Resolution determining that the transfer of a Type 48 on-sale general public premises license from 493 Broadway Street to 800 Post Street (District 3), to Dan Cowan and Jim Saxton for UNX Enterprises, LLC, dba Café Royale, will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Dan Cowan and Jim Saxton are seeking the transfer of a Type 48 on-sale general public premises license from 493 Broadway Street to 800 Post Street for UNX Enterprises, LLC, dba Café Royale; and,

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

WHEREAS, The Police Department has filed one (52) protest and zero (0) letters of support with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control approve the liquor license with the below recommended conditions; and,

WHEREAS, The conditions recommended by the San Francisco Police Department are as follows: 1) The sale of alcoholic beverages for consumption off the premises is prohibited; 2) No person under the age of twenty-one (21) shall sell, furnish or deliver alcoholic beverages; 3) Security personnel shall be readily identifiable as security by wearing distinctive clothing that has a logo of the establishment and the
apparel shall state "SECURITY STAFF." The number of security personnel shall be sufficient to check ID of all persons entering the premises and to maintain the control and order of any queue of patrons waiting for admissions to the premises; 4) Between the hours of 9:00 p.m. and to one-half hour past closing, the petitioner shall provide security personnel or an individual qualified by the ABC who shall maintain order therein and prevent any activity which would interfere with the quiet enjoyment of their property by nearby residents; 5) There shall be surveillance cameras at all exit and entrance points so that all patrons are visually recorded as they enter and exit the establishment. A digital recording shall be maintained by the establishment for no less than 15 days. The recording shall be made available to local law enforcement upon request and in connection with a specific investigation; 6) The interior lighting shall be sufficient to make easily discernible the appearance and conduct of all persons and patrons in that portion of the premises where alcoholic beverages are sold, served, delivered or consumed; 7) All doors and windows shall be kept closed at all times during hours of entertainment, except for normal ingress and egress and in cases of emergencies and to permit deliveries; 8) No noise shall be audible outside the establishment during the daytime or nighttime hours that violates SF Municipal Police Code sections 49 or 2900 et seq. Further, absolutely no sound from the establishment shall be audible inside any surrounding residence or business that violates Section 2900; 9) Anytime the licensee(s) utilize a third party promoter at the premises, the licensee(s) shall maintain control of the management, operation and staffing of the business and shall approve all marketing materials; 10) No live entertainment or DJ's shall be permitted after 12am; 11) Venue, management and personnel shall follow "Good Neighbor Policies" for all nighttime entertainment activities; and,
WHEREAS, The Clerk of the Board of Supervisors has on file three hundred (300) letters of support; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines that the transfer of a Type 48 on-sale general public premises license from 493 Broadway Street to 800 Post Street, to Dan Cowan and Jim Saxton for the Café Royale, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby recommends that the Department of Alcoholic Beverage Control issue the license with the conditions proposed by the Police Department.
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 493 Broadway Street to 800 Post Street (District 3), to Dan Cowan and Jim Saxton for UNX Enterprises, LLC, dba Café Royale, will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

May 16, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

May 16, 2013 Neighborhood Services and Safety Committee - REFERRED WITHOUT RECOMMENDATION

June 04, 2013 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

June 04, 2013 Board of Supervisors - ADOPTED AS AMENDED
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130168

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved