

File No. 120643

Committee Item No. 1

Board Item No. \_\_\_\_\_

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: City Operations

Date 7/9/2012

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
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| <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 type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
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| <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 type="checkbox"/> | Application                                  |
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Completed by: Derek Evans Date 7/6/2012

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

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

120643

**MARK E. RENNIE**  
ATTORNEY AT LAW  
870 MARKET STREET  
THE FLOOD BUILDING, SUITE 1260  
SAN FRANCISCO, CALIFORNIA 94102

(415) 981-4500

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2012 MAY 24 AM 9:10  
RC

May 18, 2012

Angela Calvillo  
Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

Re: Double Rainbow, LLC dba **Roadhouse Tavern**  
California ABC Liquor License Transfer  
398 – 12<sup>th</sup> Street, San Francisco, CA 94103-4330  
**Public Convenience and Necessity Determination Request**  
*ABC Type 48 License—On-Sale General Public Premises  
Premises-Premises Transfer from 2700 -16th Street. SF CA 94103*

Dear Ms. Cavillo:

This office represents Double Rainbow, LLC dba **Roadhouse Tavern**. My clients have applied to the California Department of Alcoholic Beverage Control (ABC) to transfer an On-Sale General Public Premises license to the premises at 398 – 12<sup>th</sup> Street, San Francisco, CA 94103-4330. This particular address has been licensed as a bar and nightclub since December 1980.

The previous owner operated this venue as the Eagle Tavern, a much- beloved institution in San Francisco’s LGBT community and in the South of Market neighborhood. The location is unique in San Francisco and features a very large outdoor patio, garden and grilling area. There is also an outdoor stage which has historically featured local musicians and bands. This patio has hosted hundreds of fundraisers over the past three decades, primarily for HIV related charities.

After some 30 years the Eagle Tavern encountered financial problems and the previous owner closed the operation and removed their liquor license. The closing of the Eagle attracted a great deal of media attention. Unfortunately, much of what was reported was inaccurate and misstated the situation with the lease extension.

My client’s family has owned the property for over 40 years and now wishes to place a new ABC license on the venue and reopen the business. It is our intention to maintain the spirit and layout of the location. We will upgrade the patio and the restrooms while maintaining the historic feel and charm of the business. During remodeling we will make the venue fully ADA compliant with new accessible bathrooms and other path-of-travel ADA upgrades. We will also add new soundproofing to insure the quiet enjoyment of nearby residences.

Angela Calvillo  
Clerk of the Board  
Page Two

The Roadhouse tavern will continue hosting fundraisers with a special emphasis on LGBT and HIV charities. Besides these fundraisers it is my client's intention to support the local community with food drives, Christmas dinners and benefits for local charities and arts groups. We also intend to continue the much- beloved Thursday night live music events.

Given the historical importance of this business, and the value of this venue to the local music and LGBT community, we believe that its reopening will serve the local neighborhood as well as the larger San Francisco community and tourist economy. According to the California Arts Council, the Arts and Culture sector of the tourism industry in California tops \$17 billion in annual expenditures—one out of every four tourism dollars. San Francisco's tourist industry generates over \$6 billion and is the number one industry in the City. This venue has been and hopefully will be in the future a dynamic part of our culture and tourism industry.

The reopening of this business at 398- 12<sup>th</sup> Street will add approximately 30 jobs to the San Francisco economy, as well as continuing sales tax revenue for the City. The large outdoor patio will be a valuable resource to the neighborhood and to San Francisco entertainment community. This location, with its large walled outdoor patio and sunny inner-Mission climate, is unique and different from any other bar, lounge or nightclub in San Francisco. The applicant is open to the imposition of conditions to address any community or law enforcement concerns.

The approval by the Board of Supervisors of this ABC License would not have any detrimental effect on the surrounding neighborhood or the city of San Francisco. Historically, the clientele of this operation fit well into the existing neighborhood and has posed no public safety problems in the past. The Eagle Tavern has been a good neighbor and positive influence in the neighborhood and The Roadhouse Tavern will likewise be a good neighbor and an asset to the community.

For the reasons outlined above, applicant Double Rainbow, LLC dba **Roadhouse Tavern** respectfully request that this letter be forwarded to the City Operations and Neighborhood Services Committee of the Board and that this Committee and the full Board of Supervisors make a determination under California Business and Professions Code § 23958.4 that the public need or convenience would be served by the issuance of a Type-48 liquor license to **Roadhouse Tavern** at 398- 12<sup>th</sup> Street

Thank you for your consideration of this request.

Yours truly,



Mark E. Rennie

## LIQUOR LICENSE REVIEW

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

**File:** 120643

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

Block/lot: 3522/014  
Zoning: SLR  
Quad: SE  
MB #1201206

**DATE:** June 6, 2012

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This item is scheduled to be heard at a meeting on July 23, 2012. **PLEASE EMAIL YOUR RESPONSE BY:** July 19, 2012, to Gail Johnson, Clerk, City Operations and Neighborhood Services Committee.

**Gail.Johnson@sfgov.org - Fax No: 554-7714**

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**Applicant Name:** Mark E. Rennie  
**and Business Name:** Roadhouse Tavern (398-12th Street)

**Applicant Address:** 870 Market Street  
The Flood Building, Suite 1260  
San Francisco, CA 94102  
**and Phone No.** (415) 981-4500

**PLANNING COMMENTS:**  Approval  Denial

All Retail Sales, including Bars, are principally permitted in SLR per P.C. Sec. 816.31. Type 48 license is permitted w/ a Bar per P.C. Sec. 796.22.

*Gail Johnson* 7/3/12

**POLICE COMMENTS:**  Approval  Denial



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  
ABC Liaison Unit (ALU) 553-1049

**Date:** June 20, 2012

**Subject:** P.C.N. Investigation Regarding: Double Rainbow LLC  
DBA: Roadhouse Tavern  
398-12<sup>th</sup> Street  
Mark E Rennie  
(408) 981-4500

Mark Rennie on behalf of Double Rainbow LLC has filed an application with the California Department of Alcoholic Beverage Control seeking a Person to Person/Premises to Premises- Type 48 (On-Sale General for Public Premises) bar license for 398-12<sup>th</sup> Street (located on the northwest corner of 12<sup>th</sup> Street and Harrison Street).

It should be noted that during the application process, notification date for the 500' mailer was on October 11, 2011. The Notice to the Public was posted on October 9, 2011.

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 September 2010 to September 2011

**No Record**

**Police Reports:** From September 2010 to September 2011

**No Record**

**San Francisco Plot Information:**

This premise is located in Plot **204**

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

This plot had **559** police reports recorded for *2010*. This is **OVER** the High Crime area definition by **344** police reports.

The applicant premises is located in a "High Crime" area.

**State Census Tract Information:**

This premise is located in Census Tract **177**

Population for this tract is: **1,777**

On-sale license authorized by census tract: **7**

Active on-sale licenses: **33**

Off-sale licenses authorized by census tract: **2**

Active off-sale licenses: **9**

**Letters of Protest:**

*No record* with the California Department of Alcoholic Beverage Control, (ABC).

**Letters of Support:**

*No record* with the California Department of Alcoholic Beverage Control, (ABC).

**Departmental Recommendation:**

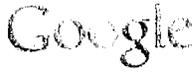
No opposition from **Southern Station**

**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 11:00 a.m. and 2:00 a.m. daily.
2. No noise shall be audible beyond the area under the control of the licensee(s) as defined on the ABC-257.
3. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.

