

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

November 17, 2017

Justin Gebb
California Department of Alcoholic Beverage Control
33 New Montgomery St., Suite 1230
San Francisco, CA 94105


Dear Mr. Gebb:

The attached is a resolution from the San Francisco Board of Supervisors making a determination of Public Convenience or Necessity, as requested by the Exit Theatre located at 156 Eddy Street. The Board of Supervisors' Public Safety and Neighborhood Services Committee conducted a public hearing on October 25, 2017, and Resolution No. 400-17 was approved by the Board of Supervisors on October 31, 2017.

The Department of Alcohol Beverage Control is receiving this correspondence in accordance with California Business and Professions Code, Section 23958.4, affirming that the San Francisco Board of Supervisors recommends the California Department of Alcoholic Beverage and Control impose conditions on the issuance of the license.

If you have any questions, please contact me at (415) 554-5184, or John Carroll at (415) 554-4445.

Sincerely,


Angela Calvillo
Clerk of the Board

C: Dave Falzon, Police Department
Nelly Gordon, Police Department
Rose Meyer, Department of Alcoholic Beverage Control
Richard Livingston, Exit Theatre



City and County of San Francisco

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

Certified Copy

Resolution

170912 [Liquor License - 156 Eddy Street - Exit Theatre]

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. (Public Safety and Neighborhood Services Committee)

10/31/2017 Board of Supervisors - ADOPTED

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

11/9/2017 Mayor - APPROVED

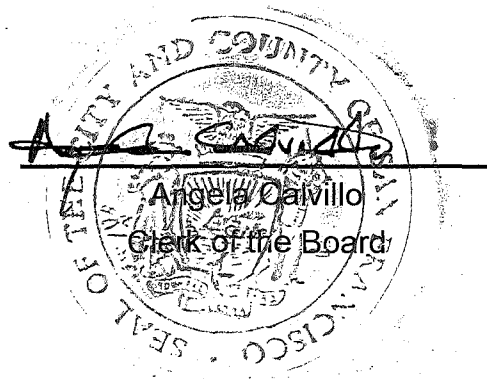
STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

November 17, 2017
Date



Angela Davillo
Clerk of the Board

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

2
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.**

9
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

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



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

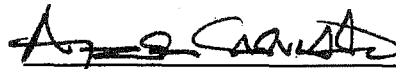
October 25, 2017 Public Safety and Neighborhood Services Committee - RECOMMENDED

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.



Angela Calvillo
Clerk of the Board



Mayor

11/9/2017

Date Approved