

To the City of Portland Planning Commission and Staff:

I would like to reassert, with conditions, my opposition to the rezoning of the property at 6912 SE 52nd to CM1.

The following is a list of reasons for my opposition:

1. The City of Portland's staff has mischaracterized a viewpoint expressed by neighbors: *Residents and small businesses around the property understood the nonconforming commercial property to be zoned residential, not a commercial one and were not aware that zoning may change over time.*

I believe it is incorrect to assume that residents of the area are 'not aware that zoning may change over time'. Instead, it is likely more accurate to state that residents think it is not appropriate to change the zoning of this particular lot and that they do not understand why the city would single out this specific property for modification when this lot contains a pre-existing, potential source of adverse impacts to its neighbors.

2. This property has a long history of creating adverse impacts on the community, which date back to the 1980's when it operated as the Trocadero Inn. Rather than explain this history, I have attached the liquor license complaint history from the OLCC as evidence. The property ceased to be a late-night problem when its hours were limited to 10pm in 1992. The property's zoning has been a crucial factor in keeping those hours limited and keeping noise from live bands from interfering with neighbor's sleep (although its hours are now limited to 11pm, not 10pm).

To be fair, it should also be noted that, although still very noisy during its evening operating hours, the current tavern, which advertises itself as a live music venue, does NOT have rowdy patrons like the Trocadero did; this may be a result of changes in neighborhood character or a result of more unsavory patrons being dissuaded by the bars limited, 11pm hours. I certainly hope it is the former, as the current patrons are a mostly a very respectful group of people. It is the owners and their desire to blast live music at full volume, and the inability of this small wood-framed building to contain such music (especially the low frequencies), that I have an issue with.

3. The city has provided two reasons for recommending the application of the CM1 zone:

- First, the city claims a desire for 'consistency' with Policy 6.69 (Non-conforming neighborhood business uses)
- Second, the city claims that application of the BDNA recommended Commercial Residential (CR) zone would be 'precedent setting.'

The manner in how these two reasons are applied, however, demonstrates an inconsistency in the city's handling of this matter, as is discussed in the next two points.

3.a) In the first case, the city has chosen to interpret statute 6.69 (Non-conforming neighborhood business uses) in the broadest and most lenient manner possible. The wording of 6.69 is as follows:

6.69 Non-conforming neighborhood business uses: *Limit non-conforming uses to reduce adverse impacts on nearby residential uses while avoiding displacement of existing neighborhood businesses.*

Based on the wording in this statute, the city has given the following reason for recommending re-zoning to CM1:

This property is a corner lot, the tavern is in a commercial building, and the other three corners of the intersection at SE 52nd and SE Bybee are all designated commercial.

In providing this reason, however, the city ignores the specific wording of 'residential uses' in 6.69 by referring to the lots on the three neighboring corners as commercial, giving the impression that those corners do not contain valid 'residential uses'. In fact, the three referred to corner lots are 'mixed-use' zones for which 'residential-use' is a conforming right and commercial uses are not required, even for new developments. As 'residential uses' is lowercase in 6.69, there is no good reason for the city to interpret this statute's protections as only applying to R zones.

Certainly, the city and its staff believe that those residing in conforming mixed-use zones also have equal rights to be protected from 'adverse impacts' under 6.69, especially when the nonconforming property in question has a history of providing such impacts.

Further, the city never mentions that the property is directly adjacent to three R5 zones and that all other lots on the main street (52nd Ave) in the same block area as 6912 SE 52nd are R5 and are not designated for modification to CM1. If modified to CM1, this lot will be the only one on 52nd Ave between Cooper and Bybee that is not R5.

3.b) Unlike in 3.a, in the case of considering whether or not the more protective 'Commercial Residential' zone be applied to this site, the city is interpreting this rule in the strictest sense possible. The city refers to application of CR at this site as 'precedent setting'. In fact, as the CR zone was just created in draft form in August of 2017, it stands to reason, therefore, that all applications of the CR zone, at this particular point in time, are precedent setting and that the city is not overturning years or decades of precedence by applying the CR zone to this site. On the contrary, if there is in fact a time to set a precedent, now is that time.

Here are several unique factors about this site which make it worthy of application of CR zoning:

- The site has an unusual L-like shape which causes it to surround another R5 property on SE Bybee on 2 sides
- The site is home to a tavern which has been a source of livability concerns
- At over 18,000 sq. ft., this site will be the largest 'commercial zone' in the small cluster of other 'commercial zones' at this site
- The site borders other R5 properties on 52nd Ave and will be the only mixed-use, commercial zone on 52nd Ave in its block area (unlike other mixed-use zones at this location which all stretch from block-to-block along 52nd Ave)

- ALSO, Not mentioned by the city in its reasoning is that this site also includes a single-family residential house as well as a tavern. The house is still used residentially and much (most?) of the lot's area is devoted to providing yard space and a garage for the house.

3.c) As for '*avoiding displacement of existing neighborhood businesses.*', it should be noted that this business has existed for decades without commercial zoning and has not yet been displaced. In addition, the business has been limited in its hours to before 11pm since 1992, a fact that is clear the OLCC documents provided, and has not been displaced as a result. In fact, rezoning is more likely to displace this business as it will give an incentive to sell the land and tear down the tavern to put up more expensive, Portlandia-style businesses that do not necessary serve the tastes of many long-term residents of Brentwood-Darlington.

3.d) Based on the past three points, it appears that the city has a real and demonstrable bias toward re-zoning this site. This bias seems strange when one considers point 4, below.

4) The city has failed to show how rezoning to CM1 will benefit anyone other than the owners of the property. This leads back to point one, which is that neighbors will have a hard time understanding why the city wishes to harm their properties just to benefit this one particular property owner and no one else. This is more bewildering when one considers the only reason is 'consistency' with Policy 6.69, which seems to exist to protect neighbors and not be a good reason to re-zone.

For these reasons, I am opposed to a modification of zoning at this time. However, I should note that I am not necessarily opposed to this change for any reason other than noise. If the property's owners can provide verifiable assurances that they are capable of reducing or eliminating noise impacts, especially late at night, I would likely drop my opposition and change my stance to 'favorable' for rezoning as I do not wish to go against the property rights of my neighbor; that is, as long as my neighbor is respectful of my rights to enjoy my property with peace and quiet as well.

To this date, the property owners have done nothing to limit noise emanating from the tavern beyond closing at 11pm, as required by current zoning.

Patrick Burke
7006 SE 52nd Ave

MONTAGNY

OREGON LIQUOR CONTROL COMMISSION
ENFORCEMENT DIVISION

4701

NOTICE OF VIOLATION NOTICE OF WARNING
 LICENSEE Boyd, George T.

PERMITTEE _____
S/P# _____ Last Name _____ First _____ Middle _____

6920 SE 52
Premises/Residence Address _____ Phone _____

Portland OR 97206 Mult
City _____ State _____ Zip _____ County _____

On March 12, 1985 at 12:30 AM
about 1:30 AM

at Tropicana Inn RAB
Trade Name _____ Lic. Type _____

You or your employee are charged with the following violation(s)
of the Oregon Liquor Control Laws and/or Administrative Rules:

Drinking on Duty

Delivered to: _____
 Permittee _____
 Licensee George Boyd
Time: 11:45 AM Date: March 11, 1985
Officer: David L. Stevens
David L. Stevens

OREGON LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT

RO2006-~~24~~
16

OUCC VIOLATION

CASE # 26-0206-RMB

LICENSEE BOYD, George T. COMPLAINT Regulatory Field Services
TRADE NAME Trocadero Inn ADDRESS _____
ADDRESS 6920 S.E. 52nd Ave. CITY/ZIP _____
CITY/ZIP Portland, OR 97206 PHONE (Day) _____ (Even) _____
PHONE 775-7437 PUBLIC POLICE REGISTRATION INDUSTRY _____
Received by _____ Date _____ Assigned to CLEMENS/BENEFIELD Date 3/12/88
Reviewed by _____ Date _____ Completed by _____ Date _____

ASSESSMENT:
 Open for Investigation
 Reopen for Investigation
 Add to Open Case
 Open/Close at Intake
 Referral to _____
STATUS:
 Closed
 Continued
CONCLUSION:
 Valid
 Invalid
 Insufficient
 Refer to: _____

EVIDENCE: N/A
ALLEGED VIOLATIONS: Minors Food Service Service Permits
 VIPS Hidden Owner Fin. Assistance
 I-D DOD Disorderly Pres. Other

ACTION TAKEN: NVT NWT _____ ROVI _____ V/I _____ OTHER _____

DESCRIPTION:
Inspectors observed licensee drinking alcohol on the premises, sell and serve customers.

COMPLIANCE ACTION
ALLEGATION I-D - Notice of Violation
Drinking while on duty OAR 845-06-045 for L/BOYD.
SERVICE PERMITTEE ON DUTY

MYERS, Sue Marie
7317 SE Henry
Portland, Oregon 97206
D.O.B. 10/22/54
SP #17513 Exp. 92

RECEIVED

APR 22 1988

REGULATORY FIELD SERVICES
Oregon Liquor Control Commission

Continue

Compliance Unit
3/15/88
17513

OHIO LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT
Continuation Sheet

CASE # 26-0206-RMB

REFERENCES

1. NVT #4701 dated 03/12/88, issued to L/BOYD by Inspector
2. NVT. Report dated 03/05/88, in file.
3. ROVI issued 02/08/88.

BACKGROUND

We issued L/BOYD a Temporary Letter of Authority to Operate on 01/01/88, and a Letter of Authority to Operate on 02/10/88.

On 03/06/88, we issued the bartender on-duty District Court Citations for:

1. Sale and Service to VIP
2. Sold alcohol without a service permit.

We issued L/BOYD NVT for:

1. Sale and Service to a VIP.
2. Employee without a service permit and NVT for Drinking on Duty.

On 02/08/88, District Inspector VANDEN BERG issued L/BOYD ROVI for:

- *Disorderly Premises
- *Criminal Activity
- *Sale to VIP

Inspector VANDEN BERG also discussed Drinking on Duty with L/BOYD. See Reference #3.

Inspector BAINBRIDGE gave the licensee a law orientation class at the time of application for a license.

District Supervisor Sharon BRINKHOFF has requested observation due to compliance problems.

Inspector BAINBRIDGE gave the licensee a Law Orientation class at the time of application for a license.

District Inspector VANDEN BERG issued the licensee ROVI on 02/08/88, for:

- *Disorderly Premises
- *Criminal Activity
- *Sale to VIP

OHIO LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
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Inspector VANDEN BERG also discussed Drinking on Duty with L/BOYD.

See Reference #3

District Supervisor Sharon Brinkhoff has requested observations due to compliance problems.

INVESTIGATION

On 03/12/88 at 12:30 am, Inspector BENEFIEL and I went into Tracadero Inn to observe.

The premises was moderately busy and the only person on duty was P/MEYERS.

When we entered the premises, we saw the licensee drinking a full mug of beer. He drank the mug down rapidly and walked to the end of the bar. P/MEYERS filled his mug with beer. L/BOYD sat at a table and drank the mug of beer. He walked to the end of the bar and set his mug down and P/MEYERS filled it again. L/BOYD walked into the room where the band plays. Within a few minutes he walked back to the end of the bar and set his empty mug down. P/MEYERS filled it again.

At 12:55 am, L/BOYD walked behind the bar, opened a cooler under the bar and removed two 16 oz. cans of Hamm's Beer and one 12 oz. can Olympia beer. He set them on the bar/counter and opened them.

P/MEYERS said to him in a loud voice, "Hey, what are you doing?" L/BOYD said something back which I was unable to hear.

L/BOYD carried the three cans of beer to the first table on the south wall in the room where the band plays. He served the three cans of beer to three people sitting at that table. L/BOYD collected money from one of the patrons. He took the money and gave it to P/MEYERS who made the change, handed the change to L/BOYD. L/BOYD then delivered the change to the patron.

Within five to ten minutes L/BOYD returned to the end of the bar, set his mug down and P/MEYERS filled it again. L/BOYD then went on stage and began playing guitar with the band. He consumed from this mug several times.

SUMMARY OF FACTS

Allegation 1-D

- A. NVT - Inspector BENEFIEL and I observed L/BOYD drinking beer rather heavily. He was drinking one near-full mug of beer when we entered the premises at 12:30 am. He was served three mugs of beer prior to 12:55 am.

OHIO LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT
Continuation Sheet

CASE # 26-0206-RMB

SUMMARY OF FACTS cont'd

B. We saw L/BOYD place himself on duty and perform the duties of a bartender at 12:55.

He served a table of three patrons three cans of beer, collect payment and deliver change to them, and then continued to consume from his mug of beer.

COMPLIANCE ACTION WHY

1-D NVT

L/BOYD is a relatively new licensee. He has been recently instructed regarding Rules and Laws orientation.

Because of compliance problems with several neighboring premises, including Trocadero Inn, District Inspector VANDEN BERG held a meeting with all of the licensees and issued ROVI to each of them.

Inspector BENEFIEL and I believe this NVT is necessary to gain compliance.

COMPLIANCE ACTION DECISION

I have discussed this premises with District Inspector VANDEN BERG and we agree that this should remain open for investigation and a compliance plan developed.

COMPLIANCE BUILDING PLAN

District Inspector VANDEN BERG and I agree that a compliance plan is necessary. We agree that this premises is out of control of the licensee. We agree that a considerable degree of the premises non-compliance and being out of control is due to the licensees drinking at the premises, whether he is off duty or on duty.

Inspector VANDEN BERG proposes and will develop a compliance plan, which will include:

- *L/BOYD submitting a written plan for maintaining compliance.
- *L/BOYD himself ceasing his drinking within his own premises,
- *cease live music at the premises by 12:00 midnight,
- *maintain an "86" list of chronic VIPs,
- *maintain an "86" list, making it readily available for inspection,
- *post the "86" list, making it readily available for inspection,
- *practice cutting off customers showing signs of visible intoxication,

TROCABERO INN

OHIO LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT
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COMPLIANCE BUILDING PLAN cont'd

*meet with all employees, discuss and instruct rules, laws and policies related to VIPs, disorderly conduct, criminal activities and drinking on duty,

*continue observations both visible and undercover, monitoring for compliance.

David R. Clemens
David R. Clemens
MCU Inspector #00417

R.J. Benefiel
R.J. Benefiel
MCU Inspector #1531

DRC/ww

Reviewed by

cc: Regulatory Process Division
Regional Supervisor
District Inspector

Steve Brinkhoff
Steve Brinkhoff
MCU Supervisor

OREGON LIQUOR CONTROL COMMISSION
 FIELD SERVICES DIVISION
 INTAKE/COMPLIANCE ACTION REPORT

O.K. TO FILE
 DATE 7-4-88
 Confidential

CASE # 26-00206-RMB

LICENSEE: Boyd, George + Joann COMPLAINANT Robert Schmeil
 TRADE NAME: Trocadero Inn ADDRESS: Code-a-phone msg.)
 ADDRESS: 6920 SE 52nd CITY/ZIP: _____
 CITY/ZIP: Portland 97206 PHONE: _____
 PHONE: 775 7437 (Res) 775-3914

Received by Nina Jensen Date 6/2/88 Assigned to _____
 Reviewed by Ab Brundage Date 6/1/88 Completed by _____ Date 6-3-88
 Date 6-15-88

ASSESSMENT:
 Open for Investigation
 Reopen for Investigation
 Adv to Open Case
 Open/Close at Intake
 Referral to _____

STATUS:
 Closed
 Continued

CONCLUSION:
 Valid
 Invalid
 Insufficient
 Refer to: _____

ALLEGED VIOLATIONS: Minors Food Service
 VIPS Hidden Owner Service Permits
 DOD Disorderly Prem. Fin. Assistance
 Other

ACTION TAKEN: NVT _____ NMT _____ ROVI _____ V/I 1 OTHER _____

DESCRIPTION:
 Two messages were left on the code-a-phone regarding this premises. Both messages were received after 12:00 a.m.

① PPB dispatcher received anonymous call from an individual stating the premises was serving alcohol to visibly intoxicated patrons. No other info. given

② Mr. Schmeil called to complain about the loud music coming from the premises. Mr. Schmeil said he contacted on-duty service permittee and licensee and had negative results from his complaints.

OREGON LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT
Continuation Sheet

CASE # 26-00206-RMB

Page _____ of _____

References:

1. OLCC Intake/Compliance Action Report dated 6/2/88.

Investigative Summary:


OLCC issued L/George Boyd Authority to Operate Trocadero Inn on 4-12-86. The compliance history reflects the following:

NVT 3/12/88	VIP's
NVT 3/6/88	DOD
V/I 7-31-87	Noise

On 6-7-88 I contacted L/George Boyd and explained the nature of the current complaint. L/Boyd insisted that the noise problem at Trocadero was under control. He went on to say he would like to speak to the complainant personally to resolve the issue amicably. I told L/Boyd that any contact between he and the complainant would have to be initiated by the complainant since I could not reveal the complainants identity.

Compliance Decision:

I issued V/I to L/Boyd concerning his obligation to maintain an orderly premises as it relates to noise. L/Boyd understands his responsibility and says he is confident that the noise problems have been solved. I believe the V/I noted above is the appropriate compliance action to deal with this complaint at this time.


Thomas O'Donnell
Inspector

TOD:kid

0912 005

On JUNE 23, 1967
at PERMITS
by PERMITS

Use of your stamps is limited to the use of the Oregon Department of Fish and Game. No other stamps or markings should be made.

PERMITS A NOTARY
PERMITS

Delivered to: PERMITS
Time: PERMITS
Date: PERMITS
Officer: PERMITS

ORIGINAL VISITORS
Form 3456-69 (Rev. 2-67)

RECORDED

**OREGON LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION**

R206-17

VIOLATION

CASE # 26-0206A-RMB

LICENSEE Boyd, George Thomas
 TRADE NAME Boyd, Joanne Helen
TROCADERO INN
 ADDRESS 6920 S.E. 52nd Avenue
 CITY/ZIP Portland 97206
 PHONE 775-7437

Received by Crosier Date 6/3/88 Assigned to 10720 P.M.
 Reviewed by C. Williams Date 7-27-88 Completed by with Date 7-28-88

ASSESSMENT: Open for Investigation Close
 Reopen for Investigation Continued
 Add to Open Case
 Open/Close at Intake
 Referral to _____

EVIDENCE: _____

ALLEGED VIOLATIONS: Minors Food Service Service Facility
 VIPS Hidden Owner Fin. Assistance
 DCD Disorderly Prem. Other Noise

ACTION TAKEN: NVT NWT _____ ROVI _____ V/I _____ OTHER _____

DESCRIPTION:

Complainant reported that the doors of the premises were open and that the noise of the band was excessive.

Dispatch informed owner George BOYD of the noise complaint at 10:23 P.M. He said there was only a three piece band and that the door was closed.

At 1:02 Inspector Higginbotham entered the premises.

At 1:29 P.M. Inspectors Benefiel and Clemens entered the premises. At 1:37 Inspector Clemens telephoned the office to have dispatch call one more time. Dispatch called at 1:38. The woman answering said the owner was not home but she would tell him of the complaint.

RECEIVED

JUL 27 1988

Oregon Liquor Control Commission

OREGON LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT
Continuation Sheet

Case # 26-00206-RMB

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COMPLIANCE ACTION SUMMARY

Notice of Violation - OAR 845-06-045(2), permitted a noisy establishment.

COMPLAINANTS

FREEMAN, Mark & Leota
5141 SE Bybee
Portland, OR
771-6054

REFERENCES

1. OLCC compliance action report dated 06/03/88.
2. Notice of Violation ticket #4690 issued to the licensee.

BACKGROUND

03/19/88 complaint of loud music
03/21/88 drinking on duty, Insp Clemens issued an NVT
03/29/88 VIPs, employees mixing/selling/serving without service permits, Insp. Clemens issued an NVT
03/31/88 complaint of loud music
04/01/88 complaint of loud music
06/03/88 complaint of loud music, V/I issued

On 06/04/88 Inspector BENEFIELD issued verbal instructions for loud music and sale/service of alcoholic liquor to VIPs.

On 06/15/88 Inspector JOHNSON issued a ROVI to the licensee for DOD, disorderly premises, criminal activity, sale/service of alcoholic liquor to VIPs, prohibited conduct and noise.

INVESTIGATION

On 06/25/88 I was dispatched to the premises regarding a loud music complaint.

OREGON LIQUOR CONTROL COMMISSION
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At 10:55 p.m. I contacted the complainants, Marr & Leota FREEMAN, at their apartment, which is directly across the street from the premises. I could hear the music from the band at the premises as I was walking up the backstairs to the FREEMAN's apartment. The front door to the premises was open.

The FREEMANS said the loud music has been an on going problem when there's a band and the door is open. While sitting in their apartment, I could hear the words the band was singing as if I was standing in the doorway of the premises. The FREEMANS said when the premises closes the front door, they open the side door. The noise from the music is just as loud. I went into the FREEMAN's bedroom. I could hear the band playing loudly and clearly. The music was too loud to permit anyone to sleep.

At 11:20 p.m. I contacted permittee Diann FAREK. She was the only employee on duty. I explained to her that I had a complaint about the loud music. I told her that I heard the band playing from an apartment across the street. I told her the music was too loud. P/FAREK said she was about to have the band turn the volume down when I arrived, but the band went on break. I told P/FAREK to keep the doors closed when the band was playing and to have the band turn the volume down. Before I entered the premises, Supervisor Steve BRINKHOFF and Inspector BENEFIEL had entered the premises in an undercover capacity to monitor the premises activity.

At this time, I issued a Notice of Violation ticket to the licensee for the above violation. I issued verbal instructions to P/FAREK regarding loud music. I instructed her to have the licensee contact me.

After waiting several weeks for the licensee to contact me, I contacted L/George BOYD on 07/12/88. We discussed the incident. He said he no longer has live music at the premises because he was tired of the problems it caused.

SUMMARY OF FACTS

On 06/25/88 I could hear from across the street, the band playing loud music.
From various rooms inside the complainants' apartment, I could hear the loud music.

Case # 22-00122-0001

The front and side doors of the building were open. I could hear the loud music.
The music was too loud to permit the complainants to sleep.

COMPLIANCE ACTION PLAN

NVT. I issued a citation to the licensee because the licensee had not complied with the license conditions regarding loud music. The licensee has been on going since March. I believe this citation is appropriate to gain compliance.

COMPLIANCE BUILDING PROGRAM

CLOSE.

COMPLIANCE BUILDING PLAN

I will be forwarding a copy of this report to the district inspector for follow-up.

SUBPOENA

If a hearing is held, subpoena the following:

FREEMAN, Marr & Leota
5141 SE Bybee
Portland, OR
771-6054

To be present: Supervisor Steve BRINKHOFF
Inspectors BENEFIELD & JOHNSON

John Wilkerson
John Wilkerson
Inspector #11875

Reviewed by *Chris Hansen* 7:27
Chris Hansen, Supervisor

Level 6

Level 6

OREGON LIQUOR CONTROL COMMISSION (
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT

[4] Confidential

CASE # 26-00206-RMB

LICENSEE Mueller, Barbara COMPLAINANT Mike Callahan
~~Boyd, George & Joanne~~

TRADE NAME Trocadero ADDRESS 227 NE 78th

ADDRESS 6920 SE 52nd CITY/ZIP Portland 97213

CITY/ZIP Portland 97206 PHONE (Bus) _____ (Res) 256-3837

PHONE 775-7437 PUBLIC POLICE COMMISSION INDUSTRY

Received by ML Dominique Date 12-15-88 Assigned to J Johnson Date 12/16/88

Reviewed by M. DeCuff Date 7/2/89 Completed by J. Johnson Date 5-11-89
 BPST # 13358

ASSESSMENT:	STATUS:	CONCLUSION:
<input checked="" type="checkbox"/> Open for Investigation	<input checked="" type="checkbox"/> Closed	_____ Valid
_____ Reopen for Investigation	_____ Continued	_____ Invalid
_____ Add to Open Case		<u>1, 2, 3</u> Insufficient
_____ Open/Close at Intake		_____ Refer to:
_____ Referral to _____		

EVIDENCE: _____

ALLEGED VIOLATIONS: _____ Minors _____ Food Service _____ Service Permits _____
 _____ VIPS 3 Hidden Owner _____ Fin. Assistance _____
 _____ DOD 3 Disorderly Prem. _____ 1 Other Prod. Hrs _____

ACTION TAKEN: NVT _____ NWT _____ ROVI _____ V/I 1, 2, 3 OTHER New Owner
 (OVER)

DESCRIPTION:

Caller reports premises is having after-hour parties Saturday thru Sunday until 4 a.m. Last witnessed after-hour activity Thanksgiving weekend. There is also drinking of hard liquor in the parking lot during normal operating hours. Last observed drinking in parking lot approx. 2 weeks ago.

1-28-89 @ 3pm, OSQ, Beneficial Johnson - Closed.
 1-01-89 (SAT) received license.
 1-04-89 snap. Beneficial VI for noise & SP Application
 5-11-89 Issued v/i for After hours. He knows hours & will
 (Rev. 7-86) h b l a n a. M A T I N D I K. Smith has Service Permi

Note:

There were allegations of the license of Floris Den being a hidden owner of this premises. The allegation came from City Licensing. On 5-11-89 I asked J. Mueller about the license of Floris Den. J. Mueller said that he helped her out during the first three months just to learn the business. He is not a partner and does not receive any profits from the business. J. Mueller knows him because she used to tend bar for him.

Linda Johnson

Mueller, Barbara HISTORY

LICENSEE: ~~Boyd, George & Joanne~~
TRADE NAME: Trocadero

26-00206-RMB FILE

ASH	ALLEGATION	DATE OF VIOLATION	ACTION/DATE/INSPECTOR	DISPOSITION
	Sale to VIP, no service permit	3-6-88	NVT	D Clemens
	Drinking on duty		NVT	D Clemens
	Drinking on duty	3-12-88	NVT (Hearing)	D Clemens
	Noise	01-01-89	- New Owner	
	After Hours	01-04-89	- YI By Insp. [unclear]	
	Hidden Owner	05-11-89	- YI By Insp. [unclear]	
		05-11-89	- YI By Insp. [unclear]	

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OREGON LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT

() Confidential

CASE #26-002061-RMB

LICENSEE Mueller, Barbara
Boyd, George Thomas

COMPLAINANT Freeman MARR

TRADE NAME Trocadero Inn ADDRESS _____

ADDRESS 6920 SE 52nd CITY/ZIP _____

CITY/ZIP Portland, OR 97206 PHONE (Bus) _____ (Res) _____

PHONE _____ PUBLIC POLICE COMMISSION INDUSTRY

Received by E. CROSIER Date 01/14/88 Assigned to R.J. Benefiel Date 1-14-88

Reviewed by [Signature] Date 5/12/85 Completed by R.J. Benefiel Date 1-14-88
BPST # 13551

ASSESSMENT:	STATUS	CONCLUSION
<input type="checkbox"/> Open for Investigation	<input type="checkbox"/> Closed	<input type="checkbox"/> Valid
<input type="checkbox"/> Reopen for Investigation	<input type="checkbox"/> Continued	<input type="checkbox"/> Invalid
<input type="checkbox"/> Add to Open Case		<input type="checkbox"/> Insufficient
<input type="checkbox"/> Open/Close at Intake		<input type="checkbox"/> Refer to: _____
<input type="checkbox"/> Referral to _____		

EVIDENCE _____

ALLEGED VIOLATIONS Minors Food Service Service Permits
 VIPS Hidden Owner Fin. Assistance
 DOD Disorderly Prem. Other Noise

ACTION TAKEN: NVT _____ NWT _____ ROVI _____ V/I ✓ OTHER _____

DESCRIPTION

The noise of the band is so loud that complainant cannot sleep.

At 12:15 am, Inspectors R.J. BENEFIEL and Dave CLEMENS checked the premises. From across the street, the music coming from the premises was very loud. Because the Commission had just issued a Letter of Authority to a new owner on 01/04/89, Inspectors decided to issue verbal instructions to the new owner.

OREGON LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT

Case #26-00206A-RMB
TROCADERO INN

Page 2 of 2

At 12:20 am, Inspector BENEFIEL entered the premises. A band was playing very loud music in the rear portion of the premises. Inspector BENEFIEL contacted Gayna SMITH, who was tending bar. Ms. SMITH said the owner was on the premises and she would get him. She then went to the pool room and brought back Donn ALLEN, who she said was the owner. Inspector BENEFIEL asked Mr. ALLEN to step outside so he could listen to the music. Mr. ALLEN admitted the music was loud and said he would tell the band to quiet down. Mr. ALLEN said that he was only the manager of the premises and the new owner was Barbara MULLER, who took over on 01/01/89. Inspector BENEFIEL told Mr. ALLEN to tell the new owner of the complaint.

Inspector BENEFIEL then re-contacted Gayna SMITH and discussed her responsibility for keeping the noise from the premises to a level that doesn't disturb the neighbors. Inspector BENEFIEL later checked with the Service Permit Section and was unable to locate a service permit for Gayna SMITH.

RECEIVED
JAN 10 1989
FIELD SERVICES DIVISION
COMMISSION

OREGON LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT

Manager / File

CASE #26-0206-RMB

() Confidential

LICENSEE MULLER, Barbara J. COMPLAINANT PPB Traffic Accident #89-115268

TRADE NAME Trocadero Inn ADDRESS _____

ADDRESS 6920 SE 52nd Avenue CITY/ZIP _____

CITY/ZIP Portland, OR 97206 PHONE (Bus) _____ (Res) _____

PHONE 775-7437 PUBLIC POLICE COMMISSION INDUSTRY

Received by Milwaukie Office Date 12/28/89 Assigned to Tuthill Date 01/03/90
Reviewed by Steve Brinkhoff Date _____ Completed by Tuthill Date 01/06/90
BPST #12206

ASSESSMENT:	STATUS	CONCLUSION
<input checked="" type="checkbox"/> Open for Investigation	<input checked="" type="checkbox"/> Closed	<input type="checkbox"/> Valid
<input type="checkbox"/> Reopen for Investigation	<input type="checkbox"/> Continued	<input type="checkbox"/> Invalid
<input type="checkbox"/> Add to Open Case	<u>JAN 24 1990</u>	<input checked="" type="checkbox"/> Insufficient
<input checked="" type="checkbox"/> Open/Close at Intake	REGULATORY FIELD SERVICES	Refer to: _____
<input type="checkbox"/> Referral to _____	Oregon Liquor Control Commission	

EVIDENCE _____

ALLEGED VIOLATIONS

<input type="checkbox"/> Minors	<input type="checkbox"/> Food Service	<input type="checkbox"/> Service Permits
<input checked="" type="checkbox"/> VIPS	<input type="checkbox"/> Hidden Owner	<input type="checkbox"/> Fin. Assistance
<input type="checkbox"/> DOD	<input type="checkbox"/> Disorderly Prem.	<input type="checkbox"/> Other

ACTION TAKEN: NVT _____ NWT _____ ROVI _____ V/I 1 OTHER _____

DESCRIPTION

On 12/15/89, a Ronald G. WELCH was involved in an accident in Portland. WELCH was arrested for DUII at the scene. WELCH registered a .18 BAC. WELCH named the Trocadero Tavern as being the last place he consumed alcohol at.

VERBAL INSTRUCTIONS

On 01/06/90, I talked with L/MULLER about this complaint. MULLER advised she had received a letter from the OLCC concerning the same incident. MULLER had talked with the bartender who was on duty 12/15/89. This bartender knows the individual involved in the accident and denies he was in the Trocadero that evening. L/MULLER instructed all her employees on serving VIP at that time.

I issued verbal instructions to L/MULLER concerning the police report and DUII arrest. L/MULLER stated she understood her responsibility concerning VIPS and had instructed all her employees on the same.

OREGON LIQUOR CONTROL COMMISSION
REGULATORY FIELD SERVICES DIVISION

Subject: INTAKE/ACTION COMPLIANCE REPORT
TROCADERO INN

Recommend no further action on this complaint.

Larry Tuthill

Larry Tuthill, MCU Inspector #12206

Reviewed by

Steve Brinkhoff

Steve Brinkhoff, MCU Manager

LT/wv:01/23/90

c: District Inspector
Regional Manager/File
Regulatory Process

**REGON LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT**

CASE # 26-0206A-RMB

LICENSEE MULLER, BARBARA J. COMPLAINANT Freeman Mar
 TRADE NAME TROCADERO INN ADDRESS _____
 ADDRESS 6920 SE 52nd Ave. CITY/ZIP _____
 CITY/ZIP Portland 97206 PHONE (Bus) _____ (Res) _____
 PHONE 775-7437 PUBLIC POLICE COMMISSION INDUSTRY

Received by W. Workman Date 07-07-90 Assigned to O'Donnell Date: 7/12/90
 Reviewed by A. [Signature] Date 7/26/90 Completed by O'Donnell Date: 7-23-90
Byce Dodson BPST # 19927

ASSESSMENT:

STATUS

CONCLUSION

<input checked="" type="checkbox"/> Open for Investigation	<input checked="" type="checkbox"/> Closed	<input type="checkbox"/> Valid
<input type="checkbox"/> Reopen for Investigation	<input type="checkbox"/> Continued	<input type="checkbox"/> Invalid
<input type="checkbox"/> Add to Open Case		<input checked="" type="checkbox"/> Insufficient
<input type="checkbox"/> Open/Close at Intake		<input type="checkbox"/> Refer to:
<input type="checkbox"/> Referral to _____		_____

EVIDENCE _____

ALLEGED VIOLATIONS Minors Food Service Service Permits
 VIPS Hidden Owner Fin. Assistance
 DOD Disorderly Prem. Other NOISE

ACTION TAKEN: NVT _____ NWT _____ ROVI _____ V/I 7-20-90 OTHER _____

At approximately 10:50 pm, on 07-07-90, I received a call from the complainant that The Trocadero had a live band playing and the music was very loud. He said he has been calling for about the past five years and understood the Trocadero had changed hands again. I called The Trocadero and told them I had received a noise complaint and would they turn the music down. The bartender said they would. I also dispatched Inspectors Tom O'DONNELL and Rich MILLER to the Trocadero to check the noise level. They arrived at 11:06 pm and called in on the radio and said all was quiet, but they were going in anyway to check it out. Inspectors Benefiel and Clemens observed from outside the premises at 11:20 pm and reported the doors were open and the music was very loud. I again called the premises and told them to close the doors. At 12:40 am, Inspectors O'Donnell and Miller again went to the premises and observed from outside and found with the doors closed, the noise level was acceptable.

Case #26-0206-RMB

TROCADERO INN

COMPLIANCE ACTION SUMMARY:

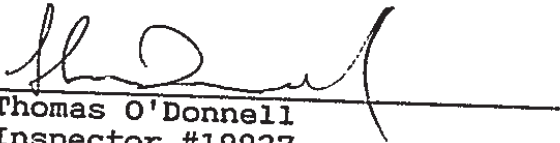
On 7-20-90 I contacted premises manager Joyce Bradshaw and informed her of the attached complaint.


Mgr. Bradshaw stated that she was aware of the problem on 7-7-90 and noted that the situation developed due to the staging of a live band and the warm temperature. The warm evening led to the opening of the premises doors which exacerbated the noise problem. Mgr. Bradshaw went on to say that live music is not a customary venue at the premises adding that the entertainment on the night in question was to celebrate a birthday party.

Mgr. Bradshaw expressed her intent to comply with the liquor laws and said everyone at the Trocadero wished to get along well with their neighbors.

COMPLIANCE DECISION:

Close. I issued V/I to Mgr. Bradshaw regarding SB 126 and the topics concerning disturbances within the vicinity of the premises. Mgr. Bradshaw said she would see to it that all staff members adhered to the obligation to control noise emanating from the premises.


Thomas O'Donnell
Inspector #19927


Sharon Daugherty
Regional Manager

TO:mld

ORIG LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT

CASE # 26-00206-RMS

[] Confidential

LICENSEE Barbara J. Muller COMPLAINANT Anonymous

TRADE NAME TROCODERE INN ADDRESS _____

ADDRESS 6920 SE 52nd CITY/ZIP _____

CITY/ZIP PT (D) 97206 PHONE (Bus) _____ (Res) _____

PHONE 775-7437 PUBLIC _____ POLICE _____ COMMISSION _____ INDUSTRY _____

Received by Charley Ellis Date 7-16-90 Assigned to Bob McCarthy Date 7/17/90

Reviewed by [Signature] Date 8/2/90 Completed by Bob McCarthy Date 7/27/90
BPST # _____

ASSESSMENT: Open for Investigation
 Reopen for Investigation
 Add to Open Case
 Open/Close at Intake
 Referral to _____

STATUS: Closed
 Continued

CONCLUSION:
 Valid
 Invalid
 Insufficient
 Refer to: _____

EVIDENCE: _____

ALLEGED VIOLATIONS: Minors Food Service Service Permits
 VIPS Hidden Owner Fin. Assistance
 DOD Disorderly Prem. Other Gambling

ACTION TAKEN: NVT _____ NWT _____ ROVI _____ V/I OTHER _____

DESCRIPTION:
Caller states that the licensee ^{allows} plays bingo games on Tuesday's at 6:30 pm and Sunday's at 2:30 pm. The caller states that the licensee pays the winners of the bingo games in cash. The caller states that ^{one} some of the participants carries a loaded handgun.

OREGON LIQUOR CONTROL COMMISSION
REGULATORY FIELD SERVICES DIVISION

Case #26-00206-RMB

Date July 27, 1990

TROCADERO

COMPLIANCE ACTION SUMMARY:

I discussed the attached complaint with L/Muller on 7-26-90.

L/Muller readily acknowledges that bingo games are held at the Trocadero Inn on a regular basis. L/Muller claims that the prizes consist of "meat" and related food products and that they have been investigated and are on good legal ground.

I advised L/Muller of the law prohibiting gambling and bingo, etc.. and explained the OLCC police of taking action on these offenses only after a "conviction" in a court of law.

COMPLIANCE DECISION:

Close. I issued V/I to L/Muller and advised her to re-contact the Multnomah County District Attorney office to get a current ruling regarding the legality of these activities.



Bob McCarthy
Inspector



Sharon Daugherty
Regional Manager

BM:nln

OREGON LIQUOR CONTROL COMMISSION
FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT

CASE #26-0206-RMB _____

() Confidential

LICENSEE Miller, Barbara J. COMPLAINANT Freeman Mar
 TRADE NAME TROCADERO INN ADDRESS _____
 ADDRESS 6920 SE 52nd Ave. CITY/ZIP _____
 CITY/ZIP Portland PHONE (Bus) _____ (Res) _____
 PHONE 775-7437 PUBLIC POLICE COMMISSION INDUSTRY

Received by W. Workman Date 8-24-90 Assigned to Rich Miller Date 8-28-90
 Reviewed by [Signature] Date 9-17-90 Completed by Rich Miller Date 9-12-90
 BPST #23904

ASSESSMENT:

	STATUS	CONCLUSION
<input checked="" type="checkbox"/> Open for Investigation	<input checked="" type="checkbox"/> Closed	<input type="checkbox"/> Valid
<input type="checkbox"/> Reopen for Investigation	<input type="checkbox"/> Continued	<input type="checkbox"/> Invalid
<input type="checkbox"/> Add to Open Case		<input checked="" type="checkbox"/> Insufficient
<input type="checkbox"/> Open/Close at Intake		<input type="checkbox"/> Refer to:
<input type="checkbox"/> Referral to _____		_____

EVIDENCE _____

ALLEGED VIOLATIONS Minors Food Service Service Permits
 VIPS Hidden Owner Fin. Assistance
 DOD Disorderly Prem. Other Noise

ACTION TAKEN: NVT _____ NWT _____ ROVI _____ V/I OTHER _____

DESCRIPTION

Caller stated that he has been complaining about the Trocadero for eight years now and wanted to know how much longer they were going to have to put up with the noise coming from the place. I asked him what type of noise he was hearing right now. He said the Trocadero had a band playing and it was very loud. I told the complainant I would send an Inspector to the premises as soon as possible. I contacted Inspector Benefiel and told him I had a noise complaint, and I asked him to respond. Inspector Benefiel reached the area of the Trocadero and found the doors to the premises open and the music very loud. He instructed me to call the premises and tell them to close the door and have an employee go outside and across the

OREGON LIQUOR CONTROL COMMISSION
REGULATORY FIELD SERVICES DIVISION

Subject: INTAKE/ACTION COMPLIANCE REPORT

street and listen to determine the noise level. I called the premises and spoke to Catherine Anderson, an off duty bartender, and gave her the instructions. P/Anderson said she would do that as soon as the band finished their break. I notified Inspector Benefiel that I had called the premises and given them his instructions. Inspector Benefiel saw them close both doors. Because the band was on break, Inspector Benefiel left the area and told me to call him if I received any more complaints. I did not receive any more complaints.

BACKGROUND:

1. V/I to L/Muller on gambling, 7-27-90.
2. V/I to L/Muller on SB 126 concerning noise, 7-20-90.
3. NVT to L/Muller for allowing someone to obtain an unapproved interest in the licensed business and making a false statement to the Commission, 12-28-89.
4. V/I to L/Muller on VIPs, 1-6-90.
5. V/I to L/Muller on disorderly premises, after-hours and hidden owners, 5-11-89.
6. V/I to L/Muller on noise, 1-4-89.

INVESTIGATIVE SUMMARY:

On 9-1-90 I gave V/I to the on-duty bartender, "K.C.", regarding noise and SB 126. The Trocadero scheduled an entertainer for that night. I didn't receive any complaints of noise.


On 9-12-90, L/Muller and I discussed complaints of noise from the Trocadero, usually resulting from not having the door closed when there is live entertainment. L/Muller will instruct her staff to keep the doors closed when they have live entertainment. She said she didn't plan to schedule live entertainment in the future anyway.

COMPLIANCE BUILDING ACTION/WHY?

I gave ~~to~~ V/I ^{to} L/Muller on SB 126 for noise and prohibited conduct. If complaints continue to be filed, I will talk to the licensee and the neighbors of the Trocadero to prepare a compliance plan to address the noise problem. Currently, complainants have called only when live music has been performed. L/Muller expressed she didn't plan to schedule live entertainment.

COMPLIANCE DECISION:

Close.


Richard S. Miller
Inspector #23904


John Nienstadt
Regional Manager

OREGON LIQUOR CONTROL COMMISSION
 REGULATORY FIELD SERVICES DIVISION
 INTAKE/COMPLIANCE ACTION REPORT

O.K. TO FILE
 DATE 2-20-91

CASE #26-0206-RMB

() Confidential

LICENSEE Muller, Barbara J. COMPLAINANT Clinton Martindale
 TRADE NAME TROCADERO ADDRESS 7006 S.E. 52nd
 ADDRESS 6920 SE 52nd CITY/ZIP Portland
 CITY/ZIP Portland PHONE (Bus) (Bus) 775-7437
 PHONE 775-7437 PUBLIC POLICE COMMISSION INDUSTRY

Received by R.J. Benefiel Date 12-17-90 Assigned to Rich Miller Date 12-17-90
 Reviewed by [Signature] Date 2-8-91 Completed by Rich Miller Date 2-7-90
 SPST # 23904

ASSESSMENT:

<input checked="" type="checkbox"/> Open for Investigation	STATUS	
<input type="checkbox"/> Reopen for Investigation	<input type="checkbox"/> Closed	CONCLUSION
<input type="checkbox"/> Add to Open Case	<input checked="" type="checkbox"/> Continued	<input type="checkbox"/> Valid
<input type="checkbox"/> Open/Close at Intake		<input type="checkbox"/> Invalid
<input type="checkbox"/> Referral to _____		<input checked="" type="checkbox"/> Insufficient
		<input type="checkbox"/> Refer to:

ALLEGED VIOLATIONS Minors Food Service Service Permits
 VIPS Hidden Owner Fin. Assistance
 DOD Disorderly Prem. Other SB 126

ACTION TAKEN: NVT _____ NWI _____ ROVI 12-27-90 V/I 12-20-90 OTHER _____

DESCRIPTION

On 12-17-90 at approximately 2:30 AM a patron leaving Trocadero parking lot backed into complainant's truck, driving it into his garage. Complainant stated he has had his vehicles hit by Trocadero patrons on numerous occasions and is "fed up" with the activities at the tavern.

REFERENCES:

1. ROVI to L/Muller, 12-27-90.
2. Intervention meeting with Trocadero neighbors narrative, 1-22-91

BACKGROUND:

- 9-12-90 V/I to L/Muller on SB 126 and prohibited conduct.
- 7-27-90 V/I to L/Muller on gambling.
- 7-20-90 V/I to L/Muller on SB 126 concerning noise.
- 12-28-89 NVT to L/Muller for false statement and allowing a prohibited interest.

RECEIVED

FEB 11 1991

REGULATORY FIELD SERVICES
 Oregon Liquor Control Commission

RECEIVED

FEB 19 1991

COMPLIANCE SERVICES
 Oregon Liquor Control Commission

BACKGROUND COM'T:

1-6-90 V/I to L/Muller on VIPs.
5-11-90 V/I to L/Muller on disorderly premises, after-hours and hidden owners.
1-4-89 V/I to L/Muller on noise.

INVESTIGATIVE SUMMARY:

On 12-20-90 I gave V/I to L/Muller on SB 126.

Clinton Martindale stated he has had his vehicles hit by Trocadero^{patrons} on 7 different occasions, resulting in him requiring insurance with higher premium payments (See Ref. #2). He said since the accident, L/Muller has assisted him in identifying the driver who hit his truck. Currently, Martindale and the driver are working out an agreement for repairs.

From 12-20-90 to 1-7-91, I contacted various neighbors whose names I acquired from Martindale, listening to the problems they were having with the tavern and educating them on how to keep incident logs. We talked about the problems and their kept incident logs in the 1-25-91 meeting (See Ref. #2).

On 12-27-90, Manager John Mienstadt and I issued an ROVI to L/Muller on SB 126. She said, if necessary, she would hire security to monitor the parking lot if her or her employees couldn't stop the problems. I expressed concern over the live entertainment the Trocadero has had, particularly during the summer, which disturbed the neighbors. I pointed out to L/Muller the times inspectors have been called out to the premises on noise complaints, resulting from live entertainers playing their music with the doors open. L/Muller stated she would consider future live entertainment there and probably wouldn't have it anymore.

COMPLIANCE BUILDING ACTION/VEY?

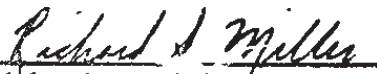
On 1-28-91 the Commission cancelled the license of L/Muller at the Trocadero due to the NVT of 12-28-89 for prohibited interest. As of 2-7-91 staff has not received an appeal of the cancellation, which needs to be filed within 10 days.

I recommend any new applicant follow a compliance plan put together by the applicant, staff and neighbors to address the SB 126 problems there and that the premises be posted on a new application, encouraging input by involved neighbors and others who have comments on the problems there.

I will stay in touch with neighbors and discuss their incident logs periodically and when appropriate.

COMPLIANCE DECISION:

Continue.


Richard B. Miller
Inspector #23904


John Mienstadt
Regional Manager

RM:nlf

OREGON LIQUOR CONTROL COMMISSION
Regulatory Field Services Division

Muller, Barbara
Trocadero Inn
6920 SE 52nd
Portland

Subject: Intervention meeting with neighbors
re: SB 126 issues

On 1/25/91, I met with 4 neighbors of the Trocadero Inn who voiced their displeasure over the operation of the Trocadero Inn:

1. Clinton and Jeanell Martindale
7006 SE 52nd
Portland 775-7372
2. Freeman Mar and his wife
6923 SE 52nd
Portland 775-8526
3. Lyris Ream
7020 SE 52nd
Portland 775-7372 (message)
4. Cheryl Smith
7011 SE 52nd
Portland 771-4176

They complained of fights in the parking lot and in front of their residences, drug activity in the parking lot, public drunkenness, squealing tires from departing patrons, noise, loud music, during the summer months especially, public urination and defecation in the parking lot and on their residences, and private trespassing.

For example, Clinton Martindale (who lives directly behind the Trocadero parking lot) stated he has had his vehicles hit on 7 different occasions from cars leaving the parking lot. Because of that, he has had to take out insurance with larger premiums. In addition, he has had to make repairs on his garage because of these incidents. Additionally, Freeman Mar noted he has called the OLCC night dispatch on several occasions for on-site observations of live entertainment problems, predominantly during the summer.

The neighbors have made these recent observations via their incident logs:

1. 12/29/90 4:55pm 2 male patrons leaving the tavern squealed their tires, making excessive noise, disturbing the Martindales.
2. 1/4/91 12:35am 3 men fighting in the parking lot woke

OREGON LIQUOR CONTROL COMMISSION
Regulatory Field Services Division

Page 2

- up the Martindales.
3. 1/5/91 Sunday am The Martindales picked up 2 beer bottles by their fence.
 4. 1/9/91 2:00am The Mars were awoken by 6 patrons leaving the tavern, making alot of noise.
 5. 1/11/91 11:00pm The Martindales were bothered by 3 men arguing loudly in the parking lot.
 6. 1/16/91 1:25am & 2:15am The Mars were awakened on 2 occasions due to patrons leaving the tavern.
 7. 1/20/91 2:30pm The Martindales observed a man urinating in a beer can in the tavern parking lot.

Due to Commission action, the current license was cancelled on 1/28/91 for an unrelated prohibited interest violation.

The neighbors will continue to keep their incident reports. I will meet with them periodically to check on the occurrences at the tavern if a license continues to exist there. The neighbors mentioned that at least one other neighbor would become involved in the meetings.

Richard A. Miller
Compliance Inspector, Region 2

cc: District Investigator
Regional Manager
File

September 29, 1992

Ginger Renfro
Regulatory Section
Bureau of Licenses
1120 S.W. 5th Ave.
Portland, OR 97204

RE: 6920 SE 52nd Ave.
DAMPILL, Harvey & Nancy
dba: Nancy's Eat & Browse

I am opposed to the granting of a liquor license to this establishment. When it was the Trocadero, there were constant problems of noise, traffic, DRUGS, and other activities not desirable in a residential neighborhood. Changing the name does not change the clientele. There are several other establishments within a few blocks that serve alcoholic beverages. Another is NOT in the best interest of the neighborhood. Having lived at this address for more than 17 years and suffering through the many problems associated with this establishment in the past, I am strongly opposed to this application being granted.

Ramona C. Ennis
5243 S.E. Bybee
Portland, OR 97206



CITY OF
PORTLAND, OREGON

BUREAU OF LICENSES

Dick Bogle, Commissioner
Dennis Nelson, Manager
1120 S.W. 5th Avenue, Room 1206
Portland, Oregon 97204
(503) 796-5157
Fax: (503) 796-5192
TDD: (503) 823-6868

September 10, 1992

REGARDING LIQUOR LICENSE APPLICATION FOR:

6920 SE 52ND AV
DAMRILL, HARVEY & NANCY
dba: NANCY'S EAT & BROWSE

To Whom It May Concern:

The City of Portland has received an application for a Restaurant (R) liquor license which allows the sale of beer and wine for consumption ON the premises.

This application is being considered for recommendation to the Oregon Liquor Control Commission. Property owners, neighborhood associations and other interested parties will be given fourteen days from the date of this letter for input. If you wish to oppose or endorse this application please submit your comments within fourteen days. Please feel free to use the back of this letter for your comments.

Please note your name and address below. You will be notified of any City Council hearing regarding this application. Return your response to Ginger Renfro, Regulatory Section, Bureau of Licenses, 1120 SW 5th Av, #1206, Portland OR 97204.

Sincerely,

Ginger Renfro

Ginger Renfro - 796-5152
Regulatory Section

Name: *Matelda Stronach*

Street: *6818 S.E. 52nd Ave*

Telephone: *774-4230*

City and State: *Portland, OR 97206*

cc: Property Owners
BRENTWOOD DARLINGTON NA
SEUL
FOSTER AREA BUSINESS ASSN

Portland Oregon

Bureau of Licenses

Regarding liquor licenses application for:
Klamville, Harry & Nancy
Nancy's Eat & Browse

Matilda Stronach
515 S.E. 52nd Ave.
Portland, Or 97206

To whom it may concern:

I wish to oppose the license be issued.

The tavern at 6920 S.E. 52nd was built approximately 40 yrs ago, probably more. Mr. Byland (owner of property) ran a used car lot. He gathered that didn't take long before it was just a tavern. Lots of broken glass, beer bottles & garbage, undesirable activities - fights noise ect. Parked in my driveway.

Tavern owners did not make provisions to protect a neighbors property from damage to block building next to their parking lot. Customers have backed into side of building, damaged south front corner of building. Have had many broken windows - liter ect. Beer trucks & other delivery trucks have always crossed my driveway to enter the parking lot. (delivering). By doing that, have torn down my telephone and power lines. Customers also zip across my driveways. My driveways are private. By the grace of God I have never been hit, backing my car out on the street.

We have 2 taverns within walking distance on 52nd Golden West & Hidden East. 75th & Flavel & 65th & Duke.

Nancy's Eat and Browse is a ploy to have a full fledged tavern here again. History is trying to repeat itself. We don't need that.

Thank you for listening.

Sincerely,
Matilda Stronach



CITY OF
PORTLAND, OREGON
BUREAU OF LICENSES

Dick Bogle, Commissioner
Dennis Nelson, Manager
1120 S.W. 5th Avenue, Room 1206
Portland, Oregon 97204
(503) 796-5157
Fax: (503) 796-5192
TDD: (503) 823-6868

September 10, 1992

REGARDING LIQUOR LICENSE APPLICATION FOR:

6920 SE 52ND AV
DAMRILL, HARVEY & NANCY
dba: NANCY'S EAT & BROWSE

To Whom It May Concern:

The City of Portland has received an application for a Restaurant (R) liquor license which allows the sale of beer and wine for consumption ON the premises.

This application is being considered for recommendation to the Oregon Liquor Control Commission. Property owners, neighborhood associations and other interested parties will be given fourteen days from the date of this letter for input. If you wish to oppose or endorse this application please submit your comments within fourteen days. Please feel free to use the back of this letter for your comments.

Please note your name and address below. You will be notified of any City Council hearing regarding this application. Return your response to Ginger Renfro, Regulatory Section, Bureau of Licenses, 1120 SW 5th Av, #1206, Portland OR 97204.

Sincerely,

Ginger Renfro - 796-5152
Regulatory Section

Name:

Telephone:

Street:

City and State:

cc: Property Owners
BRENTWOOD DARLINGTON NA
SEUL
FOSTER AREA BUSINESS ASSN

Regarding liquor license application at
6920 S.E. 52nd av.

In the past this location has been
very disturbing to the people of this
community.

Many of the patrons arrived already
"drunk", and became more so by closing
time.

There was much indecent behavior,
and illegal activities on the street and
in the parking lot.

The people on Bybee Blvd. felt very
unsafe. many cars were damaged while
parked in front of their homes.

I am against any alcohol being
sold in this residential neighborhood.

Joy Kiltner

To whom it may
concern,

In regards to the
liquor license that
Harvey and Nancy
Jarrill applied
for at - 6920 SE 52nd

I am very
opposed to it.
We live right
across the street
and have a two year
old son, plus there
are many other
families in the
neighborhood →

We're all just
concerned that
with Beer and
Paper machines
there is bound to
be trouble —

Sincerely a
concerned
Citizen —

11 Sept 1992

George Renfro
Regulatory Section

I would like to say no on
licensing for alcoholic beverages
because in the past the noise,
profane language, fights and late
night operation of retailers speaking
away from the premises and throwing
ground from the parking lot.

It's been a nice quiet neighborhood
with the old tavern closed.

Bruce W. Griggs
Georgie M. Griggs

Name: BRUCE W. GRIGGS

Telephone: 977-4969

Street: 5232 SE BYBEE

City and State: PORTLAND, OREGON
97206

cc: Property Owners
BRENTWOOD DARLINGTON NA
SEUL
FOSTER AREA BUSINESS ASSN

Name: Jerry & Clay Mills

Street: 6806 SE 52nd

cc: Property Owners

Telephone: 770-0730

City and State: Portland, OR

97206

We wish to oppose the liquor license being issued.

We are a new family in the neighborhood with five children. Since the tavern closed last year the loud traffic and garbage in my hedge has slowed down. I'm also concerned with drunk folks walking past my house and speaking rudely to us and my children. The language they use is not fit for my children to hear.

There are already 2 taverns within walking distance and I don't think any more are needed. We would like to see this neighborhood improve and are cleaning our yard & house to help do our part. We also believe that if given this license the food will no longer be a major part of their business. They already don't operate hours normally suited to a restaurant.

We also don't need the children subjected to any more drunk drives.

Jerry Mills
Clayton L. Mills

10-15-92

JOHN WARNEKEN

GINGER RENFRO

REGULATORY SECTION, BUREAU OF LICENSES

CITY OF PORTLAND

REGARDING THE APPLICATION FOR:

6920 S.E. 52ND AVE

DAMRILL, HARVEY AND NANCY

DBA: NANCY'S EAT AND BROWSE

I AM WRITING TO LET YOU KNOW THAT THE BRENTWOOD-DARLINGTON NEIGHBORHOOD ASSOCIATION HAS VOTED TO ENDORSE THIS APPLICATION FOR A RESTAURANT LIQUOR LICENSE.

THANK YOU FOR BOTH NOTIFYING US AND EXTENDING THE TIME FOR OUR RESPONSE, THIS ALLOWED US TIME TO TALK TO NEIGHBORS AND CONSIDER OUR ACTION AT THE REGULARLY SCHEDULED BOARD MEETING.

WE LOOK FORWARD TO WELCOMING NANCY'S EAT AND BROWSE AS A VALUABLE ADDITION TO OUR BUSINESS COMMUNITY.

DAVID MATTHEWS

PRESIDENT, BRENTWOOD-DARLINGTON

NEIGHBORHOOD ASSOCIATION



CITY OF

PORTLAND, OREGON

BUREAU OF LICENSES

Dick Bogle, Commissioner
Dennis Nelson, Manager
1120 S.W. 5th Avenue, Room 1206
Portland, Oregon 97204
(503) 796-5157
Fax: (503) 796-5192
TDD: (503) 823-6868

November 5, 1992

Mr & Mrs Shick
5606 SE Bybee Blvd
Portland, OR 97206

NOTIFICATION OF HEARING

RE: Damrill, Harvey & Nancy, dba Nancy's Eat & Browse
6920 SE 52nd Av

You or your group have indicated an interest in the above noted liquor license application. A public hearing is currently being planned for 2:00 Thursday November 19, 1992, in the Council Chambers, City Hall, 1220 SW 5th Avenue. Interested parties will be given an opportunity to speak in this hearing. All written information provided to the License Bureau will be forwarded to the City Council prior to this hearing for consideration by the Council members. At this hearing the City Council will vote to forward a recommendation to the Oregon Liquor Control Commission.

It is anticipated that the recommendations of the Bureaus of Licenses and Police will be favorable.

If you plan to attend this hearing please contact the License Bureau the week of the hearing to verify the date and time of the hearing.

John Werneken (796-5140)
Field Representative - Regulatory

c:\wp51\work\lrgnotip.doc <jw_pc>

We feel this place is an asset to our neighborhood and have no objection to granting them a liquor license.

Mr & Mrs Carl Shick



CITY OF
PORTLAND, OREGON
 BUREAU OF LICENSES

Dick Bogle, Commissioner
 Dennis Nelson, Manager
 1120 S.W. 5th Avenue, Room 1206
 Portland, Oregon 97204
 (503) 796-5157
 Fax: (503) 796-5192
 TDD: (503) 823-6868

September 10, 1992

REGARDING LIQUOR LICENSE APPLICATION FOR:

6920 SE 52ND AV
 DAMRILL, HARVEY & NANCY
 dba: NANCY'S EAT & BROWSE

To Whom It May Concern:

The City of Portland has received an application for a Restaurant (R) liquor license which allows the sale of beer and wine for consumption ON the premises.

This application is being considered for recommendation to the Oregon Liquor Control Commission. Property owners, neighborhood associations and other interested parties will be given fourteen days from the date of this letter for input. If you wish to oppose or endorse this application please submit your comments within fourteen days. Please feel free to use the back of this letter for your comments.

Please note your name and address below. You will be notified of any City Council hearing regarding this application. Return your response to Ginger Renfro, Regulatory Section, Bureau of Licenses, 1120 SW 5th Av, #1206, Portland OR 97204.

Sincerely,

Ginger Renfro
 Ginger Renfro -- 796-5152
 Regulatory Section

Jim & Shuley Zimmerman

Name:

Telephone: 771-1700

Street:

City and State:

*5625 S.E. Bybee
 Portland, Or. 97206*

cc: Property Owners
 BRENTWOOD DARLINGTON NA
 SEUL
 FOSTER AREA BUSINESS ASSN

C:\WP50\WORK\NHW.R

*We ~~are~~ ~~very~~ ~~interested~~
 endorse this. We need this in our
 area. It will be nice to be able to
 have a glass with our lunch if a person wants*

0912 009

To Whom it may concern:

9-18-92

My name is Wendy Coffey.
I am the property and business owner across the
street from 6920 S.E. 52.

My neighbors and I have spoken to Nancy about
her application for a liquor license.

She has worked with us to find solutions to the
problems we had with the former Tavern.
I have found her to be very considerate and honest.
I recommend approval of the liquor license.

Wendy A. Coffey
7001 S.E. 52
Portland, OR. 97206
771-8263



CITY OF

PORTLAND, OREGON

BUREAU OF LICENSES

Dick Bogle, Commissioner
Dennis Nelson, Manager
1120 S.W. 5th Avenue, Room 1206
Portland, Oregon 97204
(503) 796-5157
Fax: (503) 796-5192
TDD: (503) 823-6868

September 10, 1992

REGARDING LIQUOR LICENSE APPLICATION FOR:

6920 SE 52ND AV
DAMRILL, HARVEY & NANCY
dba: NANCY'S EAT & BROWSE

To Whom It May Concern:

The City of Portland has received an application for a Restaurant (R) liquor license which allows the sale of beer and wine for consumption ON the premises.

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Please note your name and address below. You will be notified of any City Council hearing regarding this application. Return your response to Ginger Renfro, Regulatory Section, Bureau of Licenses, 1120 SW 5th Av, #1206, Portland OR 97204.

Sincerely,

Ginger Renfro

Ginger Renfro - 796-5152
Regulatory Section

Name: *Robert & Dale Higgins*

Telephone: *771-0208*

Street: *SE Lybelle Blvd*

City and State: *Portland, OR*

cc: Property Owners
BRENTWOOD DARLINGTON NA
SEUL
FOSTER AREA BUSINESS ASSN

27510

C:\WP50\WORK\NEW.R

We wish to endorse this application.

Re: agenda - Liquor License application for:
6920 SE- 52nd ave
ABA: Nancy & Fat S. Brause.

Mr Mayor and members of the City Council:
I would like to appeal the liquor
license of 6920 SE- 52nd ave.

As it is now a restaurant (only)
we have had no loud music.
Before with the liquor license, it
was a constant noise, loud music,
fights, bad language.

Also the parking is another problem.
They don't have enough to accommodate
the people that go into their establishment.

We already have one tavern down
the st. Several blocks, both North
and South.

Just put me down as opposing
this business, and hope you will
be concerned not only, but a restaurant
no tavern (please).

11
I don't see this
tavern

signed
Wanting only the Best
for Brentwood Washington
The need lots of them

City of Portland
Bureau of Licenses.

Attn. Ginger Renfro:

With regards to the license for beer & wine to be sold at Nancy's Eat & Browse, My concern is the hours that this place will be open. At the present it closes at 3 p.m. My fear is that this place will become more of the same that we have had in the past. If the hours are reasonable, I have no objection but the late night, fighting, drug deals, drinking outside & urinating up and down the street has me very concerned. I have picked up syringes, beer cans in my yard and had to get people out of my yard and my car. I am disabled and living on permanent disability and unable to deal with anymore aggravation from the bad behavior that goes on with the late night drinking. I live alone and have no phone which makes me uneasy & scared when there is trouble. Please, consider me in this application. If the hours remain decent, close by at least 10 pm. I won't object but I have doubts about the legality of those restrictions. Thanks for the notice.

P.S. I live 2 doors
from that location.

Sincerely,
Kyril J. Ryan
7020 S.E. 52nd
Portland, Or. 97206



CITY OF
PORTLAND, OREGON
BUREAU OF LICENSES

Dick Bogle, Commissioner
Dennis Nelson, Manager
1120 S.W. 5th Avenue, Room 1206
Portland, Oregon 97204
(503) 796-5157
Fax: (503) 796-5192
TDD: (503) 823-6868

September 10, 1992

REGARDING LIQUOR LICENSE APPLICATION FOR:

6920 SE 52ND AV
DAMRILL, HARVEY & NANCY
dba: NANCY'S EAT & BROWSE

To Whom It May Concern:

The City of Portland has received an application for a Restaurant (R) liquor license which allows the sale of beer and wine for consumption ON the premises.

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Please note your name and address below. You will be notified of any City Council hearing regarding this application. Return your response to Ginger Renfro, Regulatory Section, Bureau of Licenses, 1120 SW 5th Av, #1206, Portland OR 97204.

Sincerely,

Ginger Renfro - 796-5152
Regulatory Section

Name:

Telephone:

Street:

City and State:

cc: Property Owners
BRENTWOOD DARLINGTON NA
SEUL
FOSTER AREA BUSINESS ASSN

C:\WP50\WORK\NEW.R

We have no objections to this.

*Mr & Mrs Carl E. Shickel
5606 SE Baywood Blvd 97206*



CITY OF
PORTLAND, OREGON
 BUREAU OF LICENSES

Dick Bogie, Commissioner
 Dennis Nelson, Manager
 1120 S.W. 5th Avenue, Room 1206
 Portland, Oregon 97204
 (503) 796-5157
 Fax: (503) 796-5192
 TDD: (503) 823-6868

September 10, 1992

REGARDING LIQUOR LICENSE APPLICATION FOR:

6920 SE 52ND AV
 DAMRILL, HARVEY & NANCY
 dba: NANCY'S EAT & BROWSE

To Whom It May Concern:

The City of Portland has received an application for a Restaurant (R) liquor license which allows the sale of beer and wine for consumption ON the premises.

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Please note your name and address below. You will be notified of any City Council hearing regarding this application. Return your response to Ginger Renfro, Regulatory Section, Bureau of Licenses, 1120 SW 5th Av, #1206, Portland OR 97204.

Sincerely,

Ginger Renfro

Ginger Renfro - 796-5152
 Regulatory Section

52nd Ave. Hardware & Bldg. Supply
 7100 S. E. 52nd Ave.
 Portland, Oregon 97206 771-8728

Name:

Telephone:

Street:

City and State:

cc: Property Owners
 BRENTWOOD DARLINGTON NA
 SEUL
 FOSTER AREA BUSINESS ASSN

Foster E. BESAW.

John & Susan

C:\WP50\WORK\NEW.R

ABOVE OK Thu 10 PM AT NIGHT!

OK IFF they close 10pm. per the 9-18-92



CITY OF

PORTLAND, OREGON

BUREAU OF POLICE

Portland Police Bureau
Drug & Vice Division/Rm. 1430
1111 S.W. Second Avenue
Portland, Oregon 97204

J.E. BUD CLARK, MAYOR
Tom Potter, Chief of Police
1111 S.W. 2nd Avenue
Portland, OR 97204

Attn: Wlesneken

LIQUOR LICENSE

INVESTIGATION

INVESTIGATOR Bolliger LICENSE TYPE R/NO FILE # 79

BUSINESS NAME Nancy's Cat & Browse

BUSINESS ADDRESS 6920 S.E. 52nd Ave. 97206

CORPORATE NAME (IF APPLICABLE) N/A

CORPORATE/MAILING ADDRESS 5219 S.E. Knapp 97206

PRINCIPALS/LICENSEE 1) Nancy Damrell F 03153 Level 6

2) Henry J. Damrell M 017 Level 6

OTHER LICENSED OUTLETS no

RECOMMENDATION: FAVORABLE PKK

FAVORABLE WITH/LOW NO. CRIMINAL HISTORY HAS BEEN DISCOVERED
UNFAVORABLE BY THIS AGENCY THAT WOULD PRECLUDE
ISSUANCE OF THIS PERMIT/LICENSE

DATE COMPLETED 9-15-92

Tom Potter CHIEF OF POLICE
BY Off Chuck Bolliger #205 LICENSED INVESTIGATOR

CHECKS ON PERSON:

PPDS	<u>1012081</u>		<u>no</u>
CCH	<u>510/2498020</u>	<u>← →</u>	<u>no</u>
ODL/RECORD	<u>838875 OR/VC</u>		<u>no</u>
LEDS/NCIC	<u>clear</u>		<u>268669 OR/VC</u>
OUTSIDE AGENCY	<u>not contacted</u>		<u>clear</u>

OTHER ACTION:

ADDRESS QUERY OK
OLCC CONTACT Larry Kummer
LICENSE BUREAU CONTACT FW
PERSONAL INTERVIEW no

REMARKS #2 - 1956 arrest P/B-



CITY OF

PORTLAND, OREGON

DEPARTMENT OF PUBLIC SAFETY


Dick Bogle, Commissioner
1220 S.W. Fifth Avenue
Room 404
Portland, Oregon 97204
(503) 823-4682

REPORT TO COUNCIL

DATE: November 12, 1992
TO: Dick Bogle
Commissioner-in-Charge
FROM: Bureau of Licenses
Regulatory Section

Please be advised that Damrill, Harvey & Nancy, dba Nancy's Eat & Browse, whose business address is 6920 SE 52nd Av, has applied to the Oregon Liquor Control Commission for a Restaurant (new outlet) liquor license. The Council is requested to make a recommendation to the Oregon Liquor Control Commission as to whether or not, in the Council's judgement, this license should be granted.

It is recommended that the Council forward a recommendation of favorable, to the Oregon Liquor Control Commission. Please refer to the attached License Bureau staff report and report from the Bureau of Police.


Dennis Nelson, Manager


John Werneken, Field Representative

TO THE COUNCIL:

The Commissioner of Public Safety transmits herewith the report of the investigation and recommendation of the enclosed liquor license application.

Respectfully submitted,

Dick Bogle
Commissioner

DB
DN/jw
(enclosures)

c:\wp50\work\council.doc
a:\council.hal <LQ_V>



CITY OF
PORTLAND, OREGON

BUREAU OF LICENSES

Dick Bogle, Commissioner
Dennis Nelson, Manager
1120 S.W. 5th Avenue, Room 1206
Portland, Oregon 97204
(503) 796-5157
Fax: (503) 796-5192
TDD: (503) 823-6868

November 12, 1992

STAFF REPORT: Nancy & Harvey Damrill, dha Nancy's Eat & Browse,
6920 SE 52nd

STAFF CONTACT: John Werneken (796-5140)

RECOMMENDATION: Favorable

1. TYPE OF APPLICATION: This is an application for a Restaurant liquor license, new outlet. This type of license allows the sale of beer or wine, for consumption on the premises only.

2. LOCATION: The proposed outlet is located on premises formerly operated with a Retail Malt Beverage, tavern type liquor license for many years, most recently under the tradename "Trocadero". When last operated as the "Trocadero" in 1991, the location was the subject of numerous complaints to licensing authorities, primarily alleging noisy and disturbing patron conduct.

Until recently four taverns operated on SE 52nd between SE Duke and SE Rex; currently only the taverns at 52nd and Duke and 52nd and Flavel are in operation. Each of the four locations was the subject of similar complaints at one time or another over the last four years. Accordingly License Bureau staff believe that this area is a sensitive and challenging area in which to operate a tavern.

3. APPLICANT: The applicants are Nancy and Harvey Damrill. The applicants have not previously held a liquor license. The applicants reside approximately three blocks from the proposed license. Mrs Damrill states that she is familiar with local conditions, including the objectionable activity formerly complained of at the several nearby tavern sites.

4. ISSUE: The issue is whether or not a license should be re-established at this location, given that the area is already well-served by existing outlets, and given the fairly recent history of complaints of noisy and disturbing patron conduct concerning this location and other tavern locations in this vicinity.

5. BACKGROUND: The Police Bureau reports that "No criminal history has been discovered by this agency that would preclude the issuance of this license".

The License Bureau has received five letters from neighbors opposing this application, three letters supporting the application, and three letters expressing "no objection" if the premises closes at 10:00 pm, as proposed. The Brentwood-Darlington

Neighborhood Association Board voted to endorse the application, after discussions with neighbors and with the applicant.

The remonstrators primarily rely upon problems associated with this location when it was previously licensed. Those supporting or withholding objection appear to rely primarily upon the applicants' statements de-emphasizing promotion of alcoholic beverages and proposing a "neighbor-friendly" operation, with earlier than required closing hours.

6. DISCUSSION: The License Bureau believes that the record of previous complaints concerning taverns in this vicinity shows that licensed premises can threaten liveability in this area. These applicants however are proposing a Restaurant type of license, which does not allow "to go" sales, and which does provide some regulatory encouragement for the applicants' stated plans to emphasize meals over the sale of beer and wine.

Mrs Damrill describes her establishment as a place for neighborhood people to eat, meet, and socialize, and proposes to stay open past dinner only in conjunction with sporting events such as Monday Night Football. Mrs Damrill has stated that she will not serve patrons who create disturbances.

The background on the record for the applicants shows no incidents supporting a conclusion that these applicants are unfit for a liquor license. The location itself has had some problems when operated as a tavern.

7. CONCLUSION: The Bureaus of Licenses and Police find that the past complaints involve a tavern license and a tavern style of operation. If the applicants follow through with their plans and operate as a restaurant, not emphasizing the sale of beers and wines and not operating late into the evening, then the Bureaus believe that the past problems will not be likely to recur.

The applicants themselves are also nearby residents, which lends credibility to their expressed concerns for the liveability of the neighborhood.

The License Bureau also notes the concerns that have been expressed about the licensed outlets in this vicinity generally, and would respond with increased monitoring and enforcement should complaints be received concerning this or another outlet in this area in the future.

The License Bureau concludes that under the standards previously applied, this application should NOT be rejected.

8. RECOMMENDATIONS:

License Bureau:	Favorable
Police Bureau:	Favorable

9. ATTACHMENTS:

Police Bureau Investigation Report
Application Materials & Vicinity Maps
Citizen Correspondence

C: \wp51\work\lanays.rpt <jw_pc>

OPERATING DATA QUESTIONNAIRE

APPLICANT Nancy Dannel

TRADE NAME Nancy's Lett Bar

PHONE 775-499-XXXX

ADDRESS _____

CITY _____

ZIP _____

DAYS AND HOURS OF OPERATION:

	Business Hours	Dining Room Hours (If different)
Sunday	^{8:30} <u>12:00</u> to <u>7:00</u>	_____ to _____
Monday	<u>7:00</u> to <u>10:00</u>	_____ to _____
Tuesday	<u>7:00</u> to <u>10:00</u>	_____ to _____
Wednesday	<u>7:00</u> to <u>10:00</u>	_____ to _____
Thursday	<u>7:00</u> to <u>10:00</u>	_____ to _____
Friday	<u>7:00</u> to <u>10:00</u>	_____ to _____
Saturday	<u>7:00</u> to <u>10:00</u>	_____ to _____

MEALS SERVED AND HOURS:

Breakfast 7:00 to 11:00 Lunch 11:00 to _____ Dinner _____ to _____

SEASONAL VARIATIONS: _____ Yes No (If yes, explain)

TYPE OF DECOR, STYLE AND ATMOSPHERE: (Explain)

Restaurant with a gift shop; paintings on the wall, wood panelling & lattice work.

ENTERTAINMENT: _____ Yes _____ No (If yes, check appropriate)

- Live Music _____
- Dancing _____
- Performers _____
- Recorded Music
- Coin Operated Games _____
- Card Games/Games of Chance _____
- Pool Tables _____
- Other (Describe) Dart board (possibly in future)

SEATING CAPACITY:

Restaurant ~~52~~ 52 Lounge _____ Invest. Verified Seating _____ Yes _____ No

Banquet _____ Exterior _____ Invest. Initials _____

Other (Explain) (Bar) 13 Total 65

CHANGE IN OPERATION: Yes _____ No (If yes, describe)

ARE STRUCTURAL CHANGES TO PREMISES PROPOSED? _____ Yes No (If yes, explain)

WILL ANY PORTION OF THE PREMISES BE LEASED OR UNDER CONTROL OF ANOTHER INDIVIDUAL?

_____ Yes No (If yes, explain)

Nancy Dannel
(Signature of Applicant)
Nancy Dannel

9/2/92
(Date)

Nancy Dannel
(Signature of Applicant)

9/2/92
(Date)

TEMPORARY AUTHORITY TO OPERATE

LICENSE HEADING:

Damrill, Harvey J.

Damrill, Nancy

NANCY'S EAT & BROWSE

6920 S.E. 52nd

Portland, OR 97206

Date 12-23-92

Processing Fee Paid \$ 52.60
(Includes Server Education Fee)

Date & Receipt # 9-8-92, 46580

License Fee Paid \$ 100.00

Receipt # 6378 12-23-92

Mailing Address (if different) 5219 S.E. Knapp
Portland, OR 97206

55230 12-23-92 100

TYPE OF LICENSE RESTAURANT

Authority to Operate pending receipt of formal License Certificate effective 12-23-92

90 Day Temporary Authority from _____ to _____

Restrictions 1. No live entertainment.

2. Close no later than 10 p.m.

For the Director
REGULATORY PROCESS DIVISION

By M.L. Dominique
M.L. Dominique
Administrative Specialist

ACKNOWLEDGEMENT FOR 90-DAY TEMPORARY AUTHORITY TO OPERATE

- Granting of this authority does not obligate the Oregon Liquor Control Commission to issue a permanent license.
- The Commission may revoke this authority without prior administrative proceedings for any of the grounds listed in ORS 471.295 or ORS 471.315. I have received copies of these laws.
- Applicants who spend or commit money with only a Temporary Authority to Operate do so at their own risk.

On behalf of the applicant, I acknowledge that I have read the three notices above:

Original	White—Licensee
1st Copy	Green—HQ Cashier
2nd Copy	Canary—HQ Cashier
3rd Copy	Pink—Regional Copy
4th Copy	Goldenrod—Local OLCC office

By _____

OLCC FIELD SERVICES DIVISION
INTAKE/COMPLIANCE ACTION REPORT

OK TO FILE
BY DATE 4-27

1. CASE # Temp. Oper. Auth.
2. LICENSEE Damrill, Harvey J
3. TRADENAME Nancys Eat & Brouse
4. ADDRESS 6920 S.E. 52nd
5. CITY/ZIP Portland
6. PHONE _____
7. RECEIVED BY K. Huck DATE: 2-4-93
8. COMPLAINANT ARORY
9. ADDRESS _____
10. CITY/ZIP _____
11. PHONE (W) _____ (R) _____
12. ASSIGNED TO K. Huck DATE 2-4-93

13. ALLEGED VIOLATIONS

Minors
 VIPS
 Disorder
 Neighborhood Impact

Service Permits
 Illegal Activity
 Unauthorized Interest
 DOD

Financial Assistance
 Food Service
 Other Sign
 Other

14. COMPLAINT SUMMARY

Complainant states the business has a large banner sign on the exterior of the business with a Hamns logo and other wording. Believes sign was given and not paid for.

RECEIVED

MAR 04 1993

REGULATORY FIELD SERVICES
Oregon Liquor Control Commission

15. COMPLAINANT REQUEST FOLLOW-UP CONTACT _____ Yes No

16. ASSESSMENT
 Open for investigation _____ Add to open case _____ Open/Close at Intake

Referral to _____

17. CONCLUSION Proven
 Unproven

18. STATUS Closed
 Continued

19. ACTION TAKEN Notice of Violation Record of Warning Verbal Instructions
 Other No violation

20. Completed by Kenneth Huck Date 2-26-93 BPST# 20949
Kenneth Huck, Program Technician

21. Reviewed by James C. Miller Date 3-2-93 BPST# 14619
James Miller, MCU Regional Manager

84547-293 (Rev. 4-91)

RECEIVED

MAR 5 1993

COMPLIANCE SECTION
Oregon Liquor Control Commission

OLCC FIELD SERVICES DIVISION
INVESTIGATION SHORT REPORT

1. COMPLIANCE ACTION: RECORD OF WARNING VERBAL INSTRUCTIONS EDUCATION CLASS

COMMENDATION X OTHER, EXPLAIN No violation
Damrill, Harvey J

2. RO# or SS# Temp. Oper. Auth 3. LICENSEE/PERMITEE NAME Damrill, Nancy

4. TRADE NAME Nancy's Eat & Browse 5. DATE OF COMPLAINT 2-4-93

6. CONTACT: DATE 2-26-93 IN PERSON X PHONE OTHER, EXPLAIN

7. CONCLUSION PROVEN X UNPROVEN

8. SUMMARY OF INVESTIGATIVE FINDINGS:
Nancy Damrill produced an invoice showing the sign was purchased for \$15.00 which is the standard rate charged for signs this size with additional words by other wholesalers.

9. SUMMARY OF INSTRUCTION ABOUT SPECIFIC COMPLIANCE PROBLEMS AND SPECIFIC LAWS:

No violation

10. COMPLETED BY Kenneth Huck DATE 2-26-93 BPST# 20949
Kenneth Huck, Program Technician

11. REVIEWED BY James Miller DATE 3-2-93 BPST# 14619
James Miller, MCU Regional Manager



OLYMPIA

GENERAL DISTRIBUTORS, INC.

13895 Fir Street / Oregon City, Oregon 97045

(503) 656-9470



PAGE 1 ~~KILLIANER RD~~

Nancy's Ent & Browse

52 82nd

PHH



Hanna's

CORD
EAT

SPECIAL INVOICE

INVOICE NUMBER: 8918 CUSTOMER NO.: 3628 PAYMENT CODE: ROUTE/STOP: DELIVERY DATE: 1-18-93 STATUS:

ITEM	QUANTITY	DESCRIPTION	PRICE	EXTENDED AMOUNT
1		<i>Hanna's Banner (Lettered)</i>		<i>15.00</i>
				TOTAL CHARGES

CREDIT SECTION

ITEM	QUANTITY	DESCRIPTION	PRICE	EXTENDED AMOUNT
78		MT HAMMS/OLY 1/2KEG 005	12.00	
79		MT HAMMS/OLY 1/4KEG 004	10.00	
76		M/T COORS 1/2 KLS 083	12.00	
81		MT LABATTS 1/2 KEG	12.00	
84				
85		MT MISC LOUSE BTL	.05	
90		MT 20/16 OZ BTL NR	1.00	
				TOTAL CREDIT

COLLECT \$
FOR INVOICE #

NET AMOUNT

15.00

RECEIVED BY

X

[Signature]

PLEASE PAY THIS AMOUNT

Oregon Liquor Control Commission
Field Operations
INSPECTION REPORT

Damrell Harvey

License Type & R/O	R R00206 A
Licensee	DAM PELL, HARVEY O. & NANCY
Trade Name	NANCY'S EAT & BROWSE
Address	920 SE 52ND
City/County	PORTLAND, OR 97206
Date of Inspection	02/24/01
Person Contacted	NANCY DAMPELL
<input checked="" type="checkbox"/> Licensee <input type="checkbox"/> Manager <input type="checkbox"/> Permittee <input type="checkbox"/> Employee	

INSPECTION ITEMS CHECKED	YES	NO	N/A	COMMENTS
Current License Certificate Posted	X			
Minor Postings Consistent w/rule	X			
Minor Postings match file				
On duty servers have S/P or Application	X		X	
Restrictions followed	X			
Pregnancy Warning Signs	X			
Advertising Signs conform to rule	X			
DADG Licensees Only				
Following Food Service Plan				
Seating Adequate			X	
Responsible Vendor Program			X	
Participant		X		
Licensee Meets Criteria:				
• PS Brochures				
• Train within 3 days of hire				
• Ongoing training 4x per year				
• Employees read/sign house policies				
• Post house policies				
• Post laws				

Inspection Conducted by: *Mark L. L...*

B

