

# LIQUOR LICENSE REVIEW

**TO:** Planning Department  
AnMarie Rodgers/CTYPLN/SFGOV  
Georgia Powell/CTYPLN/SFGOV@SFGOV  
Fax No.: (415) 558-6409

**File:** 170513

**TO:** Police Department  
Inspector Nelly Gordon  
Phone: (415) 837-7273

**DATE:** May 2, 2017

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Please submit your response in four to six weeks for the matter to be heard.  
**PLEASE EMAIL YOUR RESPONSE BY:** June 7, 2017, to Erica Major, Public  
Safety and Neighborhood Services Committee Clerk.

[Erica.Major@sfgov.org](mailto:Erica.Major@sfgov.org) - Fax No: 554-7771

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**Applicant Name:** Garfield Beach CVS, LLC  
**and Business Name:** CVS (Pharmacy 11004)

**Applicant Address:** 799 Beach Street  
San Francisco, CA 94109  
**and Phone No.** (415) 567-9000

**PLANNING COMMENTS:**  Approval  Denial

**POLICE COMMENTS:**  Approval  Denial

# REUBEN, JUNIUS & ROSE, LLP

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

April 26, 2017

2017 APR 27 AM 10:35

BY: 

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

**Re: Liquor License "PCN" Request – 799 Beach Street – CVS  
Our File No.: 7970.28B**

Dear Ms. Calvillo:

Our office represents Boos Development West, LLC ("Boos"), the project sponsor of a new CVS retail store and pharmacy at 799 Beach Street (the "Project"). On November 18, 2016, Boos filed a building permit for the Project, and upon its issuance anticipates undertaking tenant improvements to prepare the space for CVS' operation.

Boos now seeks a type-20 off-sale beer and wine license from the California Department of Alcohol Beverage Control ("ABC"). Boos has filed an application with ABC on behalf of CVS for a license transfer (current License No. 508036 enclosed). The license would be transferred from the CVS store located at 377 32<sup>nd</sup> Avenue, to the CVS store at 799 Beach Street. Due to the overconcentration of this type of ABC license in this census tract and the Project's location in a high crime reporting district, Boos must obtain a determination by the Board of Supervisors that the public convenience and necessity will be served by the issuance of this license for operations at 799 Beach Street.

The Project will establish a CVS retail store and pharmacy at 799 Beach Street, an existing building at the northeast corner of Larkin and Beach Streets. The CVS would occupy approximately 10,000 square feet of ground and second floor space. The CVS would sell over-the-counter drugs, beauty products and cosmetics, photo finishing, seasonal merchandise, greeting cards, and groceries (such as milk, bread and eggs). The proposed hours of operation are 8 a.m. to 11 p.m. daily.

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

James A. Reuben | Andrew J. Junius | Kevin H. Rose | Daniel A. Frattin | John Kevlin  
Tuija I. Catalano | Jay F. Drake | Matthew D. Visick | Lindsay M. Petrone | Sheryl Reuben<sup>1</sup>  
Thomas Tunny | David Silverman | Melinda A. Sarjapur | Mark H. Loper | Jody Knight  
Chloe V. Angelis | Louis J. Sarmiento, Jr. | Corie A. Edwards | Jared Eigerman<sup>2,3</sup> | John McInerney III<sup>2</sup>

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

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170513

Ms. Angela Calvillo

April 26, 2017

Page 2

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

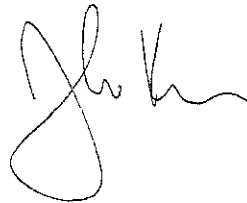
CVS is committed operating a store at 799 Beach Street that is welcomed by the neighborhood. CVS has already engaged the local neighborhood group, the Fisherman's Wharf Community Benefits District (the "CBD"), and is currently working through the details of the operation to ensure it has no negative impacts on the neighborhood. CVS will also be meeting with the San Francisco Police Department regarding this off-sale license in the coming weeks to discuss any concerns they have.

For the reasons outlined above, I respectfully request that this letter be forwarded to the Public Safety and Neighborhood Services Committee of the Board and that the Committee and the full Board of Supervisors make a determination under California Business & Professions Code §23958.4 that the public need or convenience would be served by the issuance of a type-20 off-sale beer and wine license to this CVS location.

Please contact me with any questions you have.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



John Kevlin

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