

1 [Liquor License Transfer - 522 Sutter Street]

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3 **Resolution determining that the transfer of a Type 21 off-sale general license from**  
4 **539 Sutter Street to 522 Sutter Street (District 3), to Naser J. Zakout for the**  
5 **Theatre Too Café, will serve the public convenience or necessity of the City and**  
6 **County and San Francisco, in accordance with California Business and**  
7 **Professions Code, Section 23958.4, and recommending that the California**  
8 **Department of Alcoholic Beverage Control impose conditions on the issuance of**  
9 **the license.**

10  
11 WHEREAS, Naser J. Zakout is seeking the transfer of a Type 21 off-sale general  
12 license from 539 Sutter Street to 522 Sutter Street for the Theatre Too Café; 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 one (1) protest and zero (0) letters  
16 of support with the Department of Alcoholic Beverage Control under California Business  
17 and Professions Code, Section 24013, and recommends that the Department of  
18 Alcoholic Beverage Control issue the liquor license; and

19 WHEREAS, The conditions recommended by the Police Department are the  
20 following: 1) No noise shall be audible beyond the area under the control of the  
21 licensee(s) as defined on the ABC-257 dated 10/30/12; 2) The sale of distilled spirits in  
22 sizes smaller than 200 ml is strictly prohibited; 3) No malt beverages shall be sold with  
23 an alcoholic content greater than 5.7% by volume; and 4) Loitering (defined as "to  
24 stand idly about' linger aimlessly without lawful business") is prohibited on or around  
25

1 these premises or this area under the control of the licensee(s) as depicted on the ABC-  
2 257 dated 10/30/12; now, therefore, be it

3       RESOLVED, That in accordance with California Business and Professions Code,  
4 Section 23958.4, the Board of Supervisors of the City and County of San Francisco  
5 hereby determines for the foregoing reasons that the transfer of a Type 21 off-sale  
6 general license from 539 Sutter Street to 522 Sutter Street, to Naser J. Zakout for the  
7 Theatre Too Café, will serve the public convenience or necessity of the City and County  
8 of San Francisco; and, be it

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



**City and County of San Francisco**

**Tails  
Resolution**

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

**File Number:** 130245

**Date Passed:** June 04, 2013

Resolution determining that the transfer of a Type 21 off-sale general license from 539 Sutter Street to 522 Sutter Street (District 3), to Naser J. Zakout for the Theatre Too Café, will serve the public convenience or necessity of the City and County and 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.

May 16, 2013 Neighborhood Services and Safety Committee - PREPARED IN COMMITTEE AS A RESOLUTION

May 16, 2013 Neighborhood Services and Safety Committee - RECOMMENDED

June 04, 2013 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 130245

I hereby certify that the foregoing Resolution was ADOPTED on 6/4/2013 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

  
Mayor  
Date Approved