

File No. 150520

Committee Item No. 4
Board Item No. 45

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Neighborhood Services Date July 16, 2015

Board of Supervisors Meeting

Date July 28, 2015

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input checked="" 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"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | SFPD MEMO - 06/01/2015 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | LIQUOR LICENSE REVIEW - 05/18/2015 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | APPLICATION - 03/10/2015 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | HUNNAN & CARMICHAEL LLP MEMO - 05/14/2015 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | LIQUOR LICENSE TRANSMITTAL - 05/18/2015 |
| <input type="checkbox"/> | <input type="checkbox"/> | |
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Completed by: Erica Major Date July 10, 2015

Completed by: Derek Evans Date July 22, 2015

1 [Liquor License Transfer - 1830 Ocean Avenue]

2
3 **Resolution determining that the transfer of a Type 21 off-sale general license from**
4 **2681-21st Street to 1830 Ocean Avenue (District 7), to Beth Aboulafia, for Target**
5 **Corporation, dba Target Express, will serve the public convenience or necessity**
6 **of the City and County of San Francisco in accordance with California Business**
7 **and 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, Beth Aboulafia seeking the transfer of a Type 21 off-sale general
12 license from 2681-21st Street to 1830 Ocean Avenue (District 7), for Target Corporation,
13 dba Target Express; 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 of alcoholic beverages shall be permitted between the hours of 7:00
22 a.m. and 11:00 p.m. daily, except from Thanksgiving Day to New Year's Day, sales of
23 alcoholic beverages shall be permitted from 6:00 a.m. to 12:00 a.m. (midnight); 2) No
24 more than 5% of the square footage of the public retail space (not including the storage
25 area) of the premises will be used for the display of alcoholic beverages; 3) The sale of

1 distilled spirits in sizes smaller than 375 ml is strictly prohibited; 4) No malt beverage
2 shall be sold with an alcoholic content great than 5.7% by volume, except for
3 microbrews, craft brews, organic and specialty malt products sold under such
4 designations as stout, porter, IPA, and ESB. This condition is intended to eliminate high-
5 alcohol, low-cost products that are frequently abused, but not prevent the sales of
6 specialty and craft beer products; 5) Beer, malt beverages and wine coolers in
7 containers larger than 32 oz. are strictly prohibited; 6) No beer or malt beverages shall
8 be sold in quantities of less than the manufacturers pre-packaged four (4) packs per
9 sale. No wine-coolers or beer coolers shall be sold in less than the manufacturer pre-
10 packaged multi-unit quantities of four (4); 7) No wine shall be sold with an alcoholic
11 content of great than 15% by volume except for "Dinner Wines" which have been aged
12 two years or more and maintained in corked bottles; 8) Wine shall not be sold in bottles
13 or containers smaller than 750 ml, unless sold in manufacturer pre-packaged multi-unit
14 quantities; and 9) The sale, service and consumption of powder alcohol or like non-
15 liquid alcoholic beverage based product is prohibited; now, therefore, be it

16 RESOLVED, That in accordance with California Business and Professions Code,
17 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
18 hereby determines that the transfer of a Type 21 off-sale general license from 2681-21st
19 Street to 1830 Ocean Avenue (District 7), to Beth Aboulafia, for Target Corporation, dba
20 Target Express, will serve the public convenience or necessity of the City and County of
21 San Francisco; and, be it

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



San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
Public Convenience and
Necessity Recommendation

Amended 7/1/15

To: The San Francisco Board of Supervisors' Committee on Public Safety
and Neighborhood Services

Supervisor Eric Mar
Supervisor David Campos
Supervisor Julie Christensen

From: Lieutenant Dave Falzon *D Falzon*
Officer in Charge
ABC Liaison Unit (ALU) 553-1049

Date: June 1, 2015

Subject: P.C.N. Investigation Regarding: Target Corporation
DBA: Target Express- T3203
1830 Ocean Ave.
Beth Aboulafia
(415) 362-1215

Ms. Beth Aboulafia on behalf of Target Corporation has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 21 (Off-Sale General) License for 1830 Ocean Ave. (located between Dorado Terrace and Keystone Way).

