File No. 220709

Committee Item No. <u>1</u> Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: <u>Land Use and Transportation</u> Board of Supervisors Meeting: Date: October 23, 2023
Date: _____

Cmte Board

		Motion Resolution Ordinance - VERSION 2 Legislative Digest - VERSION 2 Budget and Legislative Analyst Report Youth Commission Report Introduction Form Department/Agency Cover Letter and/or Report MOU Grant Information Form Grant Budget Subcontract Budget Contract / DRAFT Mills Act Agreement Form 126 – Ethics Commission Award Letter Application Public Correspondence
отн	ER	
\square		Planning and Historic Preservation Commission
		Recommendations – June 22, 2023
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\square		

CEQA Determination – July 20, 2022 Referrals CEQA and PC – June 15, 2022

Committee Report Request Memo – October 18, 2023

FILE NO. 220709

AMENDED IN COMMITTEE 10/16/2023 ORDINANCE NO.

1	[Planning Code - Nighttime Entertainment Castro Street Neighborhood Commercial District]
2	
3	Ordinance amending the Planning Code to change the zoning controls in the Castro
4	Street Neighborhood Commercial District to <u>exclude Article 10 Landmark buildings</u>
5	from use size limitation and allow Nighttime Entertainment with a Conditional Use
6	authorization on the second floor; affirming the Planning Department's determination
7	under the California Environmental Quality Act; and making findings of consistency
8	with the General Plan and the eight priority policies of Planning Code, Section 101.1,
9	and findings of public necessity, convenience, and welfare under Planning Code,
10	Section 302.
11	NOTE: Unchanged Code text and uncodified text are in plain Arial font.
12	Additions to Codes are in <i>single-underline italics Times New Roman font</i> . Deletions to Codes are in <i>strikethrough italics Times New Roman font</i> .
13	Board amendment additions are in <u>double-underlined Arial font</u> . Board amendment deletions are in strikethrough Arial font.
14	Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.
15	
16	Be it ordained by the People of the City and County of San Francisco:
17	
18	Section 1. Findings.
19	(a) The Planning Department has determined that the actions contemplated in this
20	ordinance comply with the California Environmental Quality Act (California Public Resources
21	Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
22	Supervisors in File No. 220709 and is incorporated herein by reference. The Board affirms
23	this determination.
24	
25	

1	(b) On June 15, 2023, the Planning Commission, in Resolution No. 21333, adopted
2	findings that the actions contemplated in this ordinance are consistent, on balance, with the
3	City's General Plan and eight priority policies of Planning Code Section 101.1. The Board
4	adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the
5	Board of Supervisors in File No. 220709, and is incorporated herein by reference.
6	(c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this

(c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this
ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in
Planning Commission Resolution No. 21333, and incorporates such reasons by this reference
thereto. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File
No. 220709, and is incorporated herein by reference.

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12	Section 2. Article 7 of the Planning Code is hereby amended by revising Section 715,
13	to read as follows:

14 SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT.

* * *

Table 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT ZONING CONTROL TABLE

* * * *		
Zoning Category	§ References	Controls
* * * *		
NON-RESIDENTIAL STANDARDS AND USES		
Development Standards		
Floor Area Ratio	§§ 102, 123, 124	3.0 to 1

25

§§ 102, 121.2	P to 1,999	square feet;	C 2,000
	square fee	t to 3,999 sq	uare feet;
	NP(1) 4,00	0 square fee	t and above
	I		
	C	ontrols by St	ory
	1st	2nd	3rd+
Recreation Use Categor	ry		
§ 102	NP	NP	NP
§ 102	Р	Р	Р
§ 102	Р	Р	NP
§ 102	С	<u>C</u> NP	NP
		<u> </u>	
(1) USE SIZE EXEMPTION			
Per Planning Code Section 121.2(b), Use Size shall generally not exceed 4,000 square feet			
except that a Child Care Facility, School, Post-Secondary Educational Institution, Religious			
Institution, Social Service or Philanthropic Facility, Community Facility, or a Residential Care			
n 102 that is operated by	a non-profit and	d is neighbor	hood-servi
	Recreation Use Categor § 102 § 102 § 102 § 102 § 102 § 102 Since State St	square fee NP(1) 4,00 Ist Ist \$ 102 \$ 102 \$ 102 \$ 102 \$ 102 \$ 102 \$ 102 \$ 102 \$ 102 \$ 102 \$ 102 \$ 102 C \$ 102 C \$ 102 P \$ 102 C N 121.2(b), Use Size shall generally not excility, School, Post-Secondary Education of Philanthropic Facility, Community Facility	square feet to 3,999 sq NP(1) 4,000 square feet Ist 2nd Recreation Use Category § 102 NP NP § 102 P P § 102 P P § 102 C CMP § 102 C CMP N 121.2(b), Use Size shall generally not exceed 4,000 scility, School, Post-Secondary Educational Institution

1	may exceed 4,000 square feet by Conditional Use authorization. The non-residential use size
2	limitation shall not apply to Article 10 Landmark buildings located in the Castro NCD
3	* * * *
4	
5	Section 3. Effective Date. This ordinance shall become effective 30 days after
6	enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
7	ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
8	of Supervisors overrides the Mayor's veto of the ordinance.
9	
10	
11	APPROVED AS TO FORM: DAVID CHIU, City Attorney
12	DAVID CHIO, City Attomey
13	By: <u>/s/ Robb Kapla</u> ROBB KAPLA
14	Deputy City Attorney
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LEGISLATIVE DIGEST

[Planning Code - Nighttime Entertainment Castro Street Neighborhood Commercial District]

Ordinance amending the Planning Code, to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

Within the Castro Neighborhood Commercial District, Nighttime Entertainment is allowed with a Conditional Use authorization on the first floor of a building and is not permitted on the second story or above.

Amendments to Current Law

The Proposed Legislation would allow Nighttime Entertainment with a Conditional Use authorization on the second floor while keeping the use not permitted on the third floor or above.

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June 22, 2023

Ms. Angela Calvillo, Clerk Honorable Supervisor Mandelman Board of Supervisors City and County of San Francisco City Hall, Room 244 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102

Re: Transmittal of Planning Department Case Number 2022-005693PCA: Nighttime Entertainment Castro Street Neighborhood Commercial District Board File No. 220709

Historic Preservation Commission Recommendation:	Approval with Modifications
Planning Commission Recommendation:	Approval with Modifications

Dear Ms. Calvillo and Supervisor Mandelman,

On June 15, 2023, the Historic Preservation Commission and Planning Commission conducted a duly noticed public hearing at a specially scheduled joint meeting to consider the proposed Ordinance, introduced by Supervisor Mandelman that would amend the Planning Code to conditionally permit Nighttime Entertainment on the second story in the Castro Street Neighborhood Commercial District (Castro Street NCD). At the hearing, the Historic Preservation Commission adopted a recommendation for approval with modifications and the Planning Commission recommended approval with modifications.

The Historic Preservation Commission's and Planning Commission's proposed modification was as follows:

• Remove non-residential use size limitations for Article 10 Landmarks in the Castro NCD.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Supervisor, please advise the City Attorney at your earliest convenience if you wish to incorporate the changes recommended by the Commission.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

Aaron D. Starr Manager of Legislative Affairs

cc: Robb Kapla, Deputy City Attorney Adam Thongsavat, Aide to Supervisor Mandelman Erica Major, Office of the Clerk of the Board

Attachments :

Historic Preservation Commission Resolution Planning Commission Resolution Planning Department Executive Summary





HISTORIC PRESERVATION COMMISSION RESOLUTION NO. 1332

HEARING DATE: JUNE 15, 2023

Project Name:	Nighttime Entertainment Castro Street Neighborhood Commercial District
Case Number:	2022-005693PCA [Board File No. 220709]
Initiated by:	Supervisor Mandelman / Introduced June 7, 2022
Staff Contact:	Audrey Merlone, Legislative Affairs
	Audrey.Merlone@sfgov.org, 628-652-7534
Reviewed by:	Aaron D Starr, Manager of Legislative Affairs
	aaron.starr@sfgov.org, (628) 652-7533

RESOLUTION ADOPTING A RECOMMENDATION FOR APPROVAL OF A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO CHANGE THE ZONING CONTROLS IN THE CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW NIGHTTIME ENTERTAINMENT WITH A CONDITIONAL USE AUTHORIZATION ON THE SECOND FLOOR; AND AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1, AND FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on June 7, 2022 Supervisor Mandelman introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 220709, which would amend the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor);

WHEREAS, the Historic Preservation Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 15, 2023; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Sections 15060(c) and 15378; and

WHEREAS, the Planning 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 Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Historic Preservation Commission hereby adopts a recommendation for **approval with modifications** of the proposed ordinance. The Commission's proposed recommendation(s) is/are as follows:

1. Remove non-residential use size limitations for Article 10 Landmarks in the Castro NCD.

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:

The Castro NCD is both a neighborhood-serving shopping district and a destination for regional and national visitors. It has a vibrant mix of uses that meet daily needs - coffee shops, a hardware store, banks, a bookstore, a grocer, and pharmacies. And like all San Francisco neighborhoods, it has felt the impact of the pandemic and a changing retail sector. One of the few remaining business types that have been able to stay profitable are experiential in nature, for example Entertainment, Personal Service, and Eating & Drinking Establishments. The City also has an interest in land use policies that support a mix of retail so that the neighborhood can continue to both serve residents and draw visitors. The proposed Ordinance achieves this balance. A CUA process for new Nighttime Entertainment will ensure each proposed new Nighttime Entertainment use can be reviewed on a case-by-case basis to determine whether it would be appropriate for the neighborhood in its specific context.

General Plan Compliance

The proposed Ordinance and the Commission's recommended modification is consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

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.

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

Citywide data over the past decades shows that dining/drinking, personal services, and entertainment are the only retail subsections that have grown in the City's neighborhood commercial areas. Increasing the types of uses that may operate on the 2nd story in the Castro NCD to include Nighttime Entertainment will allow a use type to establish in the district that is known for bringing in tourists and locals alike. The residual effects of increased visitors to the district will benefit the struggling commercial businesses and potentially assist in reducing the number of storefront vacancies in the Castro NCD.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

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

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

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

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

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

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. 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 proposed Ordinance would not cause displacement of the industrial or service sectors due to office



development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

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

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

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

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby ADOPTS A RECOMMENDATION FOR APPROVAL WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 15, 2023.

Jonas P. Ionin *Commission Secretary*

AYES: Vergara, Foley, So, Nageswaran, Matsuda

Jonas P Ionin Deputy signed by Jonas P Ioni

- NOES: None
- ABSENT: Wright
- ADOPTED: June 15, 2023





PLANNING COMMISSION Resolution No. 21333

HEARING DATE: JUNE 15, 2023

Project Name:	Nighttime Entertainment Castro Street Neighborhood Commercial District
Case Number:	2022-005693PCA [Board File No. 220709]
Initiated by:	Supervisor Mandelman / Introduced June 7, 2022
Staff Contact:	Audrey Merlone, Legislative Affairs
	Audrey.Merlone@sfgov.org, 628-652-7534
Reviewed by:	Aaron D Starr, Manager of Legislative Affairs
	aaron.starr@sfgov.org, (628) 652-7533

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO CHANGE THE ZONING CONTROLS IN THE CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW NIGHTTIME ENTERTAINMENT WITH A CONDITIONAL USE AUTHORIZATION ON THE SECOND FLOOR; AND AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1, AND FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on June 7, 2022 Supervisor Mandelman introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 220709, which would amend the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor);

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 15, 2023; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Sections 15060(c) and 15378; and

WHEREAS, the Planning 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 Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves with modifications** the proposed ordinance. The Commission's proposed recommendation is as follows:

1. Remove non-residential use size limitations for Article 10 Landmarks in the Castro NCD.

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:

The Castro NCD is both a neighborhood-serving shopping district and a destination for regional and national visitors. It has a vibrant mix of uses that meet daily needs - coffee shops, a hardware store, banks, a bookstore, a grocer, and pharmacies. And like all San Francisco neighborhoods, it has felt the impact of the pandemic and a changing retail sector. One of the few remaining business types that have been able to stay profitable are experiential in nature, for example Entertainment, Personal Service, and Eating & Drinking Establishments. The City also has an interest in land use policies that support a mix of retail so that the neighborhood can continue to both serve residents and draw visitors. The proposed Ordinance achieves this balance. A CUA process for new Nighttime Entertainment will ensure each proposed new Nighttime Entertainment use can be reviewed on a case-by-case basis to determine whether it would be appropriate for the neighborhood in its specific context.

General Plan Compliance

The proposed Ordinance and the Commission's recommended modification is consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

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.

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

Citywide data over the past decades shows that dining/drinking, personal services, and entertainment are the only retail subsections that have grown in the City's neighborhood commercial areas. Increasing the types of uses that may operate on the 2nd story in the Castro NCD to include Nighttime Entertainment will allow a use type to establish in the district that is known for bringing in tourists and locals alike. The residual effects of increased visitors to the district will benefit the struggling commercial businesses and potentially assist in reducing the number of storefront vacancies in the Castro NCD.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

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

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

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

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

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

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. 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 proposed Ordinance would not cause displacement of the industrial or service sectors due to office



development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

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

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

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

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 15, 2023.

Jonas P. Ionin

Jonas P Ionin Digitally signed by Jonas P Ionin Date: 2023.06.21 17:14:48 -07:00 **Commission Secretary**

- AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
- NOES: None
- ABSENT: Ruiz
- ADOPTED: June 15, 2023





EXECUTIVE SUMMARY PLANNING CODE TEXT AMENDMENT

HEARING DATE: May 18, 2023

Review Deadline: June 12, 2023

Project Name: Case Number: Initiated by: Staff Contact: Reviewed by:	Nighttime Entertainment Castro Street Neighborhood Commercial District 2022-005693PCA [Board File No. 220709] Supervisor Mandelman / Introduced June 7, 2022 Audrey Merlone, Legislative Affairs Audrey.merlone@sfgov.org, 628-652-7534 Aaron Starr, Manager of Legislative Affairs
	aaron.starr@sfgov.org, 628-652-7533
Recommendation:	Approval with Modifications

Planning Code Amendment

The proposed Ordinance would amend the Planning Code to conditionally permit Nighttime Entertainment on the second story in the Castro Street Neighborhood Commercial District (Castro Street NCD).

The Way It Is Now:

- 1. In the Castro NCD, Nighttime Entertainment is allowed with a Conditional Use authorization (CUA) on the 1st story, and not permitted above the first story.
- 2. In the Castro NCD, non-residential uses sizes are permitted up to 1,999 square feet, require a CUA for non-residential uses between 2,000 square feet and 3,999 square feet, and are Not Permitted (NP) for uses 4,000 square feet and above.

The Way It Would Be:

1. In the Castro NCD, Nighttime Entertainment would be allowed with Conditional Use authorization on the 1st and 2nd story, and not permitted above the 2nd story.

2. The non-residential use sizes in the Castro NCD would not change.

Background

On June 15, 2022, the Planning Department received multiple applications for 429 Castro Street (d.b.a. Castro Theatre). The applications included proposed major rehabilitation work, adding a Nighttime Entertainment use and Bar on the 1st story and mezzanine level, and continuing the venue's use as a Movie Theater. This legislative amendment, introduced by Supervisor Mandelman, is intended to allow the Castro Theatre to conduct a Nighttime Entertainment use on the mezzanine level, which the ZA determined to be large enough and separate enough from the ground story to constitute a 2nd story. Although the proposed legislation was spurred by this specific project proposal, the legislation would affect the entire Castro Street NCD; therefore, this report will weigh the merits of the proposed legislative change for the entire district. This report will not weigh in on whether the Castro Theatre, specifically, should be granted a Conditional Use authorization for Nighttime Entertainment on the 2nd story.

Issues and Considerations

Definition of Nighttime Entertainment

The Planning Code defines Nighttime Entertainment as:

A Retail Entertainment, Arts and Recreation Use that includes dance halls, discotheques, nightclubs, private clubs, and other similar evening-oriented entertainment activities which require dance hall keeper police permits or Place of Entertainment police permits, as defined in Section 1060 of the Police Code, which are not limited to non-amplified live entertainment, including Restaurants and Bars which present such activities, but shall not include any Arts Activity, any theater performance space which does not serve alcoholic beverages during performances, or any temporary uses permitted pursuant to Sections 205 through 205.4 of this Code. This use is also subject to the controls in Section 202.11.

The types of businesses that fall under a Nighttime Entertainment vary; however, most often they are a concert venue, private club, or night club. It should be noted that to serve alcohol, Nighttime Entertainment uses must also operate in conjunction with another use that allows on-site alcohol consumption, such as a Bar use. Bar uses are currently permitted on the first and second stories with Conditional Use authorization in the Castro NCD.

The Health of the Nightlife Industry

Prior to the pandemic, the City's 3,800 nightlife businesses employed over 64,000 people and generated an estimated \$7 billion in annual economic impact. While the City continues to make exciting progress in its economic recovery, the COVID-19 pandemic has had a devastating effect on its restaurants, bars, performing arts spaces, and music venues. Live entertainment is a key piece of San Francisco's nightlife offerings and a cornerstone of our City's cultural identity. According to nightlife visitor surveys conducted by the Controller's



Office in 2012, 31% of visitors from outside of the City who traveled to San Francisco at night did so to visit music venues and nightclubs, frequenting other local businesses during their trips.

Expanding opportunities for entertainment venues will enhance the recovery of the Castro Street NCD and attract local workers and tourists to support surrounding businesses.

Entertainment venues have been hit especially hard by the pandemic, and yet they are critical to San Francisco's standing as an arts and culture destination and play an important role in the local economy. Live music attracts tourists and locals alike, adding vibrancy to neighborhoods and drawing patrons to our restaurants, bars, and hotels. Expanding opportunities for entertainment venues will enhance the recovery of the Castro Street NCD and attract local workers and tourists to support surrounding businesses. Entertainment venues also provide an important platform to help local musicians launch successful careers, and support employment within the broader local music industry. According to the Controller's 2012 report, San Francisco's nightlife and entertainment venues spent \$110 million on musicians and other performers in 2010.

Castro Street Neighborhood Commercial District

The Castro Street NCD was created in 1987 as one of the City's very first named neighborhood commercial districts. The District is situated in Eureka Valley, close to the geographic center of San Francisco between the Mission District, Twin Peaks, and Upper Market Street. The physical form of the district is a crossing at Castro and 18th Streets, the arms of which contain many small, but intensely active commercial businesses. The multi-purpose commercial district provides both convenience goods to its immediate neighborhood as well as comparison shopping goods and services on a specialized basis to a wider trade area. Commercial businesses are active both in the daytime and late into the evening and include several gay-oriented bars and restaurants, as well as several specialty clothing and gift stores. The district also supports several offices in converted residential buildings.

The proposed Ordinance will create more opportunities for the vacant storefronts in the Castro St. NCD to become thriving businesses again, while still assuring proper conditions of operation are in place to prevent proposed venues from being a nuisance to surrounding businesses and neighbors.

The Castro Street District controls are designed to maintain existing small-scale development and promote a balanced mix of uses. Building standards permit small-scale buildings and protect rear yards above the ground story and at residential levels. In new buildings, most commercial uses are permitted at the ground and second stories. Special controls are necessary to preserve the existing equilibrium of neighborhood-serving convenience and specialty commercial uses. To maintain convenience stores and protect adjacent residential livability, controls authorize some additional eating and drinking establishments with a Conditional Use authorization, permit self-service specialty food establishments, and permit with certain limitations new late-night uses, adult and other entertainment, and financial service uses. The continuous retail frontage is maintained by prohibiting most automobile and drive-up uses. Housing development in new buildings is encouraged above the second story.



One of the many unfortunate consequences of the pandemic has been an increase in the number of storefront vacancies across the City, and the Castro St. NCD is no different. A visual survey of the Castro St. NCD conducted in November of 2021 found that of the approximately 124 active storefronts in the Castro St. NCD, 18 were vacant. This translates to a vacancy rate of ~15% (OEWD considers a healthy vacancy rate 5%-10%). Almost all of these storefronts became vacant within the last 3 years.



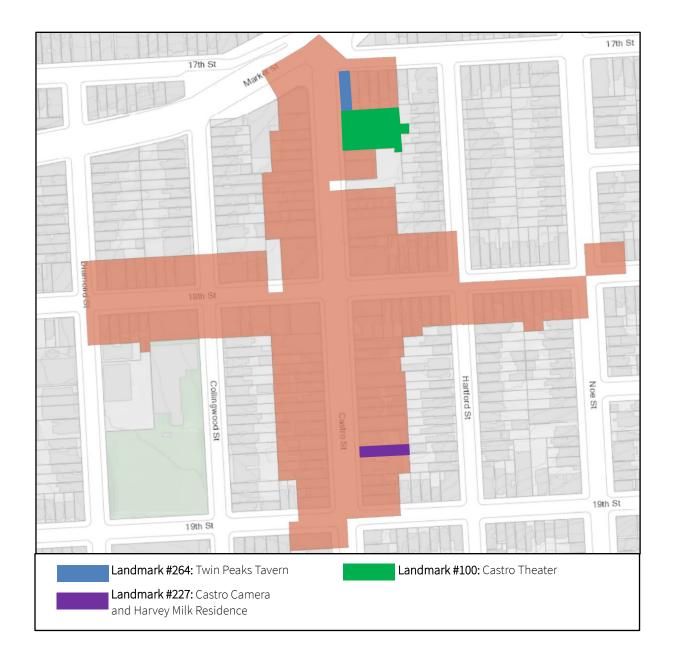
Even before the pandemic, traditional brick and mortar retail establishments have been struggling due to a shift from consumers to online retail. Citywide data over the past decades shows that dining/drinking, personal services, and entertainment are the only retail subsections that have grown in the City's neighborhood commercial areas. Increasing the types of uses that may operate on the 2nd story in the Castro NCD to include Nighttime Entertainment will allow a use type to establish in the district that is known for bringing in tourists and locals alike. The residual effects of increased visitors to the district will benefit the struggling commercial businesses and potentially assist in reducing the number of storefront vacancies in the Castro NCD. Requiring Conditional Use authorization for new Nighttime Entertainment uses on the 2nd story will also assure that proper conditions of operation are in place to prevent proposed venues from being a nuisance to surrounding businesses and neighbors.

Historic Landmarks in the Castro Street NCD

Landmarks and Landmark Districts are unique and irreplaceable assets to the City and its neighborhoods and provide examples of the surroundings in which past and recent generations lived. The intent of Landmark



designation is to protect, preserve, enhance, and encourage continued utilization, rehabilitation and, where necessary, adaptive use of significant cultural resources. Once a structure or feature is listed as an individual landmark, any applications for construction, alteration, or demolition must be reviewed by the Historic Preservation Commission to ensure the proposed changes will not result in the diminishment of the resource such that its historic significance is lost.





The Castro Street NCD is home to three buildings that are individually listed, Article 10 Landmarks¹: The Castro Theater, Twin Peaks Tavern, and the Castro Camera & Harvey Milk Residence. As all three Landmarks are structures, any uses contained within are constrained by restrictions on alterations to the interiors; including to make spaces smaller. In the Castro NCD, non-residential uses are only Principally Permitted up to 1,999 square feet. A CUA is required for non-residential uses between 2,000 square feet and 3,999 square feet, and non-residential uses larger than 3,999 square feet Not Permitted (NP). This means Landmarks in the Castro NCD with spaces larger than 1,999 square feet must either alter the interior of the space to subdivide the building into multiple non-residential units or find tenants willing to go through a Conditional Use authorization to establish in the building. If the space is larger than 3,999 square feet, such is the case with the Castro Theater, the Landmark is further constrained; and may only operate the original, legal non-conforming use at the site.

General Plan Compliance

The Commerce and Industry Element of the General Plan calls for managing economic growth and change to ensure enhancement of the total city environment, maintaining a sound and diverse economic base and fiscal structure, and providing expanded employment opportunities for city residents. Policies 2.1 and 2.3 focus on retaining commercial activity and attracting new activity by fostering a favorable social and cultural climate. The proposed Ordinance assists in accomplishing these policy goals by allowing new commercial activity in the form of new Nighttime Entertainment on the 2nd story in the Castro NCD with a CUA. This added commercial activity will help maintain a favorable social and cultural climate in the Castro by adding to the variety in social gathering spaces available to visitors and residents.

Racial and Social Equity Analysis

The proposed amendments cannot be directly tied to a negative or positive impact in advancing the City's racial and social equity. There is not enough data to support the claim for the small number of businesses that it will affect.

Implementation

The Department has determined that this ordinance will not impact our current implementation procedures.

Recommendation

The Department recommends that the Commission *approve with modifications* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

1. Remove non-residential use size limitations for Article 10 Landmarks in the Castro NCD.

¹ In addition to three buildings, the Castro NCD also contains Landmark #200: Path of Gold Light Standards, which are considered street furniture (light poles).



Basis for Recommendation

The Castro NCD is both a neighborhood-serving shopping district and a destination for regional and national visitors. It has a vibrant mix of uses that meet daily needs - coffee shops, a hardware store, banks, a bookstore, a grocer, and pharmacies. And like all San Francisco neighborhoods, it has felt the impact of the pandemic and a changing retail sector. One of the few remaining business types that have been able to stay profitable are experiential in nature, for example Entertainment, Personal Service, and Eating & Drinking Establishments. The City also has an interest in land use policies that support a mix of retail so that the neighborhood can continue to both serve residents and draw visitors. The proposed Ordinance achieves this balance. A CUA process for new Nighttime Entertainment will ensure each proposed new Nighttime Entertainment use can be reviewed on a case-by-case basis to determine whether it would be appropriate for the neighborhood in its specific context.

Recommended Modification 1: Remove non-residential use size limitations for Article 10 Landmarks in the

Castro NCD. Article 10 Landmarks must obtain a Certificate of Appropriateness to alter any aspect of the structure that is part of the landmarking, which often includes the interior of the building. These restrictions, coupled with use-size limitations in the Castro NCD, make it difficult to find suitable tenants for larger Landmarked buildings. The proposed modification will make it easier for Article 10 Landmarks in the Castro NCD to find tenants by removing the restrictive non-residential use size limitations, which will in-turn assist in keeping these important, historically significant buildings active.

Required Commission Action

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

Environmental Review

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

Public Comment

As of May 10th, 2023 (the publishing deadline of this report), the Planning Department has not received any public comment regarding the proposed Ordinance, specifically. The Department has, however received numerous public comments regarding the proposed changes to the Castro Theatre, which includes obtaining a CUA for Nighttime Entertainment on the 2nd story (mezzanine), a Certificate of Appropriateness for the proposed alterations, and changes to the Landmark designation.

• SUPPORT – As of May 10th the Department has received 1,513 letters in support of the proposed project. 1,491 of these utilized one of two form letter templates accessed and submitted via the Castro Theatre's website. Many of the signatories signed both letters. The letters support the renovation plans with upgraded seat configurations to allow flexibility of space to accommodate a variety of events. Benefits cited include increased economic activity, accessibility upgrades to allow for better accessibility for persons with disabilities, and physical improvements to the space, noting a trust with the project



sponsor to restore the historic venue. The second, more recent form letter also supports the commitment of APE to host events that highlight LGBTQ+ performers, and APE's pledge to dedicate at least 1/3 of programming to movies and film festivals.

• OPPOSITION – As of May 10th the Department has received 697 letters in opposition to the project. 643 of these utilized a form letter template from the Castro Theatre Conservancy's website – "Save the Castro Theatre". In addition to the form letter's content, many writers also added their personal experiences at the Castro Theatre, background as a San Francisco resident or visitor, or experience as a film professional. Specific objections contained in the form letter included the removal of the fixed seats and alteration of the sloped floor, alongside concerns on the proposed change of use from a movie theatre to an entertainment venue with only limited film screenings. Some submissions also included concerns with Another Planet Entertainment as the operator.

Other submissions with comments that did not fit into a full support or opposition category of the proposed changes include:

- 61 submissions limiting their opposition to the removal of the seats and/or sloped floor.
- 24 submissions limiting their comments to supporting the proposed changes to the landmark designation.
- 1 submission requesting changes to the landmarking language.
- 1 submission requesting a continuance of the previously scheduled April 13th hearing until the landmarking has passed.
- 1 submission expressing concerns with Another Planet Entertainment as the operator, but supportive of renovating the theatre.
- 1 submission expressing support for the Castro LGBTQ Cultural District's efforts for community engagement regarding the Castro Theatre proposal.

A list of every person who submitted public comment can be found as Exhibit D. All submitted public comments have been sent to the Commissioners and can also be found on file with the Department upon request.

Attachments:

Exhibit A: Letters of Support/Opposition



Castro Theatre Website Form Letter #1 in Support of Proposed Changes



Jan 24, 2023

To whom it may concern,

I'm writing in support of the renovation plans and intended use of the Castro Theatre to modernize this historic venue and ensure that it survives and thrives for another 100 years and more.

The proposed renovation plans are critical to preserving the Castro Theatre for generations to

come. Upgrades and repairs to the historic marquee and blade, interior preservation of beloved murals and the historic proscenium, full restoration of the magnificent ceiling, upgrades to seating, ADA accessibility to create a more inclusive space for the community, backstage dressing rooms, heating and ventilation systems that will provide improved air quality, state-of-the-art sound, lighting, production and concession areas will help to modernize the functionality of the space.

It's critical for a venue to be a flexible space in order to survive in our current market. This includes being able to present and accommodate a variety of events from community functions, film festivals and screenings, organ recitals, comedy, music, LGBTQ+ events and more.

Venues are anchor tenants and economic drivers to neighborhoods. A recent study by Chicago Loop Alliance found that for every \$1 spent at a venue \$12 is generated in the local economy at neighboring restaurants, bars, lodging, transportation and retail shops. This economic activity will be so important for the Castro District.

Additionally, Another Planet Entertainment is a trusted local independent small business with a long history of preserving and restoring historic venues such as the Fox Theatre in Downtown Oakland. APE is the right team for this job and I've already seen the care and effort they've put into this project.

As the letter from the Nasser Family, owners of the Theatre, mentions, "We fully support the proposed changes by APE that allow the Theatre to have versatile programming and upgraded seat configurations which will hopefully stave off the fate of so many other theaters of this era that have closed, been developed into other occupancies or converted to retail shops."

For these reasons, I urge your support for the Castro Theatre renovation plans as proposed by APE.

Sincerely,

Name:

Zip:

Date/Time:

Castro Theatre Website Form Letter #2 in Support of Proposed Changes

10th May 2023

- The Office of Commission Affairs
- Planning Commission and the Historic Preservation Commission
- San Francisco Planning Department
- City & County of San Francisco Board of Supervisors, Land Use and Transportation Committee

RE: Support for Another Planet Entertainment & the Castro Theatre

Commissioners,

I am submitting this letter to support Another Planet Entertainment's vision and proposal to revitalize the Castro Theatre to ensure a vibrant and sustainable future.

Another Planet Entertainment is deeply committed to its role as affirming and engaging stewards of the Castro Theatre while recognizing the importance of being good neighbors and uplifting those in the film, music, comedy, LGBTQ+, and surrounding communities. However, for Another Planet and the Castro Theatre to continue acting in this capacity and honoring the communities it serves, critical infrastructure improvements are needed to create a flexible and inviting space that provides appropriate settings for various types of events.

I commend Castro Theatre's commitment to hosting events that highlight LGBTQ+ performers, promote local businesses to event-goers, and dedicate at least a third of their programming to showing movies and hosting film festivals. These community benefits will not only empower and provide an influential platform for the performing arts, but also create a viable source of revenue to help keep this iconic theatre's doors open. Another Planet's commitments and the success of the Castro Theatre will undoubtedly leave a positive lasting impact on the Castro in a tangible, meaningful, and thoughtful manner

I firmly believe that Another Planet's plans to reinvigorate the theatre by upgrading and fixing aspects of the theatre that are underutilized or in disrepair are essential to the future success of this historic theatre. For these reasons and more, I urge your support for the Castro Theatre renovation plans proposed by APE.

Sincerely,

Alexander Werne **Robert Adams** Vas Kiniris Angela DePaul Ken Ferraris Colby Moore Edward Lortz John Edwards Mario Ramirez Sandy Valente Erik Quinn Kyle Dugan Joan Leppanen-Douglas James Lykens **Michael Micael** Doug Breckenridge Barbara Thompson Casey Lowdermilk Olivia D'Adamo Janice Herradora Houri Markarian Hanj Ratte Melinda Frenkel Antonio Mezquiriz Jasmine Amons Portia DiPasquale Daniel Lozano **Cindy Fassler** Jonathan Tyburski Adrianna Torres **Robin Brandt** Rochelle Lacey Stephen Lawrence Amy Johnson Alison Wong Karen Rosenblum Sharon Yee Yana Ross Sanjay Gujral Louise Pierce Cary Stein Jaclyn Cannici Ryan Orr Linda Cheng Josu Garmendia Brandon Wolinsky Dominic Corsaro

Jeff Alley **Christine Azzaro** Shannon Brumm Brumm Dan Kasin Sally Ford Marlo Miller **Rae Livingston** Joseph Orlando Sarah Gudernatch Smith Kara Lawson Paul Espinoza **Paul Davenpory Cristal Rangel** Chandra Umack **Krissy Daily** Xiomara Blanco Alfredo Casuso David Perry Scott Schaefer Dennis O'Connor Rene Serot Francis Nelbach Joe Serot Michael Ginsburg Scott Johnson Gen Paminiano Luis Camacho Randia Surmaj **Rvan Ludlow** Jessica Rogers Anthony Feudo Russell McDonald Alfred Melo **Stephen Feener** Lois Kessler Melissa Baer **Betsy McCarthy** Cynthia Loosley Ian McCuaig Anthony Leong Jeanne McCallum Bruce Cyr **Burchell Smith** Stephanie Martin **Eleanor Stokes** Gary Brown Kyra Green

Gilberto Ledesma Sarah Whyte **Ellie Stokes** Maria Aiello **Molly Engellenner Kimberly Barclay** Jonathan Kahn Mark Pitner Manuel Cabanas Tom Frenkel April Hrach Maureen Morris David Zeno **Rob Hardy** Mia Cambi Adam Kahn Carlos Casuso JoAnne Brenner Mike Anguera Melany Pearce Monique Molino Sarah Serot Pete Merriman Allison Atwood Alessandra Tudela Aaron Cohen Gina DAdamo Sam Pederson **Bruce Lowdermilk** Mark Brackin Prescott Wilson Julie Ebner Sarah Dempsey Andres Acosta **Rosalyn Acosta** Sue Zipp **Miles Kaplan Connie Chen Chris Valente** Donna Sachet Olivia VanDamme Audrey Joseph Kenneth Hughes Auryn Zimmer Brian Ota **Rvan Gleeson** Penelope Gould

Bryan Flynn Nancy Millar Patton Theodore J **Kevin Hayes** Jim Haas Nicholas Barrie Matthew Kaplan Chris Gilbert David Hillis Gwen Kaplan **Triona Bivens** Marc Duncan Tania Goulart **Betty Louie** Patrick Carroll Gabriel Docto Ania Moniuszko Stuart McFaul Kristin Olson Brad Serot Sally Lowdermilk Eric Barleen Jim Goddard Sadie Henderson Kate Smith Stacy Cohen **Bruno** Celis **Barry Marchessault** Karen Gomez **Casey Bartlett** Isaac Conway-Stenzel Liz Liles-Brown Tim Green Sasha Diedrich Kathy Castor Susani Clark **Paige Pederson Terrance Haney** Erin Cervelli Olivia Goldstein **Chris Hastings Carlos Gomez** Kevin Mulvey Michele Kullmann Jill DiBartolomeo Joseph Wood **Elaine Nasser Padian**

Colin McGuire Cannon Gill Lauren Godfrey David Kluger Michael Cabanlit **Rebecca Smyth** Andrew Mayer Maria Ross **Robyn Stein** Sofia Duarte Josh Greenberg Ashley Hamilton **Caprice Carter** Fred Githler Steffanie Goodman Jennifer Engler **Oanh Phan** Jazz Torres Jeffrey Hurwitz Dan Serot Hollis Brock Nicholas Halsey Hannah Lane Chris Neil Colleen McCracken Jonathan Chang Bonnie Brown Cali Kelly Kitagawa Ian Moran Jonathan Mancipe Mancipe **Beverly Alkire** Hilary Gordon Jeff Ligouri **Davis Eriksson** Michael Swanson Jennifer Cerio Shawn Heiser Andrew Chapman Monica Moran Jesse Medina Katie St Clair Cathleen Alexander **Robert James** David Marglin Bruce Wagman Amanda Van West Edwin Brower

Jennifer Luu Juan Novella **Elaine Padian** Angele Dayer Suzanna Lee Sally Thompson-Hawks Adam Rainey Nicole Miller K Janelle Lee Matilde Leonetti Jeff Taylor Scot Conner Felicia Leong William Uhlir Jeffrey Meisel Jared Litwin Ashley Hicks John Vars Craig Nejedly Linnette Edwards Adam Gelling Allegra Jones Vincent Maloney Kelly Novell Monique Wood **Kimberly Best** Austin Lowe Marisa Kolokotronis Jemma Lester **Keith Wainschel Brian Swier** Suzanne Strong Jacob Cohl Nina Didkovsky **Dirk Alton Tim Simpson** Stacey Howell Melanie Chadderdon Scott Chadderdon Seanna Vail John McMahon **Missy Silver** Braden Seely Max Houston Michele Foudy **Richard Farman** Zach Felsenstein

Alison Traina Alden Parker Sotiris Kolokotronis Gavin Kelly **Todd Susman** Mike Schwartz Emma Gimon Shavon Salkar Dan Dock Mathieu Reeves Kevin Runde Sam Watts Jay Cruz Samantha Erickson Peter Conolly John McCutcheon Pamela Morros Gaynell Rogers Kenneth Vick Stephan Henze Samantha Oneil Isaac Lui Davidson Bidwell-Waite Savio D'Souza **Beverly Flint** Michael Courtney Johnnie Thompson Margaret Casey Ian Hunter **Cindy Shamban** Laura Morland Gordon Andrew Mona Grabowski Eric Best Sarah Ellis Landis Nasser **Tammy Brown Bill Hagman** Johnny Delaplane **Kate Roberts** McKenzie Ward Justin Freels Lisa Padoan Scott Pinker Elmer Tosta Jaime Touchstone Savannah Werne

Rainbow Chatman Bruce Westland **Thomas Varner** Julie Du Brow **Tiffany Sainz** Dana Augustin John White Stuart Rosson George McCalman Paul Malling Tod Nash Carla Needleman Brian Maloney Carlos Domenech Mo Salimi **Caroline Requierme** Theresa Byrne Lindsey Husband John Jensen **Donald Richards Rose Mackey Bianca Johnson** Jon Purdue Margarethe Pena Fritz Hovey Michael Fitzpatrick Ryan Wiederkehr Wilson Constantine Sarah Stanton **Brendan Smith** Kathy McClellan Jack Palmtag Andrew Reyes **Rina Horenian** Leslie Hagins **Marilyn Flores** Greg Zajac Matt Flores Dana Dizon Eric Gronlund F.U. **Dimitri Anthens** Emma Marcus Jeanne DiPrima **Daniel Strickland** Susan Goodhue **Charlie Yang**

Jay Jeffers Marilyn Bancel **Bethany Ehrhart** Geoff Snyder Christopher Jackson Joseph Blaszczyk Luis Alderete Anh Ha **Orionne Malool** Giovanni Acosta Steven Murphy James Stotts Noah Haydon **Kelly Powers** Durga Ji Mark Denney **Kevin Scott** Mike Murray Ana Lamothe Jesse Woodward Jason Hancock Joan Schoonover John Forsaveth Saoirse la Wivre Ankita Shankar Jonathan Moreci Adam Peterson Doris Chan Jacqueline O'Brien **Trevor Fabbri** Charlotte Golden Jonathan McGinley Haley Shelton Shea Herndon Cameron Blevins Kayla Villani Careen Matar Mar Trejo Kevin Salazar Mark Gravadaor Isabel Seniawski Jennifer Stevens **Rachel King** Nathan Jaggers Leah Dibble Sophia Szady Ryan Hyams

Shayaan Nadeem Gregory Meyer Annie Wensley Zachary Ballard Britani Letcher Franz Meyer Alan Chung Ma Lawrence Neuman Nicholas Colina **R** Wong Cathy Asmus Ashley Kruse Alejandro Baltazar Lily Reese Emma Bynder Eloise Reese Melanie Cacpal Megan Griffith Amelia Coffin Melanie Chica Elizabeth Trueblood Jamie Becker Amanda Johanson **Bridget Bertrand Emily Kohlheim** Kim Welsh Fernando Aguilar Laurie Fox Kareem Kaddah Theresa Mehl Dylan MacNiven Wendy Chanthasenh Nora Finton Matt Malone **David Engerman** Erika Atkinson Malachy Duffy Donald Praz David Gaskin AnngS Sheffer Evan Wentzel Gordy Diaz Anne Teegarden **Bryan Hsuan** Sarah Boyd Dean Leri Halston Hales

Jorge Becerril Fenton Johnson Anthony StClair Joyce Han **Katie Colpitts** Erica Rice **Dilber Duran** Josh Hoffman Jay Aragon **Keaton Nasser** Jack Averv Sen. Carole Migden (ret) Arda Kara Steven Evanchik Jioe Rose Michael Gharabiklou Kim Etzel Phillip Aguilar Andrew Rosas JohnDamian Rodriguez Jagroop Bhandal Tyler Whaley Amy Dunnigan Sophie Delfs Christine O'Neill Laura Miller Ali Westbrook Sara Kahahi Samantha Keyes-Levine Maackenzie Phillips Imogen Doumani **Tiffany Ngo** Jatzel Bedolloa E. Salvador Hernandez **Carrie Stockwell** C.C. Clark **Camerson Burns Beth Johnson** Alma Pacheco Abbey Gabriel Kamila Wong Alicia Carrp Sophia Crawford-Hayes Mauricio Naiarro **Michael Alexander** Marlo Sgro Katherine Altonaga

Drew Wilhite Mallory Pittman Linda Mayoral Kylee Vi Katie Keith **Audrey Paulson** Ashley McDermott Arianng McDonald Vanessa Woo **Rich Prahm** Jessica Barker Jessi Seanorn **Gregory Villalba** Janna McLaughlin Patrick Smith Jen of Eve Parodo Jake McKenna Evan Levine Tom Bockmon Shelly Butcher Veronica Sanz **Emilio Alaniz** Dane Peterson Craig Persiko Brian Bonham **Bob Sullivan** Eric Lungren **Elizabeth Torres** David Huffman Daniel Garza Juliana Gerdts Julian Jantz Josh Winters Joanna Mccarver Jeffrey Cairns Ilena Finocchi **Heather Miller** Gary Putman Mark B Weias **Robert May** Stacy Sallade Preston Birch Paula Hanson Nicole Baptista Minyu Luo Victoria Molina **Daniel Whitcombe**

Brent Hendry Patricia Peraza Michael Shaulis Laura Lyons Joy Wu Zoë Sprott **Boaz Mariles** Tom Saw Nanette Johnson **Tracy Weiss** Margo Shuster Kristie Amezcua James Dawson Jeff Rodman **Diogo Domingos** Dayna Sharkey **Cindy Hollis** Chris Penny Andrew Martinez Cabrera Alex Vaisman Roderick Baldwin Brian Mozill Kathryn Hoglund Justin Okelly Cougar Oswald Calvin Landrum Sean Wittig Mary Shaffer Brian Kemler Molly McLaughlin Linda Dulong Liat Portal Kerri Giglio Kc Kozak Jennifer Loayza Gary Smithson David Pittman Christiana Principato Ching Yi Tseng Angelina Waidelich Allison Serio Patricia Alvarez Marty Cerles Otto von Stroheim Chad Stewar Elise Haas Vincent Garmo

Bruce Seidel Aaron Van Arsdale Rebecca Mincio Christina Bowen Jordan Manning **Pauline Faye** Jessica Hay Nicholas Wells Paula Soto **Rosa Rodriguez** Jacob Mall Lauren Lopez **Raytne Probert** Angelica Nippard Nora Ross Jasmine Wood **Courtney Holcomb** Addison Westbrook Phoenix Saha Jonathan Young **Bridget Larsen** Carly Larsen Cynthia Smuzyniska **Guillermo Flores** Ari Salomon Silvia Vergani Jordan Cross Benita Auge Maren Davis **Ralph Hibbs** Sven Hansen Andrea Leigh Dan Costello Kelly Reda **Heidianne Pillsbury** Arthur Oberbeck Ohialehua Bullock **Dagmar Brunow** Claude Imbault Scott Harris Marci Yellin **Diane Seltzer Brian Soldo** Allison Copp Lydia Winn Misty Johnson Ian Renner

Asha Fletcher-Irwin **Chris Martinez Colby Jones Riley Busch Benjamin McCloskey Elvse Schein** Lyndsey Burns Leslie Morelli Lindsay Busa Jess Phan James Nhek Holly Brackett Gabby Chan David Truong **Bream Ross** Amy Yamagami Mandy Kuang **Roxanne** Pipitone **Tin Duong** Stephany Arroyo Marlyn Burns Paul Brackett Mark Vielgo Marc Mc Auslen **Tin Nguyen** Melissa Sanchez Aaron Zorndorf Aleta Toure Alexei Othenin-Girard David Jasso Charles Carroll Jeff Pritsker Joan Kemp John Elliott **Kevin Ervin** Mizan Chin Shane Hare **Rose Mayer** Ron Ison Raini Cover Paola Eisner Narasu Rebbapragada Mike Danylchuk Zachary Headland Wendy Ware Storm Keas Steve Lugar

James Ashenhurst Shelley Caswell Suzanne Gautier **Timothy Tieu** Sonya Del Gallego Sharon Leipzig Adam Jacobs **David Augusta David Albert** Colin Hartke Corby Guenther **Chris Safford** Ardis Graham Anwaar Muhammad Ali Abolfazli Alex Barrows Adrienne Moore Deena Q **Tyler Hausman Carver** John Adams Natasha Davis Melanie Love Margo Griffiths **Keith Thompson** Lorraine Sandoval John C Carrillo Gina Rivera Evan Eller **Edward Wilson** Nicola Grody Teddy Ha **Travis Deuerling** Tan Huynh Stacy Horne Robert Detert **Olga Paredes** Viv Bo James Mcdermott Ira Sandler **Heather Morris Hillary Culhane** Hakeem Oseni Denise Deslonde Esteban All are Valdivieso **Daniel Wilson Christopher Sherrill Daniel Gildenhuys**

Sarah Welsh Chad Miller Casey Erlenheim Caroline Marringa Alex Mackenzie Ansu Hull Javier Baez Monica Sandberg Taylor Brosky Stephany Gaffagan Sofia Lee Ryan Dixon Mary Conde Neil Sekhri Lucila orengo Orengo Loc Turan Lindsey Laughlin Kevin flood Flood Jonathan Van Nuys Jeff Bayard **Terry Morris Erin Young** Ivan Morales **Evan Popaduke** Amy Lehman Sara Hofverberg **Raven Anderson** Paola Carrillo Lopez Olivia Bernadel-Huey Mary elizabeth Yarbrough Lance Wettersten **Kristine Larsen** Julio Feliciano John Diamond Jen Apodaca Geneva Vander Poel Ines Chan Dan Chambers Ethan Rabbat Cesar Plata Matthew Corvi Andrew Bennett Margaret O'Connor Katrina Shaw Madeline Tien Jim Beaumonte **Kevin Potcner**

Alex Hammonds Letizia Rossi jeanine williams **Randall Thieben** Craig Vincent Eric Seward **Dan Cousins** Chris Yaros Marc Wendt Bernie Honigman Gabe Nahshon Calvin Jones **Baylie Olson** Linda Thieben Jenelle Delugg Heather Hanly James Kiely **Daniel Purcell** Christine Ogu Andrew Dawson Risa Ono Lindsay Alamillo Jacob Rochon Elliott Rice David Coffman Sammy W Cornelia Twitchell Matthew Boese Don Moffett Paul Dima Lisa Glaser Payam Sharifi Dan Simpson **Eleanor Charlotte Edward Rote** Anonymous Nat Koren **Marie Farestveit** Michael Brown Michael Whitehurst **Don Starnes** Madison Eiting **Tannor Brag** Ian Roth Ed Green Helen Adam Christofer Atwood

Joseph Metzler Joe Mullen **Brook Johnson Courtney Russell** Lee de Broff **Frederick Klein** Damien Blackshaw Michael J. Murphy Jeremy Summerton-French Justin Golden **Tiffany Thorsson Brian Metzler** Marina Szarfarc Carter Adams Scott Zimmermann Jeff Roark Matthew Ceniceroz Alexis Orand Scott Sidorsky **Rob Naumann** Doug von Koss Judith Watson Don Watson Lisa Calderon Jose Salazar Cinthya Gonzalez Alex Graziani David Hovey **Thomas Scharff** Mark Shankel Sabrina Falkenberg Chuck Thegze Joe Riggio-Kerley M Harlock Natalie Frwnco Alfredo Flores Jatinder Janda **Rick Farfaglia** Paul Sands Nora Johnson Jilian Gomez Liza Frank Michael Santeusanio Kaitlin Wood Linda Morine Joseph Andrew Lafond Garrett Meitzenheimer

Joy Woo Mylee Suarez **Brayan** Palma James Perfetti Albert Ren Alex Gripshover **Brian Zindler** Nicholas DeChant **Robert Astafuroff Ayisha Stewart** Stephanie Uchino-Beach John Brunello Sarina Eastman Greg Janza **Tyler Sapaugh** Brett Ruffenach Damon Guidry Alejandra Lopez Michael Branca Lee Yates George Atkinson Nikhil Mane Linda Sekino **Erick Murguia** Karen Fray Jackie Childers Jessica Gibbs Mira Peterson Ben Maxon **Kelly Close** Carol Chen Tom Brown Olivia Lukezic Bettina Glenning Ed Saatchi **Raymunda Torres** Jessica Warinner Annie Karuna Jason Coleman Kunal Khanna Lisa Sturgis Jason Lehman Mary O'Benar **Camille Ricketts** Jarratt Ong Justine Willard **Onur Uras**

Connor Norton Sarah K Shannon Lynch Ian McFarland William Brogan John Gorden Anson Otani Iva Reid Howard Dickey Andrea Grad Brian Woodfall Nadr Essabhov Cynthia Barbero Amanda Cohen Katie Taylor Carl Cassaday Hannah G Curtis Decker Noah Samuels Megan Carlisle Mary McFadden Marina Lazzara Melissa Hooper Harvest King Lawrence Gordon Chris Wardell Jason Sherba **Rebecca Reynolds** Antonio Casabat Theodore Cady Cynthia Wood Ken Bennett-Gibson James Vyliet Christina Bejaranoco James Wofford Gyasi Curry **Batina Zeher** Chung Xiong Thomas Tarn David Keith Ball **Debbie Findling** Manny Yekuttel Chris Barr Ross Nowacki David McGavern Landes Dixon Cecilia Carvajal

Mitchell Horowitz Seth Morgan Haley Rosenberg **Bryce Freeman** Margane Knox Alicia Sowersby **Edgar Nunez** Greg Karabeinikoff **Brittany Delaney** Victor Cana Gianna BK **Gregory Marks** Henry Bao Nikole Harker Suzy Chirchiglia **Rogelio Foronda** Chloe Terrell Raciel Andales Adrian Coppini Barbara Kinney **Cheryl Jennings** Manny Aferez **Kiely Watt Robery Rochin** CJ Cassaday Casey Lloyd **Devyn Leasure** Trebov Scowden Chez Cobb Michael Shanahan **Biorn Pave** Ruben Raygoza Jessica Mora Laura Wood Jessica Knapstein Huigin HU **Denise Corrado** Jonathan Lloyd **Christopher Chase** Tomi Knutson Shannon Sakellariou **Ciele Jupe** Amanda D'Egidio Eduardo Samuel Wendy Bridges **Debra Friedland** Brien Bell

Vince Gamboa Anna Munoz Jared Waterman Peter Henson Gerard Leitz Megan Brennan **Kenneth Brooks** Jennifer Wofford Rebecca Calamar Kaden Witten Dvlan White Jude Parise **Richard Renwick** Melissa Kim Eduardo Caverzasi Catherine Roberts Autumn Looijen Vikram Gupta Elizabeth Cook David Thompson Joe Hege Maia Veres Isha Smith **Caroline Whittinghill Gregory Leung** Debby P Siva Raj Alex Mechanic **Chris Dobbins** Hailey Clonts Jeffery Cooper Lydia Chan Laura Mezey Michael Kaufman Francesco Parlati Angela Solleder **Deb Pederson** Henda Ch Michael S Orland Mary Cummings Michael Olcese Eve Ford Jon Quiambao Michael Bello Ramon De Leon Wendell Protacio **Ryan Ochsner**

Helen Ortiz E. Michael Micael Patrick O'Leary Pablo Rosas Jennie Kajiko Valerie Kam **Dustin St Jonn** Michael Cook Jared Goldfine Tom Unger Daniel Lopez **Roman Martinez Camille Kirst** Dougg Kwan **Margaret Pastera Everett Fisher** Adam Sandel Andres Brender Sergio De Gregorio Rafaelito Sy Austin Adams Joseph Rodriguez Holly Bazeley Marc Delucchi **Casey McKerchie** Drew Gomez **Bradley Portnoy** Laurie Gossy LeMansec Herve Mike Shaughnessy Jim McLucas Teri Whitney **Cecily Dumas** Mansi Shah **Brian Mullin** Elliot Rossomme Ben Robinson Jared Bhatti Adrian Perez Orozco Mar P Yesenia Juarez **Eric Seilhamer Brian Pearlman** Chris Klotzbach Joseph Sheehan Eli Cartier **Ghazal Karimpour**

Jeremy French Tim Hansen Joshua Kehl Shaun Norman Braeden Mansouri Scott Zaloom Justin Kran Joshua Barnabei Alex Kain Craig Foy **Bryan Ponton** Justin Robinson Brad Mu Jordan Roselli **Drayton Moody** Robb Marsee Jervis Lawas Eric Russell Eli Sokol **Bradley White** Case Pollock Ryan McKeel Fedja Sefic **Tyler Jones** Greg C Zach Brown Garrett Tillman Christopher Johnson **Geoffrey Angelino** Jack Eidson **Thomas Egan Richard Bellerose** Jason Nichols Jack Bussell **RJ Schmidt** Lucia Tawfik Dan Waits Jonathan Rahm Rvan VanZuvlen **Stephen Xanthos Taylor Leidheiser** Ben Evandelista **Brad Harris Richie Phan** Zach Naumowicz Kevin Boyle Brenna Beluk

Matthew Gragtmans Matthew Lukens lack lones Tim Garibaldi John Ouintana Fima Zaltsman Dave Gifford **Randall Shulman** Philip Tassin Christopher Zolezzi Laith Nugul Michael Hurwitz Lexi Alaga Sidney Lemonier Jacob Hillman **Bruno Pajares Bryan Phillips** Albert Hainsworth Zach Dahl John Kazen Thanh Le Syed Ahmad Scott Dyl Ramsey A **Caleb** Zeringue Nik Medrano Stephen Keller Jack Westerland **Colleen Beach** Justin Schultz James Bourke **David Reese** Adam Reid **Rick Hamer** John Tapia Jonathan Noriega **Roberto Lartigue** Sam Riley **Raymond Whelan Kyle Burke** Seth DeVoll Susan Mahusay Dimitri Legg Christian Hill **Trevor Fisher** Steve Petterborg **Kevin Nuno**

Brian Urmanita Matt Their Chris OB **Randy Reiss** Sally Stone **Oliver Grassmann Maysie Childs** Neal Wong **Dewayne Washington** Sarah Kelly Nick Alvarez Braden Amundsen Mary Davis Nicholas Noratto Jared Scherer Philip Grasso Alex Rafter Sam Lundquist Logan Ahlgren Skye Quisol **Daniel Cuellar Russ Nordmeyer** Justin Parchman Eric Zou Kim Scurr Carly McKnight Patrick Calahan Chris Wallis Michael McQuiggan Vince Thomas Mark Taylor Scott Skinner **Kraig Meyer** William Felice Lance Burbank Kerbanu Pudumjee Mike McKiernan **Bret Hendry** Catherine Medlock Jennifer Tate Jon Vargas Shannon Geis Kari Rurup Sarah Holcomb Jennifer Baltes Chase LaMarche **Benjamin Bellayuto**

James Hudson Amanda Lopez Brooke Gibson **Cassandra Macias** Andrew Hill Lake Kowell **Daniel McIntosh** Jonna Milledge **Terese Lawler** Steve Allen **Bonnie McGregor** Joseph Jr Covino Katie Hickox JC Collins Jake Hofwegen Kalia DeJesus **Benjamin Schafer** Spencer Sheehan Esteban Gomez **Bill Hansen** Allen Chang Sean Mikita Gal Oppenheimer **Thomas Kaiser** Robert Madera Frank Morris Evan Tallman Matt Hendry Luke O'Leary Maggie Chang **Claudio Concin** Francisco Padilla **Tiffany Proehl** Jonathan Can Jessica Saling David Esber adrienne peterson keghan kirschmann kevin lavin jeffery templeton ken burke **Ben Mustion** Sachin Agarwal Tyler Guasco Loic Olichon **Bruce Muncil Ryan Duchin**

James Foreman Leslie Tse Robert Hood Scott Howlett Lillian Hu Ruben Sethi Ethan Diamond **Michael Spiegelman Brucer Seidel** Mang-Git Ng Sue Irwin David Gutierrez Thomas Wineland Sam Brennan Martin Osborne Adones Cunha **Myles Freeman** Christian Bellman Sam Hull Suzanne Shade David Kim Mdenis Lahey Lorena Pereira Sarah Curtiss Spencer Schobert Christine McCarrick James Halyard **Rob Markey** carmela foti Luke Swetman Deborah Gordon **Thomas Bockmon** Norman Aguon Christopher Kerby **Miguel Lopez** Laurel Robinson **Travis Felsinger Paul Hastings** Robert Peluso **Michael Griffin** Darren Murphy **Chris Mitchell Tighe Flatley Rufus McLain** Joanne Slaboch Stephen Engblom

Adrian Chung **Kyle Shea** Alex Unger Peter Williams Vincente Neto Jason Blackwell Amanda Murray Nick Gibson Spencer Griffith Mara Lundberg **Reed Jones** Scott Carlson Steve Clohset Perer Rodway **Evan Reeves** Helena Levin Cemre Gungor Zach Myers Graeme Joeck Joel Garcia Lia Asquini William Fuchs Nicholas Hoelker **Russell Abdo** Hunter Anderson Chris Lew Sean McBride Marcus Sanchez Zack Battige William Jackson **Preston Hershorn** Lance Relicke **Kevin Dorvil** Jon Hawkes Craig Vaughan Karena Fowler Jon Carroll Jason Mandell David Karraker David Hart Carolyn Thomas **Douglas Phillips Tim Doherty Tobias Quaranta** Jennifer Benz Michael Milazzo

Chris Hanner Bret Patterson Lane Stilwell Kyle Krainer **Michael Pangelina** Andrew Silaj Jerry Jankowski Daniel McCarthy Marilyn Lifton Flores Grahan Veth Alex Piacquad Will Randall Sabrina Adamonis **Kymberly Munguia Philip Halperin** Khaled Hag **Edward Deibert** Spencer Hemphill **Cristiana Principato** Scott Saraceno Jonathan Jordan Lance Lin Luis Prado **Kevin Hopper** Laurel Hanson **Ruby Songster** Alex Solomon Alex Werne Alex Carlis Stuart Goldstein James O'Brien Yessenia Gonzalez Peter Merholz Andrew Boice Kevin Bruni **Rob Harrington** Alexander Salazar Nathaniel Pergamit Ted Manyon Justy Renson Alison Smookler **Blake Stewart** Ion Murata **Rvan Heise** Joel Mendoza Jonathan Storper

Michael Wells Andrea Sonnenberg **Robert Marlin** Sam Campione Mark Davis **Daniel Tabib** Alex Goodkind Adam Bruner Nicholas Yoswa David Ramsay **Erik Peterson Emmanuelle Legoff** Rubinder Sethi **Terry Tsipouras Connor Gilbert Ervn Hales** Brady Wood Andrew Sawyer Dan Spaeth **Rogeria Polezze** James Frieberg Amy Hung Caroline Raffanti John Cavellini Ali Barsamian Fernando Pantoja Ryan Ginja Chris Garvin Dustin Maberry Greer Deselover Zac Eggers **Brian Limon** Isaias Diaz **Kelsey Pitman Monique Pelletier Edward Fernandez**

"Save the Castro Theatre" Form Letter

Dear Supervisors, Historical Preservation Commission, and Planning Commission,

As a San Franciscan, I am deeply concerned about the future of the Castro Theatre—a vital community resource and a beacon for film, and the LGBTQ+ community, within the City and around the world. The Castro must not be valued mainly for its ability to earn money for a corporate entity.

I am writing to urge you to help save the Castro for the community, by including the sloped floor and orchestra seats in the update of the Theatre's landmark designation. San Francisco has many chairless, flat-floored venues for live music, but only the Castro Theatre—San Francisco's last surviving single-screen movie palace and an iconic community building—can present film and community events to large audiences.

The sloped floor and seats are key historical characteristics that define the venue as a cinema and performance space. There are dozens of historic movie houses across the country that have undergone renovations and maintained their sloped floor and orchestral seating, while thriving as multi-use spaces, including the United Palace and the Beacon in NYC, the Orpheum and the Theatre at Ace Hotel in Los Angeles, the Fox Theaters in Atlanta, Detroit, and St. Louis, and the Oakland Paramount.

Expanding the landmark designation will protect the Castro's soul. It will ensure that film festivals, luminaries of the world of cinema, and LGBTQ+ and other community events are able to continue using the theatre at affordable prices.

Sincerely,

"Save the Castro Theatre" Form Letter Signatories

Marisa Vela Edna Molina Stephen Brotzman Patricia McCarthy Victoria Garcia Jessica Pfisterer **Tommy Hines Jr Bianca Beyrouti Carlos Rodriguez** Christa Artherholt Ellie Wen Jordan Wallace Joseph Ratner Justine Nagan Lisa Kleiner Chanoff Robyn Kopp Sarah Rose Mahnke-Baum Serin Marshall Yael Chanoff Lauretta Molitor Sarah Karp Megan Gillian Seymour Sara Levine **Rebecca Cordes** Stephanie Davis Rae Virginia Miller Christy Spurling-Snyder Mark Bender Sylvia Allen Lisa Chanoff **Ernest Rodriguez** Charly Zukow Jennifer Urbain Brenda Choi **Craig James** Eli Messinger Julie Esparza Larry Delinger Nancy Morrison Shoshanah Dobry Kelli Vasquez Andrew Eckmann Barbara Gersh Melissa Riley Craig Corpora Elwood Miller Frances Crawford

Annie Karuna Annie Linon Barbara Dunlap **Berit Pedersen** ch.angehrn Charlie Barratt Chris Starr DG Darin Qualls David Riker easvread3 Effie Fletcher Eric Edmondson Ethan Mitchell **Fiona Borres-DeLuca** Frances Callaghan- Ertola George Sukara Harold Stoddard Hendryck Lasak Jake MacLachlan Jared Stearns Jay Altobelli Jeffrey Matthews Joan Leppanen-Douglas Josh Miller Juleen D. Collins Julie Decker Karyn Panitch Kathleen Lopez Kim Clancy Leigh Ausiello Lila Chwee Linda Sherwood Lisa Burkett LuAnne Daly Mariel McMindes Mark Di Giorgio Matt Montgomery Michael Mayer Paul G. McCurdy Paul Isaacs Ricco Siasoco **Robert Bray** Ronald Mungai Ryan Vásquez Sandra Norberg **Shelley Malmgren**

Kay Voyvodich Laurie Brion Lorin Murphy Marc Maryann Wolfe Mathias Hilger Michael Wallace **Michelle Palmer** Mya Byrne Paul Bihun Penny Clifton Randolph D Blim **Rebecca Robbins Roxanne Redmeat** Sara Diamond Sas Colby Sean Edberg Stephen K. Roberts Sue Beardsley /Elise Mayer **Teddy Meeker** Thilo Ullmann Amy Weas Bjørn Sørenssen **Brittany Gravely Christophe Piette Ciara Chambers** Daniel Eagan David Walsh Eric Myers Florian Wrobel Georg Thallinger Giovanna Fossati Greg Helmstetter Jeanne Pommeau June Hwang Karen Colizzi Noonan Margaret Bodde Mimi Klausner Nikolaus Wostry Pat Locke Richard Levitt Sonia Mistry Stephen Horne Steven Bruneel **Thomas Lyles** Michael Zanoni Mike Traina

Tiago Ganhão **Beth Hamel Camille Blot-Wellens Charles Zukow** Charlotte Oddo **Christophe Dupin** Eddy Colloton Elena Rossi-Snook Gray Clossman gretchen Bond de Limur Hisashi Okajima Irene Torp Halvorsen Jay Rosenblatt Jennifer Anne Blaylock Kimberly O'Quinn Larry Urbanski Leslie Miessner M Lipman Malia Haines-Stewart Matt Soar Matthew Eng Megan Needels Mirvam Sas Sam Shark-Land Simona Schneider Sofia Elizalde **Taylor Whitney** Valeria Bigongiali Vesna Lerotic Wilhelmine **Yannick Chevalier** Zach Baum Anne Batmale Anne Marie Smatla Annelise Goldberg Lauren Sorensen Aparna Subramanian Artemis Willis Bernhard André **Bob Summers** cathalog Charles "Buckey" Grimm **Charles Cadkin** Ed Martin Garbiñe Ortega Hay Kranen Hugh Munro Neely

"Save the Castro Theatre" Form Letter Signatories

Hilary Mc Bride & family Megan Smith Nadine May Noah Ben-Eishai Amy Johnson **David Becker Edith Kramer** Frederic Schrag Heather Shane Iris Martina Vahrenhorst-Bucchioni Jeannette Woo Jennifer Barnason Kathleen Kramer Leon Van Steen Liz Keim Nina Smith Patrice Catanio Paul Worobec **Connie Jeung-Mills** Jason Whiton Paula Yardlev steve holt Adam Klein Frank Silletti Michael Williams Doug Youd Nina Moog Ryan Carmichael Elizabeth Kim Kristen Caven Amanda Shoemaker Robin O'Donnell Jesse Dubus Patricia Warren Sandra Cohen-Rose John McCammon Peter Jeno Lucy Laird **Oliver Besner** Sarah Blain Alger Ciabattoni Kathy Fitts Smith Elaine Keck David Christensen **Beverly Carole Hines** Lynne Hale Doni McMillan

Suzanne Radcliffe Terri DeSalvo Terri Mason **Terry Hill** Tim Isom Vladimir Khait Charlie Leonard David Craig and Roberta Cairney Julia Wallmüller Kathalynn Knoops Patrick Williams & Larry Choquette Beth Staton Stephanie Kaye Stephen Waldmann **Steve Ensminger** Theresa Nuqui Alejandro Mora Dr Maya Panisset **George Fox** Jane McIntyre Leanne Wierzba Alan Grinberg Elizabeth Antonelli Phil Barnett Anne Mavromatis Ariane Baudat Carol Fox **Catharine Sheller Clark** Chun-Chi James M Reese Jennifer Miko Mimi Brody Natasha Kleit Patrick Connors Suzanne Reed William Peters Yolanda Yeb Alicia Reebenacker **Carl Spiegelberg** Dalia Zatkin **Daniel Fox** Dina Wilson Ed Varga Ellen M. Cosgrove Henry Windle Jake Naso Jamie Cardinale-Webb JSK Anderson

Nancy Hawkins Nicasio Nakamine Nick Danford **Robert Partida** Rudi Salamon **Stephany Wilkes** Stephen Beal Stephen Kijak Thomas Coatar Amy Allgood **Caitlin Parson Deborah Feraco Dorrie Newton Emily Bennett Price** Ian Montgomery Joan Weir Pam Grady **Raul Aldape** Rhonda Stoffel-Rudolfi Robyn Marsh Scott "Tofu" St. John Thomas Denney Yoriko Yamamoto Alex Albright Alexa Goldin Christina Marroquin David Dinerstein **Derrick Scocchera** Doug McKirahan **Ellen Maremont Silver** Ian Hendrie Jason Cryer Joe Solis Kathy Rose O'Regan Katrina Daly Thompson Loren C Melanie Havelin Melissa M. Wilcox **Morgan Valentine** Pat MacKenzie Peter Melton Steven Bracco **Timothy Sarmiento** Zoe Reiniger Adrienne Casco Amanda Mann

Irina Leimbacher Jan-Christopher Horak Janelle Blankenship Jay Schwartz Jean-Pierre Sens Jeff Kreines Jeffrey Skoller Jennifer L. Jenkins Jesse Lerner, Ph.D. Joanne Bernardi John Migliore Joshua Yumibe Kate Dollenmayer Kelly Haydon Kenna Fung **Kirsten Larvick** Kit Hughes, Ph.D. Kristin Lipska Laura Horak Lee Hawn Lee Tsiantis Linda Tadic Mark J. Williams Martin BARNIER Mary Elizabeth Yarbrough Mary Mallory Maud Nelissen Paul Young Paula Felix Didier **Pip Chodorov** Serge Bromberg Shelley Stamp Sibley Bacon Summer McCorkle Tanya Sleiman Valeria Dávila Donna L. Hill Laurent Mannoni Lucy Grav **Maria Fuentes** Michael E. Merrigan Robin Azevedo Nick Danford Pamela J. Garcia Phern Hunt Mark Davison **Rich Gelber**

"Save the Castro Theatre" Form Letter Signatories

Carrie Tacla Joe Loree Erica Seidman Guillaume Marche Peter Lebares Susan Fritts Tina Tom Elena Ronguillo Andrew Sullivan cobalt coate David Nemoyten David Stoll Jamie Clark Karen Gehrman Karyn DiCastri Liliana Diaz Marie Mika Nora Benson-Glaspey Roberta Bruhn Dirk Foerstner Ed whiteman Eric Hyman Jean Ramirez John Flanagan Marilyn Chartrand Valerie Artese Ying Ying Wu A. L. Abigail Sawyer Abrahim Mahallati Alaine Panitch Megan Luis Pamela Vadakan Pete DeYoung **Robert Ward Roger Saunden** Sara Weed Scott Clancy Scott Louis Sona Avakian Tika Hall Victoria Farlow Warren Harral Zach Middleton Akash Kumar Alison Strauss Debra Levin

Julian Weatherby Kai Kaufmann Kate Richards Ken Miller Lauren Gogarty Laurie York Lior Troianovski Lisa Roth Louis Libert Maureen Morris Mian Bond Carvin Mickey Garza Millie Wilson Nancy Glazener Tommy Hamel Viviana García Besné Chris Van Horn **Douglas Rice** Jeffrey M. Anderson Jevin Almazan Judith Ehrlich Ky J. Boyd Max Abrams **Peter Pastreich** Rebecca Kidd Anita Bairogh Alex Phelps Christin Rice **Emily Randen Evelyn Jean Pine** HUGUES DEMEUSY jeff Jeffrey Valentine Jennifer Urbain Jenny Reed Marcus Mahto Martin Koerber Robert A. Call Sally Carmichael Shari Kizirian Steve Black Susan Call William Hill Ann Jane **David Troup** Deborah Kwan **Michael Friedman**

Bill Ghiorso Cara Caddoo Chris Archambault **Deeanne Edwards** Diana Napoli Elisabeth Derby Genevieve N. Franklin Howard Curtis & Shoji Kasegi Jane Goodwin Janice Davis Joe Monteadora. Josh Koll Katie Grote Linda SchramWilliams Lisa Altman Michael O'Rand Pam Graber Pamela Heck Paul Brewer Phillip Henderson SHAIN SU Shannon Moore Shellee Davis Wilbert h. Brown William Montgomery Noel Von Joo Lauren M. Christopher Chase Eddie Muller Anne-Marie Jensen Anthony K Beth Barrett Brandee Marckmann Carley Callahan Carly Cram Cary Spatz **David Sickles** Eric Essman Frako Loden Francesca Prada Gerard Padilla Isak Lindenauer Jamil Al-Ghosein Jason Oringer Joyce Gomez Kelvin De La Rosa Margit Bode

Hilary Naylor Kerry Laitala Nina Elkin Paul Nadeau Alex Unger **Benjamin Patterson** Chelsea Lee Dom Ellen Gierson Jesse White Jessica Dillon Johnny Zito **Konrad Steiner** Matthew Chayt Seth Puckett Tim Buckwalter Ann Lehman Ariana Barbara Charles Beal Chris Rasmussen **Craig Smith** Damien Bargiacchi J.P. McDevitt Jeffrey Lichtman Jeffrey McHale John Cremer Justine tenZeldam Kate Saccone Katherine Day Kevin Yee Lisa Flanzraich Maxwell Kelly Netta F. Fedor Patrick Marks **Rebecca** Meyers Rishi Varma Scout Festa Ted Teipel. **Troy Barber** marilyn coyne Andy McDaniel Casper Tybjerg Christa Salo Kathryn and Scott Hambly Jennifer Rev Jim Head Jr.

"Save the Castro Theatre" Form Letter Signatories

Arielle Berrick
Atosa Melody Babaoff
B. Dommen
Beth Rubenstein
Bob Powell
Carol Weinstein
Caroline Fournier
Chandler Bennett
Cher Evans
Christine Simms
Christopher Inverarity
Colleen Mullins
D.A. Miller
Daniela Curro
Dave Pleimann
David A Knopf
Robin Duffy
Robin Whiteside
Robyn Kopp
Sam Baird
Sarah Fowler
Scott Killpack
Sharon Kaplan
Silvia Escalante Corral
Steve Brazius
Susan Doyle
•
Susan Witka
Tina Perricone
Yvonne M.
Claudia Skelton
Daphne Stannard
Ely Newman
Erica
Esther Lerman
George Hubbard
Gerry Watt
Gretchen Brosius
Janice Pardoe
Jason MacDonald
Jay Davidson
Jessica Finn
John Waters
Kathleen Young
Lawrence Russo
Liz Helfgott
Lora Hirschberg
Mae Lippincott

Diane Peers Donald Gilson Doris Anna Guerrero **Douglas Neff** Dr. Elisa Jochum Eliot Kent-Uritam Elizabeth LaBarre **Guy Schouten** Helen Pellegrin Jack Patrick McGowan Jason Whiton Jeanette Cool Jeff Levin Jennifer Baity Jessica Storm Joey Horan John Foertsch Jorge Romero-Lozano Jose Salazar Joyce Lupack JP Allen Juliana Mojica Julie le Gonidec Katherine Roberts Katy Burnett Keith A. Bisaillon Lara Stillo Laura Norrell Prof. Dr. rer. nat. Ulrich Rudel Anonymous (cathalog@xs4all.nl)

Individually Written Letters

NAME	SUMMARY
Erica Sweetman	Concerns with APE as the operator/supports upgrades
	Concerns with Nasser family and APE, opposses nighttime entertainment
Richard Hildreth	uses
Sonia Mistry	Opposes change of use
Susan Ohmer	Opposes change of use
Stephen Fisk	Opposes changes proposed by APE
Victor Ortiz de Montellano	Opposes changes proposed by APE
Michael C. Berch	Opposes changes proposed by APE
Nellie Killian	Opposes changes proposed by APE
Jamison Wieser	Opposes changes proposed by APE
Jamie Jensen	Opposes changes proposed by APE
Lincoln Spector	Opposes changes proposed by APE
Karl Cohen	Opposes changes proposed by APE
Andy Kaufman	Opposes changes proposed by APE
Gary Hobish	Opposes changes proposed by APE
Don Sjoerdsma	Opposes changes proposed by APE
Frank McGuire	Opposes changes proposed by APE
Katherine Elewski	Opposes changes proposed by APE
Tricia Welsch	Opposes changes proposed by APE
Justin DeFreitas	Opposes changes proposed by APE
Beth Mooney	Opposes changes proposed by APE
Philip Toscano	Opposes changes proposed by APE
Melisa Moonan	Opposes changes proposed by APE
Michael Mayer	Opposes changes proposed by APE
Erich Richter	Opposes changes proposed by APE
Larry Brinkin	Opposes changes proposed by APE
Harry Breaux	Opposes changes proposed by APE
Jessica Dillon	Opposes changes proposed by APE
Matthew Perifano	Opposes changes proposed by APE
Corey Rothermel	Opposes changes proposed by APE
Michael Wilk	Opposes changes proposed by APE
Karl Cohen	Opposes changes proposed by APE
Frank McGuire	Opposes changes proposed by APE
Susan Salisbury	Opposes changes proposed by APE
David G Fink	Opposes changes proposed by APE
Linda Keenan	Opposes changes proposed by APE
D. Arsanis	Opposes changes proposed by APE
Gary Meyer	Opposes changes proposed by APE
Lora Hirschberg	Opposes changes proposed by APE
Charles Beal	Opposes changes proposed by APE
R. Christian Anderson	Opposes changes proposed by APE
Erik Westby	Opposes changes proposed by APE
John Pflueger Caroline Bracco	Opposes changes proposed by APE
Peter Jeno	Opposes changes proposed by APE
	Opposes changes proposed by APE Opposes changes proposed by APE/change of use/Morrissey
Gary Gregerson	opposes changes proposed by Are/change of use/mornssey

Individually Written Letters

Eddie Muller	Opposes changes proposed by APE/Nassers as owners
Philip Fisher	Opposes changes proposed by Ar L/Nassers as owners
Daniel Forsley	Opposes changes/supports landmarking
Gretchen Forsley	Opposes changes/supports landmarking
Julie Lindow	Opposes removal of seating/APE management/future programming
jeff Shuman	Opposes removal of seats
Dawnee Moon	Opposes removal of seats
Gail Bensinger	Opposes removal of seats
Cynthia Stone	Opposes removal of seats
Chicken Head Ed	Opposes removal of seats
Kevin Coffee	Opposes removal of seats
Susie Sargent	Opposes removal of seats
Michael T Brink and Dorrie	
Newton	Opposes removal of seats
Zachary Reiheld	Opposes removal of seats
David Landis	Opposes removal of seats/sloped floor
Andy Pastalaniec	Opposes removal of seats/sloped floor
Gray Clossman	Opposes removal of seats/sloped floor
AmyLu Weas	Opposes removal of seats/sloped floor
Maya Randolph Langenbach	Opposes removal of seats/sloped floor Opposes removal of seats/sloped floor
Matt Mumper	Opposes removal of seats/sloped floor
Jennifer Ormson	Opposes removal of seats/sloped floor
Bruce Burns	Opposes removal of seats/sloped floor
Joel VanderWerf	Opposes removal of seats/sloped floor
Eric Bull	Opposes removal of seats/sloped floor
Ben Terrall	Opposes removal of seats/sloped floor
Denise Sullivan	Opposes removal of seats/sloped floor
Nina Moog	Opposes removal of seats/sloped floor
Liz Keim	Opposes removal of seats/sloped floor
Edward Hosey	Opposes removal of seats/sloped floor
Nina Smith	Opposes removal of seats/sloped floor
John M. Vigil	Opposes removal of seats/sloped floor
Tom Silberkleit	Opposes removal of seats/sloped floor
Dan Wohlfeiler	Opposes removal of seats/sloped floor
Casey McNamara	Opposes removal of seats/sloped floor
Emily Weisensee	Opposes removal of seats/sloped floor
Louis Nastro	Opposes removal of seats/sloped floor
Crystal Adams	Opposes removal of seats/sloped floor
Robin Simmons	Opposes removal of seats/sloped floor
Sara Murphy Annie Tillis	Opposes removal of seats/sloped floor Opposes removal of seats/sloped floor
Rena Kiehn	Opposes removal of seats/sloped floor
David Kiehn	Opposes removal of seats/sloped floor
Marge Healy	Opposes removal of seats/sloped floor
David Schnee	Opposes removal of seats/sloped floor

Individually Written Letters

Brian Whitty Opposes removal of seats/sloped floor Elisabeth Derby Opposes removal of seats/sloped floor Candace Forest Opposes removal of seats/sloped floor Casper Tybjerg Opposes removal of seats/sloped floor Casper Tybjerg Opposes removal of seats/sloped floor Dr. Jo Harrison Opposes removal of seats/sloped floor John Waters Opposes removal of seats/sloped floor Larsen, Joel Shepard, Zachary Thompson, Tim Buckwalter, Corey Tong, Lawrence Helman Opposes removal of seats/sloped floor Richard Levitt Opposes removal of seats/sloped floor Richard Levitt Opposes removal of seats/sloped floor Richard Levitt Opposes removal of seats/sloped floor Rarah Schaaf Opposes removal of seats/sloped floor Rarah Schaaf Opposes removal of seats/sloped floor Rara Levitt Opposes removal of seats/sloped floor Rara Levitt Opposes removal of seats/sloped floor Rara Levitt Opposes removal of seats/sloped floor Rara Lee Ford Opposes removal of seats/sloped floor Tara Lee Ford Opposes removal of seats/sloped floor Casten Schaaf Opposes removal of seats/sloped floor Casten Schaaf Opposes removal of seats/sloped floor Tara Lee Ford Opposes removal of seats/sloped floor Casten Schaaf Opposes removal of seats/sloped floor Casten Schape Opposes removal of seats/sloped floor David Schnee Opposes removal of seats/sloped floor David Schnee Opposes removal of seats/sloped floor Pat Huey Opposes removal of seats/sloped floor Pat Huey Opposes removal of seats/sloped floor Pat Huey Opposes removal of seats/sloped floor Castro LGBTQ Cultural District Iandmarking Lily Wong, Sunset Chinese Supports Landmarking Language Requests continuance of April 13 CGA hearing until after final passage of Castro LGBTQ Cultural District Iandmarking Lily Wong, Sunset Chinese Supports Landmarking Airk Para Supports Landmarking Mark Para Supports Landmarking Peborah Kaufman Supports Landmarking Peborah Kaufman Supports Landmarking Rick Danielson Supports Landmarking Rick Danielson Supports Landmarking Rick Danielson Supports Landmarking Roxanne Gentile Supports Landma		
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Elaine Denham	Supports landmarking
Robert Bray	Supports landmarking
Dr. Mercilee Jenkins	Supports landmarking
Leather & LGBTQ Cultural	
District	Supports landmarking
Tim Schafer	Supports landmarking
Castro Merchants Board of	
Directors	Supports landmarking
Merideth H. Grierson	Supports landmarking
Maureen Russell	Supports landmarking
Alana Romund	Supports landmarking
Jon Wengstrom	Supports landmarking
SF Heritage/Karalyn Monteil	Supports landmarking
Laura Thielen	Supports landmarking
Madeleine Cargas	Supports landmarking/opposses Morsey
Castro Community Benefits	
District	Supports proposed changes/APE
Terese Lawler	Supports proposed changes/APE
Gregory Sugar	Supports proposed changes/APE
Brian Kemler	Supports proposed changes/APE
Jessica G	Supports proposed changes/APE
Angie Gentile	Supports proposed changes/APE
Kyle Rosenthal	Supports proposed changes/APE
Christian Bellman	Supports proposed changes/APE
John Forsayeth	Supports proposed changes/APE
Joan Schoonover	Supports proposed changes/APE
Sean Mayer	Supports proposed changes/APE
Christopher Chase	Supports proposed changes/APE
Savio D'Souza - owner of UPS	
store at 2370 Market	Supports proposed changes/APE
Leslie Tse, owner of 25	
Hartford Street (1 lot away	
from Castro Theatre)	Supports proposed changes/APE
Mike Sullivan	Supports proposed changes/APE
Joe Sangirardi - Eureka Valley	
Neighborhood Assoc.	Supports proposed changes/APE
Ben Halbig	Supports proposed changes/APE
Sharon and Norman Kman	Supports proposed changes/APE
Jona Bate	Supports proposed changes/APE
Jane Natoli	Supports proposed changes/APE
Karena and Matt Fowler	Supports proposed changes/APE
Ted Getten	Supports proposed changes/APE



PLANNING COMMISSION Resolution No. 21333

HEARING DATE: JUNE 15, 2023 CORRECTED DATE: JUNE 28, 2023

Project Name:	Nighttime Entertainment Castro Street Neighborhood Commercial District
Case Number:	2022-005693PCA [Board File No. 220709]
Initiated by:	Supervisor Mandelman / Introduced June 7, 2022
Staff Contact:	Audrey Merlone, Legislative Affairs
	Audrey.Merlone@sfgov.org, 628-652-7534
Reviewed by:	Aaron D Starr, Manager of Legislative Affairs
	aaron.starr@sfgov.org, (628) 652-7533

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE PLANNING CODE TO CHANGE THE ZONING CONTROLS IN THE CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW NIGHTTIME ENTERTAINMENT WITH A CONDITIONAL USE AUTHORIZATION ON THE SECOND FLOOR; AND AFFIRMING THE PLANNING DEPARTMENT'S DETERMINATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND MAKING FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN, AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE, SECTION 101.1, AND FINDINGS OF PUBLIC NECESSITY, CONVENIENCE, AND WELFARE UNDER PLANNING CODE, SECTION 302.

WHEREAS, on June 7, 2022 Supervisor Mandelman introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 220709, which would amend the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor);

WHEREAS, the Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 15, 2023; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Sections 15060(c) and 15378; and

WHEREAS, the Planning 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 Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 49 South Van Ness Avenue, Suite 1400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

WHEREAS, the Planning Commission finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and

MOVED, that the Planning Commission hereby **approves with modifications** the proposed ordinance. The Commission's proposed recommendation is as follows:

1. Remove non-residential use size limitations for Article 10 Landmarks in the Castro NCD.

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:

The Castro NCD is both a neighborhood-serving shopping district and a destination for regional and national visitors. It has a vibrant mix of uses that meet daily needs - coffee shops, a hardware store, banks, a bookstore, a grocer, and pharmacies. And like all San Francisco neighborhoods, it has felt the impact of the pandemic and a changing retail sector. One of the few remaining business types that have been able to stay profitable are experiential in nature, for example Entertainment, Personal Service, and Eating & Drinking Establishments. The City also has an interest in land use policies that support a mix of retail so that the neighborhood can continue to both serve residents and draw visitors. The proposed Ordinance achieves this balance. A CUA process for new Nighttime Entertainment will ensure each proposed new Nighttime Entertainment use can be reviewed on a case-by-case basis to determine whether it would be appropriate for the neighborhood in its specific context.

General Plan Compliance

The proposed Ordinance and the Commission's recommended modification is consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 2

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



Resolution No. 21333 June 15, 2023 Corrected: June 28, 2023

Policy 2.1

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

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

Citywide data over the past decades shows that dining/drinking, personal services, and entertainment are the only retail subsections that have grown in the City's neighborhood commercial areas. Increasing the types of uses that may operate on the 2nd story in the Castro NCD to include Nighttime Entertainment will allow a use type to establish in the district that is known for bringing in tourists and locals alike. The residual effects of increased visitors to the district will benefit the struggling commercial businesses and potentially assist in reducing the number of storefront vacancies in the Castro NCD.

Planning Code Section 101 Findings

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

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

The proposed Ordinance would not have a negative effect on neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

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

The proposed Ordinance would not have a negative effect on housing or neighborhood character.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance would not have an adverse effect on the City's supply of affordable housing.

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

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. 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 proposed Ordinance would not cause displacement of the industrial or service sectors due to office



development, and future opportunities for resident employment or ownership in these sectors would not be impaired.

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

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

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

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Planning Code Section 302 Findings.

The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES WITH MODIFICATIONS the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 15, 2023 and marceted on June 28, 2023.

Jonas P. Ionin Jonas P Ionin Digitally signed by Jonas P Ionin Digitally signed by Jonas P Ionin Digitally signed by Jonas P Ionin

Commission Secretary

- AYES: Braun, Diamond, Imperial, Koppel, Moore, Tanner
- NOES: None Imperial, Moore
- ABSENT: Ruiz
- ADOPTED: June 15, 2023
- CORRECTED: June 28, 2023



BOARD of SUPERVISORS



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

June 15, 2022

File No. 220709

Lisa Gibson Environmental Review Officer Planning Department 49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103

Dear Ms. Gibson:

On June 7, 2022, Supervisor Mandelman submitted the following legislation:

File No. 220709

Ordinance amending the Planning Code, to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

Jui Jon Major

By: Erica Major, Assistant Clerk Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning Don Lewis, Environmental Planning Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

oy Navarrete July 20, 2022

BOARD of SUPERVISORS



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

June 15, 2022

Planning Commission Attn: Jonas Ionin 49 South Van Ness Avenue, Suite 1400 San Francisco, CA 94103

Dear Commissioners:

On June 7, 2022, Supervisor Mandelman submitted the following legislation:

File No. 220709

Ordinance amending the Planning Code, to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

The proposed ordinance is being transmitted for review.

Angela Calvillo, Clerk of the Board

Myor

By: Erica Major, Assistant Clerk Land Use and Transportation Committee

c: Rich Hillis, Director

Tina Tam, Deputy Zoning Administrator Corey Teague, Zoning Administrator Lisa Gibson, Environmental Review Officer Devyani Jain, Deputy Environmental Review Officer AnMarie Rodgers, Director of Citywide Planning Dan Sider, Chief of Staff Aaron Starr, Manager of Legislative Affairs Joy Navarrete, Environmental Planning FILE NO. 220862

RESOLUTION NO. 362-22

[Approval of a 90-Day Extension for Planning Commission Review of Nighttime Entertainment Castro Street Neighborhood Commercial District (File No. 220709)]

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220709) amending the Planning Code, to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

WHEREAS, On June 7, 2022, Supervisor Mandelman introduced legislation amending
 the Planning Code to change the zoning controls in the Castro Street Neighborhood
 Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on
 the second floor, and affirming the Planning Department's California Environmental Quality
 Act determination; and making Planning Code, Section 302, findings, and making findings of
 consistency with the General Plan, and the eight priority policies of Planning Code, Section
 101.1; and

WHEREAS, On or about June 15, 2022, the Clerk of the Board of Supervisors referred the proposed ordinance to the Planning Commission; and

WHEREAS, The Planning Commission shall, in accordance with Planning Code,
Section 306.4(d), render a decision on the proposed Ordinance within 90 days from the date
of referral of the proposed amendment or modification by the Board to the Commission; and
WHEREAS, Failure of the Commission to act within 90 days shall be deemed to
constitute disapproval; and

Supervisor Mandelman
BOARD OF SUPERVISORS

1	WHEREAS, The Board, in accordance with Planning Code, Section 306.4(d) may, by
2	Resolution, extend the prescribed time within which the Planning Commission is to render its
3	decision on proposed amendments to the Planning Code, that the Board of Supervisors
4	initiates; and
5	WHEREAS, Supervisor Mandelman has requested additional time for the Planning
6	Commission to review the proposed Ordinance; and
7	WHEREAS, The Board deems it appropriate in this instance to grant to the Planning
8	Commission additional time to review the proposed Ordinance and render its decision; now,
9	therefore, be it
10	RESOLVED, That by this Resolution, the Board hereby extends the prescribed time
11	within which the Planning Commission may render its decision on the proposed Ordinance for
12	approximately 90 additional days, until December 12, 2022.
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	Supervisor Mandelman Page 2

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City and County of San Francisco Tails Resolution

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

File Number: 220862

Date Passed: July 26, 2022

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220709) amending the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code. Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

July 26, 2022 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 220862

I hereby certify that the foregoing Resolution was ADOPTED on 7/26/2022 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo Clerk of the Board

London N. Breed Mayor

Date Approved

FILE NO. 221151

RESOLUTION NO. 496-22

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[Approval of a Six-Month Extension for Planning Commission Review of Nighttime Entertainment Castro Street Neighborhood Commercial District (File No. 220709)]

Resolution extending by six months the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220709) amending the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

WHEREAS, On June 7, 2022, Supervisor Mandelman introduced legislation amending the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor, and affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and

WHEREAS, On or about June 15, 2022, the Clerk of the Board of Supervisors referred the proposed Ordinance to the Planning Commission; and

WHEREAS, The Planning Commission shall, in accordance with Planning Code, Section 306.4(d), render a decision on the proposed Ordinance within 90 days from the date of referral of the proposed amendment or modification by the Board to the Commission; and

WHEREAS, Failure of the Commission to act within 90 days shall be deemed to constitute disapproval; and

WHEREAS, The Board, in accordance with Planning Code, Section 306.4(d) may, by Resolution, extend the prescribed time within which the Planning Commission is to render its decision on proposed amendments to the Planning Code that the Board of Supervisors initiates; and

WHEREAS, The Board previously extended the prescribed time within which the Planning Commission may render its decision on the proposed Ordinance for approximately 90 additional days, until December 12, 2022; and

WHEREAS, Supervisor Mandelman has requested additional time for the Planning Commission to review the proposed Ordinance; and

WHEREAS, The Board deems it appropriate in this instance to grant to the Planning Commission additional time to review the proposed Ordinance and render its decision; now, therefore, be it

RESOLVED, That by this Resolution, the Board hereby extends the prescribed time within which the Planning Commission may render its decision on the proposed Ordinance for approximately six additional months, until June 12, 2023.



City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

File Number: 221151

Date Passed: November 15, 2022

Resolution extending by six months the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220709) amending the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

November 15, 2022 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 221151

I hereby certify that the foregoing Resolution was ADOPTED on 11/15/2022 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo Clerk of the Board

London N. Breed Mayor

Date Approved

FILE NO. 230603

RESOLUTION NO. 316-23

[Approval of a 60-Day Extension for Planning Commission Review of Nighttime Entertainment Castro Street Neighborhood Commercial District (File No. 220709)]

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220709) amending the San Francisco Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor, and affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

WHEREAS, On June 7, 2022, Supervisor Mandelman introduced legislation amending the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor, and affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and

WHEREAS, On or about June 15, 2022, the Clerk of the Board of Supervisors referred the proposed ordinance to the Planning Commission; and

WHEREAS, The Planning Commission shall, in accordance with Planning Code, Section 306.4(d), render a decision on the proposed Ordinance within 90 days from the date of referral of the proposed amendment or modification by the Board to the Commission; and

WHEREAS, Failure of the Commission to act within 90 days shall be deemed to constitute disapproval; and

Supervisor Mandelman BOARD OF SUPERVISORS WHEREAS, The Board, in accordance with Planning Code Section 306.4(d) may, by Resolution, extend the prescribed time within which the Planning Commission is to render its decision on proposed amendments to the Planning Code that the Board of Supervisors initiates; and

WHEREAS, The Board previously extended the prescribed time within which the Planning Commission may render its decision on the proposed Ordinance for approximately 90 additional days, until December 12, 2022; and

WHEREAS, The Board again extended the prescribed time within which the Planning Commission may render its decision on the proposed Ordinance for an additional six months, until June 12, 2023; and

WHEREAS, Supervisor Mandelman has requested additional time for the Planning Commission to review the proposed Ordinance; and

WHEREAS, The Board deems it appropriate in this instance to grant to the Planning Commission additional time to review the proposed Ordinance and render its decision; now, therefore, be it

RESOLVED, That by this Resolution, the Board hereby extends the prescribed time within which the Planning Commission may render its decision on the proposed Ordinance for approximately 60 additional days, until August 11, 2023.



City and County of San Francisco Tails Resolution

City Hall 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

File Number: 230603

Date Passed: June 06, 2023

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 220709) amending the San Francisco Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor, and affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

June 06, 2023 Board of Supervisors - ADOPTED

Ayes: 10 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Safai, Stefani and Walton Excused: 1 - Ronen

File No. 230603

I hereby certify that the foregoing Resolution was ADOPTED on 6/6/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo Clerk of the Board

London N. Breed Mayor

Date Approved



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 Commerical 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 <u>andrea@castrocbd.org</u> or 415-500-1181.

Sincerely,

Rules aultor

Andrea Aiello Executive Director cc: Supervisor Rafael Mandelman

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



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, <u>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 <u>public</u>, including events for which tickets are available for purchase by the public. (Emphasis added.)</u>

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 <u>otherwise</u>.) 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.



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



MYRNA MELGAR

DATE: October 18, 2023

TO:	Angela Calvillo Clerk of the Board of Supervisors
FROM:	Supervisor Myrna Melgar, Chair, Land Use and Transportation Committee
RE:	Land Use and Transportation Committee COMMITTEE REPORTS

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of urgent nature and request them be considered by the full Board on Tuesday, October 24, 2023, as Committee Reports:

File No. 220709	Planning Code - Nighttime Entertainment Castro Street Neighborhood Commercial District Sponsor: Mandelman
	Ordinance amending the Planning Code, to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.
File No. 230924	Planning Code, Zoning Map - Non-Profit Arts Education Special Use District Sponsor: Peskin
	Ordinance amending the Planning Code to create the Non-Profit Arts Education Special Use District (Assessor's Parcel Block No. 49, Lot No. 1, generally bounded by Francisco Street, Jones Street, Chestnut Street, and Leavenworth Street, and numbered as 800 Chestnut Street); amending the Zoning Map to show the Non-Profit Arts Education Special Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101; and making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, October 23, 2023, at 1:30 p.m.

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp or meeting date

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

✓ 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
2. Request for next printed agenda Without Reference to Committee.
3. Request for hearing on a subject matter at Committee.
4. Request for letter beginning :"Supervisor inquiries"
5. City Attorney Request.
6. Call File No. from Committee.
7. Budget Analyst request (attached written motion).
8. Substitute Legislation File No.
9. Reactivate File No.
10. Topic submitted for Mayoral Appearance before the BOS on
Please check the appropriate boxes. The proposed legislation should be forwarded to the following:
Small Business Commission Vouth Commission Ethics Commission
Planning Commission Building Inspection Commission
Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.
Sponsor(s):
Mandelman
Subject:
[Planning Code – Nighttime Entertainment Castro Street Neighborhood Commercial District]
The text is listed:
Ordinance amending the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial
District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; and affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of
consistency with the General Plan and the eight priority policies of Planning Code Section 101.1, and findings of
public necessity, convenience, and welfare under Planning Code, Section 302
Signature of Sponsoring Supervisor:

For Clerk's Use Only