

File No. 120826

Committee Item No. 3

Board Item No. 11

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: City Operations

Date 10/22/12

Board of Supervisors Meeting

Date 10/30/12

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form (for hearings)
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	MOU
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 – Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Application
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Public Correspondence

OTHER (Use back side if additional space is needed)

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Completed by: Derek Evans Date 10/19/12

Completed by: Derek Evans Date 10/24/12

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

1 [Liquor License - 810 Van Ness Avenue]

2
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.

10
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
25

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.



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 *ALU*
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:

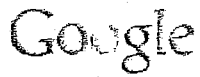
No opposition from Northern Station

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.

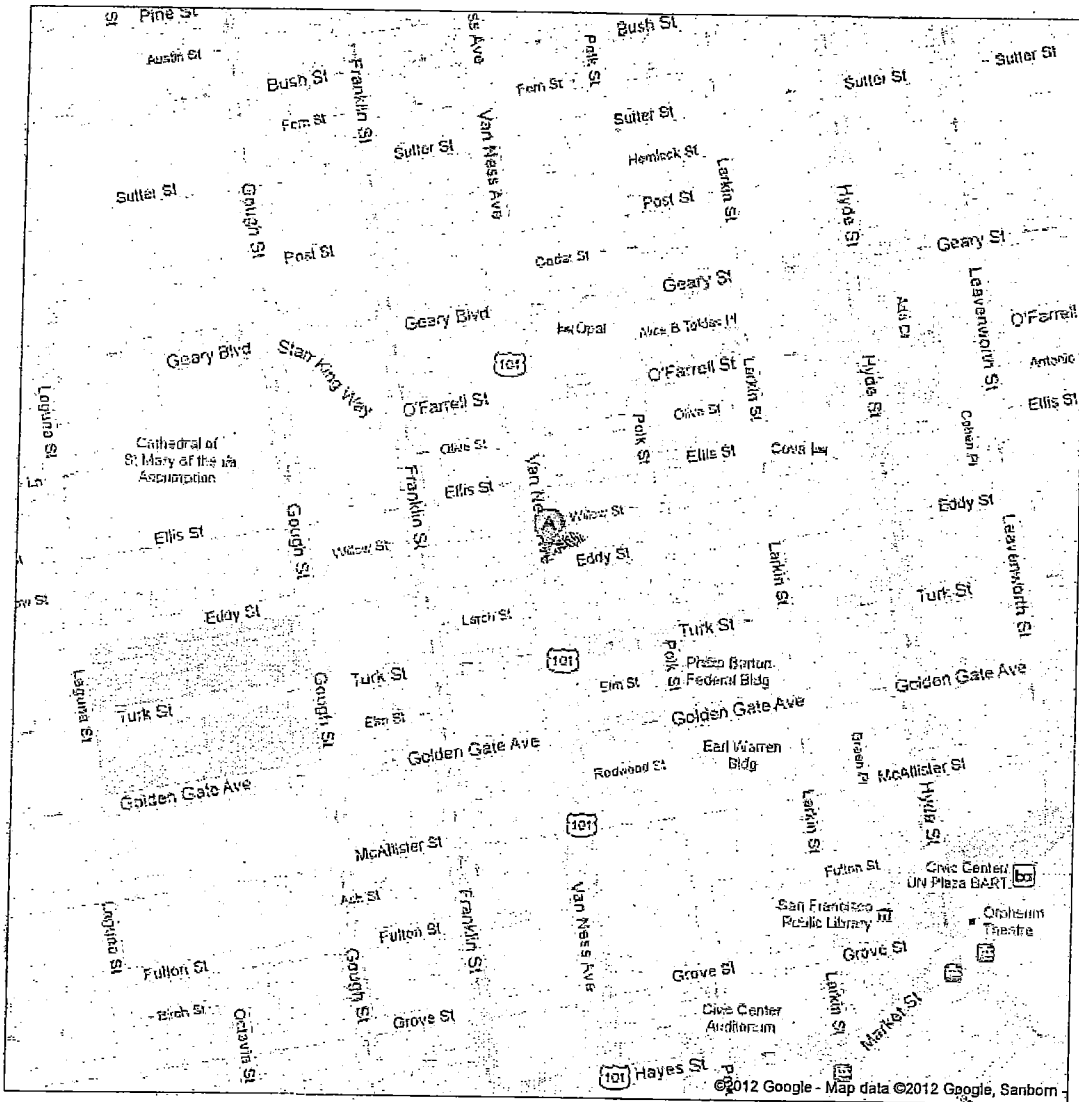
3. No noise shall be audible beyond the area under the control of the licensee(s) as depicted on the ABC-257 dated 6/12/12.
4. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
5. Graffiti shall be removed from the premises 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



Address 810 Van Ness Ave
San Francisco, CA 94109

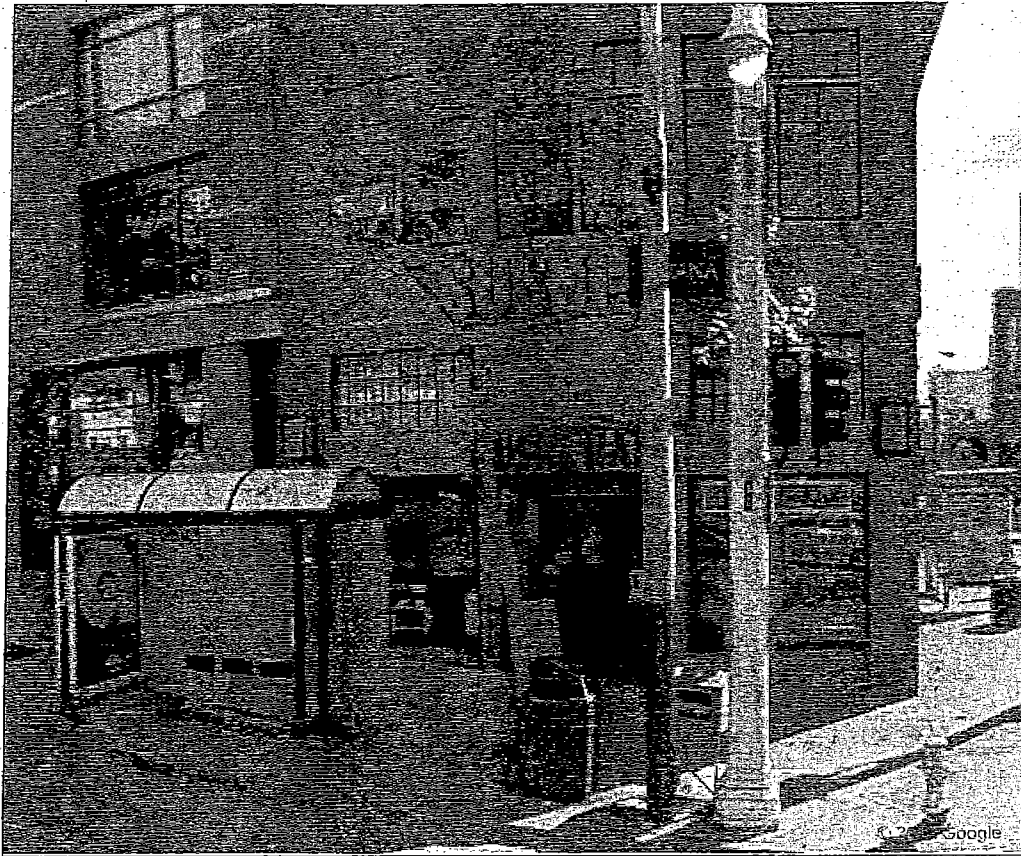
42-523227



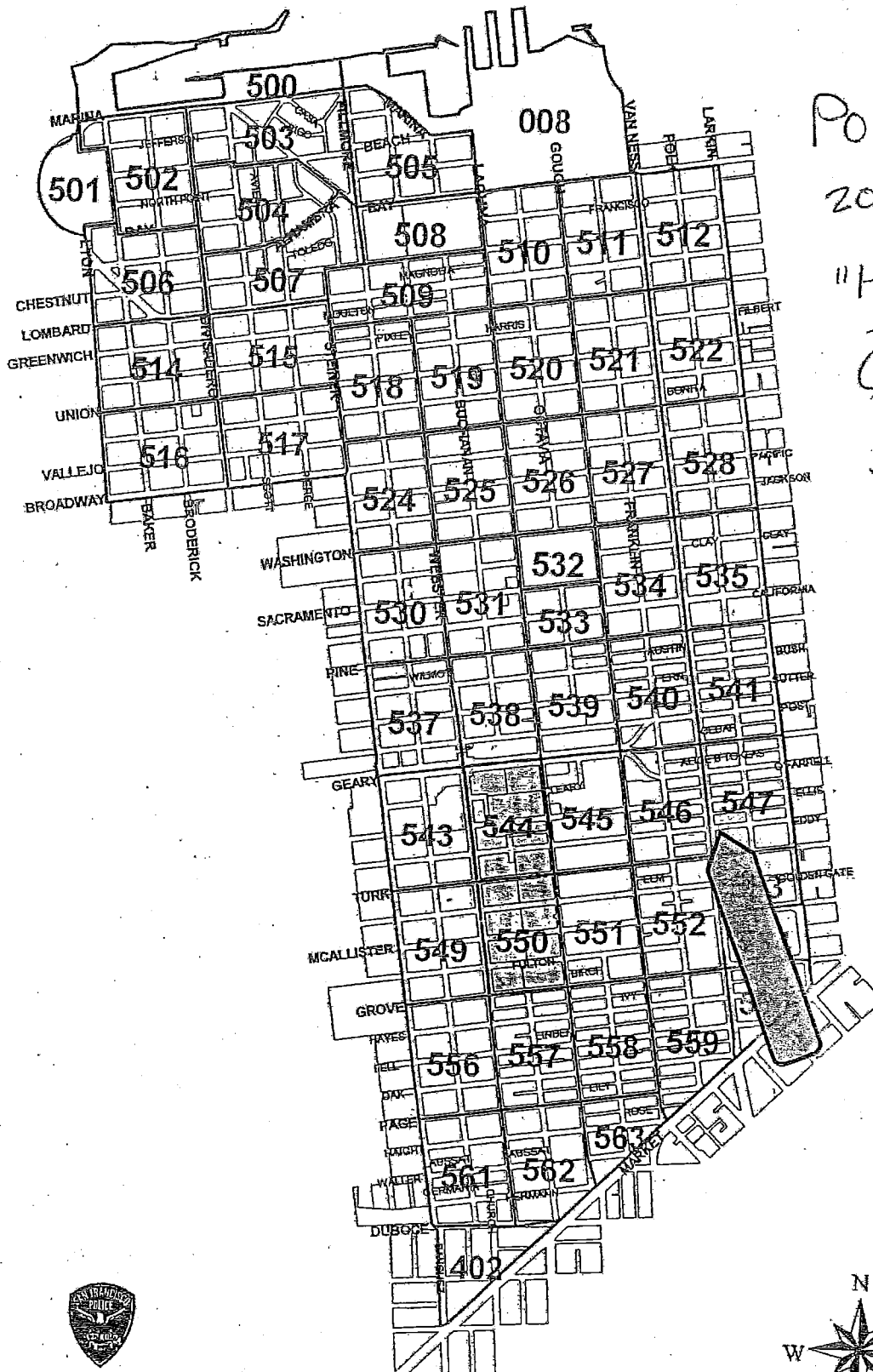
Google

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

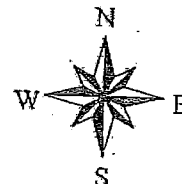


Police Plot 547
 2010 Crime - 1,637
 by Plot
 "High Crime" 215

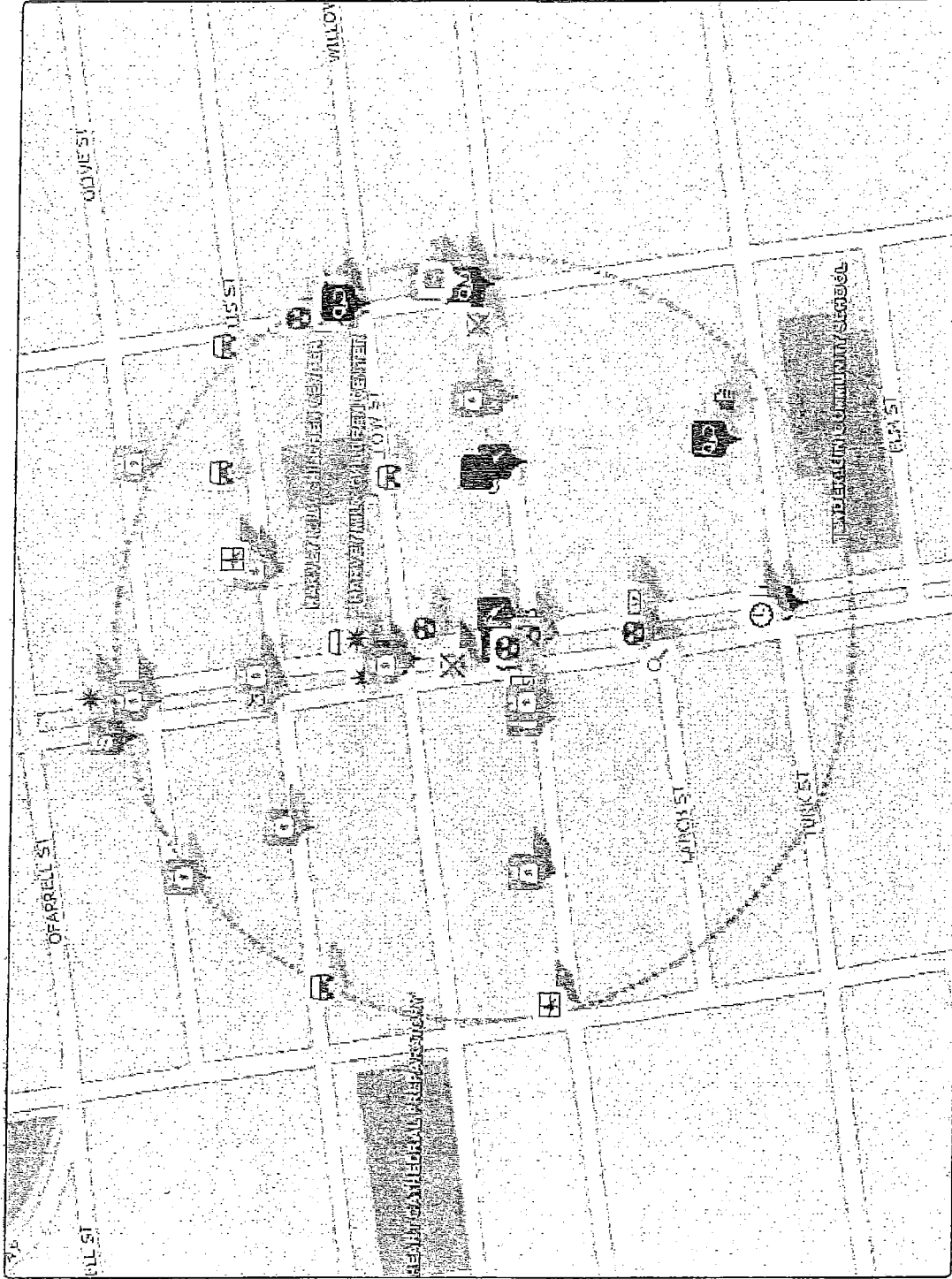
 OVER 1,422
 Incidents
 High Crime 1,407



San Francisco Police Department
 September 2002




810 Van Ness avenue--500 ft radius




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.

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
<u>121600453</u>		06/08/2012	06:35:35	C	601	3E3A	GOA	810 VAN NESS AV

End of document

Department of Alcoholic Beverage Control

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

RECEIVED

JUL 1 8 2012

Dept of Alcohol
Beverage Control

- 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:

