

# REUBEN, JUNIUS & ROSE, LLP

John Kevlin  
jkevin@reubenlaw.com

July 23, 2019

**Delivered Via Messenger**

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

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2019 JUL 23 AM 11:42  
BY AK

**Re: Liquor License “PCN” Request – 399 Geary Street - CVS  
Our File No.: 11397.01**

Dear Ms. Calvillo:

At Mr. John Kevlin’s request, please find enclosed letter regarding a Liquor License “PCN” Request related to the above-referenced matter.

Please feel free to contact Mr. Kevlin at (415) 567-9000 if you have any questions.

Very truly yours,

**REUBEN, JUNIUS & ROSE, LLP**

  
Jennica Dandan  
Legal Assistant

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Legal Assistant

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1 Dr. Carlton B. Goodlett Place, Room 244  
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**Re: Liquor License “PCN” Request – 399 Geary Street - CVS  
Our File No.: 11397.01**

Dear Ms. Cavillo:

Our office represents CVS Health (“CVS”), the project sponsor of a new CVS retail store and pharmacy at 399 Geary Street (the “Project”). On February 21, 2019, CVS was issued a building permit (BPA No. 2019.02.15.3139) for the Project. Buildout is complete and CVS began operation at the site on May 15, 2019.

CVS now seeks a type-21 off-sale general license from the California Department of Alcohol Beverage Control (“ABC”). CVS has filed an application with ABC for a license transfer. The license would be transferred from the Villa Florence Hotel located at 225 Powell Street (previous License No. 47-515548), to the CVS store at 399 Geary Street (new License No. 599706). 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, CVS 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 399 Geary Street.

The Project will establish a CVS retail store and pharmacy at 399 Geary Street, an existing building at the southeast corner of Geary and Mason Streets. The CVS would occupy approximately 4,320 square feet of ground 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 hours of operation are 7 a.m. to 12 a.m. daily.

The CVS will offer a wide variety of convenience goods in the neighborhood. 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,

San Francisco Office  
One Bush Street, Suite 600, San Francisco, CA 94104  
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office  
827 Broadway, 2<sup>nd</sup> Floor, Oakland, CA 94607  
tel: 510-527-5589

www.reubenlaw.com

Angela Calvillo  
Clerk of the Board of Supervisors  
July 23, 2019  
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residents and tourists will have a new store that will provide a convenient, “one-stop” shopping experience.

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 alcohol. 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 alcohol 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.

Considering CVS’s extensive history of alcohol sales in San Francisco, we are also enclosing with this letter a list of proposed conditions to apply to the PCN finding.

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-21 off-sale general license to this CVS location.

Please contact me with any questions you have.

Very truly yours,

**REUBEN, JUNIUS & ROSE, LLP**



John Kevlin

Enclosures

**399 Geary Street Proposed Conditions**

CVS proposes the following conditions be attached to the alcohol license:

1. The hours of operation for the store are currently 7 a.m. to 12 a.m. Customer access to all alcohol will be restricted after 10 p.m. by using any combination of locked cooler cases, gondola covers, and/or physical barricades at the ends of the aisles where the product is located on the sales floor.
2. All liquor bottles will be secured and capped to ensure that an individual must make a purchase using a valid identification in order to avoid delinquent behavior.
3. No more than 5% of the square footage of the premises will be used for the display of alcoholic beverages.
4. No malt beverage shall be sold with an alcoholic content greater than 5.7% by volume.
5. The sale of single beer or malt beverages in quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is prohibited.
6. No beer or malt beverages, wine coolers or beer coolers shall be sold in quantities of less than manufacturer pre-packaged multi-unit quantities of four (4) or more.
7. No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles.
8. Interior security cameras will be installed within the store and concentrated in the area of alcohol products. These cameras will be monitored during store hours by on-site management, CVS regional and corporate operations, and made available to the SFPD for a minimum of 30 days upon request. External cameras will be installed and operated, focused on the perimeter of the store. Output from these cameras will be shared with the SFPD, upon request.
9. Interior store layout for the placement of alcohol products will be designed to allow employees and management to easily monitor activities visually.
10. All checkouts will be equipped with electronic scan detection systems to control the sale of age-related products and to prompt cashiers to require proper identification before a sale is completed.

