

**LIQUOR LICENSE
PUBLIC CONVENIENCE OR
NECESSITY REFERRAL**

TO: Planning Department
Georgia Powell
Phone No. (415) 558-6371

DATE: May 28, 2019

TO: Police Department
Inspector Nelly Gordon
Phone No. (415) 837-7273

AP Block/Lot Nos.: 8711/023
Zoning: MB-RA Mission Bay Rdv
Quad: MB-RA Mission Bay Rdv
Record No.: _____

Please submit your response within three weeks; the Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in July of 2019.

PLEASE EMAIL YOUR RESPONSE BY: June 14, 2019, to John Carroll,
Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Gus's Market Channel, LLC

Business name: **Gus's Community Market**

Application address: 1101-4th Street
San Francisco, CA 94158

Applicant contact info: Beth Aboulafia
Hinman & Carmichael LLP
415-362-1215
Aboulafia@Beveragelaw.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: _____

Please print review comments on a trailing page.

POLICE REVIEW: Approval Denial

Please print review comments in a trailing report.



California Department of Alcoholic Beverage Control
License Query System Summary as of 05/27/2019

License Information	
License Number:	597870
Primary Owner:	GUS'S MARKET CHANNEL, LLC
ABC Office of Application:	24 - SAN FRANCISCO

Business Name	
GUS'S COMMUNITY MARKET	

Business Address	
1101 4TH ST	
SAN FRANCISCO, CA. 94158	
County: SAN FRANCISCO	Census Tract: 0607.00

Licensee Information	
Licensee: GUS'S MARKET CHANNEL, LLC	
Company Information	
OFFICER: VARDAKASTANIS, BOBBY (MANAGING MEMBER)	
OFFICER: VARDAKASTANIS, DIMITRI (MANAGING MEMBER)	
OFFICER: VARDAKASTANIS, GEORGIA KONSTANT (MANAGING MEMBER)	
MEMBER: VARDAKASTANIS, BOBBY	
MEMBER: VARDAKASTANIS, DIMITRI	
MEMBER: VARDAKASTANIS, GEORGIA KONSTANT	

License Types	
1)	License Type: 20 - OFF-SALE BEER AND WINE
	License Type Status: ACTIVE
	Status Date: 11-DEC-2018 Term: 12 Month(s)
	Original Issue Date: 10-DEC-2018 Expiration Date: 30-NOV-2019
	Master: Y Duplicate: 0 Fee Code: P40
	License Type was Transferred On: 10-DEC-2018 From: 20-551550
	License Type was Transferred On: To:
2)	License Type: 21 - OFF-SALE GENERAL
	License Type Status: PENDING
	Status Date: 07-MAR-2019 Term: 12 Month(s)
	Original Issue Date: Expiration Date:
	Master: Y Duplicate: Fee Code: P40
	License Type was Transferred On: From: 21-555651
	License Type was Transferred On: To:
3)	License Type: 41 - ON-SALE BEER AND WINE - EATING PLACE
	License Type Status: ACTIVE
	Status Date: 11-DEC-2018 Term: 12 Month(s)
	Original Issue Date: 10-DEC-2018 Expiration Date: 30-NOV-2019
	Master: Y Duplicate: 0 Fee Code: P40
	License Type was Transferred On: 10-DEC-2018 From: 41-551550
	License Type was Transferred On: To:
4)	License Type: 58 - CATERER PERMIT
	License Type Status: ACTIVE
	Status Date: 10-DEC-2018 Term: 12 Month(s)
	Original Issue Date: 10-DEC-2018 Expiration Date: 30-NOV-2019
	Master: N Duplicate: 1 Fee Code: P40
	License Type was Transferred On: 10-DEC-2018 From: 41-551550
	License Type was Transferred On: To:

Operating Restrictions	
Sales of alcoholic beverage shall only be permitted between the hours of 8:00 a.m. and 2:00 a.m. each day of the week.	
Beer, malt beverages, and wine coolers in containers of 16 oz. or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities. This conditions only applies to the Type 20 (Off Sale Beer and Wine) license.	
The sale, service and consumption of powder alcohol or non-liquid alcohol based products is prohibited.	
No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles.	
Wine shall not be sold in bottles or containers smaller than 750 ml.	
No noise shall be audible beyond the area under the control of the licensee(s) as defined on the ABC 257 dated 08/23/18.	

Disciplinary Action	
... No Active Disciplinary Action found ...	

Disciplinary History	
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... No Disciplinary History found ...

Holds

Hold Date: 07-MAR-2019 Type: FORM 220

Escrows

... No Escrow found ...

For a definition of codes, view our [glossary](#).



May 24, 2019

By Hand-Delivery

John Carroll
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, California 94102

Re: Request for Resolution of Public Convenience or Necessity
Gus's Channel Market LLC, dba Gus's Community Market
1101 4th Street, San Francisco, California 94158

Dear Mr. Carroll,

Enclosed please find a request for a resolution of public convenience or necessity on behalf
Gus's Channel Market LLC ("Gus's Community Market").

If you have questions or need additional information, please don't hesitate to call or email
me.

Regards,

A handwritten signature in blue ink that reads "Beth Aboulafia".

Beth Aboulafia
Hinman & Carmichael LLP

Encl.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 MAY 24 PM 3:22

Handwritten initials in blue ink, possibly "BA", written over a horizontal line.



May 24, 2019
Angela Calvillo
Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, California 94102

Re: Request for Resolution of Public Convenience or Necessity
Gus's Market Channel LLC, dba Gus's Community Market
1101 4th St., San Francisco 94158

Dear Ms. Calvillo,

Gus's Market Channel LLC ("Gus's Community Market") has applied to the Department of Alcoholic Beverage Control for a person-to-person, premises-to-premises transfer of a Type 21 Off-Sale General license for its new market in Mission Bay. We are requesting a determination by the Board of Supervisors that public convenience or necessity will be served by issuance of the Type 21 license.

Gus's Community Market is part of a local, family-owned business that operates three similar grocery stores in the Haight Ashbury, Outer Sunset and Mission neighborhoods. Haight Street Market, located at 1530 Haight Street was established in 1981, and Noriega Produce at 3821 Noriega Street was established in 1985. Gus's Community Market at 2111 Harrison Street opened in late 2015 and was named Gus's after our father who started the business. Sadly, he passed away in 2017. However, his spirit and vision are still very much a part of how we operate our business. We were privileged to have the San Francisco Chronicle publish a feature on our family and our neighborhood markets earlier this year, upon the opening of our new Mission Bay location.

Our newest Gus's Community Market, in the Mission Bay neighborhood, occupies approximately 10,000 sq. feet on the ground floor of a residential building at the corner of 4th Street and Channel Street. The space was previously occupied by a market operating with a Type 20 off-sale beer and wine license. We took over the location, along with the existing Type 20 license, in December 2018, and would now like to replace the Type 20 license with a Type 21 license that we will be transferring to the location.



2200 JERROLD AVENUE

UNIT A

SAN FRANCISCO, CA 94124

PH 415 655 9366

FAX 415 796 0147

EMAIL INFO@GUSSMARKET.COM

GUSSMARKET.COM



The new market, like our Harrison Street location, offers a full-service deli, butcher department, full line of produce and dry goods and a small café that provides seating for customers to consume food that is prepared and purchased on-site. As with our Harrison Street market, we would like to offer a complete selection of alcoholic beverages to compliment the full-service grocery.

Our new market provides a much-needed neighborhood-serving grocery store that is within walking distance of residences, live/work units and public transit. Our hours of operation are 7am to 10pm. We have 75 employees, most of whom live in the immediate neighborhood.

We have received nothing but positive feedback from the community since opening the market in December. As part of the outreach for the new license, we mailed notices of our license application to some 900 residents within 500 feet of the premises, including over 300 residents who live within 100 feet of the premises. No objections were received. We also reached out to Terezia Nemeth, Acting Chair of Mission Bay Citizens Advisory Committee, regarding our desire to offer a full-selection of alcoholic beverages, including spirits, to our customers. Ms. Nemeth was very complimentary of our market and did not see any impediments to our proceeding with the application.

We look forward to providing a much-needed neighborhood serving grocery store that contributes positively to the Mission Bay community for many years to come. For the reasons set forth above, we respectfully request that the Board of Supervisors make a finding that issuance of the Type 21 license to Gus's Community Market will serve public convenience or necessity.

Sincerely,

Dimitri Vardakastanis
Gus's Community Market
dimitri@gussmarket.com

Attachment: SF Chronicle Article on the opening of Gus's Community Market in Mission Bay, dated January 6, 2019



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UNIT A

SAN FRANCISCO, CA 94124

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MARKETS

Old values in a modern era

Gus's Community Market moves into Mission Bay neighborhood

By Sarah Fritsche

With the opening of the latest Gus's Community Market in San Francisco, brothers Dimitri and Bobby Vardakastanis have much to appreciate this year, such as a thriving company with four beloved grocery stores in the city.

Yet for the brothers, it is also a bittersweet affair — this is the first Gus's Community Market to open without Gus.

It's been only a little over a year since their father, Konstantinos "Gus" Vardakastanis, was killed by a hit-and-run driver while crossing the street during an early-morning trip to the San Francisco Produce Market in the Bayview.

Though the investigation into their father's death is ongoing, the brothers are forging ahead with the latest outpost of the family-run neighborhood grocery store that bears his name. Located in Mission Bay on Fourth Street, it opened during the last week of December.

"We both know he's physically not here, but he's on our side as (we) move forward on it, and I'm sure he's proud," says Dimitri Vardakastanis, 37.

Born and raised in San Francisco, the brothers started working in the family business when they were kids — "stocking shelves, cleaning shelves, standing on a milk crate behind the register," says Bobby Vardakastanis, 35.

Their late father, along with his wife, Georgia, opened the family's first market on Haight Street in 1981. That was followed by an outpost on Noriega in the Outer Sunset a few years later. In 2015, they opened their third store at the corner of Harrison and 17th streets in the Mission Creek neighborhood.

