

Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Friday, January 13, 2023 5:49 PM
To: CPC.Referrals; Salmonson, Joel (POL)
Cc: Alabanza, Analyn@ABC; amarjit.tamber@abc.ca.gov; Wong, Joanne (POL); Jonas, Stephen (POL); Burch, Percy (BOS); Gallardo, Tracy (BOS); Gee, Natalie (BOS); Lopez-Weaver, Lindsey (BOS); Samonsky, Ella (CPC)
Subject: Liquor License Transfer - 3801-3 Street - Lucky Bayview
Categories: 230022

Greetings,

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

[Referral Letter - Planning and Police Departments – January 13, 2023](#)

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

[Board of Supervisors File No. 230022](#)

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 may tentatively schedule this hearing for a regular meeting in March of 2023.

I request the Planning Department's response before February 3, 2023. 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

(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: _____
Phone No. _____

DATE: January 13, 2023

AP Block/Lot Nos.: 5235/012

Zoning: PDR-2, 65-J

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

Quad: Bayview HP Planning Area

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 the regular meeting of March 9, 2023.

PLEASE EMAIL YOUR RESPONSE by February 3, 2023, to:

John Carroll, Public Safety and Neighborhood Services Committee Clerk.

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

Applicant name: Save Mart Supermarkets LLC

Business name: Lucky Bayview

Application address: 3801-3rd Street
San Francisco, CA 94124

Applicant contact info: Beth Aboulafia
415-362-1215, ext. 104
<mailto:Aboulafia@Beveragelaw.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.)



VIA WESTERN MESSENGER

January 11, 2023

Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlet Place, Room 244
San Francisco CA 94012

RE: Request for Resolution of Public Convenience or Necessity

Please find enclosed a Request for Resolution of Public Convenience or Necessity
Save Mart Supermarkets LLC – 3801 3rd Street, San Francisco CA 94124.

If you have any questions, please contact Beth Aboulafia, partner at
Hinman and Carmichael LLP at 415-362-1215, ext. 104, or via e-mail at
aboulafia@beveragelaw.com.

Kind regards,

A handwritten signature in blue ink, appearing to read 'Una Carolan', written over a horizontal line.

Una Carolan
Senior Paralegal

Enclosure

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2023 JAN 11 PM 1:39
BY Handwritten initials in blue ink, possibly 'BA', written over a horizontal line.

Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlet Place, Room 244
San Francisco, CA 94102

Re: Request for Resolution of Public Convenience or Necessity
Save Mart Supermarkets LLC, dba Save Mart
3801 3rd Street, San Francisco, CA 94124

Dear Board of Supervisors:

Save Mart Supermarkets LLC ("Save Mart") has applied to the Department of Alcoholic Beverage Control for a Type 21 General Off-Sale license for the Save Mart supermarket in the Bayview Hunters Point neighborhood. Because the store is located in a census tract that has an "undue concentration" of off-sale licenses under Section 23958.4 of the California Business and Professions Code, we are requesting a determination by the Board of Supervisors that public convenience or necessity will be served by issuance of the license.

Save Mart has applied for a person-to-person, premises-to-premises transfer of an existing Type 21 license to its store location in the Bayview Plaza. The grocery store is open 7 days a week from 6 a.m. to 9 p.m. and offers the Bayview community convenient access to fresh, quality groceries.

Save Mart is committed to offering a "Full Shop" for customers including a substantial fresh fruit and vegetable section, fresh dairy and cheese offerings, and fresh meat and poultry, in addition to household basics. Customers will also have a full selection of alcohol for purchase with their groceries instead of having to visit another shop for all their grocery needs. The alcohol display will be located at the front of the store behind the checkout area and will account for less than 2% of the entire square footage of the store. While alcohol will be only a small component of the overall grocery offerings, the ability to purchase alcoholic beverages along with food items is a convenience customers expect from a full-service grocery store.

