File No.	181107	Committee Item No1
·		Board Item No.

COMMITTEE/BOARD OF SUPERVISORS

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OTHER	(Use back side if additional spa	ice is needec	l)
	HPC Reso No. 995 101718 HPC Reso No. 971 090518 Landmark Designation Case Rpt Landmark Application Hearing Notice 060319	090518	
		·	
Completed k			30, 2019
Completed k		Date <u>May .</u> Date	50, 2018

NOTE:

Ordinance amending the Planning Code to designate 524 Union Street (aka Paper Doll), Assessor's Parcel Block No. 0103, Lot No. 009, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

[Planning Code - Landmark Designation - 524 Union Street (aka Paper Doll)]

Unchanged Code text and uncodified text are in plain Arial font.

Additions to Codes are in single-underline italics Times New Roman font.

Deletions to Codes are in strikethrough italics Times New Roman font.

Board amendment additions are in double-underlined Arial font.

Board amendment deletions are in strikethrough Arial font.

Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

- (a) CEQA and Land Use Findings.
- (1) The Planning Department has determined that the proposed Planning Code amendment is subject to a Categorical Exemption from the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq., "CEQA") pursuant to Section 15308 of the Guidelines for Implementation of the statute for actions by regulatory agencies for protection of the environment (in this case, landmark designation). Said determination is on file with the Clerk of the Board of Supervisors in File No. 181107 and is incorporated herein by reference. The Board of Supervisors affirms this determination.

- (2) Pursuant to Planning Code Section 302, the Board of Supervisors finds that the proposed landmark designation of 524 Union Street (aka Paper Doll), Assessor's Parcel Block No. 0103, Lot No. 009 ("Paper Doll"), will serve the public necessity, convenience, and welfare for the reasons set forth in Historic Preservation Commission Resolution No. 995, recommending approval of the proposed designation, which is incorporated herein by reference. Said resolution is on file with the Clerk of the Board of Supervisors in File No. 181107.
- (3) The Board of Supervisors further finds that the proposed landmark designation of the Paper Doll is consistent with the San Francisco General Plan and with Planning Code Section 101.1(b) for the reasons set forth in Historic Preservation Commission Resolution No. 995, recommending approval of the proposed designation, which is incorporated herein by reference.
 - (b) General Findings.
- (1) Pursuant to Section 4.135 of the Charter, the Historic Preservation

 Commission has authority "to recommend approval, disapproval, or modification of landmark designations and historic district designations under the Planning Code to the Board of Supervisors."
- (2) The Landmark Designation Fact Sheet was prepared by Planning Department Preservation staff. All preparers meet the Secretary of the Interior's Professional Qualification Standards for historic preservation program staff, as set forth in Code of Federal Regulations Title 36, Part 61, Appendix A. Planning Department Preservation staff reviewed the report for accuracy and conformance with the purposes and standards of Article 10 of the Planning Code.

- (3) The Historic Preservation Commission, at its regular meeting of September 5, 2018, reviewed staff's analysis of the historical significance of the Paper Doll pursuant to Article 10 as part of the Landmark Designation Case Report dated September 5, 2018.
- (4) On September 5, 2018, the Historic Preservation Commission passed Resolution No. 971, initiating designation of the Paper Doll as a San Francisco Landmark pursuant to Section 1004.1 of the Planning Code. Said resolution is on file with the Clerk of the Board of Supervisors in File No. 181108 and is incorporated herein by reference.
- (5) On October 17, 2018, after holding a public hearing on the proposed designation and having considered the specialized analyses prepared by Planning Department Preservation staff and the Landmark Designation Fact Sheet, the Historic Preservation Commission recommended approval of the proposed landmark designation of the Paper Doll by Resolution No. 995. Said resolution is on file with the Clerk of the Board in File No. 181108.
- (6) The Board of Supervisors hereby finds that the Paper Doll has a special character and special historical, architectural, and aesthetic interest and value, and that its designation as a Landmark will further the purposes of and conform to the standards set forth in Article 10 of the Planning Code. In doing so, the Board hereby incorporates by reference the findings of the Landmark Designation Report.

Section 2. Designation.

Pursuant to Section 1004 of the Planning Code, 524 Union Street (aka Paper Doll), Assessor's Parcel Block No. 0103, Lot No. 009, is hereby designated as a San Francisco Landmark under Article 10 of the Planning Code. Appendix A to Article 10 of the Planning Code is hereby amended to include this property.

Section 3. Required Data.

- (a) The description, location, and boundary of the Landmark site consists of the City parcel located at 524 Union Street (aka Paper Doll), Assessor's Parcel Block No. 0103, Lot No. 009, in San Francisco's North Beach neighborhood.
- (b) The characteristics of the Landmark that justify its designation are described and shown in the Landmark Designation Report and other supporting materials contained in Planning Department Case Docket No. 2017-001773DES. In brief, the Paper Doll is eligible for local designation as it is significant as one of the earliest bars associated with the development of LGBTQ communities in San Francisco, and is also significant for its association with owner Dante Benedetti, who was on the front lines in the fight for LBGTQ civil rights in San Francisco in the 1950s.
- (c) The particular features that shall be preserved, or replaced in-kind as determined necessary, are those generally shown in photographs and described in the Landmark Designation Report, which can be found in Planning Department Docket No. 2017-001773DES, and which are incorporated in this designation by reference as though fully set forth. Specifically, the following features shall be preserved or replaced in kind:
- (1) The following character-defining exterior features: overall form, structure, height, massing, materials, and architectural ornamentation, including
 - (A) Two story height;
 - (B) Low, boxy massing;
 - (C) Flat roof;
 - (D) Redwood channel rustic horizontal wood siding;
- (E) Regularly spaced punched window openings with simple, flat wood surrounds and wood sills;
 - (F) Double-hung, wood sash windows at second floor;

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- (G) Prominent corner siting at Union Street and Cadell Place; and
- (H) Two entries and stairways to second floor facing Cadell Place.
- (2) The following character-defining interior features of the building, which are associated with areas that have historically been accessible to the public, including
- (A) A front dining room and a rear dining room with raised area separated by kitchen and bathrooms;
- (B) Heavy timber support posts running north-south in both front dining room and back dining room;
- (C) Bar configuration and back bar with oak wood coolers located at the west wall of the front dining room; and
 - (D) Fireplace in rear dining room.

Section 4. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM: DENNIS J. HERRERA, City Attorney

By:

ORIA WONG

Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code - Landmark Designation - 524 Union Street (aka Paper Doll)]

Ordinance amending the Planning Code to designate 524 Union Street (aka Paper Doll), Assessor's Parcel Block No. 0103, Lot No. 009, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Existing Law

Under Article 10, Section 1004 of the Planning Code, the Board of Supervisors may, by ordinance, designate an individual structure that has special character or special historical, architectural, or aesthetic interest or value as a City landmark. Once a structure has been named a landmark, any construction, alteration, removal or demolition for which a City permit is required necessitates a Certificate of Appropriateness from the Historic Preservation Commission ("HPC"). (Planning Code Section 1006; Charter of the City and County of San Francisco, Section 4.135.) Thus, landmark designation affords a high degree of protection to historic and architectural structures of merit in the City. There are currently more than 275 individual landmarks in the City under Article 10, in addition to other structures and districts in the downtown area that are protected under Article 11. (See Appendix A to Article 10.)

524 Union Street is not currently designated as a City landmark under Planning Code Article 10.

Amendments to Current Law

The proposed legislation would amend the Planning Code to designate 524 Union Street (aka Paper Doll) as a City landmark under Article 10 of the Planning Code.

The ordinance finds that the Paper Doll is eligible for designation as a City landmark as it is significant as one of the earliest LGBTQ bars that is associated with the development of LGBTQ communities in San Francisco; and is also significant for its association with owner Dante Benedetti who became one of the people on the front lines in the fight for LBGTQ civil rights in San Francisco in the 1950s.

As required by Section 1004, the ordinance lists the particular exterior and interior features that shall be preserved, or replaced in-kind as determined necessary.

Background Information

The landmark designation was initiated by the HPC pursuant to its authority under the Charter to recommend approval, disapproval, or modification of landmark designations and historic district designations under the Planning Code to the Board of Supervisors.

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Historic Preservation Commission Resolution No. 995

HEARING DATE OCTOBER 17, 2018

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

Reception: 415.558.6378

Feren

415.558.6408

Planning Information: 415.558,6377

Case No.

2017-001773DES

Project:

524 Union Street (aka Paper Doll)

Re: Staff Contact: Recommend Article 10 Landmark Designation

Shannon Ferguson (415) 575-9074

shanuon.ferguson@stgov.org

Reviewed By:

Tim Frye – (415) 575-6822

tim.frye@sfgov.org

RESOLUTION TO RECOMMEND TO THE BOARD OF SUPERVISORS ARTICLE 10 LANDMARK DESIGNATION OF 524 UNION STREET (AKA PAPER DOLL), ASSESSOR'S PARCEL BLOCK NO. 0103, LOT NO. 009, AS LANDMARK NO. 996

- WHEREAS, a community-sponsored Landmark Designation Application for Article 10 Landmark
 Designation for 524 Union Street submitted to the Planning Department by property owner
 Beverly Smucha; and
- WHEREAS, Department Staff Shannon Ferguson, who meets the Secretary of Interior's Professional Qualification Standards, reviewed the Landmark Nomination for 524 Union Street for accuracy and conformance with the purposes and standards of Article 10; and
- 3. WHEREAS, the Historic Preservation Commission, at its regular meeting of September 5, 2018, reviewed Department staff's analysis of 524 Union Street's historical significance per Article 10 as part of the Landmark Designation Case Report dated September 5, 2018 and initiated Landmark designation process through Resolution 971; and
- 4. WHEREAS, the Historic Preservation Commission finds that the 524 Union Street nomination is in the form prescribed by the Historic Preservation Commission and contains supporting historic, architectural, and/or cultural documentation; and
- 5. WHEREAS, the Historic Preservation Commission finds that 524 Union Street is eligible for local designation as it is significant as one of the earliest LGBTQ bars that is associated with the development of LGBTQ communities in San Francisco; and is also significant for its association with owner Dante Benedetti who became one of the people on the front lines in the fight for LBGTQ civil rights in San Francisco in the 1950s, and
- 6. WHEREAS, the Historic Preservation Commission finds that 524 Union Strest meets one of the Historic Preservation Commission's four priorities for designation which is the designation of properties with strong cultural or ethnic associations; and

- WHEREAS, the Historic Preservation Commission finds that 524 Union Street meets the eligibility requirements per Section 1004 of the Planning Code and warrants consideration for Article 10 landmark designation; and
- 8. WHEREAS, the Historic Preservation Commission finds that the boundaries and the list of exterior character-defining features, as identified in the Landmark Designation Report, should be considered for preservation under the proposed landmark designation as they relate to the building's historical significance and retain historical integrity; and
- 9. WHEREAS, the proposed designation is consistent with the General Plan priority policies pursuant to Planning Code sections 101.1 and 302; and furthers Priority Policy 7, which states that historic buildings be preserved; and
- WHEREAS, the Department has determined that landmark designation is exempt from environmental review, pursuant to CEQA Guidelines Section 15308 (Class Eight - Categorical);

THEREFORE BE IT RESOLVED, that the Historic Preservation Commission hereby recommends to the Board of Supervisors approval of landmark designation of 524 Union Street (aka Paper Doll), Assessor's Percel Block No. 0103, Lot No. 009 pursuant to Article 10 of the Planning Code.

I hereby certify that the foregoing Resolution was adopted by the Historic Preservation Commission at its meeting on October 17, 2018.

Jonas P. Ionin

Commission Secretary

AYES:

Black, Johnek, Johns, Matsuda, Pearlman, Wolfram

NAYS:

None

ABSENT:

Hyland

ADOPTED:

October 17, 2018



Historic Preservation Commission Resolution No. 971

HEARING DATE: SEPTEMBER 5, 2018

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

Reception: 415.558.6378

Fax:

415.558.6409

Planning Information: 415,558.6377

Case No.

2017-001773DES

Project:

524 Union Street (aka Paper Doll)

Re: Staff Contact: Initiate Article 10 Landmark Designation Shannon Ferguson (415) 575-9074

shannon.ferguson@sfgov.org

Reviewed By:

Tim Frye - (415) 575-6822

tim.frye@sfgov.org

RESOLUTION TO INITIATE DESIGNATION OF 524 UNION STREET (AKA PAPER DOLL), ASSESSOR'S PARCEL BLOCK NO. 0103, LOT NO. 009, AS AN ARTICLE 10 LANDMARK.

- WHEREAS, a community-sponsored Landmark Designation Application for Article 10 Landmark
 Designation for 524 Union Street was submitted to the Planning Department by property owner
 Beverly Smucha; and
- WHEREAS, Department Staff Shannon Ferguson, who meets the Secretary of Interior's Professional Qualification Standards, reviewed the Landmark Nomination for 524 Union Street for accuracy and conformance with the purposes and standards of Article 10; and
- 3. WHEREAS, the Historic Preservation Commission, at its regular meeting of September 5, 2018, reviewed Department staff's analysis of 524 Union Street's historical significance per Article 10 as part of the Landmark Designation Case Report dated September 5, 2018; and
- 4. WHERBAS, the Historic Preservation Commission finds that 524 Union Street nomination is in the form prescribed by the Historic Preservation Commission and contains supporting historic, architectural, and/or cultural documentation; and

THEREFORE BE IT RESOLVED, that the Historic Preservation Commission hereby initiates designation of 524 Union Street (aka Paper Doll), Assessor's Parcel Block No. 0103, Lot No. 009, as a Landmark pursuant to Article 10 of the Planning Code.

I hereby certify that the foregoing Resolution was adopted by the Historic Preservation Commission at its meeting on September 5, 2018.

Jonas P. Ionin

Commission Secretary

AYES:

Black, Hyland, Johnck, Johns, Matsuda, Pearlman, Wolfram

NAYS:

None

ABSENT:

None

ADOPTED:

September 5, 2018

Landmark Designation Case Report

Hearing Date:

September 5, 2018

Case No.:

2017-001773DES

Project Address:

524 Union Street (Paper Doll)

Zoning:

NCD - North Beach Neighborhood Commercial

Block/Lot:

0103/009

Property Owner: 524 Union Street, A General Partnership

76 Brentwood Avenue San Francisco, CA 94127

Staff Contact:

Shannon Ferguson - (415) 575-9074

shannon.ferguson@sfgov.org

Reviewed By:

Tim Frye - (415) 575-6822

tim.frye@sfgov.org

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

Reception: 415,558.6378

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Planning Information: 415.558.6377

PROPERTY DESCRIPTION & SURROUNDING LAND USE AND DEVELOPMENT

Located in the North Beach neighborhood, 524 Union Street (Paper Doll, subject property) was originally constructed in 1846 and reconstructed following the 1906 earthquake and fire. Alterations to the building were made in 1975-1978, including seismic strengthening, replacing the main corner entrance to the bar located at Union Street and Cadell Place with the current storefront windows, and moving the main entrance to its current location on Cadell Place (the original secondary entrance).

524 Union is a mixed use commercial building. The two-story plus basement, wood framed building is clad in rustic redwood siding and features pilasters with simple capitals that break the facades into bays. It is capped by a dentil cornice and flat roof. The façade facing Union Street is two bays wide. The west bay has a pass-through opening and pedestrian entrance to the second floor. The east bay has fixed, wood sash windows at the basement level topped by wood storefront windows with a transom. The west bay of the second floor features two punched openings with flat wood surrounds filled with doublehung, wood sash windows. The east bay has a wood door with wood balconette. The first story of the Cadell Place façade features three similar storefront windows and a pair of wood doors that lead to the bar/restaurant. The second floor features four similar punched openings with flat wood surrounds filled with double-hung, wood sash windows. The middle portion of the building, likely a very early addition, is also two stories with the second story set back to create a roof deck. This first level of this facade features several windows and two doors that lead to the kitchen and rear dining room. The rear portion of the building, also likely a very early addition, is two stories and is accessed by a wood stair.

North Beach is a mixed commercial and residential neighborhood consisting predominantly of small retail shops and restaurants and flats and medium sized apartment buildings with portions rebuilt after the earthquake and fire. Union Street slopes gently uphill from Stockton Street to Grant Avenue and is defined on both sides by two- to four-story apartment buildings with commercial buildings clustered at Stockton Street and Grant Avenue.

PROJECT DESCRIPTION

The case before the Historic Preservation Commission is the consideration of the initiation of a community sponsored landmark designation application for 524 Union Street (Paper Doll) as a San Francisco landmark under Article 10 of the Planning Code, Section 1004.1, and recommending the Board of Supervisors approve such designation.

ENVIRONMENTAL REVIEW STATUS

The Planning Department has determined that actions by regulatory agencies for protection of the environment (specifically in this case, landmark designation) are exempt from environmental review, pursuant to CEQA Guidelines Section 15308 (Class Eight - Categorical).

GENERAL PLAN POLICIES

The Urban Design Element of the San Francisco General Plan contains the following relevant objectives and policies:

OBJECTIVE 2: Conservation of Resources that provide a sense of nature, continuity with the

past, and freedom from overcrowding.

POLICY 4: Preserve notable landmarks and areas of historic, architectural or aesthetic value,

and promote the preservation of other buildings and features that provide

continuity with past development.

Designating significant historic resources as local landmarks will further continuity with the past because the buildings will be preserved for the benefit of future generations. Landmark designation will require that the Planning Department and the Historic Preservation Commission review proposed work that may have an impact on character-defining features. Both entities will utilize the Secretary of Interior's Standards for the Treatment of Historic Properties in their review to ensure that only appropriate, compatible alterations are made.

SAN FRANCISCO PLANNING CODE SECTION 101.1 - GENERAL PLAN CONSISTENCY AND IMPLEMENTATION

Planning Code Section 101.1 – Eight Priority Policies establishes and requires review of permits for consistency with said policies. On balance, the proposed designation is consistent with the priority policies in that:

a. The proposed designation will further Priority Policy No. 7, that landmarks and historic buildings be preserved. Landmark designation of 524 Union Street (Paper Doll) will help to preserve an important historical resource that is significant as one of the earliest lesbian bars associated with development of LGBTQ communities in San Francisco; and is also significant for its association with owner Dante Benedetti who became one of the people on the front lines in the fight for LBGTQ civil rights in San Francisco in the 1950s.

BACKGROUND / PREVIOUS ACTIONS

524 Union Street (Paper Doll) is currently listed as an A-Historic Resource building. The Citywide Historic Context Statement for LGBTQ History in San Francisco, by Donna Graves and Shayne E. Watson (Context Statement), identified the Paper Doll as potentially significant for its association with the development of LGBTQ communities in San Francisco.

The landmark designation nomination was submitted by the property owner. A final draft of the report was submitted to the Department on June 14, 2018. Department staff conducted site visit on June 28, 2018.

OTHER ACTIONS REQUIRED

If the Historic Preservation Commission adopts a resolution to initiate designation of the subject property as an Article 10 landmark at its September 5, 2018 hearing and directs staff to finalize the landmark designation report, a second Historic Preservation Commission hearing will be scheduled for the Commission's recommendation of approval of the designation. At the second hearing, if the Historic Preservation Commission recommends approval of the designation, its recommendation will be sent by the Department to the Board of Supervisors. The nomination would then be considered at a future Board of Supervisors hearing for formal Article 10 landmark designation.

APPLICABLE PRESERVATION STANDARDS

ARTICLE 10

Section 1004 of the Planning Code authorizes the landmark designation of an individual structure or other feature or an integrated group of structures and features on a single lot or site, having special character or special historical, architectural or aesthetic interest or value, as a landmark. Section 1004.1 also outlines that landmark designation may be initiated by the Board of Supervisors or the Historic Preservation Commission and the initiation shall include findings in support. Section 1004.2 states that once initiated, the proposed designation is referred to the Historic Preservation Commission for a report and recommendation to the Board of Supervisors to approve, disapprove or modify the proposal.

Pursuant to Section 1004.3 of the Planning Code, if the Historic Preservation Commission approves the designation, a copy of the resolution of approval is transmitted to the Board of Supervisors and without referral to the Planning Commission. The Board of Supervisors shall hold a public hearing on the designation and may approve, modify or disapprove the designation.

In the case of the initiation of a historic district, the Historic Preservation Commission shall refer its recommendation to the Planning Commission pursuant to Section 1004.2(c). The Planning Commission shall have 45 days to provide review and comment on the proposed designation and address the consistency of the proposed designation with the General Plan, Section 101.1 priority policies, the City's Regional Housing Needs Allocation, and the Sustainable Communities Strategy for the Bay Area. These comments shall be sent to the Board of Supervisors in the form of a resolution.

Section 1004(b) requires that the designating ordinance approved by the Board of Supervisors shall include the location and boundaries of the landmark site, a description of the characteristics of the

Landmark Designation Initiation September 5, 2018

Case Number 2017-001773DES 524 Union Street (aka Paper Doll)

landmark which justify its designation, and a description of the particular features that should be preserved.

Section 1004.4 states that if the Historic Preservation Commission disapproves the proposed designation, such action shall be final, except upon the filing of a valid appeal to the Board of Supervisors within 30 days.

ARTICLE 10 LANDMARK CRITERIA

The Historic Preservation Commission on February 4, 2009, by Resolution No. 001, adopted the National Register Criteria as its methodology for recommending landmark designation of historic resources. Under the National Register Criteria, the quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, feeling, materials, workmanship, and association, and that are associated with events that have made a significant contribution to the broad patterns of our history; or that are associated with the lives of persons significant in our past; or that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction; or properties that have yielded, or may likely yield, information important in prehistory or history.

PUBLIC / NEIGHBORHOOD INPUT

There is no known public or neighborhood opposition to designation of 524 Union Street (Paper Doll) as an Article 10 landmark. The Department received one letter of support from the community. The Department will provide any public correspondence received after the submittal of this report in the Historic Preservation Commission's correspondence folder.

PROPERTY OWNER INPUT

Property owner is supportive of landmark designation.

STAFF ANALYSIS

The case report and following analysis was prepared by Department staff. The Department has determined that the subject property meets the requirements for Article 10 eligibility as an individual landmark. The justification for its inclusion is outlined below under the Significance and Integrity sections of this case report.

The subject property appears to meet two the Historic Preservation Commission's priorities for designation which are:

The designation of underrepresented Landmark property types including landscapes
 There are currently only three landmark buildings associated with LGBTQ cultural heritage:
 Castro Camera and Harvey Milk Residence (573 Castro Street, LM #227); Twin Peaks Tavern (401

Landmark Designation Initiation September 5, 2018

Case Number 2017-001773DES 524 Union Street (aka Paper Doll)

Castro Street, LM#264); and the Jose Theater/Names Project Building (2362 Market Street, LM #241).

- 2. The designation of buildings of Modern design
 The subject property is not a Modern style building.
- The designation of buildings located in geographically underrepresented areas
 There are currently only three individual landmark buildings located in the nearby vicinity:
 Washington Square (LM #226); Old Spaghetti Factory (478 Green Street, LM #127); and St. Francis of Assisi Church (620 Vallejo Street, LM #5).
- The designation of properties with strong cultural or ethnic associations.
 The subject property has specific cultural associations with LGBTQ heritage.

SIGNIFICANCE

Significant events

Opened in 1944, the Paper Doll is significant as one of the earliest lesbian bars associated with the development of LGBTQ communities in San Francisco. The Paper Doll is located in North Beach, which became known as San Francisco's first bar-based LGBTQ Community. North Beach had an international, working-class feel, with a thriving Bohemian scene of artists and writers taking advantage of cheap rents. It was described as an exciting, vital neighborhood that was more accepting and tolerant of LGBTQ people. This atmosphere drew more queer men and women to the neighborhood, creating the city's first queer residential enclave and establishing the roots of San Francisco's LGBTQ communities. Bars were an important early gathering place for queer people. Bars in North Beach like the Paper Doll were able to create discrete spaces where LGBTQ people felt safe to congregate in public. The Paper Doll and these other bars provided the protection needed to establish and nurture the LGBTQ community.

The clientele of the Paper Doll were a mix of men and women, but it was mostly frequented by women because it was located away from the touristy Broadway Street. Bars that welcomed lesbians were few in number because most bars catered to white, gay men. The LQBTQ Context Statement notes that, "special consideration should be given to places associated with particularly underrepresented communities including people of color, lesbians, and people who identify as transgender or bisexual."

The Paper Doll was unique because it was one of the first restaurants catering to the queer community in San Francisco – if not the first – and because it provided a public alternative to nightclubs and bars. The Paper Doll operated through 1961. Because it was a restaurant, it was able to avoid policing by agencies such as the Alcoholic Beverage Control Board (ABC), because these agencies were more tolerant of bars with restaurants. Therefore it remained open for longer than most queer spaces.

Significant Persons

Dante Benedetti, as the owner of the Paper Doll, became one of the people on the front lines in the fight for LBGTQ civil rights in San Francisco in the late 1950s. Prior to 1955, serving alcohol to 'known homosexuals' was not illegal, although homosexual acts were still banned. Queer people could legally assemble in bars, but touching, nonnormative gender attire, or mannerisms that signified homosexual

Landmark Designation Initiation September 5, 2018

Case Number 2017-001773DES 524 Union Street (aka Paper Doll)

status could be construed as an illegal act. A number of bars were closed based on charges related to homosexuality. This had a devastating effect on gay and lesbian bar owners.

Benedetti bought the Paper Doll in 1954. On August 20, 1956, the Department of Alcoholic Beverage Control filed an accusation against Benedetti and the Paper Doll, charging violations of keeping of a disorderly house, alleging disturbance of the neighborhood, injury to the public welfare and morals, and the keeping of a resort for sexual perverts. On May 16, 1957, the Department of Alcoholic Beverage Control revoked Benedetti's liquor license because it deemed that its continuance would be contrary to public welfare and morals. Although Benedetti would concede during the trial that the Paper Doll had a gay and lesbian cliental, an admission that made headlines in San Francisco newspapers, he claimed that he "never had any idea whatsoever that there was anything wrong with operating a gay bar." Benedetti would explain to anyone who asked, that he never made assumptions about the gender, or sexuality of his clientele at Paper Doll. Benedetti battled the Department of Alcoholic Beverage Control between 1956-1961 arguing that gays and lesbians had the right to assemble in bars and restaurants. In 1961, Benedetti sold his license to Don Farber, a journeyman baseball player who spent time with the Pacific Coast League's Oakland Oaks, who renamed the bar Cadell Place.

PERIOD OF SIGNIFICANCE

The Period of Significance is 1947-1961 reflecting the date Mona Sargent took over management of the Paper Doll and turned it into a gay bar and ending with the date Dante Benedetti sold the Paper Doll.

INTEGRITY

As noted in the Context Statement, "very few sites important to LGBTQ history in San Francisco will express their historic associations solely through their physical fabric, so integrity of design, workmanship, and materials are not generally critical when evaluating a property. Instead, the important aspects of integrity for most LGBTQ resources are location, feeling, and association"

524 Union Street (Paper Doll) was altered circa 1975 to 1978. Moulton & Clark, Inc. served as architects of the alterations. The most substantial exterior change that occurred at this time was the corner entrance to the bar (see page 18 of the attached landmark nomination report) was removed and replaced with the current storefront windows. The main entrance to the bar was moved to Cadell Place where the wood double doors are currently located. Commercial entrances and storefronts are commonly reconfigured, so this does not detract from its integrity.

524 Union Street retains integrity of location and setting. The building in which the Paper Doll operated during the period of significance has not been moved and the surrounding neighborhood appears much the same as it did after reconstruction following the 1906 fire.

The interior of 524 Union Street retains integrity of design, materials and feeling. The interior especially relates to the feeling of a bar/restaurant, including the long bar and back bar prominently located on the west side of the front dining room, and the restaurant configuration consisting of a front and rear dining room separated by the kitchen and bathrooms.

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524 Union Street retains association as it provides a direct link between Dante Benedetti and his battle with the Department of Alcoholic Beverage Control between 1956-1961 arguing that gays and lesbians had the right to assemble in bars and restaurants. The interior of 524 Union is sufficiently intact to convey that relationship.

CHARACTER-DEFINING FEATURES

Whenever a building, site, object, or landscape is under consideration for Article 10 landmark designation, the Historic Preservation Commission is required to identify character-defining features of the property. This is done to enable owners and the public to understand which elements are considered most important to preserve the historical and architectural character of the proposed landmark.

As described in the Landmark Designation Report, the following is a list of exterior character defining features of the Paper Doll:

The character-defining exterior features of the Paper Doll include the overall form, structure, height, massing, materials, and ornamentation of the house, carriage house and garden setting, specifically:

1. Exterior

- a. Two story height
- b. Low, boxy massing
- c. Flat roof
- d. Redwood channel rustic horizontal wood siding
- e. Regularly spaced punched window openings with simple, flat wood surrounds and wood sills
- f. Double-hung, wood sash windows at second floor
- g. Prominent corner siting at Union Street and Cadell Place
- h. Two entries and stair to second floor located on Cadell Place.

2. Interior

- a. A front dining room, an L-shaped rear dining room with raised area, and kitchen and bathrooms located between the front and rear dining rooms.
- b. Heavy timber support posts running north-south in both front dining room and back dining room
- c. Bar configuration and back bar with oak wood coolers located at the west wall of the front dining room
- d. Fireplace in rear dining room

INTERIOR LANDMARK DESIGNATION

According to Article 10, Section 1004(c) of the Planning Code, only those interiors that were historically publicly accessible are eligible for listing in Article 10. Article 10, Section 1004(c) of the Planning Code states,

- (c) The property included in any such designation shall upon designation be subject to the controls and standards set forth in this Article 10. In addition, the said property shall be subject to the following further controls and standards if imposed by the designating ordinance:
 - (1) For a publicly-owned landmark, review of proposed changes to significant interior architectural features.

(2) For a privately-owned landmark, review of proposed changes requiring a permit to significant interior architectural features in those areas of the landmark that are or historically have been accessible to members of the public. The designating ordinance must clearly describe each significant interior architectural feature subject to this restriction.

As a bar and restaurant, the interior of 524 Union Street has been historically accessible to the public.

BOUNDARIES OF THE LANDMARK SITE

The boundaries of the landmark site encompass all of and are limited to Assessor's Parcel Block No. 0103, Lot No. 009.

PLANNING DEPARTMENT RECOMMENDATION

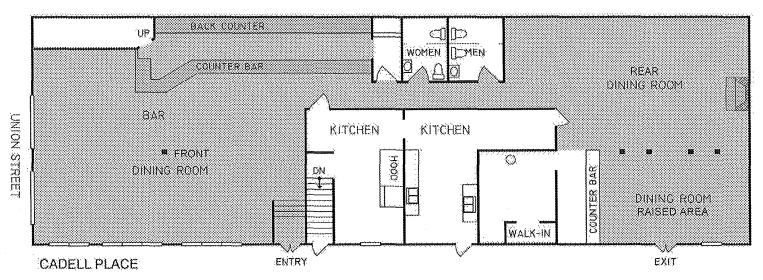
Based on the Department's analysis, 524 Union Street (Paper Doll) is individually eligible for Article 10 Landmark designation as it is associated with significant events and persons. The subject property is significant as one of the earliest lesbian bars associated with the development of LGBTQ communities in San Francisco. It is also significant for Dante Benedetti; as the owner of the Paper Doll he became one of the people on the front lines in the fight for LBGTQ civil rights in San Francisco in the late 1950s. Designation of 524 Union Street (Paper Doll) also appears to meet three of four of the Historic Preservation Commission's priorities for designation. Staff recommends approval of the proposed landmark designation of 524 Union Street (Paper Doll).

The Historic Preservation Commission may recommend approval, disapproval, or approval with modifications of the proposed designation of 524 Union Street (Paper Doll) as a San Francisco landmark under Article 10 of the Planning Code to the Board of Supervisors pursuant to Planning Code Section 1004.1. If the Historic Preservation Commission approves the designation, a copy of the motion of approval is transmitted to the Board of Supervisors, which holds a public hearing on the designation and may approve, modify or disapprove the designation (Section 1004.4). If the Historic Preservation Commission disapproves the proposed designation, such action shall be final, except upon the filing of a valid appeal to the Board of Supervisors within 30 days (Section 1004.5).

ATTACHMENTS

- A. Draft Landmark Designation Fact Sheet
- B. Draft Motion initiating designation
- C. Draft Ordinance
- D. Landmark Nomination
- E. Letter of Support

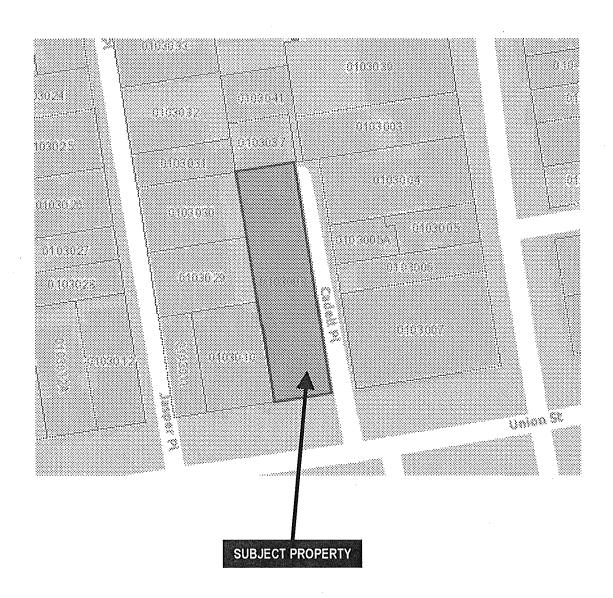
Interior Character Defining Features



Shading represents character defining interior spaces and features.

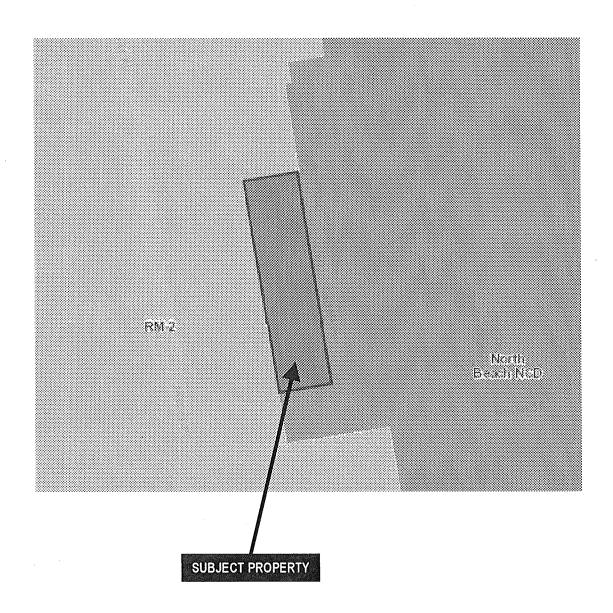


Parcel Map





Zoning Map





Aerial Photo

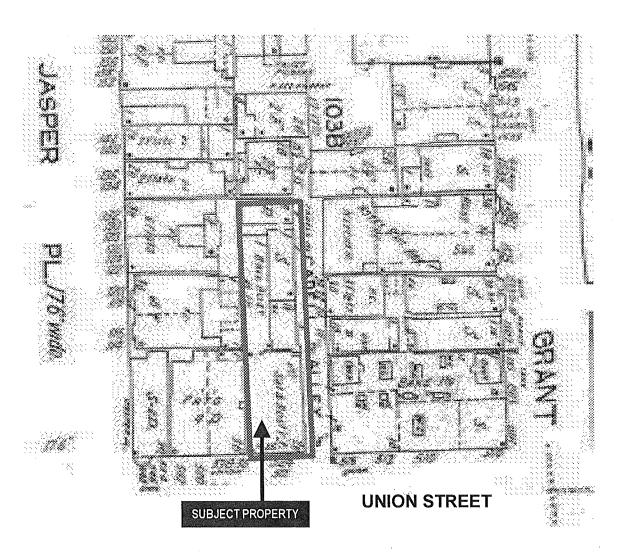


SUBJECT PROPERTY



Article 10 Landmark Designation 2017-001773DES 524 Union Street (Paper Doll)

Sanborn Map*

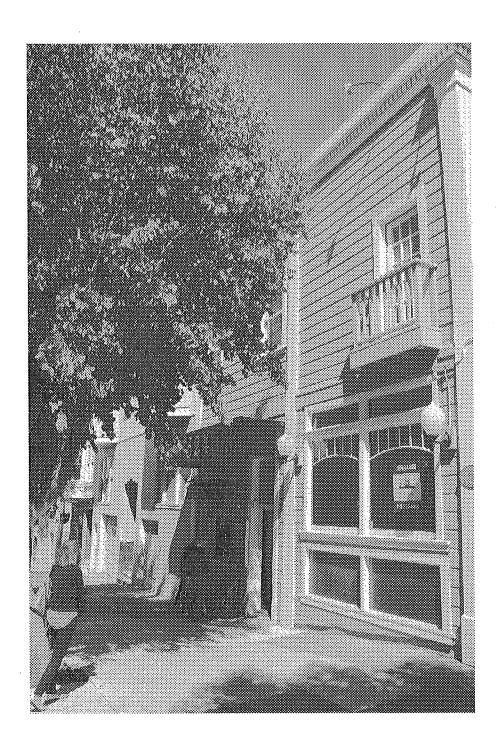


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Article 10 Landmark Designation 2017-001773DES 524 Union Street (Paper Doll)

Site Photo



Article 10 Landmark Designation 2017-001773DES 524 Union Street (Paper Doll)



Landmark No. XXX Community-Sponsored Article 10 Landmark Designation

INITIATED BY THE HISTORIC PRESERVATION COMMISSION: XXX, X, 2018 APPROVED BY THE BOARD OF SUPERVISORS: XXX, X, 2018 SIGNED BY MAYOR: XXX, X, 2018

Staff Contact:

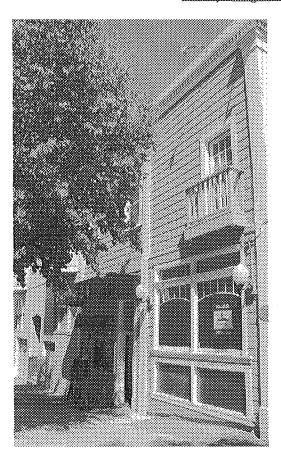
Shannon Ferguson – (415) 575-9074

sharmon.ferguson@sfgov.org

Reviewed By:

Timothy Frye – (415) 575-6822

tim.frye@sfgov.org



Historic Name:	Paper Doll
Address:	524 Union Street
Block/Lot:	0103/009
Zoning:	NCD – North Beach Neighborhood Commercial
Height & Bulk	40-X

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

Reception: 415,558,6378

Éirc:

415.558,6409

Planning Information: 415.558,6377

Year Built.	Built circa 1846, Rebuilt 1906. Altered 1975-1978
Architect:	Unknown, Moulton & Clark, Inc. Architecture & Planning (alterations)
Applicant:	524 Union Street, A General Partnership; Beverly Smucha, Managing
	Partner
Prior Historic	Identified in the LGBTQ Historic Context Statement for its association with
Studies:	the development of LGBTQ communities in San Francisco
Prior HPC	None
Actions.	

Significance Criteria	<u>Events:</u> Associated with events that have made a significant contribution to the broad patterns of our history.	
	<u>Persons:</u> Associated with the lives of significant persons in our past.	
Period of Significance	The Period of Significance is 1947-1961 reflecting the date Mona Sargent took over management of the Paper Doll and turned it into a gay bar and ending with the date Dante Benedetti sold the Paper Doll.	
Statement of Significance:	Events: Associated with events that have made a significant contribution to the broad patterns of our history. According to the Citywide Historic Context Statement for LGBTQ History in San Francisco, the Paper Doll "was one of the earliest spaces in San Francisco that functioned as an informal community center where 'gay, lesbian, and transgendered people could make friends, find lovers, get information, or plan activities.'"	
	The Paper Doll is located in North Beach, which became known as San Francisco's first bar-based LGBTQ Community. North Beach had an international, working-class feel, with a thriving Bohemian scene of artists and writers taking advantage of cheap rents. It was described as an exciting, vital neighborhood that was more accepting and tolerant of LGBTQ people. This atmosphere drew more queer men and women to the neighborhood, "creating the city's first queer residential enclave and establishing the roots of San Francisco's LGBTQ communities." ²	
	Bar owners were able to create discrete spaces where LGBTQ people felt safe to congregate in public. These bars provided the protection needed to establish and nurture the LGBTQ community. Because any display or form of nonnormative sexuality was criminal forcing LGBTQ people to	

¹ Donna Graves and Shayne E. Watson, Citywide Historic Context Statement for LGBTQ History in San Francisco, March 2016,

2.

hide from the law, public spaces like the Paper Doll served as community centers for a disconnected and disparate population to coalesce.3

Opened in 1944 by Tom Arbulich, the Paper Doll had a long bar with 30 stools off to the left. Tables and booths were to the right. Two banquet rooms were located in the back that could seat over 100 people. It was decorated by members of the North Beach artists' community, with murals on the walls painted by Emmy Lou Packard, a friend of Diego Rivera and Frida Kahlo, and had a "collage window" designed by Rita Covelick. The murals and collage window are no longer extant.

Mona Sargent, who had previously opened three other lesbian nightclubs, served as the Paper Doll's hostess and was responsible for making it into a gay bar in 1947. Clientele were a mix of men and women, but it was mostly frequented by women because it was located away from the touristy Broadway Street.⁵ Bars that welcomed women, as well as people of color, and those who identified as bisexual or transgender, were few in number as most bars catered to white, gay men.

The Paper Doll was unique because it was one of the first restaurants catering to the queer community in San Francisco – if not the first – and because it provided a public alternative to nightclubs and bars.6 The Paper Doll operated through 1961. Because it was a restaurant, it was able to avoid policing by agencies such as the Alcoholic Beverage Control Board (ABC), because these agencies were more tolerant of bars with restaurants.7 Therefore it remained open for longer than most queer spaces.

Persons: Associated with the lives of significant persons in our past.

Dante Benedetti, as the owner of the Paper Doll, became one of the people on the front lines in the fight for LBGTQ civil rights in San Francisco in the 1950s. Benedetti was born in North Beach, attended Saint Ignatius High School, and was a three-sport letter winner in football, boxing and baseball at USF from 1937-1940. After college, he served in the Coast Guard and Marine Corps during World War II and then ran the New Pisa restaurant with his father after the war. Benedetti was well known for coaching and sponsoring Little League and American Legion teams in San

³ Ibid., 54-55

⁴ Ibid., 76

⁵ Ibid., 78.

⁶ Ibid., 76.

Francisco. In 1962-1980 he served as USF's head baseball coach.

Benedetti bought the Paper Doll in 1954. During his ownership, Benedetti claimed that it was the most popular place in North Beach, serving steaks and roast beef for \$1.65 a dinner. The restaurant brought in all kinds of people and was filled with businessmen, artists, and Italians in the neighborhood. Benedetti noted, "I was doing a tremendous food business up there when they closed me down you know, how come there's just men in here? And they started to bring charges against me of what kind of place I was operating."⁸

Prior to 1955, "serving alcohol to 'known homosexuals' was not illegal – although homosexual acts were still banned. Queer people could legally assemble in bars, but touching, nonnormative gender attire, or mannerisms that signified homosexual status could be construed as an illegal act. In 1955 California's alcohol control legislation was changed with the creation of the ABC. In the same year the California Business and Professional code was amended to allow the ABC the authority to investigate "resorts for sexual perverts." The ABC began policing of queer bars, relying on entrapment and scare tactics. Undercover agents seduced patrons and police cars were parked outside bars as a deterrent. Bar owners reported that their bars were consistently harassed and monitored by undercover ABC officers looking for morals violations. A number of bars were closed based on charges related to homosexuality. This had a devastating effect on gay and lesbian bar owners. 9

On August 20, 1956, the Department of Alcoholic Beverage Control filed an accusation against Benedetti and the Paper Doll, charging violations of keeping of a disorderly house, alleging disturbance of the neighborhood, injury to the public welfare and morals, and the keeping of a resort for sexual perverts. ¹⁰

At the trial, state investigators testified that "indecent proposals were made to them by patrons of the Paper Doll." On May 16, 1957, the Department of Alcoholic Beverage Control revoked Benedetti's liquor

d.

⁸ Dante Benedetti, interviewed by Nan Alamilla Boyd, July 10, 1992, The Gay, Lesbian, Bisexual,

Transgender Historical Society.

⁹ Donna Graves and Shayne E. Watson, Citywide Historic Context Statement for LGBTQ History in San Francisco, March 2016, 114-116.

¹⁰ District Court of Appeal, First District, Division 2, California. Dante BENEDETTI, Petitioner and Appellant, v. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL et al., Respondents. Civ. 19205. Decided: December 08, 1960. https://caselaw.findlaw.com/ca-court-of-appeal/1811608.html. Accessed June 25, 2018

¹¹ San Francisco Examiner, December 4, 1956.

license because it deemed that its continuance would be contrary to public welfare and morals.

Although Benedetti would concede during the trial that the Paper Doll had a gay and lesbian clientele, an admission that made headlines in San Francisco newspapers, he claimed that he "never had any idea whatsoever that there was anything wrong with operating a gay bar". Adding that "No one ever told me. It cleared the license, and I thought that's all that was necessary." Benedetti would explain to anyone who asked, that he never made assumptions about the gender, or sexuality of his clientele at Paper Doll saying, "Gay people are no different than a human — you know, a person that's normal. You give a little acceptance to a normal person and he reacts to it. You know, and I think gay people did the same thing. That's why they came to San Francisco."12

Benedetti battled the Department of Alcoholic Beverage Control between 1956-1961 arguing that gays and lesbians had the right to assemble in bars and restaurants. Benedetti describes years in the courts, saying "in those days, they had what you call a - a court within the Alcoholic Beverage Control Board. It has nothing to do with the civil court. And I fought it all through those, and then I went into the civil court. And the first civil court I went into, they denied me the right to go ahead and fight it any further than that. [..] It was expensive, but I just thought I was right. I wasn't doing anything wrong."13

In 1961, Benedetti sold his license to Don Farber, a journeyman baseball player who spent time with the Pacific Coast League's Oakland Oaks, who renamed the bar Cadell Place.

Character-Defining Features

List of Character-Defining Features:

Exterior

- Two story height
- Low, boxy massing
- Flat roof
- Redwood channel rustic horizontal wood siding

¹² Dante Benedetti, interviewed by Nan Alamilla Boyd, July 10, 1992, The Gay, Lesbian, Bisexual,

Transgender Historical Society.

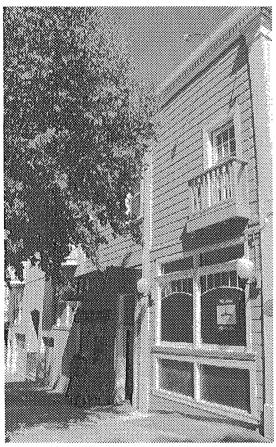
¹³ Ibid.

- Regularly spaced punched window openings with simple, flat wood surrounds and wood sills
- Double-hung, wood sash windows at second floor
- Prominent corner siting at Union Street and Cadell Place
- Two entries and stair to second floor located on Cadell Place.

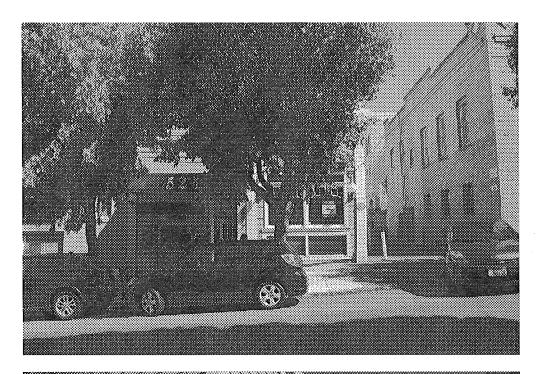
Interior

- A front dining room and a rear dining room with raised area separated by kitchen and bathrooms
- Heavy timber support posts running north-south in both front dining room and back dining room
- Bar configuration and back bar with oak wood coolers located at the west wall of the front dining room
- Fireplace in rear dining room

Additional Photos

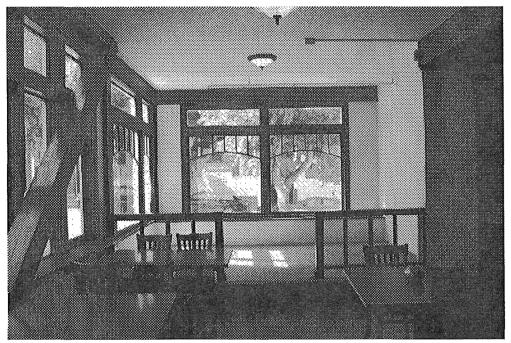


Primary façade facing Union Street, view west.

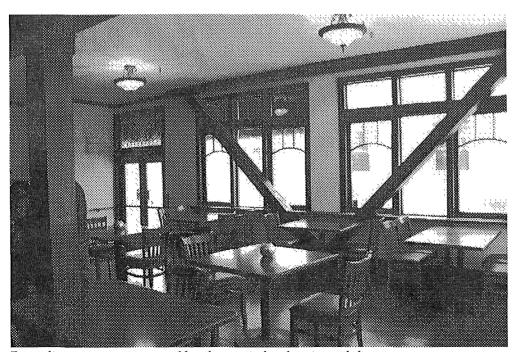




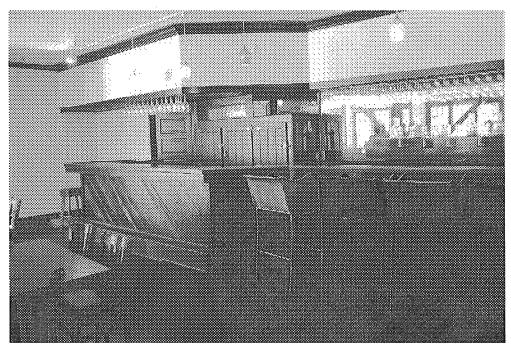
Secondary façade facing Cadell Place, view northwest.



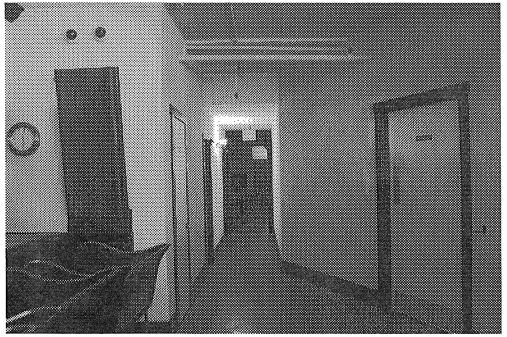
Front dining room, view south.



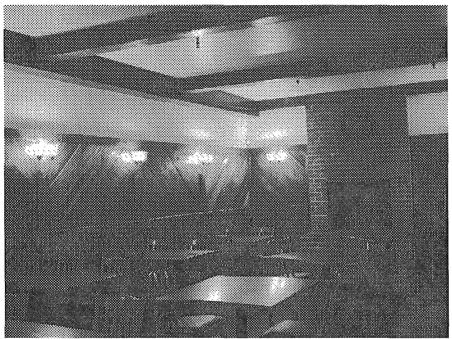
Front dining room, view east. Note heavy timber framing at left.



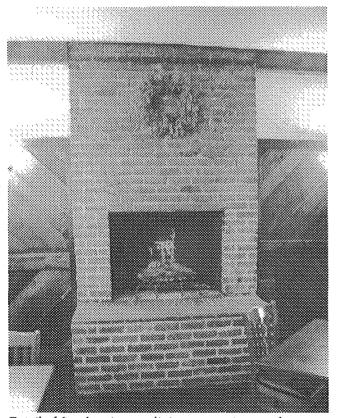
Bar and back bar configuration located at the west wall of the front dining room, view southwest.



Corridor leading to kitchen and bathrooms between front dining room and rear dining room, view north.

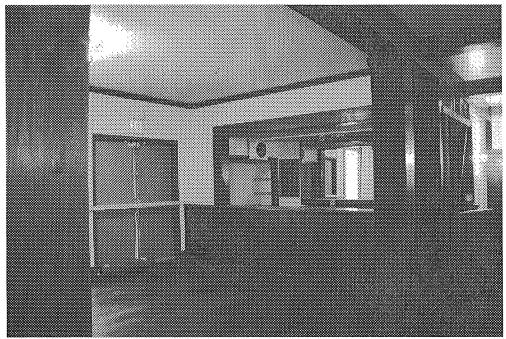


Rear dining room, view north.



Detail of fireplace in rear dining room, view north.

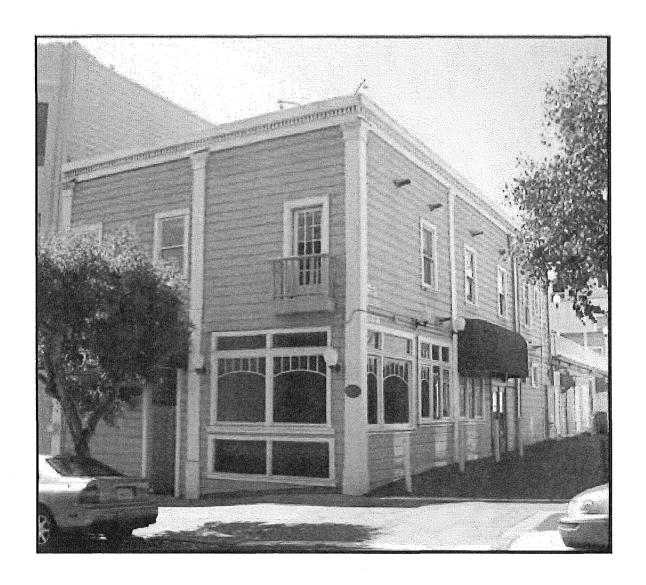
SAN FRANCISCO PLANNING DEPARTMENT

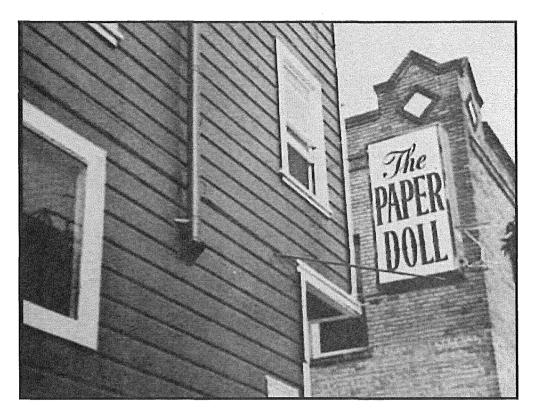


Raised area in rear dining room, view southeast. Note heavy timber framing at left and right.

The Paper Doll Restaurant & Bar

524 Union Street, San Francisco, CA.





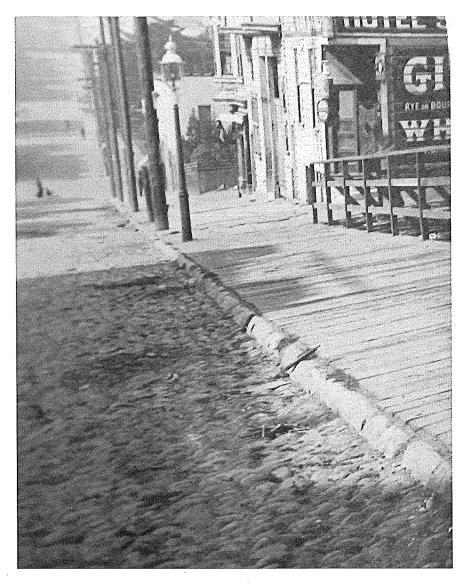
The Paper Doll at 524 Union Street

Overview

"The City's first Gay restaurant" according to Bay Area Reporter founding publisher, Bob Ross.

The Paper Doll Club was a pre-Castro social institution of profound importance as a center of San Francisco Lesbian and Gay life¹ for over thirty years. With lineage dating back to the Barbary Coast era, 524 Union Street was an anchor for the converging communities of North Beach, a crossroads for those who would go on to become influential catalysts of San Francisco's LGBTQ movements, and Women's post-War cultural movements renowned worldwide. As a Restaurant, Bar, and Jazz venue, 524 Union Street's extraordinary San Francisco history centered around Bohemian culture, civic action, resistance, innovation, feminism and Gay liberation as a location that uniquely bridged generations and movements.

The Paper Doll set the blueprint for greater acceptance of Gays and Lesbians, offering not just a refuge for a marginalized hidden community, but a model where people of all walks of life, and mixed sexuality intermingled; where for the span of a meal or a drink, the imposed closet of the era faded away for a predominantly LGBTQ clientele. The Paper Doll foreshadowed the ideals that personify values of an open San Francisco and functioned as a springboard for Gay and Lesbian entrepreneurs². As Grandmother to many of the most important LGBTQ bars, businesses and newspapers, it was one of the foundational sites where the LGBTQ's key figures unified, built community, met life long friends, lovers, surrogate families, and found political allies, giving roots to political and social liberation movements which followed.



Construction and Occupant History

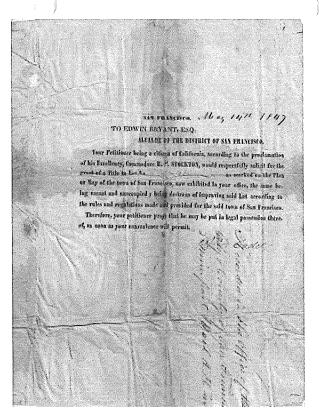
Construction:

Built circa 1846, Rebuilt 1906

Alterations: 1975-1978 Moulton & Clark, Inc. Architecture & Planning

Building Description:

524 Union Street; assessors Lot 009, Block 0103, (previously known as 512 Union Street, and several Cadell addresses), is a two story mixed use Commercial building with finished basement, with ground floor retail restaurant and bar space and rear and second floor offices; fronting on Union Street and Cadell Place; a private passageway and alley with windows and accesses on Union Street and extending along and on Cadell Place.



Original printed title for Lot N. 413, Edwin Bryant Letters, May 14, 1847, courtesy Society of California Pioneers.

Located in the heart of North Beach, within the North Beach Triangle above Washington Square Park, along the Barbary Coast Trail, Peter Cadel (also known as Kadell, and Cadell), a German immigrant and pioneer who started the first commercial brewery in Sacramento, requested purchase of the land from the City on May 14,18473 to develop and reside on the property. In 1875 there was a brick house and undeveloped lot on Cadell and Union, which he sold.



For sale advertisement San Francisco Chronicle, January 1875.

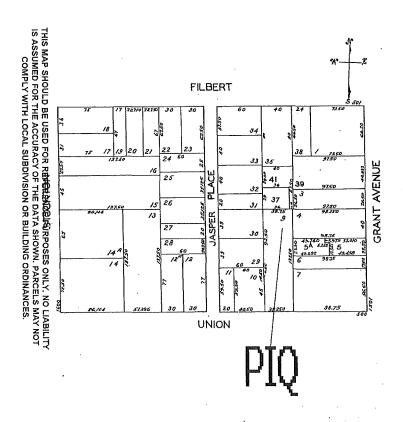
In 1878, a portion of 524 Union Street was leased to house the second location of the groundbreaking Golden Gate Kindergarten Association, inspired by visits from leading Suffragettes and founded by Female philanthropists, the public Hearst Free Kindergartens occupied the property to serve the Barbary Coast⁴.

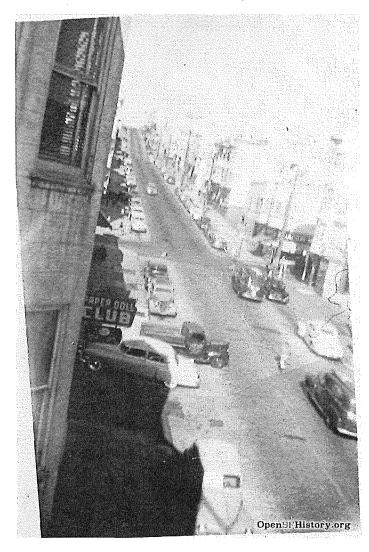
In 1904-05 as indicated on the Sanborn Map the property was occupied as a Saloon and Restaurant with a Bocci Ball Court.

Interior Description

The building was renovated and expanded in 1975 to 1978 by Moulton & Clark, Inc., Architecture & Planning. At the end of Cadell Place; a stairway led to the caretakers unit on the second floor; a walking deck with offices was constructed; two subterranean shops were constructed with a exterior public stairway, and the main entry to the restaurant and bar was removed and the secondary entry on Cadell Place became the main entry. In 1978, the restaurant and bar took over the use of the basement, and restored and extended the floor area of the bar over the stairway to the shops, and enclosed with a front window and returned it back to the original floor space with the second stage.

The configuration of the interior restaurant and bar has been preserved with two separate dining rooms, and the original long bar and other details. The windows in the dining room were enhanced during 1975 renovation with Victorian detail windows and stain glass over the front entry and in the back dining room. The back dining room provides the original brick fireplace; updated to gas, and wood paneling reclaimed from the original carriage house. The raised stage in the back dining room still has a trap door from the prohibition era or wine manufacturing. The windows on the second floor offices remain the same size and location.





Paper Doll signage, circa 1945, facing Union and upper Grant Ave, photographer unknown, OpenSFHistory Lee collection/wnp33.00983

Neighborhood Context - Bohemian North Beach

As a cultural institution, 524 Union Street was one of the most prominent locations that served North Beach's role as a Bohemian and intellectual nexus. As a mainstay of Queer culture before The Castro, North Beach's cheap attracted artists, the would-be artists, poets, and writers, while catering to the remnants of Barbary Coast bohemians, and the infancy of the Beat generation, prototype Hippies, and other counterculture. An enclave formed alongside working class, waterfront laborers, and neighboring high society, including a Gay high society residing on Telegraph Hill, all within a colony of mostly accepting European Italian and Spanish immigrants. It was a place for outsiders and everyday San Franciscans alike. More importantly playing the role of a cultural stop gap, providing a place to go with a sense of humanity at a time when Lesbians and Gays could not readily identity themselves in public without fear of repercussions.

Historically, San Francisco has been a primary catalyst of change, and tolerance sparking national and worldwide discussions. As a precursor to a recognized community of Gays, Lesbians, Bisexual, Transgender the North Beach bars were the country clubs of the marginalized, where the social codes were created that shaped a cultural and political identity.

Once known as the Latin Quarter, the repeal of Prohibition made the North Beach area a bustling hub of activity and a huge draw for locals and tourists, while retaining the international feel of an old world village. Community historian, and representative of the Family Services Agency, Roberta Bobba said the cheap rents, the weather, and the bohemians, who were always "more accepting," drew her to the neighborhood.⁵

Between 1933 and 1965, over twenty nightclubs, bars, and restaurants catering to gay, lesbian, and transgender people opened in North Beach⁶ at the base of Telegraph Hill. more men and women moved to the neighborhood, creating the city's first queer residential enclave and establishing the roots of San Francisco's LGBTQ communities. As North Beach resident Charlotte Coleman said "All the gays lived on Telegraph Hill."⁷

Another community figurehead, Reba Hudson, who arrived in the neighborhood in the 1940s and stayed there for the rest of her life, said North Beach "was the most exciting, vital neighborhood in the City. But there was still the old Italians, the old Spaniards that settled in. Boy, you could smell the wine fermenting in the Spring. It was the absolute first working example of Democracy I've ever seen. It wasn't lip service, everyone was living side by side.... no prejudice, no nothing, and [people] could embrace other people's lifestyles. Truly European. [People] didn't care if you were gay or not ... [People] just gravitated to [North Beach] and were accepted in [North Beach]. It was the only place they were accepted. North Beach has always had that reputation". adding that "It didn't matter if they were gay places or not, we all hung out around the same places. North Beach is just full of outlaws of one stripe or another, and there were just a lot of unconventional people. That's why we all like it here. Everybody is just on their own personal merits", "The bohemians" said Reba Hudson, "were always very tolerant of anyone and everyone." and "It was long before the Beat kids arrived. A lot of intellectuals, not only writers and painters, and poets, just a lot of truly intellectuals. And a lot of the artists, and a lot of the political people. It was an interesting, marvelous neighborhood".

The first Gay bars in San Francisco were found along the Barbary Coast, and Waterfront areas. Numerous famed bars of North Beach followed in that tradition, such as Mona's, The Black Cat, Finnochio's and the Beige Room, gaining notoriety for a scene of LGBT identifying patrons, gender bending performances, eventually hosting early prototypes of Gay Parades with drag artists, and floats, traveling a single block. This was the public manifestation of a subculture for many.

The Paper Doll was one of the earliest Queer spaces in San Francisco that functioned as an informal community center, and social clubs, where Gay, Lesbian, and Transgendered people could make friends, find lovers, get information, or plan activities.⁹

LGBTQ Historical Context and history of The Paper Doll

As a lost Queer space, the Paper Doll Club's forgotten history was brought back to light by historians, principally Author, Nan Alamilla Boyd (Wide Open Town), who described 524 Union Street as "a bit off the beaten path. It was far enough away from the commercial strip that it was much more of a cultural enclave. It was a Queer bar for Queer people first rather than a Queer bar for tourists first. Alongside the tourist culture were these more community based spaces like Paper Doll through which a cultural community evolved and eventually solidified. The Paper Doll was unique because it was one of the first restaurants catering to the Queer community in San Francisco—if not the first—and because it provided a public alternative to night-clubs and bars" 10.

524 Union Street spanned generations of struggles and pride, offering rare continuity to the Gay Liberation era as it emerged, back to the Barbary Coast influenced era of bars closed long

before their arrival to San Francisco. Where vital organizations such as Daughters of Bilitis, The Mattachine Society, Imperial Council, The Tavern Guild, and others gathered. Where many of the most important LGBT businesses owners and bar owners of San Francisco got their start. They all came out of the Paper Doll. Before the term Gay, and at a time when Lesbians and Homosexuals were ostracized, associated with mental illness, and getting caught could land you in jail, the Paper Doll existed as a place primarily for camaraderie.

Offering multi-course dinners at egalitarian prices, the Paper Doll encouraged an environment where patronage of mixed sexualities and identities converged, playing a role in acceptance of LGBTQ people through demonstration.

Food with drink allowed the Paper Doll to strip away some of the phobias and stigmas connected to other Gay bars of the time. Even so the Paper Doll also became one of the unintentional front lines in the fight for LGBTQ civil rights, and a site of resistance. Listed on the Federal Bureau of Investigation's 1959 report of establishments patronized "exclusively" by "Homosexuals and sex deviates", and the Armed Forces Disciplinary Control Board's list of forbidden establishments as late as 1968, 524 Union Street was targeted by the State Board of Equalization under the California Department of Alcohol Beverage Control vice squad raids. The effects of the morality crusades by special Police commissions, and vigilantes against the vice, prostitution, and so called deviant behavior of the previous Barbary Coast era also persisted.

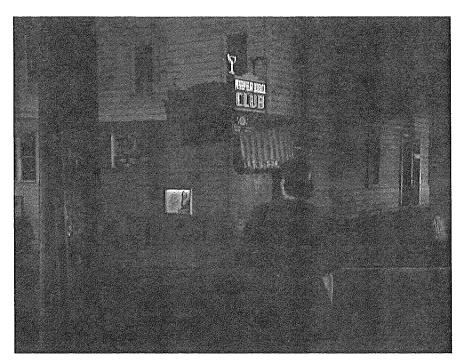
PAPER DOLL CLUB, 524 Union street (Douglas 2-9835). Open 3 p. m. to 1:45 a. m.
Steak dinner, \$2; chicken dinner, \$1.35. Drinks from 40 cents.
The Paper Doll on the southern slope of Telegraph Hill is a quiet, pleasant spot to get together with friends over a fine dinner or a convivial drink.

San Francisco Chronicle - May 17, 1953

The building itself, high profile on a corner, long and L shaped down Cadell Alley, offered discretion with several entrances. As customary of establishments serving Gays and Lesbians at the time, windows were obscured. The interior was composed of a long bar on the left and booths and tables on the right. There were two banquet rooms at the back that could seat over 100 people, with a dining room converted from an old interior bocce ball court, and the original prohibition trap doors still intact in a raised area used for additional dining, or live performances.

The famed Paper Doll Restaurant and Bar opened in 1944.

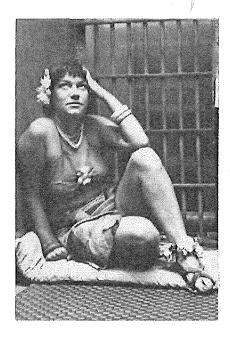
The Paper Doll's first manager and owner was Thomas Arbulich, a longtime North Beach and Tenderloin bar owner/restaurateur and family of future San Francisco District 7 Supervisor, Sean Elsbernd. He owned the business until 1956 and acquired the property through an estate transaction, involving a court ordered guardianship sale of the 524 Union Street property.



Film Still from "The Sniper", view of Cadell Place and Union Street

As a bootlegger at the end of Prohibition, Arbulich acquired bars as a means to care for his family and gravitated towards inventive business opportunities, including a competing "Girl in the Fishbowl" concept contemporary with Bimbo's 365, and the Crystal Nook at the Crystal Palace concession marketplace¹¹. Roberta Bobba remembers going to the Paper Doll in 1946 saying it was a sailor bar at first, but was then taken over as a Women's bar. By 1947, the bon vivant Mona Sargent, dubbed "the Queen of Telegraph Hill", known for San Francisco's foundational Lesbian bar Mona's 440 club (440 Broadway) in North Beach, recalled she "got a call from Tom Arbulich asking me to buy or be his partner". Shortly after selling her interest in the original Mona's 440 club, parting ways with partner Charlie Murray, she was recruited to work her magic at 524 Union Street. "I didn't like Charlie and promised myself, 'No more partners,' but I hadn't signed any contract" said Mona about her noncommittal affiliation. "So I made over the Paper Doll on Union and took my name with me".

According to a former patron, "She just sort of turned it on as a gay bar. Everybody liked her." ¹³ Sargent's first bar, located just a block up the hill, at 451 Union had relocated after only two years, driven out by neighbors, and although Mona's time at the The Paper Doll was equally as short lived, she redesigned the interior, and her clientele followed her. A self-titled bohemian, Mona Sargent said "We're not offended at how the other fellow lives".



"She was straight, but she was really good." remembered former waitress Charlotte Coleman. "If any police came in, she would do anything for you — she would stop them at the door and "You don't touch my women". She was really sweet, but also tough when it came to us. She wouldn't let anybody bother anybody."

Mona Sargent, "Queen of Telegraph Hill", jailed for a "disorderly house", Courtesy San Francisco History Center, SFPL, 1937

Del Martin describes the original Mona's as "really a tourist trap. They used to let us in for free because we were part of the attraction. We were part of the side show. That was about the only way you had of meeting anybody - would be to go to a bar" ¹⁴





Mona's 440 Club, Tourists photo postcard, posing with Mona's female patrons.

Phyllis Lyon recalls the radically important benefits of a place to go, noting the subtle benefits at a time when Women were expected to wear skirts in bars, saying "we got into pants as often as possible", adding that "Because up in North Beach early on, Lesbians were part of the floor show, in a sense. They wanted you to 'look at the Queer". The Paper Doll was one bar that offered sanctuary from the tourism which had grown to include Grayline tour stops, that other establishments were attracting, providing a budding community an alternative where they could eat, talk, and gather.



San Francisco Chronicle 1947

Mona advertised the grand opening opening; Designed and Decorated by the Bay Area Artists Group. The project was led by Emmy Lou Packard; also known as Betty Lou Packard (1914–1998) the Californian post-war artist was known for painting, printmaking and murals, and



Frida Kahlo with Emmy Lou Packard

previously acted in the role of chief assistant to Diego Rivera, and a confidante of Frida Kahlo, during Rivera's Bay Area period creating WPA murals. The Paper Doll interior included a two dimensional window of vinyl cut outs depicting San Francisco landmarks, by utilizing a technique which Packard dubbed "edgelighting" using new colored plastic materials, two 4 x 6 x 1/4" sheets and concealed fluorescent tube lighting on the top and bottom, affixed side wall. A candy stripe canopy was suspended above the back bar, and celebrated abstract artist Robert McChesney created murals on the mirrors. Circus themed cut outs, in collage evoked Dadaist imagery, and Balinese shadow puppets. The local North Beach artist colony assisted, painting murals on the interior walls. Community historian Joseph St. Amand recalls the artist Rita Covelick, from the neighborhood's creative colony, also designed "collage window." 15



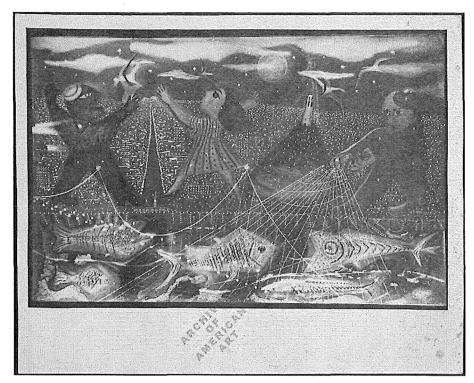
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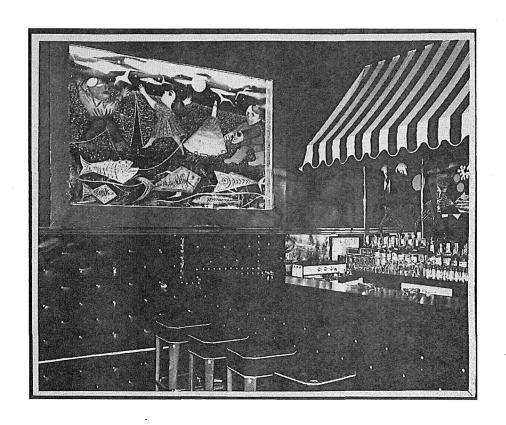
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ABOVE: Artist photo documenting murals, Paper Doll, 1947, Smithsonian Archives of American Art, Mary Lou Packard: Paper Doll Club Murals Project.

LEFT: Hand written Emmy Lou Packard note.



Paper Doll Club Murals Project, Smithsonian Archives of American Art

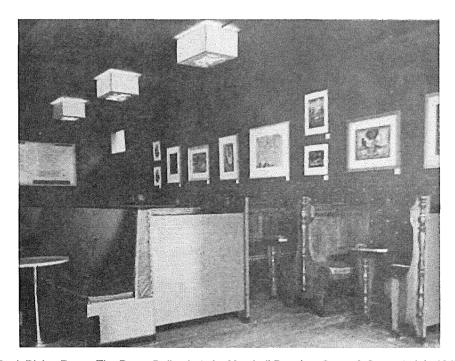


Unusual for any restaurant, 524 Union Street contained an artist studio where WPA certified mixed media artists worked, right behind The Paper Doll, in close confines; a rare blend of Bohemianism with everyday people. Prior to establishing the famed Vesuvio Cafe, artist agent, and promoter of the Beatnik image, Henri Lenoir, used the Paper Doll as one of his makeshift galleries, capitalizing on a non-traditional curatorial setting to sell works of his Bay Area Artist Group roster. The backdrop was set for all walks of life to commingle in a uniquely San Francisco space

ART WITH YOUR FOOD

Paintings of Spain and South America by Jose Ramis, until June 16. Twelve Adler Place. Paintings by Melvin Fowler, through June. The Paper Doll, 524 Union street.

Paper Doll ad, San Francisco Chronicle, June 12, 1949



Back Dining Room, The Paper Doll, photo by Marshall Douglas, Opera & Concert, July 1947

Of Mona's opening party at the Paper Doll, Pat Healy said "Yeah. That was - that was The Big Night. The best food in San Francisco. And I'm sure if you talk to anybody, they would back me up on that. I haven't had a prime rib dinner since — Oh, the old prime rib" 16. Openly Lesbian actor Pat Bond said "When the Paper Doll was going full blast, they served great meals for about a buck--buck and a half--so you had a lot of straight people coming into the Paper Doll." 17

"I lived around the corner on Grant and ate there frequently" confirmed Dick Boyd, a North Beach bar owner, and historian that frequented the Lesbian clubs. "The food was excellent. You could get a steak with all the trimmings for \$1.65. I could even afford to tip at those prices." 18

Susan Sontag, the celebrated social critic, activist and writer, recounted formative visits in her diaries; closing out the Paper Doll as a teenager, witnessing bad lounge performances, and "several attractive women who served drinks - all in men's clothes, as at Mona's" 19.

Mona Sargent set the formula that would make the Paper Doll so renowned, with an identity that would last decades, but she quickly moved on to other projects, saying "These partners couldn't stand that I got all the attention, and I realized it was a big mistake. [...] I stayed [at the Paper Doll] about a year".

Whether initially just a lucrative venture, Bill Elsbernd, the step-grandson of Arbulich, relates a childhood memory indicative of something unintentionally greater at play, saying that when his father tended bar at the Paper Doll "looking like Robert Redford off the farm", having "moving to the big city, religious", he was a draw, noting he "never talked about what they did on the other side of the bar", adding that "dad got on our case if we used the term "Queer", he said don't ever call that name in a nasty way".

The Paper Doll was mentioned in the 1948 version of "Where to Sin in San Francisco" by Lord & Shaw with the less than subtle caption overtly stating that "Stolid Tom Arbulich, pedestrian proprietor of this merry little cesspool, declares it is "a nice place" and, knocking on wood, avers, "We never get any visits from the Shore Patrol". The sensationalist guidebook described the Paper Doll as:

"A rendezvous of the Gay People. You'll see gay women who walk and talk like men, and gay men who walk and talk like girls, and often you'll find it hard to tell whether a gay man is a man or a gay woman is a woman because sometimes a gay woman cuts her hair like a man's and puts on men's clothes and looks more like a gay man than a gay woman, and a gay man sometimes lets his hair grow and plucks his brows and puts on fawn slacks and looks more like a gay woman than a gay man, and maybe they are both so anyway but it is very confusing..."²⁰.

The 1955 book "Bohemian San Francisco" mentions "Another Queer place, which can't make up its mind whether it wants to be strictly pansy or strictly Lesbian is the Paper Doll." but contrasted with other bars hyped as "beehives of perversion", the Paper Doll was described as "a very dull joint at best". ²¹

Gay author, tattoo artist, and Kinsey Institute collaborator Samuel Steward cruised the Paper Doll noting in his journal, that by the early 1950's it was "so packed they were drinking outside on the steps." ²² Bobba says women went to the Paper Doll for an elegant dinner. ²³ Gerald Fabian, who described the Paper Doll as mostly Lesbian, said it was always packed—"one of the places on the circuit that you went to." ²⁴

Longtime bar owner, and founding Tavern Guild member, Charlotte Coleman called the Paper Doll her "favorite bar forever...the best one ever happened...the number one place that we went

every Friday and Saturday night. Many of my years I spent in that bar" saying it was "where we all met and grew up."²⁵

"I don't think there was any class division. We didn't even have that many places to go — and everybody went." explained Charlotte Coleman who appreciated the Paper Doll because it was located away from the more touristy Broadway Street, explaining that "Women used to pick bars that were tucked away, quiet little areas and districts and what not, and the Paper Doll, at that time, was"²⁶. It was on the steps of the Paper Doll that Coleman struck a friendship with Roberta Bobba that lasted 61 years²⁷.

Bobba recalled that gay men sat at the bar and Lesbians squeezed into the large booths:

"The waitress would say, 'Well ... can we seat two more people with you?' So they'd sit down next to you. And then a little while later it'd get real busy and they'd stick in two more. So there you were, every time you went, you met some new people ... you got to know all the ladies in town"²⁸.

"It was the typical sort of young white collar kind of people. Fuzzy sweater, plaid jacket" according to Joe "Baron" Nimidoff, "The places that had restaurants seemed to, you know, they had a different atmosphere" 29.

Reba Hudson reminisced that "it was exciting, we'd sit around shining our shoes, pressing our shirts, waiting for Friday nights. Lots of good times. People were open then". ³⁰

Dick Boyd offered context observing "the preponderance of bars were Lesbian. Why? Fewer doors were open through normal channels (work, clubs, organizations) for women to meet other women of a like mind." ³¹

Radical Lesbian rights activist, Elaine Mikels, the founder of Conard House, San Francisco's first halfway house, recalls in her memoir how the Paper Doll offered her refuge. She connected with an artist colony, found a job, met an older Gay man who took her in with lodging, and portrayed it as the first place she experienced a scene where mature heterosexual Women befriended younger Gay Males:



Elaine Mikels with mentor "Bo" at the Paper Doll, 1951, from memoir

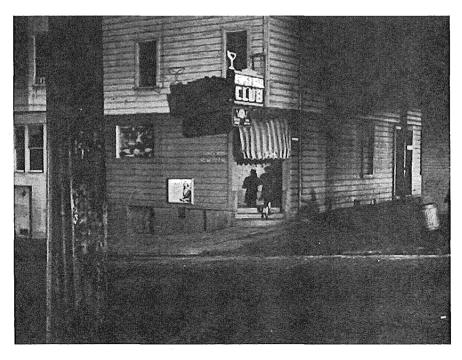
"Settling in San Francisco, Women similar to those I had met in Southern Italy. It was exciting to think that San Francisco would be offering the same colorful experiences that I had enjoyed during my travels. I returned to the Paper Doll dressed in my slacks, turtleneck polo shirt, and corduroy jacket, the Lesbian-identified costume that I had worn when I went to bars in Greenwich Village. Coming into this bar, (Paper Doll) I felt more at ease than I felt the first time at Mona's in the Village two years ago, where I sat in the corner hugging a coke. The group here seem different, evenly divided between Lesbians, and Gay men, all appearing middle class in their dress and manner." [...] " Dressed up in our best slacks and jackets and have dinner at the Paper Doll on Upper Grant Ave. The crowd was quite different from what I had experienced at Mona's; they were middle class Lesbians and Gay men. Eva would order us martinis, a drink I have never had which became my favorite from then on. She would go to the juke box and play our favorite tune, one whose name escapes me but when I hear it now it brings back those lovely candlelight evenings that we spent together at the Paper Doll". 32

North Beach was drawing nationally known top entertainment talent, and as a super club, the Paper Doll Club was beloved by San Franciscans in the know. Nat King Cole spent a week at the Paper Doll before being let go by Tom Arbulich when, as the story goes, he couldn't be heard over the crowds³³. In 1949, the respected Ragtime revivalist Paul Curtis Lingle, believed to have backed Al Jolson in films "The Singing Fool", and "Mammy", held a residency as the Paper Doll house entertainment, where it's said boasted that he performed for "All three sexes"³⁴. In the late Sixties, Ann Weldon, and her sister, recording artist, Maxine Weldon began appearing regularly, to uplift standing room only crowds. Grammy, and NAACP Image Award winner Carmen McRae was also a headliner.

