

File No. 240162

Committee Item No. \_\_\_\_\_

Board Item No. 42

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: April 2, 2024

#### Cmte Board

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| <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 type="checkbox"/> | <input checked="" 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                                 |
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#### OTHER

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Appeal Letter - 2/21/24                |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Planning Department Response - 3/25/24 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Hearing Notice - 3/22/24        |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Clerical Documents                     |
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Prepared by: Lisa Lew

Date: March 29, 2024

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_



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SAN FRANCISCO

2024 FEB 21 PM 1:24

BY AK

2/20/2024

Board of Supervisors,

Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. is requesting that you hear an appeal regarding a condition placed on our business for a 10 pm closure of our outdoor patio space. We are asking for that condition to be amended to allow us to conduct business on the patio without any amplified sound until 11 pm Sunday through Thursday, and until midnight on Fridays and Saturdays.

Below are some bullet points of why Casements has decided to appeal the 10 pm closure portion of the Planning Department's decision and why we believe the Board of Supervisors should hear this appeal.

This is followed by a written description of why the appeal should be approved.

### **Top reasons Casement's is appealing the 10 pm hours restriction on the CUA decision:**

- Multiple Planning Commissioners were not present at the 1/25/24 hearing.
- Multiple dissenting voices were not clear on what we were requesting.  
The limited number of opponents assumed Casements was seeking to

use the patio space with amplified sound and live music until closing. We were not then, and are not now making this request. A 10 pm curfew on amplified sounds was already put in place by the Entertainment Commission; we are in agreement that all amplified sound and live music on the patio end at 10 pm every night of the week.

- Casements has been operating the patio past 11 pm weekdays and midnight on weekends since July of 2020 without incident.
- As San Francisco seeks to support small businesses and encourage places for communities to gather, we believe that Casements should have the ability to use the patio until 11 on weekdays and midnight on weekends.
- Casements was not given an opportunity to respond to dissenting voices.
- The 10 pm curfew would force Casements to lay off employees and cut hours for those still employed.
- An earlier closure time would be financially devastating to Casements. If this curfew was in place in 2023 the business would have lost money and we would not have renewed our lease and would have closed the business.
- There has been precedence set at multiple other nearby businesses for permitted hours of operation after 10 pm in the immediate vicinity of Casements.



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BY AK

Board of Supervisors,

If amended, the change in hours of operation would offer a tremendous financial benefit to Casements. As well as a social and cultural benefit to both the Mission neighborhood and the communities that Casements supports.

Casements has quickly become a stand out Mission District business, and has started to attract both national and international attention. Opening weeks before COVID shut down the city, Casements was able to not only survive the pandemic, but thrive. In a neighborhood with very few outdoor dining options this success is in major part due to the patio space.

Irish pubs have a long history of being the social focus of their communities, and we actively strive to maintain and build on that legacy. Queer bars play a very similar role in their community. During the COVID pandemic restrictions that made gathering inside most businesses impossible, the outdoor patio at Casements space offered and continues to provide a safe place to gather and provided a much-needed area to socialize, as well as build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. We still frequently host community based and cultural groups in our space. Unfortunately, our ability to host such groups has been negatively impacted by the earlier closing time, as we have inadequate inside space for such events.

We can prove that we have been able to be a welcome benefit to the neighborhood and have been warmly received by our neighbors, and are making an overwhelmingly positive contribution to the city and neighborhood which we love. On a block where eight of the nine food and beverage businesses have been sold or shuttered since the pandemic, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St. Its loss would exacerbate the blight already being experienced in the Mission.

The condition forcing a 10 pm. closure of the patio would have a negative economic impact on our staff as well; the majority of which live in the Mission District. A 10 pm closure would mean the loss of employment for current and future staff; it would mean layoffs and a significant reduction in hours for those still employed.

It's important to note that we are not asking for an increase in hours. We are only requesting that our hours be reduced less. Sales after 10 pm accounted for 15.4% of Casement's total sales in 2023. The 9 hours a week we are asking to not be eliminated account for 91.7% percent of those sales, and the remaining 19 hours we are not contesting account for a mere 8.3%. This is a very calculated, financially driven request, with incredible high stakes for Casement's future.

Profit margins are incredibly tight in the restaurant industry. If the 10 pm restriction was in place in 2023 and Casements really lost over 15% of sales, the business would have lost money and we most likely would not renew our lease this year when the current term expires.

A denial of this appeal would be a death blow to this community focussed small business. It would mean the elimination of another queer space. And it will create another vacancy in a struggling commercial corridor. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting because of the benefit it provides to the Mission neighborhood, the Irish-American community, Irish diaspora, the queer community, and the city of San Francisco. If you support those communities, and you support small business, you will vote in favor of this appeal to allow one of San Francisco's few COVID success stories to continue its journey.

Respectfully,  
Chris, Gillian, and Sean



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Planning Commission Case  
No. **2022-008254CUA**

2022 FEB 21 PM 1:25

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners or "Verified Tenants" of property affected by the proposed amendment or conditional use (that is, owners or "Verified Tenants" of the property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.




*"Verified Tenants" that sign below, hereby declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct, and that the tenant occupies the entire property or at least one separate unit on the property pursuant to a lease with a term exceeding 32 days.*

Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
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(All information provided is subject to public disclosure; personal information will not be redacted.)

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Pursuant to Planning Code Section 308.1(b), the undersigned members of the Board of Supervisors believe that there is sufficient public interest and concern to warrant an appeal of the Planning Commission on Case No. 2022-008254-CuA, a conditional use authorization ~~regarding~~ (address) 2351 Mission St. SF CA 94110, District 9. The undersigned members respectfully request the Clerk of the Board to calendar this item at the soonest possible date.

Supervisor Printed Name	Signature	Date
Hillary Ronen		2-21-24
Rafael Mandel		2-21-24
Myrna Helgar		2-21-24
Joel Engardio		2-21-24
Catherine Stefani		2-21-24

(Attach copy of Planning Commission's Decision)



San Francisco  
Planning

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2024 FEB 21 PM 1:25

49 South Van Ness Avenue, Suite 1400  
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628.652.7600  
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BY **AK**  
**EXECUTIVE SUMMARY**  
**CONDITIONAL USE AUTHORIZATION**

APPROVED: **JANUARY 25, 2024**

Continued from January 4, 2024

**Record No.:** 2022-008254CUA  
**Project Address:** 2351 Mission Street  
**Zoning:** Mission Street NCT (Neighborhood Commercial Transit) Zoning District  
40-X and 55-X Height and Bulk Districts  
Mission Alcoholic Beverage Special Use District  
Fringe Financial Service Restricted Use District  
**Cultural District:** N/A  
**Block/Lot:** 3595 / 024  
**Project Sponsor:** Christopher Hastings  
Down With This Sort of Thing, LLC  
2351 Mission Street  
San Francisco, CA 94110  
**Property Owner:** Del-Camp Investments, Inc  
2120 Market Street, Suite 100  
San Francisco, CA 94114  
**Staff Contact:** Maggie Laush – (628) 652-7339  
[maggie.laush@sfgov.org](mailto:maggie.laush@sfgov.org)  
**Environmental Review:** Categorical Exemption

**Recommendation:** Approval with Conditions

### Project Description

The Project proposes to add a Nighttime Entertainment use to an existing Restaurant use (d.b.a. "Casements") and establish an Outdoor Activity Area, measuring 1,777 square feet, in part of an existing public parking lot adjacent to the restaurant. The Project also proposes to expand the existing liquor establishment, as the



restaurant has a Type 47 liquor license, to include the Outdoor Activity Area. Ten of the 81 parking spaces in the public parking lot would be occupied by the Outdoor Activity Area. The remaining 71 parking spaces would continue to operate as a public parking lot.

## Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 145.2, 249.60, 754, and 303 to allow an Outdoor Activity Area and to expand an existing liquor establishment within the Mission NCT Zoning District and the Mission Alcoholic Beverage Special Use District, respectively.

## Issues and Other Considerations

### • Prior Authorization—Shared Spaces

- The Project Site was established as a patio for the existing Restaurant use in December 2020 under the Shared Spaces program (permit no. 12072020-0002-SSP). Shared Spaces allowed for temporary outdoor uses to be rapidly authorized during the COVID 19 emergency. The Shared Spaces program sunset as of March 31, 2023. Accordingly, the Sponsor is seeking to authorize continued use of the same patio footprint as an Outdoor Activity Area.

### • Hours of Operation

- Casements' current hours of operation are from 4 p.m. to 2 a.m. Monday through Thursday, from 3 p.m. to 2 a.m. on Friday, and from 2 p.m. to 2 a.m. on Saturday and Sunday, with kitchen service closing at 9 p.m.
- The Sponsor requests that the Outdoor Activity Area be allowed to operate from 10 a.m. to 11 p.m. Sunday through Thursday and from 10 a.m. to midnight on Fridays and Saturdays.
- The Department recommends restricting evening operation of the Outdoor Activity Area to 10 p.m. daily to reduce potential noise impacts on nearby Residential uses, including Residential Hotel units directly above the proposed Outdoor Activity Area and apartments to the north fronting on Mission and Capp Streets.
  - The Draft Motion has been written with the Department recommendation of 10 p.m. throughout the findings and in Condition of Approval no. 20.

### • Entertainment Permits

- On January 29, 2021, the Entertainment Commission granted a Just Add Music ("JAM") permit to allow outdoor entertainment and amplified sound at the Site in conjunction with the Shared Spaces permit, permit no. JAM-079. The JAM program sunset in 2023 with the Shared Spaces program.

- On December 19, 2023, the Entertainment Commission granted a One Time Outdoor Event permit to temporarily allow outdoor entertainment and amplified sound at the Site from January 7, 2024 through December 6, 2024, daily from 4 p.m. to 10 p.m.
- After adding a Nighttime Entertainment use, which is a principally permitted use within the Mission Street NCT, the Sponsor intends to seek a Place of Entertainment (“POE”) permit from the Entertainment Commission to allow indoor and outdoor entertainment and amplified sound at the Site on an ongoing basis.
  - Entertainment activities under a POE permit must conclude no later than 2 a.m., both indoors and outdoors. However, if the Outdoor Activity Area has more restrictive hours of operation as a condition of approval, the Entertainment Commission would only permit outdoor entertainment activities within said hours.

● **Public Comment & Outreach**

- **Support/Opposition:** To date, the Department has received 37 comments in support of the Project and three comments in opposition.
  - Opposition to the Project came from nearby residents and focused on the volume of patron conversation and amplified sound in the patio space during late evening hours. One commenter provided feedback on how to minimize the reach of the outdoor sound system. Another commenter hypothesized that trash, noise, and inappropriate activity in other areas of the parking lot may be a spillover effect of the patio’s presence.
  - Supporters of the Project focused on the importance of Casements—and the patio in particular—as a safe, outdoor gathering space for queer and immigrant communities, neighborhood organizations, and locals and visitors of all ages. Many noted how Casements has brought vibrancy to Mission Street amid numerous recent commercial closures. Support came from nearby residents (24 letters), local businesses (6 letters), and community groups and organizers (7 letters).
- **Outreach:** The Sponsor conducted direct outreach to discuss the Project, visiting neighboring businesses and residents in person, including tenants in the residential hotel above the Site, and contacting community leaders and groups who have worked with Casements in the past.
  - The Sponsor has been in communication with District 9 Supervisor Hilary Ronen’s office over the past three years, with regards to this Project and Ordinance no. 108-23 / Planning case no. 2023-001585PCA.

**Environmental Review**

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 3 categorical exemption. The CEQA determination is attached as Exhibit C.

## **Basis for Recommendation**

The Department finds that the Project is, on balance, consistent with the Mission Area Plan and the Objectives and Policies of the General Plan. The Project would enhance the existing restaurant use, support the retention of the business and vitality of the Mission Street commercial corridor, provide additional employment and add to the diversity of spaces in the neighborhood. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

## **Attachments:**

Draft Motion – Conditional Use Authorization with Conditions of Approval  
Exhibit B – Plans  
Exhibit C – Environmental Determination  
Exhibit D – Land Use Data  
Exhibit E – Maps and Context Photos  
Exhibit F – Project Sponsor Brief



49 South Van Ness Avenue, Suite 1400  
San Francisco, CA 94103  
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## PLANNING COMMISSION DRAFT MOTION

HEARING DATE: **JANUARY 25, 2024**

**Continued from January 4, 2024**

**Record No.:** 2022-008254COA  
**Project Address:** 2351 Mission Street  
**Zoning:** Mission Street NCT (Neighborhood Commercial Transit) Zoning District  
40-X and 55-X Height and Bulk Districts  
Mission Alcoholic Beverage Special Use District  
Fringe Financial Service Restricted Use District  
**Cultural District:** N/A  
**Block/Lot:** 3595 / 024  
**Project Sponsor:** Christopher Hastings  
Down With This Sort of Thing, LLC  
2351 Mission Street  
San Francisco, CA 94110  
**Property Owner:** Del Camp Investments, Inc  
2120 Market Street, Suite 100  
San Francisco, CA 94114  
**Staff Contact:** Maggie Laush – (628) 652-7339  
[maggie.laush@sfgov.org](mailto:maggie.laush@sfgov.org)

ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 145.2, 249.60, 754 AND 303, TO ESTABLISH AN OUTDOOR ACTIVITY AREA FOR AN EXISTING RESTAURANT USE IN THE SUBJECT PROPERTY'S PUBLIC PARKING LOT AND TO EXPAND THE EXISTING LIQUOR ESTABLISHMENT LOCATED AT 2351 MISSION STREET, BLOCK 3595 LOT 024 WITHIN THE MISSION STREET NCT (NEIGHBORHOOD COMMERCIAL TRANSIT) ZONING DISTRICT AND 40-X AND 55-X HEIGHT AND BULK DISTRICTS, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

## PREAMBLE

On March 30, 2023, Christopher Hastings of Down With This Sort of Thing, LLC (hereinafter "Project Sponsor") filed Application No. 2022-008254CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish an Outdoor Activity Area and expand an existing liquor establishment (hereinafter "Project") at 2351 Mission Street, Block 3595 Lot 024 (hereinafter "Project Site").

On January 16, 2024, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 3 Categorical Exemption under CEQA as described in the determination contained in the Department files for this Project.

On November 9, 2023, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2022-008254CUA and continued the hearing to January 4, 2024.

The Commission cancelled the regularly scheduled January 4, 2024 meeting and continued the hearing on the Application to January 25, 2024.

On January 25, 2024, the Commission conducted a duly noticed public hearing on the Application at a regularly scheduled meeting.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2022-008254CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

**MOVED**, that the Commission hereby authorizes the Conditional Use as requested in Application No. 2022-008254CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:



## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. **The above recitals are accurate and constitute findings of this Commission.**
2. **Project Description.** The Project proposes to add a Nighttime Entertainment use to an existing Restaurant use (d.b.a. “Casements”) and establish an Outdoor Activity Area, measuring 1,777 square feet, in part of an existing public parking lot adjacent to the restaurant. The Project also proposes to expand the existing liquor establishment, as the restaurant has a Type 47 liquor license, to include the Outdoor Activity Area. Ten of the 81 parking spaces in the public parking lot would be occupied by the Outdoor Activity Area. The remaining 71 parking spaces would continue to operate as a public parking lot.
3. **Site Description and Present Use.** The Project Site contains the El Capitan Theater and Hotel, a three-story Residential Hotel building with 165 feet of frontage on Mission Street and an Article 10-designated Landmark. The ground floor features multiple commercial spaces, including Casements, and a 45-foot-wide driveway through the structure. The driveway provides access to an existing legal non-conforming public parking lot (d.b.a. “California Parking Company”) at the rear of the lot, with a total area of approximately 31,396 square feet. The lot is also accessed via two 24-foot curb cuts from Capp Street, where it extends the full width of the parcel. Ten of the parking spaces adjacent to the subject commercial unit, partially beneath the upper stories of the building, were converted to an outdoor patio for the Restaurant use through the Shared Spaces program (Permit No. 12072020-0002-SSP).
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the Mission Street NCT Zoning District in the Mission Area Plan. The neighborhood is mixed in character with residential and commercial uses. The immediate context includes two-to-four story commercial development with residential uses above to the north and south, and west across Mission Street. To the east, development is primarily two-to-three-story residential properties, as well as a public park (Alioto Mini Park). Other zoning districts in the vicinity of the project site include: RTO-M (Residential Transit Oriented), NC-1 (Neighborhood Commercial Cluster), NC-2 (Small-Scale Neighborhood Commercial), and the Valencia Street NCT (Neighborhood Commercial Transit) Zoning Districts.
5. **Public Outreach and Comments.** The Sponsor conducted direct outreach to discuss the Project, visiting neighboring businesses and residents in person, including tenants in the residential hotel above the Site, and contacting community leaders and groups who have worked with Casements in the past. The Department has received at least 37 comments in support of the Project and at three comments in opposition. Opposition to the Project came from nearby residents and focused on the volume of patron conversation and amplified sound in the patio space during late evening hours. Supporters of the Project focused on the importance of Casements—and the patio in particular—as a safe, outdoor gathering space for queer and immigrant communities, neighborhood organizations, and locals and visitors of all ages. Many noted how Casements has brought vibrancy to Mission Street amid numerous recent commercial closures. Support came from nearby residents, local businesses, and community groups and organizers.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Use.** Planning Code Section 754 principally permits an Outdoor Activity Area if located in the front of the subject property and requires a Conditional Use Authorization for an Outdoor Activity Area located elsewhere.

