

1 [Liquor License Issuance – 3117-16th Street - Roxie Theater]

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3 **Resolution determining that the issuance of a Type-69 Special On-Sale Beer and**  
4 **Wine Theatre liquor license to The Roxie Theatre, to do business as Roxie**  
5 **Theater, located at 3117-16th Street (District 9), will serve the public convenience**  
6 **or necessity of the City and County of San Francisco, in accordance with**  
7 **California Business and Professions Code, Section 23958.4; and requesting that**  
8 **the California Department of Alcoholic Beverage Control impose conditions on**  
9 **the issuance of the license.**

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11 WHEREAS, The Roxie Theatre, is seeking the issuance of a Type-69 Special  
12 On-Sale Beer and Wine Theatre liquor license to do business as Roxie Theater, located  
13 at 3117-16th Street (District 9); 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 protests and zero letters of  
17 support with the Department of Alcoholic Beverage Control under California Business  
18 and Professions Code, Section 24013, and recommends that the Department of  
19 Alcoholic Beverage Control issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are the  
21 following: 1) (1) Except as provided in Condition 2 below, no noise shall be audible  
22 beyond the area under the control of the licensee; 2) (2) Any noise caused by  
23 entertainment or amplified sound that is subject to the provisions of an active  
24 Entertainment Permit issued by the San Francisco Entertainment Commission shall be  
25 authorized in accordance with the limits established by that Entertainment Permit,

1 including any limitation on hours during which entertainment or amplified sound is  
2 permitted. A violation of the entertainment or amplified sound noise conditions of the  
3 Entertainment Permit, as determined by the San Francisco Entertainment Commission  
4 (or any successor agency), shall be deemed to be a violation of this Condition. Any  
5 noise that is not subject to, or is beyond the scope of, the Entertainment Permit shall be  
6 subject to Condition 1 above. "Entertainment Permit" means any of the following: a Just  
7 Add Music permit, a Limited Live Performance permit, a Place of Entertainment permit,  
8 a Fixed Place Amplified Sound permit, or any similar such permit issued by the San  
9 Francisco Entertainment Commission; 3) Petitioner(s) shall actively monitor the area  
10 under their control in an effort to prevent the loitering of persons on any property  
11 adjacent to the licensed premises as depicted on ABC-257; 4) The petitioner(s) shall be  
12 responsible for maintaining free of litter the area adjacent to the premises over which  
13 they have control, as depicted on ABC- 257. now, therefore, be it

14           RESOLVED, That in accordance with California Business and Professions Code,  
15 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
16 hereby determines that issuance of a Type-69 Special On-Sale Beer and Wine Theatre  
17 liquor license to Roxie Theatre, doing business as Roxie Theater, located at 3117-16th  
18 Street (District 9), will serve the public convenience or necessity of the City and County  
19 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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