

1 [Liquor License - 810 Van Ness Avenue]

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3 **Resolution determining that the issuance of a Type 42 on-sale beer and wine**
4 **license to Roger Abuyaghi (Nob Hill Restaurant Ventures Inc.) for After Five,**
5 **located at 810 Van Ness Avenue (District 6), will serve the public convenience and**
6 **necessity of the City and County of San Francisco, in accordance with Section**
7 **23958.4 of the California Business and Professions Code, and recommending that**
8 **the California Department of Alcoholic Beverage Control impose conditions on**
9 **the issuance of the license.**

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11 WHEREAS, Roger Abuyaghi is seeking the issuance of a Type 42 on-sale beer
12 and wine license for After Five, located at 810 Van Ness Avenue; and,

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

15 WHEREAS, The Police Department has filed a protest with the Department of
16 Alcoholic Beverage Control under Section 24013 of the California Business and
17 Professions Code, and recommends that the Department of Alcoholic Beverage Control
18 issue the liquor license with conditions; and

19 WHEREAS, The conditions recommended by the Police Department are: 1)
20 Sales, service, and consumption of alcoholic beverages shall be permitted only between
21 the hours of 12:00 noon and 11:00 p.m. each day of the week; 2) The sale of alcoholic
22 beverages for off-sale consumption is strictly prohibited; 3) No noise shall be audible
23 beyond the area under the control of the licensee(s) as depicted on the ABC-257 dated
24 6/12/12; 4) The petitioner(s) shall be responsible for maintaining free of litter the area

1 adjacent to the premises over which they have control; 5) Graffiti shall be removed from
2 the premises and all parking lots under the control of the licensee within 72 hours of
3 application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the
4 licensee shall remove the graffiti within 72 hours following the beginning of the next
5 weekday; 6) The exterior of the premises shall be equipped with lighting of sufficient
6 power to illuminate and make easily discernible the appearance and conduct of all
7 persons on or about the premises. Additionally, the position of such lighting shall not
8 disturb the normal privacy and use of any neighboring residences; and 7) Loitering
9 (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is
10 prohibited on any sidewalks or property adjacent to the licensed premises under the
11 control of the licensee(s) as depicted on the ABC-257 dated 6/12/12; now, therefore, be
12 it

13 RESOLVED, That in accordance with Section 23958.4 of the California Business
14 and Professions Code, the Board of Supervisors of the City and County of
15 San Francisco hereby determines for the foregoing reasons that the issuance of a Type
16 42 on-sale beer and wine license to Roger Abuyaghi for After Five, located at 810 Van
17 Ness Avenue, will serve the public convenience or necessity of the City and County of
18 San Francisco; and

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