

1 [Liquor License Transfer - 10-4th Street]

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3 **Resolution determining that the transfer of a Type 21 off-sale general license to**
4 **Trader Joe's Company, dba Trader Joe's 225, located at 10-4th Street, Basement**
5 **LVL (District 6), will serve the public convenience or necessity of the City and**
6 **County of San Francisco, in accordance with California Business and**
7 **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, Trader Joe's Company is seeking the transfer of a Type 21 off-sale
12 general license dba Trader Joe's 225 located at 10-4th Street, Basement LVL (District
13 6); 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 two (2) 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) No more than 5% of the square footage of the retail space of the premises
22 will be used for the display of alcoholic beverages; 2) the sale of distilled spirits in sizes
23 smaller than 200 ml is strictly prohibited; 3) no beer or malt beverages shall be sold in
24 quantities of less than manufacturer pre-packaged six packs per sale with the exception
25 of wine-coolers, beer coolers which must be sold in manufacturer pre-package multi-unit

1 quantities of four (4) or more; 4) no wine shall be sold with an alcoholic content of
2 greater than 15% by volume except for “Dinner Wines” which have been aged two years
3 or more and maintained in corked bottles; 5) wine shall not be sold in bottles or
4 containers smaller than 750 ml; 6) loitering (defined as “to stand idly about; linger
5 aimlessly without lawful business”) is prohibited on any sidewalks or property adjacent
6 to the licensed premises under the control of the licensee as depicted on the ABC-257;
7 and 7) sales and service of alcoholic beverages shall be permitted between the hours of
8 8:00 a.m. to 10:00 p.m. daily; now, therefore, be it

9 RESOLVED, That in accordance with California Business and Professions Code,
10 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
11 hereby determines for the foregoing reasons that the transfer of a Type 21 off-sale
12 general license to Trader Joe’s Company dba Trader Joe’s 225 located at 10-4th Street,
13 Basement LVL (District 6), will serve the public convenience or necessity of the City and
14 County of San Francisco; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors of the City and County of
16 San Francisco hereby endorses and adopts the recommendations of the Police
17 Department listed above and recommends that the Department of Alcoholic Beverage
18 Control issue the license with those conditions.

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