*The Outdoor Activity Area would be located at the rear of the structure, in the northwest corner of the public parking lot. It would primarily be accessed through the interior of the adjacent commercial unit, and two additional egress gates would allow accessible and emergency access through the parking lot. The Outdoor Activity Area would provide seating for the full-service Restaurant use located adjacent to it, accommodating approximately 86 additional patrons. The Project also proposes to establish a Nighttime Entertainment use at the subject commercial unit, which is a principally permitted use in the Mission Street NCT. The Outdoor Activity Area would thus provide additional space for evening-oriented activities such as live music, if permitted by the Entertainment Commission.*

- B. **Hours of Operation.** Planning Code Section 754 does not establish limits on operating hours within the Mission Street NCT District.

*The current hours of operation for Casements are from 4 p.m. to 2 a.m. Monday through Thursday, from 3 p.m. to 2 a.m. on Friday, and from 2 p.m. to 2 a.m. on Saturdays and Sundays, with kitchen service closing at 9 p.m. Evening operational hours of the Outdoor Activity Area would be restricted to 10 p.m. to reduce potential noise impacts to nearby Residential uses, per Condition no. 20 in Exhibit A.*

- C. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The existing Restaurant use and proposed Nighttime Entertainment use are compliant active uses, and occupy all 75 feet of building depth at the ground floor. The Outdoor Activity Area would be located at the front of the existing parking lot, behind and beneath the existing structure and adjacent to the subject commercial unit. No modifications are proposed to the parking lot or commercial storefront entrances.*

- D. **Ground Floor Commercial.** Section 145.4 of the Planning Code requires that on certain street frontages, active commercial uses are provided within the first 25 feet of building depth on the ground floor, and that individual uses do not occupy more than 75 contiguous linear feet along a street-facing

façade.

*The existing Restaurant use and proposed Nighttime Entertainment use are compliant active uses, and occupy all 75 feet of building depth at the ground floor with 18 feet, six inches of frontage on Mission Street.*

- E. **Parking Lots.** Planning Code Section 156 prohibits permitting of permanent parking lots in C-3 and NCT Districts. In conjunction with Planning Code Section 142, it establishes screening and greening requirements for vehicular use areas including parking lots.

*The Project Site contains an existing, legal, non-conforming Public Parking Lot, a Retail Automotive use not accessory to other commercial uses on the lot. The Project would convert ten of the 81 authorized vehicle parking spaces. Pursuant to Planning Code Section 183(d), conversion of less than 25% of the parking spaces does not constitute a discontinuance or abandonment of the converted portion of the public parking lot use. The public parking lot may continue to operate, offering 71 vehicle spaces, and should the Outdoor Activity Area be removed, reincorporate the ten parking spaces into the lot.*

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The size of the proposed Outdoor Activity Area is in keeping with other commercial uses in the vicinity. The expanded Restaurant would not impact traffic or parking in the district because it is not a destination restaurant. It would complement the variety of retail uses currently available in the district. It would contribute to the economic vitality of the neighborhood by activating an otherwise underutilized public parking lot, especially during late evening business hours.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The Project would not alter the height and bulk of the existing building, its appearance, or its general character. The proposed work is limited to the addition of opaque fencing, outside seating, and related furnishings to alter the use of the property without impacting the structure. In addition, the majority of the public parking lot would be retained, and its appearance unchanged.*

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

*The Planning Code does not require off-street parking or loading for a 1,952 square-foot full-service Restaurant or Nighttime Entertainment uses. The proposed uses are designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.*

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*The proposed Restaurant use is subject to the standard conditions of approval outlined in Exhibit A. Conditions 10, 11, and 15 specifically obligate the Sponsor to mitigate odor and noise generated by the Restaurant use.*

*The Project would add a Nighttime Entertainment use to the commercial unit, but entertainment activities such as live and amplified music would be subject to permitting by the Entertainment Commission, maintaining safeguards to prevent impacts to neighbors.*

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

*The proposed Outdoor Activity Area requires minor tenant improvements such as making permanent the opaque fencing added under the Shared Space program permit, adding seating, tables, and string lighting. The improvements would help enhance the Outdoor Activity Area and ensure it is a vibrant space for patrons. The Department shall review all lighting and signs proposed in accordance with Condition nos. 7 and 8 of Exhibit A.*

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

*The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.*

- D. That use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

*The proposed project is consistent with the stated purposed of Mission Street NCT District in that the intended use is located at the ground floor and would provide a compatible convenience service for the immediately surrounding neighborhoods. The Restaurant and Nighttime Entertainment establishment would contribute to the District's mixed-use character and activity in the evening hours*

- 8. Mission Street Neighborhood Commercial Transit District.** For any use subject to Conditional Use authorization under Planning Code Section 754, the Planning Commission shall find that the use supports at least three of the four purposes of the District as set forth below:

- A. To preserve and enhance the existing storefront configuration and size, signage, artwork, and other character-defining elements of the built environment;

*The Project would not modify any existing storefront, signage or artwork. Expanding into the existing public parking lot would allow Casements to grow without requiring alterations to the commercial units or the unique characteristics of the storefronts in the landmark. The Sponsor partnered with Mission 415 to preserve the murals that existed in the public parking lot and to add new murals from the same artists to the exterior of the opaque fencing installed in conjunction with their Shared Spaces Permit. In making this fencing permanent, the Project enhances the artwork at the Site and the public experience of the built environment.*

- B. To preserve the contributions of Legacy Businesses to the history and identity of the District;

*The Project would not affect any existing Legacy Businesses in the District.*

- C. To retain, enhance, and promote active community involvement and input on development within the District by conducting thorough outreach to stakeholders and neighborhood groups and responding to community input; and

*The Sponsor actively engages with a range of local community groups, in particular Irish, Mission, and queer communities, by hosting ongoing and one-off events with little or no cost to organizers. In the past six months, they have worked with or hosted over 30 groups, including but not limited to: ArtSpan, City Surf Project, conversational Gaelic language classes, International Pride Orchestra, Juanita MORE!, MEDA, SF AIDS Foundation, SF CASA, SF School District Teachers, SF Transit Riders Union, Society for Hispanic Professional Engineers, Shanti Project, and more. In expanding Casements' available space and providing a safe outdoor gathering space, the Project retains and enhances the Sponsor's ability to serve the community.*

- D. To retain, enhance, and promote neighborhood-serving businesses and institutions that enhance economic and workforce opportunities for local residents by coordinating with the Office of Economic and Workforce Development to engage with the City's workforce system to provide employment opportunities, career trainings, and formal partnerships to identify and address both business and community workforce needs.

*The Sponsor opts to work with local businesses wherever possible, sourcing and procuring most materials from Mission- and San Francisco-based companies. Regular commercial interactions with Mission businesses include, but are not limited to: Arizmendi Bakery, Bare Bottle Brewing, Duc Loi Grocery Store, Mission Linen, Mission Loteria, Norman Limas Cleaning Services, Standard Deviant Brewing Company, Sun Fat Seafood, and others. The Sponsor emphasizes hiring Mission residents, has a robust career education program, and takes pride in developing hospitality talent. The Project would allow Casements to deepen these commitments as its business grows.*

**9. Outdoor Activity Area in NC Districts.** In addition to the criteria of Section 22.2(c) of this Code, the Planning Commission shall find that:

- A. The nature of the activity operated in the Outdoor Activity Area is compatible with surrounding uses;

*The Outdoor Activity Area would operate as an extension of the adjacent full-service Restaurant*



*use, and of the Nighttime Entertainment use added to the subject commercial unit as part of the Project. The full-service Restaurant use with outdoor seating and the Nighttime Entertainment use are both compatible with the surrounding uses, which include other eating and drinking establishments, bars, and mixed retail on Mission Street.*

- B. The operation and design of the Outdoor Activity Area does not significantly disturb the privacy or affect the livability of adjoining or surrounding residences;

*The Outdoor Activity Area would be located at the rear of the subject commercial unit, adjacent to the blank wall of a one-story commercial building to the north and surrounded by the existing public parking lot to the east and south. Nearby residential uses include a Residential Hotel above the subject commercial unit and a mix of single-family and small multi-family residential to the north. The adjacent commercial use and the public parking lot help to separate the Outdoor Activity Area from the nearby residential buildings that front on Capp and Mission Streets. Approximately nine windows on the subject building face out over the proposed Outdoor Activity Area, however based on their location above should not have their privacy impeded. Restricting the hours of operation of the Outdoor Activity Area to no later than 10 p.m., per Condition no. 20 in Exhibit A, would further mitigate potential conflict with nearby residential uses.*

- C. The Hours of Operation of the activity operated in the Outdoor Activity Area are limited so that the activity does not disrupt the viability of surrounding uses.

*The hours of operation for the proposed Outdoor Activity Area would be limited to minimize potential noise impacts to neighboring uses. The indoor Restaurant use operates until 2 a.m. daily, as would the Nighttime Entertainment use, but the Outdoor Activity Area would be restricted to not operate past 10 p.m. per Condition no. 20 in Exhibit A.*

**10. Mission Alcoholic Beverage Special Use District.** In addition to the criteria of Section 303(c) of this Code, the Planning Commission shall find that:

- A. **Expansion.** An existing liquor establishment may expand its use with Conditional Use authorization from the Planning Commission. In reviewing the application for such expansion, the Commission shall consider the establishment's prior operating conditions.

*The Sponsor intends to serve alcohol in the proposed Outdoor Activity Area and thus requires a Conditional Use Authorization to expand the existing liquor establishment. The existing liquor establishment holds a valid ABC-Type 47 license in conjunction with the full-service Restaurant use. Alcohol service in the Outdoor Activity Area shall be in compliance with the operating conditions of Planning Code Section 202.2 (a)(7).*

- B. **Good Neighbor Policies.** The operating conditions established in Section 202.2 of this Code shall apply to all liquor establishments in this SUD in order to maintain the safety and cleanliness of the premises and vicinity. In addition, all new, relocated, or expanded liquor establishments, and any liquor establishment with a license referred for review to the Planning Department by the State of California Department of Alcohol Beverage Control, shall comply with the requirements set forth below. Liquor establishment shall have the meaning set forth in subsection (c) above.

- (1) The liquor establishment shall provide outside lighting in a manner sufficient to illuminate street and sidewalk areas and any adjacent parking, as appropriate to maintain security, without disturbing area residences.

*The proposed use is subject to the standard conditions of approval for Outdoor Activity Areas. Condition nos. 8 and 19 in Exhibit A specifically obligate the Sponsor to submit a lighting plan for review by the Department to ensure safety while minimizing nuisance.*

- (2) No more than 33% of the square footage of the windows and clear doors of the liquor establishment shall bear advertising or signage of any sort, and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises from the exterior public sidewalk or entrance to the premises. This requirement shall not apply to premises where there are no windows, or where existing windows are located at a height that precludes a view of the interior of the premises to a person standing outside the premises. Street facing facades shall maintain at least 50% clear and visually-permeable glazing.
- (3) *The proposed Outdoor Activity Area has no windows and is precluded from this requirement. The existing storefront windows are compliant, and no modifications to the storefront are proposed as part of the Project.*

**11. General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

#### Objectives and Policies

##### *Objective 2.1*

**MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.**

##### **Policy 2.1**

Seek to retain existing commercial and industrial activity and to attract new such activity to the city.

##### *Objective 4.1*

**IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.**

##### **Policy 4.8**

Provide for the adequate security of employees and property.

##### *Objective 4.2*

**MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.**

Policy 6.2

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship, and which are responsive to economic and technological innovation in the marketplace and society.

~~MISSION REGIONAL COMMUNITY~~

Objectives and Policies

~~CHARACTERISTIC PATTERN~~

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

Policy 1.7

Recognize the natural boundaries of districts, and promote connections between districts.

~~MISSION AREA PLAN~~

Land Use

Objectives and Policies

~~STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK.~~

STRENGTHEN THE MISSION'S EXISTING MIXED USE CHARACTER, WHILE MAINTAINING THE NEIGHBORHOOD AS A PLACE TO LIVE AND WORK.

Policy 1.1.3

Maintain the successful Mission Street, 24th Street, and Valencia Street Neighborhood Commercial districts; recognize the proximity to good transit service by eliminating residential density limits and minimum parking requirements.

~~MAINTAIN AND STRENGTHEN THE MISSION'S NEIGHBORHOOD COMMERCIAL AREAS~~

MAINTAIN AND STRENGTHEN THE MISSION'S NEIGHBORHOOD COMMERCIAL AREAS

Policy 1.8.2

Ensure that the Mission's neighborhood commercial districts continue to serve the needs of residents, including immigrant and low-income households.

*On balance, the Project is consistent with the Objectives and Policies of the General Plan and the Mission Area Plan. The Project would create a new Outdoor Activity Area in an existing parking lot, which is associated with an existing full-service Restaurant, and add a Nighttime Entertainment use in the Mission*

*Street NCT District. The Project would also expand of the existing liquor establishment within the restaurant, as it intends to serve alcohol to patrons in the proposed Outdoor Activity Area. The Project would enhance the existing Restaurant use, support the retention of the business and vitality of the Mission Street commercial corridor, and promote additional employment opportunities in the Mission neighborhood. The Outdoor Activity Area would enhance a local small business as a gathering space for various members of the community and add to the diversity of spaces in the neighborhood. The Project does not alter the historic building and would only minimally change the parking lot, which it would enhance with murals by local artists on the fencing.*

**12. Planning Code Section 101.1(b)** establishes eight priority planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

*The Project would not displace any neighborhood-serving retail uses. The Project creates an Outdoor Activity Area and expands the existing liquor establishment, which would enhance the associated Restaurant use and proposed Nighttime Entertainment use, as well as nearby retail uses, by providing new patrons to these businesses.*

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

*The Residential Hotel use on the Site is not reduced or negatively impacted by the Project. The proposed Outdoor Activity Area relates well to the scale and form of the surrounding neighborhood. For these reasons, the Project would protect and preserve the cultural and economic diversity of the neighborhood.*

- C. That the City's supply of affordable housing be preserved and enhanced,

*The Project would not add or remove any existing affordable housing.*

- D. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.

*The Project Site is served by nearby public transportation options. It is located along Muni bus lines (14 – Mission and 49 – Van Ness/Mission) and is within walking distance of the BART Stations at both 16<sup>th</sup> and Mission Streets and 24<sup>th</sup> and Mission Streets. The Project would maintain the majority of the public parking lot use, minimizing impacts to neighborhood parking.*

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

*The Project would not include commercial office development. The proposed Outdoor Activity Area associated with the Restaurant and Nighttime Entertainment uses can provide employment*

*opportunities to the community.*

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The Project would be designed and constructed to conform to the structural and seismic safety requirements of the Building Code where applicable.*

- G. That landmarks and historic buildings be preserved.

*The subject property contains the El Capitan Theater and Hotel, Landmark no. 214 designated in Article 10 of the Planning Code. The Project proposes the continuation of the opaque wooden fencing around the Outdoor Activity Area installed under the Shared Spaces permit and is not attached to the existing landmark building. The Department has found that this scope does not require an entitlement from the Historic Preservation Commission under Article 10, and is categorically exempt from further historical review under CEQA.*

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

*The Project is in the vicinity of Alioto Mini Park. It would not cast shadow on the park.*

- 13. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 14. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.



## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2023-008254CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated August 11, 2023, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 25, 2024.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSED:

ADOPTED: January 25, 2024

## EXHIBIT A

### Authorization

This authorization is for a conditional use to allow an Outdoor Activity Area and expand the existing liquor establishment (d.b.a. **Casements**) in the subject property's public parking lot located at 2351 Mission Street, Block 3595, Lot 024, pursuant to Planning Code Sections **145.2, 249.60, 754, and 303** within the Mission Street NCT (Neighborhood Commercial Transit) District and 40-X and 55-X Height and Bulk Districts; in general conformance with plans, dated August 11, 2023, and stamped "EXHIBIT B" included in the docket for Record No. **2023-008254CUA** and subject to conditions of approval reviewed and approved by the Commission on **January 25, 2024** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### Recordation of Conditions Of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **January 25, 2024** under Motion No **XXXXXX**.

### Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **XXXXXX** shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

### Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. "Project Sponsor" shall include any subsequent responsible party.

### Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

## CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

### Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463,*

[www.sfplanning.org](http://www.sfplanning.org)

## Design – Compliance at Plan Stage

- 6. Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7339, [www.sfplanning.org](http://www.sfplanning.org)*

- 7. Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7339, [www.sfplanning.org](http://www.sfplanning.org)*

- 8. Lighting Plan.** The Project Sponsor shall submit an exterior lighting plan to the Planning Department prior to Planning Department approval of the building / site permit application.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7339, [www.sfplanning.org](http://www.sfplanning.org)*

- 9. Signage.** A sign permit and compliance with Article 6 of the Planning Code will be required. All exterior signage shall be designed to complement, not compete with, the existing architectural character and architectural features of the building.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7339, [www.sfgovinfo.org](http://www.sfgovinfo.org)*

- 10. Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7339, [www.sfplanning.org](http://www.sfplanning.org)*

## Parking and Traffic

- 11. Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency

(SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfpplanning.org](http://www.sfpplanning.org)*

## Monitoring - After Entitlement

- 12. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfpplanning.org](http://www.sfpplanning.org)*

- 13. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfpplanning.org](http://www.sfpplanning.org)*

## Operation

- 14. Eating and Drinking Uses.** As defined in Planning Code Section 202.2, Eating and Drinking Uses, as defined in Section 102, shall be subject to the following conditions:

- A. The business operator shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Street and Sidewalk Maintenance Standards. In addition, the operator shall be responsible for daily monitoring of the sidewalk within a one-block radius of the subject business to maintain the sidewalk free of paper or other litter associated with the business during business hours, in accordance with Article 1, Section 34 of the San Francisco Police Code.

*For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, [www.sfpudjpw.org](http://www.sfpudjpw.org)*

- B. When located within an enclosed space, the premises shall be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building, and fixed-source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.



*For information about compliance of fixed mechanical objects such as rooftop air conditioning, restaurant ventilation systems, and motors and compressors with acceptable noise levels, contact the Environmental Health Section, Department of Public Health at 415.252.3800, [www.dph.org](http://www.dph.org).*

*For information about compliance with construction noise requirements, contact the Department of Building Inspection at 628.652.3200, [www.sfdbi.org](http://www.sfdbi.org).*

*For information about compliance with the requirements for amplified sound, including music and television, contact the Police Department at 415.553.0123, [www.sfpd.org](http://www.sfpd.org).*

- C. While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

*For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), [www.baaqmd.gov](http://www.baaqmd.gov) and Code Enforcement, Planning Department at 628.652.7600, [www.sfplanning.org](http://www.sfplanning.org)*

- D. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

*For information about compliance, contact the Bureau of Street Use and Mapping, Department of Public Works at 628.271.2000, [www.sfpdpublicworks.org](http://www.sfpdpublicworks.org).*

- 15. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, [www.sfpdpublicworks.org](http://www.sfpdpublicworks.org).*

- 16. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org).*

- 17. Notices Posted at Bars and Entertainment Venues.** Notices urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to not litter or block driveways in the neighborhood, shall be well-lit and prominently displayed at all entrances to and exits from the establishment.

*For information about compliance, contact the Entertainment Commission, at 415 554-6678, [www.sfgov.org/entertainment](http://www.sfgov.org/entertainment)*

- 18. Other Entertainment.** The Project Sponsor shall obtain all necessary approvals from the Entertainment Commission prior to conducting entertainment activities, and authorized entertainment activities shall also comply with all of the conditions imposed by the Entertainment Commission.

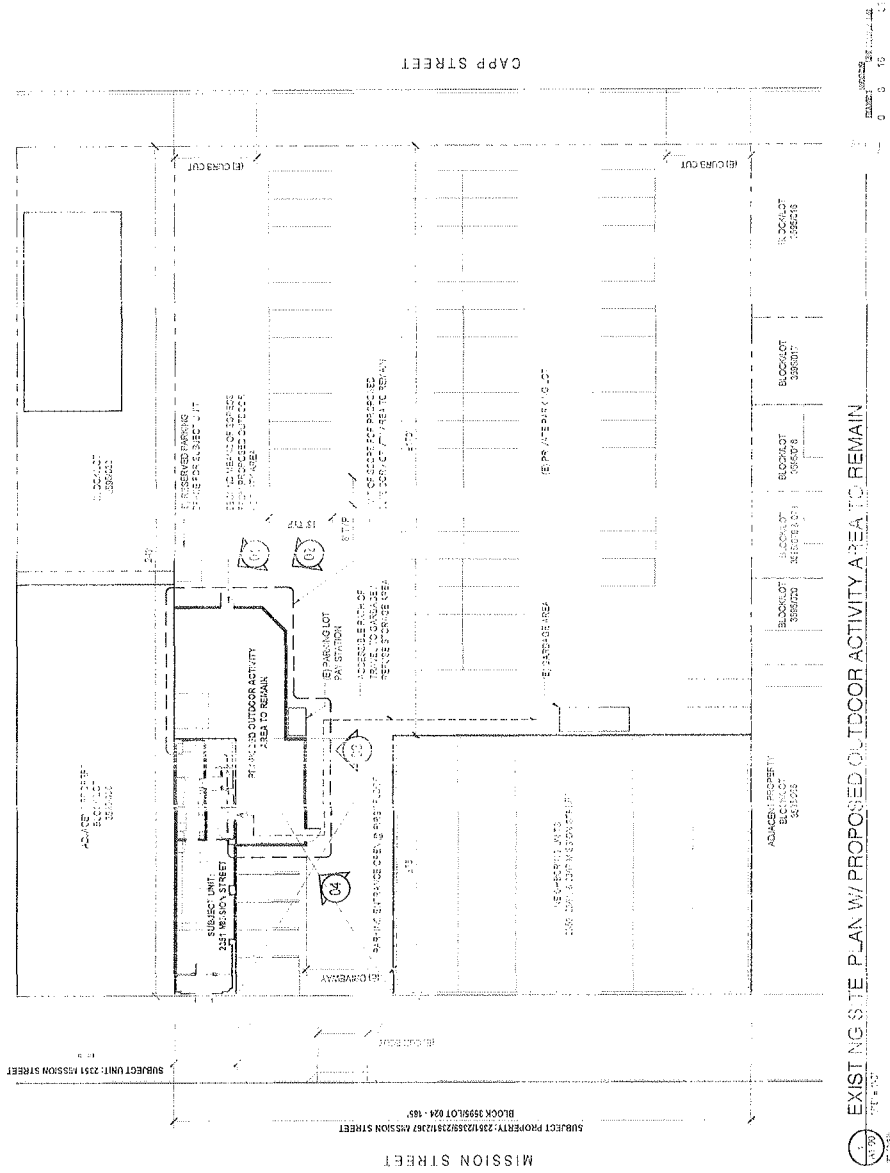
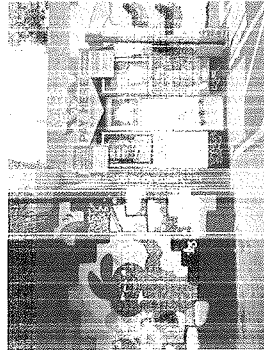
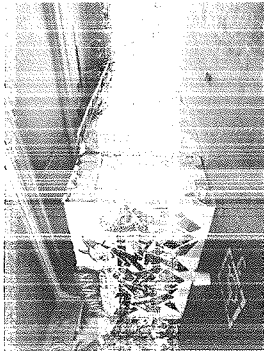
*For information about compliance, contact the Entertainment Commission, at 628.652.6030, [www.sfgov.org/entertainment](http://www.sfgov.org/entertainment)*

- 19. Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 20. Hours of Operation.** The operational hours of the Outdoor Activity Area shall be limited to between 9:00 a.m. and 10:00 p.m. daily.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*



EXISTING SITE PLAN W/ PROPOSED OUTDOOR ACTIVITY AREA TO REMAIN



0 0 15 20  
FRANCIS & TAYLOR  
Scale 1000 100

**Rae & Heath**  
ARCHITECTS

600-71831  
 600-71831  
 600-71831  
 600-71831

C A S E M E N T S

2351 MISSION STREET  
SAN FRANCISCO, CA 94110

SITE PLAN &  
PHOTOS

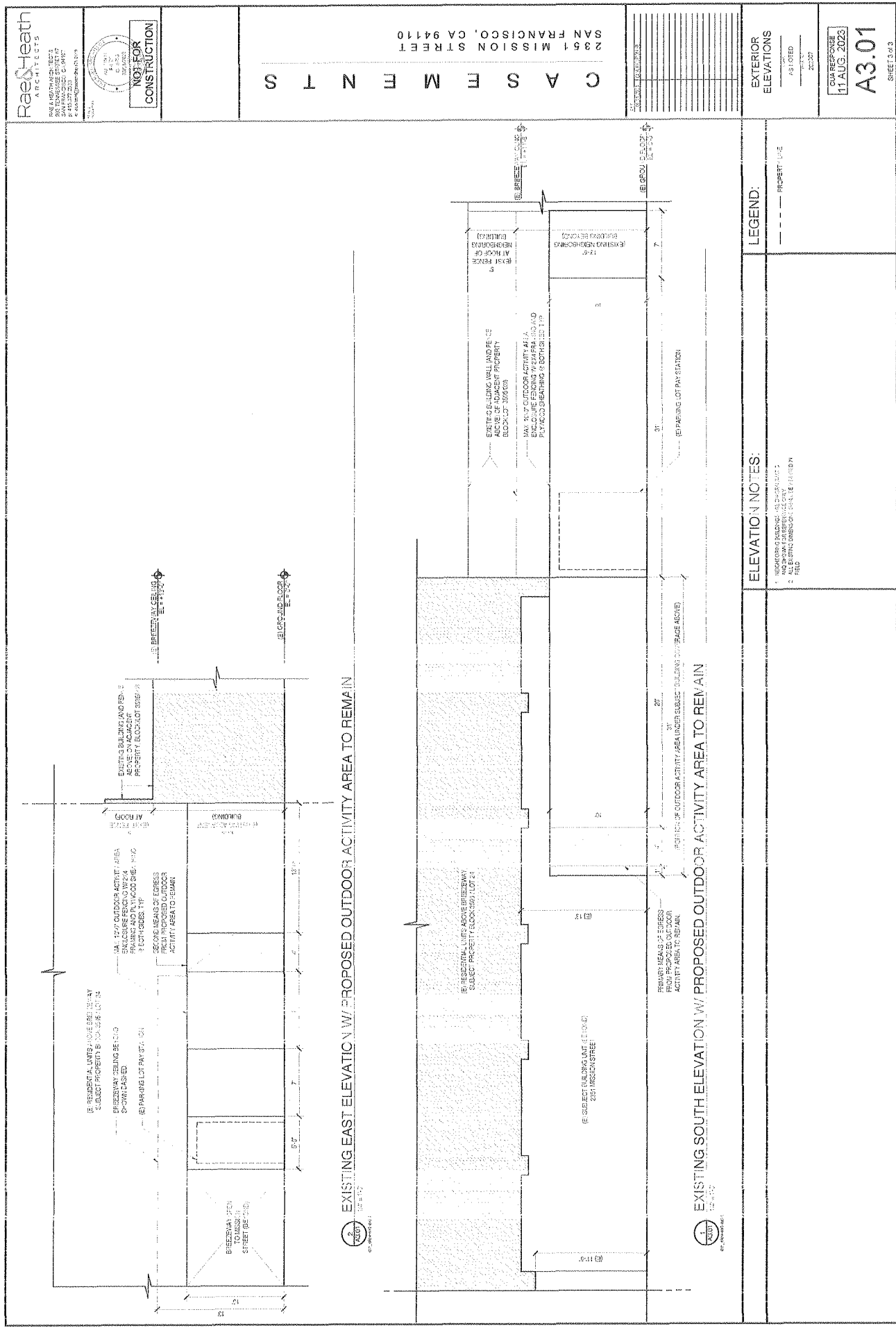
AS 10107  
201007

CUA RESPONSE  
11 AUG. 2023

**✓ 1 - 334'S**

NOT FOR CONSTRUCTION





**Rae & Heath**  
ARCHITECTS

RAE & HEATH ARCHITECTS  
2351 MISSION STREET  
SAN FRANCISCO, CA 94110  
P 415.377.2513  
F 415.377.2513  
WWW.RAEANDHEATH.COM

NO FOR  
CONSTRUCTION

CASS EMENTS

2351 MISSION STREET  
SAN FRANCISCO, CA 94110

DATE: 11/11/2023  
BY: RAE & HEATH  
PROJECT: 2351 MISSION STREET  
SHEET: 3 OF 3

CLIP RESPONSE  
11 AUG. 2023  
A3.01

EXTERIOR  
ELEVATIONS

LEGEND:

PROPERTY LINE

PROPERTY LINE



49 South Van Ness Avenue, Suite 1400  
San Francisco, CA 94103  
628.652.7600  
www.sfplanning.org

## CEQA Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
2351 Mission Street		3595024
<b>Case No.</b>		<b>Permit No.</b>
2022-008254PRJ		
<input checked="" type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input type="checkbox"/> <b>New Construction</b>
<b>Project description for Planning Department approval.</b> The Project proposes to add a Nighttime Entertainment use to an existing Restaurant use (d.b.a. "Casements") and establish an Outdoor Activity Area, measuring 1,777 square feet, in part of an existing public parking lot adjacent to the restaurant. The Project also proposes to expand the existing liquor establishment, as the restaurant has a Type 47 liquor license, to include the Outdoor Activity Area. Ten of the 81 parking spaces in the public parking lot would be occupied by the Outdoor Activity Area. The remaining 71 parking spaces would continue to operate as a public parking lot.		

### EXEMPTION TYPE

<b>The project has been determined to be exempt under the California Environmental Quality Act (CEQA).</b>	
<input type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> (CEQA Guidelines section 15301) Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	<b>Class 3 - New Construction.</b> (CEQA Guidelines section 15303) Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<b>Class 32 - In-Fill Development.</b> (CEQA Guidelines section 15332) New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.
<input type="checkbox"/>	<b>Other</b> _____
<input type="checkbox"/>	<b>Common Sense Exemption (CEQA Guidelines section 15061(b)(3)).</b> It can be seen with certainty that there is no possibility of a significant effect on the environment.

## ENVIRONMENTAL SCREENING ASSESSMENT

Comments:

Planner Signature: Charles Enchill

## PROPERTY STATUS - HISTORIC RESOURCE

PROPERTY IS ONE OF THE FOLLOWING:

<input checked="" type="checkbox"/>	<b>Category A:</b> Known Historical Resource.
<input type="checkbox"/>	<b>Category B:</b> Potential Historical Resource (over 45 years of age).
<input type="checkbox"/>	<b>Category C:</b> Not a Historical Resource or Not Age Eligible (under 45 years of age).

## PROPOSED WORK CHECKLIST

Check all that apply to the project.

<input type="checkbox"/>	<b>Change of use and new construction.</b> Tenant improvements not included.
<input type="checkbox"/>	<b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	<b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> .
<input type="checkbox"/>	<b>Garage work.</b> A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input checked="" type="checkbox"/>	<b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	<b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	<b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3, Dormer Windows</i> .
<input type="checkbox"/>	<b>Addition(s)</b> not visible from any immediately adjacent public right-of-way for 150 feet in each direction; or does not extend vertically beyond the floor level of the top story of the structure, or does not cause the removal of architectural significant roofing features.
<input type="checkbox"/>	<b>Façade or storefront alterations</b> that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	<b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

Note: Project Planner must check box below before proceeding.

<input type="checkbox"/>	Project is not listed.
<input checked="" type="checkbox"/>	Project involves scope of work listed above.

## ADVANCED HISTORICAL REVIEW

Check all that apply to the project.

<input type="checkbox"/>	<b>Reclassification of property status.</b> (Attach HRER Part I relevant analysis; requires Principal Preservation Planner approval) <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C <input type="checkbox"/> Lacks Historic Integrity <input type="checkbox"/> Lacks Historic Significance
<input checked="" type="checkbox"/>	Project involves a <b>known historical resource (CEQA Category A)</b>
<input checked="" type="checkbox"/>	Project does not substantially impact character defining features of a historic resource (see Comments)
<input checked="" type="checkbox"/>	Project is compatible, yet differentiated, with a historic resource.
<input checked="" type="checkbox"/>	Project consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties
<b>Note: If ANY box above is checked, a Preservation Planner MUST sign below.</b>	
<input checked="" type="checkbox"/>	Project can proceed with <b>EXEMPTION REVIEW</b> . The project has been reviewed by the Preservation Planner and can proceed with exemption review.
<b>Comments by Preservation Planner:</b> New outdoor entertainment fencing recessed from public right-of-ways and not impacting character-defining features.	
<b>Preservation Planner Signature:</b> Charles Enchill	

## EXEMPTION DETERMINATION

<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>	
	<b>Project Approval Action:</b> Planning Commission Hearing	<b>Signature:</b> Maggie Laush 01/16/2024
	Supporting documents are available for review on the San Francisco Property Information Map, which can be accessed at <a href="https://sfplanninggis.org/pim/">https://sfplanninggis.org/pim/</a> . Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental record number (ENV) and then clicking on the "Related Documents" link. Once signed and dated, this document constitutes an exemption pursuant to CEQA Guidelines and Chapter 31 of the SF Admin Code. Per Chapter 31, an appeal of an exemption determination to the Board of Supervisors shall be filed within 30 days after the Approval Action occurs at a noticed public hearing, or within 30 days after posting on the Planning Department's website a written decision or written notice of the Approval Action, if the approval is not made at a noticed public hearing.	