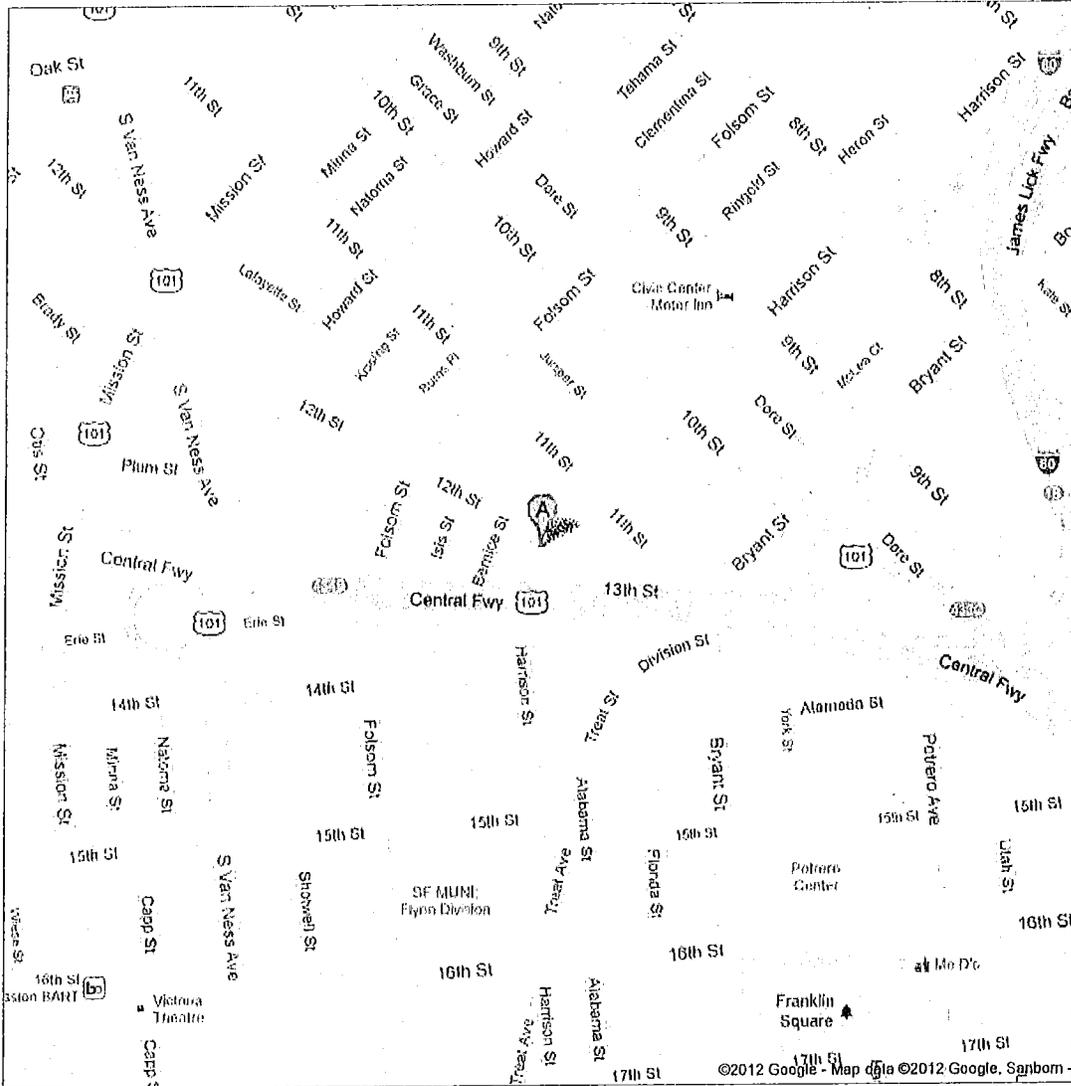
4. Loitering (loitering is defined as "to stand idly about; linger aimlessly without lawful business") is prohibited on any sidewalks or property adjacent to the licensed premises under the control of the licensee as depicted on the ABC-257.
5. The petitioner shall utilize electronic surveillance and recording equipment that is able to view all exits and entrance points of the exterior of the premises. The electronic surveillance/recording shall be operational at all times that the premises are open to the public. Said electronic recording shall be maintained and kept for a minimum of seven (7) days, and shall be made available to Law Enforcement on demand.
6. Petitioner shall not make structural changes in the premises interior without prior written approval from the Department.
7. The licensee shall provide security as needed. Security personnel shall be readily identifiable as security by wearing distinctive clothing that has a logo of the establishment and the apparel shall state "SECURITY STAFF".
8. 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.

Thank you.



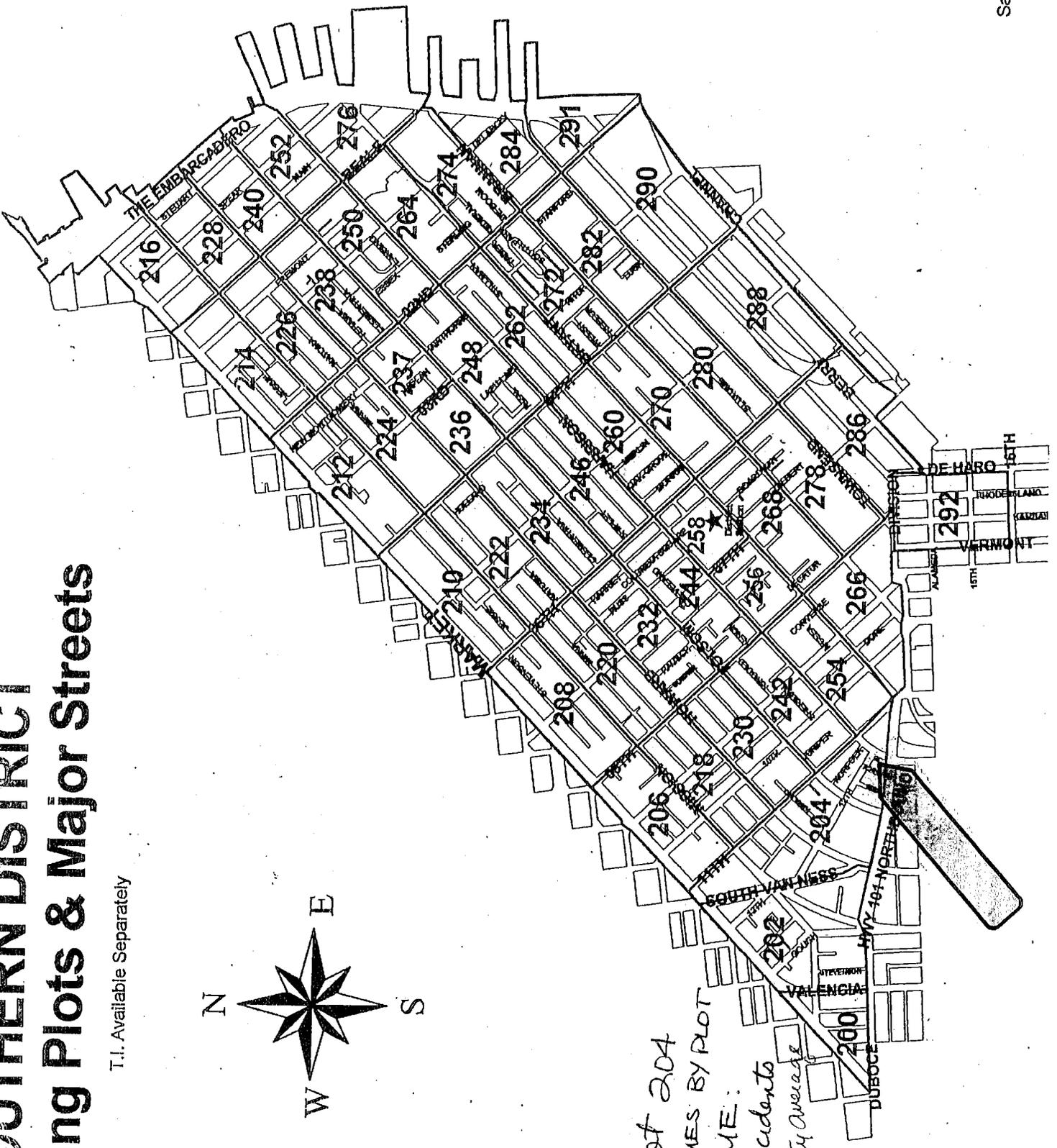
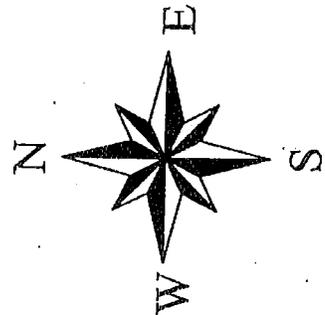
Address 398 12th St  
San Francisco, CA 94103