Hours of Operation:

Daily 7 a.m.-11 p.m.

Digest:

Target Corp is introducing a new format to their existing presence in San Francisco. Target currently operates in the south of market at the Metreon, in the Richmond District in the old Mervyn's location and a Target Express in the Downtown area at 225 Bush Street. Target is opening a second Target Express format in the Taraval District. This is a smaller store with a more "neighborhood" approach to consumer needs similar to that of other national chain pharmacy retailers throughout the City. If approved, this license will allow Target Express to sell off-sale Beer, Wine and Distilled Spirits.

Letters of Protest:

No Record

Letters of Support:

No Record

Police Calls for Service:

From December 2013 to December 2014

2- Homeless related, Auto Boost related

Police Reports:

From December 2013 to December 2014

0

San Francisco Plot Information:

This premise is located in Plot 833

A High Crime area is defined as 99 or more police reports in a plot for the year of 2013.

This plot had 70 police reports for 2013, which is 29 less than the Citywide "High Crime" average.

State Census Tract Information:

This premise is located in Census Tract 310.00

Population for this tract is: 3,494

On-sale license authorized by census tract: 12

Active on-sale licenses: 7 with 0 pending

Off-sale licenses authorized by census tract: 3

Active off-sale licenses: 3 with 1 pending

Departmental Recommendation:

Points of consideration: 2

No opposition from **Taraval Station**

Applicant premise is located in a "low crime" area.

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

0 - Record of protest.

0 - Record of support.

ALU Recommendation: Approval with the following conditions

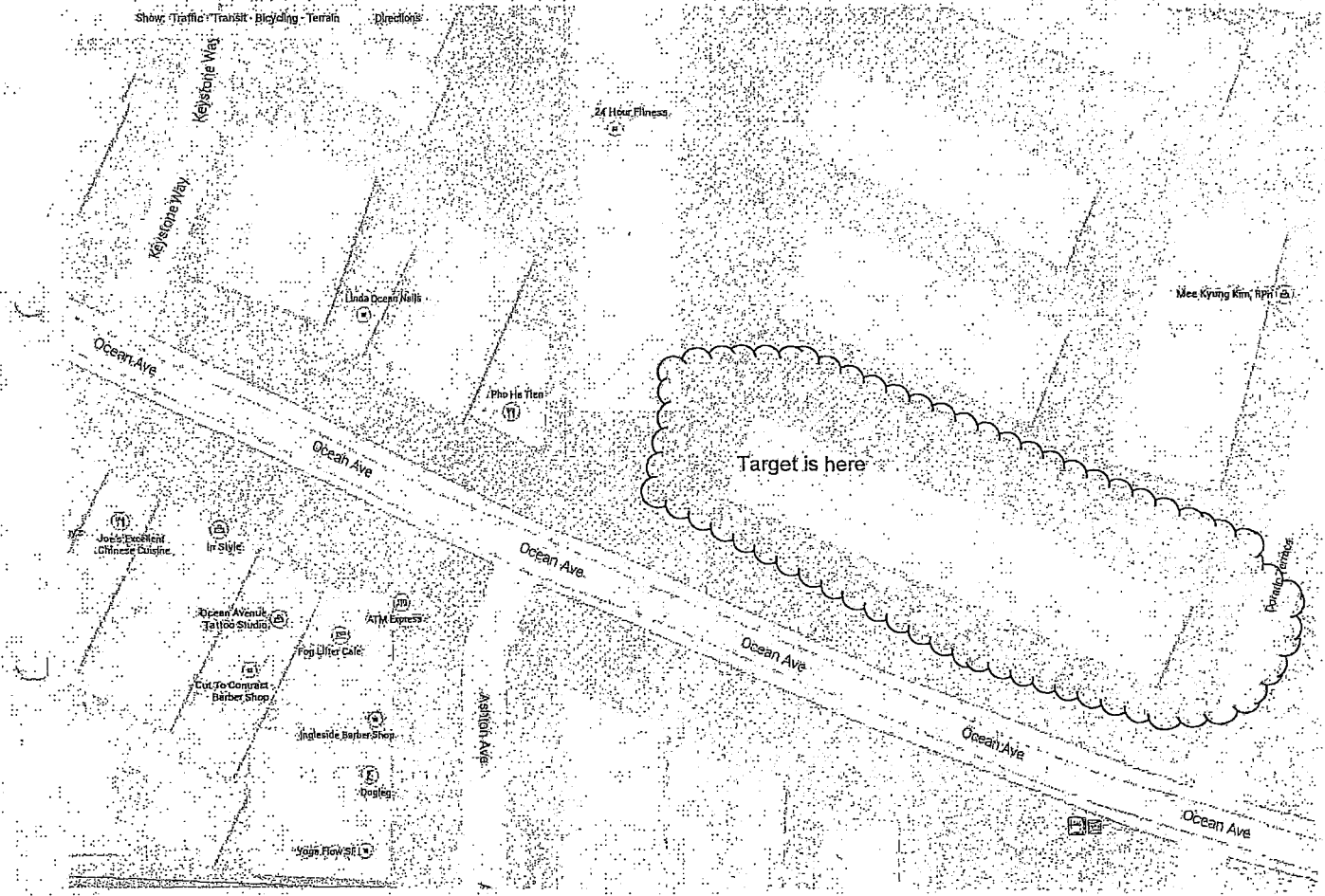
Conditions for Type 21 (Off Sale General)

