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PREPARED IN COMMITTEE 4/4/13

FILE NO. 121082

[Liquor License - 57 New Montgomery Street]

RESOLUTION NO.

Neighborhood Services & Safety Committee
BOARD OF SUPERVISORS

Resolution determining that the issuance of a Type 21 off-sale general license to Mokles S. Hanna for F.M. Smokes and Wines, Inc., located at 57 New Montgomery Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

WHEREAS, Mokles S. Hanna is seeking the issuance of a Type 21 off-sale general license for F.M. Smokes and Wines, located at 57 New Montgomery Street; and.

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

WHEREAS, The Police Department has filed no protests with the Department of Alcoholic Beverage Control under California Business and Professions Code, Section 24013; 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 the following: 1) Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 8:00 AM and 12:00 AM (midnight) each day of the week; 2) No distilled spirits shall be sold in bottles or containers smaller than 375 milliliters; 3) No wine shall be sold with an alcoholic content greater than 15% by volume; 4) No malt beverage shall be sold with the alcohol content greater than 5.7% by volume;

5) No noise shall be audible beyond the area under control of the licensee; 6) Loitering (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 October 19, 2012; 7) There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages, sold, furnished, or given away at the petitioner's premises in quantities of less than twenty-four (24) in their original multi-container package; 8) All ice shall be sold at or above prevailing prices in the area and in quantities of not less than three (3) pounds per sale and shall not be given away free; 9) No person under the age of 21 shall sell or deliver alcoholic beverages; now, therefore, be it

RESOLVED, That in accordance with California Business and Professions Code, Section 23958.4, the Board of Supervisors of the City and County of San Francisco hereby determines that the issuance of a Type 21 off-sale general license to Mokles S. Hanna for F.M. Smokes and Wines, located at 57 New Montgomery Street, will serve the public convenience or necessity of the City and County of San Francisco; and, be it

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.



San Francisco Police Department ABC Liaison Unit



Alcoholic Beverage License -Public Convenience and Necessity Recommendation

To:

The San Francisco Board of Supervisors' Committee on City

Operations & Neighborhood Services

Supervisor David Campos Supervisor Eric Mar Supervisor Norman Yee

From:

Inspector Nelly Gordon

ABC Liaison Unit (ALU) 553-1049

Date:

March 11, 2013

Subject:

P.C.N. Investigation Regarding:

DBA: F.M. Smokes and Wines 57 New Montgomery Street

Mokles S. Hanna 415/896-2307

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

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

For the purposes of this hearing, the California Department of Alcoholic Beverage Control (ABC) seeks a determination from the Board of Supervisors as to the approval or denial of this license.

Police Calls for Service:

From July 2011 to July 2012

2 Police calls

Police Reports:

From July 2011 to July 2012

0

San Francisco Plot Information:

This premise is located in Plot 212

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

This plot had 578 police incidents recorded for 2011.

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

State Census Tract Information:

This premise is located in Census Tract 0615.00

Population for this tract is: 11,502

On-sale license authorized by census tract: 39

Active on-sale licenses: 126

Off-sale licenses authorized by census tract: 11

Active off-sale licenses: 23

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

Letters of Protest:

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

Letters of Support:

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

Departmental Recommendation:

Approval from Southern Police Station with recommended conditions.

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

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

- 3. No wine shall be sold with an alcoholic content greater than 15% by volume.
- 4. No malt beverage shall be sold with the alcohol content greater than 5.7% by volume.
- 5. No noise shall be audible beyond the area under control of the licensee.
- 6. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee(s) as depicted on the ABC-257 dated 10-19-12.
- 7. There shall be no cups, glasses, or similar receptacles commonly used for the drinking of beverages, sold, furnished, or given away at the petitioner's premises in quantities of less than twenty-four (24) in their original mult-container package.
- 8. All ice shall be sold at or above prevailing prices in the area and in quantities of not less than three (3) pounds per sale and shall not be given away free.
- 9. No person under the age of 21 shall sell or deliver alcoholic beverages.

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

Thank you



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

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

-- End of Report ---

For a definition of codes, view our glossary.