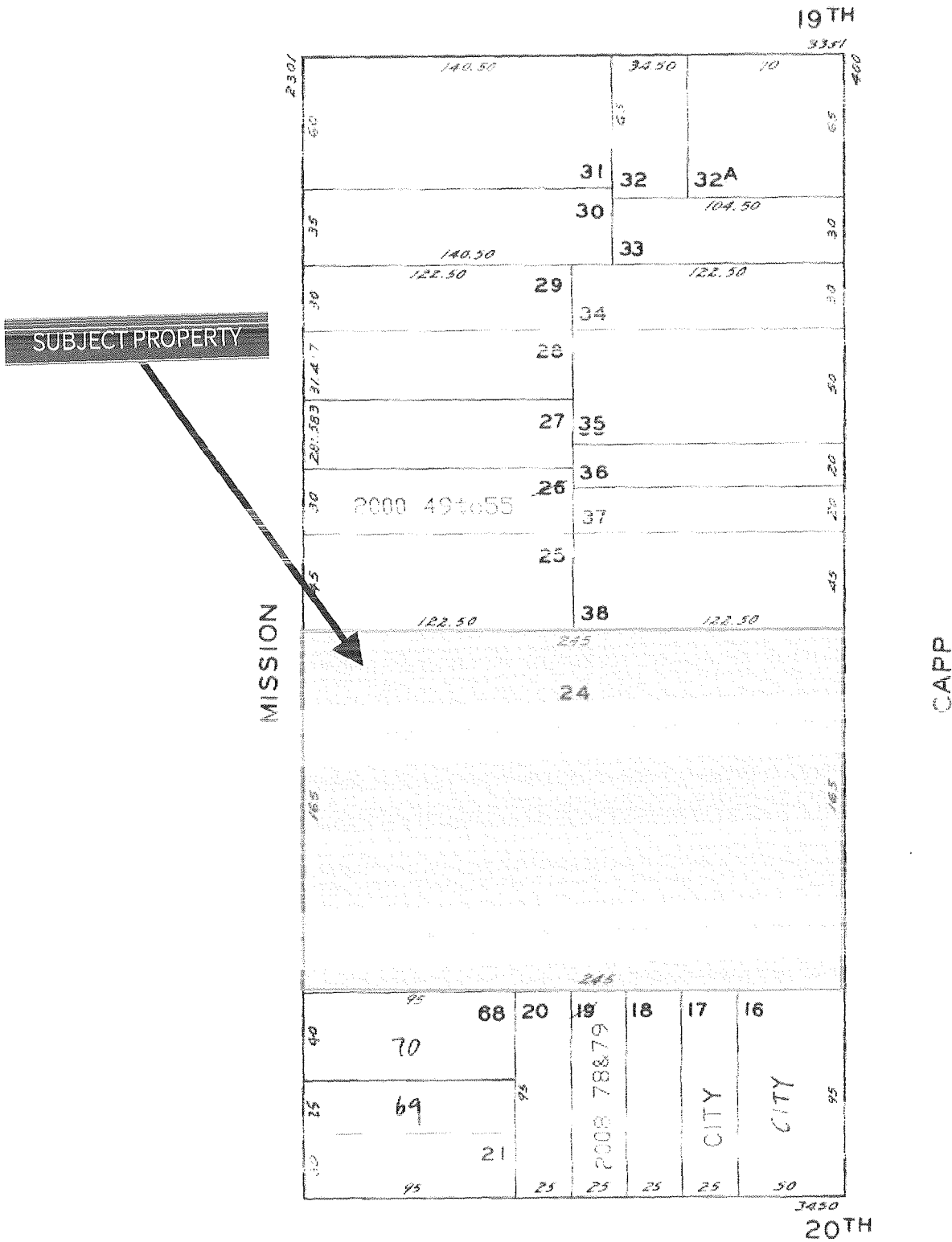
## LAND USE INFORMATION

PROJECT ADDRESS: 2351 MISSION ST  
RECORD NO.: 2022-008254PRJ

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	31,344	29,567	-1,777
Residential GSF	24,355	24,355	0
Retail/Commercial GSF	9,008 (1,328 in subject commercial unit)	10,785 (3,105 in subject commercial unit)	1,777
Office GSF	0	0	0
Industrial/PDR GSF <i>Production, Distribution, &amp; Repair</i>	0	0	0
Medical GSF	0	0	0
Visitor GSF	0	0	0
CIE GSF	0	0	0
Usable Open Space	0	0	0
Public Open Space	0	0	0
Other ( )	0	0	0
TOTAL GSF			
	EXISTING	PROPOSED	NET NEW
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	0	0	0
Dwelling Units - Market Rate	0	0	0
Dwelling Units - Total	0	0	0
Hotel Rooms	0	0	0
Number of Buildings	0	0	0
Number of Stories	0	0	0
Parking Spaces	81	71	-10
Loading Spaces	0	0	0
Bicycle Spaces	0	0	0
Car Share Spaces	0	0	0
Other ( )	0	0	0

	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	0	0	0
One Bedroom Units	0	0	0
Two Bedroom Units	0	0	0
Three Bedroom (or +) Units	0	0	0
Group Housing - Rooms	0	0	0
Group Housing - Beds	0	0	0
SRO Units	0	0	0
Micro Units	0	0	0
Accessory Dwelling Units	0	0	0

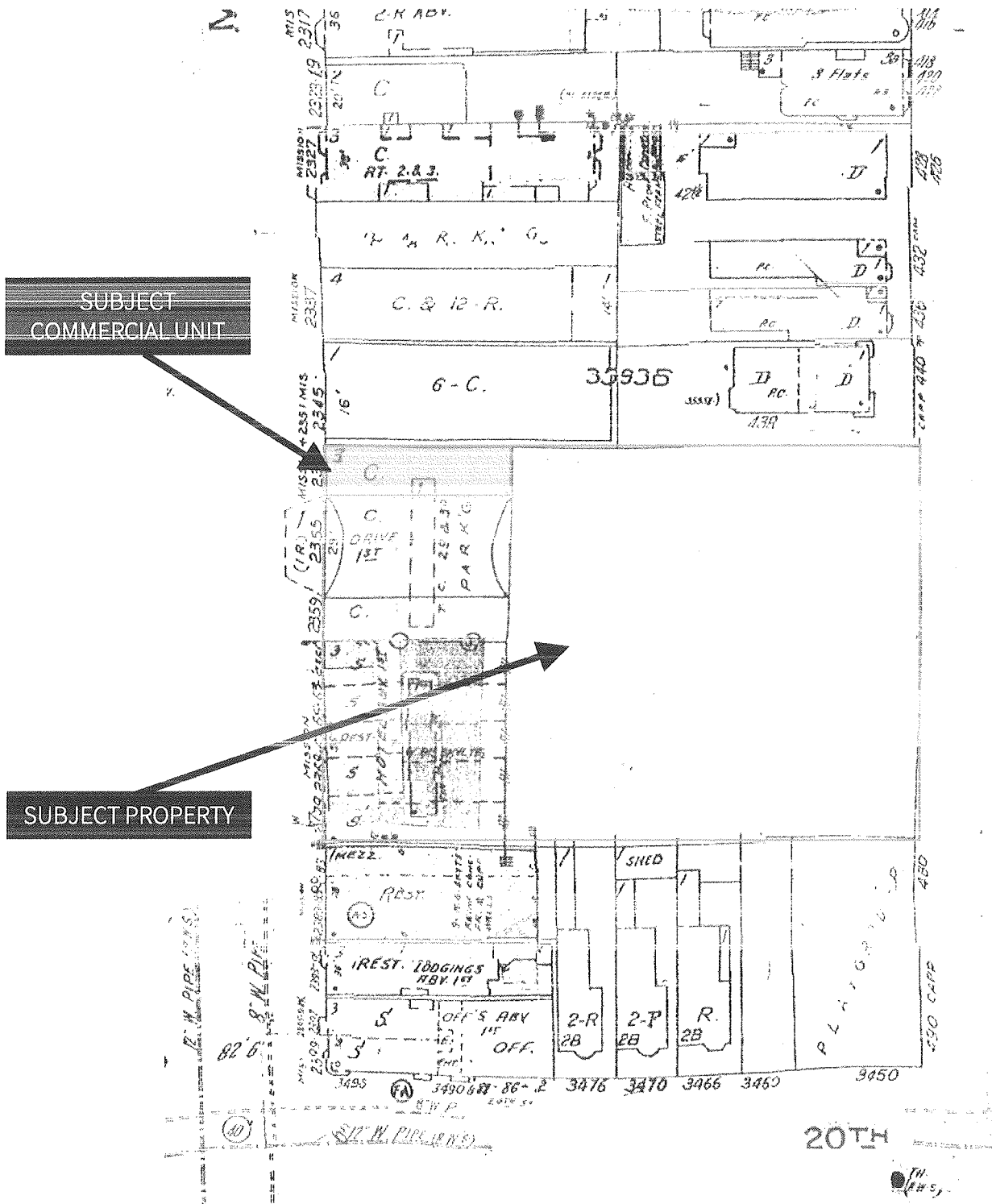
# PARCEL MAP



Conditional Use Hearing  
 Case Number 2022-008254CUA  
 Outdoor Activity Area - Casements  
 2351 Mission Street

2022-008254CUA

# SANBORN MAP\*



\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

Conditional Use Hearing  
Case Number 2022-008254CUA  
Outdoor Activity Area - Casements  
2351 Mission Street



RECEIVED  
2022-08-10  
10:00 AM  
SAN FRANCISCO  
PLANNING DEPARTMENT

# AERIAL PHOTO – VIEW 1



PROJECT SITE

San Francisco  
OFFICE OF THE  
ASSISTANT TO THE  
MAYOR



Discretionary Review Hearing  
Case Number 2022-059304 CUA  
Mission Area  
256 Divisadero Street

# AERIAL PHOTO – VIEW 2



PROJECT SITE





# AERIAL PHOTO — VIEW 3

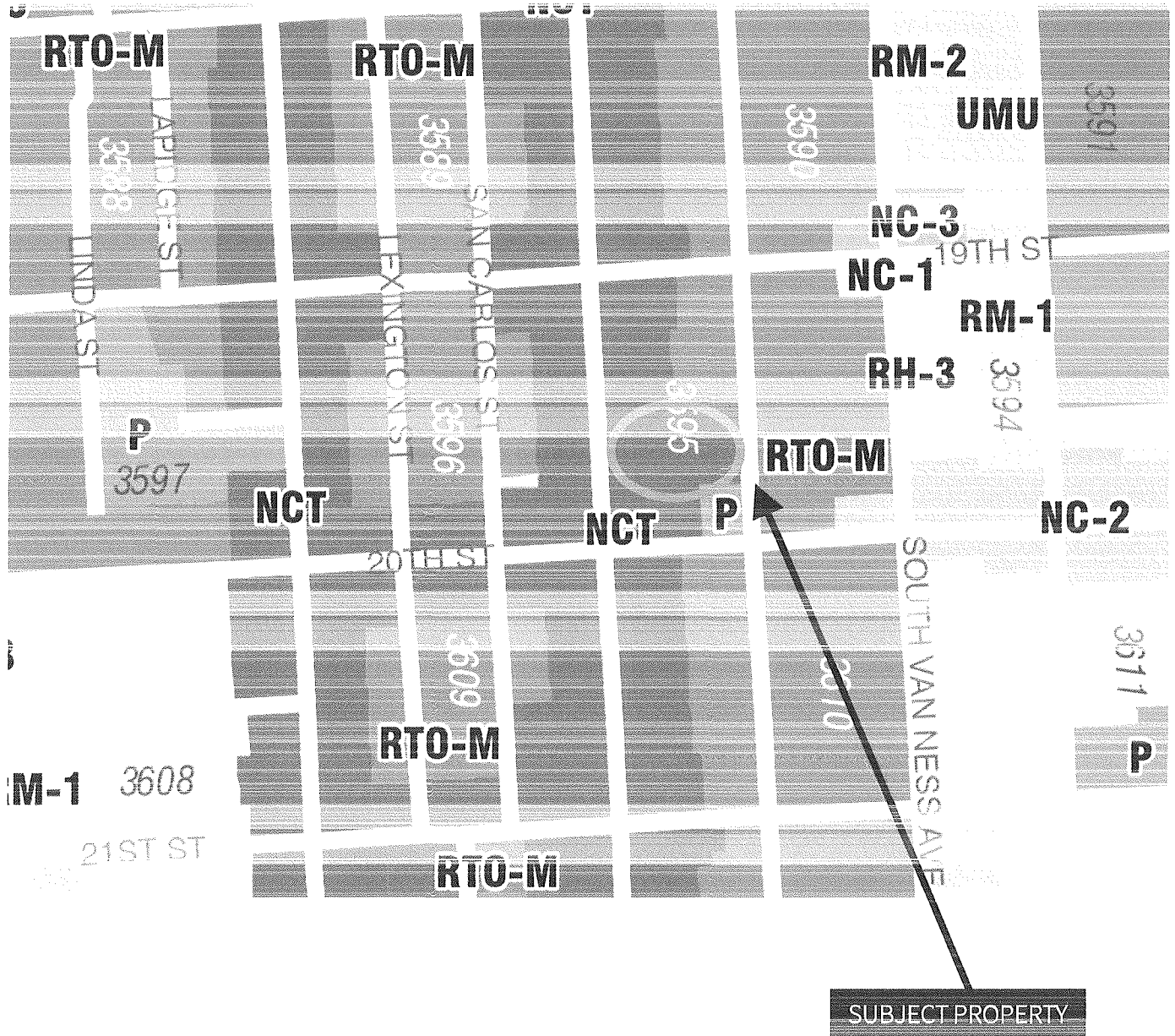


PROJECT SITE



Discretionary Review Hearing  
Case Number 2022-059204 CUA  
Middlesex County Area Planning Cooperative  
236 Dummer Street

# ZONING MAP





# SITE PHOTO - 1



# SITE PHOTO - 2



Conditional Use Hearing  
**Case Number 2022-008254CUA**  
Outdoor Activity Area - Casements  
2351 Mission Street



# SITE PHOTO - 3



## SITE PHOTO - 4





# SITE PHOTO - 5



Planning Commissioners,

My name is Gillian Fitzgerald and I am one of the owners of Casements. I am writing to request that you grant approval for this CUA and allow Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

After opening, just six weeks before all of San Francisco closed, in March of 2020 due to the COVID-19 pandemic, Casements has quickly become a stand out Mission District business. Casements was able to not only survive the pandemic, but thrive. This is in major part because of the patio space, whose fate is now in your hands.

We are requesting that you allow us to continue to operate as we have been. We are not wishing to expand or change our operations; merely to continue what was allowed under the Shared Spaces program into permanently into the future. We can prove that we have been able to be a welcome benefit to the neighborhood and have been warmly received by our neighbors, and are making an overwhelmingly positive contribution to the city and neighborhood which we love.

Irish pubs have a long history of being the social focus of their communities, and we actively strive to maintain and build on that legacy. During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. We still frequently host community based and cultural groups in our space.

Loss of the patio would have a negative economic impact on our staff and the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St. With one exception we were the only food and beverage based business (out of nine) on our block of Mission to not close permanently or be sold to new ownership during the pandemic. We don't believe this would have been the case without the patio space. And we are certain that the foot traffic we bring to the neighborhood has a rising tide impact on the neighboring businesses.

Closure would mean the loss of employment opportunities for current and future staff. The patio space has allowed us to more than double our staff size; the majority of which live in the Mission District. We have robust professional development programs in place which include cultural exchanges where we have been able to send staff to Ireland to train. Losing the patio would mean putting 8-10 people out of work and permanently eliminating their roles.

The loss of the patio space would eliminate a comfortable outdoor gathering space. It would prohibit us from continuing much of the cultural programming we currently offer and prohibit us from being able to host many of the groups and organizations we currently are a home for.

Having the outdoor space not only allows for us to host larger groups, but it offers the flexibility in space to be able to offer a space to a group or organization and still operate in a more traditional fashion to the general public. Without that flexibility we would need to turn down hosting many of the events we currently program.

Casements patio space has also improved the quality of life for our immediate neighbors. Activating the parking lot has served as a deterrent for some of the less desirable activities that otherwise would take place there. (The parking lot is bordered by Mission St., as well as Capp St.; the section of which the city recently closed to traffic to deter prostitution.) You will hear confirmation of this quality of life benefit from our immediate neighbors speaking at this hearing. The pride of ownership we take in the space resonates with them. Since the patio opened the parking lot space at 2351 Mission St. is cleaner, less noisy, and there is far less problematic and illegal activity taking place in it. If we were to lose the patio space it would significantly contribute to the blight already being experienced in the Mission neighborhood.

i am hoping that you will see the benefit that this business provides and support it in its effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created. We are requesting permitted use of the patio from 10 am until 11 pm Sunday through Thursday and 10 am until midnight on Fridays and Saturdays.

This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting because of the benefit it provides to the Mission neighborhood, the Irish-American community, the Irish diaspora, the queer community, and city of San Francisco. i am hoping that you will see the positive impact that this business provides and support it in it's effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

Dear Members of the Planning Commission,

I write to express strong support for retaining the permit of Casements at 2351 Mission St., allowing it to continue its operations as a restaurant with outdoor entertainment in alignment with the Shared Spaces program.

Casements, a resilient LGBTQ+, immigrant, and female-owned business, played a pivotal role during the COVID-19 pandemic. Its outdoor patio provided a safe haven for the community to gather when indoor spaces were off-limits. This contributed to the vitality of the Mission District, boosting foot traffic and economic activity during challenging times. It was a wonderful place to buy monthly subscriptions to drink packages that lifted my spirits and gave me hope. We supported Casements then and we do so now.

The loss of Casements' patio would result in a loss of employment opportunities, diminish an essential outdoor gathering space, impact the queer community, be a big loss in an area that is already losing businesses. I urge the Planning Commission to recognize the immense value this establishment brings to our community and to support its continued use of the outdoor patio space, which has been an invaluable asset since its creation.

Casements is a symbol of resilience, diversity, and community support, and retaining its outdoor space is crucial to our neighborhood's vitality.

Thank you for your consideration,

Sam Goldman  
506 Capp Street

Sincerely,

Sam Goldman



To whom it may concern:

I'm writing in support of the outdoor patio plans Casements is seeking to have approved through this Conditional Use Application. They should be able to keep in place the patio space in the same way that it was allowed when part of the Shares Spaces program.

I frequently visit Casements with friends and family to enjoy their outdoor patio environment. It's one of the few spaces in the Mission where groups can gather and enjoy *outdoor* weather while enjoying food/drinks.

During a time when small businesses need support more than ever in San Francisco (see all the businesses that have closed in the Mission in October alone), it's imperative that we allow this neighborhood staple to keep its outdoor space so that it can continue to cultivate a social-first, outdoor environment for patrons. Taking this away would be destructive for this business's bottom line – the city shouldn't continue to stand by and do nothing while more small business owners are forced to make hard decisions.

Schaeffer Arnold

Mission resident at San Carlos and 20th

San Francisco Planning Department,

I would like to express my support for the continued use of the patio space at Casements Bar (2351 Mission Street) as a restaurant with entertainment as previously permitted by the Shared Spaces program.