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 6:00 a.m. to 12:00 a.m. (midnight).
2. No more than 5% of the square footage of the public retail space (not including the storage area) of the premises will be used for the display of alcoholic beverages.
3. The sale of distilled spirits in sizes smaller than 375 ml is strictly prohibited.
4. No malt beverage shall be sold with an alcoholic content great 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 sales of specialty and craft beer products.
5. Beer, malt beverages and wine coolers in containers larger than 32 oz. are strictly prohibited.
6. No beer or malt beverages shall be sold in quantities of less than the manufacturers pre-packaged four (4) packs per sale. No wine-coolers or beer coolers shall be sold in less than the manufacturer pre-packaged multi-unit quantities of four (4).
7. No wine shall be sold with an alcoholic content of great than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles.

8. Wine shall not be sold in bottles or containers smaller than 750 ml, unless sold in manufacturer pre-packaged multi-unit quantities.
9. The sale, service and consumption of powder alcohol or like non-liquid alcoholic beverage based product is prohibited.

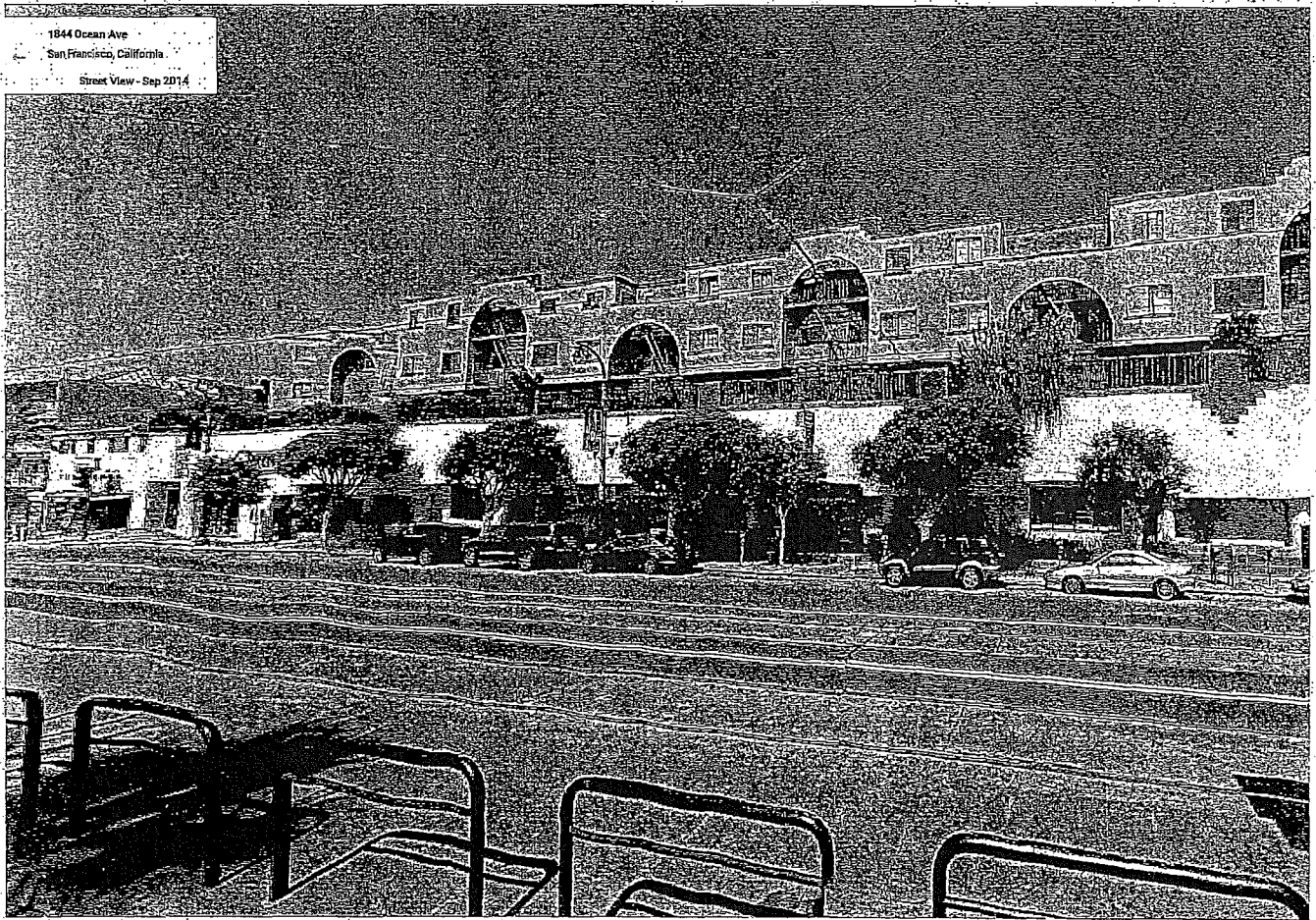
End

| Incident No. | CAD | Incident Ty | Reported E | Call Type | District | Priority | Address |
