

Amendment of the Whole in Board
Bearing a New Title
6/4/13

FILE NO. 130168

RESOLUTION NO. 179-13

1 [Liquor License Transfer - 800 Post Street]
2

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

10
11 WHEREAS, Dan Cowan and Jim Saxton are seeking the transfer of a Type 48
12 on-sale general public premises license from 493 Broadway Street to 800 Post Street
13 for UNX Enterprises, LLC, dba Café Royale; and,

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

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

21 WHEREAS, The conditions recommended by the San Francisco Police
22 Department are as follows: 1) The sale of alcoholic beverages for consumption off the
23 premises is prohibited; 2) No person under the age of twenty-one (21) shall sell, furnish
24 or deliver alcoholic beverages; 3) Security personnel shall be readily identifiable as
25 security by wearing distinctive clothing that has a logo of the establishment and the

1 apparel shall state "SECURITY STAFF." The number of security personnel shall be
2 sufficient to check ID of all persons entering the premises and to maintain the control
3 and order of any queue of patrons waiting for admissions to the premises; 4) Between
4 the hours of 9:00 p.m. and to one-half hour past closing, the petitioner shall provide
5 security personnel or an individual qualified by the ABC who shall maintain order therein
6 and prevent any activity which would interfere with the quiet enjoyment of their property
7 by nearby residents; 5) There shall be surveillance cameras at all exit and entrance
8 points so that all patrons are visually recorded as they enter and exit the establishment.
9 A digital recording shall be maintained by the establishment for no less than 15 days.
10 The recording shall be made available to local law enforcement upon request and in
11 connection with a specific investigation; 6) The interior lighting shall be sufficient to
12 make easily discernible the appearance and conduct of all persons and patrons in that
13 portion of the premises where alcoholic beverages are sold, served, delivered or
14 consumed; 7) All doors and windows shall be kept closed at all times during hours of
15 entertainment, except for normal ingress and egress and in cases of emergencies and
16 to permit deliveries; 8) No noise shall be audible outside the establishment during the
17 daytime or nighttime hours that violates SF Municipal Police Code sections 49 or 2900
18 et seq. Further, absolutely no sound from the establishment shall be audible inside any
19 surrounding residence or business that violates Section 2900; 9) Anytime the
20 licensee(s) utilize a third party promoter at the premises, the licensee(s) shall maintain
21 control of the management, operation and staffing of the business and shall approve all
22 marketing materials; 10) No live entertainment or DJ's shall be permitted after 12am;
23 11) Venue, management and personnel shall follow "Good Neighbor Policies" for all
24 nighttime entertainment activities; and,
25

1 WHEREAS, The Clerk of the Board of Supervisors has on file three hundred
2 (300) letters of support; now, therefore, be it

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

9 FURTHER RESOLVED, That the Board of Supervisors of the City and County of
10 San Francisco hereby recommends that the Department of Alcoholic Beverage Control
11 issue the license with the conditions proposed by the Police Department.



City and County of San Francisco

Tails

Resolution

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

File Number: 130168

Date Passed: June 04, 2013

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