Save Mart is committed to the safe and proper sale of alcoholic beverages and has put several measures into place to ensure that alcohol sales are conducted in a responsible manner, including training for all cashiers in responsible alcohol beverage sales, policies and procedures for checking ID of customers purchasing alcoholic beverages and requiring that all alcohol purchases be made by a live checker, and not at self-checkouts.

The Bayview Hunters Point neighborhood, with its more than 35,000 residents, has been identified as a food desert by the United States Department of Agriculture. The community deserves a full-service grocery store as well a business that will invest in the community. Save Mart management has been meeting regularly with an advisory committee of neighborhood residents to ensure that it understands and addresses the needs of local residents. Save Mart hires employees from the District 10 neighborhood and is currently working with local vendors, including local breweries, to feature their products. Save Mart is committed to a comprehensive and continuing community engagement plan.

For the reasons set forth above, we respectfully request that the Board of Supervisors make a finding that issuance of the Type 21 license to Save Mart will serve public convenience or necessity.

Should you have any questions or concerns, please contact our alcoholic beverage attorney, Beth Abouafia at 415-362-1215, ext. 104, or abouafia@beveragelaw.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sadiq Ali", with a stylized flourish at the end.

Sadiq Ali, Manager
Save Mart Supermarkets LLC



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control

Report Date: Friday, January 13, 2023

LICENSE INFORMATION

License Number: 645271 **Primary Owner:** SAVE MART SUPERMARKETS LLC

Office of Application: 24 - SAN FRANCISCO

BUSINESS NAME

LUCKY BAYVIEW

BUSINESS ADDRESS

3801 3RD ST , SAN FRANCISCO, CA, 94124

County: SAN FRANCISCO **Census Tract:** 0612.00

LICENSEE INFORMATION

Licensee: SAVE MART SUPERMARKETS LLC

Company Information

OFFICER: SADIQ, ALI (CHIEF FINANCIAL OFFICER)

OFFICER: SADIQ, ALI (VICE PRESIDENT)

OFFICER: SADIQ, ALI (MANAGER)

MEMBER: SM BUYER LLC

LICENSE TYPES

Allow up to six weeks for expiration date updates after fee waiver or renewal fee submittal.

21 - OFF-SALE GENERAL

License Type Status: PENDING **Status Date:** 10-JAN-2023 **Term:** 12 Month(s)

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

Transfers: From License Number: [21-473460](#)

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:** 10-JAN-2023

ESCROWS:

ABC ESCROW, 2222 DAMON ST LOS ANGELES,CALIFORNIA 90021

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Ms. Una Carolan
(Senior Paralegal)
Hinman & Carmichael
LLP
(415) 362-1215

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

File Number: 645271
Receipt Number: 2770968
Geographical Code: 3800
Copies Mailed Date: January 10, 2023
Issued Date:

DISTRICT SERVING LOCATION: SAN FRANCISCO

First Owner: **SAVE MART SUPERMARKETS LLC**
Name of Business: **LUCKY BAYVIEW**
Location of Business: **3801 3RD ST
SAN FRANCISCO, CA 94124-1409**

County: **SAN FRANCISCO**

Is Premises inside city limits? **Yes** Census Tract: **0612.00**

Mailing Address:(If different from premises address) **1800 STANDIFORD AVE
MODESTO, CA 95350-0180**

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

Transferor's license/name: **473460 / BAQAIN, ELHAM A**

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

<u>License Type</u>	<u>Transaction Description</u>	<u>Fee Code</u>	<u>Dup</u>	<u>Date</u>	<u>Fee</u>
Application Fee	DBL TRF: PREMISES AND PERSON	NA	0	01/10/23	\$1,370.00
21 - Off-Sale General	ANNUAL FEE	NA	0	01/10/23	\$884.00
Total					\$2,254.00

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 10, 2023

Applicant Name(s)

SAVE MART SUPERMARKETS LLC

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2023 JAN 13 PM 2:29
BY 