

File No. 160681

Committee Item No. 2

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

## AGENDA PACKET CONTENTS LIST

Committee: Public Safety and Neighborhood Services

Date November 10, 2016

Board of Supervisors Meeting

Date \_\_\_\_\_

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

OTHER

(Use back side if additional space is needed)

- Response Planning Dept - 06/15/2016
- Response Police Dept - 11/02/2016
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Completed by: Erica Major

Date November 3, 2016

Completed by: \_\_\_\_\_

Date \_\_\_\_\_



San Francisco Police Department  
**ABC Liaison Unit**



Alcoholic Beverage License -  
*Public Convenience and  
Necessity Recommendation*

**To:** The San Francisco Board of Supervisors' Committee on Public Safety  
and Neighborhood Services

**Supervisor Jane Kim**  
**Supervisor John Avalos**  
**Supervisor David Campos**

**From:** Lieutenant Dave Falzon  
Officer in Charge  
ABC Liaison Unit (ALU) 415-837-7287

**Date:** November 2, 2016

**Subject:** P.C.N. Investigation Regarding: 10 4<sup>th</sup> St  
DBA: Trader Joes  
10 4<sup>th</sup> St  
(415) 713-8182

Peter Impala on behalf of Trader Joes, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 21 (Off Sale General Package store) License for 10 4<sup>th</sup> St (Located between Market and Mission Streets).

Hours of Operation:

8:00 am to 10:00pm

Daily

**Digest:**

Trader Joes would like to sell beer, wine and distilled spirits. If approved, this license will allow Trader Joes to sell off sale beer, wine and distilled spirits

**Letters of Protest:**

**2**

**Letters of Support:**

**0**

**Police Calls for Service:**

From May 2015 to May 2016

**0 Calls for service**

**Police Reports:**

From May 2015 to May 2016: 0

**San Francisco Plot Information:**

This premise is located in Plot **210**

A High Crime area is defined as **99** or more police incidents in a plot for the year of **2015**.

This plot had **1573** police incidents for **2015**, which is **1474** over the **Citywide "High Crime"** average.

**State Census Tract Information:**

This premise is located in Census Tract **176.01**

Population for this tract is: 7,630

On-sale license authorized by census tract: **27**

Active on-sale licenses: 76

Off-sale licenses authorized by census tract: **7**

Active off-sale licenses: **9**

**Departmental Recommendation:**

Points of consideration: No consideration points

**Central Station has no opposition**

Applicant premise **is** located in a "**high crime**" area.

Applicant premise **is** located in an "**undue concentration**" area.

