

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

## MEMORANDUM

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Gordon Mar, Chair  
Public Safety and Neighborhood Services Committee

FROM: Stephanie Cabrera, Assistant Clerk

DATE: October 17, 2022

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**  
Tuesday, October 18, 2022

The following file should be presented as COMMITTEE REPORT at the regular Board meeting on Tuesday, October 18, 2022. This RESOLUTION was acted upon at the regular Public Safety and Neighborhood Services Committee meeting on Thursday, October 13, 2022, at 10:00 a.m., by the votes indicated.

**Item No. 35**                      **File No. 220726**

**[Liquor License Transfer - 3801-3rd Street - Save Mart]**

Resolution determining that the person-to-person, premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to Save Mark Supermarkets LLC, doing business as Save Mart, located at 3801 - 3rd Street (District 10), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Clerk of the Board)

**RECOMMENDED AS A COMMITTEE REPORT**

Vote:                      Supervisor Gordon Mar - Aye  
                                 Supervisor Catherine Stefani - Aye  
                                 Supervisor Myrna Melgar - Aye

Cc: Board of Supervisors  
Angela Calvillo, Clerk of the Board  
Alisa Somera, Legislative Deputy  
Anne Pearson, Deputy City Attorney

File No. 220726

Committee Item No. 3

Board Item No. 35

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Neighborhood Services  
Board of Supervisors Meeting:

Date: October 13, 2022

Date: October 18, 2022

#### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract / DRAFT Mills Act Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

#### OTHER

- PCN Request, dtd 9/12/22
- PCN Referral, dtd 9/14/22
- Police Department Response, dtd 10/4/22
- Planning Department Response, dtd 9/27/22
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Prepared by: Alisa Somera

Date: October 7, 2022

Prepared by: Stephanie Cabrera

Date: October 17, 2022

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 **[Liquor License Transfer - 3801-3<sup>rd</sup> Street - Save Mart]**

2  
3 **Resolution determining that the person-to-person, premise-to-premise transfer of**  
4 **a Type-20 off-sale beer and wine liquor license to Save Mark Supermarkets, LLC,**  
5 **doing business as Save Mart, located at 3801 - 3<sup>rd</sup> Street (District 10), will serve**  
6 **the public convenience or necessity of the City and County of San Francisco; and**  
7 **requesting that the California Department of Alcoholic Beverage Control impose**  
8 **conditions on the issuance of the license.**

9  
10 WHEREAS, Save Mark Supermarkets, LLC, is seeking the person-to-person,  
11 premise-to-premise transfer of a Type-20 off-sale beer and wine liquor license to do  
12 business as Save Mart, located at 3801 - 3<sup>rd</sup> Street (District 10); and

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

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

19 WHEREAS, The condition recommended by the Police Department is the  
20 following: 1) Petitioner(s) shall actively monitor the area under their control in an effort  
21 to prevent the loitering of persons on any property adjacent to the licensed premises as  
22 depicted on the ABC-251; now, therefore, be it

23 RESOLVED, That in accordance with California Business and Professions Code,  
24 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
25 hereby determines that the person-to-person, premise-to-premise transfer of a Type-20

1 off-sale beer and wine liquor license to Save Mark Supermarkets, LLC, doing business  
2 as Save Mart, located at 3801 - 3<sup>rd</sup> Street (District 10), will serve the public convenience  
3 or necessity of the City and County of San Francisco; and, be it

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

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San Francisco Police Department  
**ABC Liaison Unit**



Alcoholic Beverage License -  
*Public Convenience or  
Necessity Recommendation*

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

**Supervisor Gordon Mar**  
**Supervisor Catherine Stefani**  
**Supervisor Myrna Melgar**

**From:** Lt. Steve Jonas #79  
Officer in Charge  
ALU/Permits Unit 415-553-9550

**Date:** October 5, 2022

**Subject:** P.C.N. Investigation Regarding: Save Mart Supermarkets  
DBA: Lucky Bayview  
3801-3rd St.  
San Francisco, CA. 94124

Save Mart Supermarkets, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 20 (Off-Sale Beer & Wine) license to be located at 3801-3<sup>rd</sup> St. (located between Evans St. and Galvez St.)