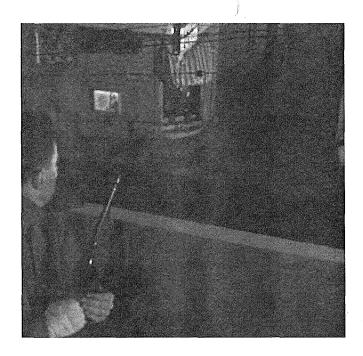


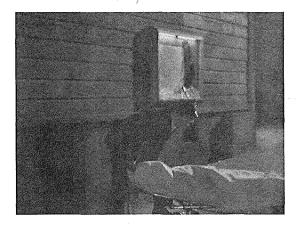
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In 1952, the exterior and likeness of the interior of the Paper Doll Club was featured in the film noir cult classic, The Sniper, produced by Stanley Kramer (High Noon, It's a Mad, Mad, World, Guess Who's coming to Dinner).



Still Photos from The Sniper



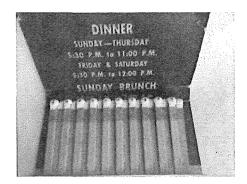


Additional stills from The Sniper, circa 1952

At any given time, era and incarnation, the usual suspects of the North Beach art and poetry scene, a cross section of San Francisco's life, and someone visiting their first Gay bar. Poet, Artist Weldon Kees might be performing ragtime or dining with shipping magnet and gubernatorial candidate Bill Roth, and his wife Jane Grab Horn, talking about publishing Jane Austen through their imprint Colt Press or the creation of the ACLU, Poet Thom Gunn might be pretending not to recognize closeted students, William Ball, founder of the American Conservatory Theater, might be discovering new talent, and the Ernst Tie Company might be creating their Fall line at a booth across from San Francisco Renaissance poet Jack Spicer.

By 1954, Arbulich began shifting his focus to real estate, and The Paper Doll was sold to one of his tenants, the legendary owner of New Pisa, restaurateur Dante Benedetti, a native son of North Beach born in nearby Jasper Alley. Benedetti, a childhood friend of all the famous San Francisco baseball players, including Joe DiMaggio, was a three sport letterman himself at USF where he went on to coach baseball for \$1.00 a year. His life's passion was acting as a philanthropist of youth sports, and today his efforts are recognized by a foundation, and youth baseball tournament in his name. In 2006 after his passing, having touched so many lives, the San Francisco Giants honored him at AT&T Park. ³⁵ His family business was classic family style Italian restaurants.





Paper Doll matchbook (courtesy of the Benedetti Family)

Dante Benedetti and The Paper Doll's impact on LGBTQ civil rights

Dante Benedetti, the owner of 524 Union Street for over 20 years, was one of the first, if not the first merchant in San Francisco to openly and unapologetically declare he ran a business for homosexuals. Under his ownership, The Paper Doll would find itself on the front lines of a precursory fight for LGBTQ civil rights.

Dante was a veteran of the US Marines, and US Coast Guard during World War II, where experiences witnessing homophobia towards his bunkmate, and comfortable in his own sexuality, standing up for him, would prove formative³⁶. Upon returning home, he rejoined the family restaurant business, and began to purchase neighborhood properties. He wasn't a Bohemian, or associated with artist hangouts, but after a quick glance at the Paper Doll books, he took the reigns from Arbulich, his landlord at New Pisa. Steeped in traditional Italian culture and machismo it was a uniquely San Francisco match³⁷. Rebba Hudson said "He was a hell of a guy, all the gay people worked for. Treated people very well. He also had a great sense of right or wrong, and his clientele from New Pisa went down there."

"It was the most popular place in North Beach" claimed Benedetti. "There was the Black Cat, and the Paper Doll. [...] And then I made a restaurant and you know, I put food in there, and by the time when they took my license from me, that was a really popular restaurant. You know, serving steaks and roast beef, all for \$1.65 dinner, you know. And I brought in all kinds of people. The place was packed all the time".

Dante's daughter Sandra Luna, one of two that went into youth education, explains that "Those were the days when businessmen took three-hour lunches in North Beach. Our Restaurant was filled with those businessmen, artists and Italians in the neighborhood" ³⁸

Of the interior, Dante recounted that "On the inside there was a big long bar, I'd say about 30 stools as you went into the left. And then on the ride side were tables and booths for food. And then you went through the corridor where there was a lady and men's room in the middle. And then in the back there was another room, like a banquet room. There was two banquet rooms actually. They went on an L shape. It was jammed at the time. All the time." Appellate court records referred to photographs depicting the front bar "raised and the tops of the stools well below the level of the bar"³⁹

The campaign of harassment against bars accused of morality and vice crimes resulted in a landmark 1951 ruling in favor of the Black Cat Cafe's defense for serving an increasingly Gay clientele. The courts had previously declared that absent "illegal or immoral conduct," Gays were entitled to gather in public places — the first time this right had been affirmed in California, but the Black Cat Cafe hearings in Stoumen vs. Reilly opened the door to a new set of policing

strategies — in particular, the use of undercover police to entrap patrons, and provided language that "immoral" behavior was still grounds for legal action against LGBTQ bars. In 1955 the California State Assembly passed a law authorizing powers to ABC to close any "resort [for] sexual perverts". The legislation was challenged but eventually resulted in the permanent closure of The Black Cat Club and put venues like The Paper Doll at increased risk.

Rikki Streicher, a founding board member of The Tavern Guild, the union formed to avoid such busts, recounted one story: "At the Paper Doll

where I lived, I lived above it, [in the caretakers unit] and was a cocktail waitress in it. One night they got word that they were going to raid the place, because they used to raid places at the drop of a hat. So I told everybody, we were going to be raided, so if they wanted to go home and whatnot - Well I was the only one left."⁴⁰

Pat Healy experienced raids at various bars, throughout the 50's saying "Well, ostensibly it was a vagrant check. But it was a way of harassing Gay people. They could hold them for 72 hours, and then they had to turn 'em loose. [...] I don't know what they did with vagrants in those days, run 'em out of town or something, but it was - they had to verify your employment with your employer. Well, that was horrifying, humiliating thing and probably would cost you your job". 41

Said Dante, "I was doing a tremendous food business up there when they closed me down, you know "How come there's just men in here?". And they started to bring charges against me, of what kind of place I was operating. So, it was very successful when they closed me down". ⁴²

Keeping a dress code, and a formal Maitre D', Benedetti proudly insisted he ran a clean house, describing "two girls on the door. I had one girl on the door that was good...Her name was Dotty" On Dotty, Reba Hudson said "She was not a real nice person. [...] Boy, I mean she did keep things in control [...] She was real overbearing, she was perfect for her job, She loved her job". Dante adds that "She was about 40 years old and she was married. She was a tough lady [...] And she could spot 'em and she'd keep trouble out before it started". [...] "She knew how to handle people, all different kind of people. She was the best I ever had. And she was the one that kept peace on the floor". Dotty's sister Linda was also a Paper Doll cocktail waitress. ⁴³

Owner Says Paper Doll 'Gay' Joint

A former University of San Francisco football player who owns the Paper Doll Club, 524 Union street, was quoted yesterday as saying his place is patronized exclusively by homosexuals.

The development came at the opening session of a Department of Alcholic Beyerage Control hearing to decide whether the favern's liquor trensh should be revoked. An accusation charges the Paper Doll is a rendezvous for homosoxuals and a "disorderly establishment."

Ronald R. Harris, 28, an undercover liquor officer testified Danille Benedetti, 38, owner of the Paper Dolt and a guard on the USF football feam from 1936 to 1940, told him the club ratered to homosequals when he called a free of the country of t

"gay" clicotele,
"the hearing was continued
at the end of yesterday's session and will be scheduled.

It is one of four attempts to revoke liquor licenses of San Francisco laverns on grounds they are hangoute for hymosexuals.

Other tayerns are the Black Cat, at 710 Montgomery street; the Copper Lantern, 1335 Grant avenue; and the Cross Ronds, 109 Stevart street.

Only the charges agalost the Black Cat have been heard.

State investigators (estified yesterday that indecent pro-posals wedo made to them by patrons of the Paper Doll, ra tavern at 524 Union St. The testimony was given as Ivores Dains, a State hearing officer, appened proceedings aimed at revoking or suspending the liquor license of the establishment, which is owned by Dante Benedetu. A Charges that the Paper Doll was a disorderly etablishment and a hangout for homosex uals were filed last August by the State Department of Al coholic Beverage Control.

S. F. Political Figure

Reported Involved

The police and a State liquor; agent have been investigating reports that a bar operator here was told his liquor license troubles could be "fixed" for a price, it was learned yesterday.

The bar operator was identified as Dante Benedetti of the Paper Doll, 524 Union St. His liquor license, was ordered revoked last May on charges that the place was a hangout for sexual deviates,

Benedetti is currently ap-

pealing the revocation order.
State Liquor Administrator
Russell Munro assigned his own special investigator from Sacramento, Howard H. Meister, to assist the police in the current investigation.

Reportedly, the name of a prominent San Francisco political figure was injected in the alleged "fix" proposal.

The purported sum involved was "a couple thousand dol-lars," Melster said.

In an unrelated case, the police last Sunday night arrested Joseph Saunders, formerly of Oregon, after Saunders and his wife allegedly took \$400 from a cigar store owner here on the promise they would get him an off-sale liquor license

By 1956 Bar raids and harassment resulted in Liquor license suspensions for the Paper Doll Club, alongside the raids that shut down the famed Black Cat Club, including Ethel's, Crossroads, Copper Lantern plus a full license revocation at Miss Smith's Tea Room.44 Accusations made during undercover stings on August 20, 1956, in a packed house of 175 patrons designated the bars as disorderly houses and hangouts for sexual deviants. There were subsequent hearings on December 3, 1956, April 10 and 11, 1957 and February 15, 1957 and appeals in 1960.

One patron, Vaughn [last name unknown] explained the gossip around the sting at the Paper Doll: "Well, Leo Whitney, Leo was a bartender at the Paper Doll. His wife was the hostess. He was a little guy; he would camp and carry on, and he was pawing someone's arm or something...they arrested him for it".45

Appeal documents for Benedetti vs. Department of Alcoholic Beverage outline an instance "occurring on May 13, 1956, following the occasion when a patron named John Cowgill invited Agent Johnson to engage in a lewd act. After Johnson left the bar with Cowgill and placed him under arrest, Johnson returned to the bar and asked Police Officer Tregoning to come outside. At this time, the bartender, Rick, warned Tregoning, who was not known to be a police officer, not to go outside with Johnson. The bartender said that several arrests had been made the night before; it would be all right as long as he did not leave the premises".

The Paper Doll Loses License

Examiner Capitol Bureau SACRAMENTO, March 16.—The State Department of Alcoholic Beverage Control today closed a long-standing case by notifying a San Francisco liquor licensee that he is out of business.

Dante Benedetti, owner of the Paper Doll, 524 Union St., was informed his license had been revoked for running a disorderly house, which became a resort for sexual perverts. He had fought the case for five years.

Benedetti claimed he "never had any idea whatsoever that there was anything wrong with operating a Gay bar". Adding that "No one ever told me. It cleared the license, and I thought that's all that was necessary". Benedetti would explain to anyone who asked, that he never made assumptions about gender, or sexuality of his clientele at Paper Doll saying "Gay people are no different than a human — you know, a person that's normal. You show a little acceptance to a normal person and he reacts to it. You know, and I think Gay people did the same thing. That's why they came to San Francisco. They never arrested them. They never, you know, beat 'em up" [...] "That means employment, that means a lot of things. You earn a living".46

Benedetti, who wasn't very big on accounting, and was known to carry large rolls of cash for paying bills to beer suppliers, and meat purveyors ⁴⁷, refused to speculate on the possibility he had inadvertently reneged on agreements made by previous owner Arbulich during the time of the "Gayola" scandals where local authorities were found to be extorting Gay bars. Dante still preferred to believe the shut down had more to do with not following unspoken rules for keeping Gay bars open, perhaps hoping to

downplay the prejudices themselves out of embarrassment for having witnessed such intolerance. Mona Sargent's bars were never raided, for example, as she proudly stated the police "knew me. I'd lived on [Telegraph] Hill before that [...] and just knew cops".⁴⁸

In reaction, bars began self policing. One patron, Joe Nimidoff, remembers making a sexual joke that got him bounced from the Paper Doll, and "never allowed in there again", illustrating how tense the climate was. He added that "[they] said there were too many liquor licenses issued in San Francisco, and they were trying to cancel some of them [...] just listening for any kind of information that would give them grounds to revoke a license". ⁴⁹ As Dante proudly stated: "They had no other evidence whatsoever. It'd be — they had a testimony of an inspector saying that one guy was groping the other guy, but nobody ever made an arrest in the place. There'd never been an arrest in the Paper Doll".⁵⁰

Daughter, Sandra Luna likened it to how the family ran New Pisa where "there was no hanky panky going on. He wouldn't let anyone kiss at the bar. He said he drew the same lines at the Paper Doll. There's nothing going here at the bar, but you can come here and gather". Dante, an amateur boxer and street fighter trained at the San Francisco Boys Club, protected his customers, "he was adamant about whatever patrons he had, they were safe", and was known to grab his fiercely loyal chef, another former Marine, John D'ulio, to go fisticuffs with would be gay bashers, in Cadell alley⁵¹.

Regarding the Paper Doll losing it's license, Reba Hudson says "They had something like 28 or 29 counts against him, believe it or not. And I say, they came in there with cameras and everything. Well, that was the most openly Gay place." [...] "For Christ sakes, Dante was born and raised in North Beach [...] He's probably the stablest guy in this whole world. He's also a man of great integrity and of great honor and he didn't think he was doing anything that wrong. And that's why he fought it all the way to the Supreme Court. [...] I really respected him for that...He was as straightest Italian in this Beach. But he's a hell of a guy... He just became a [scape] goat, you know, they needed a goat at the time. And this being, you know, flagrant at that time, or considered so at that time, you know. He became the goat."⁵²

After being cited for running a unclean house, with deviant behavior, Benedetti battled the Department of Alcoholic Beverage Control between 1956-1961 arguing that Lesbians and Gays had the right to assemble in bars and restaurants.

Pioneering activist Del Martin explained "they were being constantly raided, you never knew when the paddy wagon was going to show up, officers come in and load you all in, and the charges were absurd like visiting a house of ill repute." ⁵³Martin who had begun to organize and educate around that time remembers "That was the beginning of some knowledge of the rights that we had, and most Gays initially didn't understand it. That it wasn't against the law to be Gay, that certain displays and acts were". ⁵⁴

Benedetti spent years and countless expenses battling to find due process, recounting that "in those days, they had what you call a - a court within the Alcoholic Beverage Control Board. It has nothing to do with the civil court. And I fought it all through those, and then I went into the civil court. And the first civil court I went into, they denied me the right to go ahead and fight it any further than that". [..] "It was expensive, but I just thought I was right. I wasn't doing anything wrong".

Although Benedetti openly admitted The Paper Doll had a Gay and Lesbian patronage, an admission that made headlines in San Francisco newspapers, Dante proudly stated "Nobody ever made an arrest in the place." [...] "In fact, in my remarks in the transcripts, is "Well, if you're going to take away the Paper Doll, which is run better than the New Pisa", I said "you might as well take New Pisa too", putting his families business opened in 1919, on the line. Ultimately the threat against his family business forced his hand.⁵⁵

Don Farber who eventually took over the business alleviates any ambiguity. "Dante wouldn't pay off" he explained. "He didn't think he was doing anything wrong even though he knew it was a different type of business. Where he had sisters, and ex Baseball players at New Pisa, a big family thing, this was the complete opposite" 56.

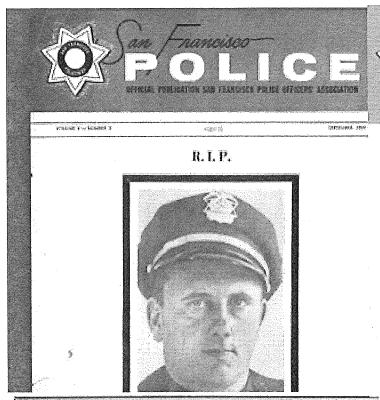
Luna describes a fearless, principled man. "He was stubborn, he really was. It wasn't that he didn't have the money, he was just like no, it was wrong. He had so much pride, it was like "I run a clean business", these guys just happen to be Gay. He just said there is nothing wrong happening.⁵⁷

The original Paper Doll remained in operation through 1961. Charlotte Coleman said LGBTQ places such as the Paper Doll stayed open longer than most spaces because they doubled as restaurants, and according to Coleman policing agencies were normally more tolerant of bars with restaurants. ⁵⁸

Farber recalled that "Dante had a legion of police officers who he fed in the back room on the meat block. They'd tell him "this guy's coming, be careful", but that one police sergeant in particular targeted the Paper Doll routinely. Farber added, "To keep the business going, Dante tried selling Near Beer, practically giving steaks away. Dante, he gave everything away. He was a kind man". Daughter Luna adds "what was really normal was, if you ran a restaurant, you're

opened late, you handle lots of cash, and I know cops might take home some raviolis or steaks, you kind of buttered the bread and make them watch out for you... but with the Paper Doll, that wasn't enough. Dad drew the line, "there are no illicit acts taking place, I refuse to pay you off".

At the same time, The Paper Doll Restaurant advertised dinners in the San Francisco Official Police Association Publications from 1959-63.



DINE OUT WITH YOUR FAMILY AT THE

NEW PISA RESTAURANT

1268 Grant Avenue

Telephone: DOuglas 2-4726

Dante Benedetti, Proprietor

Everyone Enloys Our

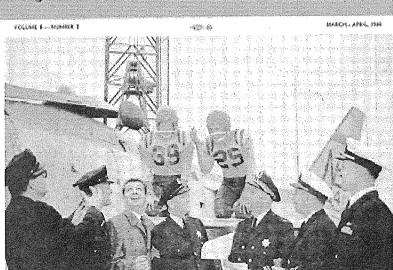
SPECIAL STEAK DINNERS

at the

PAPER DOLL RESTAURANT

524 Union Street

Telephone: DOuglas 2-9835



-nancisco

OFFICIAL PUBLICATION SAN FRANCISCO POLICE OFFICERS' ASSOCIATION

DINE OUT WITH YOUR FAMILY AT THE

New Pisa Restaurant

1268 Grant Avenue

Telephone: DOuglas 2-1726

Dante Benedetti, Proprietor

Everyone Enjoys Our

SPECIAL STEAK DINNERS

of the

Paper Doll Restaurant

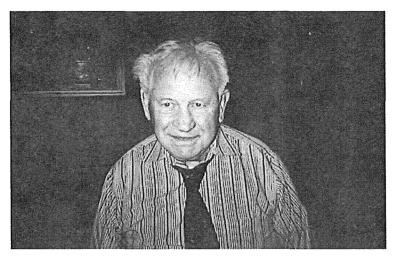
524 Union Street

Telephone: DOuglas 2-9835

TOP LEFT: San Francisco Police Newsletter, Paper Doll advertising, 1960

TOP RIGHT: San Francisco Police Newsletter, Paper Doll Advertising, 1961

"He and my mother spent every cent of their lives fighting that thing. They lost everything" remembers Dante's daughter.



Dante at New Pisa, age 81, photo by Andrea Perkins

"It was important for me." Dante would say about the Paper Doll episodes. "Not for anything else. Just for my own conscience." he'd say, "I still to this day — I don't think there was anything wrong. No way". ⁵⁹



On Dante's passing, some guests at University of San Francisco's memorial service were puzzled because "On one side you had all these old Italians, on the other side, all these "old queens". They were just there", explained daughter Sandra, "Just to honor him. They remembered".⁶⁰

The California Department of Alcohol Beverage Control gave Dante a chance to sell The Paper Doll to Don Farber in 1961. Farber had been a journeyman pro ballplayer with Pacific Coast League teams like the Oakland Oaks, and the Solons in Sacramento where he made a connection with a "remote friend" within the agency who proved helpful. Farber recalled "The only stipulation was I had to change the name" to satisfy the ABC, saying "from the time I took over to the time I left, it was the same people working there. Same cooks, same employees". The Paper Doll remained, renamed as Cadell Place.

"So when my playing days were over, Dante asked me if I wanted to learn the business" Farber explained, "He was tickled to death to get out of there".





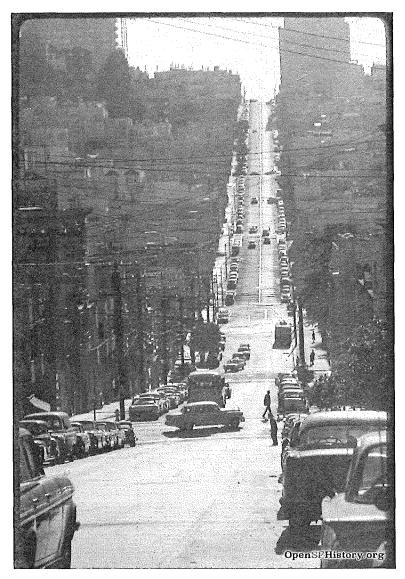
CADELL PLACE
Continental Culsine Dinners from \$1.25 from 6 to midnight
524 Union St. DO 2-9835
Banquet Room from 10 to 75

"One day I went into work and everything was gone", according to Farber, elaborating on how Dante had "60, 70 counts against him, he had the best attorneys, and got it down to the 1. He had the best attorneys, they got him on just the one count".

"When I first started", said Farber, "it was during a holiday, when Dante was worried the police were coming. I'd never seen anything like it, they were sardines in there." but despite ongoing popularity "Dante distanced himself when things got sticky. After it opened for the day, Dante never spent much time in there."

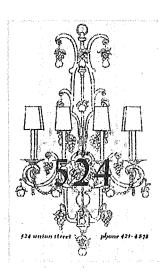
"When it opened up, it was a straight crowd that came in. Then it was kind of like an Etch o' Sketch to a different crowd", Farber said, adding "Guys would come in Brooks Brothers suits one day, then come back in on Friday in leather".

The Paper Doll was doing 280 dinners a day, and Farber immersed himself in the business, working side hours learning the ropes at other classic San Francisco establishments including Fisherman's Grotto #9. At the Paper Doll, he recalls a Chinese cook teaching him how to butcher meat, and teaching him recipes for the house made salad dressings.



"There was never any trouble" to Farber's memory. "The booths were nothing spectacular, nor the plumping" he said, but for what had become a predominantly Male group that visited the newly named Cadell Place, he recognizes in retrospect "the infancy of it all, before the bathhouses, the parade, there weren't many other places to go". Like Benedetti, Farber was a family man, and in his case, he grew tired of the grind. He turned his focus to another business in South San Francisco's Golden Gate produce terminal, at the site of television production for The Green Grocer. Farber would eventually work in racetrack management services for the DeBartolo family, noted for their high profile ownership of the San Francisco 49'ers NFL football team.

LEFT: Cadell Place neon signage visible, Union Street looking towards Columbus. (OpenSFhistory/wnp25/4762)



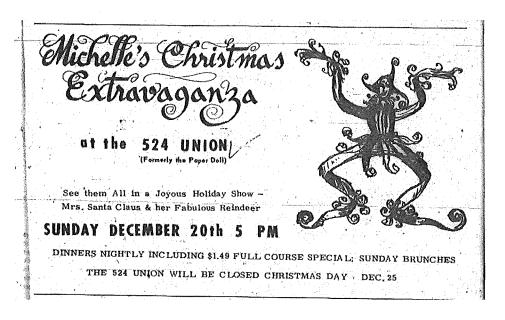
Still essentially the Paper Doll, 524 Union Street was rebranded by chef/operator Bob Ross, and Samuel Hall as The 524.

Now under Gay ownership, at a time when very few Gay and Lesbian owned bars, Ross creatively began to showcase a growingly visible community at The 524 with events seven nights a week. Ross would also help found the Tavern Guild, acting as it's Director, Secretary, and eventual President, and The 524 employed it's activities director.

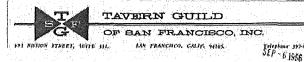
Ross proudly recounted that during his ownership "People would line up all the way down the block and get in for 15 cent brunch", wait listing for a bare bones breakfast. "The bar would take in between 11:00 and 2:30, almost \$2,000. Now in those days, that's a lot of money, because the drinks were all under a dollar" remembered Ross, citing brunches as their most profitable day⁶¹. Write ups at the time still described a place where you could take out of town guests for abalone and a "quiet dining room that was ideal for a conversation that kept apace for a couple of hours over wine and coffee"62.

In 1964-65, patrons like Jim Ivory confirm a more male clientele and remembers learning how to disco "by watching the go-go boys". On special Sundays, the Polk Street Queer boutique Town Squire used The 524 to stage flamboyant fashion shows, featuring "well known young men as models" in skimpy outfits, with rapid fire running commentary hosted by Mike Gerry as the celebrated Drag Queen Michelle. Groundbreaking drag performer Michael Greer graced the stage. The Mattachine Society, one of the first Gay rights organizations, who had previously included The Paper Doll on their bar map, sponsored a Sunday stop for the book promotion of "Mr. Madame" Ken Marlowe's unprecedented tell-all book.

524 Club continued a long tradition at the site, of advertising holiday dinners for Thanksgiving, with free turkey door prizes, and Christmas events highlighted by the Tavern Guild's slide shows narrated by Michelle which provided the community a place to gather amongst other strays and find an adopted family, at a time when many LGBTQ were estranged from their families.



As a member of the Tavern Guild, 524 Union hosted community chest charity auctions for the organization, and hosted meetings in 1966.



New Address- 83 Sixth St

Sutter 1-1571

Dear Members and Friends:

September 2. 1966

Dear Renders and Friends; The FARTASY was head at our last meeting, turnout was excellent, keep up the good work, Many thanks to Poppa and the gang for a nive buffet

These Ozhalloy with his orew will again be out and around doing the voter registration. We bincerely urgs all to help them out any way they can, VOTHO IS IMPORTANT - MLKE SURE YOU VOTE.

DR. ERMIN BELFF was the principal speaker of the day. He discussed the new "scorage parlor ordinance," The topic brought forth a lively and wholesces discussion. Several points reastn as yet unclear and open, Dr. Braff will check into these and report back at a future date. The good dootor was well recieved and onyone not hearing his absuld make it a point to attend the next time he reports on his findings.

STATE FAIR - the writ has been denied for a booth as of this merning. We will bring you further news about this at the next secting.

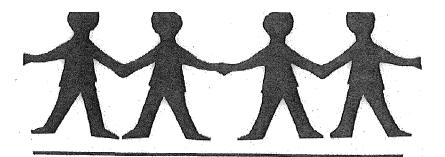
TREASURER - Dick Petroff has associated his resignation, we are sorry to lose his but he just doesn't have the time. We will hold nominations and elect a new Treasurer at our next meeting.

INSURANCE premiums are due, please pay Bob Rose at the next meeting. CHECK 33 posters are out, and if you me yet do not have one, call the office and we will deliver one to you.

TOSF PICHIC was un outstandig success. Sincerest thanks to all who halped moke it so. Please bring all tickets and monies to the next meeting if they have not yet been collected, many thanks.

Our heat neeting will be at THE 524 - 524 Union St. Tuesday September 62 at 2100 ps. Please plan on attending. Our program should be interesting.

Dol free



524 UNION 421-5765

2.95 Complete Dinner \$2.95



Saup du jour
or
Tossed Green Salad
With Choice of Dressing L
Baked Pointo or Blee Pilaf
Vegetable and Beverage



Choice Prime Rib of Beef

Top Sirloin Steak

Medallion of Beef

Tenderloin Brochette, Rice Pilaf

Sauted Sweet Breads

Veal Parmigian

Broiled Lobster Tail

BRUNCH SERVED SUNDAY, 12 to 4

Advertisement from Society for Individual Rights' magazine, Vector.

In league with grand Halloween festivities in North Beach at other legendary establishments like The Black Cat, Dick Boyd, author of "Broadway North Beach: The Golden Years", details that "In the late 1950's and early 60's the Paper Doll held Halloween parties over-flowing down Union and up to Grant. There was a contest held for the best costume and drag queens came from as far away as New York to compete for the crown".⁶³ These were precursors to the formal Halloween Balls, and later parades.

Bob Ross described Halloween spectacles drawing parade buses full of drag queens coordinated by theme.

Bob Ross: "We had an alleyway next to us, Cadell Place, and we used to park cars in there . [...] But on Halloween we parked no cars in there and we'd run a big red carpet down the alleyway and put overhead lights and, you know, spotlights and stuff like that....[...] all these beautifully attired queens would come out of [a big bus] and walk

down the alley on the red carpet, into the packed house on the stage. [...] So they were all trying to get the prize money and also to get the biggest crowds. [...] The 524 has a side entrance, and we were able to get them in the side entrance. and they could leave by the back kitchen entrance. So they could sort of pivot down the stage, do their schtick, circle out and go back out and go back out to their buses. And the straight people on the street were just ecstatic". [...] It lasted probably not quite to the 70's when some of the rowdies started coming in and throwing eggs at people and Christian crazies started coming in doing schticks on peoples heads. And at that time, a drag used to have to wear a button that said "I'm a boy" or "I'm a man". That was part of the law too at that time. And if you didn't have that, they'd lay you off to the jail".64

The US Military continued to list The 524 Club amongst 23 "off limits" San Francisco destinations in 1968, earning it's inclusion in the San Francisco Examiner's own "sin city" list. 65

In a later incarnation, Arlene Arbuckle, owner of several watering holes, including nearby upper Grant Avenue bar The Anxious Asp would take over, and restore the Paper Doll name again in 1968 as Arlene Arbuckle's Paper Doll Tavern.



NOTE: Hundreds of places are listed in "guide books" that are closed or only sometimes gay. This listing is ONLY of strictly gay spots. Each month we will update this listing

- E Entertainment
- B · Brunch, Sunday
- R Restaurant also D - Dancing
- W . Women

TAVERNS

SAN FRANCISCO SAN PHANCIAL DOWNTOWN Blue & Gold, 136 Turk St. 673-2040 Campus, 1581 Mission St. 863-1661 Frolic Roum, 141 Misson St. 775-5127, E Fantasy, 330 Mason St. 982-7968, E Gangway, 841 Larkin St. 885 4441

MORTH BEACH

Gold Street, 56 Gold St., 397-5626, R.B.E. Gordon's: See "Sandy's Saloon" below, Greco's, 1335 Grant, 391-7447, D Juckson's, 2237 Powell, 362-2696, R,B Paper Doll, 524 Union, 421-5765, R,B Sandy's Saloon, 840 Sansome, 986-0110

FOLSOM STREET AREA

FOLSOM STREET AREA
Dead End, 581 Folsom, 621-9088
Febr's, 1801 Folsom, 621-9480
527 Club, 527 Bryant, 781-9625
Ramrod, 1223 Folsom, 431-9233
Round Up, 6th & Folsom, 863-9628
Speakeay, 17th & Florida, 621-1911, R, H
Stud, 1535 Folsom, 863-988
The Corner, 18th & Folsom, UN,1-2811

AROUND TOWN

Club Don', 427 Presidio, 931-5896, R.B Leonarda'a, 16 Leland Ave. 585-1796, B The Lion, Divisudero & Sacramento, 567-656: Paradox, 3041 Geary Blvd., 387-2141, R. B. D. The Paper Doll went strong well into 1970 when former chef Wanda Burriesci says they still had that one consistent detail, "lines of people going down Union Street and up around Stockton Street waiting to eat" and fans of the food still included the local Police who would routinely visit the kitchen for a meal, and check to see if "everything was o.k."66.



Temporarily re-dubbed by Ross as Noah's Ark for a period of 1971, serving teriyaki steaks and signature brunches, with entertainment⁶⁷, and then back to The 524 Club by 1972, Bob Ross continued operations while now sitting as the Tavern Guild's President.

Paper Doll Reborn

by Julius

If you can't wait until the LOFT ROOM of the SPEAKEASY is ready to serve dinners nightly, perhaps you might dine at San Francisco's oldest bar and restaurant, the PAPER DOLL, serving dinners in a completely redecorated dining room. Second only to the once famous BLACK CAT, and perhaps the forerunner of most every other dinner house in the Bay Area, THE PAPER DOLL has become a tradition and still caters to the discriminating tastes of the Bay Area's select clientele.

We'd like to tell you about the early days at the PAPER DOLL, when Mona's CANDLE LIGHT, Charlotte's FRONT, and KENO's were packing 'em in nightly, but we're saving that for our book which we hope to finish some day. We can tell you that there was no finer restaurant anywhere, at any price, than the original PAPER DOLL. It was from here that Gordon, enjoying the epitome of success as its first chef, branched out

As we were saying before we were so militantly interrupted, dining out in those special restaurants which cater to our own community is still the best bargain around.

We've just returned from the east -New York City to be specific - and we were amazed at the high prices in those few restaurants which cater to the gay community. We were further amazed at the poor selection of entrees and the shoddy atmosphere and manner in which food is served.

We realize that it is not fair to compare New York City with San Francisco and we are making no attempt to do so in this article, except to say to our readers: save your money while in New York for their many excellent stage shows, and enjoy dining out while you are in San Francisco where every restaurant competes with every other restaurant to offer the finest menu possible at the most reasonable prices.



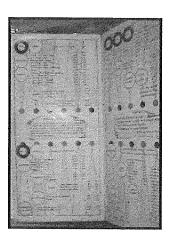
for himself and started a restaurant under his own name.

We are surprised that there are not worn marks in the streets between the RED LIZARD, THE BLACK CAT, GOR-DON'S, and the famed original PAPER DOLL. On Sunday nights the thick pink slices of luscious Prime rib of roasts drew the crowds like a magnet, sharing them only with GORDON'S. They both competed to win the largest volume of hungry and thirsty customers whom they

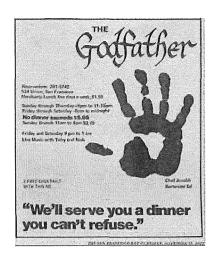
- Continued on Page 36

Society for Individual Rights publication, Vector, August 1969.





Paper Doll Menu



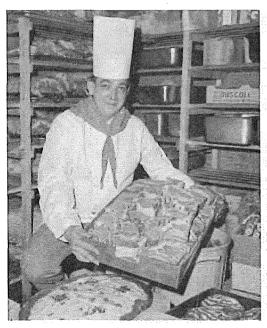


By 1972, the Paper Doll transitioned to the short lived Rolando's, this time under the ownership of Leo Rossi, a legendary local boy who owned the butcher at Grant & Union, and then The Godfather. Both maintained the same crowd despite attempts to attracts families, promoting kids meals, before shifting back to a Lesbian focused establishment.

The Paper Doll and subsequent incarnations became the only establishment catering to an LGBTQ crowd to survive the undercover busts and bridge the gap into the post-Stonewall Gay Pride era, offering a sense of continuity.

Legacy of the Paper Doll, notable affiliations and alumni

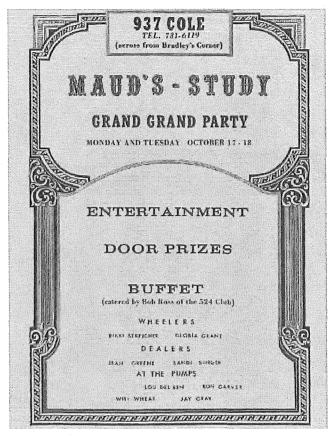
Bob Ross, a pioneering publisher, and activist, began publishing what would become the longest running Gay newspaper, Bay Area Reporter while at 524 Union Street. The first issue of the publication featured a prominent reference to the Paper Doll's brunches, and gossiping about who slept with who, in the second paragraph of the papers first column⁶⁸.



Bob Ross, credit Henri Leleu, courtesy GLBT Archive

As an alternative to the gossip sheets found in bars, the groundbreaking publication transformed LBGTQ communities; and publication was integral to the Gay Pride movements, and early AIDS reporting, unifying the idea of a Gay vote. Recognized by future judges, Sheriffs, Mayors, and Supervisors, such as Harvey Milk, who looked to Ross' endorsement. Bob Ross was said to have been at the top of the shortlist as Milk's successor. Ross also was named the 1978-1979 Emperor of San Francisco, by the Imperial Council, a counterpart to the symbolic drag queen title of Empress of San Francisco, and served on the board of trustees for the San Francisco Ballet. The Bob A. Ross Foundation was established to continue philanthropy in his name.

Another Paper Doll bartender⁶⁹, Richard "Sweet Lips" Walters, went on to prominence as Bay Area Reporter's version of Herb Caen. He provided initiated support to Operation Concern-New Leaf, an early LGBTQ social services, mental health organization.



Maud's Study opening party flyer, with catering by Bob Ross of the 524 Club, circa 1966.

Rikki Streicher, a Paper Doll server and resident of the caretaker's unit at 524 Union, would go on to open Maud's Study in the Haight, the longest running Lesbian bar in the City, if not the world, plus Amelia's, which doubled as a community center in a Feminist Consciousness enclave which existed in the Valencia Corridor of the Mission. Streicher, one of the most important activist figureheads within the community, went on to co-found a Women's Softball League, later earning her a park named in her honor, and also co-founded the Gay Games, which would grow into a worldwide, annual event. Opening night at Maud's carried on the lineage of The Paper Doll, advertising the event's food "catered by Bob Ross of the 524 Club".

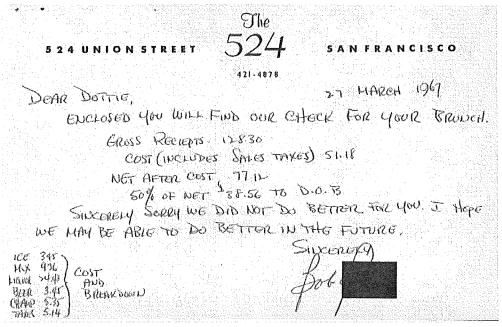
Gordon Jones, a chef, and William L. Bowman, worked together at the Paper Doll prior to opening Gordon's ⁷⁰ describe at the time by one Gay guidebook as the "most elegant of San Francisco's gay spots [...] The clientele is mainly a lot of older gentleman in business suits". ⁷¹ Jones and Bowman were two of the first Gay men to own a Gay establishment in San Francisco. Gordon's transcended barriers and was highly regarded throughout San Francisco, with good food that borrowed heavily from the Paper Doll approach⁷², thanks to chef Fred Lavre poached from 524 Union, to providing a fine dining setting for all.

The Paper Doll also gave birth to the Copper Lantern (1335 Grant Ave.), one of the bars raided alongside it. Opened by two former waitresses, and a bartender, they faked a heterosexual marriage to gain ABC licensing.

Charlotte Coleman, a former server and patron of The Paper Doll opened The Front (600 Front Street at Jackson), plus an unparalleled list of Queer institutions, including the Golden Cask, and The Mint. Coleman was active in Society of Individual Rights, Operation Concern, The Tavern Guild, and the first financial institution established by an LGBT partnership, Atlas Savings and Loan.

Sam Hall, a partner in The 524, and cook at the Paper Doll, opened the trendsetting Toad Hall in 1971, credited as the introduction of Discos to The Castro, and one of the original Gay bars in the Eureka Valley neighborhood.

Amongst Paper Doll's influential patrons the legendary Lesbian and Women's rights pioneers, Del Martin, and Phyllis Lyon co-founded the "all girls closed club" Daughters of Bilitis in 1955 and later included 524 Union Street as one of their approved convention stops, as "reserved gay - very good food. Sunday Breakfast a must!". Much to the ridicule of San Francisco Chronicle Columnist Herb Caen, the focus of their 1st Convention in 1960, one of the largest LGBT convention of it's kind at that point, was in large part a reaction to the struggles of gathering places like The Paper Doll. Forming relationships with legal representation, knowing their rights, and the technicalities of the bar raids, they staged a debate with an ABC representative. While speaking warmly of their time spent at the Paper Doll, the organization's founders actually sought to provide public gathering alternatives to the dangers of the bar scene that had been so fundamental in the formative years of many Lesbians, but detrimental to others. For many, the smoky world of LGBTQ bars was scary and alienating⁷³, and Gay Liberation organizations were at times virulently opposed to the idea of LGBT life centering around alcohol and rowdy bars.



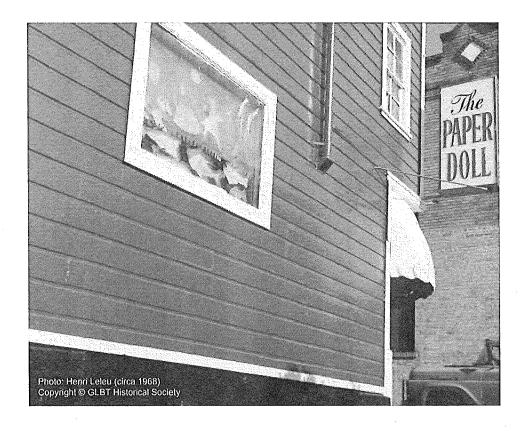
Invoice payout for Daughters of Bilitis brunch event, with redacted signature of Bob Ross, 1967

On the 35th anniversary for the Daughters of Bilitis publication The Ladder, their biographer Marcia M. Gallo painted a picture of the times:

"Spring, 1957. San Franco. You're a lesbian in your late twenties and you've lived in the Bay Area for a few years. You work in an insurance office and rent a small apartment in North Beach. It's a Thursday night around 8, and you're feeling lonely.

You decide to take yourself to the Paper Doll for a drink despite your worries about police raids — it's the only place you know of to be around other lesbians. Maybe tonight you'll meet someone new. Sitting at the bar alone, you overhear a couple talking about a new group they've just heard about.... a social club for women. The Daughters of something...

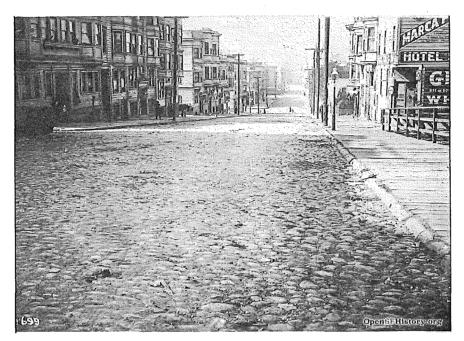
When they get up to leave, you notice the little mimeographed magazine they left face down on the table."⁷⁴



The Paper Doll continued until 1972 with the same mixture of Gays, Lesbians, friends; and allies, still known for their great food, and entertainment. Despite numerous owners and name changes, the much storied location remained a Queer space at least until 1975, and continued to garner listings in LGBTQ guide books long after.

Former Paper Doll server Reba Hudson reminisced about 524 Union during the 1980's noting "It hasn't changed so much physically, it's always had the same amount of space, and the dining room's in the back, right, and the entrances have changed and this or that" but the spirit remained⁷⁵.

As a cultural monument the Paper Doll space remains configured as it has been for over a Century of use as a bar and restaurant.

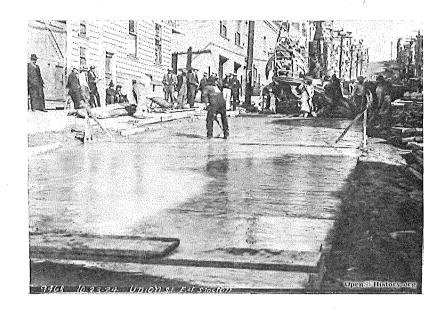


Exterior Photo, view of Union and Cadell, San Carlo Hotel/Restaurant/Saloon: Open SF History org. circa 1915 Photographer Unknown.

Additional History of 524 Union Street

The San Carlo Inn (1904-1935)

The San Carlo Inn was a Barbary Coast era Restaurant and Saloon, established preearthquake and existing for thirty four years. Directories show trade and boarding accommodations as well. Little is known other than the destination's land owner and proprietor; was founded by the liquor, and wine merchant, Lorenzo Bacigalupi. The San Carlo operated for another 8 years after his death in 1927, and was in operation before and after Prohibition.



During Prohibition; the Volstead Act allowed families exemptions to produce and purchase 200 gallons of wine annually, but according to Dante Benedetti "they all cheated". Speaking of the adjacent alley to Cadell Place, Benedetti said "they used to call Jasper Alley "Wine Alley" in

those days". ⁷⁶ The San Carlo's prohibition years are a mystery, although during a 1923 Prohibition seizure of Tequila smuggled on a Mexican steamer ship named "Chihuahua", the Cadell Alley was raided. ⁷⁷ The San Carlo was the subject of other prohibition raids⁷⁸ and would close a couple years after the repeal.



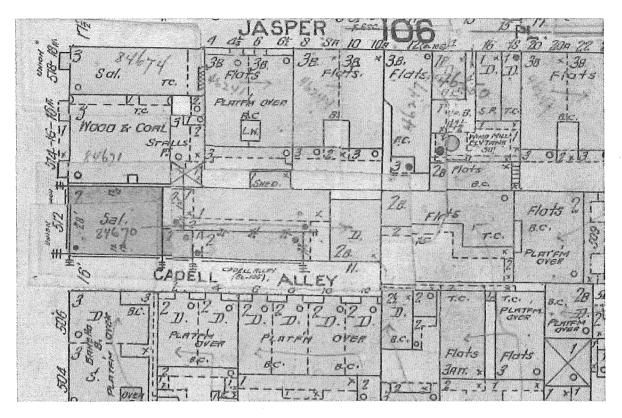
Mexican Liquor Was Seized on Vessel

Two hundred and fifty hottles of tequila were found yesterday by customs inspectors in various parts of the Mexican steamer Chinuahua. The liquor, worth about \$6 a bottle, had been concealed in double walls, under lifeboats and other hiding places. The freighter Jeptha contained five bottles of narcotics,

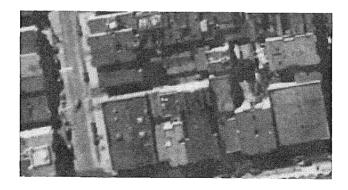
Prohibition raids reported yesterday included: V. Bernardino, 524
Union street; R. A. Madero and
Milton Boyd, 18 Larkin street; R.
Colegari, 452 Union street; Eddie
Hanlon, 728 Taylor street; T. J. Turney and George Heath, 2952 Sixteenth street.

LEFT: San Carlo Drink Token courtesy: National Token Association, Auction House Moss Mine Token Catalog, Private collector, Cunningham, Paul A. Military Tokens of the United States.

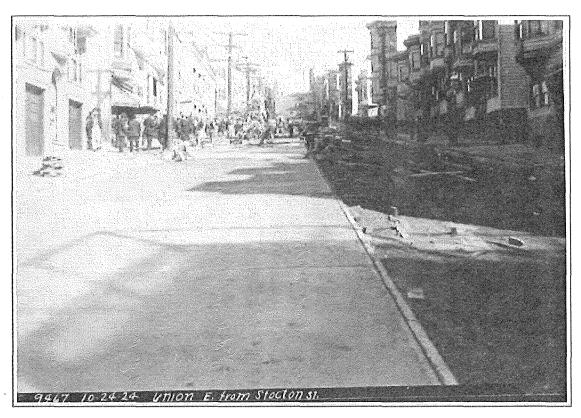
The two lots which make up 524 Union (then 512 Union) stayed in the Bacigalupi family until the 1950's.



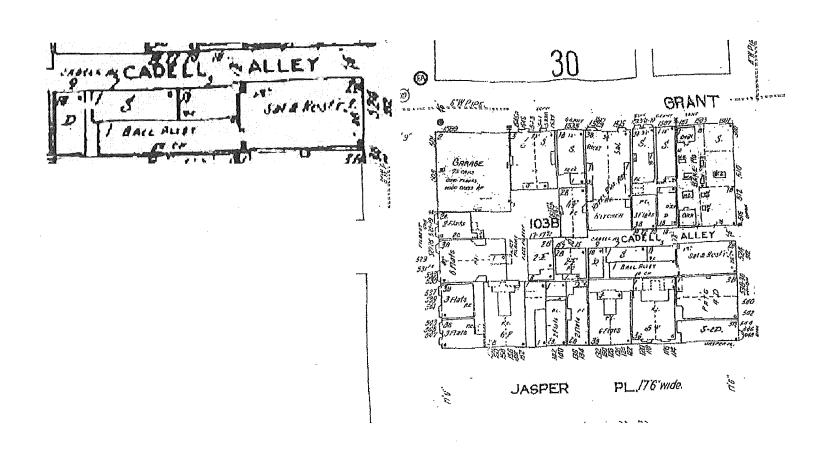
1905 Sanborn Map



Aerial photograph of Union and Cadell Alley circa 1938, Ryker, Harrison. David Rumsey Historical Map Collection.



View of Union towards Grant, 1924, San Carlo on the left

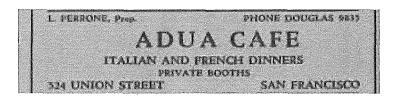


The Adua Cafe (1934-1944)

SF Call Bulletin said "The Adua Cafe is to Telegraph Hill what the St. Francis Hotel is to Union Square" 79.

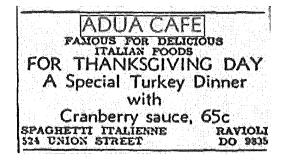
Opened shortly after the conclusion of Prohibition, by Italian immigrants from Milano and Genoa; Leo in 1907, and Elise in 1915, the Adua Cafe was described as "a popular meeting place for young newspaper men and women reporters. One goes there for a good Italian dinner and a game of bocce on the only indoor court in North Beach"⁸⁰

By the 1940's Elise Perrone was a one Woman, sole proprietor with her own column in the San Francisco Chronicle, titled "In The Districts", and affectionately known as "Elise Perrone, boss of North Beach, and the Queen"81.



As a pioneering civic leader, Perrone founded The Adua Betterment Association, one of the first, if not the first community groups representing a Telegraph Hill/North Beach neighborhood now recognized for a long rich history of thriving influential community organizations. Perrone hosted meetings and events at 524 Union Street. As a celebrated community figurehead she was called to put her stamp of approval on the opening of the North Beach post office, and a brand new bus to Coit Tower which still passes 524 Union Street today. The "famed Adua Cafe" also hosted influential legislators, Civic Clubs and Boys Club events. During the wartime years, it became a meeting place for Government officials, maritime big wigs, and International diplomats acting as a virtual political back room. On the anniversary of US military action during WW2, Adua Cafe was listed as a "patriotic firm" sponsoring wartime Navy recruitment ads in the San Francisco Chronicle.

North Beach today views its new Telegraph Hill bus line. Yesterday Elise Perrone watched the first bus leave Cclumbus and Union and said, "Ver-ree pretty."





In One Year of War 36,908 MEN in this area Chose NAVAL Service

MORE THOUSANDS ARE NEEDED

from the San Francisco-Northern California District

WHAT BETTER DAY THAN

MAKE YOUR CHOICE OF SERVICE

Choose NOW

Volunteer NOW for the UNITED STATES NAVY ophin Information or the France King Margisley Indian Fasher in Sex Francisco, Konto 43, Federal Office Printing to Onland, Street 222, Fed Office Realiting

Your Chance to Become a Well-Paid Expert
YOU BON'T MEED EXPERIMENT. If you is the right quantifications, the New is not

LEFT: Adua Cafe sponsored patriotic Naval recruitment ad, SF Chronicle

FRIDAY. DECEMBER 13.

In the Districts

Elise Perrone is Delighted With the Entire Prospect

AR-R-ROUND THE TOWN-N-N: No, we aren't nervous-nothing like that ... See, we're perfectly com-posed. See?—Isn't that hand steady? . . . Nothing to be nervous about. It's just that—well, this is all pretty different and everything . . You know how it is, Sure . . . This is Friday the 13th, a very lucky day because it precedes an even luckier day . . . When we stop roaming around this town as a bachelor and start striding sedately about as a married man—well, what will happen then? . . . It isn't that we're trying to be incoherent, it's just that we are incoherent. Dut that's understandable . . . But we aren't nervous. Not a bit nervous.

old Wollenberg, director of the about tomorrow night? Modern Talking Picture Service, Starting this sunday. talks on "Practical Americanism" at tricts" will be taken over by guest tonight's public forum in Marina columnists for a week . . . We have Junior High, Fillmore and Chestnut, a good series of stories here on the A colored sound film, The Middle-desk, all ready to be set in type. ton Family," will be shown . . If The first one, for Sunday, is by Ed that isn't objectivity, pure and sim- Howden, executive secretary of the



ELISE PERRONE "That make me very happy"

Let's be objective, like this: Har- (Notice how cool we are writing

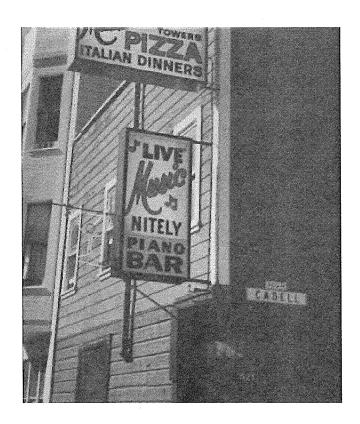
Starting this Sunday, "In the Disple, then what is? , . , Another: San Francisco Housing Association. Riddle of Russia" at a public forum in time to get the following Sun-

Elise Perrone "In the Districts" column, SF Chronicle, December 13, 1940

Paper Doll, Cadell Place, 524 Club, Noah's Ark, Rolando's, The Godfather Restaurant (1944-1972)

Manhattan Towers (1972-1975)

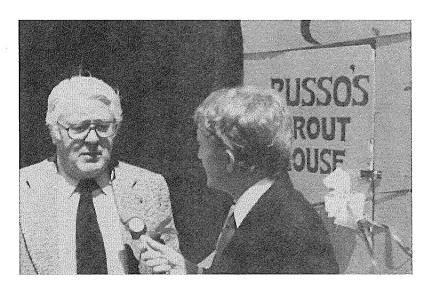
Owned by Katherine James, and leaning towards a "Lesbian pick-up place"⁸², Manhattan Towers advertised Italian food, live entertainment, and New York style pizza, a rarity for San Francisco in that period.





Russo's, Cadell Place (1975-1981)

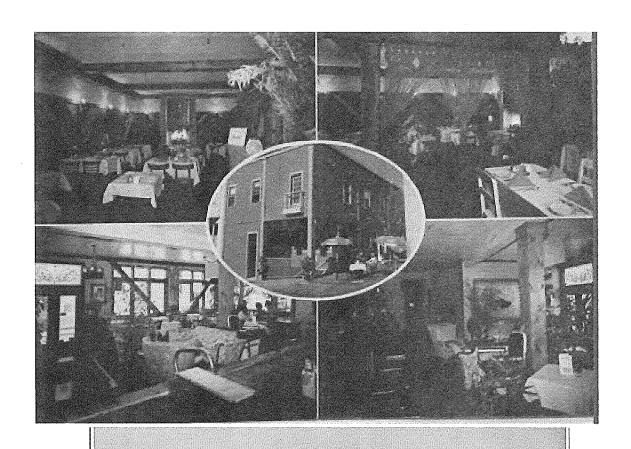
Lovingly restored back to it's pre-Victorian and Victorian glory in 1975, by brothers Steve Russo and Dennis Russo, with a West Coast Craft interior utilizing on site salvaged reclaimed carriage house wood, since copied by many other San Francisco establishments. The corner entryway was moved at request of the city, to accommodate earthquake retrofitting, and sprinklers. Basement retail was added.



Melvin Belli interviewed outside Russo's circa 1976, courtesy Steve Russo



Russo's was a favorite of food critic Patricia Unterman for it's European/California cuisine. It was also a headline Jazz, and Rock venue. By this time, few remnants remained of the LGBTQ enclave in North Beach existed, aside from Steve Silver's Beach Blanket Babylon located nearby. With a return to Lesbian ownership with a silent partner, who happened to be a former nun; and her longtime parter as chef; 524 once again underwent another incarnation as Cadell Place for the second time, with food, drink, and entertainment, launching many careers including Bobby McFerrin's, with a weekly residency.





524 Union Street, San Francisco, CA 94133 Tel. (415) 391-4343

This restaurant and har is located in one of the first North Beach buildings rebuilt after the 1906 earthquake. It was egain restored in 1976, though still holding to the original tenor the restaurant has taken on the European flavor of its neighborhood. It tinges of a cachet of a Mediteranean Bistro. The small alley acts as a sidewalk cole with its plants and umbrellas. Here, weather permitting, brunch can be served as well as in the front dining area.

Russa's is opened from 11:00 A.M. UIJ 2:00 A.M. From brunch to dinner Russa's offers specialities of fine cusine, spirits, wine, Diekirch beer from The Grand Duchy of Luxembourg and ale, that speaks of Balgium, France, Italy and Spain.

Russo's dining from and bar can accompdate private parties for groups up to 100 people. Specialities from various countries can be ordered for special parties.

Product Squary

Whereever he's working is the place to be

McFerrin: 'Music Seems to Be the Scent of the Rose'

By Jay Daris

HE NAME of the place is the mane of

In this instance, Cadell Pince On the oas hand an alley off Urasus part east of Stockton; on the other a barvestaurard which will be playing host this Staturard evening to the bet inconsiderable talents assembled for the occasion by vocalust Bebby McFerrin. An instrumental trio will back him.

Regin with the volce.

cogue wan use veste.

'Twe got one of these voless that.
I dean't want to 'study' with anybody. I don't think I should. My parents baught ness that if you run acrees something and you can't figure out what it is you you knock down the wall, you find out for younself.

Of course, I've worked but exercises—or rather I haven't worked them out I sing intervals. I like to do gettural



Ponder the ambition.

Pender the ambition.

"I want is studio — so I can do 22 track overclabs. One veice laid over the other; it would start with one voice. If dove to build something like that one-slage. If I had one musical goal that I'd like to reach first it would be the . . . a capella, thoral importantion, scatting, all over the wall sort of thing.

"And then for the second half of the

Well and good, but it anybody listening? They neem to be Bobby McFerrin has been in town less than three months, yet already there seems to be an understanding muong the local just regnoscent that wherever he's working is the place to be.

Music and Food -An Age Old Combination

By Patricia Unterman

Cadell Place

524 Union Street, San Francisco. Serving dinner 6 to 11 p.m. jevery, evening except Tuesdoy, and brunch as Sunday from 11 a.m. to 3 p.m. Full bar, Mastercharge and Vies. Reservations accepted. 391-4343.

USIC and food are an age old combination— the string quartet to Don Giovannia dining room, the surper clustes of the fifties— that sort of thing, Of late, due to specialization, styles and the economics of things, live music and food are seldom available together, outside of a few pricely hotel operations. Who weild want to est a plank rock meal, anyway? Our modern music goes better with drugs. Honever, there is a timakess little jazz club in North Besch called Cadell Place that offers food and music that are just right for each other. There's nothing trendy or chic about any of it, but Cadell Place is run by people who care about what they are doing.

Little west to Cadell Place they are doing.

people who care about what they are doing.

I first went to Cadell Place to hear a goto jazz planist,
Jessica Williams, one might and noted that the club had,
an intimate, friendly feeling, casual but not inchy. Then i
returned Sonday morning for bruinth on the advice of
someone who had eaten it and rawed about it. In the day
light Cadell Place was even better, Light streamed in
from the two large corner windows. The cocktail tables,
that held drinks the night before were covered in white
lines, the bar was blending gine fizzes and to top it off, a
great lazz jukeloo played in the background.

From a small brunch menu that includes mostly.

great jazz jukelow played in the background.

From a small brough menu that includes mostly omelets and eggs, we chose Eggs Benedict, \$3.73, the test of any kitchen. They turned out to be the best I've had in a restaurant. The eggs were perfectly posched and drained so that there was no water to mar the light, lemony, just made hollandake that evovered them. The thick stice of honey circed Canadian bacon was tender and noists and smarlingly enough, the English motifus benedit it all had been crisped on the grill. Each element of this oft abared tits had been carefully prepared.

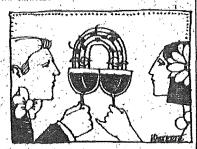
We also liked Cadell Place's version of French baset

or rais our source much had been carefully prepared.
We also liked Cadell Place's version of French loast, \$2.75, Irlangles of French bread speeds with chestnut pured and deep fried. The excellent Canadhan bacon came with it as well as a fresh fruit garnish, Coffee had been freship made and our cupt were constantly refulled. The only disappointment was not being able to order fresh orange juice.

I immediately made plans to return for dinner, checking first to see if the same chef would be in the kitchen. I was told that there were several.

Dinner is served in a pleasant backroom with a working fireplace. North Beachy oil palatings of San Francisco scenes on the walls, fresh flowers on the tables and candle light. The toounts from a pur ensemble filtering in from the club, separated from the dising room by a hallway, were at just the right pich—bot so loud as to deler conversation but noticeably and enjoyably there.

We began with tomatoes with anchovies (\$2.25) merely slices of not quite ripe tomatoes with dryish anchovies laid over them and no dressing. Not great. French fried zorchind (\$2.36) would have been fine had they not been fried in eld, strong tasting oil. They came



also a sauce that tasted of raw cooking sherry. A Plump Spotth: Carelina Quali (88.95) had been split and schillfully grilled but it was painted with a sweet and sour barbeque sauce that I felt than do it fastice. The plates came with crain silves of yellow and Italian squash tossed with batter and bits of red pepper; and tender but not muchy boiled new polators. My general feeling was that the kitchen had down the basics and even some sophisticated dishes but they were prewing up on the fruits.

So I came back for another diance and ordered the simplest items on the mean; it worked.

We split a nightly special of linguine and clams (37.83) composed of al dente parts, an unctured creaming dates liquer sauce loaded with whole taby clams and garmined with fresh clams in the shell. The portions were huge but we finished them both.

A large top siriolar steak (111.95) came rave as requested. It had been rubbed in berts and olive oil. Whole fresh grees beans were buttery, crunchy and sweet and the new potatoes, again, were firm but fork tendér. My half chirken (87.95) also had been marinated with resember and thymse and cooked slowly on the grill until its skin was crisp and its meat succutent. We took resort of our dinner home and they were just as good cold the test disk. the next day.

Prom a small, carefully chosen California wine list we selected a Fetzer Zinfandel, 1978, \$7, round, full and senooth and were glad to see the likes of a Geyser Peak Chardonnay, \$7, Dry Creek Chenin Blanc, \$6.50 and Robert Mondayi Funse Blanc, \$10, all reasonably priced.

Other dithes likely to be as successful might be fresh snapper broiled and braished with herb bitter (\$738) or doubte out park chops (\$735) broiled and finished with an apricot and brainly glaze, Cadell's brichen knows how to grid. They don't overcook their food and they use good lagredients.

Service is a bit amateurish, but everything will get to you eventually, especially with a little reminding.

After diniser you can have a drink in the club while you listen to the music. This arrangement makes for a nice evening out. You only need to park once and you don't ya' a cover charge when you go for dinner.

Cadell Piace is one of the few local places that's firmed out how to offer both food and music and do it



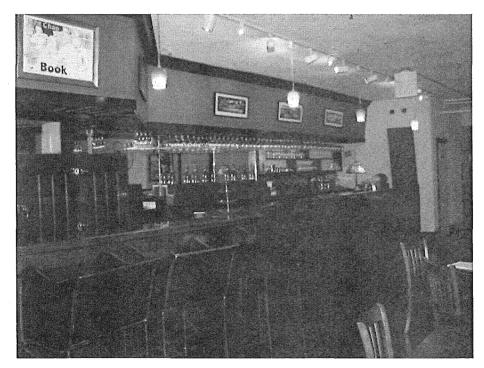
ABOVE: Chronicle review of Bobby McFerrin residency at Cadell Place

RIGHT: Advertisement in Plexus Bay Area, Women's newspaper, January 1980

LEFT: Patricia Unterman review, Cadell Place, circa 1980

Silhouette's, The Field of San Francisco, Le Bordeaux (1981-2012)

In subsequent years, 524 Union Street became a popular 50's themed restaurant and retro sock hop dance club with lines around the corner. It's local cultural influence could be seen on KOFY-TV 20's Fifties "Dance Party". The Field, Irish Restaurant and Bar, known for brunches, and a French bistro concept called Le Bordeaux that became a temporary home to the private collection of paintings once housed in the legendary Washington Square Bar & Grill & Moose's. All acted as a destination for private parties in the back room, a polling location for elections, hosted toy drives, wedding parties, holiday parties for SFFD, Telegraph Hill Dweller's Christmas parties, neighborhood meetings, and more special events.



Le Bordeaux, with oak coolers and original long bar.



Back Dinning Room LeBordeaux with reclaimed and preserved carriage house wood paneling, circa 1880.



Commercial Offices

Used as a trades quarters, few details are known. The back carriage house space was the original location of the Emily Faithfull Kindergarten established under the inspiration and guidance of Women's rights activist, and Suffragette Emily Faithfull while on a rare visit to the United States, and a temporary site for philanthropist Phoebe A. Hearst's Golden Gate Kindergarten. The site also hosted the Union Street Experimental Kindergarten, The Helping Hand Free Kindergarten No.1 & No. 2, and Kahler Free Kindergarten; all pioneering institutions of the Golden Gate Kindergarten Association⁸³ founded by San Francisco Suffragette Sarah B. Cooper to serve the Barbary Coast⁸⁴.

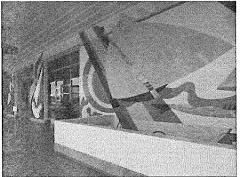
John Sweet was tasked to organize "a class of children between five and six years of age, in a vacant room, kept the school running for three months under the entire charge of pupils from the normal class, and finally, with Mrs. Cooper's assistance, succeeded in 1880 in making it a free public school under the name of the "Experimental Class." One year later a second class was opened in connection with Mrs. Cooper's kindergarten school on Union Street."



Sarah B. Cooper Source: SF Public Library SF HistoryDigital Archive

For many years the back carriage house space in the rear, behind the Restaurant and Bar, contained an interior Bocce Ball court.





Contemporary with LGBT establishments at 524 Union in the early 50's, the ground floor served as studios for WPA Federal Art Project artists and other internationally showcased artists, including:

Sargent Claude Johnson, the first African American artist on the West Coast to achieve a national reputation⁸⁵, considered one of the finest sculptors of the Harlem Renaissance, though he spent most of his life in the Bay Area⁸⁶ he has received multiple retrospectives at the San Francisco Museum of Modern Art. Notable work includes the exteriorreliefs, and lobby mosaics at the San Francisco Maritime Museum/Aquatic Park Bathhouse building. Later work while at Cadell Place included African masks.

Architectural photographer William Abbenseth, acknowledged for documenting Northern California buildings for the WPA, was a member of photography collective Group f.64, credited for changing the course of art photography, alongside Ansel Adams, Imogen Cunningham and Edward Weston.

Photo by Abbenseth, from SF MOMA



Spero Anargyros, a public works sculptor, creator of the bronze bust of George Moscone sitting in City Hall, a 21 ton seal of the City and County of San Francisco; his work sits atop the California State Capitol, amongst other high profile commissions commemorating Hawaii's statehood, Mount Rushmore, Yellowstone National Park, and the Alaska Centennial.



Gurdon Woods, a sculptor and visionary arts educator who would go on to become President of the San Francisco Art Institute (previously known as California School of fine Arts), and founded the art department at UC Santa Cruz. Abstract artist Charles Safford, John P. Waltz and Richard Van Wingerden, an expressionist artist who worked alongside WPA muralists, and for a time, as the Paper Doll janitor.

M. Sherman, known just as Sherman, was an abstract artist described a "the grand Dyke mentor of my youth" by Lydia Millett, the defining architect of second wave Feminism.⁸⁷ Sherman's mid 70's art studio was described as "condemned" by Millet, symbolizing an end of an era⁸⁸.

Frederic Hobb's, an experimental b-movie filmmaker with cult acclaim, satirist and madman visual artist considered the father of the modern movement of "art car" parade sculptures now synonymous with Burning Man, purchased and renovated 524 Union, dubbing the building "Hobb's Cottage Industries", to rent short term commercial, artisan and retail, including a delicatessen on the deck level. He was known to let himself in to the former Paper Doll space and help himself and friends to a few rounds, and work of that period reflects collaborations with Ann Weldon, who was synonymous with sell out shows there, and legendary LGBTQ performance art group The Cockettes.

As a hub for small business, and creativity, tenants included Chronicle/Examiner columnist, and Rampart's editor, Warren Hinckle with his Basset Hound, and digs covered in astroturf. Additionally it was the home for the groundbreaking early personal computing



Hobbs, Hinckle, and crew

microchip manufacturer, the one man tech operation of Micromation; literary agencies, publicists, gaming designers, and a Women run small press publishing house responsible for releasing Del Martin's pioneering work "Battered Wives" and a campaign for greater media exposure outside San Francisco. 524 Union was also where award winning branding/packaging work for Apple, Napa's burgeoning world class Wineries, and countless recognizable household products were created making it central to North Beach's emerging graphic design district.

JOHANSEN BOOK WORKS, Lid. Publicity and Promotion 524 Union Street Editorial Services San Francisco CA 94133 Book Development (415) 201-475 home felt MEDIA SCHEDULE AND SPEAKING ENGACEMENTS FOR DEL MARTIN ON THE EAST COAST WASHINGTON, DC. (open day) -- possible interview with Washington Post HONDAY, AUGUST 23 TUESDAY, AUGUST 24 Arrive 8:30am contact: Eddie Hadie Live at 9:00am (1 hour) "Nine in the Morning" (ask for him at the lobby and he'll come pick you (202) 686-6160 NEW YORK CITY WEDNESDAY, AUGUST 25 7:00pm Naw York City NOW THURSDAY, AUGUST 26

201 West 92nd St.

LEFT: Promotional schedule for Del Martin NYC, book tour, tv appearance, by Johansen Bookworks, 1976

Additionally, the basement level had two subterranean retail spaces accessible from the street, housing The North Beach Chess Club, and The Enchanted House, an Asian antique store which later relocated to Grant Avenue.

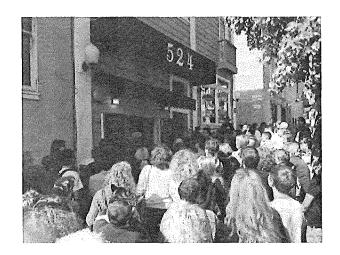
In more recent years, 524 has housed Immigrant Rights legal assistance, a socially conscious green Ad agency, tech strategy companies, web designers, film production development and coworking office space for small business and cottage industry startups.

The Kiosk

7:00pm

One of San Francisco's oldest European style kiosks, the charming space is rumored to have been the original marquee, or ticket window for the Paper Doll. Retail use has included flower stands, bakery, tea shops, chocolates, a locksmith, handmade jewelry, and currently Hole in the Wall Coffee.



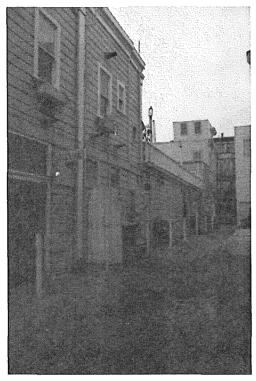


LEFT: Kiosk in SF Chronicle Style, Fall Fashion Guide, photo, Russel Yip, The Chronicle, August 18, 2016

RIGHT: "Step Back: A walking tour of Queer Old North Beach, Radar + City Lights Present, 2014

Cadell Place Alley (aka Cadell Alley)

One of San Francisco's rare privately owned alleys, 524 Union Street extends most of it's length, sharing the alley with the back bakery doors to the wood burning ovens of the former French Italian Bakery. The Paper Doll and all that came after have at times utilized the outdoor space for holiday events.



Cadell Place Alley, circa 1990

The HiddenStreets of San Francisco

Hell's Angels rub shoulders with workers from a fartune cookie factory on one tiny lane, in another, flowerpots and dozing cats mark the spin where 19th century sailors were shanghoied

CADELL PLACE

Off Union between Grant and Stockton

Tightly clustered houses exist side by side with a Chinese fortune cookie factory (the door is usually open, and you can watch the cookies being stuffed) and an old time San Francisco real estate agency. The corner restaurant, named for the street, has had numerous owners and is currently for sale again. Cadell is a sometimes hangout for the Hell's Angels.



524 Union Street, illustration by Thompson Design, D. Thompson, circa early 1980's.

All research created under the guidance of Shayne E. Watson, and inspired by the Citywide Historic Context Statement for LGBTQ History in San Francisco, Donna J. Graves & Shayne E. Watson, City and County of San Francisco, 2015

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- 10 Nan Alamilla Boy, walking tour brochure for "Gay Ghosts of Queer Old North Beach".
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- ⁵⁹ Dante Benedetti, interviewed by Nan Alamilla Boyd, July 10, 1992, The Gay, Lesbian, Bisexual, Transgender Historical Society.
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- ⁷³ The Society, GLBT Historical Society newsletter, 1987, vol. 3, Issue 1
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- ⁷⁸ San Francisco Chronicle, January 16, 1935
- ⁷⁹ San Francisco Call Bulletin, July 30, 1939
- 80 San Francisco Chronicle, 1939
- ⁸¹ San Francisco Chronicle, December 13, 1940
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- 83 Golden Gate Kindergarten Association, Annual Report, Volumes 7-13, 1886
- ⁸⁴ Public Education in California, its origin and development, John Sweet, American Book Company, 1911.
- 85 San Francisco Museum of Modern Art Website, collection notes on Sargent Johnson
- ⁸⁶ "Berkeley's Artwork Loss is a Museum's Gain", Carol Pagosh, New York Times, February 20, 2012, Page C1

- ⁸⁷ Mother Millet, Lydia Millett, Verso Books, 2001
- 88 "Sherman", Lydia Millet, Spit in the Ocean Vol. 2, Pg. 53, Ken Kesey, 1976

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	APPENDICES		
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APPENDIX (A)

Appendix (A)

List of previous bars/restaurants.

Summary Permits Bars & Restaurant.

City Permits records.

Architecture drawings and plans.

Current Floor Plans.

Appendix (B)

City Directories

(circa 1846 to circa 1970's)

Appendix (C)

Dante Benedetti Legal Documents

(Legal briefs/Appeals Alcoholic Beverage Control)

Appendix (D)

Acknowledgements and Popular Culture.

Barbary Coast Designation/

Tour Historian Nan Alamilla Boyd/ The Gay Ghosts of Old North Beach.

Selected literary references to the Paper Doll.

Previous bars/restaurants in the building

524 Union Street, previously known as 512 Union Street alternate addresses on Cadell Place, aka Cadell Alley

San Carlo Inn Saloon & Restaurant	est.	1904
(also known as San Carlos) with Bucci Ball Court		1026
Adua Cafe	est.	1936
Restaurant & Bar with Bucci Ball Court Paper Doll Club	est.	1944
(Mona's) Paper Doll	est.	1947
Cadell Place	est.	1961
(Don Farber's formerly the Paper Doll)		
The 524 Club	est.	1964
The 524		
(Owner/Operator: Bob Ross)		
Paper Doll	est.	1968
(Arlene Arbuckle)	+	4074
The Godfather	est. est.	1971 1971
Rolando's Noah's Ark	est.	1971
524 Club	est.	1972
Manhattan Towers	est.	1972
The 524	001.	1012
Russo's	est.	1975
Cadell Place (Russo's Inc)	est.	1980
Silhouettes	est.	1981
Patzi's (Silhouettes Inc.)		
Ping Bodie's (Silhouettes Inc.)		
Silhouettes	est.	1996
The Field of SF Pub & Restaurant	est.	1999
Le Bordeaux	est.	2011

^{*}LGBTQ affiliation in bold

Summary 524 Union Street

Building Permit Records	<u>Owner</u>	<u>Usage</u>	<u>Dated</u>
Dept. Public Works Alternations Signage	San Carlos Inn	Bar Restaurant	June 22, 1934
Dept. Public Works Alterations Signage	San Carlos Rest.	Bar Restaurant	Oct. 22, 1934
Dept. Public Works Alterations Signage	Adua Cafe	Bar Restaurant	Nov. 19, 1936
Dept. Public Works Alterations Signage	Paper Doll Club	Bar Restaurant	Nov. 13, 1944
Dept. Public Works Alterations Kitchen	Paper Doll Club	Bar Restaurant	Sept. 17, 1952
Dept. Public Works Alterations Kitchen	Abulich	Bar Restaurant	Feb. 5, 1954
Dept. Public Works Alterations Signage	Cadell Place	Bar Restaurant	July 19,1961
Dept. Public Works Alterations Health Dept. Remodel Compliance Nightclub Restaurant	524 Club	Bar Restaurant	Nov. 25, 1966 Feb 2, 1967
Dept. Public Works Compliance Bar	524 Club	Bar Restaurant	Nov. 14, 1968
Dept Public Works Compliance Work	524 Club	Bar Restaurant	Nov 24, 1968
Dept. Public Works Alterations Health Dept Compliance	524 Club	Restaurant Tavern	Nov. 25, 1968
Dept. Public Works Restore-New Foundation Floors, Walls, Electrical Plumbing, Sprinkler System	Russo's	Bar & Restaurant	April 14, 1975 July 3, 1975
Dept. Public Works Sprinkler System Building	Russo's	Bar & Restaurant	June 5, 1975
page 1 of 3			

Building Permit Records	<u>Owner</u>	<u>Usage</u>	<u>Dated</u>
Dept. Public Works Restored Commercial Jse Only	Russo's	Bar & Restaurant	Feb. 26, 1976
Dept. Public Works Restore Extension Enclose	Russo's	Bar & Restaurant	April 13 1978
Dept. Public Works Alteration Ceiling	Cadell Place Russo;s Inc.	Bar & Restaurant	April 24, 1980
Dept. Public Works Remodel Kitchen	Silhouettes	Bar & Restaurant	Dec. 11, 1984
Dept. Public Works Signage Electrical	Silhouettes	Bar & Restaurant	March 17, 1985
Dept Public Works Alterations Health Dept. Remodel Kitchen	Silhouettes	Bar & Restaurant	March 23, 1992
Dept. Building Inspection Plumbing Remodel Bathrooms	The Field	Bar & Restaurant	Dec. 24, 1998
Dept. Building Inspection Remodel Kitchen	The Field	Bar & Restaurant	Jan. 24, 1999
Dept. Building Inspection S.F. Fire Dept. Compliance Kitchen Hood	The Field	Bar & Restaurant	June 18, 1999
Dept. Building Inspection Exterior Lighting Replacement Compliance	The Field	Bar & Restaurant	July 08, 1999
Dept. Building Inspection Exhaust	The Field	Bar & Reataurant	July 13, 1999
Dept. Building Inspection Occupancy Load Fire Dept. Compliance	The Field	Bar & Restaurant	July 15, 1999
Dept. Building Inspection Hood Ansul System	The Field	Bar & Restaurant	Oct. 7, 1999
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Summary 524 Union Street

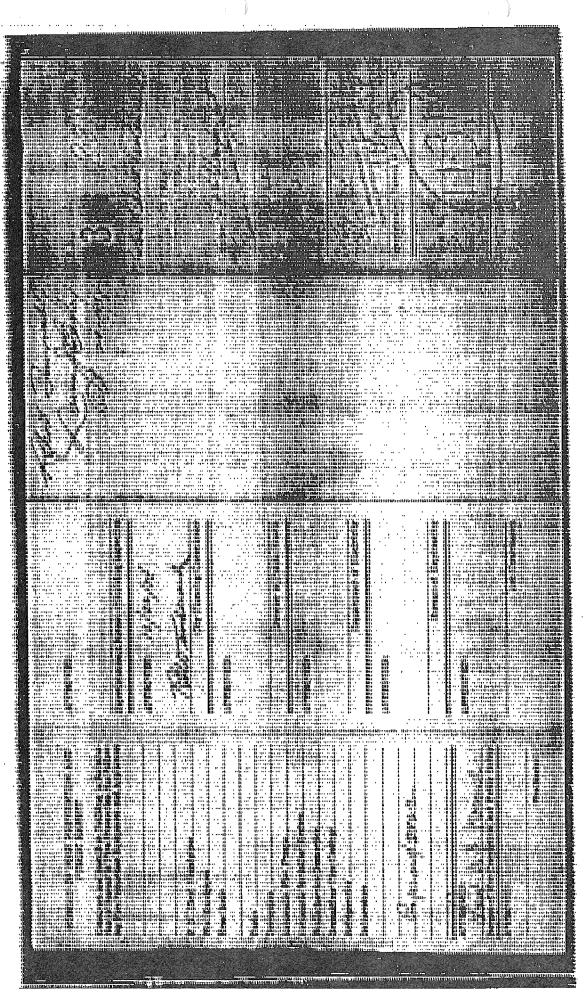
Building Permit Records	<u>Owner</u>	<u>Usage</u>	<u>Dated</u>
Dept.Building Manufacture and Install Awning Front Business	The Field	Bar Restaurant	June 10, 2003
Dept. Planning Public Health	Le Bordeaux	Full Service Restaurant	May 25, 2011
Dept. Planning ON-SALE BEER & WINE, EATING PLACE - TYPE 41	Le Bordeaux	Full Service Restaurant	Dec. 9, 2011

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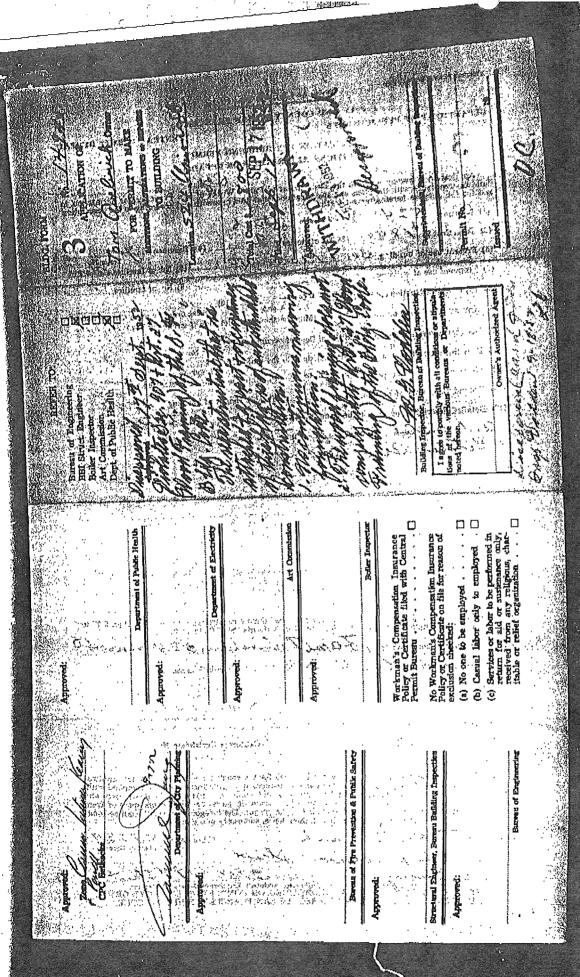


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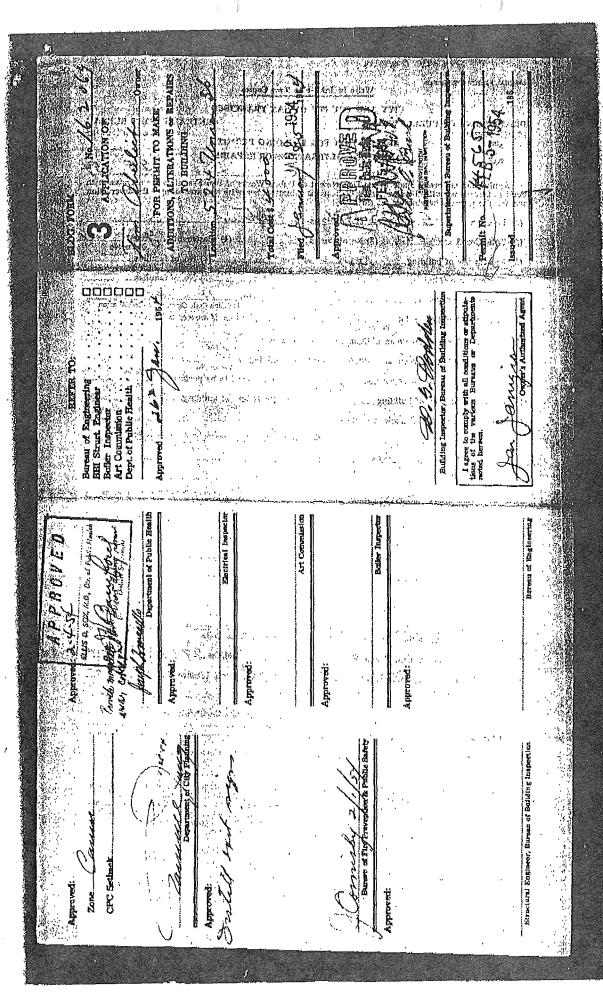
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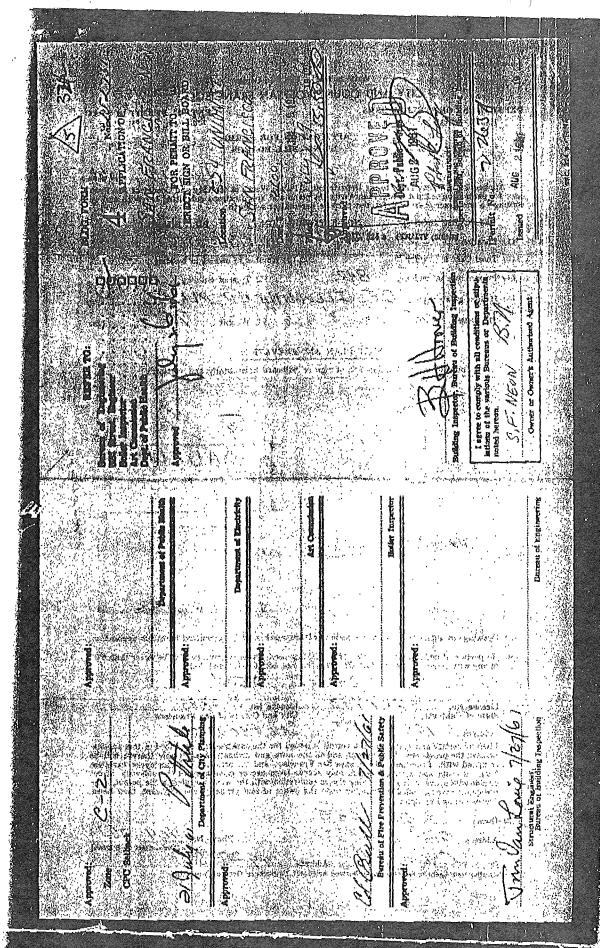
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		Ing else in connection with the work included in the permit. The foregoing covenant shall be bind- on the owner of said property, the applicant, their heirs, successors and staigness.
2 40 (24) (Owner Tones (Force (For Contact by Bureau)
		Address 5 2 4 Christ Start
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	(12) Owner CADEU PLACE	
	Address 524 UNION ST. St	Phone No. /A 4-0757 (For contact by Bureau)
	by S.F. NEON E. Address	199 2713 84
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CENTRAL PERMIT BURNAU F495 Write in Ink-File Two Copt CITY AND COUNTY OF BAN FRANC DEPARTMENT OF PUBLIC WORKS LLDG. FORM CENTRAL PERMIT BUREAU APPLICATION FOR BUILDING PERSON ADDITIONS, ALTERATIONS OR REGAIRS Application is hereby made to the Department of Public Works 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: LANGE D (1) Location ... 527 (8) No. of Storles... Present time of building Bond in RITHE . (6) No. of families (7) Proposed Use of building Band (9) Type of construction. 5 (11) Any other building on lot (must be shown on plot plan if answer is yes.) TERMY DO (18) Does the attenuation create a horizontal extension to the building? ... 1530. (14) Does this alteration constitute a change of occupancy (17) Automobile runway to be altered or installed ... 199... (20) Write in description of all work to be performed under this application; (Reference to plans is not sufficient) CANAS LOCAL PORT ---- HAVE SAIN SAIN SAIN Constant Producte DU ALIT DOORS Crate Hat we ar to tolet was 1451115 TUT SIENS (21) Sapervision of construction by O. Chall Co. (3) Ceneral Contractor.... Dans Line (California Lie Address (28) Archilect or Engineer California Cartific Address ... California Cartificate No. (34) Architect or Engineer I kerchy certify and agree that it is parallele tasked for the personal secretary contribution in this application, all, the provisions of the personal and all, laws and ordinances applicable thereto will be a complied with. I further agree to save fan Prescisco and its officials and supplyone harmless of from all chains and damages which may secretar from use or occupancy in the iddewalk, street or an another and application of the interest of an another part of the interest of an another part of the interest of the supplementation of the personal shall be binding upon the sewner of said property, the applicant their better traction and shall not be supplementation of the supplem Address Owner's Estherised Apost to be owner's Ambaile analysis, Engineer or Edition Connection.

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APPLICATION FOR BUILDING PERSET Additions, alterations or repairs pplication is hereby made to the Department of Public Works of San F Total Cost (8122 Basement of Callar Augustante but described (6) No. of families. (a) Present Use of building Mallacia Proposed Use of building AGEST PRUPART Y TADERAGE No. of familles (9) Type of construction AGOD FASTALO (11) Any other building on lot (must be shown on plot plan if answer is yes.) (12) Poss this alteration create an additional atory to the building? (14) Does this alteration constitute a change of occupancy (16) Electrical work to be performed 12 (16) Plumbing work to be per (17) Automobile runway to be attered or installed.... (118) Sidewalk over sub-sidewalk space to be repaired or altered. (19) Will street space be used during construction?..... (20) Write in description of all work to be performed under this application; (Reference to plans is not sufficient) (21) Supervision of construction by (22) General Contractor..... (23) Architect or Engineer Address (for teastraction) Address ,.... (25) I hereby certify and agree that if a permit is issued for the construction described in this appliation, all the provisions of the permit and all laws and ordinances applicable thereto will be a complicit with. I further agree to save San Francisco and its officials and supplyyoes harmless from all costs and damages which may accrue from use or occupancy of the sidewalk, street order aubsidewalk space or from anything else in connection with the work included in the permit. The foregoing coverant shall be binding upon the owner of said property, the applicant, their heirs, and successors and sasignees. Ment of the building or a change of occupancy purbuant to se and 809, San Francisco building code, before building 18 occupied. Pursuant to Sec. 804. Sen Francisco Rullding Code, the building premit shall be posted on join

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ORTAINED ON COMPLETION OF WORK OR ALTERATION INVOLVING AN ENLARGE-MENT OF THE BUILDING OR A CHANGE OF OCCUPANCY PURSUANT TO SEC. 808 AND 809, SAN FRANCISCO BUILDING CODE, BEFORE BUILDING IS OCCUPIED. Pursuant to Sec. 304, San Francisco Building Code, the building permit shall be posted on Job. Owner is responsible for approved plans and application being kept at building site. ...

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- This Building lacks of conful pages economy or conclude foundation. Sec. 701 150 210 t bo. Submit plan for approvational provides a page of familiar.
- The feetings for the wood columns a resulting the tovern floor parties are lecking. 2005-06; 403(a) He. From the proper footings.
- Ather foundation well for postions of the belief is less than the the minimum required height above edicent crote, cousing the streeters. Sec. 40, 10. 2, 14, 14. The the foundation will to a height of tooles (124) inclus above adjacent grade in an approve amount of replace all designs metarials and connections.
- 5. Structural machines in the caller transcribe in toward floor have been altered so as to go don the receive of the pulleting that HC. 100 BC. Replace with proper and approved structural exoders with proper connections.
- 6.2 Inspection of wit "Zacadell Place was not possible of the time of Inspection on forther tavection to ray expense case you violations and stemp requiring relationary on or repair.

 305 He.
- The Roof supports assect insufficient size to carry haposed loads with sofery. Provide proper support. 403 HC2 Arty 17 BC.
- B. Wood studding in the various walls throughout are spaced more than IG" on center. 72507.D.4 Ec. 403(e) lic. Provide additional study of proper size and spacing.
- 9. Wood siding is dimaned or missing. 40%(c) Hc. 104 CC.
 Repair or replace with approved material.
- 10. You are harely requested to submit a detailed report from a licensod conjuner or exchitect, vorifying the structural submit segments of the building, together with details of recommended graphs to the underpinated and foundation wills.
- 1733 Carlie doors of Union Street entrance of upper front unit and the contract of 47 Cadell Place are broken. (68(b) fic. 10/18C. Repair or replace the doors.

RESTRICTION 9 - 76. 76

524 Union Street 3-7-9 Codoll Flace

Page Three

- 13. At several locations the roof is in bad condition and needs repair. 403(c) HC. 104-3201 BC. Repair the roof with waterproof and fire-retardant materials.
- The roof drain downspouts throughout are not connected to the sanitary sewer system. 509 HC. Provide adequate
- 15. The roof drain downspouts throughout are deteriorated or missiong. 507 RC. 104 RC. Restore the roof drain downspouts to an approved condition.
- 16. The roof gutters throughout are missing or defective, 507 HC, 104 EC. Replace the required gutters.
- 17. The drying platform on the roof is not properly covered. 712 HC. 104 BC. Cover the drying platform with approved materials or remove the platform.
- 18. * The window area for the following locations are inadequate (1) guest room located north of entrance stair at #3 Cadell Place: (2) bedroom of the front unit at #3 Cadell: (3) bedroom and livingroom kitchen of #9 Cadell Place. 501.4 HC. of which must be openable.
- 19. * The bothrooms of the front unit at #3 Cadell Place and #9 Cadell Place are lacking the required window area and have no substitute approved fan exhaust system. 502.1 HC. 1305.A BC. Provide proper ventilation.
- 20. * The kitchen of the front unit at #3 Cadell Place lacks legal light and ventilation. 1305.A 501.4 HC. Provide legal light and ventilation.
- 21. * The public hallway for #3 Cadell Place lacks proper ventilation. Sec. 502 HC. Provide proper ventilation.
- 22. * The stairway to #3 Cadell Place does not have a minimum vertical headroom:clearance of 7'-0". 801 HC. Art. 33 BC. Provide proper clearance.

- At ansered logicious the roof from too southing and needs repair. 103623-001 104-229 1.6. he satisfies the record water proof and fire-recordent treatals;
- The roof drain (connected to the semily reverse system, 500 M., Provide averages
- The roof drein downspouls throughout are respective of miscion. 50% Ale style BG. Rostore their observate downspouls to an approved conductor.
- The rest and early chromonout are his simple of welly. 107 Hz
 10k.uc. harrises the required offers.
 The drying platform on the reaf is not projectly covered.
 712 Hz. 10H BCs. Chyot the drying platform with approved materials of recovering platform.
- The window see for the following locations are trader see (1) guest room located north of entrance stain at \$3 Cocall Place; (2) backgroun of the front unit entrance stain at \$3 Cocall and livingscomes kitchen of \$5 thealt Place; \$301.4 HC. 1305. A 66 Provide a window 1/12 the floor ered one half of which must be openable.
- The bathrooms of the front unit at #3 fadel) Place and #9 Gadell Place are acking the required wincovarea and have no substitute approved fan achaies system #602.1 HC. 1305. A BC. Provide proper ventilation:
- The litchen of the front unit at #3 Code1 Place locks laget light and ventilation. 1305. A 501. Hest Provide laget light and ventilation.
 - The public heliday for //3 cadell Place tecks proper ventilations
- The stairway to //3 Cadell Place does not have a minimum vertical healfroom elegrance of 71-04. 801 HC. Art. 33 BC Provide proper clearance.

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- 23. Alshandi 15 on the from industite entrances sooms to 3. Section of the control of the contro
- 21, a Time the ner 39 Goddell Blace haverbeen elected and are power of the finder of the to the parties of the ricers of the ricers.
- 25. The Well's and collings of the slepping recess of verious locations are not finished and/or covered in an approval manner, 1001 lic. Refinish in approper beauty.
- 26. The walls and celling in the bathroom at beveral incotions of the bathroom at beveral incotions on a proved an approved an approved.
- 27. The celline and real covering at various locations for /3
 is analy/ (cede)! Wecas is of an unapproved metalls, 410 Hc.
 Artistant. Provide an approved covering.
- 28. As The heating feeililies in W9 Cadell Place and gusstyroom to locking madenuate or unapproved or insperoved o
- 29. Gorbage and debrie has accumulated in Cadell Place along side property. 411:130 correct this unsail tary condition.
- 30.1% There is no sucond means of egrees from center unit and puest room at /3 Cadell Place and for #9 Cadell Place ond for #9 Cadell Place on 100 No. 3302.0.1 No. Plans must be submitted with the application for a building permit to correct this condition.
- 3). * The existing well and celling separating the public assumbly and the dwelling units is substanded and does not provide the required fire resistant occupancy separation. Table 5-B BC Provide an approved I have separation.
- 32. fire extinguishers are lacking in the public corridors and the public corridors and the public extinguishers see 90% HC. 1310.2.Fig. 2000 From the public extinguishers as directed by the continuous and the corrected by the continuous and the corrected by the continuous and the corrected by the corrected by
- 33. Automotic sprinklers are lacking in the storage areas throughout, 903 HC. Art. 38 BC. Provide an approved outomatic sprinkler system, Note: Plans must be submitted for approval before work is done and must accompany an application for a Luilding permit.

Security Street

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The plages should the plan of exits and the shlowed as the should a short of the public as the should a should be should as the should as the should be s

The cellar area under the public assembly is not spiritized.

the public correcting serving the units of 19 Cocoll Pince of 19 Cocol

Clearnhoo from combustible materials is incomminate for the lychts/flues serving the gas annues or gas heaters frighte tenter end front units of \$3 Godell Place, in unit \$9 testaurants Godell Place, and also for the water heater in the restaurants was kitchen. Table 51/8/18/88. Provide proper alwayance.

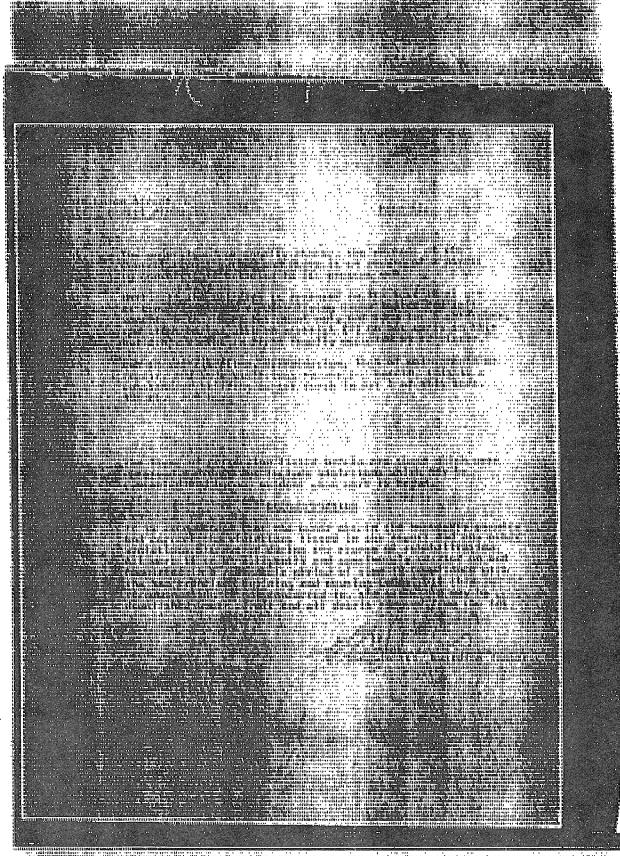
The vent serving the gas heater in #3 and #9 cocel Place does not extend above the roof. 407 HC. 4109. A 00 Extend the vent properly:

The gas fired water heaters located in the "bathroom-clothes closet" of the guest room in /3 Codell Place and also under the stairs in the public assembly area are in an unapproved location. 5125 BC. Remove or relocate the water heaters.

The floor surfaces in the bethrooms are not properly a covered a 10 fact to 100 BC. 111.A GC. Provide any approved metarproof floor surfaces

Work was done [nate] [Ing two electric signs of the entrences for the public assembly orce, without proper parmits (1973) 301: HC. Apply for permits with plans showing connections and supports

Note: Anapproved Parmit of Occupancy is required for this approved to 1102 ps. 150. Take application for and obtain the required format or Occupancy.



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- 46: The lighting fixtures in species leavilons are improposed to the state of also inc. Sec. W. 376; Sec. W.
- 19 Every room with routing water shall have a well sufficient
- 50. Electrical modificates are observed introductions officers

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 - 51 Every hebischle ross shall have at least one sperose gleet the classical plug caulet the every little a shall have an dest two opproved blug outlets. Docto lit. Either plug outless to light be alred to an emproved would be birtuit.
 - 52. Punul cover is mission besteart politicate inco. Et sect. 367.37. 105. Ht. Install missing cover.
 - 53. Provide egress lighting as per building inspector's Repure
 - 51. The use of this building has been changed by converting into a general state of the building has been changed by converting into a position of the provided in completence with the applicable sections of the San Transisco Electrical Code:
 - 55. Substandard viring including outside electric signs exists // throughout the structure: 505 NC. EC Sec. 21.36,370.

The tems of correction listed herein are those which were observed, and do not include violations which may be concouled and become evident when work is beginn

RECOMMENDATIONS

Dated on the above report, it is required that the violations be corrected by a registered Electrical Contractor, subject to permit and inspection. If O ELECTRICAL VORK OF ALL TURES SHALL BE PREFITATED URTIL, OR UNITESS A BUILDING PROPERTY MAR AT TREE OF ALL TO BE INC.

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526 Unit in Syrant it

- Extend cost from right on leader right to 5'-0" charge on leader codel) flood for 53's Union Street. FC 313.1.
- The roof High down spouts on tageth Flore for 526 Union ore of defective. 507 Hz. 125 Pc. Restore down spouls in tourney annot done.
- Thornoof drain down sports for \$3, 70 Codell are not connected to the sanitory stear system. 500 RC., Provide out 40 to 58, connections.
- The words piping in Licelan of 52% Union to est presently supported. Properly support piping, 406 Ht. 320 Ht. 59.
- The Zⁿ worte piping free for sinking 524 Union. But is improperly installed (plantic piping) and supported. Install and support piping properly. 60.
- The la want piping rear of 524 Majon is not properly extended Extend the pipe to above the roof, 406 HC. 602 PC. · . 61 .
 - The sink is east approperly whited, Yeal the fixures properly, 406 HC. 601 PC.
 - The layarory in bathroom of #9 Cadell is not properly wested; Properly waste plumbing fixture, , 301 PC. 406 HC.

The flems of correction listed herein are those which were observed and does not include violations which may be concealed and become evident when work is begun.

BRCOPMENDATIONS

Based on the above report, It is required that the violations be corrected by a licensed Plumbing Contractor, subject to permit and inspection. NO PLUMBING VOIR OF ANY KIND SHALL BE PERFORMED UNTIL, OR UNLESS A BUILDING TERMIT MAS TIRST BEEK

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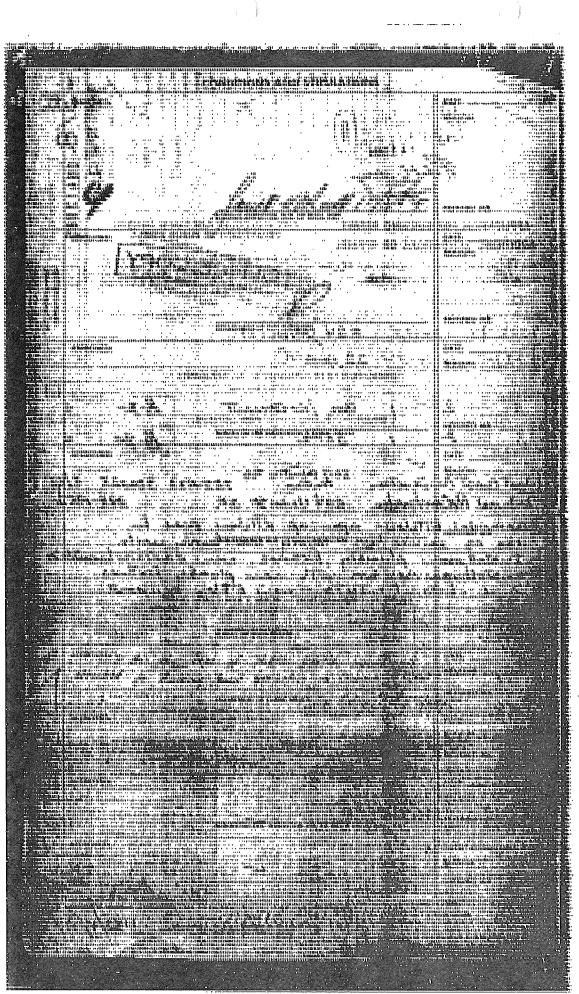
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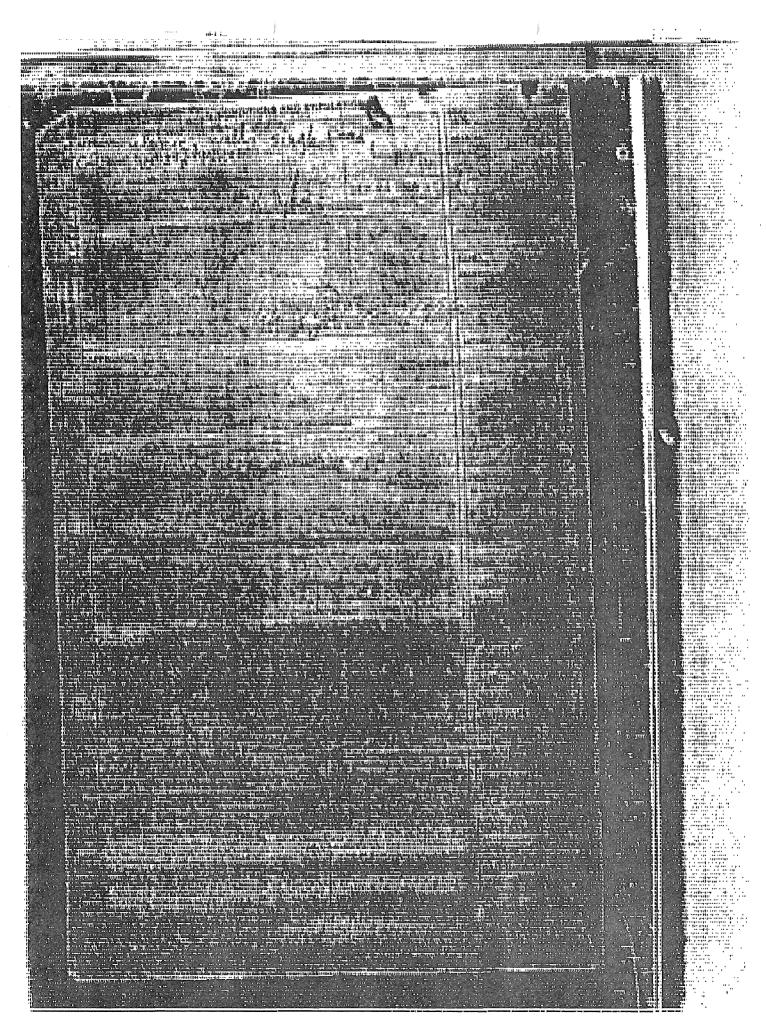
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PULLWAND DIVISION BAS-8088 PLUMBING, AND MECHANICAL BLIXA USE 524 MINOT VALID FOR PERMIT IF ANY EMPLOYEE DESCENDS INTO "XCAVATION DEEPER THAN NUMBER OF INSPECTIONS REQUIRED: PLUMBING PERMIT ISSUANCE FEE: PLEAS TYPE WATER PERMIT ISSUANCE FEE: GAS PERMIT ISSUANCE FEE: OR PRIN MECHANICAL PERMIT ISSUANCE FEE: LEGIBL SEWER REPAIR OR TRAP HEPLACEMENT FEE: PRESS DESCRIPTION OF WORK COVERED BY THIS PERMIT: HARD elowaths line for Official Use only REMARKS ISSUAL TO THE HOT CONSTITUTE A CHANGE TO THE CONSTHUCE DOES

PLEASE MAKE CHECK PAYABLE TO: DEPARTMENT OF PUBLIC WORKS 450 MCALLISTER STREET **ROOM 104** SAN FRANCISCO, CA 94102-4584

NOTE: BEE BACK OF GREEN CUPTFOR SECRETIFICATION OF COMPLIANCE WITH CALIF, STATE LABOR CODE SECTION 1990

CF Use

DATED AND SIGNED BY CHIEF PLUMBILIO

VALID FOR ISSUAMCE:

PPROVED DATE

NOT VALID UNLESS

PORM 6003-07 (FEV. 10/91)

INSPECTORXXE

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Plumbing Permit Details Report

Report Date:

3/7/2010 11:19:14 PM

Application Number: 376517

Address(es): 0103/009: 524 UNION ST

Description: REMODEL EXISTING BATHROOM

Stage: Action Date Stage Comments

12/24/1998 ISSUED

Contractor Details: License Number: 498866

Name: Company Name:

EMERALD PLUMBING & FIRE

Address: P.O. BOX 2026 * BURLINGAME CA, 94011

Phone: 650-344-9370

Change your options to hide images within all messages.

Online Permit and Complaint Tracking

Permit Details Report

Report Date:

5/26/2011 3:34:22 PM

Application Number:

9902987

Form Number: Address(es):

3

0103/009/0 524 UNION

ST

Description:

Cost:

INSTALL GREASE FLUE, NEW FRESH AIR RETURN EXISTING HOOD

\$4.0

Occupancy Code:

В

Building Use:

05 - FOOD/BEVERAGE HNDLING

Disposition / Stage:

Action Date	Stage	Comments
2/16/1999	FILED	
5/17/1999	APPROVED	
6/7/1999	ISSUED	
8/25/1999	COMPLETE	Final Inspection/Approved

Contact Details:

RP HEATING & SHEETMETAL -

Contractor Details:

Addenda Details:

Des	crip	tion	1

Step	Station	Arrive	Start		Out Hold	Finish	Checked By	Hold Description
1	PAD-MECH	3/4/99	3/16/99	3/18/99		4/23/99	DTH	
1	PAD-PC	2/17/99	3/4/99	3/16/99		5/10/99	YYC	
2	SFFD	5/13/99	5/14/99			5/14/99	JG	
3	ONE-STOP	5/17/99	5/17/99			5/17/99	VR	TO YOLANDA FOR APPOVAL
4	СРВ	5/17/99	5/17/99					
This	permit has be	en issue	d. For in	formatio	n pertair	ing to th	is permit, ple	ease call 415-558-6096.

Appointments:

Appointment	Appointment	Appointment	Appointment	Description Slots
Date	AM/PM	Code	Type	

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
6/22/1999	Dermott Sullivan	FLUES/VENTS/DUCTS	PRE-FINAL
6/10/1999	Dermott Sullivan	ROUGH FRAME	OK TO COVER

Special Inspections:

Addenda No. |Completed Date | Inspected By | Inspection Code | Description | Remarks

For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

Station Code Descriptions and Phone Numbers

Online Permit and Complaint Tracking home page.

Technical Support for Online Services

If you need help or have a question about this service, please visit our FAQ area.

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DEPARTMENT OF BUILDING INSPECTION INSPECTION RECORD

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APPLICATION NO. 990092-3	PERMIT NO. 870 32	7 issued <i>O</i> /	129/99
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Do Not Pour CONCRETE until	the followin	g are signed		ADDITIONAL WORK REQ 		The ball holds
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Foundation Forms]	Special		
Foundation Steel				Special	s contraction and an arrange	
Grounding Electrode				Special		# A 1 4 1 0 1 1 1 10 100 100 100 100 100 10
O.K. TO POUR		·		Shower Pan		
Do Not Pour CONCRETE SLAB un	til the follov	ving are signed		Standpipes (wet/dry)		
INSPECTIONS	Dates	Inspectors		Fire Alarm		
Plumbing Underground				Security Ordinance	-	
Electrical Underground				Energy Ordinance		
Fire Service Underground				Smoke & Heat Detectors		
Do Not COVER until the fo	llowing are	signed		FINAL INSPECTION	IS REQUIRE	a
INSPECTIONS	Dates	Inspectors		INSPECTIONS	Dates	Inspectors
Rough Framing	\$28/99	Dure,	1	Special		
X Rough Electrical	8.19.99	tog Nagral.	13.	Code Enforcement		
Rough Plumbing	1-23-99	J. Farm		Disabled Access		
Insulation				Housing	,	
Sound Transmission				Mechanical		
Rough Sprinklers [PLBG]				Plumbing	7-14-99	R. Ferren
Rough Sprinklers [FIRE]			X	Electrical	8.19.99	Vap.tv1
Flue & Vents [PLBG]				Street Use & Mapping		
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WARNING: THE PROVISIONS OF YOUR BUILDING INSPECTION PERMIT WILL BE NULLIFIED UNLESS ALL FINAL INSPECTIONS ARE SIGNED OFF ABOVE BY THE APPROPRIATE INSPECTORS.

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SURCHARGE

SUBTOTAL FEES

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 STANOARD SPECIFICATIONS OF THE

* ADDITIONAL INFORMATION REGARDING SPECIFIC

PERMITS IS GIVEN ON THE BACK OF THIS FORM.

DEPARTMENT OF BUILDING INSPECTION

ADDITION OF THE THE TOP TOP PLAN CHECK

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AUDITED FOR REFUND

DEPARTMENT OF BUILDING INSPLU. 11660 Mission Street Szan Francisco, California 94103 (415) 558-8088 PERMIT IS GRANTED TO: ERECT LX ALTER BUILDING 1 01/29/99 ERECT SIGN DATE OF ISSUE: APPLICATION NO: __9900923 DEMOLISH BUILDING GRADE 302259 LOWER CURB L OCCUPY STREET SPACE FILING FEE RECEIPT #: EXCAVATE STREET OR SIDEWALK POST NOTICE HOUSE NUMBER CERTIFICATE REPAIR OR CONSTRUCT SIDEWALK SUPPLEMENTAL FEE PAID: FINAL PLAN CHECK EXPEDITER FEE PENALTY X STRUCTURAL LTR DOP FEE OWNER: JOHN LENIHAN (650)342-7531 LOCATION OF JOB: HOUSE NUMBER: EXISTING: ASSMINED ... STREET ADDRESS BLOCK/LOT UNION ST 0000 524 0103 /009 METER AND BOUNDS SIDE OF FEET FROM FRONTAGE FT. . . # STORIES - LEGAL OCCUPANCIES TYPE BUILDING USE FOOD / BEVERAGE HNDLING ESTIMATED COST \$ SIDEWALK SO, FTGE ST, SPACE LINEAR FT. 1 _ 8 FT, CURB SECT, TO BE LOWERED 🔝 90 DAYS WORK MUST COMMENCE ON BUILDING WITHIN OF DATE OF ISSUANCE OF THIS PERMIT, UNLESS EXTENSION AUTHORIZED. IF UNDER ENFORCEMENT ORDERS SPECIAL TIME PERIODS WHERE SPECIFIED WILL APPLY. 6 MONTHS AFTER DATE OF TIME FOR COMPLETION OF WORK UNDER THIS BUILDING PERMIT EXPIRES

CENTRAL PERMIT BUREAU

CITY AND COUNTY OF SAN L.

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.)

THE FIELD OF SAN FRANCIS(650)342-7531 PERMIT # 879327 6. 6. 6. 8

508 PENINSULA AVE APPEAL # CENTRAL BURLINGAME, CA 94010 BUREAU-D.B.I. MVA

► SEPARATE PERMITS MUST BE OBTAINED FOR ELECTRICAL, PLUMBING OR OTHER RELATED WORK 9003-18 (Flev.10/95)

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I have and will maintain workers' compensation in surrance as required by Sect 3700 of the Labor Code, for the performance of the Work for which this permit leaved. My workers' compensation insurance center and policy number are:

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

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STORIES OF Z BA	SEMENTS ID CELLARS:	AVERT	V-	/3	DWELING UNITS:
"OFFALTERED?" NO	S (11) WILL STREET SPACE BE USED DURING CONSTRUCTIONY	YES C (12) ELECTRICAL WORK TO BE PERFORMED	7	YES O (13) PLUMBING WORK TO BE PERFORMED?	YES (
(14) GENERAL CONTRACTOR	F 746 SPRUCES	7 SANFRANC	TSCO CA	425691 2	EXPIRATION DATE
(15) OWNER - LESSEE (CROSS OUT ONE)	HAN ED AND	CUI A HIT	Buraliman	ВТВС	PHONE (FOR BONTACT BY DEPT.)
(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PER	FORMED UNDER THIS APPLICATION (REFERENCE	TO PLANS IS NOT SUFFICIENT)	J. 1900	TATELLA TOTAL	Search .
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(25) ARCHITECT OR ENGINEER (DEBIGN O. CONBTRUC	стона)	ADDRESS	1	ا المعلق الم المعلق المعلق المعل	CALIF. CERTIFICATE NO.
(26) CONSTRUCTION LENGER (ENTER NAME AND BRA	NCH DESIGNATION IF ANY.		3; 5 ⁷⁴	DRE98	- det. t.
IF THERE IS NO KNOWN CONSTRUCTION LENDER	, ENTER "UNKNOWN").	كالمستناق فللمعاصيات والمستناع أوالأراريات	المنظمة الأرام الله المنظمة ال المنظمة المنظمة	<u> </u>	
- IMPORTA	NT NOTICES.	7 to 10 to 1	NÓTIC	E TO APPLICAN	Т
No change shall be made in the character of the Pennit authorizing such change. See San Fro Code.	te occupancy or use without first obtaining snoisco Building Code and San Francisco	· nouration with	HOUSENING (C) CHAILER PAR IS	мининд терт орегилопа у	he permit, agree(s) to indomnify and against any and all claims inder this permit, regardless of the delease of the City and

No portion of building or structure or scalfolding used during construction, to be closer than 6'0' 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 bits.

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,	Contact the district building inspector at the start of work call 558-6098. For plumbing inspection scheduling call 558- 6054, for electrical inspection scheduling call 558-6030. 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 BUILDING INSPECTOR, DEPT. OF BLDG, INSP.	REASON:
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CENTRAL PERMIT BUREAU

CITY AND COUNTY OF SAN FIL DEPARTMENT OF BUILDING INSPEC.

11660 Mission Street San Francisco, California 94103

(415) 558-6088

PERMIT IS GRANTED TO:
ERECT X ALTER BUILDING ERECT SIGN DATE OF ISSUE: 01/29/99
DEMOLISH BUILDING GRADE APPLICATION NO: 9900923
LOWER CURB COCUPY STREET SPACE FILING FEE RECEIPT #: 302259
EXCAVATE STREET OR SIDEWALK
POST NOTICE
HOUSE NUMBER CERTIFICATE
BEPAIR OR CONSTRUCT SIDEWALK
SUPPLEMENTAL FEE PAID:
FINAL PLAN CHECK X EXPEDITER FEE PENALTY STRUCTURAL LTR X DCP FEE
OWNER: JOHN LENIHAN (650)342-7531
LOCATION OF JOB: HOUSE NUMBER: EXISTING: ASSIGNED
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(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.)
THE FIELD OF SAN FRANCIS(650)342-7531 PERMIT # 879327
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508 PENINSULA AVE. APPEALA
ADORESS CENTRAL
BURLINGAME, CA 94010 PERMIT BUREAU-D.B.I. MVA
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➤ SEPARATE PERMITS MUST BE OBTAINED FOR ELECTRICAL, PLUMBING OR OTHER RELATED WORK 9003-18 (Rev.10/95)

NO 870327

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.

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	7842 SIDEWALK 7899 EXPEDITER	26.00
	SURCHARGE	9.68
	EXCAV. DEP. ** 129082 ST. SPACE 1029538 SMF FEE	\$ 224.83
•	SUBTOTAL	\$ 2.4E \$ 227.21

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E SHILL SHE	DIRECTOR DEPT OF BUILDING INSPECTION		
APPLICATION FOR BUILDING PERMIT	CITY AND COUNTY O	F SAN FRANCISCO	Z C
ADDITIONS, ALTERATIONS OR REPAIRS	DEPARTMENT OF BU	ILDING INSPECTION	MBER N
	APPLICATION IS HEREBY MAD	E TO THE DEPARTMENT	'Y' 11'11
FORM 3 OTHER AGENCIES REVIEW REQUIRED	, BUILDING INSPECTION OF PERMISSION TO BUILD IN		PHE(1)
FORM 8/M OVER-THE-COUNTER ISSUANCE	PLANS AND SPECIFICATIONS	SUBMITTED HEREWITH A	AND GO
	ACCORDING TO THE DES		Q S
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OR ALTERED? NO NO CONSTRUCTION?	NO 20 PERFORMED?	NO. (D) PERFORMED?	NO I
(14) GENERAL CONTRACTOR ADDRESS	Z(P PHONE	CALIF, LIC, NO.	EXPIRATION DATE
(46) OWNER LESSES (CROSS OUT ONE) ADDRESS	21P 21P	BTRC# PH	ONE (FOR CONTACT BY DEPT.)
FOHN/ LEAVIHANSOS Previousula Au		9400 650	- 3,42.753)
(16) WRITE IN DESCRIPTION OF ALL WORK TO BE PERFORMED UNDER THIS APPLICATION (REFEREN	ICE TO PLANS IS NOT SUFFICIENT)	A CONTRACTOR OF THE CONTRACTOR	San
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ADDI	TIONAL INFORMATION	IN 99 P	1
(17) DOES THIS ALTSPATION CREATE ADDITIONAL HEIGHT YES (19) 1* (17) IS YES, STATE NEW HEIGHT AT	(59) DOES THIS ALTERATION CREATE DECK OR HORIZ.	YES (20) IF (10) IS YES STAT	EST WAL
OR STORY TO BUILDING! NO DE CENTER LINE OF FRONT	FT: EXTENSION TO BUILDING?	NO SO FLOOR AREA	BO, F
BUB-BIDEWALK SPACE BE NO (B) PROPERTY LINE?	YES ON LOT? (IF YES, SHOW ON PLOT PLAN)	YES CI CONSTITUTE A CHU	ANGE: 150
(25) ARCHITECT OR ENGINEER (DESIGN G CONSTRUCTION(C)	ADDRESS.	.CA	LIF. CENTIFICATE NO.
(26) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY.		. ADDAESS	
IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER UNINVOWN)	**************************************		
. IMPORTANT NOTICES	8-2294 FOR N	IOTICE TO APPLICANT	and the second
No change shall be made in the character of the occupancy of use without first obtaining Permit authorizing such change. See San Francisco Building Code and San Francisco	aco Housing and hold harmless∡the City an	he permittee(s) by acceptance of the d County of San Francisco from and	against any and all clain
Code. No portion of building or structure or scaffolding used during construction, to be closes	demands and actions for dan negligence of the City and Cou	nagea resulting from operations under the of San Francisco, and to assume	er this permit, regardless the defense of the City a
any wire containing more than 750 volts. See Sec. 365, California Penal Code.	In conformity with the gravision	it all such claims, demands or actions. s of Section 3800 of the Labor Code	of the State of California I
Pursuant to San Francisco Building Code, the building permit shall be posted on owner is responsible for approved plane and application being kept at building site.	or (V), whichever its applicable.	inder (I), or (II) designated below or al If however item (V) is checked item (hail indicate Item (III), of (I'
Grade lines as shown on drawings accompanying this application are assumed to the actual grade lines are not the same as shown revised drawings showing correct grade lines are not the same as shown revised drawings showing correct grade lines are not the same as shown revised drawings showing correct grades.	on correct, if Mark the appropriate method of	compliance below; perjury one of the following declaration	超级机 (1)
and fills together with complete details of retaining walls and wall foolings require submitted to this department for approval.	(LV) I have and will	maintain a certificate of - consent	to self-inguine for works
ANY STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED. BUILDING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION	/ compensation as p	provided by Section 3700 of the Labor	Code for the performance
PAINFILD UP IN TO AN OCCUPED ANTIFFED THE PERTITION OF FINAL COMPLETION	the work for which	100	
ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED,	IS POSTED (II. t have land will me 3700 of the Labor	intain workers' compensation insural	nce as required by Section
ON THE BUILDING OR PERMIT OF OCCUPANCY GRANTED, WHEN REQUIRED, APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE AN APPROVAL ELECTRICAL WIRING OR PLUMBING INSTALLATIONS. A SEPARATE PERMIT WIRING AND PILIMBING MUST BE OBTAINED. SEPARATE PERMITS ARE RE	IS POSTED (11. I have land will me 3700 of the Labor leaved My workers	100	TC# 48 required by Sectivork for which the perill policy number are:

Permits, Complaints and Boiler PTO Inquiry

Permit Details Report

Report Date:

10/6/2012 3:06:01 PM

Application Number:

200304152314

Form Number: Address(es):

8

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0103 / 009 / 0 524

UNION

ST

Description:

MANUFACTURE & INSTALL ONE AWNING ON FRONT OF BUSINESS-DIMENSIONS ARE 17'-4" ACROSS X 4'-4" HIGH X 3'o

Cost:

\$2,120.00

Occupancy Code:

В

Building Use:

05 - FOOD/BEVERAGE HNDLNG

Disposition / Stage:

Action Date	Stage	Comments
4/15/2003	TRIAGE	
4/15/2003	FILING	
4/15/2003	FILED	
4/15/2003	APPROVED	
4/15/2003	ISSUED	
6/10/2003	COMPLETE	Final Inspection/Approved

Contact Details:

Contractor Details:

License Number:

467247

Name:

TIMOTHY MCGILL AMER. CANVAS & AWNING

Company Name: Address:

1600 CORTLAND AV * SAN FRANCISCO CA 94110

Phone:

8267515

Addenda Details:

Description:

Step	Station	Arrive		Out Hold	Finish	Checked By	Hold Description
1	CP-ZOC	4/15/03	4/15/03		4/15/03	TULLY JEFFREY	
2	CNT-CE	4/15/03	4/15/03		4/15/03	WONG IRENE	
3	СРВ	4/15/03	4/15/03		4/15/03	BALAMIENTO YOLANDA	

This permit has been issued. For information pertaining to this permit, please call 415-558-6096.

Appointments:

Appointment	Appointment	Appointment	Appointment	Description Time
Date	AM/PM	Code	Туре	Description Slots

Inspections:

Activity Date	Inspector	Inspection Description	Inspection Status
6/10/2003	Daniel Lowrey	FINAL INSPECT/APPRVD	FINAL INSPECT/APPRVD
5/15/2003	Wellington Wong	FINAL INSPECT/APPRVD	NO ENTRY/NO PROGRESS

Special Inspections:

Addenda No. Completed Date Inspected By Inspection Code Description Remarks

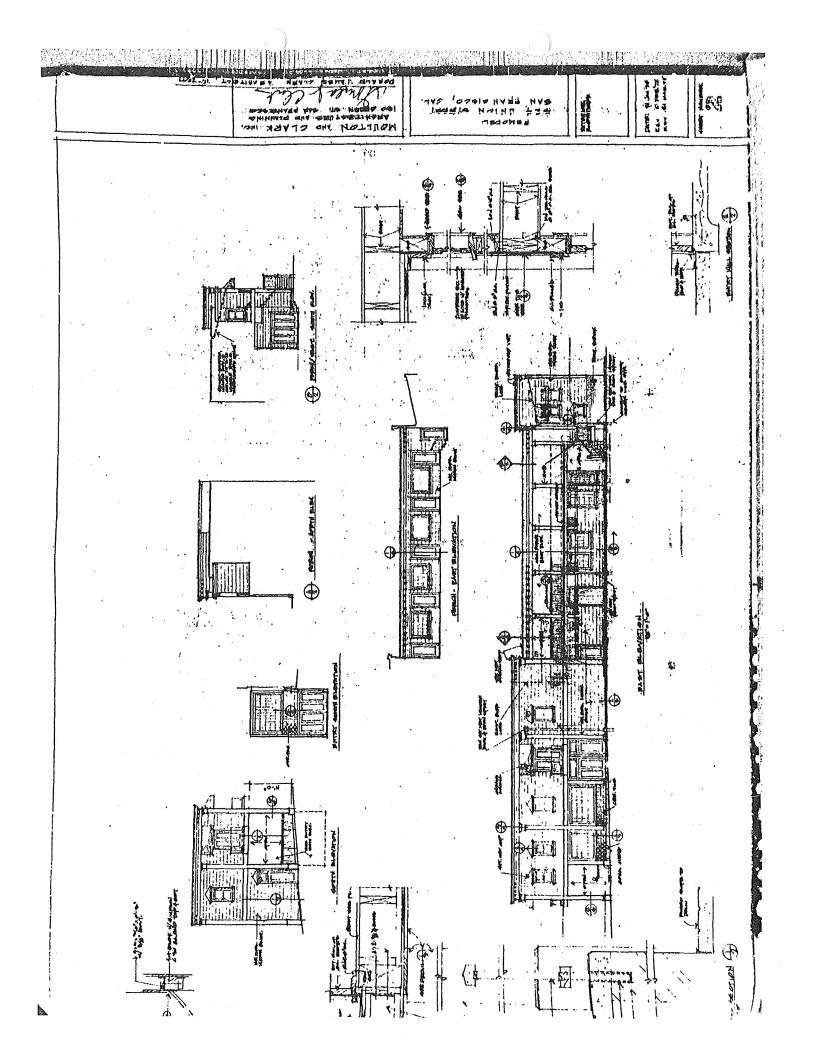
For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

Station Code Descriptions and Phone Numbers

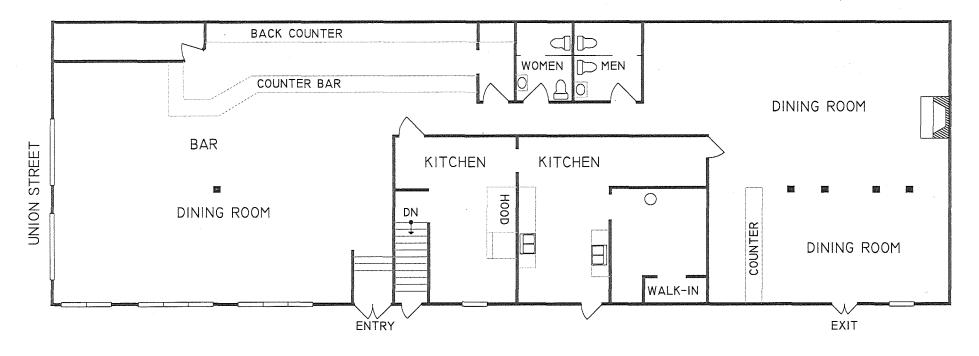
Online Permit and Complaint Tracking home page.

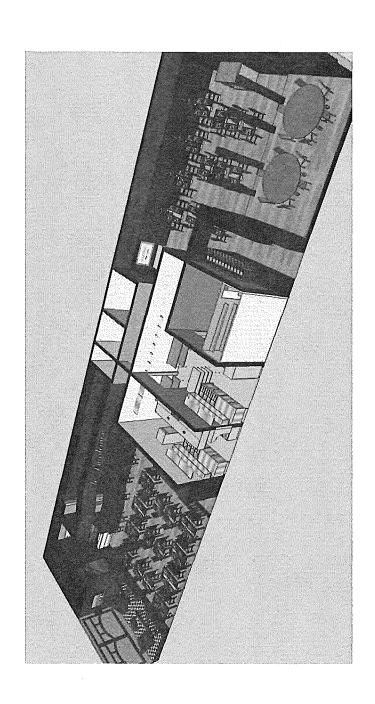
Technical Support for Online Services

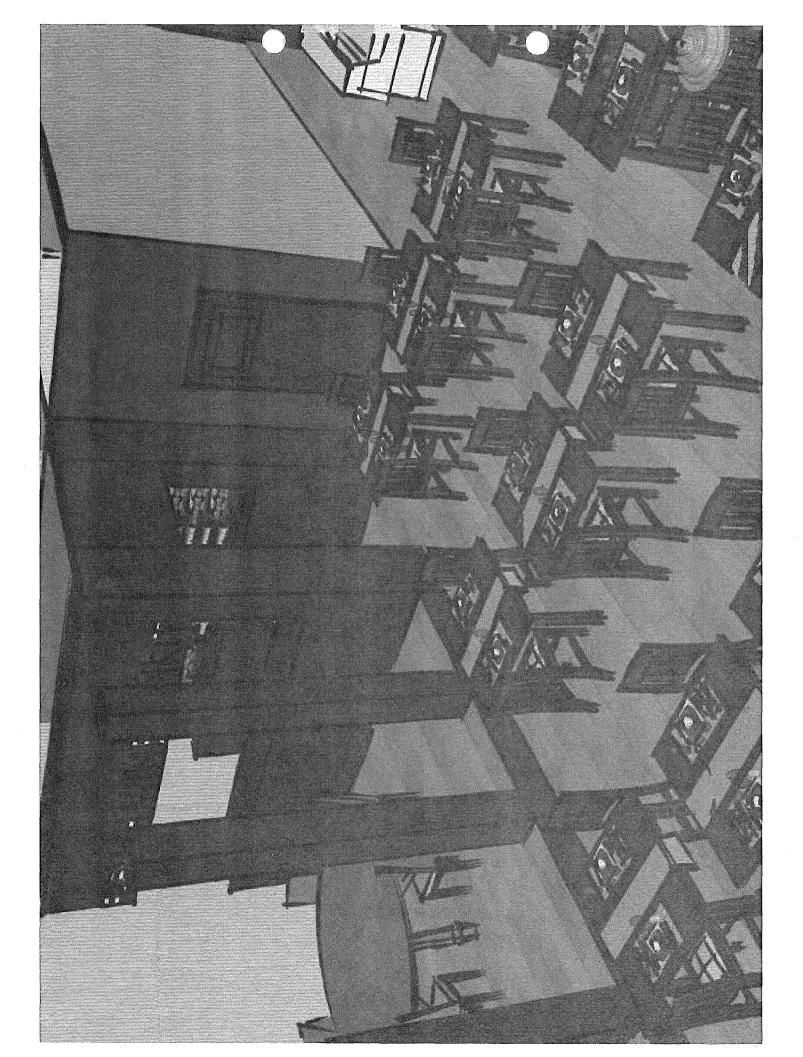
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MOULTON AND GENTRY INC.
ARCHITECTURE AND PLANNING Jaumysa Taanto Molyil ASS s i s Thè FL50 BEEGE ROL EAST いい (B) 14 1-5 (3) (B) TECHER CONSTITUTION AND THE STREET ברטיובה מבלודה שבו שבר ול ברטיובה מבלודה שביים בריים
GROUND FLOOR RETAIL 524 UNION STREET







Appendix (B)

SAN FRANCISCO [O] DIRECTORY.

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SAN FRANCISCO DIRECTORY,

For the Year commencing October 1st, 1864.

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ABBREVIATIONS.

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CHARLES LYONS, LONDON TAILOR, 1914-20 Market and

KIN 769 Mindergarten Buford Free, Miss Alice J. Culles principal, NE cor Polk and Pacific Av Mindergarien California, Training School, Mrs. aste D. Wiggin principal, 64 Silver Eledergaries Crocker, Nors A. Smith principal, M Bilver Kinderkarten Baton, 64 911ver Mindergaries Elemere Cree, Miss Josie Hill principal, 514 Jessie Elndergarten Emily Faithful Free, Miss Emms McCrecken principal, Mi Union Eledergarten First Congregational, Sik Mindergarten Flora Sharon Free, Mrs. Somner Johnson principal, 211-215 Ninti: Eladergurien Prochel, NE cor Washington and hackshap Linderguzten Bazel Montgomery Prec, Mrs. Sumber Johnson principal, 211-219 Ninth Kindergurien Henrat No. 1, Miss Eys Taylor principal, 514 Union Elidergarien Bearst Free No. 2, Miss Com Oriffin principal, 5/2 Union Eindergarten Helping Hand No. t Free, Miss Nellie Moore principal, 619 Union Madergarten Helploy Hand No. 2 Pres. Miss Alice Chase principal, 512 Union Cladergueten Huntington Proc. Miss Belle Scott principal, 1235 Pacific Kindergartus J. Sheldon Lux Potter, Mrs. May Hanson principal, W a West Mission bet Bermann and Ridley Mindergarten Lester Norris, Miss Belle Scott principal, 1931 Pacific Kindergarten Mall Dock, Miss Marie Scholize principal, Tie Bransan Rindergueion Occidental, Miss F. For principal, 514 Howard Cladermaried Our Lady of Mercy Free, 114 Pirst Cludergarian Pacific Pres, Miss Miss B, Boblason principal, 1145 Folsom Minderguries Ponbody, Miss M. P. Light prin-. Cipal, of bilter Elndergarten Pope Free, Mrs. Sumber John-

KIN W. & J. SLOANE & CO SEAT CUSHIONS. IN PLUSH, TERRY, DAMASK AND SATINE, MADE TO CHOKE FOR 641, 643, 645 and 647 MARKET STREET. King Apple Mrs., r. 317 Third

King Arthur B., ourseyor, r. a Zoo Pl King Augustus, carrier Post Office, r. 1933 flan Carlos

King Austin, salesman Doff & Co., r. BE cor Frederick and De Long Av

King Bartley M., stevedors, r. 74 South Park King Brothers (William P. King) new and secondhand books, 3 Fourth

King G. Mrs., widow, r. Oncodego Av nr Mission Boad

Mog Cameron H. [Ling & Sandey] r. 1730 Baker Eing Charles A., clark Boves, Toy & Co., r. 833 Mismion

King Charles A., palternmaker Risdon I, and L. Works, r. 1221 Clay

King Charles B., olera Dutton & Partridge, r. 2022 Van Biese Av

Eing Charles F., r. 6 Montgomery Pl

King Charles H., capitalist, 628 Montgomery, room 5, r. East Ozkland

King Charles J., secretary Pacific Vinegar and Pickle Works and United Vinegar Factories, 323 Prout, r. Mar Van Ness Av

King Charles W., pressuren, r. 6 Montgomers Pl King Charlotte, fringemaker, r. 316 Chestrut

Hing Charlotte E. Miss, teacher Grace Kindsryaron and Primery School, r. 1507 Washington Eing Christopher, Greman stor Piedmont, r. Ose-

lund King City Tes Co., George B. Mowry manager. Ivy Av and Laguna

DELLARIDA

L. Bacigalupi Liquors WESTERN FUEL COMPANY STANDARD PORTLAND -CEMENT---318 CALIFORNIA STREET

218

BAC

CROCKER-LANGLEY DIRECTORY.

BAC

Most folks deal here on account of the Quality . of the goods we sell



Baclgalupi Emilio, foreman, r 591 Filbert Bacigalupi Emilio, teamster, r 2113 Mason Baclgalupi Francisco, distiller, r 2137 Lombard Baclgalupi Frank (M Bozzo & Co) r 15 Sonora Pl Bacigalupi Frank, clk Edison Phonograph Agency, r 1909 Golden Gate Av Bacigalupi Frank, lab, r 21 Lafayette Pl Bacigalupi Frank, lab, r 21 Lafayette Pl Bacigalupi Frank, lab, r 427 Greenwich Baclgalupi Frank, lab, r 427 Greenwich

Bacigalupi Frank, teamster, r 331½ Brannan
Bacigalupi Frank E, cik F Taddeucci, r
19 Alta
Bacigalupi Fred, cik J Ivancovich & Co, r 516 Bay
Bacigalupi Fred F, stenog Oriental SS
Co, r 526 Filbert
Bacigalupi Grovanni (Guerra & Bacigalupi Glovanni (Guerra & Bacigalupi) r 1610 Stockton
Bacigalupi Giovanni, atty, Mut Sav Bank
Bldg, r 1610 Stockton
Bacigalupi Giovanni, lab, r 421 Filbert
Bacigalupi Giovanni B (D Bacigalupi & Bros) r 423 Point Lobos Av
Bacigalupi Giuseppina, widow, r 718
Montgomery Av
Bacigalupi Henrietta, widow, r 11½ Rus-

Montgomery Av
Bacigalupi Henry L (Bacigalupi, Rossi &
Co) r 3028½ Buchanan
Bacigalupi James, bartndr, r 721 Union
Bacigalupi James, lab, r 524 Filbert
Bacigalupi James, laundryman, r 128
Perry
Bacigalupi Lore and Tabbe Condens Co

Bacigalupi John, emp Tubbs Cordage Co Bacigalupi John, mach, r 11 Union Pl Bacigalupi John, liquors, r 511a Greenwich

Bacigalupi John, teamster, r 2 Telegraph Bacigalupi John, wood and coal, 2117 Mason

Mason
Bacigalupi John B, r 1835 Stockton
Bacigalupi John B, grocer, r 10 Lafayette
Bacigalupi John C, clk, r 617a Lombard
Bacigalupi John P, driver, r 417 Ivy Av
Bacigalupi Joseph, r 721 Union
Bacigalupi Joseph, lab, r 1402 Kearny
Bacigalupi Joseph, ironwkr, r 427 Greenwich
Bacigalupi Joseph, lab, r cor Hampshira

with Bacigalupi Joseph, lab, r cor Hampshire and 18th Bacigalupi Joseph, packer, r 21 Lafayette Bacigalupi Joseph C, marine engr, r 1545 Mason

Mason
Bacigalupi Joseph L, embalmer, r 1936
Mason
Bacigalupi Lorenzo, liquors, 512 Union
Bacigalupi Louis, carp, r 20 Moulton Av
Bacigalupi Louis, driver, r 3616, 19th
Bacigalupi Louis, fruit mcht, r 1713 Dunny

pont Bacigalupi Louis, scavenger, r 416, 5th Bacigalupi Louis D, physician, 705 Vallejo, r 2129 Green Bacigalupi Luigi, carp r 9 Union Pl Bacigalupi Madeline widow, r 21 Lafa-

Bacigalupi Madeline widow, r 21 Data-yette Pl Bacigalupi Marie Mrs, dry goods, 424 Montgomery Av, r 1610 Stockton Bacigalupi Martin, peddler, r 307 Green Bacigalupi Mary, widow, r 721 Union Bacigalupi Natale, bartndr, r 9 Calhoun Bacigalupi Paul, r 1610 Stockton

Bacigalupi Peter, iron wkr, r 427 Green-

wich

BACIGALUPI PETER, proprietor Edison
Phonograph Agency, 840 and 933 Market and 805 Kearny, r 1615 Jackson
Bacigalupi Pietro, housefitter, r 427
Greenwich

Greenwich

BACIGALUPI PROSPERO, wall paper, paints and oils, painter and decorator, 612 Broadway, r 614 Broadway

Baclgalupi Rosa, widow, r 9 Calhoun

Baclgalupi Rosa, widow, r 526 Filhert

Bacigalupi, Rossi & Co (H L Bacigalupi and A O Rossi) poultry and dairy produce, 504 Sansome

Baclgalupi Silvio G, blacksmith, r 9 Calhoun

noun Bacigalupi Stefano (Bacigalupi & Boggi-ano) r 307 Green Bacigalupi Stefano, scavenger, r 22 Rus-

Bacigalupi Stephen, polisher, 21 Lafay-ette Pl

ette Pl
Bacigalupi Stephen, clk, r 1805 Mason
Bacigalupi Theodore, r 1000 Union
Bacigalupi Theresa, widow, r 636a Bay
Bacigalupi Tomaso, r 511 Green
Bacigalupi Tomaso, r 511 Green
Bacigalupi Virgilio (New Century Coal
Co) r 1600 Green
Bacigalupi Virgilio, teamster, r 636a Bay
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Bacigalupi Willam B, mgr, r 524 Filbert
Bacigalupi & Bogglano (S Bacigalupi and
D Bogglano) liquors, 1228 Dupont
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BBCS Clarence J, draftsman U I Wks, r
1503 Dolores
Back Ernest, porter, r 441 Geary

BACK FRANK J

BACK FRANK J.

mfr and dealer foreign and domestic marble and granite monuments, 791 San Jose Av nr 30th, tel Capp 3738, r 1503 Dolores Back Julius E, marble setter, r 1503 Do-

Backe Arent C, compositor, r 812 Kearny Backe Charles H, shoefitter, 4 Virginia Ct, r 234 Parnassus Av Backe Charles W, draftsman Mainte-nance of Way Dept S P Co, r 234 Par-

nassus Av

Backe Frank D, carpet layer, r 2622 Sut-

Backe Frank L, carpet layer, r 2622½ Sutter Backe Ole, pipe fitter U I Wks, r 425

Backe Ole, pipe fitter U I Wks, r 435
Bush

Backe, See Bache
Backer Charles, clk Chicago Brewery, r
1344 Jackson
Backer Fred, r 513 Pine
Backer John, peddler, r Monticello nr
Garfield
Backer Maria, widow, r 256 Page
Backer William, r 1344 Jackson

CBacker. See Bacher, Baker and Becker
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Backman Albert, seaman, r 12 Perry
Backman Cœsar, barber, r 1239 O'Farrell
Backman Charles E, blacksmith U I
Wks, r 571b Minna
Backman Florence Mrs, teacher Lincoln
School, r 208 Powell
BACKMAN GOTTHAED S, dentist, 14-15
St Ann's Bldg, 6 Eddy, tel Black 1703
Backman Helen Mrs (Gielsdorf & Co) r
571b Minna
Backman J W, carp, r 415 Brannan
Backman Peter, miner, r 415 Brannan
Backmann. See Backman and Bachmann

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S. H. umber



Lumber Tanks

and

Planing Mil

OFFICE 42 Market St.

ROOM 3

TELEPHONE PRIV. EXCHANGE 550

> THE JOHN M. KLEIN ELECTRICAL WORKS Supshine Incandescent Lamps. Electric Lights, Telegraph and Telephone Supplies, Line Tools of Every Description. 105-107 Battery Street, - San Francisco Telephone Main 889

1004:41:11 **268 MARKET ST. S.F.**

Goder Quality STATIONERY

SAM

CROCKER-LANGLEY DIRECTORY

SAN

1399

Samuels Isaac J, bkkpr, r 1128 Turk Samuels Isadore, clk, r 1653 Post Samuels Isadore, driver police dep. r 3486, 17th Samuels Jacob, 211y, 1325 Octavia, r 320 Maple Samuels Jacob I, with D Samuels Lace House Co, r 1624 Octavia Samuels John A, r 213 Clinton Park Samuels Joseph, r 3588 Culifornia Samuels Joseph, r 3588 Culifornia Samuels Leon (Samuels & Leter) r 1332 Ellis Samuels Leon, atty, 773 Market, r 2919

Samuels Leon (Samuels & Leter) r
1332 Ellis
Samuels Leon, atty, 773 Market, r 2919
Pacific Av
Samuels Leon, salesman Lachman Bros,
r 3588 Callfornia
Samuels Leo, calk Pac Hardware & Steel
(°o. r 1139 Stanyan
Samuels Louis, clothing, 2817½ Mission,
r 1363 Valencia
Samuels Louis, ingr Miss Agnes Kurlandsk, r 181½ Post
Samuels Louis, salesman Livingston
Bros Inc, r 1767 Geary
Samuels Louis T, vice-pres D Samuels
Lace House Co, r 1024 Octavia
Samuels Marcus L, with Manson & Ackorman, r Oakland
Samuels Marcus L, with Manson & Ackorman Michael A, mgr Ideal Photo
Studio, r 1139 Stanyan
Samuels Mathan, com, r 861 San Jose
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Av Samuels Oscar, atty, 1325 Octavia, r 2148 Sutter Samuels Peter, painter J St Denis & Co Samuels Samuel, clk Schoenholz & Els-bach, r 1144 Webster Samuels Samuel, teamster, r 2629c Mis-

Samuels T Miss, r 1896 Geary
Samuels William C, r 243 Clinton Park
Samuels William S Jr, marine engr, 45
Steuart

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Franklin
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Av

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POLICE AND PEACE OFFICERS' JOURNAL

 $J_{\rm consery}, 1942$

FLASHES

From a fire report we copy this "clean of destruction" gene: Bords of validage alcabal theory athrough window during blockest, ignited on gis store, set cartains on fice-Fire Department called to put our blaze."

Here is one for the explicit. Under the besting—"Description of suspect" we find: "Promaturely grey blue

In an attempted so side the would be southerned a exerc. The officer wante in his report of the matter: "This is the second time that she has done this trick."

Some people will have an accident even it they have to sees process were a try acrobatics to get in the acrident class. An officer thus reports on a recent accident: "Parts inpured while rounting for a storet cat. Trapped over his own left leg."

Modern police separt torms which peech call in filling in 100 and blanks to full officers into fittle routine slips such as "Wing Lee, a Chineman," see "The S. S. Kuth Alexander, a slop," but this suicide report is the same of troubled reporting. "She was taken to the bospital in her nightgown and was not searched in the presence."

Complainant, who was our short year in San Francisco. reported his money, watch and necrosal had been taken from his more in a docurrown hard by a fady chance acquaintaine. They lind vasited many experies, victim stated, and the lady was quite worry and entertaining all through the evening. He said it will not be difficult to find her as she works in some store in San Ferncisco, and be sides is a girl of must impue appearance. Here is his care tod description of the fade who took his waller, watch and overcost. "Well high about 5 feet 7% melos, 160 potitods about 25 years old. American and white, a store clerk by ecopation, neatly dressed in black suit and but and pateur leather pumps, right by atchied to be a little stiff in walking up or down stairs."

(Non-Francisco belog merety a pillage with only a terthemsend stores and \$600,000 people it is more play for the detections on this case to bring her in to had out chant the sairries weller, watch and "bornkel" secreed)

Ludy's some: "Is this the Hall of Justice?"

Officer: "Yes, this is the Hall of Justice, Is there some thing we can do for you?

Same Lody: "Well, at the present cone there is eaching con can do for me. But, during the pest blackour will you please call this telephone number and tell my set I am at the Hall of Justice. I ask two to do the because in the other blackout he tried to break out ut the tevery he wa in to come to me, and the bartenders gave him a terrible bearing and made four remain there. The comber is -Thanks officer.

Report froms with very many headings to be filled in sortimes arrive with inexpected pieers of information. In autobic property report form, under the heading "Type of offense," we find wroten: "Just litting anything in aght." (That petty that was rectainly industrious even though he had an extra amount of largers in his system.)

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DANTE BENEDETTI, Appellant, v. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL et al., Respondents Civ.

No. 19205

Court of Appeal of California, First Appellate District, Division Two 187 Cal. App. 2d 213; 9 Cal. Rptr. 525; 1960 Cal. App. LEXIS 1374

December 8, 1960

SUBSEQUENT HISTORY:

A Petition for a Rehearing was Denied January 6, 1961.

PRIOR-HISTORY:

APPEAL from a judgment of the Superior Court of the City and County of San Francisco.

nda St. Clair,

Judge.

Proceeding in mandamus to review a decision of the Department of Alcoholic Beverage Control revoking a liquor license.

COUNSEL: James Murray and Markuse & Murray for Appellant.

Stanley Mosk, Attorney General, and Albert W. Harris, Jr., Deputy Attorney General, for Respondents.

JUDGES: McGoldrick, J. pro tem. * Draper, Acting P. J., and Shoemaker, J., concurred.

* Assigned by Chairman of Judicial Council.

OPINION BY: McGOLDRICK

On August 20, 1956, the Department of Alcoholic Beverage Control (hereinafter referred to as "department") filed an accusation against one Dante Benedetti, doing business as "Paper Doll," as an on-sale general licensee of the department, charging violations in two counts of the Alcoholic Beverage Control Act. Count I was subdivided into two parts, Both charged the keeping of a disorderly house in conjunction with licensed premises, Count I(1) alleging disturbance of the neighborhood, Count I(2) injury to the public welfare and morals (Bus. & Prof. Code, § 25601). + Count II charged the keeping of a resort for sexual perverts (§ 24200, subd. (e)). The accusation further charged that by reason of the facts therein alleged, the continuance of Benedetti's license would be contrary to public welfare and morals as set forth in section 22, article XX, of the Constitution of California. Hearings were conducted, the matter was submitted, and on May 16, 1957, the department adopted the decision of its hearing officer, thereby dismissing the first part of Count I, and revoking Benedetti's on-sale general license on the bases of Counts I(2) and II

All section references hereinafter are to be the Business and Professions Code, unless otherwise indicated.

Benedetti then appealed to the department's decision to the Alcoholic Beverage Control Appeals Board (hereinafter referred to as "board") which concluded that each of the counts was supported by substantial evidence. However, although affirming the decision as to Count II, stating as grounds for said reversal that since the department had elected to revoke the license on the basis of Count I(2) and a violation of section 25601, it could not, on the same evidence, impose the same penalty on the basis of Count II upon the theory that Benedetti was guilty of a second and separate offense. In Vallerga v. Department of Alcoholic Beverage Control (1959), 53 Cal.2d 313 [347 P.2d 909], the Supreme Court held section 24200, subdivision (e), to be unconstitutional, and any question as to the correctness of this ruling is

Benedetti subsequently sought review of the decision by the court below in a petition for writ of mandamus. The court issued an order staying enforcement of the order of revocation, whereupon a hearing occurred and the cause was submitted. The court subsequently filed findings of fact and conclusions of law wherein it upheld the board's decision, and judgment was entered setting aside the alternative writs and denying a peremptory writ of mandate. Benedetti appeals from this judament.

The board's decision, affirmed by the court below, upheld the department's order of revocation on the sole ground of a violation of section 25601. Appellant contends, first, that in a prosecution under that section, proof of knowledge by the licensee or his agents of proscribed acts is necessary; second, that the evidence is insufficient to establish such knowledge

in the instant case,

In Swegle v. State Board of Equalization (1954), 125 Cal.App.2d 432 [270 P.2d 518], appellant made a similar contention with regard to section 58 of the then Alcoholic Beverage Control Act (now § 25601). In finding this proposition to be without merit, the court said "... Appellant cites numerous cases from other jurisdictions to the effect that 'permit' means knowledge, consent, acquiescence, willingness, as distinguished from passive sufferance. However, in *Dom's v. McKamy*, 40 Cal.App. 267, 274 [180 P. 645], it is said that 'as defined by Webster and others, "permit" implies no affirmative acts. It involves no intent. It is mere passivity, abstaining from preventive action."" (P.

In Mercurio v. Department of Alcoholic Beverage Control (1956), 144 Cal. App. 2d 626, 630 [301 P.2d 474], the court interpreted the Swegle case as holding that the permission required by the statute does not have to be a "knowing" one and that "a licensee can be held to have permitted acts constituting a . . . [violation] by a showing that the acts themselves took place. Further on in the opinion, the court said "The very fact that rules and laws providing for violations for which disciplinary action may be taken, provide that some violations must be 'knowingly' done [§ 24200.5, subd. (a)] and as to others the word 'knowingly' is omitted, indicates that in the latter cases there is no requirement that the violations be knowing ones. 'Knowingly' not being required in either rule 143 or section 24200, the use of that word in the accusation was immaterial and is not necessary to be found." (Pp. 630-631.) (*Brodsky v. California State Board of Pharmacy (1959)*, 173

Cal.App.2d 680-688 [344 P.2d 68], cited by appellant, is in harmony with this decision.

In Givens v. Department of Alcoholic Beverage Control (1959), 176 Cal.App.2d 529, 534 [1 Cal.Rptr. 446], the appellant argued that inasmuch as the findings of the hearing officer showed that he had made reasonable attempts to control his

customers, those findings did not support the determination that he was guilty of a violation of section 24200, subdivisions (a) and (b), and section 25601. The court, however, found that as used in the context of section 25601, "suffers" means "to permit, allow, or not to forbid activities which constitute the premises a 'disorderly house.' Since an onsale licensee has an affirmative duty to maintain properly operated premises [citation], and since acquiescence is nonetheless permission or sufferance within the purview of section 25601 [citing Swegle], Givens failed to perform his statutory duty. The law requires more than that a licensee make some colorable efforts toward the maintenance of lawfully conducted premises. The law demands that he in fact so conduct his business that it meets the minimum requirements of decency and morality. If, as in this present case, the overwhelming evidence shows that the tavern is in fact a 'disorderly house,' there can be but one conclusion: that the licensee has permitted or suffered such a condition to

Since appellant does not contest that the evidence is sufficient to support the judgment, although refusing to concede its accuracy, we deem it unnecessary to summarize the evidence produced before the hearing officer. The rule that although the factual determinations of the department may be set aside upon a showing of a lack of substantial evidence, a court may not reweigh the evidence or assess the credibility of witnesses (Mercurio v. Department of Alcoholic Beverage Control, supra; Brice v. Department of Alcoholic Beverage Control (1957), 153 Cal.App.2d 315 [314 P.2d 807J), therefore obviates further discussion in this regard.

In addition, the appellant claims that the hearing officer erred in receiving testimony to the effect that the premises in

question have a reputation for being a "hangout for homosexuals," and in this connection, he urges that this was inadmissible hearsay and its receipt in evidence constituted reversible error. It is to be noted that there was no objection to this testimony during the hearing because the now invalid section 24200, subdivision (e), provided that in addition to any other legally competent evidence, the character of the premises as "a resort" for sexual perverts might be proved by general reputation. There is evidence in the record placing appellant's employees in the near proximity of the wrongful acts. There is also evidence which supports an inference that the employees were aware of the continuing misconduct, viz., on the instance occurring on May 13, 1956, following the occasion when a patron named John Cowgill invited Agent Johnson to engage in a lewd act. After Johnson left the bar with Cowgill and placed him under arrest, Johnson returned to the bar and asked

Police Officer Tregoning to come outside. At this time, the bartender, Rick, warned Tregoning, who was not known to be a police officer, not to go outside with Johnson. The bartender said that several arrests had been made the night before; it would be all right as long as he did not leave the premises. Moreover, there was also evidence, unobjected to and clearly admissible in view of the acts alleged in the accusation, that appellant himself had characterized the patrons of the "Paper Doll" as being "gay" (synonymous with homosexual). Appellant also stated that in the "Paper Doll," only he and the cook named Johnny were "straight" or "square." Furthermore, section 11513 of the Government Code makes hearsay admissible in this type of administrative hearing and this applies to evidence of reputation as well as to any other type of hearsay. (Swegle v. State Board of Equalization, supra; 19 Cal.Jur.2d, § 383, p. 116; 2 Cal.Jur.2d, § 147, p. 251.) Therefore, no effective objection to its introduction could have been interposed even in lieu of section 24200, subdivision (e). While it is true that section 11513 specifies that whereas hearsay may be used for the purpose of supplementing or explaining any direct evidence, it shall not be sufficient in itself to support a finding unless it would be admissible over objections in civil actions. However, as we have noted above, no contention is made as to the substantiality of the direct evidence.

herein of such homosexual activities on the premises which has been repeatedly held to be within the purview of section 25601. It is our view that the complained of hears av is merely supplementary thereto and nothing more

is our view that the complained-of hearsay is merely supplementary thereto and nothing more. Finally, it should be noted that in the department's original decision, it was determined that the continuance of appellant's license would be contrary to public welfare and morals within the meaning of those terms as used in section 22, article XX, of the Constitution of California. In Vallerga v. Department of Alcoholic Beverage Control, supra, the Supreme Court reversed a judgment denying a writ of mandamus to compel the department to set aside its revocation grounded to a violation of the invalid section 24200, subdivision (e), despite the fact that there was sufficient evidence to sustain a revocation on said constitutional grounds. However, in that case, the trier of fact had made no findings with regard to this evidence and, furthermore, the accusation failed to put the licensees on notice that their license might thereby be revoked. Thus, to have sustained the revocation under the constitutional provision would have violated due process of law. Neither the accusation nor the findings present such an impediment in the instant case. Appellant refrains from contending otherwise, and from charging that the licensee's knowledge of the facts is required under section 22, article XX, of the Constitution of California, confining his objection to the argument that because the board sustained the department on a different ground, this court is restricted to a consideration of that ground only. It is our view that no such restriction exists.

Judgment is affirmed.

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Benedetti v. Dept. Alcoholic Bev. Control

[Civ. No. 19205. First Dist., Div. Two. Dec. 8, 1960.]

DANTE BENEDETTI, Appellant, v. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL et al.,

Respondents. COUNSEL

James Murray and Markuse & Murray for Appellant.

Stanley Mosk, Attorney General, and Albert W. Harris, Jr., Deputy Attorney General, for Respondents.

OPINION

McGOLDRICK, J. pro tem. fn. *

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XX, of the Constitution of California. Hearings were conducted, the matter was submitted, and on May 16, 1957, the department adopted the decision of its hearing officer, thereby dismissing the first part of Count I, and revoking Benedetti's on-sale general license on the bases of Counts I(2) and II severally.

Benedetti then appealed to the department's decision to the Alcoholic Beverage Control Appeals Board (hereinafter referred to as "board") which concluded that each of the counts [187 Cal. App. 2d 215] was supported by substantial evidence. However, although affirming the decision as to Count I(2), the board reversed as to Count II, stating as grounds for said reversal that since the department had elected to revoke the license on the basis of Count I(2) and a violation of section 25601, it could not, on the same evidence, impose the same penalty on the basis of Count II upon the theory that Benedetti was guilty of a second and separate offense. In Vallerga v. Department of Alcoholic Beverage Control (1959), 53 Cal. 2d 313 [347 P.2d 909], the Supreme Court held section 24200, subdivision (e), to be unconstitutional, and any question as to the correctness of this ruling is now moot.

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The board's decision, affirmed by the court below, upheld the department's order of revocation on the sole ground of a violation of section 25601. [1] Appellant contends, first, that in a prosecution under that section, proof of knowledge by the licensee or his agents of proscribed acts is necessary; second, that the evidence is insufficient to establish such knowledge in the instant case.

In Swegle v. State Board of Equalization (1954), 125 Cal. App. 2d 432 [270 P.2d 518], appellant made a similar contention with regard to section 58 of the then Alcoholic Beverage Control Act (now § 25601). In finding this proposition to be without merit, the court said "... Appellant cites numerous cases from other jurisdictions to the effect that 'permit' means knowledge, consent, acquiescence, willingness, as distinguished from passive sufferance. However, in Dorris v. McKamy, 40 Cal. App. 267, 274 [180 P.645], it is said that 'as defined by Webster and others, "permit" implies no affirmative acts. It involves no intent. It is mere passivity, abstaining from preventive action.' " (P. 438.)

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that "a licensee can be held to have permitted acts constituting a ... [violation] by a showing that the acts themselves took place. Further on in the opinion, the court said "The very fact that rules and laws providing for violations for which disciplinary action may be taken, provide that some violations must be 'knowingly' done [§ 24200.5, subd. (a)] and as to others the word 'knowingly' is omitted, indicates that in the latter cases there is no requirement that the violations be knowing ones. 'Knowingly' not being required in either rule 143 or section 24200, the use of that word in the accusation was immaterial and is not necessary to be found." (Pp. 630-631.) (Brodsky v. California State Board of Pharmacy (1959), 173 Cal. App. 2d 680-688 [344 P.2d 68], cited by appellant, is in harmony with this decision.

In Givens v. Department of Alcoholic Beverage Control (1959), 176 Cal. App. 2d 529, 534 [1 Cal. Rptr. 446], the appellant argued that inasmuch as the findings of the hearing officer showed that he had made reasonable attempts to control his customers, those findings did not support the determination that he was guilty of a violation of section 24200, subdivisions (a) and (b), and section 25601. The court, however, found that as used in the context of section 25601, "suffers" means "to permit, allow, or not to forbid activities which constitute the premises a 'disorderly house.' Since an on-sale licensee has an affirmative duty to maintain properly operated premises [citation], and since acquiescence is nonetheless permission or sufferance within the purview of section 25601 [citing Swegle], Givens failed to perform his statutory duty. The law requires more than that a licensee make some colorable efforts toward the maintenance of lawfully conducted premises. The law demands that he in fact so conduct his business that it meets the minimum requirements of decency and morality. If, as in this present case, the overwhelming evidence shows that the tavern is in fact a 'disorderly house,' there can be but one conclusion: that the licensee has permitted or suffered such a condition to exist. ..."

