BOARD of SUPERVISORS



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

MEMORANDUM

PUBLIC SAFETY & NEIGHBORHOOD SERVICES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

TO:

Supervisor Eric Mar, Chair

Public Safety & Neighborhood Services Committee

FROM:

Derek Evans, Assistant Clerk

DATE:

April 17, 2015

SUBJECT:

COMMITTEE REPORT, BOARD MEETING

Tuesday, April 21, 2015

The following file should be presented as a COMMITTEE REPORT at the Board meeting, Tuesday, April 21, 2015. This item was acted upon at the Public Safety & Neighborhood Service Committee Regular Meeting on Thursday, April 16, 2015, at 2:00 p.m., by the votes indicated.

Item No. 1 File No. 141173

PREPARED IN COMMITTEE AS A RESOLUTION

Resolution determining that the transfer of a Type 21 off-sale general license from 225-11th Street to 201 Folsom Street, Suite 101 (District 6), to Christopher Foley for SMARKET LLC, dba Market on Main, will serve the public convenience or 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.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Eric Mar - Aye

Supervisor David Campos - Aye Supervisor Julie Christensen - Aye

Cc:

Board of Supervisors

Angela Calvillo, Clerk of the Board Rick Caldeira, Legislative Deputy Jon Givner, Deputy City Attorney

| File No | | committee Item No1 coard Item No. | |
|-------------|--|--------------------------------------|----|
| | COMMITTEE/BOARD | OF SUPERVISORS | |
| | AGENDA PACKET | CONTENTS LIST | , |
| Committee: | Public Safety & Neighborhoo | d Services Date April 16, 2015 | |
| Board of Sເ | upervisors Meeting | Date April 21, 20 | 15 |
| Cmte Boa | Motion Resolution Ordinance Legislative Digest Budget and Legislative And Legislative Analyst Report Youth Commission Report Introduction Form (for head Department/Agency Cover MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 – Ethics Commis Award Letter Application Public Correspondence | rings) Letter and/or Report | |
| OTHER | (Use back side if additiona | l space is needed) | • |
| x X | Liquor License PCN Reques | <u>t</u> | |
| Completed | | Date 4/10/15 | |

Member, Board of Supervisors District 1

市參議員、第一區



ERIC MAR 馬兆光 City and Country of San Francisco BOARD OF SUPER VISORS SAN FRANCISCO

2015 APR 10 PM 12: 25

U

DATE:

April 10, 2015

TO:

Angela Calvillo

Clerk of the Board of Supervisors

FROM:

Supervisor Eric Mar

RE:

Public Safety & Neighborhood Services Committee

COMMITTEE REPORT

Pursuant to Board Rule 4.20, as Chair of the Public Safety & Neighborhood Services Committee, I have deemed the following matter is of an urgent nature and request it be considered by the full Board on April 21, 2015, as a Committee Report:

141173 Liquor License Transfer - 201 Folsom Street

TO BE PREPARED IN COMMITTEE AS A RESOLUTION

Resolution determining that the transfer of a Type 21 off-sale general license from 225-11th Street to 201 Folsom Street, Suite 101 (District 6), to Christopher Foley of SMARKET LLC, dba Market on Main, will serve the public convenience or 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.

This matter will be heard in the Public Safety & Neighborhood Services Committee Regular Meeting on April 16, 2015, at 2:00 p.m.

PREPARED IN COMMITTEE 4/16/2015

FILE NO. 141173

RESOLUTION NO.

[Liquor License Transfer - 201 Folsom Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 225-11th Street to 201 Folsom Street, Suite 101 (District 6), to Christopher Foley for SMARKET LLC, dba Market on Main, will serve the public convenience or 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.

WHEREAS, Christopher Foley is seeking the transfer of a Type 21 off-sale general license from 225-11th Street to 201 Folsom Street, Suite 101 (District 6) for SMARKET LLC, dba Market on Main; and,

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

WHEREAS, The Police Department has filed zero (0) protests with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control issue the liquor license with conditions; and

WHEREAS, The conditions recommended by the Police Department are the following: 1) Sales of alcoholic beverages shall be permitted between the hours of 7:00 a.m. and 12:00 a.m. daily; 2) No more than 5% of the square footage of the public retail space (not including the storage area) of the premises will be used for the display of alcoholic beverages; 3) The sale of distilled spirits in sizes smaller than 375 ml is strictly prohibited; 4) No malt beverage shall be sold with an alcoholic content great

than 5.7% by volume, except for microbrews, craft brews, organic and specialty malt products sold under such designations as stout, porter, IPA, and ESB. This condition is intended to eliminate high alcohol, low-cost products that are frequently abused, but not prevent the sales of specialty and craft beer products; 5) Beer, malt beverages and wine coolers in containers larger than 32 oz are strictly prohibited; 6) No beer or malt beverages shall be sold in quantities of less than the manufacturer pre-packaged four (4) packs per sale. No wine-coolers or beer coolers shall be sold in less than the manufacturer pre-packaged multi-unit quantities of four (4); 7) No wine shall be sold with an alcoholic content of great than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles; and 8) Wine shall not be sold in bottles or containers smaller than 750 ml, unless sold in manufacturer pre-packaged multi-unit quantities; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines that the transfer of a Type 21 off-sale general license from 225-11th Street to 201 Folsom Street, Suite 101 (District 6), to Christopher Foley for SMARKET LLC, dba Market on Main, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

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



San Francisco Police Department ABC Liaison Unit



Alcoholic Beverage License -Public Convenience and Necessity Recommendation

To:

The San Francisco Board of Supervisors' Committee on Public Safety

and Neighborhood Services

Supervisor Eric Mar Supervisor David Campos Supervisor Julie Christensen

From:

Lieutenant Dave Falzon

Officer in Charge

ABC Liaison Unit (ALU) 553-1049

Date:

Subject:

P.C.N. Investigation Regarding:

The Market on the Main

DBA: Smarket LLC 201 Folsom Street, #101 Christopher Foley

(415) 361-4803

Mr. Christopher Foley on behalf of Smarket, LLC has filed an application with the California Department of Alcoholic Beverage Control seeking a -Type 21 (Off-Sale General) License for 201 Folsom Street (located at the corner of Main Street).

Hours of Operation:

Daily

7 a.m.-12 a.m. (midnight)

Digest:

Smarket LLC is introducing The Market on the Main to San Francisco. Mr. Foley has already introduced The Market on Market currently operating at the Twitter Building at 1355 Market Street. The Market on the Main will follow the same formula, a gourmet market/grocery store with a "neighborhood" approach to consumer needs. This location will also operate a café (type 41 Beer and Wine Eating Place). If approved, this license will allow The Market on the Main to sell off-sale Beer, Wine and Distilled Spirits, and On-Sale Beer and Wine.

Letters of Protest:

No Record

Letters of Support:

No Record

Police Calls for Service:

From October 2013 to October 2014

13-Burglary and Noise Complaints. This is a ground up construction, construction sites are easy victims to burglaries.

Police Reports:

From December 2013 to December 2014

3-Burglary Reports

San Francisco Plot Information:

This premise is located in Plot 252

A High Crime area is defined as 99 or more police reports in a plot for the year of 2013.

This plot had 151 police reports for 2013, which is 52 over the Citywide "High Crime" average.

State Census Tract Information:

This premise is located in Census Tract 615

Population for this tract is: 11,502

On-sale license authorized by census tract: 40 Active on-sale licenses: 142 with 1 pending

Off-sale licenses authorized by census tract: 11 Active off-sale licenses: 21 with 1 pending

Departmental Recommendation:

Points of consideration:

No opposition from Southern Station

Applicant premise is located in a "high crime" area.

Applicant premise is located in an "undue concentration" area.

- 0 Record of protest.
- 0 Record of support.

ALU Recommendation: Approval with the following conditions

Conditions for Type 21 (Off Sale General)

- 1. Sales of alcoholic beverages shall be permitted between the hours of 7:00 a.m. and 12:00 a.m. daily.
- 2. No more than 5% of the square footage of the public retail space (not including the storage area) of the premises will be used for the display of alcoholic beverages.
- 3. The sale of distilled spirits in sizes smaller than 375 ml is strictly prohibited.
- 4. No malt beverage shall be sold with an alcoholic content great than 5.7% by volume, except for microbrews, craft brews, organic and specialty malt products sold under such designations as stout, porter, IPA, and ESB. This condition is intended to eliminate high alcohol, low-cost products that are frequently abused, but not prevent the sales of specialty and craft beer products.
- 5. Beer, malt beverages and wine coolers in containers larger than 32 oz. are strictly prohibited.
- 6. No beer or malt beverages shall be sold in quantities of less than the manufacturer pre-packaged four (4) packs per sale. No wine-coolers or beer coolers shall be sold in less than the manufacturer pre-packaged multi-unit quantities of four (4).
- 7. No wine shall be sold with an alcoholic content of great than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles.
- 8. Wine shall not be sold in bottles or containers smaller than 750 ml, unless sold in manufacturer pre-packaged multi-unit quantities.

End

FROM: PT00ALUB ISN: 1 ITIME: 11/18/2014 13:04:19 TO: PP00ALUZ OSN: 1 OTIME: 11/18/2014 13:04:19

Original Message

FROM: CABLE ISN: 28635 DATE: 11/18/14 TIME: 13:04:15 ADMIN MSG

TO: PT00ALUB OSN: 00000 DATE: 11/18/14 TIME: 13:04:18

SAN FRANCISCO POLICE DEPARTMENT GEOGRAPHIC LOCATION SYSTEM

REQUESTED LOCATION => 0201 /FOLSOM

/ST

TYPE => PREMISE ADDRESS

4299

HOUSE NUMBER => 0201
STREET NAME => FOLSOM
STREET TYPE => STREET
STREET NUMBER => 0634
LOW HOUSE NUMBER => 0001

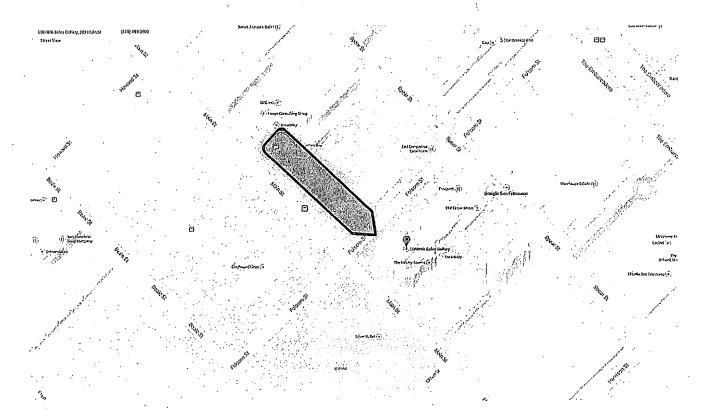
=>

HIGH HOUSE ON BLOCK => 0299
BLOCKFACE NUMBER => 09010
HIGH CROSS STREET => 0138
INTERSECTION NUMBER => 06484

HIGH HOUSE NUMBER

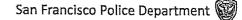
REPORTING AREA => 252

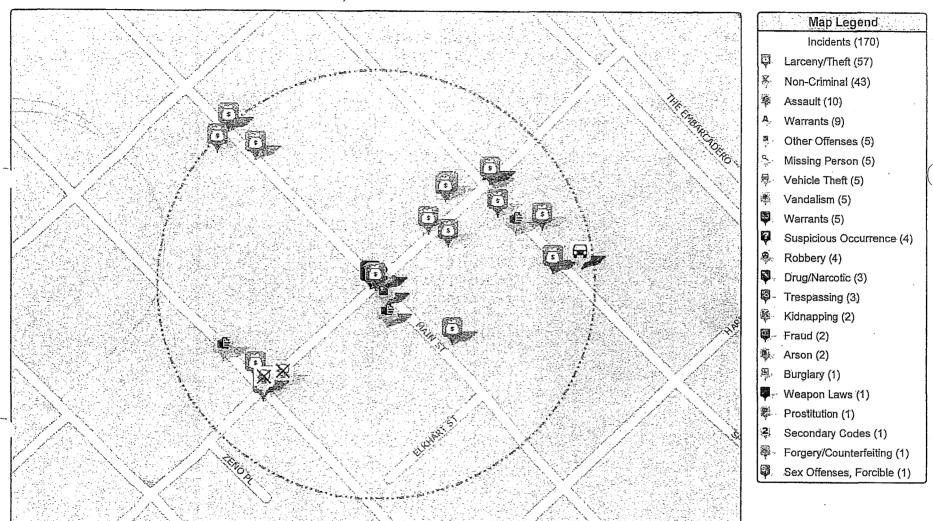
DISTRICT => SOUTHERN
CENSUS TRACT => 000179



201 Folsom Street

21,41-551423





All representations on this map are distributed and transmitted "AS IS" without warranties of any kind, either expressed or implied including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. In no event shall San Francisco Police Department become liable to users of these data for any loss or damages, consequential or otherwise, including but not limited to time, money, goodwill, arising from the use, operation or modification of the data. The visual presentation of data is being provided strictly as a courtesy, not as an obligation to its users.

WARNING: This map does not meet the national map accuracy standards.

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| "office", etc.). DIAGRAM | the promises to | , | | · · · · · · · · · · · · · · · · · · · | ation of each room | | |
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| | | • | T. | EMARKET : | 9,122 SF | 0' 12' 1' 20' | 3.7.14 © 8. |
| | eclared that the | above-described | boundaries, e | ntrances and plan | ned operation as ind | licated on the | |

LIQUOR LICENSE REVIEW Planning Department File: 141173 AnMarie Rodgers/CTYPLN/SFGOV Georgia Powell/CTYPLN/SFGOV@SFGOV Block/lot: 3746/003 20mis: RHDTR/RC-4 Quad: SE Racord # 2014-002325 MIS 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 SMARKET LLC, dba Market on Main and Business Name: (201 Folsom Street, Suite 101) 850 7th Street **Applicant Address:** San Francisco, CA 94107 and Phone No. (415) 361-4803 **PLANNING COMMENTS:** Approval Denial Approved per Planning Code Section 249.1. Retail uses allowed as permitted use. Type 21 and 41 in combo with grovery stree and restrurant uses. 3/13/Erika Jackson 500

Approval

POLICE COMMENTS:

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

November 21, 2014

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 gournet 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: ofoley@polerispeoific.com

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

Dba: 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 CONVENEINCE 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

| 1. APPLICANT NAME (L | est, first, middle) | | | : 2. LICENSE TYPE | , |
|---|---|---|---|---|---|
| SMARKET LLC | | | | 21/41 | , |
| | (Street number and name, city, zip code) | , seen 1 - 192 - 1970 B - 1971 B | and the second of the second second second second | 4. NEAREST CROSS S | TREET |
| | 101, San Francisco, CA. 94105 | | | Main St. | , |
| The diagram be boundaries of the "office", etc.). DIAGRAM | low is a true and correct descr the premises to be licensed, inc | iption of the entra luding dimension | ances, exits, intensions and identifica | erior walls and ext ation of each room | erior (i.e., "storeroom", |
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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 eigenbure required) | A series of a second of the series of the days was to be selected and the series of th | DATE SIGNED |
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| CERTIFIED CORRECT (Signature) | | INSPECTION DATE |
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ABC-257 (5/05)

Department of Alcoholic Beverage Control PLANNED OPERATION (RETAIL)

| SECTION I - FOR A | LL RETAIL | APPLICANTS | | | | | 2. LICENSE | TVDE/O | |
|---|------------------|-------------------------|---|--------------|--|-------------|---------------------------------------|---|--|
| 1. APPLICANT NAME(S) | | | | | | | 21 / 41 | : TTPE(S) | • |
| SMARKET LLC 3. PREMISES ADDRESS (Shr | eet number and r | ame, city, zin code) | | | | | | T CROSS STREET | • • |
| 201 Folsom St., #10 | | • | 5 . | | | | Main S | t. ' | |
| 5. TYPE OF BUSINESS (Cho | | | · · | | . برشدید | | ····· | Contract of | |
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| Deli or Specialty | - | | | 늗 | Night Club | | | Veterans | |
| Cafe/Coffee Sho | | Brew Pu | | L | Tavem | | | Fraternal | Club |
| Bed & Breakfast | ····· | Theater | *************************************** | | Wine Tasti | | · · · · · · · · · · · · · · · · · · · | *************************************** | |
| Supermarket | | | ship Store | Ļ | Service St | | | | et/Flea Market |
| Liquor Store | | <u> </u> | ent Store | <u> </u> | 1 | ce Market | | Drive-in D | airy |
| Variety/Drug Sto | ore | Gift Sho | p/Florist | l | Convenien | ice Market | w/Gasol | ine | |
| Other - describe | | | | | | | | | |
| 6. PATRON CAPACITY | F3 | INDING AREA Imercial | Rural | 1 | Free Stand | | 10 | • . | |
| tbd | | idential | Industrial | | 4 | Center (Na | • | | |
| .,. | Oth | | | - | | 10 Units | - | More than | 10 Units |
| 9. FOOD SERVICE | have | | IO. PARKING LOT? | 11. | PATIO? | | 12. WILL Y | | WILL YOU HAVE A |
| | mal Full | | ☐Yes ✓No | V | Yes | □No | Yes | | Yes No |
| 14. MEAL TYPE | | | 15, TYPE OF FOOD | | | | | 16. HOURS OF FO | |
| ☑ Dinner House | Sea | food | ✓ American | ∏Gr | eek | Indian | Fre | | TANKED 15 44 44 A F 24 T T T T A F A F T T T T A F A F T T T T |
| Fast Food/Deli | Oth | er: | Chinese | ∏Ko | rean | /Italian | ∏Tha | i From: 7:00 a | am To: Midnight |
| Pizza/Pasta | Vario | is venues. | Japanese | ✓ot | ner: Mexic | an, Spanisl | n, etc. | From: 7:00 a | |
| 17. OPERATING HOURS | Sunday I | Mondou | Tuesday | 14/ | dnesday | Thurs | dou | Eddou | Catarday |
| 7 0 | Sunday) am | Monday 7:00 am | 7:00 am | | onesday O am | 7:00 am | uay | Friday 7:00 am | Saturday 7:00 am |
| Operang Table | Inight | Midnight | Midnight | | night | Midnigh | | Midnight | |
| Closing Time Mid 18. ENTERTAINMENT (One | | | | L | | Withigh | | - white the | Midnight |
| ✓None | | *Amplifie | ed Music | Ļ | Patron Da | ncing | | Card Roo | m |
| Recorded Music | ; | | tertainment | یإ | . | ess/Exotic | | Movies | |
| Juke Box | | FF | tage Shows | Ļ | Pool/Billiar | | | ∐"Hot Spot | _ |
| ∐*Other | | Karaoke | ' | L |]*Amateur/l | Pro Sports | Events | Video/Coi | n-Operated Games |
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| 19. PREMISES IS LOCATED | ION | | | [20 | TYPE OF STRUC | TUBE | | | |
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| Other | | | | V | Multi-Story | / - Number | of storie | s: 8 | |
| 21. PASS-THROUGH WINDO | OW? | 22. FIXED BARS | 7 | | | | 1 | PERCENTAGE OF YOUR T | OTAL SALES WILL BE |
| Yes | √No | ✓ Yes - ho | w many: 3 | | <u>: · </u> | ∏No | 7-10% | | |
| 24. INFORMATION GIVEN (| 9-27, R-107 Sec | 25612.5. Sec. 23790.5 | | ABCL | SE ONLY | | 25 DATE | ENTERED INTO CABIN | |
| E. at outstion of order | | | • • • | | ** : | | DATE: | Enter Into Cybir | · · · · · · · · · · · · · · · · · · · |

SUPPLEMENTAL DIAGRAM

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) | 2. LICENSE TYPE |
|--|--|
| SMARKET LLC | 21/4/ |
| 3. PREMISES ADDRESS (Street number and name, city, zip code) 201 Folsom St., #101, San Francisco, CA. 94105 | A NÉAREST CROSS STREET Main St. |
| 1 Barring Am | Person Sold State of the Provide Beauty Beau |
| 2 Cal (25.55) | |
| Discondition of the sound of th | The state of the s |
| All or a state of the state of | Constitution of the Consti |
| Construction of the state of th | |
| I have read the above instructions and I declare under penalty of perjury that the above diagram is | eoin Jish pining |
| APPLICANT SIGNATURE | DATE SIGNED |
| FOR ABC USE ONLY | 11/4/77 |
| | INSPECTION DATE |
| APC 363 (my 01.11) | |

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.

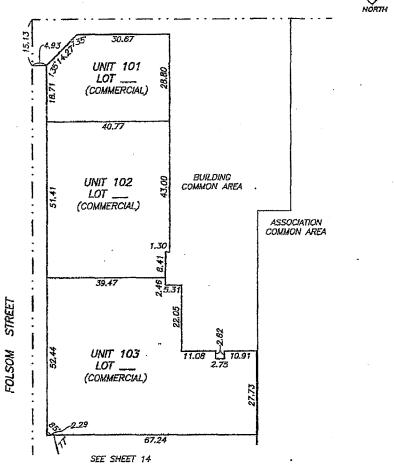
Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

| PART 1 - TO BE COMPLETED BY A | BC | | | | | |
|---|--|---|---------------------------|----------------------|------------------|---------------------------------------|
| T. APPLICANT'S NAME MONTH | et LLC | | | | | |
| 2. PREMISES ADDRESS (Street number and name, city LOI FOLSOM IT. | 1, zip code) San Fra. | ncisco CA 94, | 105. 3. | LICENSE TYPE | | , |
| 4. TYPE OF BUSINESS | 7 | | | | | |
| Full Service Restaurant | Hofbrau/Cafeteria | Cocktail Lounge | | Private Club | | , |
| Deli or Specialty Restaurant | Comedy Club | Night Club | - | Veterans Clu | ıb . | |
| Cafe/Coffee Shop | Brew Pub | Tavern: Beer | | Fraternal Clu | di | |
| Bed & Breakfast: | Theater | Tavern: Beer & Wine | | Wine Tasting | g Room | |
| Wine only All | | | <u> </u> | , | | |
| Supermarket | Membership Store | Service Station | | Swap Meet/F | lea Market | |
| Liquor Store | Department Store | Convenience Market | | Drive-in Dair | у | |
| Drug/Variety Store | Florist/Gift Shop | Convenience Market w/ | Basoline | | | |
| Other - describe: | • | | _ | • | | |
| 5. COUNTY POPULATION | 6. TOTAL NUMBER OF LICENSES IN | COUNTY | 7. RATIO OF LICENS | ES TO POPULATI | ON IN COUNT | |
| 11,502 812:820 | 980 | On-Sale woff-Sale | | ٠. | On-Sale | Off-Sale |
| 8. CENSUS TRACT NUMBER | 9. NO. OF LICENSES ALLOWED IN C | ENSUS TRACT | 10. NO. OF LICENSE | S EXISTING IN CE | NSUS TRACT | |
| 06/5,00 | // // | On-Sale Off-Sale | | 2/ | On-Sale | off-Sale |
| 11. IS THE ABOVE CENSUS TRACT OVERCONCENT | | ratio of licenses to population in the | census tract exceed the | ratio of licenses to | o population for | the entire county?) |
| Yes, the number of existing licenses en | • | | | | | |
| No, the number of existing licenses is 12. DOES LAW ENFORCEMENT AGENCY MAINTAIN | | ···· | | | | · · · · · · · · · · · · · · · · · · · |
| Yes (Go to Item #13) | No (Go to Item #20) | | | • | | |
| 13. CRIME REPORTING DISTRICT NUMBER | 14. TOTAL NUMBER OF REPORTING | DISTRICTS .: | 15. TOTAL NUMBER | OF DETENSES IN | ALL REPORT | NG DISTRICTS |
| 252 | 653 | | 5.4 | 3 948 | | |
| 16. AVERAGE NO. OF OFFENSES PER DISTRICT | 17. 120% OF AVERAGE NUMBER OF | OFFENSES | 18. TOTAL NUMBER | | REPORTING I | DISTRICT |
| 83 | 19 | | | 7/ | | |
| IS THE PREMISES LOCATED IN A HIGH CRIME R reporting districts within the jurisdiction of the local lie | | greater number of reported crimes the | on the average number | of reported crimes | as determined | from all crime |
| yes, the total number of offenses in th | - ··· | eeds the total number in iter | n #17 | | | |
| No, the total number of offenses in the | reporting district is lower than the | ne total number in item #17 | | | | |
| 20. CHECK THE BOX THAT APPLIES (check only one | | | | , | | |
| a. If " <u>Mo"</u> is checked in both item #11 on this issue. Advise the applicant to | l <i>and</i> item #19, <i>Section 23958.4</i> bring this completed form to AE | B&P does not apply to this BC when filing the application | application, and no n. | o additional inf | formation wi | ll be needed |
| b. If "Yes" is checked in either item # retail license issued for a hotel, motel beer manufacturer's license, or wineg application or as soon as possible the | or other lodging establishment in or other lodging establishment in or other logging establishment in or other lodging establishment in or oth | as defined in Section 25503. | 16(b) B&P, or a re | etail license iss | sued in conj | uction with a |
| | | | | | | |
| c. If "Yes" is checked in either item # sale beer license, an on-sale beer an to the local governing body, or its des | d wine (public premises) license | , or an on-sale general (pub | lic premises) licen | se, advise the | applicant to | take this form |
| ABC in order to process the application | | | ,,,, | | 10 10 10 1 | |
| Governing Body/Designated Subordin | ate Name: Bro | nd of Superv | isons | | مين | |
| FOR DEPARTMENT USE ONLY | | 7 7 | | | | |
| PREPARED BY (Name of Department Employee) | an | | | | | |
| ABC-245 (rev. 01-11) | | | | ····· | | |

| 1. Based on the Information on the reverse, the Department may approve your application it you can show that public convenience or eccessity would be served by the Issuance of the Issuance. Please describe below the reasons why issuance of another Illense is justified in public that the public convenience or provided in the public con | | THE APPLICANT (If box #20b is checke | | <u>:·</u> |
|--|--|---|--|--------------------|
| 23. DATE SOMED APPLICANT SCHATURE 24. DATE SOMED APPLICANT SCHATURE 25. DATE SOMED 26. DATE SOMED APPLICANT SCHATURE 27. DATE SOMED 28. DATE SOMED 29. DATE SOMED 29 | 1. Based on the information on the lecessity would be served by the is | e reverse, the Department may approve you suance of the license. Please describe be | ur application if you can show that public convenience low the reasons why issuance of another license is jus | i or stified in |
| 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. no voer-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 overning body of the area in which the applicant premises are located, or its designated subordinate unline or a business within 90 lays of notification of a completed application that public convenience or necessity would be served by the issuance. Please complete terms #24 to #30 below and certify or sifix an official seal, or attach a copy of the Council or Board resolution or a signed exter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity. I will PUBLIC CONVENIENCE OR RECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE? Western | | | and the second s | |
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| CITY/COUNTY OFFICIAL NAME 27. CITY/COUNTY OFFICIAL TITLE 28. CITY/COUNTY OFFICIAL PHONE NUMBER | tter on official letterhead stating w | Y BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERA | or license would serve as a public convenience or nece | igned essity. |
| S. CITY/COUNTY OFFICIAL NAME 27. CITY/COUNTY OFFICIAL TITLE 28. CITY/COUNTY OFFICIAL PHONE NUMBER | tter on official letterhead stating w will public convenience on necessity | yhether or not the issuance of the applied for the served by issuance of this alcoholic bevera | or license would serve as a public convenience or necessary and the serve as a public convenience or necessary as a public | igned essity. |
| S. CITY/COUNTY OFFICIAL NAME 27. CITY/COUNTY OFFICIAL TITLE 28. CITY/COUNTY OFFICIAL PHONE NUMBER | . WILL PUBLIC CONVENIENCE OR NECESSITY Yes . ADDITIONAL COMMENTS, IF DESIRED (may | y BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERA No Include reasons for approval or denial of public convenience or | or license would serve as a public convenience or necessary and the serve as a public convenience or necessary as a public | igned essity. |
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| | etter on official letterhead stating was a second of the convenience of necessity and the comments, if desired (frag) is additional comments, if desired (frag) is a second of the comments of | y BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERA NO include reasons for approval or denial of public convenience or | or license would serve as a public convenience or necessity: | essity. |
| 9. CITY/COUNTY OFFICIAL SIGNATURE 30. DATE SIGNED | etter on official letterhead stating was a s | Y BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERA NO Include reasons for approval or denial of public convenience or | SELICENSE? See Attached (i.e., letter, resolution, etc.) necessity): 28. CTY/COUNTY OFFICIAL PHONE NUMBER | essity. |
| | etter on official letterhead stating was a s | Y BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERA NO Include reasons for approval or denial of public convenience or | SELICENSE? See Attached (i.e., letter, resolution, etc.) necessity): 28. CTY/COUNTY OFFICIAL PHONE NUMBER | essity. |



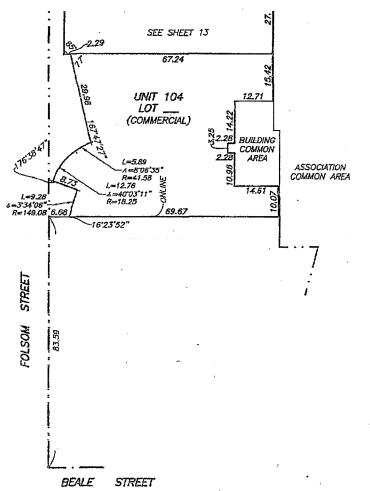




SUBJECT: 318 MAIN STREET, LEVEL 1

| BY RW CHKD. | DATE 2-19-2014 SCALE 1"=20 | O' SHEET 13 JOB NO. S-8222 |
|---------------|----------------------------|---|
| MARTIN M. RON | ASSOCIATES, INC. | 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. 5-8222 MARTIN M. RON ASSOCIATES, INC. LAND SURVEYORS 859 HARRISON STREET SAN FRANCISCO, CA. 94107 (415) 543—4500

| • | |
|---|--|
| RECORDING REQUESTED BY | NO DE CONTRACTO DE LA COMPANSA LA COMPANSA DE CONTRACTO DE LA CONTRACTOR D |
| Capital Trust Escrow | San Francisco Assessor-Recorder |
| | Carmen Chu. Assessor-Recorder |
| | Carmen Chu, Assessor-Recorder DOC- 2014-J966509-00 |
| WHEN RECORDED MAIL TO: | Tuesday, OCT 28, 2014 15:14:12 |
| NAME | Ttl Pd |
| Capital Trust Escrow | oke/JL/1-1 |
| MAILING ADDRESS (Street number and name) | |
| 280 S. Beverly Dr., Ste. 300 | |
| CITY STATE ZIP CODE | |
| Beverley Hills CA 90212 | |
| | 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 O | F RETAIL ALCOHOLIC BEVERAGE LICENSE UNDER |
| | PRNIA BUSINESS AND PROFESSIONS CODE |
| | nstructions before completing. |
| | isaucuons naore complemy. |
| 1. LICENSEE(S) NAME(S) (Seller) | |
| Guadalupe M. RAMIREZ | |
| Javier RAMIREZ | |
| 2. PREMISES ADDRESS TO WHICH LICENSE(S) HASHAVE BEEN ISSUE | ED . |
| 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 (Transfered or Buyer) | |
| SMARKET LLC , | |
| | |
| PROPOSED BUSINESS ADDRESS (If different than them 2) | |
| 201 Folsom St., #101, San Francisco, CA. 94 | 4105 |
| 6. MAILING ADDRESS OF APPLICANT | |
| 850 7th St., San Francisco, CA. 94107 | |
| XIND OF LICENSE INTENDED TO BE TRANSPERRED Type 21, Off-Sale General License #21-118 | icao . |
| 1 PERCONHOLDERGUARANTOR NAME | 0000 |
| | CM. |
| Capital Trust Escrow - Escrow no. 003302 - 9. ESCROWHOLDERGUARANTOR ADDRESS | · i (VI |
| 280 S. Beverly Dr., Ste. 300, Beverly Hills, C. | A 90212 |
| | ISE, INCLUDING INVENTORY, WHETHER ACTUAL COST, ESTIMATED COST, OR A NOT-TO-EXCEED AMOUNT |
| CASH | \$ 45,000.00 |
| | \$ TOPOGRAPO |
| CHECK(S) | |
| DEMAND NOTE(S) | · |

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 escrew holder to make payment or distribution within a resonable time after the completion of the transfer of the license as provided in Section 24074 of the California Business and Professions Code.

PROMISSORY NOTE(S)

TANGIBLE AND/OR INTANGIBLE PROPERTY

For Javier RAMIREZ (decedent) Leonila Raminez Contractor Successor Trustee

TOTAL AMOUNT \$ 45,000.00

APPLICANTS SIGNATURE

Christopher P. FOLEY, Manager SMARKET LLC

One copy of this notice, CERTIFIED by the County Recorder, together with an additional copy must accompany the application

ABC-227 (2/07)

State of California, Department of Alcoholic Beverage Control

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 2 8 2014



ASSESSOR - RECORDER SAN FRANCISCO COUNTY CALIFORNIA

3Y_

JOE LEE

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

November 21, 2014

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

Dba: 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)

Dba: 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 CONVENEINCE 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

ABC-257 (5/05)

| ocpariment or a | 20110112 50101480 5 | 01140. | |
|-----------------|---------------------|---------|----------|
| LICENSED | PREMISES | DIAGRAM | (RETAIL) |

| 1. APPLICANT NAME (Last first, middle) | 2. LICENSE TYPE |
|--|---|
| SMARKET LLC 3. PREMISES ADDRESS (Street number and name, cty, zip code) | 21 / 41 |
| 201 Folsom St., #101, San Francisco, CA. 94105 | Main St. |
| The diagram below is a true and correct description of the entrances, exits, | t |
| oundaries of the premises to be licensed, including dimensions and ident office", etc.). DIAGRAM | ification of each room (i.e., "storeroom", |
| | ., |
| | <u>, , , , , , , , , , , , , , , , , , , </u> |
| CHEESE ERECTION OF THE PASTRY LEGGREAM TACCO ARE SAUDRAR SAUDR | RAW BAR TAPAS DO DO DRY STORAGE BEV GAAB N GO DAIRY TAPAS D D D D D D D D D D D D D D D D D D D |
| PRODUCE PRODUCE CANONY OUTDOOR SEATING | ROLLUB |
| FOLSOM | |
| (A) (B) (C) (E) | (F) (G) (H) (T) |
| THEMARKET ON MAIN | 9,122 SF 9,122 SF 7 3.7.14 |
| | |
| It is hereby declared that the above-described boundaries, entrances and preverse side, will not be changed without first notifying and securing prior Alcoholic Beverage Control. I declare under penalty of perjury that the fi | or written approval of the Department of |
| APPLICANT SIGNATURE (Only one signature required) | DATE SIGNED 11/24/214 |
| FOR ABC USE ONLY CERTIFIED CORRECT (Signature) PRINTED NAME | INSPECTION DATE |

Department of Alcoholic Beverage Control PLANNED OPERATION (RETAIL)

| | | IL APPLIÇANTS | | | | | 2. LICENSI | TVDEC | |
|---|---------------------------------------|-----------------------------------|---|--------------------|-------------------|------------------|--------------|--|------------------------------------|
| 1. APPLICANT NAME(S) | | | | | | | 21 / 41 | : 1 TPC(S) | • |
| SMARKET LLC 3. PREMISES ADDRESS (Street number and name, city, zip code) | | | | | | | | ST CROSS STREET | |
| | • | ncisco, CA. 941 | 05 | | | | Main S | t. | |
| 5. TYPE OF BUSINES | S (Choose one that be | st describes the planned | operation) | | 7 | | | | |
| Full Service Restaurant Cafeter | | | ia/Hofbrau Cocktail Lounge | | | • | • | Private Clu | |
| ✓ Deli or Specialty Restaurant Comedy | | | | Ļ | Night Club | | | Veterans C | |
| ✓ Cafe/Coffee Shop Brew P | | | ub · | Ļ | Tavern | | | Fraternal C | lub |
| Bed & Brea | kfast | Theater | | <u>L</u> | Wine Tasti | ng Room | | | |
| Supermark | et | Membe | ership Store Station | | | ation | | h | /Flea Market |
| Liquor Stor | е | Departr | nent Store | | Convenier | ice Market | | Drive-in Da | iry |
| ☐Variety/Dru | g Store | Gift Sho | p/Florist | | Convenien | ice Market | w/Gasol | ine | |
| Other - des | cribe: | | | | <u></u> | | | | |
| 6, PATRON CAPACIT | | OUNDING AREA | Rural | 1 | Free Stand | | ١ | | |
| eh d | | mmercial esidential | Industrial | . | Shopping | - | - | | |
| tbd | | her | | - | Tourbhuig. | 10 Unit | • | More than | 10 Units |
| 9. FOOD SERVICE | | | 10. PARKING LOT? | 11. | PATIO? | | 12. WILL Y | OU HIRE A 13. | WILL YOU HAVE A |
| √ None | Minimal Fu | il Meals | ∏Yes √N | 。 [, | Yes | No | MANAG | | FOOD LESSEE? (Rule 57.7) Yes ✓ No |
| 14. MEAL TYPE | | | 15. TYPE OF FOOD | | | | 1 | 16. HOURS OF FOOL | |
| ✓Dinner House Seafood ✓ | | | American | ∏g | reek | Indian | Fre | | |
| ✓ Fast Food/Deli ✓ Other: | | | Chinese | ∏к | orean | ✓ Italian | Tha | | n To: Midnight |
| ✓ Pizza/Pasta Various venues. | | | Japanese | √o | ther: Mexic | an, Spanisl | n, etc. | DINNER HOURS From: 7:00 ar | n To: Midnight |
| 17. OPERATING HOU | 1 | 1 | J | 1 14 | | | -t | Fid | 1 0-4 |
| | Sunday 7:00 am | Monday 7:00 am | 7:00 am | | ednesday 00 am | Thurs 7:00 am | | Friday 7:00 am | Saturday 7:00 am |
| Opening Time | | ļ | | - | | | | | |
| Closing Time | Midnight Cone or more may as | Midnight | Midnight rentertainment with an aste | | dnight low) | Midnigh | ıt . | Midnight | Midnight |
| ✓None | • | | ied Music | |]Patron Da | ncing | | Card Room | า |
| Recorded Music *Live E | | Entertainment Bikini/Topless/Exc | | ess/Exotic | iic Movies | | | | |
| Juke Box **Floor/ | | /Stage Shows Pool/Billiard Tables | | "Hot Spot"/Lottery | | Lottery | | | |
| *Other | | Karaok | е | |]*Amateur/ | Pro Sports | Events | ☐ Video/Coin | -Operated Games |
| *Description: | | | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | | | | | | |
| | · · · · · · · · · · · · · · · · · · · | | | | | ···· | | ······································ | |
| 19. PREMISES IS LO | * | [Z]Socono | lary Street | 20. | Single Sto | | | Two-Story | |
| Other | ouginate | A Secome | iary Oneer, | Ė | Multi-Story | | of storie | , — | |
| 21. PASS-THROUGH | WINDOW? | 22. FIXED BARS | 5? | L | | | 23. WHAT | PERCENTAGE OF YOUR TO | TAL SALES WILL BE |
| Yes | √ No | Yes - h | ow many: 3 | | . : . | No | 7-10% | OLIC BEVERAGES? | |
| FOR ABC USE ONLY | | | | | | | | | |
| 24. INFORMATION G | IVEN (R-27, R-107, Se | ec. 25612.5, Sec. 23790.5 | | | total julia | | 25. DATE | ENTERED INTO CABIN | |
| | | | | | | | | | |

SUPPLEMENTAL DIAGRAM

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.

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|--|---------------------------------------|
| DIAGRAM 2 2 2 3 1 2 2 2 2 2 2 2 2 2 | |
| PROPERTY OF THE PROPERTY OF TH | |
| The state of the s | 10 Bracks |
| REPUBLICAN CONSTRUCTION CONTROL OF THE PROPERTY OF THE PROPERT | Lows by |
| We have the constraint of the | C. |
| | |
| | 31 |
| MEL JOUST TO SCIOLA- COMMISSION OF THE COMMISSI | President |
| I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct. | R. R. |
| APPLICANT SIGNATURE DATE SIGNED | · · · · · · · · · · · · · · · · · · · |
| Maly | |
| 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.

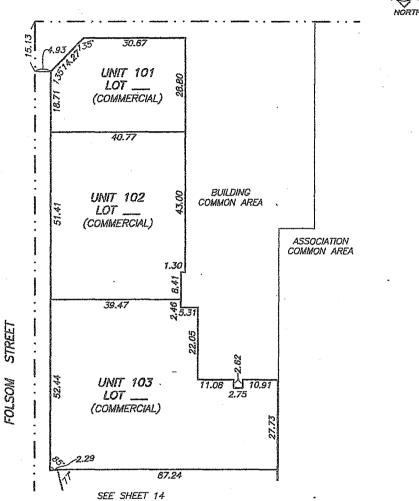
| PART 1 - TO BE COMPLETED BY A | ARC | | | · |
|---|--|--|--|----------------------------------|
| 1. APPLICANT'S NAME | ket LLC | | | • |
| 2. PREMISES ADDRESS (Street number and name, c 20/ 70/50991 47. | ity, zip code) #101 , San Fra | ncisco, CA 94. | 105 . ICENSE TYP | E |
| 4. TYPE OF BUSINESS Full Service Restaurant | / Hofbrau/Cafeteria | Cocktail Lounge | Private Clu | sh |
| Deli or Specialty Restaurant | Comedy Club | Night Club | Veterans (| |
| Cafe/Coffee Shop | Brew Pub | Tavern: Beer | Fraternal (| |
| Bed & Breakfast: | Theater | Tavern: Beer & Wine | Wine Tast | |
| <u>'</u> | Heater | | | |
| Wine only All | <u> </u> | | TTI. | |
| Supermarket | Membership Store | Service Station | | t/Flea Market |
| Liquor Store | Department Store | Convenience Market | Drive-in D | airy |
| Drug/Variety Store | Florist/Gift Shop | Convenience Market w/ | Gasoline | |
| Other - describe: | | | | |
| 5. COUNTY POPULATION | 6. TOTAL NUMBER OF LICENSES IN | | 7. RATIO OF LICENSES TO POPUL | |
| 8. CENSUS TRACT NUMBER | 980 | On-Sale off-Sale | 10. NO. OF LICENSES EXISTING IN | On-Sale Off-Sale |
| OG/S, 60 | 9. NO. OF LICENSES ALLOWED IN C | On-Sale Off-Sale | 10. NO. OF LICENSES EXISTING IN | On-Sale Off-Sale |
| THE ABOVE CENSUS TRACT OVERCONCEN | TRATED WITH LICENSES? (i.e., does the | لبسا لسبا | census tract exceed the ratio of license | لباليا |
| Yes, the number of existing licenses | | | | ,,,, |
| No, the number of existing licenses is | lower than the number allowed | | | • |
| 12. DOES LAW ENFORCEMENT AGENCY MAINTAIL | N CRIME STATISTICS? | · · · · · · · · · · · · · · · · · · · | | |
| Yes (Go to Item #13) | No (Go to Item #20) | | | |
| 13. CRIME REPORTING DISTRICT NUMBER | 14. TOTAL NUMBER OF REPORTING | S DISTRICTS | 15. TOTAL NUMBER OF OFFICENSES | S IN ALL REPORTING DISTRICTS |
| 16. AVERAGE NO. OF OFFENSES PER DISTRICT | 17. 120% OF AVERAGE NUMBER OF | OFFENSES | 18. TOTAL NUMBER OF OFFENSES | S IN REPORTING DISTRICT |
| 83 | 99 | | 191 | |
| 19. IS THE PREMISES LOCATED IN A HIGH CRIME | | greater number of reported crimes th | an the average number of reported crin | nes as determined from all crime |
| reporting districts within the jurisdiction of the local | | reeds the total number in ite | m #17 | |
| 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 on | | ine total fidinger in tterm #17 | | |
| 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 filling the application. | | | | |
| b. If "Yes" is checked in either item retail license issued for a hotel, mot beer manufacturer's license, or wine application or as soon as possible the | el or other lodging establishment grower's license, advise the <u>app</u> | as defined in Section 25503 | .16(b) B&P, or a retail license | issued in conjuction with a |
| c. If " <u>Yes</u> " is checked in either item sale beer license, an on-sale beer a to the local governing body, or its de ABC in order to process the application. | nd wine (public premises) license esignated subordinate officer or b | e, or an on-sale general (pub ody to have them complete | olic premises) license, advise t Section 3. The completed fon | he applicant to take this form |
| loverning Body/Designated Subordi | nate Name: Be | and of Jupen | risons | |
| HUR DEPARTMENT USE ONLY | , | | | |
| PREPARED BY (Name of Department Employee) | Q ₁ | | | |
| ABC-245 (rev. 01-11) | | | | • • |

| PART 2 - TO BE COMPLETED BY T | THE / LICANT (If box #20b is checked | · · · · · · · · · · · · · · · · · · · | |
|--|--|---|---|
| | reverse, the Department may approve you | · <u> </u> | nat public convenience or |
| necessity would be served by the iss | suance of the license. Please describe below | ow the reasons why issuance of | of another license is justified in |
| | And the second second second second second | A Commence of the Commence of | en. |
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| Name of the second seco | | | |
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| | <u> </u> | <u> </u> | |
| | f. " · · · | | |
| , | , 4 | | |
| 22. APPLICANT SIGNATURE | 4 4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | 23. DATE SIGNED | |
| Post | | | |
| PART 3 TO BE COMPLETED BY | LOCAL OFFICIALS (If box #20c is check | ed) - grand sagar | |
| Please complete items #24 to #30 be letter on official letterhead stating wh | elow and certify or affix an official seal, or a tether or not the issuance of the applied for | ttach a copy of the Council or license would serve as a publ | Board resolution or a signed ic convenience or necessity. |
| | | | |
| 24 MILL DI IDLIC CONVENIENCE OD MECESSITY | BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAG | T. (051)050 | |
| Yes | No The State of th | See Attached (i.e., letter, resolu | ition, etc.) |
| | clude reasons for approval or denial of public convenience or n | • | , |
| man service and the second of | | | |
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| 3 / 3/1 / Silver | And the second of the second of | | 15 |
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| | A CONTRACTOR OF THE STATE OF TH | | |
| | | | |
| 26. CITY/COUNTY OFFICIAL NAME | 27. CITY/COUNTY OFFICIAL TITLE | 28. CITY/COUNTY OFFIC | IAL PHONE NUMBER |
| | | | |
| 29. CITY/COUNTY OFFICIAL SIGNATURE | | 30. DATE SIGNED | , |

ABC-245 REVERSE (rev. 01-11)



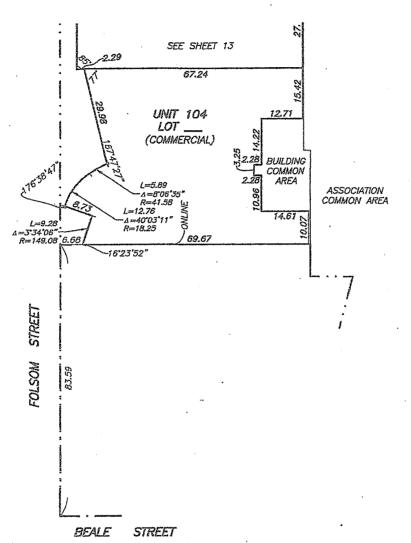




318 MAIN STREET, LEVEL 1

SCALE RWCHKD. DATE 2-19-2014 SHEET 13 JOB NO. MARTIN M. RON ASSOCIATES, INC. LAND SURVEYORS 859 HARRISON STREET SAN FRANCISCO, CA. 94107 (415) 543—4500





SUBJECT: 318 MAIN STREET, LEVEL 1

SHEET JOB NO. S-8222 859 HARRISON STREET SAN FRANCISCO, CA. 94107 (415) 543-4500 MARTIN M. RON ASSOCIATES, INC. LAND SURVEYORS

LIQUOR LICENSE REVIEW

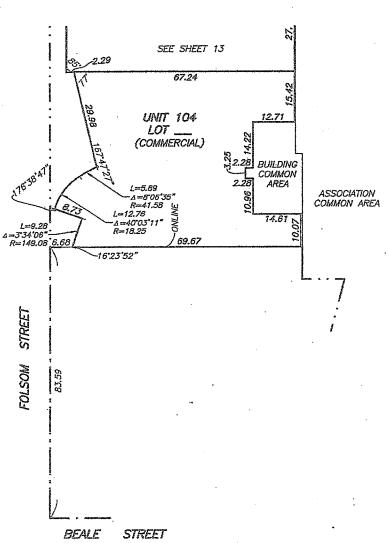
| | | dgers/CTYPLI vell/CTYPLN/ | N/SFGOV SFGOV@SFGOV | File: 141173 | | |
|---------------------------------------|---|---|--|---------------------|--|--|
| то: | Police Departieutenant D Inspector Ne Fax No.: 55 | ave Falzon Ily Gordon | | | | |
| DATE: | December 3 | | | | | |
| PLEASE EN | IAIL YOUR R borhood Serv | ESPONSE Bices and Safe | heard in four to six Y: January 16, 20 ty Committee. org - Fax No: 55 | 14, to Derek Evans, | | |
| Applicant Name: and Business Name: | | | Foley .LC, dba Market o Street, Suite 101) | | | |
| Applicant Address: and Phone No. | | 850 7 th Street San Francisco, CA 94107 (415) 361-4803 | | | | |
| PLANNIN | NG COMM | ENTS: | ☐ Approval | ☐ Denial | | |
| POLICE | COMMEN | TS: | ☐ Approval | ☐ Denial | | |
| | | 1 U . | ∐ ∨hhinaai | □ Delliai | | |

| | - | | |
|----------------------------------|--|---------------|---|
| RECORDING REQUESTED BY | | <u></u> | San Francisco Assessor-Recorder |
| Capital Trust Escro | <u> </u> | | Carmen Chu, Assessor-Recorder |
| | | | DOC- 2014-J966509-00 |
| • | • | | |
| WHEN RECORDED | MAIL TO: | | Tuesday, OCT 28, 2014 15:14:12 |
| NAME Capital Trust Escro | NA/ | | Ttl Pd \$15.00 Rcpt # 0005037739 |
| MAILING ADDRESS (Street | | | OKC/JL/1-1 |
| 280 S. Beverly Dr., | | | |
| CITY | STATE | ZIP CODE | |
| Beverley Hills | CA | 90212 | |
| | | | DO NOT WRITE IN THE SPACE ABOVE. Government Code Section 27361.6 reserves space above for exclusive use of County Recorder. |
| THE OF ME | ENDED TO A | ICEED (| OF RETAIL ALCOHOLIC BEVERAGE LICENSE UNDER |
| | | | |
| SECTIONS 240 | 73 AND 24074 | | ORNIA BUSINESS AND PROFESSIONS CODE |
| | | Read | instructions before completing. |
| 1. LICENSEE(S) NAME(S) | (Seller) | | |
| Guadalupe M. R | AMIREZ | | |
| Javier RAMIRE | | | |
| 2. PREMISES ADDRESS TO | | | UED |
| · | n Francisco, CA. | | |
| 3. LICENSEE'S MAILING AD | | =" | |
| 225 11th St., Sa | n Francisco, CA. | 94103 | |
| 4. APPLICANT(S) NAME SMARKET LLC | (Itansieree or buyer) | | • |
| SIVIATALI LLO | | | |
| · | | | |
| 5. PROPOSED BUSINESS A | • | than Item 2) | DAADE |
| 201 Folsom St., | #101, San Franci | SCO, GA. | 94105 |
| | Francisco, CA. 9 | 4107 | |
| 7. KIND OF LICENSE INTEN | | | |
| Type 21, Off-Sa | le General Licen | se #21-11 | 18638 |
| 8_ ESCROW HOLDER/GUAR | | | |
| Capital Trust Es | crow - Escrow n | o. 003302 | 2-FM |
| | or., Ste. 300, Beve | arly Hille (| CA 90212 |
| - | | - | ENSE; INCLUDING INVENTORY, WHETHER ACTUAL COST, ESTIMATED COST, OR A NOT-TO-EXCEED AMOUNT |
| | CASH | | \$ 45,000.00 |
| | CHECK(S) | | |
| | DEMAND NOTE(| S) | |
| 4 | PROMISSORY N | | i All Statements |
| , | | • • | IGIBLE PROPERTY |
| | ., ., ., ., ., ., ., ., ., ., ., ., ., . | | |
| The narties agree that | the consideration for t | ne transfer c | TOTAL AMOUNT \$ 45,000.00 of the business and the license(s) is to be paid only after the Department of Alcoholic |
| Beverage Control has | approved the propose | d transfer. 7 | The parties also agree and herein direct the above-named escrow holder to make payment |
| or distribution within a | esonable time after th | e completion | on of the transfer of the license as provided in Section 24074 of the California Business and |
| Professions Code. | similale | anie | 2g, / |
| LICENSEE'S SIGNATURE | (Transferor or Seller) | | For Javier RAMIREZ (decedent) DATE SIGNED |
| APPLICATION | | <u> </u> | Leonila Ramírez Grandston, Successor Trustee 10-28-14 |
| APPLICANT'S SIGNATURE | (Transferen or Buyer) | ~~~ | Christopher P. FOLEY, Manager DATE SIGNED |
| * | , | -75 | SMARKET LLC 10-28-17 |

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

ABC-227 (2/07)

State of California, Department of Alcoholic Beverage Control



318 MAIN STREET, LEVEL 1

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

MARTIN M. RON ASSOCIATES, INC. LAND SURVEYORS

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