

1 [Liquor License Transfer - 447 Bush Street]

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3 **Resolution determining that the transfer of a Type 48 on-sale general public**
4 **premises license to 451 Bush Street, Inc., dba FLUXUS from 1 Embarcadero**
5 **Center to 447 Bush Street (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 recommending that the**
8 **California Department of Alcoholic Beverage Control impose conditions on the**
9 **issuance of the license.**

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11 WHEREAS, 451 Bush Street, Inc., dba FLUXUS is seeking the transfer of a Type
12 48 on-sale general public premises license from 1 Embarcadero Center to 447 Bush
13 Street (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 (0) protests with the
17 Department of Alcoholic Beverage Control under California Business and Professions
18 Code, Section 24013, and recommends that the Department of Alcoholic Beverage
19 Control issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the
21 following: 1) the sale of alcoholic beverages for consumption off the premises is strictly
22 prohibited; 2) the petitioner(s) shall be responsible for maintaining free of litter the area
23 adjacent to the premises over which they have control, as depicted on the ABC-257,
24 dated 04/14/2016; 3) no noise shall be audible beyond the area under the control of the
25 petitioner(s) as defined on the ABC-257, dated 04/14/2016; and 4) loitering (is defined

1 as “to stand idly about; linger aimlessly without lawful business”) is prohibited on any
2 sidewalks or property adjacent to the licensed premises under the control of the
3 licensee; now, therefore, be it

4 RESOLVED, That in accordance with California Business and Professions Code,
5 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
6 hereby determines that the transfer of a Type 48 on-sale general public premises to 451
7 Bush Street, Inc., dba FLUXUS from 1 Embarcadero Center to 447 Bush Street (District
8 3), will serve the public convenience or necessity of the City and County of San
9 Francisco; and, be it

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



City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 160301

Date Passed: November 01, 2016

Resolution determining that the transfer of a Type 48 on-sale general public premises license to 451 Bush Street, Inc., dba FLUXUS from 1 Embarcadero Center to 447 Bush Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

July 14, 2016 Public Safety and Neighborhood Services Committee - CONTINUED TO CALL OF THE CHAIR

September 08, 2016 Public Safety and Neighborhood Services Committee - CONTINUED TO CALL OF THE CHAIR

October 20, 2016 Government Audit and Oversight Committee - PREPARED IN COMMITTEE AS A RESOLUTION

October 20, 2016 Government Audit and Oversight Committee - RECOMMENDED

November 01, 2016 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 160301

I hereby certify that the foregoing Resolution was ADOPTED on 11/1/2016 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

11/10/2016

Date Approved