

SAN FRANCISCO PLANNING DEPARTMENT

HEARING DATE:	October 17, 2018
CASE NUMBER:	2017-001773DES
PROJECT ADDRESS	524 Union Street
BLOCK/LOT	0103/009
TO:	Historic Preservation Commission
FROM:	Shannon Ferguson Preservation Planner, 415-575-9074
REVIEWED BY:	Tim Frye Historic Preservation Officer, 415-575-6822
RE:	Landmark Recommendation Resolution

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

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Planning Information: 415.558.6377

On September 5, 2018, the Historic Preservation Commission (HPC) adopted Resolution No. 971 to initiate Article 10 landmark designation of 524 Union Street, known historically as the Paper Doll (subject property). Under Article 10, initiation and recommendation are two distinct steps of the landmark designation process which require separate hearings and resolutions.

The project sponsors have updated the attached landmark designation report to include additional photos and information on the property's long history. The Department also received one additional letter in support of designation from Sandra Luna, daughter of Dante Benedetti.

The item before the HPC is consideration of a Resolution to Recommend Article 10 landmark designation of the subject property to the Board of Supervisors. Attached is a draft Resolution to recommend approval to the Board of Supervisors the designation of 524 Union Street, the Paper Doll, as a San Francisco landmark under Article 10 of the Planning Code, Section 1004.1.

The Planning Department (Department) recommends adopting this Resolution.

ATTACHMENTS: Draft Resolution Resolution 971 Designation Ordinance Landmark Designation Fact Sheet Revised Landmark Designation Report



Historic Preservation Commission Resolution No. XXX

HEARING DATE OCTOBER 17, 2018

Case No.	2017-001773DES
Project:	524 Union Street (aka Paper Doll)
Re:	Recommend Article 10 Landmark Designation
Staff Contact:	Shannon Ferguson (415) 575-9074
	shannon.ferguson@sfgov.org
Reviewed By:	Tim Frye – (415) 575-6822
	tim.frve@sfgov.org

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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. XXX

- 1. 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
- 2. 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 Street 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

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- 7. 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
- 10. WHEREAS, the Department has determined that landmark designation is exempt from environmental review, pursuant to CEQA Guidelines Section 15308 (Class Eight Categorical); and

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 Parcel 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:

NAYS:

ABSENT:

ADOPTED: October 17, 2018



Historic Preservation Commission Resolution No. 971

HEARING DATE: SEPTEMBER 5, 2018

Case No.	2017-001773DES
Project:	524 Union Street (aka Paper Doll)
Re:	Initiate Article 10 Landmark Designation
Staff Contact:	Shannon Ferguson (415) 575-9074
	shannon.ferguson@sfgov.org
Reviewed By:	Tim Frye – (415) 575-6822
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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
- 2. 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. WHEREAS, 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.

Resolution No. 971 September 5, 2018

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

FILE NO.

ORDINANCE NO.

[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. Unchanged Code text and uncodified text are in plain Arial font. NOTE: 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. _____ 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.

_____, 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. _____.

(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. ______, 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.

Historic Preservation Commission BOARD OF SUPERVISORS

(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 ______, the Historic Preservation Commission passed Resolution
No. ______, 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. ______ and is incorporated herein by reference.
(5) On ______, 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. ______. Said resolution is on file with the Clerk of the

(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;
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(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; and
(H) Two entries and stairways to second floor located on 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.

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: DRIA WONG Deputy City Aftorney

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Historic Preservation Commission BOARD OF SUPERVISORS



SAN FRANCISCO PLANNING DEPARTMENT

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/Beverly Smucha
	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
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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.

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 double-hung, 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 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, Beverly Smucha. 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 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 Beverly Smucha 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 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.
- 3. 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).
- 4. *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 1949, 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 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

524 Union Street (Paper Doll) has a period of significance of 1949-1961, beginning with the year it opened and ending when Benedetti sold his liquor license.

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.

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

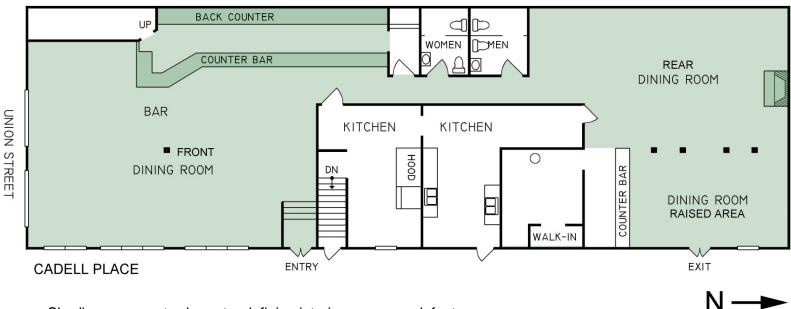
Based on the Department's analysis, 524 Union Street (Paper Doll) is individually eligible for Article 10 Landmark designation as it is associated with significant events and persons. The subject property is significant as one of the earliest lesbian bars associated with the development of LGBTQ communities 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



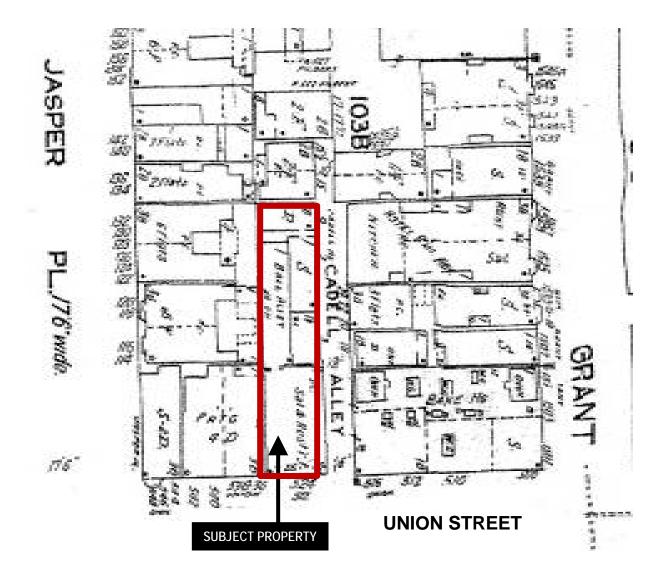


Aerial Photo



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Sanborn Map*



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



Site Photo



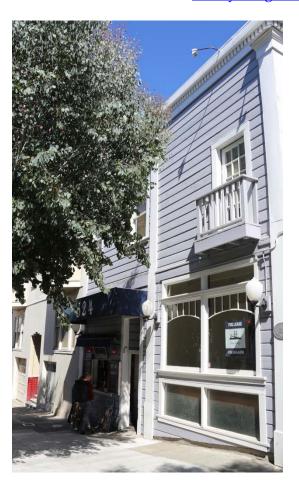


SAN FRANCISCO PLANNING DEPARTMENT

Landmark No. XXX Community-Sponsored Article 10 Landmark Designation INITIATED BY THE HISTORIC PRESERVATION COMMISSION: XXX, X, 2018

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
	shannon.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, CA 94103-2479

Reception: 415.558.6378

Fax: 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, A General Partnership
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	<i>Events:</i> Associated with events that have made a significant contribution to the broad patterns of our history.
	<u><i>Persons:</i></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 to 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.'" ¹
	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, 78.

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.⁴ 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 for the first few years that it was open and was responsible for making it into a gay bar. 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

- ⁶ Ibid., 76.
- 7 Ibid., 78.

SAN FRANCISCO PLANNING DEPARTMENT

³ Ibid., 54-55

⁴ Ibid., 76

⁵ Ibid., 78.

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."¹¹ On May 16, 1957, the Department of Alcoholic Beverage Control revoked Benedetti's liquor

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-	List of Character-Defining Features:
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.

 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.

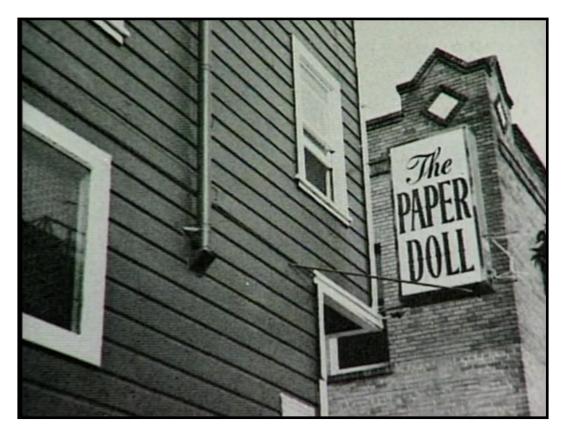


Raised area in rear dining room, view southeast. Not heavy timber framing at left and right.

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.

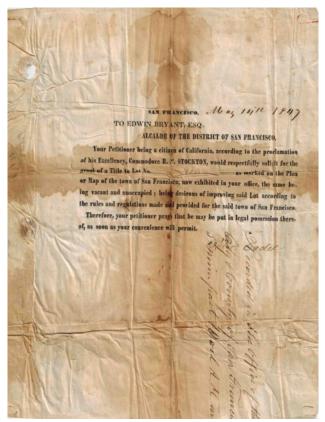


Construction and Occupant History

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 Deed, circa 1847

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.

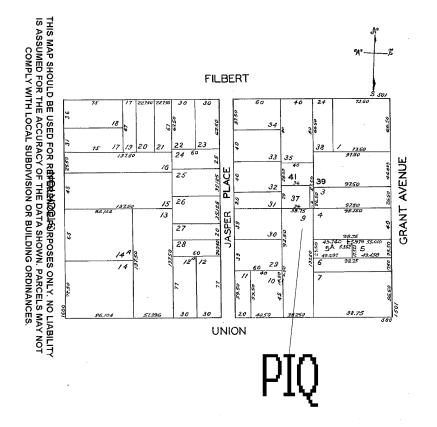
In 1878, a portion of 524 Union Street was leased to house the second location of the groundbreaking Golden Gate Kindergarten Association, inspired by visits from leading Suffragettes and founded by Female philanthropists, the public Hearst Free Kindergartens occupied the property to serve the Barbary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

In 1904-05 as indicated on the 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."⁸ 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 din-
	5. Drinks from 40 cents.
	aper Doll on the south-
	e of Telegraph Hill is a
	leasant spot to get to-
	with friends over a fine
	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.¹² "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."

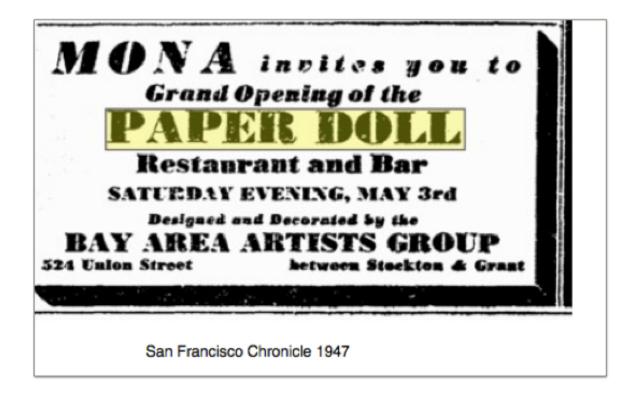
Mona Sargent, "Queen of Telegraph Hill", jailed for a "disorderly house", Courtesy San Francisco History Center, SFPL, 1937

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.



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



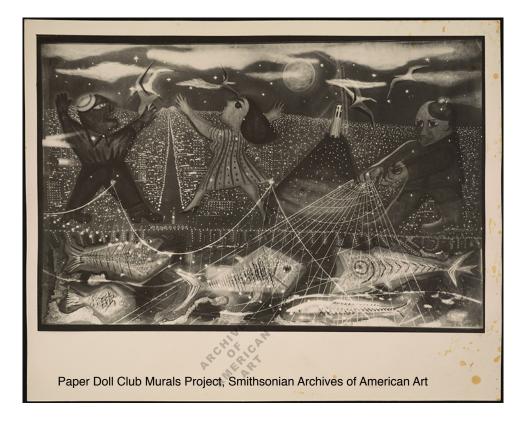
Frida Kahlo with Emmy Lou Packard

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



How's The bas I decorated the "Pape Poll" - The window 15 edge legited plastic -

- 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.





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 15. 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

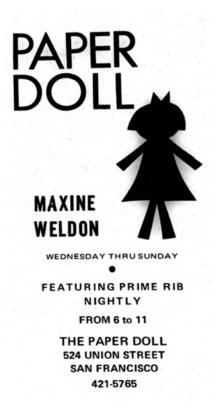
Radical Lesbian rights activist, Elaine Mikels, the founder of Conard House, San Francisco's first halfway house, recalls in her memoir how the Paper Doll offered her refuge. She connected with an artist colony, found a job, met an older Gay man who took her in with lodging, and portrayed it as the first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



ABOVE: 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 last Sixties, Ann Weldon, and her sister, recording artist, Maxine Weldon appeared regularly to standing room only crowds. Grammy, and NAACP Image Award winner Carmen McRae was also a headliner.



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 Beverage Control hearing to decide whether the tavern's liquor license should be revoked. An accusation charges the Paper Doll is a rendezvous for homosexuals and a "disorderly establishment."

Ronald K. Harris, 29, an undercover liquor officer testified Dante Benedetti, 38, owner of the Paper Doll and a guard on the USF football team from 1936 to 1940, told him the club catered to hom<u><u>u</u>sexuals whom he called a "gay" clientele.</u>

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 taverns on grounds they are hangouts for homosexuals.

Other taverns are the Black Cat, at 710 Montgomery street; the Copper Lantern, 1335 Grant avenue; and the Cross Roads, 109 Steuart street.

Only the charges against the Black Cat have been heard.

PNI ICF PRO harge State investigators testified yesterday that indecent proposals wede made to them by S. F. Political Figure patrons of the Paper Doll,72 Reported Involved tavern at 524 Union St. The testimony was given as The police and a State liquor Ivores Dains, a State hearing agent have been investigating officer, opened proceedings aimed at revoking or suspendreports that a bar operator here was told his liquor license troubles could be "fixed" for ing the liquor license of the a price, it was learned yesterestablishment, which is owned day. by Dante Benedetti. A The bar operator was identi-Charges that the Paper Doll was a disorderly establishment fied as Dante Benedetti of the Paper Doll, 524 Union St. His liquor license, was ordered re-voked last May on charges that and a hangout for homosexuals were filed last August by the place was a hangout for the State Department of Al sexual deviates. coholic Beverage Control. Benedetti is currently appealing the revocation order. State Liquor Administrator Russell Munro assigned his own special investigator from Sacramento, Howard H. Meis-ter, 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," Meister 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

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.

him an off-sale liquor license

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 longstanding case by notifying a San Francisco liquor licensee that he is out of business. MAR 1 7 1961 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.





CLUME 4 -- NUMBER 7

R. I. P.



DINE OUT WITH YOUR FAMILY AT THE NEW PISA RESTAURANT

1268 Grant Avenue

Telephone: DOuglas 2-4726

Dante Benedetti, Proprietor

Everyone Enjoys Our

SPECIAL STEAK DINNERS

at the

PAPER DOLL RESTAURANT

524 Union Street

Telephone: DOuglas 2-9835

VOLUME 5-NUMBER 2 -02-0

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

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

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



Dante at New Pisa

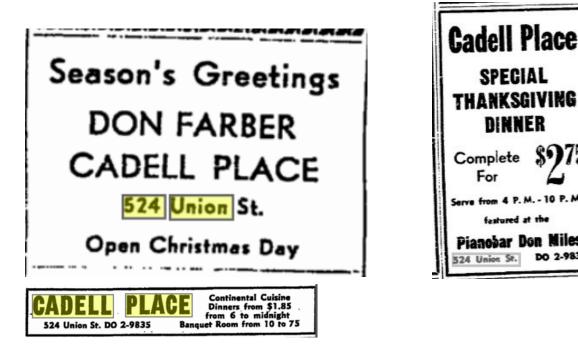
"It was important for me." Dante would say about the Paper Doll episodes. "Not for anything else. Just for my own conscience." he'd say, "I still to this day - I don't think there was anything wrong. No way". ⁵⁹



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".

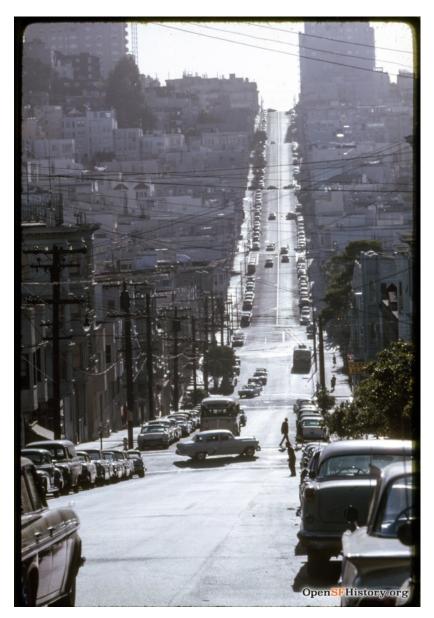


"One day I went into work and everything was gone", according to Farber, elaborating on how Dante had "60, 70 counts against him, he had the best attorneys, and got it down to the 1. He had the best attorneys, they got him on just the one count".

"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. 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. TAVERN GUILD

OF SAN FRANCISCO, INC.

693 MISSION STREET, SUITE 311,

SEP - 6 1966

New Address- 83 Sixth St

Sutter 1-1571

Dear Members and Friends; September 2. 1966 The FANTASY was host at our last meeting, turnout was excellent, keep up the good work. Many thanks to Poppa and the gang for a nice buffet.

SAN FRANCISCO, CALIF. 94105.

Thom O2Malley with his crew will again be out and around doing the voter registration. We sincerely urge all to help them out any way they can. VOTING IS IMPORTANT - MAKE SURE YOU VOTE..

