

1 [Liquor License Transfer – 351 California Street]

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3 **Resolution determining that the transfer of a Type 20 off-sale beer and wine**
4 **license from 2339-3rd Street to 351 California Street (District 3), to LandMark**
5 **Retail Group for CVS Pharmacy, will serve the public convenience or necessity of**
6 **the people of the City and County of San Francisco, in accordance with Section**
7 **23958.4 of the California Business and Professions Code, with conditions.**

8
9 WHEREAS, LandMark Retail Group is seeking the transfer of a Type 20 off-sale
10 beer and wine license from 2339-3rd Street to 351 California Street for CVS Pharmacy;
11 and,

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

14 WHEREAS, The Police Department recommends that the liquor license
15 application be approved with conditions; now, therefore, be it

16 RESOLVED, That in accordance with Section 23958.4 of the California Business
17 and Professions Code, the Board of Supervisors of the City and County of San
18 Francisco hereby determines for the foregoing reasons that the transfer of a Type 20
19 off-sale beer and wine license to LandMark Retail Group, for CVS Pharmacy, will serve
20 the public convenience or necessity of the people of the City and County of San
21 Francisco.

22 Conditions: (1) Sales of alcoholic beverages shall be permitted only between the
23 hours of 7:00 a.m. and 9:00 p.m. daily. (2) No more than 5% of the square footage of
24 the premises will be used for the display of alcoholic beverages. (3) No malt beverage
25 shall be sold with an alcoholic content greater than 5.7% by volume, except for

1 microbrews, craft brews, organic and specialty malt products sold under such
2 designations as stout, porter, IPA and ESB. This condition is intended to eliminate high
3 alcohol, low-cost products that are frequently abused, but not prevent the sale of
4 specialty and craft beer products. (4) The sales of single beer or malt beverages in
5 quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is prohibited. (5)
6 No beer or malt beverages, wine coolers or beer coolers shall be sold in quantities of
7 less than manufacturer pre-packaged multi-unit quantities of four (4) or more. (6) No
8 wine shall be sold with an alcoholic content of greater than 15% by volume except for
9 "Dinner Wines" which have been aged two years or more and maintained in corded
10 bottles. (7) Interior security cameras must be installed within the store and
11 concentrated in the area of beer and wine products. These cameras will be monitored
12 during store hours by on site management, CVS regional and corporate operations, and
13 made available to the SFPD for a minimum of 30 days upon request. (8) In addition to
14 security cameras, the interior store layout for the placement of beer and wine products
15 will allow employees and management to monitor activities visually. (9) All checkouts
16 will be equipped with electronic scan detection systems to control the sale of age-
17 related products and prompt cashiers to require proper identification before a sale is
18 completed. (10) Loitering will be prohibited on the sidewalks adjacent to the store.
19 Store management will be responsible for site security and for monitoring the sidewalks
20 surrounding the store during hours of operation.



City and County of San Francisco

Tails
Resolution

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

File Number: 120166

Date Passed: March 20, 2012

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 2339-3rd Street to 351 California Street (District 3), to LandMark Retail Group for CVS Pharmacy, will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

March 12, 2012 City Operations and Neighborhood Services Committee - PREPARED IN COMMITTEE AS A RESOLUTION APPROVING THE REQUEST WITH CONDITIONS

March 12, 2012 City Operations and Neighborhood Services Committee - RECOMMENDED..

March 20, 2012 Board of Supervisors - ADOPTED

Ayes: 8 - Avalos, Campos, Chiu, Elsbernd, Farrell, Kim, Mar and Olague

Excused: 3 - Chu, Cohen and Wiener

File No. 120166

I hereby certify that the foregoing
Resolution was ADOPTED on 3/20/2012 by
the Board of Supervisors of the City and
County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved