[Liquor License Issuance- 1779 Folsom Street - Nihon Whisky Lounge]

Resolution determining that the issuance of a Type-48 on-sale general public premises liquor license to Nihon SF Inc., to do business as Nihon Whisky Lounge, located at 1779 Folsom Street (District 9), 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 requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Nihon SF Inc., is seeking the issuance of a Type-48 on-sale general public premises liquor license to do business as Nihon Whisky Lounge, located at 1779 Folsom Street (District 9); and

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

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

WHEREAS, The conditions recommended by the Police Department are the following: 1) Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the ABC-253; 2) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on ABC-253; 3) (1) Except as provided in Condition 2 below, no noise shall be audible beyond the area under the control of the licensee. (2) Any noise caused by entertainment or amplified sound that is subject to

the provisions of an active Entertainment Permit issued by the San Francisco Entertainment Commission shall be authorized in accordance with the limits established by that Entertainment Permit, including any limitation on hours during which entertainment or amplified sound is permitted. A violation of the entertainment or amplified sound noise conditions of the Entertainment Permit, as determined by the San Francisco Entertainment Commission (or any successor agency), shall be deemed to be a violation of this Condition. Any noise that is not subject to, or is beyond the scope of, the Entertainment Permit shall be subject to Condition I above. "Entertainment Permit" means any of the following: a Just Add Music permit, a Limited Live Performance permit, a Place of Entertainment permit, a Fixed Place Amplified Sound permit, or any similar such permit issued by the San Francisco Entertainment Commission; 4) At any time the premise is providing live entertainment, the petitioner(s) shall have two (2) uniformed security guard(s) on the premises and shall maintain order therein to prevent any activity which would interfere with the quiet enjoyment of their nearby residents, or the surrounding community. The uniform security guards must be licensed by the State of California Department of Consumer Affairs; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines that issuance of a Type-48 on-sale general public premises liquor license to Nihon SF Inc., to do business as Nihon Whisky Lounge, located at 1779 Folsom Street, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby endorses and adopts the recommendations of the Police Department listed above and recommends that the Department of Alcoholic Beverage 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: 240978 **Date Passed:** December 03, 2024

Resolution determining that the issuance of a Type-48 on-sale general public premises liquor license to Nihon SF Inc., to do business as Nihon Whisky Lounge, located at 1779 Folsom Street (District 9), 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 requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

November 14, 2024 Public Safety and Neighborhood Services Committee - PREPARED IN COMMITTEE AS A RESOLUTION

November 14, 2024 Public Safety and Neighborhood Services Committee - RECOMMENDED

December 03, 2024 Board of Supervisors - ADOPTED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai and Walton

File No. 240978

I hereby certify that the foregoing Resolution was ADOPTED on 12/3/2024 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

12/11/24
Date Approved