**Attachment**

**License Information**



CALIFORNIA DEPARTMENT OF

# Alcoholic Beverage Control

[Home](#) | [Licensing](#) | [License Lookup](#) | License Details

## License Details

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**Report Date:** Tuesday, July 23, 2019

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### LICENSE INFORMATION

**License Number:**

515548

**Primary Owner:**

LET IT FLHO LESSEE INC

**Office of Application:**

24 - SAN FRANCISCO

### BUSINESS ADDRESS:

225 POWELL ST , SAN FRANCISCO, CA, 94102

**County:**

SAN FRANCISCO

**Census Tract:**

0123.01

---

## LICENSEE INFORMATION

**Licensee:**

LET IT FLHO LESSEE INC

**Company Information**

OFFICER: FULLER, KENNETH GRANT (SECRETARY/ASST SEC)

OFFICER: FULLER, KENNETH GRANT (DIRECTOR)

OFFICER: FULLER, KENNETH GRANT (CHIEF FINANCIAL OFFICER)

OFFICER: YOUNG JR, ALFRED LEE (PRESIDENT)

OFFICER: YOUNG JR, ALFRED LEE (DIRECTOR)

OFFICER: GUAM, IAN MARK (VICE PRESIDENT/SECRETARY)

OFFICER: GUAM, IAN MARK (TREASURER)

OFFICER: GUAM, IAN MARK (DIRECTOR)

OFFICER: HAGAN, ROBERT KENNETH (VICE PRESIDENT)

OFFICER: HAGAN, ROBERT KENNETH (SECRETARY/ASST SEC)

---

## LICENSE TYPES

### 21 - OFF-SALE GENERAL

**License Type Status:**

SURRENDERED

**Status Date:**

04-APR-2018

**Term:**

12 Month(s)

**Original Issue Date:**

09-FEB-2012

**Expiration Date:**

31-JAN-2020

**Master:**

Y

**Duplicate:**

0

**Fee Code:**

P40

**Transfers:**

From License Number: [21-450182](#)

Transferred On: 09-FEB-2012

To License Number: [21-599706](#)

**Conditions:**

None

**47 - ON-SALE GENERAL EATING PLACE**

**License Type Status:**

ACTIVE

**Status Date:**

22-NOV-2017

**Term:**

12 Month(s)

**Original Issue Date:**

09-FEB-2012

**Expiration Date:**

31-JAN-2020

**Master:**

Y

**Duplicate:**

0

**Fee Code:**

P40

**Transfers:**

From License Number: [47-450182](#)

Transferred On: 09-FEB-2012

**Conditions:**

None

**47 - ON-SALE GENERAL EATING PLACE**

**License Type Status:**

ACTIVE

**Status Date:**

22-APR-2016

**Term:**

12 Month(s)

**Original Issue Date:**

09-FEB-2012

**Expiration Date:**

31-JAN-2020

**Master:**

N

**Duplicate:**

1

**Fee Code:**

P40

**Transfers:**

From License Number: [47-450182](#)

Transferred On: 09-FEB-2012

**Conditions:**

None

**58 - CATERER PERMIT**

**License Type Status:**

ACTIVE

**Status Date:**

22-APR-2016

**Term:**

12 Month(s)

**Original Issue Date:**

09-FEB-2012

**Expiration Date:**

31-JAN-2020

**Master:**

N

**Duplicate:**

1

**Fee Code:**

P40

**Transfers:**

From License Number: [47-450182](#)

Transferred On: 09-FEB-2012

**Conditions:**

None

**66 - CONTROLLED ACCESS CABINET PERMIT**

**License Type Status:**

ACTIVE

**Status Date:**

22-APR-2016

**Term:**

12 Month(s)

**Original Issue Date:**

09-FEB-2012

**Expiration Date:**

31-JAN-2020

**Master:**

N

**Duplicate:**

1

**Fee Code:**

P40

**Transfers:**

From License Number: [47-450182](#)

Transferred On: 09-FEB-2012

**Conditions:**

None

---

**OPERATING RESTRICTIONS:**

\*Operating Restrictions exist. For more information, please see our [Guidelines for Access to Records](#).

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**DISCIPLINARY ACTION:**

No Active Disciplinary Action found

---

**DISCIPLINARY HISTORY:**

No Disciplinary History found.

---

**HOLDS:**

No Active Holds found

**ESCROWS:**

No Escrow found

For definition of codes, view our [glossary](#)

**CAMPAIGNS**

- Register to Vote
- Save Our Water
- Flex Alert
- Amber Alert

**MEDIA**

- Industry Advisories
- News Releases
- Videos

**SUPPORT**

- Technical Support
- Sitemap
- Customer Survey
- File a Complaint
- Web Accessibility Certification

**EXTERNAL**

- Office of Governor
- BCSH
- Office of Traffic Safety
- TTB

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**24 Hour Trace Hotline**

For law enforcement only

**LEAD**

Licensee/Server Training



CALIFORNIA DEPARTMENT OF

# Alcoholic Beverage Control

[Home](#) : [Licensing](#) : [License Lookup](#) : License Details

## License Details

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**Report Date:** Tuesday, July 23, 2019

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### LICENSE INFORMATION

**License Number:**

599706

**Primary Owner:**

GARFIELD BEACH CVS LLC

**Office of Application:**

24 - SAN FRANCISCO

### BUSINESS NAME:

CVS PHARMACY #104195

### BUSINESS ADDRESS:

399 GEARY ST STE B, SAN FRANCISCO, CA, 94102

**County:**

SAN FRANCISCO

**Census Tract:**

0123.01

## LICENSEE INFORMATION

**Licensee:**

LONGS DRUG STORES CALIFORNIA LLC

**Company Information**

OFFICER: LONGS DRUG STORES LLC (MEMBER)

OFFICER: MOFFATT, THOMAS (PRESIDENT)

OFFICER: CIMBRON, LINDA (SECRETARY/ASST SEC)

OFFICER: DESOUSA, KIMBERLY MARIE (SECRETARY/ASST SEC)

OFFICER: LUKER, MELANIE (SECRETARY/ASST SEC)

OFFICER: BEAULIEU, SHEELAGH MARY (TREASURER)

OFFICER: CLARK, JEFFREY EDWARD (TREASURER)

OFFICER: DENALE, CAROL ANN (VICE PRESIDENT/TREASURER)

MEMBER: LONGS DRUG STORES LLC

**Licensee:**

GARFIELD BEACH CVS LLC

**Company Information**

OFFICER: CVS PHARMACY INC (MANAGING MEMBER)

OFFICER: MOFFATT, THOMAS (PRESIDENT)

OFFICER: CIMBRON, LINDA (SECRETARY/ASST SEC)

OFFICER: DESOUSA, KIMBERLY MARIE (SECRETARY/ASST SEC)

OFFICER: LUKER, MELANIE (SECRETARY/ASST SEC)

OFFICER: BEAULIEU, SHEELAGH MARY (TREASURER)

OFFICER: DENALE, CAROL ANN (VICE PRESIDENT/TREASURER)

MEMBER: CVS PHARMACY INC

## LICENSE TYPES

### 21 - OFF-SALE GENERAL

**License Type Status:**

PENDING

**Status Date:**

03-OCT-2018

**Term:**

12 Month(s)

**Original Issue Date:**

**Expiration Date:**

**Master:**

Y

**Duplicate:**

**Fee Code:**

P40

**Transfers:**

From License Number: [47-515548](#)

**Conditions:**

None

---

### OPERATING RESTRICTIONS:

No Operating Restrictions found

---

### DISCIPLINARY ACTION:

No Active Disciplinary Action found

---

## DISCIPLINARY HISTORY:

No Disciplinary History found.

---

## HOLDS:

**Hold Type:**

FORM 220

**Hold Date:**

03-OCT-2018

**Hold Type:**

H & L PROTEST

**Hold Date:**

05-NOV-2018

## ESCROWS:

CALIFORNIA BUSINESS ESCROW INC, 1748 MAIN ST ESCALON,CALIFORNIA 95320

For definition of codes, view our [glossary](#)

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### CAMPAIGNS

Register to Vote

Save Our Water

Flex Alert

Amber Alert

### SUPPORT

Technical Support

Sitemap

Customer Survey

### MEDIA

Industry Advisories

News Releases

Videos

### EXTERNAL

Office of Governor

BCSH

Office of Traffic Safety

File a Complaint

TTB

Web Accessibility Certification



**24 Hour Trace Hotline**

For law enforcement only



**LEAD**

Licensee/Server Training