Now comes the latest project, in the shadow of the ballpark. At about 10,000 square feet, it has a similar footprint as the Harrison Street location, along with many of the same offerings.

Shoppers can expect high-quality meat and seafood departments, as well as hand-picked fresh produce — the cornerstone of the family's markets. There is also a wide range of prepared foods, a number of which are based on their mother's family recipes. (In addition to looking after her grandkids, Georgia Vardakastanis is also working on a cookbook for the market.)

As the market settles in to daily operations, the brothers expect to tweak things to better fit the demands and quirks of the neighborhood. One new addition to the Fourth Street market, for example, is a ramen bar, which will eventually be added to their other locations.

"That's the beauty of being small and nimble. We're at a stage where we have a mold but we can still flex to what the neighborhood needs," says Dimitri Vardakastanis.

Like the other expansions, the Mission Bay project is another way to give their employees new opportunities for growth within the company.

"To us, that's a dream come true when you see people growing with us and put their faith in us as a business," says Bobby Vardakastanis. "They're trusting their livelihood to us. We take a lot of pride in making sure we do our job correctly to protect everybody."



At top, brothers Bobby (left) and Dimitri Vardakastanis (right) at their new Gus's Community Market (middle and above), in front of an old photo of themselves with their late father, Gus.

The Fourth Street market isn't the full extent of the family's expansion plans, either.

In the past three years, they've tripled their warehouse storage space so they have enough room to hold the bulk of products they acquire as part of their ongoing efforts to keep costs as low as possible for customers.

Come 2020, their tiny Noriega market will move up the block to a new location at 44th Avenue, allowing it to expand from the current 2,500 square feet to roughly 11,000 square feet.

"It was something that — especially after expanding our Haight Street store — our customers in the Outer Sunset were asking for," says Dimitri Vardakastanis. "People love our Noriega store. We love our Noriega store. We just want more of it."

With the Amazon-ification of Whole Foods, not to mention the push for human interaction-free shopping experiences, the fact that a market like Gus's continues to grow is something to celebrate.

"Not to judge, but they're building platforms to disconnect that one-on-one interaction with customers. We're trying to keep that connection. That's why it's so important to us," says Dimitri Vardakastanis. "You can go online and order groceries with us as an option, but what we really hope and want is that (customers) come to the store. Come meet the fishmonger, come meet the person running the deli, or anybody in the store. Chances are, that person is part of your neighborhood, your community. Not only do you get to buy your fish, you also get to interact with somebody within your neighborhood and city."

"That is more important than just buying groceries, in our mind."

That said, without the competitive nudge from larger national retailers, Gus's might not be the market it is today.

"I feel like competition makes good business owners great. It forces you to get to that next level," says Bobby Vardakastanis.

"When Whole Foods moved into the Haight, (it was) our opportunity to show that we can also provide full service just like any other Whole Foods, Safeway or whatever larger chain stores can offer."

Sure, Gus's keeps up with its competition by catering to modern San Francisco shoppers, but the real draw remains that each location is a touchstone for the neighborhoods they serve.

That community investment was nowhere more evident than in the days following their father's death, when impromptu memorials blossomed in front of their stores.

"Having community in a name, it all kind of came full circle. We saw it not just on a consumer level in the store, but on a larger scale," says Dimitri Vardakastanis. "Nothing lives on (in) our dad's legacy more than expanding our business and keeping the kind of legacy alive. We're happy to be pushing forward and opening this new store — and having his name on it."

Sarah Fritsche is a San Francisco Chronicle staff writer. Email: sfritsche@sfchronicle.com. Twitter/Instagram: @foodcentric

Photos by Liz Hafalla / The Chronicle

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Ms. LINA CAROLAN, Paralegal, Hirman & Carmichael LLP

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

File Number: 597870
Receipt Number: 2558472
Geographical Code: 3800
Copies Mailed Date: March 7, 2019
Issued Date:

(415) 362-1215
RECEIVED BOARD OF SUPERVISORS SAN FRANCISCO
MAR 12 PM 3:16

DISTRICT SERVING LOCATION: SAN FRANCISCO
First Owner: GUS'S MARKET CHANNEL, LLC
Name of Business: GUS'S COMMUNITY MARKET
Location of Business: 1101 4TH ST
SAN FRANCISCO, CA 94158-2231
County: SAN FRANCISCO
Is Premise inside city limits? Yes
Mailing Address: 2200 JERROLD AVE
STE A
SAN FRANCISCO, CA 94124-1036

Census Tract 0607.00

Type of license(s): 21

Transferor's license/name: 555651 / LAWTON TRADING POST LLC

Dropping Partner: Yes No

Table with 7 columns: License Type, Transaction Type, Fee Type, Master, Dup, Date, Fee. Rows include ANNUAL FEE, PREMISE TO PREMISE TRANSFER, PERSON-TO-PERSON TRANSFER, and a Total row.

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
Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of SAN FRANCISCO Date: March 7, 2019

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

GUS'S MARKET CHANNEL, LLC