

1 [Liquor License Issuance - 3089-16th Street - Skylark]

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3 **Resolution determining that the issuance of a Type-90 on-sale general music**
4 **venue liquor license to 3089 16th Street LLC, to do business as Skylark, located**
5 **at 3089-16th Street (District 9), will serve the public convenience or necessity of**
6 **the City and County of San Francisco, in accordance with California Business**
7 **and Professions Code, Section 23958.4; and requesting that the California**
8 **Department of Alcoholic Beverage Control impose conditions on the issuance of**
9 **the license.**

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11 WHEREAS, 3089 16th Street LLC., is seeking the issuance of a Type-90 on-sale
12 general music venue liquor license to do business as Skylark, located at 3089-16 Street
13 (District 9); 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 protests and zero letters of
17 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 with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the
21 following: 1) Petitioner(s) shall actively monitor the area under their control in an effort
22 to prevent the loitering of persons on any property adjacent to the licensed premises as
23 depicted on the ABC-253; 2) The petitioner(s) shall be responsible for maintaining free
24 of litter the area adjacent to the premises over which they have control, as depicted on
25 ABC-253; 3) (1) Except as provided in Condition 2 below, no noise shall be audible

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

19 RESOLVED, That in accordance with California Business and Professions Code,
20 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
21 hereby determines that the issuance of a Type-90 on-sale general music venue liquor
22 license to 3089 16th Street LLC., to do business as Skylark, located at 3089-16 Street,
23 will serve the public convenience or necessity of the City and County of San Francisco;
24 and, be it

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

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