

**From:** [Carroll, John \(BOS\)](#)  
**To:** [dan@djklawgroup.com](mailto:dan@djklawgroup.com); [CPC.Referrals](#); [Salmonson, Joel \(POL\)](#)  
**Cc:** [Alabanza, Analyn@ABC](#); [amarjit.tamber@abc.ca.gov](mailto:amarjit.tamber@abc.ca.gov); [Wong, Joanne \(POL\)](#); [Jonas, Stephen \(POL\)](#); [Donovan, Dominica \(BOS\)](#); [Atoyebi, Tolu \(CPC\)](#); [Smeallie, Kyle \(BOS\)](#); [Hernandez, Melissa G \(BOS\)](#); [Bolen, Jennifer M. \(BOS\)](#); [Kilgore, Preston \(BOS\)](#); [VanHouten, Ben \(ECN\)](#)  
**Subject:** Liquor License Transfer - 555 Fulton Street - Trader Joe's Company - BOS File No. 240103  
**Date:** Friday, February 2, 2024 5:11:00 PM  
**Attachments:** [image001.png](#)

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Greetings,

The office of the Clerk of the Board has received a letter requesting public convenience or necessity findings for a liquor license transfer. I'm referring this matter to you for response via the following linked document:

[Referral Letter - Planning and Police Departments – February 2, 2024](#)

You may review the entire matter on our [Legislative Research Center](#) by following the link below:

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[Board of Supervisors File No. 240103](#)

After receiving review from the Planning and Police Departments, 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 consideration in the license matter.

**The Public Safety and Neighborhood Services Committee will tentatively schedule this hearing for a regular meeting in March of 2024.**

**I request the Planning Department's response before February 16, 2024. Please confirm receipt of this message.**

You may review the fact sheet for public convenience or necessity requests from the San Francisco Board of Supervisors via the following link:

[Liquor License Public Convenience or Necessity Request](#)

Thanks for the review.

**John Carroll**

**Assistant Clerk**

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415)554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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: \_\_\_\_\_  
Phone No. \_\_\_\_\_

**DATE:** February 2, 2024

**AP Block/Lot Nos.:** 0794/059

**Zoning:** \_\_\_\_\_

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

**Quad:** \_\_\_\_\_

**Record No.:** \_\_\_\_\_

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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 March of 2024.

**PLEASE EMAIL YOUR RESPONSE by February 16, 2024, to:**

John Carroll, Public Safety and Neighborhood Services Committee Clerk.

[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org) ~ (415) 554-4445

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**Applicant name:** Trader Joe's Company

**Business name:** Trader Joe's Number 226

**Application address:** 555 Fulton Street

**Applicant contact info:** Dan Kramer Law Group  
350 Sansome Street, Suite 400  
San Francisco, CA 94104  
Direct: (415) 795-2327  
Fax: (415) 795-2344  
Email: [dan@djklawgroup.com](mailto:dan@djklawgroup.com)  
[www.djklawgroup.com](http://www.djklawgroup.com)

**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.)

January 22, 2024

**Via Email and U.S. Mail**

[John.Carroll@sfgov.org]

San Francisco Board of Supervisors  
Public Safety and Neighborhood Services Committee  
1 Dr. Carlton B. Goodlet Place, Room 244  
San Francisco, CA 94102  
Attn: John Carroll, Committee Clerk

Re: Request for Determination of Public Convenience or Necessity;  
Trader Joe's Store to be located at 555 Fulton Street

Dear Members of the Public Safety and Neighborhood Services Committee:

On January 5, 2024, Trader Joe's Company ("Trader Joe's") applied for a Type-21 license (see application no. 655669) for its store to be located at 555 Fulton Street, San Francisco, CA (the "Store"). The ABC posting notice was posted on January 16, 2024. We have been informed by the ABC that a determination of public convenience or necessity by the Board of Supervisors is a condition to the ABC's issuance of this license. Trader Joe's respectfully requests that the Board determine that the issuance of a Type-21 license to this Store will serve public convenience or necessity.

**I. Project Description.**

Located at 555 Fulton Street, the Store will provide a service and convenience to thousands of visitors and residents who frequent the area each day. The Store is located in the Western Addition Neighborhood adjacent to Hayes Valley and one block west of the Downtown/Civic Center area. The Store will provide a wide variety of products that will enhance the diverse retail options in the neighborhood.

