

# SAN FRANCISCO PLANNING DEPARTMENT

# Executive Summary Conditional Use

HEARING DATE: SEPTEMBER 19, 2013

Date:	September 12, 2013	41
Case No.:	2013.0224C	Fax
Project Address:	3331 24 <sup>th</sup> Street	41
Zoning:	Mission Street – NCT (Neighborhood Commercial Transit) District	Pla
	Mission Alcoholic Beverage Special Use District	Inf
	Fringe Financial Service Restricted Use District	41
	55-X Height and Bulk Designation	
Block/Lot:	6516/025	
Project Sponsor:	Ahmad Mohzab	
	2747 19 <sup>th</sup> Street	
	San Francisco, CA 94110	
Staff Contact:	Danielle J. Harris – (415) 575-9102	
	<u>danielle.j.harris@sfgov.org</u>	
Recommendation:	Approval with Conditions	

1650 Mission St. Suite 400 San Francisco, CA 94103-2479

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Planning Information: 415.558.6377

# PROJECT DESCRIPTION

The proposal is a request for Conditional Use authorization pursuant to Planning Code Sections 145.2, 736.24 and 303, to allow an approximately 1,175 square foot outdoor activity area at the rear of an existing restaurant use (d.b.a. Rustic) located at 3331 24<sup>th</sup> Street within the Mission Street – NCT (Neighborhood Commercial Transit) Zoning District, the Mission Alcoholic Beverage Special Use District, and a 55-X Height and Bulk designation.

The applicant proposes an outdoor patio environment that includes a wood deck with 4 tables and bench seating, a picnic table and two sand bocce ball courts, allowing a capacity for 49 patrons. The proposal includes a solid wood fence along the west and east of the Outdoor Activity Area . The existing restaurant (d.b.a. Rustic) would connect to the proposed outdoor activity area at the rear. The commercial tenant space has been occupied by Rustic since May 2013 and serves Country Italian cuisine. The existing indoor commercial space is approximately 1,135 square feet and contains 22 seats. Restaurant patrons will be able to eat and drink in the proposed Outdoor Activity Area. Smoking will not be permitted.

# SITE DESCRIPTION AND PRESENT USE

The project is located on the south side of 24<sup>th</sup> Street, between Bartlett and Osage Streets, Lot 025 in Assessor's Block 6516. The subject lot is 5,750 square feet and occupies the southwest corner of the intersection of 24<sup>th</sup> and Osage Streets. The lot is developed with a one-story, four-unit commercial building fronting onto 24<sup>th</sup> Street. The subject restaurant (d.b.a. Rustic) occupies the most westerly commercial storefront. The other commercial storefronts include a café, notary, and bakery. The proposed

Outdoor Activity Area will replace the accessory off-street parking provided at rear with vehicular access from Osage Street.

## SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located on the southern side of the 3300 block of 24<sup>th</sup> Street. The immediate neighborhood context along 24<sup>th</sup> Street is characterized by two- and three-story mixed use buildings and three- and four-story residential buildings. The 24<sup>th</sup> Street BART Station plaza is directly across Osage Street to the east. A blank wall of a one-story garage is located on the southern property line of the project with a three-story residential located directly behind the garage. On the western property line of the proposal is a residential courtyard of a three-story residential building, which is partially buffered by the restaurant building. Two- and three-story mixed use buildings are located directly across 24<sup>th</sup> Street to the north. Ground floor commercial activities include a mixture of food establishments, personal services, and small retail establishments. Beyond the commercial corridor are RTO-M (Residential Transit-Oriented - Mission) Zoning Districts.

#### ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

# **HEARING NOTIFICATION**

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	August 29, 2013	August 28, 2013	21 days
Posted Notice	20 days	August 29, 2013	August 6, 2013	44 days
Mailed Notice	20 days	August 29, 2013	August 28, 2013	21 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

# PUBLIC COMMENT

The Project Sponsor has provided 28 letters in support and a petition with 354 signatures supporting the project. The Department has received numerous phone calls, petition, six emails, and 20 letters from neighbors, adjacent property owners, attorneys, Mission residents, and Calle 24 Merchants and Neighbors Association/Coalition. The following concerns have been raised.

- Proximity to numerous residential units
- Hours of operation
- Noise
- Light
- Smoking
- Music
- Construction without permit
- Rooftop mechanical equipment proximity to residences

- Intimidation and threats by owners
- Marketing of "beer garden," "full on party," and "bocce ball tournaments"

Opposition letters received recommended disapproval, noise controls, and reduced hours of operation.

# ISSUES AND OTHER CONSIDERATIONS

- To address neighborhood concerns, the Project Sponsor hosted a neighborhood meeting on Tuesday July 16, 2013. Four people attended this meeting.
- To address potential noise issues the outdoor activity area, the Planning Department has drafted a condition requiring restricted hours of operation for an initial nine-month trial. Under proposed conditions, the outdoor activity area will be limited to 11:00 a.m. to 10:00 p.m. Sunday through Thursday and 11:00 a.m. to 12:00 a.m. on Friday and Saturday, while the restaurant will maintain its existing hours of 11:00 a.m. to 12:00 a.m. Sunday to Wednesday and 11:00 a.m. to 2:00 a.m. Thursday to Saturday.

RESTAURANT	PROPOSED HOURS	
Indoor	Sunday through Wednesday 11:00 a.m. to 12:00 a.m.	
	Thursday to Saturday 11:00 a.m. to 2:00 a.m.	
Outdoor	Sunday through Thursday 11:00 a.m. to 10:00 p.m.	
	Friday and Saturday 11:00 a.m. to 12:00 a.m.	

- The Department has received comment requesting more restricted hours.
- After the nine month trial, the case will return to the Planning Commission as an Informational Presentation where then Zoning Administrator would have the discretion to extend or reduce hours as directed. The existing hours of operation within the indoor restaurant will not be affected.
- The sound of the proposed outdoor activity area is buffered by the blank garage wall along the southern property line nearest the sand bocce ball courts and located closest to Osage Street away from the residential buildings to the south and west.
- The restaurant has an existing Type 41 ABC license to serve beer and wine in the interior of the
  restaurant. As an accessory use to the restaurant, the proposed outdoor activity area is permitted
  to host patrons who have purchased alcohol within the restaurant. If approved, this license
  approval will be amended to allow alcohol in the Outdoor Activity Area.
- To address concerns regarding smoking, the project sponsor has said smoking will not be permitted in the Outdoor Activity Area.
- The proposed sand bocce ball courts are code complying based on the Zoning Administrator interpretation 703.2(b)(1)(C)(ii) for Billiards as an accessory use and does not require review by the Entertainment Commission.
- The applicant has constructed the proposed outdoor seating area without benefit of permit prior to the Planning Commission's approval of the Conditional Use authorization for use of the outdoor activity area. On July 24, 2013, the applicant received a Notice of Violation #201313551 from Department of Building Inspection for expanding the scope of work for Building Permit Application 201302271105, permitting conversion of rear storage to patron seating. On July 31, 2013, the applicant received another Notice of Violation 201315121 for rear patio deck without benefit of permit and Planning Department approval. On August 21, 2013, the applicant

submitted a Building Permit Application 201308214864 to comply with notices of violation to convert existing parking area to patio for restaurant patrons. The Planning Department is holding this permit until Conditional Use authorization case has gone before the Planning Commission.

# **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant Conditional Use authorization to allow the establishment of an outdoor activity area pursuant to Planning Code Sections 145.2, 303 and 736.24.

#### BASIS FOR RECOMMENDATION

- The project promotes the continued operation of an established, locally-owned business and contributes to the viability of the overall Mission Neighborhood Commercial Transit District.
- The project would not displace an existing retail tenant providing convenience goods and services to the neighborhood, and would not result in a net increase in the number of bars in the area.
- The project meets applicable requirements of the Planning Code.
- The project proposes the addition of a desirable and reasonable amenity to an existing use.
- Conditions of approval, restricting hours on a trial basis and addressing potential noise issues, will ensure that the use will maintain operation standards that are compatible with the neighborhood
- The business is not a Formula Retail use and would serve the immediate neighborhood.

Attachments:	

Draft Motion Zoning Map Aerial Photographs Block Book Map Sanborn Map Site Photo Project Sponsor Submittal, including: - Public Support - Site Photographs

- Reduced Plans

Public Correspondence

Attachment Checklist

$\square$	Executive Summary	$\square$	Project sponsor submittal
$\square$	Draft Motion		Drawings: Existing Conditions
	Environmental Determination		Check for legibility
$\square$	Zoning District Map		Drawings: Proposed Project
	Height & Bulk Map		Check for legibility
$\square$	Parcel Map		Site Photos
$\square$	Sanborn Map		Public Support
$\square$	Aerial Photo		
$\square$	Context Photos		
$\square$	Site Photos		
$\square$	Public Correspondence		
	Exhibits above marked with an "X" are inc	cludeo	l in this packet <u>DJH</u>

Planner's Initials

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# SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- □ Affordable Housing (Sec. 415)
- □ Jobs Housing Linkage Program (Sec. 413)
- □ Downtown Park Fee (Sec. 412)
- □ First Source Hiring (Admin. Code)
- $\Box$  Child Care Requirement (Sec. 414)
- Other

# Planning Commission Draft Motion

HEARING DATE: SEPTEMBER 19, 2013

Date: Case No.: Project Address: Zoning:	September 12, 2013 2013.0224C 3331 24 <sup>th</sup> Street 24 <sup>th</sup> Street – Mission NCT (Neighborhood Commercial Transit) District Mission Alcoholic Beverage Special Use District Fringe Financial Service Restricted Use District
Block/Lot:	55-X Height and Bulk Designation 6516/025
Project Sponsor:	Ahmad Mohazab
	2747 19 <sup>th</sup> Street San Francisco, CA 94110
Staff Contact:	Danielle J. Harris – (415) 575-9102 danielle j.harris@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 145.2, 303 AND 736.24 OF THE PLANNING CODE TO OPERATE AN OUTDOOR ACTIVITY AREA AS PART OF AN EXISTING RESTAURANT (D.B.A. RUSTIC) WITHIN THE MISSION NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT AND A 55-X HEIGHT AND BULK DISTRICT.

# PREAMBLE

On February 28, 2013 Ahmad Mohzab (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section(s) 145.2, 303 and 736.24 to operate an Outdoor Activity Area as part of an existing restaurant (d.b.a. Rustic) within the Mission – NCT (Neighborhood Commercial Transit) Zoning District, the Mission Alcoholic Beverage Special Use District, and a 55-X Height and Bulk designation.

On September 19, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.0224C.

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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 requested in Application No. 2013.0224C, 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. Site Description and Present Use. The project is located on the south side of 24<sup>th</sup> Street, between Bartlett and Osage Streets, Lot 025 in Assessor's Block 6516. The subject lot is 5,750 square feet and occupies the southwest corner of the intersection of 24<sup>th</sup> and Osage Streets. The lot is developed with a one-story, four-unit commercial building fronting onto 24<sup>th</sup> Street. The subject restaurant (d.b.a. Rustic) occupies the most westerly commercial storefront. The other commercial storefronts include a café, notary, and bakery. The proposed Outdoor Activity Area will replace the accessory off-street parking provided at rear with vehicular access from Osage Street.
- 3. **Surrounding Properties and Neighborhood.** The project site is located on the southern side of the 3300 block of 24th Street. The immediate neighborhood context along 24th Street is characterized by two- and three-story mixed use buildings and three- and four-story residential buildings. The 24th Street BART Station plaza is directly across Osage Street to the east. A blank wall of a one-story garage is located on the southern property line of the project with a three-story residential located directly behind the garage. On the western property line of the proposal is a residential courtyard of a three-story mixed use buildings are located directly buffered by the restaurant building. Two- and three-story mixed use buildings are located directly across 24th Street to the north. Ground floor commercial activities include a mixture of food establishments, personal services, and small retail establishments. Beyond the commercial corridor are RTO-M (Residential Transit-Oriented Mission) Zoning Districts.
- 4. **Project Description.** The applicant proposes an approximately 1,175 square-feet Outdoor Activity Area that includes a wood deck with 4 tables and bench seating, a picnic table and two sand bocce ball courts, allowing a capacity for 49 patrons. The proposal includes a solid wood fence along the west and east of the Outdoor Activity Area. The existing restaurant (d.b.a. Rustic) would connect to the proposed Outdoor Activity Area at the rear. The commercial tenant space

has been occupied by Rustic since May 2013 and serves Country Italian cuisine. The existing commercial space is approximately 1,135 square feet and contains 22 seats. Restaurant patrons will be able to eat and drink in the proposed Outdoor Activity Area. Smoking will not be permitted.

- 5. Public Comment. The Project Sponsor has provided 28 letters in support and a petition with 354 signatures supporting the project. The Department has received numerous phone calls, petition, six emails, and 20 letters in opposition from neighbors, adjacent property owners, attorneys, Mission residents, and Calle 24 Merchants and Neighbors Association/Coalition. The following concerns have been raised.
  - Proximity to numerous residential units
  - Hours of operation
  - Noise
  - Light
  - Smoking
  - Music
  - Construction without permit
  - Rooftop mechanical equipment proximity to residences
  - Intimidation and threats by owners
  - Marketing of "beer garden," "full on party," and "bocce ball tournaments"

Opposition letters received recommended disapproval, noise controls, and reduced hours of operation.

- 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. **Neighborhood Commercial Permit Review.** Planning Code Section 312 requires neighborhood notification to establish an Outdoor Activity Area for lots within a Neighborhood Commercial District.

The Project Sponsor is proposing an Outdoor Activity Area at the rear of an existing restaurant (d.b.a. Rustic) within the Mission- NCT (Neighborhood Commercial Transit) District. Section 312 notification was conducted in conjunction with the Conditional Use authorization notification.

B. **Outdoor Activity Area.** Planning Code Section 736.24 states that a Conditional Use Authorization is required for an Outdoor Activity Area, as defined by Planning Code Section 790.70.

The Project Sponsor requests Conditional Use authorization for an Outdoor Activity Area per Planning Code Section 736.24. The proposed Outdoor Activity Area is 1, 175 square feet consisting of seating and two sand bocce ball courts to replace the existing accessory parking area. The Project Sponsor proposes tables and bench seating to accommodate 49 additional patrons (the restaurant currently has 22 seats inside). Restaurant patrons will be able to eat and drink in the proposed Outdoor Activity Area. Smoking will not be permitted in the proposed Outdoor Activity Area. The Outdoor Activity Area would be used both day and night.

C. **Formula Retail Use.** Planning Code Section 703.4 requires Conditional Use authorization from the Planning Commission to establish a formula retail use, as defined in Section 703.3, in any Neighborhood Commercial District.

*The existing restaurant use (d.b.a. Rustic) is not identified as a formula retail use.* 

D. **Hours of Operation.** Planning Code Section 736.27 does not limit hours of operation within the Mission – NCT (Neighborhood Commercial Transit) District. Planning Code Section 145.2 restricts the hours of operation of the Outdoor Activity Area are limited so that the activity does not disrupt the viability of surrounding uses.

The existing hours of operation for Rustic are 11:00 a.m. to 12:00 a.m. Sunday to Wednesday and 11:00 a.m. to 2:00 a.m. Thursday to Saturday. This Conditional Use Authorization is for an Outdoor Activity Area only. As part of the conditions for approval, a nine month trial of limited hours of operation will be placed on the Outdoor Activity Area to determine the initial impacts of the new use. Hours will be restricted to 11:00 a.m. to 10:00 p.m. Sunday through Thursday and 11:00 a.m. to 12:00 a.m. Friday and Saturday for a period of nine months. After the nine month period, the case would return to the Planning Commission as an Informational Presentation where then Zoning Administrator would have the discretion to extend or reduce hours as directed. The existing hours of operation within the restaurant will not be affected.

RESTAURANT	PROPOSED HOURS	
Indoor	Sunday through Wednesday 11:00 a.m. to 12:00 a.m.	
	Thursday to Saturday 11:00 a.m. to 2:00 a.m.	
Outdoor	or Sunday through Thursday 11:00 a.m. to 10:00 p.m.	
	Friday and Saturday 11:00 a.m. to 12:00 a.m.	

E. **Rear Yard Requirement.** Planning Code Section 134 does not require a rear yard setback for non-residential uses in a Neighborhood Commercial Transit District.

The proposal does not include a rear yard.

F. **Off-Street Parking.** Planning Code Sections 151 and 151.1 limit the amount of off-street parking allowed for a restaurant within a NCT District to 1 space per 1,500 square-feet of occupied area, or 1 space per every 200 square-feet of occupied area above 5,000 square-feet.

The subject property is located within a NCT District and is thereby not required to provide off-street parking. Presently there are four off-street parking spaces provided on-site that are to be removed and a replaced with the Outdoor Activity Area. No new off-street parking is proposed.

- 7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply 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 use will complement the mix of goods and services currently available in the neighborhood and will contribute to the economic vitality of the neighborhood. Outdoor seating areas have been shown to be a desirable amenity in the neighborhood commercial and adjoining districts. The limited hours will ensure the proposal is compatible with the neighborhood. The Outdoor Activity Area has a capacity limit of 49 occupants and is intended to be an addition of a reasonable amenity to the restaurant. The proposed addition of an Outdoor Activity Area to a local neighborhood serving restaurant will not impact traffic or parking in the neighborhood because it accessible by multiple public transit routes.

- 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:
  - i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The height and bulk of the existing building will remain the same. The proposal will not alter the built character of the project's vicinity. The proposed work will not affect the building envelope, yet the conversion from parking to an Outdoor Activity Area seating will alter the use of the property.

ii. 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 parking in the Mission Zoning District. The proposed use should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The proposed use is adjacent to the 24<sup>th</sup> Street BART Station and six MUNI bus lines; therefore, reducing the need for parking.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The proposed use is subject to the standard conditions of approval for an Outdoor Activity Area outlined in Exhibit A, including trial hours to monitor initial impacts of the new use. The Project Sponsor shall propose adequate sound buffering to meet requirements of the San Francisco Noise Ordinance. The Project Sponsor shall operate the proposed Outdoor Activity Area such that noise is kept at reasonable levels so as not to unduly disturb neighboring businesses and residents. Conditions of Approval 6, 7, 8, 14, and 15, as outlined in Exhibit A, specifically obligates the Project Sponsor to mitigate odor and noise generated by the restaurant use.

iv. 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 shall secure proper permits as required by Department of Building Inspection. The Department shall review all lighting and signs proposed for the new use in accordance with Planning Code requirements.

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 and applicable requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.

D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Neighborhood Commercial District.

The proposed project is consistent with the stated purpose of the Mission - NCT Districts in that the intended Outdoor Activity Area is located at the ground floor, and will provide a compatible convenience service for the immediately surrounding neighborhoods and will contribute to the street's mixed-use character and activity in the evening hours. Parking is not required in the Mission - NCT District.

- 8. Additional Criteria for Outdoor Activity Areas 145.2(a)(2). An Outdoor Activity Area is subject to additional criteria that the Planning Commission shall find that:
  - A. The nature of the activity operated in the Outdoor Activity Area is compatible with surrounding uses;

The subject property is located within the Mission – NCT District which is characterized by a mixture of uses with neighborhood-serving uses occupying the ground floor and residential units on upper stories. The proposed use is in keeping with the other ground floor commercial use establishments on the property and within the broader neighborhood, and is the only outdoor seating area on this block of  $24^{th}$  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 is enclosed by 10-feet high wall along southern edges abutting the adjacent residential buildings which will help to buffer noise and reduce potential privacy issues. The proposal includes a 6-feet tall wood wall along the western property line to buffer noise and reduce potential privacy issues for the neighboring six residential units. Furthermore, the Outdoor Activity Area is located closest to Osage Street, which minimizes impact to residents of adjacent properties. The patron seating is located furthest from the adjacent southern and western residences, in order to reduce noise and ensure privacy for neighboring residents. As a condition of approval, the Project Sponsor shall propose adequate sound buffering to meet requirements of the San Francisco Noise Ordinance and operate the proposed Outdoor Activity Area such that noise is kept at reasonable levels so as not to unduly disturb neighboring businesses and residents.

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.

During the first nine months of operation, the Outdoor Activity Area will operate within restricted trial hours. The Outdoor Activity Area will be limited to 11:00 a.m. to 10:00 p.m. Sunday to Thursday and 11:00 a.m. to 12:00 a.m. on Friday and Saturday during the initial nine month trial. The trial period will allow for proper monitoring of potential impacts to the neighborhood.

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

#### COMMERCE AND INDUSTRY

#### **Objectives and Policies**

#### **OBJECTIVE 1:**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKINIG ENVIRONMENT.

#### Policy 1.1:

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development that has substantial undesirable consequences that cannot be mitigated.

#### Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

#### Policy 1.3:

SAN FRANCISCO PLANNING DEPARTMENT Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

The proposed development will add a reasonable amenity to a use that serves the neighborhood and will provide five additional employment opportunities to those in the community. The expanded scope of the existing business to include an Outdoor Activity Area will complement the existing business. The proposed activity is unique and will thus enhance the business. Further, the Project Site is located within a Neighborhood Commercial Transit District and is consistent with activities in the commercial land use plan.

#### **OBJECTIVE 2:**

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.

*The Project will retain and enhance an existing commercial activity and will enhance the diverse economic base of the City.* 

# OBJECTIVE 3: PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

#### Policy 3.1:

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

#### Policy 3.2:

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

The Proposed Project will provide five employment opportunities, including entry-level employment opportunities, for the area's unskilled and semi-skilled workers.

#### **Neighborhood Commerce**

#### **OBJECTIVE 6**:

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

Policy 6.1:

SAN FRANCISCO PLANNING DEPARTMENT Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood. The Project retains the existing commercial tenant's ability to enhance their business services and strengthen their presence in the neighborhood.

The following guidelines, in addition to others in this objective for neighborhood commercial districts, should be employed in the development of overall district zoning controls as well as in the review of individual permit applications, which require case-by-case review and City Planning Commission approval. Pertinent guidelines may be applied as conditions of approval of individual permit applications. In general, uses should be encouraged which meet the guidelines; conversely, uses should be discouraged which do not.

#### **Eating and Drinking Establishments:**

Eating and drinking establishments include bars, sit-down restaurants, fast food restaurants, selfservice restaurants, and take-out food. Associated uses, which can serve similar functions and create similar land use impacts, include ice cream stores, bakeries and cookie stores. Guidelines for eating and drinking establishments are needed to achieve the following purposes:

- Regulate the distribution and proliferation of eating and drinking establishments, especially in districts experiencing increased commercial activity;
- Control nuisances associated with their proliferation;
- Preserve storefronts for other types of local-serving businesses; and
- Maintain a balanced mix of commercial goods and services.

The regulation of eating and drinking establishments should consider the following:

- Balance of retail sales and services;
- Current inventory and composition of eating and drinking establishments;
- Total occupied commercial linear frontage, relative to the total district frontage;
- Uses on surrounding properties;
- Available parking facilities, both existing and proposed;
- Existing traffic and parking congestion; and
- Potential impacts on the surrounding community.

There is a concern with noise impacts on the surrounding neighborhood. In an effort to reduce noise and provide privacy to residents the Project Sponsor shall propose adequate sound buffering to meet requirements of the San Francisco Noise Ordinance. The proposed Outdoor Activity Area shall be operated in such a way that that noise is kept at reasonable levels so as not to unduly disturb neighboring businesses and residents. Furthermore, reduced pilot hours have been drafted for the first nine months of operation. The Outdoor Activity Area will operate within restricted trial hours to allow for proper monitoring of potential impacts to the neighborhood.

#### Policy 6.2:

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

A locally owned business is sponsoring the proposal. The proposed use is a neighborhood serving use. This is not a Formula Retail use.

#### MISSION AREA PLAN

#### **Objectives and Policies**

#### Land Use

#### **OBJECTIVE 1.1:**

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, 24<sup>th</sup> Street, and Valencia Street Neighborhood Commercial districts; recognize the proximity to good transit service by eliminating density limits and minimum parking requirements.

#### **Policy 1.1.6:**

Permit and encourage small and moderate size retail establishments in neighborhood commercial areas of the Mission, while allowing larger retail in the formerly industrial areas when part of a mixed-use development.

The proposed addition of an Outdoor Activity Area will help preserve a neighborhood serving use as a restaurant. It will provide the neighborhood with an outdoor dining experience within walking distance. The Outdoor Activity Area will be located within the Mission Street Neighborhood Commercial Transit Zoning District. The use will compliment this district. The location and size of the Outdoor Activity Area will serve to enhance and promote a thriving small business. Traffic and parking will not be affected by adding the Outdoor Activity Area to the existing restaurant.

#### **OBJECTIVE 1.5 :**

MINIMIZE THE IMPACT OF NOISE ON AFFECTED AREAS AND ENSURE GENERAL PLAN NOISE REQUIREMENTS ARE MET.

#### Policy 1.5.1:

Reduce potential land use conflicts by providing accurate background noise-level data for planning.

#### **Policy 1.5.2:**

Reduce potential land use conflicts by carefully considering the location and design of both noise generating uses and sensitive uses in the Mission.

The proposed use is subject to the standard conditions of approval for an Outdoor Activity Area as outlined in Exhibit A. The Project Sponsor shall propose adequate sound buffering to meet requirements of the San Francisco Noise Ordinance. The Project Sponsor shall operate the proposed Outdoor Activity Area such that noise is kept at reasonable levels so as not to unduly disturb neighboring businesses and residents.

#### **OBJECTIVE 1.8:**

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.

No commercial tenant would be displaced and the Proposed Project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

- 10. **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 does comply 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 proposal is a reasonable addition to the restaurant and would enhance the commercial district. The nine-month trial hours of operation for the Outdoor Activity Area and required sound buffering will protect the quality of life for surrounding residence. Furthermore, the business is locally owned and the addition of seating for more patrons will provide greater employment opportunities, including entry-level employment opportunities, for the area's unskilled and semi-skilled workers.

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

The conditions requiring sound buffering and a trial period to monitor initial effects provide a mechanism to protect neighborhood character.

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

No housing is removed for this Project.

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

The site is on 24<sup>th</sup> Street and is well served by transit. The site is adjacent to the 24<sup>th</sup> Street BART Station and along six MUNI bus lines. It is presumable that the employees and patrons would commute by transit; therefore, effects on street parking should be minimized.

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 will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.

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

As this is a proposal for an Outdoor Activity Area, the proposal would not affect earthquake preparedness.

G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

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

*The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.* 

- 11. 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.
- 12. 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 Application No. 2013.0224C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated June 17, 2013, 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 No. XXXXX. 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.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on XXX XX, 2013.

Jonas P. Ionin Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

# **EXHIBIT A**

## AUTHORIZATION

This authorization is for a Conditional Use to establish an Outdoor Activity Area at the rear of an existing restaurant (d.b.a. Rustic) located at 3331 24<sup>th</sup> Street, Block 6516, Lot 025 pursuant to Planning Code Section(s) 145.2, 303 and 736.24 within the Mission Neighborhood Commercial Transit Zoning District and a 55-X Height and Bulk designation; in general conformance with plans, dated August 15, 2013, and stamped "EXHIBIT B" included in the docket for Case No. 2013.0224C and subject to conditions of approval reviewed and approved by the Commission on September 19, 2013, 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 August 8, 2013 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 415-575-6863, <u>www.sf-planning.org</u>

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 415-575-6863, <u>www.sf-planning.org</u>

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 415-575-6863, <u>www.sf-planning.org</u>

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 415-575-6863, <u>www.sf-planning.org</u>

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 415-575-6863, <u>www.sf-planning.org</u>

#### DESIGN

6. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance with the 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, <u>www.sfdph.org</u>

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>

7. **Noise** . The Planning Department will not approve any Building Permit application for the Outdoor Activity Area until the Project Sponsor demonstrates that adequate sound buffering is proposed to meet the requirements of the San Francisco Noise Ordinance. Plans submitted with the building permit application for the approved project shall incorporate acoustical insulation and other sound proofing measures to control noise.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>

8. **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 415-558-6378, <u>www.sf-planning.org</u>

9. **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 architectural addenda. 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 building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, <u>www.sf-planning.org</u>.

#### MONITORING

10. **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* 415-575-6863, *www.sf-planning.org* 

11. **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 415-575-6863, <u>www.sf-planning.org</u>

# **OPERATION**

- 12. 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,* 415-695-2017,.<u>http://sfdpw.org/</u>
- 13. **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 with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator 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 415-575-6863, <u>www.sf-planning.org</u>

14. **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 415-575-6863, <u>www.sf-planning.org</u>

15. **Hours of Operation.** The Outdoor Activity Area will operate pilot hours for the first nine months of opening with hours of operation set as 11:00 a.m. to 10:00 p.m. Sunday through Thursday, and 11:00 a.m. to 12:00 a.m., Friday and Saturday. No patrons may remain in the Outdoor Activity

Area after closing time. Staff may remain as necessary for cleaning and other duties related to the operations of the Outdoor Activity Area one hour past the closing hour stated above. No employees may be in the Outdoor Activity Area after the clean-up time.

After the nine month trial, the case will return to the Planning Commission as an Informational Presentation where then Zoning Administrator would have the discretion to extend or reduce hours as directed. The existing hours of operation within the restaurant will not be affected. *For information about compliance, contact Code Enforcement, Planning Department at* 415-575-6863, *www.sf-planning.org* 

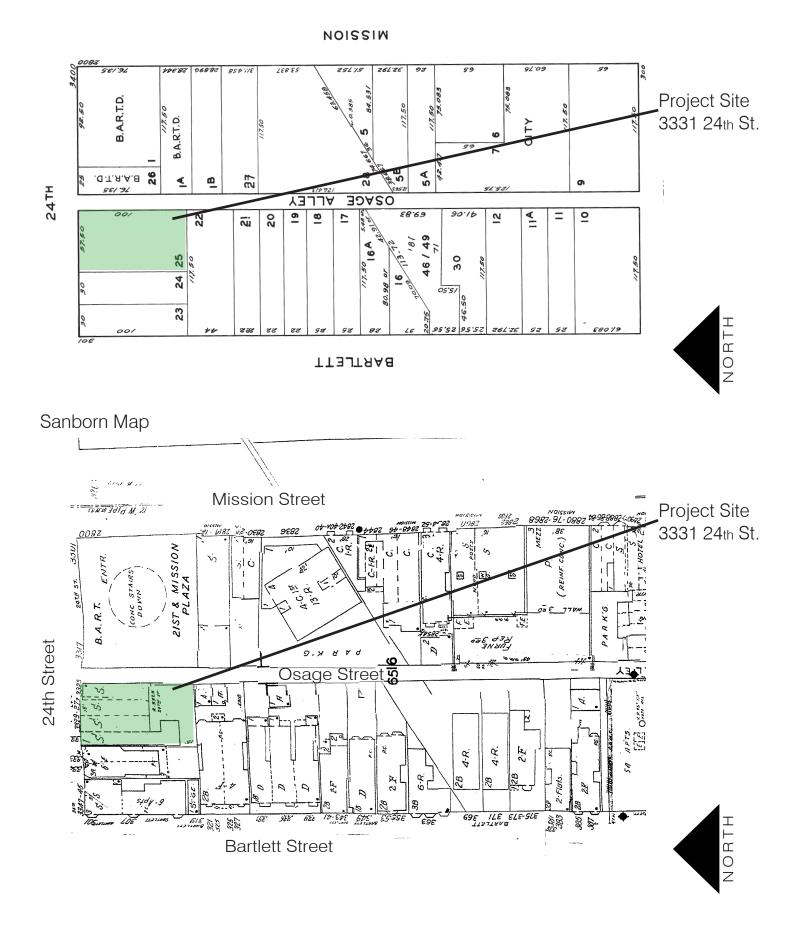


Aerial Photographs



Project Site 3331 24th St.





# Constructed Deck in Outdoor Activity Area Facing East toward Osage Street

3331 24th Street. 2013.0224C





September 11, 2013

City of San Francisco 1660 Mission Street San Francisco, CA 94103 Attn; San Francisco Planning Commission c/a Danielle Harris Staff Planner

Re; 3331 24<sup>th</sup> Street Outside patio

Dear Planning Commissioners,

This letter is to accompany the many letters of support we have received to date. You have read the staff report, seen our drawings and familiarized yourself with our location. We hope that you feel that our project will be a benefit to the neighborhood, providing another venue and activity for the community.

Over the past several months we have committed ourselves to a great deal of outreach. In addition to the pre-application meeting we had prior to our submission for discretionary action, we later held another neighborhood meeting and have also been reaching out since our restaurants opening last month. During that time we have received overwhelming support, in part translated into the letters and petitions that are part of this email.

An article was published in the SfEater blog last month, which in its language contained a few inaccuracies that have contributed to a misunderstanding. Mention is made of a Biergarten, and "full on party" in the back. This has caused the misimpression, in a letter from the neighborhood organization Calle 24, that this will be a loud place to drink and party. It is important to note that for my clients, being part of the community is important. What drove them to this project was the desire to make pizza. The back yard and patio is an component of the pizza parlor. There is no smoking and no hard liquor. We feel that this will be yet another quiet place to enjoy an evening in the Mission.

Naturally we are onboard with maintaining a quiet enjoyable place to live for everyone. Towards that end we will bring an acoustical consultant along with us to our hearing to answer any concerns. Additionally we are prepared to be under the scrutiny of the neighborhood and under the jurisdiction of the planning commission for an initial period, during which we can be brought back if environmental concerns warrant.

2747 19th Street, San Francisco, CA 94110 / . tel. 415.362.5857 . fax. 415.362.5044 . www.tecta.com

architecture ) interior design ) branding

Again, we have overwhelming support, and only this most recent complaint. We will be reaching out to Calle 24 in the next week, and hope to satisfy them. In the meantime we thank you for reviewing our package and our case.

Sincerely;

Ahmad

Best;

Ahmad Mohazab, RA, NCARB Project Architect

Lauri Mackenni MIN 550-7512 1443 Flordast San Francico, 14 9411. Todel Smithline (45)643 7007 308 Son Sore Are Made moremity GT Scill it the milt (and sti-sig Katie McClure 524 Gueriero St. #20 650 862 3404 SF, CA 94110 Dean 3548 1874 ST #5 415 3705872 Caitlin Parker 12 Balvedorest SECA 94117 KRISTA RUET 25 MACE)ONIA ST SF 775 750 3721 2004 Dans St 415515664 Jose BARTON Nina Antwerha \$ 3620 19th St. #28 415 613 7540 Surt Juntti SF, CA 94110 ALEXEL ORESKOVIC 304 MONTRIEST. 415-282-8998 SF, CA 94/100 Alicia Aghevli 415596-9598 1 toles. Van Nos Ave ARASSA ACHEVES 415-611-9072 N 1 2519 43" Avr. SF 94114 4016968800 PAMina Floras BIL OZUNA 230 SANJOSEN 9498707194 94110

I SUPPORT RUSTIC'S BEER GARDEN +BOCCE BALL CURTS. NAMP BOORASS PHONEH 1269A S. VANNESS AVE. 415 577.5633 TODD CLOBES 415.690,6915 119 DAY ST TABINA Porce Julie Lindsey 3170 25th St. 415 613.2853 ANTHONY LINDSEY (415)606.9603 Ч Anthony Bush 2305 Folson of (417) 595-1795 KaltonioGummes YSB 44M ME 45 225-2029 1043 Valercia #1 Judy Than 570.220.7769 585.506-8865 2772 Bryant st Asheesh Lawin 415-948-503R 280274451 ERIC ZIKO Megan Stinuedel (415) 320-0424 27739 Folsom St (015) 515-1511 David 11 11 11 (415) 282-7323 Faith Armstrong 1201/2 San Jose Ave. 104 Congo St Eleen Shells (415) 554-2507 940 shatvell st 914-315-824p Greg Fulton 940 Shotwell Street (415)732-9372 Lauren Stracka 341 Son Jose Ave (909)215-45=7 Milee Roberts Patricia Mahoney 1030 Treat Ave. 415-647-7969 415 832 9181 0 455 Bartlett St Sean Sorrell

I Support Rustic's Beer E Whe Garden and Boxe Court Blian Marchiel 415-309-4887 41 Hill SF# | ANDREW COLLING 930 SUTTEC ST. 415 308 4596 Anna Fulton 3270 261 ST. SF 1101 Capp of S.F 94110 415-261-5552-415-684-544/ JOSE Maya 415-238-2717 2735 mission st. #9 Maya Castleman 2735 Mission St., Jessica Hernandoz 1987345 ave. SF, CA-94116 415-368-9835 Andre Samnyoa 415- 987-1452 864 Treat Ne ig ca aullo 415-871-6641 Adam Zenko 864 Treat Are. SF, CA 94110 263 DUNCAN ST. SF, 04 94131 KEN SHEN 360 970-5497 3002 24mst Seth Maughon 415 307 5805 2748 Harrison St CAMERON KANE 530 3041 1650 2748 Harrison & Jana Williams 415-439-9565 601 Van Ners Are Evelyn Kuo 415 - 871 - 3395 3435 Cesar Chavez Kayvon Ghashghai Barret Wall 646 884 3967 1497 Valencia St. 714-363-6096 130 RAMSELLST Tatiana Ballinger 1049 mariletst #214 Chrus Figuerora 415 568 0186

I SUPPORT RUSTICS OPENING THEIR BACK YARD FOR FOOD SERVICE & BOCCE BALL ADDRESS EMAIL NAME 241 SAN JOSE AVE. PATRICK. Manierela GMail. Patrick Manière 1058 - Resit vive - -Indu Mieldary KKleinl@earthlink.n Krista Klein 714 Chenery St 714 Chenery St 94171 Gill. Kipp @gmail.m Bill Kipp 1188 Dellows Sgruppe sty blaling Stlu Ruppoprt neagoliticnonagand 11332 Showell St Meagon 2753 Bryaut St traveling setu oyanoo. Setu Benton 312 San Jose AV. Jural Sbeglobal. not John Walter Pameyipe.org 3280 22nd St. 1007. Dolores St Pam Mangan Dan TRACEY 990NW26th 97330 India Sloat jure to 2 @ gnel. com 238 San Jose John Griffin 9410 Keyla Childress kayla elangahotmail. 2165 Chantideer Am, Sunth Crie, 95062 MICHAM RUSPAMAN 271 SAN JOSE AVEHJ CREEPY M C YAHOD. COM Sticagy110

I Support Rustic's Bear & Wine Garden and Boxed Courte 676 47th Ave SF CA 510-305-5339 Jee Duoney 240 Chattonosia SE CA St. 9018 Maraika Costello-Dougher kat Ongbrogen 2208 Mission St SF 2363 VAN NESS SF CA 94109 CHILS OCSON 2163 MASON ST. SF CA 94113 4296254557 5591 94114 VINCENT SALL Steve Contry 2265204 St SF Ca 94410 staces Hall 268 Bush St SF 94104 Stephen Cordova 2265 20th St SF CA 84410 mil 13308 Guerrero St SE CA 94110 antes 1330B Guerrero ST ST CA 94110 KANDY CHUNG 2941 A Harrison St SF CA 9410 Katherine Chas 413-537-0687 72 Alvarado St., SF, CA 94110 Melissa Marshinelli 32AZZAMST STEASHUG HATTMALANKE 415- YMUL 2 Minsion 815 multire St., SF, CA 94110 SAM TAUS Edgar Garering 1124 Treat Ave, SF, CA 94110 1393 Guerrero St, SF CA 94110 Shawn Michols 707 Shotwell St, SF CA 94110 Mark Nichals 3533 24th 87 94/10 Kate Davison 316 Valencia St SF (A 94103 Shelby Winso

I Support Rustic's Beer EWine Garden E Bocee Court Nick Oforman 1125 Delaves St. nick: ogorman ggma: (:can Adam Shapiru 415 Pierce St shupx 2001@76400.cm 1067 Valencia St. Alison Badvars aaberdvouseyehoe Jessica. Van Halten agmail.com 425 Lombord st Jessica Van Houten Travis Britain 3607 23ª St Priton to @ smail com Runn Russes 149 VAUSNIN 56 G 94110 ngtech 650@qmail. Com 763 University the Hector Guitierrez Eric Ferguson Brita Mily Perc Sobot 1014 Shotwell St. efergus of e xahoo. com 254 Son Jose are 254 Son Jose are eritaGiveil.com Pearl Co well. cen 82 waller cheesedorly equestican Natis Janal 37 Honeshad Nick Beraribes nickacides@gnail.com 320 Bartlett james. C. wange gmail. com James Warng KIRIC. W. HEATH agnail. on 320 BARTOTT KIRK ACAMA Joanna Saracino ALBINDO MONDOL Hunon's le Cymail. com 3127 22nd A. 2827 MASSON RAKESH BEHART 483 Heard St 1013 Guerrero All. Ed Winen edwardwiner zychos.com skolance & bellandn.ne 1013 Gaerrere Jusan Kun 737 Chatlanasa St. fuckald @ gmail, Gm Plint Sclerr 2225 230 59. bunk ... nontry 153@ yohow. con Ry MASK amrs Kim 1318 Everrer u ChrisCangus t. com

I Support Rustics outside Palios & Pizza Gerden ul Bree Ball nome #12185 # a Là l'ess Ħ Gregory Dabsandre 312 FAIR OAKS ST 408-230-4685 Cynthia Jonasson 312 Fair Dakest 303-903-6395 288 precita Ave 415-285-6005 Tony Ferrain Jourthn Stron 288 Presta AVe 360-298-2164 Michael CRONBACH 860 E jizubety 415 874 0820 9711)4, 978 387 7143 435 Jersey St Sarah Waldo MAX ELMAN 194 272 ST 831 428 2909 Ossana Alani 20 Bonnew St 4115 4198 0509 Alehs Mist 3157 23m, st 502 298 0976 1410 Guernemsz 310-795-085. Karah Sundar 13039th Nebrich 913 970-502 Samer Pantoun 85 JOS 1AH AVE 415/597-9771 SECA FAVAZ RAJAM AL WI 565 51N MARMOND 602-578-7222 MU, CA 94040 Kristy Wy 602-820-7442 11 ( ( Megen Mc Conth 243 Athol Ave to Oakland CA 510 552-1068 KimberyVachla 949 Capp St. CA 94110 860-655-2123 (Aris Castle 320 Bartlett St 831-588-8298

I support Kushic's Beer E Wine Guden and Bokce Court Email Add ress Name jennayle@gmail.com 516 Manor Dr. Pacifica, CA 963 Oak St. SF. CA Jenn Cayle EMILY GU EMILYMGN @ BMAIL.COM 206 fairmount st SF. Therrema @ gmail.com Cindsey Herrana Ben Kejes 11 Mountain View, sun Rafiel Keyes. Benjamin @gmail.com Lorteice O-ymail.com 726 Oak, SF, CA Lorteice Alexander tomgidade Small. com 3375 MISSION ST CA Janch Cardle 139 Son Jose Are 94110 pixel tot @ gmail. com Anthony Paul LII Hill St. #4 9410 josh lydon@gmil patricklydon@asa.met Joch Lydon 41 Hillst. #3 94/10 Pat Lydon 411 Hillst. #3 94110 Nancy Heramonson 195 Bartlett 94110 Any Farrweather Celestepace Motmail.con Shanikun@gmail.con 3334 25th Street 14110 Celeste Vace 27731 White Sail PI Canyon Lake, or 30525 Longhonn Dr., Cadyon Lake, CA ashinalleit live.com Shannon Wright Ashley Waller. 1 dang old 113 8 a grail.com 15 peters are. Dan Goldenberg 1755 GROVE ST. 3269 25th St DANIANO ZORZI nikkingarya@gmail NIKKI Garag anniquetgun 69 @ yahoo an 18 271 San Jose Ave. Anissa MAlady KHWOSFE JAHOO. COM 1158 York ST. FORTST MASS a exerticantemper o 3407 24th 8=#20, SF, CA Alexa Frankukers 3355 72nd St SF, (1941/1) KEUIN GERDON

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Support Rustic's Beer E Wine Garden and Bocce Court !! 415-746-9066 il Nopper 106 FAIR OAKS SP. 510-220 -1793 Inniel C. Silverstein 385 Burtlett St. 415205795 Jario Romine 375 Guerrorost 415 282-5682-105 SanJose Ave lie Goodwin 915.516.0389 566 S. VAN NESS ANG , show HARRISON 415.412.2617 99 Jepsey St. #11 , RK SARtoRis 4157861069 2321 SwH St mine Giordanus 415 680 0868 3560 24th Sl 415 3120141 HN BRINCKA 876 Treat St 415 438-0079 908.581.7628 hissa cooper 3425 234 Apt23 Ielissa Davies 983 capp. 211 Villabus St. m 64011 307-614-8263 onnov O'Bren 925 2263402 1300 Valencia #5 Justin Ungron (415)902-4766 1370 Valencia St.# Alexander Hunt 415-282-1395 Danielle Hunt # 1379A MAnpshile S.F. 2360 San Jose Ave, SF. TESSA SENTOR David Midels 51- 415-505-1623 1258 Valencia St 14124 Adam Clark 并 519 BARTLETT Jim Ott 541-579-1503 127 (mgo St. SF

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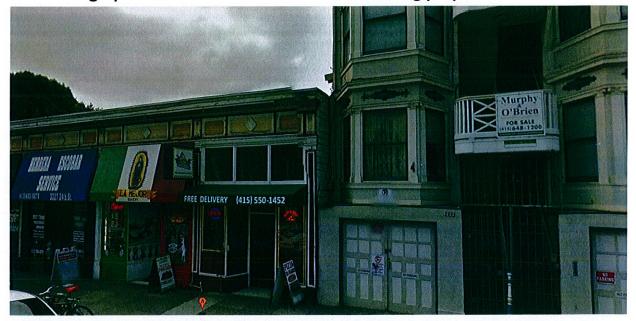
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Damele Sales Jasen Ven	1470 Valence EE CA 941 1470 Vale CA 941	415373-6300 10 nllg 6263541126 410
Stephanie Lee	206 SanJose, SF94110	140 225
Jenni Ernielser	SFCA94	Jaks St 11158282790
Stella Oho	3514 25TH ST. SAN FRAN CA	APT 309 (213) 258-0808 94110
Meredith Actor Rachel Clyde Dyla Riaa	197 Church San Arancis 9411 2526 Brugar SF, CA, 941 1850 17th Ave SF, CA, 941	14 14 1158619088 110

I Support Rustic's Deer & Wive Garden and Bocce Courts 415,282.0447. 907 Shotwell St. SF CA 94110 Kathapa Howard 404-508-5183 Christa Essig 3516 Z3rd St SF 350-9716 Jerrifez Scens 1370 Noe 57, 94131 503-7196 Brian Pendeguel 415 516 Sa84 2475 Golson St., 94110 CEDER TNGJER 415-308-848-2475 Folson A. 9416 Ame Goggins Onris Hinkle 415-490-8338 11 College Terr, 94162 831-345-4992 lawa Sherwood 237 San Jose Ave. 94110 Kelly Strat 931 Adores 94110 415 - 238 - 8189 937 Dolons #6 94110 415-706-8190 Keelyn Hearly 1975 S VAN NESS 941108 Abam B Jenny Stafforty 1075 S. Van Ness 94110 415-528-4567 3708 cole Cole 95/10 Wesse Referson 805-541-0769 (415)374-1085 9159945192 324 Bartlett st #21 94116 Lopeto Espinoza Juas Eshevascia Imanol Echevarría 329 Bourflet St-Hiz1 94110 324 Banttlet st apt. 21 auli 415 945192 1689 Higgins Way 94044 650 580-9036 Anna Moore Kos- Bustanate 3744 24M ST 94/10 415 425 1728 HORACIO PEREL 287 BAETLETEST. 94110

I Support Rustic's Beer Garden & Bocce Ball Courts ADAREIS Phove # NAME 415-203-4444 681 San Jose Ave April Ciaccio 415-971-8693 237 San Jose Ave. anna Calonje 415-264-8328 EUG Welles Roofriques 560 querrerost 240 \$06-6606 Nicole Belanger 3375 20 nd st. 3045 Harsstv24th st. Dana lazan vit 415-647-7088 MOMAN 2571 Middlefield. Teresa Ansell 631 402 7851 938 Capp 5+ Mavir Nelson 136+ Valenia 415 648 3323-Yran Oyaleme 415 249 5611 415 305 5647 2261 ML+ St SF #4114 DRogus 325 Sand Dse Marianne Bitle ter i 415 305 2688 Geoff Pike 231 Bartlelf St 510-551-4222 Beth Burkhoxt 2-61 Battlett 915-490-6792 Orgónie Pitzegerald Paul harbison 2208 Mission 415 -867 - 1826 2634 Anza Deric Licko 415 279-5894 289 Sen Jose Ave 415-318-9329 913-206-5350 ADRIA OSWALD 2703 Folson St. SAM MOPSE 4 5 900 8632 988 O'Farrell W709 Juhi Lim 720 York #107 94110 1335 SO VAN NESS Linda "Spike" Kalun 415-935-3641 4 5-978-2070 Charles Envich



Site Photographs of 3331 -24<sup>th</sup> Street and surrounding properties

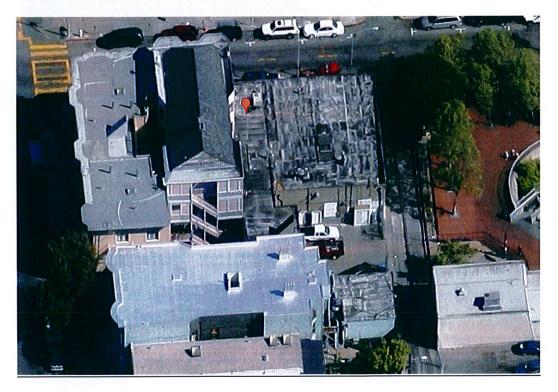
Subject property center- 3331 -24<sup>th</sup> St. elevation –North Elevation



Subject property center - 3331 -24<sup>th</sup> St. -Osage St. elevation –West Elevation



Subject Property -3331 -24<sup>th</sup> St. -Partial Patio elevation



Subject property -3331 -24<sup>th</sup> St. -Bird's Eye view-North orientation

Name Address Rache 1. PI Drive 2. Mala 100-Decob AUS 0 0 TUVPNIE DIA-2. ease lhe Rachel hI DAIC 3 KIM7PL (209 XAK T RDX 1400 209 256 CODIO ntenc a. GSO PIMPA RDI 61 days iA a o 0 an h 4 • • olson Euch B LAR OOR 391 DA 3325 DI 5 131766 twitte 210 0 Amilion TEFF 331 BARTLETT 319 Man 7 94/10 416 lu

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Name	Address
Gurmen Glice	3329 24 ST.
08210722	3329, 24" ST.
Remainer Shan	~ (3 Haight St
Karen Shaw	45 Hoight St
Gud JIDOT	i dy 3716-25Th St.
Craig Zaretsh	3344 24th Street SF CA.
Ster lande	2347A 211 ST SF-
Marta Mería	324 Martleft 24 51.
RACITEL UBAR	4-3344 24TH ST
Robert Wultsch	424 Bartteft 4t #1
Mariza Kuan	424 Buttell St #1
Dissella Herrera	3327- 24th St. St. CA. 9410
Adely Manta	2 3219 23rd st II San Francy co.
Davelle Rit	e 117 Gores St SF
SHARMUA LASSEN	233 BARTLETT ST
SORON LASSO	V 233 BARTLETT ST
JINA HRISTO	
Chuic flomps	- 452 BATTOTTAN 202 ST 94110
Sava Kanne	S 923 TRUT TVR.
Jeech Adens	1914 Tremot St. Oceanside CA
faul Hanse	Albanez off
John	3329 2854
Salat Agarosal	307 Bartlett Streel St CA Gill
Ames tarker	365 BArtlott st # 4 94110
Kepekah Chn	3703 Zienst Santrancesco CA 94110
Dap Tao +	3333 24th St San Francisco CA 94110
Jackie Sonlos	307 Bartlett St. #7, Son Francisco Ct 94110
Jon Grift	
2 Java Mosely	- 3517 24h St.
LUITID LAID	- 145 San Jose Avenue, Son Mancisco 94/10
Cere	3745 Wh So ># Car (1411)

31

Name	Address
LUISOLIVA	2617 PONCE AV. BELMONT
Maria Lomer	1000 Sor Varies
Maria Duva Mario Duva	90 BARTIEN SF CA 9410
Michelle B. fayne	7. CIIGE St. SF, CA941100
mario Oliva	869 alabama st 94/10
ANDREW DUPPY	1835 15174 ST APT 306 SF 94103
MARY DUFFY	1855-1574 ST, #-206, SF 94103
toget is h.	2700 MISSION
Jose simmer J.	1113 Clay, In / VAPT
Rum user	+ FRJG QY M GL
APS-	Harson + FREMONT.
	legar wilfre do numes
Frederico Mora	545 O'Farrell 571-5624
July Duly	571-56-24
Jegu Mayti	405 VALLAGA ST
4 pareg	121 JERNE BERKA
ang guy	TYTE US Dapp Hovet
Thead thitel	284L Mission St-7
Matzof Mendelson	3320 21St SFCA 8 Sule There SF CA
MANTE My126	
Cilin Cottar	222 GUT A de QUILO CH
OGEAR PANTON	4132 Mps svor St Sh F CO 94/12 2152 Yoth A. JF. (A SHIIG St WPNING SF CN
michal AVIAC	2151 46th A. S.F. (A S411'6'
Andme Minta	58 WPMAL SFCa
al anon	343 BARTLET ST
MA STA	202 TURYS ART 42
AL OC	322A FAIR OAKS SECA 94110 225 coronal fue Day (ity Ca 94015
mike Jee	71 Jumita way 94127
LAIKe sec	( Vumining wirg - 1912)

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31

Name & Address

Jer Josh 336 ZUM SD. CF Gallon Jan 235 San Dese alle  $1_9Mc_{\rm NL}$ ALRAY SZ REZNAL UGTEL D. SHOEMAKER 391 PAY ST 94131 Stephanie Hill 1496 Guerrero SF 94110 Eggen 26 Rev St 91 (10 aloman 357 Ellis ST NICOLE CORVER 765 QUEVERO 87. 94110 Kan Krymmer 1312 Guirro St. 94110

Name D Address

For Tommy 3340 North St. SF. G. 91/10 Kathie young 211 monterey BI MCa 94131 3227 tothist if (A. 94/10 Jeffer When 670 EDD X SF CA 94/09 ALLOW DAWSON 1859 POWELL SECA 94133 A/2/2-01 865 Copp SF CA qUILU an Hodur SF 94110 Jeff Weil 1012 Shotwell 5334 Borg Oak (a 94618 Sur breamould 500 Mencia NBI thefter water 147 San Jose ST 94/10 3435 2416 ST 644 33" ave SF 914121 parge loseph 515 24th St SF Steve Rain 1341 Valencia St # 33 94110 Uasan Paul 108 Son Jose #2 THILD ADAM SCOW 1011 A Shotwell St. A Santora Als Eddy 5+ udson 5 nuclo 286 San Jose Ave ACCaley 3864 23rd St Orqui VauAtter 1006 N Orange Gove (L.A.)

Name Address IMMA (HILRO 1 Rane n (Drive) Mr 011 Û 000 AUS DO-DECOD TUMNI 0 Q -Urt Ĵ.  $\gamma_{\Pi}$ Дſ ۵ tollher Rachel an Al hil aaid 3 (209) 295 100701 $\mathcal{T}_{n}$ HALA ilntend 209) 256 BIA cnt OODUPIMER Όλ. RNi G I daup  $\Delta$ đ 2 IJ 1 h 101 2810 olson Euch ЪÌ DA` lar 391 (1 C 3325 57 WD 5 (1766 AWWAR 210 [] Aconve TS# Amilion 3\$' BARTLETT 319 NIN IMN Flu 94/10 Ð 46 hand

Re: 3331a 24th Street

Rustic Pizza, rear yard patio

Dear Ladies and Gentlemen,

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Sincerely,

Name Address:

6-27-13 Date:

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Name: Caimen Address: 2

6/22 Date:

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2798 MISSION ST Name: Address:

San Francisco, CA 94110

Date: 66-15-13

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Name: ( Address: San Francisco, CA 94110 Date:

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Name:

Address: 12

San Francisco, CA 94110 Date:

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Name: MARK T. Collins alla
Address: 1053 Montgo CETY SF, CA 941233
San Francisco, CA 94110
Date: <u>6-72-17</u>

Re: 3331a 24th Street

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FRANK SINATRA. 567 MISSION ST Name: Address:

Date:

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Name:	Rachael 51k	
Address:	3000 2380 54	
Sa	an Francisco, CA 94110	
Date:	622:13	

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Name: Throt 949 Capp 52. #5 Address:

San Francisco, CA 94110

Date: 6/22/13

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Sincerely,

Jan Boon 3338 misson ST Name: 1 Address: `

Date: (1/22/2017)

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Name:	Jana	Quint	an	
Address:	3338	24th	Ave	
S	an Francisco,	CA 94110		
Date:	6221	13		· · · · · · · · · · · · · · · · · · ·

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Sincerely,

Name: <u>7</u>	56 75	<u>`</u> ~		
Address:	Sull	ZUM ST.	SF	

Date:  $\frac{22}{3}$ - \_\_\_\_\_

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Name:	Edward	KMel	1cm2r
Address:	1095C	2ppst A.	pT-HC
Sa	n Francisco, CA 9	04110	ļ
Date:	6/22	112	
	1	/	

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Name: Address: RACKMWW San Francisco, CA 94110 Date:

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Sincerely,

Name:	lena C	Vanwa	la	·····
Address:	3388	Lyn	street	

Date: 6/22/13

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Name: Dennis Enancel Address: 15 Lilal =

Date: 6 22 m \_\_\_\_\_

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Name: Lisa Zeppen 3141 23rd St San Francisco, CA 94110 Date: 0/22/12

Re: 3331a 24th Street

Rustic Pizza, rear yard patio

Dear Ladies and Gentlemen,

Thank you for your support, we are opening a new Country Italian eatery called Rustic at 3331 24<sup>th</sup> street, where we will be serving hand stretched artisan pizzas, roasted Italian sandwiches, an assortment of salads and oven specialties, like calzones, strombolis, raquetta, BBQ ribs and roasted chicken. In addition we will have a hand selected beer and wine list that matches our style of food. As part of our dining experience we have converted a back lot into an outside patio/deck, where we will have a couple of bocce ball courts for our guests to enjoy while they eat and have a great time with friends and family. The city has asked us to gather letters of support as they process our permit, so that we can be fully opened by August. Please sign either the letter or petition as part of our community out reach program, thank you.

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Name: HAAAA 2 Address: 3641 San Francisco, CA 94110 6/22/ Date:

Re: 3331a 24th Street

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Sincerely,

Name: ALY MAYURBA Address: DFLF CARDONFF CT

San Francisco, CA 94110 Date: O(22/13)

Re: 3331a 24th Street

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Sincerely,

Name: Mallen Zymel Address: 1248 Valencia S

San Francisco, CA 94110

Date: 6/20/13

Re: 3331a 24th Street

Rustic Pizza, rear yard patio

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Sincerely,

Name: Mike Acesans Address: 1300 Valencia

San Francisco, CA 94110

Date: 6-22-13

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Sincerely,

Name: Jaon Imnen 1304 VALOUCIA ST Address:

San Francisco, CA 94110

Date: 6-22-13

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Sincerely,

Name: Michael Pardone Michael 1-	Dardon
Address: 3347 24th St San Francisco	<u>८</u>
San Francisco, CA 94110	

Date: 6-22-13

Re: 3331a 24th Street

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Sincerely,

Name: Nasri Samara Address: 2792 mission st.

San Francisco, CA 94110

Date: 06/22/13

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Sincerely,

Name: Nae( Khali/ Address: 2970 Mission St. San Francisco, CA 94110

san Francisco, CA 94110 66/22/2013 Date:

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Address: \_\_\_\_\_

San Francisco, CA 94110

Date:

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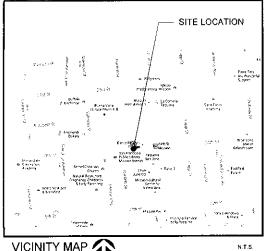
Sincerely,

Name:

Address: \_\_\_\_\_

San Francisco, CA 94110

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



# **RUSTIC PIZZERIA OUTDOOR PATIO**

### 3331 24th STREET

### SAN FRANCISCO, CA

EACH ELEVATION ELECTRIC ELEVATOR ELEVATOR ENCLOSURE EXISTING ELECTRICAL CONTRACTOR

SELF CLOSING

ELECTRICAL CONTR FRESH AIR INTAKE FLOOR DRAIN FINISHED FLOOR FINISHE FLOOR FIREPROOF SELF CL FINISHED OPENING FIRE RATED FULL SIZE

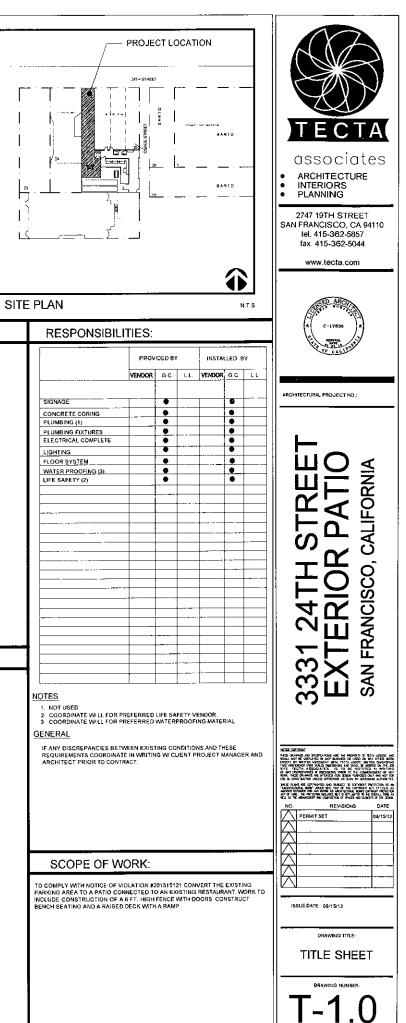
EL ELEC. ENCL. ENCL. E.C. F.A.I. F.D. F.D. F.N. FIN. F.P.S.C. F.R. F.S.

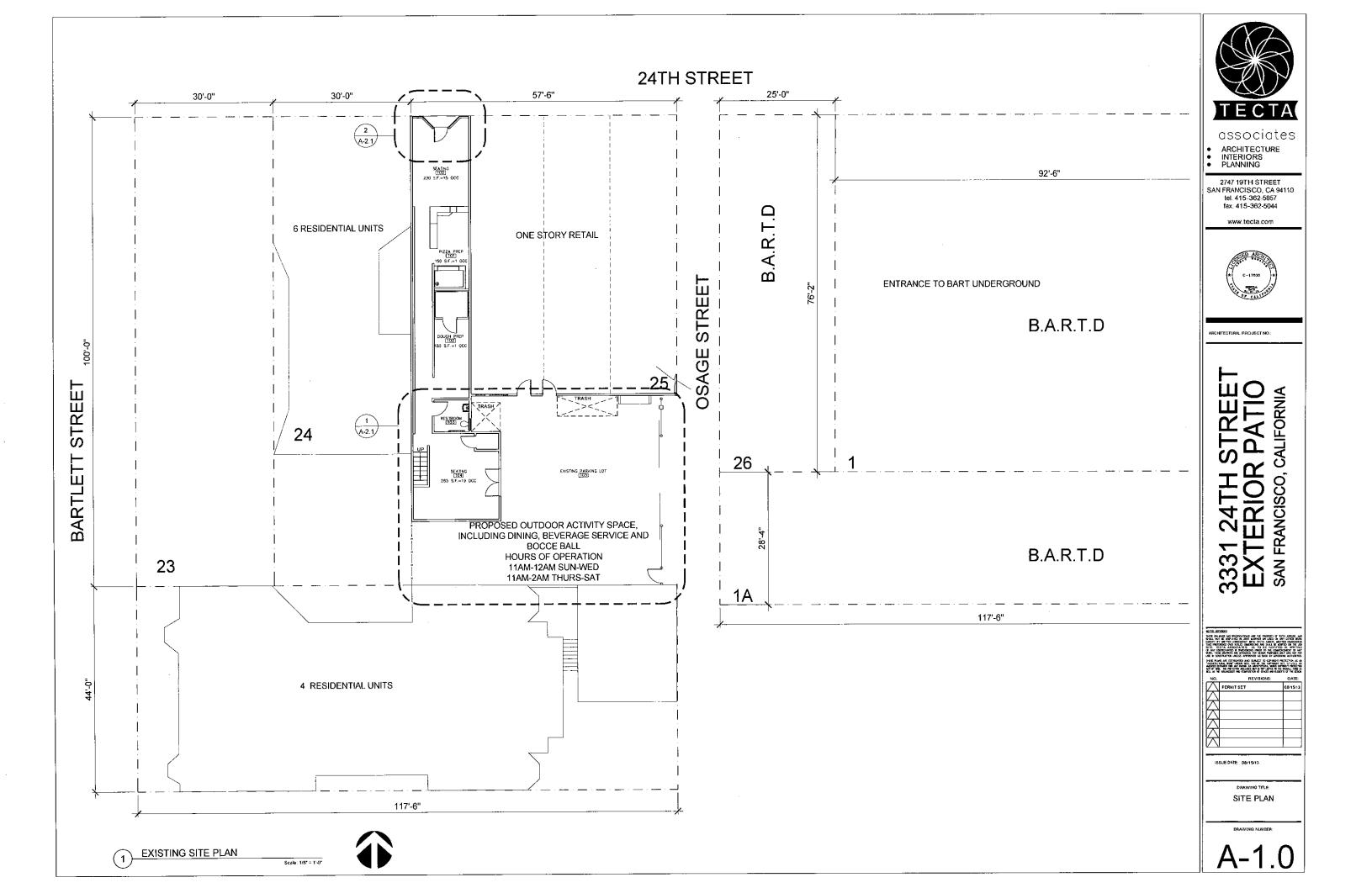
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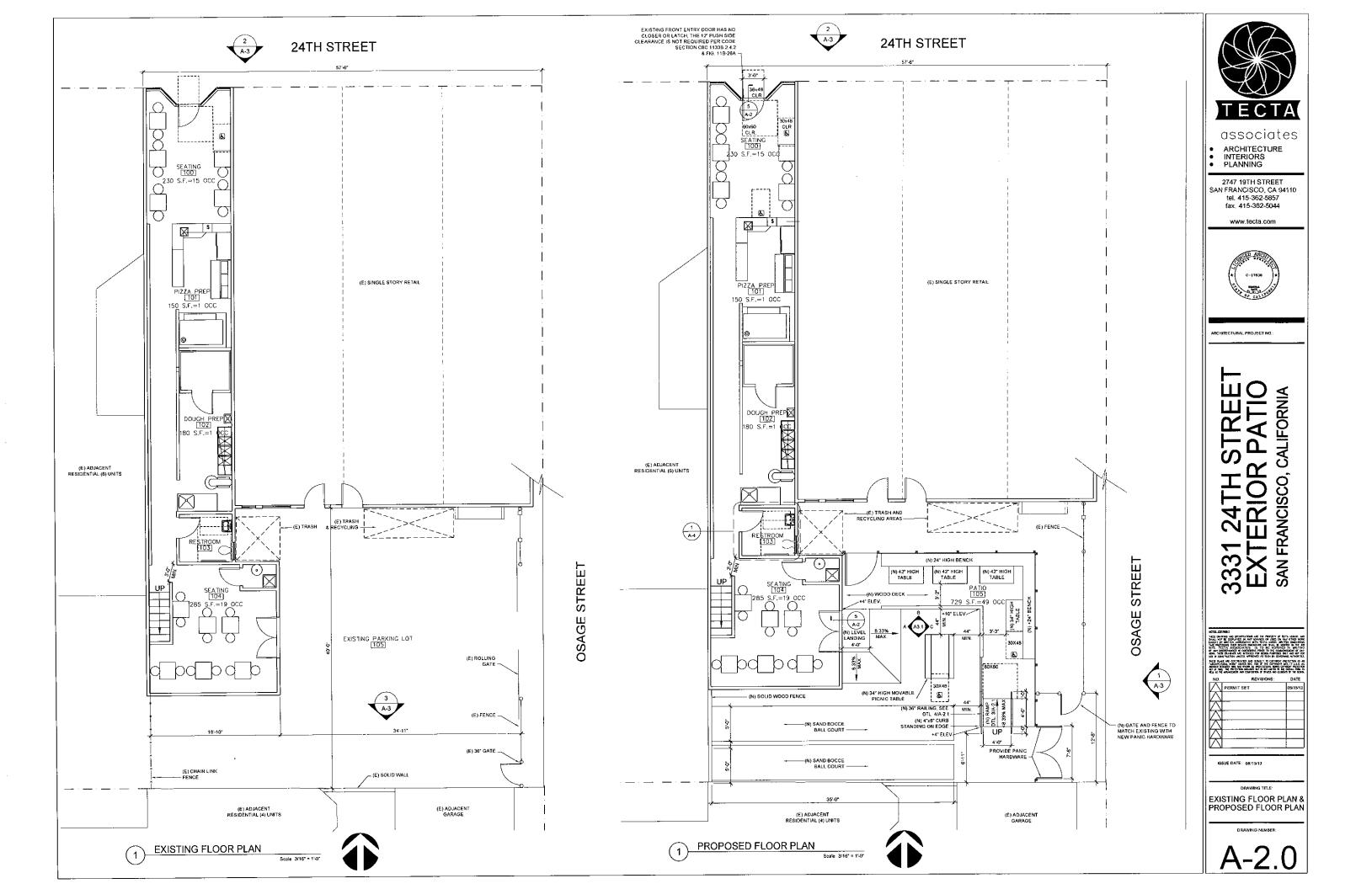
RETURN AIR REFER REGISTER RESILIENT TILE

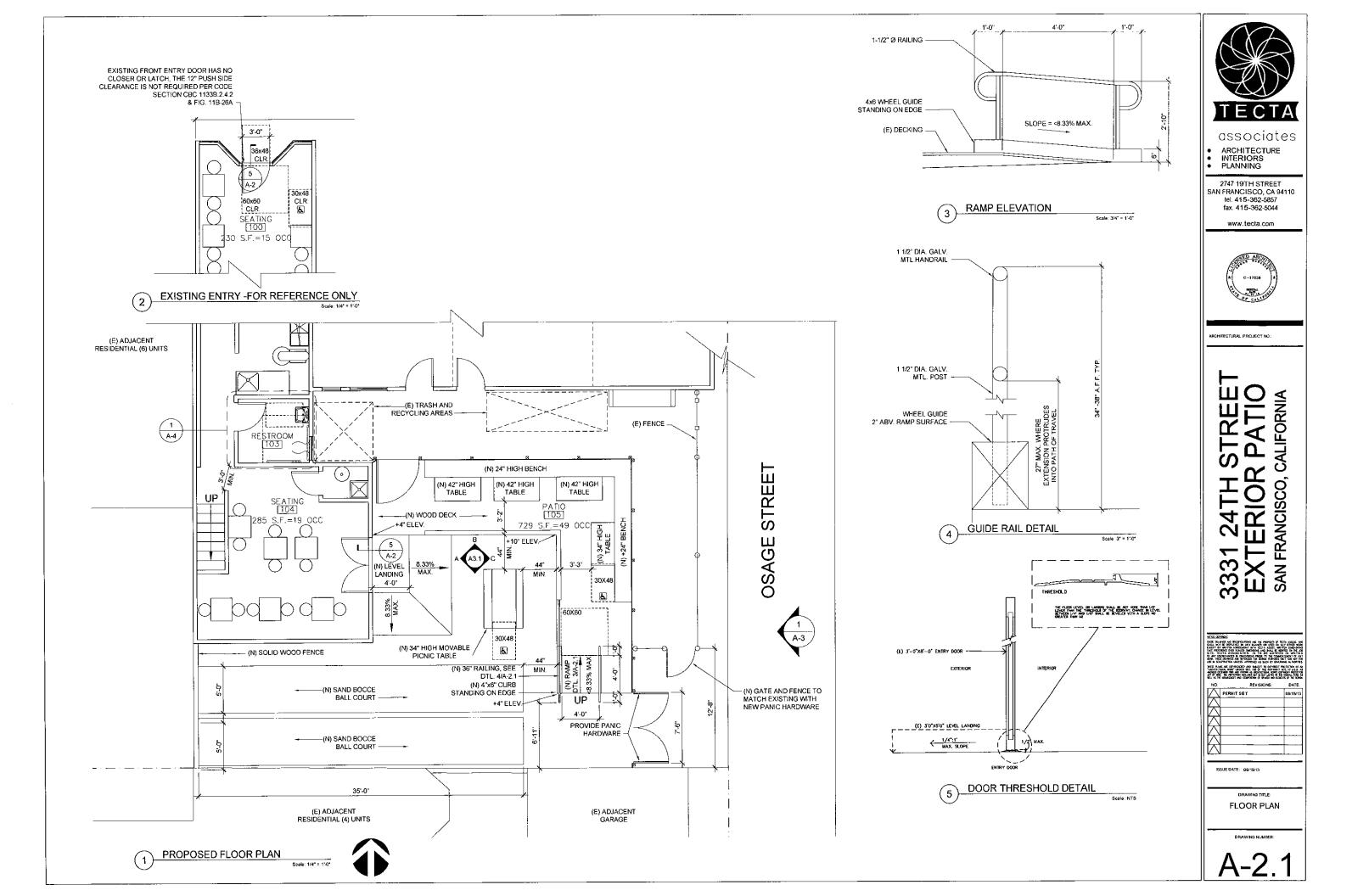
ROOM ROUGH OPENING

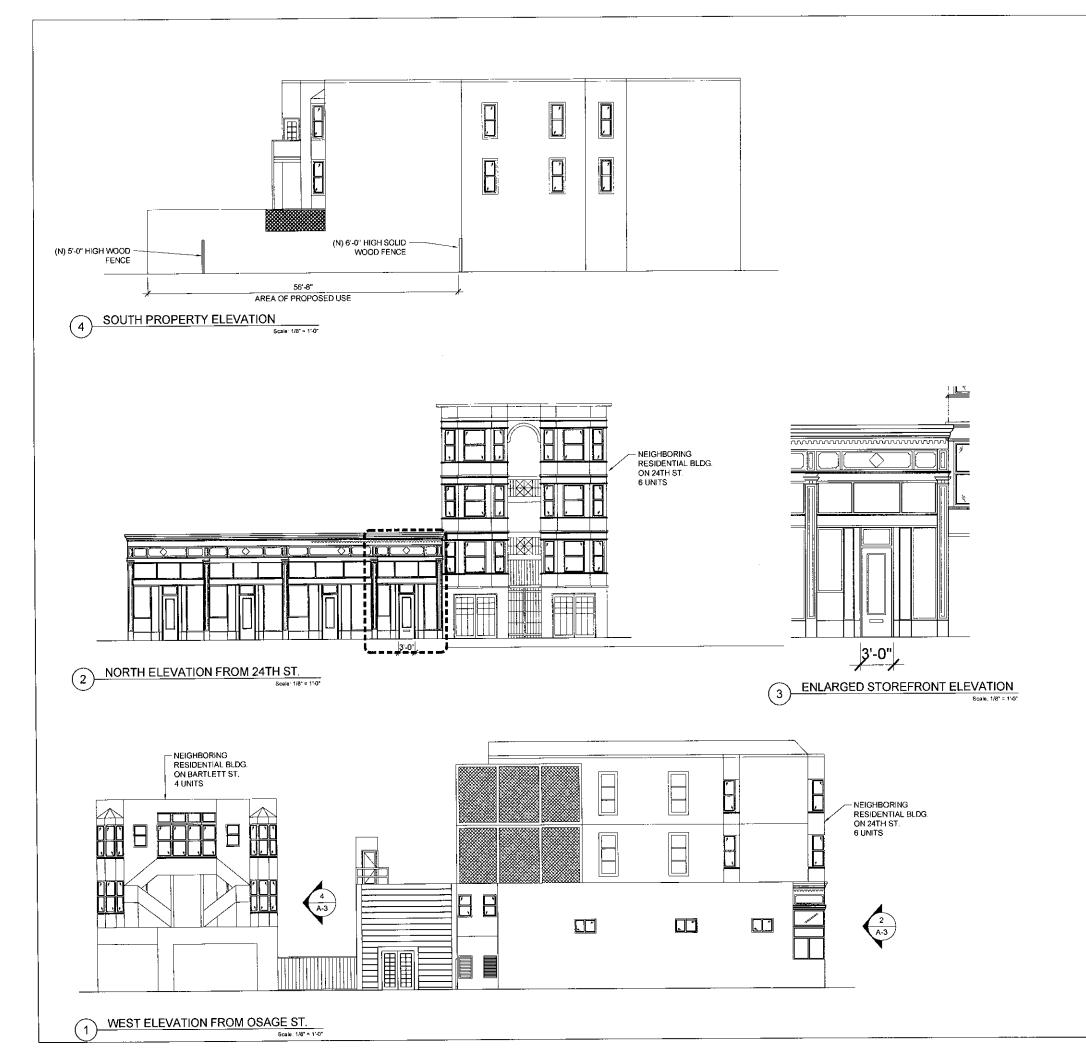
	LIST OF SYMBOLS:		CONSULTANTS:	LIST OF DRAWINGS:	Т
<ul> <li>SCORE ALL REQUIREMENTS:</li> <li>THE ALA DOCUMENT, A20, LAYEST EDITION 'GENERAL PREV</li></ul>	LIST OF SYMBOLS:	PROJECT DATA:         ADDRESS.       3331 24TH STREET SAN FRANCISCO, CA 94105         PARCEL NUMBER:       \$515025         TYPE OF CONSTRUCTION:       V-8         OCCUPANCY:       B         STORIES:       1         SEATING AREA #1:       230 SQ, FT./15 = 15 OCC         SEATING AREA #1:       230 SQ, FT./15 = 10 OCC         PIZZA PREP:       150 SQ FT./15 = 10 OCC         DOLIGH PREP:       150 SQ FT./15 = 10 OCC         TOTAL INDOOR OCCUPANTS:       35 OCCUPANTS         TOTAL EXITS REQUIRED:       1         PATIO AREA PER CBC 1004.8       729 SQ. FT /15 = 49 OCC.         TOTAL EXITS PROVIDED:       1         PATIO AREA PER CBC 1004.8       729 SQ. FT /15 = 49 OCC.         TOTAL EXITS PROVIDED:       1         LEGAL JURISDICTION:       SAN FRANCISCO BUILDING DEPARTMENT         CODES       BUILDING       2010 CA B C.         FIRE       2010 CA B C.         FIRE       2010 CA B C.         FIRE       2010 CA B C.         SAN FRANCISCO AMENDMENT       NOTE:         TENANT IS REQUIRED TO FIELO VERIFY ALL SITE CONDITIONS ALL CONTRACTORS WORKING ON SITE MUST ABIO BY UL RULES AND REQUIATIONS DOCUMENT THIS INCLUDES THE SUBCONTRACTING OF REQUIRED CONTRACTORS.	ARCHITECT TECTA ASSOCIATES 2747 19TH STREET SAN FRANCISCO, CA 94110 (415) 382-5034 FAX CONTACT: AHMAD MOHAZAB TENANTS: TENANTS: TENANTS: TENANT RUSTIC PIZZERIA 3331 24TH ST SAN FRANCISCO, CA 94110 CONTACT: SEIK REESE (714) 742-3745 TEL ERIK@RUSTICSF COM CONTACT: SEIK REESE (714) 742-3745 TEL ERIK@RUSTICSF COM CONTACT: SEIK REESE (714) 745-3005 TEL HHANDII@GMALL COM	T-1.0 TITLE SHEET A-10 SITE PLAN A-20 EXISTING A PROPOSED FLOOR PLANS A-31 ENLARGED PROPOSED FLOOR PLAN A-31 PARTO SEATING ELEVATIONS	
ABBREVIATIONS:       AFE.     ABOVEFINISHELOOR     GL,     GLASS     SA     SUPPLY AIR       AC T.     ACOUSTIC FLASTER     GV, BO     GYPSUM BOARD     SA     SELF CLOSING       AC T.     ACOUSTIC FLASTER     GV, BO     GYPSUM BOARD     SC     SELF CLOSING       AC T.     ACOUSTIC TLER     GC.     GENERAL CONTRACTOR     SC     SELF CLOSING       AL     ALUMINUM     HVA.C.     HEATING VENT A AIR     SS     STANDPIPE       BL     BLOCK     HCLG     HUNG CELLING     STOR     STORAGE       BL     BLOCK     HCLG     HUNG CELLING     STOR     STORAGE       CL     CENTER LINE     INS     INSULATION     STOR     STORAGE       CL     CENTER LINE     INS     INSULATION     T     TEL TELEPHONE       CL     CENTER LINE     INS     INSULATION T     T     TELOR STREET OR STAIR       CL     CENTER LINE     JA     JUNCTION BOX     TEL     TELEPHONE       CL     CONSTRUCTION     MFG.     MANUFACTURING OR     TOW     TOW     TOW       CONSTRUCTION     MFG.     MANUFACTURING OR     TOW     TOW     TOW     TOW     TOW       CONSTRUCTION     MFG.     MANUFACTURING OR     TOW <t< td=""><td></td><td></td><td></td><td></td><td>TO PAR INC BEI</td></t<>					TO PAR INC BEI



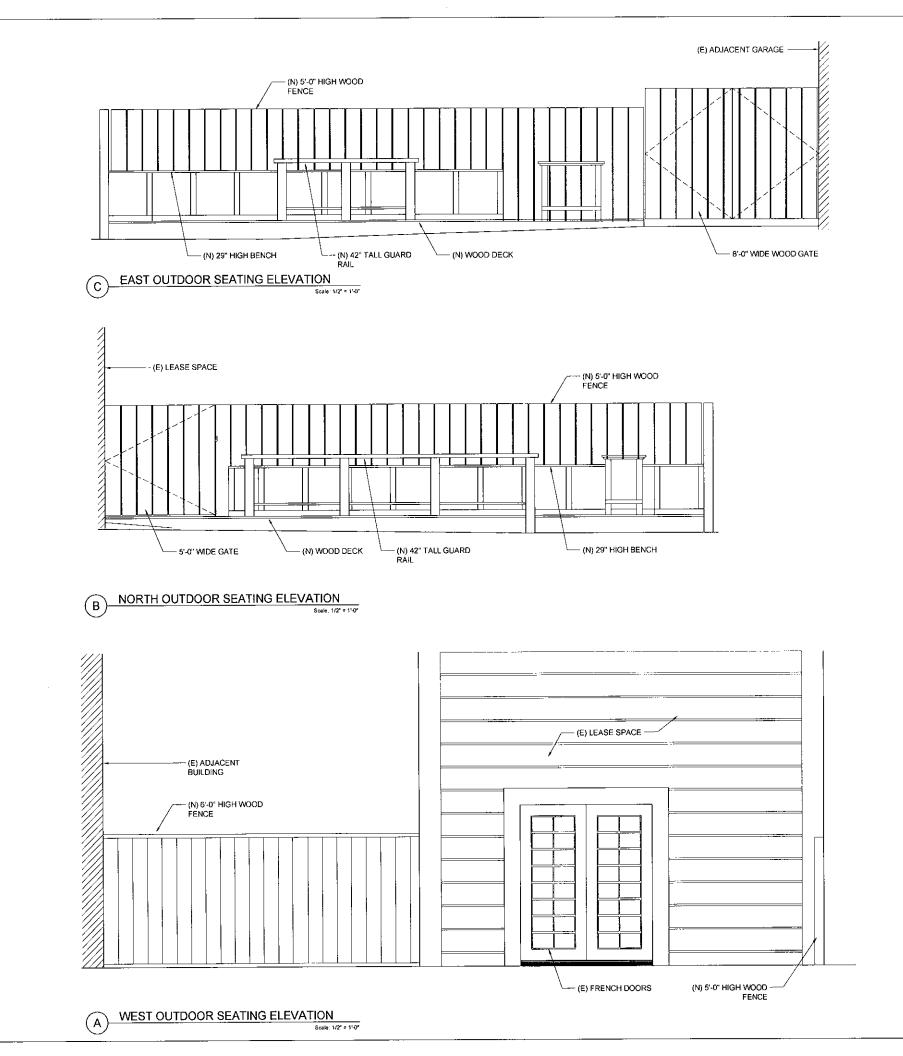
















**Planning Dept** 

Attn: Danielle J. Harris

Re: Rustic Pizza, 3331 24<sup>th</sup> St., Beer Garden Hours

Dear Mrs. Harris,

Calle 24 Merchants and Neighbors Association/Coalition are opposed to the hours indicated by you: Sunday through Thursday 11 AM to 11 PM and Saturday and Sunday 11 AM to 12 midnight for the operations of a beer garden by Rustic Pizza at 3331 24<sup>th</sup> St. As a merchant and neighbors association we take into consideration the effect a particular business will have on the surrounding area. New businesses are encouraged to have a good neighbor policy that allows for merchants and residents to co-exist. We have received many reports from neighbors in the surrounding area to the contrary, many of intimidation and threats. After looking at the location of the beer garden and proximity to residents windows and articles in the paper that there are plans for a" Full on Party", bocce leagues and tournaments, we believe Rustic Pizza has not taken the residents health and well-being into consideration.

#### http://sf.eater.com/archives/2013/07/24/rustic\_bocce\_biergarten\_and\_pizzeria.php

The Mission District has some of the warmest weather in the city. Residents routinely open windows on warm days and night. The noise and cigarette smoke will make it unbearable for all residents whether the windows are opened or closed.

Currently there are

- 1. 18 residential windows 10 feet or less from the beer garden;
- 2. 31 residential windows 20 feet or less from the beer garden; and
- 3. 8 residential windows 25 feet or less from the beer garden.

We are asking that the hours of operation be Sunday through Thursday 11 to 6 PM and Friday and Saturday 11 to 8 PM. We feel these hours are appropriate for the proximity of residential windows close by.

Sincerely,

Erick Argüello Founder and President www.calle24sf.org

- cc: Supervisor David Campos
- cc: Mission Station Captain Moser
- cc: Planning Commissioners: Rodney Fong; Cindy Wu; Michael J. Antonini; Gwyneth Borden; Rich Hillis; Kathrin Moore; Hisashi Sugaya

September 11, 2013 Planning Department Attention Danielle Harris Re: Rustic Pizza, 3331 24th Street Case Number 2013.0224C

Proposed project: Beer Garden and Bocce Ball Courts Conditional Use Hearing - September 19, 2013

Dear Ms Harris,

I am asking the Planning Commission to reject the CU permit for the d.b.a. Rustic outdoor activity area.

This outdoor activity area is contiguous to my living space and the living space of many of my neighbors. (See attached photo A)

The back windows of 3331 24th Street are parallel to and less than 10 feet from my bedroom windows. (See attached photo B)

The beer garden outside activity area, with sound equipment, tables, seating for 40 people and bocce ball courts for competitions and tournaments can fit only a very small space up upon the walls of my apartment and those of surrounding neighbors. (See attached photo C)

Rustic is asking for this area to be open, with music, seven days a week; 11 am till 10 pm four nights and 11 am till 12 am on three nights/mornings. Cleanup will take at least another hour.

The walls and window panes of 321 Bartlett and of the buildings surrounding are old and porous, built in 1910. Through them the neighborhood will breathe, hear and generally be forced to live and sleep in the beer garden with its polluting cigarette smoke, bocce ball clanging, music and beer garden atmosphere.

Our homes are being threatened.

Barbara Blong, 35 year tenant 321 Bartlett Street, San Francisco, CA 94110 September 11, 2013 Rustic Pizza Beer Garden & Bocce Ball Court 3331 24th Street Case Number 2013.0224C

I am Barbara Blong, tenant of 35 years at 321 Bartlett Street, San Francisco, CA 94110. This is the chronology of my experience with the events taking place outside my home.

In February, 2013, the parking lot behind 3331 24th Street, entrance from Osage Alley, next to my apartment, was cleared of parked cars, lumber was brought in and construction began on creating an outdoor area with tables and seating. A double door opening onto the parking lot was put into the back wall facing East of 3331 24th Street. Two windows at street level at the back of Rustic Pizza were installed across from my apartment windows.

February 12, 2013 the Department of Alcoholic Beverage Control sent a notice announcing Triumverant Pizza LLC applied for a license to sell beer and wine, with recorded music entertainment, Sun - Wed 11:00 am to 10:00 pm, Thurs - Sat 11:00 am to 2 am at 3331 24th St. A sign had been put up in the window of 3331 24th Street announcing the opening of Triumverant Pizza LLC. I received a mailing from them offering backyard BBQ - Friday 4 pm through Sunday.

I checked with the Department of Building Inspection to find out if a permit had been issued for the change of use of the parking lot. There was no such permit, only one for building seating within the back of 3331 24th Street and constructing the double doors.

Eric Reese, who self-identified as the managing partner for Rustic Pizza, aka Triumverant Pizza LLC, came to my door in March with a letter claiming the area would be Rustic's backyard deck, that "This isn't going to be a loud rowdy outside bar, just a nice addition to the neighborhood, make it safer, serve great food, a nice place for anyone and everyone from al (sic) over to come and enjoy."

At the end of March I wrote of my concerns to Rob Hand, Sutro Property & Trust Management, Inc, manager for the 321 - 327 Bartlett apartments where I live.

He is part of the Dante Ravetti Trust which owns not only this apartment building but 3331 24th Street, Block 6516, Lot 025, Census Tract 209, Census Block 4006, which includes three other units from 3325 - 3331 24th Street.

My letter asked about the smoke, trash, rodents, noise and pollution connected with the opening of this outdoor restaurant.

A complaint opened the case on April 25, 2013. The case was the abated on May 2, 2013 without information or reason. On July 13, 2013 I heard of a possible August 1, 2013 hearing for Rustic by accident from Land Use Attorney Sue Hestor who monitors developments in the Mission for Mission District organizations

On July 15, 2013 I went to the Planning Department to review the file for the property located on the South side of 24th Street between Osage Alley and Bartlett Streets. The file shows that the required plans of adjacent windows were not provided before the notice of hearing was prematurely issued. This is a threshold issue for Conditional Use which proposes active use adjacent to windows in homes where people live.

The back windows of 3331 24th are parallel to and less than 10 feet from my bedroom windows. The outdoor activity area is contiguous to my living space. The Bocce Ball is intended to be played in the outdoor area next to my building.

After receiving complaints the Planning Department rescheduled the hearing for August 8, 2013. But, again, there was no notice to tenants who live in the apartments around the outdoor activity area.

Finally, on 29 August 2013, I received, in the mail, a detailed Notice of Public Hearing scheduled for a third time for September 19, 2013.

Rustic must contain all their activities within the confines of the walls of 3331 24th Street.

A Conditional Use must be measured against the impacts on adjacent properties. It cannot be "detrimental to the health, safety, convenience or general welfare of persons residing .. in the vicinity."

February 12, 2013 Department of Alcoholic Beverage Control License Application for Triumverant Pizza d.b.a. Rustic Pizza 3331 24th Street ABC Case Number 2013.0224C

The Department of Alcoholic Beverage Control sent a notice, dated February 12, 2013, announcing TRIUMVERANT PIZZA LLC applied for a license to sell beer and wine, with recorded music entertainment, Sun - Wed 11:00 am to 10:00 pm, Thurs - Sat 11:00 am to 2 am at 3331 24th St.

\_\_\_\_\_

May 9, 2013 Department of Building Inspection Permit Application for Rustic Pizza 3331 24th Street 2013.0224C DBI App. Number: 20130221105

The Department of Building Inspection had not issued a permit for the change of use of the parking lot behind Rustic Pizza. The permit that was applied for was to build seating within the back of 3331 24th Street and to construct the double doors. An earlier door was removed and tow windows were installed.

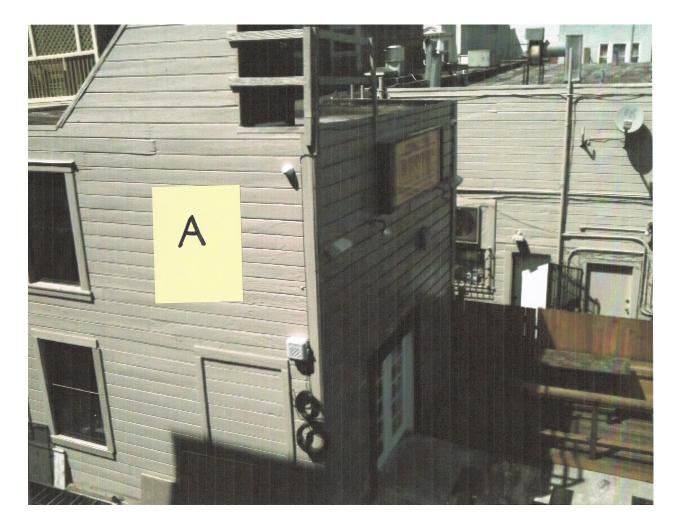
A complaint about the change of use was opened April 25, 2013. The case was then abated on May 2, 2013 with no information or reason given.

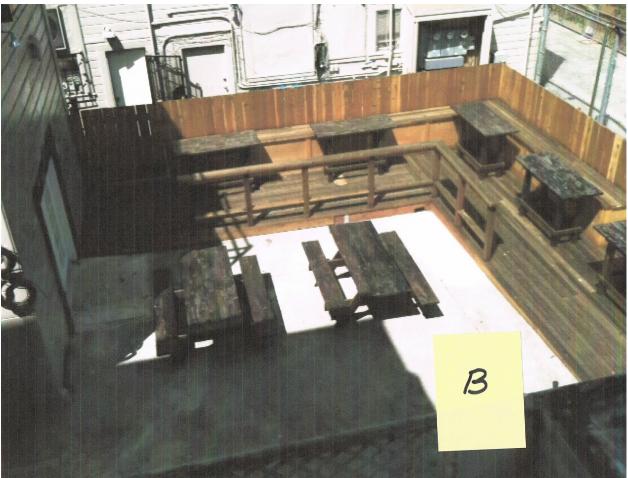
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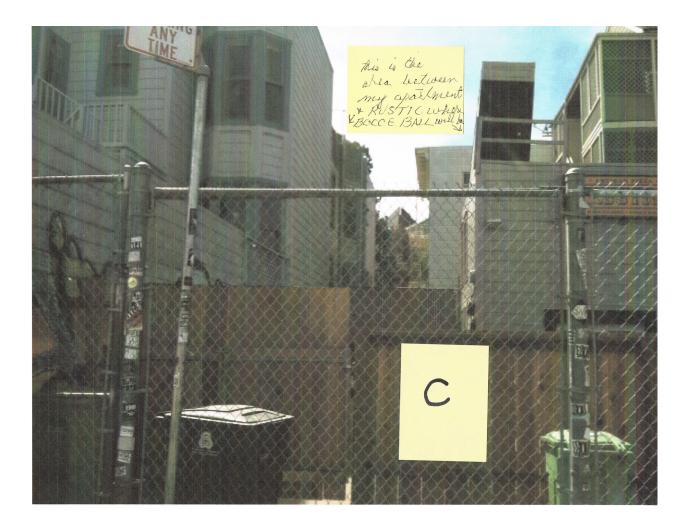
May 10, 2013 Department of Public Health Food Permit Application Certificate of Sanitation Rustic Pizza 3331 24th Street

The Department of Public Health Inspector reported that Rustic Pizza had a Food Permit for the interior of 3331 24th Street

Barbara Blong 321 Bartlett Street, San Francisco, CA 94110.







#### 9/11/2013

Planning Department Attention: Danielle Harris Re: Rustic Pizza, 3331 24<sup>th</sup> Street, Beer Garden Case No: 2013.0224C: 3331 - 24th STREET

Dear Ms. Harris and Members of the Planning Commission,

I write today as a very concerned resident of the Valencia Corridor.

I urge you do to deny the conditional use permit for Rustic Pizza's proposed rear-yard beer garden. I urge you deny it because the nature of the use is not compatible with its location. I also urge you do deny it because the proven track record of its management is one of disregard for neighbors.

Other neighbors will address the issues of noise and proximity to their homes. I have certain personal experiences that I ask that you consider. I live immediately behind several restaurants, and have done for years. Years ago when I received a change of use notice for a new restaurant in the lot directly behind me, I thought nothing of it. None of the other restaurants had ever caused a problem, so I didn't think this would be a problem. In 2010, that restaurant, Grub, opened for business. Eric Reese was one of the owners and managers of Grub.

I can tell you from personal experience, it was a nightmare from the first time they tested their equipment. Every day since that first day, my life is disrupted from the noise that emerges from Grub. In the first year, I engaged in a very pitched battle to make them comply with the noise ordinance, quiet the roar of their machinery, etc. During that first year, I dealt threats and intimidation. The owners of Grub came to my home, unannounced and demanded my attention. If I walked out of my back door and they were present, they would yell at me: "Bitch, get back in your doghouse." It got so bad that I called the police. Other neighbors did as well.

The noise is still ongoing and constant. Their fan is louder than all others. Though they are not supposed to recycle their glass after 10 pm (outside of my bedroom window), they do so everyday: at 11:00 pm, at 12:00 am, at 1:00 am, etc. It has been a constant fatiguing battle.

In contrast, on the few occasions that one of the other **four** adjacent restaurants creates a noise issue, it gets fixed immediately. A machine falls out of alignment, I make a simple call, and the management fixes it. No problem... Except for Grub.

Please be aware, I had and have noise issues that responsible management can and does resolve. All of the other restaurants co-exist peacefully with their residential neighbors. Grub, under the management of Eric Reese, chooses not to.

Sincerely,

hliar

Alicia Gamez / 57 Lapidge Street, San Francisco, CA 94110

### To: Planning Department

Re.: Rustic Pizza outdoor activity area and bocce ball

2013.0224C: 3331-24th. STREET, south side, between Hission and Bartlett Streets, Lot 025 in Assessor's Block 6516: Request for Conditional Use authorization under Planning Code Sections 303,736.24, and 790.70, to establish an outdoor activity area, for seating and borce 6all, located the rear of an existing rostaurant (d.6.a. Rustic ) in the Mission Street NCT (Neighborhood Commercial Transit) Zoning District with an 55-x Height and Bulk designation.

Dear President and Members of the Planning Commission: Hy name is Jette Vahkala. I live at 3341-24th. st. My home is near the proposed been garden and booce ball area at Rustic Pizza. (Please see attached exhibit A.) Rustic Pizza is not a desirable neighbor in this area. The proximity to three small businesses, who are a valued part of our community, and wonst at all: the proposed placement of this outdoor drishing area, surrounded by no less than 18 apartments, is unacceptable. (Shibits E->F) We are many dozens of tenants living in these apartments; distributed in three large apartment buildings, situated right around the beer garden. We have families, room mates; since rents in the City are high, we share apartmets so that makes for many tenants per flat. (See Exhibit G.) (See Exhibit H, I) We counted how many windows are facing the beer garden.

We counted how many windows are facing the beer garden. There are 75 windows exposed to the noise. This is a very quiet area where we are considerate of one another's nght to the quiet enjoyment of their rosidences.

Rustic's beergaiden has not been approved ret; still they manage to make life miserable for my downstairs neighbor and me. - They put up three compressor fans on their roof; and the owners of Rustic chose to put the loudest one right in front my the bedroom windows of my neighbor and I. The result is that pizza and garlic smell was pumped into our bedrooms from when Rustic opened until they closed. The stench at pizza was unimaginable.

WR now have the windows closed; with no ventilation at all. Also, the noise from that 7 an sounds line a jet engine and helps us awake until Rustic turns it aff at 2 am.

Rostic has promised ceating for 40 customus for driving and bocce ball right below nir flat. If they contained the noise inside, like other bous do, it would be fine. But to expose a small but very populated neighborhood to noise from a driving crowd, 7 days and nights a week, would force me to leave. I work at home and even when I'm not working, I expect the place to be quiet as always.

A neighbor like Rustic is a nightmare. If he really want a noisy place, he should not have it outside. I've spoken to my many neighbors. None at us would have mored in here if there had been such a noise place next to us. Please prevent this fiashed from happening. I'm sure he can make extra money some other way! Sincrety of the sept. 10, -13.



7/27/13



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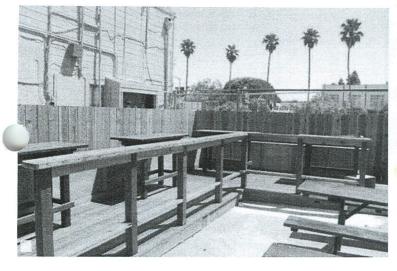


#### EATER INSIDE

### Rustic, A Pizza and Patio Destination

City

Wednesday, July 24, 2013, by Rose Garrett



#### [Photos: Rose Garrett]

**Rustic**, the new pizzeria and patio haven on 24th Street, has officially opened its doors. Formerly the site of **Pizza de Mano** and **Popo's Pizza**, **Rustic is hoping** the addition of a biergarten and sunny back patio, soon to include two bocce courts, will banish the ghosts of pizzerias past.

**Erik Reese** (of **Burgermeister** and **Grub**) contributed the recipes and designed the menu, which aims for old-school Italian comfort with handstretched artisan pizzas, Italian subs, specialties like calzones and stromboli, and nine hefty salads like roasted beet and panzanella. Pizza-wise, they're going for a thinner, more crackly Neapolitan-style crust, with offerings like their margherita (topped with fior di latte, burratina, and buffalo mozzarella) and a "create your own pie" option. **Tom Elliott**, who fell in with Reese while working together at **Alibi**, is behind the counter. In addition to the Italian classics, they're also serving up a weekend backyard BBQ menu that includes rotisserie chicken and half and full racks of ribs.

# 

RUSTIC 3331 24th St., San Francisco, CA

THE MISSION
ALIBI
EATER INSIDE
ERIK REESE
MISSION
RUSTIC
TOM ELLIOTT
TOP

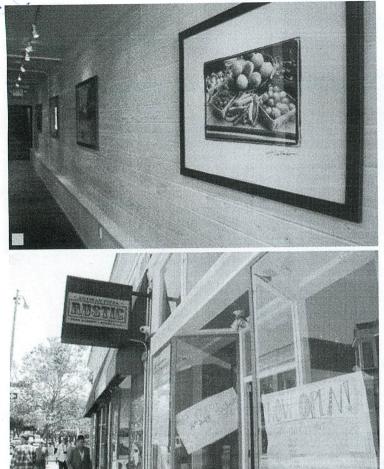
2 COMMENTS

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That's the business up front, but Rustic also has plans for a full-on party in back. Pending an August 8th "feasibility" hearing on their proposed bocce courts, Rustic will open up its large back patio, which will soon top everyone's list for warm weekend drinking. They'll have umbrellas for sun, heat lamps for cold, and strings of Italian wedding lights to dress up the space after dark. According to Elliott, bocce leagues and tournaments are also part of the plan.

The patio adjoins a rear taproom with wine and eight easy-drinking beers on tap, including Anchor Steam, Prohibition, Lagunitas IPA and Mirror Pond. They've also got sangria, Mexican Coke and plenty of bottled beers, including a 20-ounce PBR option.

Rustic, A New Pizzeria, Headed to 24th and Mission [~ ESF ~]
All Eater Inside posts [~ ESF ~]

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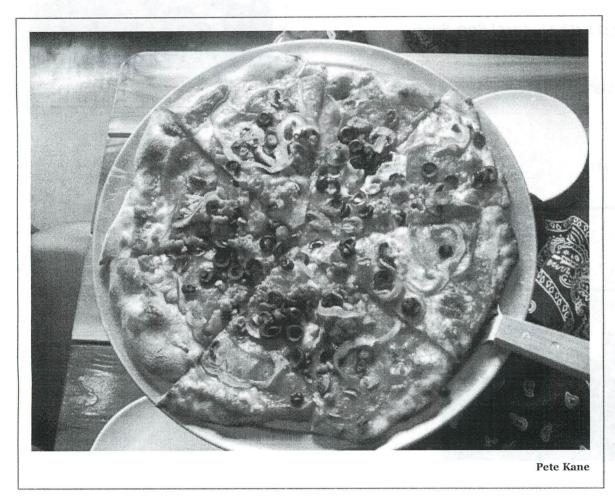
21 Strong Reactions to McDonald's McLobster Sandwich, Now Available in Ontario Rustic Pizza Pierces the Urban Chaos of 24th Street - San Francisco - Restaurants and Dining - SFoodie - Print Version



## **Rustic Pizza Pierces the Urban Chaos of** 24th Street

By Pete Kane

Published Mon., Jul. 29 2013 at 10:35 AM



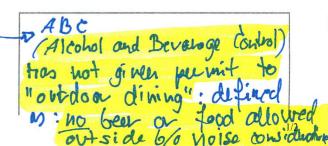
The 24th Street BART Station is the least rustic place in the city -- well, after 16th Street, maybe -but Rustic Pizza is looking to change that.

The Neapolitan pizza itself, with a perfectly chewy crust able to withstand lots of greasy toppings without falling apart, is excellent. Create your own pie or stick to "basics" like the Americano (Molinari pepperoni, Genoa

salami, finnochiono, mushrooms, Italian sausage, olives and green peppers) or the Roasted Portobello with caramelized shallots, pecorino romano, mozzarella, chives and truffle oil.

See also: <u>Great Indian Food on Haight Is Actually Pretty Good</u> <u>Get Down with Bogie and Bacall at Noir's Blind Tiger Tap Room</u>

But it's Rustic's bocce court and redwood patio beer garden that are sure to lure people off the BART escalators immediately next door -- once they open, that is. (The restaurant does have a beer-and-wine license, though.) It's a great spot for sharing a hearty panzanella salad and some blogs.sfweekly.com/foodie/2013/07/rustic\_pizza\_pierces\_the\_urban.php?print=true



Rustic Pizza Pierces the Urban Chaos of 24th Street - San Francisco - Restaurants and Dining - SFoodie - Print Version

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sangria, or on weekends, BBQ fare such as a whole poulet roti or rotisserie ribs. And definitely don't overlook the raquetta, a "tennis-racket shaped pizza with a stuffed handle."

Just opposite the similarly unpretentious Hungarian restaurant Paprika, this segment of 24th Street off of Valencia is becoming a dining destination in its own right, and not just a traffic bottleneck with sidewalk preachers evangelizing through bullhorns. It's not Tuscany, but if you crane your neck from the patio you might see Bernal Heights, golden-brown and practically rustic.

Rustic Pizza, 3331 24th St., (415) 800-8266.



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blogs.st.weekly.com/foodie/2013/07/rusto\_pizza\_pierces\_the\_urban.php?print=true

Alcohol and Beval

### xhibit

Grub's Neighbors Fed Up, Demanding City Take Them to Task | Uptown Almanac



#### Grub's Neighbors Fed Up, Demanding City Take Them to Task

Posted by Kevin Montgomery (http://uptownalmanac.com/users/kmonty) on Tue, 06/14/2011 - 2:03pm

Categorized: Eats and Beers (/categories/food-and-drink), Mission District (/categories/mission-district)

Tagged: Grub (/tags/grub), is valencia 'fucking over'? (/tags/valencia-fucking-over), NIM BYs (/tags/nimbys), rude bougie restaurants (/tags/radehougie-restaurants)



A petition (https://docs.google.com/leaf?id=1QM0uveX5ZfsCgMevsnhEuiPp0sHMXY5snS7-Osc-

HsOlxUTt27J3zRLkaj3M&sort=name&layout=list&num=50&authkey=CKCa0\_oM) being passed around by residents of Lapidge Street and neighboring Valencia businesses is going after Grub, the fledgling restaurant on Valencia on 18th known for its delicious mac n' cheese (http://uptownalmanac.com/2011/01/grub-holds-it-down) and hideous interior. The petition to the Department of Public Health alleges a whole bunch of things, including the restaurant producing "earth quake like [sic] vibrations" that are destroying homes, rent control-protected residents "being driven out of their homes," and a whole bunch of other nasty stuff that makes the situation sound fairly miserable. The petition begins:

Grub Restaurant opened for business at 758 Valencia Street in October 2010. The restaurant is open for dinner 7 days a week until 1 AM plus brunch weekends. From day one of its presence, we neighbors have endured a constant assault on the senses. We immediately alerted the Department of Public Health to this situation. Since October, the neighbors have been in constant contact with DPH. Although we have taken great time and expense to document our concerns, the Department has failed to reduce the excessive noise levels.

Grub has met the neighbors' complaints with intimidation and harassment. One or more of the owners has shouted obscenities at neighbors on more than one occasion. They have also explicitly threatened neighbors with retaliation. Grub's conduct is documented in multiple police reports, including Case # 110292383. With no assistance from DPH, we secured proof that Grub installed its machinery without permits, as shown by the Department of Building Inspection's findings. DBI has further determined that this unpermitted work does not meet code.

While the appeal immediately comes across as typical NIMBY bullshit, it's authored by one of the neighborhood champions of last summer's NIMBY-plaqued Mission Bicycle Festival (http://uptownalmanac.com/2010/09/nimbys-butcher-mission-bike-festival), giving the neighbor some credibility.

uptownalmanac.com/2011/06/grubs-neighbors-fed-demanding-city-take-them-task

#### 7/17/13

#### Grub's Neighbors Fed Up, Demanding City Take Them to Task | Uptown Almanac

Another neighbor, who had nothing to do with the writing of the petition, backs up one of the claims, noting "I have to say, the Grub owners appear to be douchbags. Not that I would ever judge anyone by how they look, but they pace in front of the restaurant with their dress shirts untucked (Marina style) screaming on their bluetooths."

The petition goes on to discuss, in great detail, the failings of the restaurant and the city: Housing Code violations, Noise Ordinance violations, negative reports from the Housing Inspector, acoustical and vibration experts being brought in, unpermitted construction, and failures by the Department of Public Health to hold their promises. Perhaps the best line of the whole thing:

Now, neighbors whose homes are protected by rent control are being driven out of their homes. Grub's machinery is literally eroding our homes and health. We are suffering from chronic sleep loss, weight loss, and living under extreme stress. Our homes are battle zones complete with the constant drone of machinery.

Presumably, this doesn't bode well Monk's Kettle's "fancier" beer bar and other late-night offerings set to open on this block later this year. The neighbors are clearly organized, know how to get city to go after businesses, and don't seem to appreciate the noise that comes from late-night restaurants in their backyards. Should make for some interesting summer drama.

Feel free to read the entire petition (https://docs.google.com/leaf?id=10M0uveX5ZfsCgMevsnhEuiPp0sHMXY5snS7-Osc-HsOlxUTt27J3zRLkaj3M&sort=name&layout=list&num=50&authkey=CKCa0\_oM), if you're into that sorta thing.

#### Previously on Uptown Almanac

Hot New Microhood: Missionary's Wharf (/2011/06/hot-new-microhood-missionarys-wharf)



30 Comments (/2011/06/grubs-neighbors-fed-demanding-city-take-them-task#comments-anchor)

#### Comments



<u>GG (http://webuiltthiseity.tumblr.com)</u> said on Tue, 06/14/2011 - 3:01pm (<u>link (/2011/06/grubs-neighbors-fed-demanding-city-take-them-task#comment-31319</u>)

Moving into an apartment on Valencia Street in the middle of the Mission... who could \*possibly\* have foreseen that that might be noisy? While I'll give the letter-writers the benefit of the doubt given that their requests for mitigation seem pretty reasonable and specific,

these complaints, in general, do kind of rub me the wrong way. I'm very noise-sensitive too, and I'd be sleepless and stressed out if I lived above a restaurant like this, which is why I choose to live in a very quiet, semisuburban area of Glen Park...



She's Hot said on Tue, 06/14/2011 - 3:16pm (<u>link (/2011/06/grubs-neighbors-fed-demanding-city-take-them-task#comment-31321</u>)

Neighbor's on Lapidge St., the new restaurant on Valencia St; back to back.



edna said on Thu, 06/16/2011 - 1:33am (<u>link (/2011/06/grubs-neighbors-fed-demanding-eity-take-them-task#comment-315731</u>)

Yes that would be the case GG if the neighbors have moved in AFTER Grub but it clearly states they are have been there long before Grub. I know it's hard for white hipster to imagine that neighborhood actually exist before the hipsters come and make them wonderful with jack rents, over priced comfort food and all things douchely ironic but the mission has been home to actual families for generations. I know it's crazy that these lower middle class families who work multiple jobs don't appreciate the improvements of having over priced mac and cheese at 1am and they aren't "smart" enough to have a job or life where you can sleep whereever during the day you want.

It's sad that DPH did nothing even though equipment and construction was done without permit. Here's a crazy idea, if you want to colonize and improve a place at least follow the same law everyone else has to. It's not ironic to not do so, it's just douchey.



Herr Doktor Professor Deth Vegetable said on Thu, 06/16/2011 - 10:18am (<u>link (/2011/06/grubs-neighbors-fed-demanding-city-take-them-task#comment-31634</u>))

Concur.

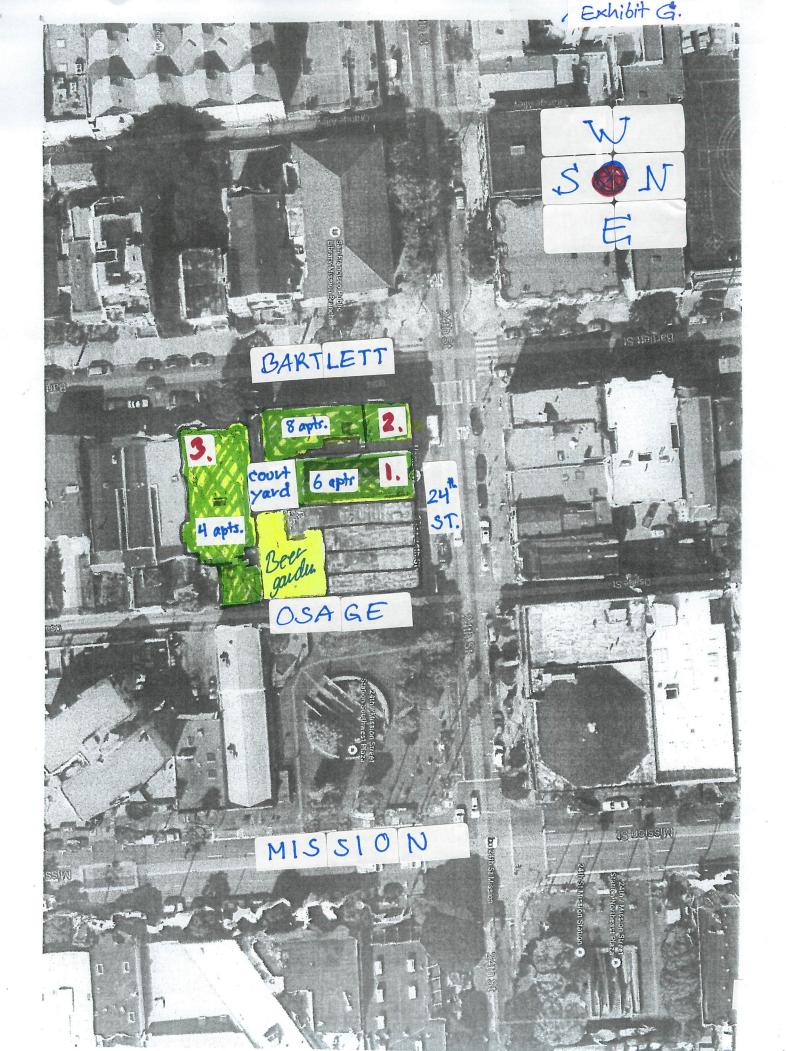
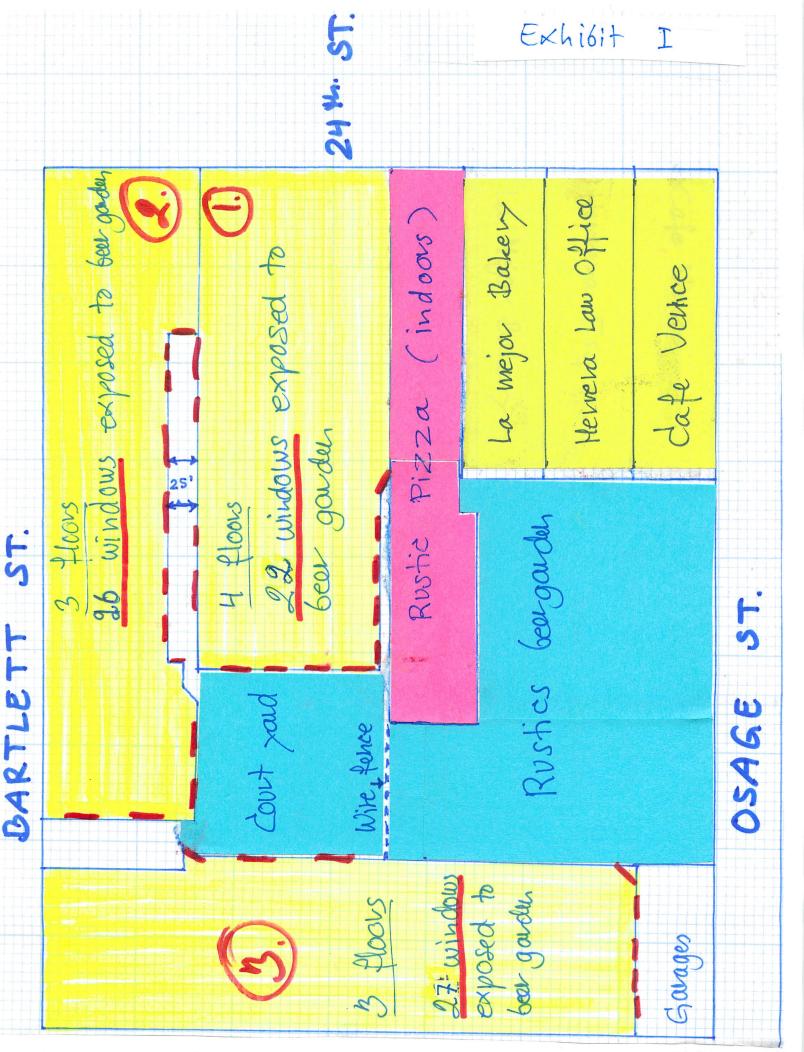


Exhibit H. -Number at windows exposed to noise from Rustic's beer garden. 1/ Building "1." (3333-3343 - 24th. St. 6 apartments. SIDE: 10 windows (14' - 28' away) BACK: 12 windows (4' -> 32' away > 21/ Building "2." (307 Bartlett) 8 apartments. SIDE: 22 windows (29' - +2' away) BACK : 4 windows (29' - 34' away 3/ Building "3." (32) - 325 Bartlett) 4 apartments. SIDE: 6 windows (3' to 23' away) BACK: 21 windows (10" to 20' away) TOTALS : 27 windows are 23' or less from beer gardy. 48 windows are 42' or less from beer gardy.





To: Planning Department

Re: Rustic Pizza outdoor activity area and bocce ball

2013.0224C: 3331 - 24th STREET, south side, between Mission and Bartlett Streets, Lot 025 in Assessor's Block 6516: Request for Conditional Use authorization under Planning Code Sections 303, 736.24, and 790.70, to establish an outdoor activity area, for seating and bocce ball, located the rear of an existing restaurant (d.b.a. Rustic) in the Mission Street NCT (Neighborhood Commercial Transit) Zoning District with an 55-X Height and Bulk designation.

Dear President and Members of the Planning Commission:

My name is Ms. Gina Ma and I represent, and am part-owner of, Sam Shu Sum Ma and Lai Chun Ma revocable trust, DTD. We own the property next to rustic pizza. The address of our building is 3333-3343 24th St., San Francisco, CA 94110.

Over the past several months I have been in constant communication with my tenants, all of whom are voicing strong concerns about the noise levels which would in ensue, should rustic establish an outdoor drinking area adjoining our property.

Tenants have informed of press releases and interviews wherein Rustic has promoted that outdoor area as a "warm weekend drinking" place, a "full one party" place, as and having "bocce leagues and tournaments" out there.

Rustic's outdoor area is separated from the large backyard of our property by only a chain-link fence. Multiple windows of our tenants, on two sides of our building, are very close and exposed to the beer garden.

I want to protect our tenants, so they can have the peace and quiet around our building where many of them have lived undisturbed by noise for decades. I also want to protect them from the severely negative impact of this drinking area, just a few feet from the building, one would have on their right to quiet enjoyment of the residences.

They should not be subjected to this noise seven days and nights per week.

The presence of this commercial outdoor activity area will detract from the livability of surrounding uses. The nature of this activity operated in the outdoor activity area is not compatible with surrounding uses. The operation design of the outdoor area significantly disturbs the privacy and the livability of adjoining land surrounding residences. The proposed hours will disrupt the viability of the surrounding residential uses.

Rustic already placed a large compressor ventilator on top of its roof, right in front of the bedroom windows of two apartments. It makes extremely loud noise, pumps garlic and pizza smells into their bedrooms 11 hours a day. They are now forced to keep their windows closed,

MJ.M

living without any kind of ventilation. However, even with closed windows, the ventilator noise still keeps them awake until it is turned off at about 1 or 2 AM.

At issue also as the income of our property. Four tenants have already talked about moving out if the noise from Rustic's beer garden commences. If these and perhaps other tenants move out because they cannot cope with these excessive noise levels, the empty apartments will be unrentable. Nobody wants to live next to such a nuisance. This would adversely affect our rental income and the overall value of our building.

We the owners cannot emphasize enough how strongly we object to the proposed presence of Rustic's beer garden.

We hope you will take this letter into consideration.

\_\_\_\_\_

Most sincerely,

Date: <u>9-9-2013</u>

Signed: Miner Print Name: GING ,

From:	Kathryn Morrison <kam6761@gmail.com></kam6761@gmail.com>
Sent:	Monday, July 29, 2013 1:51 PM
То:	Harris, Danielle (CPC)
Subject:	Articles about Rustic Pizza and Grub

Danielle,

Hi! This is Kathryn Morrison, tenant at 3333 24th St. I just spoke with Jette Vakkal, who lives in the same building as me (next to Rustic Pizza). She mentioned she had spoken with you and that you were interested in the following documents:

1. The letter we've written to distribute to our neighbors regarding our concerns

2. The Eater article about Rustic that states "...Rustic also has plans for a full-on party in back...which will soon top everyone's list for warm weekend drinking."

3. The articles about Grub (Erik Reese is a partner of both Grub and Rustic) and the issues that ensued with the neighbors there

I'm at work and the letter I put together for our neighbors is on my home computer, so I can email that to you later tonight. In the meantime I wanted to send you the links to the other articles you wanted.

The Eater article on Rustic can be found here.

The Uptown Almanac article on the Grub issues can be found <u>here</u>, and a link to the petition Grub's neighbors filed is <u>here</u>.

I was already extremely worried about their plans for the beer garden out back, and learning about the issues that Erik Reese's other restaurant (Grub) had had with its neighbors make me even more concerned. I left you a message this morning to get some more information about additional steps I can take to make my voice heard.

My husband and I are expecting our first child at the end of September, and I'm hoping it can be a happy time rather than one filled with the stresses that Grub's neighbors have endured. I'll send you the letter I wrote to our neighbors later tonight, and please let me know in the meantime if there's any additional information I could provide you with.

Thanks! Kathryn

From:	Kathryn Morrison <kam6761@gmail.com></kam6761@gmail.com>
Sent:	Monday, July 29, 2013 2:08 PM
То:	Harris, Danielle (CPC)
Subject:	Re: Articles about Rustic Pizza and Grub

Danielle,

Also just found this <u>article</u> that states "The patio backs up to a major construction project at 24th St. and Mission, but once the project is done they'll be able to enlarge the patio further."

And this <u>article</u> stating: "But it's Rustic's bocce court and redwood patio beer garden that are sure to lure people off the BART escalators immediately next door."

I know that neither of those quotes are menacing in and of themselves, but it concerns me that they are speaking to the press very openly about their plans for "a full on party out back" and that they plan to enlarge that PARTY even more once the BART construction is complete!

In terms of the next article, I know that it's the author's choice to discuss how it will lure people off the BART escalators, but that's also a concern to me. I know the business's location will make it ideal for people to come from other parts of the city, have their "full on party" at Rustic, and then hop right back on to BART to go to their quiet, clean apartment. This business does not enrich the neighborhood.

I know that the business (as well as its potential future patrons) are not trying to be malicious, but the fact remains that they are located in an area where their backyard parties will affect many residents.

If I find anything else I will let you know, and please let me know if there is anything else I could provide you with that would be helpful.

Thanks much, Kathryn

On Mon, Jul 29, 2013 at 1:51 PM, Kathryn Morrison <<u>kam6761@gmail.com</u>> wrote: Danielle,

Hi! This is Kathryn Morrison, tenant at 3333 24th St. I just spoke with Jette Vakkal, who lives in the same building as me (next to Rustic Pizza). She mentioned she had spoken with you and that you were interested in the following documents:

1. The letter we've written to distribute to our neighbors regarding our concerns

2. The Eater article about Rustic that states "...Rustic also has plans for a full-on party in back...which will soon top everyone's list for warm weekend drinking."

3. The articles about Grub (Erik Reese is a partner of both Grub and Rustic) and the issues that ensued with the neighbors there

I'm at work and the letter I put together for our neighbors is on my home computer, so I can email that to you later tonight. In the meantime I wanted to send you the links to the other articles you wanted.

From:	Kathryn Morrison <kam6761@gmail.com></kam6761@gmail.com>
Sent:	Tuesday, July 30, 2013 6:32 AM
То:	Harris, Danielle (CPC)
Subject:	Petition from Jette Vakkal regarding Rustic's Outdoor Area
Attachments:	Jette's Letter (Revised).pdf; Letter to neighbors about Rustic.pdf; Rustic letter addendum.pdf

Danielle,

Jette has asked me to email you the petition she had us type up for her. It is attached, along with the letter being distributed to our neighbors.

Thanks, Kathryn Dear Friends and Neighbors,

As you may know, there is a new business that has just opened at 3331 24<sup>th</sup> St. We are writing because their plans may affect your quality of life and we wanted to make you aware of the concerns that other residents in the area have raised.

Rustic Pizza has applied for a Conditional Use authorization under Planning Code Sections 303, 736.24, and 790.70, to establish an outdoor activity area for seating and bocce ball. What is not explicitly mentioned on their permit request is that they are marketing the establishment as a **beer garden**. While they have not formally applied to open a bar in the back area yet, it has been confirmed by city planner Danielle Harris that upon approval of the Conditional Use permit patrons will have the ability to buy the beer inside of the establishment and bring them outside to the back area. As you are well aware, noise is much harder to contain when it is outside and drinking tends to increase the volume of one's voice! Included is a recent Eater article on the establishment, that verbatim says **"…Rustic also has plans for a full on party in back…which will soon top everyone's list for warm weekend drinking."** 

It is also worth noting that the brains behind Rustic Pizza, Erik Reese, is also a partner of Grub restaurant. Doing a quick Google search on Grub and its neighbors will reveal the nightmares that have ensued for them. Below is a short excerpt from the petition the neighbors of Grub filed:

Grub Restaurant opened for business at 758 Valencia Street in October 2010. The restaurant is open for dinner 7 days a week until 1 AM plus brunch weekends. From day one of its presence, we neighbors have endured a constant assault on the senses. We immediately alerted the Department of Public Health to this situation. Since October, the neighbors have been in constant contact with DPH. Although we have taken great time and expense to document our concerns, the Department has failed to reduce the excessive noise levels.

Grub has met the neighbors' complaints with intimidation and harassment. One or more of the owners has shouted obscenities at neighbors on more than one occasion. They have also explicitly threatened neighbors with retaliation. Grub's conduct is documented in multiple police reports, including Case # 110292383. With no assistance from DPH, we secured proof that Grub installed its machinery without permits, as shown by the Department of Building Inspection's findings. DBI has further determined that this unpermitted work does not meet code.

If this worries you, there are measures that we can take as a community. You can write to city representatives (contact information on back) by August 3<sup>rd</sup>. You can attend the hearing on August 8<sup>th</sup> and raise your concerns. The case number to reference is 2013.0224C.

We hope that together we can preserve the current quality and standard of living of our neighborhood.

Rustic Pizza has applied for a Conditional Use authorization, to convert and use the parking lot behind the pizzeria as an "outdoor activity area" for seating and bocce ball.

The exact wording from the Planning Department is as follows:

2013.0224C: 3331 – 24th STREET, south side, between Mission and Bartlett Streets, Lot 025 in Assessor's Block 6516: Request for Conditional Use authorization under Planning Code Sections 303, 736.24, and 790.70, to establish an outdoor activity area, for seating and bocce ball, located the rear of an existing restaurant (d.b.a Rustic) in the Mission Street NCT (Neighborhood Commercial Transit) Zoning District with an 55-X Height and Bulk designation.

This request makes no mention of alcohol or partying. However, an article in Eater Inside<sup>[1]</sup> from July 24<sup>th</sup> paints a different picture:

[...] plans for a **full-on party in back**. Pending an August 8<sup>th</sup> "feasibility" hearing on their proposed bocce courts, Rustic will open up its large back patio, which will soon top everyone's list for warm weekend drinking.

The patio adjoins a rear taproom with wine and eight easy-drinking beers on tap, including Anchor Steam, Prohibition, Lagunitas IPA and Mirror Pond. They've also got sangria, Mexican Coke and plenty of bottled beers, including a 20-ounce PBR option.

The owners of Rustic have been aggressively promoting the restaurant as an eventual party destination elsewhere as well. Here is an excerpt from a press release posted July 29<sup>th</sup> on Urban Daddy<sup>[2]</sup> (emphasis added):

That patio will be open soon. [...] The bocce courts will be in full swing. And **the eight beers on tap** [...] will be waiting for you under a palm tree.

And here is another excerpt from an SF Weekly article also from July 29<sup>th</sup>:

But it's Rustic's bocce court and redwood patio beer garden that are **sure to lure people off the BART escalators immediately next door**.

The restaurant's current plans are to remain open until 11pm during the week and until 12am on weekends.

It is also worth noting that the brains behind Rustic Pizza, Erik Reese, is also a partner of Grub restaurant. Doing a quick Google search on Grub and its neighbors will reveal the difficulties that have ensued for them. Below is a short excerpt from the petition the neighbors of Grub filed:

Grub Restaurant opened for business at 758 Valencia Street in October 2010. The restaurant is open for dinner 7 days a week until 1 AM plus brunch weekends. From day one of its presence, we neighbors have endured a constant assault on the senses. We immediately alerted the Department of Public Health to this situation. Since October, the neighbors have been in constant contact with DPH. Although we have taken great time and expense to document our concerns, the Department has failed to reduce the excessive noise levels.

Grub has met the neighbors' complaints with intimidation and harassment. One or more of the owners has shouted obscenities at neighbors on more than one occasion. They have also explicitly threatened neighbors with retaliation. Grub's conduct is documented in multiple police reports,

<sup>[1]</sup> http://sf.eater.com/archives/2013/07/24/rustic\_bocce\_biergarten\_and\_pizzeria.php

<sup>[2] &</sup>lt;u>http://www.urbandaddy.com/sfo/food/25769/Rustic\_Your\_New\_Playground\_of\_Italian\_Delights\_San\_Francisco\_SFO\_Restaurant</u>

including Case # 110292383. With no assistance from DPH, we secured proof that Grub installed its machinery without permits, as shown by the Department of Building Inspection's findings. DBI has further determined that this unpermitted work does not meet code.

If you are opposed to Rustic's outdoor plans, here is what you can do:

"On the grounds of the above, I hereby oppose any and all of Rustic Pizza's Conditional Use Authorization under Planning Code Sections 303, 736.24 and 790.70, to establish an outdoor activity area."

Name:		Signature
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From:	Kathryn Morrison <kam6761@gmail.com></kam6761@gmail.com>
Sent:	Tuesday, July 30, 2013 6:33 PM
То:	Harris, Danielle (CPC)
Subject:	Re: Articles about Rustic Pizza and Grub

Hi Danielle,

Firstly, glad to hear the hearing has been delayed until September 19. This gives us more time to organize the community.

Regarding your question on my interaction with the owners-- I personally have only interacted with Erik Reese. He was standing outside of Rustic one day (prior to opening, several weeks ago) collecting signatures from people walking by to show support for the back. My interaction was brief but was what first raised a red flag in my head-- he didn't realize I was a neighbor from right next door and just spoke about the vision for the space-- a beer garden where people could come, hang out and drink while playing bocce ball. I asked him about the hours of operation in the back and he said "Until 10 Sun-Thurs and Midnight on the weekends *for now*." As you can imagine, I didn't sign it! While I am not keen on the back being open from 10pm-12am, I am REALLY not keen on it being open later than that, which is what I interpreted his "for now" comment to imply.

My husband had a slightly better experience with Ted Hand and Tom Elliott. He attended an open house and spoke to them candidly about our concerns regarding noise. They both were polite and gave him their phone numbers, saying to just call if there were ever a noise problem. I appreciate this, but at the same time I don't think a noise problem will come from something they can easily control (music, etc.) but rather from what their vision inevitably leads to-- a bunch of loud, drunk people in the back! As anyone in the restaurant business can attest, the profit margin is in alcohol (not food), so it would only be smart for them, as a business, to want to sell lots of alcohol to people out back. I'm sure they don't want to make our lives miserable, but it would absolutely be a side effect of their business goals.

You asked if I had suggestions on how to mitigate potential issues-- I guess the issue is that I do not know my rights as a tenant prior to this permit being issued, and I also don't know my rights after the permit has been issued. If our quality of life is diminished after the back area is opened, do we have any recourse during that nine month period? Or would we potentially just have to endure nine months of daily adult frat parties next door?! You mention that there will be a hearing after their nine month trial to determine their compliance, but as a tenant I don't even know what measures they need to comply with. If you have a bit of time in the next week or two, could we set a time to discuss via phone the above issues? If I understand a bit more about the process as well as my rights I would be better equipped to suggest solutions. I work full time but can certainly try to be flexible around your schedule. If a phone call would not work for you, any online resources you could point me to, reading materials you could send, etc. would be extremely helpful.

Thanks much, Kathryn

On Mon, Jul 29, 2013 at 7:06 PM, Harris, Danielle (CPC) <<u>danielle.j.harris@sfgov.org</u>> wrote:

From:	Daniel Tao <daniel.tao@gmail.com></daniel.tao@gmail.com>
Sent:	Monday, July 29, 2013 1:57 PM
То:	Harris, Danielle (CPC)
Subject:	A resident's concern re: Rustic pizza on 24th St

Danielle,

My wife and I live at 3333 24th St, right next door to Rustic Pizza which has just recently opened for business. I know that you are the planning department contact for inquiries about Rustic based on the notice they currently have posted outside.

As you probably know, we have a neighbor (Jette Vakkal) who is extremely concerned about this restaurant, specifically about the outdoor bocce ball area and beer garden they have planned. She believes the owners' intention is to establish a party atmosphere which will create a lot of noise and significantly disrupt the lives of those of us living nearby. She also worries that because there are so few of us who would be affected by this, the restaurant will be able to move forward with their plans without worrying about any complaints we may raise, and that the city will turn a blind eye to our objections.

Personally, I am also concerned about the restaurant and the potential noise the outdoor area may generate. I tend to be less fearful than Jette is, but there are certainly warning signs—such as the fact that their sign openly says "Beer Garden" even though the conditional use permit they are applying for does not mention alcohol, or the recent article on Eater (<u>http://sf.eater.com/archives/2013/07/24/rustic bocce biergarten and pizzeria.php</u>) stating that "Rustic also has plans for a full-on party in back"—that do give me pause. This is probably exacerbated by the fact that my wife and I are expecting our first baby in late September, and the prospect of a crying infant woken at 2 AM from the noise of drunken patrons next door is rather unsettling!

That said, I actually welcome the establishment of a high-quality pizza restaurant next door. My wife and I had hoped that a decent replacement would come along after both of the previous two pizza shops closed down. And so I don't want to needlessly start a fight against a business that may end up providing a great addition to our neighborhood. I have met two of the owners (Ted Hand and Tom Elliott), who have both assured me that I can call them if the noise ever gets out of hand and that we can work together to deal with any issues that occur. I'm optimistic that we therefore won't run into any serious problems.

What I would like is your assurance that, in the worst case scenario, if Rustic generates a great deal of noise and the owners end up being less than receptive to our concerns over at 3333 24th St—or in any of the surrounding residences or businesses—we won't be powerless to do something about it. Again, I don't want to actively fight against them preemptively if I don't have to. I just want to know what options we will have in case it turns out that there is a problem.

Thank you for your time, Daniel Tao

From:	hestor@earthlink.net
Sent:	Tuesday, July 30, 2013 2:03 PM
То:	Harris, Danielle (CPC)
Cc:	Barbara Blong; Sch
Subject:	Re: Follow-up 3331 24th St (2013.0224C)

There are residents facing this yard and bocce ball court. Residents who will be affected by noise and light. The owner of comml building is well aware since he owns both comml and residential and got the notices for both buildings - possibly for others as well.

Since this is a CU, residential tenants get no mailed notice - even though they would if this was treated as 312.

The whole outdoor area was constructed illegally before the CU had been approved. (It exists already)

Because this area is in Eastern Neigh Mission area plan it is using a catex based on EN EIR - which also means no notice.

I assume the change of hearinf date from 8/1 to 8/8 was because owner failed to post notice for CU hearing originally set for 8/1.

I have to be at a computer to explain more.

Sue Hestor 846 1021 Sent from my BlackBerry® smartphone, powered by CREDO Mobile.

From: "Harris, Danielle (CPC)" <danielle.j.harris@sfgov.org> Date: Tue, 30 Jul 2013 20:48:57 +0000 To: hestor@earthlink.net<hestor@earthlink.net> Subject: Follow-up 3331 24th St (2013.0224C)

Hi Ms. Sue Hestor,

Per your phone call this morning, regarding your intentions to request a continuance this Thursday for the case 2013.0224C - 3331 24<sup>th</sup> Street (d.b.a. Rustic), the Director was curious as to what your concerns are for the proposed outdoor activity area.

Danielle J. Harris PLANNER, SE QUADRANT

SAN FRANCISCO **PLANNING DEPARTMENT** 1650 Mission Street, #400 |SF, CA 94103 <u>Danielle.J.Harris@sfgov.org</u> | 415.575.9102

www.sfplanning.org

#### SARELLE T. WEISBERG, FAIA ARCHITECT 440 Davis Court #\$ 2212, San Francisco CA 94111

Ms. Danielle J. Harris, Planner Office of City Panning 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Ms. Harris,

As an architect and city planner working in the urban environment for many years (on the East Coast, before I moved to San Francisco), I have been involved in numerous issues relating to preserving neighborhoods as residents have tried to respond to the challenging and changing demands and evolving uses that occur when growth or new uses are proposed. The quality of life offered to residents, and the preservation of the residential environment, is of the highest priority, as long-term residents strive to protect those amenities that have originally attracted them to their neighborhood, and which they work hard to preserve in the face of proposed changes.

The issues that the proposed Rustic Pizza at 331 24<sup>th</sup> Street raise are that the noise an activity levels of the new facility cannot be acceptable for a residential complex of some eighteen apartments in several adjacent buildings that all face on several valued plazas. The immediate location of of many apartment windows, at least sixty, that are located where they will be impacted by the proposed new noise and activity levels, cannot be adjusted to accept the kind of neighborhood that will result, if the proposed project is allowed to move forward.

I became aware of this issue recently, from a really concerned resident living in the complex above the planned Beer Garden, an artist who values the special quiet and relaxed atmosphere of her home. She has made me aware that each apartment has multiple residents, families who enjoy the luxury of the serenity of their homes that surround the plazas adjacent to the Rustic Pizza operation. I also know that once an approval is secured, it is very difficult to minimize the unwanted effects of increased noise and activity. I hope that your review of the proposal will consider the undesirable aspects of this new use. Thank you for your attention to this unwelcome neighborhood change.

Sincerely yours,

Sarelle T. Weisberg

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Re: Rustic Pizza outdoor activity area and bocce ball

2013.0224C: 3331 - 24th STREET, south side, between Mission and Bartlett Streets, Lot 025 in Assessor's Block 6516: Request for Conditional Use authorization under Planning Code Sections 303, 736.24, and 790.70, to establish an outdoor activity area, for seating and bocce ball, located the rear of an existing restaurant (d.b.a. Rustic) in the Mission Street NCT (Neighborhood Commercial Transit) Zoning District with an 55-X Height and Bulk designation.

Dear President and Members of the Planning Commission:

My name is <u>Catalina</u> Tapia. I live at <u>325</u> Bartlett St. My home is near the proposed beer garden and bocce ball area at Rustic Pizza. (See the attached exhibit.)

The owners of Rustic Pizza promote their outdoor area as a beer garden and party destination: "full-on party"; "top everyone's list for warm weekend drinking." "Bocce leagues and tocarnaments " as well.

The noise levels generated from such an outdoor establishment will be excessive and will have a negative effect on my home and neighborhood. It is unreasonable to be forced to listen to this noise seven days and seven nights a week. It is unreasonable to take away the quiet enjoyment of my home and surroundings.

Rustic's proposed activity in the beer garden is incompatible with its location. Rustic's beer garden is surrounded by residential housing. Outdoor activity areas must be designed so that they do not detract from the livability of surrounding uses. The nature of the activities in this outdoor area is incompatible with the surrounding residential housing. The operation and design of the outdoor area will significantly disturb the privacy and affect livability of adjoining and surrounding residential properties. The hours of operation of this activity in the outdoor area are too broad. The activity will disrupt the viability of surrounding uses.

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Re: Rustic Pizza outdoor activity area and bocce ball

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Dear President and Members of the Planning Commission:

My name is <u>Daniel Tao</u>. I live at <u>3333 24th St</u>. My home is near the proposed beer garden and bocce ball area at Rustic Pizza. (See the attached exhibit.)

The owners of Rustic Pizza promote their outdoor area as a beer garden and party destination: "full-on party"; "top everyone's list for warm weekend drinking." "Bocce leagues and tocknowents " as well.

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I object to this outdoor area because Date: $\frac{982013}{2013}$	of its proximity to my home. Signed: <u>Janual Tao</u> Print Name: <u>Danie   Tao</u>
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Dear President and Members of the Planning Commission:

My name is <u>*Ulaiter Ramos*</u>. I live at <u>3339 24  $\frac{+h}{5+.}$ </u>. My home is near the proposed beer garden and bocce ball area at Rustic Pizza. (See the attached

exhibit.)

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Fam not please to see Rustic Pizza to have open Air drouken place next to the back yard, the noise will not alow me to rest or sleep in peace and having my Mother been a suyear old will also not be please we have been leaving here for 35 years and have been very peaceful preace down let Rustic destroy my weberhood.

I object to this outdoor area because of its proximity to my home.

Signed: <u>Datter</u> Formor Print Name: <u>Walter Famos</u> Date: <u>9-8-13</u>

Re: Rustic Pizza outdoor activity area and bocce ball

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Dear President and Members of the Planning Commission:

My name is  $2 \times 14$  Ke m  $a_{5}$ . I live at  $3339 \times 477$  st. My home is near the proposed beer garden and bocce ball area at Rustic Pizza. (See the attached exhibit.)

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I object to this outdoor area because of its proximity to my home.

Date: 9-5-2013 Signed: Bakada Rama Print Name: Betzgida Ramoz

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Dear President and Members of the Planning Commission:

My name is <u>My home is near the proposed beer garden and bocce ball area at Rustic Pizza. (See the attached exhibit.)</u>

The owners of Rustic Pizza promote their outdoor area as a beer garden and party destination: "full-on party"; "top everyone's list for warm weekend drinking." "Bocce leagues and tocurnaments " as well.

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I object to this outdoor area because Date: $\frac{9/8}{3}$	of its proximity to my home. Signed:
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Dear President and Members of the Planning Commission:

My name is <u>Mathway Mornison</u>. I live at <u>3333</u> 24<sup>th</sup> ST. My home is near the proposed beer garden and bocce ball area at Rustic Pizza. (See the attached exhibit.)

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Dear President and Members of the Planning Commission:

My name is <u>Onathan Joiner</u>. I live at <u>307 Bartlett #4</u>. My home is near the proposed beer garden and bocce ball area at Rustic Pizza. (See the attached exhibit.)

The owners of Rustic Pizza promote their outdoor area as a beer garden and party destination: "full-on party"; "top everyone's list for warm weekend drinking." "Bocce leagues and tocwnoments " as well.

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I am very concerned about the noise levels generated by the outside area, There are speakers. There are no sound barriers of any kind. The hours of operation are very late - well beyond what this residential area should have for an outdoor-activity area. We have had to deal with other busivesses for exceeding noise & permitting standards and do not want it to happen again.

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I object to this outdoor area because of its proximity to my home.

Signed: Date: donathou doine Print Name:

BEAR Sir and MARAN 8-14-13

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J Live WEXT to Rustic Pirza It's penceful and Quitte Mere In all 11 yearns Livena Mene UM WIFE AMS BAUGHNEN, It MAS NEVER BEEN ANY NOISE FROM NERBONS ANOUND US AND WE ALSO RESPECT THE RIGHT TO LIVE IN A PENCEFUL PLACE.

RUSTIC PIZZA HAS Applied For A Consitional Use Authorization under PLANNING CODE SECTIONS 303 736.24, and 790.70 To Establish an outdoor Area For Senting and bocce Ball. RUSTIC PIZZA SENding out Press releases to SEVERAL PAPENS AND ON-LINE PAPENS INVITING People to Bib Drinking Parties Any LE MAS Applied Outdoor Area to be Open ? BAYS A Week ( Mgths) I BBJECT TO RUSTIC'S PETITION AND grounds of all the Noise of people Annking and playing boccE to LATE Wigth Rigt outside My Aportment where I Live. RESPECTFully lisportono contines 3335 24th St. SAW Francisco

Re: Rustic Pizza outdoor activity area and bocce ball

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Dear President and Members of the Planning Commission:

My name is <u>Madelyn Taylor</u>. I live at <u>307 Bavilet St</u>, \*6 My home is near the proposed beer garden and bocce ball area at Rustic Pizza. (See the attached exhibit.)

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I wouldn't mind a quict day time activity space/patio, but I do object to loud music and the propend late night hours (especially on weeknights).

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I object to this outdoor area because of its proximity to my home.

Date:	9/9/2013	2	Signed: _	M odelego	Jack-	<del></del>	
			Print Nar	me: <u>M</u>	adelyn	Taylor	

Re: Rustic Pizza outdoor activity area and bocce ball

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Dear President and Members of the Planning Commission:

My name is <u>Brondon Parsans</u>. I live at <u>307 Bastleff</u>. My home is near the proposed beer garden and bocce ball area at Rustic Pizza. (See the attached exhibit.)

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I object to this outdoor area because of its proximity to my home. Date: <u>9/9/2013</u> Signed: Print Name: <u>Broughn Parsens</u>

Re: Rustic Pizza outdoor activity area and bocce ball

2013.0224C: 3331 - 24th STREET, south side, between Mission and Bartlett Streets, Lot 025 in Assessor's Block 6516: Request for Conditional Use authorization under Planning Code Sections 303, 736.24, and 790.70, to establish an outdoor activity area, for seating and bocce ball, located the rear of an existing restaurant (d.b.a. Rustic) in the Mission Street NCT (Neighborhood Commercial Transit) Zoning District with an 55-X Height and Bulk designation.

Dear President and Members of the Planning Commission:

My name is <u>Ray tegerwork</u>. I live at <u>307</u> <u>Bartlant</u> My home is near the proposed beer garden and bocce ball area at Rustic Pizza. (See the attached exhibit.)

The owners of Rustic Pizza promote their outdoor area as a beer garden and party destination: "full-on party"; "top everyone's list for warm weekend drinking." "Bocce leagues and tocwnoments " as well.

The noise levels generated from such an outdoor establishment will be excessive and will have a negative effect on my home and neighborhood. It is unreasonable to be forced to listen to this noise seven days and seven nights a week. It is unreasonable to take away the quiet enjoyment of my home and surroundings.

Rustic's proposed activity in the beer garden is incompatible with its location. Rustic's beer garden is surrounded by residential housing. Outdoor activity areas must be designed so that they do not detract from the livability of surrounding uses. The nature of the activities in this outdoor area is incompatible with the surrounding residential housing. The operation and design of the outdoor area will significantly disturb the privacy and affect livability of adjoining and surrounding residential properties. The hours of operation of this activity in the outdoor area are too broad. The activity will disrupt the viability of surrounding uses.

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Dear President and Members of the Planning Commission:

My name is <u>SENI</u> <u>CAMARA</u>. I live at <u>GAMARA 325</u> Borflett My home is near the proposed beer garden and bocce ball area at Rustic Pizza. (See the attached exhibit.)

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I Don't Want -	Hat roise wear to my place . [!!
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Date: 9/8/2013	Signed:
i V	Print Name: SENI CAMAR A

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#### PETITION: PROTECT HOUSING IN THE MISSION

We, the undersigned, object to Rustic Pizza's application for a conditional use permit for an "outdoor activity area" at 3331 24<sup>th</sup> St.

The restaurant owners have been promoting the area as a beer garden and a "full-on" party destination. This will create **tremendous noise seven days and nights a week**. Rustic Pizza is surrounded by apartment buildings.

The residents of these buildings will be adversely affected by the noise. Residents will be unable to sleep, concentrate or relax in their homes on any day or night of the week. Nor will they be able to open windows to for ventilation. All of this will greatly reduce their health and quality of life. In addition, it will undermine the habitability of housing, of which there is a shortage. In short, the outdoor area will have **negative effects on everyone in the vicinity**.

We do not object to the restaurant's indoor area—including the bar. It is specifically the conditional use permit for the outdoor area in the back of the restaurant to which we object.

Please support our effort to save this part of the Mission.

Signed:

	PRINT NAME & SIGNATURE	ADDRESS	EMAIL	Comment	
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4	Son Ederate	334324454			
	Victor/Robress	3316 Follow			j
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	Varonica Quetro	33162756			
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PRINT NAME & SIGNATURE	ADDRESS	EMAIL	Comment
Betty Traynor Batty Julyn	35 W. Thomachin #6 3F, CA 94115	btraynar atte	
Anto G. Polites Unverfolito	349-31° FAVZ, SF494121		
Barbara L Nieise	n 400 Duboce = 3	18 bln, sf. ca@ gmail.com	
Bhut hiels Rhoda Norman Rhoda Norman	3720 Seott St # 103 SF, CA 94123		
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