

File No. 180479

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services

Date: Nov. 14, 2018

Board of Supervisors Meeting:

Date: _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

- | | | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>SFPD Report - November 7, 2018</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Support / Protest Letters</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Planning Response - May 17, 2018</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referral FYI - May 8, 2018, 2018</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>PC or N Request Letter - May 7, 2018</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>ABC 211 - May 4, 2018</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>ABC License Query - May 8, 2018</u> |

Prepared by: John Carroll

Date: Nov. 9, 2018

Prepared by: John Carroll

Date: _____

Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Thursday, November 08, 2018 11:17 AM
To: Mundy, Erin (BOS); Jacobo, Jon (BOS); (carolyn.goossen@sfgov.org); 'rennie23@gmail.com'
Cc: 'Gebb, Justin@ABC'; 'Meyer, Rose @ABC'; CPC.Referrals; Powell, Georgia (CPC); Foster, Nicholas (CPC); Gordon, Nelly (POL); George, Gigi (POL); Macchi, Patrick (POL)
Subject: RE: Liquor License PC or N Referral - Liquor License Transfer - 895 Post Street - Tonic
Categories: 180479

Good afternoon,

The Police Department has completed their review of the subject public convenience or necessity request, and has forwarded their recommendation for approval with conditions. For your convenience, I have their review available from the link below:

[Police Department Response - November 7, 2018](#)

I also have the following support and opposition letters:

[Support Letter](#)

[Opposition Letters](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 180479](#)

This request for findings of public convenience or necessity may be heard at a future regular meeting of the Public Safety and Neighborhood Services Committee.

Thanks for the review.

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a

From: Carroll, John (BOS)

Sent: Tuesday, May 22, 2018 10:36 AM

To: Gordon, Nelly (POL) <nelly.gordon@sfgov.org>; George, Gigi (POL) <gigi.george@sfgov.org>; Macchi, Patrick (POL) <patrick.macchi@sfgov.org>

Cc: Lambright, Koledon (BOS) <koledon.lambright@sfgov.org>; 'Gebb, Justin@ABC' <justin.gebb@abc.ca.gov>; 'Meyer, Rose @ABC' <Rose.Meyer@ABC.ca.gov>; Lee, Ivy (ivy.lee@sfgov.org) <ivy.lee@sfgov.org>; Lopez, Barbara (BOS) <barbara.lopez@sfgov.org>; Duong, Noelle (BOS) <noelle.duong@sfgov.org>; 'rennie23@gmail.com' <rennie23@gmail.com>; CPC.Referrals <CPC.Referrals@sfgov.org>; Powell, Georgia (CPC) <georgia.powell@sfgov.org>; Duong, Noelle (BOS) <noelle.duong@sfgov.org>; Foster, Nicholas (CPC) <nicholas.foster@sfgov.org>

Subject: RE: Liquor License PC or N Referral - Liquor License Transfer - 895 Post Street - Tonic

Good morning,

The Planning Department has completed their review of the subject application, and has forwarded their recommendation for approval. For your convenience, I have their review available from the link below:

[Planning Dept. Response - Received May 17, 2018](#)

After receiving review from Police Department, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for consideration in the license matter.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 180479](#)

Thanks for the review.

John Carroll

Assistant Clerk

Board of Supervisors

San Francisco City Hall, Room 244

San Francisco, CA 94102

(415) 554-4445



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From: Carroll, John (BOS)
Sent: Tuesday, May 08, 2018 10:23 AM
To: CPC.Referrals <CPC.Referrals@sfgov.org>; Gordon, Nelly (POL) <nelly.gordon@sfgov.org>; Powell, Georgia (CPC) <georgia.powell@sfgov.org>
Cc: Lambright, Koledon (BOS) <koledon.lambright@sfgov.org>; 'Gebb, Justin@ABC' <justin.gebb@abc.ca.gov>; 'Meyer, Rose @ABC' <Rose.Meyer@ABC.ca.gov>; Lee, Ivy (ivy.lee@sfgov.org) <ivy.lee@sfgov.org>; Corrette, Moses (BOS) <moses.corrette@sfgov.org>; Lopez, Barbara (BOS) <barbara.lopez@sfgov.org>; Duong, Noelle (BOS) <noelle.duong@sfgov.org>; 'rennie23@gmail.com' <rennie23@gmail.com>
Subject: Liquor License PC or N Referral - Liquor License Transfer - 895 Post Street - Tonic

Good morning,

The office of the Clerk of the Board has received a letter requesting public convenience or necessity findings for a liquor license transfer. This matter is being referred to you for response via the following linked document:

[Referral Letter - Planning and Police Departments](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 180479](#)

After receiving review from the Planning and Police Departments, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for consideration in the license matter.

I request the Planning Department's response before June 22, 2018. Please confirm receipt of this message.

Thanks for the review.

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445



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San Francisco Police Department
ABC Liaison Unit



Alcoholic Beverage License -
*Public Convenience or
Necessity Recommendation*

To: The San Francisco Board of Supervisors' Committee on Public Safety
and Neighborhood Services

Supervisor Rafael Mandelman
Supervisor Hillary Ronen
Supervisor Aaron Peskin

From: A/ Lieutenant Nelly Gordon 
Officer in Charge
ABC Liaison Unit (ALU) 415-553-9550

Date: November 7, 2018

Subject: P.C.N. Investigation Regarding: Angry Otter Inc
DBA: Tonic
895 Post St
San Francisco, CA. 94110

Angry Otter Inc on behalf of Tonic has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 48 (On-Sale General Public) License to be located at 895 Post St (located between Hyde Street Leavenworth Street).

Hours of Operation:

9:00 a.m. to 2:00 a.m. 7 days a week.

Digest:

Angry Otter Inc would like to open Bar at 895 Post St. If approved, this license will allow Tonic to sell On-Sale Beer, Wine and Distilled Spirit.