**Hours of Operation:**

6:00 a.m. to 9:00 p.m. each day.

**Digest:**

Save Mart Supermarkets would like to operate a "Lucky" supermarket at 3801-3<sup>rd</sup> St. If approved, this license will allow them to sell Beer and Wine.

**Letters of Protest**

0

**Letters of Support**

0

**Police Calls for Service:**

From September 2021 to September 2022

**2 calls for service**

**Police Reports:**

From September 2021 to September 2022

**0 police reports**

**San Francisco Plot Information:**

This premise is located in Plot: **348**

A High Crime area is defined as **96** or more police reports in a plot for the year of **2021**.

This plot had 59 police reports for **2021**, which is 37 **lower** than the **Citywide “High Crime”** average

**State Census Tract Information:**

This premise is located in Census Tract: **612.00**

Population for this tract is: **4,166**

On-sale license authorized by census tract: **14**

Active on-sale licenses: 7 with 0 pending

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

Active off-sale licenses: 5 with 0 pending

**Departmental Recommendation:**

Points of consideration: **0**

No opposition from **Bayview Station**.

Applicant premise **is** located in a “**Low Crime**” area.

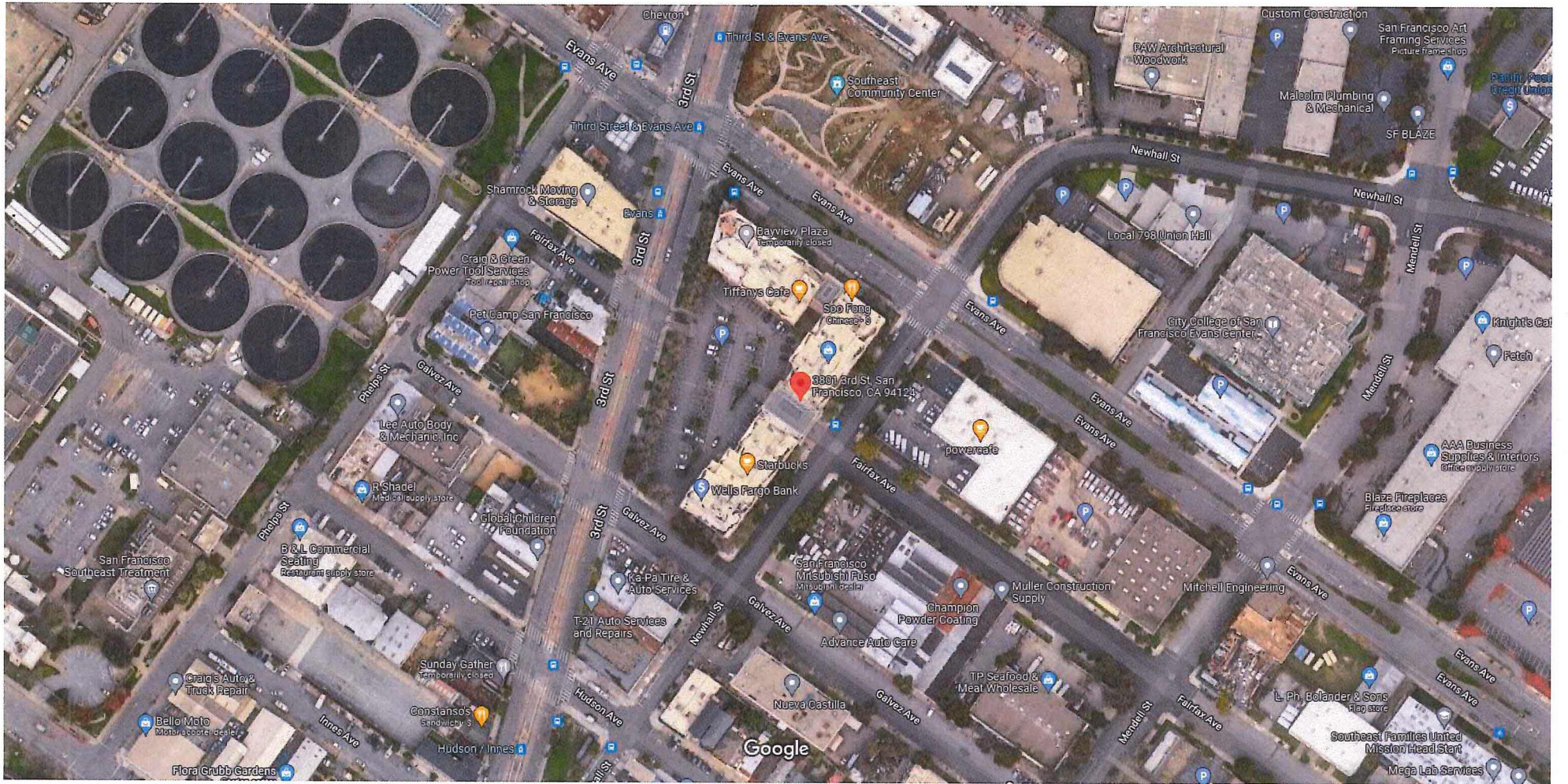
Applicant premise **is** located in a “**High Concentration**” area.

