

File No. 250174

Committee Item No. _____

Board Item No. 19

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: April 8, 2025

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
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| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
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OTHER

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Appeal Letter 2/10/25</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Department Response 3/19/25</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Project Sponsor Statement 3/14/25</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Public Hearing Notice 3/14/25</u> |
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Prepared by: Lisa Lew

Date: March 21, 2025

Prepared by: Lisa Lew

Date: April 4, 2025

**NOTICE TO BOARD OF SUPERVISORS OF APPEAL
FROM ACTION OF THE CITY PLANNING COMMISSION**

Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.

The property is located at 4100 3rd St SE CA 98124.

Date of City Planning Commission Action
(Attach a Copy of Planning Commission's Decision)

Appeal Filing Date

_____ The Planning Commission disapproved in whole or in part an application for reclassification of property, Case No. _____.

_____ The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No. _____.

_____ The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. _____.

_____ The Planning Commission disapproved in whole or in part an application for conditional use authorization, Case No. _____.

Statement of Appeal:

a) Set forth the part(s) of the decision the appeal is taken from:

b) Set forth the reasons in support of your appeal:

Person to Whom
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Name

Name

Address

Address

Telephone Number

Telephone Number

Signature of Appellant or
Authorized Agent

No. _____

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners or "Verified Tenants" of property affected by the proposed amendment or conditional use (that is, owners or "Verified Tenants" of the property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.




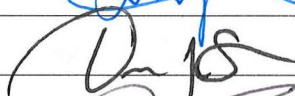
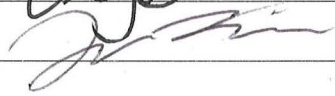
If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

"Verified Tenants" that sign below, hereby declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct, and that the tenant occupies the entire property or at least one separate unit on the property pursuant to a lease with a term exceeding 32 days.

Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
1.				
2.				
3.				
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(All information provided is subject to public disclosure; personal information will not be redacted.)

Pursuant to Planning Code Section 308.1(b), the undersigned members of the Board of Supervisors believe that there is sufficient public interest and concern to warrant an appeal of the Planning Commission on Case No. 21469, a conditional use authorization regarding (address) 4100 3rd St SF CA 94124, District 10. The undersigned members respectfully request the Clerk of the Board to calendar this item at the soonest possible date.

Supervisor Printed Name	Signature	Date
Kyrna Melgar		2/9/25
BILAL MAHMOOD		2/10/25
Chyanne Chen		2/10/25
Danny Suter		2/10/25
Justin Zelder		2/10/25

(Attach copy of Planning Commission's Decision)

APPEAL OF CONDITIONAL USE PERMIT TO REMOVE SRO UNITS & RESTAURANT AT 4100 3RD STREET, SAN FRANCISCO, CA 94124

To the San Francisco Planning Commission & Board of Supervisors,

I am submitting this appeal to oppose the conditional use permit application seeking to remove nine (9) SRO units and a restaurant at 4100 3rd Street, San Francisco, CA 94124, and convert the building into a social services facility. This proposal is based on misrepresentations, disregards the historical significance of the property, fails to acknowledge the current and recent use of the space, and conflicts with the city's urgent need to preserve affordable housing and commercial spaces in the Bayview neighborhood.

Furthermore, the Planning Commission was not made aware of the historical significance of this property or the factual discrepancies in the application when making the decision to approve. Given the importance of these details, it is critical that this permit be reconsidered.

Misrepresentation in the Application

There are significant factual inaccuracies in the application that must be corrected:

- The non-profit claims to have 13-16 staff members, yet their most recent 990 tax filings show only five (5) employees, all listed as part of the executive team. This raises questions about the accuracy of their stated need for a larger facility.
- The application falsely implies that the restaurant was not in operation, when in fact, beer and wine were still being served as recently as 2024 under Bayview's Makers Kitchen, where I was a tenant since June 2023.
- The SRO units were occupied—at least two gentlemen lived there, contradicting any claim that the units were vacant or obsolete.
- The claim that the second floor was converted into social services housing is false. The 2013 real estate listings clearly describe the second floor as containing nine (9) intact SRO units, and no permits were ever issued to alter their use. Physically, the units remain unchanged, meaning the building has continued to serve as housing and has never been legally converted into a social services facility.

