

1 [Liquor License Transfer, 1369 Folsom Street]

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3 **Resolution determining that the transfer of a Type 48 on-sale general public premises**  
4 **license from 289 8<sup>th</sup> Street to 1369 Folsom Street (District 6) to John Gardiner and**  
5 **Joseph Banks for the Hole in the Wall Saloon will will serve the public convenience and**  
6 **necessity of the people of the City and County of San Francisco, in accordance with**  
7 **Section 23958.4 of the California Business and Professions Code, with conditions.**

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10 WHEREAS, John Gardiner and Joseph Banks are seeking the transfer of a Type  
11 48 on-sale general public premises license from 289 8<sup>th</sup> Street to 1369 Folsom Street  
12 for Hole in the Wall; and,

13 WHEREAS, The Planning Department has verified that the area is properly  
14 zoned; and,

15 WHEREAS, The Police Department recommends that the liquor license  
16 application be approved with conditions; now, therefore, be it

17 RESOLVED, That in accordance with Section 23958.4 of the California Business  
18 and Professions Code, the Board of Supervisors of the City and County of San  
19 Francisco hereby determines for the foregoing reasons that the transfer of a Type 48  
20 on-sale general public premises license to John Gardiner and Joseph Banks, located at  
21 1369 Folsom Street, will serve the public convenience and necessity of the people of  
22 the City and County of San Francisco.

23 Conditions: (1) No noise shall be audible beyond the area under control of the  
24 licensee(s) as defined on the ABC0257 dated 10/11/2006. (2) No person under the age  
25 of twenty-one (21) years of age shall sell, furnish, or deliver alcoholic beverages. (3)

1 The sale of alcoholic beverages for consumption off the premises is strictly prohibited.  
2 (4) Petitioner shall not permit its patrons or the general public to loiter or congregate on  
3 the sidewalks adjacent to the licensed premises. The orderly standing of patrons in line  
4 to enter the premises shall not be considered loitering or unlawfully congregating. (5)  
5 The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to  
6 the premises over which they have control. (6) Petitioner(s) shall not make structural  
7 changes in the premises interior without prior written approval from the Department. (7)  
8 The interior lighting maintained therein shall be sufficient to make easily discernible the  
9 appearance the conduct of all persons and patrons in that portion of the premises where  
10 alcoholic beverages are sold, served, delivered or consumed. (8) The exterior of the  
11 premises shall be equipped with lighting of sufficient power to illuminate and make  
12 easily discernible the appearance and conduct of all persons on or about the premises.  
13 Additionally, the position of such lighting shall not disturb the normal privacy and use of  
14 any neighboring residences. (9) At no time shall any person under the age of 21 years  
15 enter or remain in the public premises.

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