**0** - Protest.

**0** - Support

ALU Recommendation: **Approval with the following condition.**

1. Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the ABC-253.





**From:** [Beth Aboulafia](#)  
**To:** [Somera, Alisa \(BOS\)](#); [Cabrera, Stephanie \(BOS\)](#)  
**Subject:** Lucky Bayview PCN - BOS File No. 220726  
**Date:** Wednesday, October 12, 2022 5:13:58 PM  
**Attachments:** [Lucky Support Letter.pdf](#)

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Alisa and Stephanie,

Attached is another letter of support for the file.

Beth Aboulafia

Partner I Hinman & Carmichael LLP

260 California Street, Suite 700, San Francisco, CA 94111

P: 415.362.1215 x104 | F: 415.362.1494 | E: [aboulafia@beveragelaw.com](mailto:aboulafia@beveragelaw.com)

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October 12, 2022

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

RE: Request for Resolution of Public Convenience of Necessity  
Save Mart Supermarkets LLC  
3801 3<sup>rd</sup> Street, San Francisco, CA 94124

Dear Board of Supervisors:

Bayview Merchants Association (BMA) supports the new Lucky Bayview store and the Save Mart Supermarkets LLC's application for a Type 20 Beer and Wine license from the Department of Alcoholic and Beverage Control in Bayview Plaza at 3801 Third Street scheduled to open later this Fall.

A strong and vibrant business sector is an essential component of a healthy neighborhood. Since its founding in 1925 BMA has been a leading advocate for bringing businesses to the Bayview Hunters Point community that provide the goods and services residents of the community want, need and deserve. A full-service supermarket is always high on the list. The proposed Lucky Bayview would meet that need.

In addition, Lucky Bayview will contribute to the success of existing businesses on the corridor and hopefully attract other desired neighborhood-serving and family-friendly businesses that will contribute to the overall economic wellbeing of the community. **The success of these businesses will help mitigate quality of life issues on the corridor and increase the circulation of dollars in Bayview that are currently being leaked and spent in other neighborhoods.**

We believe Lucky Bayview is committed to the safe and proper sale of alcoholic beverages and has put several measures in place to ensure secure and appropriate sales.

BMA looks forward to partnering with Lucky Bayview and the Bayview business to community to ensure to continued positive growth of the Bayview community.

Sincerely

Al Williams, President  
Bayview Merchants Association

Cc: Supervisor Shamann Walton

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## LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

**TO:** Planning Department  
Attn: Edgar Oropeza  
Phone No. Edgar.oropeza@sfgov.org

**DATE:** September 14, 2022

**AP Block/Lot Nos.:** 5235 / 012  
**Zoning:** PDR-2  
**Quad:** SouthEast  
**Record No.:** \_\_\_\_\_

**TO:** Police Department  
Joel Salmonson  
Phone No. (415) 553-1115

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Please submit your response within three weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for the regular meeting of November 10, 2022.

