

LIQUOR LICENSE REVIEW

TO: Planning Department **File:** 141173
AnMarie Rodgers/CTYPLN/SFGOV
Georgia Powell/CTYPLN/SFGOV@SFGOV
Fax No.: 558-6409

TO: Police Department
Lieutenant Dave Falzon
Inspector Nelly Gordon
Fax No.: 553-1463

DATE: December 3, 2014

This item is tentatively scheduled to be heard in four to six weeks.
PLEASE EMAIL YOUR RESPONSE BY: January 16, 2014, to Derek Evans,
Clerk, Neighborhood Services and Safety Committee.
Derek.Evans@sfgov.org - Fax No: 554-7714

Applicant Name: Christopher Foley
and Business Name: SMARKET LLC, dba Market on Main
(201 Folsom Street, Suite 101)

Applicant Address: 850 7th Street
San Francisco, CA 94107
and Phone No. (415) 361-4803

PLANNING COMMENTS: Approval Denial

POLICE COMMENTS: Approval Denial

SMARLET LLC
Market On Main
201 Folsom Street, Suite 101
San Francisco, CA. 94105

November 21, 2014

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2014 DEC -1 AM 10:05
hr

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

Re. Liquor License "PCN" Request

Honorable Board of Supervisors,

On October 30, 2014, the California Department of Alcoholic Beverage Control processed an application for SMARKET LLC, a gourmet market / grocery store, for a person to person and premises to premises transfer of a type 21, Off-Sale General license. The intended premises address in San Francisco is located in Supervisor District 6 at 201 Folsom Street, Suite 101. The location is within census tract #0615.00 which allows for eleven (11) off-sale type licenses within the census tract, based on the most recent estimated population count. At the present time, twenty-one (21) Off-Sale type licenses are issued within this census tract. The census tract is deemed to be over-concentrated at this time with Off-Sale type licenses.

Pursuant to the requirements of Section 23958.4 of the Business and Professions Code, SMARKET LLC, here-after known as "Applicant", is applying for a "PCN" review by the San Francisco Board of Supervisors. After review of all pertinent facts regarding this premises and the surrounding area, applicant hopes and wishes that the Board will find that the issuance of the applied-for type 21 Off-Sale General license will fulfill the public's convenience or necessity.

APPLICANT CONTACT INFORMATION:

SMARKET LLC
Christopher P. Foley, Managing Member
850 7th Street
San Francisco, CA. 94107
Telephone: 415-361-4803
Email: cfoley@polarispacific.com

Alan Miloslavich, Director of Operations
524 2nd Street
San Francisco, CA. 94107
Telephone: 415-694-3341
Email: alan@themarketonmarket.com

ABC LICENSE INFORMATION:

The type 21, Off-Sale General license is being purchased from a current licensee within Supervisor District #6. The current ABC application is requesting transfer of ownership from the current licensee to the Applicant and from the current licensee's location to the applicant's location at 201 Folsom Street. The new intended address for the license on Folsom Street is also located within Supervisor District #6. The transfer of this license will not add to the current number of off-sale licenses located within Supervisor District #6.

Current license being purchased / transferred from:

Guadalupe M. Ramirez / Javier Ramirez

Db: Don Ramons

225 11th Street

San Francisco, CA. 94103

Purchaser and intended location where license is to be transferred:

SMARKET LLC (Managing Member: Christopher P. Foley)

Db: Market on Main

201 Folsom Street, Suite 101 (corner of Main Street)

San Francisco, CA. 94105

Current building status: Under Construction (part of the Lumina complex project)

BUSIENSS OPERATION INFORMATION:

SMARKET LLC intends to operate a full service gourmet market / grocery store which will also have seven (7) types of prepared food venues within the store to provide on-site food preparation for on-site meal consumption and take-out prepared foods for off-site meal consumption. The applicant is applying to ABC for a person to person and premises to premises transfer (double transfer) of the type 21 Off-Sale General license for the grocery store operation of the business to provide patrons the opportunity to purchase beer, wine, and distilled spirits for off-premises consumption while shopping for groceries.

