

1 [Liquor License - 2149 Chestnut Street - Marina Theatre]

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3 **Resolution determining that the issuance of a Type 40 on-sale beer license to**
4 **Frank Lee Jr., for Marina Theatre, located at 2149 Chestnut Street (District 2), will**
5 **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. is seeking the issuance of a Type 40 on-sale beer
11 license for Marina Theatre, located at 2149 Chestnut Street; 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 following:
19 1) Sales, service and consumption of alcoholic beverages shall be permitted only between the
20 hours of 10:00 a.m. and 1:00 a.m. each day of the week; 2) All sales of alcoholic beverages
21 for consumption in the general spectator seating areas shall be made only from concession
22 stands, and shall not be sold, served or delivered to customers by individual ambulatory
23 vendors; 3) Points of sale of alcoholic beverages shall not be maintained within the theater
24 auditoriums; 4) Guests shall have a valid ticket to a movie showing to purchase alcoholic
25 beverage drinks for in-auditorium consumption; 5) No more than two (2) alcoholic beverages

1 shall be sold or served to any one (1) person during any transaction; 6) The sale of alcoholic
2 beverages for off-sale consumption is strictly prohibited; 7) Alcoholic beverages shall be
3 served in containers not to exceed 16 oz. which significantly differ in appearance from those
4 containers utilized for non-alcoholic beverages; 8) At all times when the premises is exercising
5 the privileges of their license, an employee of the premises shall enter and monitor the activity
6 within the theaters on a regular basis; 9) Loitering (loitering is defined as "to stand idly about;
7 linger aimlessly without lawful business)" is prohibited on any sidewalks or property adjacent
8 to the licensed premises under the 3 of 4 control of the licensee(s) as depicted on the ABC-
9 257 dated 3/28/2016; 10) The petitioner(s) shall be responsible for maintaining free of litter the
10 area adjacent to the premises over which they have control as depicted on the ABC-257
11 dated 3/28/2016; and 11) Graffiti shall be removed from the premises and all parking lots
12 under the control of the licensee within 72 hours of application; if the graffiti occurs on a Friday
13 or weekend day, or on a holiday, the licensee shall remove the graffiti within 72 hours
14 following the beginning of the next 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 Jr.
18 for Marina Theatre, located at 2149 Chestnut Street, will serve the public convenience
19 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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