contains approximately 120,000 gross floor area. Based on an occupied floor area of approximately 93,000 square feet, 331 off-street parking spaces would be required. The existing shopping center currently has 601 parking spaces that are shared by all tenants of the shopping center.

The Project would be required to have three off-street freight loading spaces. The existing shopping center has five freight loading spaces; however, two of which are designated for the proposed Project.

The Project would be required to provide 12 bicycle parking spaces. The existing Site contains 28 bicycle parking spaces. The Project proposes to add 14 additional bicycle parking spaces, for a total of

42 spaces at the Site. Adequate signs or notices of the availability of bicycle parking will also be provided at the Project Site.

E. Street Frontage in Neighborhood Commercial Districts. Section 145.1 of the Planning Code requires that NC Districts containing specific uses, including retail stores, have at least ½ the total width of the new or altered structure at the commercial street frontage devoted to entrances to commercially used space, windows or display space at the pedestrian eye-level. Such windows shall use clear, un-tinted glass, except for decorative or architectural accent. Any decorative railings or decorated grille work, other than wire mesh, which is placed in front or behind such windows, shall be at least 75 percent open to perpendicular view and no more than six feet in height above grade.

The proposed Project will occupy the first and second levels of the existing shopping center structure. The existing building is nonconforming with respect to this Code section and the Project does not trigger application of the requirement; however, the Project is proposing to increase the amount of transparency/glazing on the ground level from 34 percent to 46 percent on Masonic Avenue and from 19 percent to 25 percent on Geary Boulevard by adding new glazing and new window displays.

- F. Signage. Any proposed signage will be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code. If the "City Center Special Sign District" were to be adopted by the Board of Supervisors, then the provisions in the Special Sign District shall be effective.
- 8. **Planning Code Section 303(c)** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:
  - A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

The proposed Project will establish a large-scale general merchandise formula retail store in a location that has been occupied by other large formula retails, such as the original tenant in 1951, the Sears Roebuck Company, Mervyns and the Good Guys that vacated the Site in 2008 and 2005 respectively.

The Project will occupy retail spaces that were vacated by Mervyns and the Good Guys. The Project will employ an average of 200 to 250 people. Most employees will work part-time with approximately 10 to 30 full-time staff. The Project is necessary and desirable because it will continue to ensure the economic viability of a long-standing local shopping mall in the heart of the City.

The proposed Project will occupy approximately 106,000 square feet of retail space, with a potential to add an additional 14,000 square feet if vacant space becomes available within the shopping center, for a project total of approximately 120,000 square feet. The proposal involves interior remodeling work as well as exterior improvements including signage, which would require the creation of a Special Sign District. The proposal would maintain the existing building and envelope and height. The existing

shopping center has approximately 601 surface parking spaces and five loading spaces; no additional parking or loading spaces are proposed. However, the bicycle parking spaces will increase from 28 to 42 spaces.

- (1) In Neighborhood Commercial Districts, if the proposed use is to be located at a location in which the square footage exceeds the limitations found in Planning Code Section 121.2(a) or 121.2(b), the following shall be considered:
  - (i) The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-serving uses in the area; and

The proposed Project is consistent with the large formula retail use sizes that have characterized the shopping center since it was established in 1951. Its original tenant was the Sears Roebuck Company, later followed by Mervyns and the Good Guys that vacated the premises in 2008 and 2005 respectively. The proposed Project will continue to provide a variety of comparison and specialty goods and services to the immediate neighborhood and beyond.

(ii) The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size in order to function; and

The Project Site has been occupied by large formula retail uses since it was built in 1951. The original tenant, Sears Roebuck Company occupied the entire shopping center, containing over 202,000 square feet for decades before it was subdivided and occupied by other retail uses. Mervyns occupied approximately 92,000 square feet before it vacated the premises in December, 2008 and the Good Guys (approximately 13,600 square feet in area) vacated in 2005. The proposed Project will occupy up to 120,000 square feet, offering a wide range of retail goods, including but not limited to, clothing, beauty products, household goods, groceries, furniture and electronics. According to the Project Sponsor, the proposed size is smaller than most other Target stores, which are typically at least 140,000 square feet.

