

# 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:

Zechsan Business Development Inc, DBA Executive Order Bar and Lounge  
(Name(s) of Applicant(s))

For premises at:

868 Mission Street, San Francisco, CA 94103  
(Exact address of proposed premises)

on the grounds that:

1) the application for license(s) Type 48 where issues would result in or add to an undue concentration of licenses Section 23958

2) where there presently exists an undue concentration of licenses as defined by Section 23958.4

3) where the proposed premises are located in a high crime reporting district Section 23958.4 (c)

therefore issuance of license(s) would be contrary to public welfare and morals and submit that these licenses be denied.

Check here if additional sheets attached

I, John Nulty, 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>John Nulty</u> <small>PROTESTANT'S SIGNATURE</small>	<small>TELEPHONE NUMBER (Optional &amp; non-public)</small>
<u>San Francisco, California</u> <small>SIGNED AT (City and State)</small>	<u>3/11/2018</u> <small>DATE SIGNED</small>
<u>P.O. Box 421949, San Francisco, CA 94142-1949</u> <small>PROTESTANT'S ADDRESS (Full address - Street name &amp; number, Unit or Apt. No., City, State, &amp; Zip Code)</small>	

RECEIVED

MAR 12 2018

Department of Alcoholic Beverage Control

The main concern residents and security have is enforcing and protecting the already established San Francisco Park Code for nearby Yerba Buena Gardens and BART Station. This code specially mentions smoking and alcoholic beverages which are intended to be sold by Executive Order Bar and Lounge. Additional concerns by security is the drain on public resources in dealing with shoplifters. The San Francisco Police Department continues to shrink in the number of officers. And San Francisco continues to increase in population bringing more security tasks to perform with fewer police officers.

The next concern is Yerba Buena Gardens itself. Open Spaces with the following consideration points Ice Skating Center, Play Circle, Bowling Center, Child Development Center, and Carousel; several adjacent parking garages and facilities; and St. Patrick's Church and Mint Plaza. Include student aged College Campuses other educational programs, MUNI & BART Station access.

Issuance of the license to the premises would add an undue concentration of licenses; licensing the premises aggravates an already existing police problems in a high-crime area; and the premises is within 500 feet of open space.

I do not know what the security plan for the new store is nor do I know which exits will be used by the public.

Because of the above concerns the following conditions must be applied.

The hours of operation shall not exceed 10AM to 12Midnight Sunday through Thursday and 10AM to 2AM Friday and Saturday.

No "happy hour" type of reduced price alcoholic beverages shall be allowed.

There shall be no coin operated games or video machines maintained upon the premises at any time.

Entertainment provided shall not be audible beyond the area under the control of the licensee(s).

No person under the age of twenty-one (21 years of age) shall sell, furnish, or deliver alcoholic beverages.

The sale of alcoholic beverages for consumption off the premises is strictly prohibited.

Licensee shall not permit its patrons or the general public to loiter or congregate on the sidewalks adjacent to the licensed premises.

The licensee shall be responsible for maintaining free of liter the area adjacent to premises over which they have control.

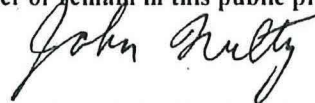
At any time time the premises are providing live entertainment, the licensee shall provide security personnel that shall maintain order therein and prevent any activity which would interfere with the quiet enjoyment of their property by nearby residents and hotel guests. Said personnel shall be clothed in such a manner as to be ready identifiable as security.

The interior lighting maintained therein shall be sufficient to make easily discernible the appearance and conduct of all persons and patrons in the premises in that portions of the premises where alcoholic beverages are sold, served, or consumed.

The exterior of the premises shall be equipped with lighting of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons on or about the premises.

At no time shall any persons under the age of 21 years enter or remain in this public premises.

No off-sale of alcohol shall be permitted.



ABC Public Notice posting dated 3/5/18 incorrectly mentions zip code 94107 when the correct location is 94103.

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Alcoholic Beverage Control



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I, Michael Nulty, declare under penalty of perjury:  
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- (2) That I have read the above protest and know the contents thereof; and
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Michael Nulty  
PROTESTANT'S SIGNATURE

San Francisco, California  
SIGNED AT (City and State)

P.O. Box 420846, San Francisco, CA 94142-0846  
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code)

TELEPHONE NUMBER (Optional & non-public)

DATE SIGNED

3/9/18

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MAR 12 2018

Alcoholic Beverage Control

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MAR 12 2018

Beverage Control  
SAN FRANCISCO



DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

33 New Montgomery Street, Suite 1230  
San Francisco, CA 94105  
(415) 356-6500



May 23, 2018

SS

John Nulty  
P.O. Box 421949  
San Francisco, CA 94142-1949

Re: Zechsan Business Development Inc  
Db: Executive Order Bar and Lounge  
868 Mission Street  
San Francisco, CA 94103  
File No. 48-591594

Dear Protestant(s):

Enclosed is a copy of the Petition for conditional License for your review. If these conditions meet with your expectations of the operation of the applicant's business, please let me know as soon as possible.

If you wish to withdraw your protest because of these conditions, please sign below and return this letter to me.

If you have any questions, you may contact me at (415) 356-6500.

Sincerely,  
*Sheree Simpson*

Sheree Simpson  
Licensing Representative

ACKNOWLEDGMENT WITHDRWAL OF PROTEST

I, John Nulty, hereby withdraw my protest against the license at 868 Mission Street, San Francisco, CA 94103.

Signature: *John Nulty*

Date: 6/11/2018

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JUN 12 2018

Dept of Alcoholic Beverage Control  
San Francisco

Copy: file

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

33 New Montgomery Street, Suite 1230  
San Francisco, CA 94105  
(415) 356-6500



May 23, 2018

Michael Nulty  
P.O. Box 420846  
San Francisco, CA 94142-1949

Re: Zechsan Business Development Inc  
Db: Executive Order Bar and Lounge  
868 Mission Street  
San Francisco, CA 94103  
File No. 48-591594

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Enclosed is a copy of the Petition for conditional License for your review. If these conditions meet with your expectations of the operation of the applicant's business, please let me know as soon as possible.

If you wish to withdraw your protest because of these conditions, please sign below and return this letter to me.

If you have any questions, you may contact me at (415) 356-6500.

Sincerely,

Sheree Simpson  
Licensing Representative

ACKNOWLEDGMENT WITHDRAWAL OF PROTEST

I, Michael Nulty, hereby withdraw my protest against the license at 868 Mission Street, San Francisco, CA 94103.

Signature: Michael Nulty

Date: 6/10/18

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Dept of Alcoholic Beverage Control  
San Francisco

Copy: file