Carroll, John (BOS)

From: Sent: To:	Michael Nulty <sf_district6@yahoo.com> Monday, January 21, 2019 4:24 PM Mandelman, Rafael (BOS); MandelmanStaff, [BOS]; Ronen, Hillary; ronenstaff@sfgov.org; Peskin, Aaron (BOS); PeskinStaff (BOS)</sf_district6@yahoo.com>
Cc: Subject: Attachments:	Carroll, John (BOS); Board of Supervisors, (BOS) 180281 500 Pine Street - CVS Pharmacy Type-21 PCN Request -Public Comment scan0631.jpg
Categories:	180281

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors:

The Alliance for a Better District 6 is writing to express it's strongest request that the Public Safety and Neighborhood Services deny that the off-sale Type-21 general beer, wine and distilled spirits liquor license to Garfield Beach CVS, LLC doing business as CVS Pharmacy located at 500 Pine Street, <u>will not serve</u> the public convenience or necessity of the City and County of San Francisco to be heard on January 23rd 2019 agenda.

Please see the attached letter and place into the public record.

Michael Nulty

P.O. Box 420846
San Francisco, CA 94142-0846
(415) 339-8327 - Direct
(415) 339-8779 - Alliance for a Better District 6
(415) 339-8683 - Central City Democrats
(415) 937-1289 - North of Market Business Association
(415) 820-1412 - Tenderloin Futures Collaborative *Celebrating 42 years of social and economic justice advocacy. Building a better tomorrow for all.*https://www.linkedin.com/in/michaelnulty



Alliance for a Better District 6 P.O. Box 420782 San Francisco, CA 94142-0782

January 21, 2019

Public Safety and Neighborhood Services Committee City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

Re: 180281 Liquor License Type 21 500 Pine Street - CVS Pharmacy

Dear Rafael Mandelman. Hillary Ronen, Aaron Peskin:

The Alliance for a Better District 6 is writing to express it's strongest request the the Public Safety and Neighborhood Services deny that the off-sale Type-21 general beer, wine and distilled spirits liquor license to Garfield Beach CVS, LLC doing business as CVS Pharmacy located at 500 Pine Street, <u>will not serve</u> the public convenience or necessity of the City and County of San Francisco to be heard on January 23rd 2019 agenda.

There are many reasons that will be expressed under public comment by members of the community at large. But when a board of Supervisor receives and Committee Reports which outlines all the public documents collected before the hearing and you see many letters of protest and no letters of support that says allot already.

Another specific reason for denial is this not the first time a large corporation has tried to establish a Type-21 off sale liquor license in this area. File No. 170848 location 150 Kearny Street BevMo only a couple blocks away was denied, Resolution No. 378-17 on 10/27/17 the Mayor signed the resolution.

The neighborhood and stakeholders has spoken in the past and we see nothing has changed to allow a new Type-21 liquor license be granted.

Please deny the CVS issuance of a liquor license.

Sincerely

Michael Nulty Executive Director

cc: Board of Supervisors Public Safety Committee File

To: Mr. Justin Gebb

Director, Department of Alcoholic Beverage Control

33 New Montgomery Street, Suite 1230

San Francisco, CA 94105

From:

APR 06 2018 APR 06 2018 Alcoholic Beverage Control Office of Legal Services

RE: Protest of CVS License Issuance, 500 Pine Street

Dear Director Gebb,

Please accept this letter as my protest of the issuance of a Type 21 license to Garfield Beach CVS LLC, proposed at 500 Pine Street. I live in the immediate neighborhood and know all too well the damage these convenience stores selling liquor have caused. There are already enough liquor stores in this part of town.

I will outline again my reasons for being so staunchly opposed to allowing CVS to sell alcohol anywhere in this neighborhood.

Pursuant to Section 23958 of the Business and Professions Code, the ABC's issuance of this license would result in, and add to, the undue concentration of licenses in my neighborhood and District. There is already an over-concentration of liquor stores from high-end (Scottish Import Company) to non-so high-end (Financial District Fine Wines). And so many in-between.

