

1 [Liquor License Transfer - 450 Post Street]

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3 **Resolution determining that the transfer of a Type 64 special on-sale general**
4 **theater license from 533 Sutter Street to 450 Post Street (District 3), to Susi**
5 **Damilano for the SF Playhouse, will serve the public convenience or necessity of**
6 **the City and County of San Francisco, in accordance with California Business**
7 **and 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, Susi Damilano is seeking the transfer of a Type 64 special on-sale
12 general theater license from 533 Sutter Street to 450 Post Street (District 3) for the SF
13 Playhouse; 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 no protests with the Department of
17 Alcoholic Beverage Control under Section 24013 of the California Business and
18 Professions Code, and recommends that the Department of Alcoholic Beverage Control
19 issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are: 1)
21 Sales, service, and consumption of alcoholic beverages shall be permitted only between
22 2:00 p.m. and 11:00 p.m. daily; 2) The sale and service of alcoholic beverages shall be
23 limited to ticketholders only during, and two hours prior to, a bona fide theater
24 performance of the theater company. A bona fide theater performance is defined as the
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1 "licensee must actually operate a troupe of actors or other performers for the purpose of
2 putting on a performance"; 3) The sale of alcoholic beverages for consumption off the
3 premises is strictly prohibited; 4) Alcoholic beverages shall be served in containers
4 clearly distinguishable from non-alcoholic beverage containers; 5) The sale of alcoholic
5 beverages shall be limited to no more than 2 beverages per person per sale; 6) An
6 employee or security guard shall be assigned the responsibility of ensuring all alcoholic
7 beverages remain inside the permitted area whenever the privileges of the ABC license
8 are being exercised; 7) Loitering (loitering is defined as "to stand idly about; linger
9 aimlessly without lawful business") is prohibited on any sidewalks or property adjacent
10 to the licensed premises under the control of the licensee(s) as depicted on the ABC-
11 257; 8) The petitioner(s) shall be responsible for maintaining free of litter the area
12 adjacent to the premises over which they have control; 9) The exterior of the premises
13 shall be equipped with lighting of sufficient power to illuminate and make easily
14 discernible the appearance and conduct of all persons on or about the premises; 10) No
15 noise shall be audible beyond the area under the control of the licensee as defined on
16 the ABC-257; and 11) No person under the age of twenty-one (21 years of age) shall
17 sell, furnish, or deliver alcoholic beverages; now, therefore, be it

18 RESOLVED, That in accordance with Section 23958.4 of the California Business
19 and Professions Code, the Board of Supervisors of the City and County of
20 San Francisco hereby determines for the foregoing reasons that the transfer of a Type
21 64 special on-sale general theater license from 533 Sutter Street to 450 Post Street, to
22 Susi Damilano for the SF Playhouse, will serve the public convenience or necessity of
23 the City and County of San Francisco; and
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1 FURTHER RESOLVED, That the Board of Supervisors of the City and County of
2 San Francisco hereby endorses and adopts the recommendations of the Police
3 Department listed above, and recommends that the Department of Alcoholic Beverage
4 Control issue the license with those conditions.

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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: 121010

Date Passed: December 04, 2012

Resolution determining that the transfer of a Type 64 special on-sale general theater license from 533 Sutter Street to 450 Post Street (District 3), to Susi Damilano for the SF Playhouse, 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.

November 26, 2012 City Operations and Neighborhood Services Committee - PREPARED IN COMMITTEE AS A RESOLUTION

November 26, 2012 City Operations and Neighborhood Services Committee - RECOMMENDED

December 04, 2012 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

Absent: 1 - Cohen

File No. 121010

I hereby certify that the foregoing Resolution was ADOPTED on 12/4/2012 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor
Date Approved