I have been living around the corner from Casements since 2008 and have seen too many businesses close shop since COVID - specifically along the Mission Street corridor between Division and Cesar Chavez Streets. Furthermore, as an active singer-songwriter and member of the LGBTQ+ community, I have seen a steady reduction of live music venues and queer spaces over the past 5-10 years as small business owners struggle to operate amidst rising cost of living and employment, ever-rising commercial leases, and reduced evening and weekend foot traffic. Despite all of these headwinds, Casements has managed to thrive since opening just before the start of the COVID pandemic - in large part because of their patio space, which has become a much-needed home for live music, special community events, and outdoor activity as we continue to navigate a new-normal COVID world. On top of all of this, Casements is owned by a collective of long-time San Franciscans who are female, queer, immigrant, and committed to supporting and celebrating each of these communities.

An additional surprise benefit of the patio at Casements was the restoration and resurrection of local street art that had blanketed the rear exterior walls of the building for years. Where so many businesses would have had these painted over to sanitize their space, Casements embraced and showcased this artwork alongside new murals celebrating Irish icons. The patio at Casements has, in effect, become a visual representation of what good business in the neighborhood should be: introducing a fresh new concept while leaning into the vibrancy of the Mission District and embracing a diverse clientele - all while providing local musicians and artists with a space to showcase their art.

If Casements were to lose their patio space, it would not only hurt local artists - including myself - that rely on venues like Casements for performance opportunities, but also the myriad communities that have adopted Casements as their "third space" outside home and work. A patio closure would also mean a sharp reduction in income - and likely closure - for one of the few success stories in the neighborhood over the past couple of years. This not only impacts employees, but also the nearby businesses that benefit from increased foot traffic along Mission Street.

I hope this letter has illustrated the overwhelmingly positive impact that Casements - and in particular their patio space - has had on the neighborhood, and to me, personally, since opening in 2020. I sincerely hope that Casements will be able to maintain their patio space and that this letter can help support their efforts as they work with the Planning Department and the City of San Francisco to make it a more permanent part of their business.

Sincerely,  
Andrew Bundy  
andrew.bundy@gmail.com  
510-708-6582



**Re: Casements Outdoor Patio**

April 18th, 2023

To whom it may concern,

I am writing to show our support for Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

Casements has quickly become a stand out Mission District business. Opening weeks before COVID shut down the city, Casements was able to not only survive the pandemic, but thrive. This is in major part because of the patio space which is currently in jeopardy of losing its permitting. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and city of San Francisco.

During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

- It would mean the loss of employment opportunities for current and future staff.
- It would eliminate a comfortable outdoor gathering space.
- Another queer space would disappear.
- It would contribute to the blight already being experienced in the Mission neighborhood.

I am hoping that you will see the benefit that this business provides and support it in it's effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

Respectfully,

A handwritten signature in black ink, appearing to read "Ryen Motzek", written over a horizontal line.

Ryen Motzek

January 23, 2024

To Whom It May Concern,

Subject: Support for Making DOWN WITH THIS SORT OF THING LLC dba Casements Patio Permanent

We are writing to express our strong support for the request made by Casements, a cherished establishment in the Mission district, to make their patio a permanent fixture.

As a fellow bar owner of the Mission neighborhood, we understand the vibrant atmosphere and unique offerings that Casement provides. The addition of the patio has not only enhanced the overall experience for patrons but has also contributed to the lively and welcoming ambiance of the community.

The patio at Casements has become an integral part of the neighborhood, providing a safe space for residents and visitors alike to gather, socialize, and enjoy the beautiful San Francisco cultural richness that defines the Mission District.

We understand the importance of maintaining the character and charm of our neighborhoods while adapting to the evolving needs of businesses. Casements has demonstrated a commitment to responsible and community-oriented business practices, and their permanent patio will undoubtedly contribute positively to the local economy and the overall appeal of the Mission District.

We kindly urge the City of San Francisco to consider and support Casements' request to make their patio a permanent feature. This decision would not only benefit the business but also enhance the overall experience of residents and visitors in the Mission neighborhood.

Thank you for your time and consideration. We trust that your decision will take into account the valuable contributions that Casements makes to our community.

Sincerely,



Brooke Lloyd  
Owners, Open My Tab LLC, dba Teeth Bar SF  
2323 Mission St.  
San Francisco



Robert Sill

To Whom It May Concern,

I am writing to express my enthusiastic support for Down with This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

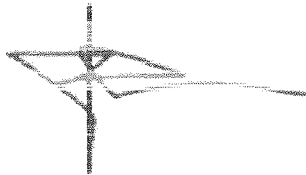
I owned the bar next door to Casements, Teeth, for over a decade, and had the pleasure of getting to know the ownership and management group when they moved in as our neighbors. Their impact on our block was immediate and overwhelmingly positive: a friendly, queer-oriented space that welcomed people from all backgrounds with open arms.

Our city desperately needs more safe, enjoyable outdoor spaces for customers to enjoy. This was true before the Covid epidemic and it is even more true now as a significant number of customers are still weary of enclosed, indoor, spaces.

Additionally, Mission Street has suffered immensely from the financial impacts of the pandemic. The street desperately needs small businesses who are conscientious, active in their communities, and filled with life. Casements is all of these things and more!

I'd be happy to speak with you more on this and can be reached at [ben@tngsf.com](mailto:ben@tngsf.com).

Respectfully,

A handwritten signature in black ink, appearing to read 'Ben Bleiman', with a stylized, somewhat abstract flourish extending to the right.

Ben Bleiman



THE ELIZABETH TAYLOR  
50-PLUS NETWORK

January 13, 2024

**To Whom It May Concern:**

I am writing to show my support for **DOWN WITH THIS SORT OF THING LLC DBA Casements Bar** located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

San Francisco AIDS Foundation (SFAF) envisions a future where health justice is achieved for all people living with or at risk for HIV. Ultimately, we strive for a day when race is not a barrier to health and wellness, substance use is not stigmatized, HIV status does not determine quality of life, and HIV transmission is eliminated.

Our mission is to promote health, wellness, and social justice for communities most impacted by HIV through sexual health and substance use services, advocacy, and partnership.

SFAF's Aging Services is committed to supporting individuals as they age, promoting their health, well-being, and resilience. We recognize the importance of community engagement and social support in reducing isolation, fostering connection to create a positive aging experience for individuals in our prioritized communities

As a Mission neighborhood neighbor / non-profit we lean on Casements as a safe space to meet our clients and supporters to meet. Casements supports SFAF as a participant in our annual Dining Out for Life fundraiser which is how I became aware of Casement's incredible hospitality. My team hosted our Community Advisory Board here in November 2023 and they unanimously endorsed Casements as a venue for our participants. Subsequently we hosted our 2023 Gratitude Dinner attended by 100 people and our holiday event attended by 90 people. We are proud to bring our communities to events that Casements puts on or facilitates for us as a non-profit in the community. We see the effort that Casements makes to showcase the true spirit of Irish Hospitality, this is a place for all backgrounds and groups of folks to converge and mix. We are already planning for events in 2024.

We believe that the loss of the patio would not only be a financial loss to the neighborhood but the loss of a much-needed area for folks to socialize outdoors comfortably and continue to help build and maintain community. My team has worked hard to bring LGBTQI+ elders out of isolation and Casement's patio is one of the few venues that can accommodate the size of our groups. I hope that you will allow Casements to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program. Thank you for your attention to this.

Respectfully,

VINCENT CRISOSTOMO; He/Him/His; Director of Aging Services

SFAF/Strut  
470 Castro Street; San Francisco, CA 94114  
[vcrisostomo@sfaf.org](mailto:vcrisostomo@sfaf.org); 415-706-4963



Lazy Bear  
Staff

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casments makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

Austin Coors

BB

~~Wynne Taper~~

2-320

Respectfully, Lazy Bear  
Team

Aaron Hampson

Catherine

Sarah O'Smer

Caroline C.

Monte Balth

Yafath

WJ

BB

Ross L Wilkerson

R

Clavdie Kair

Erin

Rinday Rye

01.23.24

To the City & County of San Francisco,

*I am writing to show my support for Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.*

*Casements has quickly become a stand out Mission District business. Opening weeks before COVID shut down the city. Casements was able to not only survive the pandemic, but thrive. This is in major part because of the patio space which is currently in jeopardy of losing its permitting. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and city of San Francisco.*

*During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain a community. The ripple effects of this benefit are still having a positive impact on the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St. The loss of the patio would be a detriment to the neighborhood on multiple levels:*

- *It would mean the loss of employment opportunities for current and future staff.*
- *It would eliminate a comfortable outdoor gathering space.*
- *Another queer space would disappear.*
- *It would contribute to the blight already being experienced in the Mission neighborhood.*

*As a life-long resident and small business owner of the Mission District, having a self gathering space for all members of the community only brings joy, peace, and happiness to the hood.*

*I am hoping that you will see the benefit that this business provides and support it in its effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.*

*Respectfully,*

*Lamont Brausford-Young  
Resident & Small Business Owner  
3527 20th Street*



1/15/2024

Planning Commission

To whom it may concern,

I am writing to show my support for my friends and community advocates at Casements (Down With This Sort of Thing LLC) to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program. This LGBTQ+, immigrant, and female-owned small business and its attached patio is worth protecting because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and the city of San Francisco. And let's be honest, COVID is not gone. Numbers are on the rise and many people prefer an outside option when choosing a dining experience.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

- It would mean the loss of employment opportunities for current and future staff.
- It would eliminate a comfortable and safe outdoor gathering space.
- Another queer space would disappear.

On a personal note, as an SF resident for nearly four decades, I just can't bear to see another business shutter. Union Square looks like a ghost town. Queer owned and operated safe spaces are disappearing on the daily. Please save Casements! I am hoping that you will see the benefit that this business provides and support their effort to maintain the patio space.

Respectfully,

Sister Roma

San Francisco Sisters of Perpetual Indulgence

"The Most Photographed Nun In the World™"

SF Most Notable Drag Queen 2011

SF Pride Grand Marshal 2012

Bay Area Best Activist 2014

LifeSpace Community Advocate Award 2017

SFAF Cleve Jones Leadership Award 2019

Academy SF Legends Archive 2020

"Queeroes" Mural 2021

GayVN Hall of Fame 2022

Facebook/SisterRoma

Twitter: @SisterRoma

IG: @Sister\_Roma



March 29, 2023

To whom it may concern,

I am writing this letter in a show of support for *Down With This Sort of Thing LLC dba Casements*, located at 2351 Mission Street, to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

During the emergency COVID legislation, Casements quickly became a stand-out Mission District business when it built the outdoor patio. Opening weeks before the shutdown, they survived the pandemic and thrived, mainly because of the patio space, which is currently in jeopardy of losing its permitting.

Located on a block where many businesses have shuttered, Casements has been an exception, bringing much-needed foot traffic and commerce to that portion of Mission Street.

This LGBTQ+, immigrant, and female-owned small business and its attached patio are worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and the city of San Francisco.

The loss of the patio would be a detriment to the neighborhood on multiple levels, including loss of employment for current and future staff, elimination of the comfortable outdoor gathering space, and seeing another queer safe space disappear.

I hope you will see the benefit that this business provides and support it in its effort to maintain the patio space.

Loads of Love,

Juanita MORE!

To whom it may concern,

I am writing to show my support for Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

Casements has quickly become a stand out Mission District business. Opening weeks before COVID shut down the city, Casements was able to not only survive the pandemic, but thrive. This is in major part because of the patio space which is currently in jeopardy of losing its permitting. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and city of San Francisco.

During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

- it would mean the loss of employment opportunities for current and future staff.
- It would eliminate a comfortable outdoor gathering space.
- Another queer space would disappear.
- It would contribute to the blight already being experienced in the Mission neighborhood.

As a San Francisco resident of 30 years, the lack of outdoor seating at bars and restaurants has always been an issue in this city. As a DJ / Event promoter for 25 of those years, I've always found that landing in the right venue to be one of the biggest challenges of hosting an event. My latest monthly event was held on the patio at Casements. Our patrons loved the space. Given that the age range of my guests and friends does skew slightly older nowadays and most are over 40, having a place to go other than a crowded and loud indoor bar has been a blessing. Casement's patio is one of the few outside spaces that is comfortable for all ages.

I am hoping that you will see the benefit that this business provides and support it in its effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

Respectfully,



Thomas Kern  
Owner, Bona Vada Barbershop.

To whom it may concern,

I am writing to show my support for Down With This Sort of Thing LLC dba Casements, located at 2351 Mission St., to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

Casements has quickly become one of the most popular spots in the Mission District business, especially for the LGBTQ community. Opening weeks before COVID shut down the city, we are thankful that Casements survived the pandemic and is now thriving, primarily because of the patio space. Somebody's Sister had a pop-up wine event with queer-identified women last June, which was a huge success. At the time, there were not any places for our community. Lesbians have been driven out of the city for the last few decades because of real estate prices, and our culture has drifted to the East Bay. By offering the patio space, Casements showed that there are San Francisco businesses that want lesbians and queer-identified women to feel at home in our city. It is very upsetting to think that this option might not be open to us in the future with the loss of the patio, and worse, that another queer space would disappear altogether.

Furthermore, as Casements is an LGBTQ+, immigrant, and female-owned small business, we feel it must continue to be a vital part of the Mission. The outdoor patio space offers a safe place to gather and create community. The ripple effects of this benefit are still positively impacting the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much-needed foot traffic and commerce to that portion of Mission St.

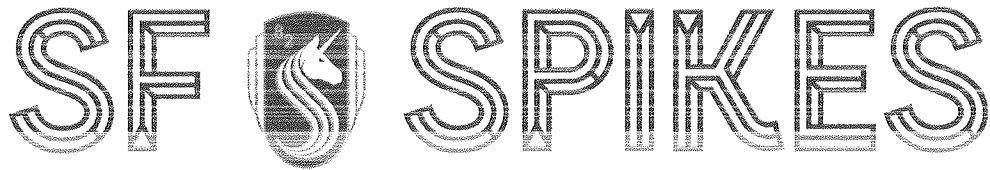
The loss of the patio would also mean the loss of jobs, and sadly Casements itself, contributing to the blight already being experienced in the Mission.

I hope you will see the benefit that this business provides and support it in its effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

Respectfully,

Pamela Busch, Liz Rubin

Somebody's Sister



January 23, 2024

To Whom it May Concern;

I am writing on behalf of the San Francisco Spikes, a 160+ member LGBTQ+ soccer club founded here in 1982. The club writes in support of Down With This Sort of Thing LLC, dba Casements, at 2351 Mission Street, to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

Opening just weeks before the COVID pandemic shut down the city, Casements survived the pandemic in major part because of the patio space which is currently in jeopardy of losing its permitting. During the pandemic, the patio at Casements became both a welcoming and safe space to gather, make connections, and keep our club community together. The team at Casements has allowed us to host multiple large events on their patio at no charge. This includes it serving as the post-tournament gathering spot for our 2022 All Spikes Tournament - our first organized "return to play" event since the beginning of the pandemic. The food, service, drinks, and especially the space were such a success that we returned to host the 2023 gathering in the same space. And we hope to return to the patio for many events to come.


If lost, the patio space would have multiple negative impacts, including:

- The loss of jobs as it reduces capacity of the bar and restaurant.
- Eliminating a comfortable outdoor gathering space in a densely populated neighborhood.
- Another queer space would shrink or disappear.

The Spikes have found a home base at Casements and a family in its ownership and staff. This LGBTQ+, immigrant, and female owned small business and its attached patio are worth protecting. This space is a positive addition to the Mission neighborhood, the Irish-American community, the queer community, and the City of San Francisco as a whole.

I hope that you see the benefit this business provides the community and support its effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

Thank you for your consideration,

DocuSigned by:  
  
043B7099ED6842F...

Myell Mergaert  
President  
San Francisco Spikes

To whom it may concern,

My name is Honey Mahogany and I'm writing to you in my capacity as a lifetime San Francisco resident and small business owner in the city. I am writing in support of Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

We all know small businesses are struggling here in San Francisco. We have too many boarded up storefronts, too many shops, bars, and restaurants closing, and an international reputation that has suffered tremendously as a result. But San Francisco still has some magic left in her, thanks to places like Casements.

Casements has quickly become a stand out Mission District business. Opening weeks before COVID shut down the city, Casements was able to not only survive the pandemic, but thrive. This is in major part due to the patio space that Casements is now currently in jeopardy of losing. I personally have been to many events on the Casements patio - it is a popular space for Mission residents and people from all over the city to gather. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting.

During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St.

As someone who has worked on neighborhood issues for years both as a small business owner and formerly for the City, I can tell you that the activation of these public spaces is good for the neighborhood. It helps keep neighborhoods clean and safe. When this activation of space is eliminated, I have seen time and again the way in which these spaces and the surrounding neighborhood can quickly take a downhill turn. Not to mention that the loss of capacity for the business would mean letting go of staff and a very large loss of income which would put the business at risk for closure.

San Francisco cannot afford to lose another beloved small business as it continues to struggle to recover from the pandemic - especially not when we don't have to. I am hoping that you will see the benefit that this business provides and support it in its effort to maintain the patio space it has always had.

Respectfully,

Honey Mahogany



To members of the planning commission,

I am writing to show my strong support for "Down With This Sort of Thing" LLC dba Casements, located at 2351 Mission St.

I want it to continue to operate as a restaurant with entertainment in the outdoor patio space, as previously permitted by the Shared Spaces program.

Casements has quickly become an irreplaceable contributor to the Mission District business community, and is one of the city's premier Irish bars.

Opening just weeks before COVID shut down the city, Casements was able to not only survive the pandemic, but thrive.

During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community.

San Francisco cannot afford to lose more business from the historic "Miracle Mile", one of the city's oldest and most important commercial corridors.

Casement's popularity and the foot traffic it brings to the street have a positive impact in District 9, especially one that is still struggling to bring businesses back.

