

**G. I. Lewis**

**Seattle, WA 98144**

**Day Phone:**

February 13, 2012

Washington State Liquor Control Board  
Licensing and Regulation  
P. O. Box 43098  
Olympia, WA 98504-3098

Re: The Mighty Oak, 3019 Beacon Avenue South in Seattle  
Washington State Liquor Application #408904

Regarding the Washington State Liquor Application #408904, in accordance with WAC 314-07-065 (7) As a member of the public I have the following objections about the application for a liquor license:

1. The Mighty Oak's proximity to Beacon Baptist Church, Beacon Lutheran Church and the Beacon Hill Library may be within 500 feet.
  - Shown on page 6 is a map that illustrates the Churches, and library.
  - A neighbor walked from the front door to front door of the churches and counted her steps and it was between 298 to 310 steps however I asked that the city of Seattle measure the distance to verify that the Mighty Oak may be within 500 feet of one of these Churches or library. When the City responds the results will be sent to you.
  
2. The Applicant has demonstrated **chronic illegal activity** (Per RCW 66.24.010) associated with the applicants operations of the premises proposed to be licensed AND the applicant's operation of another licensed premise:
  - Statement of facts

“Per the RCW 66.24.010: “Chronic illegal activity” means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement

1. The applicants operation of another licensed premise:
  - a. The Applicant’s operation of The Redwood without the proper permits. The Redwood is a bar that is owned by Bar4 LLC, (specifically Tim Purtill, Lisa Jack, and Mat Brooke) the Bar open in March at 514 East Howell Street which was formerly occupied by a bar and Laundromat. A few weeks after it opened, someone filed a zoning complaint with the DPD; on April 24, 2006 the DPD sent a notice informing the bar that they would need to obtain a different permit to operate as a restaurant and a bar or the city would shut them down. Operation of facilities without proper permits and inspections threatens public health and safety.
  - b. The applicant’s operation of The Redwood created many disturbances in the neighborhood. In the June 7, 2006 edition of the newspaper ‘The Stranger’ an article was written about numerous complaints regarding the operation of the Redwood. The article stated “Redwood's owners say the complaint is part of a campaign to shut down the bar by a few disgruntled neighbors in the apartment building across the street; according to Lisa Jack, one neighbor calls the police every night about the smokers who congregate and talk outside the bar's front door. Alan Justad, a DPD spokesman, disputes the Redwood owners' account of the situation, saying the bar is still in the middle of its initial permitting process. Justad says Redwood needs to operate primarily as a restaurant, serving food late and admitting minors, if it wants to stay in business. (Bars aren't allowed in "midrise" zones like the one Redwood is in unless DPD grants an exemption.)  
..... “When we look at their floor plan, it shows that 50 percent of the area is a bar, not a restaurant. That looks like a bar to me,” Justad says. "You don't generally get noise complaints from

restaurants. This is where we have to make a call." The City of Seattle has a noise ordinance. The noise from The Redwood caused disturbances to neighbors located in apartment buildings constructed of brick that are located across a very wide street. In other newspaper articles The Redwood's owners acknowledged that their customers do make noise, especially the smokers who have to stand outside. "I'm not saying we're angels. We give people alcohol. We're a bar," Lisa Jack says.

(Note: Compared to the Mighty Oak. The old building that the Mighty Oak is in - has a wood frame and is not insulated or sound proofed. The Mighty Oak building exterior wall is located 8 feet from the neighbors exterior wall. The Mighty Oak is at a location that has never seen late night business activity. Loud music from inside of the bar will be heard outside the building. Noise and talking from people congregating outside the Mighty Oak will be heard. The combined music and talk will be noise that creates disturbance for the neighbors.)

2. For the Applicants operation of the premises proposed to be licensed
  - a. 2/2012 Recently the Applicant conducted work on the property without getting a permit. A complaint was filed and the applicant was issued a violation. Operation of facilities without proper permits and inspections threatens public health and safety.
  - b. 1/2012 Applicant informed neighbors that the applicant was opening up a coffee shop on February 6 the applicant posted a liquor license application notice.
3. The conduct of the Applicants patrons inside or outside The Redwood has generated numerous complaints about noise, and other disturbances (i.e bar brawl).
  - Statement of Facts.
    - a. The numerous complaints about noise. I requested Alan Justad from the City of Seattle for a list of the complaints on file. I hope to receive them on Wednesday February 15<sup>th</sup> and I will forward the information to you. .

Per RCW 66.24.010(12) "...In determining whether to grant or deny a license or renewal of any license, the board shall give

substantial weight to objections from an incorporated city or town or county legislative authority based upon chronic illegal activity associated with the applicant's operations of the premises proposed to be licensed or the applicant's operation of any other licensed premises, or the conduct of the applicant's patrons inside or outside the licensed premises. "Chronic illegal activity" means (a) a pervasive pattern of activity that threatens the public health, safety, and welfare of the city, town, or county including, but not limited to, open container violations, assaults, disturbances, disorderly conduct, or other criminal law violations, or as documented in crime statistics, police reports, emergency medical response data, calls for service, field data, or similar records of a law enforcement agency for the city, town, county, or any other municipal corporation or any state agency; or (b) an unreasonably high number of citations for violations of RCW [46.61.502](#) associated with the applicant's or licensee's operation of any licensed premises as indicated by the reported statements given to law enforcement upon arrest.

4. It has not been verified that all the co-partners of Bar4, LLC are qualified to obtain a liquor license. RCW 66.24.010.(2)(b) that states: "No retail license of any kind may be issued to:..... A copartnership, unless all of the members thereof are qualified to obtain a license, as provided in this section;" . I understand that this will be explored by the Wa State Liquor Control Board as a part of their process.

Some additional items to consider:

1. The April 4<sup>th</sup> 2008 shooting at the Beacon Pub. The Beacon Pub was located at 3057 Beacon Ave. S. Please see page 6 for a map. The Beacon Pub was on the same block as the Mighty oak just a few feet due south of the Mighty Oak. On April 4<sup>th</sup> 2008 A woman and two men were shot and seriously injured when a man opened fire for unknown reasons, Seattle police reported.  
A 27-year-old woman was shot in the chest and a 37-year-old man was shot twice in the torso at The Beacon Pub police spokeswoman Renee

Witt said. They both underwent surgery at Harborview Medical Center and were listed in stable condition Saturday evening, a hospital nursing supervisor said.

A 28-year-old man, shot in the knee, was also treated at Harborview, police said. Witt said two of the victims "stated that they did not know the shooter and didn't know of a possible motive." The third victim, the 37-year-old, was not immediately interviewed because he was being treated at the time.

Police looked for the gunman however, I never heard that the gunman was located. The Beacon Pub moved shortly after the shooting and now the space is occupied by an Italian restaurant named Bar Del Corso.

2. Parking. There is limited parking on the street that the Mighty Oak is located; thus the applicants patrons will park elsewhere such as 17<sup>th</sup> Avenue South. This is a concern for the neighbors that live along that street; due to the applicants patrons taking available parking spaces. Currently parking is restricted and only enforced during the daytime.
3. Known drug area at nearby Triangle Park. The location of the Mighty Oak is within a few feet of an area that people hang out in groups (i.e. gangs), and drugs deals occur. The area is known as Triangle Park and is patrolled frequently by Seattle Police Department.

If you have any questions would you please contact me and let me know.

Thank you,

A handwritten signature in black ink, appearing to be 'G. I. Lewis', with a large, sweeping flourish extending to the left.

G. I. Lewis

## Vicinity Map

