File No. 120826 Committee Item No. 3
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: City Operations **Date** 10/22/12

Board of Supervisors Meeting **Date** _____

Cmte	Board	
☐	☐	**Motion**
☐	☐	**Resolution**
☐	☐	**Ordinance**
☐	☐	**Legislative Digest**
☐	☐	**Budget and Legislative Analyst Report**
☐	☐	**Legislative Analyst Report**
☐	☐	**Youth Commission Report**
☐	☐	**Introduction Form (for hearings)**
☒	☐	**Department/Agency Cover Letter and/or Report**
☐	☐	**MOU**
☐	☐	**Grant Information Form**
☐	☐	**Grant Budget**
☐	☐	**Subcontract Budget**
☐	☐	**Contract/Agreement**
☐	☐	**Form 126 – Ethics Commission**
☐	☐	**Award Letter**
☒	☐	**Application**
☒	☐	**Public Correspondence**

OTHER **(Use back side if additional space is needed)**

☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	
☐	☐	

Completed by: Derek Evans **Date** 10/19/12
Completed by: _____ **Date** _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

San Francisco Police Department
ABC Liaison Unit

Alcoholic Beverage License -
Public Convenience and Necessity Recommendation

To: The San Francisco Board of Supervisors' Committee on City Operations & Neighborhood Services

Supervisor Sean Elsbernd
Supervisor Carmen Chu
Supervisor Christina Olague

From: Inspector Julie Lazar
ABC Liaison Unit (ALU) 553-1049

Date: October 15, 2012

Subject: P.C.N. Investigation Regarding: Nob Hill Restaurant Ventures INC
DBA: After 5
Roger Abuyaghi
(650) 455-5948

Roger Abuyaghi, on behalf of Nob Hill Restaurant Ventures LLC, has filed an application with the California Department of Alcoholic Beverage Control (ABC) seeking an alcoholic beverage license Type 42 (On-Sale Beer and Wine) for 810 Van Ness Avenue (located on the northeast corner of Van Ness Avenue and Eddy Street).

It should be noted that during the application process, notification date for the 500' mailer was on July 3, 2012. The Notice to the Public was posted on June 28, 2012.

For the purposes of this hearing, the California Department of Alcoholic Beverage Control (ABC) seeks a determination from the Board of Supervisors as to the approval or denial of this license.

Police Calls for Service: From June 2011 to June 2012- **1 call**

Police Reports: From June 2011 to June 2012- **No Record**

San Francisco Plot Information:

This premise is located in Plot **547**

The High Crime area is defined as 215 or more reported incidents in a plot.

This plot had **1,637** reported incidents recorded for *2010*. This is **OVER** the High Crime area definition by **1,422** incidents.

The applicant premises **is** located in a "High Crime" area.

State Census Tract Information:

This premise is located in Census Tract **124.02**

Population for this tract is: **3,974**

On-sale license authorized by census tract: **13**
Active on-sale licenses: **24**

Off-sale licenses authorized by census tract: **4**
Active off-sale licenses: **4**

Applicant premises **is** located in an "undue concentration" area.

Letters of Protest:

One (1) valid letter of protest received with the California Department of Alcoholic Beverage Control, (ABC).

Letters of Support:

There is no record of support with the California Department of Alcoholic Beverage Control, (ABC).

Departmental Recommendation:

No opposition from **Northern Station**

The Police Department recommends approval. The following conditions have been recommended to the California Department of Alcoholic Beverage Control, (ABC):

1. Sales, service, and consumption of alcoholic beverages shall be permitted only between the hours of 12:00 noon and 11:00 p.m. each day of the week.

2. The sale of alcoholic beverages for off-sale consumption is strictly prohibited.

3. No noise shall be audible beyond the area under the control of the licensee(s) as depicted on the ABC-257 dated 6/12/12.

4. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.

5. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti within 72 hours following the beginning of the next weekday.

6. The exterior of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the premises. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.

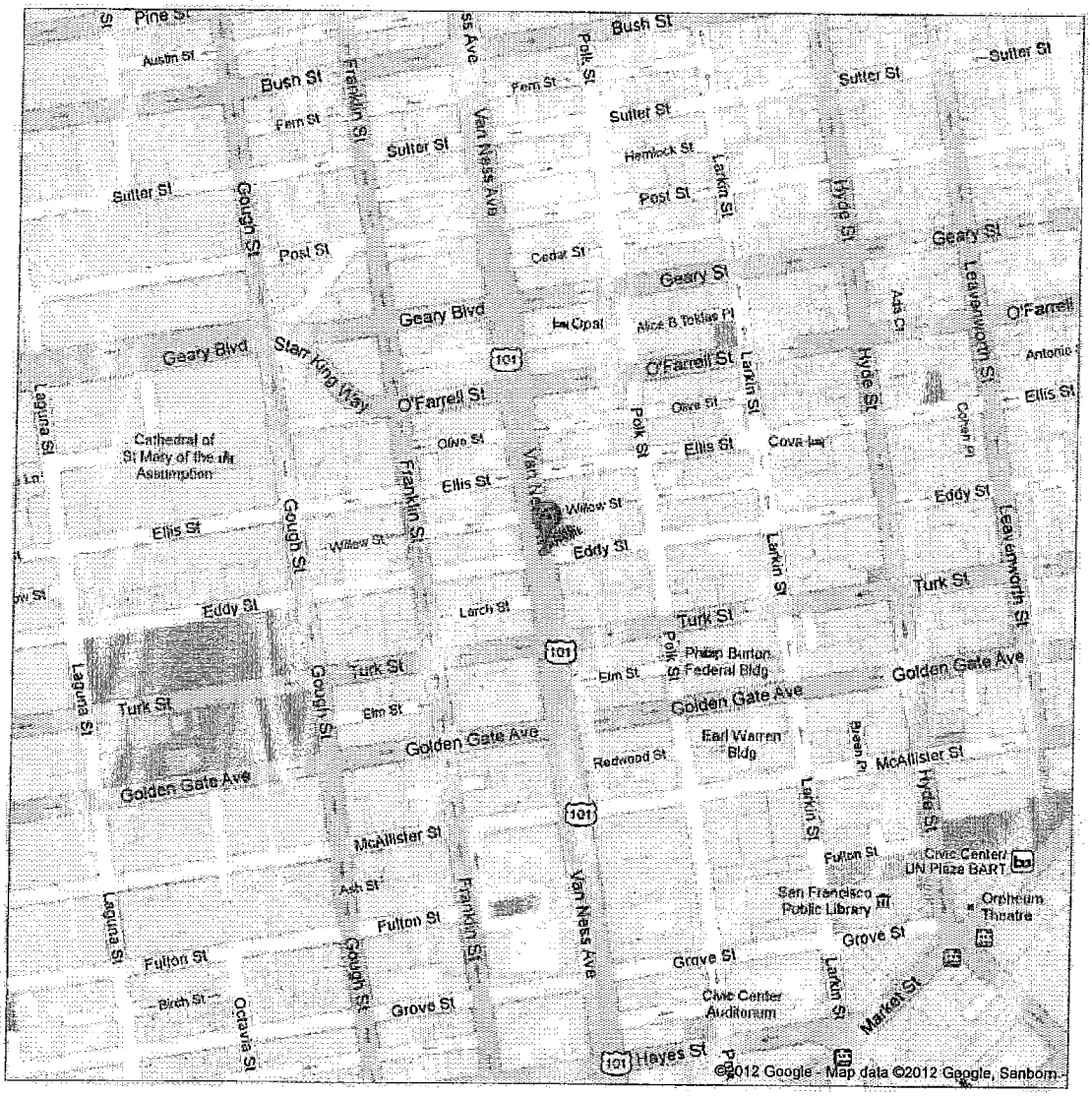
7. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee(s) as depicted on the ABC-257 dated 6/12/12.

Thank you

Google

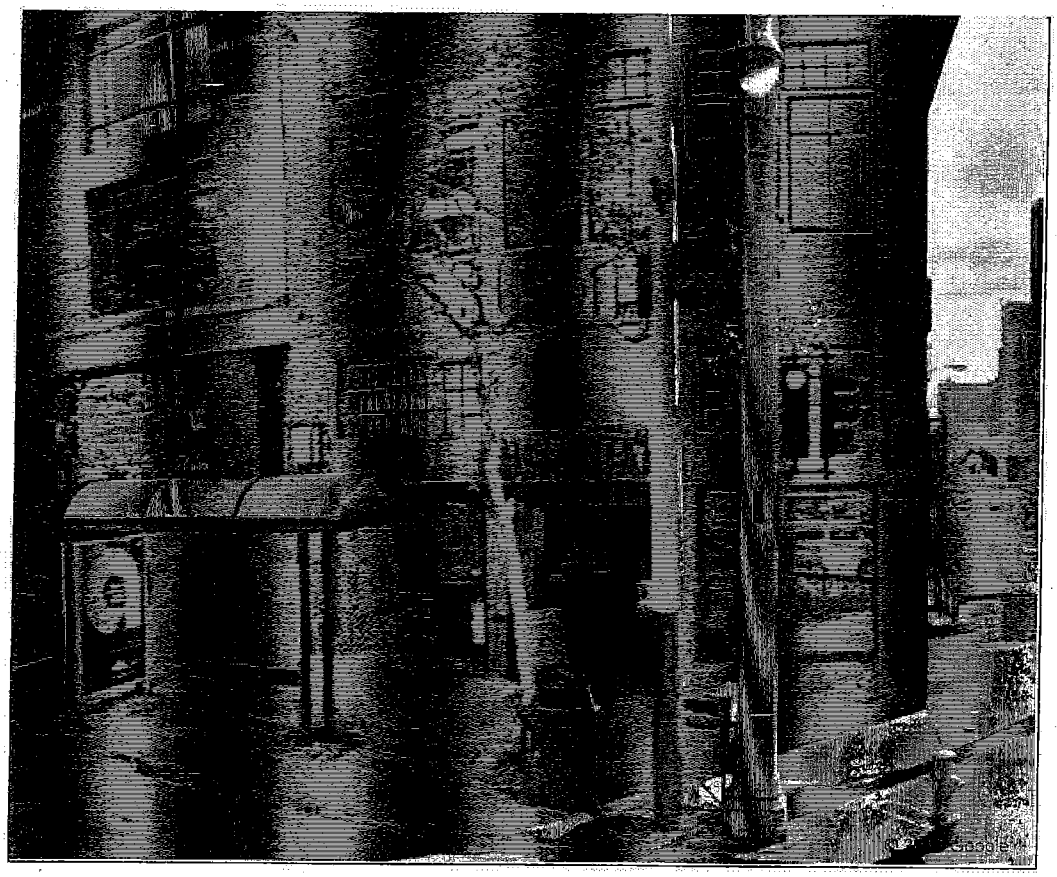
Address **810 Van Ness Ave**
San Francisco, CA 94109

42-523227

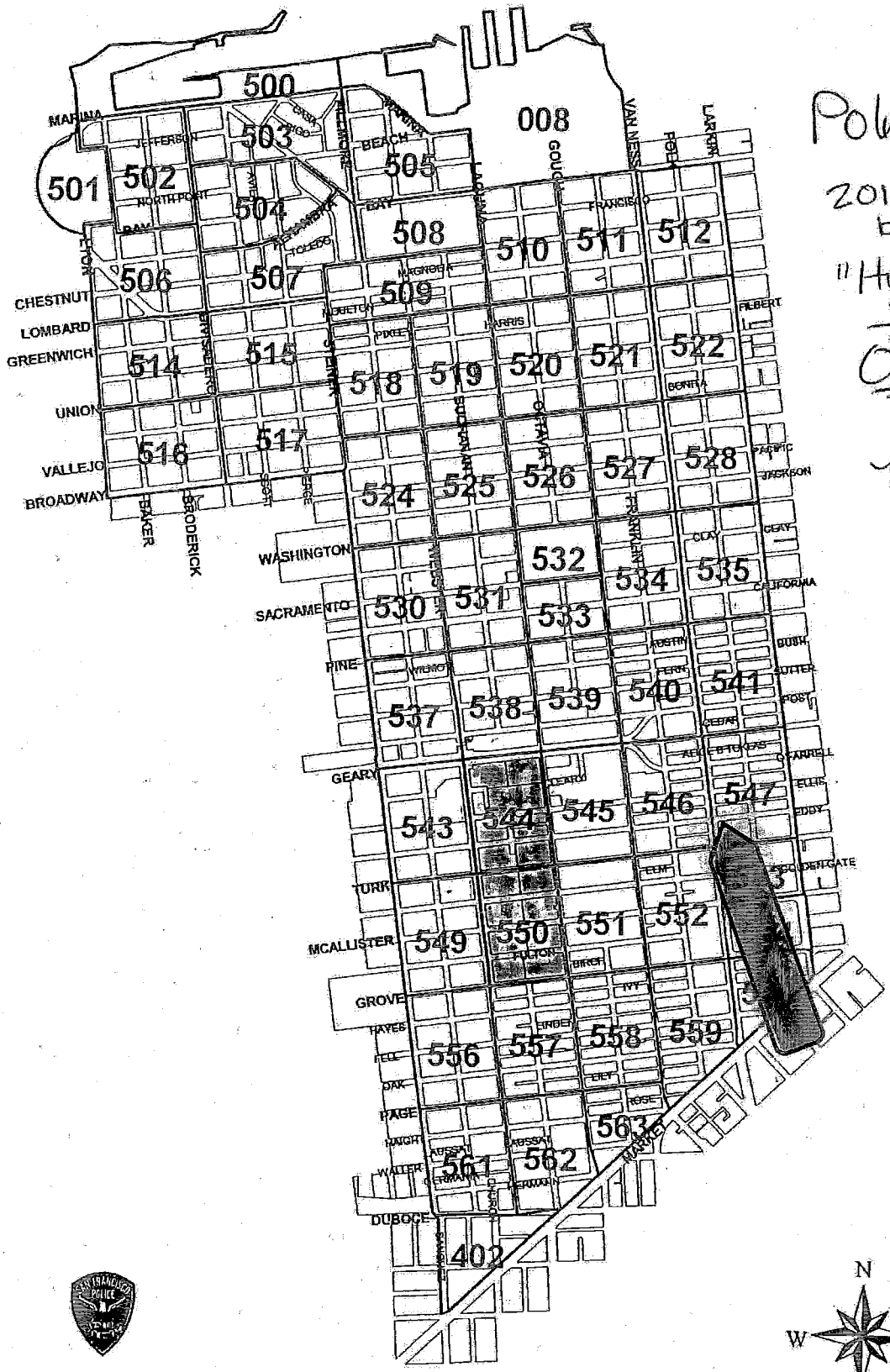


Google

Address **810 Van Ness Ave**
San Francisco, CA 94109
not sure if this building is exactly 810 Van Ness (it could be 820 Van Ness)



NORTHERN DISTRICT
Major Streets & Reporting Plots



Police Plot 547

2010 Crime - 1,637
by Plot
"High Crime" 215

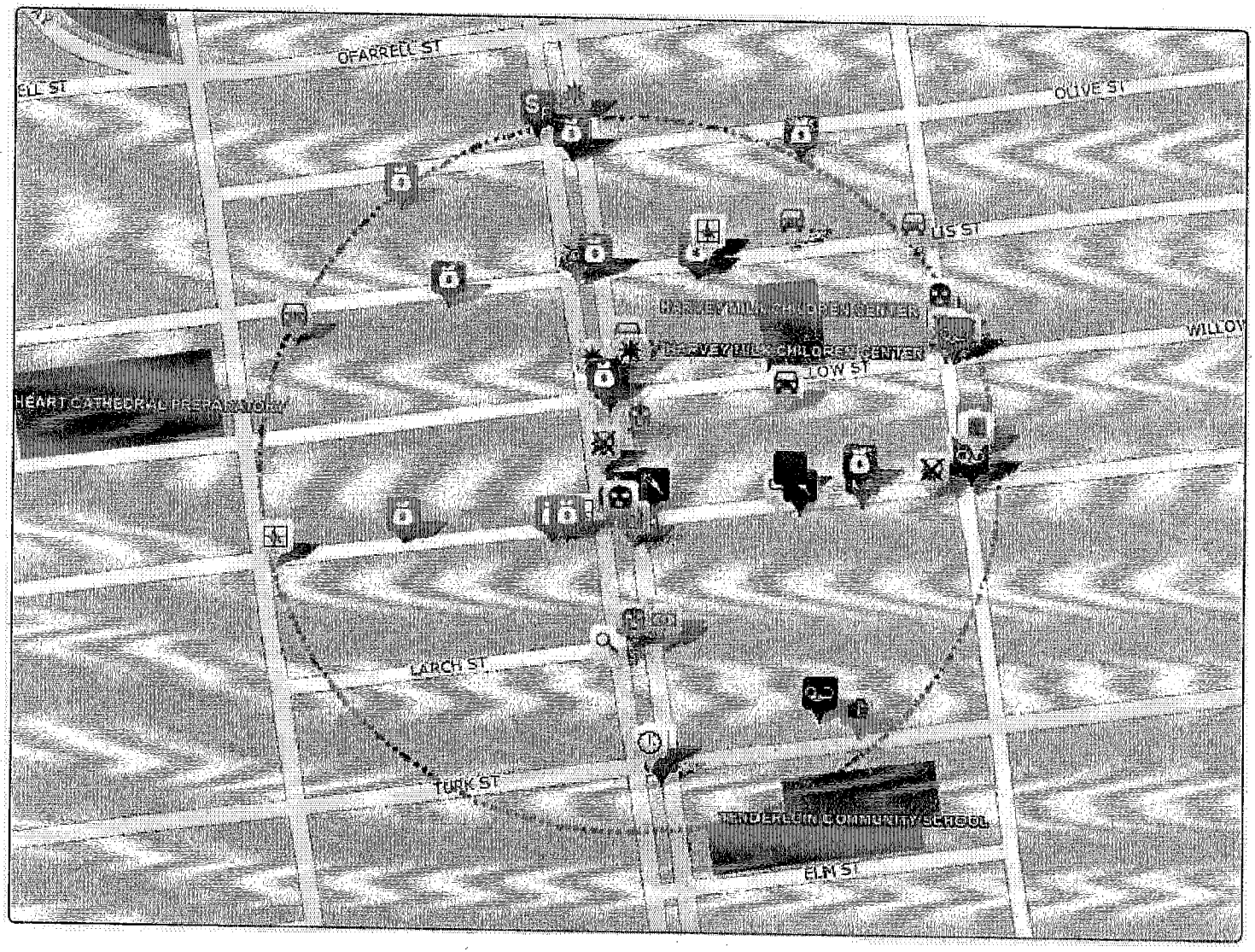
OVER 1,422
Incidents

High Crime 1,407

San Francisco Police Department
September 2002

810 Van Ness avenue--500 ft radius

San Francisco Police Department



Map Legend

Incidents (277)

- Larceny/Theft (76)
- Non-Criminal (30)
- Drug/Narcotic (25)
- Other Offenses (23)
- Vandalism (21)
- Assault (17)
- Robbery (16)
- Warrants (16)
- Vehicle Theft (14)
- Suspicious Occurrence (8)
- Burglary (5)
- Missing Person (4)
- Fraud (3)
- Forgery/Counterfeiting (3)
- Warrants (3)
- Embezzlement (2)
- Weapon Laws (2)
- Disorderly Conduct (2)
- Sex Offenses, Forcible (2)
- Suicide (2)
- Trespassing (1)
- Extortion (1)
- Loitering (1)

All representations on this map are distributed and transmitted "AS IS" without warranties of any kind, either expressed or implied including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. In no event shall San Francisco Police Department become liable to users of these data for any loss or damages, consequential or otherwise, including but not limited to time, money, goodwill, arising from the use, operation or modification of the data. The visual presentation of data is being provided strictly as a courtesy, not as an obligation to its users.

WARNING: This map does not meet the national map accuracy standards.

