

From: [Carroll, John \(BOS\)](#)
To: [Salmonson, Joel \(POL\)](#)
Cc: ["Alabanza, Analyn@ABC"](#); ["amarjit.tamber@abc.ca.gov"](#); [Wong, Joanne \(POL\)](#); [Jonas, Stephen \(POL\)](#); [Donovan, Dominica \(BOS\)](#); [Oropeza, Edgar \(CPC\)](#); [Carrasco, Imelda \(BOS\)](#); [Prager, Jackie \(BOS\)](#); [Herrera, Ana \(BOS\)](#); [Ferrigno, Jennifer \(BOS\)](#); [VanHouten, Ben \(ECN\)](#); [Hicks, Bridget \(CPC\)](#); [CPC.Referrals](#); ["Jason Nazzal"](#)
Subject: RE: Liquor License Transfer - 999 Valencia Street - Valencia Whole Foods - BOS File No. 230891
Date: Monday, August 28, 2023 2:25:00 PM
Attachments: [image001.png](#)

Good afternoon,

The Planning Department has completed their review of the subject application, and has forwarded their recommendation for approval. For your convenience, I have the review available from the link below:

[Planning Dept. Response - Received August 25, 2023](#)

The matter is now awaiting review by the Police Department's ALU.

After receiving review from the Police Department, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for their consideration in the license matter.

The Public Safety and Neighborhood Services Committee will tentatively schedule this hearing for the regular meeting of September 28, 2023.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 230891](#)

Thanks for the review.

John Carroll

Assistant Clerk

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.

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

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

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

DATE: August 25, 2023

AP Block/Lot Nos.: 3609/026

Zoning: Valencia NCT, 55-X

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

Quad: D9/D10

Record No.: _____

Please submit your response within two weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in September, 2023.

PLEASE EMAIL YOUR RESPONSE by September 8, 2023, to:

John Carroll, Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org ~ (415) 554-4445

Applicant name: Valencia WF Inc.

Business name: Valencia Whole Foods

Application address: 999 Valencia Street

Applicant contact info: Jason Nazzal
415-285-0231
valenciawholefoods999@gmail.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: Edgar Oropeza, Planner
(Please add comments on a trailing page.)

POLICE REVIEW: Approval Denial

(Please add comments in a trailing report.)

From: [Oropeza, Edgar \(CPC\)](#)
To: [Carroll, John \(BOS\)](#)
Subject: Re: Liquor License Transfer - 999 Valencia Street - Valencia Whole Foods - BOS File No. 230891
Date: Friday, August 25, 2023 1:09:27 PM
Attachments: [image001.png](#)
[M-21370.pdf](#)
[PCN Referral 082523.pdf](#)

Recommend to approve the type 20 proposed at 999 Valencia Street Per Planning Case no. 2023-002340PRJ Project Profile (PRJ) and Resolution No. M-21370.

Key Points Mission RUSD Max Square footages allowed and restrictions:

Mission Alcohol Beverage Special Use District. Planning Code Section 249.60 states that, a General Grocery or Specialty Grocery as described in Section 102, being 5,000 square feet or less in size, that never had the operational benefit of a “Prohibited Liquor License” shall only be eligible for a liquor License transfer if the subject license is from within the geographic boundaries of the Mission Alcohol Beverage Special Use Geography.

In this case the subject ABC liquor license type 20 was previously operated and located at 2539 Mission Street. The commercial use at 2539 Mission Street has been and still is a General Grocery Store (greater than 5,000 square feet), DBA Evergreen Market Street. The Type 20 was operated as minor and incidental to the Grocery Store meaning that alcohol sales were ancillary within regards to display square footages and overall sales. Evergreen Market never operated as a Liquor Store as described in section 102 of the Planning Code.

Valencia Whole Foods intends to operate the type 20 in the same fashion, as a minor an incidental operation to the Grocery Store. However, further restrictions apply within the Mission Alcoholic Beverage SUD, Section 102 further prohibits the total square footage dedicated to the display and sales of alcohol to 15 percent or in this case roughly 260 square feet. Section 249.60 limits the operation of the type 20. Valencia Whole Foods shall not sell a single beer or malt beverage in a container size of 24 oz. or smaller, or sell any malt beverage with an alcohol content greater than 5.7% by volume; or any wine in a container size less than 375 ml or 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.

Email is the best way to reach me. See below for more information.

Edgar Oropeza, Senior Planner
PIC Specialist, Districts 9 & 10
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7416 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Carroll, John (BOS) <john.carroll@sfgov.org>



PLANNING COMMISSION MOTION NO. 21370

HEARING DATE: JULY 27, 2023

Record No.: 2023-002340CUA
Project Address: 999 Valencia Street
Zoning: Valencia (Neighborhood Commercial, Transit) Zoning District
55-X Height and Bulk District
Mission Alcoholic Beverage Special Use District
Cultural District: N/A
Block/Lot: 3609/026
Project Sponsor: Jason Nazzal
999 Valencia St
San Francisco, CA 94110
Property Owner: CR 991-999 Valencia, LLC
1600 Shattuck Ave, Ste 106, Berkely, Ca 94709
Staff Contact: Edgar Oropeza – (628) 652-7416
edgar.oropeza@sfgov.org

ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 249.60 AND 303, TO ALLOW THE TRANSFER OF A LIQUOR LICENSE TYPE 20 TO A GENERAL GROCERY, DBA VALENCIA WHOLE FOODS, WITHIN THE MISSION ALCOHOLIC BEVERAGE SPECIAL USE DISTRICT, THE VALENCIA STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT AND A 55-X HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 4, 2023, Jason Nazzal of Valencia Whole Foods (hereinafter "Project Sponsor") filed Application No. 2023-002340CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") to allow the transfer of a liquor license, Type 20 (hereinafter "Project") at 999 Valencia Street, Block 3609 Lot 026 (hereinafter "Project Site").

The project is not a project under CEQA Guidelines Sections 15060(c) and 15378 because there would be no direct or indirect physical change in the environment as a result of the project.

On July 27, 2023, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2023-002340CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2023-002340CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

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 applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use as requested in Application No. 2023-002340CUA, 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. Project Description.** The project proposes to transfer a Type 20 (Off-sale Beer and Wine) liquor license from a General Grocery, dba Evergreen Market, to a General Grocery, dba Valencia Whole Foods, located at 999 Valencia Street within the Mission Alcoholic Beverage Special Use District. No expansions or alterations to the property are proposed.
- 3. Site Description and Present Use.** The Project site is a three-story 14,000 square-foot mixed-use building constructed in 1900 having fifteen dwelling units located over a 4,900 square-foot commercial ground floor with a basement. The commercial ground floor is improved with three separate storefronts that front both Valencia and 21st Street and are occupied by small businesses: a Restaurant, a General Grocery Store and Professional Services Use. The subject storefront is occupied by a General Grocery use of roughly 1,700 square feet not including the basement, dba Valencia Whole Foods, and abuts both Valencia and 21st Streets.

Valencia Whole Foods, a registered Legacy Business has been operating in the Mission District for 33 years. It is a family-owned establishment that offers a wide range of natural and organic products. They provide vitamins, supplements, and health products, fresh organic produce, a small variety of organic meats, a variety of breads, organic canned foods, frozen foods and skincare, haircare, and personal care items.

- 4. Surrounding Properties and Neighborhood.** The Project Site is located in the central portion of the Valencia Street Commercial Transit District near the center of San Francisco in the Mission District. The immediate commercial area provides a limited selection of convenience goods for the residents of the Mission and Dolores Heights neighborhoods. Valencia Street also serves a wider trade area with its retail and wholesale home furnishings and appliance outlets. The commercial district also has several automobile-related businesses. Eating and drinking establishments contribute to the street’s mixed-use character and activity in the evening hours. A number of upper-story professional and business offices are located in the district, some in converted residential units.
- 5. Public Outreach and Comments.** The Planning Department has received 3 letters in support of the proposed liquor license transfer. No opposition has been received.
- 6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant

provisions of the Planning Code in the following manner:

- A. **Use.** Planning Code Section 762 principally allows a General Grocery on the first story within the 24th Street-Mission Neighborhood Commercial Transit District.

