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	COMMITTEE/BOA	ARD OF SUPER	RVISORS
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Board of Su	pervisors Meeting	Da	te <u>10/2/12</u>
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	Motion		
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	Ordinance		• •
	Legislative Digest		
	Budget and Legislativ	e Analyst Report	
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	Youth Commission Re	eport	•
	Introduction Form (for	r hearings)	
	Department/Agency C	over Letter and/or I	Report
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RESOLUTION NO.	
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[Liquor License - 937 Geary Street]

4 5

the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

Resolution determining that the issuance of a Type 42 on-sale beer and wine for

public premises bar license to Mohammad Awadalla for Amsterdam Cafe, located

at 937 Geary Street (District 6), will serve the public convenience or necessity of

WHEREAS, Mohammad Awadalla is seeking the issuance of a Type 42 on-sale beer and wine for public premises bar license for Amsterdam Cafe, located at 937 Geary Street; and,

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

WHEREAS, The Police Department has filed two protests with the Department of Alcoholic Beverage Control under Section 24013 of the California Business and Professions Code, 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: 1)
There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition; 2) The sale of alcoholic

BOARD OF SUPERVISORS

24

25

1

beverages for consumption off the premises is strictly prohibited; 3) Sales, service or consumption of alcoholic beverages shall be permitted only between 11:00 am and 12:00 am (midnight) Sunday and Thursday and 11:00 am to 2:00 am on Friday and Saturdays; 4) No noise shall be audible beyond the area under the control of the licensee(s) as defined on the ABC-257; 5) 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; 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; and 7) The petitioner shall utilized electronic surveillance and recording equipment that is able to view all exits and entrance points of the exterior of the premises. The electronic surveillance/recording shall be operational at all times that the premises open to the public. Said electronic recording shall be maintained and kept for a no less than 72 hours and shall be made available to Law Enforcement on demand; now, therefore, be

RESOLVED, That in accordance with Section 23958.4 of the California Business and Professions Code, the Board of Supervisors of the City and County of San Francisco hereby determines for the foregoing reasons that the issuance of a Type 42 on-sale beer and wine for public premises bar license to Mohammad Awadalla for Amsterdam Cafe, located at 937 Geary Street, will serve the public convenience or necessity of the people of the City and County of San Francisco; and

BOARD OF SUPERVISORS

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

BOARD OF SUPERVISORS

Page 3 [9/24/2012]



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:

June 27, 2012

Subject:

P.C.N. Investigation Regarding:

Awadalla, Mohammad Mustafa

DBA: Amsterdam Cafe

937 Geary Street Mohammad Awadalla (415)678-9490

Mohammad Awadalla, on behalf of Amsterdam Cafe, has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 42 (On-Sale Beer and Wine for Public Premises) bar license for 937 Geary Street, located on the south side of Geary Street between Polk Street and Larkin Street. This premises is currently licensed by the ABC as a Type 41 (On-Sale Beer and Wine-Eating Place) restaurant. There are five (5) current conditions on this active license.

During the application process, the Notice to the Public was posted on April 27, 2012. The notification date for the 500' mailer was originally on May 7, 2012. The applicant sent out another notification to the 500' area on August 21, 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 May 2011 to May 2012

8 Police calls

Police Reports:

From May 2011 to May 2012

937 Geary Street, Type 42-521227

3 Reports

San Francisco Plot Information:

This premise is located in Plot 547

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

This plot had 1,637 police reports recorded for 2010. This is over the High Crime area definition by 1,422 police reports.

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

State Census Tract Information:

This premise is located in Census Tract 122.02

Population for this tract is: 7,035

On-sale license authorized by census tract: 25

Active on-sale licenses: 34

Off-sale licenses authorized by census tract: 8

Active off-sale licenses: 9

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

Letters of Protest:

Two (2) valid protest letters were received by the California Department of Alcoholic Beverage Control, (ABC).

Letters of Support:

There is no record 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):

Of the 5 current conditions on the active Type 41 license, the Police Department remains silent on the first two conditions. These conditions are entertainment related and no longer under the jurisdiction of the Police Department.

