

From: [Carroll, John \(BOS\)](#)
To: mat@theepicureantrader.com
Cc: [Alabanza, Analyn@ABC](#); amarjit.tamber@abc.ca.gov; [Wong, Joanne \(POL\)](#); [Jonas, Stephen \(POL\)](#); [Donovan, Dominica \(BOS\)](#); [Green, Ross \(BOS\)](#); [Hajee, Zahra \(BOS\)](#); [Thornhill, Jackie \(BOS\)](#); [Thongsavat, Adam \(BOS\)](#); [CPC.Referrals](#); [Salmonson, Joel \(POL\)](#); [Atoyebi, Tolu \(CPC\)](#)
Subject: RE: Liquor License Transfer - 2240 Market Street - The Epicurean Trader - BOS File No. 230527
Date: Thursday, June 1, 2023 6:29:00 PM
Attachments: [image001.png](#)

Greetings,

The Police and Planning Departments have completed their review of the subject public convenience or necessity request and has forwarded their recommendations. For your convenience, I have the review available from the links below:

[Police Department Response – June 1, 2023](#)

[Planning Department Response – May 31, 2023](#)

The Police Department's ALU is recommending approval with the following conditions:

- 1) Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the ABC-253; and

The Public Safety and Neighborhood Services Committee will hold this hearing at 10 am on Thursday, June 8, 2023.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

-

[Board of Supervisors File No. 230527](#)

Thanks for the review.

John Carroll

Assistant Clerk

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415)554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of*

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Attn: _____
Phone No. _____

DATE: May 10, 2023

AP Block/Lot Nos.: 3560/089-094

Zoning: Upper Market NCT

Quad: _____

Record No.: _____

TO: Police Department
Joel Salmonson
Phone No. (415) 553-1115

Please submit your response within three weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for the regular meeting of June 22, 2023.

PLEASE EMAIL YOUR RESPONSE by May 26, 2023, to:

John Carroll, Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org ~ (415) 554-4445

Applicant name: The Epicurean Trader, INC.

Business name: The Epicurean Trader

Application address: 2240 Market Street
San Francisco, CA 94114

Applicant contact info: Mat Pond and Holly McDell
415-800-6584
mat@theepicureantrader.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: _____
(Please add comments on a trailing page.)

POLICE REVIEW: Approval Denial

(Please add comments in a trailing report.)



5/31/2023

Assistant Clerk of the Board of Supervisors
San Francisco City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Re: 2240 Market Street - BOS Referral - Liquor License Public Convenience or Necessity Referral
Planning Department File No. 2023-004314MIS

To Whom It May Concern:

The Planning Department recommends approval for ABC Type-21 license in conjunction with principally permitted Specialty Grocery Store use (d.b.a The Epicurean Trader) in the Upper Market Street Neighborhood Commercial Transit Zoning District per Planning Code Section 764. **Planning Motion No. 19568** permitted the establishment of a Retail Sales and Service use on the ground floor of the Subject Property as a part of a Planned Unit Development. Moreover, **Building Permit Application (BPA) No. 202212138181** established a change of use from 'General Retail Sales and Service' to 'Retail Grocery Store (Specialty)'.

Grocery Stores may provide beer, wine, and distilled spirits for consumption off the premises with a California Alcoholic Beverage Control Board License Type 21 (Off-Sale General) under the condition that all areas devoted to the display and sale of alcoholic beverages do not exceed 15% of the Occupied Floor Area of the establishment. The Subject Property must adhere to the conditions outlined in Planning Commission Motion No. 19568 and the following conditions of Planning Code Section 202.2(a)(1):

1. The business operator shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, Section 34 of the San Francisco Police Code.
2. When located within an enclosed space, the premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building, and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.
3. While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.
4. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.



