

1 [Liquor License - 156 Eddy Street - Exit Theatre]

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3 **Resolution determining that the issuance of a Type-64 special on-sale general**  
4 **theater liquor license to the Exit Theatre, located at 156 Eddy Street (District 6),**  
5 **will serve the public convenience or necessity of the City and County of San**  
6 **Francisco, in accordance with California Business and Professions Code,**  
7 **Section 23958.4; and recommending that the California Department of Alcoholic**  
8 **Beverage Control impose conditions on the issuance of the license.**

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10 WHEREAS, The Exit Theatre is seeking the issuance of a Type-64 special on-  
11 sale general theater liquor license to the Exit Theatre, located at 156 Eddy Street  
12 (District 6); 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 zero (0) protests and zero (0)  
16 letters of support with the Department of Alcoholic Beverage Control under California  
17 Business and Professions Code, Section 24013, and recommends that the Department  
18 of Alcoholic Beverage Control issue the liquor license with conditions; and

19 WHEREAS, The conditions recommended by the Police Department are the  
20 following: 1) all sales of alcoholic beverages in the general spectator seating areas  
21 shall be made only from concession stands and shall not be sold, served, or delivered  
22 to customers by individual ambulatory vendors, more commonly known as "hawkers;" 2)  
23 point of sale of alcoholic beverages shall not be maintained within the theater  
24 auditoriums; 3) no more than two (2) alcoholic beverages shall be sold or served to any  
25 one (1) person during any transaction; 4) the sale of alcoholic beverages for off-sale

1 consumption is strictly prohibited; 5) alcoholic beverages shall be served in containers  
2 which significantly differ in appearance from those containers utilized for non-alcoholic  
3 beverages; containers for beer shall not exceed 16 ounces; this condition does not  
4 preclude the service of alcoholic beverages in the original containers; 6) at all times  
5 when the premises are exercising the privileges of their licenses, an employee of the  
6 premises shall enter and monitor the activity within the theater on a regular basis, but  
7 not less than ever 30 minutes; 7) loitering (loitering shall be defined as "to stand idly  
8 about; linger without lawful business") is prohibited on any sidewalks or property  
9 adjacent to the licensed premises under the control of the licensee as depicted on the  
10 ABC-257 dated June 27, 2017; 8) no noise shall be audible at any nearby residence or  
11 the four (4) consideration points; 9) notwithstanding any other conditions no. 4 and no. 5  
12 on this petition, alcoholic beverages may be sold or served by waiters or waitresses in  
13 the general spectator seating areas under the following conditions: a) only persons  
14 occupying seats in the theater auditoriums shall be permitted to order and be served  
15 alcoholic beverages; b) orders from patrons seated in the theater auditoriums must be  
16 made to the waiter or waitress serving that area and the alcoholic beverages must be  
17 personally delivered to the patron by the waiter or waitress who took the order; c) the  
18 waiter or waitress serving in the theater auditoriums shall not carry a supply of  
19 unordered alcoholic beverages; now, therefore, be it

20           RESOLVED, That in accordance with California Business and Professions Code,  
21 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
22 hereby determines that the issuance of a Type-64 special on-sale general theater liquor  
23 license to the Exit Theatre, located at 156 Eddy Street (District 6), will serve the public  
24 convenience or necessity of the City and County of San Francisco; and, be it

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: 170912

Date Passed: October 31, 2017

Resolution determining that the issuance of a Type-64 special on-sale general theater liquor license to the Exit Theatre, located at 156 Eddy 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.

October 25, 2017 Public Safety and Neighborhood Services Committee - PREPARED IN COMMITTEE AS A RESOLUTION

October 25, 2017 Public Safety and Neighborhood Services Committee - RECOMMENDED

October 31, 2017 Board of Supervisors - ADOPTED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 170912

I hereby certify that the foregoing Resolution was ADOPTED on 10/31/2017 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Handwritten signature of Mayor
Mayor

11/9/2017
Date Approved