937 Geary Street, Type 42-521227

The remaining active conditions have been recommended for the Type 42 application.

- 1. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- 2. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
- 3. Sales, service or consumption of alcoholic beverages shall be permitted only between 11:00 am and 12:00 am (midnight) Sunday and Thursday and 11:00 am to 2:00 am on Friday and Saturdays.

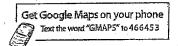
Additionally, the following conditions have been recommended for the Type 42 application.

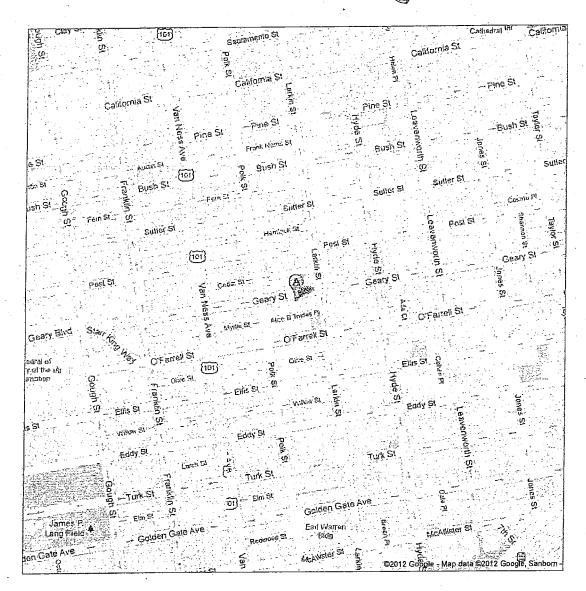
- 4. No noise shall be audible beyond the area under the control of the licensee(s) as defined on the ABC-257.
- 5. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee as depicted on the ABC-257.
- 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. The petitioner shall utilized electronic surveillance and recording equipment that is able to view all exits and entrance points of the exterior of the premises. The electronic surveillance/recording shall be operational at all times that the premises open to the public. Said electronic recording shall be maintained and kept for a no less than 72 hours and shall be made available to Law Enforcement on demand.

