

**LIQUOR LICENSE
PUBLIC CONVENIENCE OR
NECESSITY REFERRAL**

TO: Planning Department
Phone No. (415) 558-6371

DATE: April 3, 2020

TO: Police Department
Inspector Georgia Sawyer
Phone No. (415) 553-9550

AP Block/Lot Nos.: 1401/002
Zoning: NC-S 40X
Quad: NW Planning Team
Record No.: _____

Please submit your response within three weeks; the Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in May of 2020.

PLEASE EMAIL YOUR RESPONSE BY: April 24, 2020, to John Carroll, Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Safeway Inc.

Business name: **Andronico's Community Market**

Application address: 375-32nd Avenue / 3132 Clement
San Francisco, CA 94121

Applicant contact info: Justin Zucker
Reuben Junius & Rose, LLP
izucker@reubenlaw.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: _____

Please print review comments on a trailing page.

POLICE REVIEW: Approval Denial

Please print review comments in a trailing report.

REUBEN, JUNIUS & ROSE, LLP

Justin A. Zucker
jzucker@reubenlaw.com

March 18, 2020

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

**Re: Liquor License Public Convenience or Necessity Request
3132 Clement Street / 375 32nd Avenue – Andronico's Community Market
Our File No.: 8776.03**

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2020 MAR 18 PM 1:06
BY 

Dear Ms. Calvillo:

At your request, please see attached copy of the signed PCN request letter in connection to the above referenced matter. Please note that an electronic copy was also submitted through email.

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

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Justin Zucker

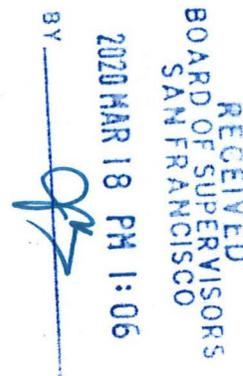
REUBEN, JUNIUS & ROSE, LLP

Justin A. Zucker
jzucker@reubenlaw.com

March 17, 2020

Delivered Via E-Mail & Messenger (john.carroll@sfgov.org)

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



**Re: Liquor License Public Convenience or Necessity Request
3132 Clement Street / 375 32nd Avenue – Andronico’s Community Market
Our File No.: 8776.03**

Dear Ms. Calvillo:

This office represents Safeway Inc. d/b/a Andronico’s Community Market (“Andronico’s”), the project sponsor of a full-service, union grocery store at 3132 Clement Street / 375 32nd Avenue. Andronico’s obtained strong neighborhood support and unanimous approval from the Planning Commission to re-establish a grocery store into the vacant building that previously had been a Fresh & Easy grocery store (the “Project”). The addition of alcohol sales will help ensure the long-term viability of the grocery store and provide the neighborhood with a convenient one-stop shop for food, household supplies, and beverages. On August 26, 2019, Andronico’s filed a building permit to construct Project tenant improvements. Andronico’s expects the market to begin operation in late Summer 2020.

Andronico’s now seeks a type-21 off-sale general license from the California Department of Alcohol Beverage Control (“ABC”). Andronico’s filed an application with ABC for a license transfer of an existing license (previous License No. 21-447392), on November 26, 2019, new License No. 613293. (See **Exhibit A.**) Andronico’s completed the ABC noticing requirements for poster location on December 20, 2019, and letter mailings on January 6, 2020, pursuant to state law. Due to the overconcentration of this type of ABC license in this census tract, with this to be the fifth in the area, Andronico’s must obtain a determination by the Board of Supervisors that the public convenience or necessity will be served by the issuance of this license for operations at 3132 Clement Street / 375 32nd Avenue.

The Project will establish an Andronico’s to be operated by Safeway at 3132 Clement Street / 375 32nd Avenue, an existing building originally constructed as an Albertson’s supermarket

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

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

www.reubenlaw.com

Ms. Angela Calvillo
Clerk of the Board of Supervisors
March 17, 2020
Page 2 of 2

with rooftop and at-grade parking at the northwest corner of Clement Street and 32nd Avenue. The Andronico's would occupy approximately 16,664 square feet of ground floor space, adjacent to an operating CVS drug store. The Andronico's would sell daily needs and desirable goods and services to neighborhood residents, including hygienics (e.g., toilet paper, paper towels, soaps, etc.), fresh and local produce, a full deli and butcher block, expanded organics, and some grab-and-go foods. Adding alcoholic beverages to the offerings of this proposed neighborhood market will serve the public convenience and necessity of the neighborhood by increasing the variety of goods offered at this location. Area workers, residents and tourists will have a new full-service grocery store that will provide a convenient shopping experience. The proposed hours of operation are 6 a.m. to 11 p.m. daily.