Roadhouse Tavern  
48-513951



# SOUTHERN DISTRICT Plotting Plots & Major Streets

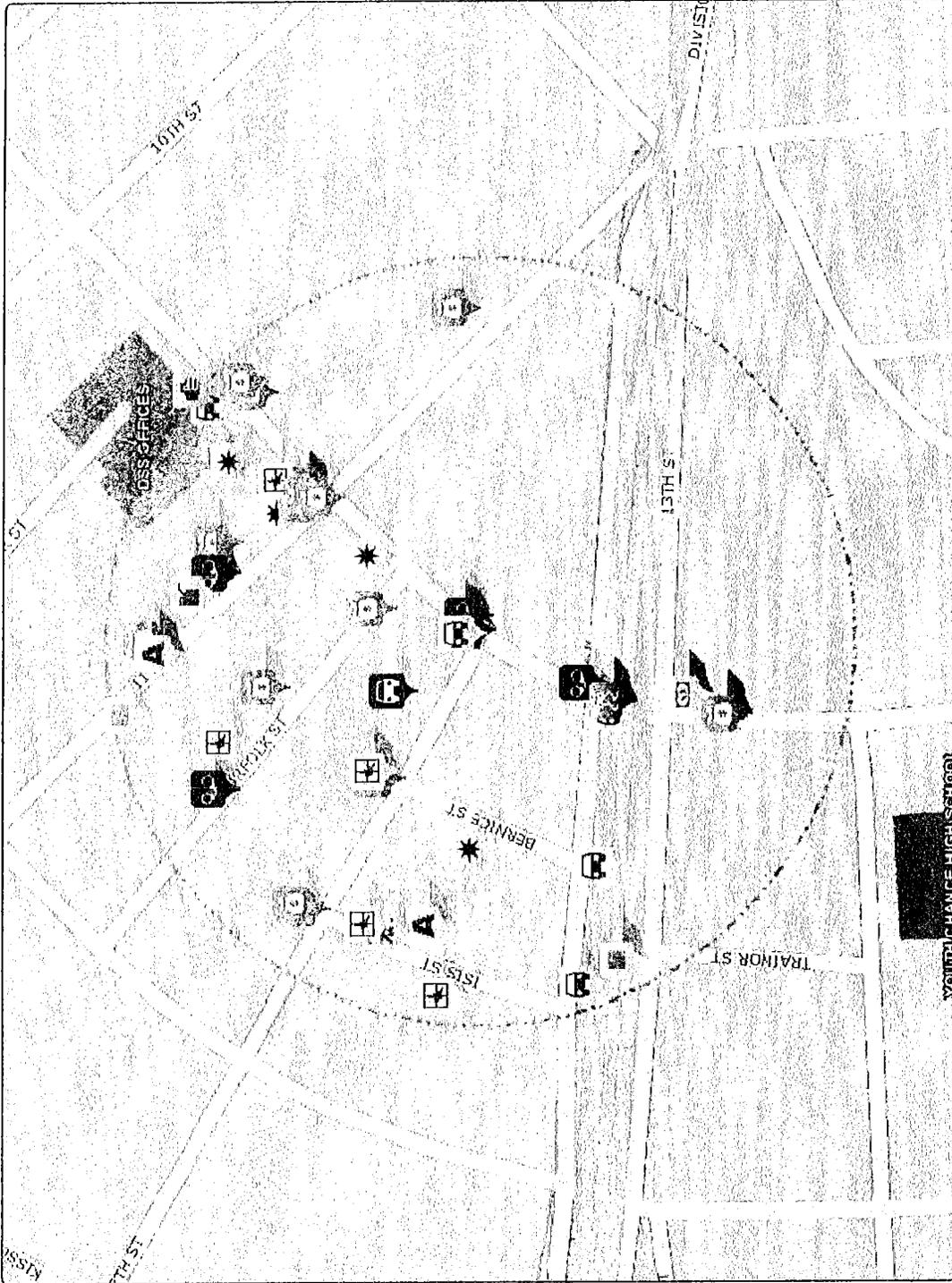
T.I. Available Separately



Police Plot 204  
 2010 - CRIMES BY PLOT  
 HIGH CRIME:  
 559 incidents  
 215 - city average  
 344



**398-12th Street-500 ft radius**  
09/02/2010-09/01/2011



Map Legend	
[Icon]	Incidents (243)
[Icon]	Larceny/Theft (86)
[Icon]	Other Offenses (22)
[Icon]	Warrants (19)
[Icon]	Non-Criminal (17)
[Icon]	Warrants (15)
[Icon]	Assault (14)
[Icon]	Burglary (12)
[Icon]	Vehicle Theft (10)
[Icon]	Vandalism (10)
[Icon]	Suspicious Occurrence (8)
[Icon]	Drug/Narcotic (7)
[Icon]	Forgery/Counterfeiting (6)
[Icon]	Fraud (4)
[Icon]	Robbery (3)
[Icon]	Trespassing (2)
[Icon]	Missing Person (2)
[Icon]	Secondary Codes (1)
[Icon]	Arson (1)
[Icon]	D.U.I. (1)
[Icon]	Embezzlement (1)
[Icon]	Recovered Vehicle (1)
[Icon]	Disorderly Conduct (1)

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.