Thank you

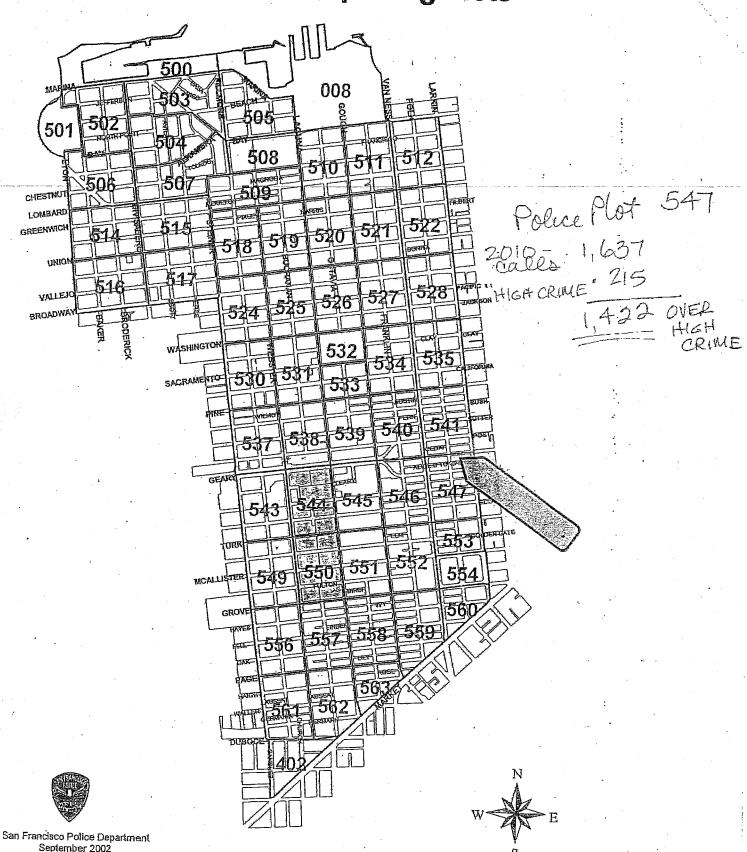
Google

Address 937 Geary St San Francisco, CA 94109





NORTHERN DISTRICT Major Streets & Reporting Plots

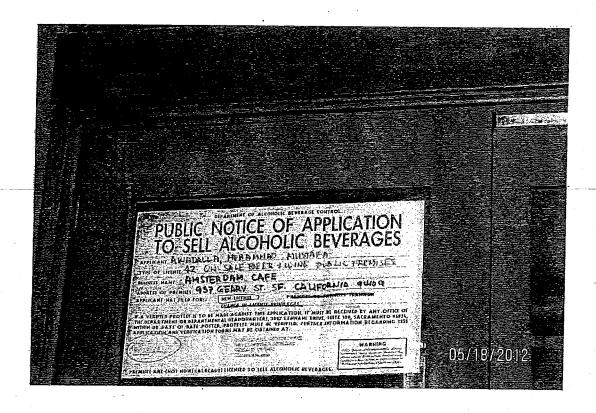


🌠 U.S. Census Bureau

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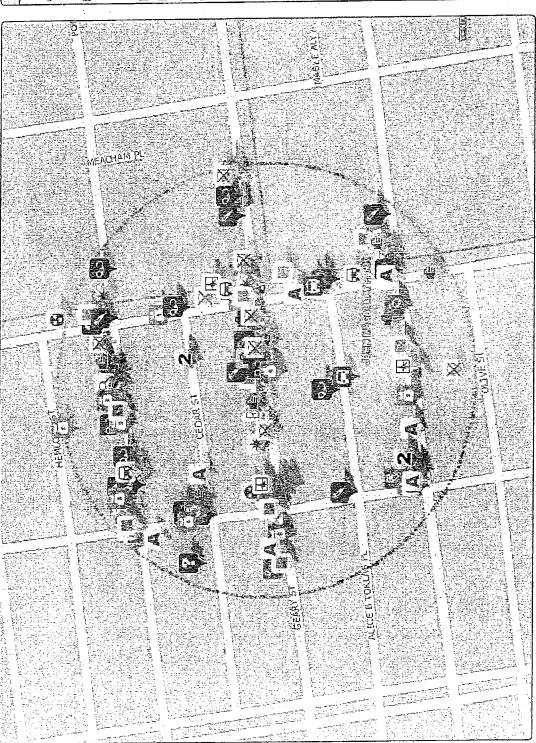
937 Geary Street-Amsterdam Cafe

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Your Selections	122.01	1
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Map Legend



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 onerchantability or filness 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: 5/11/2012 10:18:55 AM

Suspicious Occurrence (25) Sex Offenses, Forcible (7) Forgery/Counterfeiting (1) Disorderly Conduct (1) Recovered Vehicle (2) Secondary Codes (15) Other Offenses (140) Missing Person (10) Incidents (1004) Stolen Property (1) Larceny/Theft (126) Weapon Laws (5) Drug/Narcotic (90) Vehicle Theff (16) Non-Criminal (98) Drunkenness (4) Liquor Laws (1) Trespassing (6) Vandalism (36) Prostitution (7) Kidnapping (7) Homicide (1) Wárrants (93) Warrants (83) Burglary (25) Robbery (44) Assault (143) Fraud (10) D.U.I. (6) Arson (1)

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Records 1 through 6 of 6

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
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120972219		04/06/2012	16:25:39	C .	917	3E13D		937 GEARY ST
120663434		03/06/2012	23:53:20	В	418			937 GEARY ST
113131991	110905019	11/09/2011	14:36:18	c 🗸	459	3E13C	1	937 GEARY ST

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Records 1 through 2 of 2

Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
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111573108	110458488	06/06/2011	21:24:54	В	519	3E13E	1	937 GEARY ST

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P.003

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Department of Acoholic Deverage Conitol
PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION

State of California

- -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 logibly of type. Incomplete and/or lilegible information will cause the protest to be rejected,
- -You will be notified by latter 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 your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