Letters of Protest

26

Letters of Support

1

Police Calls for Service:

From May 2017 to May 2018

2 call for service

Police Reports:

From May 2017 to May 2018

0 police report

San Francisco Plot Information:

This premise is located in Plot: **542**

A High Crime area is defined as **59** or more police reports in a plot for the year of **2017**.

This plot had **137** police reports for **2017**, which is **78 more** than the **Citywide "High Crime"** average

State Census Tract Information:

This premise is located in Census Tract: **122.01**

Population for this tract is: **4,567**

On-sale license authorized by census tract: **16**

Active on-sale licenses: 21 with **0** pending

Off-sale licenses authorized by census tract: **4**

Active off-sale licenses: 5 with 0 pending

Departmental Recommendation:

Points of consideration: 0

No opposition from **Central Station**

Applicant premise **is** located in a "**High Crime**" area.

Applicant premise **is** located in a "**High Concentration**" area.

26 - Protest.

1 - Support

Conditions for Type 48- On Sale General

1. No noise shall be audible at any nearby residence.

2. Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on ABC-253.

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

It should be noted that the applicant signed the above recommended conditions on 8/14/2018.

End.

Google Maps 895 Post St



Google Maps 898 Post St

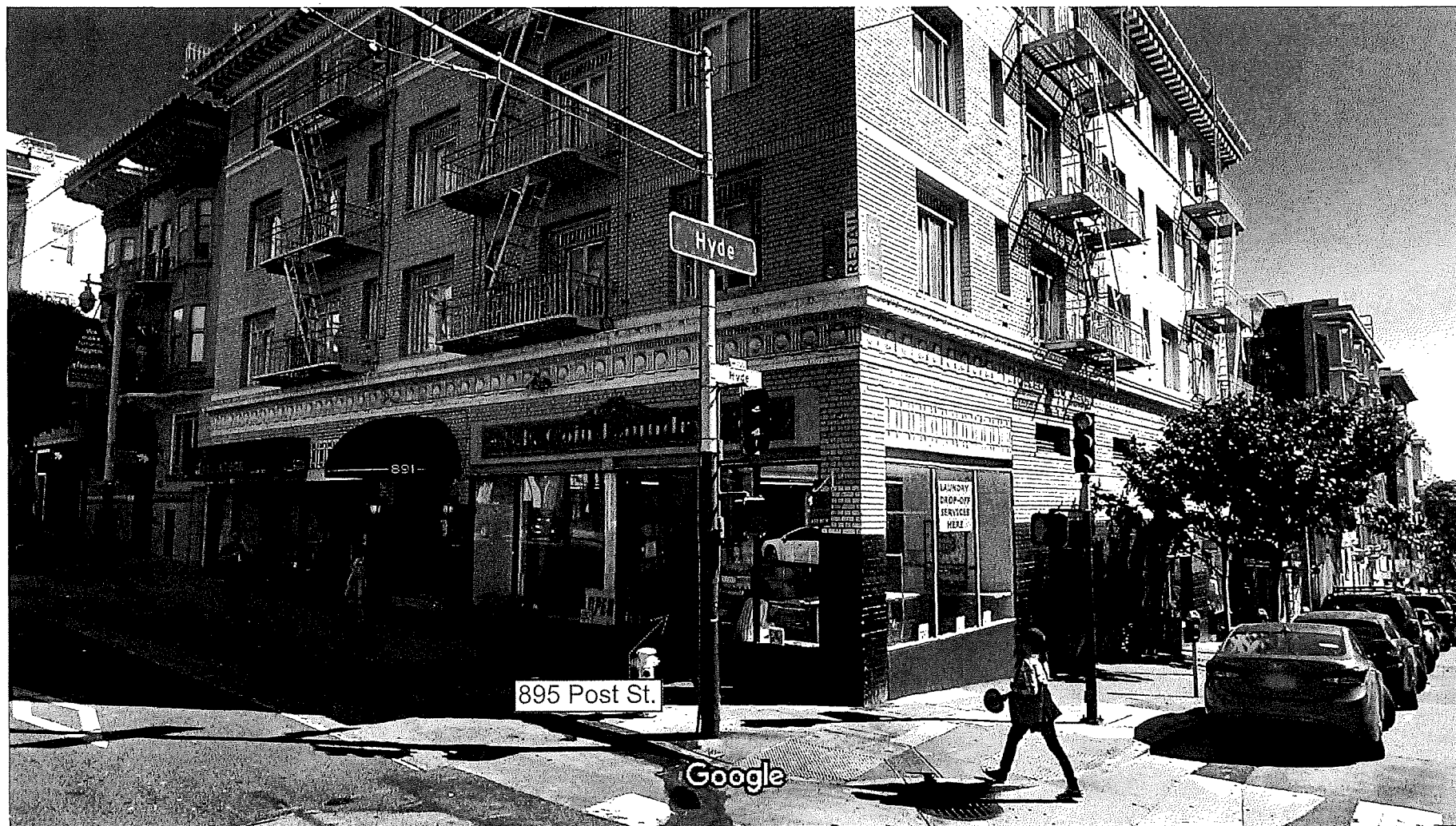



Image capture: Oct 2017 © 2018 Google

Carroll, John (BOS)

From: Michael Nulty <sf_district6@yahoo.com>
Sent: Friday, November 09, 2018 1:55 PM
To: Mandelman, Rafael (BOS); Peskin, Aaron (BOS); Ronen, Hillary; KimStaff, (BOS); Carroll, John (BOS)
Subject: Tonic Bar at 895 Post Street
Attachments: scan0607.jpg
Categories: 2018.11.14 - PSNS, 180479

 This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please read and the attached letter of support for Tonic Bar to be located at 895 Post Street. And place this letter in the the public record for the PCN hearing on this matter.

Thank you.

Michael Nulty
Executive Director
Alliance for a Better District 6

P.O. Box 420782
San Francisco, CA 94142-0782
(415) 339-8327
(415) 820-1565 - FAX

Celebrating 40 years of social and economic justice advocacy. Building a better tomorrow for all.
<https://www.linkedin.com/in/michaelnulty>



**Alliance for a Better District 6
P.O. Box 420782
San Francisco, CA 94142-0782**

November 8, 2018

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

Re: Tonic, 895 Post Street PCN Hearing request

Dear Board Members:

We are writing to support the convenience and necessity resolution from San Francisco Board of Supervisors for a type 48 liquor license for Tonic to be located at 895 Post Street in San Francisco.

Tonic relocation at serves the public convenience and necessity by allowing nightlife entertainment in the Lower Nob Hill area to promote economic vitality and cultural diversity in San Francisco. The owners are seasoned operators with a record of running well maintained nightlife establishments. The re-use of the former SF Coin Laundry location is also near Union Square which is our tourist destination for many visiting our city.

The business partners are committed to providing an excellent experience for their patrons and will strive to make the the Post Street area safer and crime free. Foremost, they will be Good Neighbors.

The Alliance for a Better District 6 has met and discussed their proposed business and have answered all of our questions which is why we are in full support of the Tonic's type 48 liquor license.

Michael Nulty
Executive Director



10/5/2018

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, Ca 94102-4689
415-554-6968 (phone)

Dear Supervisor Mandelman and Esteemed Members of the SF Public Safety and Neighborhood Services Committee,

I am writing today to express my enthusiastic support for the relocation of the bar, Tonic, into the space at 895 Post St. on the corner of Hyde. Tonic existed as a neighborhood institution in Russian Hill for 20 years before they lost their lease to exorbitant rent hikes. The location that they have chosen is principally permitted for bar use, meaning the Planning approval was obtained over the counter.

The new location is perfect for a small neighborhood establishment like Tonic and will bring much needed attention to a corner that, unfortunately, has been overrun with drug use and public safety hazards since the previous tenant vacated the premises.

The owners of Tonic, Duncan Ley and Ben Bleiman, are known for their commitment to the communities and for their history of operating safe, responsible establishments. They have participated on and continue to chair numerous boards and local organizations that support responsible nightlife, the environment, and the citizens of San Francisco including the Aquarium of the Bay, the California Music & Culture Association, SF Bar Owner Alliance, Wells Fargo Community Advisory, and the St. Francis Hospital Foundation. Ben is currently the President of the San Francisco Entertainment Commission.

Tonic is also famous for its charitable giving, having raised almost \$1 million dollars for mostly local charities in the last ten years through its Guest Bartending Program.

I ask you kindly to approve their PCN and to allow them to bring their positive energy and responsible business to our neighborhood.

Sincerely,

David J. Villa-Lobos

David J. Villa-Lobos, President
Lower Polk/Larkin Business Collaborative
David_villalobos@sbcglobal.net /415.921.4192

NOTICE

JUL 26 2018

Dept of Alcoholic Beverage Control
San Francisco

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

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 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, Mike Sadler, declare under penalty of perjury:
PRINT (Name of Protestor)

- (1) That I am the Protestor 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)

TELEPHONE NUMBER (Optional & non-public)

DATE SIGNED

988 SUTTER ST SAN FRANCISCO CA 94109 6-29-18

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

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

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

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 10 1966

NOTICE

RECEIVED

JUL 28 2015

July 23, 2015

DEPT OF ALCOHOLIC BEVERAGES CONTROL
SAN FRANCISCO

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

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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:

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(Exact address of proposed premises)

on the grounds that:

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☒ Check here if additional sheets attached

I, **John Wiggins**, 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.

PROTESTANT'S SIGNATURE

John Wiggins
San Francisco, CA

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

725 Hyde St #10

DATE SIGNED

RECEIVED 6/23/18

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

ABC-510-A (Rev. April 2010)

JUN 26 2018
 Dept of Alcoholic Beverage Control
 San Francisco

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.

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RECEIVED
JUN 26 2018
Dept of Alcoholic Beverage Control
San Francisco

NOTICE

July 25, 2018

WILLIAM TAYLOR
940 POST #7
SAN FRANCISCO, CALIFORNIA 94109

RECEIVED
JUL 28 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.

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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

- 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.
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- 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, 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 #7

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

TELEPHONE NUMBER (Optional & non-public)

415-590-0693

DATE SIGNED

6/17/08

RECEIVED

ABC-510-A (Rev. April 2010)

JUN 26 2018

Dept of Alcoholic Beverage Control
 San Francisco

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.

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FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

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JUN 26 2018

Dept. of Alcoholic Beverage Control
San Francisco

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

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(Name(s) of Applicant(s))

For premises at:

895 Post street, San Francisco, Ca 94109

(Exact address of proposed premises)

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☒ 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.

PROTESTANT'S SIGNATURE

SAN FRANCISCO CA
SIGNED AT (City and State)

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

TELEPHONE NUMBER (Optional & non-public)

415 814 2711
DATE SIGNED

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control
 San Francisco

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

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JUN 26 2018

Dept of Alcoholic Beverage Control
San Francisco

NOTICE

Jul 25 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

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(Name(s) of Applicant(s))

For premises at:

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(Exact address of proposed premises)

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☒ Check here if additional sheets attached

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

- (1) That I am the Protestor 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

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

6/24/18

ABC-510-A (Rev. April 2010)

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control
 San Francisco

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

33 New Montgomery St, San Francisco, Ca 94109

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

ADDITIONAL SHEET

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FROM PAGE ONE

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JUN 26 2018

SAN FRANCISCO

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.

^ v • 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.

^ v • Reply • Share

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control
SAN FRANCISCO

NOTICE

RECEIVED
JUL 28 2018

July 25, 2018.

Dept of Alcoholic Beverage Control
San Francisco

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

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PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

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☒ 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
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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

6/21/18

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
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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

NOTICE

JUL 26 2018

July 25, 2018

Dept of Alcoholic Beverage Control
San Francisco

SANDRA SANDOVAL
952 SUTTER
SAN FRANCISCO, CALIFORNIA 94109

ANGRY OTTER INC
TONIC
895 POST ST
SAN FRANCISCO, CA 94109-6012
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I, Sandra Sandoval, declare under penalty of perjury:
 PRINT (Name of Protestant)

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- (2) That I have read the above protest and know the contents thereof; and
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PROTESTANT'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

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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 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

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

NOTICE

JUL 28 2018

Dept of Alcoholic Beverage Control
San Francisco

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.

