



October 16, 2023

File #:220709 SUPPORT

Dear President Peskin, and Supervisors Melgar and Preston,

This letter is written to express the support of the Castro Community Benefit District Board of Directors for the ordinance amending the Planning Code to change the zoning in the Castro Neighborhood Commercial District to allow for nighttime entertainment and the service of alcohol on the second floor. This will allow for the Castro Theatre to be used to its full potential whether showing films or hosting live entertainment in the Theatre. It will also allow for increased vibrancy in the Castro NCD, and all businesses will benefit.

Before taking this vote, the CBD's executive director spoke to several bar owners near the Castro Theatre. None opposed this change. Several spoke to the belief that they will get spillover customers and that pre-pandemic, the Theatre often had special catering permits to serve alcohol on the second floor. They did not believe that this change would threaten their business, but would rather formalize a practice that was taking place through temporary and cumbersome permitting.

Thank you for your time considering this matter and please take a step in supporting vibrancy in the Castro and support this zoning change.

If you have any questions, please do not hesitate to contact Andrea Aiello at andrea@castrocbd.org or 415-500-1181.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andrea Aiello".

Andrea Aiello
Executive Director

cc: Supervisor Rafael Mandelman

Castro Community Benefit District
693 14th Street
San Francisco, CA 94114
www.castrocbd.org
415.500.1181



Save the CASTRO THEATRE



September 5, 2023

Chair Myrna Melgar
SF Board of Supervisors, Land Use Committee
1 Dr. Carlton B. Goodlett Pl., Rm 244
San Francisco, CA 94102

Re: File No. 220709 – Protecting Community Access at the Castro Theatre

Chair Melgar, Land Use Committee Members, and Supervisor Mandelman:

Regarding File No. 220709 [Planning Code – Nighttime Entertainment Castro St NCD], the above and below signed organizations urge the Committee to enhance community access to the Castro Theatre by amending the legislation to prohibit private events not open to the general public.

We support the intent and purpose of this legislation, which would allow for public activation of under-utilized second story space for nighttime entertainment purposes (subject to Conditional Use authorization.) But allowing that use to be satisfied by private events not open to the general public is inconsistent with that purpose.

Relative to the Castro Theatre, which was the catalyst for this legislation, on June 15, 2023, Another Planet Entertainment (APE) was granted Conditional Use authorization *contingent on the Board's adoption of this legislation*. Among the conditions set forth in the CU, condition 16B provides as follows:

In order to ensure that the facility continues to contribute to the cultural richness of the neighborhood and the viability of surrounding small businesses, no fewer than 180 days of each calendar year must include events that are open to the general public or to private parties. No fewer than 90 of those days must include events that are open to the general public, including events for which tickets are available for purchase by the public. (Emphasis added.)

Allowing APE to satisfy a full half of their obligation with private events closed to the public would potentially leave the theatre closed to the public for 275 days out of the year. At the Planning Commission hearing on APE's application for CU, APE represented to the Commission that they are "not in the business" of hosting private events (although their website for the Fox Theater in Oakland suggests [otherwise](#).) If it is not APE's intent to host private events at the theatre, then we suggest that be made clear in the law itself, to prevent any successor in interest from foreclosing access to the general public.

We believe this amendment is well-suited for the authorizing ordinance. It will safeguard the community from having to advocate for this essential public benefit at every hearing on a CU application for second story nighttime entertainment use.



Save the CASTRO THEATRE



As to whether this was properly addressed during the CU hearing, it was not a central part of the discussion before the Planning Commission. Had it been, we are confident the Commission would have agreed that general public access should be prioritized to a greater degree. However, because this was presented to the Commission generally, **we would disagree that this requires re-referral to the Planning Commission**, and it is not our intent to re-litigate the broader CU authorization.

Sincerely,

Friends of the Castro Theatre
San Francisco Heritage
Castro LGBTQ Cultural District
Castro Theatre Conservancy
San Franciscans to Save the Castro Theatre
Katherine Petrin, Architectural Historian and Preservation Planner
Terrance Alan

Cc: Angela Calvillo, Clerk of the Board of Supervisors
Rich Hillis, Director, SF Planning Department