

1 [Liquor License Issuance - 1401 Haight Street - The Mellow SF]

2

3 **Resolution determining that the issuance of a Type-90 on-sale general music**
4 **venue liquor license to THE MELLOW LLC, to do business as The Mellow SF,**
5 **located at 1401 Haight Street (District 5), will serve the public convenience or**
6 **necessity of the City and County of San Francisco, in accordance with California**
7 **Business and Professions Code, Section 23958.4; and requesting that the**
8 **California Department of Alcoholic Beverage Control impose conditions on the**
9 **issuance of the license.**

10

11 WHEREAS, THE MELLOW LLC, is seeking the issuance of a Type-90 on-sale
12 general music venue liquor license to do business as The Mellow SF, located at 1401
13 Haight Street (District 5); 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 zero protests and zero letters of
17 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 issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the
21 following: 1) (1) Except as provided in Condition 2 below, no noise shall be audible
22 beyond the area under the control of the licensee. 2) (2) Any noise caused by
23 entertainment or amplified sound that is subject to the provisions of an active
24 Entertainment Permit issued by the San Francisco Entertainment Commission shall be
25 authorized in accordance with the limits established by that Entertainment Permit,

1 including any limitation on hours during which entertainment or amplified sound is
2 permitted. A violation of the entertainment or amplified sound noise conditions of the
3 Entertainment Permit, as determined by the San Francisco Entertainment Commission
4 (or any successor agency), shall be deemed to be a violation of this Condition. Any
5 noise that is not subject to, or is beyond the scope of, the Entertainment Permit shall be
6 subject to Condition 1 above. "Entertainment Permit" means any of the following: a Just
7 Add Music permit, a Limited Live Performance permit, a Place of Entertainment permit,
8 a Fixed Place Amplified Sound permit, or any similar such permit issued by the San
9 Francisco Entertainment Commission. 3) Petitioner(s) shall actively monitor the area
10 under their control in an effort to prevent the loitering of persons on any property
11 adjacent to the licensed premises as depicted on the ABC-257. 4) The petitioner(s) shall
12 be responsible for maintaining free of litter the area adjacent to the premises over which
13 they have control, as depicted on ABC-257; now, therefore, be it

14 RESOLVED, That in accordance with California Business and Professions Code,
15 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
16 hereby determines that the issuance of a Type-90 on-sale general music venue liquor
17 license to THE MELLOW LLC, doing business as The Mellow SF, located at 1401
18 Haight Street, will serve the public convenience or necessity of the City and County of
19 San Francisco; and, be it

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

24
25