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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

- 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.
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- 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**

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

San Francisco, CA

SIGNED AT (City and State)

647 Hyde St, 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

June 20, 2018

ABC-510-A (Rev. April 2010)

RECEIVED
JUN 22 2018
Dept of Alcoholic Beverage Control
84h Francisco

f/Routh
de St.
Cisco, CA. 94109

SAN FRANCISCO CA 940

21 JUN 2018 PM 7:1



RECEIVED

JUN 22 2018

Dept of Alcoholic Beverage Control
San Francisco

RECEIVED

JUN 22 2018

Alcoholic Beverage Control
San Francisco

Department of Alcoholic Beverage Control
33 New Montgomery St.
San Francisco, CA. 94105

NOTICE

July 25, 2018

VIOLET RODDY
825 POST #502
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

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dw

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

- completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov and in each district office.
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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. Rossy, declare under penalty of perjury:
 PRINT (Name of Protestor)

- (1) That I am the Protestor 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)

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control
 San Francisco

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

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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

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.

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dw

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

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(Name(s) of Applicant(s))

For premises at:

895 Post Street, San Francisco, CA 94109

(Exact address of proposed premises)

on the grounds that:

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* 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

David Overdorf
San Francisco, CA 94109

SIGNED AT (City and State)

647 Hyde Street, San Francisco, 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

June 20, 2018

ABC-510-A (Rev. April 2010)

RECEIVED

JUN 22 2018

Dept of Alcoholic Beverage Control
San Francisco

NOTICE

July 25, 2018

DEBRA NUNEZ
1035 SUTTER #4
SAN FRANCISCO, CALIFORNIA 94109

RECEIVED
JUL 26 2018
Dept of Public Health
San Francisco

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

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(Name(s) of Applicant(s))

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(Exact address of proposed premises)

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☒ Check here if additional sheets attached

I, Debra Nunez, 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)

RECEIVED

ABC-510-A (Rev. April 2010)

JUN 26 2018

Dept of Alcoholic Beverage Control
 San Francisco

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

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FOR THE GOOD OF ALL PLEASE DO NOT APPROVE THIS APPLICATION

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control
San Francisco

NOTICE

JUL 26 2018

July 25, 2018

Dept of Alcoholic Beverage Control
San Francisco

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

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(Name(s) of Applicant(s))

For premises at:

895 Post Street, San Francisco, Ca 94109

(Exact address of proposed premises)

on the grounds that:

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☐ Check here if additional sheets attached

I, Stewart McCoy, 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.

PROTESTANT'S SIGNATURE

Stewart McCoy

SIGNED AT (City and State)

San Francisco,

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

866 Post St #5, San Francisco, CA 94109

TELEPHONE NUMBER (Optional & non-public)

515-708-0626

DATE SIGNED

June 26, 2018

ABC-510-A (Rev. April 2010)

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control
 San Francisco

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

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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.

Dept of Alcoholic Beverage Control
San Francisco

JUN 26 2018

RECEIVED

5.0 (10)

7/22/14

Drinks are made quite strong and not too expensive. It's 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 used to it. Bartenders are cool too. If it's not too busy, talk one of them up. Great CORRAL.

Useful 0 Funny 0 Cool 0

Compliment

Swipe to browse more

Neighborhood Search My Delivery Menu



Jalar Amel Hanovic Ismailov M.
14 10 158 11

5.0 (10)

5/25/10

I was here for trivia night with 1 male friend and 4 other females companions. There was too much backyard noise and people trying to out-wit each other in what seemed like typical banter. The bartenders didn't know how to make a Singapore sling which was disappointing so I simply had a Corona with no time. 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

Neighborhood Search My Delivery Menu

5.0 (10)

5/2/11

I went there with a few buddies and the music was so loud you couldn't hear 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

1 person voted for this review

Compliment

Swipe to browse more

Neighborhood Search My Delivery Menu



Yousang M.
14 752 334 150

5.0 (10)

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 1-80 crowd.

Useful 0 Funny 0 Cool 2

2 people voted for this review

Compliment

Swipe to browse more

Neighborhood Search My Delivery Menu

Dept of Alcoholic Beverage Control
San Francisco

JUN 26 2018

RECEIVED

★★★★☆

1/10/15

pretty loud, nice atmosphere and they have the best tequila in the world: corralejo by the founder of tequila pedro sánchez (1775)

Useful 0 Funny 0 Cool 0

Compliment

< Swipe to browse more >

Nearby Search Me Delivery More



Lidia Z.
4.5 1:27 PM 1/10/15

★★★★☆

1/10/15

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

Useful 0 Funny 0 Cool 0

Compliment

< Swipe to browse more >

Nearby Search Me Delivery More

★★★★☆

1/10/15

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

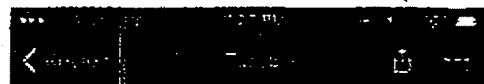
Useful 1 Funny 0 Cool 0

1 person voted for this review

Compliment

< Swipe to browse more >

Nearby Search Me Delivery More



Vesna H.
4.5 1:27 PM 1/10/15

★★★★☆

1/10/15

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 of bars.

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Useful 0 Funny 0 Cool 2

2 people voted for this review

Compliment

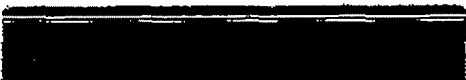
< Swipe to browse more >

Nearby Search Me Delivery More

Dept of Alcoholic Beverage Control
San Francisco

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JUN 26 2018

Decent sized DIVE bar (aka old, run-down, don't wear your nicest clothes) filled with hipsters! They even have a photo booth--SCREE! (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. Combob is 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!



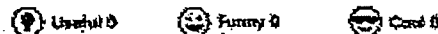
This is my friend's go to neighborhood bar, with its friendly staff and specialty cocktails. A long, old-fashioned bar occupies almost half the room with two big mirrors behind it. Specialty cocktails like Patron Cadillac Margarita, Raspberry Mojito, etc. are written on the mirrors for easy reference.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

My \$9 Sapphire Gin Basil Gimlet was tasty. It doesn't rival Ry'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 office 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!)



Not a terrible place to grab a drink, but man, it gets crowded quick 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 make



< Swipe to browse more >



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JUN 26 2018


Dept of Alcoholic Beverage Control
San Francisco

 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.

^ v • 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.

^ v • Reply • Share •

Accessed: June 2018

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

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JUN 26 2018

Dept of Alcoholic Beverage Control
San Francisco

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.

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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

- completing and submitting your protest. The ABC-510 is located at www.abc.ca.gov in each district office.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
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 - 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.
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 - 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, ELIZABETH LARSON, declare under penalty of perjury:
PRINT (Name of Protestor)

- (1) That I am the Protestor 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

S.F. CA

SIGNED AT (City and State)

TELEPHONE NUMBER (Optional & non-public)

(978) 971-9316

DATE SIGNED

6/23/18

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

ABC-510-A (Rev. April 2010)

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JUN 26 2018

Dept of Alcoholic Beverage Control
 San Francisco

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 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

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

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.

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dw

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

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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:

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☐ Check here if additional sheets attached

I, **Assun Blacut**, 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>Assun Blacut</u>	TELEPHONE NUMBER (Optional & non-public)
SIGNED AT (City and State) <u>San Francisco CA</u>	DATE SIGNED <u>6/17/10</u>
PROTESTANT'S ADDRESS (Full address - Street name & number, Unit or Apt. No., City, State, & Zip Code) <u>825 Post St San Francisco CA 94109</u>	

RECEIVED

ABC-510-A (Rev. April 2010)

JUN 26 2010

Dept. of Alcoholic Beverage Control
 San Francisco

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

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RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control
San Francisco

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

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(Name(s) of Applicant(s))

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(Exact address of proposed premises)

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I, Michelle Haydu, declare under penalty of perjury:

PRINT (Name of Protestor)

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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 26 2018

Dept of Alcoholic Beverage Control
 San Francisco

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

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JUN 26 2018

Dept of Alcoholic Beverage Control
San Francisco

NOTICE

RECEIVED

JUL 26 2018

Dept of Alcoholic Beverage Control
San Francisco

July 25, 2018

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

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

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(Name(s) of Applicant(s))

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(Exact address of proposed premises)

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☒ Check here if additional sheets attached

I, Antonio O. Ginez, declare under penalty of perjury:
 PRINT (Name of Protestant)

- (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.

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)

RECEIVED

ABC-510-A (Rev. April 2010)

JUN 26 2018

Department of Alcoholic Beverage Control
 San Francisco

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

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control
San Francisco

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

- 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 in each district office.
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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

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 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.

PROTESTER'S SIGNATURE

TELEPHONE NUMBER (Optional & non-public)

SIGNED AT (City and State)

DATE SIGNED

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

ABC-510-A (Rev. April 2010)

JUN 26 2018

Dept. of Alcoholic Beverage Control
 San Francisco

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

33 New Montgomery St, San Francisco, Ca 94109

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

ADDITIONAL SHEET

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FROM PAGE ONE

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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

**COMMUNITY
MEETING**
*DEVELOPING FOR
PROTESTING 4/28*
**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.

ONE OR BEED AND LYNE
ON THIS IS A 48 TONIC CLUB

Tonic is a 28 year
old tavern in SF
recently in
Russian Hill

We lost our
lease due to
exorbitant rent

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




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.

^ v • 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.

^ v • Reply • Share •

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control
San Francisco

ADD TO ROBERT GARCIA PROTEST

870 MARKET STREET
THE FLOOD BUILDING, SUITE 1260
SAN FRANCISCO, CALIFORNIA 94102

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

AK
MAY - 7 AM 8:00

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 FR. 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

AD TO ROBERT GARCIA PROTEST
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JUN 26 2018
Dept of Alcoholic Beverage Control
San Francisco

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
CAP No.
18113988**

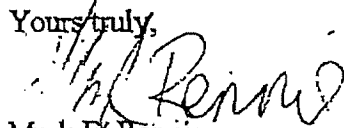
The requested move, if approved, will allow Tonic to offer more of what they are known for: friendly service and great value in a relaxed, and social atmosphere. Tonic will continue to provide jobs in the service industry that support and enhance opportunity for local residents and support other local 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

MER/mb

RECEIVED

JUN 26 2018

Dept of Alcoholic Beverage Control
San Francisco

ADD TO ROBERT GARCIA PROTEST

- 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.
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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 Protestor)

- (1) That I am the Protestor 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
PROTESTOR'S SIGNATURE

SAN FRANCISCO, CA
SIGNED AT (City and State)

866 POST ST. SAN FRANCISCO CA 94109
PROTESTOR'S ADDRESS (Full address - Street name & number, Unit if Apt. No. 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

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, SAFETY, 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

...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 either 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 ward 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 2013

Department of Alcoholic Beverage Control
San Francisco

NOTICE

RECEIVED

July 25, 2018

JUL 26 2018

AMIR ELISSIBONY
220 BUSH ST STE 750
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

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

- (1) That I am the Protestant herein;
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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

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

33 New Montgomery St, San Francisco, Ca 94109

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

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JUN 29 2018

Dept of Alcoholic Beverage Control
San Francisco

NOTICE

July 25, 2018

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

RECEIVED

JUL 26 2018

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

Dept of Alcoholic Beverage Control
SAN FRANCISCO

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(Exact address of proposed premises)

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JUN 28 2018

on the grounds that:

Protests have been filed against the issuance of the applied-for license under the Alcoholic Beverage Control Act, and 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, Bob Dunlop, declare under penalty of perjury:
 PRINT (Name of Protestor)

- (1) That I am the Protestor 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)
1000 Sutter St. #714
San Francisco, CA 94109

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.

