

1 [Liquor License – 84 Second Street]

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3 **Resolution determining that the issuance of a Type 21 Off-Sale beer, wine, and**
4 **distilled spirits license to Nassir A. Zughayir for Sammy's on 2nd located at 84**
5 **Second Street will serve the public convenience or necessity of the people of the**
6 **City and County of San Francisco, in accordance with Section 23958.4 of the**
7 **California Business and Professions Code, with conditions.**

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9 WHEREAS, Nassir A. Zughayir is seeking the issuance of a Type 21 Off-Sale
10 beer, wine, and distilled spirits license for Sammy's on 2nd Street located at 84 Second
11 Street; and,

12 WHEREAS, The City Planning Department has verified that the area is properly
13 zoned; and,

14 WHEREAS, The Police Department recommends that the liquor license
15 application be approved with conditions; now, therefore, be it

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17 RESOLVED, That in accordance with Section 23958.4 of the California Business
18 and Professions Code, the Board of Supervisors of the City and County of San
19 Francisco hereby determines for the foregoing reasons that the issuance of a Type 21
20 Off-Sale beer, wine, and distilled spirits license to Nassir A. Zughayir for Sammy's on
21 2nd Street located at 84 Second Street, will serve the public convenience or necessity
22 of the people of the City and County of San Francisco.

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24 Conditions: (1) Sales of alcoholic beverages shall be permitted between the hours of
25 9:00 a.m. and 10:00 p.m., Sunday – Thursday and 9:00 a.m. to 12:00 midnight, Friday and

1 Saturday; (2) No more than 10% of the square footage of the premises will be used for the
2 display of alcoholic beverages; (3) No noise shall be audible beyond the area under control of
3 the license; (4) The petitioner shall be responsible for maintaining free of litter the area
4 adjacent to the premises over which they have control; (5) Graffiti shall be removed from the
5 premises and all parking lots under the control of the licensee within seventy-two (72) hours of
6 application. If the graffiti occurs on a Friday or weekend day, or on a holiday, the licensee
7 shall remove the graffiti within seventy-two (72) hours following the beginning of the next
8 weekday; (6) The exterior of the premises shall be equipped with lighting of sufficient power to
9 illuminate and make easily discernible the appearance and conduct of all persons on or
10 about the premises. Additionally, the position of such lighting shall not disturb the normal
11 privacy and use of any neighboring residences; (7) Loitering (loitering is defined as "to stand
12 idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property
13 adjacent to the licensed premises under the control of the licensee as depicted on the ABC-
14 257; (8) There shall be no cups, glasses, or similar receptacles commonly used for the
15 drinking of beverages, sold, furnished, or given away at the petitioner's premises in quantities
16 of less than twenty-four (24) in their original multi-container package; (9) All ice shall be sold
17 at or above prevailing prices in the area and in quantities of not less than three (3) pounds per
18 sale and shall not be given away free; (10) No person under the age of 21 shall sell or deliver
19 alcoholic beverages; (11) The sale of distilled spirits in sizes smaller than 200 ml is strictly
20 prohibited; (12) No malt beverage shall be sold with an alcoholic content great than 5.7% by
21 volume; (13) The sales of beer or malt beverages in quantities of 16 oz., 22 oz., 32 oz., 40
22 oz., or similar size containers is prohibited; (14) No beer or malt beverages shall be sold in
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1 quantities of less than manufacturer pre-packaged six packs per sale with the exception of
2 wine-coolers, beer coolers which must be sold in manufacturer pre-packaged multi-unit
3 quantities of four (4) or more; (15) No wine shall be sold with an alcoholic content of greater
4 than 15% by volume except for "Dinner Wines" which have been aged two years or more and
5 maintained in corded bottles; (16) Wine shall not be sold in bottles or containers smaller than
6 750 ml.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 091424

Date Passed: March 02, 2010

Resolution determining that the issuance of a Type 21 Off-Sale beer, wine, and distilled spirits license to Nassir A. Zughayir for Sammy's located on Second at 84 Second Street will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

March 02, 2010 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell and Mirkarimi

Excused: 1 - Alioto-Pier

File No. 091424

I hereby certify that the foregoing Resolution was ADOPTED on 3/2/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom

Date Approved