

[Liquor License - 401 Van Ness]

Resolution determining that the issuance of a Type 64 general theatre license to the San Francisco Opera Association located at 401 Van Ness (District 5), will serve the public convenience or necessity of 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.

WHEREAS, San Francisco Opera Association is seeking the issuance of a Type 64 general theatre license located at 401 Van Ness (District 5); and

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

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

WHEREAS, The conditions recommended by the Police Department are the following: 1) sales, service, and consumption of alcoholic beverages shall be permitted only between the hours of 10:00 a.m. and 12:00 a.m.; 2) the sale and serving of alcoholic beverages shall be limited to ticketholders only during, and two hours prior to and one hour after, a bona fide theater performance of the theater company. A bona fide theater performance is defined as the "licensee must actually operate a troupe of actors or other performers for the purpose of putting on a performance"; 3) sales, service, and consumption of alcoholic beverages shall be made only from stationary

1 bars or portable bars and waiter/waitress service; and shall not be sold, served, or
2 delivered to customers by individual ambulatory vendors; 4) the sale of the alcoholic
3 beverages for consumption off the premises is strictly prohibited; 5) alcoholic beverages
4 shall be limited to no more than 2 beverages per person per sale; 6) alcoholic
5 beverages shall be served in containers clearly distinguishable from non-alcoholic
6 beverages containers; and 7) an employee or security guard shall be assigned the
7 responsibility of ensuring all alcoholic beverages remain inside the permitted area
8 whenever the privileges of the ABC license are being exercised; now, therefore, be it

9 RESOLVED, That in accordance with California Business and Professions Code,
10 Section 23958.4, the Board of Supervisors of the City and County of San Francisco
11 hereby determines that the issuance of a Type 64 general theatre license to San
12 Francisco Opera Association located at 401 Van Ness (District 5), will serve the public
13 convenience or necessity of the City and County of San Francisco; and, be it

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