



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Planning Code Text Change HEARING DATE: JUNE 20, 2013

*Project Name:* **Castro NCD Use Size Limits**  
*Case Number:* 2013.0160T [Board File No. 13-0263]  
*Initiated by:* Supervisor Weiner / Introduced March 19, 2013  
*Staff Contact:* Jessica Look, 415.575.6812  
jessica.look@sfgov.org  
*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395  
*Recommendation:* **Recommend Approval**

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PLANNING CODE AMENDMENT

The proposed Ordinance would initiate amendments to the San Francisco Planning Code by 1) amending Section 121.2 to provide for a use size exception for neighborhood serving nonprofit institutions in the Castro Street Neighborhood Commercial District (hereinafter "Castro NCD") with a Conditional Use Authorization, and 2) amending Section 715.21 to make reference to this use size exception; and 3) making findings including environmental findings, and findings of consistency with Planning Code, Section 302 and Section 101.1 and the General Plan.

#### The Way It Is Now:

The Castro NCD prohibits any non-residential use of 4,000 sq.ft. and above, including uses such as neighborhood serving nonprofits institutions.

#### The Way It Would Be:

The proposed ordinance would allow a neighborhood-serving nonprofit institution with a use size over 4,000 sq.ft. to apply for a Conditional Use Authorization in the Castro NCD. There would be no numerical cap or a sunset clause; rather it would permit these uses to be approved by the Planning Commission on a case-by-case basis. The regular CU criteria and processes apply. The Castro NCD runs roughly along Castro Street between Market St and 19<sup>th</sup> St. and on 18<sup>th</sup> between Diamond St. and Noe St.

## ISSUES AND CONSIDERATIONS

The intent of the amendments is to allow for a carefully vetted and community supported larger institutional uses to operate within the Castro NCD. Due to current non-residential use size limits, nonprofits, such as the San Francisco AIDS Foundation (SFAF), are unable to expand their services to meet the current and future demand of their clients.

SFAF currently operates in the Castro District at three separate social service facilities; Magnet<sup>1</sup>, Stonewall Project<sup>2</sup> and Stop Aids<sup>3</sup>. These separate facilities total to approximately 7,000 square feet. SFAF wishes to consolidate these three existing social service facilities into an existing leased single location at 470 - 474 Castro Street totaling approximately 10,000 square feet – with the potential to add a floor for an approximate total of 15,000 square feet. Currently, there is no off-street vehicular parking or loading, and none is proposed. This consolidation will allow for a more visible presence, greater efficiencies in service delivery and expansion of the range of services offered. To allow for this consolidation, the proposed zoning text change will need to be enacted and the project will proceed to obtain a Conditional Use Authorization and any other necessary entitlements, under Section 303, Section 121.2 and Section 715.21 to allow an institutional use to exceed 4,000 square feet in the Castro NCD.

Typically, the Department brings Planning Code text amendments to hearing with the associated entitlement requests; however, since the physical project is still being developed at this time, the project sponsor (SFAF) has requested that the entitlement and zoning text change hearings be presented to the Planning Commission separately. The project sponsor, along with support of Supervisor Wiener's office is also working actively to ensure that the Board of Supervisors will have the opportunity to consider the proposed ordinance before the Board's summer recess during the month of August. Proceeding with the rezoning in advance of the project entitlement is intended to minimize additional costs for this community based nonprofit.

## REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

## RECOMMENDATION

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

## BASIS FOR RECOMMENDATION

The continued, controlled expansion of neighborhood serving nonprofit institutions is important to the city in the provision of valuable and needed services to residents. Nonprofit, neighborhood serving social

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<sup>1</sup> Magnet provides free HIV and STD/STI testing as well as Hepatitis A & B vaccinations.

<sup>2</sup> The Stonewall Project is a family of programs dedicated to providing harm reduction-based counseling, treatment, and support services to gay men, transmen who have sex with men, and other men who have sex with men who are having issues with drugs and/or alcohol.

<sup>3</sup> The Stop AIDS Project was founded in 1984 by community members, this tradition of community-based and volunteer-driven health promotion continues to drive the Stop AIDS programming today.

services are already an existing and desired use in the Castro NCD and are consistent with the neighborhood character. Furthermore, the Castro NCD is a multi-purpose commercial district that provides not only goods and services to the immediate neighborhood, but to the outside of the district as well, therefore the District can accommodate this proposed use size. The Castro neighborhood is recognized both nationally and internationally as a prominent symbol of lesbian, gay, bisexual, and transgender (hereinafter "LGBT") activism and community. As such, this neighborhood serves as a regional mecca for the LGBT community. In addition, the proposed legislation will provide an opportunity for development of neighborhood supported social services that are necessary or desirable for, and compatible with, the local neighborhood and to the City of San Francisco. Finally, this legislation will promote and support the accessibility of social services in the Castro in that the larger use size would only be permitted by Conditional Use authorization when the Planning Commission determines that the proposed use is 1) either necessary or desirable; 2) compatible with the community; 3) meets the definition of "other large institution" as defined by Section 790.50 of the Planning Code; and 4) is operated by a nonprofit neighborhood-serving use.

The Department finds that the proposed legislation would be consistent with the City's General Plan policies and Section 101.1. Furthermore, the proposed legislation has the support of the Planning Department, Supervisor Scott Wiener, Castro Community Benefit District (Castro CBD), Merchants of Upper Market (MUMC), Castro/Eureka Valley Neighborhood Association (EVNA) and the San Francisco AIDS Foundation. In addition, the San Francisco AIDS Foundation has outreached to MUMC, Eureka Valley Neighborhood Association, Castro CBD and the Collingwood Neighbors Group. Finally, on May 20, 2013, the Small Business Commission voted 7-0 to recommend approval of this ordinance. Their recommendation is included in Exhibit C.

## **ENVIRONMENTAL REVIEW**

The proposal to amend Planning Code Sections 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts), and 715.1 (Castro Street Neighborhood Commercial District Zoning Control Table) in the Castro NCD would result in no physical impact on the environment. The proposed amendment is exempt from environmental review under Section 15060(c)(2) of the CEQA Guidelines.

## **PUBLIC COMMENT**

As of the date of this report, the Planning Department has received four letters of support in regards to the proposed Ordinance from the Castro Community Benefit District (Castro CBD), Merchants of Upper Market & Castro (MUMC), Castro/Eureka Valley Neighborhood Association (EVNA) and a Castro homeowner.

<b>RECOMMENDATION:</b>	<b>Recommendation of Approval</b>
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### **Attachments:**

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Board of Supervisors File No. 10-0434
- Exhibit C: Letters of Support/ SF Small Business Commission Recommendation

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# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Resolution HEARING DATE JUNE 20, 2013

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Project Name:* **Amendments relating to the Castro NCD Use Size Limits**

*Case Number:* 2013.0160T [Board File No. 13-0263]

*Initiated by:* Supervisor Weiner/ Introduced March 19, 2013

*Staff Contact:* Jessica Look, 415.575.6812

jessica.look@sfgov.org

*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs

anmarie.rodgers@sfgov.org, 415-558-6395

*Recommendation:* **Recommend Approval**

**RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD INITIATE AMENDMENTS TO THE SAN FRANCISCO PLANNING CODE BY 1) AMENDING SECTION 121.2 TO PROVIDE FOR A USE SIZE EXCEPTION FOR NEIGHBORHOOD SERVING NONPROFIT INSTITUTIONS IN THE CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT WITH A CONDITIONAL USE AUTHORIZATION, AND 2) AMENDING SECTION 715.21 TO MAKE REFERENCE TO THIS USE SIZE EXCEPTION; AND 3) MAKING FINDINGS INCLUDING ENVIRONMENTAL FINDINGS, AND FINDINGS OF CONSISTENCY WITH PLANNING CODE, SECTION 302 AND SECTION 101.1 AND THE GENERAL PLAN.**

WHEREAS, on March 19, 2013, Supervisors Weiner introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 13-0263, which would amend Sections 121.2 and 715.21 of the Planning Code regarding a use size exception for neighborhood serving nonprofit institutions in the Castro Street Neighborhood Commercial District with a Conditional Use Authorization.

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 20, 2013; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2); 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 1650 Mission Street, Suite 400, San Francisco; and

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

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors **approve with modifications** the proposed ordinance and adopts the attached Draft Resolution to that effect.

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The continued, controlled expansion of neighborhood serving nonprofit institutions is important to the city in the provision of valuable and needed services to residents.
2. Nonprofit, neighborhood serving social services are already an existing and desired use in the Castro NCD and are consistent with the character of the Castro NCD.
3. Furthermore, the Castro NCD is a multi-purpose commercial district that provides not only goods and services to the immediate neighborhood, but to the outside of the district as well, therefore the District can accommodate this proposed use size
4. In addition, the proposed legislation will provide an opportunity for development of neighborhood supported social services that are necessary or desirable for, and compatible with, the local neighborhood and to the City of San Francisco.
5. This legislation will promote and support the accessibility of social services in the Castro.
6. Furthermore, the proposed legislation has the support of the Department, Supervisor Scott Wiener, Merchants of Upper Market (MUMC) and the San Francisco AIDS Foundation.
7. **General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

### I. COMMERCE AND INDUSTRY ELEMENT

**POLICY 1.1:** Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

**POLICY 4.2:** Promote and attract those economic activities with potential benefit to the City.

**OBJECTIVE 6:** MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

**POLICY 6.1:** Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

**OBJECTIVE 7:** ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES

**Policy 7.2:** Encourage the extension of needed health and educational services, but manage expansion to avoid or minimize disruption of adjacent residential areas.

*By allowing larger institutional uses/neighborhood serving nonprofits to exist in the Castro NCD, this would result in positive community and social benefit for residents and for those who come to the neighborhood to seek services. The proposed amendment does not cause adverse environmental and or negative economic effects and thus should be encouraged. The essential character of this neighborhood corridor will be maintained by encouraging and protecting uses which provide a necessary services to the area.*

## II. COMMUNITY FACILITIES ELEMENT

### OBJECTIVE 3: ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

*One component contributing to the quality of the living environment is the availability of community services and facilities designed to meet the cultural, social and health needs of neighborhood residents. This proposed legislation would promote the development of providing needed and desired services to the community.*

**8. 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 amendments will not have a negative impact on neighborhood serving retail uses and will not impact opportunities for resident employment in and ownership of neighborhood-serving retail. It would in fact enhance future opportunities for residential employment and current institutional businesses.*

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 amendments will help preserve existing housing and neighborhood character by promoting institutional and social service needs that are desired by the community. The amendments will not impact existing housing.*

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

*The proposed amendments will have no 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 amendments will 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 amendments 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 affect the preparedness against injury and loss of life in an earthquake is unaffected.*

7. That the landmarks and historic buildings be preserved;

*Landmarks and historic buildings would not be negatively impacted by the proposed amendments.*

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

*The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed amendments. Any development that is proposed would need to receive Conditional Use authorization, at which point impacts on sunlight access, to public or private property, would be reviewed.*

**8. 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 recommends that the Board ADOPT the proposed Ordinance as described in this Resolution and in the proposed Ordinance.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 20, 2013.

Jonas Ionin  
Acting Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED:

BOARD of SUPERVISORS



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

March 25, 2013

Planning Commission  
Attn: Jonas Ionin  
1660 Mission Street, 5<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Commissioners:

On March 19, 2013, Supervisor Wiener introduced the following proposed legislation:

**File No. 130263**

Ordinance amending the Planning Code, Sections 121.2 and 715.1, the Castro Street Neighborhood Commercial District controls, to allow a neighborhood-serving nonprofit institution to exceed the use size limits with a Conditional Use Authorization; making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

The proposed ordinance is being transmitted pursuant to Planning Code Section 302(b) for public hearing and recommendation. The ordinance is pending before the Land Use & Economic Development Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in black ink that reads "Alisa Miller".

By: Alisa Miller, Committee Clerk  
Land Use & Economic Development Committee

c: John Rahaim, Director of Planning  
Scott Sanchez, Zoning Administrator  
Sarah Jones, Chief, Major Environmental Analysis  
AnMarie Rodgers, Legislative Affairs  
Monica Pereira, Environmental Planning  
Joy Navarrete, Environmental Planning

1 [Planning Code - Castro Street Neighborhood Commercial District Use Size Limits]

2  
3 **Ordinance amending the Planning Code, Sections 121.2 and 715.1, the Castro Street**  
4 **Neighborhood Commercial District controls, to allow a neighborhood-serving nonprofit**  
5 **institution to exceed the use size limits with a Conditional Use Authorization; making**  
6 **environmental findings, Planning Code, Section 302, findings, and findings of**  
7 **consistency with the General Plan and the Priority Policies of Planning Code, Section**  
8 **101.1.**

9 NOTE: Additions are *single-underline italics Times New Roman*;  
10 deletions are *strike-through italics Times New Roman*.  
11 Board amendment additions are double-underlined;  
12 Board amendment deletions are ~~strikethrough-normal~~;  
13 Ellipses indicate text that is omitted but unchanged.

13 Be it ordained by the People of the City and County of San Francisco:

14 Section 1. Findings.

15 (a) The Planning Department has determined that the actions contemplated in this  
16 Ordinance comply with the California Environmental Quality Act (California Public Resources  
17 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of  
18 Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference.

19 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code  
20 amendments will serve the public necessity, convenience, and welfare for the reasons set  
21 forth in Planning Commission Resolution No. \_\_\_\_\_ and the Board incorporates such  
22 reasons herein by reference. A copy of Planning Commission Resolution No. \_\_\_\_\_ is  
23 on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.

24 (c) This Board finds that these Planning Code amendments are consistent with the  
25 General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set

1 forth in Planning Commission Resolution No. \_\_\_\_\_, and the Board hereby  
2 incorporates such reasons herein by reference.

3  
4 Section 2. The San Francisco Planning Code is hereby amended by amending  
5 Sections 121.2 and 715.1, to read as follows:

6 **SEC. 121.2. USE SIZE LIMITS (NON-RESIDENTIAL), NEIGHBORHOOD COMMERCIAL**  
7 **DISTRICTS.**

8 (a) In order to protect and maintain a scale of development appropriate to each district,  
9 nonresidential uses of the same size or larger than the square footage stated in the table  
10 below may be permitted only as conditional uses subject to the provisions set forth in Sections  
11 316 through 316.8 of this Code. The use area shall be measured as the gross floor area for  
12 each individual nonresidential use.

District	<u>Use Lot Size Limits</u>
North Beach	2,000 sq. ft.
Castro Street	
<i>Pacific Avenue</i>	
Inner Clement Street	2,500 sq. ft.
Inner Sunset	
Outer Clement Street	
Upper Fillmore Street	
Haight Street	
Polk Street	
Sacramento Street	
Union Street	
24th Street-Mission <i>NCT</i>	
24th Street-Noe Valley	

1	West Portal Avenue	
2	NC-1, NCT-1	3,000 sq. ft.
3	Broadway	
4	Hayes-Gough <i>NCT</i>	
5	<i>Upper Market Street</i>	
6	Upper Market Street <i>NCT</i>	
7	Valencia Street	
8	NC-2, NCT-2, SoMa <i>NCT</i> , Ocean Avenue, Glen Park <i>NCT</i>	4,000 sq. ft.
9	NC-3, NCT-3, Mission Street	6,000 sq. ft.
10	NC-S	

11 In addition to the criteria of Section 303(c) of this Code, the Commission shall consider  
 12 the extent to which the following criteria are met:

13 (1) The intensity of activity in the district is not such that allowing the larger use will be  
 14 likely to foreclose the location of other needed neighborhood-serving uses in the area.

15 (2) The proposed use will serve the neighborhood, in whole or in significant part, and  
 16 the nature of the use requires a larger size in order to function.

17 (3) The building in which the use is to be located is designed in discrete elements  
 18 which respect the scale of development in the district.

19 (b) In order to protect and maintain a scale of development appropriate to each district,  
 20 nonresidential uses which exceed the square footage stated in the table below shall not be  
 21 permitted, except that in the North Beach Neighborhood Commercial District this Subsection  
 22 121.2(b) shall not apply to a Movie Theater use as defined in Section 790.64 *and except that in*  
 23 *the Castro Street Neighborhood Commercial District certain Large Institutions may by Conditional*  
 24 *Use Authorization exceed this Subsection 121.2(b) as described in the Specific Provisions for Section*  
 25

1 715.21. The use area shall be measured as the gross floor area for each individual  
 2 nonresidential use.

District	<u>Use Lot Size Limits</u>
West Portal Avenue	4,000 sq. ft.
North Beach	
Castro Street	

7 **SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT**  
 8 **ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Castro Street Controls
...	<b>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</b>		
...	Use Size [Non-Residential]	§ 790.130 <u>§ 121.2</u> <u>§ 790.50</u>	P to 1,999 sq. ft.; <del>C# 2,000 sq. ft.</del> <u>C 2,000 sq. ft.</u> to 3,999 sq. ft.; NP# 4,000 sq. ft. & above <del>§ 121.2</del>

21 **SPECIFIC PROVISIONS FOR CASTRO NEIGHBORHOOD COMMERCIAL DISTRICT**

Article 7 Code Section	Other Code Section	Zoning Controls
...		<u>Use Size shall generally not exceed 4,000 square feet except that an</u>
<u>§ 715.21</u>	<u>§ 121.1</u>	<u>Institution, Other Large as defined in Section 790.50 that is operated</u>

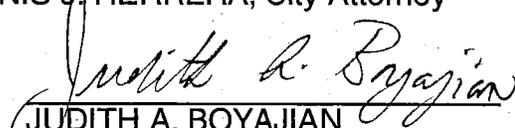
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25		<p><u>by a non-profit and is neighborhood-serving may exceed 4,000 sq. ft.</u></p> <p><u>by Conditional Use Authorization.</u></p>
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Section 3. Effective Date. This Ordinance shall become effective 30 days from the date of passage.

Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams, or any other constituent part of the Planning Code that are explicitly shown in this legislation as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the legislation.

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By:

  
JUDITH A. BOYAJIAN  
Deputy City Attorney

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## **LEGISLATIVE DIGEST**

[Planning Code - Castro Street Neighborhood Commercial District Use Size Limits]

**Ordinance amending the Planning Code, Sections 121.2 and 715.1, the Castro Street Neighborhood Commercial District controls, to allow a neighborhood-serving nonprofit institution to exceed the use size limits with a Conditional Use Authorization; making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.**

### Existing Law

Planning Code Section 121.2 establishes a 2,000 square foot size limit for permitted uses in the Castro Street Neighborhood Commercial District. Section 715.21 allows a use size between 2,000 and 3,999 square feet by Conditional Use Authorization and prohibits use sizes 4,000 square feet and above.

### Amendments to Current Law

Planning Code Sections 121.2 and 715.21 are amended to allow a large neighborhood-serving non-profit institution to exceed the 4,000 square foot limit through a Conditional Use Authorization.

### Background Information

The intent of the amendments is to allow for carefully-vetted and community-supported larger institutional uses within the Neighborhood Commercial District in order to provide services closer to resident populations.

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# SAN FRANCISCO **PLANNING DEPARTMENT**

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

## **Exhibit C: Letters of Support**

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SMALL BUSINESS COMMISSION  
OFFICE OF SMALL BUSINESS



CITY AND COUNTY OF SAN FRANCISCO  
EDWIN M. LEE, MAYOR

June 12, 2013

Ms. Angela Calvillo, Clerk of the Board  
Board of Supervisors  
City Hall room 244  
1 Carlton B. Goodlett Place  
San Francisco, CA 94102-4694

**File No. 130263 [Planning Code - Castro Street Neighborhood Commercial District Use Size Limits]**

Small Business Commission Recommendation: **Approval**

Dear Ms. Calvillo:

On May 20, 2013 the Small Business Commission (SBC) voted 7-0 to recommend approval of BOS File No. 130263.

The Commission supports the narrow scope of this ordinance which will permit carefully-vetted and community supported neighborhood serving non-profit institutions to exceed the use-size limits in the Castro NCD with a Conditional Use Authorization.

The SBC, while not concerned about the proposed AIDS Foundation project specifically, cautions that there is a potential for future projects to utilize this ordinance to consolidate multiple retail storefronts to create large contiguous spaces. Since a Conditional Use Authorization is required however, the Commission is confident that this concern can be addressed during the entitlement process should any future project apply to exceed use size limits and propose to consolidate retail spaces. Should this occur, the SBC encourages the Planning Department and Planning Commission to exercise caution and discretion as our retail spaces are valuable commodities in this NCD.

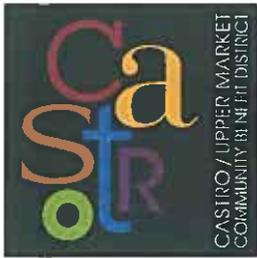
Sincerely,

A handwritten signature in black ink, appearing to read 'Regina Dick-Endrizzi', is written over a light blue horizontal line.

Regina Dick-Endrizzi  
Director, Office of Small Business

Cc: Supervisor Scott Wiener  
Jason Elliot, Mayor's Office  
Jessica Look, Planning Department

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584 Castro Street #336  
San Francisco, CA 94114

PH 415.500.1181

FX 415.522.0395

[www.castrocbd.org](http://www.castrocbd.org)

[www.facebook.com/castrocbd](http://www.facebook.com/castrocbd)

[castrocbd](https://www.facebook.com/castrocbd)

[@visitthecastro](https://www.facebook.com/castrocbd)

June 13, 2013

San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco CA 94103-2479

Re: File No. 2013.0160E - SUPPORT  
Application(s) for 470-474 Castro Street from San  
Francisco AIDS Foundation

Dear Commission Members,

The Castro/Upper Market Community Benefit District (Castro CBD) is writing to express its strong support for the change of use authorization and zoning text amendment that will allow San Francisco AIDS Foundation to move forward with plans for an important new center for gay men's health and wellness in the Castro.

This new health and wellness center, located at 474 Castro St., brings together three existing programs in the Castro under one roof. This move enables the San Francisco AIDS Foundation to follow the best practices in public health by offering comprehensive health and wellness services in a one-stop shopping model.

The new facility will also bring a significant amount of activity to Castro Street as people come and go accessing services offered by this new comprehensive health service agency. The Castro CBD welcomes this activity and looks forward to working with the AIDS Foundation to enable the Castro to better meet the comprehensive health needs of gay and bi-sexual men and to integrate this new enterprise into the fabric of the Castro commercial district.

The Castro CBD urges you to consider this request for a change of use authorization and zoning text amendment in a positive light. If you have any questions about our support for this

project, please contact me at 415-500-1181 or  
[execdirector@castrocbd.org](mailto:execdirector@castrocbd.org)

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrea Aiello". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andrea Aiello  
Executive Director

CC: Scott Wiener, Supervisor District 8  
Andres Power, Legislative Aide, Supervisor District 8  
John Rahaim, Director, S.F. Planning Dept.  
Jessica Look, Planner, S.F. Planning Dept.  
Courtney Mulhern-Pearson, SFAF  
Board of Directors, Castro/Upper Market Community  
Benefit District



584 Castro Street, # 333  
San Francisco CA 94114-2512  
415/431-2359  
Email [MUMC-SF@earthlink.net](mailto:MUMC-SF@earthlink.net)  
[www.CastroMerchants.com](http://www.CastroMerchants.com)

Terry Asten Bennett, President  
415/431-5365 Ext. 4  
[TerryAsten@cs.com](mailto:TerryAsten@cs.com)

May 7. 2013

*Via email and USPS hardcopy*

Jessica Look, Staff Planner  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco CA 94103-2479

Re: File No. 2013.0160E  
Application(s) for 470-476 Castro Street from S.F. AIDS Foundation

Dear Ms. Look,

This confirms that the Members of the **Merchants of Upper Market & Castro (MUMC)** voted at their Meeting on May 2, 2013 to SUPPORT the proposals before you for Change of Use; renovations; addition of set-back, partial added top floor; and related changes by San Francisco AIDS Foundation (SFAF) for 470-476 Castro Street, San Francisco.

**MUMC's** support is based on concepts and plans presented to us on May 2. We have asked SFAF to inform **MUMC** with respect to our continued support for this Project, in the event that there are subsequent significant and/or substantial changes from the plans described to us on May 2, especially (but not limited to) with respect to the additional floor, its configuration and resulting shadows; and the mostly-glass front façade. Should **MUMC's** support be withdrawn or change (which we do not currently anticipate), we would notify your Commission and Department.

**MUMC** is the merchants' organization serving San Francisco's Castro-Upper Market area, generally along Upper Market Street from Octavia Blvd. to Castro Street; Castro from Market to 19<sup>th</sup> Street, and cross streets throughout that area. **MUMC** has about 250 currently-paid Members for 2013. The location of the Project described herein is within **MUMC's** service area.

.... *continued*

## Merchants of Upper Market & Castro – MUMC

San Francisco Planning Department  
Re: File No. 2013.0160E, 470-476 Castro Street

May 7, 2012  
Page 2

Please let us know if you have questions regarding MUMC's support for this Project. Please include this letter in the Project's permanent file, and assure that it is provided to all Planning Staff and Commissioners and any other hearing panels at the time that this Project is considered by them. Thank you for considering our comments.

Respectfully,

A handwritten signature in black ink, appearing to read "T. Bennett", with a long horizontal flourish extending to the right.

Terry Asten Bennett, President

cc: Neil Giuliano, Courtney Mulhearn-Pearson, SFAF  
email cc: District 8 Supervisor Scott Wiener and staff  
Capt. Robert Moser, *SFPD Mission Station*



# CASTRO/EUREKA VALLEY NEIGHBORHOOD ASSOCIATION

The neighborhood association for the Castro, Upper Market and all of Eureka Valley since 1878

EVNA (formerly EVPA)  
PO Box 14137  
San Francisco, CA 94114  
www.evna.org  
Board@EVNA.org

June 6, 2013

San Francisco Planning Commission  
1660 Mission Street, 5<sup>th</sup> floor  
San Francisco Ca. 94103

c/o Delvin Washington, [delvin.washington@sfgov.org](mailto:delvin.washington@sfgov.org)  
Jessica Look, [Jessica.look@sfgov.org](mailto:Jessica.look@sfgov.org)

Re: 2013.0160E 470-474 Castro Street, San Francisco AIDS Foundation and  
Supervisor Scott Wiener's proposed legislation to amend "*Planning Code  
Sections 121.2 and 715.21*"

Dear Commissioners,

Castro/ Eureka Valley Neighborhood Association (EVNA) is the oldest continuously operating Neighborhood Association in San Francisco established as Eureka Valley Promotion Association in 1878. For 135 years, our members have been working to make this neighborhood a great place to live, work and play. Today, we strive to preserve the unique character of our diverse neighborhood while maintaining a balance between prospering business and residential livability.

EVNA Board of Directors and Membership would like to add its support for the San Francisco AIDS Foundation (SFAF)'s proposed move into the Castro/Eureka Valley Neighborhood at 470-474 Castro Street.

Furthermore, we support Supervisor Wiener's proposed ordinance to amend "*Planning Code Sections 121.2 and 715.21 to allow a large neighborhood serving non-profit institution to exceed the 4,000 square foot limit through a Conditional Use Authorization.*"

EVNA believes that SFAF is a vital organization that reaches an impacted population and provides critical services to that population. Bringing a consolidated SFAF into the Castro neighborhood also sends a cultural and historical message to our community.

However, we offer this support with one caveat: EVNA is strongly opposed to the proposed building 's façade design. The design is out of place and has no relevance to the scale of the buildings on the street and in the neighborhood. It is completely out of architectural context and has no consideration for the history of the neighborhood.

Our support, therefore, is contingent upon SFAF working with EVNA and other interested neighborhood groups to refine the street frontage design elements and ask that the Planning Commission make this condition part of the approval process as it did with 376 Castro Street. As with 376 Castro Street, we strongly feel that this will ensure a design that will add to the neighborhood streetscape and character.

Sincerely,

Rob Cox  
Secretary

Cc: Supervisor Scott Wiener, [scott.wiener@sfgov.org](mailto:scott.wiener@sfgov.org)  
Courtney Mulhern-Pearson, [CPearson@sfaf.org](mailto:CPearson@sfaf.org)

#### EXECUTIVE COMMITTEE

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Hartford Street

#### EX OFFICIO DIRECTORS:

Steve Clark Hall  
19th Street

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San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco CA 94103-2479

Re: File No. 2013.0160E - SUPPORT  
Application(s) for 470–474 Castro Street from San Francisco AIDS Foundation

Dear Commission Members,

As a Castro home owner and resident, I am pleased to express my support for the conditional use authorization and zoning text amendment that will allow San Francisco AIDS Foundation to move forward with plans for an innovative new center for gay men's health and wellness in the Castro.

My property shares the mid-block with the proposed SFAF. I can see the building from my home and back yard. I have no issues with any expansion of building as I understand the plans as of June 1<sup>st</sup>, 2013.

Located at 474 Castro Street, the new facility will provide approximately 7,500 square feet of additional space for expanded sexual health services, additional substance use treatment and mental health counseling opportunities, a new HIV and Aging program, health insurance benefits counseling to help people navigate the complexities of health care reform, and enhanced case management services to ensure linkage to medical care.

The new center will help bring about the day when new HIV infections in San Francisco are incredibly rare, all San Franciscans know their HIV status, and all those living with the virus have the medical care they need.

For these reasons I am pleased to offer my support for the 470–474 Castro project and urge you to approve the conditional use authorization and zoning text amendment before you. Please let me know if you have questions regarding my support for this project.

Respectfully,



Scott Gibree  
43 Collingwood Street, San Francisco, CA 94108

CC: Jessica Look, 1650 Mission Street, Suite 400, San Francisco CA 94103-2479