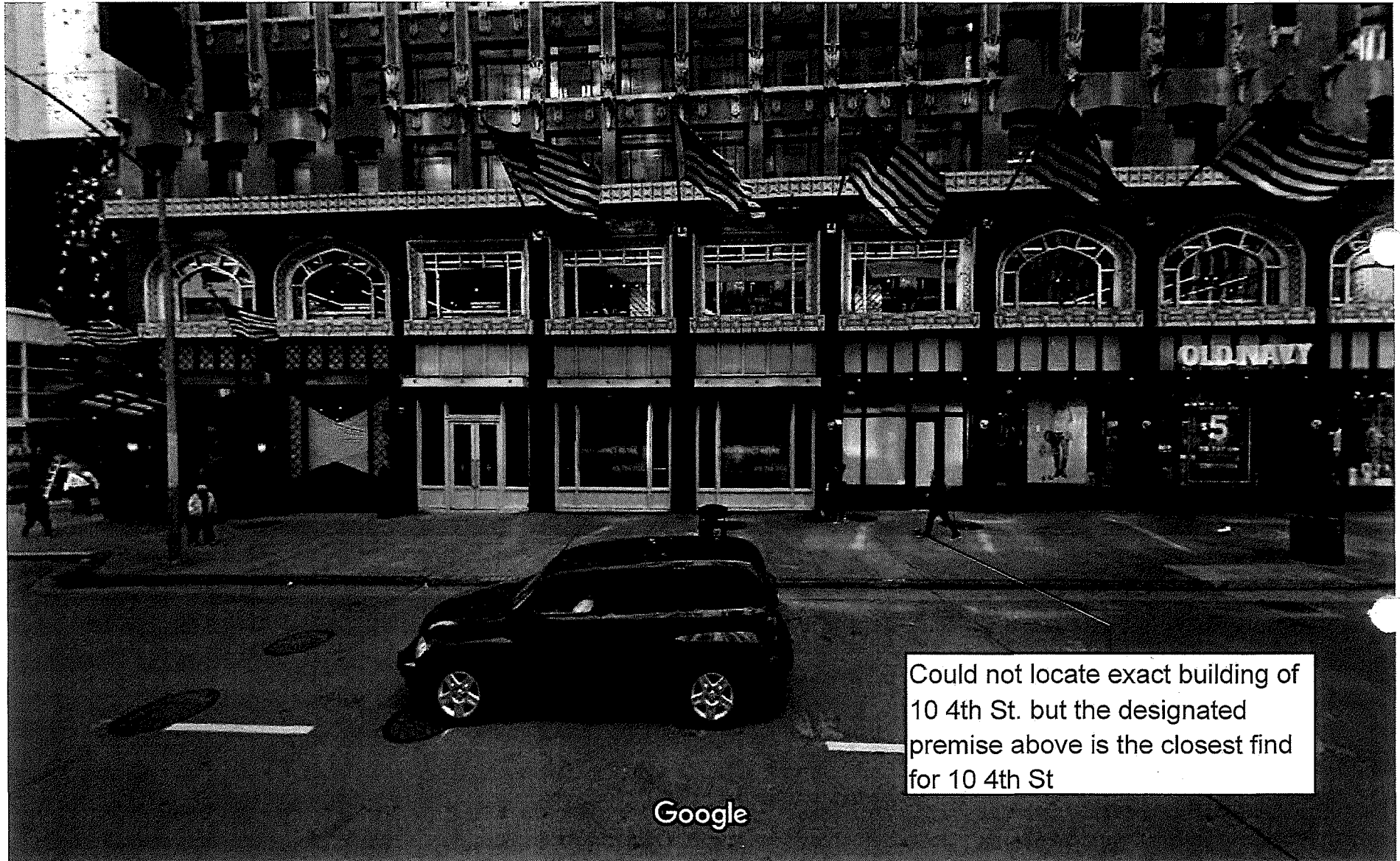
**2** - Record of protest.

**0** - Record of support.

ALU Recommendation: Approval with the following conditions:

- 1) No more than 5% of the square footage of the retail space of the premises will be used for the display of alcoholic beverages.
- 2) The sale of distilled spirits in sizes smaller than 200 ml is strictly prohibited.
- 3) No beer or malt beverages shall be sold in quantities of less than manufacturer pre-packaged six packs per sale with the exception of wine-coolers, beer coolers which must be sold in manufacturer pre-packaged multi-unit quantities of four (4) or more.
- 4) No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles
- 5) Wine shall not be sold in bottles or containers smaller than 750 ml.
- 6) Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee as depicted on the ABC-257, dated \_\_\_\_\_.
- 7) Sales and service of alcoholic beverages shall be permitted between the hours of 8:00 a.m. to 10:00 p.m. daily.

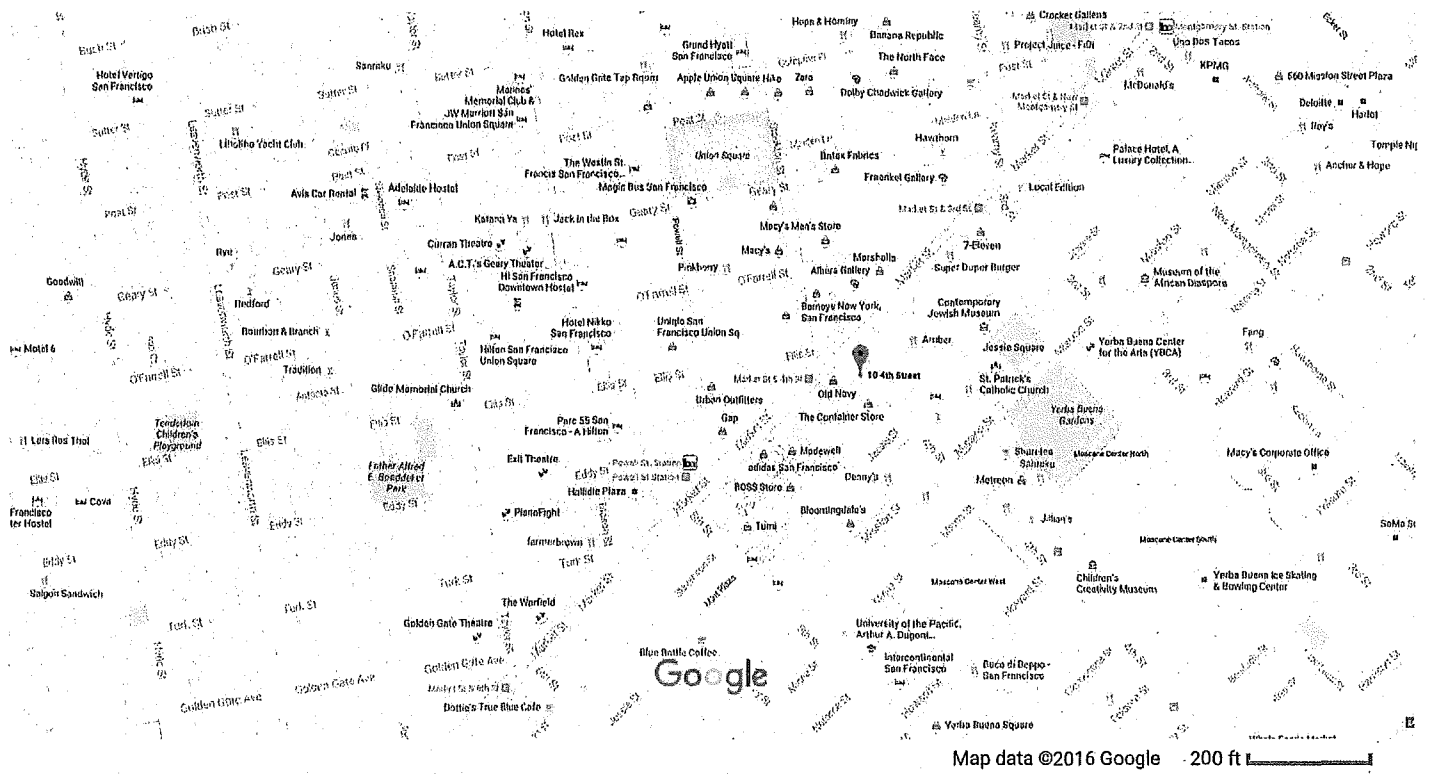
It should be noted that the applicant has agreed with the above listed recommended conditions.



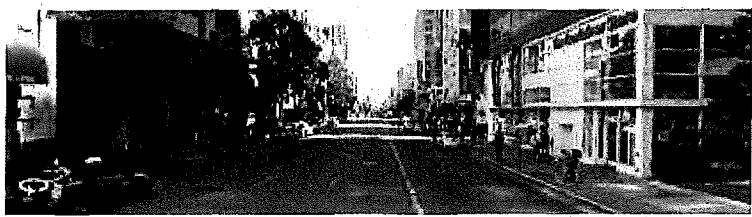
Could not locate exact building of 10 4th St. but the designated premise above is the closest find for 10 4th St

Google

# Google Maps 10 4th St



10 4th St  
San Francisco, CA 94103



Used!  
DCP  
FEE

# LIQUOR LICENSE REVIEW

**TO:** Planning Department **File:** 160681  
AnMarie Rodgers/CTYPLN/SFGOV  
Georgia Powell/CTYPLN/SFGOV@SFGOV  
Fax No.: (415) 558-6409

**TO:** Police Department  
Inspector Nelly Gordon  
Phone: (415) 837-7273

**DATE:** June 13, 2016

Block/Lot: 3705 Z / 004  
Zoning: C-3-R  
Quad: NE  
Record # 2016-007754MIS

---

This item is tentatively scheduled to be heard in four to six weeks.  
**PLEASE EMAIL YOUR RESPONSE BY:** July 27, 2016, to Erica Major, Public  
Safety and Neighborhood Services Committee Clerk.  
**Erica.Major@sfgov.org - Fax No: 554-7771**

---

**Applicant Name:** Trader Joe's Company  
**and Business Name:** (10-4th Street)  
**Applicant Address:** 10-4th Street  
San Francisco, CA 94103  
**and Phone No.** (415) 713-8182

**PLANNING COMMENTS:**  Approval  Denial  
ABC LICENSE TYPE 21 IS PERMITTED IN CONJUNCTION  
WITH GENERAL & SPECIALTY GROCERY USE, CLASSIFIED AS  
RETAIL SALES AND SERVICE USE IN THE C-3-R ZONING  
DISTRICT. (210.2)  
**POLICE COMMENTS:**  Approval  Denial  
C. G. L. O. B. # 6-15-16

# ART RODRIGUEZ & Associates

709 E. Colorado Boulevard, Suite 200, Pasadena, CA 91101

## VIA UPS

June 9, 2016

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

Clerk Angela Calvillo:

Trader Joe's seeks to operate under a Type-21 ABC license obtained via a transfer from Hana Mohammed Abbushi and Mohammed Subhi Abbushi to Trader Joe's Company. The license was previously located at 454 Capitol Ave., San Francisco, CA 94112, and will now be transferred to 10 4<sup>th</sup> Ave., Basement LVL, San Francisco, CA 94103.

This Trader Joe's Company is to be located within a busy South of Market neighborhood of downtown San Francisco, at the basement level of the structure on the southwest corner of 4<sup>th</sup> Street and Market St. The establishment will provide nearby residents with a variety of goods including fresh meat and produce, and specialty food items. Trader Joe's takes great pride in providing for its shoppers and neighbors a safe convenient option for affordable yet high quality food items as well as alcoholic and non-alcoholic beverages. The company looks to continue in this role in their new San Francisco location. Allowing the sale of a full line of alcoholic beverages will enable Trader Joe's to compete with local businesses, while providing customers with an enhanced shopping experience. The hours of operation are to be 8:00am – 10:00pm daily.

While there are nine other alcohol-serving establishments operating within the vicinity, the area is very densely populated, and thus able to support a multitude of retail businesses. Trader Joe's Company is very experienced in serving alcohol in many of their stores nationwide, and they are well-versed in how to do so in a manner that best serves the community while minimizing nuisances and crime. The applicant will ensure alcohol sales are conducted in a safe and secure manner. Trader Joe's employees will oversee the premises to prevent loitering and any instances of drinking in public or over-intoxication. Any and all incidents or infractions will be immediately reported to local law enforcement.

Approval of this PCN request will provide nearby residents, visitors, and workers with a convenient location to purchase high-quality food items as well as alcoholic and non-alcoholic beverages. Further, the addition of a popular and well-known market like Trader Joe's will increase the population around this area, increasing eyes on the streets and public safety. It is prudent that the City of San Francisco use this opportunity to create a safer, and more secure living environment for local residents.

---

[www.aralicens.com](http://www.aralicens.com)

800-553-7272 • 626-683-9777

RECEIVED  
SAN FRANCISCO BOARD OF SUPERVISORS  
2016 JUN 13 AM 10:39

160651



Approval of this application meets the Department's consensus for Public Convenience and Necessity because it allows for the sale of alcohol to be conducted in a regulated manner. The client is willing to take this next step in building a productive relationship with both the city and local residents.

The ABC posting for this location was posted on May 18<sup>th</sup>, 2016. The mailers of notice to all residents within 500 feet, as per ABC requirements, were sent out on May 19<sup>th</sup>, 2016.

Enclosed please find ABC-245 form. Trader Joe's will comply with any and all requests of SFPD, and any other applicable San Francisco City or County requirements. Thank you, and I hope to hear from you soon.

Sincerely,

A handwritten signature in black ink, appearing to read "David Weissglass", written in a cursive style.

David Weissglass  
Associate Planner  
Art Rodriguez & Associates  
(626) 683-9777  
david@araliceses.com

**INFORMATION AND INSTRUCTIONS -**

**SECTION 23958.4 B&P**

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

**PART 1 - TO BE COMPLETED BY ABC**

|   |   |  |
|---|---|--|
| 1 APPLICANT'S NAME<br><b>Trader Joes Company</b>  |   |  |
| 2 PREMISES ADDRESS (Street number and name, city, zip code)<br><b>10 4th St., Basement LVL., San Francisco CA 94103</b>   |   | 3 LICENSE TYPE<br><b>21</b>  |
| 4 TYPE OF BUSINESS  |   |  |
| <input type="checkbox"/> Full Service Restaurant  | <input type="checkbox"/> Hofbrau/Cafeteria            | <input type="checkbox"/> Cocktail Lounge   |
| <input type="checkbox"/> Deli or Specialty Restaurant   | <input type="checkbox"/> Comedy Club                  | <input type="checkbox"/> Night Club  |
| <input type="checkbox"/> Cafe/Coffee Shop   | <input type="checkbox"/> Brew Pub                     | <input type="checkbox"/> Tavern: Beer  |
| <input type="checkbox"/> Bed & Breakfast:   | <input type="checkbox"/> Theater                      | <input type="checkbox"/> Tavern: Beer & Wine   |
| <input type="checkbox"/> Wine only  | <input type="checkbox"/> All                          | <input type="checkbox"/> Private Club  |
| <input type="checkbox"/> Supermarket  | <input type="checkbox"/> Membership Store             | <input type="checkbox"/> Service Station   |
| <input type="checkbox"/> Liquor Store   | <input type="checkbox"/> Department Store             | <input type="checkbox"/> Convenience Market  |
| <input type="checkbox"/> Drug/Variety Store   | <input type="checkbox"/> Florist/Gift Shop            | <input type="checkbox"/> Convenience Market w/Gasoline   |
| <input type="checkbox"/> Other - describe:  |   | <input type="checkbox"/> Swap Meet/Flea Market   |
| <input type="checkbox"/> Drive-in Dairy   |   |  |
| 5 COUNTY POPULATION<br><b>845,602</b>   | 6 TOTAL NUMBER OF LICENSES IN COUNTY<br><b>1060</b>   | 7 RATIO OF LICENSES TO POPULATION IN COUNTY<br><input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale |
| 8 CENSUS TRACT NUMBER<br><b>176.01</b>  | 9 NO. OF LICENSES ALLOWED IN CENSUS TRACT<br><b>7</b> | 10 NO. OF LICENSES EXISTING IN CENSUS TRACT<br><input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale |
| 11 IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)<br><input checked="" type="checkbox"/> Yes, the number of existing licenses exceeds the number allowed<br><input type="checkbox"/> No, the number of existing licenses is lower than the number allowed   |   |  |
| 12 DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?<br><input checked="" type="checkbox"/> Yes (Go to Item #13) <input type="checkbox"/> No (Go to Item #20)  |   |  |
| 13 CRIME REPORTING DISTRICT NUMBER<br><b>210</b>  | 14 TOTAL NUMBER OF REPORTING DISTRICTS<br><b>653</b>  | 15 TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS<br><b>53,160</b>  |
| 16 AVERAGE NO. OF OFFENSES PER DISTRICT<br><b>81</b>  | 17 120% OF AVERAGE NUMBER OF OFFENSES<br><b>97</b>    | 18 TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT<br><b>1292</b>   |
| 19 IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)<br><input checked="" type="checkbox"/> Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17<br><input type="checkbox"/> No, the total number of offenses in the reporting district is lower than the total number in item #17        |   |  |
| 20 CHECK THE BOX THAT APPLIES (check only one box)  |   |  |
| <input type="checkbox"/> a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.   |   |  |
| <input type="checkbox"/> b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.         |   |  |
| <input checked="" type="checkbox"/> c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application. |   |  |

Governing Body/Designated Subordinate Name: **Board of Supervisors**

**FOR DEPARTMENT USE ONLY**

PREPARED BY (Name of Department Employee)

## LIQUOR LICENSE REVIEW

**TO:** Planning Department **File:** 160681  
AnMarie Rodgers/CTYPLN/SFGOV  
Georgia Powell/CTYPLN/SFGOV@SFGOV  
Fax No.: (415) 558-6409

**TO:** Police Department  
Inspector Nelly Gordon  
Phone: (415) 837-7273

**DATE:** June 13, 2016

---

This item is tentatively scheduled to be heard in four to six weeks.  
**PLEASE EMAIL YOUR RESPONSE BY:** July 27, 2016, to Erica Major, Public  
Safety and Neighborhood Services Committee Clerk.  
**Erica.Major@sfgov.org - Fax No: 554-7771**

---

**Applicant Name:** Trader Joe's Company  
**and Business Name:** (10-4th Street)  
**Applicant Address:** 10-4th Street  
San Francisco, CA 94103  
**and Phone No.** (415) 713-8182

**PLANNING COMMENTS:**  Approval  Denial

**POLICE COMMENTS:**  Approval  Denial