File No	160825	_Committee	Item No.	3	
		Board Item	No	2	8

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee:	Public Safety and Neighborhood Se	rvices		November 10, 20	
Board of Su Cmte Board	pervisors Meeting		Date	NOVEMBER 29	2016
	Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Re Youth Commission Report Introduction Form Department/Agency Cover Letter a MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 – Ethics Commission Award Letter Application Public Correspondence	•	port		
OTHER	(Use back side if additional space	is needed	(k	•	
	Response Planning Dept - 09/26/20 Response Police Dept - 11/02/2016	16			
Completed I		te Nove	mber 3	3, 2016 lø	

PREPARED IN COMMITTEE 11/10/2016

FILE NO. 160825

[Liquor License Transfer - 5601 Geary Boulevard]

RESOLUTION NO.

·

Resolution determining that the transfer of a Type 20 off-sale beer and wine license to Mainland Market Co., dba Mainland Market Co., located at 5601 Geary Boulevard (District 1), 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.

WHEREAS, Mainland Market Co. is seeking the transfer of a Type 20 off-sale beer and wine license dba Mainland Market Co. located at 5601 Geary Boulevard (District 1); and

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

WHEREAS, The Police Department has filed one (1) protests with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control issue the liquor license with conditions; and

WHEREAS, The conditions recommended by the Police Department are the following: 1) Sales of alcoholic beverages shall be permitted between the hours of 7:00 a.m. to 10:00 p.m. each day of the week; 2) 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; 3) no wine shall be sold with an alcoholic content of

Public Safety and Neighborhood Services Committee BOARD OF SUPERVISORS

greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles; and 4) loitering (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; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines that the transfer of a Type 20 off-sale beer and wine license to Mainland Market Co. dba Mainland Market Co., located at 5601 Geary Boulevard (District 1), will serve the public convenience or necessity of the City and County of San Francisco; and, be it

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



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) 415-837-7576

Date:

October 25, 2016

Subject:

P.C.N. Investigation Regarding:

Mainland Market CO.

DBA: Mainland Market CO. 5601 Geary Blvd. SF, 94121

Brad Christian

Mr. Brad Christian on behalf of **Mainland Market CO.** has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 20 (Off- Sale Beer and Wine) License for 5601 Geary Street (located between 20TH Ave. and 21St Ave).

Hours of Operation:

7:00 am - 10:00 pm Daily

Digest:

Mainland Market CO. is seeking to apply for an Alcohol Beverage License to its existing Grocery Store in the Outer Richmond District of San Francisco. Mainland Market CO has been in business at its current location for 1 1/2 years and prior to this business this location was a produce market for 4 years. If approved, this license will allow Mainland Market CO. to sell Off-Sale Beer and Wine only.

Letters of Protest:

1 valid

Letters of Support:

No Record

Police Calls for Service:

From January 2015 to January 2016

5 calls for service

Police Reports:

From January 2015 to January 2016

1 police reports

San Francisco Plot Information:

This premise is located in Plot 734

A High Crime area is defined as 106 or more police reports in a plot for the year of 2015.

This plot had 35 police reports for 2015, which is 71 under the Citywide "High Crime" average.

State Census Tract Information:

This premise is located in Census Tract: 477.00 Population for this tract is: 4,334

On-sale license authorized by census tract: 15 Active on-sale licenses: 12 with 0 pending

Off-sale licenses authorized by census tract: 4 Active off-sale licenses: 5 with 0 pending

Departmental Recommendation:

Points of consideration: 1

No opposition from Richmond Station

Applicant premise is located in a "Low Crime" area.

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

- 1 Record of protest.
- 0 Record of support.

ALU Recommendation: Approval with the following conditions

Conditions for Type 20 Off-Sale Beer and Wine

- 1. Sales of alcoholic beverages shall be permitted between the hours of 7;00 am to 10:00 pm each day of the week. .
- 2. 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.

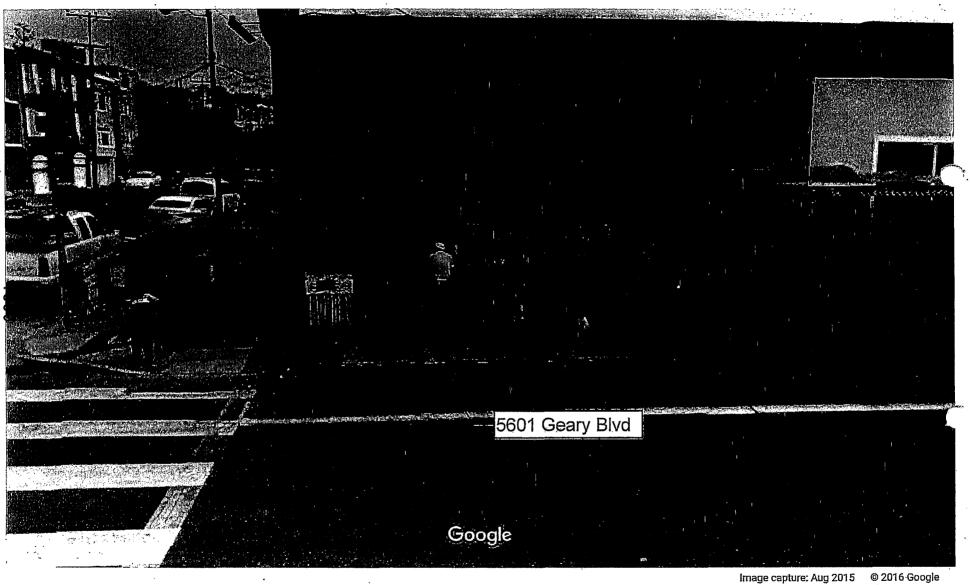
- 3. No wine shall be sold with an alcoholic content of great than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles.
- 4. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee.
- It should be noted that the applicant has agreed with the above listed conditions.

End

Google Maps 5601 Geary Blvd

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24th Ave	Anza St. 27 Th Awa Map data @2016 Google 200 ft

Google Maps Geary Blvd



Received via email 9/29/2016 File Nos. 160825



LIQUOR LICENSE REVIEW

TO:	Georgia Po	epartment dgers/CTYPLN/SFGOV well/CTYPLN/SFGOV@SFG 15) 558-6409	File: 160829	5 1529/001 NC-3 NW
TO:	•	artment elly Gordon 5) 837-7273	Qual: Record	NW #2016-009685
PLEASE EI	MAIL YOÚR F Neighborhood	heduled to be heard in four to RESPONSE BY: August 31, I Services Committee Clerk. Major@sfgov.org - Fax No:	o six weeks. 2016, to Erica Major	
	•			
Applicant N	•	Mainland Market Co. Mainland Market Co. (5601 Geary	(
Applicant A	•	5601 Geary Street San Francisco, CA 94121 (415) 250-7919	(
This prope	mana 1	IENTS: Approvated for a commental a liquer license decided (NC-3) allows gener, wine, ad/or liquer = type 20 ortype 21, ITS: Approva	stones use. This	ひんたじ くえ くりしつりゅうじりゃ ハナラッ
			C) 4	alexander mistro Alexander 15-575-8724 9/26/16

July 21, 2016

Clerk of the Board SF Board of Supervisors 1 Dr. Carlton B Goodlett Place, Rm 244 San Francisco, Ca 94102

Re: Mainland Market Co. application for Type 20 Beer and Wine Permit at 5601 Geary Blvd., San Francisco, CA 94121

Dear Clerk of the Board.

The purpose of this letter is to request to be placed on the Board's Calendar for Public Convenience and Necessity with regard to Mainland Market Co.'s application for a Type 20, off sale Beer and Wine license at 5601 Geary Blvd., San Francisco, CA 94121.

Mainland Market has undergone quite a facelift in the last year and a half, and, in light of serving our community more efficiently, we are applying for a type 20 Beer and Wine license.

When we took over Mainland it was an old Chinese market that sold mostly produce. We've put a few hundred thousand dollars of blood, sweat and improvement into the business and it has become quite a loved and appreciated market in the neighborhood, serving both the American and Asian Richmond communities, and giving the densely residential area what it needs in terms of organic produce and natural foods, as well as many Asian items and basics. We want to extend our offering to include craft beers, wines from local regions, and interesting sakes to satisfy our customers.

We feel a Type 20 is a necessity because people shop for their dinner at Mainland and would appreciate the store being a "one stop shop" where they can bring home a bottle of wine to enjoy with dinner, or get that craft beer to enjoy with lunch. Mainland is a grocery market, plain and simple, and people need to "get everything they need" for a meal, not just part of it.

We keep a tight ship.... clean and beautiful. We've worked with local police when they need our camera footage for some reason, and are always cooperative. We get some major compliments from local residents letting us know how happy they are with the changes we've produced and how nice it is to be able to come to a location that is as inviting as ours has become. They say we've done a lot for our neighborhood as well (check some of the Yelp reviews!).

We hope you will see things the same way and approve a PCN for us.

Our business operates from 7:30 am to 8:30 pm 7 days a week.

Brad Christian

RECEIVES
SAN FRANCISCO
2016 JUL 27 PM 3: 14

MAINLAND MARKET CO.

415-250-7919 5601 Geary Blvd. San Francisco, CA 94121

EMAIL: bc@ellusionist.com

DETAILS:

The license is being purchased **from** and will be coming from : Hamtini Samer Mahmood 2431 Noriega Street, San Francisco, CA 94122

And going to:

Brad Christian Mainland Market Co. 5601 Geary Blvd. San Francisco, CA 94121

Brad Christian

Jubject:

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415-250-7919
5601 Geary Blvd.
San Francisco, CA
94121





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San Francisco, CA 94122

And going to:

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BEFORE THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL OF THE STATE OF CALIFORNIA

IN THE MATTER OF THE APPLICATION OF

MAINLAND MARKET CO MAINLAND MARKET CO 5601 GEARY BLVD SAN FRANCISCO, CA 94121-2214	<pre>} FILE 20-565884 } REG. }</pre>
	} } PETITION FOR CONDITIONAL LICENSE

For Issuance of an Off-Sale Beer And Wine - License

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, the proposed premises and/or parking lot, operated in conjunction therewith, are located within 0 feet of residences(s); and,

WHEREAS, issuance of the applied-for license without the below-described conditions would interfere with the quiet enjoyment of the property by nearby residents and constitute grounds for the denial of the application under the provisions of Rule 61.4, of Chapter 1, Title 4, of the California Code of Regulations; and,

WHEREAS, the proposed premises is within 600 feet from a consideration point; and,

WHEREAS, issuance of an unrestricted license without the below-described conditions may interfere with the public use of the above-mentioned consideration point; and,

WHEREAS, pursuant to Section 23958 of the Business and Professions Code, the Department may deny an application for a license where issuance would result in or add to an undue concentration of licenses; and,

WHEREAS, the proposed premises are located in Census Tract #0477.01 where there presently exists an undue concentration of licenses as defined by Section 23958.4 of the Business and Professions Code; and,

WHEREAS, the petitioner(s) stipulate(s) that by reason of the aforementioned over-concentration of licenses, grounds exist for denial of the applied-for license(s); and,

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare and morals;

Initials

ABC-172 (5/94)

20-565884 Page 2

NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

- 1 Sales of alcoholic beverages shall be permitted between the hours of 7:00 a.m.to 10:00 p.m. each day of the week.
- 2 No pre-packaged beer or malt beverages shall be sold as single unit
- 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.
- 4 The sale of powder alcohol or like non-liquid alcoholic beverage based products is prohibited.
- 5 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(s)

THIS SPACE WAS LEFT INTENTIONALLY LEFT BLANK

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 3	_ DAY OF	AUGUST	, 20 <u>/</u> (
Applicant Petitioner		Applicant/Petitioner	

AFFIDAVIT OF POSTING

ABC 293

Posting should be accomplished within 5 days from the date of application.

Investigation cannot progress until this completed form, Affidavit of Posting, has been received by this office.

Date of Filing Application: January 15, 2016

Name of Applicant(s):

MAINLAND MARKET CO

Address of Premises:

5601 GEARY BLVD

SAN FRANCISCO, CA 94121-2214

License(s) Applied for:

20 - Off-Sale Beer And Wine

I hereby certify under penalty of perjury that pursuant to the provisions of Section 23985 of the Alcoholic Beverage Control Act and Rule 109, Title 4, Chapter 1, California Code of Regulations, after filing an application to engage in the sale of alcoholic beverages at the above-designated premises, I did date the posting notice and on said date did post the notice in a conspicuous place on the premises and said notice shall remain posted for a period of at least 30 consecutive days.

NOTICE DATED AND POSTING:

1-26-16.

SIGNATURE OF APPLICANT:

DATE 2-10.16.

Please return within five (5) days to:

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

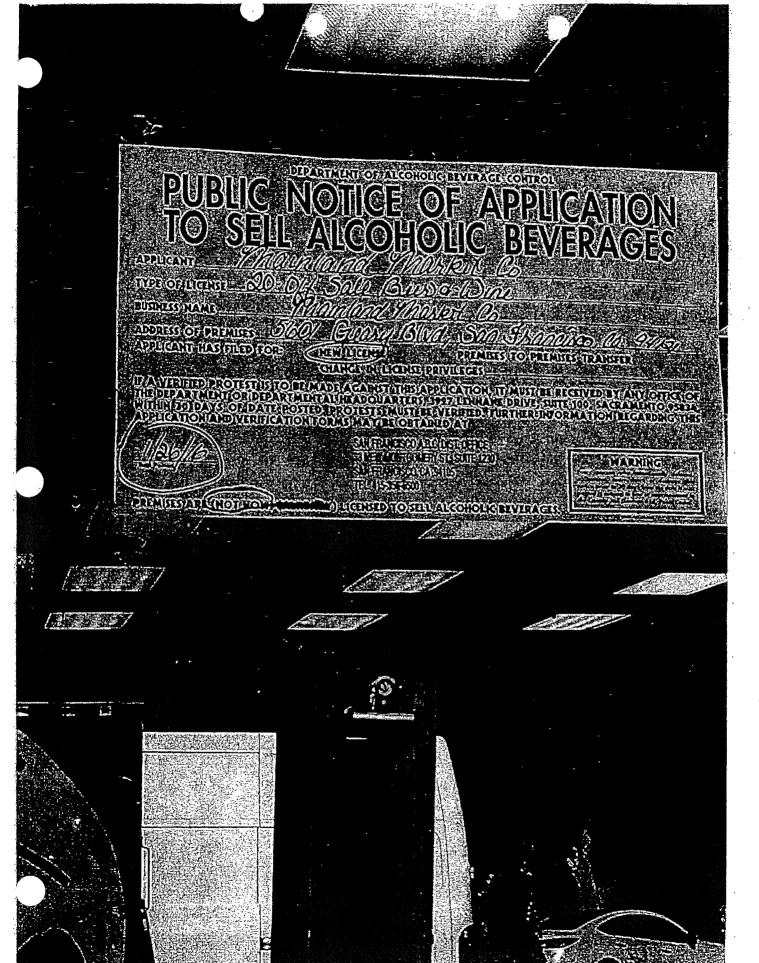
Section 23985 and Rule 109.

Section 23985. POSTING NOTICE. After filing an application to engage in the sale of any alcoholic beverage at any premises, notice of intention to so commence shall be posted in a conspicuous place at the entrance to the premises. The applicant shall notify the department of the date when such notice is first posted. No License shall be issued for the premises until the notice has been so posted for at least 30 consecutive days. The notice shall be in such form as the department shall prescribe.

Notice of the application for a license pursuant to Section 24044 shall be posted at the proposed premises after the application is filed and shall remain so posted for at least 30 consecutive days. The applicant shall notify the department of the date when such notice is first posted.

Rule 109. POSTING NOTICE. After filing an application to sell alcoholic beverages at any premises, the applicant shall post on the proposed premises notice of intention to sell alcoholic beverages. The notice shall be at least two feet in length and fourteen inches in width. This notice shall be posted in a conspicuous place which can be readily observed by ordinary passersby at or near the entrance to the premises. In the case of a vacant lot, posting shall be on a post or stake of permanent material, at the midpoint of the largest boundary fronting on a public thoroughfare at a point not more than ten (10) feet from the sidewalk, or roadway in the absence of any sidewalk. This notice must be mounted upon heavy cardboard or wood backing affixed to the post or stake so as to be readily visible from the sidewalk or roadway.

The notice shall remain posted for at least 30 consecutive days.



Complete this form, attach the original Form ABC-207E and return to ABC office listed below. Refer to Instructions, Form ABC-528, for more information.