|--------------|-----|-------------|------------|-----------|-------------|----------|---------------|
| 1.43E+08 | | SUSP HOM | ##### | | 915 Taraval | C | 1830 OCEAN AV |
| 1.5E+08 | | AUTO BOO | ##### | | 852 Taraval | B | 1830 OCEAN AV |



Map data ©2015 Google - 20 ft

3/18/15 12:44 PM



1844 Ocean Ave
San Francisco, California
Street View - Sep 2014

Image provided Sep 2014 © 2015 Google

3/18/15 12:43 PM

AP

LIQUOR LICENSE REVIEW

TO: Planning Department **File:** 150520
AnMarie Rodgers/CTYPLN/SFGOV
Georgia Powell/CTYPLN/SFGOV@SFGOV
Fax No.: 558-6409

Block/Lot: 3283/087

TO: Police Department
Lieutenant Dave Falzon
Inspector Nelly Gordon
Fax No.: 553-1463

Zoning: NCT
Quad: SW

DATE: May 18, 2015

Record # 2015-006277 MIS

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: June 22, 2015, to Derek Evans, Clerk,
Public Safety and Neighborhood Services Committee.
Derek.Evans@sfgov.org - Fax No: 554-7714

Applicant Name: Beth Aboulafia
and Business Name: Target Express
(1830 Ocean Avenue)

Applicant Address: 260 California Street, Suite 700
San Francisco, CA 94111
and Phone No. (415) 362-1215

PLANNING COMMENTS: Approval Denial

Project found to be necessary or desirable under Planning Commission Motion No. 19334. Type 21 License permitted in conjunction with a general grocery store (defined in PC Sec. 790.102) and permitted in the Ocean Ave. NCT per PC 737.40, subject to Conditions of Approval of

POLICE COMMENTS: Approval Denial Motion 19334.