(iii) The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district; and

The existing shopping center is a large, commercial development of over 200,000 square feet of retail space built in 1951. The Project Site is bounded by Geary Boulevard to the north, O'Farrell Street to the south, and Lyon Street and Masonic Avenue to the east and west respectively. The Project fronts the public right-of-way along Geary Boulevard and Masonic Avenue, and is situated close to the property line, presenting a massive and largely unarticulated façade standing 55 feet tall by 400 feet long. At the back of the Project are a series of tiered surface parking lots and small shops accessed from O'Farrell Street. The existing building has not been upgraded and has a high percentage of vacant space, according to the Project Sponsor.

In the renovation of the shopping center, a variety of contemporary colors and building materials are proposed to be introduced to minimize the mass of the building, modernize the appearance of the building, improve the building's appeal, and provide additional interest at the pedestrian level.

The building will be repainted with a color scheme that accentuates the modern lines of the mid-century architecture. Blade sign elements (contingent upon the adoption by the Board of Supervisors of the creation of a "City Center Special Sign District") appropriate to the mid-century character of the building will be added to establish rhythm, movement and identity to the facades facing Geary Boulevard and Masonic Avenue. A key feature of the façade renovation will be new screen elements intended to provide an iconic element of warmth, color and texture.

In addition, the proposed Project will increase the amount of street-front display windows along Masonic Avenue, while maintaining and adding display cases along the Geary Boulevard frontage to create visual interest at the pedestrian level.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
  - i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The height and bulk of the existing shopping center structure will remain the same. The Project proposes to occupy existing retail spaces vacated by Mervyns and the Good Guys containing approximately 106,000 square feet, with a potential to add an additional 14,000 square feet if vacant space becomes available within the shopping center, for a project total of approximately 120,000 square feet. The proposed work will not affect the building envelope, other than possibly adding approximately 500 square feet to make an existing loading dock more usable and enclose an exterior exit stair.

ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

The Project Site is well-served by public transit, and existing on-site parking and loading spaces. Several MUNI transit lines run directly in front or near the Site. Transit lines serving the Site area include the 38-Geary, 33-Masonic, 1-California, 2-Clement, 4-Sutter and 31-Balboa. In addition, the shopping mall maintains a terraced surface parking lot with 601 parking spaces and five freight loading spaces; two of which are designated for the proposed Project. Bicycle parking spaces will be increased from 28 to 42 spaces.

Motion No. 18414

Hearing Date: July 28, 2011

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

No noxious or offensive emissions will be associated with the Project.

 Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

Deliveries of merchandise to the Project Site will occur at the designated loading docks near the eastern end of the building, and therefore, will not interfere with pedestrian or vehicular traffic circulation. The freight trucks will be equipped with silent devices associated with maneuvering, such as backing and turning. All existing shopping center features, such as screening, open spaces, parking, service areas, and lighting will remain.

With regard to landscaping, it is an important element in softening the existing environment. The overall design will include rehabilitating grade level planters and plantings along Geary Boulevard, utilizing vines and graphics at existing retaining walls, improving site amenities such as benches and bicycle parking, and replacing landscaping in existing planters with new drought-tolerant plants that will complement the unique architecture of the building. Moreover, Project identity, tenant and way finding signage (contingent upon the adoption by the Board of Supervisors of the creation of a City Center Special Sign District) will be located throughout the Site.

C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

The Project complies with relevant requirements and standards of the Planning Code, and is consistent with objectives and policies of the General Plan as detailed below.

D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed Project is consistent with the stated purpose of the NC-3 (Moderate-Scale Neighborhood Commercial) District in that the intended use is to occupy existing vacant retail spaces located on the first and second floors of the shopping center. The larger use size is required to provide the desired range of goods and is appropriate given the historic use of the shopping center and its location on major transit and traffic streets. It will continue to provide a compatible range of goods and services for the immediately surrounding neighborhoods and the city at large.

9. Planning Code Sections 303(i) and 703.4 require Conditional Use authorization for the establishment of a formula retail use in Neighborhood Commercial Districts. The Planning Commission shall consider the following criteria set forth in Section 303(i) in addition to the criteria set forth in Section 303(c):

A. The existing concentrations of formula retail uses within the Neighborhood Commercial District.

There are many formula retail uses within the NC-3 District along the Geary Boulevard commercial corridor. Within a half-mile radius of the Project Site, there are close to three dozen formula retail uses (see attached Local Formula Retail Businesses survey map). Formula retail uses currently located in the existing shopping center include Best Buy, Curves, Office Depot, Payless Shoe Source, Sally Beauty Supply, and Subway restaurant.

B. The availability of other similar retail uses within the Neighborhood Commercial District.

The existing shopping center has housed similar general merchandise formula retail stores offering clothing and home furnishing in the past, specifically the Sears Roebuck Company. The proposed Project will occupy retail spaces that previously housed Mervyns and the Good Guys. In the vicinity of the subject property, it would appear that most other similar retail uses are also formula retail businesses themselves. Several blocks away, at the Laurel Heights shopping center on California and Laurel Streets, there are a few small-scale formula retail clothing stores, such as Chicos and Gap. With regard to home furnishings stores, there are several located along Geary Boulevard, including Mancini's Sleep World, Sleep Train, Pier One Imports, and Lamps Plus. Trader Joe's, a general grocery store, is located diagonally across the street at Masonic Avenue and Geary Boulevard.

C. The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the Neighborhood Commercial District.

The height and bulk of the existing building will remain the same. The Project primarily involves interior remodeling work with exterior cosmetic improvements, while maintaining the existing building envelope and height. The proposed work will not affect the architectural or aesthetic character of the District.

D. The existing retail vacancy rates within the Neighborhood Commercial District.

The existing commercial spaces proposed to be occupied by Target have been vacant for several years. There are a number of vacant storefronts in the nearby NC-3 District, as well as vacant spaces within the existing shopping center. The establishment of the proposed Project will increase the City's workforce by approximately 200 to 250 full- and part-time employees. The revitalization and reuse of the Project Site by Target will generate pedestrian traffic that will benefit businesses located at the Project Site and surrounding areas.

E. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the Neighborhood Commercial District.

The Project Site is located on Geary Boulevard, along a three-mile long commercial corridor that stretches from the Western Addition to the Outer Richmond neighborhood. The corridor is comprised of a mix of neighborhood-serving and Citywide-serving retail uses. Commercial uses include beauty shops, print shops, pet stores, coffee shops, restaurants, bars, dry cleaners, liquor stores, office supply

stores, post offices, dental offices, and other professional offices. It is surrounded by residential dwellings and residentially-zoned districts in adjacent blocks.

- 10. Planning Code Sections 121.6, 303(j) and 712.21 require Conditional Use authorization for the establishment of a large-scale retail use in Neighborhood Commercial Districts. The Planning Commission shall consider the following criteria set forth in Section 303(j) in addition to the criteria set forth in Sections 303(c) and (d) above, the Commission shall consider the following:
  - A. The extent to which the retail use's parking is planned in a manner that creates or maintains active street frontage patterns;

The proposed Project will occupy a portion of the existing first and second levels of the shopping center and will maintain the parking configuration that has been in place since the shopping center was built in 1951. Existing surface parking lots are located at the back of the shopping center, along the eastern and southern perimeter of the Project Site, allowing active entrances and display windows to be focused on the Geary Boulevard and Masonic Avenue frontages. The existing parking layout will be maintained. Building entrances will also be focused on Geary Boulevard and Masonic Avenue in order to provide the greatest volume of pedestrian traffic, and entries in close proximity to bus stops for the 38-Geary, 43-Masonic, 2-Clement lines. As part of the Project, landscaping will be added at the edges of the parking lots and in planters on Geary Boulevard. This will soften the appearance of both the building and parking lots and improve the pedestrian experience on surrounding sidewalks.

