Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Larry Livingston for The Basement, located at 222 Hyde Street (District 6), will serve the public convenience or 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, Larry Livingston is seeking the issuance of a Type 42 on-sale beer and wine license for The Basement, located at 222 Hyde Street; and,

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

WHEREAS, The Police Department has filed one (1) protest with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013, and recommends that the Department of Alcoholic Beverage Control issue the liquor license with conditions; and

WHEREAS, The conditions recommended by the Police Department are the following: 1) Sales of alcoholic beverages shall be permitted between the hours of 11:00 a.m. and 12:00 a.m., Sunday through Wednesday, and 11:00 a.m. until 12:00 a.m. on Thursday through Saturday for the first (6) six months, beginning the first day the license is issued; 2) This license shall not be exchanged for an on sale general alcohol license; 3) No noise shall be audible beyond the area under control of the license; 4) Loitering (defined as "to stand idly about; linger aimlessly without lawful
business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee as depicted on the ABC-257; 5) No person under the age of 21 shall sell or deliver alcoholic beverages; 6) All sales and service staff (within 90 days of hire) shall complete the ABC L.E.A.D class in responsible beverage service. A copy of the certificates shall be kept on premise and shall be presented to law enforcement upon request; 7) The business shall be conducted, at all times, in a manner that will allow them to be easily identifiable as employees by law enforcement. Employee clothing shall be prominently feature the name of the business; 8) The sale of alcoholic beverages for off-sale consumption is strictly prohibited; 9) The Licensee shall provide a minimum of (1) Security Personnel on the exterior of the premise. The interior shall also be staffed appropriately in order to control patrons and prevent disturbances in and near the premise. Special events should be staffed at a ratio of (1) security guard per 75 patrons. Further, Licensee agrees to honor requests of law enforcement if additional security becomes necessary; 10) There shall be no advertising signs of any kind on or visible from the exterior promoting or indicating the availability of alcoholic beverages; and 11) The petitioner shall utilize electronic surveillance and recording equipment that is able to view the outside of the premises, including all entrances and exits. This electronic surveillance shall be utilized during operating hours. Said electronic recording shall be kept at least 30 days and shall be made available to the Department and police department upon request or valid Search Warrant; 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 issuance of a Type 42 on-sale beer and wine license to

Neighborhood Services & Safety Committee
BOARD OF SUPERVISORS
Larry Livingston for The Basement, located at 222 Hyde Street, 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 endorses and adopts the recommendations of the Police Department listed above, and recommends that the Department of Alcoholic Beverage Control issue the license with those conditions.
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Larry Livingston for The Basement, located at 222 Hyde Street (District 6), will serve the public convenience or 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.

File No. 131106

I hereby certify that the foregoing Resolution was ADOPTED on 7/8/2014 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Date Approved: 7/18/14