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

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

--- End of Report ---

For a definition of codes, view our glossary.

export To Edward

Records 1 through 1 of 1

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

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Records 1 through 1 of 1

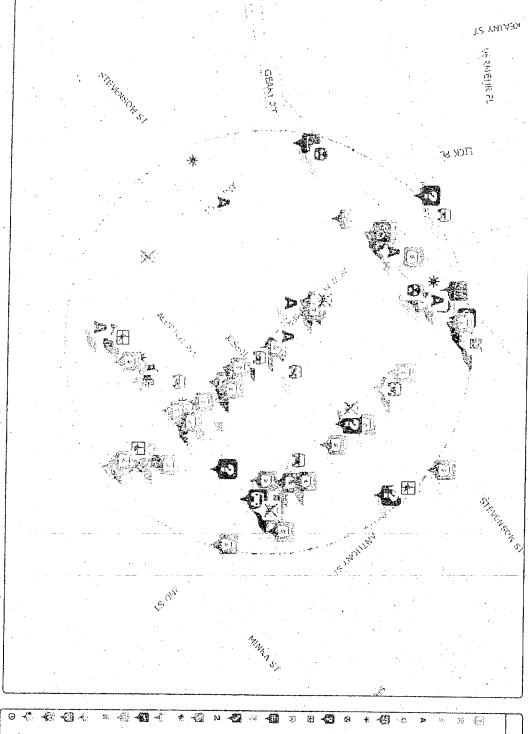
Call No	Report No	Received Date	Received Time	Priority	Call Type	Unit ID	Disposition	Location
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57 New Montgomery St. 17 00 TT.

10/27/2011-10/25/2012

San Francisco Police Department 🐷



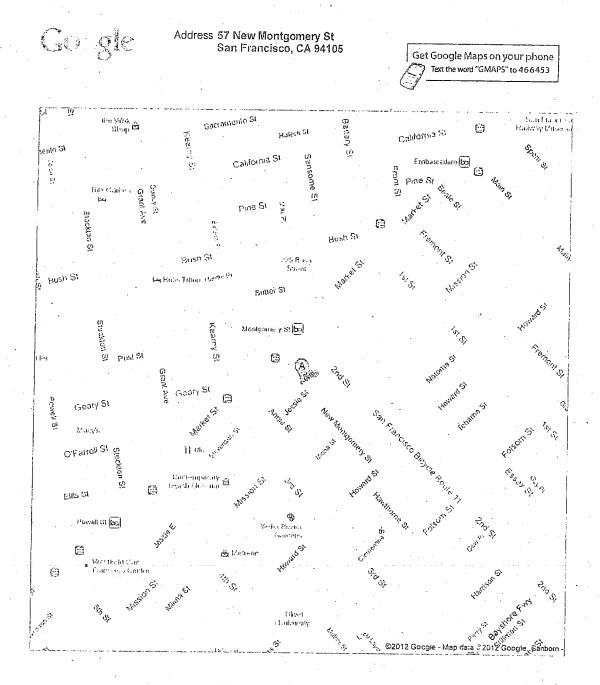
All representations on this map are distributed and transmitted "AS IS" without warranties of any kind, either expressed or implied including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. In no event shall San Francisco Police Department 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

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

Map Legend

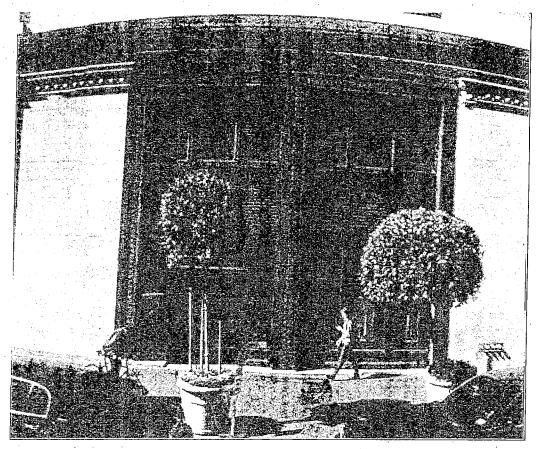
Bad Checks (1) Loitering (1) Sex Offenses, Forcible (1) Recovered Vehicle (1) D.U.I. (1) Arson (1) Secondary Codes (4) Weapon Laws (2) Drunkenness (2) Disorderly Conduct (4) Forgery/Counterfeiting (6) Burglary (11) Vandalism (15) Liquor Laws (1) Trespassing (4) Drug/Narcotic (4) Warrants (6) Vehicle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





