LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO:	Planning Departme Phone No. (415) 55		DATE:	February 18, 2020		
TO:	Police Department Inspector Georgia 9 Phone No. (415) 55	Sawyer	Zoning: F	SW Planning Team		
Neigh	se submit your responder solution in the submit your responder solution in Application in the submit is a submit of the submit o	ommittee will ten		Public Safety and edule the PC or N hearing		
	ASE EMAIL YOUR R c Safety and Neighbo john.carr		Committee (Clerk.		
Appli	icant name:	DP & DK Invest	ments, Inc.			
Business name:		Kal's Neighborhood Market				
Application address:		1401-19th Avenue San Francisco, CA 94122-3414				
Applicant contact info:		Jody Knight Reuben Junius & Rose, LLP iknight@reubenlaw.com				
PLA	NNING REVIE	W : ☐ Appr	oval	Denial		
Planr	ning Staff Contact:					
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POL	LICE REVIEW:	☐ Appr	oval	☐ Denial		
	Please print r	eview comm	nents in	a trailing report.		

REUBEN, JUNIUS & ROSE, LLP

RECEIVED

BOARD OF SUPERVISORS
SAN FRANCISCO

Jody Knight
jknight@reubenlaw.com

February 14, 2020

Delivered Via Messenger

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

Re: Liquor License Public Convenience or Necessity Request

1401 19th Avenue - Kal's Neighborhood Market

Our File No.: 11243.01

Dear Ms. Calvillo:

This office represents the owner of the property located at 1401 19th Avenue. The site is currently a family-owned Chevron franchise with a small food mart and auto repair service station. The owners have obtained unanimous approval from the Planning Commission to expand the food mart into the portion of the existing building that has been used for auto repair services and to allow the sale of beer and wine for off-site consumption with a Type 20 liquor license (the "**Project**"). The addition of beer and wine sales will help ensure the long-term viability of the gas station and provide the neighborhood with a convenient one-stop shop for food and beverages that will bring to life the owner's vision of the space as a neighborhood-serving market called "Kal's." To date, 37 customers and neighbors have signed a petition or written letters in support of the Project.

The liquor license is currently under review by the California Department of Alcohol Beverage Control ("ABC"). The owners filed an application with ABC for a license transfer from another establishment within San Francisco on July 22, 2019 via mail – Application File No. 20-608109. Notice of application was posted on the property on July 31, 2019 and notices were mailed out to properties within 500 feet on August 2, 2019. Due to the overconcentration of this type of ABC license in this census tract, the owners must obtain a determination by the Board of Supervisors that the public convenience or necessity will be served by the issuance of this license at 1401 19th Avenue.

The owners are pursuing the expansion of the convenience store and the sale of beer and wine in response to the needs of their customers and the greater neighborhood, as well as market conditions that have led to the underutilization of the auto repair use. Currently, the convenience

Ms. Angela Calvillo Clerk of the Board of Supervisors February 14, 2020 Page 2 of 3

store portion of the existing building is prohibitively small—allowing only the sale of basic items. Over the years, customers have often requested a greater selection of products. The owners are heeding the call of their customers by seeking to provide a wide variety of convenience goods. The food mart will include the sale of general grocery items, ready-made foods, fresh coffee, and personal items. Adding beer and wine to the offerings of this proposed neighborhood market will serve the public convenience and necessity of the neighborhood by increasing the variety of goods offered at this location. Area workers, residents, and tourists will have a new store that will provide a convenient one-stop shopping experience for customers stopping to get gas or people on their way home from the multiple modes of public transportation that stop right outside the gas station. Currently, 37 people have either signed the petition or written letters in support of the Project. The petition and letters are attached as **Exhibit A**. This outpouring of support from customers that live and work in the neighborhood further confirms that the public convenience and necessity will be served by the addition of beer and wine sales at the property.

The beer and wine sales for off-site consumption will be limited to a 25 square-foot portion of the 1,146-square foot food mart. No spirits will be sold. Sale of the beer and wine will comply with the operation and location requirements under Planning Code Section 202.2(b), including prohibiting advertisements of beer and wine sales. In addition, the owners have agreed to a condition set by ABC in consultation with the Police Department limiting the hours of sale of beer and wine to 8am-10pm. With the exception of beer and wine sales, the rest of the food mart will continue to operate 24 hours a day.

Because this is a family-owned and operated business, the owners take great pride in the maintenance and upkeep of the premises. They have zero tolerance for any loitering at or around the site. For this reason, the expanded food mart will include the installation of 11 security cameras, 4 inside and 7 outside, to monitor the site at all times. In addition, all employees will be required to complete ABC's online training course related to the sale of beer and wine. Although safety or security issues on the property are extremely rare, these security measures will ensure that the proposed beer and wine sales will not result in any negative impacts on the surrounding neighbors.

The owners have been committed to neighborhood engagement throughout the entitlement and liquor license approval process. They have conducted two community meetings and follow-up discussions with interested parties, including neighbors and community representatives. We have also reached out to Supervisor Gordon Mar's Office multiple times throughout the Planning process and to the Police Department as part of the ABC process. The owners are committed to being a good neighbor and will at all times be available to discuss any concerns regarding their operation with community members and City officials.

As noted above, the conditional use authorization allowing the sale of beer and wine was before the Planning Commission on December 5, 2019. No members of the public spoke in opposition to the Project at the public hearing, and the conditional use authorization was approved unanimously by the Planning Commission on the consent calendar.

Ms. Angela Calvillo Clerk of the Board of Supervisors February 14, 2020 Page 3 of 3

For the reasons outlined above, I respectfully request that this letter be forwarded to the Public Safety and Neighborhood Services Committee of the Board and that the Committee and the full Board of Supervisors make a determination under California Business & Professions Code § 23958.4 that the public need or convenience would be served by the transfer of a Type-20 off-sale beer & wine license to Kal's Neighborhood Market.

Please contact me with any questions you have.

Very truly yours,

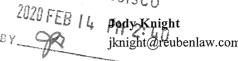
REUBEN, JUNIUS & ROSE, LLP

July Tyles

Jody Knight

Enclosure: Exhibit A

REUBEN, JUNIUS & ROSE, LLP SAN FRANCISCO CONTROL OF SUPERVISORS



February 14, 2020

Delivered Via Messenger

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

Re: Liquor License Public Convenience or Necessity Request

1401 19th Avenue - Kal's Neighborhood Market

Our File No.: 11243.01

Dear Ms. Calvillo:

At Ms. Jody Knight reuquest, please see attached letter in connection to the above referenced matter.

Please feel free to contact Ms. Knight at (415) 567-9000 if you have any questions.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Jennica Dandan Legal Assistant

REUBEN, JUNIUS & ROSE, LLP

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Jody Knight 14 PM 2:38

jknight@reubenlaw.com

February 14, 2020

GODSPEED Courier

GODSPEED Courier Signature

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

Time of Delivery of Package __

14:38

RECEIPT

Please acknowledge receipt of the item referenced below by signing and stamping this letter:

(1) Liquor License Public Convenience or Necessity Request Letter

Re:

Liquor License Public Convenience or Necessity Request

1401 19th Avenue – Kal's Neighborhood Market

Our File No.: 11243.01

Received:

Name

Signature

Date:

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

Jennica Dandan

Prepared and Packaged by Jennica Dandan,

Employee of Reuben, Junius & Rose, LLP

Exhibit A

Petition <u>in Support</u> of the Expanded Food Mart with Beer and Wine Sales for Off-Site Consumption at 1401 19th Ave

Petition Summary and	The Planning Code requires conditional use authorization from the Planning Commission to allow the expansion of
Background in the second	the food mart into the rest of the existing building and the sale of beer and wine at a gas station. The beer and
	wine sales for off-site consumption also require approval by the Department of Alcohol and Beverage Control as
	well as the Board of Supervisors. Your signature below indicates your support of the City approvals necessary to
	expand the food mart and allow the sale of beer and wine for off-site consumption.
Action Petitioned For	We, the undersigned, are neighbors and customers who support all necessary City approvals for the expansion of
	the food mart into the rest of the existing building and the addition of beer and wine sales for off-site consumption
	with a Type 20 liquor license. We urge the Planning Commission to approval the conditional use authorization for
	the expansion of the food mart with beer and wine sales for off-site consumption.