Historical & Cultural Significance of 4100 3rd Street

This building is a vital part of Bayview's history and one of the few remaining structures of its kind in San Francisco. These facts were not disclosed to the Planning Commission before its initial approval:

- Built in 1880 by the renowned architect Henry Geilfuss, who also designed the Bayview Opera House.

- It is the 3rd oldest saloon, restaurant, and boarding house in San Francisco and one of the last buildings with this unique architectural style in the city.
- The property still contains its original butler elevator, an extremely rare and historically significant feature that should be preserved.
- The SRO units at 4100 3rd Street are among the oldest recorded in San Francisco, reflecting an important chapter in the city's history. SRO units like these were built above saloons immediately after the Gold Rush to house low-income workers, many of whom played a crucial role in the city's economic and cultural development.
- Eliminating these SRO units would erase an essential piece of San Francisco's working-class history, at a time when preserving affordable housing is more critical than ever.

Preserving Bayview's Commercial Corridor & Economic Development

Bayview's 3rd Street corridor is already oversaturated with social services organizations, and this block, in particular, is one of the few that remains designated for commercial use.

- Removing a restaurant space from a corridor where dozens of entrepreneurs need kitchen facilities is a serious setback for the neighborhood's economic growth.
- Significant time and investment have gone into keeping this space an eatery over the last two years. To erase those efforts is a disservice to both the entrepreneurs who rely on shared kitchen space and the broader vision for Bayview's commercial vitality.
- The loss of another restaurant space in Bayview would directly harm the local economy, discourage small business development, and limit access to fresh, local food options for the community.

Alternative Locations for the Social Services Organization

The organization seeking to relocate already operates out of a building designated for social services, making this conversion unnecessary. Moreover, there are several vacant commercial properties for sale that would better suit their needs without displacing tenants or eliminating housing. Notably:

- The organization previously lobbied Nancy Pelosi and others to secure a \$750,000 grant to purchase 111 Quint Street, San Francisco, CA 94124.
- 111 Quint Street is currently for sale, and the property owner has expressed willingness to sell at a lower price since the building is held in a trust.
- At over 5,000 square feet, 111 Quint Street provides more than enough space for this organization's operations, eliminating the need to repurpose a commercial and residential property for social services.

San Francisco's Legal & Moral Obligation to Preserve Housing & Commercial Space

San Francisco is legally required under its Housing Element Plan to preserve and expand affordable housing, not reduce it. Additionally, maintaining and growing commercial

spaces—particularly in historically underinvested communities like Bayview—is essential for economic sustainability.

The Planning Commission was not given all the necessary information regarding the historical, cultural, and economic significance of 4100 3rd Street before making its decision. Given these critical omissions, I urge the Commission to reject this application and protect 4100 3rd Street as an essential part of Bayview's housing, commercial, and cultural legacy.

Sincerely Yours,

A handwritten signature in black ink, appearing to read 'Bivett Brackett', written over the closing 'Yours,'.

Bivett Brackett,
Founder, Big Black Brunch



PLANNING COMMISSION MOTION NO. 21669

HEARING DATE: JANUARY 9, 2025

Record No.: 2024-008292CUA
Project Address: 4100 3rd Street
Zoning: Moderate Scale Neighborhood Commercial Transit District (NCT-3) Zoning District
65-J Height and Bulk District
Third Street Alcohol Special Use District
Cultural District: African American Arts & Cultural District
Block/Lot: 5260 / 032
Project Sponsor: Lawrence Badiner
PO Box 1254
Sebastopol, CA 95473
Property Owner: We Are Church
San Francisco, CA 94124
Staff Contact: Gabriela Pantoja, 628-652-7380
Gabriela.Pantoja@sfgov.org

ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 121.2, 303, 317, AND 752 TO ESTABLISH A USE GREATER THAN 6,000 SQUARE FEET IN SIZE AND TO CONVERT AN EXISTING TWO-STORY OVER BASEMENT, MIXED-USE BUILDING WITH EIGHT GROUP HOUSING UNITS AT THE SECOND FLOOR INTO AN APPROXIMATELY 6,123 SQUARE-FOOT SOCIAL SERVICE FACILITY USE ((D.B.A. "FRIENDS OF THE CHILDREN- SF BAY AREA") AND INCLUDES AN OUTDOOR ACTIVITY AREA LOCATED AT 4100 3RD STREET, BLOCK 5260 LOT 032 WITHIN THE NCT-3 (MODERATE SCALE NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT) ZONING DISTRICT, THIRD STREET ALCOHOL SPECIAL USE DISTRICT, AND A 65-J HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On September 12, 2024, Lawrence Badiner of Badiner Urban Planning, Inc. (hereinafter "Project Sponsor") filed Application No. 2024-008292CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a use greater than 6,000 square feet in size and to convert an existing two-story over basement, mixed-use building containing eight Group Housing units at the second floor into an approximately 6,123 square-foot Social Service Facility Use (d.b.a. "Friends Of The Children- Sf Bay Area") and includes an Outdoor Activity Area (hereinafter "Project") at 4100 3rd Street, Block 5260 Lot 032 (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 Categorical Exemption.

On January 9, 2025, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. **2024-008292CUA**.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. **2024-008292CUA** is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The 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 the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. **2024-008292CUA**, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

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 above recitals are accurate and constitute findings of this Commission.**
2. **Project Description.** The proposal is for conversion of an existing two-story over basement, mixed-use building with a Restaurant Use at the basement and first floor and eight Group Housing units at the second floor into a Social Service Facility Use. The proposed Social Service Facility Use (D.B.A. “Friends of the Children- SF Bay Area”) will be approximately 6,123 square feet in size and includes an approximately 3,781 square-foot Outdoor Activity Area. Minor interior and exterior alterations are proposed.
3. **Site Description and Present Use.** The approximately 8,219 square-foot lot is located on the west side of Third Street, between Hudson and Innes Avenues, Lot 032 of Assessor’s Block 5260. The subject property is developed with a two-story over basement, mixed-use building located at the northeast section of the property. The remaining portion of the subject property is made up of surface parking lot and yard space. The approximately 6,123 square foot mixed-use building legally consists of a commercial space on the basement and first floors and a Group Housing with eight rooms and common kitchen and bathroom on the second floor. The Group Housing space is accessed via independent stairs and entry along Third Street. Developed circa 1900, the existing building is considered Historical Resources (“Class A”) per the California Environmental Quality Act (CEQA). The commercial space is currently occupied by “Bayview Makers Kitchen”, a Restaurant use, and the second floor is vacant, according to the Project Sponsor. The second floor was occupied by an

unauthorized social service, “We are Church,” for 10 years till approximately 2024.

4. **Surrounding Properties and Neighborhood.** The subject property is located within the Moderate Scale Neighborhood Commercial Transit (NCT-3) Zoning District, Third Street Alcohol Special Use District, the 65-J Height and Bulk District, and Bayview neighborhood, adjacent to the Potrero Hill and Bernal Heights neighborhoods. The NCT-3 Zoning District is located to the north, south, and east of the subject property, and the PDR-1-G Zoning District is located to the west of the property. The immediate neighborhood is comprised of mostly single-to-four-story commercial and mixed-use developments, with mixed-use developments consisting of commercial tenant spaces located at the ground floor and residential units located above. The neighborhood includes a mix of land uses including residential, restaurant, automotive uses, and professional services.
5. **Public Outreach and Comments.** To date, the Department has received no letters in opposition and no letters in support of the Project.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

- A. **Use.** Pursuant to Planning Code Section 752, Social Service Facility Use are principally permitted at the first floor and above floors within the Moderate Scale Neighborhood Commercial Transit Zoning District (NCT-3).

The Project will convert an existing two-story over basement, mixed-use building into a Social Service Facility Use.