Valencia Whole Foods is a General Grocery per Section 102 and is not considered a Formula retail use per Planning Code Section 303.1. It is located on the ground floor.

- B. **Mission Alcohol Beverage Special Use District.** Planning Code Section 249.60 states that, a General Grocery or Specialty Grocery as described in Section 102, being 5,000 square feet or less in size, that never had the operational benefit of a “Prohibited Liquor License” shall only be eligible for a liquor License transfer if the subject license is from within the geographic boundaries of the Mission Alcohol Beverage Special Use Geography.

In this case the subject ABC liquor license type 20 was previously operated and located at 2539 Mission Street. The commercial use at 2539 Mission Street has been and still is a General Grocery Store (greater than 5,000 square feet), DBA Evergreen Market Street. The Type 20 was operated as minor and incidental to the Grocery Store meaning that alcohol sales were ancillary within regards to display square footages and overall sales. Evergreen Market never operated as a Liquor Store as described in section 102 of the Planning Code.

Valencia Whole Foods intends to operate the type 20 in the same fashion, as a minor an incidental operation to the Grocery Store. However, further restrictions apply within the Mission Alcoholic Beverage SUD, Section 102 further prohibits the total square footage dedicated to the display and sales of alcohol to 15 percent or in this case roughly 260 square feet. Section 249.60 limits the operation of the type 20. Valencia Whole Foods shall not sell a single beer or malt beverage in a container size of 24 oz. or smaller, or sell any malt beverage with an alcohol content greater than 5.7% by volume; or any wine in a container size less than 375 ml or 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.

- C. **Hours of Operation.** Planning Code Section 762 states that a Conditional Use Authorization is required if business wishes to operate between 2:00 a.m. - 6:00 a.m. as defined by Planning Code Section 102.

The current hours of operation for Valencia Whole Foods are 8 a.m. - 9:00 p.m. every day. No changes are proposed.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies 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 intent of this added operational benefit will not change the overall use or operation of Valencia

Whole Foods as a grocery store. The Type 20 will complement the diverse mix of foods and other goods currently available and help contribute to the continued viability of a Legacy Business and to the overall economic vitality of the immediate neighborhood. The addition of beer and wine sales at the grocery store will not impact traffic or parking in the district as most customers are local and within walking or biking distances from their homes or workplaces.

The Mission Alcohol Beverage Special Use district further limits the operation of the Type 20 liquor license. Valencia Whole Foods shall not sell a single beer or malt beverage in a container size of 24 oz. or smaller, or sell any malt beverage with an alcohol content greater than 5.7% by volume; or any wine in a container size less than 375 ml or 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.

- 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:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

No changes are proposed to the approximately 1,700-square-foot ground-floor commercial space. The site, located on a corner, is well suited for small-scale pedestrian-oriented business, such as General Grocery.

- (2) 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 Planning Code does not require parking or loading for a 1,700 square-foot grocery store; however, several yellow zones exist immediately adjacent to the subject site. The proposed addition of the type 20 Liquor license is intended to meet the needs of the immediate neighborhood and should not generate additional amounts of vehicular trips from the immediate neighborhood or citywide. Valencia Whole Foods mainly serves the immediate residents and people employed in the neighborhood.

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The addition of this operational permit is not expected to generate noxious or offensive emissions of any type.

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

The project does not require any additional tenant improvements.

- 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 all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

- D. That use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

The proposed project is consistent with the stated purposes of Valencia Street NCT District and the Mission Alcohol Beverage Special Use District in that the intended will provide a compatible convenience service for the immediately surrounding neighborhoods during business hours.