ABC Reporting data shows that the Census Tract #0117.00, which contains the proposed CVS location currently demonstrates the existence of an undue concentration of licenses as defined by Section 23958.4 of the Business and Professions Code. If the ABC's own data is showing an undue concentration, then it surely must deny this applicants license application.

The proposed premises is located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision © of Section 23958.4 of the Business and Professions Code, than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency. This is a high-crime area, so please do hot add to the

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Dept of Alechelic Jeverage Control San Francisco potential for more crimes by permitting a CVS store to sell alcohol in this already troubled section of the City.

Additionally, the ABC has the authority to deny an application for a license where the issuance would tend to create or aggravate a law enforcement problem. This section of Kearny and Pine Streets is a high-crime area. Many of the crimes are caused by victims of alcohol abuse. The addition of another on-premise and off-premise alcohol sales vendor such as CVS is highly likely to further aggravate the crimes in the neighborhood. Let's not take that chance. Please deny this application in order to protect the public welfare.

Additionally, there is a formerly homeless veterans home located at 250 Kearny Street, just over a block away from this proposed CVS. Obviously, this is not a good idea, to offer low cost alcohol to former vets whom often suffer from PTSD and alcoholism.

Please consider my ongoing concerns and deny this applicants license applications for this location.

US Cano LUIS Cano 300 KEARNY S.F. CA. 94108 Sincerely,

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Dept of Alcoholic Beverage Control San Francisco

Mr. Justin Gebb

Director, Department of Alcoholic Beverage Control

33 New Montgomery Street, Suite 1230

San Francisco, CA 94105

March 23, 2018

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APR 06 2019

Alcoholic Beverage Control Office of Legal Services

Dear Mr. Gebb,

RE:

A Type 21 license to Garfield Beach CVS LLC, has applied to place a Type 21 ABC Off-Sale License at their proposed at 500 Pine Street CVS Pharmacy. I live in the immediate neighborhood at the 250 Kearny Street Veterans Home. As a member of this community, I strongly oppose the issuance of this license.

Protest of CVS License Issuance, 500 Pine Street

Just last month our community successfully convinced the San Francisco Board Of Supervisors to deny an application for at Type 21 License by Bevmo, which had been proposed at 150 Kearny St, just two blocks from this proposed CVS location at Kearny and Pine.

According to Section 23958 of the Business and Professions Code, the ABC's issuance of this license would result in, and add to, the undue concentration of licenses in my neighborhood and in this Supervisorial District. There is already an over-concentration of liquor stores in this neighborhood. In fact, there are 24 Active Off-Sale Licenses in this Census Tract (0117.00) (Report Attached).

The proposed CVS location currently indicates the existence of an over concentration of licenses as defined by Section 23958.4 of the Business and Professions Code. If the ABC's own data is showing an undue concentration, then it must deny this applicants license application.

The proposed premises is located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision © of Section 23958.4 of the Business and Professions Code, than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency. This is a high-crime area. Adding an off-sale option has the potential for even more crimes by permitting a CVS store to sell alcohol in this already troubled section of the City.

The Department of Alcohol and Beverage Control has the ultimate authority to deny an application for a license where the issuance would tend to create or aggravate a law enforcement problem. This section of Kearny and Pine Streets is a high-crime area. Many of the crimes are cauged by Nicipas of alcohol

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abuse. The addition of another on-premise and off-premise alcohol sales vendor such as CVS is highly likely to further aggravate the crimes in the neighborhood. Please deny this application in order to protect the public welfare.

At the formerly homeless veterans home located at 250 Kearny Street, where I live, many of my neighbors suffer from alcohol addiction. Our home is just ONE BLOCK away from this proposed CVS. What a terrible proposal, to offer low cost alcohol to former vets whom often suffer from PTSD and long term alcoholism.

Please consider my protest and deny this applicants license applications for this location. I will be standing by to participate in any licensing or Board of Supervisor Hearings pertaining to this application.

Sincerely,

Kevin Chenever 250 Keanny S.F. CA. 94108 KEVIN CHENEVERT

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Dept of Alcoholie Severage Control Sen Frances To Department of A.B.C:

My Name is David Huang. I'm strongly against the application for the type 21 license Transfer at 500 pine Street in SF. There are at leasp

7 ITYMON Stokes in our near by neighborhood. Another one in our neighborhood would affract more homeless people to slay here on the sidewalk day and night. That will cause more problems to the public. Such as public safety and nuisance. More crime and drawkenness. For these reasons, I may you to disapprove the above proposed new Irquor Sales.

Thank You,

Sincepely, AFC FILE DAVID HUANG Alconolic Arp 1 Offonolic Arp 1 RECEIVED or Solution 1 9 2018 Set Solo Control Control Control 612 Kearny SP, SF GA 94/08 RH. APR 0 9 2018 (415) 613-8281 Dept of Alcoholi: Beverage Control Sen Francisco

To: Mr. Justin Gebb

Director, Department of Alcoholic Beverage Control

33 New Montgomery Street, Suite 1230

San Francisco, CA 94105

From:

RECEIVED APR 06 2018 Alcoholic Beverage Control Office of Legal Services

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I will outline again my reasons for being so staunchly opposed to allowing CVS to sell alcohol anywhere in this neighborhood.

Pursuant to Section 23958 of the Business and Professions Code, the ABC's issuance of this license would result in, and add to, the undue concentration of licenses in my neighborhood and District. There is already an over-concentration of liquor stores from high-end (Scottish Import Company) to non-so high-end (Financial District Fine Wines). And so many in-between.

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potential for more crimes by permitting a CVS store to sell alcohol in this already troubled section of the City.

Additionally, the ABC has the authority to deny an application for a license where the issuance would tend to create or aggravate a law enforcement problem. This section of Kearny and Pine Streets is a high-crime area. Many of the crimes are caused by victims of alcohol abuse. The addition of another on-premise and off-premise alcohol sales vendor such as CVS is highly likely to further aggravate the crimes in the neighborhood. Let's not take that chance. Please deny this application in order to protect the public welfare.

Additionally, there is a formerly homeless veterans home located at 250 Kearny Street, just over a block away from this proposed CVS. Obviously, this is not a good idea, to offer low cost alcohol to former vets whom often suffer from PTSD and alcoholism.

Please consider my ongoing concerns and deny this applicants license applications for this location.

Sincerely,

Noe Mannaa Moe Mannaa Boo Kearny Str. San Francisco OA 4

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Dept of Alocholic Meyorage Control Sur Francisco

Department of Alcoholic Beverage Control PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

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- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest, The ABC-510 is located at www.abc.ca.gov and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your your protest is accepted.
- . If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

Granfield Beach CUS LLCDIBA CUS Pharmacy #10492

For premises at:

500 Pine Street, SANFrancisco, LA 9408 (Exacl address of proposed premises)

on the grounds that:

1) the application for license(s) Type 21 where issues would result in or add to an undue concentration of licenses Section 23958

2) where there presently exists an undue concentration of licenses as defined by Section 23958.4

3) where the proposed premises are located in a high crime reporting district Section 23958.4 (c)

therefore issuance of license(s) would be contrary to public welfare and morals and submit that these licenses be denied.

Check here if additional sheets attached

1, John Nulty PRINT (Name of Protestant)

, declare under penalty of perjury:

(1) That I am the Protestant herein:

- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

m PROTESTANT'S SIGNATURE ITELEPHONE NUMBER (Optional & non-public) USan Franciscu, California signed At (City and Slote) DATE SIGNED P. O. Box 421949, San Francisco, CA 94142-1949, PROTESTANT'S ADDRESS (Full address - Street nome & number, Unit or Apit. No., City, State, & Zip Code) ABC-610-A (Rev. April 2010)

MAR 1 5 2018

Alcoholic Beverage Control Office of Legal Services Page 2.