ABC District Office:

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

Applicant(s) Name(s):

MAINLAND MARKET CO

Premises Address:

5601 GEARY BLVD SAN FRANCISCO, CA 94121-2214

premises, by depositi copy of the Notice of attached hereto, giving premises where the	do he do not of real property owner of real property owner of real property owner of real in the United States Mail, wif Intention to Engage in the Sang the name(s) of the applicant business is to be conflucted, address is needed, use reverse or attack.	eal property within a 500-foot th postage fully prepaid, a sea le of Alcoholic Beverages (Al (s), the type(s) of license(s) a dressed to the resident/occup	led envelope containing a true BC-207E), a copy of which is pplied for, the address of the
ADDRESS	Attached	CITY	ZIP CODE
I declar	e under the nevalty of paris	``	n reverse or on attachment
	e under the penalty of perju	1	ebrany, 2016

NOTICE OF INTENTION TO ENGAGE IN THE SALE OF ALCOHOLIC BEVERAGES

ABC-207-E (9/05)

To the Resident or Owner of Real Property Within a 500' Radius:

The applicant(s) for an alcoholic beverage license must mail this notice to every resident of real property within a 500 foot radius of the premises (Section 23985.5 of the Business and Professions Code). The applicant must mail this notice within 15 days of posting the premises. Any protest against the issuance of the license(s) must be received at any office of the Department of Alcoholic Beverage Control (ABC) or Departmental Headquarters within 30 days of the date the premises are posted, or within 30 days of the mailing of this notification, whichever is later. To obtain a copy of the protest form, ABC-510-A, please contact your local ABC office or go online to www.abc.ca.gov.

Date of Mailing:	2/3/2016	Date Premises Posted;	1/26/2016
The below-name	5601 6	Jicense to sell alcoholic beverag TEARY BIVA TAN US CO, CA 94/	
Type of license(s) applied for: 20 -	Of Sale Beer &	Wine
The name(s) of the	ne applicant(s) is/are:	Mainland Mar	ket Cs
The dba (doing b	usiness as) is (if known):	Mainland Ma	arket G

Further information regarding this application or filing a protest may be obtained at:

Department of Alcoholic Beverage Control

33 New Montgomery St., Suite #1230 San Francisco, CA 94105 (415) 356-6500

Los residentes o dueños que no hablen inglés por favor vean al reverso para mayor información.

非英語語系的居民或所有人,請參見背面資訊。

영어 구사 불가능 주민/소유주는 내용 확인을 위해 뒤면을 참조하십시오.

Cư dân/sở hữu chủ nào không nói tiếng Anh, xin xem mặt sau để biết chỉ tiết.

المقيمين/المالكين الذين لا يتكلمون اللغة الإنكليزية، رجاء مراجعة الصفحة الخلفية للحصول على المعلومات.

State of California Edmund G. Brown Jr., Governor

STATEMENT RE: CONSIDERATION POINTS

Applicant: Please complete left side of form, then sign. List the names and addresses of all schools, churches, hospitals, public playgrounds, parks, and youth facilities located within 600 feet of your proposed premises. Measure all distances by direct line from the closest edge of the facility structure to the closest edge of your structure. Continue on reverse if needed.

APPLICANT NAME	cuge	or your	surcture. Continue on reverse if it	CCGCG.	
Mainland Market Co.					
PREMISES ADDRESS (Street number and name, city, zip code)		<u> </u>		THE RESERVE OF THE PERSON NAMED IN	and the second s
5601 Geary Blvd, San Francisco, CA 9	4121				
3. FACILITY NAME/ADDRESS	r::		DEPARTMENT	USE O	NLY
	LTR	PERS	DATE	TANCE	SEPARATION FACTORS
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360 2194 Ave San Flor					
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APPLICANT SIGNATURE			- The Residence of Marie Annual Control of the State of t	DATESIGN	
DIL					12/09/15
ABC-251 (rev. 01-11)					

LIQUOR LICENSE REVIEW

TO:		dgers/CTYP	VSFGOV@SFGOV	File: 160825	
TO: Police Department Inspector Nelly Gordon Phone: (415) 837-7273					
DATE:	July 25, 201	6 .			
PLEASE E	MAIL YOUR F Neighborhood	RESPONSE Services Co	e heard in four to six BY: August 31, 201 ommittee Clerk. v.org - Fax No: 554	6, to Erica Major, Pub	olic
Applicant Name: and Business Name: Applicant Address: and Phone No.		Mainland Mai	Market Co. ry Street) y Street isco, CA 94121		
PLANNI	ING COMIV	IENTS:	☐ Approval	☐ Denial	
POLICE	COMMEN	TS:	☐ Approval	_ Denial	