

1 [Liquor License - 239 Kearny Street]

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3 **Resolution determining that the issuance of a Type 48 on-sale general public**
4 **premises license to Frank LeClerc for Gitane Restaurant and Bar, Inc. dba Gitane**
5 **Restaurant and Bar, located at 239 Kearny Street (District 3), 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.**

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11 WHEREAS, Frank LeClerc is seeking the issuance of a Type 48 on-sale general
12 public premises license for Gitane Restaurant and Bar, Inc. dba Gitane Restaurant and
13 Bar, located at 239 Kearny Street (District 3); 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, as
21 amended, are the following: 1) no noise shall be audible beyond the area under the
22 control of the licensee as defined on the ABC-257; 2) the sale of alcoholic beverages for
23 consumption off the premises is strictly prohibited; 3) loitering (is defined as “to stand
24 idly about; linger aimlessly without lawful business”) is prohibited on any sidewalks or
25 property adjacent to the licensed premises under the control of the licensee as depicted

1 on the ABC-257; and 4) the sales and service of alcoholic beverages shall be
2 conducted at the bar provided by an employee or server. Bottle service and self-service
3 of alcoholic beverages is strictly prohibited; now, therefore, be it

4 RESOLVED, That in accordance with California Business and Professions Code,
5 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
6 hereby determines that the issuance of a Type 48 on-sale general public premises
7 license to Frank LeClerc for the Gitane Restaurant and Bar, Inc. dba Gitane Restaurant
8 and Bar, located at 239 Kearny Street (District 3), will serve the public convenience or
9 necessity of the City and County of San Francisco; and, be it

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

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