

March 29, 2023

Dear Legislative Hearing Officer,

I, along with many of my neighbors, feel blindsided and gaslit by the actions of Groveland Tap, and by extension the MacGroveland Community Council Housing and Land Use Committee, and I write to ask that the application for liquor outdoor service for Groveland Tap be declined.

There's a book by political science scholar Nancy Rosenblum – *Good Neighbors* – wherein she explains how our most intimate experiences with democracy (and subsequent disillusionment) are the interactions we have with our neighbors. The issue I am writing to you about, that of immediate neighbors' concerns regarding Groveland Tap's (GT) porch expansion and liquor license, is one that perfectly illustrates the type of tensions that we see between a business's "freedom to" and immediate residents' "freedom from".

While I echo my fellow Berkeley-block neighbors' concerns (noise, trash, parking, sound system, smoke, loitering), I would also like to reframe the conversation, as I do not feel that the March 22nd MacGroveland Community Council Housing and Land Use Committee meeting was a neutral space in which residents' could adequately share their concerns. My neighbors' concerns fell on not only not impartial but rather hostile ears¹. Their comments were met with denial, rejection, and general lack of basic understanding². The decision whether to grant a license to this business is being treated as if it's a referendum on whether people like burgers and beers and whether this establishment provides a valuable space for the community. Let me emphasize that that is not in question. Many of the residents immediately impacted by the patio expansion of Groveland Tap are loyal patrons of this establishment as well.

Mine and my neighbors' frustration is not a case of NIMBYism. If anything, it is a cry emanating from a feeling of betrayal. We were not informed, nor consulted on something that will directly impact us, our property, and our health. This is a plea for the Legislative Hearing Officer and the City Council to decline or approve with considerable amendments the application for Liquor Outdoor Service for Groveland Tap. Please recognize that there's an impact on the immediate stakeholders in the form of residents - especially those that are living directly behind the Groveland Tap, who share an alley with the Groveland Tap, and whose patio expansion is going to be an immediate infringement upon those residents' and homeowners' ability to enjoy their own space, their private space.

Hence my call for this issue to be reframed, especially given that the tone of the discourse was framed strategically from the very beginning of the March 22nd meeting. Many of the people voting on the issue treated it as if it is a popularity vote, with GT owner Stephanie Shimp starting things off by humanizing the bar, and presenting it as a small, local business, part of the neighborhood, etc. Following this, residents' concerns were met with hostility, namely that we should have known what we were getting ourselves into by virtue of moving to where we moved.

¹ How impartial can the MGCC be for favors asked of GT if future meetings about the Council are being held and hosted at the Groveland Tap. This seems borderline unethical at best.

² Many of the council members did not exhibit an understanding of the location of where this patio expansion is happening. There was belief that it is happening on St. Clair which is incorrect. It's happening in the alley, between Berkeley and St. Claire. It is incredibly problematic when council members are making decisions on issues that they clearly do not take the time to understand.

Since I don't take kindly to me or my neighbors being portrayed as angry witch-hunting townspeople with pitchforks, I'd like to remind everyone that this is but one establishment of many owned by the Blue Plate Group - a hospitality company, not a mom & pop, as it would like to have you believe. The BPG and GT have grown into a much larger entities with considerable power. It is no longer the humble establishment that it purports to be in terms of its membership in the community. However, if we're going to phrase it that way, then we should really be exploring and asking whether Groveland Tap has actually been a *good neighbor*, whether it's been a good corporate citizen, and why the behavior, particularly in regards to reaching out to immediate stakeholders has been lacking.

Additionally, in contradiction to what a MGCC HLU member claimed, a few establishments on a corner do not a business corridor make. But even if they did, this is one pocket within a decidedly residential area. The frustration of residents is very much understandable. The fact that the patio is already built prior to any kind of discussion with the community is also incredibly suspect because it assumes a default acquiescence, that everyone consents. Despite GT's claim that door knocking took place, it is quite impressive that the houses directly behind the new patio were never approached. Many of us work from home and open doors when people knock. This is a case of they said, we said, so even if we take GT at their word, perhaps, as *good neighbors*, they should have exerted a bit more effort to communicate with those immediately affected by their decisions. This alone is quite disrespectful in its negligence, and does not bode well for future promises as listed in the Recommended License Conditions – conditions that seem to echo earlier license conditions that have rarely been met, to the detriment of residents.

My neighbors and I live in this neighborhood because we enjoy being near people and establishments. We have supported Groveland Tap through our patronage. We have patiently picked up trash and cigarette butts in the alley, closed windows when patrons loiter outside late into the night, and parked further away when spaces are taken in front of our homes. There's a social contract at play in that there's an expectation for the businesses located in residential area to respect their neighbors. That social contract has been violated, and as residents we fear the worsening repercussions should the new license application be approved.

Regards,
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