On a block where empty buildings are quickly becoming the norm, Casements has been an exception, bringing much-needed foot traffic and commerce to that portion of Mission St.

During the height of the pandemic, and the months following, the patio space functioned as critically needed community space. The patio is a perfect example of what the Shared Spaces program envisioned: flexible and updated use of space throughout the city. Under this pilot project, the city has opened up unexpected and wonderful ways. This trend needs to continue.

The patio space should not be in jeopardy of losing its permit. Casements is an LGBTQ+, immigrant, and female-owned small business, and an incredible resource to the Irish American community.

As a member of that community, we have gathered on the patio to learn Irish, and to attend cultural events that celebrate Irish culture. Most recently, we watched the Oscars with the Minister of Justice from Ireland, Simon Harris, TD. It was an incredible event, and Casements and the patio made it possible.

This open patio is worth protecting because it serves the city, and it is the latest in a long line of Irish bars in the Mission that helps keep our strong immigrant Irish community and subsequent generations of Irish Americans together. It is a queer-owned bar, and this, too, make it worthy of protection and support.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

It would mean the loss of employment opportunities for current and future staff.

It would eliminate a comfortable outdoor gathering space.

Another queer space would disappear.

It would contribute to the blight already being experienced in the Mission neighborhood.

Casements provides what the Mission needs: a strong business and contributor to the economy, and an Irish bar that our community needs.

I fully support Casements' effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created, and ask this board to do the same.

Sincerely,

Elizabeth Creely

2784 22nd St

San Francisco, CA 94110

[creely12@gmail.com](mailto:creely12@gmail.com)

415-494-1487

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casments makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

  
Respectfully,

GERRI BYRNE



To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casments makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

  
Respectfully,

DEXTER W. GUYTON SR.

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casements makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

Having the outdoors as community space for food, drinks & friends is lovely. It is a wonderful use of a fraction of the parking lot - one that we hope will continue.

Respectfully,

*Julia Smith*  
10/10/2020

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casments makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

Terri Caball 1-10-24  
Respectfully, Terri Caball

## Casements – letter of support

To whom it may concern,

I am writing to show my support for Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

Casements has quickly become a stand out Mission District business. Opening weeks before COVID shut down the city Casements was able to not only survive the pandemic, but thrive. This is in major part because of the patio space which is currently in jeopardy of losing its permitting. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and city of San Francisco.

During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

- It would mean the loss of employment opportunities for current and future staff.
- It would eliminate a comfortable outdoor gathering space.
- Another queer space would disappear.
- It would contribute to the blight already being experienced in the Mission neighborhood.

I am hoping that you will see the benefit that this business provides and support it in its effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

As an Irish woman in California, I'm proud to tell people from all over the world to visit Casements while in San Francisco, I know they will find the space very welcoming, comfortable and special. Despite all the challenges, the entire team has come together and built a home for the radiant community. Please help them protect this space.

Respectfully,

A handwritten signature in black ink, appearing to read 'DS' with a long, sweeping horizontal line extending to the right.

Donna Stewart  
Lost Irish Whiskey  
Ambassador & Region Lead, CA  
[www.lostirish.com](http://www.lostirish.com)

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casements makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

I SUPPORT CASEMENTS AND EVERYTHING  
THEY STAND FOR! AS SOMEONE THAT GROW  
UP IN THE COMMUNITY, I CAN SAFELY SAY  
THAT CASEMENTS IS ONE OF A VERY FEW  
PLACES THAT I CAN HANG OUT WITH A  
MAGNITUDE OF PEOPLE, FROM ALL WALKS OF  
LIFE, AND HAVE A GOOD SAFE TIME HERE IN  
THE PATIO AREA. FURTHERMORE, I THINK  
THE LOSS OF THE PATIO WOULD NOT ONLY  
HURT THE GOOD PEOPLE OF CASEMENTS, BUT  
BOTH LOCALS, AND NON LOCALS THAT COME  
FOR A GOOD TIME

Respectfully,

DOMINIC  
BERMUEZ



Dear Planning Commissioners:

I am writing to **express my support for Down With This Sort of Thing LLC dba Casements** located at **2351 Mission St.** to **continue to operate as a restaurant with entertainment in the outdoor patio space** as previously permitted by the SF Shared Spaces program.

Since it opened, Casements has proven consistently to be a stellar Mission District business that has been vital to the neighborhood's revitalizations since the COVID pandemic. Opening weeks before COVID shut down The City, Casements was able to not only survive the pandemic but *thrive*. This achievement would likely not have been possible without the addition of Casements' patio space – which is currently in jeopardy of losing its permitting.

Casements is an LGBTQ+, immigrant, and female-owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and The City of San Francisco.

During COVID restrictions that made gathering inside most businesses against the good of public health, Casements' outdoor patio offered a safe and communal space for individuals from many different communities to gather and provided a much-needed area to socialize, as well as to build and maintain community during a rough time for residents of The City.

**The ripple effects of this benefit continue to have a positive impact on not just the Mission neighborhood but The City as a whole as it continues to rebound from the effects of the economic downturn.** On a block where many businesses have shuttered, Casements has stood out as a notable exception, bringing much-needed foot traffic, vitality, and commerce to that portion of Mission St.

The loss of Casements' patio would be a detriment to the neighborhood on multiple levels:

- **it would mean the loss of employment opportunities for current and future staff**
- **It would eliminate a comfortable outdoor community gathering space**
- **Another vital queer space would disappear exacerbating the continued loss of LGBTQ-safe spaces in the Mission**
- **It would contribute to the blight already being experienced in the Mission neighborhood – particularly on Mission St.**

**i am hoping that the Planning Commission can see the benefit that Casements provides and supports its effort to maintain the patio space as it has been permitted since the emergency COVID legislation allowed its creation. We cannot afford to lose another vital Mission business.**

Respectfully,



**Christopher R. Vasquez**  
*San Francisco Resident*

To whom it may concern:

I write to you today in support of Casements at 2351 Mission St., as a Mission District resident of five years, a San Francisco resident of 16 years and as a regular patron. Specifically, I'm writing on behalf of Casements' outdoor patio space, as previously permitted under the city's Shared Spaces program.

Our incredible neighborhood has weathered a number of changes since the pandemic, with extraordinary churn in the number of small businesses. As an immigrant-, woman-, and LGBTQ-owned operation, I believe Casements is exactly the type of enterprise to which the city should offer its strongest support. In spite of having opened shortly before Covid struck, it has managed to become known across San Francisco and throughout the Bay Area, cherished for its commitment to good food, good drink, and universally welcoming atmosphere.

It is the bar closest to my own home, and a place where I routinely bring new friends, old friends, visiting relatives and colleagues. In particular, the patio has been a place to meet ever since public-health guidelines permitted people to gather again safely. Casements' presence on Mission Street has livened up an underused space beneath a derelict theater, providing a beacon of safe and fun and combating blight.

This has obvious ripple effects spilling onto the sidewalk and up and down the street. At a time when public-safety concerns are paramount in many San Francisco residents' minds—especially during the evening—a small business like Casements is invaluable.

As a neighbor, I urge you and your colleagues to recognize what it means to have such a wonderful space in our midst, owned and run by consummate nightlife professionals. Let's all work to keep the Mission safe, inclusive and amazing.

Thank you,  
Astrid Kane



To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casements makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

I own mission St Burgers a block away  
This is the best run Bar in the  
Mission. They bring Community together. We  
Love the patio. PLEASE!!! keep it's  
patio

Respectfully,

Alvin Garcia  
garcia.alvin@gmail.com

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casements makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

I really love Mission Street. Often overlooked for Valencia, but it is neighboring and deserves love. This will truly be a missed opportunity. This business has always kept this block clean. They were one of the first with an excellent patio perfect for spring & summer. They champion ART. Please consider this opinion, I believe Respectfully, I speak for more than myself. Thank you

Aldo K.

Bay Area SF Forever.

CAPITOL OFFICE  
1021 O STREET, SUITE 2620  
SACRAMENTO, CA 95814  
TEL (916) 651-4011  
FAX (916) 651-4911

DISTRICT OFFICE  
455 GOLDEN GATE AVENUE  
SUITE 1400  
SAN FRANCISCO, CA 94102  
TEL (415) 557-1252  
FAX (415) 557-1252

# California State Senate

SENATOR  
SCOTT WIENER

威善高

ELEVENTH SENATE DISTRICT



MENTAL HEALTH CAUCUS  
CHAIR  
LEGISLATIVE JEWISH CAUCUS  
CO-CHAIR  
COMMITTEES  
HOUSING  
CHAIR  
APPROPRIATIONS  
GOVERNANCE & FINANCE  
HEALTH  
JOINT RULES  
JUDICIARY  
LEGISLATIVE ETHICS  
PUBLIC SAFETY  
SELECT COMMITTEE ON  
BAY AREA PUBLIC TRANSIT  
CHAIR  
SELECT COMMITTEE ON  
MENTAL HEALTH & ADDICTION  
CHAIR

January 16, 2024

President Rachel Tanner  
San Francisco Planning Commission  
49 South Van Ness Avenue, Suite 1400  
San Francisco, CA 94103

Dear President Tanner:

I am writing to express my support for Down With This Sort of Thing, LLC dba Casements application for a Conditional Use Authorization at 2351 Mission Street. Granting the Conditional Use Authorization will allow Casements to continue to utilize the outdoor patio space that was permitted under the Shared Spaces program during the pandemic.

Casements is an LGBTQ+, immigrant, and female-owned small business that, against all odds, survived the pandemic shortly after opening. Far too often, we hear about the significant challenges that LGBTQ owned businesses face in maintaining their footprint in San Francisco. The approval of this permit will allow Casements to continue to provide a safe outdoor gathering space, a space has proven to be an exceptional community benefit to the Mission District neighborhood, serving as a gathering place for a wide variety of patrons.

I respectfully urge you to approve the Conditional Use Authorization at 2351 Mission Street.

Sincerely,

A handwritten signature in cursive script that reads "Scott Wiener".

**Scott Wiener**  
Senator, 11th District

CC:

Kathrin Moore, Vice-President  
Derek W. Braun, Commissioner  
Sue Diamond, Commissioner  
Joel Koppel, Commissioner  
Theresa Imperial, Commissioner  
Gabriella Ruiz, Commissioner

To whom it may concern,

I am writing to show my support for Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

Casements has quickly become a stand out Mission District business. Opening weeks before COVID shut down the city Casements was able to not only survive the pandemic, but thrive. This is in major part because of the patio space which is currently in jeopardy of losing its permitting. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and city of San Francisco.

During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St.

The pandemic has devastated the food and beverage community in San Francisco. The City should support small businesses, especially hospitality businesses.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

- It would mean the loss of employment opportunities for current and future staff.
- It would eliminate a comfortable outdoor gathering space.
- Another queer space would disappear.
- It would contribute to the blight already being experienced in the Mission neighborhood.

I am hoping that you will see the benefit that this business provides and support it in its effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

Respectfully,

Sarah Nelson

To whom it may concern,

My name is Wes Rowe and I own WesBurger n More, located at 2240 Mission Street. I am writing to show my support for Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

Casements is a shining example of why this program was created and the good it can do for businesses and the community. Casements might not even have survived the pandemic without this program, instead and because of shared spaces it has become one of the most vibrant businesses on a block where there aren't many. This is in major part because of the patio space which is currently in jeopardy of losing its permitting. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and city of San Francisco.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

- It would hurt a business that is an example for all businesses on the block
- It would eliminate a comfortable outdoor gathering space.
- It would cause them to have to eliminate jobs
- it would contribute to the blight already being experienced in the Mission neighborhood.

I am hoping that you will see the benefit that this business provides and support it in its effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

Respectfully,

Wes Rowe

April 20, 2023

Dear Planning Commissioners,

I am writing to show my enthusiastic support for Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program. Casements is a vibrant, inclusive and a good neighbor on the Mission Street Corridor and a positive example of San Francisco's economic recovery, post-pandemic.

Casements has quickly become a stand out Mission District business. Opening weeks before the COVID-19 quarantine and stay at home order, Casements was able to not only survive the pandemic, but thrive. This is in major part because of the outdoor patio space which is currently in jeopardy of losing its permitting. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and city of San Francisco.

As COVID-19 restrictions made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St.

Casements' mission and impact extends beyond its four walls. Gillian and her team have kindly leveraged the outdoor space to host free fundraisers for social justice causes such as the National Bail Out Fund, Prisoners with Children, and Planned Parenthood and supported BIPOC led community-based organizations such as MEDA and Booker T. Washington Community Service Center. The restaurant has provided a critical and safe social refuge for queer, gender non-binary and trans communities, and worked with local and Mission-based artists, performers, musicians, DJs to contribute to the curation of the space.

The loss of the patio would be a detriment to the neighborhood on multiple levels, including the loss of meaningful hospitality employment opportunities for current and future staff and contribute to the empty storefronts on the Mission corridor.

As a long-time San Francisco resident, I support the City and the Planning Commission standing by its explicitly stated goals in its coordinated Recovery Strategies, to "prioritize recovery towards just and vital San Francisco". Please do not let an empty parking lot replace a vibrant well-used space for people.

Respectfully,

Shakirah Simley  
San Francisco, CA



To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casements makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

in Addition The casements patio has become a backyard/patio space for those of us who live in spaces that do not have access to outdoor spaces.

Respectfully,



NATH WENDLER SUN Resident.

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a Mission neighborhood neighbor / non profit we lean on Casements as a safe space to meet our friends and neighbors. We are proud to bring our communities to events that Casements puts on or facilitates for us as a non profit in the community. We see the effort that Casements makes to showcase the true spirit of Irish Hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

Respectfully,

Paul A. Aguilar Treasurer  
Marty's Place Affordable Housing Corporation  
1165 Treat Avenue  
San Francisco, CA 94110  
(415)577-7755

To whom it may concern,

I am writing to show my strong support for Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

Casements has quickly become a stand out Mission District business and we are living in a time where every business needs to be able to utilize all tools at their disposal to stay open.

Opening weeks before COVID shut down the city Casements was able to not only survive the pandemic, but thrive.

This is in major part because of the patio space which is currently in jeopardy of losing it's permitting.

This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and city of San Francisco.

During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

- It would mean the loss of employment opportunities for current and future staff.
- It would eliminate a comfortable outdoor gathering space.
- Another queer space would disappear.
- It would contribute to the blight already being experienced in the Mission neighborhood.

I am hoping that you will see the benefit that this business provides and support it in it's effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

Respectfully,

*Emanuel S Yekutieli*

01 / 08 / 2024

Manny Yekutieli  
Owner – Manny's

To whom it may concern,

I am a resident of the Mission/Dolores/Noe neighborhood and I work for San Francisco AIDS Foundation, a local non-profit that serves the LGBTQ community.

I am writing to show my support for Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

Casements has quickly become a stand out Mission District business. Opening weeks before COVID shut down the city Casements was able to not only survive the pandemic, but thrive. This is in major part because of the patio space which is currently in jeopardy of losing its permitting. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and city of San Francisco.

During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

- It would mean the loss of employment opportunities for current and future staff.
- It would eliminate a comfortable outdoor gathering space.
- Another queer space would disappear.
- It would contribute to the blight already being experienced in the Mission neighborhood.

I am hoping that you will see the benefit that this business provides and support it in its effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

Respectfully,

Maggie Monroe  
3570 22nd Street  
San Francisco, CA 94114  
415.531.8227

To whom it may concern,

I am writing to show my support for Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

Casements has quickly become a stand out Mission District business. Opening weeks before COVID shut down the city Casements was able to not only survive the pandemic, but thrive. This is in major part because of the patio space which is currently in jeopardy of losing its permitting. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and city of San Francisco.

During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

- It would mean the loss of employment opportunities for current and future staff.
- It would eliminate a comfortable outdoor gathering space.
- Another queer space would disappear.
- it would contribute to the blight already being experienced in the Mission neighborhood.

I am hoping that you will see the benefit that this business provides and support it in its effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

Respectfully,



Lyslynn Lacoste  
SF resident and Casements patron



## Support for Casements

**Luke Spray** <lukespray@gmail.com>

Wed, Apr 19, 2023 at 2:52 PM

To: "Tanner, Rachael (CPC)" <Rachael.Tanner@sfgov.org>, kathrin.moore@sfgov.org, derek.braun@sfgov.org, sue.diamond@sfgov.org, joel.koppel@sfgov.org, theresa.imperial@sfgov.org, gabriella.ruiz@sfgov.org, jonas.ionin@sfgov.org, commissions.secretary@sfgov.org

Cc: gillian@casementsbar.com, "Ronen, Hillary" <hillary.ronen@sfgov.org>, RonenStaff@sfgov.org

Greeting Commissioners,

I'm writing you today in support of Casements and their outdoor patio space, located at 2351 Mission Street.

Casements utilized Shared Spaces in a way that made me proud of this program, reimagining an unsightly parking area as a vibrant community gathering space. I hope you'll allow them to continue to operate as a restaurant with entertainment in the outdoor patio space, as was previously permitted by the Shared Spaces program.

Casements opened weeks before COVID shut down the city, and was able to not only survive the pandemic, but thrive. Much of this success is due in part to the back patio space which is currently in jeopardy of losing its permitting. This LGBTQ+, immigrant, and female-owned small business and its attached patio is exactly the type of thing we should be celebrating and supporting, and it shouldn't be in jeopardy because of bureaucratic constraints.

