

File No. 121082

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Neighborhood Services and Safety Date 3/21/13

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)

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Completed by: Derek Evans Date 3/15/13

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 David Campos
Supervisor Eric Mar
Supervisor Norman Yee

From: Inspector Nelly Gordon 
ABC Liaison Unit (ALU) 553-1049

Date: March 11, 2013

Subject: P.C.N. Investigation Regarding:

DBA: F.M. Smokes and Wines
57 New Montgomery Street
Mokles S. Hanna
415/896-2307

F.M. Smokes and Wines has filed an application with the California Department of Alcoholic Beverage Control (ABC) seeking a Type 21 (Off-Sale General) for 57 New Montgomery street (located on the west side of New Montgomery street).

It should be noted that during the application process, notification date for the 500' mailer was on October 24, 2012. The Notice to the Public was posted on October 24, 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 July 2011 to July 2012

2 Police calls

Police Reports: From July 2011 to July 2012

0

San Francisco Plot Information:

This premise is located in Plot **212**

The High Crime area is defined as 215 or more police reports in a plot.

This plot had **578** police incidents recorded for 2011.

Applicant premises is located in a "High Crime" area.

State Census Tract Information:

This premise is located in Census Tract 0615.00

Population for this tract is: **11,502**

On-sale license authorized by census tract: **39**

Active on-sale licenses: **126**

Off-sale licenses authorized by census tract: **11**

Active off-sale licenses: **23**

Applicant premise is currently located in an "undue concentration" area.

Letters of Protest:

0 recorded with the California Department of Alcoholic Beverage Control, (ABC).

Letters of Support:

0 recorded with the California Department of Alcoholic Beverage Control, (ABC).

Departmental Recommendation:

Approval from **Southern Police Station** with recommended conditions.

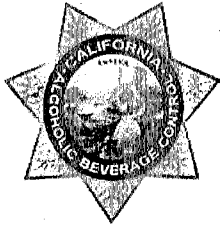
ALU recommends approval. The following conditions have been recommended to the California Department of Alcoholic Beverage Control, (ABC):

1. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 8:00 am and 12:00 am (Midnight) each day of the week.
2. No distilled spirits shall be sold in bottles or containers smaller than 375 milliliters.

3. No wine shall be sold with an alcoholic content greater than 15% by volume.
4. No malt beverage shall be sold with the alcohol content greater than 5.7% by volume.
5. No noise shall be audible beyond the area under control of the licensee.
6. 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 10-19-12.
7. There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages, sold, furnished, or given away at the petitioner's premises in quantities of less than twenty-four (24) in their original multi-container package.
8. All ice shall be sold at or above prevailing prices in the area and in quantities of not less than three (3) pounds per sale and shall not be given away free.
9. No person under the age of 21 shall sell or deliver alcoholic beverages.

Note: On 3/8/2013 Suhail Hanna was contacted and agrees with recommended conditions.

Thank you



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 10/25/2012*

License Information
License Number: 527171
Primary Owner: F M SMOKES AND WINES INC
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: F&M SMOKES & WINE
Business Address
Address: 57 NEW MONTGOMERY ST Census Tract: 0615.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94105
Licensee Information
Licensee: F M SMOKES AND WINES INC
<i>Company Information</i>
Officer: HANNA, MOKLES SADALLAH (PRESIDENT)
Officer: HANNA, SUHAIL SADALLAH (SECRETARY TREASURER)
Stock Holder: HANNA, MOKLES SADALLAH
Stock Holder: HANNA, SUHAIL SADALLAH
License Types
1) License Type: 21 - OFF-SALE GENERAL
License Type Status: PENDING
Status Date: 23-OCT-2012 Term: 12 Month(s)
Original Issue Date: Expiration Date:
Master: Y Duplicate: 0 Fee Code: P40
License Type was Transferred On: FROM: 21-277528
Current Disciplinary Action
<i>... No Active Disciplinary Action found ...</i>
Disciplinary History
<i>... No Disciplinary History found ...</i>
Hold Information
Hold Date: 23-OCT-2012 Type: FORM 220
Escrow
Escrow: SAMER DANFOURA, ESQ., 1303 9TH AVE SAN FRANCISCO,CALIFORNIA 94122

--- End of Report ---

For a definition of codes, view our [glossary](#).



