

FILE NO. 100155

RESOLUTION NO. 412-10

1 [Liquor License, 612 Kearny Street]

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3 **Resolution determining that the transfer of a Type 21 Off-Sale General Liquor**
4 **License from 605 Kearny Street to 612 Kearny Street (District 3) to David C.**
5 **Huang for David's Food Store will serve the public convenience or necessity of**
6 **the people of the City and County of San Francisco, in accordance with Section**
7 **23958.4 of the California Business and Professions Code, with conditions.**

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9 WHEREAS, David C. Huang is seeking the transfer of a Type 21 Off-Sale
10 General Liquor License for David's Food Store, located at 612 Kearny Street; and,

11 WHEREAS, The City 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 transfer of a Type 21
18 Off-Sale General Liquor License from 605 Kearny Street to 612 Kearny Street, for David
19 C. Huang for David's Food Store, will serve the public convenience or necessity of the
20 people of the City and County of San Francisco.

21 Conditions: 1) The sale and service of alcoholic beverages shall be permitted
22 only between the hours of 9:00 a.m. to 11:00 p.m. each day of the week except for
23 December 31st from 9 a.m. to January 1st until 2:00 a.m.; 2) No more than 10% of the
24 square footage of the premises will be used for display of alcoholic beverages; 3) No
25 distilled spirits shall be sold in bottles or containers smaller than 375 milliliters; 4) Wine

1 shall not be sold in bottles or containers smaller than 750 ml. Except for manufacturer
2 pre-packaged multi-unit quantities of four or more; 5) No wine shall be sold with an
3 alcoholic content greater than 15% by volume except "Dinner Wines" which have been
4 aged two years or more and maintained in corked bottles; 6) No malt beverages shall
5 be sold with an alcoholic content greater than 5.7 % by volume; 7) No beer or malt
6 beverages shall be sold in sizes of 12 ounces or smaller in quantities of less than
7 manufacturer pre-packaged six packs per sale with the exception of wine-coolers, beer
8 coolers which must be sold in manufacturer pre-packaged multi-unit quantities of four or
9 more; 8) There shall be no cups, glasses, or similar receptacles commonly used for the
10 drinking of beverages, sold, furnished, or given away at the petitioner's premises in
11 quantities of less than twenty-four in the original multi-container package; 9) All ice shall
12 be sold at or above prevailing prices in the area and in quantities of not less than three
13 pounds per sale and shall not be given away free; 10) No noise shall be audible beyond
14 the area under control of the licensee; 11) No person under the age of 21 shall sell or
15 deliver alcoholic beverages; 12) no alcoholic beverages shall be consumed on any
16 property adjacent to the licensed premises under the control of the licensee; 13) The
17 petitioner shall be responsible for maintaining free of litter the area adjacent to the
18 premises over which they have control; 14) Loitering (loitering is defined as "to stand
19 idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or
20 property adjacent to the licensed premises under the control of the licensee; 15) Graffiti
21 shall be removed from the premises and all parking lots under the control of the
22 licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend
23 day, or on a holiday, the licensee shall remove the graffiti within 72 hours following the
24 beginning of the next weekday; 16) The exterior of the premises shall be equipped with
25 lighting of sufficient power to illuminate and make easily discernible the appearance and

1 conduct of all persons on or about the premises. Additionally, the position of such
2 lighting shall not disturb the normal privacy and use of any neighboring residences.

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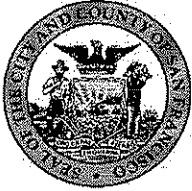
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City and County of San Francisco

**Tails
Resolution**

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

File Number: 100155

Date Passed: August 10, 2010

Resolution determining that the transfer of a Type 21 Off-Sale General Liquor License from 605 Kearny Street to 612 Kearny Street (District 3) to David C. Huang for David's Food Store 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.

August 10, 2010 Board of Supervisors - ADOPTED

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

Excused: 1 - Avalos

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**I hereby certify that the foregoing
Resolution was ADOPTED on 8/10/2010 by
the Board of Supervisors of the City and
County of San Francisco.**

**Angela Calvillo
Clerk of the Board**

Mayor Gavin Newsom

August 17, 2010
Date Approved