

VARNI, FRASER, HARTWELL & RODGERS

ATTORNEYS AT LAW

650 A STREET

P.O. BOX 570

HAYWARD, CALIFORNIA 94543-0570

PHONE: (510) 886-5000 FAX (510) 538-2797

WEBSITE: VARNIFRASER.COM

OF COUNSEL:

JONATHAN DANIEL ADAMS

MICHAEL J. O'TOOLE

P. CECILIA STORR

RECEIVED

MAY 17 2018

PLANNING DIVISION

May 15, 2018

Sara Buizer
Planning Manager
City of Hayward
777 B Street
Hayward, CA 94541

Re: Proposed Cocktail Lounge at the Corner of B and Main Street

Dear Sara,

With the City trying to decide how to adjust traffic patterns in the downtown, with the City trying to get the core commercial owners to support an assessment to upgrade the appearance of the downtown, with the green shutter finally under construction and soon to be completed, and in light of the many cocktail lounges and bars that are in the downtown core already, it might be good to postpone any decision with regard to the application shown on the attached postcard. We have approved dancing and cocktail lounges in the downtown area within the last five years and in each instance they have proven to be a problem. I would appreciate your thoughts and comments.

Very Truly Yours,

VARNI FRASER HARTWELL & RODGERS

Anthony B. Varni

ABV/fn

cc: Kim Huggett, Mayor Barbara Halliday

Marcus Martinez

From: brewn4u@aol.com
Sent: Friday, June 15, 2018 4:30 PM
To: Ramona Thomas; Marcus Martinez
Subject: Re: 990 lounge questions

Follow Up Flag: Follow up
Flag Status: Completed

Marcus,

Thanks for the call.

As I mentioned I was astonished to hear that bars in downtown don't need to serve food. This has certainly not been my experience over the past 30 years.

I am disappointed that this bar is anticipating bringing trouble to our downtown community, so much so that their business plan is primarily a security and surveillance solution to combating the expected problems.

Too bad this wasn't an upscale craft spirits concept instead of another Dirty Bird/Funky Monkey, but if the law allows these establishments, so be it.

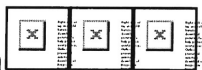
Good luck to the bar owners, and the downtown community.

Cheers!
 Geoff

Geoff Harries

CEO | Master Brewer
 Buffalo Bill's Brewery
 510.541.1579 m
 1082 B Street, Hayward, CA 94541

www.buffalobillsbrewery.com



-----Original Message-----

From: Ramona Thomas <Ramona.Thomas@hayward-ca.gov>
To: Marcus Martinez <Marcus.Martinez@hayward-ca.gov>
Cc: brewn4u <brewn4u@aol.com>
Sent: Fri, Jun 15, 2018 3:55 pm
Subject: 990 lounge questions

Marcus,

Geoff Harries, owner of Buffalo Bills reached out to me today with questions concerning the 990 lounge. Please give him a call; he can be reached at the following:

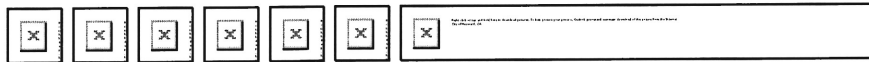
Geoff Harries

CEO | Master Brewer
Buffalo Bill's Brewery
510.541.1579 m
1082 B Street, Hayward, CA 94541
www.buffalobillsbrewery.com

Thank you,

Ramona Thomas | Economic Development Specialist
O: [510-583-5541](tel:510-583-5541) | E: Ramona.thomas@hayward-ca.gov
www.haywardupward.com
www.downtownhayward.org.

STAY CONNECTED:



Marcus Martinez

From: Marcus Martinez
Sent: Monday, May 14, 2018 2:11 PM
To: 'The Dirty Bird Lounge Llc'
Subject: RE: CUP201802336
Attachments: 990 Lounge_business plan.pdf

Hello Aric,

Thank you for taking the time for reaching out to me regarding the proposed cocktail bar and lounge at 990 B Street. I have answered some of your questions below in red for tracking purposes.

Please let me know if you have any additional questions. I'd be happy to assist.

Thank you,

Marcus Martinez | Assistant Planner

Development Services Department

City of Hayward

P: (510) 583-4236

E: marcus.martinez@hayward-ca.gov

From: The Dirty Bird Lounge Llc [mailto:thedirtybirdlounge@yahoo.com]

Sent: Monday, May 14, 2018 1:31 PM

To: Marcus Martinez <Marcus.Martinez@hayward-ca.gov>

Subject: CUP201802336

Hello Marcus

I received notice of a CUP application in my mailbox and I have a few questions:

Is the liquor licensee required to serve any food such as a type 47 or will they be a type 48 establishment? As proposed, the applicant is requesting approval for a Type 48 establishment, with no no bona-fide restaurant or food sales. If the applicant was requesting approval of a Type 47 establishment (bona-fide food establishment with alcohol sales; 60% minimum gross receipts for meals), then they would exempt from requiring a Conditional Use Permit.

What will be the security plan of the establishment consist of? I have attached the security plan that the applicant has provided with their CUP application for their establishment. The security and business plan is currently under Police Department review.

What are the conditions of the cabaret license? Are we looking at a nightclub? The applicant has applied for some form of cabaret use (dancing, live and DJ music). However, no conditions have been determined since we are in the initial review of the application.

With over 28 years I have found that there are many perils in the industry for the inexperienced who believe that bars are simply turnkey. That being said I do not recognize these names applying for the CUP and nothing turns up for ownership under the ABC license query system. My main concern would be another Me Lounge where an inexperienced owner will try to earn a quick buck and run things looser with their crowd. I am not opposed to a type 48 establishment as we have too many empty storefronts on B street but I do not want my business negatively impacted due to poor ownership. Noted.

Again thank-you for your time

Eric S. Yeverino
Managing Member
The Dirty Bird Lounge LLC