

1 [Liquor License, 161 Erie Street]

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3 **Resolution determining that the transfer of a Type 48 On-Sale General Public**
4 **Premises Liquor License from 517 Clement Street to 161 Erie Street (District 8) to**
5 **Peter Gilkshtern and Jeff Whitmore for 1six1, Inc., dba The Public Works, will**
6 **serve the public convenience or necessity of the people of the City and County of**
7 **San Francisco, in accordance with Section 23958.4 of the California Business and**
8 **Professions Code, with conditions.**

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10 WHEREAS, Peter Gilkshtern and Jeff Whitmore are seeking a transfer of a Type
11 48 On-Sale General Public Premises Liquor License from 517 Clement Street to 161
12 Erie Street for 1six1, Inc., dba The Public Works; and,

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

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

17 **RESOLVED**, That in accordance with Section 23958.4 of the California Business
18 and Professions Code, the Board of Supervisors of the City and County of San
19 Francisco hereby determines for the foregoing reasons that the transfer of a Type 48
20 On-Sale General Public Premises Liquor License from 517 Clement Street to 161 Erie
21 Street to Peter Gilkshtern and Jeff Whitmore for 1six1, Inc., dba The Public Works,
22 will serve the public convenience or necessity of the people of the City and County of
23 San Francisco.

24 Planning Department Conditions: 1) Project sponsor is required to file a Building
25 Permit Application with accompanying floor plans in order to establish the said use on

1 the subject site. In this case, impact fees may be required for the conversion of
2 industrial space into retail/entertainment uses pursuant to Planning Code Section 327.3;
3 2) A detailed plan check is required to verify whether the proposed change of use would
4 trigger a new off-street parking requirement. If the proposed change of use results in a
5 new off-street parking requirement and the required off-street parking is not proposed,
6 the project sponsor is required to seek and justify an off-street parking variance from
7 Section 151 of the Planning Code.

8 Police Department Conditions: 1) Security personnel shall be readily identifiable
9 as security by wearing distinctive clothing that has a logo of the establishment and the
10 apparel shall state "SECURITY STAFF"; 2) Between the hours of 9:00 p.m. and to until
11 one half (1/2) hour past closing, the petitioner(s) shall provide security personnel who
12 shall maintain order therein and prevent any activity which would interfere with the quiet
13 enjoyment of their property by nearby residents; 3) All identification shall be checked to
14 verify that the person presenting the identification is of legal drinking age; 4) There shall
15 be surveillance cameras located at all exit and entrance points so that all patrons are
16 visually recorded as they enter and exit the establishment. Additionally a minimal of one
17 (1) camera shall be on the lower level inside the premise and a minimum of one (1) on
18 the upper level inside the premise. A digital recording shall be maintained by the
19 establishment for no less than 15 days. The recording must be available to local law
20 enforcement upon request; 5) The sale of alcoholic beverages for off premises
21 consumption is strictly prohibited. Consumption of on-sale alcoholic beverages shall be
22 restricted to and within the confines of the building portion of the premises. There shall
23 be no consumption of alcoholic beverages on the sidewalk area in front of or adjacent to
24 the premise; 6) No person under the age of twenty-one (21) shall sell, furnish, or deliver
25 alcoholic beverages; 7) No noise shall be audible beyond the area under the control of

1 the licensee(s); 8) The petitioner(s) shall be responsible for maintaining free of litter the
2 area adjacent to the premises over which they have control; 9) Loitering (loitering is
3 defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on
4 any sidewalks or property adjacent to the licensed premises under the control of the
5 licensee; 10) 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; 11) 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; 12) All door(s) and window(s) shall be kept
12 closed at all time during the operation of the premises except in cases of emergency
13 and to permit deliveries, said door(s) not to consist solely of a screen or ventilated door;
14 13) Sales, service and consumption of alcoholic beverages shall be permitted only
15 between the hours of 12 noon – 2:00 a.m. on Sunday, and 5:00 p.m. to 2:00 a.m.
16 Monday through Saturday and on New Years Eve, Christmas Eve, Thanksgiving Eve,
17 The Fourth of July, and the Sunday before Labor Day and Memorial Day; 14) At no time
18 shall the occupancy of the premise exceed the established lawful limit set by the San
19 Francisco Fire Department; 15) At no time shall the licensee(s) allow a third party
20 promoter to have any control over the marketing, management, operation, or staffing of
21 this business; 16) Graffiti shall be removed from the premises and all parking lots under
22 the control of the licensee(s) within 72 hours of application. If the graffiti occurs on a
23 Friday or weekend day, or on a holiday, the licensee(s) shall remove the graffiti with 72
24 hours following the beginning of the next weekday.



City and County of San Francisco

Tails
Resolution

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

File Number: 100323

Date Passed: July 13, 2010

Resolution determining that the transfer of a Type 48 On-Sale General Public Premises Liquor License from 517 Clement Street to 161 Erie Street (District 8) to Peter Gilkshtern and Jeff Whitmore for 1six1, Inc., dba The Public Works, 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.

July 13, 2010 Board of Supervisors - ADOPTED

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

File No. 100323

I hereby certify that the foregoing
Resolution was ADOPTED on 7/13/2010 by
the Board of Supervisors of the City and
County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom

July 23, 2010
Date Approved