

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Linnane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



RECEIVED

JUL 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

**NOTICE**

July 25, 2018

MIKE SADOON  
988 SUTTER ST  
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

FROM :

FAX NO. :

Jun. 29 2018 11:58PM P1

*R*

RECEIVED

JUN 29 2018

Department of Alcoholic Beverage Control

Dept of Alcoholic Beverage Control  
San Francisco

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, Mike Saylor, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

[Signature]  
PROTESTANT'S SIGNATURE

415-776-7079  
TELEPHONE NUMBER (Optional & non-public)

SAN FRANCISCO, CA  
SIGNED AT (City and State)

6-29-18  
DATE SIGNED

988 SUTTER ST SAN FRANCISCO, CALIF 94109  
PROTESTANT'S ADDRESS (Full Address - Street Name & Number, Unit or Apt. No., City, State, & Zip Code)

FROM :

FAX NO. :

Jun. 29 2018 11:59PM P2

RECEIVED

JUN 29 2018

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10, 2018

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

33 New Montgomery St, San Francisco, Ca 94109

(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc., Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

PROFESSION ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY.

They have not done proper outreach. They had a exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fare to the neighborhood.

**FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION**

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

**RECEIVED**

**JUN 29 2018**

Dept of Alcoholic Beverage Control  
San Francisco

FROM :

FAX NO. :

Jun. 30 2018 12:00AM P3

# DO NOT REMOVE THIS NOTICE

**THIS NOTICE IS NOT TO BE REMOVED UNTIL 30 DAYS HAVE PASSED FROM THE DATE ON WHICH IT WAS POSTED.**

## INSTRUCTIONS

This notice shall be posted in a conspicuous place which can be readily observed by ordinary passersby at or near the entrance to the premises. In the case of a vacant lot, posting shall be on a post or stake of permanent material, at the midpoint of the largest boundary fronting on a public thoroughfare at a point not more than 10 feet from the sidewalk, or roadway in the absence of any sidewalk. This notice must be mounted upon heavy cardboard, wood, or other substantial backing affixed to the post or stake so as to be readily visible from the sidewalk or roadway.

The notice shall remain posted for at least 30 consecutive days. A new posting date will be required if this notice is not posted as required.

Be sure that the date of posting is entered on the date the premises are posted. If the date is not entered, then the premises are not legally posted.

RECEIVED

JUN 29 2018

Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

RECEIVED

JUL 20 2018

DEPT OF ALCOHOLIC BEVERAGE CONTROL  
SAN FRANCISCO

July 23, 2015

JOHN WIGGINS  
725 HYDE ST #10  
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestants/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angrý Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, the protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, John Wiggins, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

Joe W. Wiggins  
PROTESTANT'S SIGNATURE  
SAN FRANCISCO, CA

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)  
725 MIKE ST #10

DATE SIGNED

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

RECEIVED 6/23/18

ABC-510-A (Rev. April 2010)

JUN 26 2018  
Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10, 2018  
 PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
 33 New Montgomery St, San Francisco, Ca 94109  
 (415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
 Business name Tonic, License Type 48 Bar&Club

*FROM PAGE ONE*

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY.

They have not done proper outreach. They had a exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fare to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

**RECEIVED**  
**JUN 26 2018**  
 Dept of Alcoholic Beverage Control  
 San Francisco



**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

July 25, 2018

**WILLIAM TAYLOR  
940 POST #7  
SAN FRANCISCO, CALIFORNIA 94109**

RECEIVED  
JUL 26 2018  
Dept of Alcoholic Beverage Control  
SAN FRANCISCO

**ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494**

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- **Please print legibly or type.** Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
**Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises**

(Name(s) of Applicant(s))

For premises at:  
**895 Post street, San Francisco, Ca 94109**

(Exact address of proposed premises)

on the grounds that:

Protests have been filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consideration points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, William Taylor Jr., declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

San Francisco, CA

SIGNED AT (City and State)

940 Post #2

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

TELEPHONE NUMBER (Optional & non-public)

415-590-0093

DATE SIGNED

6/17/08

RECEIVED

ABC-510-A (Rev. April 2010)

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10, 2018

## PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

## DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

33 New Montgomery St, San Francisco, Ca 94109

(415) 356-6500 Fax (415) 356-6514

## ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY. They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

July 22, 2018

RECEIVED

JUL 26 2018

YVONNE STAGNARD  
1600 SUTTER GRANADA 7  
SAN FRANCISCO, CALIFORNIA 94109

Dept of Alcoholic Beverage Control  
San Francisco

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestants/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
**Angry Otter Inc., Business Name, Tonic, 48-on Sale General Public Premises**

(Name(s) of Applicant(s))

For premises at:

**895 Post street, San Francisco, Ca 94109**

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents; they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section23958.4 of the Business

Check here if additional sheets attached

I, YVONNE Marie STAGNARO, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

Yvonne M Stagnaro  
PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

415 814 2711

SAN FRANCISCO CA  
SIGNED AT (City and State)

DATE SIGNED

1600 SUTTER GRANADA 7  
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

**RECEIVED**

**JUN 26 2018**

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10,2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% grater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They nave now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY.

They have not done proper out reach. They had a exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fare to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



RECEIVED

**NOTICE**

Jul 20 2018

Dept of Alcoholic Beverage Control  
San Francisco

July 25, 2018

JUDY ANNE SPARACO  
825 POST ST  
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA): (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, JODYANNE SPARACO, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

SAN FRANCISCO, CA

SIGNED AT (City and State)

DATE SIGNED

825 POST ST. SAN FRANCISCO, CA 94109

6/24/18

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

ABC-510-A (Rev. April 2010)

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco



JUNE 10, 2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY.

They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

RECEIVED

JUN 26 2018

San Francisco

4 Comments

Hoodline

Login

Recommend

Share

Sort by Best

Join the discussion...

LOG IN WITH

OR SIGN UP WITH DISQUS

Name

Ell • a month ago

So glad it closed. We who live on Union Street detested the raunchiness and look-at-me drunks constantly disturbing the peace--and the employees acted so helpless and all the owner did was post a tiny note just outside the bar's doors asking their juvenile clientele to keep it down instead of laughing and screaming at the top of their lungs at the Polk/Union intersection and barfing their brains out as they zigzagged up the hill. The cops were called so many times. The bar that was there before Tonic was a true neighborhood bar. Tonic was okay the first couple months it was open, and then it turned into a hangout for young idiots. Whatever bar (if a bar) opens there now will no way be as bad as Tonic. My sympathies to the residents who live by the new location.

Reply • Share

Chuck Reynolds • a month ago

Looks like it's going to Post/Hyde area near Milkbean. Sign on door (somebody on Nextdoor posted it).... 895 Post St.

Reply • Share

RECEIVED  
JUN 26 2018  
Dept of Alcoholic Beverage Control  
SAN FRANCISCO

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

RECEIVED

JUL 28 2018

Dept of Alcoholic Beverage Control  
SAN FRANCISCO

July 25, 2018.

P. SETCHFIELD  
851 POST ST #10  
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
**Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises**

(Name(s) of Applicant(s))

For premises at:

**895 Post street, San Francisco, Ca 94109**

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, **P Setchfield**  
PRINT (Name of Protestant)

declare under penalty of perjury.

RECEIVED

JUN 29 2018

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are there stated as information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

**SAN FRANCISCO CA**

SIGNED AT (City and State)

**851 Post St. #10 SF CA 94109**

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

TELEPHONE NUMBER (Optional & non-public)

DATE SIGNED

**6/26/18**

JUNE 10, 2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY. They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

RECEIVED

JUN 29 2018

Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lehnane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



RECEIVED

JUL 26 2018

Dept of Alcoholic Beverage Control  
Date Received

**NOTICE**

July 25, 2018

SANDRA SANDOVAL  
952 SUTTER  
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section23958.4 of the Business

Check here if additional sheets attached

I, JANDRA SANDOVAL, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof, and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true

PROTESTANT'S SIGNATURE

SAN FRANCISCO CA.

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

952 SUTTER

DATE SIGNED

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

**RECEIVED**

ABC-510-A (Rev. April 2010)

**JUN 26 2018**

**Dept of Alcoholic Beverage Control  
San Francisco**

JUNE 10, 2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY. They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

RECEIVED  
JUN 26 2018

Dept of Alcoholic Beverage Control  
SAN FRANCISCO



**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



RECEIVED

JUL 28 2018

Dept of Alcoholic Beverage Control  
San Francisco

**NOTICE**

July 25, 2018

TUSHAR ROUTH  
647 HYDE STREET  
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

102

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
**Angry Otter Inc., dba TONIC, Duncan Ley & Ben Bleiman**

(Name(s) of Applicant(s))

For premises at:

**895 Post Street, San Francisco, CA 94109**

(Exact address of proposed premises)

on the grounds that:

The Premises are not suited for a Type 48 license. It is on the corner of Post and Hyde, with only 1 entrance/exit with primarily glass interior/exterior walls facing North and West. More than 50% of the interior/exterior walls at sidewalk grade level are made of glass. As the owner/resident of a property at 647 Hyde Street well within a 500' radius of the premises, the issuance of a Type 48 License will interfere with the quiet enjoyment of my home. The premises as currently constructed cannot contain the noise that goes with a Type 48. The premises are located in the midst of quiet residents and businesses. The noise from patrons smoking or talking as well as music inside or outside the premises until 2am would exceed the normal ambient noise and would become an unnecessary and offensive intrusion of nearby residents who need to sleep in a quiet environment in order to work effectively. The premises are in a census tract 120 where there is already an oversaturation of ABC licenses as well as crime well above the average in the City. *We may be within 100', but haven't measured.*

Check here if additional sheets attached

I, Tushar Routh, declare under penalty of perjury:  
 PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

DATE SIGNED

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

ABC-510-A (Rev. April 2010)

**RECEIVED**  
**JUN 22 2018**  
 Dept of Alcoholic Beverage Control  
 8th Francisco

P. 070

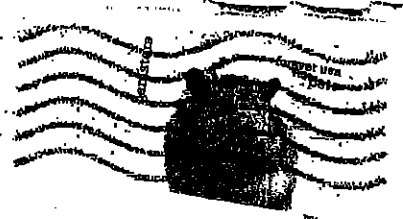
FAX No. 415 356 6599

WED/SEP/12/2018 05:12 PM Dept of ABC

Overdorf/Routh  
647 Hyde St.  
San Francisco, CA. 94109

SAN FRANCISCO CA 940

21 JUN 2018 PM 7:1



RECEIVED

JUN 22 2018

Dept of Alcoholic Beverage Control  
San Francisco

Department of Alcoholic Beverage Control

33 New Montgomery St.

San Francisco, CA. 94105

RECEIVED

JUN 22 2018

Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

July 25, 2018

**VIOLET RODDY**  
825 POST #502  
SAN FRANCISCO, CALIFORNIA 94109

RECEIVED  
JUL 29 2018  
Dept of Alcoholic Beverage Control  
San Francisco

**ANGRY OTTER INC**  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
**Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises**

(Name(s) of Applicant(s))

For premises at:

**895 Post street, San Francisco, Ca 94109**

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958,4 of the Business

Check here if additional sheets attached

I, Violet T. Rosby, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE <u>Violet T. Rosby</u>	TELEPHONE NUMBER (Optional & non-public)
SIGNED AT (City and State) <u>San Francisco Ca 94109</u>	DATE SIGNED <u>6/25/18</u>
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code) <u>825 Post St #302</u>	

ABC-510-A (Rev. April 2010)

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10, 2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY. They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

RECEIVED  
JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lannan Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

July 25, 2018

**DAVID OVERDORF  
647 HYDE STREET  
SAN FRANCISCO, CALIFORNIA 94109**

**ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494**

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

*R*

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
**Angry Otter Inc., dba TONIC, Duncan Ley & Ben Bleiman**

(Name(s) of Applicant(s))

For premises at:

**895 Post Street, San Francisco, CA 94109**

(Exact address of proposed premises)

on the grounds that:

The Premises are not suited for a Type 48 license. It is on the corner of Post and Hyde, with only 1 entrance/exit with primarily glass interior/exterior walls facing North and West. More than 50% of the interior/exterior walls at sidewalk grade level are made of glass. As the owner/resident of a property at 647 Hyde Street well within a 500' radius of the premises, the issuance of a Type 48 License will interfere with the quiet enjoyment of my home. The premises as currently constructed cannot contain the noise that goes with a Type 48. The premises are located in the midst of quiet residents and businesses. The noise from patrons smoking or talking as well as music inside or outside the premises until 2am would exceed the normal ambient noise and would become an unnecessary and offensive intrusion of nearby residents who need to sleep in a quiet environment in order to work effectively. The premises are in a census tract 120 where there is already an oversaturation of ABC licenses as well as crime well above the average in the City.

*\* Our property may be within a radius of 100' but have not measured to verify exact distance.*

Check here if additional sheets attached

I, DAVID OVERDORF, declare under penalty of perjury:  
 PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

*San Francisco, CA 94109*

SIGNED AT (City and State)

DATE SIGNED

*647 Hyde Street, San Francisco, CA 94109*

*June 20, 2018*

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

ABC-510-A (Rev. April 2010)

**RECEIVED**  
**JUN 22 2018**  
 Dept of Alcoholic Beverage Control  
 San Francisco



**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

July 25, 2018

DEBRA NUNEZ  
1035 SUTTER #4  
SAN FRANCISCO, CALIFORNIA 94109

RECEIVED  
JUL 26 2018  
Dept of Alcoholic Beverage Control  
San Francisco

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestants/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

*Debra Nunez*

PRINT (Name of Protestant)

declare under penalty of perjury:

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

*Debra Nunez*

PROTESTANT'S SIGNATURE

*San Francisco, CA*

TELEPHONE NUMBER (Optional & non-public)

*(415) 730-5433*

SIGNED AT (City and State)

*1035 Sutter #4, SF CA 94109*

DATE SIGNED

*6/21/2018*

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

RECEIVED

ABC-510-A (Rev. April 2010)

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10, 2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

*FROM PAGE ONE*

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY.

They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



RECEIVED

JUL 20 2018

Dept of Alcoholic Beverage Control

**NOTICE**

July 25, 2018

STEWART MCCOY  
866 POST ST #5  
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:  
895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, Stewart McCoy, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE <u>Stewart McCoy</u>	TELEPHONE NUMBER (Optional & non-public) <u>515-708-0626</u>
SIGNED AT (City and State) <u>San Francisco,</u>	DATE SIGNED <u>June 26, 2018</u>
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code) <u>866 Post St #5, San Francisco, CA 94109</u>	

ABC-510-A (Rev. April 2010)

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10,2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc., Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals:

Dept of Alcoholic Beverage Control  
San Francisco

JUN 26 2018

RECEIVED

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY. They have not done proper outreach. They had a exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fare to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

*Many patrons (see attached Yelp comments) mention how loud and "mob"-like the old location was. This new bar would add undue noise to a block that is already extremely loud and has many, many bars.*

Robert F.  
# 90 # 82

7/22/14

Drink are made quite strong and not to expensive. It a local spot so be ready to run into someone you know. It can get a little packed and loud, but that's San Francisco. Get use to it. Bartenders are cool too. If it's not to busy, talk one of them up. Great convo.

Useful 0 Funny 0 Cool 0

Compliment

Swipe to browse more

Neatly Search Me Delivery More

Thomas T.  
# 34 # 22

8/2/11

I went there with a few buddies and the music was so loud you couldn't here each other if you want to have a conversation. On the other hand the bartender can make a strong drink and the drinks were cheap. If you come on down on Friday the place get a little crowded.

Useful 1 Funny 0 Cool 0

3 people voted for this review

Compliment

Swipe to browse more

Neatly Search Me Delivery More

Jalar Amir Hanovic Ismailov M.  
# 10 # 155

8/28/16

1 was here for trivia night with 1 male friend and 4 other females companions. There was too much background noise and people trying to out-walk each other in what seemed like typical harding. The bartenders didn't know how to make a singapore sling which was disappointing so I simply had a Corona with no lime. The trivia questions were quite random and not something that one might remember even if you're a straight A university graduate. Overall this place can be exciting if you're in the mood to do get loud and obnoxious.

Useful 3 Funny 2 Cool 2

3 people voted for this review

Compliment

Swipe to browse more

Neatly Search Me Delivery More

Yevgenia M.  
# 752 # 334 # 150

1/19/15

Can't really say I didn't like the place, but didn't love it either. If you are looking for a bar to start a night on Polk Street, or end it, Tonic is the perfect spot at the of the row of bars.

It's dark inside with loud music. It gets super crowded on weekends with people just standing around talking over the loud music. Wasn't too hard to get a drink and there are plenty of seats even though it is a small bar, I think there is another room up the stairs in the back, but I didn't venture there. Russian Hill crowd.

Useful 0 Funny 0 Cool 2

3 people voted for this review

Compliment

Swipe to browse more

Neatly Search Me Delivery More

Dept of Alcoholic Beverage Control  
San Francisco

RECEIVED  
JUN 26 2018

**Recher M.**  
415 333 4

11/17/15

great food, nice atmosphere and they have the best technique in the world: carrots by the founder of technique potato-sprouts (1775)

1 person voted for this review

Useful 0 Funny 0 Cool 0

Comments

< Swipe to browse more >

Nearest Search Me Delivery More

**Eric M.**  
415 884 480

2/17/15

Just really with a good mix of new and old songs. Drinks are fairly priced and a great place to kickback and meet some random people.

1 person voted for this review

Useful 1 Funny 0 Cool 0

Comments

< Swipe to browse more >

Nearest Search Me Delivery More

**Lina Z.**  
415 177 1018

6/25/17

I really had their cucumber martini or margarita...not quite sure... A bit dark, no room to really dance and too loud to hold a conversation.

2 people voted for this review

Useful 0 Funny 0 Cool 0

Comments

< Swipe to browse more >

Nearest Search Me Delivery More

**Wesley H.**  
415 752 334 88150

11/10/15

Can't really say I didn't like the place, but didn't love it either. If you are looking for a bar to start a night on Polk Street, or end it, Tonic is the perfect spot at the of the row I best.

It's dark inside with loud music. It gets super crowded on weekends with people just standing around talking over the loud music. Wasn't too hard to get a drink and there are plenty of seats even though it is a small bar, I think there is another room up the stairs in the back, but I didn't venture there. Russian Hill crowd.

2 people voted for this review

Useful 0 Funny 0 Cool 2

Comments

< Swipe to browse more >

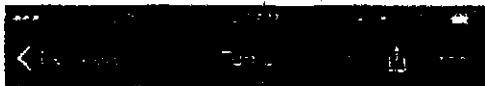
Nearest Search Me Delivery More

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco





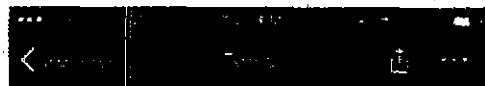
**Steph M.**  
# 742 # 257 # 2,551

★★★★★ 5 1/30/15

Decent sized DIVE bar (aka old, run-down, don't wear your nicest clothes) filled with hipsters! They even have a photo booth--SCREEH (Unfortunately, it's not free : (...)) Bartenders were pretty nice and they offer a wide variety of drinks including a COLOSSAL "fishbow" drink packed with 15 SHOTS of vodka and coconut rum along with Swedish fish, nerds, and juice for only \$23!! It could probably serve 4-5 people! They also serve Jameson shots with PICKLE JUICE chasers!! If you've never tried this before--YOU MUST! It probably sounds disgusting but if you love pickles you'll LOVE this. combat it IMMEDIATELY kills that Jameson aftertaste and works a thousand times better than any soda or juice! Another MUST TRY is the Greyhound--they literally squeeze FRESH grapefruit juice into the vodka--so yummy and refreshing! Drinks were moderately priced and we didn't have to wait long before a bartender took our order. All in all, everyone there was nice and we enjoyed ourselves. Definitely a place to come if you want to chill with friends!



📍 Nearby 🔍 Search 📷 Me 🏠 Delivery ☰ Menu



**Danny C.**  
# 111 # 1,373 # 496

★★★★★ 1 Check-In 7/28/14

Not a terrible place to grab a drink, but man, it gets crowded ~~quickly~~ on Saturday night. It's going to be stuffy and extremely hard to walk around, so if you're claustrophobic, avoid. Drinks aren't cheap here, so be prepared to throw down some coin, but the service isn't terrible (like what I've heard from other reviews, I will agree that the crowd here is of a certain variety, sometimes unpleasant). On the other hand, the place gets hopping pretty easily, so-mah

📍 Useful 0 😄 Funny 0 🍷 Cool 0

💡 Comment

⏪ Swipe to browse more ⏩

📍 Nearby 🔍 Search 📷 Me 🏠 Delivery ☰ Menu



This is my friend's go to neighborhood bar, with its friendly staff and specialty cocktails. A long, old-fashioned bar occupies almost half the room with two big mirrors behind it. Specialty cocktails like Poison Cadillac Margarita, Raspberry Mojito, etc. are written on the mirrors for easy reference. Funky velvet couches line the opposite end of the bar with interesting wall art to look at.

My \$9 Sapphire Gin basil ginlet was tasty. It doesn't rival Aya's version, but this one is served in a large martini glass. My sister was little bit anxious about drinking more (since she's already tipsy from sangria at dinner) but being the evil sister that I am and with the bartender's suggestion, she decided to go for a cocktail with Malibu rum, OJ, pineapple juice and grenadine. The cocktail name escapes me, but what a surprise when she found gummy bears at the bottom of her glass! Yes, she's happy! My sis needs work, but we have a budding alkie in our hands... :-)

Tonic, my sis thanks you for making her comfortable. I like you for your chill atmosphere. We left here with good memories. (Disclaimer: we also left before 10pm, after that it becomes a mob scene!)

📍 Useful 10 😄 Funny 19 🍷 Cool 19

📍 Nearby 🔍 Search 📷 Me 🏠 Delivery ☰ Menu

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

Disqus-Comments

6/7/18, 2:12 AM

4 Comments

Hoodline ✓

Login

Recommend

Share

Sort by Best



Join the discussion...

LOG IN WITH

OR SIGN UP WITH DISQUS ?

Name



Ell • a month ago

So glad it closed. We who live on Union Street detested the raunchiness and look-at-me drunks constantly disturbing the peace--and the employees acted so helpless and all the owner did was post a tiny note just outside the bar's doors asking their juvenile clientele to keep it down instead of laughing and screaming at the top of their lungs at the Polk/Union intersection and barfing their brains out as they zigzagged up the hill. The cops were called so many times. The bar that was there before Tonic was a true neighborhood bar. Tonic was okay the first couple months it was open, and then it turned into a hangout for young idiots. Whatever bar (if a bar) opens there now will no way be as bad as Tonic. My sympathies to the residents who live by the new location.

Reply • Share



Chuck Reynolds • a month ago

Looks like it's going to Post/Hyde area near Milkbean. Sign on door (somebody on Nextdoor posted it).... 895 Post St.

Reply • Share

Accessed: June 2018

URL: https://hoodline.com/2018/04/tonic-to-close-reopen-at-undisclosed-lower-nob-hill-location/

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

STATE OF CALIFORNIA — BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY

EDMUND G. BROWN, JR., Governor

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Leninane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

RECEIVED

JUL 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

July 25, 2018

ELIZABETH LARSON  
711 LEAVEN WORTH #42  
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

(978) 471-9316  
will send info protest

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have been filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, ELIZABETH LAWSON, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

<u>Elizabeth Lawson</u> PROTESTANT'S SIGNATURE		TELEPHONE NUMBER (Optional & non-public) <u>(978) 971-2316</u>
<u>S.F. CA</u> SIGNED AT (City and State)		DATE SIGNED <u>6/23/18</u>
<u>711 WILSON WORTH #423</u> PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)		

ABC-510-A (Rev. April 2010)

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10, 2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY.

They have not done proper outreach. They had a exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fare to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

JUN 26 2018

Dept of Alcoholic Beverage Control  
SAN FRANCISCO

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

RECEIVED

July 25, 2018

JUL 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

HUSSAN HUADET  
825 POST ST  
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, Assun Garcia, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

San Francisco CA

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

825 Post St San Francisco CA 94109

DATE SIGNED

6/17/18

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

**RECEIVED**

ABC-510-A (Rev. April 2010)

**JUN 26 2018**

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10,2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY.

They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco



**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

RECEIVED

July 25, 2018

Jul 28 2018

MICHELLE HAYDEE  
866 POST STREET #5  
SAN FRANCISCO, CALIFORNIA 94109

Dept of Alcoholic Beverage Control  
SAN FRANCISCO

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, Michelle Haupe, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

Michelle Haupe  
PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

858.354.8771

~~415 356 Post Street~~ San Francisco, Ca

SIGNED AT (City and State)

DATE SIGNED

6/21/18

800 Post Street #5 San Francisco, CA 94109

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

ABC-510-A (Rev. April 2010)

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10,2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,

Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY.

They have not done proper out reach. They had a exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fare to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

July 25, 2018

ANTONIO GINEZ  
725 HYDE ST #8  
SAN FRANCISCO, CALIFORNIA 94109

RECEIVED  
JUL 26 2018  
Dept of Alcoholic Beverage Control  
San Francisco

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

Copy:  San Francisco District office  
 Applicant(s) with Enclosure  
 Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section23958.4 of the Business

Check here if additional sheets attached

*Antonio O. Ginez*

declare under penalty of perjury:

PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

*Antonio O. Ginez*

PROTESTANT'S SIGNATURE

*725 Hyde St. #8*

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

*SF. Ca. 94109*

DATE SIGNED

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

**RECEIVED**

ABC-510-A (Rev. April 2010)

**JUN 26 2018**

Department of Alcoholic Beverage Control  
San Francisco

JUNE 10, 2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY. They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.  
FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

RECEIVED

JUL 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

July 25, 2018

**ROBERT GARCIA**  
866 POST STREET  
SAN FRANCISCO, CALIFORNIA 94109

**ANGRY OTTER INC**  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestants/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:  
895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

MY RESIDENT IS WITHIN 100 FEET OF 895 POST ST,

Check here if additional sheets attached

I, ROBERT GARCIA, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief and as to those matters I believe to be true.

Robert B. Garcia  
PROTESTANT'S SIGNATURE

SAN FRANCISCO, CA  
SIGNED AT (City and State)

866 POST ST. SAN FRANCISCO CA 94109  
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

ABC-510-A (Rev. April 2010)

TELEPHONE NUMBER (Optional & non-public)

DATE SIGNED

6/25/18

RECEIVED  
JUN 26 2018

Dept. of Alcoholic Beverage Control  
San Francisco



JUNE 10,2018

## PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

33 New Montgomery St, San Francisco, Ca 94109

(415) 356-6500 Fax (415) 356-6514

## ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY.

They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco



*THIS IS NOT A TAVERN  
LICENSE, 61 OR 42, BUT  
ONLY FOR BEER AND WINE  
ONLY. THIS IS A 48 HOURS CLUB*

Tonic is a 78 year  
old tavern in SF  
recently in  
Russian Hill  
  
We lost our  
lease due to  
exorbitant rent

**COMMUNITY  
MEETING** *DEVELOPING FOR  
POST MARCH 1908*  
**WEDNESDAY, 6/27**  
**5PM TO 6:30PM**  
@ 895 POST ST

**TO DISCUSS TONIC  
RELOCATION PLAN**  
Join us as we share our vision and  
answer any questions you might have  
including design elements, renovation  
schedule, communication,  
neighborhood improvement,  
community participation, noise  
mitigation, or any other concerns.

We are  
determined to  
have a **POSITIVE**  
impact on our  
new community

We have a long  
track record of  
community  
participation

**Free Food &  
Drink**

*ADD TO ROBERT GARCIA PROTEST*

Disqus Comments

6/7/18, 2:12 AM

4 Comments

Hoodline ✓

Login

Recommend

Share

Sort by Best



Join the discussion...

TONIC BAR  
895 POST ST.

LOG IN WITH

OR SIGN UP WITH DISQUS ?

Name



Ell • a month ago

So glad it closed. We who live on Union Street detested the raunchiness and look-at-me drunks constantly disturbing the peace--and the employees acted so helpless and all the owner did was post a tiny note just outside the bar's doors asking their juvenile clientele to keep it down instead of laughing and screaming at the top of their lungs at the Polk/Union intersection and barfing their brains out as they zigzagged up the hill. The cops were called so many times. The bar that was there before Tonic was a true neighborhood bar. Tonic was okay the first couple months it was open, and then it turned into a hangout for young idiots. Whatever bar (if a bar) opens there now will no way be as bad as Tonic. My sympathies to the residents who live by the new location.

Reply • Share



Chuck Reynolds • a month ago

Looks like it's going to Post/Hyde area near Milkbean. Sign on door (somebody on Nextdoor posted it).... 895 Post St.

Reply • Share

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

ADD TO ROBERT GARCIA PROTEST

A

MARK E. RENNIE  
ATTORNEY AT LAW  
870 MARKET STREET  
THE FLOOD BUILDING, SUITE 1260  
SAN FRANCISCO, CALIFORNIA 94109

(415) 981-4500  
TELECOPIER (415) 981-3334

BOARD OF SUPERVISORS  
2018 MAY -7 AM 8:00  
AK

April 27, 2018

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: Angry Otter, Inc. dba Tonic  
California ABC Liquor License Transfer  
890 Post Street, San Francisco, CA 94109  
Public Convenience and Necessity Determination Request  
ABC Type-48—On-Sale General  
Premise to Premise Transfer from 2360 Polk St to 895 Post St. SF CA 94109

Dear Ms. Cavillo:

*2360 POLK ST. IS 14 BLOCKS AWAY FROM 895 POST ST.*

This office represents Angry Otter, Inc. dba Tonic. My client presently owns a bar and lounge located at 2360 Polk Street near Union Street. Unfortunately, Tonic has lost its lease and wishes to move nearby to 895 Post Street, to a long-vacant building that the company wishes to rehabilitate and convert to a new lounge and bar. We have just submitted an application to the California Department of Alcoholic Beverage Control (ABC) to move the business and its On-Sale General license [Type 48] to the new intended location.

*BUILDING IS NOT A STORE FRONT VACANT.*

Tonic is a local business that has been serving the community since 2008. This Tonic Beverage Group has built and owned nine other restaurants and bars and operates a successful beverage catering business. Tonic's owners, Mr. Ben Bleiman and Duncan Ley, are active in the community and have served in a number of community and City commissions and task forces. Duncan was the President of the Polk Street Merchants association from 2012-2016, served on the Wells Fargo Community Board which was instrumental in securing philanthropic dollars for a number of projects in the Tenderloin, sat on the Board of St. Francis Hospital and currently serves on the SF Cannabis Task Force as the small business representative, appointed by the SF Board of Supervisors. Ben is an San Francisco Entertainment Commissioner and the Chairman of the Board of Bay.org, the largest environmental nonprofit to serve SF Bay and its watershed, which owns and operates the Aquarium of the Bay at Pier 39. Ben also organized all of the bar

RECEIVED

JUN 26 2018

*AD TO ROBERT GARCIA PROTEST*

Dept of Alcoholic Beverage Control  
San Francisco

B

owners in San Francisco into an informal, but extremely active group called the SF Bar Owner Alliance, which is comprised of over 350 bar-owning members. Duncan and Ben also co-chair the California Music & Culture Association (CMAC) which is the only trade organization in San Francisco to represent bars, clubs, music venues and music festivals.

This proposed relocation of Tonic is now being vetted by the San Francisco Planning Department. The new lounge and bar is a principally permitted use in the RC-4 district where the lounge will be located. My clients intend to do extensive community outreach prior to moving their bar to Post Street. We will also meet with Supervisor Jane Kim's staff regarding this proposed transfer.

NONE

Since taking over Tonic in 2008, Duncan and Ben worked hard to insure the business was a positive influence on their community. They regularly and often offer the space at no cost for community events. Most effective, however, has been their "Guest Bartending" program which they have used to raise money for local nonprofits since 2009. Through this program, Tonic has raised over \$500,000 for charities.

THE ONLY MONEY THE NONPROFITS GET IS TIPS GIVEN TO THE GUEST BARTENDER

Tonic has been well-managed and non-problematic since 2008. There have been no noise complaints and minimal police issues since the business opened ten years ago. My client will continue in the new location to be respectful to the neighborhood and to its customers. Tonic is committed to providing an excellent experience for their customers and will strive to make its Post Street area safer and crime free. Foremost, they will be Good Neighbors.

CALL TO POLICE 4/21/18 11:20 CAD No. 18113988

The requested move, if approved, will allow Tonic to offer more of what they are known for: friendly service and great value in a relaxed, and social atmosphere. Tonic will continue to provide jobs in the service industry that support and enhance opportunity for local residents and support other local businesses in the Lower Nob Hill neighborhood. The approval by the Board of Supervisors of the transfer of this existing ABC license would not have any detrimental effect on the surrounding neighborhood or the City of San Francisco. The clientele of this operation typically lives in the neighborhood and poses no public safety problems.

For the reasons outlined above, applicant Angry Otter, Inc. dba Tonic 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 895 Post Street.

ONE BLOCK IN EACH DIRECTION ARE 4 BARS. ON GEARY ST.

Thank you for your consideration of this request.

ONE BLOCK BELOW POST ARE 10 BARS IN 3 BLOCKS ALL TYPE 48

Yours truly,

*Mark E. Rennie*

Mark E. Rennie

MER/mb

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

ADD TO ROBERT GARCIA PROTEST

Department of Alcoholic Beverage Control

State of California

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestants/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter, Inc., 48 On Sale General Public Premises, Business Name, Tonic

(Name(s) of Applicant(s))

For premises at:  
895 Post Street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

The Premises are located in a residential neighborhood. The neighborhood is the Lower Nob Hill Historic Hotel & Apartment District. In eight square blocks there are 297 buildings on the National Registry of Historic Places. This is the most densely populated area west of New York City. The zoning for this area is RC-4 which is the highest residential to commercial in San Francisco. My residency, business or property is within 500 feet of 895 Post Street. Issuance of a type 48 license (Bar/Club and off sale Beer & Wine) will add to the over saturation of liquor license in this reporting plot and interfere with the quiet enjoyment of the neighbors property with loud noise, music, people outside waiting to get in and people outside smoking. There is a bus stop in front of the premises. This will create a problem with people trying to exit the bus with people at the curb where they are supposed to smoke. Also, the apartment building has over 50 apartments. The building next door has about 40 units of student housing.

Check here if additional sheets attached

I, ROBERT GARCIA, declare under penalty of perjury:  
PRINT (Name of Protester)

- (1) That I am the Protester herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

Robert Garcia  
PROTESTER'S SIGNATURE

SAN FRANCISCO, CA  
SIGNED AT (City and State)

866 POST ST, SAN FRANCISCO CA 94109  
PROTESTER'S ADDRESS (Full address - Street name & Number, Unit if Applicable, City, State, & Zip Code)

TELEPHONE NUMBER (Optional & Non-public)

DATE SIGNED

MAY 28, 2018

ABC-510-A (Rev. April 2010)

RECEIVED

MAY 31 2018

San Francisco

May 31 2018 07:06PM P1

FAX NO. :

FROM :

FROM :

FAX NO. :

May. 31 2018 07:07PM P2

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

Department of Alcoholic beverage Control
33 New Montgomery St, San Francisco, Ca 94105-4509
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to Angry Otter, Inc., Business Name Tonic, 48 On Sale General Public Premises.

The posting of the poster is not correct. It is on the door, which is four feet deep into the premises. It is not in a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted.

The mailing has not been done. There needs to be proof of mailing. The Investigator said she has not received any proof of a mailing.

CONSIDERATION POINTS; There are four large buildings with student housing near the premises and many apartments housing students. Saint Frances Hospital is two blocks north at Hyde and Bush streets, Redding School and Playground is three blocks north at Pine and Larkin Street, there is a Children's Playground at Larkin and O'Farrell Streets, Chinese Grace Church and School is one block west on Larkin Street. TO ISSUE THIS LICENSE WOULD BE CONTRARY TO PUBLIC WELFARE, SAFTY, HEALTH AND MORALS.

WE DO NOT NEED ANOTHER BAR/CLUB IN THIS AREA

The premises are located in a census tract where there presently exist a undue concentration of ABC licenses in a crime reporting plot that has a 20 % greater number of reported crimes then the average city wide. The south west corner of Post and Hyde streets has become a prostitution and drug zone. A zone is an area where Johns pick up prostitutes and drug users go to get drugs. Calls for service to dispatch will clearly show

RECEIVED
MAY 31 2018

Department of Alcoholic Beverage Control
San Francisco

FROM :

FAX NO. :

May. 31 2018 07:07PM P3

3

there is a serious problem on this corner day and night. There is a Homeless Shelter and Multi Service Center at 1000 Polk Street at Geary Street, the shelter has 400 clients and the Multi service Center sees about 100 people per day. The clients must leave the building by 8:AM and not allowed back into the building until 4:PM. after a meal they can go back out to the neighborhood and create problems. 90% of the clients have substance abuse problems ether drugs or alcohol. 35% have mental health problems. Also, there is a new mental health clinic at 815 Hyde Street, one and a half blocks north of 825 Post Street, they have 750 clients of which they see 100 per day. The Saint Frances Hospital has a mental clinic with a mental health word on the eight floor.

About one block away from 895 Post Street in each direction there are about 40 plus liquor license of which about 18 are type 48.

Issuance of a type 48 Liquor License to this premise would tend to create a law enforcement problem and aggravate an already existing problem. This premise is in Central Police District, which is responsible For the Clubs on Broadway/North Beach, Union Square and the rest of The district.

**San Francisco Police Department is under staffed and does not need a type 48 BAR/CLUB LICENSE transferred from a commercial district on Polk Street to a residential area in the Historic Nob Hill Hotel and Apartment District. There are buses that bring student in from the surrounding bay area to go clubbing on Polk Street. They can no longer park in our area so they now park east of Union Square and walk to Polk Street across our neighborhood. Please for the good of all do not allow any more Polk street type Bars and Clubs to open in this Historic Residential District.**

*Who is the true or sole owner of the business to be licensed ?*

Department of Alcoholic Beverage Control  
33 New Montgomery St, Ste 1230  
San Francisco, ca 94105-4509  
(415) 356-6500 FAX (415) 356-6599

RECEIVED

MAY 31 2018

Department of Alcoholic Beverage Control  
San Francisco



**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

**RECEIVED**

July 25, 2018

AMIR ELISSIBONY  
220 BUSH ST STE 750  
SAN FRANCISCO, CALIFORNIA 94109

**JUL 26 2018**

Dept of Alcoholic Beverage Control  
San Francisco

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, Amir Elssibony, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

DATE SIGNED

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

ABC-510-A (Rev. April 2010)

RECEIVED

JUN 29 2018

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10, 2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4; then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY. They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

RECEIVED

JUN 29 2018

Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

July 25, 2018

BOB DUNLAP  
1000 SUTTER ST #714  
SAN FRANCISCO, CALIFORNIA 94109

RECEIVED

JUL 26 2018

Dist of Alcoholic Beverage Control  
SAN FRANCISCO  
ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

R

Department of Alcoholic Beverage Control

State of California

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

RECEIVED

JUN 28 2018

on the grounds that:

Protests have ben filed against the issuance of the applied-for license. The proposed premises deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, Bob Dunlop, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE <u>Bob Dunlop</u>	TELEPHONE NUMBER (Optional & non-public) <u>415-673-2511</u>
SIGNED AT (City and State) <u>San Francisco, California</u>	DATE SIGNED <u>27 Jun 18</u>
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code) <u>1000 Sutter St #714 San Francisco, CA 94109</u>	

ABC-510-A (Rev. April 2010)

JUNE 10,2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

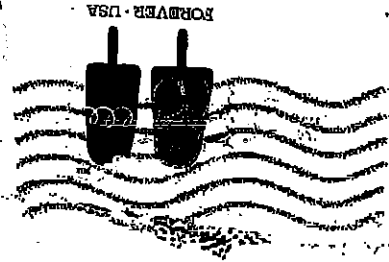
and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY. They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type

RECEIVED  
JUN 28 2018  
Dept of Alcoholic Beverage Control  
San Francisco



FORWARD - USA

SAN FRANCISCO CA 9410

SEP 12 2018 5:02 PM

Dept of ABC  
33 New Montgomery St  
RECEIVED

SF, Calif  
JUN 8 2018

Dept of ABC  
SAN FRANCISCO  
POSTAL CONTROL

Bob Dunlop  
The Grange  
1000 Sutter St  
SF, Calif 94109

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

RECEIVED

JUL 26 2018

July 25, 2018

Dept of Alcoholic Beverage Control  
San Francisco

MARY DIYZ  
866 POST  
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure



Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- **Please print legibly or type.** Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify, and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA), (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestants/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
**Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises**

(Name(s) of Applicant(s))

For premises at:

**895 Post street, San Francisco, Ca 94109**

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, **MARY DILL**, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

DATE SIGNED

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

ABC-510-A (Rev. April 2010)

RECEIVED  
JUN 29 2018  
Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10, 2018  
 PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
 33 New Montgomery St, San Francisco, Ca 94109  
 (415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
 Business name Tonic, License Type 48 Bar&Club

*FROM PAGE ONE*

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY. They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

**RECEIVED**  
**JUN 29 2018**

Dept of Alcoholic Beverage Control  
 San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

July 25, 2018

CARLOS CRUZ  
1005 SOUTH VAN NESS  
SAN FRANCISCO, CALIFORNIA 94110

RECEIVED

Jul 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestants/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
**Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises**

(Name(s) of Applicant(s))

For premises at:

**895 Post street, San Francisco, Ca 94109**

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

Carlos Cruz  
PRINT. (Name of Protestant)

, declare under penalty of perjury:

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

DATE SIGNED

1005 South VAN NIS St Cal 94109  
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

ABC-510-A (Rev. April 2010)

**RECEIVED**

**JUN 26 2018**

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10,2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% grater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They nave now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY. They have not done proper out reach. They had a exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fare to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

. One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
MRS. FRANKLIN

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE** 26 2018

RECEIVED

Dept of Beverage Control  
San Francisco

July 25, 2018

FS CRUM  
851 POST  
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license; and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, FE Crown  
PRINT (Name of Protestant)

declare under penalty of perjury:

RECEIVED

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

JUN 29 2018

Dept of Alcoholic Beverage Control  
San Francisco

PROTESTANT'S SIGNATURE <u>Julian Crown</u>	TELEPHONE NUMBER (Optional & non-public) <u>415-716-2068</u>
SIGNED AT (City and State) <u>San Francisco Ca</u>	DATE SIGNED <u>JUNE 26-18</u>
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code) <u>851 Post S.F. CA 94109</u>	

JUNE 10,2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crimes reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises; that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY.

They have not done proper outreach. They had a exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fare to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

RECEIVED

JUN 29 2018

Dept of Alcoholic Beverage Control  
San Francisco



**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

July 22, 2018

CHANEE CRUM  
851 POST  
SAN FRANCISCO, CALIFORNIA 94109

RECEIVED

JUL 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:  
**Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises**

(Name(s) of Applicant(s))

For premises at:  
**895 Post street, San Francisco, Ca 94109**

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, Chance Cum, declare under penalty of perjury: **RECEIVED**

PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof, and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

**JUN 29 2018**

Dept of Alcoholic Beverage Control  
San Francisco

PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

DATE SIGNED

PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

JUNE 10, 2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

*FROM PAGE ONE*

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY. They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

RECEIVED  
JUN 29 2018  
Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



RECEIVED

JUL 20 2018

Dept of Alcoholic Beverage Control  
San Francisco

**NOTICE**

July 25, 2018

**LESLIE COYNE**  
1000 SUTTER ST #620  
SAN FRANCISCO, CALIFORNIA 94109

**ANGRY OTTER INC**  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

State of California

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA). (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Angry Otter Inc., Business Name, Tonic, 48 on Sale General Public Premises

(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

Protests have ben filed against the issuance of the applied-for license; and, protests deal with the proposed operation of the applied-for premises; and the proposed premises is within 600 feet of four consideration points; and, issuance of a type 48 Bar/Club license will interfere with the public use of the above-mentioned consider points, and the proposed premises are located within 100 feet of residents, they are in a building with over 40 units and issuance of the applied for license will interfere the quiet enjoyment of the property by nearby residents and constitute grounds for denial of the application under the provisions of rule 61.4, of chapter 1, Title 4, of the California Code of Regulations; and pursuant to Section 23958 of the Business and Profession Code, the Department may deny application for a license where issuance would result in or add to an undue concentration of licenses; and, the proposed premises are in Census Tract 120, where there exists an undue concentration of licenses as defined by Section 23958.4 of the Business

Check here if additional sheets attached

I, Leslie T. COYNE, declare under penalty of perjury:  
PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE <u>Leslie T. Coyne</u>	TELEPHONE NUMBER (Optional & non-public)
SIGNED AT (City and State) <u>SAN FRANCISCO, CALIFORNIA</u>	DATE SIGNED <u>June 25, 2018</u>
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code) <u>1000 Sutter St. #620 S.F., CA. 94109</u>	RECEIVED

ABC-510-A (Rev. April 2010)

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

JUNE 10,2018  
PROTEST AGAINST ALCOHOLIC BEVERAGE LICENS APPLICATION

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 New Montgomery St, San Francisco, Ca 94109  
(415) 356-6500 Fax (415) 356-6514

ADDITIONAL SHEET

I Hereby protest the issuance of a license under the Alcoholic Beverage Control Act to: Duncan Ley & Ben Bleiman dba Angry Otter, Inc.,  
Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

and Professions Code; and, the proposed premises are located in a crime reporting district that has a 20% greater number of reported crimes, as defined in subdivision (c) of Section 23958.4, then the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency; and, the petitioners stipulate that by reason of the aforementioned high crime and over concentration of licenses, grounds exist for denial of the applied-for license; and, the issuance of a type 48 Bar/Club license would be contrary to public welfare and morals.

The posting of the poster was not correct. It was posted on the door which is four feet deep onto the premises. It is not a conspicuous place, which is required by the ABC. There are large windows about eight feet tall that cover the entire front of the premises, that is where the poster should be posted. They have now covered the windows with a picture of Mr. Rodgers saying they are opening a Tavern, THIS IS NOT A TAVERN LICENSE. THIS IS A 48 BAR/CLUB LICENSES. A TAVERN ABC LICENSES IS A TYPE 61 BEER ONLY OR A TYPE 42 BEER AND WINE ONLY.

They have not done proper outreach. They had an exclusive meeting with two buildings, 160 units 6 people showed. They will not meet with the neighborhood until 6/27/18, the deadline to protest is 6/28/18, This is not fair to the neighborhood.

FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

One block in each direction there are 4 bars, on Geary St. one block below Post St., in three blocks there are 10 bars all type 48

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control  
San Francisco

**DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL**

3927 Lennane Drive, Suite 100, Sacramento, CA 95834  
www.abc.ca.gov



**NOTICE**

RECEIVED

July 25, 2018

Jul 26 2018

VINCENT BARTZ  
775 POST ST #510  
SAN FRANCISCO, CALIFORNIA 94109

Dept of Alcoholic Beverage Control  
San Francisco

ANGRY OTTER INC  
TONIC  
895 POST ST  
SAN FRANCISCO, CA 94109-6012  
File: 48-593494

Your protest has been received and accepted. A copy has been sent to the applicant.

If the applicant withdraws the application for licensure or if Department denies issuance of the license and the applicant does not request a hearing, you will receive no further notice from the Department.

If the application for licensure is recommended for approval, you will be contacted to see if you wish to request a protest hearing.

If the Department denies issuance of the license, and the applicant requests a hearing, the protest hearing will be held at the same time. You will be notified of the date, time and place of the hearing. You will be expected to attend the hearing and to testify regarding your protest. If you are unable to attend the hearing, you may appoint someone of your choice to represent you at the hearing. Failure to do so will result in the dismissal of your protest by the Administrative Law Judge. If you cannot or choose not to attend the hearing, please notify the District Office, below.

Please contact the San Francisco District Office at (415) 356-6500 if you have any questions.

dw

- Copy:  San Francisco District office
- Applicant(s) with Enclosure
- Representative(s) with Enclosure

Department of Alcoholic Beverage Control

**PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION**

State of California

*RF*

- Refer to Form ABC-510, Information Regarding ABC License Application and Protests (Rev. April 2010), before completing and submitting your protest. The ABC-510 is located at [www.abc.ca.gov](http://www.abc.ca.gov) and in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter whether or not your protest is accepted.
- If the Department recommends licensure, you will be afforded the opportunity to request a hearing on your protest.
- If a hearing is scheduled as to whether or not a license should be granted, you or your authorized representative will need to attend the hearing to testify and/or present evidence to support your protest, or your protest will be deemed abandoned.
- All protests submitted to the ABC are public records and are open to inspection pursuant to the California Public Records Act (CPRA), (Gov. Code sec. 6254 et seq.)
- A copy of all valid and verified protests (ABC-510-A) and Protestant's/Complainant's Declaration (ABC-128) will be provided to the applicant as part of the licensing process.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

**ANGRY OTTER, INC.**

(Name(s) of Applicant(s))

For premises at:

**895 Post Street, San Francisco, CA 94109-6012**

(Exact address of proposed premises)

on the grounds that:

There are already too many bars and locations, not counting restaurants, that either serve or sell liquor in the area bounded by Sutter Street, Jones Street, Geary Boulevard and Hyde Street.

I don't understand why the Department of Alcoholic Beverage Control ("ABC") is intent on allowing another Polk Street on Post Street.

The alcohol induced problems occurring on Polk Street due to the numerous number of bars is well known. Shouting, screaming, fighting, etc. by the patrons of the bars on the street during and after the bars close has been well documented.

Check here if additional sheets attached

I, Vincent H. Bartz, declare under penalty of perjury:

PRINT (Name of Protestant)

- (1) That I am the Protestant herein;
- (2) That I have read the above protest and know the contents thereof; and
- (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE <i>Vincent H. Bartz</i>	TELEPHONE NUMBER (Optional & non-public) (415) 885-2617
SIGNED AT (City and State) 775 Post Street, #540, San Francisco, CA 94109	DATE SIGNED 06/12/18
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)	

RECEIVED

JUN 15 2018

Dept of Alcoholic Beverage Control  
San Francisco



**ANGRY OTTER, INC. (Additional Sheets)**

Vincent H. Bartz, 775 Post Street, No. 510, San Francisco, CA 94109

ABC is already considering a license for USA Hostels, Inc, 711 Post Street, San Francisco, CA 94109-6105. By issuing a license to both USA Hostels, Inc. and Angry Otter, Inc. ABC is bookending Post Street at Jones and Hyde Streets with bars with the Royale right in between at Post and Leavenworth Streets.

As an example, the Royale, 800 Post Street, is and has been a problem with patron noise late at night/very early morning after the bar closes i.e. customers shouting, screaming, fighting as they walk down Post Street.

My building is located diagonally across from the Royale, so I get all the noise from the bar. At that time of night, the noise bounces off the buildings and around the street. I have been awakened numerous times after the bar has closed with the loud drunken shouting/talking, screaming and the noisy disruptive actions of departing patrons.

This is what the residents of the 700 block of Post Street have to live with and certainly they, and I, do not want it duplicated at 895 Post Street.

Aside from the Royale, noted above, the blocks of 700 and 800 Post Street are basically a residential neighborhood of historically registered apartment buildings and the individuals living on the blocks want them to remain as such and not become the same as the 600 block of Geary Boulevard which is notorious for the disruptive actions and noise from the patrons of the bars located within the block.

By issuing a liquor license to Angry Otter, Inc. the issues prevalent from the Royale will be duplicated at 896 Post Street.

In addition to the Royale, there are the following locations that either sell or serve liquor on or near the streets noted previously or are within close proximity:

1. U.N. Market: 900 Post Street
2. Food and Liquor World: 726-28 Post Street
3. King Liquor: 693 Post Street
4. Owl Tree (Bar): 601 Post Street

1. Jones (Bar): 620 Jones Street

1. Bel Clift Market: 516 Geary Blvd
2. Swig (Bar): 561 Geary Blvd
3. Geary Wine and Spirits: 599 Geary Blvd
4. High Tide (Bar): 600 Geary Blvd
5. Bedford (Bar): 673 Geary Blvd
6. Resolute (Bar): 678 Geary Blvd

**RECEIVED**

**JUN 15 2018**

Dept of Alcoholic Beverage Control  
San Francisco

7. Rye (Bar): 688 Geary Blvd
8. Star Market & Deli: 689 Geary Blvd
9. Crown Market: 712 Geary Blvd
10. Geary & Hyde Market: 798 Geary Blvd

1. Yogi Food Market: 980 Sutter Street
2. Sutter Fine Foods: 988 Sutter Street
3. Cup a Joe: 896 Sutter Street
4. Aces (Bar): 998 Sutter Street
5. Miller's Rest (Bar): 1085 Sutter Street

This is already too many locations where alcohol is available within a small geographic area.

There is absolutely no need for ABC to add yet another location within this area.

The ABC needs to seriously consider the impact on the neighborhood peace and quiet that issuing a license to 895 Post Street will have on the neighborhood and the residents living with this impact on a daily/nightly basis and **NOT** issue a liquor license to Angry Otter, Inc. 895 Post Street, San Francisco, CA 94109-6012.

RECEIVED  
JUN 15 2018  
Dept of Alcoholic Beverage Control  
San Francisco

Apt. 510  
775 Post St.  
San Francisco, CA 94109

SAN FRANCISCO CA 9410



14 JUN 2018 PM 2 L

RECEIVED

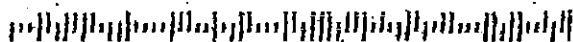
JUN 15 2018

Dept of Alcoholic Beverage Control  
SAN FRANCISCO

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL  
33 NEW MONTGOMERY ST.  
SAN FRANCISCO, CA 94105

ANGRY OTTER, Inc.

9410534506 0001



P: 006

FAX No. 415 356 6599

WED/SEP/12/2018 04:58 PM Dept of ABC