

BOARD of SUPERVISORS



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LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Attn: _____
Phone No. _____

DATE: April 13, 2022
AP Block/Lot Nos.: 0644 / 012
Zoning: Polk Street NCD 65-X
Quad: NE Planning Team
Record No.: _____

TO: Police Department
Joel Salmonson
Phone No. (415) 553-1115

Please submit your response within three weeks. The Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for the regular meeting of June 9, 2022.

PLEASE EMAIL YOUR RESPONSE by Wednesday, June 1, 2022, to:
Alisa Somera, Public Safety and Neighborhood Services Committee Clerk.
alisa.somera@sfgov.org ~ (415) 554-7711

Applicant name: Bitter Badger, Inc.

Business name: Soda Popinski's

Application address: 1548 California Street, San Francisco, CA 94109

Applicant contact info: Mark E. Rennie
870 Market Street Suite 1260
(415) 981-4500
rennie23@gmail.com

PLANNING REVIEW: Approval Denial

Planning Staff Contact: _____
(Please add comments on a trailing page.)

POLICE REVIEW: Approval Denial

(Please add comments in a trailing report.)

MARK E. RENNIE
ATTORNEY AT LAW
1222 SUTTER STREET
SAN FRANCISCO, CALIFORNIA 94109

(415) 981-4500

April 3, 2022

Angela Calvillo
Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Via Messenger

Re: Bitter Badger, Inc. dba Soda Popinski's
California ABC Liquor License Transfer
1548 California Street, San Francisco, CA 94109

Public Convenience and Necessity Determination Request

ABC Type-21 —Off-Sale General

Premise to Premise Transfer from 1100 Valencia St to 1548 California St.

SF CA 94109 [reduction of current bar/lounge to allow for an adjacent small liquor store].

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
7:07 APR - 9 PM 4:19
BY [Signature]

Dear Ms. Cavillo:

This is re-submission of our original letter to the Board dated July 5, 2022, where we requested a PCN Determination on 1548 California Street. At the request of John Carroll, Clerk of the Public Safety and Neighborhood Committee, we withdrew our application until we had our Conditional Use Authorization application submitted to the Planning Commission and a hearing scheduled.

This office represents Bitter Badger, Inc. dba Soda Popinski's. My client as applied to the California Department of Alcoholic Beverage Control (ABC) for a premise-to-premise transfer of a Type 21 Off-Sale General license. Bitter Badger currently operates a Type-48 On-Sale General Public Premises license at this location and plans to reduce the footprint of its current premises to allow room for a small (200 sq. ft.) package store at this location.

There are surrounding residences within 100 feet of this proposed new package store. Our location has been a bar and lounge for many years and has served the community well for many years. This request is to allow Soda Popinski's to create a small off-sale liquor store at the same address specializing in San Francisco-manufactured craft spirits,

The area is properly zoned [NCD-Polk: Polk Street Neighborhood Commercial] but requires a Conditional Use Authorization (CUA) from the San Francisco Planning Commission. The CU application has been submitted and is scheduled for hearing in the next month. We do not see any problems with the San Francisco Police Department approving this new ABC license, with

conditions. We have the support for this application from many of our neighbors, and are open to the imposition of conditions, if necessary, to this license. We have the support of this application, also, from the Discover Polk Central Business District.

This new craft-spirits package store will benefit many residents who might otherwise have to travel to another neighborhood for a similar shopping experience. The Soda Popinski's store will also serve visitors from other San Francisco neighborhoods and tourists.

Soda Popinski's is locally-owned, and thus revenue and taxes from the business will stay in the community. This new ABC license will also benefit local San Francisco craft-spirits manufacturers by marketing and selling their excellent products. This new license will allow Soda Popinski's to remain open and viable, will sustain the pedestrian traffic to other businesses in the neighborhood, and keep more "eyes on the street" and make the neighborhood safer after 10 PM. Like many small businesses in San Francisco, the COVID-19 shutdown has been devastating to their business.

Soda Popinski's is part of the Tonic Beverage Group which has owned and managed ten bars and restaurants in San Francisco, including Tonic and Dr. Teeth. Soda has been well-managed and non-problematic since 2012. There have been no noise complaints and minimal police issues since the business opened ten years ago. My client will continue with the new business model to be respectful to the neighborhood and to its customers. Soda Popinski's is committed to providing an excellent experience for their customers and will strive to make its lower Nob Hill area safer and pedestrian friendly. . Foremost, they will be Good Neighbors.

Soda Popinski's package store will also give back to the community. The Tonic Group consistently offers their spaces at no cost to community groups. Their most effective fundraising has been their "Guest Bartending" program which has raised over \$500,000.00 to non-profits and charities since 2009. Partner Ben Bleiman is active in the Sf entertainment community and currently serves as the President of the San Francisco Entertainment Commission.

For the reasons outlined above, applicant Bitter Badger, Inc dba Soda Popinski's respectfully requests that this letter be forwarded to the Public Safety & Neighborhood Services Committee of the Board and that this Committee and the full Board of Supervisors make a determination under California Business and Professions Code Section 23958.4 that the public need or convenience would be served by the premise-to-premise transfer of this liquor license to a new location at 1548 California Street, San Francisco, CA 94109.

Thank you for your consideration of this request.

Yours truly,



Mark E. Rennie

MER/mb

Cc: Ben Bleiman,
Officer-in-Charge SFPD ALU