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NO.264 001




### San Francisco Police Department **Vice Crimes Division**

Alcoholic Beverage License

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

**Supervisor Carmen Chu**  
**Supervisor John Avalos**  
**Supervisor Sean Elsbernd**

**From:** Inspector Dave Falzon   
Vice Crimes Division 415/553-9369

**Date:** February 19, 2010

**Subject:** P.C.N. Investigation Regarding: Mr. Nassir Zughayir  
dba Sammy's on 2nd  
84 Second Street  
624-6751

Mr. Nassir Zughayir on behalf of Sammy's on 2nd has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 21 (Off-Sale beer, wine, & distilled spirits) license for 2111 Market Street (located between Church Street and 15th Street).

**Proposed Hours of Operation:**

Sunday	Closed
Monday - Thursday	7:00 a.m. - 10:00 p.m.
Friday - Saturday	7:00 a.m. - 12:00 midnight

**Digest**

If approved, this license will allow the applicant(s) to sell off-sale beer, wine, and distilled spirits.

**Letters of Protest:**

**No record**

**Letters of Support:**

**No record**

**Police Calls for Service:**

From November 2, 2009 to February 2, 2010

**No Record**

**Police Reports:**

From February 2, 2009 to February 2, 2010

**No Record**

**San Francisco Plot Information:**

This premise is located in Plot **214**

**486** Police Reports were recorded for this plot in *2009*

This plot is **265** Police Report(s) *over* the citywide average (plus 20%) of **221** Police Reports.

**State Census Tract Information:**

This premise is located in Census Tract **0176.02**

Population for this tract is: **534**

On-sale license authorized by census tract: **2**  
Active on-sale licenses: **70** with **0** pending

Off-sale licenses authorized by census tract: **1**  
Active off-sale licenses: **6** with **0** pending

**District Station Recommendation:**

Southern Police Station recommendation: *Approval w/conditions*

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**Vice Crime Division Recommendation:**

Points of consideration:

**APPROVAL w/conditions** recommendation forwarded by **Southern Police Station**.

Applicant premise is located in a "high crime" area.

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

**No Record** letters of protest.**No Record** letters of support.Vice Crimes Division concurs with the **APPROVAL w/conditions** recommendation forwarded by **Southern Police Station**.**Proposed Conditions:**

Sales of alcoholic beverages shall be permitted between the hours of 9:00 a.m. and 10:00 p.m., Sunday – Thursday and 9:00 a.m. to 12:00 midnight, Friday and Saturday.

No more than 10% of the square footage of the premises will be used for the display of alcoholic beverages.

No noise shall be audible beyond the area under control of the license.

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

Graffiti shall be removed from the premises and all parking lots under the control of the licensee within seventy-two (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 seventy-two (72) hours following the beginning of the next weekday.

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.

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 \_\_\_\_\_.

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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.

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.

No person under the age of 21 shall sell or deliver alcoholic beverages.

The sale of distilled spirits in sizes smaller than 200 ml is strictly prohibited.

No malt beverage shall be sold with an alcoholic content great than 5.7% by volume.

The sales of beer or malt beverages in quantities of 16 oz., 22 oz., 32 oz., 40 oz., or similar size containers is prohibited.

No beer or malt beverages shall be sold in quantities of less than manufacturer pre-packaged six packs per sale with the exception of wine-coolers, beer coolers which must be sold in manufacturer pre-packaged multi-unit quantities of four (4) or more.

No wine shall be sold with an alcoholic content of great than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corded bottles.

Wine shall not be sold in bottles or containers smaller than 750 ml.

end.