**PLEASE EMAIL YOUR RESPONSE by November 2, 2022, to:**  
Alisa Somera, Public Safety and Neighborhood Services Committee Clerk.  
[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org) ~ (415) 554-7711

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**Applicant name:** Save Mart Supermarkets LLC

**Business name:** Save Mart

**Application address:** 3801-3<sup>rd</sup> Street  
San Francisco, CA 94124

**Applicant contact info:** Beth Aboulafia  
[aboulafia@beveragelaw.com](mailto:aboulafia@beveragelaw.com) ~ (415) 362-1215 x104

**PLANNING REVIEW:**       **Approval**       **Denial**

Edgar Oropeza, [edgar.oropeza@sfgov.org](mailto:edgar.oropeza@sfgov.org)

Planning Staff Contact: \_\_\_\_\_

(Please add comments on a trailing page.)

**POLICE REVIEW:**       **Approval**       **Denial**

(Please add comments in a trailing report.)



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economic development on third | 501c3

September 10, 2022

RE: Lucky Bayview Liquor License Application

EDoT supports Save Mart Supermarkets LLC application for a Type 20 Beer and Wine license from the Department of Alcoholic and Beverage Control for the new Lucky Bayview at 3801 Third Street scheduled to open later this Fall.

EDoT is a 501c3 organization focused on intentional, equitable business development in the Bayview/HP region of San Francisco.

The Bayview Hunters Point neighborhood, with its more than 35,000 residents, is considered a food desert by the United States Department of Agriculture. It also has the highest unemployment rate, lowest income per capita, and lowest birth expectancy rate. Public and private investment rates can address the basic needs of the neighborhood.

The community is clamoring for more neighborhood-serving and family-friendly businesses, such as grocery stores, as well as community centers, movie theaters, health clinics, and space for nonprofit organizations in the neighborhood. The community seeks a clean, bright, convenient, and vibrant grocery store such as Lucky's. It deserves fresh, affordable produce and meats as well a business that will invest in the community with employment opportunities and community engagement. Lucky's is committed to a comprehensive and continuous community engagement plan.

Since February 2022, Lucky's management has met monthly with a Lucky Bayview Advisory Committee to ensure they understand the needs of residents and address key issues. These include local hiring, limiting self-checkouts, security issues, and plaza improvements, among others.

Lucky is partnering with Young Community Developers (YCD) to develop an effective employment program to hire employees for Lucky Bayview from the District 10 neighborhood. On June 16, 2022, YCD and Lucky's hosted a joint job fair intending to hire 25-35 people from District 10.

On May 12, 2022, Lucky hosted a Lucky Bayview Vendor Summit to engage directly with Bayview community producers and artisans to discover their products that are created and

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earl shaddix | executive director  
earl@edotbayview.org  
415-756-3678  
edotbayview.org



economic development on third | 501c3

crafted locally, all for consideration in the store. Lucky's is currently working with 13 local vendors for Lucky Bayview to sell products in its store.

Lucky Bayview is committed to offering a "Full Shop" for customers in the new store, including a robust fresh fruit and vegetable section, fresh produce, dairy, and cheese offerings, fresh meat and poultry, plus other household basics such as laundry supplies, paper products, and cooking and food prep staples like spices, sugar, flour, cereal, water, and other beverages. Customers will have beer, wine, and liquor offerings. Lucky is committed to the safe and proper sale of alcoholic beverages and has put several measures into place to ensure secure and appropriate sales. Beer, wine, and liquor will be located at the front of the store behind the checkout area, which is just under 2% of the entire square footage of the store.

Lucky abides by all ABC laws and processes for checking the ID of our customers. Alcohol purchases must be made with a live checker and not at self-checkouts. Live checkers will check the ID of any customer that appears to be under the age of 30 when purchasing alcohol.

Sincerely,

A handwritten signature in black ink, appearing to read "Earl Shaddix".

Earl Shaddix  
Executive Director

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earl shaddix | executive director  
earl@edotbayview.org  
415-756-3678  
edotbayview.org

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**PLANNING REVIEW:**  Approval  Denial

Planning Staff Contact: \_\_\_\_\_  
(Please add comments on a trailing page.)

**POLICE REVIEW:**  Approval  Denial

(Please add comments in a trailing report.)