

1 [Liquor License Transfer – 3132 Clement Street]

2

3 **Resolution determining that the transfer of a Type 20 off-sale beer and wine**
4 **license from 612 Kearny Street to 3132 Clement Street (District 1), to Garfield**
5 **Beach CVS LLC, dba CVS Pharmacy, will serve the public convenience or**
6 **necessity of the people of the City and County of San Francisco, in accordance**
7 **with Section 23958.4 of the California Business and Professions Code, with**
8 **conditions.**

9

10 WHEREAS, Garfield Beach CVS LLC is seeking the transfer of a Type 20 off-
11 sale beer and wine license from 612 Kearny Street to 3132 Clement Street for CVS
12 Pharmacy; and,

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

15 WHEREAS, The Police Department recommends that the liquor license
16 application be approved with conditions; now, therefore, be it

17 RESOLVED, That in accordance with Section 23958.4 of the California Business
18 and Professions Code, the Board of Supervisors of the City and County of San
19 Francisco hereby determines for the foregoing reasons that the transfer of a Type 20
20 off-sale beer and wine license to Garfield Beach CVS LLC, for CVS Pharmacy, will
21 serve the public convenience or necessity of the people of the City and County of San
22 Francisco.

23 Conditions: (1) Sales of alcoholic beverages shall be permitted only between the
24 hours of 10:00 a.m. to 10:00 p.m. daily. (2) No more than 5% of the square footage of
25 the premises will be used for the display of alcoholic beverages. (3) No noise shall be

1 audible beyond the area under the control of the licensee. (4) The petitioner shall be
2 responsible for maintaining free of litter the area adjacent to the premises over which
3 they have control. (5) The exterior of the premises shall be equipped with lighting of
4 sufficient power to illuminate and make easily discernible the appearance and conduct
5 of all persons on or about the premises. Additionally, the position of such lighting shall
6 not disturb the normal privacy and use of any neighboring residences. (6) Loitering
7 (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is
8 prohibited on the parking lot, sidewalks or property adjacent to the licensed premises
9 under the control of the licensee as depicted on ABC-257. (7) No person under the age
10 of 21 shall sell or deliver alcoholic beverages. (8) No malt beverage shall be sold with
11 an alcoholic content greater than 5.7% by volume. (9) The sale of beer or malt
12 beverages in quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is
13 prohibited. (10) No beer or malt beverages shall be sold in quantities of less than
14 manufacturer pre-packaged six (6) packs per sale with the exception of wine-coolers
15 and beer coolers, which must be sold in manufacturer pre-packaged multi-unit
16 quantities of four (4) or more. (11) No wine shall be sold with an alcoholic content of
17 great than 15% by volume except for "Dinner Wines" which have been aged two years
18 or more and maintained in corded bottles. (12) Wine shall not be sold in bottles or
19 containers smaller than 750 ml. (13) The licensee shall maintain a digital electronic
20 surveillance system in the area where alcoholic beverages are on display. Said data
21 shall be maintained for a period of no less than 30 days and made available to law
22 enforcement upon request.

23

24

25



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 110200

Date Passed: May 03, 2011

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 612 Kearny Street to 3132 Clement Street (District 1), to Garfield Beach CVS LLC, dba CVS Pharmacy, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

April 11, 2011 City Operations and Neighborhood Services Committee - CONTINUED

April 25, 2011 City Operations and Neighborhood Services Committee - PREPARED IN COMMITTEE AS A RESOLUTION APPROVING THE REQUEST WITH CONDITIONS

April 25, 2011 City Operations and Neighborhood Services Committee - RECOMMENDED

May 03, 2011 Board of Supervisors - ADOPTED

Ayes: 10 - Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

Noes: 1 - Avalos

File No. 110200

I hereby certify that the foregoing Resolution was ADOPTED on 5/3/2011 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Edwin Lee

5/5/11

Date Approved