Trader Joe's has been operating nationwide for almost 70 years, with six stores currently operating in San Francisco. It offers a complete selection of goods, including fresh meats and fish, produce, dry goods, floral, wellness products, and other items. Trader Joe's specializes in unique items that are often unavailable at other stores,

providing the communities in which it is located with high-quality commodities and outstanding service.

In addition to the offerings above, the Store also intends to carry a specialty selection of beer, wine and spirits, many of which are unique to Trader Joe's and not available in other retail stores in the area. Trader Joe's will offer affordable wines, domestic and import beers, and an array of spirits typically found at Trader Joe's stores.

While the ability to sell a full range of alcoholic beverages at the Store is a critical component of the Trader Joe's business model, the sale of alcoholic beverages will be ancillary to the Store's primary use as a grocery store and general retailer. Trader Joe's estimates that less than 10% of the Store's shelf space will be devoted to the display of alcohol. It is also estimated that the sale of alcohol at this Store will amount to less than 10% of total sales. The Store's hours of operation will be from 8:00 a.m. to 9:00pm daily.

**II. The Sale of Alcohol at the Store will serve Public Convenience or Necessity.**

Trader Joe's is committed to being a good community partner. It will provide a unique product offering to its customers without negatively impacting the surrounding area. The neighborhood is home to several other businesses that sell alcohol, however the selection at these businesses is quite different than the products that would be available at the Store.

The product offerings will serve to add convenience to the thousands of business people, local shoppers and tourists that pass through the area each day. By offering a wide variety of goods including beer, wine and spirits, Trader Joe's will provide a "one-stop" shopping experience for its customers. This "will result in increased efficiency for shoppers, and is consistent with what today's consumers expect from a specialty grocery store and general merchandiser such as Trader Joe's.

**III. The Issuance of a Type-21 License to the Store is Consistent with the Zoning Code and Adjacent Uses.**

The Store is located in a zone designated as Hayes-Gough Neighborhood Commercial Transit District (NCT), Residential Transit Oriented District (RTO), 40-50-X Height and Bulk District, and the Fulton Street Grocery Store Special Use District. The use is consistent with the intent of each of these zoning districts. The sale of alcohol for off-premises consumption is permitted with a Conditional Use Authorization, which was approved in 2021. The use fulfills the purpose of the Fulton Street Grocery Store

SUD, which intends to enable a neighborhood-serving grocery store in a location accessible to Hayes Valley and Western Addition neighborhoods.

**IV. The Issuance of a License to the Store will Not Create a Burden on the Police Department.**

The Store is located in census tract 0162.00. Based on information provided by the ABC, the number of active off-sale liquor licenses in this census tract results in an “undue concentration” (as defined by Business & Professions Code § 23958.4). However, due to the methodology by which “undue concentration” is determined, almost every census tract in California located in a heavily commercial/retail area with a low population density – such as census tract 0162.00 – has “undue concentration.” Therefore, Trader Joe’s respectfully requests that you consider the nature of the census tract when addressing the issue of “undue concentration.”

The nature and style of the Store and its customers are such that the sale of alcoholic beverages will neither add to, nor create problems for local law enforcement. There will be a number of safeguards in place to ensure alcohol is sold in a safe and responsible manner and that the sale of alcohol does not add to the crime rate, including extensive staff training, security cameras, product placement, and age verification systems.

**V. The issuance of a License to the Store will Not have a Detrimental Impact on the Surrounding Area.**

In an effort to be consistent with both the City’s Good Neighbor policies and the conditions required by the SFPD, Trader Joe’s will take preemptive measures to ensure that alcoholic beverages will be sold in a highly responsible and conscientious manner. Detailed alcohol sales policies and procedures will be implemented and strictly enforced. Trader Joe’s alcohol sales training focuses on recognizing and preventing any sale of alcohol that may be detrimental to the public welfare (i.e., the sale of alcohol to minors and intoxicated persons). For security purposes, the alcohol selection will not be located near any exit area, thereby discouraging theft.