NUB 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 UN DUE 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 ~~THE~~ 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 attachedI, MARVIS J PHILLIPS PUBLIC SAFETY, declare under penalty of perjury:

PRINT (Name of Protestor)

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

SIGNED AT (City and state)

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

PROTESTANT'S TELEPHONE NUMBER (Optional)

DATE SIGNED

ABC-510-A (10/07)

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

P 1 OF 2

Department of Alcoholic Beverage Control
**PROTEST AGAINST ALCOHOLIC
 BEVERAGE LICENSE APPLICATION**

P. 2 OF 2

RECEIVED

JUL 1 6 2012

- Please refer to Form ABC-510, Instructions for Protest against 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:

WUB 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 ONLY

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

☒ Check here if additional sheets attached

I, MARUS J PHILLIPS, PUBLIC SAGEN, 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

SIGNED AT (City and state)

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

PROTESTANT'S TELEPHONE NUMBER (Optional)

DATE SIGNED

ABC-510-A (10/07)

CC: SFPD - ABC LOISAN UNIT
 CC: SFPD - NORTH BAY STATION

F-112



San Francisco, CA 94102-6526

San Francisco, CA 94102-6526

MARVIS J. PHILLIPS
Land Use / Public Safety Chair
Alliance For A Better Dist. 8
230 Eddy Street # 1206
San Francisco, CA 94102-6526

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

RE: 810 VAN NESS AVE

94612140438

LIQUOR LICENSE REVIEW

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

File: 120826

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

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

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 OLC

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.