**California Department of Alcoholic
Beverage Control**
*License Query System Summary
as of 10/25/2012*

License Information
License Number: 277528
Primary Owner: AGIL, EMAD IBRAHIM
ABC Office of Application: 24 - SAN FRANCISCO
Business Name
Doing Business As: VETERANS LIQUORS
Business Address
Address: 1710 CHURCH ST Census Tract: 0215.00
City: SAN FRANCISCO County: SAN FRANCISCO
State: CA Zip Code: 94131
Licensee Information
Licensee: AGIL, EMAD IBRAHIM
Licensee: AGIL, JANETTE DAYES
License Types
1) License Type: 21 - OFF-SALE GENERAL
License Type Status: SURRENDERED
Status Date: 07-DEC-2011 Term: 12 Month(s)
Original Issue Date: 07-OCT-1992 Expiration Date: 31-AUG-2013
Master: Y Duplicate: 0 Fee Code: P40
Current Disciplinary Action
Reg. Number: 12077529
Disciplinary History
.. No Disciplinary History found ..
Hold Information
.. No Active Holds found ..
Escrow
.. No Escrow found ..

--- End of Report ---

For a definition of codes, view our [glossary](#).

export To  New!

Records **1** through **1** of **1**

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
<u>113081954</u>		11/04/2011	14:49:43	B	917	3B1C	UTL	57 NEW MONTGOMERY ST

End of document

export To  New!

Records 1 through 1 of 1

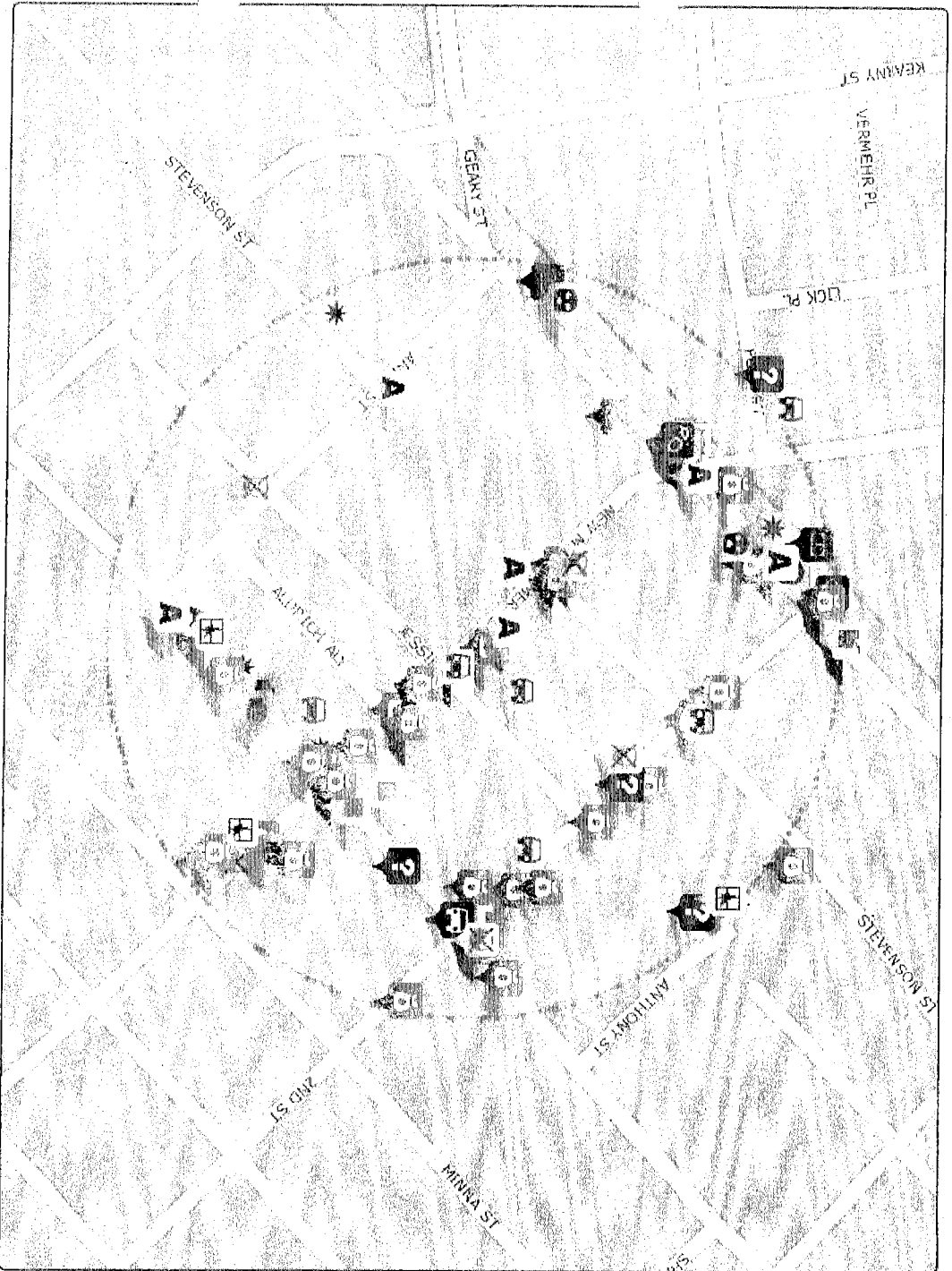
Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
<u>121350954</u>		05/14/2012	09:53:22	B	418	3B11A	HAN	57 NEW MONTGOMERY ST

End of document

57 New Montgomery St. 500 Ft.

10/27/2011-10/25/2012

San Francisco Police Department



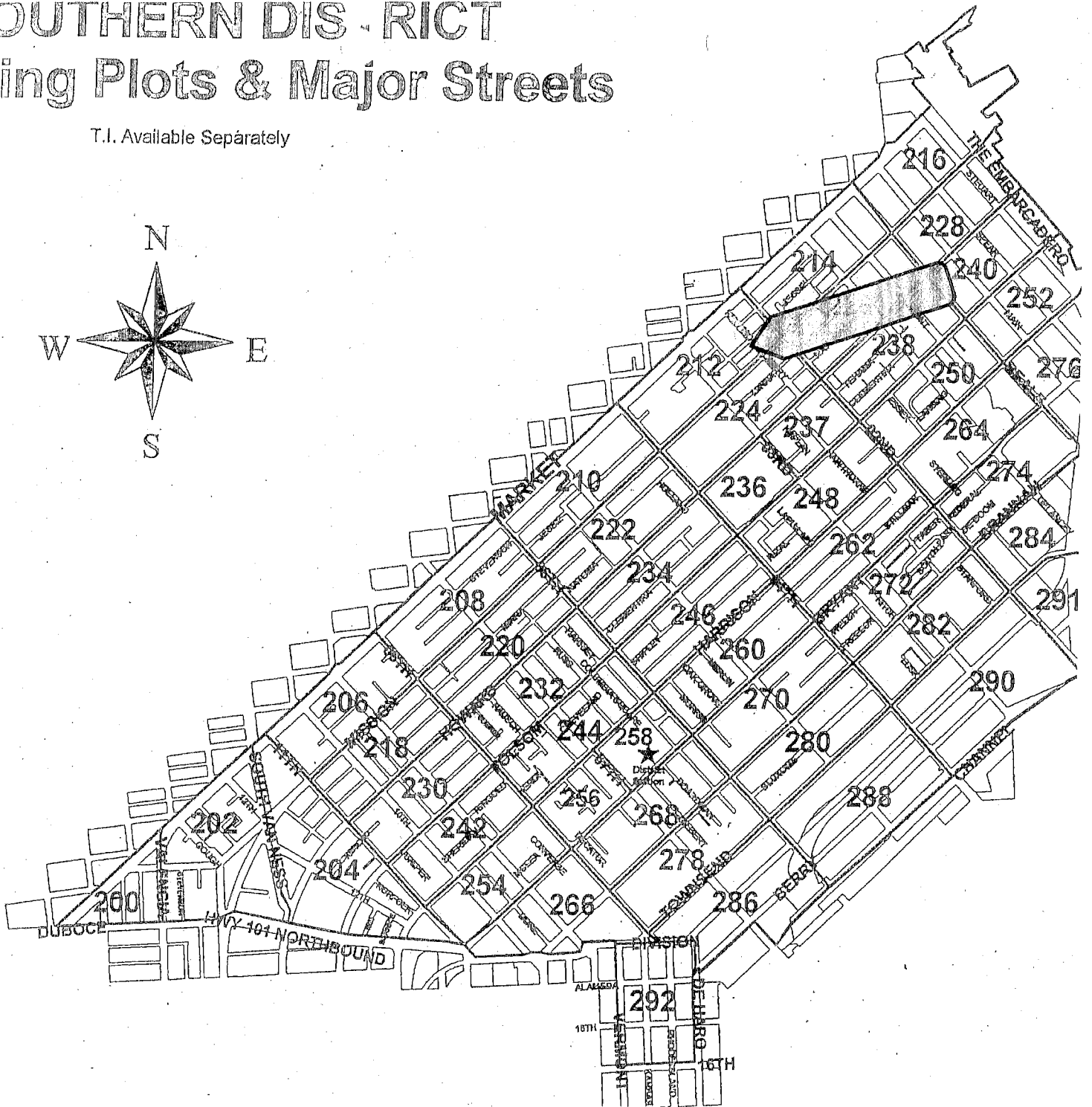
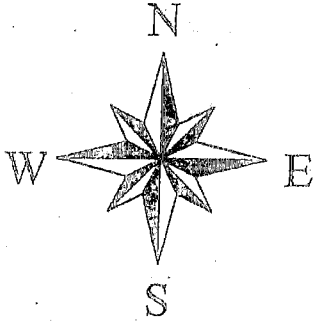
Map Legend	
[Icon]	Incidents (413)
[Icon]	Larceny/Theft (142)
[Icon]	Non-Criminal (56)
[Icon]	Other Offenses (38)
[Icon]	Warrants (37)
[Icon]	Assault (27)
[Icon]	Fraud (16)
[Icon]	Vandalism (15)
[Icon]	Robbery (12)
[Icon]	Suspicious Occurrence (12)
[Icon]	Burglary (11)
[Icon]	Vehicle Theft (8)
[Icon]	Warrants (6)
[Icon]	Forgery/Counterfeiting (6)
[Icon]	Drug/Narcotic (4)
[Icon]	Secondary Codes (4)
[Icon]	Trespassing (4)
[Icon]	Disorderly Conduct (4)
[Icon]	Drunkenness (2)
[Icon]	Weapon Laws (2)
[Icon]	Bad Checks (1)
[Icon]	Arson (1)
[Icon]	D.U.I. (1)
[Icon]	Recovered Vehicle (1)
[Icon]	Sex Offenses, Forcible (1)
[Icon]	Liquor Laws (1)
[Icon]	Loitering (1)