Points of consideration: Open Spaces: Rooftop Park at 500 Pine, which is connected to St. Mary's Square, contains planted areas, seating and open plazas. Behind the lot is St. Mary's Park with kiosk green toilet. Both sides of the corner building of 500 Pine Street are the entrances and exists on Pine and Kearny to the St. Mary's Square Parking Garage and parking lots. Schools: Ecole Notre Dame Des Victoires and Academy of Arts University.

Issuance of the license to the premises would add an undue concentration of licenses; licensing the premises aggravates an already existing police problems in a high-crime area; and the premises is within 500 feet of open space.

I do not know what the security plan for the new store is nor do I know which exits will be used by the public.

Because of the above concerns the following conditions must be applied.

Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 8AM and 10PM daily.

No more than 5% of the square footage of the premises will be used for the display of alcoholic beverages.

No malt beverages shall be sold with an alcoholic content greater than 5.7% by volume.

The sale of single beer or malt beverage in quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is prohibited.

No beer or malt beverage, wine cooler or beer cooler shall be sold in quantities of less than manufacturer pre-packaged multi-unit quantities of four (4) or more.

No wine shall be sold with an alcoholic content greater than 15% by volume except for wine which has been aged two years or more and maintained in a corked bottle.

Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalk or property adjacent to the licensed premises under control of the licensee.

The licensee shall utilized electronic surveillance and recording equipment that is able to view all exit and entrance points of the exterior of the premises. The electronic surveillance/recording shall be operational at all times that the premises open to the public. Said electronic recording shall be maintained and kept for minimum of seven (7) days, and shall be made available to Law Enforcement on demand.

Promote a transparent storefront that welcomes customers inside with products and services on display, discourage crime with more "eyes on the street," reduced energy consumption with use of natural light, and enhances the curb appeal and value of the store and the entire neighborhood.

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John nulty

Department of Alcoholic Beverage Control PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

State of California

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PROTESTANT'S SIGNATURE		TELEPHONE NUMBER (Oplianal & non-public)	
<u>San Francisco, Calit</u> SIGNED AT (City and State)	bruig		······································
SIGNED AT (Cily and Siale)		DATE SIGNED	
P. D. Box 420 546, 59	4 Francisco, CH94142-0.846	3/11/18	
PROTESTANT'S ADDRESS (Full address - Street nome & numbe	ar, Unit or Apit. No., Fly the T& PD CEIVED	RECEIVED	
ABC-610-A (Rev. April 2010)			•
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To: Mr. Justin Gebb

Director, Department of Alcoholic Beverage Control

Protest of CVS License Issuance, 500 Pine Street

33 New Montgomery Street, Suite 1230

San Francisco, CA 94105

From:

RE:

RECEIVEL APR 06 2018 Alcoholic Beverage Control Office of Legal Services

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Dept of Alechelic Beverage Control San Francisco

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potential for more crimes by permitting a CVS store to sell alcohol in this already troubled section of the City.

Additionally, the ABC has the authority to deny an application for a license where the issuance would tend to create or aggravate a law enforcement problem. This section of Kearny and Pine Streets is a high-crime area. Many of the crimes are caused by victims of alcohol abuse. The addition of another onpremise and off-premise alcohol sales vendor such as CVS is highly likely to further aggravate the crimes in the neighborhood. Let's not take that chance. Please deny this application in order to protect the public welfare.

Additionally, there is a formerly homeless veterans home located at 250 Kearny Street, just over a block away from this proposed CVS. Obviously, this is not a good idea, to offer low cost alcohol to former vets whom often suffer from PTSD and alcoholism.

Please consider my ongoing concerns and deny this applicants license applications for this location.

Sincerely,

MSS 11 Berden pl #511 Sun Brancisic CH 94104 David TSUNG

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Dept of Alechalist Lemisage Control Such Francisco

1 Dr. Carlton B. Goodlett Place City Hall, Room 244 San Francisco, Ca. 94102-4689

October 1, 2018

Dear Supervisors Mandelman, Ronen and Peskin,

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Please accept this letter as my protest against the application by Garfield Beach CVS LLC., for a Type 21 Alcoholic Beverage Control license proposed at 500 Pine Street, San Francisco. My home is located adjacent to this proposed convenience store location. My opposition to allowing this large discount convenience store to open here and sell alcohol is because I am convinced that it would cause further deterioration to the nature of the Downtown San Francisco work environment. This area is noted for its high crime and homelessness issues. The public convenience is already well served. We do not need yet another liquor seller in this part of town.