Part Complet Bandaries				age Control Act to:	
California Produce		1Nametal	of Applicant(s))	+ · · · · · · · · · · · · · · · · · · ·	
For premises at:			-tryphenical		
	•			•	
937 Cleary St. San Pranc	isco, CA 94109	·			
	ŕ	(Ехаці воргезь	of proposed premises)		
on the grounds that:					
The premises is located wit					u trie . A
The safe of alcoholic boven as well as noise pollution. I more than 20 hars in the vic Vertigo Ber, Lush Lounge t In addition, it has been rold would also be note worthy:	focusing the premise inity, tesuance of the lart. Divas Bar, O'fa that by many people	ies would create a ne license windid a arrel St. Dar, and a e in the area stare	public nuisance a dd to an undue co to tot and so forth that the applicant	us we alrendy linve end oncentration of Heerisc i, t is currently selling wh	nigh noise, drankards and sauch as the Hemlock bar. whol during sight hours, is
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PA (1) That I am the protestant same is true of my own kno those matter. I believe to b	oht (Nome of Princian) i herein; (2) That I b iswledge except as to	ave read the abov	e prutest and kno	under penalty of provided in the contents thereof and on information and provided in S-345.	eriury: and (3) That the d belief, and as to 's receptour number (00,000), 1700

ABC-510-A (07/08)

P.006

May 16, 2012

Department of Alcoholic Beverage Control 1515 Clay Street, Suite 2208 Oakland, CA 94612

RE: Amsterdam Café

937 Geary Street San Francisco, CA 94109

Dear Alcoholic Béverage Control:

I am writing to protest Amsterdam Café's request for a 42-on-sale beer and wine license. Our neighborhood is over saturated with bars and liquor stores now. To turn a restaurant into a bar is not good for our community.

This location is only a short distance to "Next Door" shelter, which most of the residents already have a substance abuse problem. Lower Polk Street is working hard to bring positive businesses to our area, such as grocery stores and mom and pop shops, not more bars.

I feel Amsterdam Caté needs to stay as a restaurant and not be allowed to become a fust another bar.

Regards,

Ron Case

1033 Polk Street

San Francisco, CA 94109

Department of Alcoholic Beverage Control

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

State of California

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- Please print legibly or type, incomplete and/or illegible information will cause the protest to be rejected.
- . You will be notified by letter whether or not your your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will
 need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed
 abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA), (Gov. Gode sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be
 provided to the applicant as part of the licensing process.

I hereby photest the issuance of a license under the Alcoholic Beverage Control Act to:
(Namb(a) of Applicant(a))
For premises at:
13.7 GEAN ST SAN PANCISCO, CA 9410
on the grounds that:
OUP HEIGHBORHOOD IS SLIPPADY CATCHATED WITH POLP. WE TO HOT HEED SHOTHER RESTRUPANT CHANGING TO A PEAR
Check here if additional sheets attached , declare under penalty of perjury:
(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.
PROTESTANTS SIGNATURE PROTESTANTS SIGNATURE TELEPHONE NUMBER (Optioned & non-public) A 5 . 35 1 - 3900 DATE SIGNATO PROTESTANT'S ADDRESS (Full address: Suebi next) & number, Unit of Abi No. Chy, State, & Z(h Coda) PROTESTANT'S ADDRESS (Full address: Suebi next) & number, Unit of Abi No. Chy, State, & Z(h Coda)
ABC-510-A (Rev. April 2010)

LIQUOR LICENSE REVIEW

TO:	Planning Depa AnMarie Rodg Georgia Powe Fax No.: 558-	ers/CTYPLN/SF(II/CTYPLN/SFGC	V@SFGOV	File: 120465 Block/lot: Zonin: R	0716/8)/C
TO:	Inspector Kenr Police Departn Fax No.: 553-	nent		Toning: R Quad: 1 Mp 4		<u> </u>
DATE:	May 15, 2012	heard at a meeti	ia on June 25	2012 PLEAS		
EMAIL YOU	R RESPONSE Ind Neighborhoo	BY: June 21, 20 od Services Com on@sfgov.org -	12, to Gail Joh mittee.	ınson, Clerk, Cit		
Applicant N and Busines Applicant A and Phone I	ss Name: A ddress: 9 S	Iohammad Awad msterdam Cafe 37 Geary Street an Francisco, C# 115) 678-9490				•
DI ANNIN	G COMME	MTS: III	/ Approval	Denial		
Per S	sections	218(b) and	and 200	i. 8(c) of	the	
POLICE (COMMENTS	S: 🔲 A	pproval	☐ Denial		

