

1 [Liquor License - 222 Hyde Street]

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3 **Resolution determining that the issuance of a Type 42 on-sale beer and wine**  
4 **public premises license to Larry Livingston for The Basement, located at 222**  
5 **Hyde Street (District 6), will serve the public convenience or necessity of the City**  
6 **and County of San Francisco in accordance with California Business and**  
7 **Professions Code, Section 23958.4, and recommending that the California**  
8 **Department of Alcoholic Beverage Control impose conditions on the issuance of**  
9 **the license.**

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11 WHEREAS, Larry Livingston is seeking the issuance of a Type 42 on-sale beer  
12 and wine license for The Basement, located at 222 Hyde Street; and,

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

15 WHEREAS, The Police Department has filed one (1) protest with the Department  
16 of Alcoholic Beverage Control under California Business and Professions Code, Section  
17 24013, and recommends that the Department of Alcoholic Beverage Control issue the  
18 liquor license with conditions; and

19 WHEREAS, The conditions recommended by the Police Department are the  
20 following: 1) Sales of alcoholic beverages shall be permitted between the hours of  
21 11:00 a.m. and 12:00 a.m., Sunday through Wednesday, and 11:00 a.m. until 12:00  
22 a.m. on Thursday through Saturday for the first (6) six months, beginning the first day  
23 the license is issued; 2) This license shall not be exchanged for an on sale general  
24 alcohol license; 3) No noise shall be audible beyond the area under control of the  
25 license; 4) Loitering (defined as "to stand idly about; linger aimlessly without lawful

1 business”) is prohibited on any sidewalks or property adjacent to the licensed premises  
2 under the control of the licensee as depicted on the ABC-257; 5) No person under the  
3 age of 21 shall sell or deliver alcoholic beverages; 6) All sales and service staff (within  
4 90 days of hire) shall complete the ABC L.E.A.D class in responsible beverage service.  
5 A copy of the certificates shall be kept on premise and shall be presented to law  
6 enforcement upon request; 7) The business shall be conducted, at all times, in a  
7 manner that will allow them to be easily identifiable as employees by law enforcement.  
8 Employee clothing shall be prominently feature the name of the business; 8) The sale  
9 of alcoholic beverages for off-sale consumption is strictly prohibited; 9) The Licensee  
10 shall provide a minimum of (1) Security Personnel on the exterior of the premise. The  
11 interior shall also be staffed appropriately in order to control patrons and prevent  
12 disturbances in and near the premise. Special events should be staffed at a ratio of (1)  
13 security guard per 75 patrons. Further, Licensee agrees to honor requests of law  
14 enforcement if additional security becomes necessary; 10) There shall be no  
15 advertising signs of any kind on or visible from the exterior promoting or indicating the  
16 availability of alcoholic beverages; and 11) The petitioner shall utilize electronic  
17 surveillance and recording equipment that is able to view the outside of the premises,  
18 including all entrances and exits. This electronic surveillance shall be utilized during  
19 operating hours. Said electronic recording shall be kept at least 30 days and shall be  
20 made available to the Department and police department upon request or valid Search  
21 Warrant; now, therefore, be it

22 RESOLVED, That in accordance with California Business and Professions Code,  
23 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
24 hereby determines that the issuance of a Type 42 on-sale beer and wine license to  
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1 Larry Livingston for The Basement, located at 222 Hyde Street, will serve the public  
2 convenience or necessity of the City and County of San Francisco; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors of the City and County of  
4 San Francisco hereby endorses and adopts the recommendations of the Police  
5 Department listed above, and recommends that the Department of Alcoholic Beverage  
6 Control issue the license with those conditions.

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