

1 [Liquor License - 1115-1117 Market Street]

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3 **Resolution determining that the issuance of a Type 64 special on-sale general**  
4 **theater license to Jason Seifer for the American Conservatory Theatre**  
5 **Foundation, dba The Costume Shop, located at 1115-1117 Market Street (District**  
6 **6), will serve the public convenience and necessity of the City and County of San**  
7 **Francisco, in accordance with Section 23958.4 of the California Business and**  
8 **Professions Code, and recommending that the California Department of Alcoholic**  
9 **Beverage Control impose conditions on the issuance of the license.**

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11 WHEREAS, Jason Seifer is seeking the issuance of a Type 64 special on-sale  
12 general theater license for the American Conservatory Theatre Foundation, dba The  
13 Costume Shop, located at 1115-1117 Market Street; 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 no protests with the Department of  
17 Alcoholic Beverage Control under Section 24013 of the California Business and  
18 Professions Code, and recommends that the Department of Alcoholic Beverage Control  
19 issue the liquor license with conditions; and

20 WHEREAS, The conditions recommended by the Police Department are: 1)  
21 Sales, service, and consumption of alcoholic beverages shall be permitted only between  
22 4:00 p.m. to 11:00 p.m. Sunday through Thursday and 4:00 p.m. and 12:00 a.m.  
23 (midnight) Friday and Saturday; 2) The sale and serving of alcoholic beverages shall be  
24 limited to ticketholders only during, and two hours prior to, a bona fide theater  
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1 performance of the theater company. A bona fide theater performance is defined as the  
2 “licensee must actually operate a troupe of actors or other performers for the purpose of  
3 putting on a performances”; 3) Sales, service, and consumption of alcoholic beverages  
4 shall be made only from stationary bars or portable bars and waiter/waitress service;  
5 and shall not be sold, served, or delivered to customers by individual ambulatory  
6 vendors; 4) The sale of alcoholic beverages for consumption off the premises is strictly  
7 prohibited; 5) Alcoholic beverages shall be served in containers clearly distinguishable  
8 from non-alcoholic beverage containers; 6) The sale of alcoholic beverages shall be  
9 limited to no more than 2 beverages per person per sale; 7) The petitioner shall post  
10 signs measuring no less than 12 x 12 inches with lettering no smaller than 2 inches in  
11 height that read: “No alcoholic beverages beyond this point” at all permitted exits,  
12 entrances, stairwells, and entrances to the theater seating area as depicted on the ABC  
13 257; 8) An employee or security guard shall be assigned the responsibility of ensuring  
14 all alcoholic beverages remain inside the permitted area whenever the privileges of the  
15 ABC license are being exercised; 9) At any time the licensee(s) utilizes a third party  
16 promoter at this premises the licensee shall maintain control of the management,  
17 operation, and staffing of the business, and shall approve all marketing materials; 10)  
18 Loitering (loitering is defined as “to stand idly about; linger aimlessly without lawful  
19 business”) is prohibited on any sidewalks or property adjacent to the licensed premises  
20 under the control of the licensee(s) as depicted on the ABC-257; 11) The petitioner(s)  
21 shall be responsible for maintaining free of litter the area adjacent to the premises over  
22 which they have control; and 12) The exterior of the premises shall be equipped with  
23 lighting of sufficient power to illuminate and make easily discernible the appearance and  
24 conduct of all persons on or about the premises.; now, therefore, be it  
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1           RESOLVED, That in accordance with Section 23958.4 of the California Business  
2 and Professions Code, the Board of Supervisors of the City and County of  
3 San Francisco hereby determines for the foregoing reasons that the issuance of a Type  
4 64 special on-sale general theater license for the American Conservatory Theatre  
5 Foundation, dba The Costume Shop, located at 1115-1117 Market Street, will serve the  
6 public convenience or necessity of the City and County of San Francisco; and

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.