CrimeView Server
Printed: 7/2/2012 10:39:51 AM

Call No	Agency	Call Type	Disposition
Report No	Jurisdiction	Dispatch Area	# Prior Calls
Unit ID	Origin	Dept ID	Priority
Rep Area	Area	Sector	
Location 810 VAN NESS AV			Range
Apartment	City		
Entry Oper	Dispatch Oper		
From Date 06/29/2011	To Date 12/29/2011	From Time	To Time
Comments			
Search			

No hits found

export To New!

Records 1 through 1 of 1

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
121600453		06/08/2012	06:35:35	C	601	3E3A	GOA	810 VAN NESS AV

End of document

RECEIVED SC
JUL 1 0 2012
Dept of Alcoholic Beverage Control
San Francisco

Department of Alcoholic Beverage Control

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.
- A copy of this completed form, ABC-510-A, will be provided to the applicant.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

NOB HILL RESTAURANT VENTURES INC / AFTER 5
(Name(s) of Applicant(s))

For premises at:

810 VAN NESS AVE, SF 94109
(Exact address of proposed premises)

on the grounds that:

(1) UNDUE CONCENTRATION B&P CODE § 23958.4
(2) HIGH CRIME § 23958.4 (c) B&P CODE
(3) DEFINITION OF HIGH CRIME - B&P CODE § 23958.4 (c)(1)

CONDITIONS FOR APPROVAL
(1) NO OFF-SALE ALLOWED
(2) ALCOHOL SALES MUST BE MADE WITH FOOD SALES AND BY ~~ONE~~ PERSON ORDERING FOOD.
(3) THERE SHALL BE NO BAR OR LOUNGE AREA
(4) HOURS OF OPERATION SUN-THURS 10AM - 10pm
FRI & SAT 10AM - 12AM

☒ Check here if additional sheets attached

I, MARVIS J PHILLIPS PUBLIC SAFETY, declare under penalty of perjury:
PRINT (Name of Protestant) CHAIR, ALLIANCE FIN A BETTER DIST 6

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE	PROTESTANT'S TELEPHONE NUMBER (Optional)
Marvis J Phillips	(415) 674-1935
SIGNED AT (City and state) SAN FRANCISCO, ~~CA~~ CALIF	DATE SIGNED 6 JULY 2012

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)
230 EDDY ST #1206 SF CA 94102-6526

ABC-510-A (10/07)

CC: SFPD ABC LIAISON UNIT
CC SFPD - NORTHERN STATION
FILE

P 1 of 2

P. 2 OF 2

Department of Alcoholic Beverage Control

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

RECEIVED
JUL 1 0 2012
Dept of Alcoholic Beverage Control
San Francisco

•Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.

•Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.

•You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.

•A copy of this completed form, ABC-510-A, will be provided to the applicant.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

NOB HILL RESTAURANT VENTURES INC / AFTER 5
(Name(s) of Applicant(s))

For premises at:

810 VAN NESS AVE
(Exact address of proposed premises)

on the grounds that: CONDITIONS FOR APPROVAL CONTD

(5) THERE SHALL BE NO COIN OPERATED OR MECHANICAL GAME DEVICES OR POOL TABLES ALLOWED

(6) THERE SHALL BE NO LIVE ENTERTAINMENT OR D.J. ENTERTAINMENT ALLOWED

(7) THERE SHALL BE POSTED BY FRONT DOOR NO SMOKING SIGNS SF HEALTH CODE § 1009.

(8) THERE SHALL BE POSTED ON FRONT WALL OR WINDOW NO ~~LOIT~~ LOITERING SIGNS.

(9) THERE SHALL BE NO AFTER-HOURS PERMIT.

☒ Check here if additional sheets attached

I, MARVIS J PHILLIPS, PUBLIC SAFETY CHAIR, ALLIANCE FOR A BETTER DIST 6, declare under penalty of perjury:
PRINT (Name of Protestant)

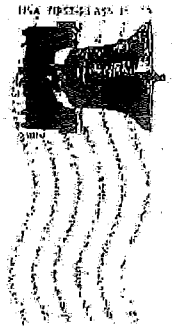
(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE	PROTESTANT'S TELEPHONE NUMBER (Optional)
[signature]	(415) 674-1935
SIGNED AT (City and state)	DATE SIGNED
SAN FRANCISCO, CALIF	6 JULY 2012

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)
230 EDDY ST #1206 SF CA 94102-6226

ABC-510-A (10/07)

CC: SFPD - ABC LAISON UNIT
CC: SFPD - NORTHERN STATION
FILE



MARVIS J. PHILLIPS
Land Use / Public Safety Chair
Alliance For A Better Dist. 6
230 Eddy Street # 1206
San Francisco, CA 94102-6526

TO: ARCOHOX BEVERAGE CONTROL
SAN FRANCISCO, FIELD OFFICE
1515 CLAY ST SUITE 2208
OAKLAND, CA. 94612

RE: 810 VAN NESS AVE

94612140458

LIQUOR LICENSE REVIEW

TO: Planning Department
AnMarie Rodgers/CTYPLN/SFGOV
Georgia Powell/CTYPLN/SFGOV@SFGOV
Fax No.: 558-6409

File: 120826

Block/Lot: 0739/017
Zoning: RC-4, Van Ness Special Use District
Quad: NW
MB #1201577

TO: Police Department
Inspector Kenneth Stocker
Inspector Julie Lazar
Fax No.: 553-1463

DATE: August 8, 2012

This item is tentatively scheduled to be heard on September 24, 2012.
PLEASE EMAIL YOUR RESPONSE BY: September 20, 2012, to Derek Evans, Clerk, City Operations and Neighborhood Services Committee.
Derek.Evans@sfgov.org - Fax No: 554-7714

Applicant Name: Robert Abuyaghi
and Business Name: After Five (810 Van Ness Avenue)

Applicant Address: 824 Ellis Street
San Francisco, CA 94109
and Phone No. (415) 292-4840

PLANNING COMMENTS: ☒ Approval ☐ Denial

ABC License Type 42 is permitted in conjunction with a Bar Use within the RC-4 Zoning District under Planning Code Section 209.8(a).[Building Permit Application No. 2012.09.17.7996 filed for the change of use of a vacant ground floor commercial space to a bar.] - Sharon Young 10/4/12

POLICE COMMENTS: ☐ Approval ☐ Denial (415)558-6346

120826

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 AUG -6 PM 3:02
BY

August 6, 2012

Clerk of the Board
Attn: Derek Evans
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, California 94102

RE: Request for Public Convenience or Necessity (PCN) Determination for the Nob Hill Restaurant Ventures, Inc. proposal at 810 Van Ness Avenue (aka 818 Van Ness) – ABC File Number 523227

Dear San Francisco Board of Supervisors:

My client, Roger Abuyaghi's Nob Hill Restaurant Ventures, Inc. leases a vacant retail site at 810 Van Ness Avenue (between Ellis and Eddy Streets). Mr. Abuyaghi intends to open a wine bar named ***After Five*** in this space and as such respectfully requests that the Board review and approve his application for a Type 42 On Sale license (see attached) to sell alcohol (beer and wine only) at this location.

Mr. Abuyaghi is a local San Francisco business and property owner. He has extensive experience with four family-owned markets in San Francisco and Burlingame, all of which offer alcoholic beverages. In addition, he and his family own and operate a highly successful auto repair shop in the city.

We submit that this application meets the "public convenience or necessity" threshold and is warranted for the reasons found below.

- The 810 Van Ness Avenue property is zoned RC-4 and also falls within the Van Ness Special Use District. The RC-4 zoning (Sec 209.8) allows Commercial Uses as permitted uses and Conditional Uses as controlled by the provisions of the NC-3 District (Sec 712). Provided the establishment is a bar (Sec 712.4) on the ground floor, we submit that the use is permitted as-of-right.

- For over 20 years, Mr. Abuyaghi and his family have owned and operated businesses in San Francisco and other Bay Area jurisdictions and they have an impeccable record of performance and safety.

- On two recent occasions the San Francisco Police Department officially commended Mr. Abuyaghi and his family for their diligence and refusal to serve a minor during an SFPD decoy sweep aimed at deterring alcohol sales to underage persons. The first occurred on April 1, 2010 and the second was on February 10, 2011. (See attached.) The business that is the subject of this commendation is the Cottage Market that is located at 798 Bush Street.

- In keeping with the suggestion of the San Francisco Police Department, the wine bar will be open from 12:00 PM to 11:00 PM. It will also serve light fare and snacks in a casual lounge atmosphere.

- The proposed wine bar will be named ***After Five*** and will inhabit a small vacant retail space (1,200 square feet) on the ground floor level of a large retail mixed use residential building ***The Artani***. (See attached document that shows the proposed location of the wine bar.)

- The economic viability and eventual success of this wine bar depends on the granting of the above referenced PCN request. Other bars and restaurants in the area are serve alcoholic beverages and this Type 42 license to sell beer and wine will allow ***After Five*** to compete.

- Mr. Abuyaghi is in receipt of the conditions for his Type 42 license and hereby formally agrees to comply with all the safeguards contained therein. This includes strict adherence to rules regarding alcohol sales, hours of operation, loitering, noise and lighting.

- As with all of his businesses, Mr. Abuyaghi guarantees that the establishment will be well maintained and clean for the duration of his stewardship. He also will clean and maintain the public sidewalks and gutters around the property to ensure that it is an exemplary San Francisco business.

- Mr. Abuyaghi, his family and his employees realize that drinking can be dangerous. As such, his employees will be trained, with the assistance of the ABC, to have a zero tolerance policy regarding alcohol sales. That means his employees will <u>never</u> sell alcohol to underage customers or those who appear inebriated.

- Mr. Abuyaghi's wine bar will generate sales tax for the City and County of San Francisco if granted this Type 42 On Sale license.

- Mr. Abuyaghi's wine bar at 810 Van Ness Avenue will be convenient for local residents and tourists in San Francisco. He believes that his new business will fill a now vacant retail space on a prominent portion of Van Ness and help enhance the area and make it safer for residents and visitors alike.

