

FILE NO. 081358

RESOLUTION NO.

**13-09**

1 [Liquor License Transfer – 115 Mason Street]

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3 **Resolution determining that the transfer of a Type 48 on-sale general public premises**  
4 **liquor license from 232 O'Farrell Street to 115 Mason Street (District 6), to John D.**  
5 **Smith for Union Square Sports Bar Inc., will serve the public convenience and**  
6 **necessity of the people of the City and County of San Francisco, in accordance with**  
7 **Section 23958.4 of the California Business and Professions Code, with conditions.**  
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10 WHEREAS, John D. Smith is seeking the transfer of a Type 48 on-sale general  
11 public premises liquor license from 232 O'Farrell Street to 115 Mason Street (District 6),  
12 for Union Square Sports Bar Inc.; and,

13 WHEREAS, The Planning Department has verified that the area is properly  
14 zoned; 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 48  
18 on-sale general public premises liquor license to John D. Smith for Union Square Sports  
19 Bar Inc., located at 115 Mason Street, will serve the public convenience and necessity  
20 of the people of the City and County of San Francisco.

21 Conditions: (1) The sales, service and consumption of alcoholic beverages shall  
22 be between the hours of 10:00 a.m. and 2:00 a.m. daily. (2) No noise shall be audible  
23 beyond the area under the control of the licensee. (3) No person under the age of  
24 twenty-one (21 years of age) shall sell and/or furnish alcoholic beverages. (4) The sale  
25 of alcoholic beverages for consumption off the premises is strictly prohibited. (5)

1 Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful  
2 business) is prohibited on any sidewalks or property adjacent to the licensed premises  
3 under the control of the licensee as depicted on the ABC-257. (6) The petitioner(s) shall  
4 be responsible for maintaining free of litter the area adjacent to the premises over which  
5 they have control. (7) Graffiti shall be removed from the premises and all parking lots  
6 under the control of the licensee within 72 hours of application. If the graffiti occurs on a  
7 Friday or weekend day, or on a holiday, the licensee shall remove the graffiti within 72  
8 hours following the beginning of the next weekday. (8) Petitioner shall not make  
9 structural changes in the premises interior without prior written approval from the  
10 Department of Alcoholic Beverage Control. (9) The interior lighting maintained therein  
11 shall be sufficient to make easily discernible the appearance and conduct of all persons  
12 and patrons in that portion of the premises where alcoholic beverages are sold, served,  
13 delivered or consumed. (10) The exterior of the premises shall be equipped with  
14 lighting of sufficient power to illuminate and make easily discernible the appearance and  
15 conduct of all persons on or about the premises. Additionally, the position of such  
16 lighting shall not disturb the normal privacy and use of any neighboring residences. Any  
17 illuminated signage on the exterior of the premises shall also be maintained in such a  
18 manner as not to disturb any neighboring residences. (11) At no time shall any person  
19 under the age of 21 years enter or remain in these public premises. (12) The premises  
20 shall maintain at least two surveillance cameras in operational condition at all times  
21 when this premises is open to the public. At a minimum, one camera shall monitor the  
22 interior and the other the exterior of the premises. Said cameras shall maintain a  
23 recording of events and recordings shall be maintained for a minimum of two (2) weeks.  
24 These recordings shall be made available to law enforcement upon request. (13)  
25 During all hours that this premises is open to the public a security guard shall be on-site.

1 Said guard shall be dressed in a manner as to make him/her easily identifiable as  
2 security to the general public. (14) All employees shall attend ABC Licensee Education  
3 on Alcohol and Drugs (LEAD) classes. (15) These licensed premises shall not expand  
4 its business on to the sidewalks. The use of tables or chairs in front of these premises  
5 would constitute a violation of this condition. (16) Other than the use of the licensed  
6 premises name, "Union Square Sports Bar," there shall be no exterior advertising or  
7 sign of any kind or type, including advertising directed to the exterior from within,  
8 promoting or indicated the availability of alcoholic beverages. Interior displays of  
9 alcoholic beverages or signs which are clearly visible to the exterior shall constitute a  
10 violation of this condition.

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# City and County of San Francisco

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

## Tails

## Resolution

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**File Number:** 081358

**Date Passed:**

Resolution determining that the transfer of a Type 48 on-sale general public premises liquor license from 232 O'Farrell Street to 115 Mason Street (District 6), to John D. Smith for Union Square Sports Bar Inc., will serve the public convenience and 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.

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January 6, 2009 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

January 6, 2009 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Campos, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin

January 6, 2009 Board of Supervisors — ADOPTED

Ayes: 7 - Alioto-Pier, Chu, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi  
Noes: 3 - Campos, Daly, Peskin

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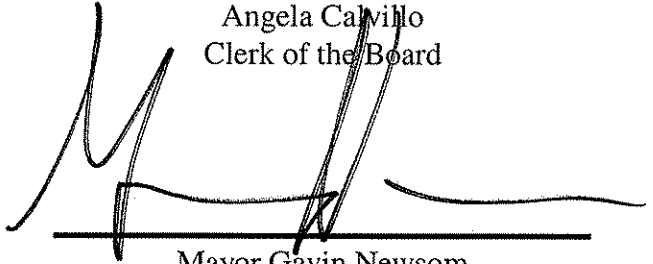
I hereby certify that the foregoing Resolution was ADOPTED on January 6, 2009 by the Board of Supervisors of the City and County of San Francisco.

1/16/09

Date Approved



Angela Calvillo  
Clerk of the Board



Mayor Gavin Newsom