

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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