

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

February 13, 2019

Justin Gebb
California Department of Alcoholic Beverage Control
33 New Montgomery St., Suite 1230
San Francisco, CA 94105

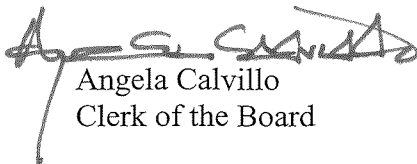
Dear Mr. Gebb:

The attached is a Resolution from the San Francisco Board of Supervisors making a determination that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits license to Garfield Beach CVS, LLC, doing business as CVS Pharmacy, located at 500 Pine Street, will not serve the public convenience or necessity of the City and County of San Francisco. The Board of Supervisors' Public Safety and Neighborhood Services Committee conducted a public hearing on January 23, 2019; Resolution No. 41-19 was approved by the Board of Supervisors on January 29, 2019, and enacted on February 8, 2019.

The Department of Alcohol Beverage Control is receiving this correspondence in accordance with California Business and Professions Code, Section 23958.4, affirming that the San Francisco Board of Supervisors recommends the California Department of Alcoholic Beverage Control deny the issuance of the license.

If you have any questions, please contact John Carroll, Assistant Clerk, at (415) 554 4445.

Sincerely,


Angela Calvillo
Clerk of the Board

C: Nelly Gordon, Police Department
Rose Meyer, Department of Alcoholic Beverage Control
John Kevlin, Applicant



City and County of San Francisco

Certified Copy

Resolution

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

180281

[Liquor License Transfer - 500 Pine Street - CVS Pharmacy]

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Garfield Beach CVS, LLC, doing business as CVS Pharmacy, located at 500 Pine Street (District 3), will not serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control deny the issuance of the license, in accordance with California Business and Professions Code, Section 23958.4. (Public Safety and Neighborhood Services Committee)

1/29/2019 Board of Supervisors - ADOPTED

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Peskin, Ronen, Safai, Stefani, Walton and Yee

Absent: 1 - Mar

2/8/2019 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

February 12, 2019

Date



Angela Calvillo
Clerk of the Board

1 [Liquor License Transfer - 500 Pine Street - CVS Pharmacy]

2
3 **Resolution determining that the transfer of a Type-21 off-sale general beer, wine,**
4 **and distilled spirits liquor license to Garfield Beach CVS, LLC, doing business as**
5 **CVS Pharmacy, located at 500 Pine Street (District 3), will not serve the public**
6 **convenience or necessity of the City and County of San Francisco; and**
7 **requesting that the California Department of Alcoholic Beverage Control deny the**
8 **issuance of the license, in accordance with California Business and Professions**
9 **Code, Section 23958.4.**

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11 WHEREAS, Garfield Beach CVS, LLC is seeking the transfer of a Type-21 off-
12 sale general beer, wine, and distilled spirits license for a proposed CVS Pharmacy
13 located at 500 Pine Street (District 3); 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 seven protests and zero letters of
17 support with the Department of Alcoholic Beverage Control under California Business
18 and Professions Code, Section 24013, and recommends that the Department of
19 Alcoholic Beverage 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. to 10:00 p.m. each day of the week; 2) no distilled spirits shall be sold in bottles or
23 containers smaller than 600 milliliters; 3) petitioner(s) shall actively monitor the area
24 under their control in an effort to prevent the loitering of persons on any property
25 adjacent to the licensed premises as depicted on the most-recently-

1 certified ABC-253; 4) the following alcoholic beverages shall not be sold in quantities of
2 fewer than three (3) individual containers per sale: a) beer, including malt beverages
3 and malt liquor products, in containers of 40 ounces or less; b) pre-mixed wine products
4 commonly known as "wine coolers;" and c) pre-mixed distilled spirits-based cocktails;
5 and 5) no wine shall be sold with an alcohol content of greater than 15% by volume; and

6 WHEREAS, The site is located in an area with an undue concentration of liquor
7 licenses; now, therefore, be it

8 RESOLVED, That the transfer of a Type-21 off-sale general beer, wine, and
9 distilled spirits license to Garfield Beach CVS, doing business as CVS Pharmacy,
10 located at 500 Pine Street (District 3), will not serve the public convenience or necessity
11 of the City and County of San Francisco; and, be it

12 FURTHER RESOLVED, That the Board of Supervisors of the City and County of
13 San Francisco hereby respectfully requests that the Department of Alcoholic Beverage
14 Control deny the issuance of the license.
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City and County of San Francisco

Tails

Resolution

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

File Number: 180281

Date Passed: January 29, 2019

Resolution determining that the transfer of a Type-21 off-sale general beer, wine, and distilled spirits liquor license to Garfield Beach CVS, LLC, doing business as CVS Pharmacy, located at 500 Pine Street (District 3), will not serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control deny the issuance of the license, in accordance with California Business and Professions Code, Section 23958.4.

January 23, 2019 Public Safety and Neighborhood Services Committee - PREPARED IN COMMITTEE AS A RESOLUTION

January 23, 2019 Public Safety and Neighborhood Services Committee - RECOMMENDED

January 29, 2019 Board of Supervisors - ADOPTED

Ayes: 10 - Brown, Fewer, Haney, Mandelman, Peskin, Ronen, Safai, Stefani, Walton and Yee
Absent: 1 - Mar

File No. 180281

I hereby certify that the foregoing Resolution was ADOPTED on 1/29/2019 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

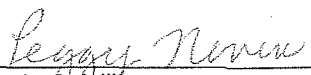
Unsigned

London N. Breed
Mayor

2/8/2019

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo
Clerk of the Board

2/8/2019
Date

File No.
180281