**Conclusion.**

The issuance of a Type-21 license to the Store will enable Trader Joe’s to provide the neighborhood with a convenient and unique shopping experience currently

**TRADER JOE'S COMPANY**

CORPORATE OFFICE  
P.O. BOX 5049 • 800 SOUTH SHAMROCK AVE.  
MONROVIA, CA 91016-6346  
(626) 599-3700 • FAX (626) 301-4483

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unavailable to residents and visitors to the area. Trader Joe's is committed to providing this experience in a safe and conscientious manner, with minimal disruption to the surrounding neighborhood.

For these reasons, Trader Joe's respectfully requests that the Board determine that public convenience or necessity will be served by the issuance of a Type-21 license to the Store.

Thank you in advance for your consideration. Please contact our attorney, Dan Kramer, at (415) 795-2327 or [dan@djklawgroup.com](mailto:dan@djklawgroup.com) if you need any further information or documentation. All correspondence relating to this application can be sent to:

Dan Kramer Law Group  
Attn: Dan Kramer  
350 Sansome St., Suite 400  
San Francisco, California 94104

Sincerely,

TRADER JOE'S COMPANY



Mitchell Nadler, VP & CFO

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

State of California  
*Dan Kramer*

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

File Number: **655669** *(415) 795-2327*  
 Receipt Number: **2861161**  
 Geographical Code: **3800**  
 Copies Mailed Date: **January 9, 2024**  
 Issued Date:

DISTRICT SERVING LOCATION: **SAN FRANCISCO**  
 First Owner: **TRADER JOES COMPANY**  
 Name of Business: **TRADER JOE'S STORE 226**  
 Location of Business: **555 FULTON ST  
 SAN FRANCISCO, CA 94102-4278**  
 County: **SAN FRANCISCO**  
 Is Premises inside city limits: **Yes** Census Tract: **0162.00**  
 Mailing Address:(If different from premises address): **317 E CARSON ST  
 STE 333  
 PITTSBURGH, PA 15219**  
 Type of license(s): **21** Dropping Partner: Yes  No   
 Transferor's license/name: **619261 / ALBECO INC**

License Type	Transaction Type	Master	Secondary LT And Count		
21 - Off-Sale General	PER/PRM	Y			

License Type	Transaction Description	Fee Code	Dup	Date	Fee
Application Fee	DBL TRF: PREMISES AND PERSON	NA	0	01/09/24	\$1,470.00
21 - Off-Sale General	ANNUAL FEE	NA	0	01/09/24	\$949.00
Total					\$2,419.00

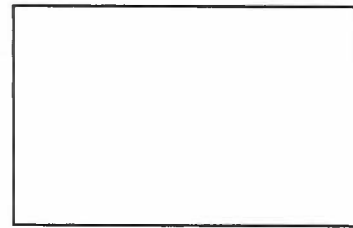
Have you ever been convicted of a felony? **No**  
 Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? **No**

STATE OF CALIFORNIA County of SAN FRANCISCO Date: January 5, 2024  
 Applicant Name(s)  
 TRADER JOES COMPANY

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2024 JAN 16 AM 9:27  
 BY *QIB*

## Introduction Form

*(by a Member of the Board of Supervisors or the Mayor)*



I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- 2. Request for next printed agenda (For Adoption Without Committee Reference)  
*(Routine, non-controversial and/or commendatory matters only)*
- 3. Request for Hearing on a subject matter at Committee
- 4. Request for Letter beginning with "Supervisor \_\_\_\_\_ inquiries..."
- 5. City Attorney Request
- 6. Call File No. \_\_\_\_\_ from Committee.
- 7. Budget and Legislative Analyst Request (attached written Motion)
- 8. Substitute Legislation File No. \_\_\_\_\_
- 9. Reactivate File No. \_\_\_\_\_
- 10. Topic submitted for Mayoral Appearance before the Board on \_\_\_\_\_

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- Small Business Commission     Youth Commission     Ethics Commission
- Planning Commission     Building Inspection Commission     Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- Yes                       No

*(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)*

Sponsor(s):

Clerk of the Board

Subject:

Liquor License Transfer - 555 Fulton Street - Trader Joe's Company

Long Title or text listed:

Hearing to consider that the person-to-person, premises-to-premises transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to the Trader Joe's Company, doing business as Trader Joe's Store 226, located at 555 Fulton Street (District 5), will serve the public convenience or necessity of the City and County of San Francisco.

Signature of Sponsoring Supervisor:

  
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