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

COMMERCE & INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 4

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY, THE EQUITABLE DISTRIBUTION OF INFRASTRUCTURE, AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

Policy 4.1

Maintain and enhance a favorable business climate in the city.

Policy 4.2

Promote and attract those economic activities with potential benefit to the City.

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.

Policy 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship and which are responsive to economic and technological innovation in the marketplace and society.

Policy 6.4

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

MISSION AREA PLAN

Land Use
Objectives and Policies

OBJECTIVE 1.3

INSTITUTE FLEXIBLE “LEGAL NONCONFORMING USE” PROVISIONS TO ENSURE A CONTINUED MIX OF USES IN THE MISSION.

OBJECTIVE 1.8

MAINTAIN AND STRENGTHEN THE MISSION’S NEIGHBORHOOD COMMERCIAL AREAS.

Policy 1.8.2

Ensure that the Mission’s neighborhood commercial districts continue to serve the needs of residents, including immigrant and low-income households.

The proposal will add a liquor license Type 20 to the existing retail Grocery Store (dba. Valencia Whole Foods) of approximately 1,700 square feet in size located on the ground floor of a mixed use building. Valencia Whole Foods family-owned Legacy Business that has proudly been a part of the vibrant Mission District for over 33 years, serving the community with care and dedication. The Project will provide an additional desirable good(s) to its customers while meeting the intended of the Mission Alcoholic Beverage Special Use District to restrict disruptive alcohol-related uses. The Project would provide goods that are desirable for the neighborhood and attract and help retain existing customers in the vicinity. Though the overall Mission District is known for offering great diversity in commercial goods and services, certain geographies are lacking Grocery Stores that offer high-quality diverse products. The Type 20 will complement the diverse mix of foods and other goods currently available and help contribute to the continued viability of a Legacy Business and to the overall economic vitality of the immediate neighborhood.

9. **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 complies 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 of such businesses be enhanced.

The project proposes to add a type 20 liquor license to the existing retail Grocery Store, dba Valencia Whole Foods, a registered legacy business. The business has been at its current location for over three decades and is a family-owned and operated business. . Valencia Whole Foods is committed to both their customers and employees providing equal employment opportunities and supporting the community by providing jobs to help foster a healthy and inclusive work environment. Valencia Whole Foods currently has a staff of ten employees and values it’s employees and understands their significance in creating a thriving business. The intent is to enhance the shopping experience and does not intend to change the nature of the existing Grocery Store.

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

Valencia Whole Foods, a registered Legacy Business, has been operating in the Mission District for over three decades providing high-quality foods to the immediate residents of the area. As a corner grocery store, they have become a trusted gathering place for the community. As an existing neighborhood-serving business its ongoing operation will support the conservation of the neighborhood character.

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

The Project does not impact housing. The project adds an operational permit to an existing commercial use.

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

The proposed addition of the Type 20 Liquor license is intended to meet the needs of the immediate neighborhood and is not expected to generate additional amounts of vehicular trips from the immediate neighborhood or citywide. Valencia Whole Foods principally serves the immediate residents and people employed in the district.

- 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 does not include commercial office development. Valencia Whole foods is a registered legacy business serving the same community for well over thirty years.

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

The project is not proposing any alterations to the existing building and will not impact the preparedness for an earthquake.

- G. That landmarks and historic buildings be preserved.

Currently, the Project Site does not contain any City Landmarks or historic buildings.

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

The project is not proposing any alterations to the existing building.

10. 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.
11. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, 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. 2023-002340CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated June 2014, and stamped “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. 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.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on July 27, 2023.

Laura Lynch

Laura Lynch
Acting Commission Secretary

AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner

NAYS: None

ABSENT: Moore

ADOPTED: July 27, 2023

EXHIBIT A

Authorization

This authorization is for a conditional use to allow a transfer of a Type 20 (Off-sale Beer and Wine) liquor license from 2539 Mission, (d.b.a Evergreen Market Street) to a General Grocery (d.b.a. Valencia Whole Foods) located at 999 Valencia Street, Block 3609, and Lot 026 pursuant to Planning Code Section(s) 249.60 and 303.1 within the Valencia Street Neighborhood Commercial Transit District, The Mission Alcoholic Beverage Special Use District and a 55-X Height and Bulk District; in general conformance with plans, dated June, 2014, and stamped “EXHIBIT B” included in the docket for Record No. **2023-002340CUA** and subject to conditions of approval reviewed and approved by the Commission on July 27, 2023 under Motion No. 21370. 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 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 27, 2023** under Motion No. 21370.

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. “Project Sponsor” shall include any subsequent responsible party.

Changes and Modifications

Significant changes to the operation of the Liquor License 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.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The California Alcoholic Beverage Control shall have initiated the transfer of the Liquor License type 20 (Off-Sale Beer and Wine), in conformity with the time frames governed under California State law for liquor license transfers or this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 2. Expiration and Renewal.** Should a liquor license transfer be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 3. Diligent Pursuit.** Once the Planning Commission has approved the Conditional Use request, the applicant must commence within the timeframe governed by the "California Alcoholic Beverage Control" for the transfer of the liquor license and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 4. Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 5. Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 6. Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the date that the Planning Code text amendment(s) and/or Zoning Map amendment(s) become effective. The California Alcoholic beverage Control shall have issued a Liquor License for the project and /or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 7. Additional Project Authorization.** The Project Sponsor shall obtain operating licenses from Alcoholic Beverage Control prior to commencing any Liquor Sales, wine tastings or other activities per Planning Code Section 202.2(a)(6) and Planning Code Interpretations.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Monitoring – After Entitlement

- 8. Community Liaison.** Prior to the actual issuance of the Alcoholic Beverage License type 20 by the State of California, 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 and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups 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 628.652.7463, www.sfplanning.org

