

1 [Liquor License, 461 Pacific Avenue]

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3 **Resolution determining that the issuance of a Type 42 On-Sale beer and wine**
4 **public premises license to Jim Howell, for the Barrel Cellar, LLC located at 461**
5 **Pacific Avenue, will serve the public convenience or necessity of the people of**
6 **the City and County of San Francisco, in accordance with Section 23958.4 of the**
7 **California Business and Professions Code, with conditions.**

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9 WHEREAS, Jim Howell is seeking issuance of a Type 42 On-Sale beer and wine
10 public premises license for the Barrel Cellar, LLC, located at 461 Pacific Avenue; and,

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

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

15 RESOLVED, That in accordance with Section 23958.4 of the California Business
16 and Professions Code, the Board of Supervisors of the City and County of San
17 Francisco hereby determines for the foregoing reasons that the issuance of a Type 42
18 On-Sale beer and wine public premises license, to Jim Howell for the Barrel Cellar, LLC,
19 located at 461 Pacific Avenue will serve the public convenience or necessity of the
20 people of the City and County of San Francisco.

21 Conditions: (1) The sales, service and consumption of alcoholic beverages shall
22 be permitted only between the hours of 11:00 a.m. to 10:00 p.m. daily; (2) No open and
23 or resealed/re-corked containers of alcoholic beverages shall be removed from the
24 premises; (3) No noise shall be audible beyond the area under the control of the
25 licensee(s); (4) No wine shall be sold with an alcoholic content greater than 15% by

1 volume except "Dinner Wines" which have been aged two years or more and
2 maintained in corded bottles; (5) There shall be no consumption of alcoholic beverages
3 on the sidewalk area in front of or adjacent to the premises; (6) Petitioner shall not make
4 structural changes in the premises interior without prior written approval from the
5 Department; (7) The interior lighting maintained therein shall be sufficient to make easily
6 discernible the appearance and conduct of all persons and patrons in that portion of the
7 premises where alcoholic beverages are sold, served, delivered or consumed; (8) The
8 exterior of the premises shall be equipped with lighting of sufficient power to illuminate
9 and make easily discernible the appearance and conduct of all persons on or about the
10 premises. Additionally, the position of such lighting shall not disturb the normal privacy
11 and use of any neighboring residences; (9) Loitering (loitering is defined as, "to stand
12 idly about; linger aimlessly without lawful business") is prohibited on any sidewalk or
13 property adjacent to the licensed premises under the control of the licensee; (10) The
14 petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the
15 premises over which they have control; (11) Graffiti shall be removed from the
16 premises and all parking lots under the control of the licensee within 72 hours of
17 application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the
18 licensee shall remove the graffiti with 72 hours following the beginning of the next
19 weekday.

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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: 100032

Date Passed: March 02, 2010

Resolution determining that the issuance of a Type 42 On-Sale beer and wine public premises license to Jim Howell, for the Barrel Cellar, LLC located at 461 Pacific Avenue, 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.


March 02, 2010 Board of Supervisors - ADOPTED

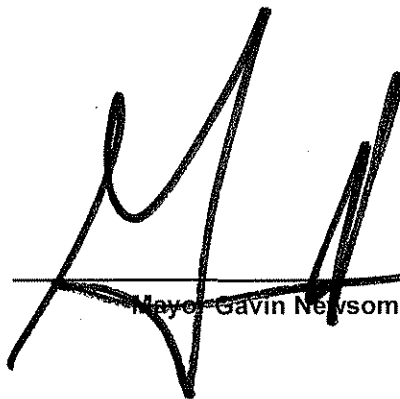
Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

Excused: 1 - Alioto-Pier

File No. 100032

I hereby certify that the foregoing Resolution was ADOPTED on 3/2/2010 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Gavin Newsom

3-12-10
Date Approved