

1 [Liquor License Issuance - 2 Embarcadero Center - Embarc Wines]

2

3 **Resolution determining that the issuance of a Type-42 on-sale beer and wine**  
4 **liquor license to EW BY THE GLASS LLC, doing business as Embarc Wines,**  
5 **located at 2 Embarcadero Center (District 3), will serve the public convenience or**  
6 **necessity of the City and County of San Francisco, in accordance with California**  
7 **Business and Professions Code, Section 23958.4; and requesting that the**  
8 **California Department of Alcoholic Beverage Control impose conditions on the**  
9 **issuance of the license.**

10

11 WHEREAS, EW BY THE GLASS LLC, is seeking the Type-42 on-sale beer and  
12 wine liquor license to do business as Embarc Wines, located at 2 Embarcadero Center  
13 (District 3); and

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

16 WHEREAS, The Police Department has filed zero protests and zero letters of  
17 support with the Department of Alcoholic Beverage Control under California Business  
18 and Professions Code, Section 24013, and recommends that the Department of  
19 Alcoholic Beverage Control issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the  
21 following: 1) Petitioner(s) shall actively monitor the area under their control in an effort to  
22 prevent the loitering of persons on any property adjacent to the licensed premises as  
23 depicted on the ABC-253; 2) The petitioner(s) shall be responsible for maintaining free  
24 of litter the area adjacent to the premises over which they have control, as depicted on  
25 ABC-253; and 3) (1) Except as provided in Condition 2 below, no noise shall be audible

1 beyond the area under the control of the licensee. (2) Any noise caused by  
2 entertainment or amplified sound that is subject to the provisions of an active  
3 Entertainment Permit issued by the San Francisco Entertainment Commission shall be  
4 authorized in accordance with the limits established by that Entertainment Permit,  
5 including any limitation on hours during which entertainment or amplified sound is  
6 permitted. A violation of the entertainment or amplified sound noise conditions of the  
7 Entertainment Permit, as determined by the San Francisco Entertainment Commission.  
8 (or any successor agency), shall be deemed to be a violation of this Condition. Any  
9 noise that is not subject to, or is beyond the scope of, the Entertainment Permit shall be  
10 subject to Condition 1 above. "Entertainment Permit" means any of the following: a Just  
11 Add Music permit, a Limited Live Performance permit, a Place of Entertainment permit,  
12 a Fixed Place Amplified Sound permit, or any similar such permit issued by the San  
13 Francisco Entertainment Commission; now, therefore, be it

14           RESOLVED, That in accordance with California Business and Professions Code,  
15 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
16 hereby determines that the issuance of a Type-42 on-sale beer and wine liquor license  
17 to EW BY THE GLASS LLC, doing business as Embarc Wines, located at 2  
18 Embarcadero Center (District 3), will serve the public convenience or necessity of the  
19 City and County of San Francisco; and, be it

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

24  
25