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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

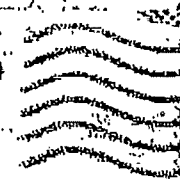
RECEIVED

JUN 28 2018
Dept of Alcoholic Beverage Control
San Francisco

Bob Dunlop
The Grenada
1000 Sutter St
SF, Calif 94109

SAN FRANCISCO CA 9410

27 JUN 2018 PM 7:1



Dept of ABC
33 New Montgomery St
SF, Calif

RECEIVED

JUN 28 2018

Dept of ABC
San Francisco
Average Control

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.

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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

...to form a protest, information regarding the license application and process (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.
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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, MARTIN DILLON, 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

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

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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

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.

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dw

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☒ Applicant(s) with Enclosure
☐ Representative(s) with Enclosure

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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

Carlos Cior
 PRINT (Name of Protestant)

, declare under penalty of perjury:

- (1) That I am the Protestant herein;
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- (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 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

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.

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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

NOTICE 26 2018

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.

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dw

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

PROTEST AGAINST ALCOHOLIC BEVERAGE LICENSE APPLICATION

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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:

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☒ Check here if additional sheets attached

I, FE Crum, declare under penalty of perjury:
 PRINT (Name of Protestor) RECEIVED

- (1) That I am the Protestor 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>John Crum</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>	

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

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RECEIVED
JUN 29 2018

Dept of Alcoholic Beverage Control
San Francisco

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

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dw

Copy: ☒ San Francisco District office
☒ Applicant(s) with Enclosure
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I, Chawee Cunn,
PRINT (Name of Protester)

declare under penalty of perjury:

RECEIVED

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JUN 29 2018

Dept of Alcoholic Beverage Control
San Francisco

PROTESTANT'S SIGNATURE

San Francisco CA

SIGNED AT (City and State)

851 Post St. 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

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

33 New Montgomery St, San Francisco, Ca 94109

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

ADDITIONAL SHEET

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Business name Tonic, License Type 48 Bar&Club

FROM PAGE ONE

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RECEIVED
JUN 29 2018
Dept of Alcoholic Beverage Control
San Francisco

NOTICE

Dept of Alcoholic Beverage Control
San Francisco

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

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☒ Applicant(s) with Enclosure
☐ Representative(s) with Enclosure

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

- (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.

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)

RECEIVED

ABC-510-A (Rev. April 2010)

JUN 26 2018

Dept of Alcoholic Beverage Control
 SAN FRANCISCO

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

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

- 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.

(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 Protestor)

- (1) That I am the Protestor 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

Vincent H. Bartz

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

ABC-510-A (Rev. April 2010)

JUN 15 2018

Dept of Alcoholic Beverage Control
San Francisco

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 Cliff 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

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JUN 15 2018

Dept of Alcoholic Beverage Control
San Francisco

9. Crown Market: 712 Geary Blvd
10. Geary & Hyde Market: 1000 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

10
1st St.
San Francisco, CA 94109

SAN FRANCISCO CA 9410

14 JUN 2018 PM 2 L



RECEIVED

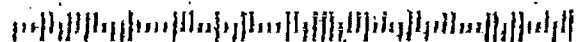
JUN 15 2018

Dept of Alcoholic Beverage Control
SAN FRANCISCO

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

Ter, Inc.

9410584506 0001



Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Tuesday, May 22, 2018 10:36 AM
To: Gordon, Nelly (POL); George, Gigi (POL); Macchi, Patrick (POL)
Cc: Lambright, Koledon (BOS); 'Gebb, Justin@ABC'; 'Meyer, Rose @ABC'; Lee, Ivy (ivy.lee@sfgov.org); Lopez, Barbara (BOS); Duong, Noelle (BOS); 'rennie23@gmail.com'; CPC.Referrals; Powell, Georgia (CPC); Duong, Noelle (BOS); Foster, Nicholas (CPC)
Subject: RE: Liquor License PC or N Referral - Liquor License Transfer - 895 Post Street - Tonic
Categories: 180479

Good morning,

The Planning Department has completed their review of the subject application, and has forwarded their recommendation for approval. For you convenience, I have their review available from the link below:

[Planning Dept. Response - Received May 17, 2018](#)

After receiving review from Police Department, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for consideration in the license matter.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 180479](#)

Thanks for the review.

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

From: Carroll, John (BOS)
Sent: Tuesday, May 08, 2018 10:23 AM
To: CPC.Referrals <CPC.Referrals@sfgov.org>; Gordon, Nelly (POL) <nelly.gordon@sfgov.org>; Powell, Georgia (CPC) <georgia.powell@sfgov.org>

RECEIVED
MAY - 8 2018

DCP
FEE

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

TO: Planning Department
Georgia Powell
Phone No. (415) 558-6371

BOS File No. 180479

TO: Police Department
Inspector Nelly Gordon
Phone No. (415) 837-7273

Block/Lot: 0303/013B
Zoning: RC-4
Quad: NE
Record # 2018-DD6804 MI.

DATE: May 8, 2018

Please submit your response in four to six weeks for the matter to be heard.

PLEASE EMAIL YOUR RESPONSE BY: June 22, 2018, to John Carroll,
Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Angry Otter, Inc.

Business name: Tonic

Application address: 895 Post Street
San Francisco, CA 94109

Assessor's Parcel Block No. 0303, Lot No. 013B
RC-4 Zoning District
District 4: Downtown Planning District

Applicant contact info: Mark E. Rennie
870 Market Street, Suite 1260
San Francisco, CA 94102
415-981-4500
Rennie23@gmail.com

PLANNING REVIEW: ☒ Approval ☐ Denial

Planning Record No.

Planning Staff Contact:

2018-006804 MIS

NICHOLAS FOSTER, 415-575-9117

Please print review comments on a trailing page.