On behalf of Mr. Abuyaghi, I hereby respectfully request that the San Francisco Board of Supervisors approve the PCN request of Mr. Abuyaghi and Nob Hill Restaurant Ventures, Inc. for a Type 42 On Sale license at 810 Van Ness.

Thank you for your consideration of this matter that is vital to the success of Mr. Abuyaghi's venture. I can be reached directly at (415) 342-2202 if you require any further information.

Respectfully,

Andrew T. Gregg on behalf of
Roger Abuyaghi
Nob Hill Restaurant Ventures, Inc.
824 Ellis Street
San Francisco, CA 94109
(415) 292-4840 or (650) 455-5948

Attachments (4)

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO
THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103-4603

EDWIN M. LEE
MAYOR

JEFFREY GODOWN
INTERIM CHIEF OF POLICE

02 / 10 / 11

Dear Business Owner:

On 02/10/11 an alcohol decoy program was conducted at your business. The operation consisted of a decoy (a minor, 19 years old or younger) entering your business and purchasing or attempting to purchase an alcoholic beverage.

☑ Your location refused the sale of an alcoholic beverage to a minor. We commend you on your diligence!

- OR -

☐ You or your employee sold an alcoholic beverage to a minor. You or your employee was cited and the alcoholic beverage or sample of said was seized as evidence.

The San Francisco Police Department in conjunction with the California Department of Alcoholic Beverage Control (ABC) operates this program.

In the event that you or your employee was cited, the citation will be reviewed by the District Attorney's Office for eligibility in the *misdemeanor offender program*. If the cited is selected for eligibility, he or she may choose to have the case heard and settled by a Community Court. If the Community Court settles the matter, the District Attorney's Office will consider the incident resolved.

It should be noted that regardless of how the cited individual is processed by the District Attorney's Office, the California Department of Alcoholic Beverage Control (ABC) may contact the business owner and may require the business owner to appear before them.

In the event you or your employee refused the sale of an alcoholic beverage to a minor we would like to congratulate you on your effort. Further, we suggest that you remind your employees that this is an on going program.

Questions regarding this incident may be referred the SFPD ABC Liaison Unit at (415)553-1049.

Working together, San Francisco will be an unwelcome place for underage drinkers.

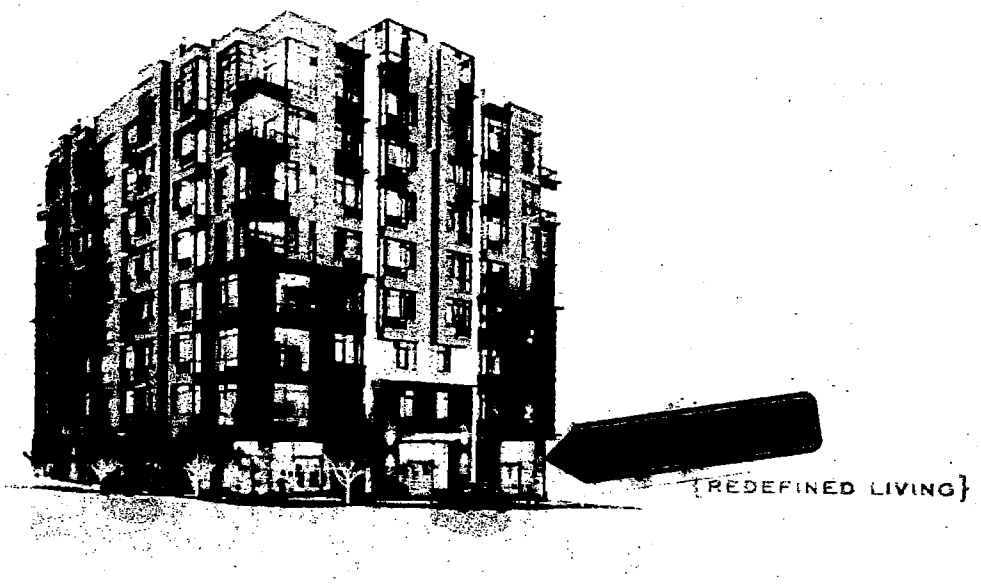
Sincerely,

Jeffrey Godown
Interim Chief of Police

By: _____
Inspector David Falzon
Officer in Charge, ABC Liaison Unit

THE|A|R|T|A|N|I|
SAN FRANCISCO

Modern Elegance Meets Urban Sophistication



Expect the best in upscale metropolitan living. Surround yourself in sumptuous residential space, while blending into the neighborhood's rich cultural backdrop. Your haven is your home with entry to a world all its own.

The Artani © 2011 | 818 Van Ness Ave, San Francisco, CA 94109
415 738 7223 | Sharon@TheArtaniSF.com

Design: Hutner Descollonges
Online Marketing by Norra Marketing and Mermedia

SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Notice of Planning Department Requirements #1

August 30, 2012

Robert Abuyaghi
824 Ellis Street
San Francisco, CA 94109

RE: Liquor License Review (MB1201577)

DBA:	After Five
Proposed Use:	Bar
Address:	810 Van Ness Avenue
Assessor's Block/Lot:	0739/017
Zoning District:	RC-4 (Residential, Commercial, High Density)

This letter is in response to a Liquor License Review request that was received by the Planning Department. Such applications are referred to the Planning Department to ensure that the proposed use is consistent with San Francisco's zoning regulations. At this time, the Planning Department cannot provide a recommendation for your Liquor License Review request.

According to Planning Department records, the subject space is currently vacant with no previous use. The proposed use is considered a change of use to a Bar and requires that a Building Permit Application be filed. Please refer to the following documents: Plan Submittal Guidelines - http://sfplanning.org/modules/showdocument.aspx?documentid=8676 and Permit Application Checklist - http://sf-planning.org/Modules/ShowDocument.aspx?documentid=8507 for additional information. Please fill out and properly submit the application, fees, and all required materials.

If you have any questions regarding this matter, please call (415) 575-9085.

Sincerely,

Christine Lamorena
Planner

CC: Derek Evans, Clerk, BOS City Operations and Neighborhood Services Committee

CL: G:\DOCUMENTS\2012\Referrals\3157 Geary Blvd_NOPDR1.doc

RE: 810 Van Ness Ave - Permit Appl. 201209179961
Lamorena, Christine to: Andrew Gregg, Evans, Derek 09/26/2012 12:27 PM

Hi Andrew –

It appears that Planning has yet to review and approve the building permit. The permit will need to be reviewed (which can be done at our counter) and issued by DBI, thereby authorizing the use. Please let me know the status.

Thank you,

Christine Lamorena
Current Planning, Northwest Team

San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
T: (415) 575-9085
F: (415) 558-6409
http://sfplanning.org
christine.lamorena@sfgov.org

From: Andrew Gregg [mailto:andrewtgregg@mac.com]
Sent: Friday, September 21, 2012 12:07 PM
To: Evans, Derek; Lamorena, Christine
Subject: Fwd: 810 Van Ness Ave - Permit Appl. 201209179961

Derek and Christine,

Please see below. My client has now filed a permit (attached PDF) with the Planning Department and we hope to move forward as expeditiously as possible.

Please confirm receipt of this email and thanks for all of your assistance to date.

Andrew

Begin forwarded message:

From: Roger Abuyaghi <roger@sfautosport.com>
Subject: Fwd: 810 Van Ness Ave - Permit Appl. 201209179961

Date: September 20, 2012 10:36:12 AM PDT
To: Andrew Gregg <andrewtgregg@mac.com>

Sent from my iPhone

Begin forwarded message:

From: Suheil Shatara <suheil@shataraarch.com>
Date: September 20, 2012 10:28:32 AM PDT
To: Roger Abuyaghi <roger@sfautosport.com>, mike@sfautosport.com
Subject: 810 Van Ness Ave - Permit Appl. 201209179961
Hello Roger,

Attached is a PDF showing the permit application number (201209179961) for 810 Van Ness Ave.

All the best,

Suheil

810 Van Ness Ave. - Liquor License Review
Lamorena, Christine to: Evans, Derek 08/30/2012 02:32 PM

Hi Derek –

This email is in follow up to the voicemail I left you today.

I'm reviewing the Liquor License Review request that was sent to our office. It appears that a building permit is required to establish the new use as a bar. I've sent the applicant a notice requesting they do so and PDF is attached for your reference.

In terms of the referral, we are to respond to your office by September 20th. If the applicant has yet to file this building permit to establish the new use, we cannot return a positive recommendation. Should we then check the box for denial or provide no recommendation (checking neither box) and leave a comment requiring they file a building permit per the notice?

Thank you,

Christine Lamorena
Current Planning, Northwest Team

San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
T: (415) 575-9085
F: (415) 558-6409
http://sfplanning.org
christine.lamorena@sfgov.org

Rec'd by email
File No. 120826

BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 AUG 29 AM 11:55
BY

IN THE MATTER OF THE APPLICATION OF

NOB HILL RESTAURANT VENTURES INC AFTER 5 810 VAN NESS AVE. SAN FRANCISCO, CA 94109-7810	FILE 42-523227 REG.

PETITION FOR CONDITIONAL LICENSE

For Issuance of an On-Sale Beer And Wine - Public Premises - License

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, protest(s) has/have been filed against the issuance of the applied-for license; and,

WHEREAS, the protest(s) deal(s) with the proposed operation of the applied-for premises; and,

WHEREAS, the San Francisco Police Department has protested the unconditional issuance of the license; and,

WHEREAS, the issuance of an unrestricted license at the applied-for location would tend to aggravate the existing law enforcement problem; and,

WHEREAS, the San Francisco Police Department withdrew its protest based upon the imposition of the below-listed conditions; and,

WHEREAS, the proposed premises and/or parking lot, operated in conjunction therewith, are located within 100 feet of residence(s); and,

WHEREAS, issuance of the applied-for license without the below-described conditions would interfere with the quiet enjoyment of the property by nearby residents, and constitute grounds for the denial of the application under the provisions of Rule 61.4, of Chapter 1, Title 4, of the California Code of Regulations; and,

WHEREAS, the proposed premises is within 600 feet from consideration points; and,

WHEREAS, issuance of an unrestricted license without the below-described conditions may interfere with the public use of the above-mentioned consideration points; and,

_____
Initials

WHEREAS, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, than the average number of reported crimes as determined from all crime reporting districts with the jurisdiction of the local law enforcement agency; and,

WHEREAS, the petitioner(s) stipulate(s) that by reason of the aforementioned high crime, grounds exist for the denial of the applied-for license(s); and,

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare and morals;

NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

1. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 12:00 noon and 11:00 p.m. each day of the week.

2. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.

3. No noise shall be audible beyond the area under the control of the licensee(s) as depicted on the ABC-257 dated 6/12/12.

4. The petitioner(s) shall be responsible free of litter the area adjacent to the premises over which they have control, as depicted on the ABC-257 dated 6/12/12.

5. Graffiti shall be removed from the premises and all parking lots under the control of the licensee within 72 hours of application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee shall remove the graffiti within 72 hours following the beginning of the next weekday.

6. The exterior of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the premises. Additionally, the position of such lighting shall not disturb the normal privacy and use of any neighboring residences.

7. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee as depicted on the ABC 257 dated 6/12/12.

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 20 DAY OF AUG, 20 12

Applicant/Petitioner

Applicant/Petitioner

120826

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 AUG -6 PM 3:02
BY

August 6, 2012

Clerk of the Board
Attn: Derek Evans
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, California 94102

RE: Request for Public Convenience or Necessity (PCN) Determination for the Nob Hill Restaurant Ventures, Inc. proposal at 810 Van Ness Avenue (aka 818 Van Ness) – ABC File Number 523227

Dear San Francisco Board of Supervisors:

My client, Roger Abuyaghi's Nob Hill Restaurant Ventures, Inc. leases a vacant retail site at 810 Van Ness Avenue (between Ellis and Eddy Streets). Mr. Abuyaghi intends to open a wine bar named ***After Five*** in this space and as such respectfully requests that the Board review and approve his application for a Type 42 On Sale license (see attached) to sell alcohol (beer and wine only) at this location.

Mr. Abuyaghi is a local San Francisco business and property owner. He has extensive experience with four family-owned markets in San Francisco and Burlingame, all of which offer alcoholic beverages. In addition, he and his family own and operate a highly successful auto repair shop in the city.

We submit that this application meets the "public convenience or necessity" threshold and is warranted for the reasons found below.

- The 810 Van Ness Avenue property is zoned RC-4 and also falls within the Van Ness Special Use District. The RC-4 zoning (Sec 209.8) allows Commercial Uses as permitted uses and Conditional Uses as controlled by the provisions of the NC-3 District (Sec 712). Provided the establishment is a bar (Sec 712.4) on the ground floor, we submit that the use is permitted as-of-right.

- For over 20 years, Mr. Abuyaghi and his family have owned and operated businesses in San Francisco and other Bay Area jurisdictions and they have an impeccable record of performance and safety.

- On two recent occasions the San Francisco Police Department officially commended Mr. Abuyaghi and his family for their diligence and refusal to serve a minor during an SFPD decoy sweep aimed at deterring alcohol sales to underage persons. The first occurred on April 1, 2010 and the second was on February 10, 2011. (See attached.) The business that is the subject of this commendation is the Cottage Market that is located at 798 Bush Street.

- In keeping with the suggestion of the San Francisco Police Department, the wine bar will be open from 12:00 PM to 11:00 PM. It will also serve light fare and snacks in a casual lounge atmosphere.

- The proposed wine bar will be named ***After Five*** and will inhabit a small vacant retail space (1,200 square feet) on the ground floor level of a large retail mixed use residential building ***The Artani***. (See attached document that shows the proposed location of the wine bar.)

- The economic viability and eventual success of this wine bar depends on the granting of the above referenced PCN request. Other bars and restaurants in the area are serve alcoholic beverages and this Type 42 license to sell beer and wine will allow ***After Five*** to compete.

- Mr. Abuyaghi is in receipt of the conditions for his Type 42 license and hereby formally agrees to comply with all the safeguards contained therein. This includes strict adherence to rules regarding alcohol sales, hours of operation, loitering, noise and lighting.

- As with all of his businesses, Mr. Abuyaghi guarantees that the establishment will be well maintained and clean for the duration of his stewardship. He also will clean and maintain the public sidewalks and gutters around the property to ensure that it is an exemplary San Francisco business.

- Mr. Abuyaghi, his family and his employees realize that drinking can be dangerous. As such, his employees will be trained, with the assistance of the ABC, to have a zero tolerance policy regarding alcohol sales. That means his employees will <u>never</u> sell alcohol to underage customers or those who appear inebriated.

- Mr. Abuyaghi's wine bar will generate sales tax for the City and County of San Francisco if granted this Type 42 On Sale license.

- Mr. Abuyaghi's wine bar at 810 Van Ness Avenue will be convenient for local residents and tourists in San Francisco. He believes that his new business will fill a now vacant retail space on a prominent portion of Van Ness and help enhance the area and make it safer for residents and visitors alike.

On behalf of Mr. Abuyaghi, I hereby respectfully request that the San Francisco Board of Supervisors approve the PCN request of Mr. Abuyaghi and Nob Hill Restaurant Ventures, Inc. for a Type 42 On Sale license at 810 Van Ness.

Thank you for your consideration of this matter that is vital to the success of Mr. Abuyaghi's venture. I can be reached directly at (415) 342-2202 if you require any further information.

Respectfully,

Andrew T. Gregg on behalf of
Roger Abuyaghi
Nob Hill Restaurant Ventures, Inc.
824 Ellis Street
San Francisco, CA 94109
(415) 292-4840 or (650) 455-5948

Attachments (4)

Department of Alcoholic Beverage ntrol

State of California

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

ROGER ABUYAGHI
(650) 455-5948
Sherry Simpson

TO: Department of Alcoholic Beverage Control
1515 CLAY ST
STE 2208
OAKLAND, CA 94612
(510) 622-4970

File Number: **523227**
Receipt Number: **2119137**
Geographical Code: **3800**
Copies Mailed Date: **June 25, 2012**
Issued Date:

DISTRICT SERVING LOCATION: **SAN FRANCISCO**

First Owner: **NOB HILL RESTAURANT VENTURES INC**

Name of Business: **AFTER 5**

Location of Business: **810 VAN NESS AVE.**
SAN FRANCISCO, CA 94109-7810

County: **SAN FRANCISCO**

Is Premise inside city limits? **Yes** Census Tract **0124.02**

Mailing Address: (If different from premises address) **824 ELLIS ST**
SAN FRANCISCO, CA 94109-7808

Type of license(s): **42**

Transferor's license/name: Dropping Partner: Yes___ No___

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
42 - On-Sale Beer And Wine	ANNUAL FEE	NA	Y	0	06/25/12	$261.00
42 - On-Sale Beer And Wine	ORIGINAL FEES	NA	Y	0	06/25/12	$300.00
					Total	$561.00

Have you ever been convicted of a felony? **No**
Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? **No**
Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee; and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of SAN FRANCISCO Date: June 25, 2012

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.
Effective July 1, 2012, Assembly Bill No. 1424, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Assembly Bill No. 1424, Chapter 455)

Applicant Name(s) Applicant Signature(s)

See 211 Signature Page

NOB HILL RESTAURANT VENTURES INC

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO
THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103-4603

GAVIN NEWSOM
MAYOR

GEORGE GASCÓN
CHIEF OF POLICE

04/01/10

Dear Business Owner:

On 03/24/10 an alcohol decoy program was conducted at your business. The operation consisted of a decoy (a minor, 19 years old or younger) entering your business and purchasing or attempting to purchase an alcoholic beverage. Your business was chosen at random.

☒ Your location refused the sale of an alcoholic beverage to a minor. We commend you on your diligence!

- OR -

☐ You or your employee sold an alcoholic beverage to a minor. You or your employee was cited and the alcoholic beverage or sample of said was seized as evidence.

The San Francisco Police Department in conjunction with the California Department of Alcoholic Beverage Control (ABC) operates this program.

In the event that you or your employee was cited, the citation will be reviewed by the District Attorney's Office for eligibility in the *misdemeanor offender program*. If the cited is selected for eligibility, he or she may choose to have the case heard and settled by a Community Court. If the Community Court settles the matter, the District Attorney's Office will consider the incident resolved.

It should be noted that regardless of how the cited individual is processed by the District Attorney's Office, the California Department of Alcoholic Beverage Control (ABC) may contact the business owner and may require the business owner to appear before them.

In the event you or your employee refused the sale of an alcoholic beverage to a minor we would like to congratulate you on your effort. Further, we suggest that you remind your employees that this is an on going program.

Questions regarding this incident may be referred the Vice Crimes Division at (415)553-1544 or the ABC at (415)356-6500.

Working together, San Francisco will be an unwelcome place for underage drinkers.

Sincerely,

George Gascon
Chief of Police

By: Lt. Thomas Cleary
Lieutenant Thomas Cleary
Officer in Charge, Vice Crimes Division

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO
THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103-4603

EDWIN M. LEE
MAYOR

JEFFREY GODOWN
INTERIM CHIEF OF POLICE

02 / 10 / 11

Dear Business Owner:

On 02/10/11 an alcohol decoy program was conducted at your business. The operation consisted of a decoy (a minor, 19 years old or younger) entering your business and purchasing or attempting to purchase an alcoholic beverage.

☑ Your location refused the sale of an alcoholic beverage to a minor. We commend you on your diligence!

- OR -

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In the event you or your employee refused the sale of an alcoholic beverage to a minor we would like to congratulate you on your effort. Further, we suggest that you remind your employees that this is an on going program.

Questions regarding this incident may be referred the SFPD ABC Liaison Unit at (415)553-1049.

Working together, San Francisco will be an unwelcome place for underage drinkers.

