

1 [Liquor License Transfer - 1552 Polk Street]

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3 **Resolution considering that the transfer of a Type 20 off-sale beer and wine**  
4 **license from 5621 Geary Boulevard to 1552 Polk Street (District 3), to Frank Slacik**  
5 **for Blue Fog Markets, LLC, dba the Blue Fog Market, will serve the public**  
6 **convenience or necessity of the City and County of San Francisco, in accordance**  
7 **with California Business and Professions Code, Section 23958.4, and**  
8 **recommending that the California Department of Alcoholic Beverage Control**  
9 **impose conditions on the issuance of the license.**

10  
11 WHEREAS, Frank Slacik is seeking the transfer of a Type 20 off-sale beer and  
12 wine license from 5621 Geary Boulevard to 1552 Polk Street for Blue Fog Markets,  
13 LLC, dba the Blue Fog Market; 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 and one (1) letter  
17 of 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; 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 7:00 a.m. to 10:00 p.m. daily; 2) No more than 15% of the square  
23 footage of the premises will be used for the display of alcoholic beverages; 3) Loitering  
24 (defined as "to stand idly about; linger aimlessly without lawful business") is prohibited  
25 on any sidewalks or property adjacent to the licensed premises under the control of the

1 licensee as depicted on the ABC-257; 4) The sale of beer or malt beverages in  
2 quantities of 22 oz., 24 oz., 40 oz., or similar size containers is prohibited, except for  
3 microbrews, craft brews, organic and specialty malt products sold under such  
4 designations as stout, porter, IPA and ESB. This condition is intended to eliminate high  
5 alcohol, low-cost products that are frequently abused, but not prevent the sale of  
6 specialty and craft beer products; and 5) Wine shall not be sold in bottles or containers  
7 smaller than 375 ml; now, therefore, be it

8           RESOLVED, That in accordance with California Business and Professions Code,  
9 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
10 hereby determines for the foregoing reasons that the transfer of a Type 20 off-sale beer  
11 and wine license from 5621 Geary Boulevard to 1552 Polk Street, to Frank Slacik for  
12 Blue Fog Markets, LLC, dba the Blue Fog Market, will serve the public convenience or  
13 necessity of the City and County of San Francisco; and, be it

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



**City and County of San Francisco**  
**Tails**  
**Resolution**

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

**File Number:** 130307

**Date Passed:** June 18, 2013

Resolution considering that the transfer of a Type 20 off-sale beer and wine license from 5621 Geary Boulevard to 1552 Polk Street (District 3), to Frank Slacik for Blue Fog Markets, LLC, dba the Blue Fog Market, 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.

June 06, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION


June 06, 2013 Neighborhood Services and Safety Committee - RECOMMENDED


June 18, 2013 Board of Supervisors - ADOPTED

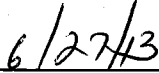
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130307

I hereby certify that the foregoing Resolution was ADOPTED on 6/18/2013 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

  
Mayor

  
Date Approved