POLICE REVIEW: ☐ Approval ☐ Denial

Please provide review comments in a trailing report.

Foster, Nicholas (CPC)

RE: Case No. 2018-006804MIS (895 Post Street)

Recommend approval; Bar Use (Retail Sales and Service Use) is a principally permitted use in the RC-4 Zoning District, pursuant to PC Section 209.3; Liquor Establishments are subject to Good Neighbor Policies established by PC Section 249.5 (North of Market Residential Special Use District).

Nicholas Foster, AICP, LEED GA
Senior Planner, Northeast Team, Current Planning Division

San Francisco Planning Department
1650 Mission Street, Suite 400 San Francisco, CA 94103

Direct: 415.575.9167 | www.sfplanning.org

[San Francisco Property Information Map](#)

Carroll, John (BOS)

From: Carroll, John (BOS)
Sent: Tuesday, May 08, 2018 10:23 AM
To: CPC.Referrals; Gordon, Nelly (POL); Powell, Georgia (CPC)
Cc: Lambright, Koledon (BOS); 'Gebb, Justin@ABC'; 'Meyer, Rose @ABC'; Lee, Ivy (ivy.lee@sfgov.org); Corrette, Moses (BOS); Lopez, Barbara (BOS); Duong, Noelle (BOS); 'rennie23@gmail.com'
Subject: Liquor License PC or N Referral - Liquor License Transfer - 895 Post Street - Tonic
Categories: 180479

Good morning,

The office of the Clerk of the Board has received a letter requesting public convenience or necessity findings for a liquor license transfer. This matter is being referred to you for response via the following linked document:

[Referral Letter - Planning and Police Departments](#)

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 180479](#)

After receiving review from the Planning and Police Departments, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for consideration in the license matter.

I request the Planning Department's response before June 22, 2018. Please confirm receipt of this message.

Thanks for the review.

John Carroll
Assistant Clerk
Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415) 554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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**LIQUOR LICENSE
PUBLIC CONVENIENCE OR
NECESSITY REFERRAL**

TO: Planning Department
Georgia Powell
Phone No. (415) 558-6371

BOS File No. 180479

TO: Police Department
Inspector Nelly Gordon
Phone No. (415) 837-7273

DATE: May 8, 2018

Please submit your response in four to six weeks for the matter to be heard.

PLEASE EMAIL YOUR RESPONSE BY: June 22, 2018, to John Carroll,
Public Safety and Neighborhood Services Committee Clerk.

john.carroll@sfgov.org - Phone No: 554-4445

Applicant name: Angry Otter, Inc.

Business name: Tonic

Application address: 895 Post Street
San Francisco, CA 94109

Assessor's Parcel Block No. 0303, Lot No. 013B
RC-4 Zoning District
District 4: Downtown Planning District

Applicant contact info: Mark E. Rennie
870 Market Street, Suite 1260
San Francisco, CA 94102
415-981-4500
Rennie23@gmail.com

PLANNING REVIEW: ☐ Approval ☐ Denial

Planning Record No. _____

Planning Staff Contact: _____

Please print review comments on a trailing page.

POLICE REVIEW: ☐ Approval ☐ Denial

Please provide review comments in a trailing report.

MARK E. RENNIE
ATTORNEY AT LAW
870 MARKET STREET
THE FLOOD BUILDING, SUITE 1260
SAN FRANCISCO, CALIFORNIA 94102

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2018 MAY -7 AM 8:08
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:

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.

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

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.

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.

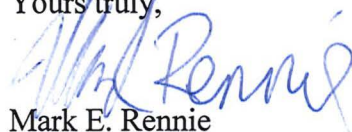
Tonic has been well-managed and non-problematic since 2008. There have been no noise complaints and minimal police issues since the business opened ten years ago. My client will continue in the new location to be respectful to the neighborhood and to its customers. Tonic is committed to providing an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

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.

Thank you for your consideration of this request.

Yours truly,



Mark E. Rennie

MER/mb

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

Atty. MARK RENNIE

(415) 981-5400

TO: Department of Alcoholic Beverage Control
33 NEW MONTGOMERY STREET
SUITE 1230
SAN FRANCISCO, CA 94105
(415) 356-6500

File Number: 593494
Receipt Number: 2497345
Geographical Code: 3800
Copies Mailed Date: May 1, 2018
Issued Date:

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2018 MAY -4 PM 3:28

DISTRICT SERVING LOCATION: SAN FRANCISCOFirst Owner: ANGRY OTTER INCName of Business: TONICLocation of Business: 895 POST ST
SAN FRANCISCO, CA 94109-6012County: SAN FRANCISCOIs Premise inside city limits? Yes Census Tract 0122.01Mailing Address: 2961 MISSION ST
(If different from SAN FRANCISCO, CA 94110-3917
premises address)Type of license(s): 48Transferor's license/name: 465268 / ANGRY OTTER INCDropping Partner: Yes No

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
48 - On-Sale General Public	PREMISE TO PREMISE TRANSFER	P40	Y	0	05/01/18	\$100.00
Total						\$100.00

Have you ever been convicted of a felony? NoHave you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? No

Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of SAN FRANCISCODate: May 1, 2018

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

ANGRY OTTER INC



California Department of Alcoholic Beverage Control
License Query System Summary as of 05/07/2018

License Information	
License Number:	593494
Primary Owner:	ANGRY OTTER INC
ABC Office of Application:	24 - SAN FRANCISCO

Business Name	
TONIC	

Business Address	
895 POST ST	
SAN FRANCISCO, CA. 94109	
County: SAN FRANCISCO	Census Tract: 0122.01

Licensee Information	
Licensee: ANGRY OTTER INC	
Company Information	
OFFICER: BLEIMAN, BENJAMIN SMITH (PRESIDENT)	
OFFICER: BLEIMAN, BENJAMIN SMITH (DIRECTOR)	
OFFICER: LEY, DUNCAN TALENTO (DIRECTOR)	
OFFICER: LEY, DUNCAN TALENTO (SECRETARY/ASST SEC)	
STOCKHOLDER: BLEIMAN, BENJAMIN SMITH	
STOCKHOLDER: LEY, DUNCAN TALENTO	

License Types	
1) License Type:	48 - ON-SALE GENERAL PUBLIC PREMISES
License Type Status:	PENDING
Status Date:	01-MAY-2018
Term:	12 Month(s)
Original Issue Date:	Expiration Date:
Master: Y Duplicate: 0	Fee Code: P40
License Type was Transferred On:	From: 48-465268
License Type was Transferred On:	To:

Operating Restrictions
... No Operating Restrictions found ...