Recently, 7-Eleven, another large discount retail chain, was permitted to open a few blocks away on Kearny Street at Market, and a second 7-Eleven operates on Sutter Street at Kearny selling alcohol. Both of these chain outlets have become magnets of crime and socially unacceptable behavior by the many homeless people whom panhandle at their entrances, or camp on the adjacent sidewalks and alleyways. In addition, these chain stores have caused the quiet enjoyment of the neighborhood to be damaged due to the massive amount of trash which builds up in front of their stores. No attempt is made by these chain stores to clean their sidewalks. Another large chain liquor store called Bevmo was recently denied its application by the San Francisco Board of Supervisors. Bevmo had applied for the same Type 21 license, and proposed it just three blocks away from this proposed CVS location. The denial of that Bevmo license are the same reasons why this CVS liquor license should be denied.

Many of the unfortunate homeless people, my neighbors, whom frequent these liquor stores, or loiter outside them, suffer from drug addiction, alcohol abuse and PTSD. These are contributing factors to the high instances of crime on Kearny Street. Allowing CVS to open in this area, with its vast offerings of cheap alcohol and wine, will further cause the deterioration of this area.

Respectfully,

Luis & Cano Moo 300 KEARNY S.T SFO 94108

Lois F cono Mos

1 Dr. Carlton B. Goodlett Place City Hall, Room 244 San Francisco. Ca. 94102-4689

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Respectfully,

LOUIS LOPEZ Jonis Jopey 250 KRARNey # 429 SF CA 94108

1 Dr. Carlton B. Goodlett Place City Hall, Room 244 San Francisco, Ca. 94102-4689

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Respectfully,

MicHAEL S. HUGHES 250 KEANNY ST #477 SAN FRANCOCO CA 94108



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Recently, 7-Eleven, another large discount retail chain, was permitted to open a few blocks away on Kearny Street at Market, and a second 7-Eleven operates on Sutter Street at Kearny selling alcohol. Both of these chain outlets have become magnets of crime and socially unacceptable behavior by the many homeless people whom panhandle at their entrances, or camp on the adjacent sidewalks and alleyways. In addition, these chain stores have caused the quiet enjoyment of the neighborhood to be damaged due to the massive amount of trash which builds up in front of their stores. No attempt is made by these chain stores to clean their sidewalks. Another large chain liquor store called Bevmo was recently denied its application by the San Francisco Board of Supervisors. Bevmo had applied for the same Type 21 license, and proposed it just three blocks away from this proposed CVS location. The denial of that Bevmo license are the same reasons why this CVS liquor license should be denied.

Many of the unfortunate homeless people, my neighbors, whom frequent these liquor stores, or loiter outside them, suffer from drug addiction, alcohol abuse and PTSD. These are contributing factors to the high instances of crime on Kearny Street. Allowing CVS to open in this area, with its vast offerings of cheap alcohol and wine, will further cause the deterioration of this area.

Respectfully,

Moe Mannae 300 kenny street ST, EA, 94108

1 Dr. Carlton B. Goodlett Place City Hall, Room 244 San Francisco, Ca. 94102-4689

October 1, 2018

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Respectfully, 250 KEDRAY St #311 SF CA, 94108

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David Tsung & 11 Belden pl #511 SAM Francisco CA 94104

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ROWNIE WARDEIL 250 KRAMEY ST FLOG S.F. CA. 94108 Pomie Warles

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Kevin CHEMEVERT 250 KEARNY ST #405 94108 SAN FRANCISCO CA. Keri Chit

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MICHAEL A. JACKSON 250 KEARNY # 220 SF, 9, 94108 michaellach