Gogle

Address 57 New Montgomery St San Francisco, CA 94105



San Francisco Planning Department Office of Analysis and Information Systems

Miscellaneous Permit Application

Application Number: MB1201983

Business Name: F.M. SMOKES AND WINES

Received Date: 11/07/2012

Reply Date: 11/21/2012

Agency: BofS

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

Address: 57 NEW MONTGOMERY ST

Floor:

Size:

Block: 3707

Lot: 052

Zoning: C-3-O(SD)

Quadrant: NORTHEAST

Existing Use:

Planner: JANICE SHAMBRAY

Decision: APPROVED

Status Comment:

Conditions:

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



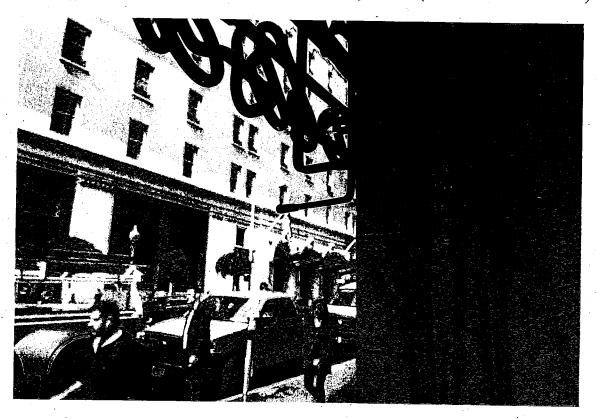
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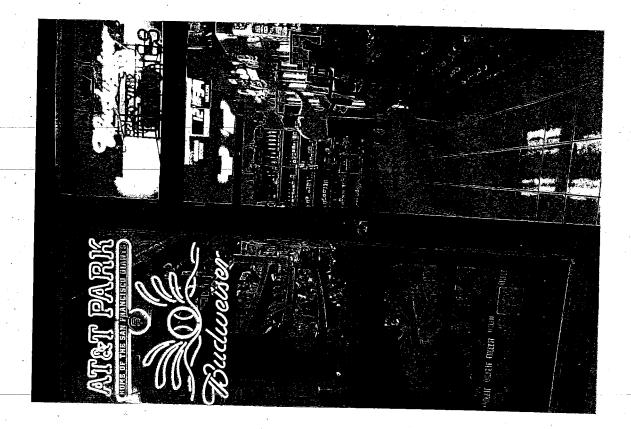
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Page 1

File No. 121082 – Liquor License – 57 New Montgomery Street (FM Smokes & Wines)





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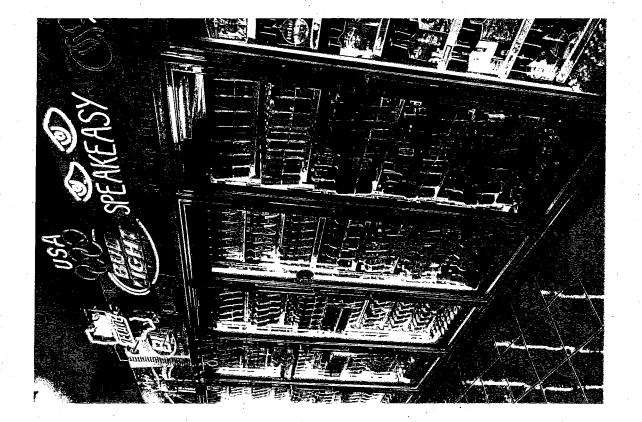
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File No. 121082 – Liquor License – 57 New Montgomery Street (FM Smokes & Wines)



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6.



Page 3



CCPM RECEIVED COAST COUNTIES PROPERTY MANAGEMENT, NO. OF SUPER VISORS SAN FRANCISCO

2013 APR - 1 PM 3:08

March 28, 2013

To whom it may concern:

The Owner's of the Sharon Building and the Management company of Coast Counties Property support Mokles Hanna and Suhail Hanna in acquiring the needed Type 21 License for the sale of liquor at 57 New Montgomery Street,

Please feel free to call should you have any questions.

lly R. Dunham

Sincerely,

Bradley R. Bernheim

Property Manger

Vice President

RECEIVED

BOARD OF SUPERVISORS
SAN FRAMCISCO

2013 APR - 1 PM 3: 08

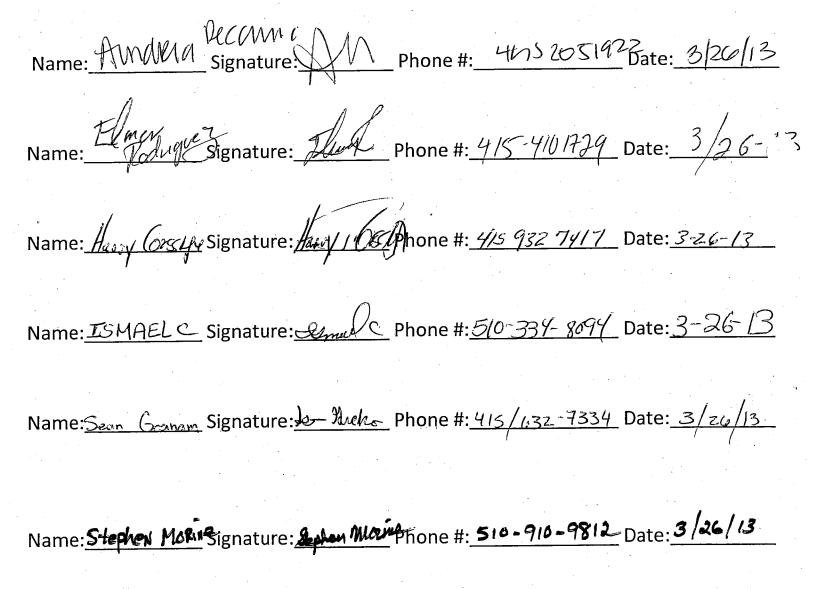
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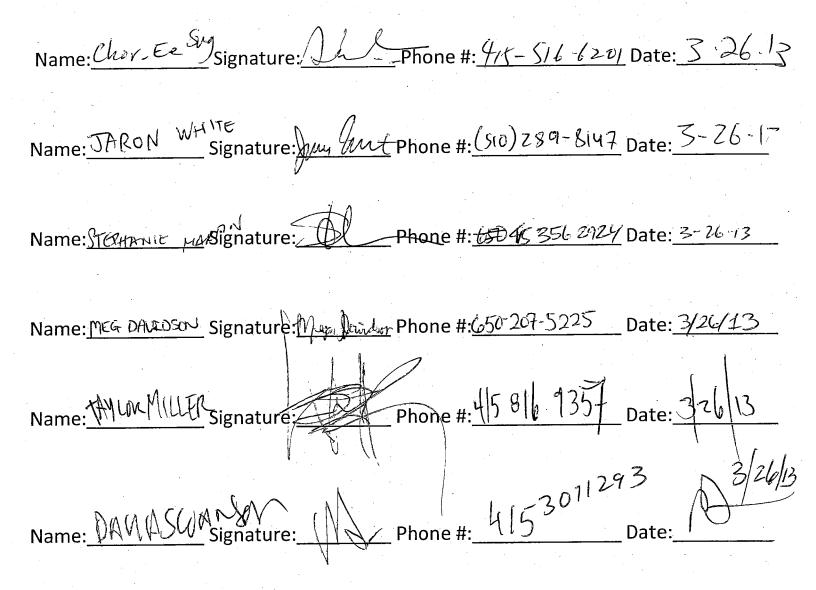
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	Phone #: <u> 415 - 279 - 7576</u> Date: <u>3/28/1</u>	
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Name: Karal Signature: Williams	Phone #: (15-983-9105 Date: 3/27/27

Name: 94% Signature: Phone #: 4% S159974 Date: $3/29/13$
nme: Philip Signature: P. Davis Phone #: 415-368-5683 Date: 3/27/13
Name: DENNIS Signature: Phone #: 50-862-662 Date: 3/27/13
Name: Pour Toylor Signature: Maylor Phone #: 45-240-4213 Date: 3/27/13
Name: Jesus Monti Signature: Jesos Phone #: 5/01 944 04 Date: 3/27/13
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Name: Name: Nature: Phone #: 400-381-7362 Date: 3/27/13
Name: 6 [LBCK9 VISignature: MWW Phone #: 4 5 7407281 Date: 3/27/13
Name: 415 Man Man Signature: Phone #: 915 368 7126 Date: 3-27-13
Name: WE SAWOER Signature: Ju June 1/2 Phone #: 415-444-0186 Date: 3-27-13

Name: RUBEN SANGALANG Signature: Physics Phone # (950) 709-1187 Date: 3/28/13
этеюм (2521/28 signature: 25 сам Phone #: 4/5-258-993/ Date: 3/28
Name: JAY MAZDQ Signature: Phone #: 510-528-150 Date: >/28
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Name: Thomas Carne Signature: Phone #:415-754-0470 Date: 3-28-13
Name: David Water Signature: Motor Phone #: 45543110 Date: 3/28/13
Name: Mike Aberro Signature: 199 Phone #: 915 989 1896 Date: 3 28-13

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Name: PHYLLS SMIM Signature: Alyllymuly Phone #: 925 405 1617 Date: 3 28 2013
Name: Richard Dumsignature: 72 Am Phone #: 415-979-0400 Date: 3/24/13
Name: Henry Signature: Phone #: 4/5-235-2505 Date: 3/28//
Name: 105 Files Signature: Phone #: 40 760-5750 Date: 3/28/13

RECEIVED BOARD OF SUPERVISORS SAN FRANCISCO

2012 OCT 30 PM 2: 59

October 26, 2012

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

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

Dear Deputy Clerk:

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

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

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

Sincerely,

Mokles S. Hanna President

LIQUOR LICENSE REVIEW

то:	Planning De AnMarie Roo Georgia Pow Fax No.: 55	dgers/CTYPL vell/CTYPLN	.N/SFGOV /SFGOV@SF	GOV	File: 121082	
TO:	Police Department of the Police Department of	nneth Stocke 3-1463	er ·			
This item is to PLEASE EM	AIL YOUR R perations and	eduled to be ESPONSE E	heard in four BY: December od Services Cong - Fax No	er 20, 20 Committe	12, to Derek Evee.	/ans,
Applicant Nand Busines Applicant Adams and Phone I	ame: ss Name: ddress:	Mokles S. F F.M. Smoke 57 New Mo	lanna es and Wines ntgomery Stre sco, CA 94108	(57 New	v Montgomery S	St)
PLANNIN	IG COMM	ENTS:	☐ Approv	al	☐ Denial	
POLICE (COMMEN	TS:	☐ Approv	al	☐ Denial	

File No		nmittee rd Item	Item No.	1	
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	COMMITTEE/BOARD O			OKS	
	AGENDA PACKET CO	NIENI	SLIST		
Committee:	Neighborhood Services and Sa	<u>afety</u>	Date	3/21/13	
Board of Su	pervisors Meeting		Date		- ,
Cmte Boa	rd				
	Motion				
	Resolution				
	Ordinance				·
	Legislative Digest	- 4 D			
	Budget and Legislative Analyst Legislative Analyst Report	st керо	rt		
	Youth Commission Report		. :		
	Introduction Form (for hearing	rs)			
	Department/Agency Cover Le		or Repo	rt	
	MOU				
	Grant Information Form				
	Grant Budget				
	Subcontract Budget				
	Contract/Agreement				
	Form 126 – Ethics Commission	n			
	Award Letter Application				
	Public Correspondence	•			.*
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OTHER	(Use back side if additional sp	oace is i	needed)		

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