FILE NO. 081462 RESOLUTION NO. 27-09

[Liquor License Transfer – 1957 Union Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 599 Clement Street to 1957 Union Street (District 2), to Melissa Gisler for Gusto Partners, LLC, dba Spuntino di Ottimista, will serve the public convenience and 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.

WHEREAS, Melissa Gisler is seeking the transfer of a Type 20 off-sale beer and wine license from 599 Clement Street to 1957 Union Street (District 2), for Gusto Partners, LLC, dba Spuntino di Ottimista; and,

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

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

RESOLVED, That in accordance with Section 23958.4 of the California Business and Professions Code, the Board of Supervisors of the City and County of San Francisco hereby determines for the foregoing reasons that the transfer of a Type 20 off-sale beer and wine license to Melissa Gisler for Gusto Partners, LLC, dba Spuntino di Ottimista, located at 1957 Union Street, will serve the public convenience and necessity of the people of the City and County of San Francisco.

Conditions: (1) Sales of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 8:00 p.m. each day of the week. (2) Not more than 15% of the square footage of the premises will be used for the display of alcoholic beverages. (3)

No noise shall be audible beyond the area under the control of the licensee(s). (4) There shall be no coin operated games or video machines maintained upon the premises at any time. (5) No person under the age of 21 shall sell or deliver alcoholic beverages. (6) No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles. (7) No malt beverage shall be sold with an alcoholic content greater than 5.7% by volume. (8) No beer or malt beverage products shall be sold, regardless of container size, in quantities of less than six per sale, and wine-coolers and beer coolers must be sold in manufacturer pre-packaged multi-unit quantities. (9) Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti within 72 hours following the beginning of the next weekday. (10) The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control. (11) The petitioner shall not permit their patrons or the general public to loiter or congregate on the area adjacent to the licensed premises.

City and County of San Francisco

Tails

Resolution

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

File Number: 081462 **Date Passed:**

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January 27, 2009 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

File No. 081462

I hereby certify that the foregoing Resolution was ADOPTED on January 27, 2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

2/5/09
Date Approved

Mayor Gavin Newsom