Since appellant does not contest that the evidence is sufficient to support the judgment, although refusing to concede its accuracy, we deem it unnecessary to summarize the evidence produced before the hearing officer. [2] The rule that although the factual determinations of the department may be set aside upon a showing of a lack of substantial evidence, a court may not reweigh the evidence or assess the credibility of witnesses (Mercurio v. Department of Alcoholic [187 Cal. App. 2d 217] Beverage Control, supra; Brice v. Department of Alcoholic Beverage Control (1957), 153 Cal. App. 2d 315 [314 P.2d 807]), therefore obviates further discussion in this regard.

its receipt in evidence constituted reversible error. It is to be noted that there was no objection to this testimony during the hearing because the now invalid section 24200, subdivision (e), provided that in addition to any other legally competent evidence, the character of the premises as "a resort" for sexual perverts might be proved by general reputation. There is evidence in the record placing appellant's employees in the near proximity of the wrongful acts. There is also evidence which supports an inference that the employees were aware of the continuing misconduct, viz., on the instance occurring on May 13, 1956, following the occasion when a patron named John Cowgill invited Agent Johnson to engage in a lewd act. After Johnson left the bar with Cowgill and placed him under arrest, Johnson returned to the bar and asked Police Officer Tregoning to come outside. At this time, the bartender, Rick, warned Tregoning, who was not known to be a police officer, not to go outside with Johnson. The bartender said that several arrests had been made the night before; it would be all right as long as he did not leave the premises. Moreover, there was also evidence, unobjected to and clearly admissible in view of the acts alleged in the accusation, that appellant himself had characterized the patrons of the "Paper Doll" as being "gay" (synonymous with homosexual). Appellant also stated that in the "Paper Doll," only he and the cook named Johnny were "straight" or "square." Furthermore, section 11513 of the Government Code makes hearsay admissible in this type of administrative hearing and this applies to evidence of reputation as well as to any other type of hearsay. (Swegle v. State Board of Equalization, supra; 19 Cal.Jur.2d, § 383, p. 116; 2 Cal.Jur.2d, § 147, p. 251.) Therefore, no effective objection to its introduction could have been interposed even in lieu of section 24200, subdivision (e).

While it is true that section 11513 specifies that whereas hearsay may be used for the purpose of supplementing or explaining any direct evidence, it shall not be sufficient in itself to support a finding unless it would be admissible over [187 Cal. App. 2d 218] objections in civil actions. However, as we have noted above, no contention is made as to the substantiality of the direct evidence herein of such homosexual activities on the premises which has been repeatedly held to be within the purview of section 25601. It is our view that the complained-of hearsay is merely supplementary thereto and nothing more.

[4] Finally, it should be noted that in the department's original decision, it was determined that the continuance of appellant's license would be contrary to public welfare and morals within the meaning of those terms as used in section 22, article XX,

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24200, subdivision (e), despite the fact that there was sufficient evidence to sustain a revocation on said constitutional grounds. However, in that case, the trier of fact had made no findings with regard to this evidence and, furthermore, the accusation failed to put the licensees on notice that their license might thereby be revoked. Thus, to have sustained the revocation under the constitutional provision would have violated due process of law.

Neither the accusation nor the findings present such an impediment in the instant case. Appellant refrains from contending otherwise, and from charging that the licensee's knowledge of the facts is required under section 22, article XX, of the Constitution of California, confining his objection to the argument that because the board sustained the department on a different ground, this court is restricted to a consideration of that ground only. It is our view that no such restriction exists.

Judgment is affirmed.

Draper, Acting P.J., and Shoemaker, J., concurred.

FN *. Assigned by Chairman of Judicial Council.

FN . All section references hereinafter are to be the Business and Professions Code, unless otherwise indicated.

187 Cal.App.2d 213 (1960)

DANTE BENEDETTI, Appellant,

V.

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL et al., Respondents.

Civ. No. 19205.

California Court of Appeals. First Dist., Div. Two.

Dec. 8, 1960.

James Murray and Markuse & Murray for Appellant.

Stanley Mosk, Attorney General, and Albert W. Harris, Jr., Deputy Attorney General, for Respondents.

McGOLDRICK, J. pro tem. [fn. *]

On August 20, 1956, the Department of **Alcoholic** Beverage **Control** (hereinafter referred to as "department") filed an accusation against one Dante **Benedetti**, doing business as "Paper Doll," as an on-sale general licensee of the department, charging violations in two counts of the **Alcoholic** Beverage **Control** Act. Count I was subdivided into two parts. Both charged the keeping of a disorderly house in conjunction with licensed premises, Count I(1) alleging

disturbance of the neighborhood, Count I(2) injury to the public welfare and morals (Bus. & Prof. Code, 25601). [fn.] Count II charged the keeping of a resort for sexual perverts (24200, subd. (e)). The accusation further charged that by reason of the facts therein alleged, the continuance of **Benedetti's** license would be contrary to public welfare and morals as set forth in section 22, article XX, of the Constitution of California. Hearings were conducted, the matter was submitted, and on May 16, 1957, the department adopted the decision of its hearing officer, thereby dismissing the first part of Count I, and revoking **Benedetti's** on-sale general license on the bases of Counts I(2) and II severally.

Benedetti then appealed to the department's decision to the Alcoholic Beverage Control Appeals Board (hereinafter referred to as "board") which concluded that each of the counts *215 was supported by substantial evidence. However, although affirming the decision as to Count I(2), the board reversed as to Count II, stating as grounds for said reversal that since the department had elected to revoke the license on the basis of Count I(2) and a violation of section 25601, it could not, on the same evidence, impose the same penalty on the basis of Count II upon the theory that Benedetti was guilty of a second and separate offense. In Vallerga v. Department of Alcoholic Beverage Control (1959), 53 Cal.2d 313 [347 P.2d 909], the Supreme Court held section 24200, subdivision (e), to be unconstitutional, and any question as to the correctness of this ruling is now moot.

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The board's decision, affirmed by the court below, upheld the department's order of revocation on the sole ground of a violation of section 25601. [1] Appellant contends, first, that in a prosecution under that section, proof of knowledge by the licensee or his agents of proscribed acts is necessary; second, that the evidence is insufficient to establish such knowledge in the instant case.

In <u>Swegle v. State Board of Equalization (1954), 125 Cal.App.2d 432 [270 P.2d 518], appellant made a similar contention with regard to section 58 of the then **Alcoholic** Beverage **Control** Act (now 25601). In finding this proposition to be without merit, the court said "... Appellant cites numerous cases from other jurisdictions to the effect that 'permit' means knowledge, consent, acquiescence, willingness, as distinguished from passive sufferance.</u>

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Since appellant does not contest that the evidence is sufficient to support the judgment, although refusing to concede its accuracy, we deem it unnecessary to summarize the evidence produced before the hearing officer. [2] The rule that although the factual determinations of the department may be set aside upon a showing of a lack of substantial evidence, a court may not reweigh the evidence or assess the credibility of witnesses (Mercurio v. Department of Alcoholic *217 Beverage Control, supra; Brice v. Department of Alcoholic Beverage Control (1957), 153 Cal.App.2d 315 [314 P2d 807]), therefore obviates further discussion in this regard.

[3] In addition, the appellant claims that the hearing officer erred in receiving testimony to the effect that the premises in question have a reputation for being a "hangout for homosexuals," and in this connection, he urges that this was inadmissible hearsay and its receipt in evidence constituted reversible error. It is to be noted that there was no objection to this testimony during the hearing because the now invalid section 24200, subdivision (e), provided that in addition to any other legally competent evidence, the character of the premises as "a resort" for sexual perverts might be proved by general reputation. There is evidence in the record placing appellant's employees in the near proximity of the wrongful acts. There is also evidence which supports an inference that the employees were aware of the continuing misconduct, viz., on the instance occurring on May 13, 1956, following the occasion when a patron named John Cowgill invited Agent Johnson to engage in a lewd act. After Johnson left the bar with Cowgill and placed him under arrest, Johnson returned to the bar and asked Police Officer Tregoning to come outside. At this time, the bartender, Rick, warned Tregoning, who was not known to be a police officer, not to go outside with Johnson. The bartender said that several arrests had been made the night before; it would be all right as long as he did not leave the premises. Moreover, there was also evidence, unobjected to and clearly admissible in view of the acts alleged in the accusation, that appellant himself had characterized the patrons of the "Paper Doll" as being "gay" (synonymous with homosexual). Appellant also stated that in the "Paper Doll," only he and the cook named Johnny were "straight" or "square." Furthermore, section 11513 of the Government Code makes hearsay admissible in this type of administrative hearing and this applies to evidence of reputation as well as to any other type of hearsay. (Swegle v. State Board of Equalization, supra; 19 Cal.Jur.2d, 383, p. 116; 2 Cal.Jur.2d, 147, p. 251.) Therefore, no effective objection to its

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While it is true that section 11513 specifies that whereas hearsay may be used for the purpose of supplementing or explaining any direct evidence, it shall not be sufficient in itself to support a finding unless it would be admissible over *218 objections in civil actions. However, as we have noted above, no contention is made as to the substantiality of the direct evidence herein of such homosexual activities on the premises which has been repeatedly held to be within the purview of section 25601. It is our view that the complained-of hearsay is merely supplementary thereto and nothing more.

[4] Finally, it should be noted that in the department's original decision, it was determined that the continuance of appellant's license would be contrary to public welfare and morals within the meaning of those terms as used in section 22, article XX, of the Constitution of California. In <u>Vallerga v. Department of Alcoholic Beverage Control</u>, supra, the Supreme Court reversed a judgment denying a writ of mandamus to compel the department to set aside its revocation grounded to a violation of the invalid section 24200, subdivision (e), despite the fact that there was sufficient evidence to sustain a revocation on said constitutional grounds. However, in that case, the trier of fact had made no findings with regard to this evidence and, furthermore, the accusation failed to put the licensees on notice that their license might thereby be revoked. Thus, to have sustained the revocation under the constitutional provision would have violated due process of law.

Neither the accusation nor the findings present such an impediment in the instant case. Appellant refrains from contending otherwise, and from charging that the licensee's knowledge of the facts is required under section 22, article XX, of the Constitution of California, confining his objection to the argument that because the board sustained the department on a different ground, this court is restricted to a consideration of that ground only. It is our view that no such restriction exists.

Judgment is affirmed.

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Draper, Acting P. J., and Shoemaker, J., concurred.

[fn. *] *. Assigned by Chairman of Judicial Council.

[fn.]. All section references hereinafter are to be the Business and Professions Code, unless otherwise indicated.

DANTE BENEDETTI, Appellant, v. DEPARTMENT OF ALCOHOLIC BEVER-AGE CONTROL et al.,

Respondents Civ. No. 19205

Court of Appeal of California, First Appellate District, Division Two

187 Cal. App. 2d 213; 9 Cal. Rptr. 525; 1960 Cal. App. LEXIS 1374

December 8, 1960

SUBSEQUENT HISTORY: A Petition for a Rehearing was Denied January 6, 1961.

PRIOR-HISTORY: APPEAL from a judgment of the Superior Court of the City and County of San Francisco. Orla St. Clair, Judge.

Proceeding in mandamus to review a decision of the Department of Alcoholic Beverage Control revoking a liquor license.

COUNSEL: James Murray and Markuse & Murray for Appellant.

Stanley Mosk, Attorney General, and Albert W. Harris, Jr., Deputy Attorney General, for Respondents.

JUDGES: McGoldrick, J. pro tem. Draper, Acting P. J., and Shoemaker, J., concurred.

* Assigned by Chairman of Judicial Council.

OPINION BY: McGOLDRICK

OPINION

On August 20, 1956, the Department of Alcoholic Beverage Control (hereinafter referred to as "department") filed an accusation against one Dante Benedetti, doing business as "Paper Doll," as an on-sale general licensee of the department, charging violations in two counts of the Alcoholic Beverage Control Act. Count I was subdivided into two parts. Both charged the keeping of a disorderly house in conjunction with licensed

premises, Count I(1) alleging disturbance of the neighborhood, Count I(2) injury to the public welfare and morals (Bus. & Prof. Code, § 25601). Count II charged the keeping of a resort for sexual perverts (§ 24200, subd. (e)). The accusation further charged that by reason of the facts therein alleged, the continuance of Benedetti's license would be contrary to public welfare and morals as set forth in section 22, article XX, of the Constitution of California. Hearings were conducted, the matter was submitted, and on May 16, 1957, the department adopted the decision of its hearing officer, thereby dismissing the first part of Count I, and revoking Benedetti's on-sale general license on the bases of Counts I(2) and II severally.

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Benedetti then appealed to the department's decision to the Alcoholic Beverage Control Appeals Board (hereinafter referred to as "board") which concluded that each of the counts was supported by substantial evidence. However, although affirming the decision as to Count I(2), the board reversed as to Count II, stating as grounds for said reversal that since the department had elected to revoke the license on the basis of Count I(2) and a violation of section 25601, it could not, on the same evidence, impose the same penalty on the basis of Count II upon the theory that Benedetti was guilty of a second and separate offense. In Vallerga v. Department of Alcoholic Beverage Control (1959), 53 Cal.2d 313 [347 P.2d 909], the Supreme Court held section 24200, subdivision (e), to be unconstitutional, and any question as to the correctness of this ruling is now moot.

Benedetti subsequently sought review of the decision by the court below in a petition for writ of mandamus. The court issued an order staying enforcement of the order of revocation, whereupon a hearing occurred and the cause was submitted. The court subsequently filed findings of fact and conclusions of law wherein it upheld the board's decision, and judgment was entered setting aside the alternative writs and denying a peremptory writ of mandate. Benedetti appeals from this judgment.

The board's decision, affirmed by the court below, upheld the department's order of revocation on the sole ground of a violation of section 25601. Appellant contends, first, that in a prosecution under that section, proof of knowledge by the licensee or his agents of proscribed acts is necessary; second, that the evidence is insufficient to establish such knowledge in the instant case.

In Swegle v. State Board of Equalization (1954), 125 Cal.App.2d 432 [270 P.2d 518], appellant made a similar contention with regard to section 58 of the then Alcoholic Beverage Control Act (now § 25601). In finding this proposition to be without merit, the court said ". . Appellant cites numerous cases from other jurisdictions to the effect that 'permit' means knowledge, consent, acquiescence, willingness, as distinguished from passive sufferance. However, in Dorris v. McKamy, 40 Cal.App. 267, 274 [180 P. 645], it is said that 'as defined by Webster and others, "permit" implies no affirmative acts. It involves no intent. It is mere passivity, abstaining from preventive action.'" (P. 438.)

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Cal. App. 2d 529, 534 [1 Cal. Rptr. 446], the appellant argued that inasmuch as the findings of the hearing officer showed that he had made reasonable atto control his customers, those findings did not support the determination that he was quilty of a violation of section 24200, subdivisions (a) and (b), and section 25601. The court, however, found that as used in the context of section 25601, "suffers" means "to permit, allow, or not to forbid activities which constitute the premises a 'disorderly house.' Since an on-sale licensee has an affirmative duty to maintain properly operated premises [citation], and since acquiescence is nonetheless permission or sufferance within the purview of section 25601 [citing Swegle], Givens failed to perform his statutory duty. The law requires more than that a licensee make some colorable efforts toward the maintenance of lawfully conducted premises. The law demands that he in fact so conduct his business that it meets the minimum requirements of decency and morality. If, as in this present case, the overwhelming evidence shows that the tavern is in fact a 'disorderly house,' there can be but one conclusion: that the licensee has permitted or suffered such a condition to exist. . . . "

Since appellant does not contest that the evidence is sufficient to support the judgment, although refusing to concede its accuracy, we deem

it unnecessary to summarize the evidence produced before the hearing officer. The rule that although the factual determinations of the department may be set aside upon a showing of a lack of substantial evidence, a court may not reweigh the evidence or assess the credibility of witnesses (Mercurio v. Department of Alcoholic Beverage Control, supra; Brice v. Department of Alcoholic Beverage Control (1957), 153 Cal.App.2d 315 [314 P.2d 807]), therefore obviates further discussion in this regard.

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11513 of the Government Code makes hearsay admissible in this type of administrative hearing and this applies to evidence of reputation as well as to any other type of hearsay. (Swegle v. State Board of Equalization, supra; 19 Cal.Jur.2d, § 383, p. 116; 2 Cal.Jur.2d, § 147, p. 251.) Therefore, no effective objection to its introduction could have been interposed even in lieu of section 24200, subdivision (e).

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22, article XX, of the Constitution of California, confining his objection to the argument that because the board sustained the department on a different ground, this court is restricted

to a consideration of that ground only. It is our view that no such restriction exists.

Judgment is affirmed.

petitioner's favor in the original proceedings would negate the wife's right to support and remove the basis for the separate maintenance action, and, conversely, an order in the wife's favor negates the right to the final decree, affirms the basis for the wife's right to support, and affords the ground for a separate maintenance action.

In order to achieve her objective of separate maintenance, the wife faced the necessity of removing any asserted final decree. [3] Obviously the final decree "grants the divorce, dissolves the marriage, restores the parties to the status of single persons, and permits each to marry again," (Estate of Dargie (1912), 162 Cal. 51, 53 [121 P. 320].) [4] Unless the final decree provides for support, the wife, after its rendition, can claim none. (Calhoun v. Calhour (1945), 70 Cal. App.2d 233, 236-237 [160 P.2d 923]; Bancroft v. Bancroft (1935), 9 Cal. App.2d 464 [50 P.2d 465].) On the other hand, petitioner's success in consolidating his position on the final decree and in establishing it, would obliterate any claim for support.

In the wife's attempt to set aside the final decree the factor of reconciliation becomes vital. [5] As is stated in *Estate of Abila* (1948), 32 Cal.21 559, 561 [197 P.2d 10], "When parties become reconciled after an interlocatory decree and live together as husband and wife, the right to a final decree is destroyed. . . "Indeed, as *Abila* holds, the right to support is restored upon reconciliation; consequently, the question of reconciliation bears directly upon the wife's right to support.

[6] Upon showing a reconciliation and thereby eliminating the final decree, the wife reestablishes her right to support. [7] The right to separate maintenance " rests on the fact that the relation of husband and wife exists and a decree awarding such maintenance contemplates the existence of the marital relation . . . when the decree is made. . . ? " (Chirawin v. Chirawin (1938), 26 Cal.App.2d 506, 508-509 [79 P.2d 772].) The integral role played, then, by the issue of reconciliation cogently affects the right to separate maintenance. [8] The dispute as to the right to the final decree directly concerns the right to the separate maintenance. Petitioner in asserting the former cannot successfully exclude defense of the latter. Petitioner, laving hold of the marriage relationship and seeking to terminate it by the final decree. cannot coincidentally claim immunity from an action of his wife which rests upon that relationship and would seek to enforce it.

The alternative writ of prohibition is discharged and the petition for a peremptory writ of prohibition is denied.

Bray, P. J., and Duniway, J., concurred.

ر بران میر (Civ. No. 19205. First Dist., Div. Two. Dec. 8, 1960.)

DANTE BENEDETTI, Appellant, v. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL et al., Respondents.

- [1] Intoxicating Liquors—Revocation of License.—Under Bus. & Prof. Code, § 25601, making it a misdemeanor for a liquor licensee to keep, permit to be used, or suffer to be used, in connection with licensed premises, any disorderly house, no proof of knowledge by the licensee or his agent of the proscribed acts is necessary, it being sufficient that the evidence show that such acts took place in the licensed premises. Under evidence sufficient to make such a showing, a licensee's license was properly revoked.
- [2] Id.—Revocation of License—Review.—Though a factual determination of the Department of Alcoholic Beverage Control may be set aside on a showing of lack of substantial evidence, a court may not reweigh the evidence or assess the credibility of witnesses.
- [3] Id.—Revocation of License.—Evidence.—On a hearing respecting revocation of a liquor license, it was not error for the hearing officer to admit testimony that the premises in question had a reputation for being a "hangout for homosexuals." where there was no objection to such testimony during the hearing on the ground that Bus. & Prof. Code. \$ 24200. suhd. (e) (later held invalid), made such evidence admissible, and where, even in the absence of that statute, hearsay evidence would have been admissible under Gov. Code. \$ 11513, making hearsay evidence, such as that relating to reputation, admissible in an administrative hearing.
- [4] Id.—Revocation of License—Review.—The fact that the Alcoholic Beverage Control Appeals Board sustained a decision by the Department of Alcoholic Beverage Control revoking a liquor license on the ground of violation of Bus. & Prof. Code. § 25601, did not limit the reviewing court to consideration of that ground only where the original decision was also based on

^[1] See Cal.Jur.2d, Alcoholic Beverages, § 33 et seq. McK. Dig. References: [1, 3] Intoxicating Liquors, § 9.9: [2, 4] Intoxicating Liquors, § 9.10.

APPEAL from a judgment of the Superior Court of the City and County of San Francisco. Orla St. Clair, Judge. Affirmed.

Proceeding in mandamus to review a decision of the Department of Alcoholic Beverage Control revoking a liquor license. Judgment denying writ, affirmed.

James Murray and Markuse & Murray for Appellant.

Stanley Mosk, Attorney General, and Albert W. Harris, Jr., Deputy Attorney General, for Respondents.

McGOLDRICK, J. pro tem. *-On August 20, 1956, the Department of Alcoholic Beverage Control (hereinafter referred to us "department") filed an accusation against one Dante Benedetti, doing lusiness as "Paper Doll." as an on-sale general licensee of the department, charging violations in two counts of the Alcoholic Beverage Control Act. Count I was subdivided into two parts. Both charged the keeping of a disorderly house in conjunction with licensed premises, Count I(1) alleging disturbance of the neighborhood. Count I(2) injury to the public welfare and morals (Bus. & Prof. Code. \$ 25601), 7 Count II charged the keeping of a resort for sexual perverts (§ 24200, subd. (e)). The accusation further charged that by reason of the facts therein alleged, the continuance of Benedetti's license would be contrary to public welfare and morals as set forth in section 22, article XX, of the Constitution of California. Hearings were conducted, the matter was submitted, and on May 16, 1957, the department adopted the decision of its hearing officer, thereby dismissing the first part of Count I, and revoking Benedetti's on-sale general license on the bases of Counts I(2) and II severally.

Benedetti then appealed to the department's decision to the Alcoholic Beverage Control Appeals Board (hereinafter referred to as "board") which concluded that each of the counts

was supported by substantial evidence. However, although affirming the decision as to Count I(2), the hoard reversed as to Count II, stating as grounds for said reversal that since the department had elected to revoke the license on the basis of Count I(2) and a violation of section 25601, it could not, on the same evidence, impose the same penalty on the basis of Count II upon the theory that Benedetti was guilty of a second and separate offense. In Vallerga v. Department of Alcahalic Beverage Control (1959), 53 Cal.2d 313 [347 P.2d 309], the Supreme Court held section 24200, subdivision (e), to be unconstitutional, and any question as to the correctness of this ruling is now moot.

Benedetti subsequently sought review of the decision by the court below in a petition for writ of mandamus. The court issued an order staying enforcement of the order of revocation, whereupon a hearing occurred and the cause was submitted. The court subsequently filed findings of fact and conclusions of law wherein it upheld the board's decision, and judgment was entered setting aside the alternative writs and denying a peremptory writ of mandate. Benedetti appeals from this judgment.

The board's decision, affirmed by the court below, upheld the department's order of revocation on the sole ground of a violation of section 25601. [1] Appellant contends, first, that in a prosecution under that section, proof of knowledge by the licensee or his agents of proscribed acts is necessary; second, that the evidence is insufficient to establish such knowledge in the instant case.

In Swegle v. State Board of Equalization (1954), 125 Cal. App.2d 432 [270 P.2d 518], appellant made a similar contention with regard to section 58 of the then Alcoholic Beverage Control Act (now § 25601). In finding this proposition to be without merit, the court said ''... Appellant cites numerous cases from other jurisdictions to the effect that 'permit' means knowledge, consent, acquiescence, willingness, as distinguished from passive sufference. However, in Dorris v. McKamy. 40 Cal. App. 267, 274 [180 P. 645], it is said that 'as defined by Webster and others, ''permit'' implies no affirmative acts. It involves no intent. It is mere passivity, abstaining from preventive action,''' (P. 438.)

In Mercurio v. Department of Alcoholic Beverage Control (1956), 144 Cal. App. 2d 626, 630 [301 P.2d 474], the court interpreted the Swegle case as holding that the permission required by the statute does not have to be a "knowing" one

^{*}Assigned by Chairman of Judicial Council.

[†]All section references hereinafter are to be the Business and Professions Code, unless otherwise indicated.

and that "a licensee can be held to have permitted acts constituting a . . [violation] by a showing that the acts themselves took place. Further on in the opinion, the court said. The very fact that rules and laws providing for violations for which disciplinary action may be taken, provide that some violations must be 'knowingly' done [§ 24200.5, subd. (a)] and as to others the word 'knowingly' is omitted, indicates that in the latter cases there is no requirement that the violations be knowing ones. 'Knowingly' not being required in either rule 143 or section 24200, the use of that word in the accusation was immaterial and is not necessary to be found." (Pp. 630-631.) | Brodshy v. California State Board of Pharmacy (1959), 173 Cal.App.2d 660-688 [344 P.2d 68], cited by appellant, is in harmony with this decision.

In Givens v. Department of Alcoholic Beverage Control (1959), 176 Cal.App.2d 529, 534 [1 Cal.Rptr. 446], the appellant argued that inusmuch as the findings of the hearing officer showed that he had made reasonable attempts to control his customers, those findings did not support the determination that he was guilty of a violation of section 24200, subdivisions (a) and (b), and section 25601. The court, however, found that as used in the context of section 25601, "suffers" means "to permit, allow, or not to forbid activities which constitute the premises a 'disorderly house.' Since an on-sale licensee has an affirmative duty to maintain properly operated premises [citation], and since acquiescence is nonetheless permission or sufferance within the purview of section 25601 [citing Swegle], Givens failed to perform his statutory duty. The law requires more than that a licensee make some colorable efforts toward the maintenance of lawfully conducted premises. The law demands that he in fact so conduct his business that it meets the minimum requirements of deceney and morality. If as in this present case, the overwhelming evidence shows that the tavern is in fact a 'disorderly house,' there can be but one conclusion: that the licensee has permitted or suffered such

Since appellant does not contest that the evidence is sufficient to support the judgment, although refusing to concede its accuracy, we deem it unnecessary to summarize the evidence produced before the hearing officer. [2] The rule that although the factual determinations of the department may be set aside upon a showing of a lack of substantial evidence, a court may not reweigh the evidence or assess the credibility of witnesses (Mercuria v. Department of Alcoholic

Beverage Control, supra; Brice v. Department of Alcohalic Beverage Control (1957), 153 Cal App.2d 315 [314 P.2d 807]), therefore obvintes further discussion in this regard.

[3] In addition, the appellant claims that the hearing officer cried in receiving testimony to the effect that the premises in question have a reputation for being a "hangour for homosexuals," and in this connection, he urges that this was inadmissible hearsay and its receipt in evidence constituted reversible error. It is to be noted that there was no objection to this testimony during the hearing because the now invalid section 24200, subdivision (e), provided that in addition to any other legally competent evidence, the character of the premises as "a resort" for sexual perverts might be proved by general reputation. There is evidence in the record placing appellant's employees in the near proximity of the wrongful acts. There is also evidence which supports an inference that the employees were aware of the continuing misconduct, viz., on the instance occurring on May 13, 1956, following the occasion when a patron named John Cowgill invited Agent Johnson to engage in a lewd act. After Johnson left the har with Cowgill and placed him under arrest. Johnson returned to the bar and asked Police Officer Tregoning to come outside. At this time, the bartender, Rick, warned Tregoning, who was not known to be a police officer, not to 20 outside with Johnson. The barrender said that several arrests had been made the night before; it would be all right as long as he did not leave the premises. Moreover, there was also evidence. unobjected to and clearly admissible in view of the acts alleged in the accusation, that appellant himself had characterized the patrons of the "Paper Doll" as being "gay" (synonymous with homosexnal). Appellant also stated that in the "Paper Doll," only he and the cook named Johnny were "straight" or "square." Furthermore, section 11513 of the Government Code makes hearsay admissible in this type of administrative hearing and this applies to evidence of reputation as well as to any other type of hearsay. (Swegle v. State Board of Equalizotion, supra; 19 Cal. Jur. 2d. \$ 383, p. 116: 2 Cal. Jur. 2d. 5 147. p. 251.) Therefore, no effective objection to its introduction could have been interposed even in lieu of section 24200, subdivision (e).

While it is true that section 11513 specifies that whereas hearsay may be used for the purpose of supplementing or explaining any direct evidence, it shall not be sufficient in itself to support a finding unless it would be admissible over objections in civil actions. However, as we have noted above, no contention is made as to the substantiality of the direct evidence herein of such homosexual activities on the premises which has been repeatedly held to be within the purview of section 25601. It is our view that the complained of hearsay is merely supplementary thereto and nothing more.

. [4] Finally, it should be noted that in the department's original decision, it was determined that the continuance of appellant's license would be contrary to public welfare and morals within the meaning of those terms as used in section 22. article XX. of the Constitution of California. In Vallerga v. Department of Alcoholic Beverage Control, supra, the Supreme Court reversed a judgment denying a writ of mandamus to compel the department to set aside its revocation grounded to a violation of the invalid section 24200, subdivision (e). despite the fact that there was sufficient evidence to sustain a revocation on said constitutional grounds. However, in that ease, the trier of fact had made no findings with regard to this evidence and, furthermore, the accusation failed to put the licensees on notice that their license might thereby be revoked. Thus, to have sustained the revocation under the constitutional provision would have violated due process of law.

Neither the accessation nor the findings present such an impediment in the instant case. Appellant refrains from contending otherwise, and from charging that the licensee's knowledge of the facts is required under section 22, article XX, of the Constitution of California, confining his objection to the argument that because the board sustained the department on a different ground, this court is restricted to a consideration of that ground only. It is our view that no such restriction exists.

Judgment is affirmed.

Draper, Acting P. J., and Shoemaker, J., concurred.

A petition for a rehearing was denied January 6, 1961.

[Crim. No. 7095. Second Dist., Div. One. Dec. 3, 1960.]

THE PEOPLE, Respondent, v. GEORGE NOTHNAGEL, Appellant.

- [1] Criminal Law—Rights of Accused—Discovery and Inspection:
 Production of Evidence and Papers.—Defendant can compel the
 prosecution to permit the inspection and copying or production
 in court of certain written statements of the accused and other
 papers and instruments. Where, however, no proper demand
 is made by defendant for the desired document or report, the
 prosecution cannot be expected to volunteer the information
 to defendant.
- [2] Id.—Appeal—Questions of Law and Fact—Evidence Inherently Improbable.—Evidence for the prosecution was not inherently improbable merely because the victim disliked defendant and said so.
- [3] Lewdness—Appeal—Review of Evidence.—In a prosecution for lewd conduct with an 5-year-old girl, any inconsistencies in the girl's testimony would not necessarily constitute improbability; it was the province of the jury to determine her credibility.
- [4] Witnesses—Cross-examination—Restriction.—In a prosecution for lewd conduct with an S-year-old girl, defendant was not unduly restricted in his cross-examination of the girl's mother where there was nothing in the mother's direct examination from which it might be interred that she had any improper relations with defendant or that she caused the victim to make a false charge against defendant.
- [5] Lewdness—Evidence.—To sustain a conviction of lewd conduct with a child, it is not necessary that rape be established, that there he an attempt to commit rape, or that there be "penetration" as used by a doctor to mean "into the, beyond the entrance to the vagina."
- [6] Id.—Elements of Offense.—The corpus delicti of the crime of lewd conduct with a child (Pen. Code. § 298) consists of any

^[2] See Cal.Jur.2d, Appeal and Error, § 610; Am.Jur., Appeal and Error, § 591.

^[3] See Cal.Jur.2d, Lewdness, Indecency and Obscenity, § 46.

^[6] See Cal.Jur.2d. Lewdness, Indecency and Obscenity, § 9 et seq.: Am.Jur., Lewdness, Indecency and Obscenity, §§ 2, 3.

McK. Dig. References: [1] Criminal Law. §§ 104.5. 271. 272: [2] Criminal Law. § 1322(1); [3] Lewdness, § 22: [4] Witnesses. § 134(5): [5] Lewdness, § 13; [6] Lewdness, § 5; [7, 8] Criminal Law. § 952.

1 following charges were made: 2 Between October 11, 1955 and the date hereof, the above-named licensee kept, permitted to be used and suffered to be used, in connection 3 with the above-described licensed premises, a 4 disorderly house or place to which people resorted for purposes contrary to the public 5 welfare and morals in that the said licensee permitted or suffered the following acts to 8 occur in the said premises: 7 (a) Males kissing and caressing other males. 8 (b) Males engaging in lewd and indecent acts with other males. 8 (c) Lewd and indecent conversations. 10 (d) On or about May 13, 1956, John E. 11 Cowgill, a patron, invited Agent James R. Johnson to engage in a lewd act." (C.T. 33:1-15) 12 After a hearing as required by law the following 13 findings of fact were made by the hearing officer and 14 adopted by the Department: 15 "(2): It is true that between October 11. 16 1955 and August 20, 1956, the above-named licensee kept, permitted to be used, and 17 suffered to be used, in connection with the above-described licensed premises, a dis-18 orderly house and place to which people resorted for purposes contrary to public 19 welfare and morals in that the said licensee permitted and suffered the following acts to 20 occur in the said premises: (a) Males kissing and caressing other males; (b) Males engaging in lewd and indecent acts 21 with other males; (c) Lewd and indecent conversations; and (d) on or about May 13, 1956, John E. Cowgill, a patron, invited 22 23 Agent James R. Johnson to engage in a lewd act." (C.T. 34:14-25) 24 On the basis of these findings, the hearing officer 25

made, and the Department adopted, the following determination

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I

HISTORY OF CASE.

Appellant, Dante Benedetti, was, at the time the Accusation was filed herein, the possessor of on-sale General License No. P-5655-C, issued by the Department of Alcoholic Beverage Control of the State of California.

On August 20, 1956, an Accusation Under Alcoholic Beverage Control Act and State Constitution was filed against appellant, who had been, and still is, doing business as the "Paper Doll" at 524 Union Street, San Francisco, California.

Hearings were held on December 3, 1956; April 10 and 11, 1957; and February 15, 1957.

The Accusation was as follows:

"Count One

- 1. Between October 11, 1955 and the date hereof, the above named licensee kept, permitted to be used and suffered to be used, in connection with the above designated licensed premises, a disorderly house or place to which people resorted to the disturbance of the neighborhood in that:
 - (a) Excessive noise was created by patrons in and about the premises during late and unusual hours.
 - (b) Numerous fights and disturbances occurred in and about the premises.
- 2. Between October 11, 1955, and the date hereof, the above named licensee kept, permitted to be used and suffered to be used, in connection with the above described licensed premises, a dis-

orderly house or place to which people resorted for purposes contrary to the public welfare and morals in that the said licensee permitted or sufferred the following acts to occur in the said premises:

- (a) Males kissing and caressing other males.
- (b) Males engaging in lewd and indecent acts with other males.
 - (c) Lewd and indecent coversations.
- (d) On or about May 13, 1956, John E. Cowgill, a patron, invited agent James R. Johnson to engage in a lewd act.

Count II

The portion of the above designated licensed premises of the above named licensee upon which the activities permitted by the on-sale General Licensee are conducted has been since October 11, 1955, and is now, a resort for sexual perverts."

The Department of Alcoholic Beverage Control (hereinafter called "the Department") rendered a decision dismissing the Accusation as to Count I (1) and finding the allegations of Count I (2) and Count II to be true.

Appellant's license was revoked twice—once for the offense found to be true in Count I (2) and once again for the offense found to be true in Count II.

Appellant appealed to the Alcoholic Beverage Control Appeals Board (hereinafter called "Appeals Board"). That body affirmed the Department as to Count I (2) and reversed the Department as to Count II.

Appellant sought review of the decision in a first amended petition for Writ of Mandamus, filed on December 2, 1958.

The Department sought review of the Appeals Board's reversal as to Count II. Both suits were consolidated.

The Superior Court vacated the alternative writs and denied peremptory Writs of Mandate.

The effect of this judgment was to place all the parties in the position they occupied when the Appeals Board rendered its decision on November 8, 1958.

Appellant herein appealed to the District Court of Appeal and the Department likewise appealed.

On March 16, 1960, the Department's request that its appeal be dismissed was granted.

That action leaves only Benedetti as an appellant.

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UPON WHAT GROUNDS WAS THE LICENSE REVOKED?

The Department adopted the Proposed Decision of the Hearing Officer. In that Decision, in which appellant herein was respondent therein, the following appears:

"Determination of Issues Presented:

Count I (1): Respondent did not violate \$25601 of the Alcoholic Beverage Control Act.

(2): The above named Respondent and licensee did violate §25601 of the Alcoholic Beverage Control Act.

Count II: Grounds constituting a basis for the suspension or revocation of the license, held by the above named licensee for the above described premises, under the provisions of \$24200 (a) and (e) of the Alcoholic Beverage Control Act have been established with a reference to Count II. It is further determined that the continuance of the license of said respondent would be contrary to the public welfare and morals within the meaning of said terms as used in Article XX. \$22, of the California Constitution. Grounds for the suspension or revocation of the license of respondent under the provisions of \$24200 (a) and (e) of the Alcoholic Beverage Control Act have been established with reference to Count I (2)."

Thus, it would seem, the Department found that appellant had violated Business and Professions Code §25601 and §24200 (a) and (e). As to Count II, appellant had violated Business and Professions Code §24200 (a) and (e) and Article XX, §22 of the California Constitution. In the original Accusation, appellant was informed that "additional grounds" for suspension or revocation existed under Business and Professions Code §24200 (b) but the decision is silent as to any finding under that sub-section.

The Appeals Board, in affirming revocation based upon the allegations contained in Count I and reversing the revocation based upon the allegations of Count II, found that revocation could be based only upon one violation.

"The Hearing Officer. Well, the things take place on the licensed premises. The licensee is supposed to be aware of what is going on there either through him personally or through his agents."

The bartenders did not loiter to talk to anyone (T.R. (a) p. 86, line 12). The bartenders were going back and forth tending bar (T.R. (a) p. 89, lines 8-10). There were people in back of these two men (T.R. (a) p. 92, lines 11-13). They used normal conversational tones (T.R. (a) p. 93, lines 23).

(c) Agent Harris testified that on April 4, 1956. he saw two men, one of whom was seated at the har and another standing, and he observed the "standing male rubbing and fondling the inside of the thighs of the seated male" (T.R. (a) p. 25, lines 7-10). The bar stools were 30-33" in height (T.R. (a) p. 60, line 9). The agent was present for nearly an hour (T.R. (a) p. 57, line 8) and, once again, he saw only one "incident" (T.R. (a) p. 57, lines 16-18). Two bartenders were on duty (T.R. (a) p. 57, lines 14 and 15). At the time of that "incident," the agent did not know where one bartender was (T.R. (a) p. 58. line 21). Wherever that bartender was, it was the opinion of the agent, that that bartender could not have seen this incident (T.R. (a) p. 59, line 3). The other bartender was "looking in all direction" and was six to eight feet away at different times (T.R. (a) p. 59, lines 15-18) and he was busy mixing drinks. The agent was not allowed to give his opinion as to whether or not the other bartender could see the "incident" (T.R. (a) p. 59, lines 4-7).

Another look at the photographs of the bar will show that it was physically impossible for that bartender to have seen these alleged acts since the front edge of the bar is raised and the tops of the stools are well below the level of the bar.

There is no evidence of the presence of petitioner or any other employee. The agent did not call the attention of any employee to what he saw or take statements from participants.

- (d) On April 14, 1956, when the licensed premises contained 175 customers (T.R. (a) p. 25, lines 19 and 20), these same agents saw two men standing between the bar and the booths and saw one of them reach over to the other and "fondle and tap the buttocks of the second male" (T.R. (a) p. 26, lines 4-7). Once again, that was the only "observation" made that night. (T.R. (a) p. 26, lines 1-2). There were people all around these two men (T.R. (a) p. 61, lines 24-25; p. 62, lines 2-4). The people closest to these two were "almost touching them" and were between them and the bar (T.R. (a) p. 62, lines 5-9). In the area between the bar and the booths there were about 100 people (T.R. (a) p. 64, lines 15-16). There is absolutely no testimony as to the location of the bartenders, the petitioner or any other of his emplonees.
- (e) On May 11, 1956, Mr. Tregoning of the San Francisco Police Department saw one man give a "prolonged lift" lasting 15 to 20 seconds, to the buttocks of another (T.R. (b) p. 41, lines 13-16). There were from 100 to 150 persons upon the licensed pre-

mises (T.R. (b) p. 32, lines 17-18). The policeman was there one hour (T.R. (b) p. 33, line 1).

The witness believed there were two bartenders there but he "couldn't say for sure" if they had "fixed stations or moved about" (T.R. (b) p. 41, lines 23-26; p. 42, lines 1-2). There was no testimony as to the presence of any other employees at the time of this "incident," although the Hearing Officer attempted to elicit such testimony (T.R. (b) p. 42, lines 5-13).

In fact, this "incident" was done in a "sneaky, intimate manner," according to Officer Tregoning (T.R. (b) p. 45, line 23), despite the Attorney General's argument, set forth in his brief to the Superior Court, that "there is no evidence that the acts were 'furtively done'." (Department's Brief p. 8, lines 23-24). The Attorney General's definition of "furtive" is an act "done, obtained or characterized by stealth; hence sly; secret; stealthy...and" (Department's Brief p. 8, lines 24-25).

There was no evidence that petitioner or any employee saw or could have seen this "incident."

(f) On May 12, 1956, an employee of the Department allowed a man named Cowgill, who had been drinking (T.R. (b) p. 7, lines 2-26), to rub the privates of the Department employee (T.R. (b) p. 7, lines 2-26).

Mr. Cowgill was standing at the bar and there were "two persons behind the bar but just who they were I don't know," the agent said (T.R. (b) p. 5, lines

16-20). There were some 100 to 150 persons upon the licensed premises (T.R. (b) p. 11, lines 25-26). The agent was sitting at the bar during this "incident" (T.R. (b) p. 7, line 23). There is grave doubt as to whether or not, Mr. Cowgill was a customer of the licensee. There is no evidence that he made a purchase although he seemed to have a drink in his hand. The agent was turned three quarters away from the bar (T.R. (b) p. 20, lines 23-24). There were people sitting by Mr. Cowgill and by the agent at the bar (T.R. (b) p. 21, lines 3-4). Between the bar and the booth there were people standing. People were all around (T.R. (b) p. 21, lines 15-21). People were pretty close to each other (T.R. (b) p. 21, line 19). The agent was "facing away from the bar" (T.R. (b) p. 22, line 6). As Mr. Cowgill made an advance, the agent "moved closer" but that was not done to encourage Mr. Cowgill, the agent claimed (T.R. (b) p. 23, lines 8-14). The agent repeated that he did not encourage Mr. Cowgill (T.R. (b) p. 25, lines 7 and 9). Then he stated that he "knew what the ultimate results of his actions would be" (T.R. (h) p. 25, lines 18-19), but when asked the following questions, he gave these answers (T.R. (b) p. 25, lines 20-23).

- "Q. But you didn't move away?
- "A. No, sir I didn't move away.
- "Q. Why din't you move away?
- "A. That's something I can't answer sir."

The agent, obviously, was not telling the truth. Either this "incident" didn't happen at all or he entrapped Mr. Cowgill, who pleaded not guilty (Ex-

hibit No. 2), although he was found guilty. The agent did not see the appellant (T.R. (b) p. 28, lines 20-22). There is no evidence at all that any employee saw this incident, if it happened, or could have. Certainly these acts, if they occurred, were furtive.

As to conversation, the Appeals Board decision shows the following took place:

"On March 23, 1956, about 9:15 p.m. Agent Harris overheard a conversation at the bar wherein a male, seated at the bar, stated to a number of women that 'he knew all the leshians in town', and further that 'I am married now; I have a husband now' (T.R. (a) 20:24-21:3). The bartender 'Tex' was as close to the speaker as was the agent (T.R. (a) 22:1-3).

"Both Agents Harris and Morrison overheard males addressing one another by way of endearing terms, e.g., 'honey', 'dear', 'dearie' (T.R. (a) 41:22-42:3; 80:18-23).

"Officer Tregoning, on March 11, 1956, at about 10 p.m. had a conversation with a person named 'Phil' who stated that he was living with a 'faggot' (T.R. (b) 37:6-10), who is, apparently, a male who takes the part of the female in homosexual behavior (T.R. (b) 39:18-26). 'Phil' described the 'love act' in which he and his associate engaged, which is set out in full in the transcript but may not be repeated here (T.R. (b) 39:5-17)."

Following is the evidence as to "knowledge" of those conversational incidents:

(a) There were 40 people in the bar area and two bartenders (T.R. (a) p. 20, lines 13-17; p. 35, lines

5-6). The agent was four to five feet away (T.R. (a) p. 21, line 21). He did not observe one of the bartenders at the time of the conversation but the other was "in the immediate vicinity. He was as close as I, if not closer" (T.R. (a) p. 22, lines 1-3). The men used a "conversational tone" (T.R. (a) p. 21, line 18). On cross-examination, the agent testified that that bartender could not be seen by the agent at all times "because he was partially hidden from my view by the bar" and that the bartender was preparing drinks and drying glasses (T.R. (a) p. 37, lines 13-15). The bartender was within six feet of the man talking (T.R. (a) p. 38, lines 9-11). The agent thought the juke box was playing but he was not positive (T.R. (a) p. 39, lines 2-7). The agent was trying to hear all conversations (T.R. (a) p. 41, line 11). The juke box was somewhat loud (T.R. (a) p. 46, line 6).

(b) and (c) Evidence as to the location of the bartenders as to these conversations is contained above under B, (b) and (e).

V

REPUTATION EVIDENCE WAS INADMISSIBLE.

Appellant argues that the testimony by Captain Charles Borland and Officer John Doherty as to the reputation of the licensed premises was inadmissable hearsay and that its admission into evidence was so prejudicial as to require revocation to be set aside or a new hearing ordered.

In that case many witnesses gave their opinion that racetracks create police problems, etc.

- 2. To admit certain evidence under §24200 (e) and then to revoke a license under §25601, under which such reputation evidence would be inadmissible, is prejudicial error. (Objection could not have been made to the testimony of Officer Doherty, (T.R. (a) p. 13, lines 9-14) and Captain Borland (T.R. (a) p. 16, lines 12-16) because it was, at that time, admissible by statute).
- 3. As to the issue of knowledge of the appellant and his employees, this reputation evidence did not supplement or explain any direct evidence, because reputation evidence could not possibly do so. Therefore, if an objection had been made, it should have been sustained.

VI

ADMISSIONS BY BENEDETTI DID NOT SHOW KNOWLEDGE OF ACTS.

The alleged statement made by appellant (but denied by him) to an agent that all of his patrons were "gay" (T.R.(a) p. 71, line 25) and that, as to the employees, only the cook and appellant were "square or straight" (T.R.(a) p. 72, lines 6-7) is an admission only of the presence of persons of homosexual tendencies on the premises, harmless under Stoumen, and not an admission of knowledge of any immoral acts.

VII CONCLUSION

The Department should concede that there is not substantial evidence that appellant or his employees actually knew of any immoral or wrongful act. A more difficult question is: Should they have known? To answer that in the affirmative, the mere presence of persons of homosexual tendencies on the premises is not enough. There should be evidence that appellant or his employees actually participated in immoral acts, as in Kershaw, where an employee was seen grabbing one of the dancers in the buttocks, or observed them, as in Vallerga, where a waitress asked one woman to go to the restroom if she wanted "to continue such activity".

In Benedetti, there were no males dancing with males, no females dancing with females.

The history of sex pervert cases under the Department and its predecessor, the Board of Equalization, shows that there has been a continuing effort to revoke licenses merely because the licensed premises were a hangout for persons said to be sex perverts. There has been a constant struggle between the Department and the Board of Equalization, on the one hand, and the courts, on the other, on this issue.

It is the law, of course, that licenses may be revoked upon substantial evidence. Brice v. Department of Alcoholic Beverage Control, 153 C.A. 2d 315, 314 P. 2d 807. Appellant argues that this type of case has produced two extremes so far as the factual consideration is concerned. One extreme is demonstrated.

strated by the Stoumen case. In that case there were no prohibited acts. At the other extreme are the Kershaw and the Nickola cases. In each of the latter, clearly, there were flagrantly immoral acts observed without question by the licensee or his agents. But the Benedetti case stands in between these extremes. In this case, there is evidence of what the agents have termed "wrongful acts". But the Appeals Board has conceded that neither the appellant nor his employees noticed any objectionable conduct. And there is no substantial evidence they did.

It would not be difficult to obtain information as to the knowledge of the licensee or his agents concerning immoral conduct. If this revocation is not set aside, appellant urges the District Court of Appeal to refer this case to the Department for further hearing in accordance with appropriate directions.

Dated, San Francisco, California, April 5, 1960.

Respectfully submitted,

Ames Murray

Frankuse & Murray

Attorneys for Appellant.

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF CALIFORNIA FIRST APPELLATE DISTRICT

DIVISION TWO

DANTE BENEDETTI,

Petitioner and Appellant,

VB.

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, et al.,

Respondents.

Dist Court of Appeal - First Dist

FILED

DEC. 8,1960

LAWRENCE R. ELKINGTON, Clerk

1 Civ. 19205

Control (hereinafter referred to as "department") filed an accusation against one Dante Benedetti, doing business as "Paper Doll," as an on-sale general licensee of the department, charging violations in two counts of the Alcoholic Beverage Control Act. Count I was subdivided into two parts. Both charged the keeping of a disorderly house in conjunction with licensed premises, Count I(1) alleging disturbance of the neighborhood, Count I(2) injury to the public welfare and morals (\$25601, Bus. & Prof. Code).* Count II charged the keeping of a resort for sexual perverts (\$24200, subd. (e)). The accusation further charged that by reason of the facts therein alleged, the continuance of Benedetti's license would be contrary to public welfare and morals as set forth in Section 22, Article XX of the Constitution of California. Hearings were conducted, the matter was submitted, and on May 16, 1957, the department adopted

^{*}All section references hereinafter are to be the Business and Professions Code, unless otherwise indicated.

ORIGINAL

1 Crvn No.

19,205

In the

District Court of Appeal

State of California

Court of Appeal a First Dist. FIRST APPELLATE DIS

Division Two

Petitioner and Appellant

DEPARTMENT OF ALCOHOLIC BEVERAGE CON-TROL; RUSSELL MUNRO, Director, Department ! of Alcoholic Beverage Control, State, of California; Gus Phillips, Acting Supervising Agent, Department of Alcoholic Beverage Control, State of California; Alcoholic Beverage Con-TROL APPEALS BOARD; COLEMAN E. STEWART, Chairman, Alcoholic Beverage Control Appeals Board,

Defendant's and Respondents.

APPELLANT'S OPENING BRIEF.

Appeal from the Judgment Entered on July 3, 1959, Denying Petition for Writ of Mandamus, by the Superior Court of the State of California, in and for the City and County of San Francisco. Honorable Orla St. Olair, Judge,

> JAMES MURRAY, MARKUSE & MURRAY. 821 Market Street, Ban Francisco J, California, Attorneys for Appellant.

Benedetti v. Dept. Alcoholic Bev. Control [187 Cal.App.2d 213]

Benedetti v. Dept. Alcoholic Bev. Control, 187 Cal.App.2d 213 [Civ. No. 19205. First Dist., Div. Two. Dec. 8, 1960.]

DANTE BENEDETTI, Appellant, v. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL et al., Respondents. COUNSEL

James Murray and Markuse & Murray for Appellant. Stanley Mosk, Attorney General, and Albert W. Harris, Jr., Deputy Attorney General, for Respondents.

OPINION McGOLDRICK, J. pro tem. fn. *

On August 20, 1956, the Department of Alcoholic Beverage Control (hereinafter referred to as "department") filed an accusation against one Dante Benedetti, doing business as "Paper Doll," as an on-sale general licensee of the department, charging violations in two counts of the Alcoholic Beverage Control Act. Count I was subdivided into two parts. Both charged the keeping of a disorderly house in conjunction with licensed premises, Count I(1) alleging disturbance of the neighborhood,

Count I(2) injury to the public welfare and morals (Bus. & Prof. Code, ?25601). fn. ? Count II charged the keeping of a resort for sexual perverts (? 24200, subd. (e)). The accusation further charged that by reason of the facts therein alleged, the continuance of Benedetti's license would be contrary to public welfare and morals as set forth in section 22, article XX, of the Constitution of California. Hearings were conducted, the matter was submitted, and on May 16, 1957, the department adopted the decision of its hearing officer, thereby dismissing the first part of Count I, and revoking Benedetti's on-sale general license on the bases of Counts I(2) and II severally. Recent Attorneys

Benedetti v. Dept. Alcoholic Bev. Control 187 Cal.App.2d 213 http://www.lawlink.com/research/caselevel3/36967 Benedetti then appealed to the department's decision to the Alcoholic Beverage Control Appeals Board (hereinafter referred to as "board") which concluded that each of the counts [187 Cal.App.2d 215] was supported by substantial evidence. However, although affirming the decision as to Count I(2), the board reversed as to Count II, stating as grounds for said reversal that since the department had elected to revoke the license on the basis of Count I(2) and a violation of section 25601, it could not, on the same evidence, impose the same penalty on the basis of Count II upon the theory that Benedetti was guilty of a second and separate offense. In Vallerga v. Department of Alcoholic Beverage Control (1959), 53 Cal.2d 313 [347 P.2d 909], the Supreme Court held section 24200, subdivision (e), to be unconstitutional, and any question as to the correctness of this ruling is now moot. Benedetti subsequently sought review of the decision by the court below in a petition for writ of mandamus. The court issued an order staying enforcement of the order of revocation, whereupon a hearing

occurred and the cause was submitted. The court subsequently filed findings of fact and conclusions of law wherein it upheld the board's decision, and judgment was entered setting aside the alternative writs and denying a peremptory writ of mandate. Benedetti appeals from this judgment. The board's decision, affirmed by the court below, upheld found." (Pp. 630-631.) (Brodsky v. California State Board of Pharmacy (1959), 173 Cal.App.2d 680-688 [344 P.2d 68], cited by appellant, is in harmony with this decision. In Givens v. Department of Alco the department's order of revocation on the sole ground of a violation of section 25601. [1] Appellant contends, first, that in a prosecution under that section, proof of knowledge by the licensee or his agents of proscribed acts is necessary; second, that the evidence is insufficient to establish such knowledge in the instant case. In Swegle v. State Board of Equalization (1954), 125 Cal. App. 2d 432 [270 P.2d 518], appellant made a similar contention with regard to section 58 of the then Alcoholic Beverage Control Act (now? 25601). In finding this proposition to be without merit, the court said "... Appellant cites numerous cases from other jurisdictions to the effect that 'permit' means knowledge. consent, acquiescence, willingness, as distinguished from passive sufferance. However, in Dorris v. McKamy, 40 Cal.App. 267, 274 [180 P. 645], it is said that 'as defined by Webster and others, "permit" implies no affirmative acts. It involves no intent. It is mere passivity, abstaining from preventive action.' " (P. 438.) In Mercurio v. Department of Alcoholic Beverage Control (1956), 144 Cal.App.2d 626, 630 [301 P.2d 474], the court interpreted the Swegle case as holding that the permission required by the statute does not have to be a "knowing" one [187 Cal.App.2d 216] and that "a licensee can be held to have permitted acts constituting a ... [violation] by a showing that the acts themselves took place. Further on in the opinion, the court said "The very fact that rules and laws providing for violations for which disciplinary action may be taken, provide that some violations must be 'knowingly' done [? 24200.5, subd. (a)] and as to others the word 'knowingly' is omitted, indicates that in the latter cases there is no requirement that the violations be knowing ones. 'Knowingly' not being required in either rule 143 or section 24200, the use of that word in the accusation was immaterial and is not necessary to be Alcholic Beverage Control (1959), 176 Cal. App. 2d 529, 534 [1 Cal. Rptr. 446], the appellant argued that in as much as the findings of the hearing officer showed that he had made reasonable attempts to control his customers, those findings did not support the determination that he was guilty of a violation of section 24200, subdivisions (a) and (b), and section 25601. The court, however, found that as used in the context of section 25601, "suffers" means "to permit, allow, or not to forbid activities which constitute the premises a 'disorderly house.' Since an on-sale licensee has an affirmative duty to maintain properly operated premises [citation], and since acquiescence is nonetheless permission or sufferance within the purview of section 25601 [citing Swegle], Givens failed to perform his statutory duty. The law requires more than that a licensee make some colorable efforts toward the maintenance of lawfully conducted premises. The law demands that he in fact so conduct his business that it meets the minimum requirements of decency and morality. If, as in this present case, the overwhelming evidence shows that the tavern is in fact a 'disorderly house,' there can be but one conclusion: that the licensee has permitted or suffered such a condition to exist. ..." Since appellant does not contest that the evidence is sufficient to support the judgment, although refusing to concede its accuracy, we deem it unnecessary to summarize the evidence produced before the hearing officer. [2] The rule that although the factual

determinations of the department may be set aside upon a showing of a lack of substantial evidence, a court may not reweigh the evidence or assess the credibility of witnesses (Mercurio v. Department of Alcoholic [187 Cal.App.2d 217] Beverage Control, supra; Brice v. Department of Alcoholic Beverage Control (1957), 153 Cal.App.2d 315 [314 P.2d 807]), therefore obviates further discussion in this regard. [3] In addition, the appellant claims that the hearing officer erred in receiving testimony to the effect that the premises in question have a reputation for being a "hangout for homosexuals," and in this connection, he urges that this was inadmissible hearsay and its receipt in evidence constituted reversible error. It is to be noted that there was no objection to this testimony during the hearing because the now invalid section 24200, subdivision (e), provided that in addition to any other legally competent evidence, the character of the premises as "a resort" for sexual perverts might be proved by general reputation. There is evidence in the record placing appellant's employees in the near proximity of the wrongful acts. There is also evidence which supports an inference that the employees were aware of the continuing misconduct, viz., on the instance occurring on May 13, 1956, following the occasion when a patron named John Cowgill invited Agent Johnson to engage in a lewd act. After Johnson left the bar with Cowgill and placed him under arrest, Johnson returned to the bar and asked Police Officer Tregoning to come outside. At this time, the bartender, Rick, warned Tregoning, who was not known to be a police officer, not to go outside with Johnson. The bartender said that several arrests had been made the night before; it would be all right as long as he did not leave the premises. Moreover, there was also evidence, unobjected to and clearly admissible in view of the acts alleged in the accusation, that appellant himself had characterized the patrons of the "Paper Doll" as being "gay" (synonymous with homosexual). Appellant also stated that in the "Paper Doll," only he and the cook named Johnny were "straight" or "square." Furthermore, section 11513 of the Government Code makes hearsay admissible in this type of administrative hearing and this applies to evidence of reputation as well as to any other type of hearsay. (Swegle v. State Board of Equalization, supra; 19 Cal.Jur. 2d, ? 383, p. 116; 2 Cal.Jur.2d, ? 147, p. 251.) Therefore, no effective objection to its introduction could have been interposed even in lieu of section 24200, subdivision (e). Benedetti v. Dept. Alcoholic Bev. Control 187 Cal. App.2d 213

While it is true that section 11513 specifies that whereas hearsay may be used for the purpose of supplementing or explaining any direct evidence, it shall not be sufficient in itself to support a finding unless it would be admissible over [187 Cal.App.2d 218] objections in civil actions. However, as we have noted above, no contention is made as to the substantiality of the direct evidence herein of such homosexual activities on the premises which has been repeatedly held to be within the purview of section 25601. It is our view that the complained-of hearsay is merely supplementary thereto and nothing more. [4] Finally, it should be noted that in the department's original decision, it was determined that the continuance of appellant's license would be contrary to public welfare and morals within the meaning of those terms as used in section 22, article XX, of the Constitution of California. In Vallerga v. Department of Alcoholic Beverage Control, supra, the Supreme Court reversed a judgment denying a writ of mandamus to compel the department to set aside its revocation grounded to a violation of the

invalid section 24200, subdivision (e), despite the fact that there was sufficient evidence to sustain a revocation on said constitutional grounds. However, in that case, the trier of fact had made no findings with regard to this evidence and, furthermore, the accusation failed to put the licensees on notice that their license might thereby be revoked. Thus, to

have sustained the revocation under the constitutional provision would have violated due process of law. Neither the accusation nor the findings present such an impediment in the instant case. Appellant refrains from contending otherwise, and from charging that the licensee's knowledge of the facts is required under section 22, article XX, of the Constitution of California, confining his objection to the argument that because the board sustained the department on a different ground, this court is restricted to a consideration of that ground only. It is our view that no such restriction exists.

Judgment is affirmed.

Draper, Acting P. J., and Shoemaker, J., concurred. Assigned by Chairman of Judicial Council. All section references hereinafter are to be the Business and Professions Code, unless otherwise indicated.

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APPENDIX (D)

Historian Nan Alamilla Boyd & the Gay Ghosts of Queer Old North Beach

Posted June 9, 2014 by RADAR in RADAR General Interest 683 0 0

We caught up with Nan Alamilla Boyd, author of <u>Wide Open Town</u> and our resident historian for the June 21 event <u>Step Back: A Walking & Reading Tour of Queer Old North Beach</u>, at the airport as she was heading to DC. She was invited to participate in a convening of 12 historians, hosted by the Department of the Interior and National Parks Service, to talk about the possibility of establishing LGBT landmarks through the National Parks Service. #Exciting! She said that as she's prepared for this meeting, queer old North Beach hasn't been far from her mind:

"Historic queer north beach is a space that has been completely forgotten about. When you think about San Francisco's queer history you think about the Castro, maybe you think about <u>Valencia</u> because of Michelle Tea's book, and maybe if you have a good historical memory you think about Polk Street. But most people have no idea that North Beach has such really vibrant queer history. This tour enables us as a collectivity to think of queer history in a much more complex fashion because North Beach was always understood to be an Italian neighborhood or a tourist neighborhood or the place where the Beat Movement happened but there was quite a bit of queer history there."

Sexuality, vaudeville, tourism & Freud...

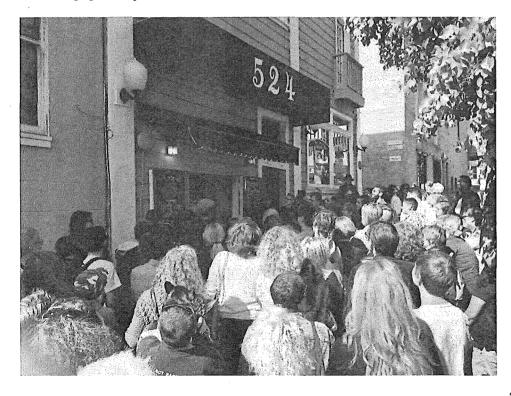
"North Beach was a tourist space; it was a space where sexualized entertainment was permissible. It was also a liminal space where queer space evolved – at the border of Chinatown and North Beach, which were both cultural enclaves but also tourist spaces where the notions of what was proper or normal were stretched. And there was a commoditized sexualized tourist culture in both Chinatown and North Beach. So the environment was ripe for the emergence of queer culture and communities. They started with gender transgressive entertainment, like male and female impersonator shows. These were holdouts from late 19th century/early 20th century vaudeville. Vaudeville was a form of popular American entertainment that wasn't really understood to be queer, but in the early 20th century those forms of entertainment were queered by sexology and Freudian theory."

And then came the repeal of Prohibition...

"With the repeal of Prohibition in 1933 there was this opportunity for people to make money from the sale and consumption of alcohol again. One way this happened in North Beach was through staging these queered versions of old Vaudeville female impersonator shows. This male impersonator show at Mona's evolved and caught on and was super popular. It was through this bending – or queering – of a holdout from Vaudeville entertainment style that we had this emergence of a nascent queer culture. From these commoditized tourist spaces more 'authentic' queer spaces began to emerge."

One of the stops on our walking tour is...

"The Paper Doll, super popular in the early 1950s, was a little bit off the beaten path. It was far enough away from the commercial strip that it was much more of a cultural enclave. It was a queer bar for queer people first rather than a queer bar for tourists first. Alongside the tourist culture were these more community based spaces like Paper Doll through which a cultural community evolved and eventually solidified. I argue in my book, *Wide Open Town*, that in these community spaces there began to evolve a political awareness. It took place inside bars rather than in formal spaces where other movements were convening. That these communities were forming at bars — where everyday people hang out — indicates the populist roots of queer culture, rather than seeing the politicization of queer culture through some elite enterprise. This process was really democratic, cut across class, and was really gender transgressive as well. It wasn't that clean, gender-appropriate movement that emerged in the 1950s. I think the roots of San Francisco's strong queer political movement is in these truly queer and gender transgressive populist spaces, which at that time were the bars of North Beach."



Join RADAR on Saturday, June 21, 2014, 4pm (PROMPTLY) at City Lights Books - 261 Columbus Avenue in San Francisco as we reclaim queer space and salute the gay ghosts of North Beach on a walking tour that explores the neighborhood's queer history. Nan Alamilla Boyd, author of Wide Open Town: A History of Queer San Francisco to 1965, leads the way, revealing the secret histories of today's local businesses and painting a picture of a place once

swinging with lesbian and trans nightlife. Featuring special pop-up performances by Lil Miss Hot Mess, Kat Marie Yoas, Maryam Rostami, Mason J, Miss Rahni, Rhiannon Argo and Raquel Gutierrez.

SAN FRANCISCO HISTORICAL SOCIETY P.O. Box 420569 San Francisco, California 94142-0569 415.775.1111

January 10, 2001

524 Union Street 76 Brentwood Ave San Francisco, CA 94127-2237

Dear San Francisco Property Owner:

The San Francisco Historical Society has applied to the Department of Public Works for a permit to install additional bronze plaques in the sidewalk to mark the Barbary Coast Trail. We have applied for this permit to make it easier for walkers to follow the route and to raise awareness of the trail, which connects twenty of San Francisco's most important historic sites. Since the trail passes in front of your property at 524 Union Street, we may wish to install a bronze trail plaque in the sidewalk fronting your building. We are notifying you for two reasons:

First, if you have any concerns or objections to a Barbary Coast Trail plaque being set in the sidewalk fronting your property, please contact Nick Elsner of the Department of Public Works. Mr. Elsner can be reached by phone at 415 554-6199 or by mail at Department of Public Works; Bureau of Street Use and Mapping; 875 Stevenson Street, Room 460; San Francisco, CA 94103. Also, the Department of Public Works has scheduled a public hearing on Wednesday, January 31, 2001 at 9:00 AM at City Hall, 1 Dr. Carlton B. Goodlett Place (formerly 400 Van Ness Avenue), Room 400 to consider this proposal.

Second, we are offering you the first opportunity to sponsor a plaque in front of your property. These durable bronze plaques were honored with an award by San Francisco Beautiful. Should you decide to become a sponsor, your name or any name(s) you chose up to 45 letters and spaces will be permanently cast into the plaque. To see an example of this, please walk to either corner of the block where your property is located. The cost to sponsor a plaque is \$2,200.

We hope you will join our efforts to preserve and promote San Francisco history. The San Francisco Historical Society is a non-profit 501(c)(3) organization, chartered by the State of California. If you have questions please call us at 415 775-1111 and leave your name and number. Your call will be returned promptly. Thank you for your support.

Sincerely,

Daniel Bacon

Executive Director, Barbary Coast Trail

Selected literary references to the Paper Doll.

A Restricted Country: Essays and short stories by Joan Nestle

A Place For Ourselves: Lesbian, Gay, and Bisexual Community Histories edited by Brett Beemyn

A Touch of Noir By L.M. Giannone

Baby, You are My Religion: Women, Gay Bars, and Theology Before Stonewall By Marie Cartier

Bohemian San Francisco by Henry Herman Evans

Creating a Place For Ourselves: Lesbian, Gay, and Bisexual Community Histories edited by Brett Beemyn

Cultural Studies edited by Lawrence Grossberg, Cary Nelson, Paula Treichler

Gay and Lesbian San Francisco By William Lipsky

Gaylaw: Challenging the Apartheid of the Closet By William N Eskridge

Naked in the Promised Land By Lillian Faderman

Poet Be Like God: Jack Spicer and the San Francisco Renaissance By Lewis Ellingham, Kevin Killian

Portable Childhoods By Ellen Klages

Reborn: Early Diaries by Susan Sontag

San Francisco, Open Your Golden Gate!: Memoir By Larry R. Oberg

San Francisco Noir: The City in Film Noir from 1940 to the Present By Nathaniel Rich

Sapphistries: A Global History of Love Between Women By Leila J. Rupp

The Empress Is a Man: Stories from the Life of José Sarria by Michael Robert Gorman

Selected literary references to the Paper Doll.

The Birth of the Beat Generation: Visionaries, Rebels, and Hipsters, 1944-1960 by Steven Watson

The Fabulous Sylvester: The Legend, the Music, the Seventies in San Francisco By Joshua Gamson

The Streets of San Francisco: Policing and the Creation of a Cosmopolitan ... By Christopher Lowen Agee

The Voice of My Brother's Blood: A Love Story By David Charles Craley

Vanished Act: The Life and Art of Weldon Kees By James Reidel

Weldon Kees and the Midcentury Generation: Letters, 1935-1955 By Weldon Kees

Wide-Open Town: A History of Queer San Francisco to 1965 by Boyd, Nan Alamilla

Infinite City: A San Francisco Atlas by Rebecca Solnit, 2010



September 5, 2018

Andrew Wolfram Commission President Historic Preservation Commission 1650 Mission Street, Suite 400 San Francisco, CA 94104

Dear Commissioner Wolfram:

As the fiscal sponsor and partner for the Citywide Historic Context Statement for LGBTQ History in San Francisco, the GLBT Historical Society wholeheartedly endorses the landmarking of the former Paper Doll at 524 Union Street in San Francisco. Not only would this be the first San Francisco Landmark inspired by the LGBTQ HCS, it is a landmark proposed by a property owner who is genuinely committed to honoring her building's LGBTQ history. Truly extraordinary.

LGBTQ historian and scholar Nan Alamilla Boyd was the first to describe the Paper Doll as a "community center" where LGBTQ people could "make friends, find lovers, get information, or plan activities." Public spaces such as the Paper Doll were vital in the formation of San Francisco's LGBTQ communities, especially in the 1940s and 50s when any display of nonnormative sexuality was criminal, and most people viewed nonnormative men and women as pathological. As noted in the LGBTQ HCS, "the concept of public spaces providing the protection needed for establishing and nurturing community is critical to understanding LGBTQ history." The Paper Doll was one of those places.

On a personal note, the Paper Doll has been close to my heart since 2009 when I completed my master's thesis on preserving the history of San Francisco's lesbian community in North Beach. At a time when North Beach was bustling with queer bars and nightclubs, the Paper Doll was unique as the only full-service restaurant catering to these communities. I imagined myself as a lesbian during that period and understood how good it would feel to gather in one of those famous booths for a meal with like-minded women in a place that not only tolerated but welcomed us.

Thank you for your consideration of this landmark!

Sincerely,

Shayne E. Watson Founding Chair GLBT Historical Society Historic Places Working Group



MUSEUM

WWW.TENDERLOINMUSEUM.ORG

398 EDDY STREET, SAN FRANCISCO, CA 94102

415-351-1912

Dear Historic Preservation Commission,

The Tenderloin Museum enthusiastically supports efforts to landmark the Paper Doll site at 524 Union.

As a historical institution with exhibits and programming that shares the history of marginalized groups (that are often ignored in history books), the Tenderloin Museum sees the Paper Doll as having tremendous historical value. Commemorating the Paper Doll promotes LGBTQ history, specifically Lesbian history, which is frequently overlooked in traditional LGBTQ narratives.

The Tenderloin Museum produced a popular play about the Compton's Cafeteria Riots, which ran from Feb-May of this year. The play shared the history of trans women in the Tenderloin neighborhood and a riot that occurred in 1966, three years before the more famous Stonewall riot in New York. Educating the public about this important, little known historical incident highlighted the vital contributions trans women (and many trans women of color) made to the queer civil rights movement. It also highlighted the importance of the Tenderloin, the city of San Francisco, and the vital role our city played in sparking the nationwide queer liberation movement. Compton's directly challenges the narrative that the movement began in New York with Stonewall in 1969.

Granting landmark status to the Paper Doll achieves similar objectives. It shows the vital role San Francisco has played in fostering gay culture and gay civil rights, through the lens of an often overlooked group in the gay community. Mona Sargen, an early manager of the Paper Doll who went on own the first lesbian clubs in the city is a criminally unknown queer civil rights hero. Championing her and the Paper Doll, is incredibly important in telling a more complete story about gay life and gay activism, as well as challenging traditional, incomplete narratives about the movement.

Let me know if I can be of any service in promoting this important history.

Sincerely,

Katie Conry

Executive Director

Tenderloin Museum

September 23, 2018

Andrew Wolfram, Commission President Historic Preservation Commission 1650 Mission Street, Suite 400 San Francisco, CA 94104

Dear Commission President Wolfram and Historic Preservation Commissioners:

It is my pleasure and honor to write this letter in support of granting landmark status to the building located at 524 Union Street.

The years my father, Dante Benedetti, owned the Paper Doll is just one short period of its history, but one that could not be more San Franciscan. Being a native, I remain proud of my heritage and my birthplace. San Francisco has been on the forefront of many cultural shifts through its history, making 524 Union a landmark is one way to call out again how its citizens have stepped up and made the city great.

My father owned the Paper Doll Club/Restaurant located at 524 Union Street from the mid 1950's to the early 1960's. Although most often recognized for the work he did with San Francisco youth for over five decades or saving the baseball program at U.S.F. or being lifelong friends with Joe DiMaggio with whom he grew up, I have been as equally, if not prouder, of the integrity he held in regards to the Paper Doll.

When he bought the Paper Doll that hosted gay clientele in the mid 1950's, he held the same standards he had always held at our family's restaurant, the New Pisa: customers were treated with respect, but they were also expected to comport themselves with respect towards others. A man steeped in his Italian heritage, my father did expect all to maintain a certain decorum in public.

As at the New Pisa, his sense of protecting his customers was just as fervent at the Paper Doll, but it was more tested at 524 Union. Unfortunately, there were often people who did not approve of the LGBTQ community, but who would come into the restaurant to cause problems. My father and his cook would usher them out the door, and often needed to resort to physically removing them from the premises and away from the alley that bordered the Club. Having at one time being an amateur boxer aided the situation.

A common practice for restaurant owners while my grandparents and father owned the New Pisa from the 1920's through the 1970's, was to offer meals to the police officers on the beat, sometimes a flat of raviolis to take home or even a good sized prime rib. However, at the Paper Doll as at other establishments that served the LGTBQ community, police also expected payments each month or, if no payment was made, they would claim indecent acts were taking place.

True to form, and holding steadfast to his principles, knowing that the Paper Doll was a legitimate restaurant and bar, and a place where his customers, who happened to be gay, gathered, my father refused to be extorted because he knew his customers were doing nothing wrong. When he refused to pay the police, the Paper Doll was shut down, with my father ultimately losing his liquor license.

My parents spent their entire life savings fighting the case in court, going all the way to the U.S. Court of Appeals, with my father's attorney finally convincing him to give up. With no money left, and with no hope of winning, he decided to stop pursuing his case. Even though my father still owned the building at 524 Union until the early 1970's, he and our family were never able to recover financially from his legal battle for his license with the Paper Doll.

Although I did not know the full story until I was an adult, I do have some memories of the time, knowing the period when we didn't have much money, lucky to have other family who helped. But more importantly, I remain exceptionally proud of the principles and character my father had, even when it meant losing almost everything. As a straight man who stood up for the LGTBQ community and for his principles in the face of opposition from those in power, I will be forever proud.

When my father died in 2005, several gay men attended his memorial, remembering all those years later how he had stood up for them, providing them a safe place to enjoy a meal or share a drink.

My sister and I both chose working with youth in schools as a result of the influence and inspiration we received from watching and knowing our father had served the public and the community. My sister is a retired public school teacher and I am currently the Head of School at Julia Morgan School in Oakland, serving mostly girls coming from public schools, readying them to be strong young women, learning to advocate for themselves and others before they go to high school. I want these young girls and young women to do exactly as my father did, standing up and speaking out for what is right and for those who might not otherwise have a voice.

I applaud the consideration the Commission is affording 524 Union St. and urge you to grant it the landmark status it deserves.

Sincerely, Sandra Luna

Sandra Luna P.O. Box 290 Lagunitas, Ca 94938 (415) 497-8971

1930 Parkview Terrace San Diego, CA

92037

lillianf@mail.fresnostate.edu

858 291 8430 August 24, 2018

Andrew Wolfram, Commission President Historic Preservation Committee 1650 Mission Street San Francisco, CA 94104

Dear Commission President Wolfram,

I am writing in support of the nomination to have the site of the Paper Doll at 524 Union Street declared a San Francisco landmark. I lived in San Francisco from 1959 to 1962. Already in 1959, the Paper Doll was legendary and was recommended to me as a wonderful meeting place for "gay women" (as we called ourselves then).

I had several subsequent occasions to visit the Paper Doll. It was different from the lesbian bars I had frequented in that it was much more upscale—it even served dinners! It gave those of us who were its patrons a much-welcomed feeling (rare in gay and lesbian venues of that day) that here was a decent place in which to meet people and carry on a social life such as the external society wanted to deny us. That feeling was crucial to our well-being, and it would be difficult to exaggerate how rarely it was permitted to us elsewhere.

The Paper Doll has been recognized in recent years in the work of several LGBTQ historians. It surely deserves to be recognized as well by San Francisco's Historic Preservation Committee as being a landmark of San Francisco's LGBTQ history.

Sincerely,

Lillian Faderman, Ph.D. Professor Emerita, California State University, Fresno Author of Odd Girls and Twilight Lovers, Gay L.A., The Gay Revolution, and Harvey Milk: His Lives and Death From:

Dennis Hong

To: Cc: Ferguson, Shannon (CPC)

Subject:

Peskin, Aaron (BOS); Yan, Calvin (BOS) A Land MarkNorth Beach case Paper Doll Friday, September 28, 2018 4:16:49 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon Shannon, Dennis Hong here, district 7. Retired, a native and still a resident of San Francisco for 70 plus years. In the past I have not submitted comments on Landmark cases, mostly DEIRs, 311's and that type. This notice just screamed and popped out at me and I had to chime in and in full support of it. I will try to track it and look forward to it's approval. So, I really need everyone's help!

With that said, I did not know who to write to in support of this Landmark Status - recommendation. Wow, it has been way to many years that I came across the word Paper Doll. You see I moved out of District 3 in the mid 70's. I grew up in that little alley, Bannan Place since 1952 +/- right across the street. At one time they even attempted to change it's name, thank god they did not. I may be weird, but I enjoyed the noise Paper Doll created, no problem sleeping either. Always thought of the Paper Doll as unique and a wonderful benefit to North Beach. Lively too.

Growing up in North Beach I missed the smell of the baking of the french bread, the roasting of the coffee, the baking of the pizza, the street fairs, even went to the very first one in the fifties and then some. Oh must not forget that big market Bon Gusto on Green Street, the Green Valley Restaurant, on and on....

Made that big mistake when I moved out of District 3. I

still visit North Beach - Chinatown weekly. This land mark status would be a big benefit to North Beach and district 3.

I trust this email works. Could you please share this with the Commission and others at the Oct 17, Meeting?

If anyone has any questions to my usual rambling email, please feel free to reach to me at this email.

Best regards,



Steven Wong Ready State, LLC. 524 Union Street San Francisco, CA 94133 Tel: 650.396.2557

August 27th, 2018

Andrew Wolfram, Commission President Historic Preservation Commission 1650 Mission Street, Suite 400 San Francisco, CA 94104

Dear Mr. Wolfram,

I am the cofounder of Ready State, the business that currently operates out of 524 Union Street. I am writing to endorse the application for landmark status of this building to the Historic Preservation Commission.

As a content marketing agency, we naturally thought it appropriate to tell the story of this building, and were delighted by what we uncovered. From its origin as The Paper Doll Club, to serving as the studio for Harlem Renaissance sculptor, Sargent Claude Johnson, and housing the editorial team for Ramparts magazine, which was incidentally where Jan Werner interned before founding Rolling Stone magazine, this building is steeped in history and serves as an inspiration for us.

I believe that recognizing this building as a landmark will help preserve the San Francisco history it has housed, especially in this time of rapid change.

Sincerely,

Steven Wong

Co-founder, Ready State

Ready State, LLC 524 Union Street, San Francisco, CA 94133

Office: 650.396.2557 E-mail: hello@readystate.com Web: readystate.com

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date:

Monday, June 3, 2019

Time:

1:30 p.m.

Location:

Legislative Chamber, Room 250, located at City Hall 1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subjects:

File No. 181107. Ordinance amending the Planning Code to designate 524 Union Street (aka Paper Doll), Assessor's Parcel Block No. 0103, Lot No. 009, as a Landmark under Article 10 of the Planning Code; affirming the Planning Department's determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of

Planning Code, Section 101.1.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in this matter, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to this matter are available in the Office of the Clerk of the Board. Agenda information relating to this matter will be available for public review on Friday, May 31, 2019.

Angela Calvillo, Clerk of the Board

DATED/MAILED/POSTED: May 24, 2019

October 30, 2018

Ms. Angela Calvillo, Clerk
Honorable Supervisor Aaron Peskin
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

2018 NOV -7 PM 12: 58

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: **415.558.6377**

Re:

Transmittal of Planning Department Case Number 2017-001773DES:

524 Union Street Landmark Designation (Paper Doll)

BOS File No: _____ (pending)

Historic Preservation Commission Recommendation: Approval

Dear Ms. Calvillo and Supervisor Peskin,

On October 17, 2018 the San Francisco Historic Preservation Commission (hereinafter "HPC") conducted a duly noticed public hearing at a regularly scheduled meeting to consider a recommendation for a community sponsored landmark designation for 524 Union Street, known historically as the Paper Doll, to the Board of Supervisors. At the hearing, the HPC voted to approve a resolution to recommend landmark designation pursuant to Article 10 of the Planning Code.

The proposed amendments have been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2).

Supervisor, please let the clerk's office know as soon as possible if you wish to take up sponsorship of this ordinance.

Please find attached documents relating to the HPC's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

Aaron D. Starr

Manager of Legislative Affairs

cc:

Erica Major, Office of the Clerk of the Board Andrea Ruiz-Esquide, City Attorney's Office

Lee Hepner, Legislative Aide

Transmital Materials

CASE NO. 2015-004168DES Landmark Designation Ordinance

Attachments (one copy of the following):
Draft Article 10 Landmark Designation Ordinance
Historic Preservation Commission Resolution Nos. 971, 9XX
Planning Department Memo dated October 17, 2018
Planning Department Case Report dated September 5, 2018
Article 10 Landmark Designation Fact Sheet
Landmark Designation Application