LL Review Referral Letter

7/23/09

Fil	· #	12	04	165
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	May 3, 2012	
	Clerk of the Board	30 ARI SA 2012 N
	San Fransisco Board of Supervisors	NORE FIRE
	IDr. Caviton B. Goodlett Place, Room # 244	S P S S S S S S S S S S S S S S S S S S
	SonFrancisco, CA 9402	3
	Dear Sir/madam,	20 20 20
	Aplication for Beer wine License Amsterda Sanfrancisco CA 94109	m Cufe 937 Geory St.
The table of the second	in Connection with my application for Beer & the following information:	wine License please No
	Name! Mohammad Awadalla	
	Day time phone # (415) 678-9490	
	Business Name / Address: Amsterdam Cafe 93 CA 94/09	37 Geomy Sty Sanfroncisco
	Business Hours! 11:00 Am - 2:00 Am	
	Thank you for your Consideration of Amstedam for this license.	n Case application
	Sincerely,	
-	Mohammad Awadalla 871	ار بیان باید او بیان باید از این باید باید از این این باید از این این باید از این باید باید از این این باید از این بیشترین باید از این این باید از ای

April 24, 2012 PCN REQUIREMENTS (APPLICANT)

MOHAMMAD MUSTAFA AWADALLA, TYPE 42-521227

HOW WILL ISSUANCE OF THE LICENSE ENHANCE THE QUALITY OF LIFE IN THE AREA OF THE PREMISES

Our business is becoming a premier travel destination in San Francisco. We have been featured in the San Francisco Examiner, 7x7 Magazine and BeerAdvocate.com

HOW WILL ISSUANCE OF APPLIED-FOR LICENSE ENSURE QUIET ENJOYMENT OF THE AREA RESIDENTS'

Our business provides security cameras on-site. We provide a door person during busy weekend hours.

HOW WILL LICENSE ISSUANCE SERVE COMMUNITY SURROUNDING THE PREMISES

Our business supports the local art community and participates in annual Alzheimer's and Breast Cancer donation drives.

HOW WILL THE PREMISES OPERATION NOT ENHANCE CRIME WITHIN A HIGH CRIME/POLICE AREA

Our business has a No Tolerance for Loitering policy. We have a good reputation established in our neighborhood as an up-scale business.

WHAT FISCAL BENEFIT WILL THE COMMUNITY EXPERIENCE AS A RESULT OF ISSUANCE OF LICENSE

Our business would be able to create new jobs in a down-economy while other businesses are laying-off employees or are not capable of hiring at all.

HOW IS THE PREMISES OPERATION DIFFERENT FROM OTHER LIKE-TYPE ESTABLISHMENTS IN AREA

Our business is located in a heavily concentrated area of tourist hostels and hotels that can offer exclusive international selection and service. There are no other similar businesses in our neighborhood.

WILL THE APPLICANT CONSIDER THE IMPOSITION OF CONDITIONS TO ADDRESS COMMUNITY CONCERNS

As long standing business owners in the neighborhood for over ten years, we have been working with our neighbors to clean up our block and promote a safe and fun experience to all customers.