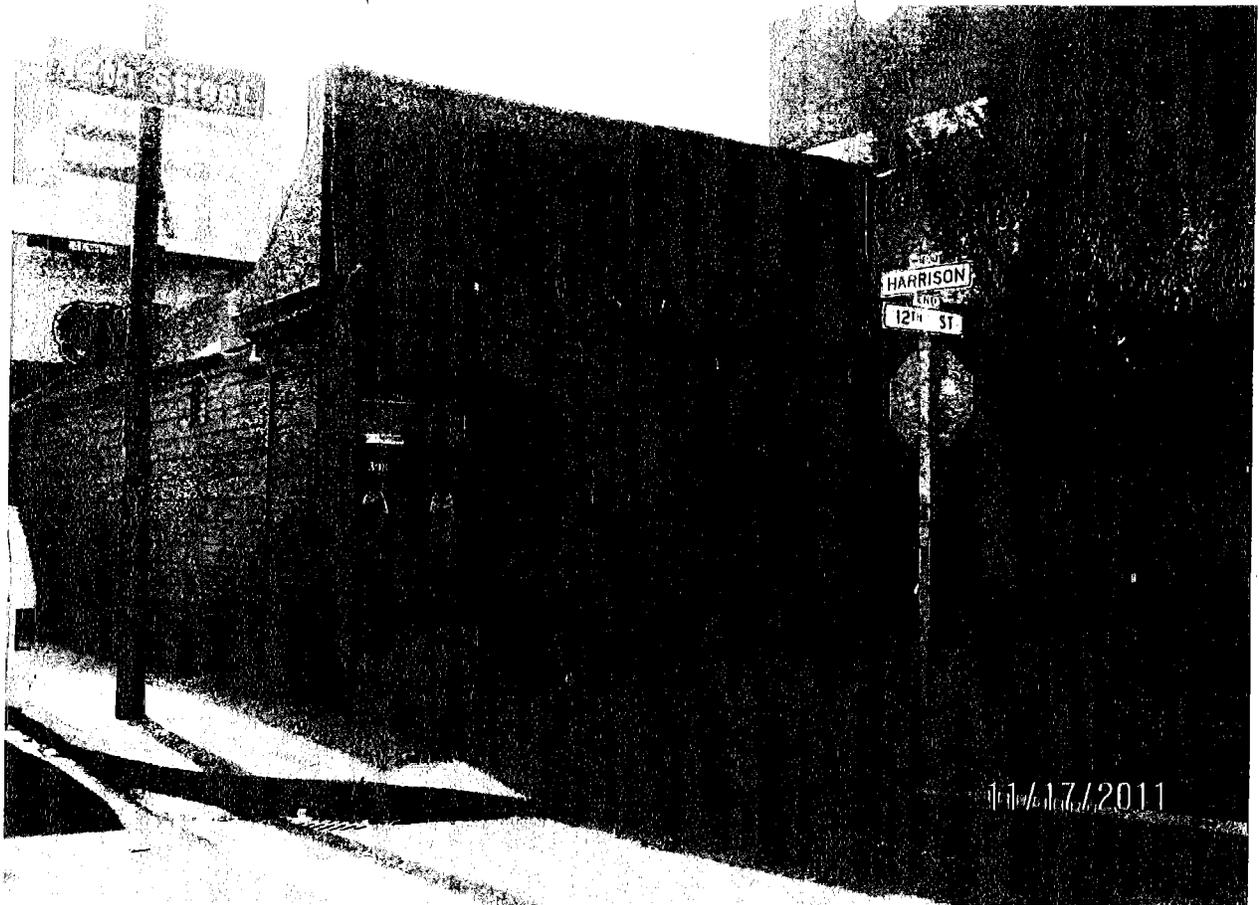
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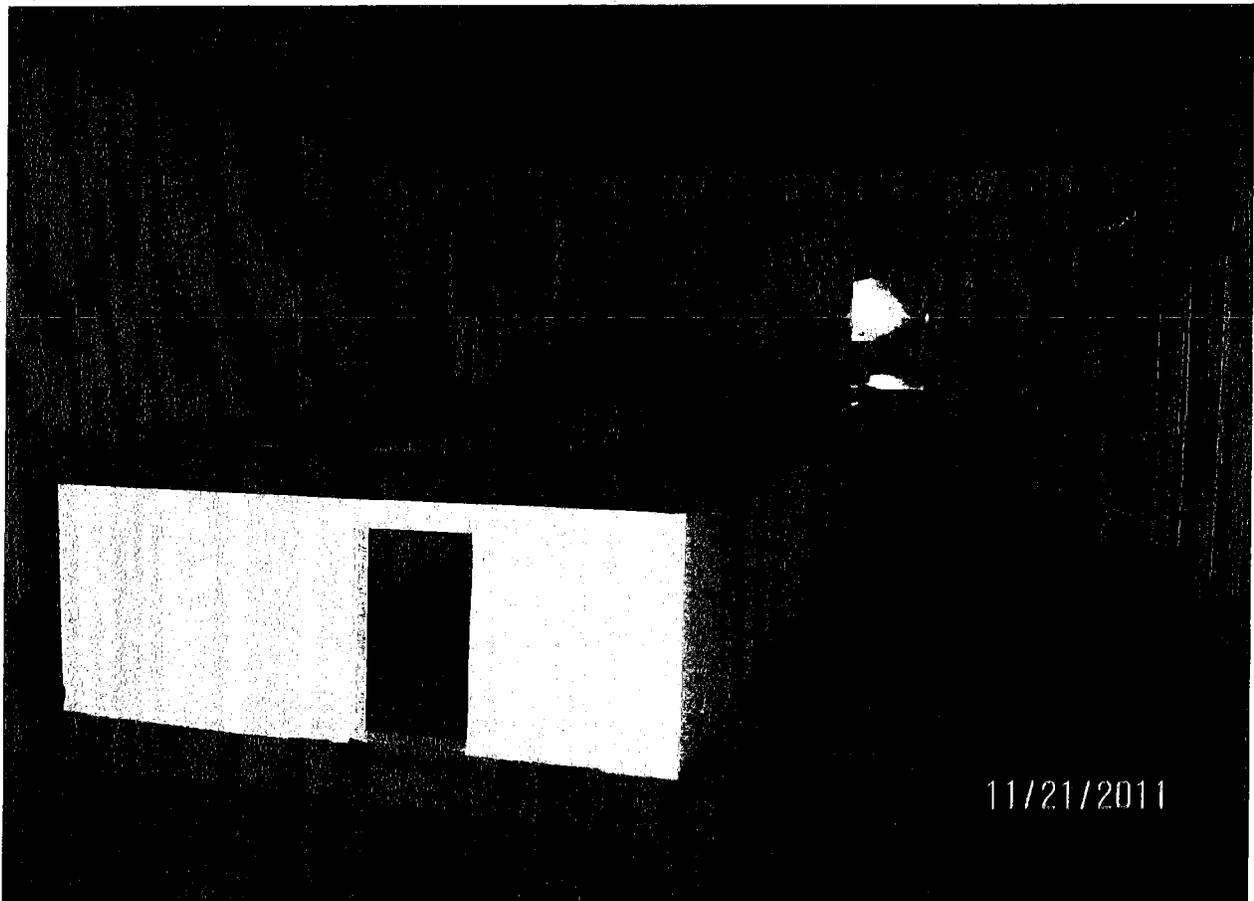
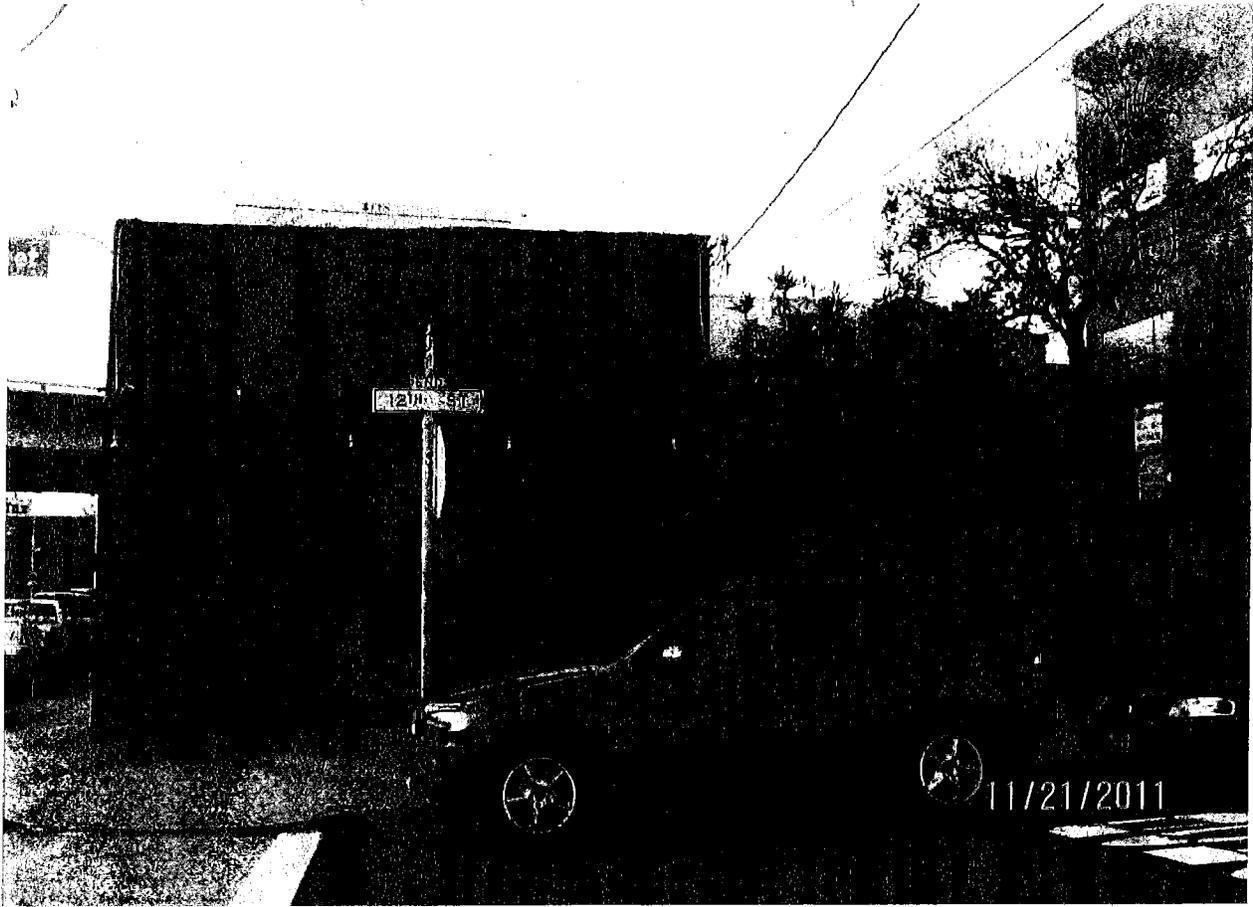
Call No		Agency		Call Type		Disposition	
Report No		Jurisdiction		Dispatch Area		# Prior Calls	
Unit ID		Origin		Dept ID		Priority	
Rep Area		Area		Sector			
Location	398-12TH ST					Range	
Apartment		City					
Entry Oper		Dispatch Oper					
From Date	03/01/2011	To Date	09/01/2011	From Time		To Time	
Comments							
 Search							

