

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. 544-5227

May 3, 2017

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

Dear Mr. Gebb:

The following is a determination from the San Francisco Board of Supervisors regarding the Public Convenience or Necessity application submitted by The Cutting Ball Theater, dba, Cutting Ball Theater, located at 277 Taylor Street. The Board of Supervisors Public Safety and Neighborhood Services Committee conducted a public hearing on April 12, 2017, and a Resolution was approved by the Board of Supervisors on April 18, 2017; in Resolution No. 132-17.

The California Department of Alcoholic 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 Control impose conditions on the issuance of the license.

If you have any questions, please contact me at (415) 554-5184 or Erica Major at (415) 554-4441.

Sincerely,

A handwritten signature in blue ink that reads "Angela Calvillo".

for Angela Calvillo
Clerk of the Board

c: Dave Falzon, Police Department
Nelly Gordon, Police Department
Joan Bernardino, Department of Alcoholic Beverage Control
Liz Olson, Cutting Ball Theater

1 [Liquor License - 277 Taylor Street]

2
3 **Resolution determining that the issuance of a Type 64 special on-sale general**
4 **theatre license to The Cutting Ball Theater, dba Cutting Ball Theatre, located at**
5 **277 Taylor Street (District 6), will serve the public convenience or necessity of**
6 **City and County of San Francisco in accordance with California Business and**
7 **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.**

10
11 WHEREAS, The Cutting Ball Theatre, dba Cutting Ball Theatre is seeking the
12 issuance of a Type 64 special on-sale general theatre license to 277 Taylor Street
13 (District 6); 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 zero (0) protests and zero (0)
17 letters of support with the Department of Alcoholic Beverage Control under California
18 Business and Professions Code, Section 24013, and recommends that the Department
19 of Alcoholic Beverage Control issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the
21 following: 1) sales, service, and consumption of alcoholic beverages shall be permitted
22 between the hours of 10:00 a.m. to 11:00 p.m. each day of the week; 2) all sales and
23 service of alcoholic beverages for consumption in the theater auditoriums shall be made
24 only from concession stands, portable stands or bars, or fixed bars, and shall not be
25 sold, served, or delivered to customers by individual ambulatory vendors, commonly

1 known as "hawkers"; 3) point of sale of alcoholic beverages shall not be maintained
2 within the theater auditoriums; 4) notwithstanding conditions "2" and "3", above, and
3 only when the theater auditoriums is configured with designated seating, alcoholic
4 beverages may be sold or served by waiters or waitresses in the general spectator
5 seating areas under the following conditions:

- 6 a. Only persons occupying seats in the theater auditoriums shall be permitted to
7 order and be served alcoholic beverages
- 8 b. Orders from patrons seated in the theater auditoriums must be made to the
9 waiter or waitress serving that area and the alcoholic beverages must be
10 personally delivered to the patron by the waiter or waitress who took the
11 order.
- 12 c. The waiter or waitress serving in the theater auditoriums shall not carry a
13 supply of unordered alcoholic beverages.

14 5) no more than two (2) alcoholic beverages shall be sold or served to any one (1)
15 person during any transaction; 6) alcoholic beverages shall be served in containers
16 which significantly differ in appearance from those containers utilized for non-alcoholic
17 beverages; containers for beer shall not exceed 16 ounces; 7) at all times when the
18 premises is exercising the privileges of its license, an employee of the premises shall
19 enter and monitor the activity within the theater auditoriums on a regular basis, but no
20 less than once every 30 minutes; 8) loitering (defined as "to stand idly about; linger
21 aimlessly without lawful business") is prohibited on any sidewalks or property adjacent
22 to the licensed premises under the control of the licensee(s) as depicted on the ABC-
23 257 dated 2/12/2017; 9) noise shall not be audible beyond the area under the control of
24 the licensee as depicted on ABC-257 dated 2/12/2017; and 10) the sale of alcoholic
25 beverages for consumption off the premises is strictly prohibited; now, therefore, be it

1 RESOLVED, That in accordance with California Business and Professions Code,
2 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
3 hereby determines that the issuance of a Type 64 general theatre license to The Cutting
4 Ball Theater, dba Cutting Ball Theater, located at 277 Taylor Street (District 6), will
5 serve the public convenience or necessity of the City and County of San Francisco; and,
6 be it

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



City and County of San Francisco

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

Tails
Resolution

File Number: 170155

Date Passed: April 18, 2017

Resolution determining that the issuance of a Type 64 special on-sale general theatre license to The Cutting Ball Theater, dba Cutting Ball Theater, located at 277 Taylor 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.

April 12, 2017 Public Safety and Neighborhood Services Committee - PREPARED IN COMMITTEE AS A RESOLUTION

April 12, 2017 Public Safety and Neighborhood Services Committee - RECOMMENDED

April 18, 2017 Board of Supervisors - ADOPTED

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

File No. 170155

I hereby certify that the foregoing Resolution was ADOPTED on 4/18/2017 by the Board of Supervisors of the City and County of San Francisco.

for Angela Calvillo
Clerk of the Board

Mayor

4/28/17

Date Approved



City and County of San Francisco
Certified Copy
Resolution

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

170155 [Liquor License - 277 Taylor Street]

Resolution determining that the issuance of a Type 64 special on-sale general theatre license to The Cutting Ball Theater, dba Cutting Ball Theater, located at 277 Taylor 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)

4/18/2017 Board of Supervisors - ADOPTED

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

4/28/2017 Mayor - APPROVED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

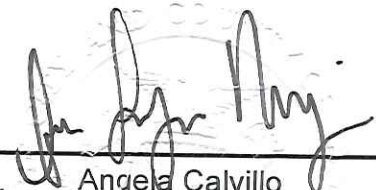
CLERK'S CERTIFICATE

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.

May 02, 2017

Date

for 
Angela Calvillo
Clerk of the Board