

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

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3 **Resolution determining that the issuance of a Type-48 on-sale general public premises**
4 **liquor license to Nihon SF Inc., to do business as Nihon Whisky Lounge, located at**
5 **1779 Folsom Street (District 9), will serve the public convenience or necessity of the**
6 **City and County of San Francisco, in accordance with California Business and**
7 **Professions Code, Section 23958.4; and requesting that the California Department of**
8 **Alcoholic Beverage Control impose conditions on the issuance of the license.**

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

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

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

19 WHEREAS, The conditions recommended by the Police Department are the following:

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

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

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

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

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