DR. ERWIN ERAFF was the principal speaker of the day. He discussed the new "message parlor ordinance." The topic brought forth a lively and wholesome discussion. Several points remain as yet unclear and open, Dr. Braff will check into these and report back at a future date. The good doctor was well received and anyone not hearing him should 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 morning. We will bring you further news about this at the next meeting.

TREASURER - Dick Petroff has announced his resignation, we are sorry to lose him but he just dosent have the time. We will hold nominations and elect a new Treasurer at our next meeting.

INSURANCE premiums are due, please pay Bob Ross at the next meeting.

CHECK 33 posters are out, and if you as yet do not have one, call the office and we will deliver one to you.

TGSF PICNIC was an outstandig success. Sincerest thanks to all who helped make it so. Please bring all tickets and monies to the next meeting if they have not yet been collected, many thanks.

Our next meeting will be at THE 524 - 524 Union St. Tuesday September 6^{19} at 2:00 pm. Please plan on attending. Our program should be interesting.

Sincerely. 114



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.

The Paper Doll went strong well into 1969 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."

Re-dubbed by Ross as Noah's Ark for a period of 1971, serving teriyaki steaks and signature brunches, with entertainment⁶⁶, and then back to The 524 Club by 1972, it appears Bob Ross returned to operations while sitting as the Tavern Guild's President.

Re-dubbed Noah's Ark for a period of 1971, serving teriyaki steaks and signature brunches, with entertainment⁶⁷, it appears Bob Ross returned to operations while sitting as the Tavern Guild's President.





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.

Let's Eat _____ Danar Doll

Paper Doll Reborn

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 — by Julius

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.

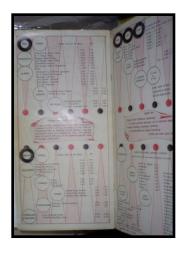
Vector, August 1969.



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 thirstv customers whom they - Continued on Page 36





Paper Doll Menu

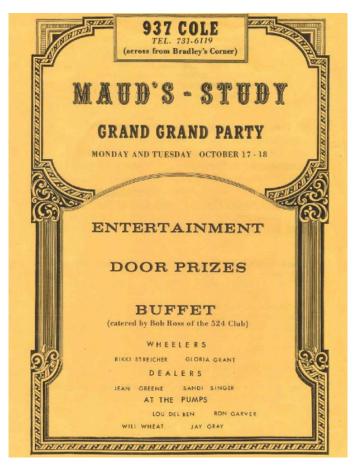
Legacy of the Paper Doll, notable affiliations and alumni

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.



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.

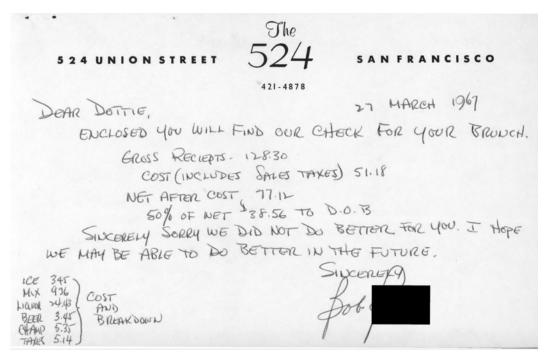
The Paper Doll also gave birth to the Copper Lantern (1335 Grant Ave.), one of the bars raided alongside it. Opened by two former waitresses, and a bartender, they faked a heterosexual marriage to gain ABC licensing.

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.

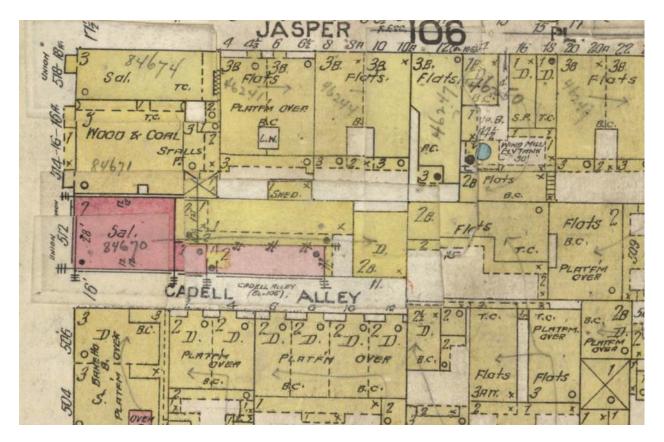


Mexican Liquor Was Seized on Vessel

Two hundred and fifty bottles of tequila were found yesterday by customs inspectors in various parts of the Mexican steamer Chihuahua. 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, 453 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.



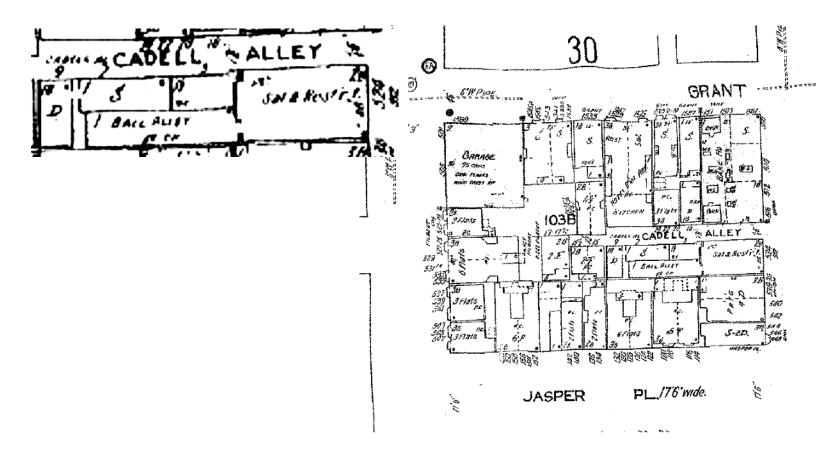
1905 Sanborn Map



RIGHT: 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 Columbus and Union and said, "Ver-ree pretty."



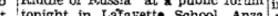


LEFT: Adua Cafe sponsored patriotic Naval recruitment ad, SF Chronicle

In the Districts Elise Perrone is Delighted ith the Entire Prospect

AR-R-ROUND THE TOWN-N-N: No, we aren't narvous-nothing like that . . . See, we're perfectly comhand posed. See?-Isn't that 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 з. is Friday the 13th, a very lucky day £ because it precedes an even luckier f day . . . When we stop roaming 1 around this town as a bachelor e and start striding sedately about as e a married man-well, what will happen then? . . . It isn't that we're 5 trying to be incoherent, it's just that we are incoherent. But that's understandable . . . But we aren't ["That make me very happy" n nervous. Not a bit nervous. Let's be objective, like this: Har- (Notice how cool we are writing g old Wollenberg, director of the about tomorrow night? n

Modern Talking Picture Service, n talks on "Practical Americanism" at tricts" will be taken over by guest 0 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 У A colored sound film, 'The Middleton Family," will be shown . . . If The first one, for Sunday, is by Ed t i that isn't objectivity, pure and sim- Howden, executive secretary of the ple, then what is? . . . Another: San Francisco Housing Association. Ernest Lloyd Harris talks on "The ... Then we will be back next week i+ -





ELISE PERRONE

Starting this Sunday, "In the Disdesk, all ready to be set in type . . o Riddle of Russia" at a public forum in time to get the following Sun-

Elise Perrone "In the Districts" news column, 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)

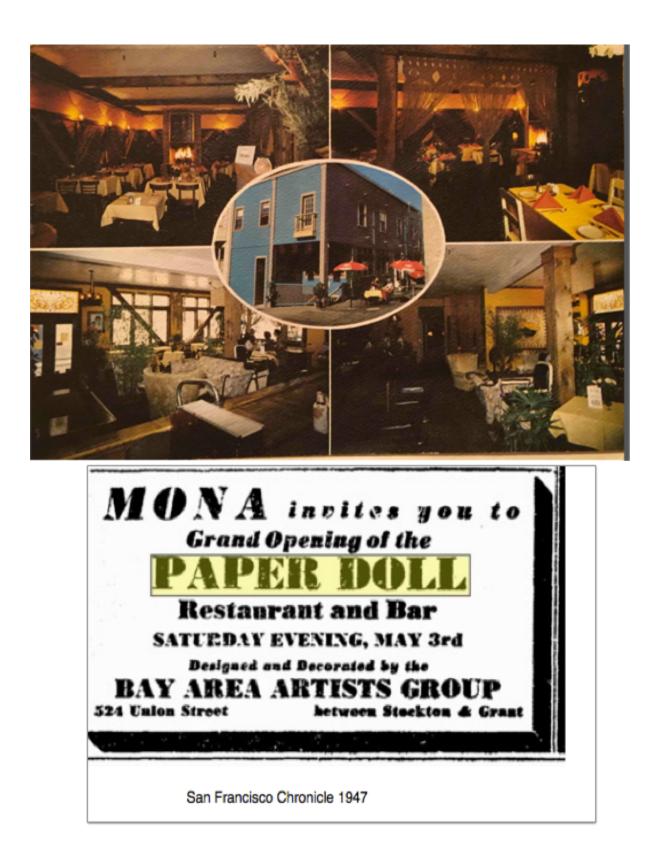
Lovingly restored back to it's pre-Victorian and Victorian glory in 1975, by brothers Steve Russo and Dennis Russo, with a West Coast Craft interior utilizing on site salvaged reclaimed carriage house wood, since copied by many other San Francisco establishments. The corner entryway was moved at request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



Melvin Belli interviewed outside Russo's circa 1976



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.



Whereever he's working is the place to be

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

By Jay Davis THE NAME of the place is the name of the Place.

In this instance, <u>Cadell Place</u> On the one hand an alley off Union just east of Stockton; on the other a bar-restaurant which will be playing host this Saturday evening to the not inconsiderable talents assembled for the occasion by vocalist Bobby McFerrin. An instrumental trio will back him. ack him.

Begin with the voice.

語

"Twe got one of those voices that ... don't want to 'study' with anybody. I on't think I should. My parents taught se that if you run across something and ou can't figure out what it is you ... ou knock down the wall, you find out yourself.

"Of course, I've worked out exercises — or rather I haven't worked them out: I sing intervals; I like to do guttural



day. I made my debut on August o, may a seems like from that point on I was singing the way I do now. Sort of an exploring . . . soaring."

Ponder the ambition

"I want a studio ... so I can do 32-track overdubs. One voice laid over the other; it would start with one voice. I'd love to build something like that one stage. If I had one musical goal that I'd like to reach first it would be the ... a capella, choral improvisation, scatting, all over the wall sort of thing.

"And then for the second half of the oncert . .

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

Music and Food -An Age Old Combination

Cadeli Place

524 Union Street, San Francisco. Serving dinner 6 to 11 p.m. every, evening except Tuesday, and brunch on Sunday from 11 a.m. to 3 p.m. Full bar, Mastercharge and Visa. Reservations accepted. 391-4343.

MUSIC and food are an age old combination — the guartet in Don Giovann's dining room, the supper Clubs. 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 pricey hotel operations. Who would want to est a punk rock mell, anyway? Our modern music goes better with drugs. Honeyes, with drugs. However, there is a timeless little jazz club in North Beach 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.

I first went to Cadell Place to hear a solo jazz planist Jessica Williams, one night and noted that the club-had h hàđ an intimate, friendly feeling, casual but not tacky. Then I returned Sunday morning for brunch on the advice of someone who had eaten it and raved 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 linen, the bar was blending gins fizzes and to top it off, a great jazz jukebox played in the background.

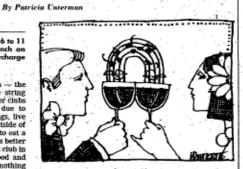
From a small brunch menu that includes mostly omelets and eggs, we chose Eggs Benedict, \$3.75, the test of any kitchen. They turned out to be the best I've had in a restaurant. The eggs were perfectly poached and drained so that there was no water to mar the light, lemony, just made hollandaise that covered them. The thick slice of honey cured Canadian bacon was tender and moist and amazingly enough, the English muffin beneath it all had been crisped on the grill. Each element of this oft abused dish had been carefully prepared.

We also liked Cadeil Place's version of French toast \$2.75, triangles of French bread spread with chestnut purce and deep fried. The excellent Canadian bacon came with it as well as a fresh fruit garnish. Coffee had been freshly made and our cups were constantly refilled. 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 paintings of San Francisco scenes on the walls, fresh flowers on the tables and candle light. The sounds from a jazz ensemble filtering in from the club, separated from the dining room by a hallway, were at just the right pitch — not so loud as to deter 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 zucchini (\$2.50) would have been fine had they not been fried in old, strong tasting oil. They came



also a sauce that tasted of raw cooking sherry. A Plump South Carolina Quali (\$8.95) had been split and skillfully grilled but it was painted with a sweet and sour barbeque sauce that I felt didn't do it justice. The plates Surveque sauce that I felt didn't do it justice. The plates came with crisp slices of yellow and Italian squash tossed with batter and hits of red pepper and tender but not mushy boiled new potatoes. My general feeling was that the kitchen had down the basics and even some sophisticated dishes but they were screwing up on the frills.

So I came back for another dinner and ordered the simplest items on the menu. It worked.

We split a nightly special of linguine and clams (\$7.95) composed of al dente pasta, an unctuous cream and clam liquor sauce loaded with whole baby clams and garaished with fresh clams in the shell. The portions vere huge but we finished them both.

A huge top sirloin steak (\$11.95) came rare as requested. It had been rubbed in herbs and olive oil. Whole fresh green beans were buttery, crunchy and sweet and the new potatoes, again, were firm but fork tendér. My half chicken (\$7.95) also had been marinated with resemary and thyme and cooked slowly on the grill until its skin was crisp and its meat succulent. We took most of our dinner home and they were just as good cold the next day.

From a small, carefully chosen California wine list we recent a small carefully chosen Callorna where are selected a Peterz Zinfandel, 1978, \$7, round, full and smooth and were glad to see the likes of a Geyster Peak Chardonnay, \$7, Dry Creek Chenin Blane, \$5,50 and Robert Mondavi Fume Bianc, \$10, all reasonably priced.

Other dishes likely to be as successful might be fresh snapper broiled and brushed with herb butter (\$7.95) or double cut pork chops (\$7.95) broiled and finished with an apricot and brandy glaze. Cadell's kitchen knows how to grill. They don't overcook their food and they use good ingredients.

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

After dinner 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 pay a cover charge when you go for dinner.

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



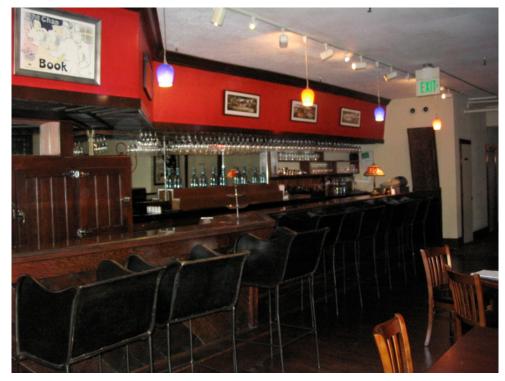
ABOVE: Chronicle review of Bobby McFerrin residency at Cadell Place

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

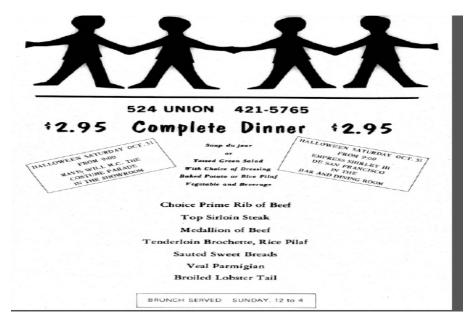
LEFT: Patricia Unterman review, Cadell Place, circa 1980

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. Construction 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 BOOKWO	ORKS, Ltd.	
524 Union Street San Francisco CA 94133 (415) 391-9759 home felt	AKING ENGAGEMENTS FOR DEL MARTIN ON	Publicity and Promotion Editorial Services Book Development <u>THE EAST COAST</u>
WASHINGTON, DC.		
MONDAY, AUGUST 23	(open day) possible interview w	ith <u>Washington Post</u>
TUESDAY, AUGUST 24		
Arrive 8:30am Live at 9:00am (1 hour)	"Nine in the Morning" WTOP-TV 4001 Brandywine St., NW (202) 686-6160	contact: Eddie Madison (ask for him at the lobby and he'll come pick you
NEW YORK CITY		
WEDNESDAY, AUGUST 25		
7:00pm	New York City NOW (Del ha	s address and contact info.)
THURSDAY, AUGUST 26		
7:00pm	Womensbooks and Quants Coll 201 West 92nd St.	contact: Karen London, store manager

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

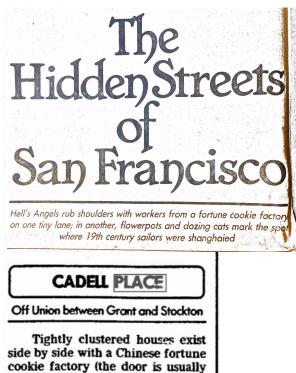
One of San Francisco's oldest European style kiosks, the charming space is rumored to have been the original marquee, or ticket window for the Paper Doll. Retail use has included flower stands, bakery, tea shops, chocolates, a locksmith, handmade jewelry, and currently Hole in the Wall Coffee.

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 Alley, circa 1990



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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APPENDICES

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 (also known as San Carlos) with Bucci Ball Court	est.	1904
Adua Cafe	est.	1936
Restaurant & Bar with Bucci Ball Court.		1044
The Paper Doll Club		1944
(Mona's) Paper Doll	est.	
Cadell Place	est.	1961
(Don Farber's formerly the Paper Doll)		1004
The 524 Club	est.	1964
The 524		
(Owner/Operator: Bob Ross)		1000
The Paper Doll		1968
The Godfather		1971
Rolando's	est.	1971
Noah's Ark	est.	1971
524 Club!	est.	1972
Manhattan Towers	est.	1972
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.	
Le Bordeaux	est.	
LE DUIUEaux	651.	2011

*LGBTQ affiliation in bold

Summary 524 Union Street

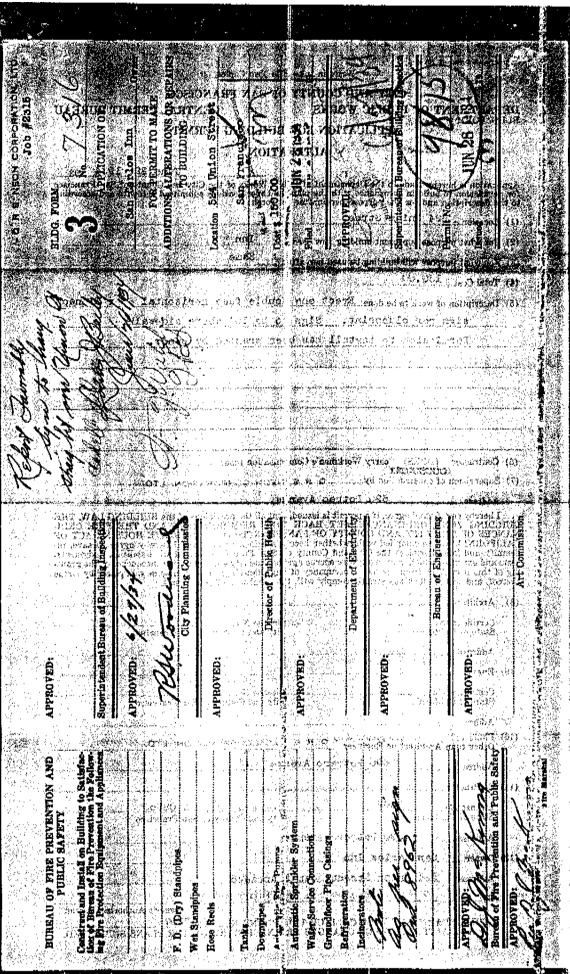
Building Permit Records	<u>Owner</u>	<u>Usage</u>	Dated
Dept. Public Works Alternations Signage	San Carlos Inn	Bar Restaurant	June 22, 1934
Dept. Public Works Alterations Signage	San Carlos Rest.	Bar Restaurant	Oct. 22, 1934
Dept. Public Works Alterations Signage	Adua Cafe	Bar Restaurant	Nov. 19, 1936
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>	Dated
Dept. Public Works Restored Commercial Use 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 page 2 of 3	The Field	Bar & Restaurant	Oct. 7, 1999

Summary 524 Union Street

Building Permit Records	<u>Owner</u>	<u>Usage</u>	Dated
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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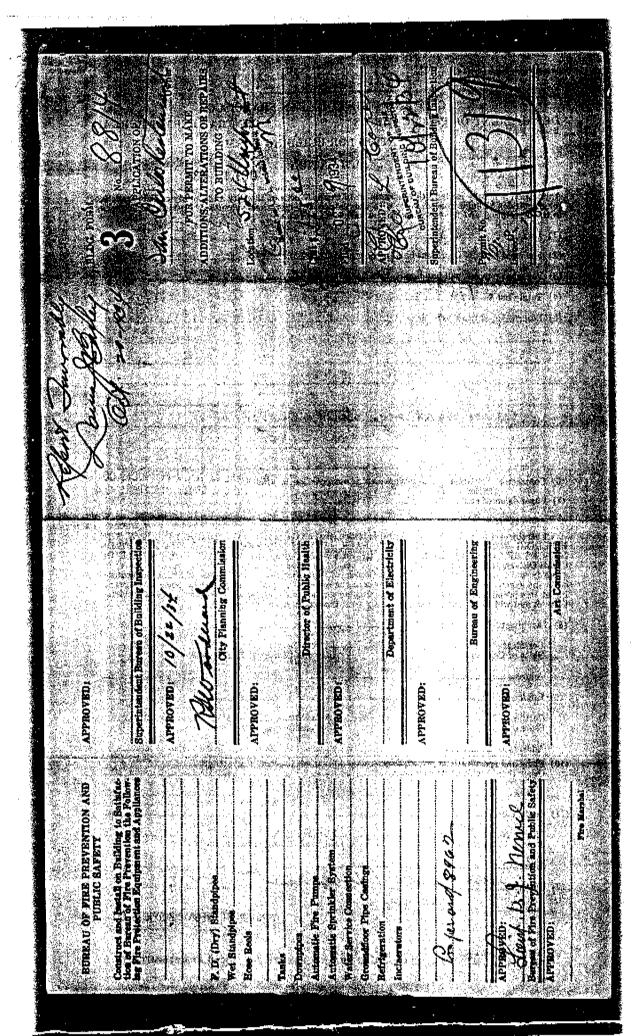
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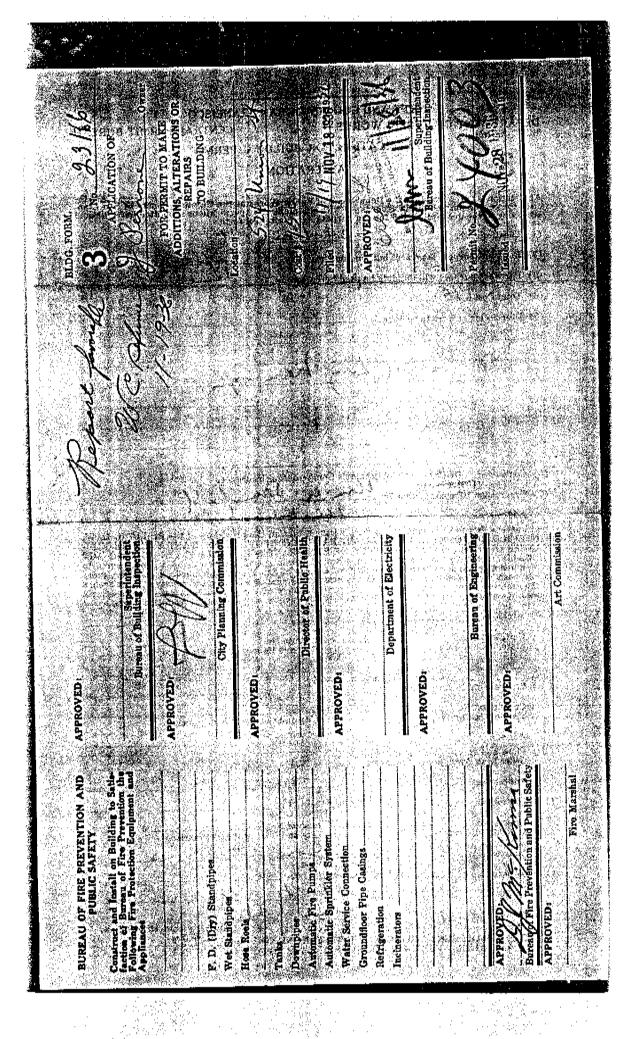
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的现在分子生的复数形式 He HE Write in Ink-File Two Copies CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS BLDG FORM CENTRAL PERMIT BUREAU APPLICATION FOR BUILDING PERMIT 3 ALTERATION Application is hereby made to the Department of Public Works of the City and County of San Fran-cisco for permission to build in accordance with the plans and specifications submitted berewith and according to the description and for the purpose hareinafter set forth : (1) Location (2) For what purpose is present building now ite Sa(3) For what purpose will building be used fiers (4) Total Cost \$ 150 (5) Description of work to be done Se 27 - 531 Nel Com i de la c 23 1.3.4 والمتحج المراجع (6) Contractor (DOFS) (DOES NOT carry Wos (7) Supervision of construction by Address I hereby certify and agree, if a permit is issued, that all the provisions of the BUILDING LAW. THE BUILDING ZONE ORDINANCES, SET BACKLING REQUIREMENTS AND THE FIRE ORDI. NANCES OF THE CITY AND COUNTY OF SAN FRANCISCO and the STATE HOUSING ACT of CALIFORNIA will be complied with, whether berein specified or not; and I hereby agree to ments, costs and expenses which may in snywise accrue against said city and county in consequence of the granting of this permit, or from the use or occupancy of any sidewalk, street or sub-sidewalk placed by virtue thereof, and will in all things strictly comply with the conditions of this permit. (8) Architect Certificate No. License No. City and County of San Francisco State of California Address اليرس (9) Engineer 100 Certificate No______ State of California Leonae No γ. City and County of San Francisco Address ... (10) Plans and specifications prepared by Other than Architect or Engineer...... 64. Address (11) Contractor. License No_____ State of California City and County of San Francisco Address. (12) Owner_ Address ihi Ma i By. THE DEPARTMENT WILL CALL UP TELEPHONE NO. 60975 IF ANY ALTERATIONS OR CHANGES ARE NECESSARY ON THE PLANS SUBMITTED.



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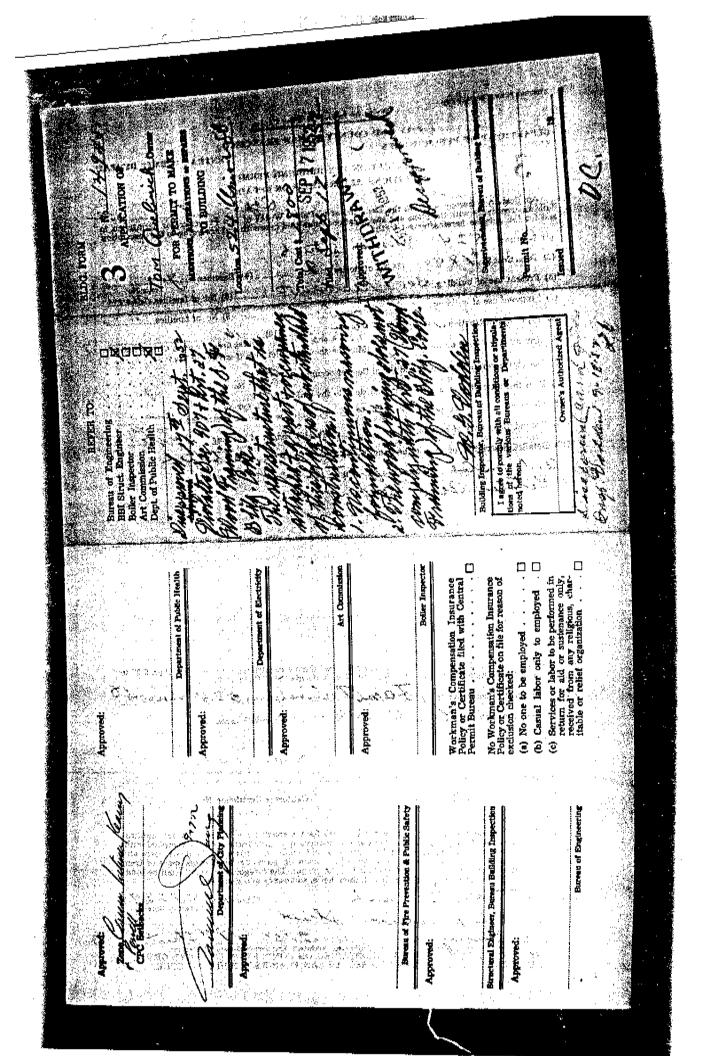
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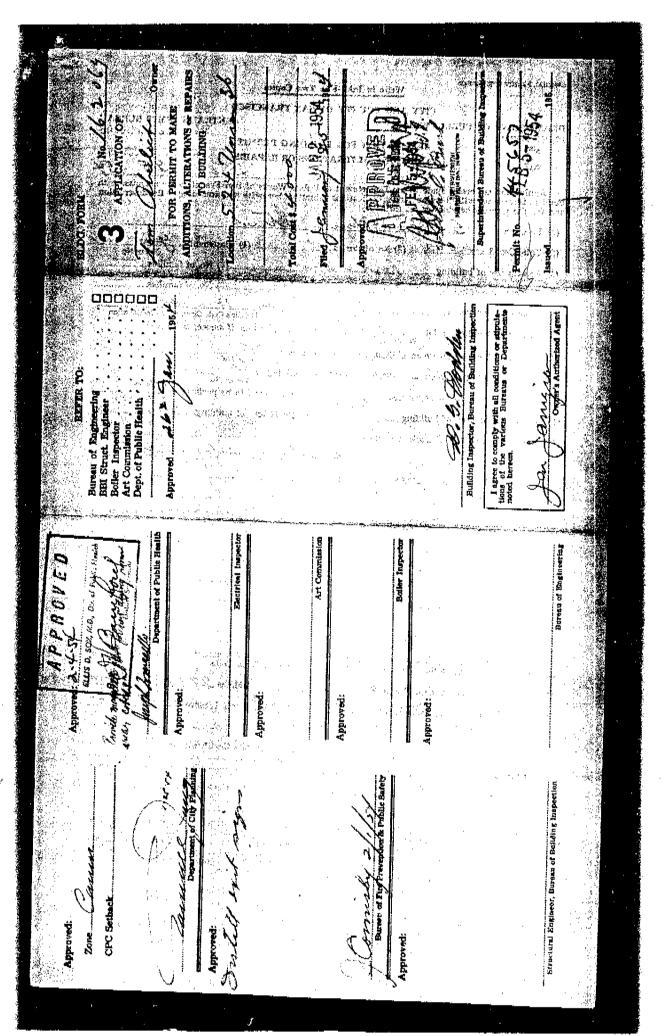
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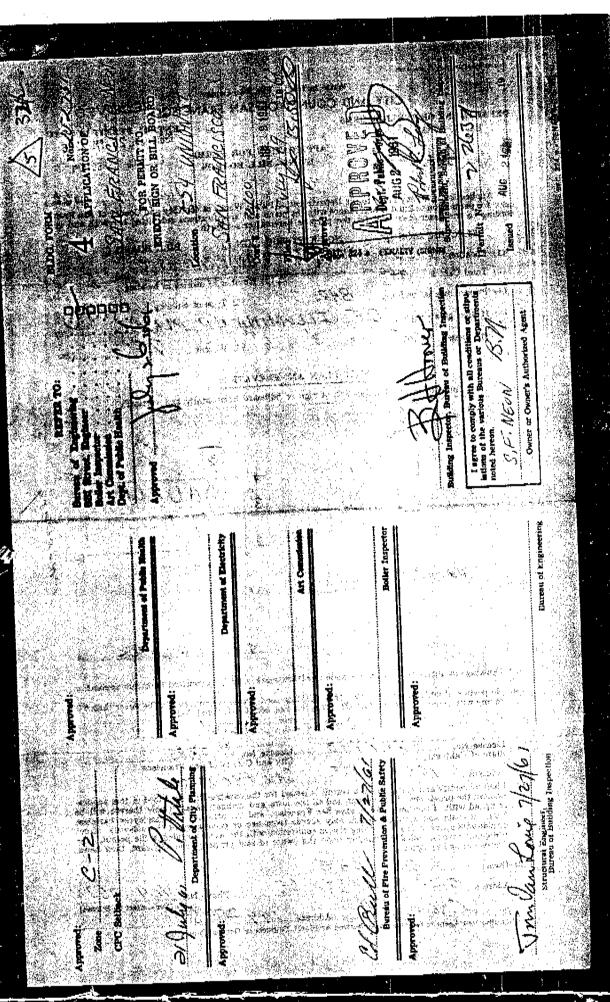


TRACK TAR DEPT. OF PUBLIC WORKS CENTRAL PERMIT BUREAU ISS4 JUAN 26 AM 6. 43 File Two Copies Write In Ink CITY AND COUNTY OF BAN FRANCISCO DEPARTMENT OF PUBLIC WORES BLDG. FORM APPLICATION FOR BUILDING PERMIT BUILDING INSPECTION ADDITIONS, ALTERATIONS OF REPAIRS er 25 S 182 Application is hereby made to he 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 hereinarter set forth: Location Bearright (3) No. of storia Yes or No (3) Total Cost 3 1 (6) No. of families Tresht use of building (8) No. of families Proposed use of building 12 (9) Type of construction Building Code Occupancy Classification 2, 2, 4, or 5 ... (Must be shown on plot plan if answer is Yes.) Yes or No (II), Any other building on lot. (12) Does this alteration create an additional floor of occupancy 224 No Yes or m (3) Does this alteration create an additional story to the building. Yes or No. Plumbing work to be performed. (16) Electrical work to be performed. Ve or No .sq. ft. (15) Height of building (15) Ground floor area of building (17) Detailed description of work to be done. les (18) No portion of building or structure or scaffolding used during construction, any wire containing more than 750 volts. See Sec. 385, California Fenal Code. to be closer than 6'0' Adde (19) Supervision of construction by. (20) General contractor Medication alifornis ZX Address California Certificate (21) Architect Address California Certificate No. (22) Engineer (23) I hereby cortify and agree that if a permit is issued for the construction described in this applica-tion, all the provisions of the permit and all laws and ordinances applicable thereto will be complied with. I further agree to save San Francisco and its officials and employees harmless from all costs and damages which may accrue from use or occupancy of the sidewalk, street or subsidewalk space or from anything else in connection with the work included in the permit. The foregoing covenant shall be bind-ing upon the owner of said property, the applicant, their heirs, successors and sangmes. (Phone. (24) Owner (For Contact by Bureau) Addr Stra at 2 5.0 Address. Authorized Agent to be Owner's Authorized Architect. Engineer or General Contractor



Write is Taking File Two Copies CITY AND COUNTY OF SAN FRANCISCEPT OF PUBLIC WORKS DELIC WORKS UBLIC WORKS 1961 JUL 25 PM 2: 46 DEPARTMENT OF FUBLIC WORKS BLDG. FORM APPLICATION FOR PERMIT BUILDING INSPECTION SIGNS BILL BOARDS Works of the City : e pê the purp t forth NONCELECTRUST BILLS LECTERSC MEGN ID BILL BOARD E 524 UNION SAN FRANCISCO 11.00 No. of Street Street BAR. (4) P DE_{-} ZLLUMINATEP PLASTIC مأسيالك أجم الع ادعا (7) PLOT PLAN AND ELEVATION to exactly the location of sign or 1 CADEL PLACE PROPと とちり SUSE UR FL (5) Drawings in duplicate showing methods of attackments must be submitted with this app (9) No portion of huilding or structure, or scaffolding to any wire containing more than 750 welts, See unid during construction, to be clo be 385, Calif. Penal Code. SAM ERANCISCO (10) Contractor License No. N-228H City and County of San Francis License No. State of California 2914 199 Address SAN <u> ERANCISCA</u> (11) I haveby certify and agree that if a parmit is issued for the construction Gesorihed in this application, all the provisions of the permit, and all the laws and ordinances applicable thereto will be complied with. I further agree to ave Br . Francisco and its officials and employees harmitee from all costs and damages which my scrame from use or occupancy of the sidewalk space or from anything else foregoing covenant shall be binding the owner of said property, the applicant, their heirs, successors and assignees. (12) Owner CADELL PLA UNION ST <u> 14</u>4-075 Address one No For conta Æ.11. NEON Address 199 2714 Bv . Owner's Authorized Agent to be Owner's Authorized Architect, Engineer or General Contractor

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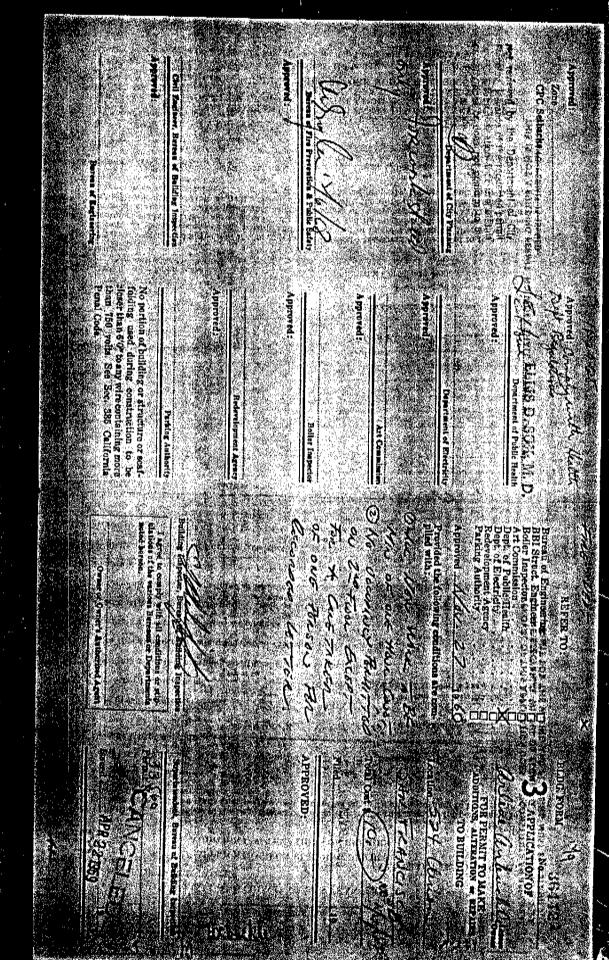


1000 CENTRAL PERMIT BUREAU F435 Write in Ink--File Two Copie CITY AND COUNTY OF SAN FRANCIS DEPARTMENT OF PUBLIC WORKS BLDG. FORM CENTRAL PERMIT BUREAU PPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS Dog 25 1966 Application is hereby made to the Deportment of Public Works of San Francisco for permission to build in accordance with the plans and specifications submitted herewith and according to the descrip-ALLAT UST JE lion and for the purpose hereinafter set forth ; llausière D (1) Location 5.27 **\$**_3¢*# 12) Total Cost (\$) . (3) No. of Stories. Besement or Cellar Real t lize of huibing 2 - 2-----(7) Propried Use of building Bo (8) No. of families... (9) Type of construction. 12.2 ð ŝ 1. 1. 3. 4. or 5 Proposed Building Code Classificatio **WIRING** THIS APPLICAT (must be shown on plot plan if answer is yes.) (14). Does this alteration constitute a change of occupancy õ (17) Automobile runway to be altered or installed ... 600. APPLOYA FOR THE Ň TES OF IN Yes or no (20) Write in description of all work to be performed under this application :-(Reference to plans is not sufficient) will Hearth Dent Lugit clab (Spiller Cost ASA Prain Hard MAYE ON STIT DODY'S STOK . TO: TOLET SMALL MASING HAT LIVE -3-0.T. 5.5HS 19 **19 19 1**9 1 To BASE (21) Supervision of construction by C. CLAM Corr Address (22) General Centractor Dave Unal California Lice a No Address [28] Architect or Engineer California Certific lin No Chief das den) Addre (24) Architect or Engineer California Certificate No. 1705 -----•) Address (25) I hareby certify and agree that if a partial is install for the persistent in the sport of entire and all have and orthogeneous applicable thereto will be complied with. I further agree to save fan Francisco and its efficient and support harmonic applicable thereto will be from all closes and damages which may decree from use or company in the sidewalk street or subsidewalk space or from anything else in connection with the work included in the permit. The 9 foregoing cosmant shall be building upon the sware of and property, the applicant, their beirs, successories and anigned. #Rectanor 21-4878 (Ph 52R at by Bur Address. By _______ Conserve Authorized Agent to be Owner's Asthony a Architect. England or General Contraction CERTIFICATE OF FINAL COMPLETION AND/OR PERMIT OF OGCUPANCY MUST BE MENT OF THE BUILDING OR A CHANGE OF OCCUPANCY EURSTANT TO SEC. 808 AND 809; SAM FRANCISCO BUILDING CODE, BEFORE BUILDING IN COCUPIED. Principal to Sec. 304, San Francisco Building Code, the building permit shall be posted on job. Owner is responsible for approved physicandiapplication being kept it insiding site.

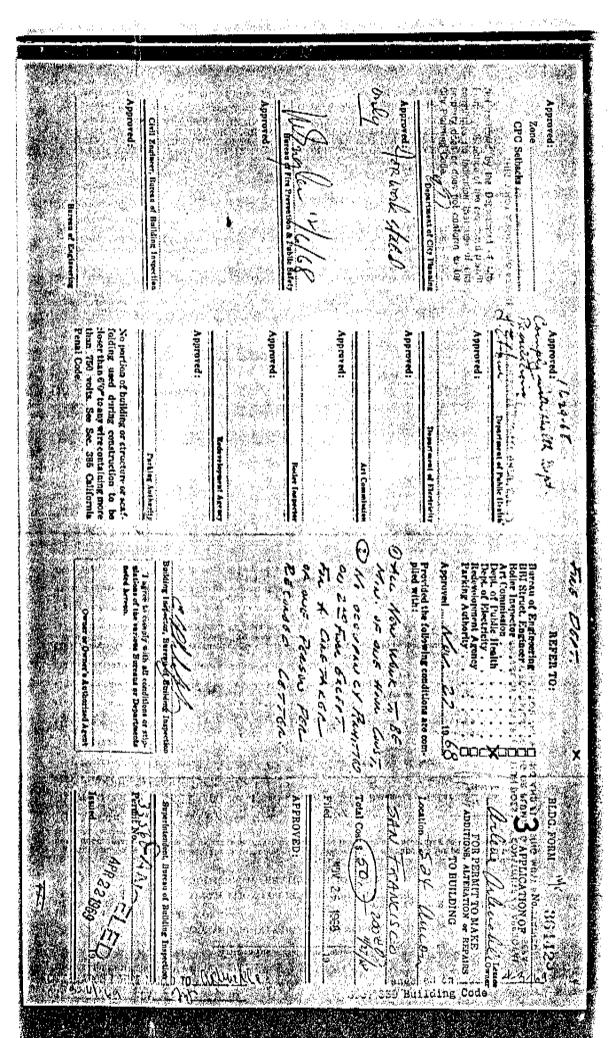
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Write in Lak CITY AND COUNTY OF SAN FRANCISCO PERMIT BUREAU OF PUBLIC WORKS CENTRAL APPLICATION FOR BUILDING PERMIT окм BLIK). AUDITIONS, ALTERATIONS OR REPAIRS 1968 100.25 同時的 網絡 医鼻积中心的 by made to the Department of Public Works of San Francisco for permission to plication is nervoy made to the Department of Fublic Works of San Francisco for permission to accordance with the plans and specifications submitted berswith and according to the descrip. I for the purpose hereinsfter set forth: pplication is here d for the purpose hereinafter set forth : . SEF BOOK 15 Ta Basement or Cellar (8) No. of Stories. otal Cost (6) (6) No. of familion (a) Present Use of building Mall TADERAS) No. of families Ċ) Proposed Use of building LESTSHULANT (9) Type of construction 1000 FAGAN C-.... (10) eed Building Code Classification (must be shown on plot plan if answer is yes.) (11) Any other building on lot_ 12) Does this alteration create an additional story to the building? _______ (13) Does this altoration create a horizontal extension to the building? Yes of Do 14) Does this alteration constitute a change of occupancy no 57 el 07 00 5 2 A (17) Automobile runway to be altered or installed 5 Yes or BO (18) Sidewalk over sub-sidewalk space to be repaired or altered yes or no (19) Will street space be used during construction 7 ... yes of no (20) Write in description of all work to be performed under this application : (Reference to plans is not sufficient) FitoNe GOOTH FING ON cesepetion d leader, uniti UTIL 8 and the starts AURE & ž Z (22) General Contractor LINGER 161068 WORK Address California Certificate No. CUNSTREETION CONSTRUCT VAN Architect or Engineer 25 (23) ŝ (for design) NCARS: Address California Certificate No. (25) I hereby certify and agree that if a permit is issued for the construction described in this appli-cation, all the provisions of the permit and all laws and ordinances applicable thereto will be your complied with. I further agree to save Sun Francisco and its officials and employees harmless from all costs and damages which may accrue from use or occupancy of the sidewalk, street or one subsidewalk space or from anything else in connection with the work included in the permit. The foregoing covenant shall be binding upon the owner of said property, the applicant, their heirs, a successory and assignees. Sec. 1 RUCCESSON And assigned. (26) Owner ALENC ARBULICUE (Phone ZU) - 5092 Address iust be OF FINAL COMPLETION ATION INVOLVING AN ENLARGE-UPANCY PURBUANT TO SEC. 808 CERTI K OR ALTERATIO OBTAINED ON COMPLETION OF THE BUILDING OR A CHANGE OF AND 803, SAN FRANCISCO BUILDING CODE, BEFORE BUILDING IS OCCUPIED. Pursuant to Sec. 304. San Francisco Railding Code, the building permit shall be posted on job. Owner is responsible for approved plans and application being kept at building site. 1. 如何没有的意义。 Lake Bridger A.



OLNTRAL PERMIT BUREAU F435 File Two Copies Write in Ink-Sale Carles and the CITY AND COUNTY OF SAN FRANCISCO اللمه مين الوثنين من ويقع المين الوثنين DEPARTMENT OF PUBLIC CENTRAL PERMIT BURE BUDG, FORM 19. S. APPLICATION FOR BUILDING PERMIT ADDITIONS, ALTERATIONS OR REPAIRS Nov 25 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 descrip tion and for the purpose hereinafter set forth : 14 25 alou CED GALL ocation. (1)4- (4) Basement or Cellar Total Cost (\$) 9 (3) No. of Stories. (2) (4)运动管管管理中的公式 Present Use of building 740 (6) No. of famili (6) Proposed Use of building CEST. 211 HAT + (AD ERA(8) No. of (7) SHEET Type of construction... (9) Propo nd Bailding (must he shown on plot plan if answer Any other building on lot. (11). Yes of 50 Does this alteration create an additional story to the building? 700 (12) Does this alteration create a horizontal extension to the building ? $(13)^{\circ}$ Does this alteration constitute a change of occupancy (14)Electrical work to be performed. 20 (16) Flumbing work to be performed (15) Automobile runway to be altered or installed. (17) (18) Sidewalk over sub-sidewalk space to be repaired or altered (19) Will street space be used during construction 7. THE OF PA (20) Write in description of all work to be performed under this application: (Reference to plans is not sufficient) ON ALTROK SHEET COCK COM CEILING (21) Supervision of construction by. Address California License No. (22) General Contractor.... Address (23) Architect or Engineer California Certificate No. (for denign) Address (24) Architect or Engineer. California Certificate No (for construction) Address (25) I hereby certify and agree that if a permit is i sued for the construction described in this applicution, all the provisions of the permit and all laws and ordinances applicable thereto will be complied with. I further agree to save San Francisco and its officials and employees barmless z from all costs and damages which may accrue from use or occupancy of the sidewalk, street or subsidewalk space or from anything vise in connection with the work included in the permit. The foregoing covenant shall be binding upon the owner of said property, the applicant, their heirs, successors and assignces. (26) Owner APLC (Phone. 78/-For contract by Bar CERTIFIC UPANCY MUST BE AN ENLARGE PURSUANT TO SEC. 808 NGE OCC AND 809, SAM 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. 지, 사람들 것은 것은 것이 같아.



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FOR DEPARTMENTAL USE ONLY IS PRIMA BE CITY AND COUNTY OF SAN FRANCISCO UH 14 22 4 1975 TO FOR ISSUANCE DEPARTMENT OF PUBLIC WORKS APPLICATION FOR BUILDING PERMIT کت ROVE ADDITIONS, ALTERATIONS OR REPAIRS Dopt. Public Werks ECORY THE DEPARTMENT OF FUELC WORKS 97 A 1975 H TO BUILD IN ACCORDANCE WITH . THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH AND ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE MEREINAPTER SET FORTH, TT ST LET ADDIESS OF 100 TUNG ILE RECEIPT NO а. 57 524 UNION 90914 a) Estimates (agat of Too) JAN 30 1875 \$1,000.00 DESCRIPTION OF EXISTENCE BUILDING AL THE OF CONTE A ASTANENTS B- Jane ALC: NO ALC Constant States OF STORIES OF OCCUPANCY: 3 13 14 ドーン Ball DESCRIPTION OF BUILDING AFTER PROPOSED ALTERATION NI STORIES OF 3 AND SELLARS. -13- Jaure F-Z Carles and strangers and -----× TOA) DOTS THIS A. THATION CREATE ADDITIONAL STORY TO BUILDING 15-34F "U"s "Vî s NO NOTE - ROOT AREAS IAI WILL SIDEWALK OVER - 5 5 7 TES L. (18 TENUTO PUNWAT IO bt CONSTRUCTED NO. OR A JEALDT iQ. 17 CONSIDUCTION YES ÷. NOW NOK ANY OTHER STISTING ALDE 120: DOLT THIS ATTERATION CONSTITUTE & CHANGE OF OCCUPANCY? HO 1.0 NOX PERGAL (22) PERMEING WORK TO BE PER ORMED? TINZI y is 📿 AD GENERAL CONTRACTOR NOD ETD ARCHITECT NOD - . . . <u>.</u> CALIF. LICENSE NO CLARE 150 GREEN ST. CALIF. CENTINICATE NO. 2 AN CONSTRUCTION LENDER (INTER A $\mathcal{A}\mathcal{A}$ -5 KNOWL ADDEFU A. 2 6 14 TAT OWNER - LESSER ICEOSS ARCHITECT 10 WHIT IN SESCIETION OF ALL WORK TO BE PRIORED UNDER THIS APPLICATION TRETERNET TO TAKE IS NOT SUFFICIENT -56 TO WITH COMPLAINT NO 6723 2 State Sugar Real Hard West Ser Sugar of ϵ^{2} 1 3. er Star w **著**44 公式で to 🗤 🖓 🖓 🕹 ÷.... -15 .: × \sim Children & Congress $\sim 10^{-1}$ 1 MARANT NOTICES 1.1 $\sim \infty$ seferanti) APPORTANT NOTICES The bandward theil ber bedd in the theirative of the occupancy of vie without for abandward belt ber bedd in the theirative of the occupancy of vie without index 11 104.Cot 2021, 102.61 Son Francisca Suiling Crab with See 104. Son Provide the statement of the statement of the occupancy of vie without the parties the statement of the statement of the occupancy of vie without the parties of the statement of the statement of the occupancy of vie without the parties of the statement of the statement of the occupancy of vie without the parties of the statement of the state 11111 APPLICANT'S CERTIFICATION I HEREAY CLETINY AND AGREY THAT IT A PERMIT IS ISSUED FOR THE CONSISTENCTION DESCRIBED IN THIS APPLICATION, ALL THE PROVISIONS OF THE FRENT AND ALL LAWS AND GROMANCES THREEFO WILL BE COMPLED WITHIN I CERTIFY THAT IN THE PERFORMANCE OF THE ABOVE WORK I SHALL HOT EMPLOY ANY PERSON IN VIDEATION OF THE LABOR CODE OF CALIFORMIA RELATING TO WORKMEN'S COMPENSATION INSURANCE FURTHER AGREE TO SAVE SAN FRANCISCO AND ITS OFFICIALS I FURTHER ADDLE TO SAVE SAN FRANCISCO AND JIE OFFICIALS AND DA PIOTES HARMIESS FROM ALL COSTS AND DAMAGES WHICH MAY ACCEVE FROM 1/2 OF OCCUPANET OF THE SIDEWALK STREET OF SUB-SIDEWALK SPACE 37 HOM ANYTHING ELSE IN CONNECTION WITH THE WORK INCLUD TO IN DIE FRAMT ANE FORGONG COVENANT SHALL BE BINDING UPON THE OF HERAT ALE FORGONG COVENANT SHALL BE BINDING UPON THE OF HERAT ALE FORGONG COVENANT SHALL BE BINDING UPON THE OF HERAT ALE FORGONG TO CANT, THEE MERE AUCCESSORS AND ALE OFFICE L'Addining earls and woni regings resource into the total and the services of the service OTHER D. 5 ANTHORIZELY AN OWNER DR CHECK IN ROPRIATE BOX 19.44 N D unst 计行复杂 D CONTRACTOR SET ATTORNEY IN FACT

COMPUTIONS AND STIPULATIONS se de la C 12.1 Nº T. DAU APPROVED 2 3,1975 Any electrical or plumbing REASON: work will require appropriate der. 1. A. C. CORRECT ALL VIOLATIONS JETED ON separate permits. ۱. I \$'x 3 Aprovel 3.21 greitt the worthe mils - STEPTS ۰. NOTIFIED MR BUILDING INSTICTUR BUE OF DATE. REASON APPROVED: Not reviewed by the Decadement of City Planning, issuance of the requested permit constitutes no indication that use of this property does or does not conferm to the City Planning Code. NOTIFIED ME. DEPARTMENT OF CITY FLAMMING 1-23-75 F DAJE . بينين REASON APPROVED Comply with all items TO RETION Ŷ 702 A 23-71 NOTIFIED MR. 3 j, BUREAU OF FREVENTION & PUBLIC SAFETY Sec Sec. O DATE: .. REASON DATE: APPROVED. · 4,# 1 13 ghan i M e ginei 978 ⁽) e come la contraction 5 NOTIFIED MR. CIVIL ENGINEER, BUR, OF ALDO INSPECTION ć $\sqrt{1}$ N DATE REASON APPROVED: S. Sec. 1 1.19 **.** $(z, \gamma) = (z, \gamma)$ (3.6.5)24 NOTIFIED MR. 1 + 2 13 BURLAU OF ENGINCERING DATÉ 4 APPROVED REASON - 🖓 10 بية إلى رگرد محمد میشوریم مرکز در در م HOTIFIED MR. . . بر در ویو کر کو کو ک DEPARTMENT OF PUBLIC HEALTH 6. . . DATE ÷. APPROVED REASON المجليلية فأترم ولا معتد المتحدث وتحالي NOTIFIED MR. . la richer Br -----1.86 $(M_{s}) = \sum_{i=1}^{s} (1 - i)^{i}$ AGENCI da in 1. 1. OATE 18⁵⁰ + 1995 - 1995 ¢ψ_φ REASON, Selection of APPROVED. NOTIFIED MARTE J. 1 . چېرې *** 27 Mile. NEXX 4000 Sec. 19.00 DATE REASON E. Star APPROVED 3 $|\Lambda|$ 101 NOTIHEU 20 8.1. 3. 4 ... PE DEFARTMENTS N 2150 LINGER TO COMPTY WITH ALL CONDITIONS OF STIFUL ATTOMS OF THIS APPLICATION AND ATTACHED STATEWINTS OF COND A PART OF THIS APPLICATION ADDRESS DEVENTAGEMENTS CL ANG HEPTAY

CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS

RM. 301, 450 MCALLISTER

SAN FRANCISCO CALIFORNIA 94102

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INSPECTOR

COMPLAINT, NO :

DATE OF INSPECTION

BUREAU BUILDING INSPECTION

REPORT OF CONDITION:

524 Union Street 3-7-9 Cadell Place

103 LOT : 9 BLOCK:

MAILING ADDRESS:

OWNER OF RECORD: Dante & Florence Benedetti 1268 Grant Avenue San Francisco, CA 94133

DESCRIPTION OF PROPERTY

The premises contain a 2 story. Type 5N building with cellar. The is arrangement for 4 dwelling units, one guest room and a bar and restaurant. The cellar is used for storage. There

The building was originally constructed in 1900 according to Assessor records. The Central Permit Bureau has no record of a permit to a f construct this building. There is no record of a permit to alter this building to its present use. It was eltered in 1968 to Public Assembly with top floors to remain vacant except for one room for caretaker only Recorded notorized statement is attached to building. Permit App. #337307

The building covers approximately 5000 sq. ft. of a lot 38.25 ft. x 137.5 ft. which is zoned C-2. The building is semi-detached and is located outside the fire Limits. The property has a land assessment value of \$8,550.00 and improvements assessment value of \$10,850:00. There is no off-street parking space for automobiles.

The building does not have a non-conforming use as defined in Sec. 150 of the San Francisco Planning Code.

In its present condition, this building does not meet the minimum requirements of the San Francisco Building and Housing Codes and the san Francisco Building and Housing And Housing Codes and the san Francisco Building and Housing And Housing Codes and the san Francisco Building and Housing And Housing Codes and Housing Codes and Housing VIOLATIONS OF THE SAN FRANCISCO BUILDING AND HOUSING CODES

guardrall for the interior entrance stall andard for the exterior unit is lacking and is substan stair to #9 Cadell Pl. 411 HC. 1714 BC. Providesp guardralls.

524 Uniter Street

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3. The footings for the wood columns a marting, the toyern Over are lacking. 2905 bc. 403(a) Ht. France groups footings.

The foundation will fur portions of the billding in tess than the minimum required height back adjacent conte, cousing damage to structure. See, 40: DC. 2:16,0 bd. Fairs the foundation will to a height of toples (12) justes above adjacent grade in an approve ansate the replacent of damaged metarials and connections.

5. Structural matters in the coller provering the traver floor have been altered value to eacher the contrast of the huilding: that He. 100 DC. Replace with proper and opproved sequetural conters with proper connections.

6. Inspection of orit #7. Cadel1 Place with not possible of the time of inspection and forther investigation may express code violations and stems requiring relationary outer repair. 308 MC.

7. Roof supports accord insufficient size to carry haposed loads Whith safety. Provide proper support. And MC. Art. 17 BC.

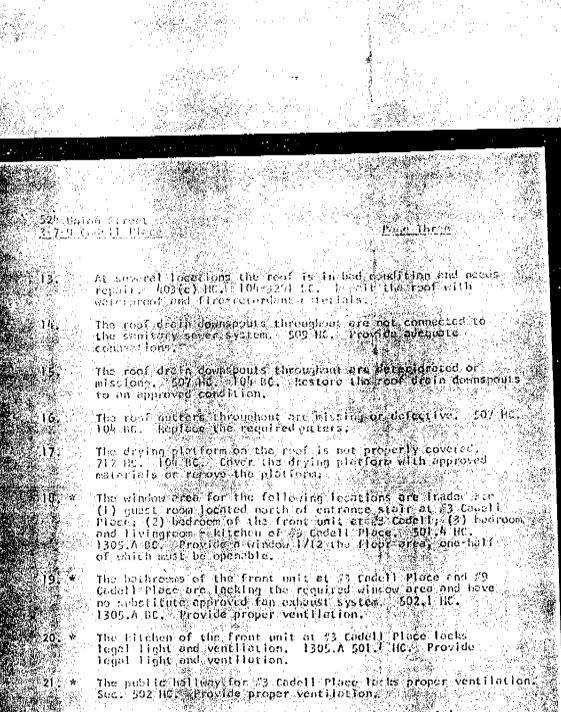
B. Wood studding in the vorious walls throughout are speced more than 16" on center. 2207.D.4 EC. 403(c) HC. Provide additional study of proper size and specing.

9. Wood siding is dimand of missing. 408(c) HC. 104 DC. Repair or replace with approved material.

 You are hereby requested to submit a detailed report from a licensed engineer or architect, verifying the structural soundness of the building, together with details of recommended reports to the underpinning and foundation walls.
 Mindow glass is missing at various locations. 408 HC.
 104 BC: sheplace the glass.

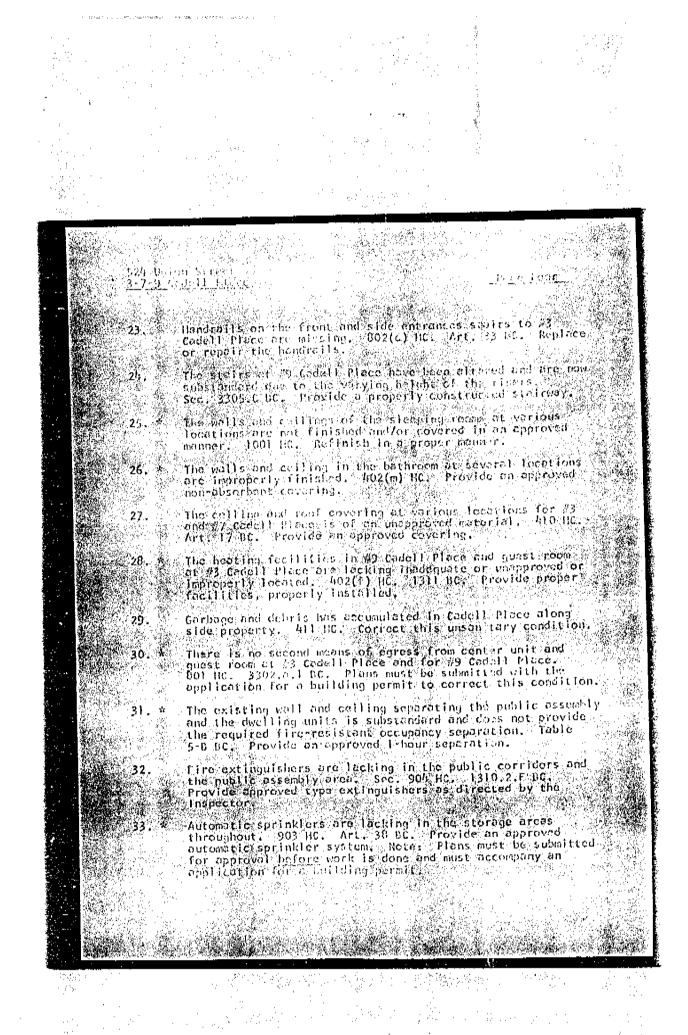
12. The doors at Union Street entrance of upper (ront unit and to entrance of 77 Cadell Place are broken. 400(b) NC. 10/ BC. Repair or replace the doors.

ちていらの 72 C 524 Union Street 3-7-9 Cadell (lace Page Three At several locations the roof is in bad condition and needs repair. 403(c) HC. 104-3201 BC. Repair the roof with 13. waterproof and fire-retardant materials. 14. The roof drain downspouts throughout are not connected to the sanitary sewer system. 509 HC. Provide adequate connections. The roof drain downspouts throughout are deteriorated or missiong. 507 HC. 104 BC. Restore the roof drain downspouts 15. to an approved condition. The roof gutters throughout are missing or defective. 507 HC. 16. 104 BC. Replace the required otters. The drying platform on the roof is not properly covered. 712 HC. 104 BC. Cover the drying platform with approved 17. 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. 1305.A BC. Provide a window 1/12 the floor area, one-half hick of which must be openable. 19. * The bathrooms of the front unit at #3 Cadel1 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. 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. 20. * The public hallway for #3 Cadell Place lacks proper ventilation. Sec. 502 HC. Provide proper ventilation. 21. * The stairway to #3 Cadell Place does not have a minimum 22. * vertical headroom clearance of 7'-0". 801 HC. Art. 33 BC: Provide proper clearance.



The stairway to #3 Codell Place does not have a minimum vertical headfroom elegrance of 7'-0". Bol HC. Art. 33 BC. Provide proper clearance.

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524 Union Street

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The plaque shoulng the plan of exits and the planeaders occupant load is missing for the public as cally area. 3301.1 ac. sawiit a floer plan of the estendiy area for approval and determination of occupant lead and install aplaque as directed by inspector.

The cellar area under the public ascendly is not sprinkled. Sec. 3602.A.9(a) EE. Sprinkle the entire area.

The public confider serving the units of "5 Cadell flace is not constructed of threarestreat materials. Sec. 701 KC. 3304.F BL. Provide approved line-recisiont extenials for both sides of the walls or an approved system of sprinklers to cover both the corridor and the adjoining rooms opening thereon.

Clearnhoo from combustible materials is insidequate for the Vents/flues serving the gas ranges or gas heaters in the Center and front units of 73 Cedell flues, in unit 79 Gadell Place, and also for the water histor in the restourants weitchen. Table 51 A.B. BC. Provide proper clearance.

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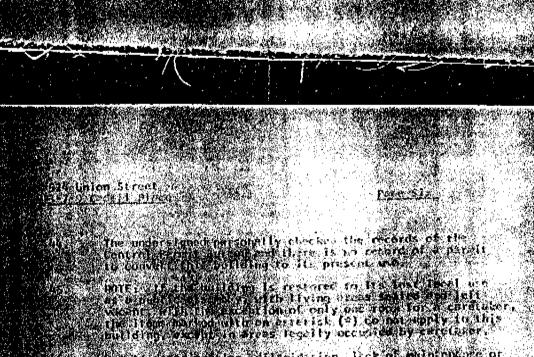
The vent serving the gas heater in #3 and #9 Cocell Place doas not extend above the roof. 407 NC. 4109.A BC. Extend the vent property:

40. 1 The gas-fired water heaters located in the "batiroom-clothes closet" of the guest room in #3 Cadell Flace and also under the stairs in the public assembly area are in an unapproved location. 5125 BC. Remove or relocate the water heaters.

11. F. The floor surfaces in the brthrooms are not properly recovered: 104/HC: 104/HC: 1711.A BC: Provide antapproved Waterproof floor/surface.

Work was done installing two electric signs at the entrancer to the public assembly orea without proper paimits 301 HC. Apply for permits with plans showing connections and supports.

h3.18 HOTE: An approved Parmit of Occupancy is required for this appartment House. 1102 HS. 105.2 HS. Make application for and obtain the required hermit or Occupancy.



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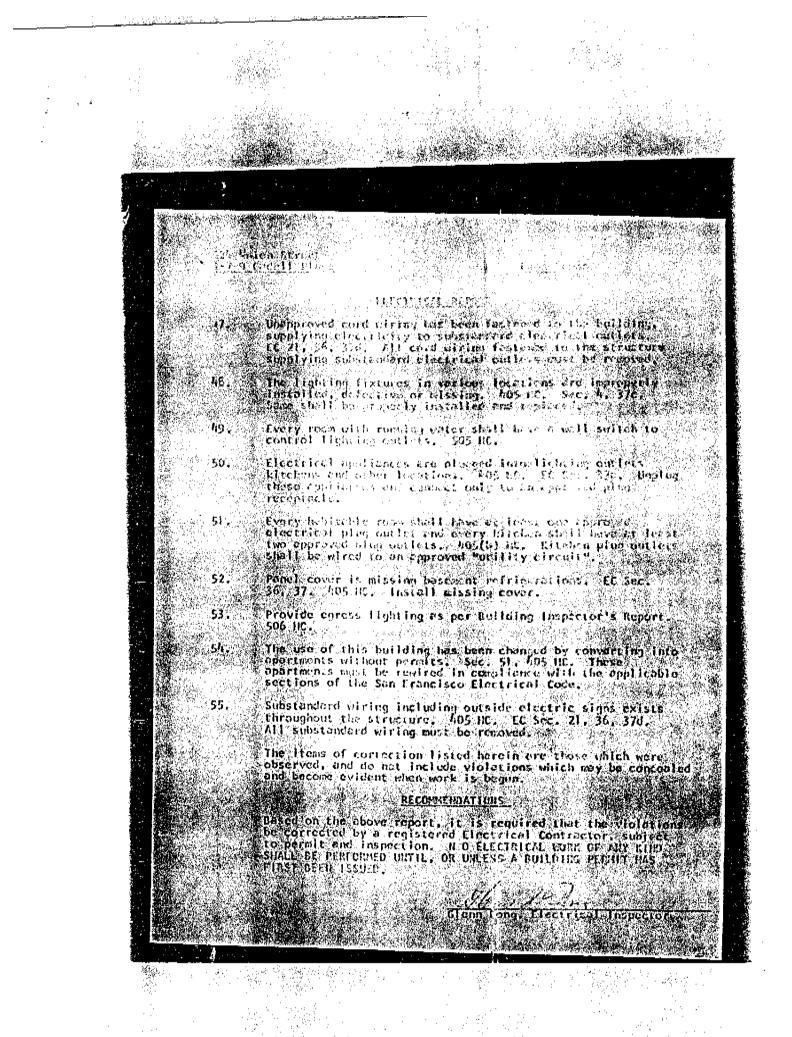
The lines of correction listed berein are those which were and opserved and form fields violations which may be the concentration become evident than to it is beguing

RECONSIDERIO

to is recombined that the occur obtain the movementy primits and correct the violations listed in the report and any other violations discovered during the course of resublitiation. Alteorie is to perilipently and continuesly carfied on and Schmeitred in a remonable period of time is compliance with the Sent runcises Building and Housing Code after the set of the sent runcises Building and Housing Code after the set of the sent runcises Building and Housing Code after the set of the set of the presence of the standard of the set of emplitude wave present and all debris removed from the lot of the

G - Sangulacti (Building Inspecto)

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40.97526 Dat a Stragt S 1100 3-7-9 Cadells Plone -PUUPUIT REPORT Extend east from right on load rapide to 5'-0" store a on leader (edel) Place for 52% Union Street. PC 313.1. - (注意:)文字: (公) <u>\$6</u>, The roof dials down sponts on Cadell Flore for 525 Union ore a defective. 507 Ht. 105 Pc. Restore down sponts in courses 57. condition. The roof drain down spaces for \$3,129 Codell are not connected to the santrory sever system. 509 HC. Provide addapted to the 58. connections. The worder piping in Liedton of 524 Union is not proceedy 59 J supported. Property support piping. 406 Ht. 320 IE. the 2" woste plping free for sinkin 524 Union. Dar is improperly installed (plactic giding) and superied. 60. install and support piping promitly. The Went piping rear of 524 miles is not properly extended Extend the pipe to above the reaf. 406 HC. 502 FC. 61, The sink is east energy and the layatory in west spectrum of #3 Cade) are not properly waited. Vent the fixtures properly, 406 HC. 601 PC. 6z. The lavatory in bathroom of #9 Cadell is not properly wested. Properly waste plumbing fixture, 301 PC, 406 HC. 63. The items of correction listed herein arc those which were observed and does not include violations which may be concelled and become evident when work is begun. RECOMMENDATIONS 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 WORK OF ANY KIND SHALL BE PERFORMED UNTIL, OR UNLESS A BUILDING FERMIT HAS FIRST BEEN ISSUED Inspactor 1 di ji

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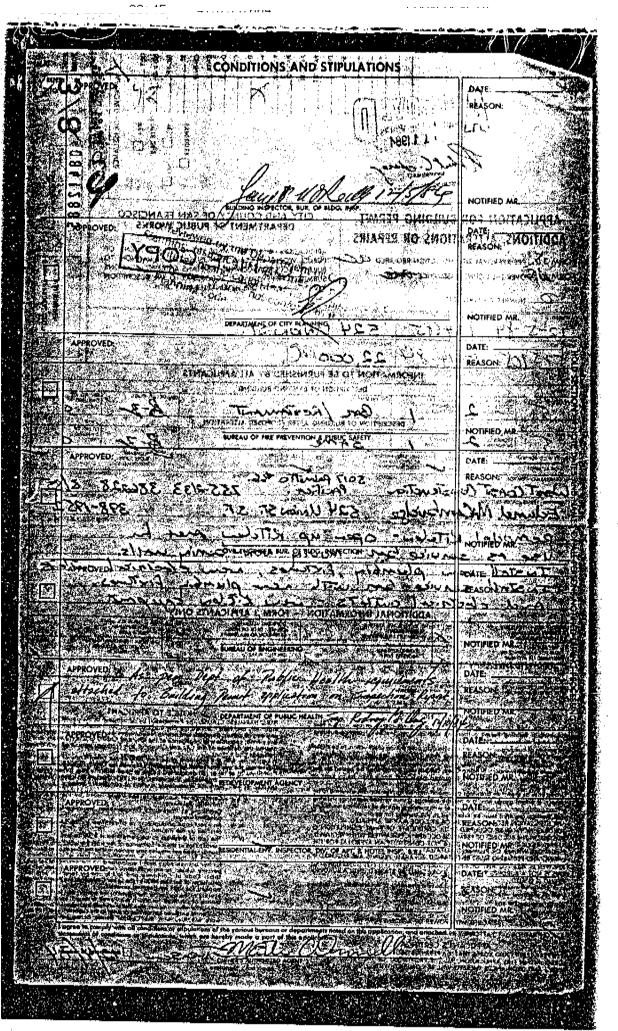
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S 23 1 **1.1**1 CITY AND COUNTY OF SAN FRANCISCO IN POST MENTALPILY DEPARTMEN OF PUBLIC WORKS 683 TION FOR PERMIT TO EBECT SIGN APPUCA CANCELLED OF Ô 10 9 10 12 6 1.67 300 The second second second realized to an and the second sec 0 BOTIFIED 5 of F 25 1385 AILSD:ON £ ERECT SIGN & SHARE WE STRAND AND PLANED าเอียด PAINTED OR OTHER ONLY PLANNING DATA Eiż 法国家 254 てまれ 5232 DOVE THIS LINE DEACHIFTION OF EXISTING BUILDING 25 -AND A DECK ¥. . 1 \$ 2.000. BAR DESCRIPTION OF PROPOSED SIGN Are a to СБО 🛄 АЛИТЕО W THOMALACTING DAGA WALL THE PROJECTING CALL STREET, MARKEN FLORE FLORE tõ A 🗂 Emerrensi NOISE NAME 10 m. 14 20 I'den E men Llandarin (I'd - A.A.SHIMO ۰. ÷ C aconser CONNILE COPY REDCATION SEL Edgewood Milley 381-3183 45 701 ~ · · · · 1 - E te precitant fangele and generative companyative of a 1.09.04 -7th 2 + 94103 Sincettes Josie ED VERTICALLY ON THE BUILDING AND ON THE LOT. SHOW LEVANON MORCHTE ON BEALED i din see plans 6 7.64 Ċ2 9-24 A 200 J NOTICE TO APPLICANT HOLD HARMESS CLAUSE: The Permittent's by most target of the permit adjust indemnity and held hermites the City and County of San Francisco from and deal my and fold dates, demonds and actions for demogra retaining from operating use the permit, regenerates of medfauer of the City and County of San Francisco and the permit, regenerates of medfauer of the City and County of San Francisco and the permit, regenerates of medfauer of the City and County of San Francisco and the permit, regenerates of medfauer of the City and County of San Francisco and the city and the city and county of San Francisco and the city and the city and the city and county of San Francisco and the city and the city and the city and county of San Francisco and the city and the city and the city and county of San Francisco and the city and the city and the city and city and the city and county of San Francisco and the city and the city and the city and city and the city and county of San Francisco and the city and city c IMPORTANT NOTICES the la required, anchor with 15" die, through bolt minimums, to the structurel frame of the building below the para-at well. No portion of building of structure, or sceffolding used turing sonatruction, to be closer than 5'0" to any wire operating at the part flag. TSO volts. See Sec. 355 Celif. Penal Code: derrands and colores. A second for conjectivy solid to prevente collective day and prevented collective day and to an an an collective day of the collective for the collective of the collective days and the collective of the collec-days and the collective of the collec-days and the collective of the collec-days and the collective of the collec-tive of the collective of the collective days and the collective of the collective of the collective days and the collective of the collective of the collective days and the collective of the collective of the collective days and the collective of the collective of the collective days and the collective of the collective of the collective days and the collective of the collective of the collective days and the collective of the collective of the collective days and the collective of the collective of the collective of the collective days and the collective of the coll Tran & Start All meme Butherized on public Property are revocable when a by Board of Supervisors (S.F. Building Code). Any atipulari gained herein or by Code may be appealed. And the second s el West APPROVAL OF THIS APPLICATION DOES NOT CONSTITUTE APPROVAL FOR THE ELECTRICAL WIRING, A SEPARATE PERMIT TOR THE WIRING MUST BE OBTAINED. THIS IS NOT A PERMIT TO ERECT A SIGN NO WORK SHALL BE STARTED UNTILA PERMIT TO SAECT A SIGN IS ISSUED. 399 Ad. 1. 43. 5. 7 14 6 6 60 ---CARCHITECT COMME C. S. S. Berley CINERAL OF ATTORNEY Provide a state APPLICANT'S CERTIFICATION in heading APELT CONTEX AND AGREE THAT IF ANT IN ISSUED FOR THE CONSTRUCTION. SCHOOL IN THE APPLICATION ALL THE PROVISIONS OF THE FERMIT AND ALL IN AND GROMANCES FRENETO VALL BE COMPLED WITH. DF BCR DE SCHOLD IN THE APPLICATION - 9 r seder

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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

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Report Date: 5/26/2011 3:34:22 PM
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Application Number:	9902987			
Form Number:	3			
Address(es):	0103/009/0	524	UNION	ST
Description:	INSTALL GREA	SE FLUI	E,NEW FRESH	AIR RETURN EXISTING HOOD
Cost:	\$4,000.00			
Occupancy Code:	В			
Building Use:	05 - FOOD/BEV	/ERAGE	HNDLNG	

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

8/25/1999 COMPLETEPHIAI Inspection/A

Contact Details:

RP HEATING & SHEETMETAL -

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Contractor Details:
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Addenda Details:

Desc	Description:												
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 been issued. For information pertaining to this permit, please call 415-558-6096.

Appointments:

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

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.

02/17/2010	23:22	4152397004	SOVALREALTY	
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			INSPECTION RECORD	E CALLER AND E
				28 4 0391
	\sim	20092-2	_ PERMIT NO. 870 327	ISSUED_0/29/49
APPLICATION	i NO. <u>7</u> 7			
JOB ADDRESS	: <u>57</u> 4	C UNION	St. BI	LOCK:/ LOT:
NATURE OF W	VORK:		a tangan a t	

Do Not Pour CONCRETE until (he followin	g are signed		ADDITIONAL WORK REQ	UIRING API	PROVALS
INSPECTIONS	Dates	Inspectors		INSPECTIONS	Dates	Inspectors
Foundation Forms				Special		
Foundation Steel				Special		
Grounding Electrode				Special		
O.K. TO POUR				Shower Pan		
Do Not Pour CONCRETE SLAB unt	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 INSPECTIO	NS REQUIRI	ED
INSPECTIONS	Dates	Inspectors		INSPECTIONS	Dates	Inspectors
Rough Framing	\$18/99	Auren	1	Special		
X Rough Electrical	8-17.99	For Mayrot.	6	Code Enforcement		
Rough Plumbing	1-23-99	R. Farrow	-	Disabled Access		
Insulation				Housing		
Sound Transmission				Mechanical		
Rough Sprinklers [PLBG]				Plumbing	714.99	Rtartin
Rough Sprinklers [FIRE]			X	Electrical	8.19.99	Vierter 2.
Flue & Vents [PLBG]				Street Use & Mapping		
Flue, Vents, Ducts [BLDG]				Fire Department		
Hydrostatic Test				Health Department	8/10/99	CU
Lath				Building	8-24-99	Blll
O.K. TO COVER	6/2/19	Qu		CERTIFICATE OF FINAL COMPLETION		

WARNING: THE PROVISIONS OF YOUR BUILDING INSPECTION PERMIT WILL BE NULLIFIED UNLESS ALL FINAL INSPECTIONS ARE SIGNED OFF ABOVE BY THE APPROPRIATE INSPECTORS.

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	ARTMENT OF I ADDITIONAL PERMITS IS	DBI P/C PAID AT FILING \$107.90	AUDITED FOR REFUND	7213 STRUCTURAL 7217 DEMOLFTON 723 BUA DIMG	723 GRADING 7224 POSTING 7224 POSTING 7224 POSTING	727 CURE 721 STISW EXCAV.	на на поредија 1996 - Селанија 1997 - Селаниј	F THIS 7899 EXPEDITER 26.00	1997年1月1日、1997年1月1日、1997年1月1日、1997年1月1日、1997年1月1日、1997年1月1日、1997年1月1日、1997年1月1日、1997年1月1日、1997年1月1日、19	DATE OF SURCHARGE 9.68 SURCHARGE 224.83 SUBTOTAL FEES \$ 224.83	BAGE BAGE	SUBTOTAL SUBTOTAL SUBTOTAL	MVA TOTAL \$ 227.2 ^{FL}	
	ER BUILDING ERECT SIGN DATE OF ISSUE	Demoush Building Grade APPLICATION NO: 9900943 Lower Curre Lower Curre Street St	HOUSE NUMBER CENTIFICATE REPAIR OR CONSTRUCT SIDEWALK SUPPLEMENTAL FEE PAID:	FINAL PLAN CHECK X EXPEDITER FEE PENALTY	HOL BO		METES AND BOUNDS SIDE OF FEET FROM	2 5-N B FINONTAGE FL. 16TOHIES, TYPE LEGAL OCCUPANCIES 10,000 PAULONIC VICE FOOD/BEVERAGE HNDLNG ESTIMATED COST \$ 10,000	GE ST. SPACE LINEAR FT.	WORK MUST COMMENCE ON BUILDING WITHIN 90 DAYS OF DATE OF ISSUANCE OF THIS PERMIT, UNLESS EXTENSION AUTHORIZED. IF UNDER ENFORCEMENT ORDERS SPECIAL TIME PERIODS WHERE		EXPIRES 6 MONTER AFTER RIODS WHERE SPECIFIED WILL APPLY WORK OR WHEN REVOKED BY DIR	PUBLIC WORKS. SEE BACK OF FORM FUN FUN FUN FUNDEL LINNED. THE FIELD OF SAN FRANCIS(650)342-7531 PERMIT # 879327 FEE PAYOR	SULA AVE . APPEAL # CENTRAL	BURLINGAME, CA 94010 BURLINGAME, CA 04010 SUPERVIDEL	SEPARATE PERMITS MUST BE OBTAINED FOR ELECTRICAL, PLUMBING OR UTHER RELATED WORN om 18 / Rev 10/051

02/17/2010 23:22 4152397004 SOVALREALTY PAGE 05 APPROVED: 225 274 -TQC REASON: ان التعادية محاطمون ويسي €" ERST 2 S PAL NOTIFIED MR. 0393/4/6 BUILDING INSPECTOR. () - 24,7 ⁵ DATE: APPROVED: REASON: Approved for internor wo NOTIFIED MR. DATE: APPROVED: REASON: 以前價或時的一個發 LE COMPREN ② / モベス 上述人 사고학을 통을 것이 ្លះផ្ទ NOTIFIED MR. BURIEAU OF FIRE PREVENTION & PUBLIC SAFETY .. . i tur DATE: _ APPROVED $\mathcal{M}_{n,2}$ 77 8 REASON: NOTIFIED MR. CIVIL ENGINEER, DEPT. OF BLDG. INSPECTION DATE: ... APPROVED: REASON: -NOTIFIED MR. BUREAU OF ENGINEERING 1 Antway DATE: APPROVED: 5 Noter on REASON: NOTIFIED MR. DEPARTMENT OF PUBLIC HEALTH under nacht and the way cpress DATE: · ... REASON: dis a W0 46 C.Va e e caracter a construction e construction e construction e construction e construction e construction e const NOT FIED MR 210 BEDEVELOPMENT AGENCY DE ASEC ART and the Printers of TAK ---i Marine Internet ી છે. 'આજ્યુંથી સુધી છેલાં ''આગણ છે. - મુંદ્રભ્યાસ્ટ્રયું હવું છેલા ગણા છે. '' તેને DATE ಮೇಶಗ APPROVED: 2.10 By WEARE AND CONSTRUCTION OF THE A. 10- 11 iyê wî wişti k Manufactor of the owner Ş., TA CONTROL OF THE PLUC PLAN OF ACCOUNTS ٠**٠** .

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TO BE CONSTRUCTED OR ALTERED?		YES ⊡ NO 24⊄1	WORK TO BE PERFORMED?		RK TO BE FORMED?	VES)
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CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING?	NO (2) CENTER LINE OF FRONT	N H	EXTENSION TO BUILDING?	NO SCI FLO	N GROUND	<u>so.</u> #
(21) WILL SIDEWALK OVER SUB-SIDEWALK SPACE BE REPAIRED OR ALTERED?			(23) ANY OTHER EXISTING BLDG. ON LOT? (IF YES, SHOW ON PLOT PLAN)	YES U CO	ES THIS ALTERATION NSTITUTE A CHANGE OCCUPANCY?	YES NO J
(25) ARCHITECT OR ENGINEER (DESIGN C) CON.		NO AR	(CALIF. CERTIFIC	
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(26) CONSTRUCTION LENDER (ENTER NAME AND IF THERE IS NO KNOWN CONSTRUCTION LE		E. Andrew .	· · ·	ADORESS		1
		**************************************	8-2424 500			<u>````````````````````````````````</u>
No change shall be made in the character			HOLD HARMLESS CLAUSE		stance of the permit, ag	
Permit authorizing such change. See Sa Code.	n Francisco Building Code and San	Francisco Housing	and hold harmless, the City demande and actions for d	amages resulting from op	erations under this per	mit regardless
No portion of building or structure or scaff any wire containing more than 750 volte. S	olding used during construction, to b iee Sec. 385, California Penal Code.	e closer than 6'0" to	negligence of the City and C County of San Francisco aga	inst all auch claims, deman	ds or actions.	
Pursuant to San Francisco Building Cod owner is responsible for approved plans a	e, the building permit shalf be post		In conformity with the provial applicant shall have coverage	e under (1), or (11) designati	d below or shall indicat	e item (III), or (I'
Grade lines as shown on drawings acco	mpanying this application are assum	yed to be correct. If	or (V), whicheverils applicab Mark the appropriate method	le. If however item (V) is ci	tecked Item (IV) must b	e checked as w
actual grade lines are not the same as st and fills together with complete details submitted to this department for approval.			I hereby affirm under penalty			ν ο και ο κ ι του
ANY STIPULATION REQUIRED HEREIN	OR BY CODE MAY BE APPEALED.		V compensation, a	If maintain a certificate s provided by Section 3700 th this permit is issued.	of the Lebor Code, for t	he performance
BUILDING NOT TO BE OCCUPIED UNT	IL CERTIFICATE OF FINAL COMPL	ETION IS POSTED	(I have send will	maintain workers' comper	sation insurance, as re	quired by Sect
	OFANCY GRANTED, WHEN REGU		3700 of the Lat	or Code, for the performation insurance	Ince of the work for wi	hich this permit

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 F

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DATE:

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U Dept of Building Insp. PAGE 02/17/2010 23:29 4152397004 SOVALREALTY 05 JUN 1 8 1999 ISSUANCE 10 BUILDING **TION NUMBER APPLICATION FOR BUILDING PERMIT** CITY AND COUNTY OF SAN ABANCISCO \mathcal{T} DEPARTMENT OF BUILDING INSPECTION ADDITIONS, ALTERATIONS OR REPAIRS \simeq APPLICATION IS HEREBY MADE TO THE DEPARTMENT OF FORM 3 OTHER AGENCIES REVIEW REQUIRED BUILDING INSPECTION OF SAN FRANCISCO FOR PERMISSION TO BUILD IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SUBMITTED HEREWITH AND APPROVAL NUMBER FORM 8 🖂 - OVER-THE-COUNTER ISSUANCE ACCORDING TO THE DESCRIPTION AND FOR THE PURPOSE HEREINAFTER SET FORTH. NUMBER OF PLAN SETS .DO NOT WRITE ABOVE THIS LINE 🔻 DATE FILING FEE RECEIPT NO. (1) STREET ADDRESS OF JO BLOCK & LOT SSUED (2A) ESTIMATED 00 00 DATE INFORMATION TO BE FURNISHED BY ALL APPLICANTS ś LEGAL DESCRIPTION OF EXISTING BUILDING (4A) TYPE OF CONSTR. (6A) NO. OF BASEMENTS 7A) PRESENT USE (BA) OCCUP, CLASS (BA) NO. O UNITS: AND CELLARS: NEATN DESCRIPTION OF BUILDING ACTED PROPOSED ALTERATION 0.5 (6) NO. OF STORIES OF Z (4) TYPE OF CONSTR (5) NO. OF BASEMENTS AND CELLARS: (8) OCCUP. CLASS (B) NO. O DWELLING บทา้าร: IS AUTO RUNWAY WILL STREET SPACE BE USED DURING FLECTRICA (19) PLUMBING YES 🗅 YES 🗅 $N_{\rm ext}$ 34.3 YES ò WORK TO BE YES WORK TO BE PERFORMED? CONSTRUCTION? NO G ŊQ.) E NQ PERFORMED NO 14) GENERAL CONTRACTOR PHONE EXPIRATION DATE ¥, 2010 (15) OWNED - 1 ESS FOR CONTACT BY DEPT.) NTHAN AN WORK TO BE PERFORMED UNDER THIS S. 4. 1. 1. 4 ADDITIONAL INFORMATION (17) DOES THIS ALTERATION CREATE ADDITIONAL HEIGHT OR STORY TO BUILDING? (18) IF (17) IS YES, STATE NEW HEIGHT AT CENTER LINE OF FRONT DOES THIS ALTERATION CREATE DECK OF HORIZ. EXTRNSION TO BUILDING? YES YES 🔎 (20) IF (19) IS YES, STATE NEW GROUND é NOC NQ-fe FLOOR AREA (21) WILL SIDEWALK OVER (22) WILL BUILDING EXTEND BEYOND ANY OTHER EXISTING BLOG, DOES THIS ALTERATION YES 🖸 SUB-BIDEWALK SPACE BE REPAIRED OR ALTERED? YES 🗅 ι S. . YES ON LOT? (IF YES, SHOW ON PLOT PLAN) YES Q พิง CONSTITUTE A CHANGE OF OCCUPANCY? ÷. PROPERTY LINE? ¢ NØ NO_ (25) ARCHITECT OR ENGINEER (DESIGN Q CONSTRUCTION Q) NO > S ADDEES CALIF. CERTIEICATE NO لمتخر (##) CONSTRUCTION LENDER (ENTER NAME AND BRANCH DESIGNATION IF ANY, IF THERE IS NO KNOWN CONSTRUCTION LENDER, ENTER "UNKNOWN"). ADDRESS - IMPORTANT NOTICES NOTICE TO APPLICANT No change shall be made in the character of the occupancy or use without first obtaining a Building Permit authorizing such change. See San Francisco Building Code and San Francisco Housing HOLD HARMLESS CLAUSE: The permittee(s) by acceptance of the permit, egree(s) to indemnif, and hold harmless the City and County of San Francisco from and against any and all claims demands and actions for damages resulting from operations under this permit, regardless o negligence of the City and County of San Francisco, and to assume the defense of the City and No portion of bulkding or structure or scattolding used during construction, to be closer than 6'0" to any wire containing more than 750 volts. See Sec. 385, California Penal Code County of San Francisco against all such claims, demands or actions. 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 site. In conformity with the provisions of Section 3800 of the Labor Code of the State of California, the In comomity with the provisions of decision solv on the Labor Code to the State of California, me applicant shall have coverage, under (I), or (II) designated below or shall indicate item (III), or (IV) or (V), whichever is applicable if however item (V) is checked item (IV) must be checked as well. Mark the appropriate method of compliance of the following declarations. Grade lines as shown on drawings accompanying this application are assumed to be correct. If actual grade lines are not the same as shown revised drawings showing correct grade lines, cuts and diff to getter with complete details of retaining walls and will footings required must be bomitted to this department for approval. I have and will meintain a certificate of consent to self-insure for workers
 compensation, as provided by Section 3700 of the Labor Code, for the performance of
 the work for which tills permit is issued. STIPULATION REQUIRED HEREIN OR BY CODE MAY BE APPEALED DING NOT TO BE OCCUPIED UNTIL CERTIFICATE OF FINAL COMPLETION IS POSTED

02/17/2010 23:29 4152397004 SOVALREALTY PAGE 06 OATE: REASON: Contact the district building inspector at the start of work call 558-6096. 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 NØTIFIE BUILDING INSPECTOR, DEPT. OF BLDG, INSP. ě. APPROVED: DATE: REASON: NOTIFIED MR. DEPARTMENT OF CITY PLANNING APPROVED: DATE: REASON: ---PLEASE NOTIFY FIRE INSPECTOR 학생은 교육은 학생 것같은 AT THE START OF WORK 558-3300 NOTIFIED MR. AU OF FIRE PREVENTION & PUBLIC SAFE AMAINTAING PER CHAPTER 10, SFBL DATE; MAINTAIN FIRE PROTECTION SYSTEMS PER CHAPTER 9, SFBC INTERIOR WALL AND CEILING FINISH PER CHAPTER 8, SEBC FIRE-RESISTIVE RELATIONSIP, AND **REQUIREMENTS PER CHAPTER 6** AND TABLE NO. 6A, SFBC CIVIL ENGINEER OF BLDG. INSPECTION APPROVED: DATE: REASON: NOTIFIED MR. BUREAU OF ENGINEERING APPROVED; DATE: REASON: DEPARTMENT OF PUBLIC HEALTH NOTIFIED MR. يدي د اي DATE والانتقار التارار تشار ាត់ ភូមិអ្នក in silver 5 REASON 10784 REDEVELOPMENT AGENCY 35 BC ل لا جراد بالبلاد ال NOTIFIED MR. and the second second region of († 25) 1991 New Constant State دون با ما تعلقه در جزیمه nicainain Alta Alta APPROVED: STATISME CONTRACTOR OF A CONTRACTOR OF THE R. L. ※「「「「「「「」」」 1.10 7.5 जननगर हो इन्द्र**ावद** बीन्द्र संस्थ MATTREZIANCER DATE 6725

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# Permits, Complaints and Boiler PTO Inquiry

Permit Details Report		
Report Date:	10/6/2012 3:06:01 PM	
Application Number:	200304152314	
Form Number:	8	
Address(es):	0103 / 009 / 0 524 UNION	ST
Description:	MANUFACTURE & INSTALL ONE AWNING ON FRONT OF DIMENSIONS ARE 17'-4" ACROSS X 4'-4"HIGH X 3'0	BUSINESS-
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:

License Number:	467247
Name:	TIMOTHY MCGILL
Company Name:	AMER. CANVAS & AWNING
Address:	1600 CORTLAND AV * SAN FRANCISCO CA 94110
Phone:	8267515

# Addenda Details:

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	Type	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

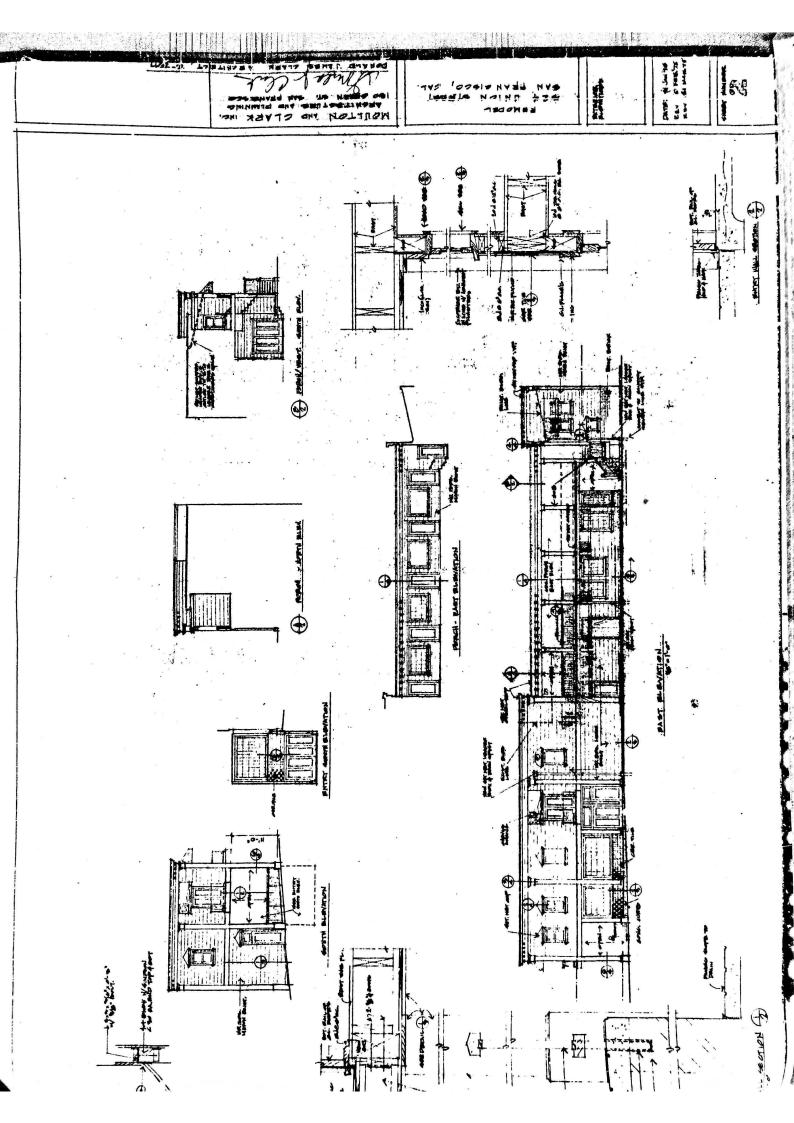
For information, or to schedule an inspection, call 558-6570 between 8:30 am and 3:00 pm.

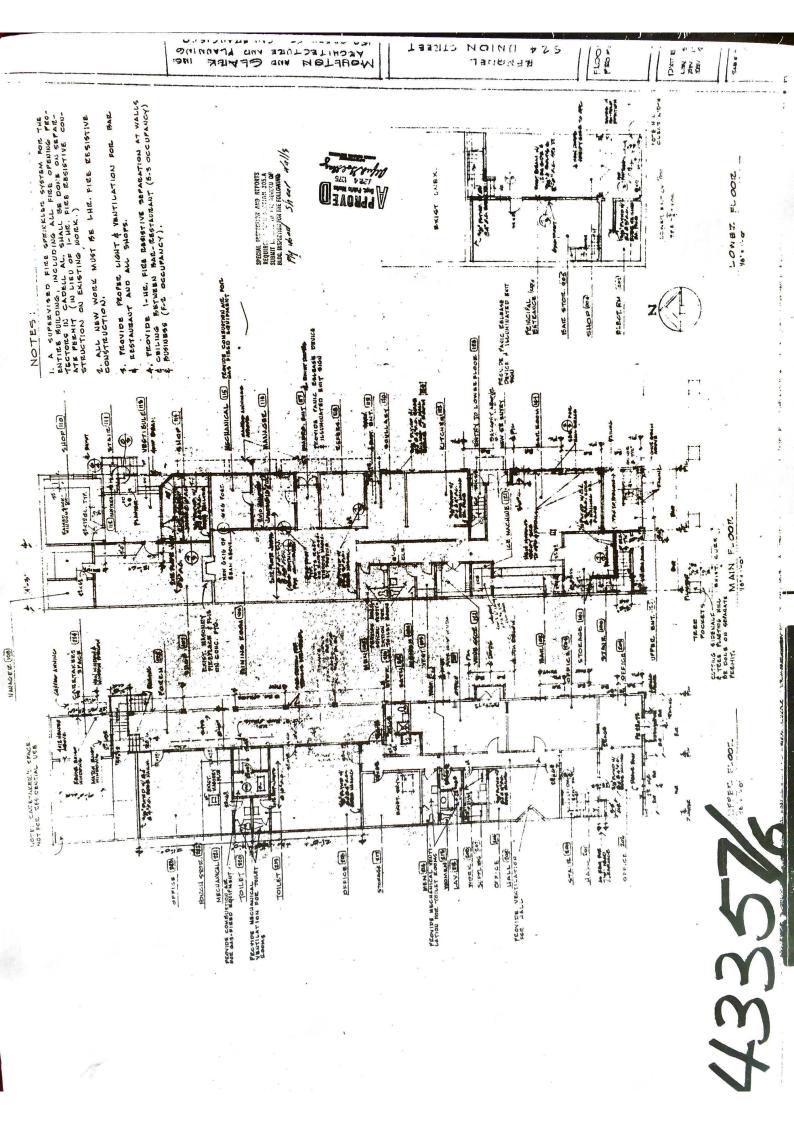
Station Code Descriptions and Phone Numbers

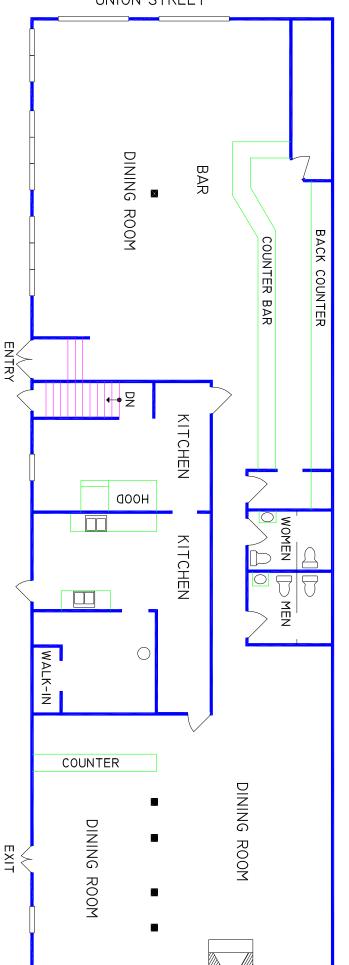
Online Permit and Complaint Tracking home page.

#### **Technical Support for Online Services**

If you need help on here a question shout this service places visit our EAO area







GROUND FLOOR RETAIL 524 UNION STREET

EZFLOORPLAN. COM





Appendix (B)

#### SAN FRANCISCO [C] DIRECTORY.

Butley H W, clerk dead letter department, Post Cate W. J. mile broker, office 68 Front Offers durt Join, bet Powell and Mason | Call Texton, Wash'y, near Symmetry

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Stockton and Powell

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Felson and Harrison

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Established Pabranes, 1888.

Caday Mills, of Cadey & Willey, 96 Cal-Cady D. W. deputy city and county surveyor, 28

City Hall, 38 firest Cally R. T. machinist, Facilie Foundry,

tlady John, laborer, dwi Bloward, bei Second

and Third Casty Jobs, holler-maker, N. H. cor Front and Market

Cafrey Mrs. H. 165 Front Caror Matthew, barbor, Irds American Hotel

Cabill Rd. clerk U.S. B. Mint, res Rassettie House

Buther Jumph D. season, dwi S. a Sutter, het Cahill Thomas, smelter at Mint, beds at Rassetta HATTER

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Anthony

Cahn Wolf, French clothing, 180 Kenny | dwl Powell, bot Clay and Sat

Cail Thomas, curturan, buds 37 St. Mark's Place. Cain E. (col'd) while washer, dwi Paritie, het Taylor and Joseph

Cain Rules & bricklayer, dwl-165 Duponi

Byani William F. Battury, dwl E. a Prinpert Calef Charles E. clerk with J. H. Rodington & Co, hads with Dr. Calef

litrets John, laboret, dwl Barflett Place, near CALET J. S. physician and surgeon, effect S.H. cor Kentuy and Communities, row N. W. cor Stockton and Post.

Byrns & Morgan, Bysor dealers, Third, W. a bet, Chice Justinian, Jostforare store, 142 Wash'n, diwi Valleio, near Mont'y

Report Print in March, 1984.

Caimra R. saleman at Gen O. Whitney & Co's. Its N. s Poet, het Mont'y and Kenroy

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Calloun Charles A. yeinter, N. H. cor Col. and Sansome, doil Fourth, bet Mission and Marlevel.

Hall; out W.s Dupant, bet Suttor and Post Galhoon, Wire & Della Torre, all'ye at law, office 30 Mont'y Elech

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California Engine Co. 4, N. s Market, lot Sonsense and finitery.

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Cadey & Willey, inj'rs and dealers in carriages. CALIFORNIA STEAM NAVIGATION COM-PANY, office N. E. cur Jackson and Front

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### SAN FRANCISCO [ C ] DIRECTORY.

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#### TILE

# SAN FRANCISCO DIRECTORY,

# For the Year commencing October 1st, 1864.

EP Notice - Names has late for regular summing, remember, obseque, stor, which have accurred during the printing of the neck, will be found on the pages immediately prevaling this.

For List of Residues Neares, Holds, Lodgenzy, etc., or Revenues Distances, pp. 414, 408, 666 for Pankels, Seri and Steven, on p. 470, for the location of the offices of the different Mining Compasits, mellimittes of NAMES.

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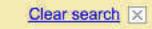
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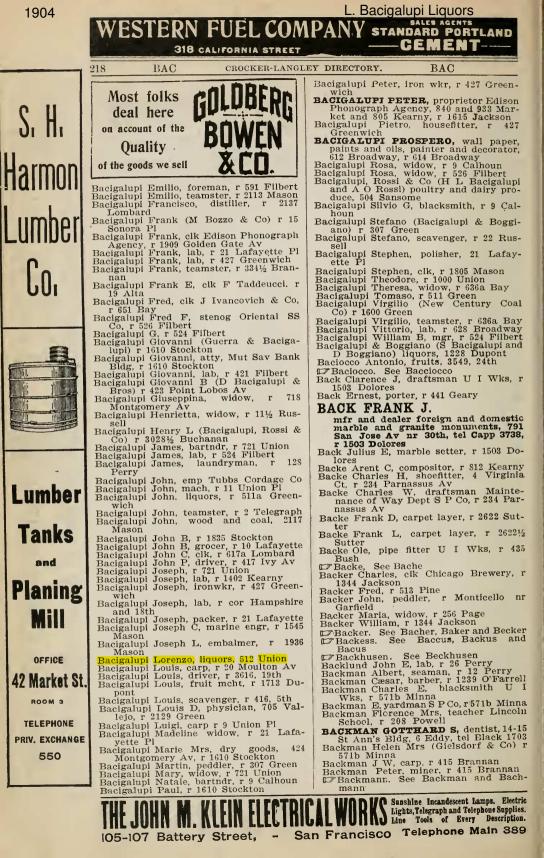
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  - VILTORIA & OREGON STEAMER'S, California
  - Steam Navigation Co. office NE for Front and Jackson.
  - VICTORIA & PUGET SOUND PACKETS, Fope & Tailot, pier IT Newart, and Asso
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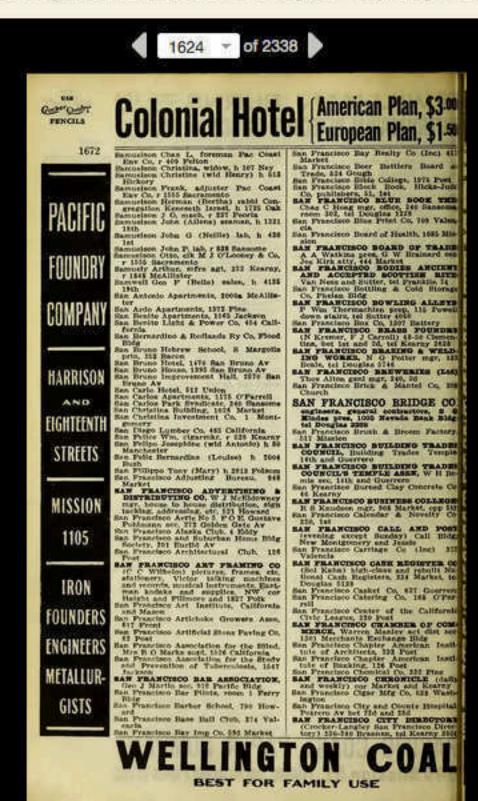
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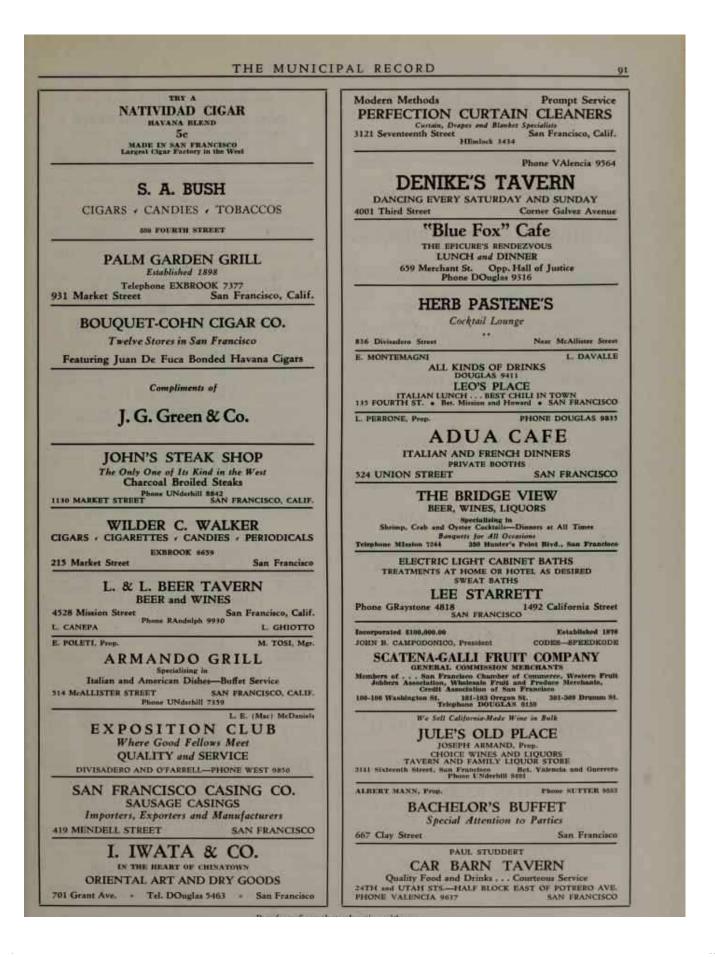
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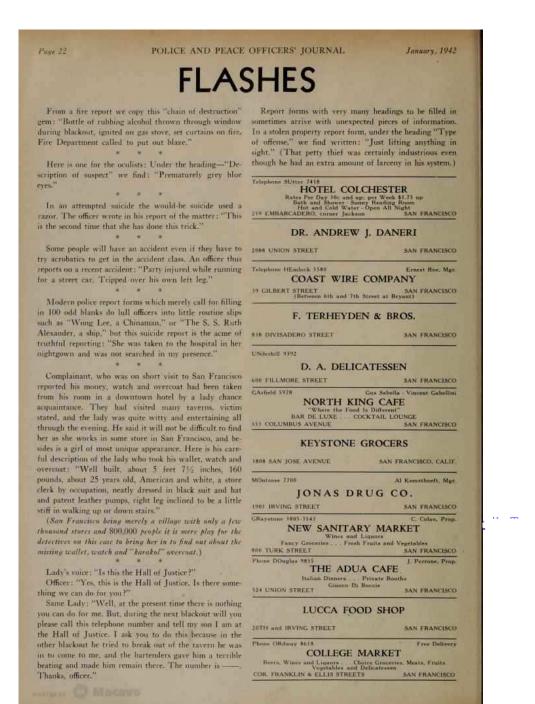




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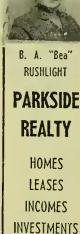
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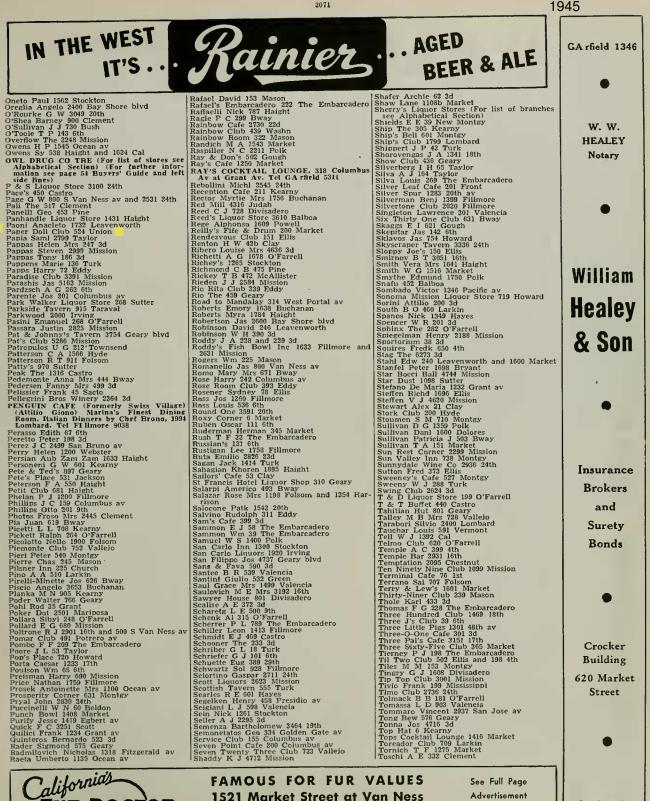
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 Paone F Philip (Visian) steel wkr h355 Eddy apt 407 Harry artist Concernent in Ficewood City Kach (Florenet: Diana Market) h363 28th av Nicholas (Sarah: Nick's Florist) h874 34th av Richd (Mary) h365 28th av Rose (wid) Andrew r874 34th av Ruth reept h640 Pest at 505 Walter (Zarelle) pres Lucky Strike Brokerage Co Inc r Freemont City CLEANING ¹⁰ Vladimir (Macrouhi) cabinet mkr h552 Miramae av Paponi Jos (Clorinda) lab h1942 Quesada av Paponis Dina (wid Stephen) r223 Diamond ¹¹ Effic h2250 Bay apt 106 ¹¹ Jas cik Shell Oli h223 Diamond 925 Galden Gate William (Bill) Ayoob Ave. Phil (Goose) Gosland Ayoob's Sport Shop Men's and Boys' Clothing Tel. WAlnut

ALSO WHOLESALE ATHLETIC EQUIPMENT

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PAPA HERNAN O (GAIL PI LWYR H30 MELDA AV -JEROME S (ADALE MI EMP BK OF AM HISI FARRAGUT AV -JERRY (MARY) RETO M3433 SCOTT STN (JOHN PAPA REAL ESTATE) PAPA JOHN REAL ESTATE (JOHN PAPA) JOS KEARY ST RM 301 PAPA JOSEPH A (MARY TI RETO HISO FONT BLYO APT BL -JOSEPH M M6 LOCKSLEY AV APT SC

--JOSEEDN M HG LÖCKSLEV AV APT 50 --MAMIE (WIQ ANTONE) MI33 RETIRO WAY --MAN.IO (GTANNINAI DESIGNER LANGBERG BROS M50 CHUMASERD NATL WK R530 STOCKTON ST --PIETRO HG3] EDINBURGH ST MATL WK R530 STOCKTON ST --PIETRO HG3] EDINBURGH ST MATL WK R540 STOCKTON ST --RIETRO HG3] EDINBURGH ST MATL WK R540 STOCKTON ST --RIETRO HG3] EDINBURGH ST MATL BK R540 STOCKTON ST --RIETRO HG3] EDINBURGH ST MATL BK R540 STANTAN ST ST --RUDOLPH (RUDI'S SALON OF BEAUTY) R CORTE MADERA --THREESA WRS (TIP TOP SHOE SERVICE) R BURLINGAME RAPAA RANCH (ALBERT H GORIE) 215 MAKET ST RN 1120 PAPADAKIS EMANUEL (DI GA) 15TAP

PARAC G S N290 ALMAMBRA ST APT A ADAXIS EMANUEL (DLGA) (STAR FINE FDODS) R PACIFICA --GED (ANN) (PEER INN) N149 SOMERSET ST --LGA MAS (STAR FINE FOODS) R PACIFICA -SPIROS (GEORGIA) PKR HB19 MAMPSHIRE ST --STEVE B BARTENDER H1725 CHESINUT ST APT 20A PARDIAMANTIS CHBIS K (TAITI) CUSTON BD OF EDUC H2535 30TH AV

ST GLECKT RA29 DOUGLASS ST --NUELENA RETD RA29 DOUGLASS ST --RUDDLPH R (CATH G) PRES REGAL PACKING CO H339B WASHINGTON

PACKING CO FORCE R ST --TERRY R35 FARK ST -RERAY R35 FARK ST PARALIAS GEO J (NELEN 1) ORIVER MERCURY SUP MB12 AVALON AV -GEO J JR RB12 AVALON AV PAPAN LOUIS J (IPENE) (RICCARDI C PAPAN REAL ESTATE) R OALY CITY

1051

PAPAS

FAFAS -HOMER DRIVER LUXDR CAB HS0 GLENDALE ST APT 303 -IRENE P MRS CITY PLANNER H36 PIXLEY ST -JAMES (SOPHIE E) (A A A LIOUDR STORE) R636 20TH AV -JAMES M (ANNIE E) INS BORGER 995 MARKET ST RM 1204 R SAN ANSELMO --LINDA L OFC SEC LAWRENCE

HALPPIN 6 ASSOCS R1944 WEBSTER ST APT 4 --MILION INS BROKER 995 MARKET 5T RH 1204 R SAN RAFAEL --S R H1522 NOBARD ST APT 1 PAPASODERD RAYMOND N1955 31ST

AV AVERAN ANGELINE OFC HGR ESSEAR INVESTMENT NIA78 18TH AV APT 4 PARTHAKIS MABEL H367 20TH AV RAPAVEK J S HILLAO PINE ST APT

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- --FRED E (LAKE LOS ANGELES) R SAN RAFAEL --GED A (DLIVETTE) SEC ROMA MACARONI FCTY N270 LANSDALE AV

- MACARONI FCTY N270 LANSDALE AV --GILOD (ANNE M) RETO H2834 POLK ST --GIOVACCHINO A (HELEN E) INSP BANY MIAAA GREENNICH SI --JDSEPH (GINA) RETD N27 REODY --JDJSEPH (GINA) RETD N27 REODY --UNIS L (PRESIDIO FLORISTS) R SAN ANSELWO --MARIO G (PAOLINI-PAOLINI 6 OOBBINS) R DALY CITY --MICK STUDT RIGT? GREENWICH ST RAOLINI-PAOLINI 6 DOBBINS (ROBT A OOBBINS MARIO G AND EZIO M PAOLINI) LWYRS 4657 MISSION ST
- PAOLINIT COULSE) TRUST ST DFCR CROCKER CITIZENS H121 VENUS ST --RICCAROO H1086 BUSH ST APT

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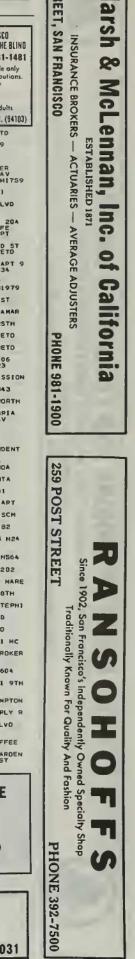
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APPENDIX (C)

Research Information

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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. 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.

### + 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 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.)

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 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, 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.* 

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 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 compet 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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1 of 8

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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,

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 P2d 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. [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</u> 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 *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 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 <u>Givens v. Department of Alcoholic Beverage Control (1959), 176 Cal.App.2d 529, 534 [1 Cal.Rptr. 446]</u>, 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 (<u>Mercurio v. Department of</u>

217 <u>Alcoholic *217 Beverage Control, supra; Brice v. Department of Alcoholic Beverage Control (1957), 153 Cal.App.2d</u> 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 guestion 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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introduction could have been interposed even in lieu of section 24200, subdivision (e).

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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>. <u>supra</u>, 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.

[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 quilty 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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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 681, cited by appellant, is in harmony with this decision.

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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 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 pur-view 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 re-quirements 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.

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 sec-tion 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 bar-tender, 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 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.

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. Calhoun (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.2d 559, 561 [197 P.2d 10], "When parties become reconciled after an interlocutory 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. . . . ' " (Chirgwin v. Chirgwin (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.

34 [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 eredibility 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, subd. (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

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

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a determination that continuance of the license would be contrary to public welfare and morals within the meaning of Const., art. XX, § 22, and the accusation put the licensee on notice that his license might be revoked under the constitutional provision and there was a finding to that effect.

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 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.

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

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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. [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

^{*}Assigned by Chairman of Judicial Council.

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

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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], eited 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 eredibility 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.

[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).

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

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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 denving 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.

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

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PEOPLE V. NOTHNAGEL

#### [Crim. No. 7095. Second Dist., Div. One. Dec. 8, 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 S-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 inferred 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 be 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, § 2SS) consists of any

[2] See Cal.Jur.2d, Appeal and Error, § 610; Am.Jur., Appeal and Error, § S91.

[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, § 18; [6] Lewdness, § 5: [7, 8] Criminal Law, § 952.

## 1 following charges were made:

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

#### 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(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. 4

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.

#### II

#### 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 bar 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 employees.

(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 premises (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. (b) 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 (Exhibit 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 lesbians 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 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,

Shorkuse & Murray Stationeys for Appellant.

404113

# ORIGINAL

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF CALIFORNIA FIRST APPELLATE DISTRICT DIVISION TWO Dist. Court of Appeal - First Dist. FILED DANTE BENEDETTI. DEC. 8,1960 Petitioner and Appellant, LAWRENCE R. ELKINGTON, Clerk vs. By. Deputy DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL, et al., 1 Civ. 19205 Respondents.

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 (§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 ORIGINAL

# 1 Crvn. No. 19,205

# District Court of Appeal

In the

State of California FIRST APPELLATE DISTRICT of Appeal - First Dist APR 14 19

DIVISION TWO

DANTE BENEDETT.

CITEL NO.

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LAWRENCE R. ELKING 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, 4 Defendants 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. Clair, Judge.

> JAMES MURRAY, MARKUSE & MURRAY. 821 Market Street, San Francisco 3, 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 <u>http://www.lawlink.com/</u> 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 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

SAN FRANCISCO HISTORY HAS A GREAT FUTURE

### 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

## <u>Selected literary references to the Paper Doll.</u>

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

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



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

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

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

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



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



## 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,

MM

Katie Conry Executive Director Tenderloin Museum