Alcohol sales less than 15% of total grocery floor area per PC Sec. 703.2(b)(1)(c)(vi).

 6/11/15
Andrew Perry

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)



Ms. Karen Bodishanuk
Hinman & Carmichael

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

RECEIVED

MAR 10 2015

File Number: 555077
Receipt Number: 2281612
Geographical Code: 3800
Copies Mailed Date: March 4, 2015
Issued Date:

(415) 362-1215
X116

Block/lot: 3283/087
Zoning: NCT
Quad: SW
Record # 2015-002947 MIS

DISTRICT SERVING LOCATION:

CITY & COUNTY OF S.F.
SAN FRANCISCO
T.A.C. TEAM

First Owner:
Name of Business:
Location of Business:

TARGET CORPORATION
TARGET T3203
1830 OCEAN AVE
SAN FRANCISCO, CA 94112-1768

County:

SAN FRANCISCO

Is Premise inside city limits?

Yes

Census Tract 0312.01

Mailing Address:
(If different from premises address)

33 S 6TH ST
CC-1028
BUSINESS LICENSING
MINNEAPOLIS, MN 55402-3601

Type of license(s): 21

Transferor's license/name: 511880 / 2681 TWENTY-FIRST ST INC Dropping Partner: Yes No

| License Type | Transaction Type | Fee Type | Master | Dup | Date | Fee |
|-----------------------|-----------------------------|----------|--------|-----|----------|------------|
| 21 - Off-Sale General | ANNUAL FEE | NA | Y | 0 | 03/04/15 | \$582.00 |
| 21 - Off-Sale General | PREMISE TO PREMISE TRANSFER | NA | Y | 0 | 03/04/15 | \$100.00 |
| 21 - Off-Sale General | PERSON-TO-PERSON TRANSFER | NA | Y | 0 | 03/04/15 | \$1,250.00 |
| Total | | | | | | \$1,932.00 |

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: March 4, 2015

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.

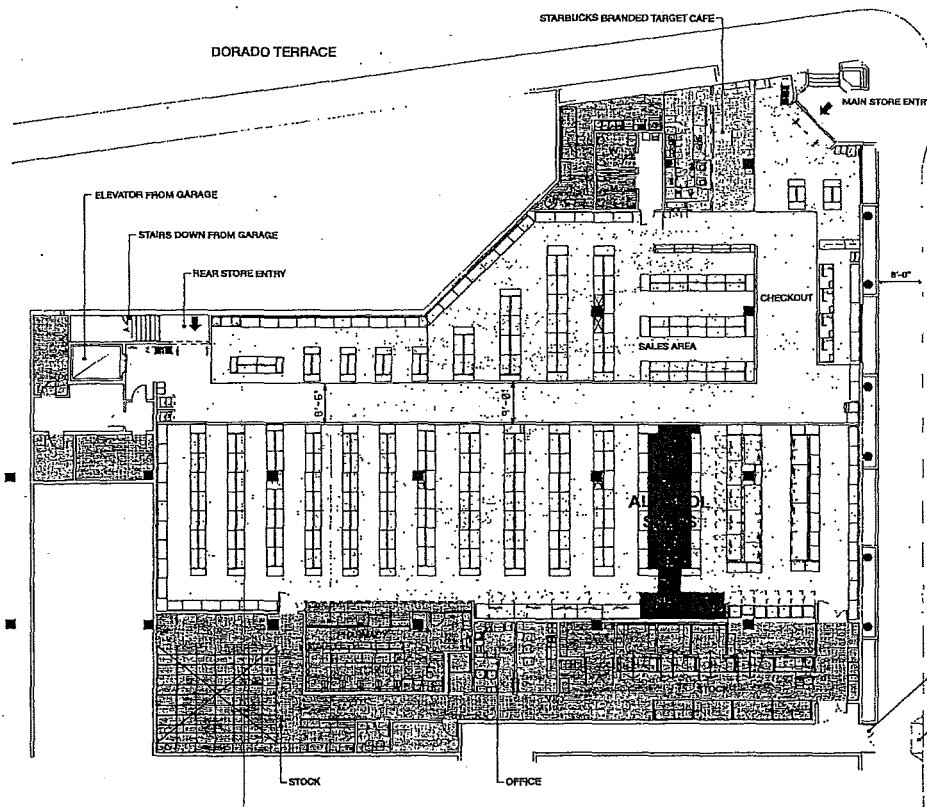
Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name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

Applicant Name(s)

Applicant Signature(s)

TARGET CORPORATION

Recommend approval - Type 21 permitted in conjunction w/ a general grocery store (790.102) in the Ocean Avenue NCT (737.40) and subject to Conditions of Approval in Motion 19334. Must be less than 15% of total grocery floor area per 703.2(b)(2)(C)(vi). Andrew Perry 5/15/15



- A. Alcohol Sales Area = 417 sf
- B. Alcohol sales area as percentage of total Sales Area: 417 sf / 12,714 sf = 3.3%
- C. Alcohol sales area as percentage of total Store Area: 417 sf / 17,334 sf = 2.4%

Bos 11, COB,
CP/age

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO



260 CALIFORNIA STREET, SUITE 700 SAN FRANCISCO, CA 94111 TEL: 415.362.1215 FAX: 415.362.1494

MAY 14 11 53 AM '15
ll

May 14, 2015

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 Target Express
1830 Ocean Ave., San Francisco 94112

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 Target Express store opening this fall in the Balboa Park neighborhood. 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 northwest corner of Ocean Ave. and Dorado Terrace. The new 17,000 square-foot store will employ approximately 50 team members. The proposed store hours are 7am – 11pm, with extended store hours during the holiday season.

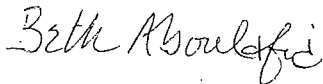
The new store will be second Target Express store in San Francisco. The first Target Express, at the corner of Bush and Montgomery, opened in March. The new smaller-format Target Express stores offer everyday essentials in a convenient and accessible format. The new Target Express, located in the small-scale commercial district along Ocean Ave., with easy access to BART and MUNI, will provide office workers, local residents and shoppers, convenient access to everyday essentials. The new store will offer a selection of grocery products including produce, dairy, frozen foods, snacks and beverages. The store will also offer items from Target's home, beauty and electronics departments, including selections from Target's own brands, as well as a pharmacy and a Starbucks.

Along with its grocery and food offerings, Target would like to be able to offer customers the ability to purchase alcoholic beverages. While alcoholic beverages will be only a small component of the overall product mix, the ability to purchase alcoholic beverages along with food items is a convenience shoppers expect. Having the ability to sell alcoholic beverages will allow Target to provide its customers with the convenience of one-stop shopping. Additionally, the two San Francisco CityTargets and the new Target Express on Bush St. all sell alcoholic beverages; it is a product customers expect to be able to purchase at Target.

Angela Calvillo
Clerk of the Board
May 14, 2015
Page 2

For these reasons, we respectfully request that the Board of Supervisors make a finding that issuance of the Type 21 license will serve public convenience or necessity. If you have any questions about Target Express' proposed operations, please do not hesitate to call me.

Sincerely,

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

Beth Aboulafia

LIQUOR LICENSE REVIEW

TO: Planning Department **File:** 150520
AnMarie Rodgers/CTYPLN/SFGOV
Georgia Powell/CTYPLN/SFGOV@SFGOV
Fax No.: 558-6409

TO: Police Department
Lieutenant Dave Falzon
Inspector Nelly Gordon
Fax No.: 553-1463

DATE: May 18, 2015

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: June 22, 2015, to Derek Evans, Clerk,
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