Per **BPA No. 202212138181**, a Limited Restaurant was approved as an Accessory Use within the Specialty Grocery Store (d.b.a The Epicurean Trader). Limited Restaurants cannot provide alcohol for consumption on the premises with an ABC Type-41 license but may sell alcohol for consumption off the premises with a Type 20 or 21 License. In order to be eligible for a Type-41 alcohol license, the Accessory Use must be permitted as a Full-Service Restaurant and Bona-Fide Eating Place which have seating, and serve prepared, ready-to-eat cooked foods for consumption on the premises.

If you have any questions related to Planning's evaluation, please call me at (628) 652-7363.

Sincerely,

Sydney Tolu Atoyebi

Sydney Tolu Atoyebi, Planner
Districts 5 & 8, Current Planning Division

2023 MAY -1 AM 11: 22

Dear San Francisco Board of Supervisors,

The Epicurean Trader is a respected retailer in the San Francisco community ^{BY} ~~with four small~~ grocery markets in the Bernal Heights, Cow Hollow, Hayes Valley, and Embarcadero/Financial District neighborhoods of San Francisco. We are a husband-and-wife run business and are completely independent, with no outside investors or ownership.

Our current markets are highly regarded, as indicated by online reviews, and have been recognized in publications like Sunset Magazine and San Francisco Magazine for our dedication to small, local producers and are a great addition to San Francisco neighborhoods. Supervisors, where we have a presence in their districts would know that local residents are thrilled to have us as part of their neighborhood and weekly shopping routine. Our café area within the market has become a community meeting place for residents to socialize and spend time with friends in their local community.

Below are a few quotes from our guests to highlight the impact that we can have on a local community:

- Rebecca S.: "A fantastic addition to the neighborhood"
- Carly C.: "Such an amazing addition to Union Street. They have a wide variety selection ranging from meats, cheeses, wines, spirits, etc. I was surprised by the high quality and specialty items that you can't get anywhere close by. I will definitely be adding this store to my regular shopping list!"
- Claire V. "Great addition to neighborhood - panini sandwiches especially good. A gourmet food shop was needed."
- Matt M. "An amazing selection of pretty much everything they carry. My personal favorites are Tartine Bakery bread, and Bi-Rite Creamery ice cream. 5 stars for a very welcome addition to the neighborhood!"
- Ron C. "One of my favorite things is their sandwiches--a welcome addition to the fare on Union St. To top it all off, they even have fresh Tartine Bakery bread and pastries...what more could you ask for?"

Currently, there is no offering like ours in the Castro/Duboce Triangle neighborhood, and we have specifically chosen this neighborhood due to the volume of requests we receive directly from local residents who want more grocery and specialty food options within walking distance of their homes.

Since we announced our plan to open in the Castro/Duboce Triangle, we have been inundated with calls and emails from local residents, commuters, and people that work in the surrounding area stating how excited they are to have a curated grocery store in a convenient location where they can purchase affordable and high-quality food.

Less than 5% of the total square footage of the space will be dedicated to the sale of alcoholic beverages, with the remainder focused on organic, quality food and pantry items, many of them made locally by San Franciscan artisans.

Despite alcohol being a small percentage of our overall business mix, it is essential to the overall economics of our store format and our ability to pay our employees a 'livable wage' (well above the minimum wage), health insurance, and a 401(k)/profit sharing program, as well as the high rents that San Francisco commands. For us to provide high-quality, organic, and healthy produce and staples to the neighborhood at affordable prices, we need to be able to offer higher-margin, non-perishable items such as alcohol and specialty items to help pay the bills. Without the margins on alcohol, we simply would not be able to survive.

Like all the categories we serve, we take much pride in the selection of our alcohol and don't simply look to carry cheap, low-quality liquor for the purpose of only getting intoxicated. We focus on smaller producers that care about authentic craftsmanship and quality raw materials. In fact, our dedication to quality has earned several accolades for our selection, including: *'Best Spirits Store in The San Francisco Bay Area'* by San Francisco Magazine; *'Best Neighborhood Wine Shop'* by Yelp, amongst others.

We are responsible retailers and in nearly ten years of business have never had issues with retailing alcoholic beverages in our markets. Our staff is highly knowledgeable and well-trained in how to be a responsible server of alcohol.

We hope you will support our bid to move into the Castro/Duboce Triangle neighborhood and provide the community with quality grocery options.

Regards,

A handwritten signature in black ink, appearing to read 'Mat & Holly', written in a cursive style.

Mat & Holly (founders/owners)

RE: PUBLIC CONVENIENCE OR NECESSITY DETERMINATION REQUEST

We are requesting from the Board of Supervisors of the City and County of San Francisco a determination of public convenience or necessity for the proposed location.

Applicants Name: Mat Pond & Holly McDell (Founders/Owners)
(415) 800-6584
mat@theepicureantrader.com

Business Name: The Epicurean Trader

Business Address: 2200 Jerrold Ave, Suite Q
San Francisco, CA
94124

Proposed Premises Address: 2240 Market Street
San Francisco, CA
94114

License Type: Type 21

Proposed Business Hours: Daily 7am-10pm

Date of ABC Application: March 22nd, 2023
License #: 646986



Mat Pond, Owner

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

- Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME
EPICUREAN TRADER, INC. THE

2. PREMISES ADDRESS (Street number and name, city, zip code)
2240 MARKET ST SAN FRANCISCO, CA 94114-1506

3. LICENSE TYPE
21

4. TYPE OF BUSINESS

<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Hofbrau/Cafeteria	<input type="checkbox"/> Cocktail Lounge	<input type="checkbox"/> Private Club
<input type="checkbox"/> Deli or Specialty Restaurant	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Night Club	<input type="checkbox"/> Veterans Club
<input type="checkbox"/> Cafe/Coffee Shop	<input type="checkbox"/> Brew Pub	<input type="checkbox"/> Tavern: Beer	<input type="checkbox"/> Fraternal Club
<input type="checkbox"/> Bed & Breakfast:	<input type="checkbox"/> Theater	<input type="checkbox"/> Tavern: Beer & Wine	<input type="checkbox"/> Wine Tasting Room
<input type="checkbox"/> Wine only	<input type="checkbox"/> All		

Supermarket Membership Store Service Station Swap Meet/Flea Market

Liquor Store Department Store Convenience Market Drive-in Dairy

Drug/Variety Store Florist/Gift Shop Convenience Market w/Gasoline

Other - describe: **SPECIALTY GROCERY**

5. COUNTY POPULATION
3,425/875,010

6. TOTAL NUMBER OF LICENSES IN COUNTY

<input type="checkbox"/> On-Sale	<input type="checkbox"/> Off-Sale	1,136	<input type="checkbox"/> On-Sale	<input checked="" type="checkbox"/> Off-Sale
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7. RATIO OF LICENSES TO POPULATION IN COUNTY

8. CENSUS TRACT NUMBER
169

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT
3

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

<input type="checkbox"/> On-Sale	<input checked="" type="checkbox"/> Off-Sale	7	<input type="checkbox"/> On-Sale	<input checked="" type="checkbox"/> Off-Sale
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11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

Yes, the number of existing licenses exceeds the number allowed

No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER
412

14. TOTAL NUMBER OF REPORTING DISTRICTS
654

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS
54,049

16. AVERAGE NO. OF OFFENSES PER DISTRICT
82.64

17. 120% OF AVERAGE NUMBER OF OFFENSES
99.16

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT
296

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17

No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.

b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.

c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name: **Board of Supervisors**

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

jm

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22. APPLICANT SIGNATURE



23. DATE SIGNED

01/26/23

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes

No

See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Ms. Amanda BAIRD,
consultant
(415) 299-2964


TO: Department of Alcoholic Beverage Control
33 NEW MONTGOMERY STREET
STE 1230
SAN FRANCISCO, CA 94105
(415) 356-6500

File Number: **646986**
Receipt Number: **2786797**
Geographical Code: **3800**
Copies Mailed Date: **March 28, 2023**
Issued Date:

DISTRICT SERVING LOCATION: SAN FRANCISCO
First Owner: **EPICUREAN TRADER, INC. THE**
Name of Business: **EPICUREAN TRADER THE**
Location of Business: **2240 MARKET ST**
SAN FRANCISCO, CA 94114-1506
County: **SAN FRANCISCO**
Is Premises inside city limits? **Yes**
Mailing Address:(If different from premises address) **1187 COAST VILLAGE RD**
#336
MONTECITO, CA 93108-2737
Type of license(s): **21, 41**
Transferor's license/name: **428540 / GUAN, LINDA AO**

Census Tract: **0169.00**

Dropping Partner: Yes No

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SAN FRANCISCO
2023 MAR 31 AM 8:52
BY 

<u>License Type</u>	<u>Transaction Type</u>	<u>Master</u>	<u>Secondary LT And Count</u>
41 - On-Sale Beer And Wine - Eating P	ORI	Y	
21 - Off-Sale General	PER/PRM	Y	

<u>License Type</u>	<u>Transaction Description</u>	<u>Fee Code</u>	<u>Dup</u>	<u>Date</u>	<u>Fee</u>
Application Fee	DBL TRF: PREMISES AND PERSON	NA	0	03/22/23	\$1,370.00
41 - On-Sale Beer And Wine - Eat	ANNUAL FEE	NA	0	03/22/23	\$495.00
21 - Off-Sale General	ANNUAL FEE	NA	0	03/22/23	\$884.00
Total					\$2,749.00

Have you ever been convicted of a felony? **No**
Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? **No**

STATE OF CALIFORNIA County of SAN FRANCISCO Date: March 22, 2023

Applicant Name(s)

EPICUREAN TRADER, INC. THE



CALIFORNIA DEPARTMENT OF

Alcoholic Beverage Control

Report Date: Wednesday, May 10, 2023

LICENSE INFORMATION

License Number: 646986 **Primary Owner:** EPICUREAN TRADER, INC. THE

Office of Application: 24 - SAN FRANCISCO

BUSINESS NAME

EPICUREAN TRADER THE

BUSINESS ADDRESS

2240 MARKET ST , SAN FRANCISCO, CA, 94114

County: SAN FRANCISCO **Census Tract:** 0169.00

LICENSEE INFORMATION

Licensee: EPICUREAN TRADER, INC. THE

Company Information

OFFICER: POND, MATTHEW JAMES (PRESIDENT)

OFFICER: MCDELL, HOLLY KRISTIN (SECRETARY/ASST SEC)

STOCKHOLDER: MCDELL, HOLLY KRISTIN

STOCKHOLDER: POND, MATTHEW JAMES

LICENSE TYPES

Allow up to six weeks for expiration date updates after fee waiver or renewal fee submittal.

21 - OFF-SALE GENERAL

License Type Status: PENDING **Status Date:** 22-MAR-2023 **Term:** 12 Month(s)

Original Issue Date: **Expiration Date:** **Master:** Y **Duplicate:** **Fee Code:** P40

Transfers: From License Number: [21-428540](#)

41 - ON-SALE BEER AND WINE - EATING PLACE

License Type Status: PENDING **Status Date:** 22-MAR-2023 **Term:** 12 Month(s)

Original Issue Date: **Expiration Date:** **Master:** Y **Duplicate:** **Fee Code:** P40

Transfers: From License Number: [21-428540](#)

OPERATING RESTRICTIONS:

No Operating Restrictions found

DISCIPLINARY ACTION:

No Active Disciplinary Action found

DISCIPLINARY HISTORY:

No Disciplinary History found.

HOLDS:

Hold Type: FORM 220 **Hold Date:** 22-MAR-2023

ESCROWS:

No Escrow found