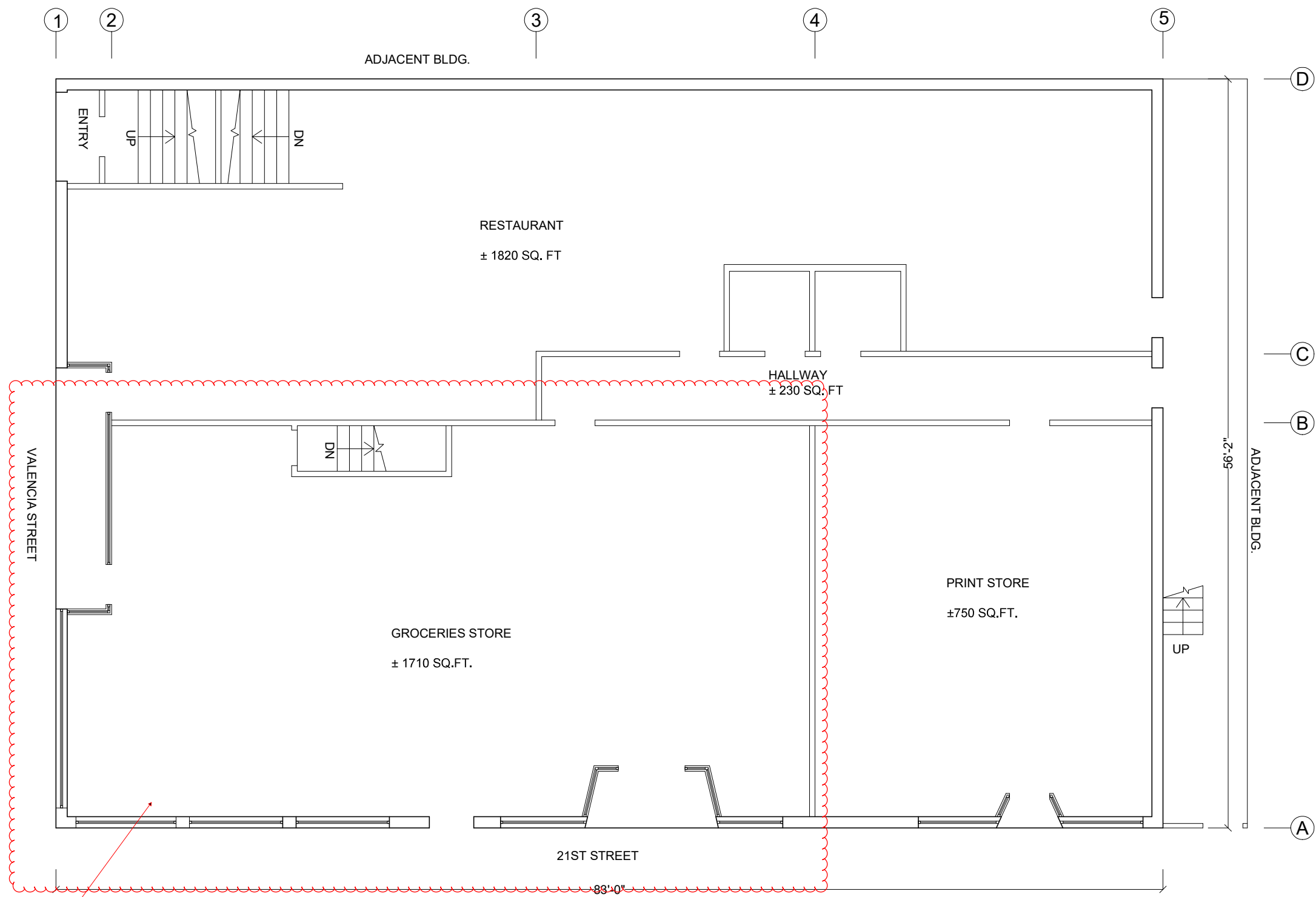
- 9. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions 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 628.652.7463, www.sfplanning.org

- 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 628.652.7463, www.sfplanning.org