No hits found

Call No	Agency	Call Type	Disposition
Report No	Jurisdiction	Dispatch Area	# Prior Calls
Unit ID	Origin	Dept ID	Priority
Rep Area	Area	Sector	
Location 398-12TH ST			Range
Apartment	City		
Entry Oper	Dispatch Oper		
From Date 09/01/2010	To Date 03/01/2011	From Time	To Time
Comments			
<input type="button" value="Search"/>			

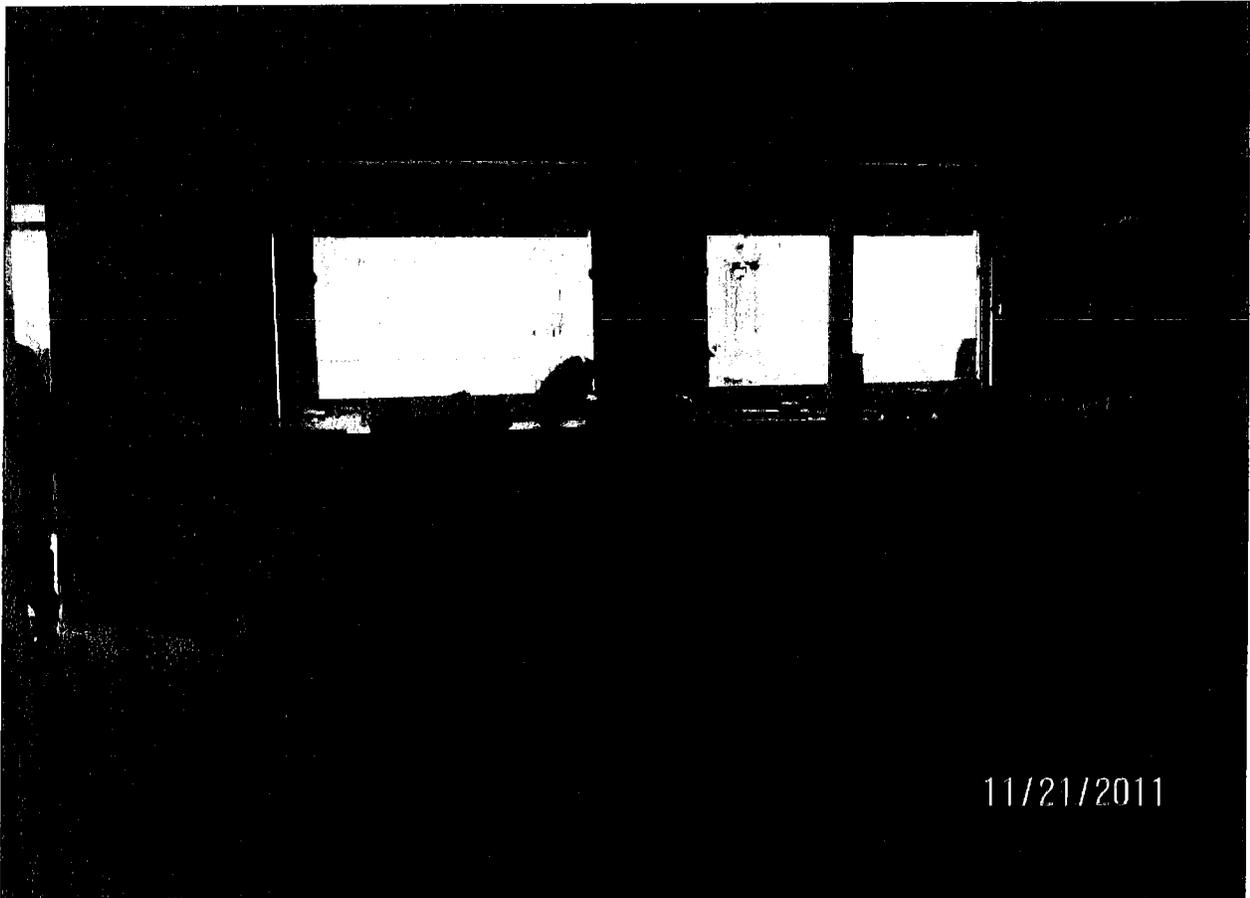
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11/21/2011



11/21/2011