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY	ABC				
1. APPLICANT'S NAME					
AWADALLA, MOHAMMAD	MUSTAFA				
2. PREMISES ADDRESS (Street number and name, o				3. LICENSE TYPE	
937 GEARY ST., SAN FRAN	ICISCO, CA 94109	<u> </u>	· •	42	
Full Service Restaurant	Hofbrau/Cafeteria	Cocktail Lounge		Private Club	
Deli or Specialty Restaurant	Comedy Club	Night Club		Veterans Club	
Cafe/Coffee Shop	Brew Pub	X Tavern: Beer		Fraternal Club	
Bed & Breakfast:	Theater	Tavern: Beer & Wine			
Wine only All		Tavoin. Deer a vviile		Wine Tasting Room	
Supermarket	Membership Store	Service Station		Swap Meet/Flea Mark	
Liquor Store	Department Store	Convenience Market	· .	Drive-in Dairy	-1
Drug/Variety Store	Florist/Gift Shop	Convenience Market w/	(Gasoline		
Other - describe:	 ·				
5. COUNTY POPULATION	6. TOTAL NUMBER OF LICENSES I	N COUNTY	7. RATIO OF LICE	NSES TO POPULATION IN COU	.ITV
812, 820 (7035)	284	X On-Sale Off-Sale	TO THE CITY OF LIGHT	On-Sale	
8. CENSUS TRACT NUMBER	9. NO. OF LICENSES ALLOWED IN	CENSUS TRACT	10. NO. OF LICENS	SES EXISTING IN CENSUS TRAC	
32.02	25	X On-Sale Off-Sale	34	X On-Sale	Off-Sale
S THE ABOVE CENSUS TRACT OVERCONCENT	RATED WITH LICENSES? (i.e., does the	e ratio of licenses to population in the	census tract exceed t	the ratio of licenses to population	for the entire county?)
res, the number of existing licenses e	xceeds the number allowed	21	- PUB		· · · · · · · · · · · · · · · · · · ·
No, the number of existing licenses is	lower than the number allowed		100		
12. DOES LAW ENFORCEMENT AGENCY MAINTAIN					· · · · · · · · · · · · · · · · · · ·
X Yes (Go to Item #13)	No (Go to Item #20)				
13. CRIME REPORTING DISTRICT NUMBER	14. TOTAL NUMBER OF REPORTIN	G DISTRICTS	15. TOTAL NUMBE	R OF OFFENSES IN ALL REPOF	TING DISTRICTS
547 16. AVERAGE NO. OF OFFENSES PER DISTRICT	654		117,571		
179	17. 120% OF AVERAGE NUMBER OF 214.8	F OFFENSES	18. TOTAL NUMBE	R OF OFFENSES IN REPORTING	DISTRICT
19. IS THE PREMISES LOCATED IN A HIGH CRIME R	REPORTING DISTRICT? (i.e., has a 20%	greater number of reported crimes that	an the average number	er of reported crimes as determine	II
The state of the s	aw enforcement agency)	•		- or reported crimes as determine	d from all crime
X Yes, the total number of offenses in the			n #17		
No, the total number of offenses in the	reporting district is lower than	the total number in item #17			
20. CHECK THE BOX THAT APPLIES (check only one	box) 1 and item #10. Section 22050	4 D P D do no mot a mala la 11 t			
a. If "No" is checked in both item #1 on this issue. Advise the applicant to	bring this completed form to A	BC when filing the application	application, and	d no additional information	will be needed
b. If "Yes" is checked in either item # retail license issued for a hotel, motel	or other lodging establishment	ant is applying for a non-retain	il license, a retail	bona fide public eating p	ace license, a
beer manufacturer's license; or wineg	rower's license, advise the app	licant to complete Section 2	and bring the co	mpleted form to ARC who	njuction with a
application or as soon as possible the	reafter.			Piotod form to ADO WITE	Timing the
X c. If "Yes" is checked in either item #	44 15 5740 1.11				
c. If "Yes" is checked in either item # sale beer license, an on-sale beer and form to the local reversing body, or it	11 <u>or</u> item #19, <u>and</u> the applications	ant is applying for an off-sale	beer and wine ii	cense, ап off-sale genera	license, an on-
form to the local governing body, or its	s designated subordinate office	s, or an on-sale general (publ For body to have them compl	ic premises) lice	nse, advise the <u>applicant</u>	<u>to take this</u>
provided to ABC in order to process the	ne application.	e gody to mayo anom odnipr	icic occiion 3	the completed form will be	ed to be
overning Body/Designated Subordina	ite Name: Board of Su	Inervisors			
FOR DEPARTMENT USE ONLY	<u> </u>	POL 10010			
PREPARED BY (Name of Department Employee)					
Jason			·		
ABC-245 (rev. 01-11)		873			