991 VALENCIA ST.
SAN FRANCISCO
CALIFORNIA 94110



Valencia Whole Foods 999 Valencia Street



1ST FLOOR PLAN

Job: 2014-C-
Date: Jun-2014
Scale: 1/4" = 1' - 0"
Revision: 1

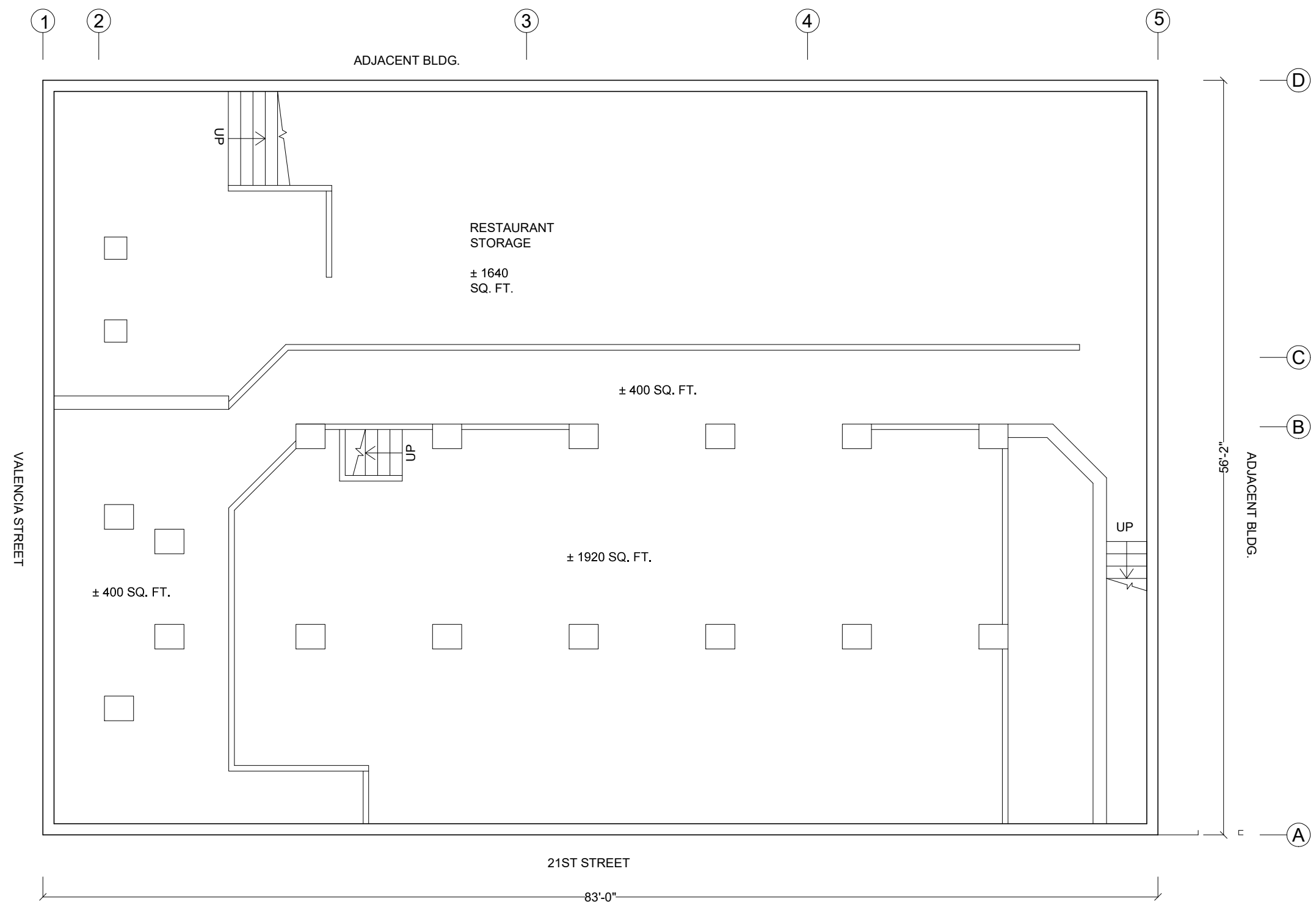
1ST FLOOR PLAN

991 VALENCIA ST.
 SAN FRANCISCO
 CALIFORNIA 94114



BASEMENT PLAN

Job: 2014-C-
 Date: Jun-2014
 Scale: 1/8" = 1'-0"
 Revision: 1



BASEMENT PLAN

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2023 AUG 24 AM 8:52

Public Convenience or Necessity Determination

Jason Nazzal
President, CEO & Secretary
Valencia Whole Foods
999 Valencia St. San Francisco CA 94110
415-285-0231
Valenciawholefoods999@gmail.com

BY _____



8/18/2023

Office of the Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
(415) 554-5184

Dear Members of the Board of Supervisors,

I am writing you today to formally request a determination of an existing liquor license type 20 transfer from **Ish's Community Market Corp** located on 2539 Mission St. San Francisco, CA 94110 to **Valencia Whole Foods** located at 999 Valencia St, San Francisco CA 94110. The hours of operation for Valencia Whole Foods is Monday-Sunday from 8:00 am to 9:00 pm. We are a family-owned business that is passionate about food and our community. We have taken the necessary steps to comply with the regulatory requirements and have diligently followed the appropriate procedures requested by the city and the Alcoholic Beverage Control (ABC) department to provide all required materials. Below you will find a summary of actions we have taken thus far:

1. **Project & CUA Applications with the San Francisco Planning Department:** On 4/4/2023, I submitted a project application and conditional use permit application in accordance with the local and state regulations governing liquor license transfers. A notice to the public was sent on the first week of July 2023 and the CUA posters were posted on the Valencia Whole Foods business on July 2, 2023. An inspector from the planning department verified the posting and signed off on the declaration of posting. I was then scheduled for a hearing with the SF planning board of commissioners.
2. **Planning Hearing and Approval:** On July 27, 2023 at 12 pm I attended a public hearing with the San Francisco Planning Board of Commissioners, during which I received final approval from the City of San Francisco Board of Commissioners for the Type 20, Liquor license transfer.
3. **ABC application Submission:** I submitted the Alcohol Beverage Control application on August 2, 2023, in-person at 33 Montgomery St. San Francisco CA, 94104. I provided all the required information and supporting documentation. I posted the alcohol beverage notification poster at our premises as mandated by the ABC on August 5, 2023. In addition, I have completed all live scans for parties involved, submitted stock certificates, meeting minutes, paid the fee and sent

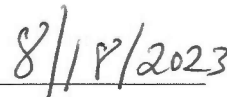
physical notifications to all residents within a 500-foot radius of our premises providing them with the necessary information about the liquor license transfer.

4. Valencia Whole Foods is dedicated to providing a comprehensive shopping experience for our community, public and everyone around us. With the inclusion of a liquor license, we aim to enhance convenience by enabling our customers to purchase all their groceries in one location when shopping at our store. We are a family-owned business that is considerate of the community and aims to make this a safe environment to buy all your groceries plus beer and wine. We are passionate about their food selections and promote a warm and safe environment for all to shop at. We pride ourselves in educating our customers and really knowing our products. By offering a wide range of products, including alcoholic beverages, we will continue to foster a sense of community and create a gathering space where customers can share knowledge about food recipes and beverage selections. We believe in an environment where any customer, anywhere can come into our store and engage in conversations while exploring the diverse culinary offerings available. Not only would it enhance positive social experience it will support the business and stimulate economic growth, creating more jobs and contributing to the vibrancy of the neighborhood. Along with serving our community we also ensure to support the tourist visiting our neighborhood and provide them with a selection that meets their needs while away from home, which will help promote the city as a desirable destination.

Thank you for your time and consideration. Should you require any additional information or have any questions, please contact me directly.

X 

Jason Nazzal



Date

Department of Alcoholic Beverage Control
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE
 ABC 211 (6/99)

State of California

Jamal Ahmed

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

File Number: 650575 (570) 575-1382
 Receipt Number: 2823023
 Geographical Code: 3800
 Copies Mailed Date: August 2, 2023
 Issued Date:

DISTRICT SERVING LOCATION: SAN FRANCISCO
 First Owner: VALENCIA WF INC
 Name of Business: VALENCIA WHOLE FOODS
 Location of Business: 999 VALENCIA ST
 SAN FRANCISCO, CA 94110-2320
 County: SAN FRANCISCO
 Is Premises inside city limits: Yes
 Mailing Address: (If different from premises address)
 Type of license(s): 20
 Dropping Partner: Yes No
 Transferor's license/name: 626359 / ISH'S COMMUNITY MARKET CORP.

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2023 AUG -7 AM 10:26
 BY *[Signature]*

License Type	Transaction Type	Master	Secondary LT And Count		
20 - Off-Sale Beer And Wine	PER/PRM	Y			

License Type	Transaction Description	Fee Code	Dup	Date	Fee
Application Fee	FEDERAL FINGERPRINTS	NA	5	08/02/23	\$120.00
Application Fee	STATE FINGERPRINTS	NA	5	08/02/23	\$195.00
Application Fee	DBL TRF: PREMISES AND PERSON	NA	0	08/02/23	\$990.00
20 - Off-Sale Beer And Wine	ANNUAL FEE	NA	0	08/02/23	\$435.00
Total					\$1,740.00

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**

STATE OF CALIFORNIA County of SAN FRANCISCO Date: August 2, 2023
 Applicant Name(s)
 VALENCIA WF INC