Applicant is also applying for an original type (41) On-Sale Beer and Wine Eating Place type license for the food venues within the subject grocery store to provide patrons the opportunity to complement their meal service with beer and wine if they wish. The type 41 On-Sale Beer and Wine license is not the subject of this request to the Board and the applicant will be providing substantiation to ABC as to how the premises will fulfill the public's convenience or necessity with the applied-for type 41 license. The food preparation and service at the grocery store is being mentioned so as to give the Board the full scope of services that will be offered at the grocery store for the benefit of the public.

The premises is part of the Lumina building complex located on Folsom Street between Main and Beale Streets comprised of two (2) buildings and two (2) towers. The premises will occupy suites #101, 102, 103 and 104 at 201 Folsom Street. The official business address will be 201 Folsom Street, Suite 101. The premises will occupy approximately 9,100 square feet of commercial space on the ground floor, level with street and pedestrian traffic. Copies of the premises diagrams, with measurements of each unit, are attached for the Boards review.

The proposed store hours will be from 7:00 am to Midnight, each day of the week. Estimated percentage of alcoholic beverage sales, as compared to food, meal, and non-alcohol items will be 7-10%. Copy of ABC form ABC-257, Licensed Premises Diagram and Planned Operation (Retail) is attached for your review.

SUBSTANTIATION FOR A POSITIVE FINDING OF PUBLIC CONVENIENCE OR NECESSITY:

1. Issuance of the applied-for license would benefit the existing 1,289 residential units located within 500 feet of the proposed premises location.

Currently there are 1,289 residential units in existing buildings located within 500 feet of the proposed premises location. The persons who reside in these units will benefit from a gourmet market / grocery store being located within walking distance of their residences which provides groceries, prepared foods for take-out and on-site consumption. It would be a convenience to these residents to have alcoholic beverages available for purchase to take back to their residences.

2. Issuance of the applied-for license would benefit the future 1,709 residential units located within 500 feet of the proposed premises location.

Within 500 feet of the proposed premises location there are approximately eight (8) buildings currently under construction which will contain an additional 1,709 residential units to the immediate area. With the addition of these residential units, the residential population in the immediate area will more than double, increasing the number of residents in need of a nearby gourmet market / grocery store which provides groceries, prepared food items for take-out and on-site consumption, and have the availability of off-sale alcoholic beverages that they could take back to their residences.

The current buildings under construction are as follows –

280 Beale Street – 479 residential units
288 Beale Street – 24 residential units
301 Beale Street – 285 residential units (Lumina Tower B)
333 Beale Street – 80 residential units (Lumina Plaza C)
255 Fremont Street – 85 residential units
399 Fremont Street – 452 residential units
318 Main Street – 59 residential units (Lumina Plaza A)
338 Main Street – 245 residential units (Lumina Tower D)

Total residential units under construction at this time – 1,709*

*Information based on the San Francisco Planning Department web-site, San Francisco Property Information Map, Building Permits.

3. The issuance of the applied-for off-sale license would benefit local workers and business people who work in the immediate area who are within walking distance of the premises.

4. The issuance of the applied-for off-sale license would benefit persons traveling through the area on their way home who shop at the premises for groceries and other items prior to boarding public transportation.

Current public transit that operates from boarding areas located across the street from the proposed premises are AC Transit, Golden Gate Transit, Greyhound, Municipal Railway, SamTrans, and WestCAT Lynx which serves the City, the North Bay and the East Bay.

The proposed premises will be near the proposed new Transbay Transit Center when it is completed.

5. The issuance of the applied-for off-sale license would benefit tourists and visitors to the City in general, the Embarcadero Area, and the nearby AT&T Park.
6. The issuance of the applied-for license would benefit the public in general at this location for the premises is unique and there are no other like premises in the area that offers the groceries, prepared foods and meals, and other products that this premises offers.

SUMMARY:

The premises will be a full service gourmet market / grocery store which will provide unique food products for both on and off-premises consumption for approximately 3,000 residential units within the immediate area, and countless persons who work, visit and travel through the area. It would be a convenience to the public for the premises to be able to offer off-sale beer, wine and distilled spirits while they patronize the premises for its food / grocery products.

The Applicant wishes for the Board to consider the above facts and hopes that they find that the issuance of the applied-for Off-Sale type 21 Off-Sale General license would fulfill the public's convenience or necessity and allow the issuance of said license.

