

1 [Liquor License - 2340 Chestnut Street]

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3 **Resolution determining that the issuance of a Type 40 on-sale beer license to**  
4 **Frank Lee, Jr., dba Presidio Theatre, located at 2340 Chestnut Street (District 2),**  
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, Section**  
7 **23958.4, and recommending that the California Department of Alcoholic Beverage**  
8 **Control impose conditions on the issuance of the license.**

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10 WHEREAS, Frank Lee, Jr., dba Presidio Theatre, is seeking the issuance of a  
11 Type 40 on-sale beer license, located at 2340 Chestnut Street (District 2); and

12 WHEREAS, The Planning Department has verified that the area is properly  
13 zoned and recommends approval; and

14 WHEREAS, The Police Department has filed zero (0) protests and zero (0)  
15 letters of support with the Department of Alcoholic Beverage Control under California  
16 Business and Professions Code, Section 24013, and recommends that the Department  
17 of Alcoholic Beverage Control issue the liquor license with conditions; and

18 WHEREAS, The conditions recommended by the Police Department are the  
19 following: 1) sales, service and consumption of alcoholic beverages shall be permitted  
20 between the hours of 10:00 a.m. and 1:00 a.m. each day of the week; 2) all sales of  
21 alcoholic beverages in the general spectator seating areas shall be made only from  
22 concession stands and shall not be sold, served, or delivered to customers by individual  
23 ambulatory vendors, more commonly known as "hawkers"; 3) point of sale of alcoholic  
24 beverages shall not be maintained within the theater auditoriums; 4) guest shall have a  
25 valid ticket to a movie showing to purchase alcoholic beverage drinks for in-auditorium

1 consumption; 5) no more than two (2) alcoholic beverage shall be sold or served to any  
2 one (1) person during any transaction; 6) the sale of alcoholic beverages for off-sale  
3 consumption is strictly prohibited; 7) alcoholic beverages shall be served in containers  
4 which significantly differ in appearance from those containers utilized for non-alcoholic  
5 beverages; containers for alcoholic beverage shall not exceed 16 ounces; 8) at all times  
6 when the premises are exercising the privileges of their licenses, an employee of the  
7 premises shall enter and monitor the activity within the theater on a regular basis; 9)  
8 loitering (defined as “to stand idly about; linger aimlessly without lawful business”) is  
9 prohibited on any sidewalks or property adjacent to the licensed premises under the  
10 control of the licensee as depicted on the ABC-257; 10) the petitioner(s) shall be  
11 responsible for maintaining free of litter the area adjacent to the premises over which  
12 they have control; and 11) graffiti shall be removed from the premises and all parking  
13 lots under the control of the licensee within 72 hours following the beginning of the next  
14 weekday; now, therefore, be it

15           RESOLVED, That in accordance with California Business and Professions Code,  
16 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
17 hereby determines that the issuance of a Type 40 on-sale beer license to Frank Lee,  
18 Jr., dba Presidio Theatre, located at 2340 Chestnut Street (District 2), will serve the  
19 public convenience or necessity of the City and County of San Francisco; and, be it

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

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