Andronico's is committed to providing a much-needed, full-service grocery store to the Outer Richmond and Seacliff neighborhoods. As part of its community outreach during entitlements, Safeway agreed to collaboratively develop with interested neighbors a voluntary "Good Neighbor Plan" to proactively address maintenance and upkeep of the common areas, possible loitering, employee parking, etc. Andronico's tenant improvements also include the installation of new Avigilon CCTV security cameras covering the liquor aisles, checkstands, lobbies, entrances, exits and other areas within the store. Higher resolution cameras will be going in the liquor area. Additionally, a Safeway Asset Protection Manager and Asset Protection Specialist will be assigned to the grocery store, visit the site regularly, and will follow up on any security issues. Although safety or security issues on the property are not anticipated, these measures will ensure that the alcohol sales will not result in any negative impacts on the surrounding neighbors.

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 Andronico's.

Please contact me with any questions you have.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Justin A. Zucker

Enclosure

Exhibit A

License Information

LICENSE INFORMATION

License Number: 613293 **Primary Owner:** SAFEWAY INC **Office of Application:**
24 - SAN FRANCISCO

BUSINESS NAME

ANDRONICO'S COMMUNITY MARKET #3066

BUSINESS ADDRESS

375 32ND AVE , SAN FRANCISCO, CA, 94121

County: SAN FRANCISCO **Census Tract:** 0427.00

LICENSEE INFORMATION

Licensee: SAFEWAY INC

Company Information

OFFICER: MILLER, ROBERT GERALD (CHAIRMAN)

OFFICER: MILLER, ROBERT GERALD (CHIEF EXECUTIVE OFFICER)

OFFICER: MILLER, ROBERT GERALD (DIRECTOR)

OFFICER: DIMOND, ROBERT BARKER (VICE PRESIDENT)

OFFICER: DIMOND, ROBERT BARKER (CHIEF FINANCIAL OFFICER)

OFFICER: DONALD, JAMES LLOYD (PRESIDENT)

OFFICER: DONALD, JAMES LLOYD (CHIEF OPERATING OFFICER)

OFFICER: GORDON, ROBERT ALLEN (DIRECTOR)

OFFICER: GORDON, ROBERT ALLEN (VICE PRESIDENT/SECRETARY)

OFFICER: MORTON, GARY RAY (VICE PRESIDENT/TREASURER)

OFFICER: MORTON, GARY RAY (SECRETARY/ASST SEC)

STOCKHOLDER: ALBERTSONS COMPANIES, INC.

LICENSE TYPES

21 - OFF-SALE GENERAL

License Type Status: PENDING **Status Date:** 05-DEC-2019 **Term:** 12 Month(s)

Original Issue Date: **Expiration Date:** **Master:** Y **Duplicate:** **Fee Code:** P40 **Transfers:**

From License Number: 21-447392

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:** 05-DEC-2019 **Hold Type:** H & L PROTEST **Hold Date:**

16-JAN-2020

ESCROWS:

No Escrow found

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Ms. CHRISTINA MEZA,
L10 license Coordinator
(714) 300-6307

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

File Number: 613293
Receipt Number: 2615716
Geographical Code: 3800
Copies Mailed Date: December 5, 2019
Issued Date:

DISTRICT SERVING LOCATION: SAN FRANCISCO

First Owner: SAFEWAY INC
Name of Business: ANDRONICO'S COMMUNITY MARKET #3066
Location of Business: 375 32ND AVE
SAN FRANCISCO, CA 94121-1738

County: SAN FRANCISCO

Is Premises inside city limits? Yes Census Tract: 0427.00

Mailing Address:(If different from premises address) PO BOX 29096
NATIONAL SERVICES CENTER
MAIL STOP #6515
PHOENIX, AZ 85038-9096

Type of license(s): 21 Dropping Partner: Yes No

Transferor's license/name: 447392 / SAMUJH, PREMILA DEVI

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	12/05/19	\$1,250.00
21 - Off-Sale General	ANNUAL FEE	NA	0	12/05/19	\$814.00
Total					\$2,064.00

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: December 5, 2019

Applicant Name(s)

SAFEWAY INC

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 DEC -9 PM 3:55