

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

**RE: PUBLIC CONVENIENCE OR NECESSITY DETERMINATION REQUEST**

2020 FEB 13 AM 9:09

BY



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

Applicants Name: Mat Pond (Owner)  
(415) 602-3407  
mat@theepicureantrader.com

Business Name: The Epicurean Trader, LLC

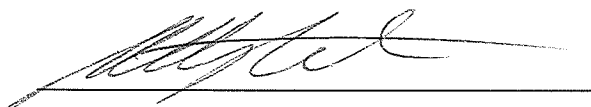
Business Address: 2200 Jerrold Ave, Suite Q  
San Francisco, CA  
94124

Proposed Premises Address: The Ferry Building  
One Ferry Building, Suite 9  
Shop E-5A  
San Francisco, CA  
94111

License Type: New Issuance - Type 21

Proposed Business Hours: Daily 7am-10pm

Date of ABC Application: February 7<sup>th</sup>, 2020  
License #: 614841



Mat Pond, Owner

## INFORMATION AND INSTRUCTIONS -

## SECTION 23958.4 B&amp;P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

## PART 1 - TO BE COMPLETED BY ABC

## 1. APPLICANT'S NAME

EPICUREAN TRADER, LLC THE

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

ONE FERRY BLDG STE 9 MARKET SHOP E-5A, SF CA 94111

## 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 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"/> Drug/Variety Store                     | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline |  |
| <input type="checkbox"/> Other - describe:                      |  |  |  |

## 5. COUNTY POPULATION

2,685/883,963

## 6. TOTAL NUMBER OF LICENSES IN COUNTY

☐ On-Sale ☐ Off-Sale

## 7. RATIO OF LICENSES TO POPULATION IN COUNTY

1,133 ☐ On-Sale ☒ Off-Sale

## 8. CENSUS TRACT NUMBER

105

## 9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

2 ☐ On-Sale ☒ Off-Sale

## 10. NO. OF LICENSES EXISTING IN CENSUS TRACT

768 ☐ On-Sale ☒ Off-Sale

## 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

216

## 14. TOTAL NUMBER OF REPORTING DISTRICTS

654

## 15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

55,022

## 16. AVERAGE NO. OF OFFENSES PER DISTRICT

84.13

## 17. 120% OF AVERAGE NUMBER OF OFFENSES

100.8

## 18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

269

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

- ☒ Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- ☐ No, the total number of offenses in the reporting district is lower than the total number in item #17

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

- ☐ a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- ☐ b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- ☒ c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

SAN FRANCISCO BOARD OF SUPERVISORS

## FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

jm

ABC-245 (rev. 01-11)

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

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

*Please see attached document.*

22. APPLICANT SIGNATURE



23. DATE SIGNED

*02/12/20*

**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

The Epicurean Trader is a respected retailer in the San Francisco community with three small grocery markets in the Bernal Heights, Cow Hollow and Hayes Valley neighborhoods of San Francisco. We are a husband-and-wife run business and are completely independent with no outside investors or ownership.

Our current markets are highly regarded, as indicated by online reviews, and have been recognized in publications like Sunset Magazine and San Francisco Magazine for our dedication to small, local producers as well as being a great addition to San Francisco neighborhoods. The local residents in neighborhoods where our current markets reside are thrilled to have us as part of their neighborhood and as part of the weekly shopping routine.

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

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

Currently there is no offering like ours in the Embarcadero / Financial District neighborhood and the Ferry Building have specifically selected The Epicurean Trader to be their general grocer in the marketplace for the thousands of commuters who take the ferry as a means of transport to the city on a daily basis. In addition, we plan to serve the specialty grocery needs of people who work in the surrounding buildings.

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

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

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

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

We are responsible retailers and have never had any issues with retailing alcoholic beverages at any of our markets. Our staff are highly knowledgeable and well trained in how to be a responsible servers of alcohol.

We hope that you will support our bid to move into the Ferry Building and provide the community with quality grocery options.

Regards,

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

Mat & Holly (founders/owners)