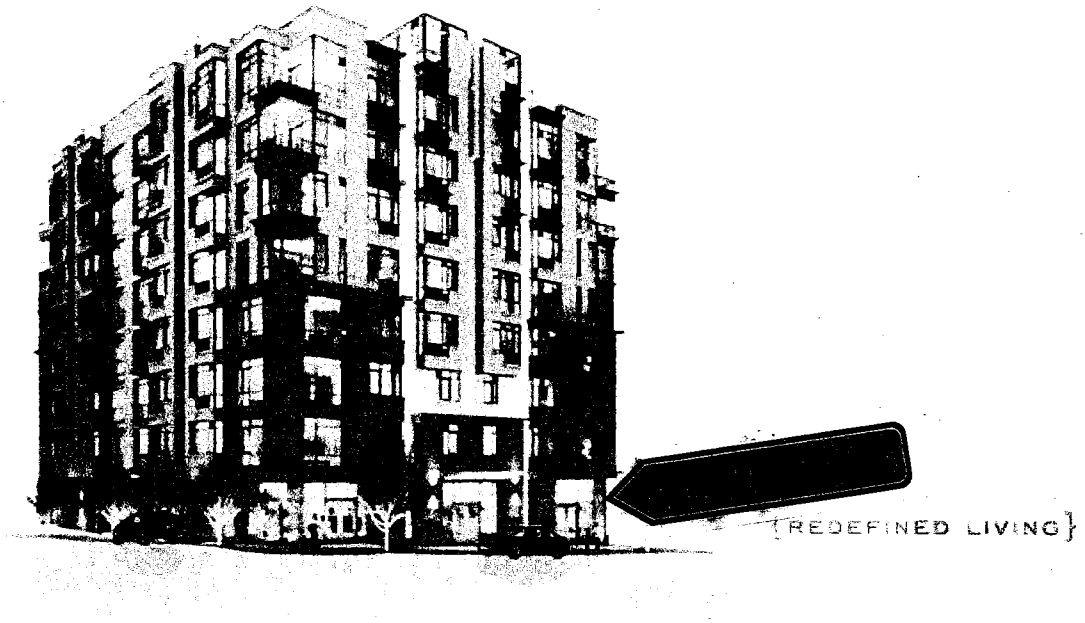
Sincerely,

Jeffrey Godown
Interm Chief of Police

By: _____
Inspector David Falzon
Officer in Charge, ABC Liaison Unit

THE ARTANI
SAN FRANCISCO

Modern Elegance Meets Urban Sophistication



Expect the best in upscale metropolitan living. Surround yourself in sumptuous residential space, while blending into the neighborhood's rich cultural backdrop. Your haven is your home with entry to a world all its own.

The Artani © 2011 | 818 Van Ness Ave, San Francisco, CA 94109
415 738 7223 | Sharon@TheArtaniSF.com

Design: Hutner Descollonges
Online Marketing by Norra Marketing and Mermedia

City and County of San Francisco

DEPARTMENT OF BUILDING INSPECTION

JOB CARD

OFFICE HOURS: THE BUILDING INSPECTION IS OPEN DAILY, MONDAY THRU FRIDAY, *FROM 8:00 a.m. TO 5:00 p.m.* DISTRICT BUILDING INSPECTORS KEEP OFFICE HOURS DAILY, MONDAY THRU FRIDAY, *FROM 8:00 a.m. TO 8:30 a.m. AND FROM 3:00 p.m. TO 4:00 p.m.*

REQUESTS FOR INSPECTIONS ARE TAKEN 24 HOURS A DAY/7 DAYS A WEEK BY CALLING (415) 575-6955

APPLICATION NO. 2012-09-17-7996 ISSUED 9-27-12

JOB ADDRESS: 810 Van Ness Ave, BLOCK: LOT:

NATURE OF WORK:

WORK PERMITTED UNDER AUTHORITY OF THIS BUILDING PERMIT NUMBER MUST BE COMPLETED PRIOR TO EXPIRATION DATE OF 9-22-13.

EXTENSION OF TIME TO COMPLETE WORK UNDER THIS BUILDING PERMIT NUMBER MAY BE GRANTED UPON WRITTEN REQUEST PRIOR TO THE DATES NOTED ABOVE.

For informations on the Permit Process, Building Plans Review, Access Issues, etc., please see page 4 of this JOB CARD for useful and appropriate telephone numbers.

**** ELECTRICAL & PLUMBING WORK MUST HAVE PERMITS SEPARATE FROM A BUILDING PERMIT. ****

KEEP THIS CARD POSTED IN A CONSPICUOUS PLACE ON THE JOB SITE AT ALL TIMES.
PLANS AND PERMIT DOCUMENTS SHALL BE ON THE JOB SITE AT ALL TIMES WHEN WORK IS IN PROGRESS.
AFTER COMPLETION OF WORK, RETAIN THIS CARD FOR YOUR RECORDS.

FORM 8

City and County of San Francisco

DEPARTMENT OF BUILDING INSPECTION

INSPECTION RECORD

APPLICATION NO. 2012-09-17-9961 ISSUED 9-27-12

JOB ADDRESS: 810 Van Ness Ave BLOCK: _____ LOT: _____

NATURE OF WORK: _____

Do Not Pour CONCRETE until the following are signed

	INSPECTIONS	Dates	Inspectors
	Foundation Forms		
	Foundation Steel		
	Grounding Electrode		
	O.K. TO POUR		

Do Not CONCRETE SLAB until the following are signed

	INSPECTIONS	Dates	Inspectors
	Plumbing Underground		
	Electrical Underground		
	Fire Service Underground		

Do Not COVER until the following are signed

	INSPECTIONS	Dates	Inspectors
	Rough Plumbing		
	Shower Pan		
	Flu, Vents & Ducts (PLBG)		
	Heating Hydrostatic Test		
	Rough Sprinklers (PLBG)		
	Rough Electrical		
	Rough Sprinklers (FIRE)		
	Hydrostatic (FIRE)		
	Sound Transmission		
	Rough Framing		
	Insulation		
	Environmental Air, Vents, Ducts (BLDG)		
	Lath		
	O.K. TO COVER		

ADDITIONAL WORK REQUIRING APPROVALS

	INSPECTIONS	Dates	Inspectors
	Special		
	Special		
	Special		
	Fire Alarm		
	Energy Ordinance		

FINAL INSPECTION REQUIRED

	INSPECTIONS	Dates	Inspectors
	Disabled Access		
	Sprinklers (PLBG)		
	Mechanical		
	Plumbing		
	Electrical		
	Street Use & Mapping		
	Urban Forestry		
	Fire Department		
	Health Department		
	Building		
	CERTIFICATE OF FINAL COMPLETION		

WARNING: **THE PROVISIONS OF YOUR BUILDING INSPECTION PERMIT WILL BE NULLIFIED UNLESS ALL FINAL INSPECTIONS ARE SIGNED OFF ABOVE BY THE APPROPRIATE INSPECTORS.**

FOR INFORMATION ON THE PERMIT PROCESS, CALL THE DEPARTMENT OF BUILDING INSPECTION'S CUSTOMER SERVICES DIVISION AT 415-558-6088.

PLEASE CALL THE FOLLOWING PHONE NUMBERS FOR QUESTIONS AND/OR COMPLAINTS RELATED TO PERMITTED WORK UNDER WAY:

BUILDING INSPECTION:	415-558-6570
CENTRAL PERMIT BUREAU:	415-558-6070
CODE ENFORCEMENT:	415-558-6454
PLAN REVIEW SERVICES:	415-558-6133
DISABLED ACCESS:	415-558-6014
ELECTRICAL INSPECTION:	415-558-6570
FIRE INSPECTION:	415-558-3300
FIRE PLAN CHECK:	415-558-6177
GENERAL INFORMATION:	415-558-6088
HEALTH INSPECTION:	415-252-3800
HOUSING INSPECTION:	415-558-6220
ENERGY/MECHANICAL PLAN CHECK:	415-558-6133
RECORDS:	415-558-6080
PLANNING DEPARTMENT:	415-558-6377
PLUMBING INSPECTION:	415-558-6570
REROOFING INSPECTION:	415-558-6570
SPECIAL INSPECTION:	415-558-6132
DPW-BSM:	415-558-6060
STREET USE & MAPPING AT 875 STEVENSON:	415-554-5810

A FINAL REMINDER

AFTER COMPLETION OF WORK BEING PERFORMED UNDER AUTHORITY OF YOUR BUILDING PERMIT, RETAIN THIS JOB CARD WITH YOUR IMPORTANT BUILDING RECORDS.

IMPORTANT!

If this permit was applied for to clear a NOTICE OF VIOLATION issued by HOUSING INSPECTION SERVICES, you must take a copy of the completed JOB CARD and mail it to the attention of the HOUSING INSPECTOR who wrote the NOTICE at the following:

San Francisco Department of Building Inspection
Housing Inspection Services
1660 Mission Street, 6th Floor
San Francisco, California 94103-24214

CENTRAL PERMIT BUREAU
1660 Mission Street
San Francisco, California 94103

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
(415)558-6088

Receipt No: 1275885

Application/Permit No: 201209179961

PERMIT IS GRANTED TO

[ ] ERECT [X] ALTER BUILDING [ ] ERECT SIGN
[ ] DEMOLISH BUILDING [ ] GRADE
[ ] LOWER CURB [ ] OCCUPY STREET SPACE
[ ] EXCAVATE STREET OR SIDEWALK [ ] POST NOTICE
[ ] HOUSE NUMBER CERTIFICATE [ ] REPAIR OR CONSTRUCT SIDEWALK

DATE OF ISSUE 27-SEP-12

FILING FEE RECEIPT #

THIS PERMIT IS GRANTED IN ACCORDANCE WITH PROVISIONS OF THE CHARTER AND ORDINANCES OF THE CITY AND COUNTY OF SAN FRANCISCO AND/OR THE CURRENT STANDARD SPECIFICATIONS OF THE DEPARTMENT OF BUILDING INSPECTION

* ADDITIONAL INFORMATION REGARDING SPECIFIC PERMITS IS GIVEN ON THE BACK OF THIS FORM.

SUPPLEMENTAL FEE PAID:

[ ] FINAL PLAN CHECK [ ] EXPEDITER FEE [ ] PENALTY [ ]
[ ] STRUCTURAL LTR [X] DCP FEE [X] FIRE [ ]

DBI P/C PAID AT FILING $0.00

OWNER:
ROGER ABU YAGHI

LOCATION OF JOB: HOUSE NUMBER: EXISTING [ ] ASSIGNED [ ]
STREET ADDRESS BLOCK/LOT
810 VAN NESS AV 0739/006

METES AND BOUNDS

FRONTAGE FT	# STORIES	TYPE	LEGAL OCCUPANCIES
	8	2 A	R-2,M,S-2

BUILDING USE APARTMENTS ESTIMATED COST $ 30,000.00

SIDEWALK SQ. FTGE ST. SPACE LINEAR FT. 9 FT. CURB SECT. TO BE LOWERED

PARKING METER LINEAR FT. PARKING METER DAYS

WORK MUST COMMENCE ON BUILDING WITHIN TIME PER CODE, UNLESS EXTENSION AUTHORIZED PRIOR TO EXPIRATION. IF UNDER ENFORCEMENT ORDERS, SPECIAL TIME PERIODS SPECIFIED IN NOTICE OF VIOLATION OR ABATEMENT ORDER WILL APPLY.

TIME FOR COMPLETION OF WORK UNDER THIS BUILDING PERMIT EXPIRES 360 Days AFTER DATE OF ISSUANCE. IF UNDER ENFORCEMENT ORDERS, SPECIAL TIME PERIODS WHERE SPECIFIED WILL APPLY. (NOTE: STREET SPACE PERMIT EXPIRES ON COMPLETION OF WORK OR WHEN REVOKED BY DIRECTOR OF PUBLIC WORKS. SEE BACK OF FORM FOR OTHER TIME LIMITS.)

AUDITED FOR REFUND		FEE
[redacted]	DCP PLAN CHECK	[redacted]
	BUILDING	316.32
[redacted]	PLAN REVIEW	[redacted]
	FIRE INSPECTION FEE	220.00
[redacted]	FIRE PLAN CHECK FEE	[redacted]
	PUC WW CAPACITY	1,348.10
[redacted]	PUC WATER CAP	[redacted]
	RECORDS RETENTION	12.00
[redacted]	BLDG STDS ADMIN FUND	[redacted]
	TECH SURCHARGE	57.02
[redacted]		[redacted]
[redacted]		[redacted]
[redacted]		[redacted]
[redacted]		[redacted]

SURCHARGE	0.00
BOA SURCHARGE	50.00
SUBTOTAL OF FEES WITH APPLICABLE SURCHARGES	$4,888.00
STRONG MOTION	[redacted]
	[redacted]
SUBTOTAL OTHER FEES	7.20
TOTAL $	$4,895.20

ROGER ABUYAGHI 415-292-4840
FEE PAYOR

PERMIT 1275885

824 ELLIS ST
ADDRESS

APPEAL

SF CA 94109
CITY

CENTRAL PERMIT BUREAU-D.B.I. SHAWLHAREGGEWAI

SEPARATE PERMITS MUST BE OBTAINED FOR ELECTRICAL, PLUMBING OR OTHER RELATED WORK
9003-18(Rev.10/95)

CENTRAL PERMIT BUREAU
1660 Mission Street
San Francisco, California 94103

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
(415)558-6088

Receipt No: 1275885
Application/Permit No: 201209179961

WARNING

Pursuant to Article 20 of Chapter 10, Part II of the San Francisco Municipal Code (Public Works Code), certain building permits may be issued only after the permittee analyzes the soil for the presence of hazardous wastes and,where applicable, certifies that it has completed site mitigation. No officer, employee, or agency of the City conducted the soil sampling and analysis, recommended site mitigation measures, conducted the site mitigation or checked or verified the reports submitted or work performed for accuracy, reliability or adherence to protocols. In issuing this permit, neither the city nor any of its officers or employees make any representation that the soil on or about the site is free from the presence of hazardous wastes. Nor does the City's implementation of this process relieve any person from their duties and responsibilities relating to hazardous waste contamination under state and federal law. Neither soil analysis pursuant to Article 20 of Public Works Code nor the issuance of this permit is intended to alter, extinguish, or transfer these reponsibilities.

ADDITIONAL INFORMATION

1. Building Permit.
   All requests for extension of time must be in writing to Director, Dept. of Building Inspection.
   Permits are issued subject to Appeal within 15 days to Board of Permit Appeals.
   Incur no expenses until right of Appeal has lapsed.

2. Demolition Permit.
   If Demolition involves Abandonment of Side Sewer Permittee must obtain a Side Sewer Permit . The Side Sewer will then be blocked at the Main Sewer.

3. Permit to Lower Curb/To Excavate in Street or Sidewalk.
   Issued to construct Auto Runway as per Article 15. Public Works Code.
   Excavation should be carried out in accordance with Article 8 of Public Works Code.
   If issued with Building permit time for completion is same as Building; if issued alone, complete work within 6 months from date of Permit. Void if not started within 6 months.

4. Street Space Permit.
   No refuse, excavated materials, concrete or mortar is to be disposed of upon Paved Streets, catch basins or into the City sewer system. No material or equipment shall be left on Roadway of Police Tow-Away Zone during hours when Tow-Away Rule is in force. Gutters and Waterways must be kept clear.
   All provisions of Section 724.3 of the Public Works Code are incorporated into this permit by reference.
   Street and sidewalk areas occupied must not exceed a width 1/2 the width of the sidewalk plus 1/3 the width of the Roadway fronting.

5. Permit to Repair or Construct Sidewalk.
   Handicap Ramps required in vicinity of Crosswalks per plan No.11-33, 982, Ch. 2. Before beginning any work under this permit contact your Area Inspector Tel. 554-5837. Permit valid for 3 months from date issued, unless extension authorized.
   Some sidewalks have been constructed over a subsidewalk basement or other below ground structure. Issuance of this permit does not limit, modify, or alter in any way the responsibility of the property owner to ensure that such subsidewalk space complies with the San Francisco Building Code, Electrical Code, Fire Code, Mechanical Code, Plumbing Code, Public Works Code, and other Municipal Codes. In addition, issuance of this permit does not limit the liability of the property owner or his or her agent if work pursuant to this permit or the actions of a third party result in damage to the sidewalk or subsidewalk structure; consequently, permittees proceed at their own risk. The City and County of San Francisco makes no representations that issuance of a sidewalk permit will or will not directly or indirectly affect a subsidewalk structure. The Department of Building Inspection, in conjunction with the Department of Public Works, issues permits to construct or alter subsidewalk spaces separately from a sidewalk permit. Property owners are encouraged to seek the advice of qualified professionals to independently analyze the structural integrity of subsidewalk space and determine whether such space should be improved or modified.

6. Hold Harmless Clause.
   The Permittee(s) by acceptance of this permit, agree(s) to indemnity and hold harmless the City and County of San Francisco from and against any and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City and County of San Francisco against all such claims, demands and actions.

BOARD OF PERMIT APPEALS STIPULATIONS.

City and County of San Francisco
Department of Building Inspection
1660 Mission Street
San Francisco, CA 94103

COMPLAINT DATA SHEET

COMPLAINT NUMBER : 200922177

OWNER/AGENT:

DATE FILED: 17-SEP-09
LOCATION: 808 VAN NESS AV
BLOCK: 0739 **LOT:** 006
SITE: 808-810-818-828 Van Ness
RATING: **OCCUPANCY CODE** R-2
RECEIVED BY: Rosario Ilustre **DIVISION:** HIS
COMPLAINT SOURCE: ROUTINES

OWNER'S PHONE --
CONTACT NAME
CONTACT PHONE --

COMPLAINANT: HIS

ASSIGNED TO DIVISION: HIS

SAN FRANCISCO
COMPLAINANT'S PHONE --

DESCRIPTION: "Newly inputed CFC#200409245134 of a Residential Apartment Building which requires routine inspection. Please conduct inspection within 30 days."
INSTRUCTIONS:

INSPECTOR INFORMATION

DIVISION	INSPECTOR	ID	DISTRICT	PRIORITY
HIS	GALVIS	6260	1	

REFFERAL INFORMATION

DATE	REFERRED BY	TO	COMMENT

COMPLAINT STATUS AND COMMENTS

DATE	TYPE	DIVISION	INSPECTOR	STATUS	COMMENT
17-SEP-09	CASE OPENED	HIS	J GALVIS	CASE RECEIVED	

COMPLAINT ACTION BY DIVISION

DIVISION	DATE	DESCRIPTION	ACTION COMMENT

NOV (HIS) **NOV (BID)**

SFPUC CAPACITY CHARGE INVOICE

Permit Application No:	201209179961	Application Submitted:	09/17/12
Entered By (initial):	BT	Entered On:	09/19/12
Owner First Name:	Roger	Owner Last Name:	Abu-Yaghi
Owner Firm Name:		Contact Number:	(415) 512-7560
Owner Street Address:	c/o 26 Lakeview Dr	City / State:	Daly City, CA
Service Address:	810 Van Ness Av	Zip:	94015
aka:			
Service Block:	739	Service Zip:	94109
Service Lot:	17		

NOTES:

First-time Tenant Improvement for a bar/lounge

Water Capacity Charge (if applicable)		
Current Capacity Charge		$1,160.00
Less Prior Use Credit	$	-
Total Water Capacity Charge	$	1,160.00
Wastewater Capacity Charge (if applicable)		
Current Capacity Charge	$	2,854.80
Less Prior Use Credit	$	(158.60)
Total Wastewater Capacity Charge	$	2,696.20
Total Amount Due	**$**	**3,856.20**

Payment 1 - Amount Due at DBI

50% of Water Capacity Charge	$	580.00
50% of Wastewater Capacity Charge	$	1,348.10
Total Amount (Both charges)	**$**	**1,928.10**

Payment 2 - Amount Due at SFPUC

50% of Water Capacity Charge	$	580.00
50% of Wastewater Capacity Charge	$	1,348.10
Total Amount (Both charges)	**$**	**1,928.10**

Second Payment Due Date
The second payment is due at the earliest of:
1. The issuance of Certificate of Final Occupancy from DBI, or
2. Prior to transfer of ownership of the property, or
3. With the application for installation of a new or increased water service, or
4. One year from the permit issue date.

Note:
Charges based on information provided by permit applicant; adjustments may be required should new information become available.

SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH

ENVIRONMENTAL HEALTH
1390 Market Street, Suite 210
San Francisco, CA 94102

INSPECTION REPORT

Revised 11/15/11

Facility Address: 810 Van Ness	Inspection Date: 9/27/12
Business Name:	Reinspection Date:
Owner Name(s):	Inspection Type: Plan Check
Facility Type: Food Phone:	Location ID:

The following Items Represent Health Code Violations and Must Be Corrected By the Indicated Date(s):

Building Permit Application #201209179961

1) Provide coved base at floor wall junctions at least 4" in food service prep. storage, utensil wash and janitorial areas including at equipment toekicks
2) Provide approved finishes in food service areas. Submit samples for approval prior to installation
3) Provide indirect drainage to sanitary sewer for all condensating equipment
4) Provide sneeze guards where necessary.
5) Provide a garbage receptacle area
6) Provide lockers/change room for employee storage
7) Conceal all conduits, pipes and lines.
8) Vermin proof the premises
9) Apply for a valid health permit to operate at this office.
10) Comply with the SF Noise ordinance
11) Provide sufficient handwash sinks in the bar area
12) Provide an approved mop sink
13) Provide sufficient hot water on demand.

Inspector: J. Robinson	Inspector Signature:
Phone: 252-3965	Received By:

BLDG. FORM 3/8

APPLICATION NUMBER 2012 0917996

OSHA APPROVAL REQ'D ☐ APPROVAL NUMBER:

*PROVED FOR ISSUANCE

FIRE

SFFD INSP. FEES REQ.

Capacity Charges
Water $580.00
Wastewater $1348.00
BT 9/19/12

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

FORM 3 ☐ OTHER AGENCIES REVIEW REQUIRED

FORM 8 ☐ OVER-THE COUNTER ISSUANCE

2 NUMBER OF PLAN SETS

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH.

▼DO NOT WRITE ABOVE THIS LINE▼

DATE FILED	FILING FEE RECEIPT NO.	(1) STREET ADDRESS OF JOB	BLOCK & LOT
9-27-12		810 VAN NESS ST	0739 / 017

PERMIT NO.	ISSUED	(2A) ESTIMATED COST OF JOB	(2B) REVISED COST:
1275885	9-27-12 (PLN)	$30,000	BY: $30,000 DATE: 11/8/12

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR.	(5A) NO. OF STORIES OF OCCUPANCY:	(6A) NO. OF BASEMENTS AND CELLARS:	(7A) PRESENT USE:	(8A) OCCUP. CLASS	(9A) NO. OF DWELLING UNITS:
W	8	Ø	Commercial Ground Floor / Apartments Above	R-2	52

DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR.	(5) NO. OF STORIES OF OCCUPANCY:	(6) NO. OF BASEMENTS AND CELLARS:	(7) PROPOSED USE (LEGAL USE)	(8) OCCUP. CLASS	(9) NO. OF DWELLING UNITS:
W	8	Ø	Apartment / Retail	R-2	52

(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED?	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION?	(12) ELECTRICAL WORK TO BE PERFORMED?	(13) PLUMBING WORK TO BE PERFORMED?
YES ☐ NO ☒	YES ☐ NO ☒	YES ☒ NO ☐	YES ☒ NO ☐

(14) GENERAL CONTRACTOR	ADDRESS	ZIP	PHONE	CALIF.LIC.NO.	EXPIRATION DATE
Owner builder					

(15) OWNER - LESSEE (CROSS OUT ONE)	ADDRESS	ZIP	BTHC#	PHONE (FOR CONTACT BY DEPT.)
ROGER ABU-YAGHY	c/o 26-LAKEVIEW DRIVE	DALY CITY		512-7566

(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFERENCE TO PLANS IS NOT SUFFICIENT)

FIRST TIME TENANT - NEW LOUNGE. EXISTING HANDICAP TOILET. NEW STORAGE. WASH AREA AND PREP AREA. NEW BAR AND SEATING - MEP & LIGHTING UNDER SEPERATE PERMIT

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?	(18) IF (17 IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING?	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA
YES ☐ NO ☒	FT.	YES ☐ NO ☒	SQ. FT.

(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE?	(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN)	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY?
YES ☐ NO ☒	YES ☐ NO ☒	YES ☐ NO ☒	YES ☐ NO ☒

(25) ARCHITECT OR ENGINEER (DESIGN ☐ CONSTRUCTION ☐)	ADDRESS	CALIF.CERTIFICATE NO.

(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")	ADDRESS

IMPORTANT NOTICES

No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing Code.

No portion of building or structure or scaffolding used during construction, to be closer than 6'0" to any wire containing more than 750 volts See Sec 385, California Penal Code.

Pursuant to San Francisco Building Code, the building permit shall be posted on the job. The owner is responsible for approved plans and application being kept at building site.

Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown revised drawings showing correct grade lines, cuts and fills together with complete details of retaining walls and wall footings required must be submitted to this department for approval.

ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED.

BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED.

APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL FOR THE ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT FOR THE WIRING AND PLUMBING MUST BE OBTAINED. SEPARATE PERMITS ARE REQUIRED IF ANSWER IS "YES" TO ANY OF ABOVE QUESTIONS (10) (11) (12) (13) (22) OR (24).

THIS IS NOT A BUILDING PERMIT. NO WORK SHALL BE STARTED UNTIL A BUILDING PERMIT IS ISSUED.

In dwellings all insulating materials must have a clearance of not less than two inches from all electrical wires or equipment.

CHECK APPROPRIATE BOX
☐ OWNER ☒ ARCHITECT
☐ LESSEE ☐ AGENT
☐ CONTRACTOR ☐ ENGINEER

APPLICANT'S CERTIFICATION

I HEREBY CERTIFY AND AGREE THAT IF A PERMIT IS ISSUED FOR THE CONSTRUCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE PERMIT AND ALL LAWS AND ORDINANCES THERETO WILL BE COMPLIED WITH.

NOTICE TO APPLICANT

HOLD HARMLESS CLAUSE. The permittee(s) by acceptance of the permit, agree(s) to indemnify and hold harmless the City and County of San Francisco from and against any and all claim, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City and County of San Francisco, and to assume the defense of the City an County of San Francisco against all such claims, demands or actions.

In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the applicant shall have coverage under (I), or (II) designated below or shall indicate item (III), or (IV), or (V) whichever is applicable. If however item (V) is checked item (IV) must be checked as well. Mark the appropriate method of compliance below.

I hereby affirm under penalty of perjury one of the following declarations:

( ) I. I have and will maintain a certificate of consent to self-insure for worker's compensation, as provided by Section 3700 of the Labor Code, for the performance the work for which this permit is issued.

( ) II. I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier _____

Policy Number _____

( ) III. The cost of the work to be done is $100 or less.

( ) IV. I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California. I further acknowledge that I understand that in the event that I should become subject to the workers' compensation provisions of the Labor Code of California and fail to comply forthwith with the provisions of Section 3800 of the Labor Code, that the permit herein applied for shall be deemed revoked.

(X) V. I certify as the owner (or the agent for the owner) that in the performance of the work for which this permit is issued, I will employ a contractor who complies with the workers' compensation laws of California and who, prior to the commencement of any work, will file a completed copy of this form with the Central Permit Bureau.

Signature of Applicant or Agent: [signature] Date: 9-17-12

5003-03 (REV. 1/02)

APPLICANT COPY

CONDITIONS AND STIPULATIONS

REFER TO:		
	APPROVED: Call 415-558-6570, to schedule inspections for plumbing, electrical and / or plumbing. This application is approved without site inspection, detailed plumbing or electrical plan review and does not constitute an approval of the building. Work authorized must be done in strict accordance with all applicable codes. Any electrical or plumbing work shall require appropriate separate permits. By JAIME VALLE, DBI SEP 18 2012 BUILDING INSPECTOR, DEPT. OF BLDG. INSP.	DATE: REASON: NOTIFIED MR.
☐	APPROVED: Tenant improvements on ground floor. CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW 9/17/2012 MARY WOODS DEPARTMENT OF CITY PLANNING	DATE: REASON: NOTIFIED MR.
☐	APPROVED: PLEASE NOTIFY FIRE INSPECTOR AT THE START OF WORK (415) 558-3300 John Curd, SFFD SEP 18 2012 BUREAU OF FIRE PREVENTION & PUBLIC SAFETY	DATE: REASON: NOTIFIED MR.
☐	APPROVED: OTC MEP & lighting under separate permit. Danny Lau, DBI SEP 18 2012 MECHANICAL ENGINEER, DEPT OF BLDG. INSPECTION	DATE: REASON: NOTIFIED MR.
☐	APPROVED: N/A CIVIL ENGINEER, DEPT OF BLDG INSPECTION	DATE: REASON: NOTIFIED MR.
☐	APPROVED: BUREAU OF ENGINEERING	DATE: REASON: NOTIFIED MR.
☒	APPROVED: Per conditions set forth on plans 9/27/12 DEPARTMENT OF PUBLIC HEALTH	DATE: REASON: NOTIFIED MR.
☒	APPROVED: SFPUC Bill Tom 9/19/12 Sewer capacity charge See attached SFPUC Capacity Charge Invoice for total amount due. DBI will collect 50% or more of the total amount before the Site Permit is issued. Any balance will be billed and collected by SFPUC directly. REDEVELOPMENT AGENCY SFPUC	DATE: REASON: NOTIFIED MR.
☒	APPROVED: Legal use per CFC # 20040924534 No. of Units 52 Floors of Occ. FOR WORK STATED ONLY HOUSING INSPECTION DIVISION 9-19-12	DATE: REASON: NOTIFIED MR.

HOLD SECTION – NOTE DATES AND NAMES OF ALL PERSONS NOTIFIED DURING PROCESSING

I agree to comply with all conditions or stipulations of the various bureaus or department noted on this application, and attached statements of conditions or stipulations, which are hereby made a part of this application.

Number of attachments: ☐

OWNER'S AUTHORIZED AGENT