

1 [Liquor License Transfer - 2001 Market Street]

2

3 **Resolution determining that the transfer of a Type 20 off-sale beer and wine**  
4 **license from 1169 Market Street to 2001 Market Street (District 8), to Whole Foods**  
5 **Market California, Inc., for the Whole Foods Market, will serve the public**  
6 **convenience and necessity of the City and County of San Francisco, in**  
7 **accordance with California Business and Professions Code, Section 23958.4, and**  
8 **recommending that the California Department of Alcoholic Beverage Control**  
9 **impose conditions on the issuance of the license.**

10

11 WHEREAS, Whole Foods Market California, Inc., is seeking the transfer of a  
12 Type 20 off-sale beer and wine license from 1169 Market Street to 2001 Market Street  
13 for the Whole Foods Market; 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 zero (0) protests and zero (0)  
17 letters of support with the Department of Alcoholic Beverage Control under California  
18 Business and Professions Code, Section 24013, and recommends that the Department  
19 of 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 8:00  
22 a.m. and 10:00 p.m. each day of the week; 2) No more than 5% of the square footage  
23 of the premises will be used for the display of alcoholic beverages; 3) No wine coolers  
24 or beer coolers shall be sold in quantities less than manufacturers pre-packaged multi-  
25 unit quantities of four (4) or more; and 4) Loitering (defined as "to stand idly about;

1 linger aimlessly without lawful business”) is prohibited on any sidewalks or property  
2 adjacent to the licensed premises under the control of the licensee(s) as depicted on the  
3 ABC-257 dated 11-12-12; now, therefore, be it

4           RESOLVED, That in accordance with California Business and Professions Code,  
5 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
6 hereby determines for the foregoing reasons that the transfer of a Type 20 off-sale beer  
7 and wine license from 1169 Market Street to 2001 Market Street, for the Whole Foods  
8 Market, will serve the public convenience or necessity of the City and County of San  
9 Francisco; and, be it

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



City and County of San Francisco

Tails  
Resolution

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

File Number: 121140

Date Passed: March 19, 2013

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 1169 Market Street to 2001 Market Street (District 8), to Whole Foods Market California, Inc., for the Whole Foods Market, will serve the public convenience and 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.

March 07, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

March 07, 2013 Neighborhood Services and Safety Committee - RECOMMENDED

March 19, 2013 Board of Supervisors - ADOPTED

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang and Wiener

Excused: 2 - Farrell and Yee

File No. 121140

I hereby certify that the foregoing Resolution was ADOPTED on 3/19/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

  
Mayor  
Date Approved