

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

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
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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

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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
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