Respectfully submitted,



Christopher P. Foley, Managing Member
SMARKET LLC

- Enc. ABC-257 form, Premises Diagram, Premises Operation (Retail)
ABC-253 form, Supplemental Diagram
ABC-245 form, Information and Instructions, Section 23958.4 B&P
Premises diagram of all units, with measurements, 2 pages.
ABC-227, Recorded Notice

Department of Alcoholic Beverage Control
LICENSED PREMISES DIAGRAM (RETAIL)

State of California

1. APPLICANT NAME (Last, first, middle)

SMARKET LLC

2. LICENSE TYPE

21 / 41

3. PREMISES ADDRESS (Street number and name, city, zip code)

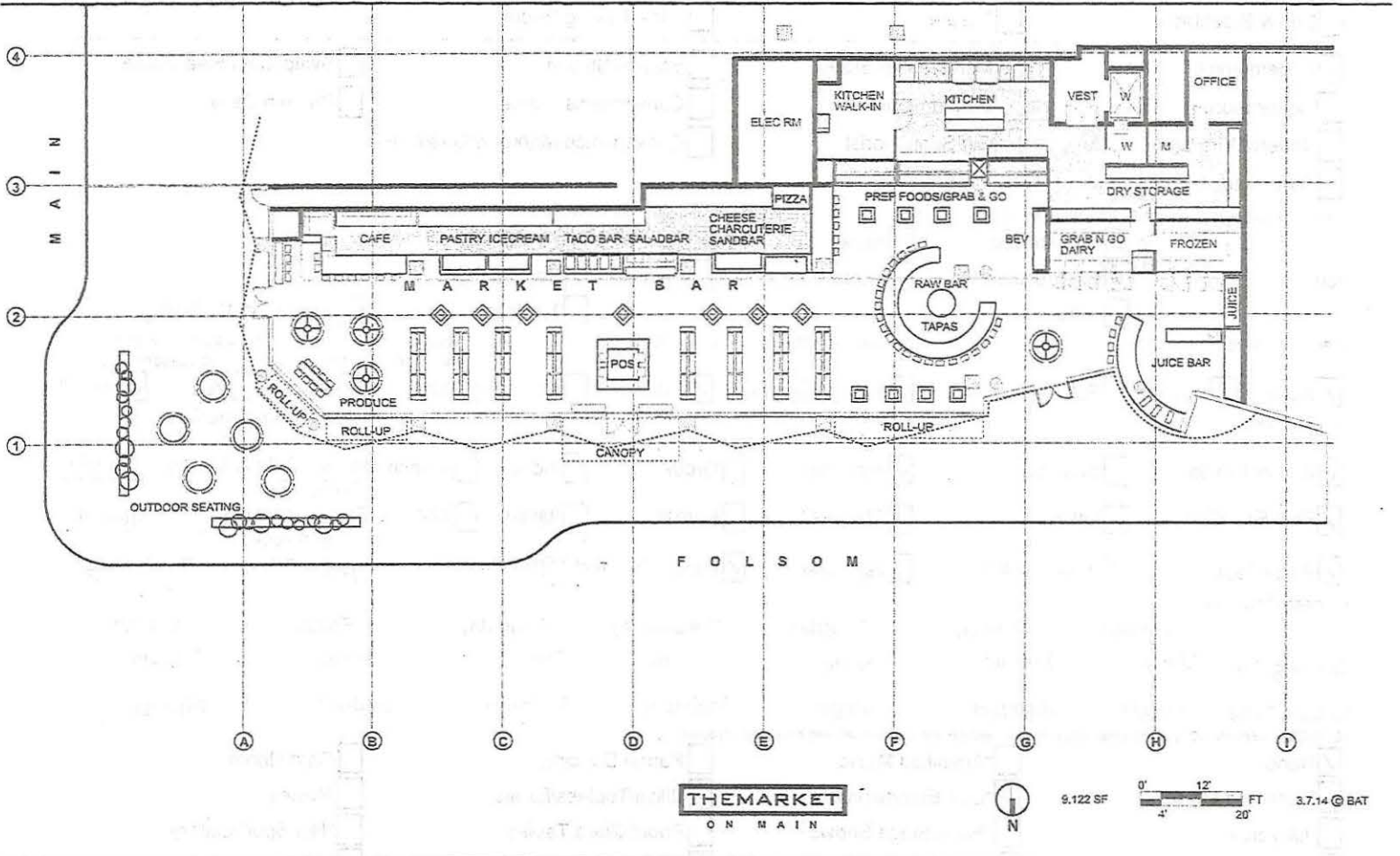
201 Folsom St., #101, San Francisco, CA. 94105

4. NEAREST CROSS STREET

Main St.