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

SOUTHERN DISTRICT Zoning Plots & Major Streets


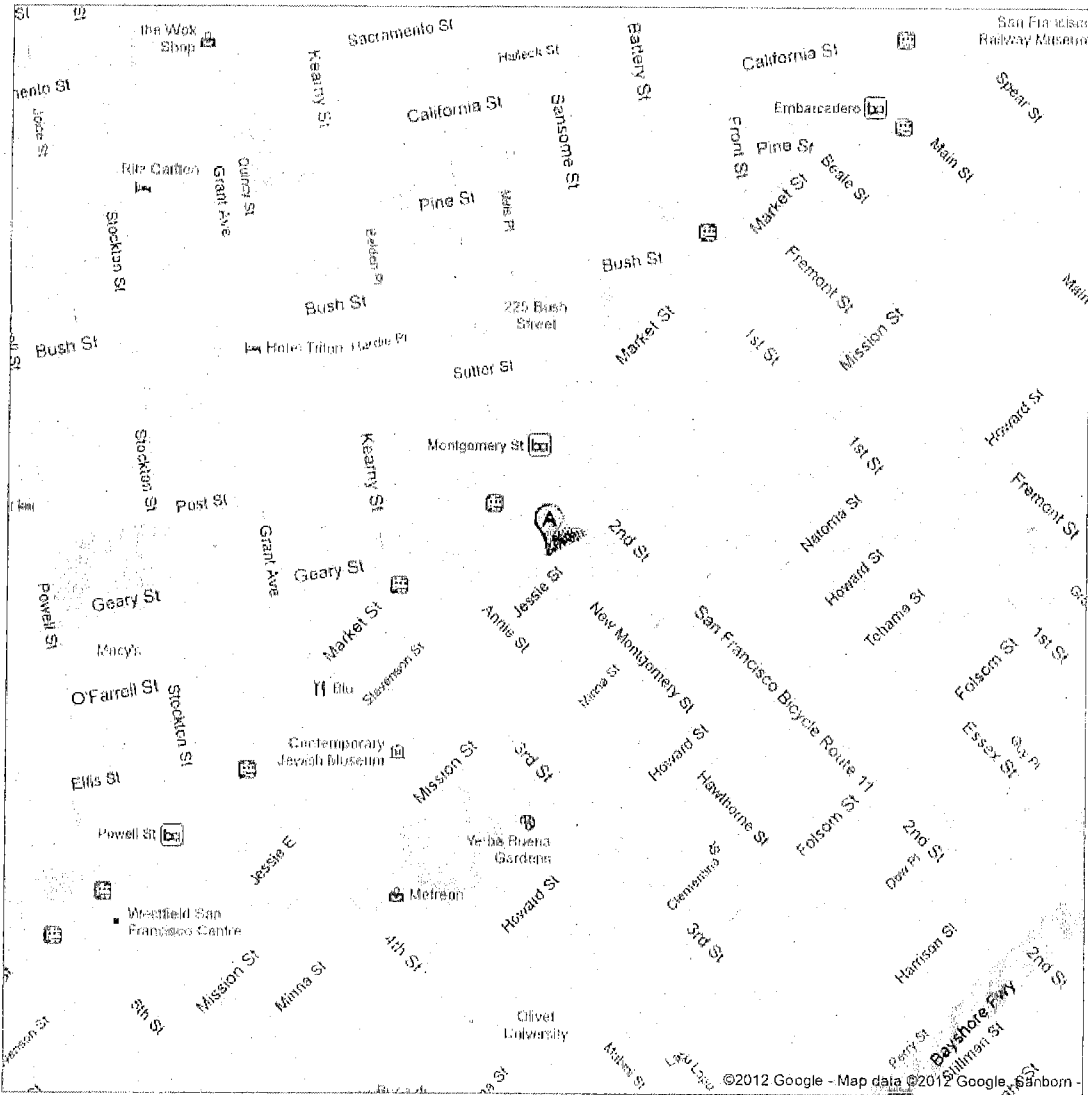
T.I. Available Separately





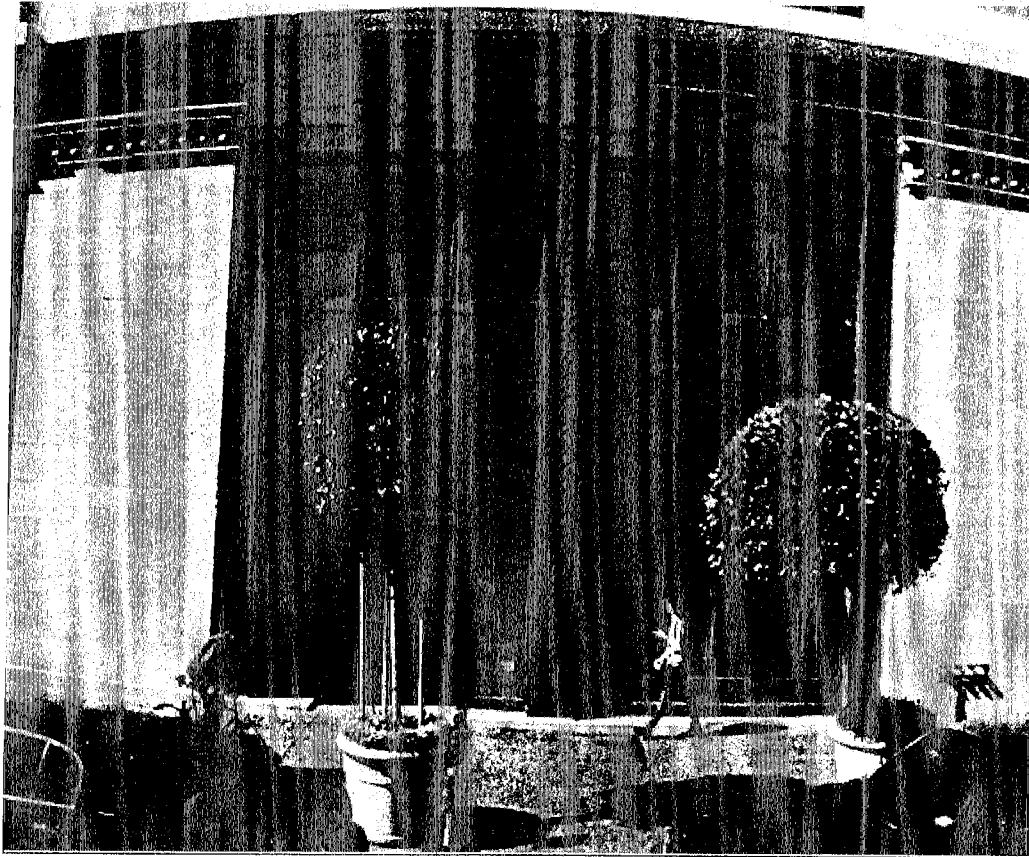
Address 57 New Montgomery St
San Francisco, CA 94105

Get Google Maps on your phone
Text the word "GMAPS" to 466453

Google

Address 57 New Montgomery St
San Francisco, CA 94105



San Francisco Planning Department
Office of Analysis and Information Systems

Miscellaneous Permit Application

Application Number: MB1201983

Business Name: F.M. SMOKES AND WINES

Received Date: 11/07/2012

Reply Date: 11/21/2012

Agency: BofS

Type: OFF-SALE GENERAL, LIQUOR STORE - TYPE 21

Address: 57 NEW MONTGOMERY ST

Floor:

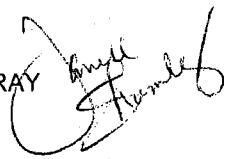
Size:

Block: 3707 Lot: 052 Zoning: C-3-O(SD)

Quadrant: NORTHEAST

Existing Use:

Planner: JANICE SHAMBRAY



Decision: APPROVED

Status Comment:

Conditions: TYPE 21 LICENSE PERMITTED PER SECTION 218 (B) OF THE PLANNING CODE.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2012 OCT 30 PM 2:59

AK

October 26, 2012

Re: F M Smokes and Wines Inc.
57 New Montgomery St.
San Francisco, CA 94105

S.F. Board of Supervisors
401 Van Ness Ave., Room 244
S.F., CA 94102

Dear Deputy Clerk:

The Department of Alcoholic Beverage Control requires the local governing body to make a public convenience and necessity determination.

An application for an off-sale general (type 21) license was filed on 10-23-12.

I can be reached at 57 New Montgomery St. My phone number is 415-896-2307.

Sincerely,



Mokles S. Hanna
President

171082

LIQUOR LICENSE REVIEW

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

File: 121082

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

DATE: November 7, 2012

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

Applicant Name: Mokles S. Hanna
and Business Name: F.M. Smokes and Wines (57 New Montgomery St)
Applicant Address: 57 New Montgomery Street
San Francisco, CA 94105
and Phone No. (415) 896-2307

PLANNING COMMENTS: Approval Denial

POLICE COMMENTS: Approval Denial