- B. **Use Size.** Pursuant to Planning Code Section 121.2 and 752, a use is principally permitted with a use size less than 6,000 square feet and is conditionally permitted with a use size of 6,000 square feet or greater.

The Project will convert an existing two-story over basement, mixed-use building into a Social Service Facility Use that is greater than 6,000 square feet in size. The Social Service Facility Use will be approximately 6,123 square feet in size and include an Outdoor Activity Area. The additional criteria specified under Section 121.2 have been incorporated as findings in Item No. 9 “Non-Residential Use Size in NC District Findings” below.

- C. **Residential Conversion.** Pursuant to Planning Code Section 317, a Conditional Use Authorization is required for applications proposing to convert a residential unit to a non-residential use. Section 317(g)(3) establishes criteria that the Planning Commission shall consider in the review of applications for Residential Conversion.

The Project proposes the conversion of an existing two-story over basement, mixed-use building including a second floor Group Housing Use into a Social Service Facility Use, and therefore requires the issuance of a Conditional Use Authorization pursuant to Planning Code Sections 303 and 317(g)(3). The additional criteria specified under Section 317(g)(3) have been incorporated as

findings in Item No. 8 “Residential Conversion Findings” below.

- D. **Hours of Operation.** Planning Code Section 752, principally permits hours of operation from 6 A.M. to 2 A.M. and conditionally permits hours of operation from 2 A.M. to 6 A.M.

The Project will comply with this requirement. The proposed Social Service Facility Use (DBA “Friends of Children- SF Bay Area”) will operate between the hours of 9 A.M. to 6 P.M. Monday thru Sunday.

- E. **Outdoor Activity.** Planning Code Section 202.2 states that an Outdoor Activity Area is principally permitted with the NCT-3 Zoning District if located on the ground floor, operated between 9 A.M. to 10 P.M., not associated with a Bar Use, when associated with a Limited Restaurant or Restaurant Use, only includes seating for patrons and alcohol is only served to patrons within the premises by wait staff.

The Project will establish an approximately 3,781 square foot Outdoor Activity Area located at the southeast section of the property to be utilized by the proposed Social Service Facility Use. The Friends of Children- SF Bay Area will use the Outdoor Activity Area to accommodate additional programming and recreational activities best suited for the outdoors. The Outdoor Activity Area will be located within the yard space of the subject property and operate between the hours of 9 A.M. and 6 P.M.

7. **Conditional Use Findings.** Planning Code Section 303 establishes the following criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization:

- a) The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.

The Project will convert an existing mixed-use building, including Group Housing, into a Social Service Facility Use (D.B.A. “Friends of the Children- SF Bay Area”) that is compatible with the surrounding neighborhood. Minor interior and exterior alterations are proposed to the existing building at the subject property. The Project is considered necessary and desirable for the neighborhood or community in that it will provide a community serving use that provides space for recreational and educational opportunities for underserved children.

- b) Such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

- i. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The Project will not alter the height and bulk of the existing building. Minor interior and exterior alterations of the subject building are proposed, but such alterations will not alter the existing compatibility of the subject building and its uses with the immediate

neighborhood. Additionally, an Outdoor Activity Area will be established that will serve the Social Service Facility Use and operate within the permitted hours of operation.

- ii. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code.

The Project is not expected to impede public transportation or overburden the immediate neighborhood's existing on-street parking availability. The subject property is located along Third Street and is well served by public transportation. The 44-bus line and T Muni line run along Third Street. Furthermore, no on-street parking spaces will be removed as part of the Project. On-street and three off-street parking spaces are available for those patrons that do choose to drive to the area.

- iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The Project will not create any new noise, glare, dust, and odor. The Outdoor Activity Area will operate within the permitted hours of operation, 9 A.M. to 10 P.M.

- iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

The Project does not require any additional landscaping or screening, and no new loading spaces, open spaces, or service areas are proposed at the subject property. Three new off-street parking spaces will be established within the already existing surface parking area. The Project will install new signage that complies with Article 6 of the Planning Code.