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.).

DIAGRAM



It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required)

[Handwritten Signature]

DATE SIGNED

11/26/21

FOR ABC USE ONLY

CERTIFIED CORRECT (Signature)

PRINTED NAME

INSPECTION DATE

Department of Alcoholic Beverage Control
PLANNED OPERATION (RETAIL)

SECTION I - FOR ALL RETAIL APPLICANTS

1. APPLICANT NAME(S) SMARKET LLC	2. LICENSE TYPE(S) 21 / 41
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3. PREMISES ADDRESS (Street number and name, city, zip code) 201 Folsom St., #101, San Francisco, CA. 94105	4. NEAREST CROSS STREET Main St.
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5. TYPE OF BUSINESS (Choose one that best describes the planned operation)

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

<input checked="" type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy
<input type="checkbox"/> Variety/Drug Store	<input type="checkbox"/> Gift Shop/Florist	<input type="checkbox"/> Convenience Market w/Gasoline	
<input type="checkbox"/> Other - describe:			

6. PATRON CAPACITY tbd	7. SURROUNDING AREA <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Rural <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other	8. PREMISES IS LOCATED IN <input checked="" type="checkbox"/> Free Standing Building <input type="checkbox"/> Shopping Center (Name): _____ <input type="checkbox"/> 10 Units or Less <input type="checkbox"/> More than 10 Units
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9. FOOD SERVICE <input checked="" type="checkbox"/> None <input type="checkbox"/> Minimal <input type="checkbox"/> Full Meals	10. PARKING LOT? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	11. PATIO? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	12. WILL YOU HIRE A MANAGER? (Rule 57.5) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	13. WILL YOU HAVE A FOOD LESSEE? (Rule 57.7) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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14. MEAL TYPE <input checked="" type="checkbox"/> Dinner House <input type="checkbox"/> Seafood <input checked="" type="checkbox"/> Fast Food/Deli <input checked="" type="checkbox"/> Other: <input checked="" type="checkbox"/> Pizza/Pasta Various venues.	15. TYPE OF FOOD <input checked="" type="checkbox"/> American <input type="checkbox"/> Greek <input type="checkbox"/> Indian <input type="checkbox"/> French <input type="checkbox"/> Chinese <input type="checkbox"/> Korean <input checked="" type="checkbox"/> Italian <input type="checkbox"/> Thai <input type="checkbox"/> Japanese <input checked="" type="checkbox"/> Other: Mexican, Spanish, etc.	16. HOURS OF FOOD SERVICE BREAKFAST HOURS From: 7:00 am To: Midnight LUNCH HOURS From: 7:00 am To: Midnight DINNER HOURS From: 7:00 am To: Midnight
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17. OPERATING HOURS	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time	7:00 am	7:00 am	7:00 am	7:00 am	7:00 am	7:00 am	7:00 am
Closing Time	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight

18. ENTERTAINMENT (One or more may apply. Please describe any entertainment with an asterisk (*) below)

<input checked="" type="checkbox"/> None	<input type="checkbox"/> *Amplified Music	<input type="checkbox"/> Patron Dancing	<input type="checkbox"/> Card Room
<input type="checkbox"/> Recorded Music	<input type="checkbox"/> *Live Entertainment	<input type="checkbox"/> Bikini/Topless/Exotic	<input type="checkbox"/> Movies
<input type="checkbox"/> Juke Box	<input type="checkbox"/> *Floor/Stage Shows	<input type="checkbox"/> Pool/Billiard Tables	<input type="checkbox"/> "Hot Spot"/Lottery
<input type="checkbox"/> *Other	<input type="checkbox"/> Karaoke	<input type="checkbox"/> *Amateur/Pro Sports Events	<input type="checkbox"/> Video/Coin-Operated Games

*Description: _____

19. PREMISES IS LOCATED ON <input type="checkbox"/> Major Thoroughfare <input checked="" type="checkbox"/> Secondary Street <input type="checkbox"/> Other	20. TYPE OF STRUCTURE <input type="checkbox"/> Single Story <input type="checkbox"/> Two-Story <input checked="" type="checkbox"/> Multi-Story - Number of stories: 8
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21. PASS-THROUGH WINDOW? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	22. FIXED BARS? <input checked="" type="checkbox"/> Yes - how many: 3 <input type="checkbox"/> No	23. WHAT PERCENTAGE OF YOUR TOTAL SALES WILL BE ALCOHOLIC BEVERAGES? 7-10%
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FOR ABC USE ONLY

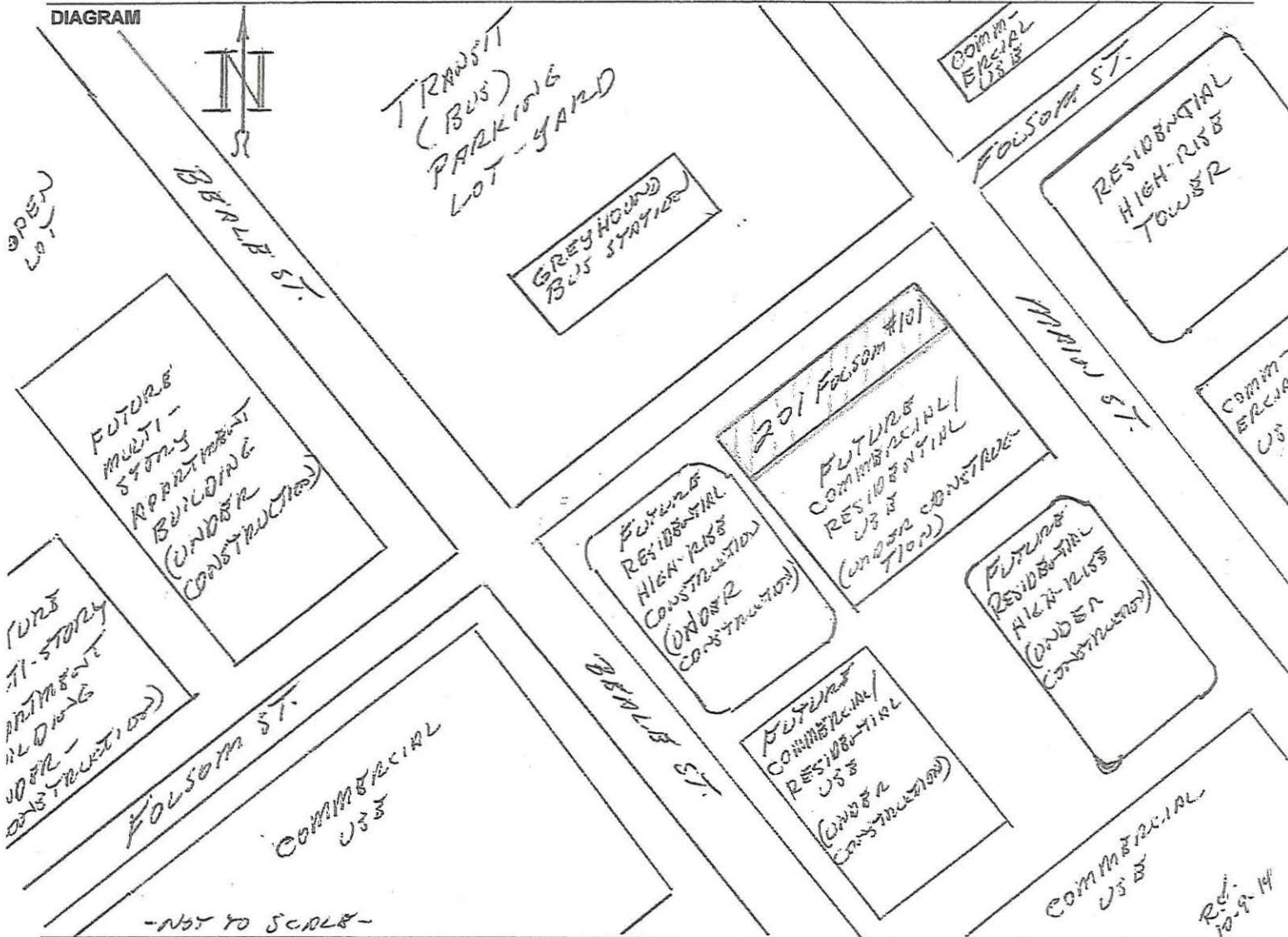
24. INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23790.5, etc.)	25. DATE ENTERED INTO CABIN
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Instructions to Applicant:

Draw a sketch of the area on which the licensed premises is or will be located. Show adjacent structures and nearest cross streets. *If this is an event for a daily license, catering authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.*

1. APPLICANT NAME (Last, first, middle) SMARKET LLC	2. LICENSE TYPE 21/41
3. PREMISES ADDRESS (Street number and name, city, zip code) 201 Folsom St., #101, San Francisco, CA. 94105	4. NEAREST CROSS STREET Main St.

DIAGRAM



I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

APPLICANT SIGNATURE 	DATE SIGNED 11/24/14
FOR ABC USE ONLY	
CERTIFIED CORRECT (Signature)	PRINTED NAME
INSPECTION DATE	

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 Smart Market LLC

2. PREMISES ADDRESS (Street number and name, city, zip code) 201 Folsom St., #101, San Francisco, CA 94105

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			

<input type="checkbox"/> Supermarket	<input type="checkbox"/> Membership Store	<input type="checkbox"/> Service Station	<input type="checkbox"/> Swap Meet/Flea Market
<input checked="" type="checkbox"/> Liquor Store	<input type="checkbox"/> Department Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Drive-in Dairy
<input type="checkbox"/> Drug/Variety Store	<input type="checkbox"/> Florist/Gift Shop	<input type="checkbox"/> Convenience Market w/Gasoline	
<input type="checkbox"/> Other - describe:			

5. COUNTY POPULATION <u>11,502,820 / 8/2, 820</u>	6. TOTAL NUMBER OF LICENSES IN COUNTY <u>980</u> <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale	7. RATIO OF LICENSES TO POPULATION IN COUNTY <input type="checkbox"/> On-Sale <input type="checkbox"/> Off-Sale
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8. CENSUS TRACT NUMBER <u>0615.00</u>	9. NO. OF LICENSES ALLOWED IN CENSUS TRACT <u>11</u> <input type="checkbox"/> On-Sale <input checked="" type="checkbox"/> Off-Sale	10. NO. OF LICENSES EXISTING IN CENSUS TRACT <u>21</u> <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 <u>252</u>	14. TOTAL NUMBER OF REPORTING DISTRICTS <u>653</u>	15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS <u>53,948</u>
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16. AVERAGE NO. OF OFFENSES PER DISTRICT <u>83</u>	17. 120% OF AVERAGE NUMBER OF OFFENSES <u>99</u>	18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT <u>141</u>
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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. (BACK)

Governing Body/Designated Subordinate Name: Board of Supervisors

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

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

22. APPLICANT SIGNATURE

23. DATE SIGNED

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

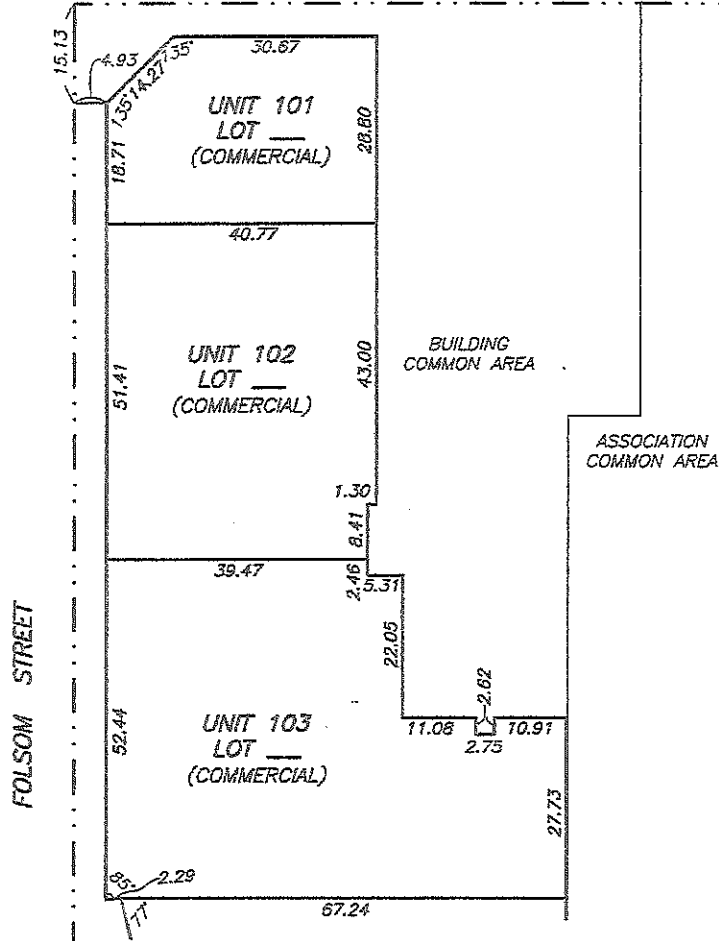
27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED

MAIN STREET



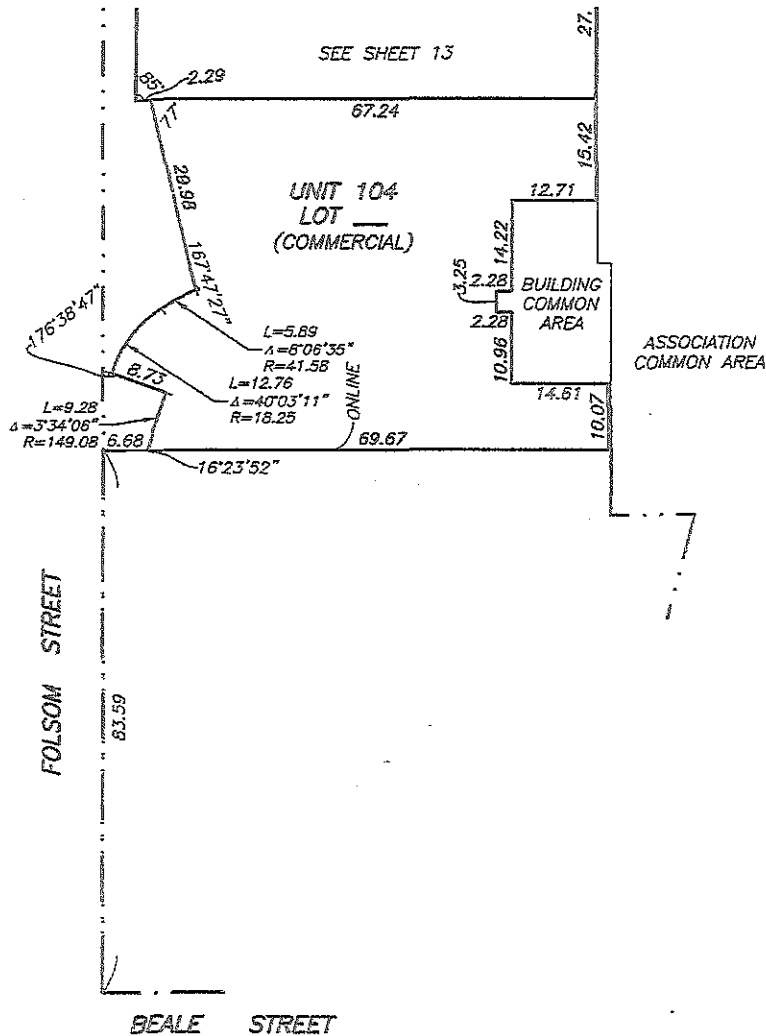
SEE SHEET 14

SUBJECT: 318 MAIN STREET, LEVEL 1

BY	RW	CHKD.	DATE	2-19-2014	SCALE	1"=20'	SHEET	13	JOB NO.	S-8222
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MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS

859 HARRISON STREET
SAN FRANCISCO, CA. 94107
(415) 543-4500



SUBJECT: 318 MAIN STREET, LEVEL 1

BY RW CHKD. DATE 2-19-2014 SCALE 1"=20' SHEET 14 JOB NO. S-8222

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS

859 HARRISON STREET
SAN FRANCISCO, CA. 94107
(415) 543-4500

RECORDING REQUESTED BY Capital Trust Escrow		
WHEN RECORDED MAIL TO:		
NAME Capital Trust Escrow		
MAILING ADDRESS (Street number and name) 280 S. Beverly Dr., Ste. 300		
CITY Beverly Hills	STATE CA	ZIP CODE 90212



San Francisco Assessor-Recorder
 Carmen Chu, Assessor-Recorder
DOC- 2014-J966509-00
 Tuesday, OCT 28, 2014 15:14:12
 Ttl Pd \$15.00 Rcpt # 0005037739
 okc/JL/1-1

DO NOT WRITE IN THE SPACE ABOVE. Government Code
 Section 27361.6 reserves space above for exclusive use of County Recorder.

NOTICE OF INTENDED TRANSFER OF RETAIL ALCOHOLIC BEVERAGE LICENSE UNDER SECTIONS 24073 AND 24074 CALIFORNIA BUSINESS AND PROFESSIONS CODE

Read instructions before completing.

1. LICENSEE(S) NAME(S) (Seller)	Guadalupe M. RAMIREZ
	Javier RAMIREZ
2. PREMISES ADDRESS TO WHICH LICENSE(S) HAS/HAVE BEEN ISSUED	225 11th St., San Francisco, CA. 94103
3. LICENSEE'S MAILING ADDRESS (if different)	225 11th St., San Francisco, CA. 94103
4. APPLICANT(S) NAME (Transferee or Buyer)	SMARKET LLC
5. PROPOSED BUSINESS ADDRESS (if different than Item 2)	201 Folsom St., #101, San Francisco, CA. 94105
6. MAILING ADDRESS OF APPLICANT	850 7th St., San Francisco, CA. 94107
7. KIND OF LICENSE INTENDED TO BE TRANSFERRED	Type 21, Off-Sale General License #21-118638
8. ESCROW HOLDER/GUARANTOR NAME	Capital Trust Escrow - Escrow no. 003302 - FM
9. ESCROW HOLDER/GUARANTOR ADDRESS	280 S. Beverly Dr., Ste. 300, Beverly Hills, CA. 90212
10. TOTAL CONSIDERATION TO BE PAID FOR THE BUSINESS AND LICENSE, INCLUDING INVENTORY, WHETHER ACTUAL COST, ESTIMATED COST, OR A NOT-TO-EXCEED AMOUNT	
CASH	\$ 45,000.00
CHECK(S)	
DEMAND NOTE(S)	
PROMISSORY NOTE(S)	
TANGIBLE AND/OR INTANGIBLE PROPERTY	
TOTAL AMOUNT	\$ 45,000.00

The parties agree that the consideration for the transfer of the business and the license(s) is to be paid only after the Department of Alcoholic Beverage Control has approved the proposed transfer. The parties also agree and herein direct the above-named escrow holder to make payment or distribution within a reasonable time after the completion of the transfer of the license as provided in Section 24074 of the California Business and Professions Code.

LICENSEE'S SIGNATURE (Transferor or Seller)	For Javier RAMIREZ (decedent) Leonila Ramirez CO-TRUSTEE , Successor Trustee	DATE SIGNED 10-28-14
APPLICANT'S SIGNATURE (Transferee or Buyer)	Christopher P. FOLEY, Manager SMARKET LLC	DATE SIGNED 10-28-14

One copy of this notice, **CERTIFIED** by the County Recorder, together with an additional copy must accompany the application for the transfer of the license.

This is a true certified copy of the record
if it bears the seal, imprinted in purple ink,
of the Assessor-Recorder

CARMEN CHU OCT 28 2014



.....
ASSESSOR - RECORDER
SAN FRANCISCO COUNTY, CALIFORNIA

BY _____

Joe Lee
JOE LEE