

# NOTICE OF PUBLIC HEARING

Hearing Date: **THURSDAY, OCTOBER 6, 2022**  
Time: **Not before 1:00 PM**  
Location: **Visit [sfplanning.org/remotehearings](https://sfplanning.org/remotehearings) for details**  
Case Type: **Conditional Use**  
Hearing Body: **Planning Commission**

## PROJECT INFORMATION

Project Address: **429 CASTRO ST**  
Cross Streets: **(The Castro Theatre)**  
Block / Lot No.: **3582 / 085**  
Zoning District(s): **Castro Street NCD / 65-B**  
Area Plan: **N/A**  
Record No.: **2022-005675CUA**

## APPLICANT INFORMATION

Applicant: **Andrew J. Junius**  
Company: **Rueben, Junius, and Rose, LLP**  
Address: **One Bush Street, Suite 600**  
City, State: **San Francisco, CA**  
Telephone: **(415)336-3796**  
Email: **[ajunius@reubenlaw.com](mailto:ajunius@reubenlaw.com)**

## PROJECT DESCRIPTION

The proposal is for a Conditional Use Authorization, pursuant to Planning Code Sections 182(b), 202.4, 303, and 715, to establish Nighttime Entertainment and a Bar Use on the first and second stories, alongside the existing Movie Theater Use within the existing multi-story theater building. The project includes interior and exterior alterations, including construction of a one-story rear addition to add a new dressing room, a restroom, and a storage platform. This Conditional Use Authorization requires a legislative amendment to the Planning Code to require a Conditional Use Authorization to establish a Nighttime Entertainment use on the second floor within the Castro Street NCD Zoning District (Board of Supervisors File Nos. 220709 and 220862).

## ADDITIONAL INFORMATION

**Architectural Plans:** To view the plans and related documents for the proposed project, visit <https://sfplanning.org/notices> and search the Project Address listed above. The plans and Department recommendation of the proposed project will also be available one week prior to the hearing through the Commission agenda at: <https://sfplanning.org/hearings>.

**For more information, please contact Planning Department staff:**

Planner: **Alex Westhoff**

Telephone: **628-652-7314**

Email: **[Alex.Westhoff@sfgov.org](mailto:Alex.Westhoff@sfgov.org)**

# General Information About Procedures

## HEARING INFORMATION

You are receiving this notice because you are either a property owner or resident that is adjacent to the proposed project or are an interested party on record with the Planning Department. **You are not required to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant or Planner listed on this notice as soon as possible.** Additionally, you may wish to discuss the project with your neighbors and/or neighborhood association as they may already be aware of the project.

Please be advised that due to the COVID-19 emergency, the Planning Commission may be required to conduct this hearing remotely. Additional information may be found on the Department's website at [www.sfplanning.org](http://www.sfplanning.org).

Members of the public are strongly encouraged to submit their comments in written form via email to [commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org) by 5:00 pm the day before the hearing. These comments will be made a part of the official public record and will be brought to the attention of the person or persons conducting the public hearing.

Comments that cannot be delivered by 5:00 pm the day before the hearing may be taken directly to the hearing. Hearing location information can be found by visiting [www.sfplanning.org](http://www.sfplanning.org). Comments received at [commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org) after the deadline will be placed in the project file, but may not be brought to the attention of the Planning Commission at the public hearing.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

## BUILDING PERMIT APPLICATION INFORMATION

Pursuant to Planning Code Section 311, the Building Permit Application for this proposal may also be subject to a 30-day notification of property owners and residents within 150-feet of the subject property. **This notice covers the Section 311 notification requirements, if required.**

## APPEAL INFORMATION

An appeal of the approval (or denial) of a **Conditional Use application** and/or building permit application associated with the Conditional Use application may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Section 308.1(b). During the Shelter in Place Order, appeals can be submitted by email at [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org). For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

An appeal of the approval (or denial) of a **building permit application** by the Planning Commission may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. During the Shelter in Place Order, appeals can be submitted by phone or email. Please email [julie.rosenberg@sfgov.org](mailto:julie.rosenberg@sfgov.org) and [alec.longaway@sfgov.org](mailto:alec.longaway@sfgov.org), or leave a voice message at (628) 652-1150. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (628) 652-1150.

Pursuant to California Government Code Section 65009, if you challenge, in court, the decision of an entitlement or permit, the issues raised shall be limited to those raised in the public hearing or in written correspondence delivered to the Planning Commission prior to, or at, the public hearing.

## ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination will be prepared and can be obtained through the Exemption Map at [www.sfplanning.org](http://www.sfplanning.org) prior to the approval action. An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.



Date: **9/16/2022**

The attached notice is provided under the Planning Code. It concerns property located at **429 CASTRO ST - (2022-005675CUA)**. A hearing may occur, a right to request review may expire or a development approval may become final by **10/6/2022**.

To obtain information about this notice in Spanish, Chinese, or Filipino, please call **628.652.7550**. Please be advised that the Planning Department will require at least one business day to respond to any call.

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附上的是三藩市城市規劃的法定通告。

此通告是與位於 **429 CASTRO ST - (2022-005675CUA)**

的建築計劃有關。如果在 **10/6/2022** 之前無人申請聽證會來檢討這一個建築計劃, 這計劃最終會被核准。

如果你需要用華語獲得關於這通告的細節, 請電 **628.652.7550** .

然後, 請按 “8” 及留言。城市規劃局將需要至少一個工作天回應。華語資料提供只是城市規劃局的一項服務, 此項服務不會提供額外的權利或延伸任何要求檢討的期限。

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El documento adjunto es requerido por el Código de Planeación (Planning Code) y es referente a la propiedad en la siguiente dirección: **429 CASTRO ST - (2022-005675CUA)**. Es posible que ocurra una audiencia pública, que el derecho a solicitar una revisión se venza, o que la aprobación final de proyecto se complete el: **10/6/2022**.

Para obtener más información sobre esta notificación en español, llame al siguiente teléfono **628.652.7550**. Por favor tome en cuenta que le contestaremos su llamada en un periodo de 24 horas.

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Ang nakalakip na paunawa ay ibinibigay alinsunod sa Planning Code. Tinatalakay nito ang propyedad na matatagpuan sa **429 CASTRO ST - (2022-005675CUA)**. Maaring may paglilitis na mangyayari, may mapapasong paghiling ng isang pagrerepaso (review), o ang na-aprobahang pagpapatayo ay malapit nang ipagtibay sa **10/6/2022**.

Para humiling ng impormasyon tungkol sa paunawang ito sa Tagalog, paki tawagan ang **628.652.7550**. Mangyaring tandaan na mangangailangan ang Planning Department ng di-kukulangin sa isang araw ng pangangalakal para makasagot sa anumang tawag.