

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

December 19, 2016

Justin Gebb
California Department of Alcoholic Beverage Control
33 New Montgomery St., Suite 1230
San Francisco, CA 94105

Dear Mr. Gebb:

The following is a determination from the San Francisco Board of Supervisors on the Public Convenience or Necessity application. The Board of Supervisors Public Safety and Neighborhood Services Committee conducted a public hearing on December 8, 2016, and a Resolution was considered by the Board of Supervisors for approval on December 13, 2016; in Resolution No. 502-16.

The Department of Alcohol Beverage Control is receiving this correspondence in accordance with California Business and Professions Code, Section 23958.4, recommending the California Department of Alcoholic Beverage and Control impose conditions on the issuance of the license.

If you have any questions, please contact me at (415) 554-5184 or Erica Major at (415) 554-4441 or email at Erica.Major@sfgov.org.

Sincerely,

A handwritten signature in cursive script that reads "Alisa Somera".

for Angela Calvillo
Clerk of the Board

c:
Members, Board of Supervisors
Alisa Somera, Office of the Clerk of the Board
Dave Falzon, Police Department
Nelly Gordon, Police Department
Joan Bernardino, Department of Alcoholic Beverage Control

1 [Liquor License Transfer - 1150 Ocean Avenue]

2

3 **Resolution determining that the transfer of a Type 21 off-sale general license to**
4 **Whole Foods Market California, Inc., dba Whole Foods Market, located at 1150**
5 **Ocean Avenue (District 7), will serve the public convenience or necessity of the**
6 **City and County of San Francisco, in accordance with California Business and**
7 **Professions Code, Section 23958.4, and recommending that the California**
8 **Department of Alcoholic Beverage Control impose conditions on the issuance of**
9 **the license.**

10

11 WHEREAS, Whole Foods Market California, Inc., is seeking the transfer of a
12 Type 21 off-sale general license dba Whole Foods Market located at 1150 Ocean
13 Avenue (District 7); and

14 WHEREAS, The Planning Department has verified that the area is properly
15 zoned and recommends approval; and

16 WHEREAS, The Police Department has filed zero (0) protests with the
17 Department of Alcoholic Beverage Control under California Business and Professions
18 Code, Section 24013, and recommends that the Department of Alcoholic Beverage
19 Control issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the
21 following: 1) Sales, service, and consumption of alcoholic beverages shall be permitted
22 only between the hours of 8:00 a.m. to 10:00 p.m. each day of the week; and 2) loitering
23 (defined as "to stand idly about; linger aimlessly without lawful business") is prohibited
24 on any sidewalks or property adjacent to the licensed premises under the control of the
25 licensee(s) as depicted on the ABC-257 form dated 4/5/2012; now, therefore, be it

1 RESOLVED, That in accordance with California Business and Professions Code,
2 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
3 hereby determines for the foregoing reasons that the transfer of a Type 21 off-sale
4 general license to Whole Foods Market California, Inc., dba Whole Foods Market,
5 located at 1150 Ocean Avenue (District 7), will serve the public convenience or
6 necessity of the City and County of San Francisco; and, be it

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



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 160914

Date Passed: December 13, 2016

Resolution determining that the transfer of a Type 21 off-sale general license to Whole Foods Market California, Inc., dba Whole Foods Market, located at 1150 Ocean Avenue (District 7), 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.

December 08, 2016 Public Safety and Neighborhood Services Committee - PREPARED IN COMMITTEE AS A RESOLUTION

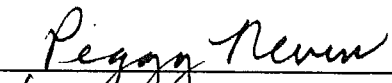
December 08, 2016 Public Safety and Neighborhood Services Committee - RECOMMENDED AS COMMITTEE REPORT


December 13, 2016 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang and Yee
Vacant: 1 - District 8

File No. 160914

I hereby certify that the foregoing Resolution was ADOPTED on 12/13/2016 by the Board of Supervisors of the City and County of San Francisco.

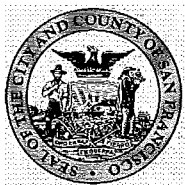

for Angela Calvillo
Clerk of the Board



Mayor

12/16/16

Date Approved



City and County of San Francisco

Certified Copy

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

160914 [Liquor License Transfer - 1150 Ocean Avenue]

Resolution determining that the transfer of a Type 21 off-sale general license to Whole Foods Market California, Inc., dba Whole Foods Market, located at 1150 Ocean Avenue (District 7), 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. (Public Safety and Neighborhood Services Committee)

12/13/2016 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang and Yee
Vacant: 1 - District 8

12/16/2016 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

December 16, 2016
Date

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board