810 Van Ness PCN Letter

Page 2

- 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 never sell alcohol to underage customers or those who appear inebriated.

810 Van Ness PCN Letter

Page 3

- 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)



EDWIN M. LEE
MAYOR

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103-4603



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

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

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377



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

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

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

IN THE MATTER OF THE APPLICATION OF

NORTH HILL RESTAURANT VENTURES INC
AFTER 5
810 VANNESSE 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

42-523227-1554

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:

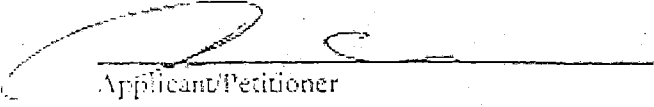
1. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 12:00 noon and 11:00 p.m. each day of the week.
2. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
3. No noise shall be audible beyond the area under the control 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

016

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 never 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)

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

ROGER ABUYAGHI

(650) 455-5948

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 FRANCISCOFirst Owner: NOB HILL RESTAURANT VENTURES INCName of Business: AFTER 5

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

County: SAN FRANCISCOIs Premise inside city limits? Yes Census Tract 0124.02

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

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 FRANCISCODate: 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



GAVIN NEWSOM
MAYOR

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103-4603



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



EDWIN M. LEE
MAYOR

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103-4603



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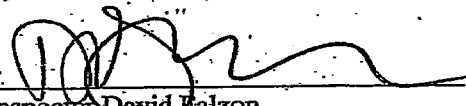
In the event you or your employee refused the sale of an alcoholic beverage to a minor we would like to congratulate you on your effort. Further, we suggest that you remind your employees that this is an on going program.

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
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



{ REDEFINED LIVING }

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

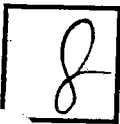
Design: Hutner Descollonges
Online Marketing by Norra Marketing and Mermedia

The seal of the City and County of San Francisco is a circular emblem. It features a central shield with a landscape scene, including a ship and a building. Above the shield is an eagle with spread wings. The shield is flanked by two figures: a miner on the left and a lion on the right. The words "EUREKA", "SACRAMENTO", and "SAN FRANCISCO" are inscribed on banners at the base of the shield. The outer ring of the seal contains the text "SEAL OF THE CITY AND COUNTY OF SAN FRANCISCO".

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

2104

FORM



City and County of San Francisco

DEPARTMENT OF BUILDING INSPECTION

INSPECTION RECORD

APPLICATION NO. 2012-09-17-9961ISSUED 9-27-12JOB 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	ENERGY/MECHANICAL PLAN CHECK:	415-558-6133
CENTRAL PERMIT BUREAU:	415-558-6070	RECORDS:	415-558-6080
CODE ENFORCEMENT:	415-558-6454	PLANNING DEPARTMENT:	415-558-6377
PLAN REVIEW SERVICES:	415-558-6133	PLUMBING INSPECTION:	415-558-6570
DISABLED ACCESS:	415-558-6014	REROOFING INSPECTION:	415-558-6570
ELECTRICAL INSPECTION:	415-558-6570	SPECIAL INSPECTION:	415-558-6132
FIRE INSPECTION:	415-558-3300	DPW-BSM:	415-558-6060
FIRE PLAN CHECK:	415-558-6177	STREET USE & MAPPING AT 875 STEVENSON:	415-554-5810
GENERAL INFORMATION:	415-558-6088		
HEALTH INSPECTION:	415-252-3800		
HOUSING INSPECTION:	415-558-6220		

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: 141000J
Application/Permit No: 201209179961

PERMIT IS GRANTED TO

☐ ERECT ☒ ALTER BUILDING ☐ ERECT SIGN DATE OF ISSUE 27-SEP-12
☐ DEMOLISH BUILDING ☐ GRADE FILING FEE RECEIPT #
☐ LOWER CURB ☐ OCCUPY STREET SPACE
☐ EXCAVATE STREET OR SIDEWALK ☐ POST NOTICE
☐ HOUSE NUMBER CERTIFICATE ☐ REPAIR OR CONSTRUCT SIDEWALK

SUPPLEMENTAL FEE PAID:

☐ FINAL PLAN CHECK ☐ EXPEDITER FEE ☐ PENALTY ☐
☐ STRUCTURAL LTR ☒ DCP FEE ☒ FIRE ☐

OWNER:
ROGER ABU YAGHI

LOCATION OF JOB: HOUSE NUMBER: EXISTING ☐ ASSIGNED ☐
STREET ADDRESS 810 VANNES AV 0739/006 BLOCK/LOT

METES AND BOUNDS

FRONTAGE FT 8 2 A R-2,M,S-2
BUILDING USE APARTMENTS TYPE LEGAL OCCUPANCIES
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.)

ROGER ABUYAGHI 415-292-4840

PERMIT 1275885

FEE PAYOR

824 ELLIS ST

APPEAL

ADDRESS

SP CA 94109

CITY

CENTRAL PERMIT BUREAU-D.B.I. SHAWHAREGEWAI

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.

DBI P/C PAID AT FILING \$0.00
AUDITED FOR REFUND FEE

DCP PLAN CHECK	316.32
BUILDING	768.08
PLAN REVIEW	220.00
FIRE INSPECTION FEE	526.48
FIRE PLAN CHECK FEE	1,348.10
PUC WW CAPACITY	680.00
PUC WATER CAP	12.00
RECORDS RETENTION	2.00
BLDG STDS ADMIN FUND	57.02
TECH SURCHARGE	

SURCHARGE 0.00
BOA SURCHARGE 50.00
SUBTOTAL OF FEES WITH APPLICABLE SURCHARGES \$4,888.00

STRONG MOTION \$7.20

SUBTOTAL OTHER FEES 7.20
TOTAL \$4,895.20

SEPARATE PERMITS MUST BE OBTAINED FOR ELECTRICAL, PLUMBING OR OTHER RELATED WORK
9003-16/Rev.10/95)

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 responsibilities.

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 indemnify 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 inputted CFC#200409245134 of a Residential Apartment Building which requires routine inspection. Please conduct inspection within 30 days."

INSTRUCTIONS:

INSPECTOR INFORMATION

VISION	INSPECTOR	ID	DISTRICT	PRIORITY
HIS	GALVIS	6260	1	

REFERRAL INFORMATION

DATE	REFERRED BY	TO	COMMENT
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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
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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 toe kicks
- 2) Provide approved finishes in food service areas. Submit samples for approval prior to installation.
- 3) Provide indirect drainage to sanitary sewer for all condensing 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. Rubingh
Phone: 252-3965

Inspector Signature: [Signature]

Received By: [Signature]

BLDG. FORM 3/8

APPLICATION NUMBER

OSHA APPROVAL REC'D

APPROVAL NUMBER

2012 091796



SFFD INSP. FEES REQ.

Capacity Charges

Water \$580.00

Wastewater \$1348.00

BT 9/19/12

APPROVED FOR ISSUANCE

APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION

FORM 3 ☐ OTHER AGENCIES REVIEW REQUIRED

FORM 8 ☐ OVER-THE COUNTER ISSUANCE

2 NUMBER OF PLAN SETS

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 9-27-12	PLUMBING RECEIPT NO.	(1) STREET ADDRESS OF JOB 810 VAN NESS ST	BLOCK & LOT 0739-005
PERMIT NO. 127588T	ISSUED 9-27-12	(2A) ESTIMATED COST OF JOB \$30,000	(2B) REVISED COST: \$30,000

INFORMATION TO BE FURNISHED BY ALL APPLICANTS

LEGAL DESCRIPTION OF EXISTING BUILDING

(4A) TYPE OF CONSTR. W	(5A) NO. OF STORIES OF OCCUPANCY 8	(6A) NO. OF BASEMENTS AND CELLARS 0	(7A) PRESENT USE Commercial/Industrial/Storage/Office	(8A) OCCUP. CLASS R-3	(9A) NO. OF DWELLING UNITS 52
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DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION

(4) TYPE OF CONSTR. W	(5) NO. OF STORIES OF OCCUPANCY 8	(6) NO. OF BASEMENTS AND CELLARS 0	(7) PROPOSED USE (LEGAL USE) Apartment / Retail	(8) OCCUP. CLASS R-3	(9) NO. OF DWELLING UNITS 52
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(10) IS AUTO RUNWAY TO BE CONSTRUCTED OR ALTERED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(11) WILL STREET SPACE BE USED DURING CONSTRUCTION? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(12) ELECTRICAL WORK TO BE PERFORMED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(13) PLUMBING WORK TO BE PERFORMED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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(14) GENERAL CONTRACTOR Carter	ADDRESS 2P	PHONE 415 414	CALIF. LIC. NO.	EXPIRATION DATE
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(15) OWNER - LESSEE (CROSS OUT ONE) OWNER	ADDRESS 2P	PHONE (FOR CONTACT BY DEPT.) 415 414
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(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 REEF AREA. NEW BAR AND SEATING - NEP & LIGHTING UNDER SEPERATE PERMIT.