B. The extent to which the retail use is a component of a mixed-use project or is designed in a manner that encourages mixed-use building opportunities;

The existing shopping center was built originally as a single-tenant department store for the Sears Roebuck Company in 1951. It has been in commercial use ever since, though it now has multiple tenants. The proposed Project will be the shopping center's primary tenant, occupying up to 120,000 square feet or a maximum of 60 percent of its area. However, more than 80,000 square feet in the shopping center will remain available for occupancy by other retail tenants.

C. This shift in traffic patterns that may result from drawing traffic to the location of the proposed use; and

The Project does not represent a new use since the space proposed for occupancy by Target has been occupied by similar formula retail operations for the last 60 years. As such, the proposed Project is not expected to "shift" traffic patterns, but to return them to the prevailing norm. The property owner is working with San Francisco Municipal Transportation Authority (MTA) to provide funding for a protected left-turn signal from southbound Masonic Avenue to eastbound O'Farrell Street, which provides access to the surface parking lots in the back of the building. This, along with improved signage at each parking lot, will improve traffic circulation to the Project Site. The Project Sponsor is also working with the MTA to install a new traffic signal at Masonic Avenue and Ewing Terrace.

D. The impact that the employees at the proposed use will have on the demand in the City for housing, public transit, childcare, and other social services.

The proposed Project will employ 200 to 250 persons at the Site. Most of these jobs will be part-time, entry-level positions. Target will conduct employment fairs in consultation with the First Source Hiring Administration and other organizations seeking to match local residents with job opportunities. Target expects that roughly 85 percent of its employees will be City residents, and the remainder will be residents of other Bay Area cities. As such, the Project will not appreciably increase demand for housing in the City or region, nor will it increase demand for social services, including childcare. Although a substantial portion of Target's employees are expected to commute on public transit, many arrivals and departures will be during off-peak commute hours.

11. **General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

#### **NEIGHBORHOOD COMMERCE**

#### Objectives and Policies

#### **OBJECTIVE 1:**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKINIG ENVIRONMENT.

#### Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

#### Policy 1.3:

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed Project will provide desirable goods and services to the neighborhood and will provide resident employment opportunities to those in the community. Further, the Project Site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.

#### **OBJECTIVE 2:**

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

#### Policy 2.1:

Seek to retain existing commercial and industrial activity and to attract new such activity to the City.

The Project will retain and continue a formula retail store offering clothing, home furnishings and electronic products in a shopping center that has housed such uses since the 1950s.

**OBJECTIVE 6:** MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

#### Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

No commercial tenant would be displaced and the Project would not prevent the District from achieving optimal diversity in the types of goods and services available in the neighborhood.

- 12. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project does comply with said policies in that:
  - A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership pf such businesses be enhanced.

The proposed Project seeks to re-use existing retail space that has historically been occupied by retail and home furnishings stores that served a neighborhood and citywide clientele. The Project will occupy a retail space that has been vacant for several years. The Project will employ 200 to 250 full-and part-time people as well as 225 construction jobs during the construction period. Target intends to hire locally by conducting a series of hiring fairs in the local community, four to six months prior to the store opening.

B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The proposed Project is a retail store; therefore, the existing housing units in the surrounding neighborhood would not be affected.

C. That the City's supply of affordable housing be preserved and enhanced,

No housing is removed for this Project.

D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project Site is well-served by public transit and existing on-site parking and loading spaces. Several MUNI transit lines run directly in front or near the Site. Transit lines serving the Site area include the 38-Geary, 33-Masonic, 1-California, 2-Clement, 4-Sutter and 31-Balboa. In addition, the shopping mall maintains a terraced surface parking lot for 601 parking spaces and five freight loading spaces; two of which are designated for the proposed Project. Bicycle parking spaces will be increased from 28 to 42 spaces.

> E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project will not displace any service or industry establishment. The Project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this Project.

F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will conform to the structural and seismic requirements of the City Building Code.

G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project Site.

H. That our parks and open space and their access to sunlight and vistas be protected from development.

The proposed Project will maintain the existing building's envelope and height, and will not affect existing parks and open spaces.

- 13. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 14. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

CASE NO 2010.0623C 2675 Geary Boulevard

Motion No. 18414

Hearing Date: July 28, 2011

#### **DECISION**

That based upon the Record, the submissions by the Project Sponsor, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby APPROVES Conditional Use Application No. 2010.0623C subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans filed with the Application, dated July 28, 2011 and labeled "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 18414. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 28, 2011.

Linda D. Avery Commission Secretary

AYES: Olague, Miguel, Moore, Antonini

NAYS:

ABSENT: Borden, Fong, Sugaya

ADOPTED: July 28, 2011

### Exhibit A Conditions of Approval

#### **AUTHORIZATION**

This authorization is for a Conditional Use Authorization to allow a Formula Retail Use (d.b.a. Target) and a use size up to 120,000 square feet located at 2675 Geary Boulevard, Assessor's Block 1094, Lot 001, pursuant to Planning Code Sections 121.2, 121.6, 303(c), 303(i), 703.4 and 712.21, in an NC-3 (Moderate-Scale Neighborhood Commercial) District, and 40-X/80-D Height and Bulk Districts; in general conformance with plans dated July 28, 2011 and labeled "EXHIBIT B" included in the docket for Case No. 2010.0623C and subject to conditions of approval reviewed and approved by the Commission on July 28, 2011 under Motion No.18414 this authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

#### **RECORDATION OF CONDITIONS OF APPROVAL**

Prior to the issuance of the Building Permit Application or commencement of use for the project, the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the Project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on July 28, 2011 under **Motion No. 18414**.

#### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the "Exhibit A" of this Planning Commission Motion No. 18414 shall be reproduced on the Index Sheet of construction plans submitted with the Site or Building Permit Application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

#### **SEVERABILITY**

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section, or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a Building Permit. The Project Sponsor shall include any subsequent responsible party.

#### **CHANGES AND MODIFICATIONS**

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

#### Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. Validity and Expiration. The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. A Building Permit Application from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed Project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a Site or Building Permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a Site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

2. **Extension.** This authorization may be extended at the discretion of the Zoning Administrator only where failure to issue a permit by the Department of Building Inspection to perform said tenant improvements is caused by a delay by a local, State or Federal agency or by any appeal of the issuance of such permit(s).

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <a href="https://www.sf-planning.org">www.sf-planning.org</a>.

#### DESIGN

3. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Planning Department staff review and approval. The Building/Site Permit Application and/or the Architectural Addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

4. **Signage Program.** Any proposed signage shall be subject to the review and approval of the Planning Department and must comply with Article 6 of the Planning Code. However, if the creation of a "City Center Special Sign District" is adopted by the Board of Supervisors, then the provisions of that Special Sign District shall be effective. All subsequent sign permits shall conform to the approved signage program. The signage program/plan information shall be submitted and approved as part of the Site Permit for the Project.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.

CASE NO 2010.0623C 2675 Geary Boulevard

Motion No. 18414 Hearing Date: July 28, 2011

5. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the Building Permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.

6. Lighting Plan. The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department's approval of the Building/Site Permit Application. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org.

#### **PARKING AND TRAFFIC**

- 7. Bicycle Parking. Pursuant to Planning Code Sections 155.1 and 155.4, the Project shall provide no less than 42 Class 1 or Class 2 bicycle parking spaces. Adequate signs or notices of the availability of bicycle parking shall also be provided at the Project Site.
  For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.
- 8. Managing Traffic During Construction. The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation impacts during construction of the Project. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

#### **PROVISIONS**

9. **First Source Hiring.** The Project shall adhere to the requirements of the First Source Hiring Construction and End-Use Employment Program approved by the First Source Hiring Administrator, pursuant to Section 83.4(m) of the Administrative Code. The Project Sponsor shall comply with the requirements of this Program regarding construction work and on-going employment required for the Project.

For information about compliance, contact the First Source Hiring Manager at 415-581-2335, www.business.services@sfgov.org

#### **MONITORING - AFTER ENTITLEMENT**

10. Enforcement. Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code

Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

11. Revocation due to Violation of Conditions. Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

#### **OPERATION**

12. Garbage, Recycling, and Composting Receptacles. Garbage, recycling, and compost containers shall be kept within trash enclosures on the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <a href="https://sfdpw.org/">http://sfdpw.org/</a>.

- 13. Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works' Streets and Sidewalk Maintenance Standards. For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <a href="http://sfdpw.org/">http://sfdpw.org/</a>
- 14. Noise Control. The premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

For information about compliance with the fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at (415) 252-3800, <a href="https://www.sfdph.org">www.sfdph.org</a>.

For information about compliance with the construction noise, contact the Department of Building Inspection, 415-558-6570, <u>www.sfdbi.org</u>.

For information about compliance with the amplified sound including music and television contact the Police Department at 415-553-1012 or 415-5530123, <a href="https://www.sf-police.org">www.sf-police.org</a>

15. **Odor Control.** While it is inevitable that some low level of odor may be detectible to nearby residents and passersby, appropriate odor control equipment shall be installed and maintained to prevent any significant noxious or offensive odors from escaping the premises. The Building

CASE NO 2010.0623C 2675 Geary Boulevard

Hearing Date: July 28, 2011

Permit Application to implement the Project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans.

For information about compliance with odor or other chemical air pollutants emission standards and air quality regulations contact the Bay Area Air Quality Management District (BAAQMD), 1-800-334-ODOR (6367), <a href="https://www.baaqmd.gov">www.baaqmd.gov</a> and Code Enforcement, Planning Department at 415-575-6863, <a href="https://www.sf-planning.org">www.sf-planning.org</a>.

16. Community Liaison. Prior to issuance of a Building Permit to construct the Project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org.

260 CALIFORNIA STREET, SUITE 1001 SAN FRANCISCO, CA 94111 TEL: 415.362.1215 FAX: 415.362.1494



May 9, 2013

By Hand Delivery

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

Re:

Request for Resolution of Public Convenience or Necessity Target Corporation, dba CityTarget 2675 Geary Blvd., San Francisco, California 94118

Dear Ms. Calvillo,

Target Corporation ("Target") has applied to the Department of Alcoholic Beverage Control for a Type 21 Off-Sale General license at the new CityTarget at Geary and Masonic, opening 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 21 license to its new store location at the southeast corner of Geary Blvd. and Masonic Ave. The new 119,000 square-foot store will occupy the ground floor and 2<sup>nd</sup> level of the building and will employ approximately 250 team members. The store hours will be 7:00 a.m. to 11 p.m. daily, with extended store hours during the holiday season and for special events.

The new store will be the second CityTarget in San Francisco. The first San Francisco CityTarget, located in the Metreon, opened last year. 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 CityTarget at Geary and Masonic will provide nearby residents, commuters and tourists the convenience of one-stop shopping for urban living essentials, including groceries and beverages.

For these reasons, we respectfully request that the Board of Supervisors make a finding that licensing CityTarget with a Type 21 off-sale general 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,

Beth Aben Office Beth Aboulatia 260 CALIFORNIA STREET, SUITE 1001 SAN FRANCISCO, CA 94111 TEL: 415.362.1215 FAX: 415.362.1494



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Beth Aboulation

Beth Aboulatia

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#### LIQUOR LICENSE REVIEW

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то:	Police Department Inspector Nelly Gordon Inspector Joseph Fong Fax No.: 553-1463						
DATE:	May 10, 20	13					
PLEASE	EMAIL YOUR nood Services	RESPONSE and Safety (	be heard in four to E <b>BY</b> : June 20, 20 Committee.  ov.org - Fax No:	13, to Derek E	vans, Clerk,		
Applicant Name: and Business Name:		Beth Aboulafia Target Corporation, dba Target (2675 Geary Boulevard)					
Applican	t Address: ne No.	260 California Street, Suite 101 San Francisco, CA 94111 (415) 362-1215					
PLANN	IING COM	MENTS:	☐ Approval	☐ Den	ial		
POLICI	E COMMEN	NTS:	☐ Approval	☐ Den	nial		