The restrictions that made gathering inside most businesses impossible during COVID, the outdoor patio space at Casements offered a safe place to gather and provided a much-needed area to socialize and build community. The benefits of this space can be seen outside of it as well: On a block where many businesses have shuttered, Casements has been a notable exception, bringing much-needed foot traffic and commerce to this portion of Mission St.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

- It would mean the loss of employment opportunities for current and future staff.
- It would eliminate a comfortable outdoor gathering space.
- Another queer space would disappear.
- It would contribute to the blight already being experienced in the Mission neighborhood.

I hope that you'll see the benefit that this business provides to the community and the city at large, and support its efforts to maintain the patio space beyond the COVID emergency legislation that initially enabled its creation. This space is a sign of our resiliency and ingenuity in response to disaster, and it deserves a chance to thrive beyond the pandemic.

Thank you,

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casments makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

Respectfully,

A handwritten signature in cursive script, appearing to read "Sean Hough".



To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casements makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

Respectfully,

A handwritten signature in black ink, reading "Kunda Connor Henge". The signature is written in a cursive, flowing style with a large, prominent initial 'K'.

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casements makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

This location has been a committee meeting place for me & my friends across San Francisco. It has been a place I can meet w/ my friends & their families. I value the connection this creates for us. In particular the patio is a beautiful space for music, connection & committee.

Respectfully,

Kara Church

krchurch@hotmail.com

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casments makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

Respectfully,

*Serry Durman*  
*2315 Mission St*  
*SA CA 94110*

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casments makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

Respectfully,

A handwritten signature in black ink, appearing to read "Jo Sme". The signature is fluid and cursive, with a large initial "J" and a stylized "Sme".

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casements makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

Respectfully,



(Jenna Johnson)

To whom it may concern,


I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casments makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

I'm a Hayes Valley resident that visits Casements often, especially when I'm meeting up with friends from out of town or friends with kids. Gathering places like Casements are much needed for a sense of community in our often very challenging world.

Respectfully,

  
Gregory D. Gallup  
435 Hayes St  
SF, CA 94102

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casments makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

This is one of very few spaces in the area that is family friendly where people can gather and be in community.

Respectfully,

A handwritten signature in black ink, appearing to read 'Erin Groebel', written in a cursive, flowing style.

Erin Groebel



To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casements makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

We have so many special memories here and we believe it's vital that San Francisco continue to support local businesses to thrive and give us a space where we can feel a sense of community.

Respectfully,

A handwritten signature in cursive script, appearing to read "Glen" followed by a long, horizontal flourish.

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casements makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

Rick Mu  
2333 Mission St  
SF CA 94110

Respectfully,

To whom it may concern,

I am writing to show my support for Down With This Sort of Thing LLC dba Casements located at 2351 Mission St. to continue to operate as a restaurant with entertainment in the outdoor patio space as previously permitted by the Shared Spaces program.

Casements has quickly become a stand out Mission District business. Opening weeks before COVID shut down the city, Casements was able to not only survive the pandemic, but thrive. This is in major part because of the patio space which is currently in jeopardy of losing its permitting. This LGBTQ+, immigrant, and female owned small business and its attached patio is worth protecting not only because of the benefit it provides to the Mission neighborhood, the Irish-American community, the queer community, and city of San Francisco.

During COVID restrictions that made gathering inside most businesses impossible, the outdoor patio space offered a safe place to gather and provided a much-needed area to socialize, and build and maintain community. The ripple effects of this benefit are still having a positive impact on the neighborhood. On a block where many businesses have shuttered, Casements has been an exception, bringing much needed foot traffic and commerce to that portion of Mission St.

The loss of the patio would be a detriment to the neighborhood on multiple levels:

- It would mean the loss of employment opportunities for current and future staff.
- It would eliminate a comfortable outdoor gathering space.
- Another queer space would disappear.
- It would contribute to the blight already being experienced in the Mission neighborhood.

I am hoping that you will see the benefit that this business provides and support it in its effort to maintain the patio space as it has been since the emergency COVID legislation allowed it to be created.

Respectfully,

Rachel Welles  
Managing Director at Root Division

[rachel@rootdivision.org](mailto:rachel@rootdivision.org)  
(415) 863-7668

To whom it may concern,

I am writing to show my support for DOWN WITH THIS SORT OF THING LLC DBA Casements Bar located at 2351 Mission Street to continue to operate as a restaurant with entertainment in the outdoor space as previously permitted by the shared space program.

As a mission neighborhood neighbor we lean on casements as a safe space to meet our friends and neighbors. We are proud to bring our out of town friends to events that casements puts on for all members of the community. We see the effort that Casments makes to showcase the true spirit of Irish hospitality, this is a place for all backgrounds and groups of folks to converge and mix.

We believe that the loss of the patio would not only be a financial loss to the neighborhood with knock on effects within the neighborhood but the loss of a much needed area for folks to socialize outdoors comfortably and continue to help build and maintain community.

Respectfully,

Russell Gournau  
2315 Mission St 104

1433

DOWN WITH THIS SORT OF THING LLC  
DBA CASEMENTS

2351 MISSION ST.  
SAN FRANCISCO, CA 94110



Date 2/20/24 90-7162/3222

Pay to the  
order of

Planning Department

\$ 729.<sup>00</sup>/<sub>100</sub>

Seven Hundred and Twenty Nine

00/100 Dollars Security Features  
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Details on Back.

JPMORGAN CHASE BANK, N.A.  
WWW.CHASE.COM

For Appeal Fee



Chris Asgill

MP

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SAN FRANCISCO

2024 FEB 21 PM 12:37

BY AK

**From:** [BOS Legislation, \(BOS\)](#)  
**To:** ["chris415@gmail.com"](mailto:chris415@gmail.com)  
**Cc:** [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [YANG, AUSTIN \(CAT\)](#); [Hillis, Rich \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Switzky, Joshua \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Laush, Maggie \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** PLANNING DEPARTMENT RESPONSE: Appeal of Conditional Use Authorization - Proposed 2351 Mission Street Project - Appeal Hearing April 2, 2024  
**Date:** Monday, March 25, 2024 10:08:04 AM  
**Attachments:** [image001.png](#)

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Greetings,

The Office of the Clerk of the Board is in receipt of a response received from the Planning Department for the appeal of Conditional Use Authorization for the proposed project at 2351 Mission Street.

[Planning Department Response - March 25, 2024](#)

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

[Board of Supervisors File No. 240162](#)

Regards,  
**Lisa Lew**  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T 415-554-7718 | F 415-554-5163  
[lisa.lew@sfgov.org](mailto:lisa.lew@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**(VIRTUAL APPOINTMENTS)** To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.



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.



# **Conditional Use Authorization Appeal**

## **2351 Mission Street**

**DATE:** March 25, 2024  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Rich Hillis, Planning Director – Planning Department (628) 652-7600  
Maggie Laush, Case Planner – Planning Department (628) 652-7339  
**RE:** Board File No. 240162, Planning Case No. 2022-008254CUAAPL  
Appeal of Conditional Use Authorization for 2351 Mission Street  
**HEARING DATE:** April 2, 2024  
**PROJECT SPONSOR:** Chris Hastings, Down With This Sort of Thing, LLC, 2351 Mission Street, San Francisco, CA 94114  
**APPELLANTS:** Chris Hastings, Down With This Sort of Thing, LLC, 2351 Mission Street, San Francisco, CA 94114

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### **INTRODUCTION**

This memorandum and the attached documents are a response to the letters of appeal to the Board of Supervisors (“Board”) regarding the Planning Commission’s (“Commission”) approval of the application for Conditional Use Authorization under Planning Department Case Number 2022-008254CUA pursuant to Planning Code Sections 145.2 (Outdoor Activity Areas in NC Districts), 249.60 (Mission Alcoholic Beverage SUD), 754 (Mission Street NCT), and 303 (Conditional Use Authorization).

This memorandum addresses the appeal to the Board, filed on February 21, 2024, by the Project Sponsor (Mr. Hastings).

The decision before the Board is whether to uphold, overturn, or amend the Planning Commission’s approval of an application for Conditional Use Authorization to allow the proposed Project at the subject property.

### **PROJECT DESCRIPTION**

The Project proposes to add a Nighttime Entertainment use to an existing Restaurant use (d.b.a. “Casements”) and establish an Outdoor Activity Area, measuring 1,777 square feet, in part of an existing public parking lot adjacent to the restaurant. The Project also proposes to expand the existing liquor establishment, as the restaurant has a Type 47 liquor license, to include the Outdoor Activity Area. The Sponsor requested that the Outdoor Activity Area be allowed to operate from 10 a.m. to 11 p.m. Sunday through Thursday and from 10 a.m. to midnight on Fridays and Saturdays. Ten of the 81 parking spaces in the public parking lot would be occupied by the Outdoor Activity Area. The remaining 71 parking spaces would continue to operate as a public parking lot.

## **SITE DESCRIPTION & PRESENT USE**

The subject property contains the El Capitan Theater and Hotel, a three-story Residential Hotel building with 165 feet of frontage on Mission Street and an Article 10-designated Landmark. The ground floor features multiple commercial spaces, including Casements, and a 45-foot-wide driveway through the structure. The driveway provides access to an existing legal non-conforming public parking lot (d.b.a. "California Parking Company") at the rear of the lot, with a total area of approximately 31,396 square feet. The lot is also accessed via two 24-foot curb cuts from Capp Street, where it extends the full width of the parcel. The Project Site encompasses ten of the parking spaces adjacent to the Casements commercial unit, partially beneath the upper stories of the building.

The Project Site was authorized for use as an outdoor patio in December 2020 through the Shared Spaces program (Permit No. 12072020-0002-SSP). The Shared Spaces program allowed for temporary outdoor uses to be rapidly authorized during the COVID-19 emergency. In conjunction, a Just Add Music (JAM) permit was granted by the Entertainment Commission in January 2021, allowing entertainment activities on the patio. The Shared Spaces and JAM programs sunset as of March 31, 2023. Accordingly, the Project Sponsor is seeking authorization for continued use of the same patio footprint.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The Project Site is located within the Mission Street NCT Zoning District in the Mission Area Plan. The neighborhood is mixed in character with residential and commercial uses. The immediate context includes two-to-four story commercial development with residential uses above to the north and south, and west across Mission Street. To the east, development is primarily two-to-three-story residential properties, as well as a public park (Alioto Mini Park). Other zoning districts in the vicinity of the project site include: RTO-M (Residential Transit Oriented-Mission), NC-1 (Neighborhood Commercial Cluster), NC-2 (Small-Scale Neighborhood Commercial), and the Valencia Street NCT (Neighborhood Commercial Transit) Zoning Districts.

## **BACKGROUND**

- On March 30, 2023, Christopher Hastings of Down With This Sort of Thing, LLC (hereinafter "Project Sponsor") filed Application No. 2022-008254CUA (hereinafter "Application") with the Planning Department (hereinafter "Department").
- On December 19, 2023, the Entertainment Commission granted a One Time Outdoor Event permit to temporarily allow outdoor entertainment and amplified sound at the Site from January 7, 2024 through December 6, 2024, daily from 4 p.m. to 10 p.m.
- On November 9, 2023, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2022-008254CUA and continued the hearing to January 4, 2024. The Commission cancelled the



regularly scheduled January 4, 2024 meeting and continued the hearing on the Application to January 25, 2024.

- On January 25, 2024, the Commission conducted a duly noticed public hearing on the Application at a regularly scheduled meeting (hereinafter “Hearing”). In their application, the Sponsor requested that the Outdoor Activity Area be allowed to operate from 10 a.m. to 11 p.m. Sunday through Thursday and from 10 a.m. to midnight on Fridays and Saturdays. The Department recommended restricting evening operation of the Outdoor Activity Area to 10 p.m. daily to reduce potential noise impacts on nearby Residential uses, including Residential Hotel units directly above the proposed Outdoor Activity Area and apartments to the north fronting on Mission and Capp Streets. During the Hearing, the Planning Commission considered the Planning Department’s recommendation, and testimony from the project sponsor, and the public. At the conclusion of the Hearing the Planning Commission approved the Conditional Use authorization with conditions, including a condition to restrict the hours of operation no later than 10 p.m.

#### **CONDITIONAL USE AUTHORIZATION REQUIREMENTS**

Planning Code Section 303 establishes criteria for the Commission to consider when reviewing all applications for Conditional Use approval. To approve the project, the Commission must find that these criteria have been met:

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
  - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
  - b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
  - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
  - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.
4. That such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

Planning Code Section 754 establishes additional criteria for the Commission to consider when reviewing any Conditional Use application within the Mission Street NCT. To approve the project, the Commission must find that the project supports at least three of the four stated purposes of the NCT:

1. To preserve and enhance the existing storefront configuration and size, signage, artwork, and

- other character-defining elements of the built environment;
2. To preserve the contributions of Legacy Businesses to the history and identity of the District;
  3. To retain, enhance, and promote active community involvement and input on development within the District by conducting thorough outreach to stakeholders and neighborhood groups and responding to community input; and
  4. To retain, enhance, and promote neighborhood-serving businesses and institutions that enhance economic and workforce opportunities for local residents by coordinating with the Office of Economic and Workforce Development to engage with the City's workforce system to provide employment opportunities, career trainings, and formal partnerships to identify and address both business and community workforce needs.

Planning Code Section 145.2 establishes additional criteria to consider when reviewing all Conditional Use applications for Outdoor Activity Areas in any Neighborhood Commercial District, including named NCTs. To approve the project, the Commission must find that these criteria have been met:

1. The nature of the activity operated in the Outdoor Activity Area is compatible with surrounding uses;
2. The operation and design of the Outdoor Activity Area does not significantly disturb the privacy or affect the livability of adjoining or surrounding residences;
3. The Hours of Operation of the activity operated in the Outdoor Activity Area are limited so that the activity does not disrupt the viability of surrounding uses.

Planning Code Section 249.60 restricts the establishment, expansion, and relocation of alcohol-related uses within the Mission Alcoholic Beverage SUD, including the requirement of a Conditional Use authorization to expand an existing liquor establishment. In reviewing applications for such expansion:

1. The Commission shall consider the establishment's prior operating conditions.
2. The Project must comply with additional operating conditions, beyond the applicable conditions of Planning Code Section 202.2. These additional conditions consist of providing outside lighting to illuminate adjacent streets, sidewalks, and parking lots, and maintaining visibility to the interior of the establishment by limiting obstructions on windows.

## APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

**ISSUE 1:** Multiple Planning Commissioners were not present at the Hearing.

**RESPONSE 1:** There was a quorum sufficient for the Commission to act on the Application.

**ISSUE 2:** Dissenting public comment focused on amplified sound and live music late at night, suggesting the commenters did not understand the Project under review. These activities are regulated by the Entertainment Commission, and the sponsor's current authorization already limits them to 10 p.m., which the sponsor does not contest.

**RESPONSE 2:** While some of the public comment made at the Hearing mentioned live music and/or amplified sound, other comments made both at the Hearing and provided to the Department prior to it

focused on patron conversation. For example, an adjacent neighbor provided video files to demonstrate the volume of speaking voices as heard from their home. This distinction was also made explicit by the staff report's summary of public comment and the explanation of Entertainment Commission authorizations on the site.

**ISSUE 3:** The patio has operated without incident past 11 p.m. on weekdays and midnight on weekends since it was authorized by the Shared Spaces program in July 2020.

**RESPONSE 3:** Comments made at the Hearing and provided to the Department prior to it describe multiple incidents. Commenters attest to phoning and visiting the restaurant in person to voice concern, with insufficient or no response.

**ISSUE 4:** As San Francisco seeks to support small businesses and encourage places for communities to gather, we believe that Casements should have the ability to use the patio until 11 on weekdays and midnight on weekends.

**RESPONSE 4:** The General Plan and Mission Area Plan (hereinafter 'Plans') establish policy priorities seeking to promote small businesses, as described in Finding 11 of Motion No. 21497. However, the Commission considers these objectives vis-à-vis all stated policies of the Plans, some of which emphasize competing priorities. The Commission found that on balance, the Project would be consistent with the Plans if conditioned to operate no later than 10 p.m.

**ISSUE 5:** Casements was not given an opportunity to respond to dissenting voices.

**RESPONSE 5:** The Hearing followed Commission procedure. The Sponsor was provided with the staff report when it was published one week prior to the Hearing, which included a summary of the public comment received in opposition to the Project. In their presentation to the Commission, the Sponsor noted anticipated themes in dissenting comments and provided a response.

**ISSUE 6:** The 10 p.m. curfew would force Casements to lay off employees and cut hours for those still employed. Further, an earlier closure time would be financially devastating to Casements. If this curfew was in place in 2023 the business would have lost money, and we would not have renewed our lease and would have closed the business.

**RESPONSE 6:** The Department is sensitive to the difficulties of running a small business in San Francisco; however, we are unable to weigh in on financial decisions a business may or may not have to make based on the conditions of approval. The Planning Commission's charge is to consider both the needs of the surrounding community and the business when coming to a decision on Conditional Use authorizations. In this instance they determined that a 10 p.m. closure time found a balance between those competing needs.

**ISSUE 7:** There has been precedence set at multiple other nearby businesses for permitted hours of operation after 10 pm in the immediate vicinity of Casements.

**RESPONSE 7:** Each request for Conditional Use authorization undergoes a thorough individual assessment tailored to the unique circumstances of the case. In this instance, the Planning Commission meticulously considered the evidence presented to them and determined that a 10 p.m. closure time for the Outdoor Activity Area was justified. The specific physical conditions of the Project Site, such the brick rear façade of the El Capitan building and the expansive open parking lot, may amplify ambient and conversational noise to a level greater than what is produced by Outdoor Activity Areas at other locations. That in addition to the surrounding residential uses led the Planning Commission to their decision.

Outdoor Activity Areas are principally permitted in most mixed-use Zoning Districts if they operate no later than 10 p.m., per Planning Code Section 202.2(a)(7). Operation beyond 10 p.m. is at the discretion of Commission, through a Conditional Use authorization. Nearby restaurants with conditional Outdoor Activity Areas include:

- Restaurant d.b.a. **Prubechu** at 2224 Mission Street – patio at adjacent parking lot authorized in 2023, with hours of operation conditioned to end at 10 p.m. (Motion No. 21401).
- Restaurant d.b.a. **Teeth** at 2323 Mission Street – rear patio legalized in 2017 with hours of operation conditioned to end at 10 p.m. (Motion No. 20061).
- Restaurant d.b.a. **Lolinda (El Techo)** at 2516 Mission Street – roof deck legalized in 2011 with hours of operation conditioned to end at 11:30 p.m. Sunday through Thursday and 1:30 a.m. Friday and Saturday (Motion No. 18434). Noise mitigations, including orienting the roof deck to abut Mission Street and adding a landscape buffer, are detailed in Motion No. 18434.
- Restaurant d.b.a. **Foreign Cinema** at 2534 Mission Street – rear patio authorized in 1998 in conjunction with the restaurant, with hours of operation for the entire use conditioned to end at 2 a.m. (Motion No. 14761). A private agreement was reached between the sponsor and an adjacent neighbor to undertake improvements on their property, such as sound-rated windows, to mitigate noise impacts. This agreement is included as Exhibit C in Motion No. 14761.

## SUMMARY RESPONSE

The proposed Outdoor Activity Area is directly adjacent to residential uses, including Residential Hotel Units above and Dwelling Units on the abutting lots to the north. Noise is a typical and expected characteristic of an urban environment, especially in areas zoned for a mix of uses as this area is and has been historically. However, neighbors' comments indicate that the temporarily-authorized patio at Casements has created negative impacts beyond just temporary annoyance or inconvenience. Restricting hours of operation is an established strategy of the Department and Commission to find compromise when adjacent land uses present such incompatibilities. 10 p.m. is identified throughout the Planning Code, and in recent Conditional Use authorizations, as a reasonable hour to expect that the residential use be prioritized.

## **CONCLUSION**

For the reasons stated in this document, in the attached Resolution, and in the Planning Department case file, the Planning Department recommends that the Board uphold the Planning Commission's decision in approving the Conditional Use authorization for the Project.

**From:** [Board of Supervisors \(BOS\)](#)  
**To:** [BOS-Supervisors](#); [BOS-Legislative Aides](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS-Operations](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: Please re-consider file no. 240162  
**Date:** Thursday, March 14, 2024 1:48:57 PM

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Hello,

Please see below for communication from Karany Nhim, regarding File No. 240162.

**File No. 240162:** Hearing - Appeal of Conditional Use Authorization Approval - 2351 Mission Street

Sincerely,

**Joe Adkins**  
**Office of the Clerk of the Board**  
**San Francisco Board of Supervisors**  
**1 Dr. Carlton B. Goodlett Place, Room 244**  
**San Francisco, CA 94102**  
**Phone: (415) 554-5184 | Fax: (415) 554-5163**  
[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

---

**From:** karany nhim <karany.nhim@gmail.com>  
**Sent:** Tuesday, March 12, 2024 7:13 PM  
**To:** Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Please re-consider file no. 240162

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

Dear Members of the Board,

I am writing in objection to this appeal [file no. 240162](#) submitted by Down With This Sort of Thing LLC, dba Casements, requesting an amendment to the 10 pm closure of their outdoor patio space.

As one of five long standing Mission residents who attended a recent hearing to vocalize support for the Planning Department's Conditional Use Authorization for Casements to move their outdoor activities indoors at 10:00 pm, I urge you to please consider the community's interests.

While I understand the challenges faced by small businesses like Casements and fully support effective ideas to help them survive, there are compelling reasons to maintain the 10 pm closure condition. Here are some key points addressing the claims made in their appeal:

1. **Presence of Planning Commissioners:** The absence of some Planning Commissioners during the hearing should not invalidate the decision, as it was transparent and reached with input from

both city and affected community members.

2. **Clarity on Requests:** Casements asserted that dissenting voices were unclear on their request. As one of those voices, I fully understood their one-sided request to extend patio operating hours in a residential neighborhood to 11:00 pm on weekdays and midnight on weekends. Even though amplified sound / live music may end at 10:00 pm, the noise of increasingly intoxicated people past 10:00 pm presents an even more obnoxious noise disturbance than music. It seems, based on their appeal, that they were not clear on our concerns which ranged from excessive noise past 10:00 pm which continues to invite disruptive people to gather near the perimeter of their patio leaving piles of broken bottles, pools of urine and other trash that eventually spread to Capp Street and beyond.
3. **Operational History:** While Casements highlights their incident-free operation, it does not take into consideration the repeated complaints from us to non-emergency police and 311 about after-hours noise, public drinking, dumping and drug use that have noticeably become worse since Casements opened their open air patio at the corner of the California Parking Lot during the 2020 pandemic. We have also made repeated attempts to contact bar management both in person and over the phone only to be turned away, ignored and undermined. These should be acknowledged as incidents even though authorities may not have been involved.
4. **Opportunity to respond:** Casements stated that they were not given the opportunity to respond to our dissenting voices. Unfortunately, the process does not allow for back-and-forth arguments. Consequently, we only had two short minutes to voice our support for the condition. In contrast, they took full advantage of a complex government approval process to establish a permanent outdoor live music patio without properly contacting any of us neighbors before it was too late.
5. **Community Support:** Upholding the 10 pm closure aligns with supporting small businesses and fostering community spaces while respecting residents' needs—a fair compromise.
6. **Financial Benefit vs. Community Impact:** While Casements asserts a significant financial benefit from extending their hours, they cannot completely disregard the negative impact that their outdoor patio has already had on our community as outlined in point #3 in addition to the negative effects on our health and working lives from lack of sound sleep.
7. **Economic Impact on Staff:** The appeal highlights potential job losses and reduced hours for staff if the 10 pm patio closure is maintained. While sympathetic to the economic challenges, you also must consider the negative economic impact on our property value because of the noise and filth associated with an establishment like Casements who merely pretends to care about the community around them – hence the appeal.
8. **Sales Percentage:** The appeal provides detailed sales percentages to support the request for extended hours. Once again, the financial gains for Casements should be weighed against the potential negative impact of noise pollution on our property values which will be even more significant in a great city like San Francisco.
9. **Community Gathering Space:** Casements emphasizes its role as a community gathering space, particularly during the pandemic. This is great. We just want them to move the party indoors at 10:00 pm so that we can enjoy our evenings too, especially on weekends.

**10. Community Diversity:** Casements identifies itself as a queer, immigrant, and female-owned business, which has nothing to do with the issue. We are all part of this proud community and only wish them well. We just want them to move the party indoors at 10:00 pm like all other comparable businesses around them who truly respect their neighbors.

In conclusion, I urge the Board of Supervisors to prioritize the community's well-being. The potential financial benefits to Casements must be balanced against residents' need for peace and quality of life.

Thank you for your consideration of this matter.

Karany Nhim  
438 Capp St., San Francisco, Ca 94110  
415-235-8681 | [karany.nhim@gmail.com](mailto:karany.nhim@gmail.com)



**From:** [BOS Legislation, \(BOS\)](#)  
**To:** ["chris415@gmail.com"](mailto:chris415@gmail.com)  
**Cc:** [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [YANG, AUSTIN \(CAT\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** HEARING NOTICE - Appeal of Conditional Use Authorization - Proposed 2351 Mission Street Project - Appeal Hearing April 2, 2024  
**Date:** Friday, March 22, 2024 8:48:56 AM

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Greetings,

The Office of the Clerk of the Board has scheduled a hearing for Special Order before the Board of Supervisors on **April 2, 2024**, at 3:00 p.m. for the appeal of the Conditional Use Authorization for the proposed project at 2351 Mission Street:

**Please find the following link to the hearing notice for the matter:**

[Public Hearing Notice - March 22, 2024](#)

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

[Board of Supervisors File No. 240162](#)

Regards,

*Arthur Khoo*

Office of the Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415) 554-4447 | (415) 554-5163  
[arthur.khoo@sfgov.org](mailto:arthur.khoo@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**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.*



**BOARD of SUPERVISORS**



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

## **NOTICE OF PUBLIC HEARING**

### **BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO Sent via Email and/or U.S. Postal Service**

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeal and said public hearing will be held as follows, at which time all interested parties may attend and be heard.

**Date:** Tuesday, April 2, 2024

**Time:** 3:00 p.m.

**Location:** Legislative Chamber, Room 250, located at City Hall  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

**Subject:** **File No. 240162.** Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 145.2, 249.60, 754, and 303 of the Planning Code, for a proposed project at 2351 Mission Street, Assessor's Parcel Block No. 3595, Lot No. 024, identified in Planning Case No. 2022-008254CUA, issued by the Planning Commission by Motion No. 21497 dated January 25, 2024, to establish an outdoor activity area for an existing restaurant use in the subject property's public parking lot and to expand the existing liquor establishment within the Mission Street NCT (Neighborhood Commercial Transit) Zoning District and 40-X and 55-X Height and Bulk Districts. (District 9) (Appellant: Chris Hastings, on behalf of Down With This Sort of Thing LLC dba Casements) (Filed February 21, 2024)

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be added to the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email ([bos.@sfgov.org](mailto:bos.@sfgov.org)). Information relating to this matter is available in the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, March 29, 2024.

For any questions about this hearing, please contact our office at [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org) or call (415) 554-5184.



Angela Calvillo  
Clerk of the Board of Supervisors  
City and County of San Francisco

ak:ll:jw:ams

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

PROOF OF MAILING

Legislative File No. 240162

Description of Items: Hearing - Appeal of Conditional Use Authorization Approval - 2351 Mission Street - 344 Notices Mailed


I, ARTHUR KHOO, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: 3/22/24

Time: 9:52 AM

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: 

Instructions: Upon completion, original must be filed in the above referenced file.

**From:** [BOS Legislation, \(BOS\)](#)  
**To:** [Liu, Bella \(CPC\)](#); [Yeung, Tony \(CPC\)](#)  
**Cc:** [BOS-Operations](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** APPEAL CHECK PICK UP: Appeal of Conditional Use Authorization - Proposed 2351 Mission Street Project - Appeal Hearing April 2, 2024  
**Date:** Friday, February 23, 2024 10:55:17 AM  
**Attachments:** [Appeal Check Pickup.doc](#)

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Hi Bella and Tony,

The check for the appeal filing fee for CU appeal of the proposed 2351 Mission Street project, is ready to be picked up at the Clerk's Office. Our office is opened Monday through Friday from 8:00am to 5:00pm. A fee waiver was not filed with this project. Kindly sign the attached Appeal Check Pickup form once the filing fee is picked up

Regards,

*Arthur Khoo*

Office of the Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415) 554-4447 | (415) 554-5163  
[arthur.khoo@sfgov.org](mailto:arthur.khoo@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**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:** BOS Legislation, (BOS) <bos.legislation@sfgov.org>  
**Sent:** Thursday, February 22, 2024 4:29 PM  
**To:** 'chris.415@gmail.com' <chris.415@gmail.com>  
**Cc:** PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>; YANG, AUSTIN (CAT) <Austin.Yang@sfcityatty.org>; Hillis, Rich (CPC) <rich.hillis@sfgov.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>; Jain, Devyani (CPC) <devyani.jain@sfgov.org>; Navarrete, Joy (CPC) <joy.navarrete@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Tam, Tina (CPC) <tina.tam@sfgov.org>; Switzky, Joshua (CPC) <joshua.switzky@sfgov.org>; Sider, Dan (CPC) <dan.sider@sfgov.org>; Starr, Aaron (CPC)



<aaron.starr@sfgov.org>; Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Laush, Maggie (CPC) <maggie.laush@sfgov.org>; Rosenberg, Julie (BOA) <julie.rosenberg@sfgov.org>; Longaway, Alec (BOA) <alec.longaway@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative\_aides@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>

**Subject:** Appeal of Conditional Use Authorization - Proposed 2351 Mission Street Project - Appeal Hearing April 2, 2024

Greetings,

The Office of the Clerk of the Board has scheduled for a hearing Special Order before the Board of Supervisors on **April 2, 2024**, at 3:00 p.m. Please find linked below an appeal letter regarding the proposed 2351 Mission Street project, and an informational letter from the Clerk of the Board.

[Appeal Letter - February 21, 2024](#)

[Clerk of the Board Letter - February 22, 2024](#)

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

[Board of Supervisors File No. 240162](#)

Regards,

*Arthur Khoo*

Office of the Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415) 554-4447 | (415) 554-5163  
[arthur.khoo@sfgov.org](mailto:arthur.khoo@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**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.*





BOARD of SUPERVISORS



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1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. (415) 554-5184  
Fax No. (415) 554-5163  
TDD/TTY No. (415) 554-5227

February 23, 2024

**File Nos. 240162-240165**

**Planning Case No. 2022-008254CUA**

Received from the Board of Supervisors Clerk's Office one check, one in the amount of Seven Hundred Twenty-Nine Dollars (\$729) the filing fee paid by Down With This Sort of Thing LLC dba Casements for the appeal of the Conditional Use Authorization for the proposed 2351 Mission Street project:

**Planning Department By:**

Long Young  
Print Name

[Signature] 2/26/24  
Signature and Date

**From:** [BOS Legislation, \(BOS\)](#)  
**To:** ["chris.415@gmail.com"](mailto:chris.415@gmail.com)  
**Cc:** [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [YANG, AUSTIN \(CAT\)](#); [Hillis, Rich \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Switzky, Joshua \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Jonin, Jonas \(CPC\)](#); [Laush, Maggie \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** Appeal of Conditional Use Authorization - Proposed 2351 Mission Street Project - Appeal Hearing April 2, 2024  
**Date:** Thursday, February 22, 2024 4:28:51 PM

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Greetings,

The Office of the Clerk of the Board has scheduled for a hearing Special Order before the Board of Supervisors on **April 2, 2024**, at 3:00 p.m. Please find linked below an appeal letter regarding the proposed 2351 Mission Street project, and an informational letter from the Clerk of the Board.

[Appeal Letter - February 21, 2024](#)

[Clerk of the Board Letter - February 22, 2024](#)

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

[Board of Supervisors File No. 240162](#)

Regards,

*Arthur Khoo*

Office of the Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415) 554-4447 | (415) 554-5163  
[arthur.khoo@sfgov.org](mailto:arthur.khoo@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**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.*

**BOARD of SUPERVISORS**



City Hall  
1 Dr. Carlton B. Goodlett Place  
Room 244  
San Francisco, CA 94102-4689  
Tel. No. (415) 554-5184  
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TDD/TTY No. (415) 554-5227

February 22, 2024

Chris Hastings  
Down With This Sort of Thing LLC  
dba Casements  
2351 Mission Street  
San Francisco, CA 94110

**Subject: File No. 240162 - Appeal of Conditional Use Authorization  
2351 Mission Street**

Dear Mr. Hastings:

Thank you for your appeal filing regarding the proposed project at 2351 Mission Street. The filing period to appeal the conditional use authorization closes on Monday, February 26, 2024. The conditional use appeal was filed with the subscription of 5 members of the Board of Supervisors, and therefore meets the filing requirements of Planning Code, Section 308.1.

Pursuant to Planning Code, Section 308.1, a hearing date has been scheduled for **Tuesday, April 2, 2024, at 3:00 p.m.**, at the Board of Supervisors meeting.

Please provide to the Clerk's Office by noon:

**20 days prior to the hearing:**  
*Wednesday, March 13, 2024*

names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

**11 days prior to the hearing:**  
*Friday, March 22, 2024*

any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests electronic files be sent to [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org).



Please feel free to contact our office at [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org) or call (415) 554-5184 if you have any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Angela Calvillo".

f Angela Calvillo  
Clerk of the Board

ak:ll:ams

c: Anne Pearson, Deputy City Attorney  
Kristen Jensen, Deputy City Attorney  
Austin Yang, Deputy City Attorney  
Rich Hillis, Planning Department  
Lisa Gibson, Planning Department  
Devyani Jain, Planning Department  
Joy Navarette, Planning Department  
Corey Teague, Planning Department  
Tina Tam, Planning Department  
Josh Switzky, Planning Department  
Dan Sider, Planning Department  
Aaron Starr, Planning Department  
Elizabeth Watty, Planning Department  
Jonas Ionin, Planning Commission  
Maggie Laush, Planning Department  
Julie Rosenberg, Board of Appeals  
Alec Longaway, Board of Appeals

## Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

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

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)  
(Routine, non-controversial and/or commendatory matters only)
- ☒ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor  inquiries..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No.  from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission      ☐ Youth Commission      ☐ Ethics Commission
- ☐ Planning Commission      ☐ Building Inspection Commission      ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes      ☐ No

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

Sponsor(s):

Clerk of the Board

Subject:

Hearing - Appeal of Conditional Use Authorization Approval - 2351 Mission Street

Long Title or text listed:

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 145.2, 249.60, 754, and 303 of the Planning Code, for a proposed project at 2351 Mission Street, Assessor's Parcel Block No. 3595, Lot No. 024, identified in Planning Case No. 2022-008254CUA, issued by the Planning Commission by Motion No. 21497 dated January 25, 2024, to establish an outdoor activity area for an existing restaurant use in the subject property's public parking lot and to expand the existing liquor establishment within the Mission Street NCT (Neighborhood Commercial Transit) Zoning District and 40-X and 55-X Height and Bulk Districts. (District 9) (Appellant: Chris Hastings, on behalf of Down With This Sort of Thing LLC dba Casements) (Filed February 21, 2024)

Signature of Sponsoring Supervisor:

