

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 8th 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 8th 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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