

1 [Liquor License Transfer - 4448 Mission Street]

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3 **Resolution determining that the transfer of a Type 21 off-sale general license from**
4 **298 Munich Street to 4448 Mission Street (District 11), to Esperanza Gudino for**
5 **the Golden State Market and Deli, will serve the public convenience or necessity**
6 **of the City and County of San Francisco, in accordance with California Business**
7 **and Professions Code, Section 23958.4, and recommending that the California**
8 **Department of Alcoholic Beverage Control impose conditions on the issuance of**
9 **the license.**

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11 WHEREAS, Esperanza Gudino is seeking the transfer of a Type 21 off-sale
12 general license from 298 Munich Street to 4448 Mission Street (District 11), to
13 Esperanza Gudino for the Golden State Market and Deli; and,

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

16 WHEREAS, The Police Department has filed zero (0) protests with the
17 Department of Alcoholic Beverage Control under California Business and Professions
18 Code, Section 24013, and recommends that the Department of Alcoholic Beverage
19 Control issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the
21 following: 1) Sales of alcoholic beverages shall be permitted between the hours of 7:00
22 a.m. and 12:00 midnight Sunday through Thursday and 7:00 a.m. to 1:30 a.m. Friday
23 and Saturday; 2) No more than 5% of the square footage of the public retail space (not
24 including the storage area) of the premises will be used for the display of alcoholic
25 beverages; 3) The sale of distilled spirits in sizes smaller than 200 ml is strictly

1 prohibited; 4) No malt beverage shall be sold with an alcoholic content great than 5.7%
2 by volume, except for microbrews, craft brews, organic and specialty malt products sold
3 under such designations as stout, porter, IPA, and ESB. This condition is intended to
4 eliminate high alcohol, low-cost products that are frequently abused, but not prevent the
5 sales of specialty and craft beer products; 5) Beer, malt beverages and wine coolers in
6 containers larger than 32 oz are strictly prohibited; 6) No beer or malt beverages shall
7 be sold in quantities of less than the manufacturer pre-packaged four (4) packs per sale.
8 No wine-coolers or beer coolers shall be sold in less than the manufacturer pre-
9 packaged multi-unit quantities of four (4); 7) No wine shall be sold with an alcoholic
10 content of great than 15% by volume except for "Dinner Wines," which have been aged
11 two years or more and maintained in corked bottles; and 8) Wine shall not be sold in
12 bottles or containers smaller than 750 ml, unless sold in manufacturer pre-packaged
13 multi-unit quantities; now, therefore, be it

14 RESOLVED, That in accordance with California Business and Professions Code,
15 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
16 hereby determines that the transfer of a Type 21 off-sale general license from 298
17 Munich Street to 4448 Mission Street (District 11), to Esperanza Gudino for the Golden
18 State Market and Deli, will serve the public convenience or necessity of the City and
19 County of San Francisco; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors of the City and County of
21 San Francisco hereby endorses and adopts the recommendations of the Police
22 Department listed above and recommends that the Department of Alcoholic Beverage
23 Control issue the license with those conditions.
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25



City and County of San Francisco

Tails Resolution

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

File Number: 150112

Date Passed: April 21, 2015

Resolution determining that the transfer of a Type 21 off-sale general license from 298 Munich Street to 4448 Mission Street (District 11), to Esperanza Gudino for the Golden State Market and Deli, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

April 16, 2015 Public Safety and Neighborhood Services Committee - PREPARED IN COMMITTEE AS A RESOLUTION

April 16, 2015 Public Safety and Neighborhood Services Committee - RECOMMENDED AS COMMITTEE REPORT

April 21, 2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150112

I hereby certify that the foregoing
Resolution was ADOPTED on 4/21/2015 by
the Board of Supervisors of the City and
County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved