

1 [Liquor License – 1005 Minnesota Street]

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3 **Resolution determining that the issuance of a Type 42 on-sale beer and wine**  
4 **public premises license and the transfer of a Type 20 off-sale beer and wine**  
5 **license from Ferry Building, Market Place, Unit 33, the Embarcadero, to Wayne**  
6 **Garcia, for DIGWines, LLC, located at 1005 Minnesota Street (District 10), will**  
7 **serve the public convenience or necessity of the people of the City and County of**  
8 **San Francisco, in accordance with Section 23958.4 of the California Business and**  
9 **Professions Code, with conditions.**

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12 WHEREAS, Wayne Garcia is seeking the issuance of a Type 42 on-sale beer  
13 and wine public premises license and the transfer of a Type 20 off-sale beer and wine  
14 license from Ferry Building, Market Place, Unit 33, the Embarcadero, for DIGWines,  
15 LLC, located at 1005 Minnesota Street; and,

16 WHEREAS, The City Planning Department has verified that the area is properly  
17 zoned; and,

18 WHEREAS, The Police Department recommends that the liquor license  
19 application be approved with conditions; now, therefore, be it

20  
21 RESOLVED, That in accordance with Section 23958.4 of the California Business  
22 and Professions Code, the Board of Supervisors of the City and County of San  
23 Francisco hereby determines for the foregoing reasons that the issuance of a Type 42  
24 on-sale beer and wine public premises license and the transfer of a Type 20 off-sale  
25 beer and wine license from Ferry Building, Market Place, Unit 33, the Embarcadero, to

1 Wayne Garcia for DIGWines, LLC, located at 1005 Minnesota Street, will serve the  
2 public convenience or necessity of the people of the City and County of San Francisco.

3 Conditions: (1) The two licenses, type 20 and 42, shall operate in conjunction  
4 with one another and shall not be separated. (2) Sales, service and consumption of  
5 alcoholic beverages shall be permitted only between the hours of 11:00 a.m. to 9:00  
6 p.m. daily. (3) Service and consumption of alcoholic beverages shall be permitted only  
7 at the tasting bar as depicted on ABC-257, except for private events that are closed to  
8 the public with signage posted. (4) The tasting bar must be sectioned off with "No One  
9 Under 21 is Allow" sign clearly posted. (5) Service and consumption of alcoholic  
10 beverages must be limited to one (1) ounce pours per serving. (6) The sale of any beer  
11 and/or malt product(s) is strictly prohibited. (7) Noise ("noise is defined as any raucous  
12 sound that is produced in such a manner or to such a degree as to disturb the peace,  
13 quiet, and comfort of persons in the neighborhood") shall not be audible beyond the  
14 area under the control of the licensee. (8) The petitioner shall be responsible for  
15 maintaining free of litter the area adjacent to the premises over which they have control.  
16 (9) The exterior of the premises shall be equipped with lighting of sufficient power to  
17 illuminate and make easily discernible the appearance and conduct of all persons on or  
18 about the premises. Additionally, the position of such lighting shall not disturb the  
19 normal privacy and use of any neighboring residences. (10) Loitering (loitering is  
20 defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on  
21 any sidewalks or property adjacent to the licensed premises under the control of the  
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licensee. (11) No person under the age of 21 shall serve or deliver alcoholic  
beverages.

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

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

**File Number:** 101287

**Date Passed:** February 15, 2011

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license and the transfer of a Type 20 off-sale beer and wine license from Ferry Building, Market Place, Unit 33, the Embarcadero, to Wayne Garcia, for DIGWines, LLC, located at 1005 Minnesota Street (District 10), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

February 14, 2011 City Operations and Neighborhood Services Committee - NOT PREPARED IN COMMITTEE AS A RESOLUTION APPROVING THE REQUEST WITH CONDITIONS

February 14, 2011 City Operations and Neighborhood Services Committee - RECOMMENDED AS COMMITTEE REPORT

February 15, 2011 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

File No. 101287

I hereby certify that the foregoing Resolution was ADOPTED on 2/15/2011 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

Mayor Edwin Lee

Date Approved