

1 [Liquor License Transfer - 895 O'Farrell Street - Club 895]

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3 **Resolution determining that the person-to-person, premise-to-premise transfer of**
4 **a Type-48 on-sale general public premises beer, wine, and distilled spirits liquor**
5 **license to Big Skye LLC, doing business as Club 895, located at 895 O'Farrell**
6 **Street (District 5), will serve the public convenience or necessity of the City and**
7 **County of San Francisco, in accordance with California Business and**
8 **Professions Code, Section 23958.4; and requesting that the California Department**
9 **of Alcoholic Beverage Control impose conditions on the issuance of the license.**

10
11 WHEREAS, Big Skye LLC, is seeking the person-to-person, premise-to-premise
12 transfer of a Type-48 on-sale general public premises beer, wine, and distilled spirits
13 liquor license to do business as Club 895, located at 895 O'Farrell Street (District 5);
14 and

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

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

21 WHEREAS, The conditions recommended by the Police Department are the
22 following: 1) Except as provided in Condition 2 below, no noise shall be audible beyond
23 the area under the control of the licensee; 2) Any noise caused by entertainment or
24 amplified sound that is subject to the provisions of an active Entertainment Permit
25 issued by the San Francisco Entertainment Commission shall be authorized in

1 accordance with the limits established by that Entertainment Permit, including any
2 limitation on hours during which entertainment or amplified sound is permitted. A
3 violation of the entertainment or amplified sound noise conditions of the Entertainment
4 Permit, as determined by the San Francisco Entertainment Commission (or any
5 successor agency), shall be deemed to be a violation of this Condition. Any noise that is
6 not subject to, or is beyond the scope of, the Entertainment Permit shall be subject to
7 Condition 1 above. "Entertainment Permit" means any of the following: a Just Add
8 Music permit, a Limited Live Performance permit, a Place of Entertainment permit, a
9 Fixed Place Amplified Sound permit, or any similar such permit issued by the San
10 Francisco Entertainment Commission; 3) At any time, the premise is providing live
11 entertainment, the petitioner(s) shall have two (2) uniformed security guard(s) on the
12 premises and shall maintain order therein to prevent any activity which would interfere
13 with the quiet enjoyment of their nearby residents, or the surrounding community. The
14 uniform security guards must be licensed by the State of California Department of
15 Consumer Affairs; 4) Petitioner(s) shall actively monitor the area under their control in
16 an effort to prevent the loitering of persons on any property adjacent to the licensed
17 premises as depicted on ABC -257; 5) The petitioner(s) shall be responsible for
18 maintaining free of litter. the area adjacent to the premises over which they have
19 control, as depicted on ABC-257; now, therefore, be it

20 RESOLVED, That in accordance with California Business and Professions Code,
21 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
22 hereby determines that the person-to-person, premise-to-premise transfer of a Type-48
23 on-sale general public premises beer, wine, and distilled liquor license to Big Skye LLC,
24 doing business as Club 895, located at 895 O'Farrell Street (District 5), will serve the
25 public convenience or necessity of the City and County of San Francisco; and, be it

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