ADDITIONAL INFORMATION

(17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT FT.	(19) DOES THIS ALTERATION CREATE DECK OR HORIZ. EXTENSION TO BUILDING? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(20) IF (19) IS YES, STATE NEW GROUND FLOOR AREA SQ. FT.
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(22) WILL BUILDING EXTEND BEYOND PROPERTY LINE? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(23) ANY OTHER EXISTING BLDG. OR LOT? (IF YES, SHOW OR LOT PLAT) YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	(24) DOES THIS ALTERATION CONSTITUTE A CHANGE OF OCCUPANCY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

(25) ARCHITECT OR ENGINEER (DESIGN) <input type="checkbox"/> CONSTRUCTION <input type="checkbox"/>	ADDRESS	CALIF. CERTIFICATE NO.
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(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY. IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN")	ADDRESS
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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' 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 soil 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 THERE TO 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 insure the defense of the City and 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 have and will maintain a certificate of consent to self-insure for workers' compensation, as provided by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.
- 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
- The cost of the work to be done is \$100 or less.
- 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.
- 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

Date

APPLICANT COPY

CONDITIONS AND STIPULATIONS

<p>REFER TO:</p>	<p>APPROVED: <i>Jaime Valle</i> <small>all 415-556-0570, 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.</small> <i>SEP 18 2012</i> <small>JAIME VALLE, DBI</small></p>	<p>DATE: _____ REASON: _____</p>
<p><input type="checkbox"/></p>	<p>BUILDING INSPECTOR, DEPT. OF BLDG. INSP. APPROVED: <i>Tenant improvements on ground floor.</i> CATEGORICALLY EXEMPT FROM ENVIRONMENTAL REVIEW <i>9/17/2012</i> <i>MARY WOODS</i> <small>DEPARTMENT OF CITY PLANNING</small></p>	<p>NOTIFIED MR. _____ DATE: _____ REASON: _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED: <i>John Curd</i> PLEASE NOTIFY FIRE INSPECTOR AT THE START OF WORK (415) 558-3300 <i>SEP 18 2012</i> <small>John Curd, SFFD</small> <small>BUREAU OF FIRE PREVENTION & PUBLIC SAFETY</small></p>	<p>NOTIFIED MR. _____ DATE: _____ REASON: _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED: <i>OTC</i> <i>MEP & lighting under</i> <i>spark permit.</i> <i>SEP 18 2012</i> <small>Danny Lau, DBI</small> <small>MECHANICAL ENGINEER, DEPT OF BLDG. INSPECTION</small></p>	<p>NOTIFIED MR. _____ DATE: _____ REASON: _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED: <i>n/a</i> <small>CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION</small></p>	<p>NOTIFIED MR. _____ DATE: _____ REASON: _____</p>
<p><input type="checkbox"/></p>	<p>APPROVED: <i>Bureau of Engineering</i> <small>BUREAU OF ENGINEERING</small></p>	<p>NOTIFIED MR. _____ DATE: _____ REASON: _____</p>
<p><input checked="" type="checkbox"/></p>	<p>APPROVED: <i>Per conditions set forth on plans</i> <i>9/27/12</i> <small>DEPARTMENT OF PUBLIC HEALTH</small></p>	<p>NOTIFIED MR. _____ DATE: _____ REASON: _____</p>
<p><input checked="" type="checkbox"/></p>	<p>APPROVED: <i>SFPUC</i> <i>9/19/12</i> <small>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.</small> <small>REDEVELOPMENT AGENCY SFPUC</small></p>	<p>NOTIFIED MR. _____ DATE: _____ REASON: _____</p>
<p><input checked="" type="checkbox"/></p>	<p>APPROVED: <i>Legal use per CRC # 200409245134</i> <i>No. of units 52</i> <i>9-19-12</i> <small>FOR WORK STATED ONLY</small> <small>HOUSING INSPECTION DIVISION</small></p>	<p>NOTIFIED MR. _____ DATE: _____ REASON: _____</p>

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

