

1 [Liquor License Transfer - 1097 Howard Street]

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3 **Resolution determining that the transfer of a Type 42 off-sale beer and wine,**
4 **person-to-person and premise-to-premise, license from 1097 Howard Street, Unit**
5 **209, to 1097 Howard Street, Unit 101 (District 6), to William Marci for the San**
6 **Francisco Champagne Society, LLC, will serve the public convenience and**
7 **necessity of the City and County of San Francisco, in accordance with California**
8 **Business and Professions Code, Section 23958.4.**

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10 WHEREAS, William Marci is seeking the transfer of a Type 42 off-sale beer and
11 wine license 1097 Howard Street, Unit 209, to 1097 Howard Street, Unit 101 (District 6)
12 for the San Francisco Champagne Society, LLC; and,

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

15 WHEREAS, The Police Department has filed zero (0) protests and nine (9)
16 letters of support with the Department of Alcoholic Beverage Control under California
17 Business and Professions Code, Section 24013, and recommends that the Department
18 of Alcoholic Beverage Control issue the liquor license with conditions; and

19 WHEREAS, The conditions recommended to the California Department of
20 Alcoholic Beverage Control by the Police Department are the following: 1) Sales,
21 service and consumption of alcoholic beverages shall be permitted only between the
22 hours of 11:00 a.m. to 10:00 p.m. each day of the week; 2) The off-sale privilege shall
23 not be used for operations conducted from retail store open to the public; 3) No noise
24 shall be audible beyond the area under the control of the licensee as defined on the
25 ABC-257, dated January 8, 2013; 4) Loitering (defined as "to stand idly about; linger

1 aimlessly without lawful business”) is prohibited on any sidewalks or property adjacent
2 to the licensed premises under the control of the licensee as depicted on the ABC-257;
3 5) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to
4 the premises over which they have control, as depicted on the ABC-257; 6) Graffiti
5 shall be removed from the premises and all parking lots under the control of the
6 licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend
7 day, or on a holiday, the licensee shall remove the graffiti with 72 hours following the
8 beginning of the next week day; 7) The exterior of the premises shall be equipped with
9 lighting of sufficient power to illuminate and make easily discernible the appearance and
10 conduct of all persons on or about the premises. Additionally, the position of such light
11 shall not disturb the normal privacy and use of any neighboring residences; and 8)
12 Petitioner(s) shall make no changes in the premises interior without prior written
13 approval from the Department; 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 transfer of a Type 42 off-sale beer and wine, person-to-
17 person and premise-to-premise, license from 1097 Howard Street, Unit 209, to 1097
18 Howard Street, Unit 101 (District 6), to William Marci for the San Francisco Champagne
19 Society, LLC, will serve the public convenience or necessity of the City and County of
20 San Francisco; and, be it

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

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