Memo to the Planning Commission

HEARING DATE: SEPTEMBER 15, 2011 Continued from the June 16, 2011 Hearing 1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception:

415.558.6378

Fax:

415.558.6409

Planning Information: 415.558.6377

Date: September 8, 2011 Case No.: **2011.0186 C**

Project Address: 550 VALENCIA STREET

Project Address. 350 VALENCIA STREET

Zoning: Valencia Street NCT (Neighborhood Commercial Transit)

Mission Alcoholic Beverage Special Use Subdistrict

55-X Height and Bulk District

Block/Lot: 3568/008

Project Sponsor: Dylan MacNiven

3640 17th Street

San Francisco, CA 94114

Staff Contact: Corey Teague – (415) 575-9081

corey.teague@sfgov.org

Recommendation: Approval with Conditions

BACKGROUND

The Planning Commission continued this project after hearing from the public and determining that the Project Sponsor had not conducted adequate public outreach. The Project Sponsor was instructed to conduct additional public outreach before the September 15th hearing.

CURRENT PROPOSAL

The proposed project is still to establish a 3,910 square foot full-service restaurant and bar. However, the original project proposed a restaurant (d.b.a. Mohave) that would serve more upscale southwestern food, focusing on traditional Native American ingredients. Based on feedback from the neighborhood, the proposal was modified to be a restaurant (d.b.a. West of Pecos) that would be more affordable and serve American comfort food, focusing on an Old West theme (menu outline attached).

Public Outreach

The Project Sponsor conducted extensive public outreach between the original hearing and the date of this memo, per the Planning Commission's request. The outreach included a variety of stakeholders, including surrounding business owners, neighborhood groups, merchants groups, the Police Department, and others. The specifics of the outreach are included in the attached letter from the Project Sponsor. The outreach also led to a "Statement of Common Purpose" with the Mission Housing Development Corporation and the Mission Language and Vocational School to work collaboratively on employment opportunities and the associated need for affordable housing nearby.

The additional outreach resulted in 26 new letters of support for the project, which are also attached. The Department received no letters of opposition to the project.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant conditional use authorization to allow the establishment of a bar that serves distilled spirits, in addition to beer and wine, within the Valencia Street NCT District, pursuant to Planning Code Section 726.41. In addition, the Commission would need to grant conditional use authorization for a use greater than 3,000 square feet in size, pursuant to Planning Code Section 121.2.

BASIS FOR RECOMMENDATION

- The project is a small business that will occupy a currently vacant building with a locally-owned neighborhood-serving use that will contribute to the viability of the overall Valencia Street NCT District.
- The project will not displace an existing retail tenant providing convenience goods and services to the neighborhood.
- The project will not result in an overpopulation of restaurants in the Valencia Street NCT District.
- The project will create 30 or more jobs for neighborhood residents of various skill and experience levels.
- The project is consistent with the Planning Code, Mission Area Plan, and General Plan.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The Project Sponsor engaged the community to provide a use that will be beneficial and desirable to the surrounding neighborhood.

RECOMMENDATION: Approve with conditions and update to motion to reflect the new restaurant concept.

Attachments:

Letter from Project Sponsor Proposed Menu Outline Statement of Collaborative Purpose New Letters of Support San Francisco Planning Department Suite 400 1660 Mission Street San Francisco, CA 94103

Re: CONDITIONAL USE APPLICATION FOR 550 VALENCIA ST.

Dear President Olague and San Francisco Planning Commissioners:

Several weeks ago when we attended the Planning Commission hearing we were advised that we needed to reach into the community and get a sense of how folks felt about our planned new restaurant on Valencia Street. Our neighbor Amparo Vigil also expressed her concern to us that she thought our concept for a Southwestern restaurant was very close to her Mexican cuisine at Puerto Alegre and that she and her family wanted more time and information to figure out what this would mean to them.

We find ourselves grateful that the Planning Commission granted us this time extension because we have discovered some great things. First, we realized that the concept we were planning may not have the best interests of the local neighborhood by being too upscale. It wasn't exactly a finedining white tablecloth place but it was near the higherpriced of the existing restaurants that have supported the community for many years. We also listened to the concerns of Ms. Vigil and decided that if our similarities in cuisine were a big concern to her we were willing to change it. This is how our new restaurant, West Of Pecos, was born. West Of Pecos is an affordable restaurant emphasizing food one might imagine from the Old West, a rustic American-themed joint with comfort food. We have had three sit-down meetings and many emails with our neighbor Amparo and have developed cordial relations and she has not voiced any remaining concerns to us. President Olaque was present for one of these meetings as was Peter Glikshtern, head of the Mission Merchants Association.

Another realization we had was that in the midst of this great city of San francisco, there is a very close-knit community of the Mission, one with its own identity and ideals. We have had a tremendous outpouring of support,

encouragement and great suggestions from our neighbors for blocks in all directions. We have met storekeepers, restaurant owners, hairdressers and bar owners and have received dozens of letters of support. We have met with several neighborhood organizations have become instrumental in crafting the direction and growth of the Valencia Corridor Merchants Association. We have also received the endorsement of the Mission Miracle Mile Business Improvement District.

We met with Sherilyn Adams at Larkin Street Youth Services and discussed their internship program (we are also working with them for the Woodhouse Fish Co.) and have committed to making internships available at our new restaurant where we will create over 30 jobs for local community.

We had several meetings and have issued a statement of common purpose with Larry Del Carlo, Director of Mission Housing and Rosario Anaya, the Director of Mission Language and Vocational School, to incorporate realistic housing and job opportunities for residents of the community. Amazingly these organizations are right in the neighborhood and we may have missed this opportunity if we had started this enterprise with the lack of preparation we had a few months back. It is our plan to offer preferential employment to Mission residents from kitchen prep positions to top management.

On August 1st, we held a charity event at our Market Street restaurant for 'At the Crossroads', an organization that supports at-risk youth in San Francisco and is based on Valencia St. The event was attended by Supervisors Kim and Campos. We have also received a personal phone call of support from Supervisor Weiner as his district captures Valencia Street one block from our proposed location.

I met the Commanding Officer of the Mission SFPD Station, Captain Greg Corrales, as well as the SFPD Chief of Police, Greg Suhr at the June 29th Greater Mission Rotary Club. Both were very supportive that a proven local restauranteur will be renovating the boarded-up building a half block from the Mission SFPD Station. The SFPD Alcoholic Beverage Liaison Unit inspectors have told us that our plan to convert a Type 48 (full bar) license currently located in the Mission to a Type 47 (restaurant bar) use is encouraged.

Through Phil Lesser, who has been our mentor through this whole process, we met with officers of the Mission Merchants Association as well as attended several meetings of the Mission Rotary Club. At the last Rotary meeting Mayor Ed Lee, when asked if he supported restaurant growth in the Mission, answered he very much did and would like to be invited to our opening night.

We appreciate the opportunity to re-present our application.

Dylan MacNiven

With Jamis, Tyler and Rowan MacNiven

STATEMENT OF COLLABORATIVE PURPOSE

MISSION HOUSING DEVELOPMENT CORPORATION (MHDC) MISSION LANGUAGE VOCATIONAL SCHOOL (MLVS) 550 VALENCIA STREET, LLC

The undersigned affirm that they will work diligently to support one another's missions in a collaborative and ongoing manner.

Missions/Accomplishments

MHDC -- Established in 1971 out of the efforts of the Mission Coalition Organization (MCO). MCO was formed in 1968, bringing together the concerns of over 100 different organizations. Through MCO's lobbying efforts, the Mission District was declared a Model Cities area for community development, enabling the neighborhood to develop a solid program of better housing, social services, education, health care, and economic development.

In 2011 MHDC has in its affordable housing portfolio thirty-nine properties, containing over 1,100 units occupied by over 3,000 people.

MLVS -- Has been in continuous operation as a community-based education center since 1962. MLVS training programs include classes in office technology, computer networking, computerized accounting, medical assisting, and culinary arts. In addition, the school's bi-lingual, multi-cultural staff provides career guidance, counseling, job placement as well as referral services for legal, childcare, health and housing assistance.

In 2011 MLVS annual enrollment exceeds 600 students. To date MLVS has placed more than 22,000 students in jobs.

550 VALENCIA STREET, LLC – Is the latest full-service restaurant to be owned and operated by the MacNiven family. The MacNivens are the owner/operators of Buck's Restaurant in Woodside, California for over two decades. Over the last decade, the MacNiven's opened the Woodhouse Fish Company on Market Street. Based on the success of that operation, a second location was opened on Fillmore Street.

In 2011 <u>The Bay Area Guardian</u> gave Woodhouse Fish Company its award for "Best Seafood Restaurant in San Francisco."

Basis and Intent of Collaboration

MHDC hereby intends to provide MLVS students affordable housing opportunities.

MLVS hereby intends to provide MHDC residents vocational and English language training opportunities.

MLVS hereby intends to provide a candidate pool of employees for 550 Valencia, LLC

550 Valencia LLC, intends to provide MLVS students opportunities for internships, full-time and part-time employment in its bay area restaurants

In so doing, the undersigned collaborating parties intend to improve the lives of people in the Mission district and other neighborhoods and help as many families as possible to escape the cycle of poverty and reliance on public housing.

D.C. L. F. ... tim Director Mission Housing Development Corner

Larry Del Carlo; Executive Director, Mission Housing Development Corporation

Rosario Anava; Executive Director, Mission Language Vocational School

Jamis MacNiven; Chairman, 550 Valencia, LLC

Re: Support for Granting Conditional Use Permit for a Full-Service Restaurant at 550 Valencia Street

Mr. Teague:

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- The building will be converted from its current vacant, dilapidated, graffitiriddled state into a usable, attractive and code-compliant structure
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- The MacNiven family who will own and operate the restaurant have two other restaurants in San Francisco (Woodhouse Fish Company: 1914 Fillmore Street and 2073 Market Street)
 - o Granting the use permit will therefore promote local business
 - The MacNivens have already proven to be responsible business operators in neighborhood commercial environments

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CHRIS M COLONG
HIS-641-4924
Treasurer Mission Merchants Associated
Publisher St Mission con
Owner Gateury Management

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Victoria Coto 415-643-9418

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RAJIV GUJRAL rajiv@rockridgelenchi-g. Com

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Richard San Mames

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Sincerely,

David Vasquez

August 1st, 2011

Corev Teague San Francisco Planning Department 1650 Mission Street Suite 400 San Francisco CA 94103-2479

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Mission cycling 415 732 2674

August 1st. 2011

Corey Teague
San Francisco Planning Department
1650 Mission Street
Suite 400
San Francisco CA 94103-2479

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Sincerely,

Plat Mathe Execusive Director At The Constants

415 517-5458

At The Crossroads

Rob Gitin Director

August 1st, 2011

Corey Teague
San Francisco Planning Department
1650 Mission Street
Suite 400
San Francisco CA 94103-2479

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Sincerely.

Jon Sege Jon Dage At The Crossroads



www.missionhousing.org

August 2, 2011

Corey Teague San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco CA 94103-2479 474 Valencia Street, Suite 280 San Francisco, CA 94103 415.864.6432 415.864.0378 fax info@missionhousing.org

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In summary, this new restaurant will contribute to the vitality of the neighborhood on many different levels and I sincerely hope that this project will move forward.

Sincerely,

Larry Del Carlo
President/CEO

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Muhtikuhti store 539 Valencia st 56, CA 94110

August 9, 2011

Corey Teague

San Francisco Planning Department

1650 Mission Street

Suite 400

San Francisco CA 94103-2479

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AUG 17 2011

CITY & COUNTY OF SHE PLANNING DEPARTMENT

RECEPTION DESK

RICCI CORVETI OWNER BloNCIES BAK FRESIDENT 542 VALENTIACO

ATTENTION: COREY TEAGUE, PLANNER SAN FRANCISCO PLANNING COMMISSION RE CASE NO. 2011.0186C IN SUPPORT OF PROPOSED USE AT 548 VALENCIA

Dear Dylan MacNiven:

Having been a Valencia Street shop owner for over ten years (at 572 and 714 Valencia) and now the owner of a 5000 square foot building at 560 Valencia, I am delighted to hear you are opening your restaurant WEST OF THE PECOS next door to my building! Since the Valencia Street corridor is becoming a noted culinary center, I love your creative and unique concept of the romanticized food of the Old West which will be a colorful magnet like Bucks of Woodside. It will definitely help make our block unique and memorable for all diners and I'm sure will help all businesses on our block and be an asset to the neighborhood. It's also important that you and your family are accomplished restaurateurs (Buck's and two Woodhouse locations) which helps to insure yet another neighborhood success. So I wholeheartedly endorse your coming to the neighborhood and welcome you with open arms. And I plan to be a good customer –I'll always check my guns at the door and leave my horse outside.

Don Fried Owner of 560 Valencia

August 16, 2011

Corey Teague San Francisco Planning Department 1650 Mission Street Suite 400 San Francisco CA 94103-2479

Re: Support for Granting Conditional Use Permit for a Full-Service Restaurant at 550 Valencia Street

Mr. Teague:

On July 6, 2011 the Board of Directors of the Mission Miracle Mile Business Improvement District held a duly noticed public mid-year meeting. At that meeting Jamis and Dylan MacNiven presented their plans for a restaurant at 550 Valencia Street.

The Board of Directors then voted unanimously to endorse granting all necessary permits to allow the operation of their restaurant, which the board sees as a great generator of employment and business activity in the Mission district.

Sincerely,

James Nunemacher

President

Mission Miracle Mile BID

HEMLOCK TAVERN CASANOVA LOUNGE

August 9, 2011

Corey Teague San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco CA 94103-2479

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Sincerely,

Don Alan

Managing Partner Casanova Lounge August 31, 2011

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Muholstebel President

areater Mission Rotary Club

Michael Hebel

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Breth Van (Vanguard Properties)

• The MacNivens have already proven to be responsible business operators in neighborhood commercial environments

Sincerely,

Re: Support for Granting Conditional Use Permit for a Full-Service Restaurant at 550 Valencia Street

Mr. Teague:

I support granting a conditional use permit for a full-service restaurant at 550 Valencia Street for the following reasons:

- The building will be converted from its current vacant, dilapidated, graffitiriddled state into a usable, attractive and code-compliant structure
- The presence of full-service dining is in keeping with the character of the Valencia Street business corridor
- The build-out and operation of the restaurant will generate scores of jobs
- The safety of the neighborhood will be improved with more "eyes and ears" on the street
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SANDRA LYNCH.

VANGUARD PROPERTIES

2501 MISSION STreet

415 321-7027

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August 31, 2011

Corey Teague San Francisco Planning Department 1650 Mission Street Suite 400 San Francisco CA 94103-2479

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