Disciplinary Action
... No Active Disciplinary Action found ...

Disciplinary History
... No Disciplinary History found ...

Holds
Hold Date: 01-MAY-2018 Type: FORM 220

Escrows
... No Escrow found ...

For a definition of codes, view our [glossary](#).

Stewart J. McCoy
866 Post St., Apt. 5
San Francisco, CA 94109
(515) 708-0626
mccoy.stewart@gmail.com

July 23, 2018

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

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2018 AUG -2 PM 3:06
BY *[Signature]*

Dear Ms. Cavillo:

I have been a resident of 866 Post St, San Francisco since 2010. It has come to my attention that Angry Otter, Inc. doing business as "Tonic" has requesting a grant of convenience and necessity from the San Francisco Board of Supervisors, so that they might open a bar (i.e. Type 48 license) in a property that formerly operated as a laundromat, and where I did my laundry for the better part of a decade. I am writing to express my concern about this request for "convenience or necessity" for several reasons:

- There are nearly 30 bars within 10 minutes walking distance of 895 Post Street. (See list of nearby licensed bars in below).
- According to the Alcohol Policy Panel report on Public Convenience and Necessity, the State of California limits retail alcohol availability for "on-sale" to "1 license for every 2,000 residents."
- According to City Data, the 0.273 square miles representing the Tendernob neighborhood, are home to approximately 18,000 residents, meaning an appropriate number of "on-sale" alcohol retailers would equate to approximately 9 bars. (Tendernob: Geary Street north to Sacramento Street; Van Ness Street east to Powell Street.)
- According to Crime Maps provided by SFGOV, the Tendernob neighborhood is a high-crime neighborhood, and for more than a decade has had higher

reported incidence of petty and violent crime than other neighborhoods. Introducing a full liquor bar in this neighborhood will necessarily increase likelihood of police response to the block, as has happened on many occasion at another bar (Type 48) on the 800 Post Street block, at The Royale (800 Post St, San Francisco, CA).

- The above bars do not also take into account local business that offer “beer and wine” only, such as restaurants (Type 41).

Furthermore, given the above listed concerns, the neighborhood is already exceptionally loud and chaotic relative to other San Francisco neighborhoods:

- One block away from 895 Post is Geary Street, the route for the MUNI 38 bus line, one of the busiest in the nation.
- The Tenderloin neighborhood is already home to one of the busiest fire stations in the country, San Francisco Fire Department Station 3—there is a constant barrage of sirens at all hours of the day.

Introducing another Type 48 full liquor bar to the 800 block of Post Street will provide residents will provide no additional benefit to the surrounding community, and in fact, would be a determine to the health of residents who care about the physical, mental, and spiritual wellbeing of those living day in and out in our small neighborhood.

I would also be remiss to point out that the property own by Mosser Real Estate of San Francisco did not sit vacant more than 6 months before “Tonic” moved to acquire use of the property, and therefore, the property owners have not been seeking a new lessee for long. I am sure residents of the community would welcome a healthier alternative to a full liquor bar, such as a healthy foods store or restaurant, a facility for athletics or spirituality, or community-focused education center.

I do wish the proprietors of “Tonic” the best in the business ventures. They seem like men who care about their community and neighbors. However, they do not live and work in this neighborhood, and they will not have to deal with the undue burden their business would introduce this this neighborhood and its residents.

Thank you for your consideration.

Sincerely,
Mr. Stewart McCoy & Michelle Haydu
Residents, 866 Post St., Apt. 5, SF, CA 94109

Bars serving alcohol within 10 minutes walking distance of 895 Post St:

1. The Royale (800 Post St)
2. The Saratoga (1000 Larkin St)

3. Aces (998 Sutter St)
4. Louie's Gen-Gen Room (871 Sutter St)
5. High Tide (600 Geary St)
6. Vertigo (1160 Polk St)
7. Rye (688 Geary St)
8. R Bar (1176 Sutter St)
9. Playland (1351 Polk St)
10. Hemlock Tavern (1131 Polk St)
11. Edinburgh Castle (950 Geary St)
12. Redford (673 Geary St)
13. Rum & Sugar (823 Geary St)
14. Bacchus Kirk (925 Bush St)
15. Jones (620 Jones St)
16. Hyde Out
17. Redford (673 Geary St)
18. Bourbon & Branch (501 Jones St)
19. Owl Tree (601 Post St)
20. Swig (561 Geary St)
21. Bar 587 (587 Post St)
22. Nite Cap (699 O'Farrell St)
23. The Wreck Room (1390 California St)
24. Hyde Out (1068 Hyde St)
25. Hi-Lo Club (1423 Polk St)
26. Soda Popinski's (1548 California St)
27. The Geary Club (768 Geary St)
28. Whiskey Thieves (839 Geary St)
29. The Outsider (894 Geary St)
30. Jackalope (1092 Post St)

There are many more bars if you consider beer and wine only, or even add an additional 5 minutes walking.

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- ☐ 2. Request for next printed agenda Without Reference to Committee.
- ☒ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning "Supervisor inquires"
- ☐ 5. City Attorney request.
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget Analyst request (attach written motion).
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Subject:

The text is listed below or attached:

Hearing to consider that the premise-to-premise transfer of the Type-48 on-sale general public premises liquor license to Angry Otter, Inc., doing business as Tonic, located at 895 Post Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only: