

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

March 1, 2017

Justin Gebb
California Department of Alcoholic Beverage Control
33 New Montgomery St., Suite 1230
San Francisco, CA 94105

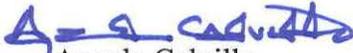
Dear Mr. Gebb:

The following is a determination from the San Francisco Board of Supervisors regarding the Public Convenience or Necessity application submitted by Emporium SF, LLC, dba Emporium San Francisco, located at 616 Divisadero Street. The Board of Supervisors Public Safety and Neighborhood Services Committee conducted a public hearing on February 8, 2017, and a Resolution was considered by the Board of Supervisors for approval on February 14, 2017; in Resolution No. 045-17.

The Department of Alcohol Beverage Control is receiving this correspondence in accordance with California Business and Professions Code, Section 23958.4, affirming that the San Francisco Board of Supervisors recommends the California Department of Alcoholic Beverage and Control impose conditions on the issuance of the license.

If you have any questions, please contact me at (415) 554-5184 or Erica Major at (415) 554-4441.

Sincerely,


Angela Calvillo
Clerk of the Board

c: Alisa Somera, Office of the Clerk of the Board
Dave Falzon, Police Department
Nelly Gordon, Police Department
Joan Bernardino, Department of Alcoholic Beverage Control
Dan Kramer, Dan Kramer Law Group

1 [Liquor License Transfer - 616 Divisadero Street]

2
3 **Resolution determining that the transfer of a Type 48 on-sale general public**
4 **premises license to Emporium SF, LLC, dba Emporium San Francisco, located at**
5 **616 Divisadero Street (District 5), will serve the public convenience or necessity**
6 **of City and County of San Francisco in accordance with California Business and**
7 **Professions Code, Section 23958.4, and recommending that the California**
8 **Department of Alcoholic Beverage Control impose conditions on the issuance of**
9 **the license.**

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11 WHEREAS, Emporium SF, LLC, is seeking the transfer of a Type 48 on-sale
12 general public premises license, dba Emporium San Francisco, located at 616
13 Divisadero (District 5); 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) sales, service, and consumption of alcoholic beverages shall be permitted
22 between the hours of 10:00 a.m. and 2:00 a.m. daily; 2) no noise shall be audible
23 beyond the area under the control of the licensee(s) as depicted on ABC-257 dated
24 10/21/2016; 3) the sales of alcoholic beverages for off-sale consumption is strictly
25 prohibited; 4) alcoholic beverages shall only be served and poured by premises

1 employees. Patrons are prohibited from serving themselves alcoholic beverages in the
2 premises; 5) loitering (defined as "to stand idly about; linger aimlessly without lawful
3 business") is prohibited on any sidewalks or property adjacent to the licensed premises
4 under the control of the licensee as depicted on ABC-257 dated 10/21/2016; now,
5 therefore, be it

6 RESOLVED, That in accordance with California Business and Professions Code,
7 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
8 hereby determines that the transfer of a Type 48 on-sale general public premises
9 license to Emporium SF, LLC, dba Emporium San Francisco, located at 616 Divisadero
10 Street (District 5), will serve the public convenience or necessity of the City and County
11 of San Francisco; and, be it

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

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City and County of San Francisco
Tails
Resolution

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

File Number: 161268

Date Passed: February 14, 2017

Resolution determining that the transfer of a Type 48 on-sale general public premises license to Emporium SF, LLC, dba Emporium San Francisco, located at 616 Divisadero Street (District 5), will serve the public convenience or necessity of 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.

February 08, 2017 Public Safety and Neighborhood Services Committee - PREPARED IN COMMITTEE AS A RESOLUTION

February 08, 2017 Public Safety and Neighborhood Services Committee - RECOMMENDED

February 14, 2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 161268

I hereby certify that the foregoing Resolution was ADOPTED on 2/14/2017 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved



City and County of San Francisco
Certified Copy
Resolution

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

161268 [Liquor License Transfer - 616 Divisadero Street]

Resolution determining that the transfer of a Type 48 on-sale general public premises license to Emporium SF, LLC, dba Emporium San Francisco, located at 616 Divisadero Street (District 5), will serve the public convenience or necessity of 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. (Public Safety and Neighborhood Services Committee)

2/14/2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

2/24/2017 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

February 27, 2017

Date



Angela Calvillo
Clerk of the Board