Printed Name 1776 2517.	Signature 1	Address	Comments of Any	Date 1/2
MARK Mesauta	Mred Meiguet	7358 14th me		11/13/19
1	1	415 Beacon ST, S.F. CA		11/23/19
Marytenseyla	se A hu	H [482-44 QU	98 CH 94122	11/23/19
Marily & Panelli		1273-29" Ave 94122		11/25/19
Denise Copobiana		330 Montenes Stub #7 SF CT 7-131	best business eugle'.	11/26/19
seups a z	hu	2194 32 MANG	Blat Bushes.	11/26/15
JINW	da.	CHAY SHEDWIN	"	a/29/1
Janice Peris	(MW)	1296 40 th CA 94116	my favorite stalli	11/30/19

Petition in Support of the Expanded Food Mart with Beer and Wine Sales for Off-Site Consumption at 1401 19th Ave

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Background	the food mart into the rest of the existing building and the sale of beer and wine at a gas station. The beer and
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	the expansion of the food mart with beer and wine sales for off-site consumption.

Printed Name 18 20 %	Signature	Address V. C. C. C. C.	Comments, It Anyon	Date
BEA WIRTH	Bea With	1878-15th aug	So Good!!!	11-29-249
MONALD KWONG	6,0	1153-74/CCL	Good	11-29-19
Stephen W. Convelly	Monully	2011 45th Ave 9. F		12-2-19
Monita Neuendo	Mh hous don	148 Del Vale SF	Good	12-2-19
John Branson	40	2291 - Junah	Greenenl	12-2-19
Popu wood	Whon &	1934 29th AVR		12/3/19
ROBERT CHEN	Plonton	162 3 45 TH AVE	Excellent	12/3/19
Branch Leo		63 Goettmen	Gros E	12/3/16

To whom it may abnoun,

I am fully support the project of 19th Ave Cheuron to open a mig convinient store that sell all buverages C Suda, beer, whis, Juices, etc)

I am a regular customer at cheuron on 1401 19th Avenue and sometimes. I have no time to go to safaway to buy beers or while for my party so It will be helpfull of I can get them while I get gasoline for my car. And this project for amunious store will make my life laster.

But Pregards

H Shawty 922 Judail St SP CA 94122 To whom it May Concern,

Subject: full support of putting a convinient store at 19th Ave chevron

As a loyal enstrant for a longtime, I am fully support the plan for a continent store that sell all lund of beverages. (Coffee, soda, beers, wines, etc.) at 19 th five chevran. We don't have many gas stations around my neighborhood that sell all lund of beverages especially for 24 hours. It will be great for the neighborhood if we have 24 hours cowincled store that sell all lund of beverages.

Thank you.
Marcy Herrera
1615 Judah
SF, OA 94122

Muca la

01/15/20

Ī

TO WHOM THIS MAY BE CONCERN

As one of the loyal customers of the 19th cheveron located at the corner of judah and 19th avenue, I am writing this letter to support the expansion of this loaction to a very nice convinient store where you can find it all, foods, goodies, beverages (soda, juices, water so beers) it will be amazing to stop for fuel and get some goodies without thinking to take extra trips to reach other stores loacted further down where we reside. I hope this project will get approval so it will be help to everyone in the neighbor hood so every person passing by or visiting.

Thank you for your time.

Sabri lamouchi

16th avenue san francisco

CA 94118

Salue Gun

To whom It may concern,

I hereby support the plan to open a convinient store that sell all hind of beverages (coffee, soda, beer & wines, etc) at chevron 19th Avenve. I've been a astonewr for this station for long time and all the employees are very nice and if you open the convinient store around my neighborhood.

Thank you. Sara Choi 1722 23rd Ave SF, CA 94/22

Jerretror .

To whom it may concern!

I am one of the resident in the sunset area close to the 19th ave Chevron located at 19th ave and judah(76 prior), and been coming for gas and service since 2001 since (Mr.Joe use to own it) and still loyal customer and I strongly support the idea of putting a store that can have groceries and all kiind of beverages(Soda, Wines, Beer, Juices etc...) I belive it will be a good idea for the neighbors and customer to stop in for gas and why not get supplies without making extra miles to reach other stores.

PILSK BERLE

21ST AVENUE

SAN FRANCISCO CA 94122

To Whom it may concern:

Subject: Full Support of putting a store at 19th avenue chevron

As a customer of this business for decate I think it will be fabilious idea to have a store that has it all as far as groceries, food , all find of beverages (beer, wine, sodas , juices , water), due to the fact we don't have much station that goes beyond selling gas , me and my wife we go over there for gas and we get full service at no extra charge or hidden fees, and why not get more than gas , we would love to improve the neighborhood.

Thank you

Ibrahim Polinsky

17th avenue

san Francisco

01/05/2020

To whom it may concern

I hope that All of you doing well My name is Matt Bournan and I Live at 2161 14th Ave were San Francisco and have been coming to 19th Ave Chevrus Status For years, I can submitting This petition letter to express my Full Support of expanding this business to a great comment store That have everything Fords, Alchocol beneracyes Sroda, fuiros etc. We heally need such Business in The neighbor hard to make it one stop for gas and grobaires. Thank you

God Bless

12/26/2019

To Whom it may Concern

Subject: Full Support of the project of 19th avenue Chevron(1401 19th ave SF CA 94122)

I Find the Idea of transfering the gas station located at 19th and judah to a big convinient store where you can find your goodies including Alchold beverages is a fantastic idea, specially as one stop for gas and get groceries and beverages as well I stronglu support this project so it can help us to make only one stop not multiple stops to get gas and get what we need. Me and My wife we go there foe years and we really wish that this convinient location for fuel can be more extandable to a store to make life easy for us so the neighborhood.

Best Regards

C.WANG

17TH AVENUE

San Francisco CA 94122

* Wany

To whom it may concern!

Hope this find you well, by this I really want to express my support of having a big store at this gas station located 1401 19th avenue

San Francisco (corner judah and 19th avenue), to have a location that have everything such food, alchol and other kinds of beverages will good and awesome idea in my oppinion so it will be one stop trip.

George Khabaz

Kirkham Street San Francisco CA 94122

02/06/2020

TO WHOM IT MAY CONCERN!

I've been a Loyal customer at chevron 19th Ave and Judah! I like to 60 there because the enployees are really hice. So when I heard, they are Planning to oven a store that sell all kind of beverages (Soda, wines, beer, Juices, etc.) I AM SO excited. I live on 1222 19th Ave only two blocks from the station and sometimes we herd some beverages in the middle of the Night and It will be convinience if I can just walk to the store.

YETTY FIRDAUS 1222 19th AVE SF, CA 94122

Yank For

December 2, 2019

To my concerns regarding gas station/service located at 1401 19th avenue San Francisco Ca 94122,

This is my go to station. Everyone here is so friendly. I feel as though I am in the 1950's where there was actual service and a smile to go with it. This gas station has the best prices around and is so convienent whether you are going north or south bound on highway 1/19th avenue. Everytime I get gas here I notice that alot of their cliental is tourist whom are headed southbound to the airport. I can over hear them talking about how hungry they are and how they want to purchase a drink or food along the way back.

This station is only equipped with a small store for gas and snacks but it is not big enough. Everytime 1 go here to get gas or snacks i feel cramped since there not enough space to move. There is also a service desk in that small area for the auto shop.

In conclusion this station needs to expand and have a food and snack market. Almost every other station I've been to has, thus 1401 Chevron needs to be updated and go with the current times of what a gas station from 2019/2020 should be equipped with.

This needs to be addressed. I am an on going Chevron customer for many years. I feel my opinion as a consumer to Chevron should matter and be taken into consideration.

Thank you for your time,

Christopher Thomas

11/18/2019

To whom may concern,

I am Rocky Wu Lee, living in the avenues in the sunset district, and been

Customer of (Joe previous owner) and Mr Adel (Actual Mnager at 19th avenue Chevron)

since 2007, I and my family get always the best service and felt welcome most of the time.

I am writing this letter to whom it may concern to express my strong approval of the idea of expanding this facility to a convineint store, I agree hat it will be a nice loaction to get gas, groceries or food, I belive it will be more convinient for many customers to be as one stop, I wish this business a more success down the stretch.

Best Regards,

Rocky Wu Lee

18th Avenue San Francisco

CA 94122

Petition to Expand Business

to whom it may concern:

1 am Janni Linea Badillo. I have been a loyal customer of chevron for many years. It is located at 1401 19th Ave, son Franciso, CA, 94122.

I'm signing a petition in support of the idea of expanding the business into a convenience store. This would help me and my family because it's close to our house.

Thank you!

Janni Linea Badillo (650) 758-8147

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TO WHOM IT MAY COCERN:

IAM CLYDEHOPE TORIBIO. I HAVE BEEN A LOYAL CUSTOMER OF CHEVRON FOR 10 YEARS. THAT SAID CHEVRON IS LOCATED AT 1401 19th Ave San Francisco with zip code 94122.

THIS LETTER IS IN SUPPORT TO THE PLAN OF EXPANSION OF THE BUSINESS TO A CONVENIENCE STORE.

I THEREFORE SIGN A PETITION TO SUPPORT ITS EXPANSION SOON.

THANK YOU IN ADVANCE.

CHEERS, CLYDEHOPE TORIBIO (650) 269-7521

Signature:

Thr 29, 20

To Whom it may Concern,

I Have been a regular/loyal Customer for how many years of 19th avenue
Chevron(76 Prior) located at 1401 19th avenue san francisco I want to express my:
Fully Support of expanding the business to a convinient store, I strong believe
It will be an amazing one stop for all customers gas or passengers.

Best Regards

Jose Bdillo (6507588660)

11/20/2019

November 26, 2019

To Whom It May Concern,

I have been a customer at 1401- 19th Ave. the Chevron station for over 20 years.

I think the idea of having a convenience store at this location would be of great service to customers who fill their cars, or are just waiting for the bus or trolley.

Regards

Steve Eliopoulos

November 26th 2019

To Whom it may Concern,

I Have been a regular Customer for how many years of 19th avenue Chevron(76 Prior, BP) and by this petion letter I want to express my Fully Support of expanding the business to a convinient store, I think it's going to be a great idea to serve not only gas customer but other people taking public transportation.

Best Regards,

Faisal Ali

November 18, 2019

To whom it may concern,

I have been coming to 1401 19th avenue Chevron for quite sometime. This happens to be my favorite gas station since the prices are the best and reasonable. They provide the best service, and they are very efficient and honest.

This station can improve in one way however, they need a convienent store with food, beverages, medical aide supplies and groceries. This will bring more business and will provide customers a choice of filling up or grabbing a bite on the way.

Please take this into consideration. This gas station could use a face lift and bring new change for a beneficial future.

Sincerely loyal Chevron customer,

Jennifer Bautista 415-822-7372

Petition To Expand Business To Comvenient Store Te Whom This May Cencerne My mame is Janue Vence . 2 am a regular customer of Chevron for the past 113 years becated at 1401 19th Auc. San Francisco California 94122. I am witing a petition and signing to polition for the idea of expanding the business into a Convenience Stone.

yours July, Janua Janes (415) 900-6884

Apriline 1/19/201

Department of Alcoholic Bev APPLICATION FOR AL ABC 211 (6/99)			ICENSE(S)	. !	State of Ca	A	Brew
TO: Department of Alcoholic Beverage Control 33 NEW MONTGOMERY STREET STE 1230 SAN FRANCISCO, CA 94105 (415) 356-6500			File Number: 608109 Receipt Number: 2586371 Geographical Code: 3800 Copies Mailed Date: July 19, 2019 Issued Date:				
DISTRICT SERVING LOC	ATION:	SAN FRANCISCO					
First Owner: Name of Business: Location of Business:		DP & DK INVESTM 1401 19TH AVE SAN FRANCISCO,				JUL 25 PI	
County:		SAN FRANCISCO					
Is Premises inside city limits	:7	Yes		Census Tr	act:	0326.01	
Mailing Address:(If different from premises address)	821 CORPORATE S FREMONT, CA 94			3 3 3.		 Y	
Type of license(s):		20		Dropping	Partner:	Yes N	0
Transferor's license/name:		427805 / TSUNAM	I PANHAND	LE, INC.			
<u>License Type</u> 20 - Off-Sale Beer And Wine	Transa PER/PRI	action Type M	<u>Master</u> Y	Secondar	y LT And	Count	
License Type Application Fee Application Fee Application Fee 20 - Off-Sale Beer And Wine	STATE F	ection Description FINGERPRINTS F: PREMISES AND PERSON AL FINGERPRINTS L FEE	Fee Code NA NA NA NA	Dup 1 0 1 0	<u>Date</u> 07/19/19 07/19/19 07/19/19 07/19/19	Fee \$39.00 \$905.00 \$24.00 \$296.00	
Have you ever been convict Have you ever violated any Department pertaining to the	provisio	-	erage Control				
STATE OF CALIFORNIA Applicant Name(s)	Cour	ity of SAN FRANCISO	CO	Date	e: July 1	9, 2019	

DP & DK INVESTMENTS, INC.