- c) Such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan; and

The Project does comply with all relevant requirements and standards of the Planning Code and on balance is consistent with the objectives and policies of the General Plan as detailed below. While the Project will remove Group Housing subject to the Residential Rent Stabilization and Arbitration Ordinance, the Project will provide a community serving use that will reinforce the existing commercial corridor along Third Street.

- d) Such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District; and

The Project is consistent with the stated purpose of the Moderate Scale Neighborhood Commercial Transit (NCT-3) Zoning District in that the Project will preserve the existing commercial corridor of Third Street and the intended uses will be a compatible Institutional Use

(Social Service Use Facility Use).

8. **Residential Conversion Findings.** Section 317 of the Planning Code establishes criteria for the Planning Commission to consider when reviewing applications to convert residential buildings. In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met pursuant to Section 317(g)(3):

- a) Whether conversion of the unit(s) would eliminate only owner occupied housing, and if so, for how long the unit(s) proposed to be removed were owner occupied;

The subject property is developed with a two-story over basement, mixed-use building which contains Group Housing at the second floor and Restaurant Use at the basement and first floor. The second floor Group Housing is currently vacant and contains a total of eight rooms and common bathroom and kitchen. According to the Project Sponsors, the second floor has not been occupied by residential tenants since 2013. Most recently, the second floor was occupied by an unauthorized Social Service Facility Use, (D.B.A. "We are Church"), the current property owners. The ground floor commercial space is currently occupied by a Restaurant, D.B.A. "Bayview Makers Kitchen".

- b) Whether Residential Conversion would provide desirable new Non- Residential Use(s) appropriate for the neighborhood and adjoining district(s);

The Project will provide a desirable, community serving Social Service Facility Use that serves school-age children from the Bayview neighborhood. Further, it is compatible with the NCT-3 Zoning District and will preserve and enhance the existing commercial corridor by introducing new patrons to the immediate neighborhood. Additionally, Condition No. 11 will foster the retention of a either an Institutional Use to serve the community or a Residential Use in the future at the site by requiring "any future building permit application(s) to change the use of the second story of the existing building shall be subject to Mandatory Discretionary Review by the Planning Commission, unless such change of use is to establish a Residential Use or an Institutional Use that is principally permitted by the then applicable Planning Code".

- c) In districts where Residential Uses are not permitted, whether Residential Conversion will bring the building closer into conformance with the Uses permitted in the zoning district;

The NCT-3 Zoning District principally permits residential uses and the District's intended purpose is for the preservation of existing residential uses. The District's purpose is also to facilitate mixed-use developments with neighborhood serving uses including retail, personal services, and professional services and residential uses located above the ground floor. While the Project will not preserve the existing residential use, the Project will facilitate a Social Service Facility Use, that provides community space for underserved children from the Bayview neighborhood and citywide within close proximity to public transportation and maintains the Site's conformance with intended purpose of the NCT-3 Zoning District.

- d) Whether conversion of the unit(s) will be detrimental to the City's housing stock;

The Project will result in the loss of Group Housing with eight rooms to the City's housing stock. However, functionally the Group Housing Use has not been part of the City's housing stock for over a decade.

- e) Whether conversion of the unit(s) is necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected;

The Project is not necessary to eliminate design, functional, or habitability deficiencies in the existing mixed-use building that cannot otherwise be corrected.

- f) Whether the Residential Conversion will remove Affordable Housing, or units subject to the Residential Rent Stabilization and Arbitration Ordinance;

The Project will legalize the conversion of Group Housing with eight rooms that is subject to the Residential Rent Stabilization and Arbitration Ordinance.

9. Non-Residential Use Size in NC District Findings. In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met:

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

The Project will introduce a community serving use, Social Service Facility Use, to the immediate neighborhood that will reinforce the existing commercial corridor and is compatible with the surrounding neighborhood. While the use will be greater than 6,000 square feet in size, the permitted use size in the NCT-3 Zoning District, almost a third of the area is attributed to the utilization of the basement. Therefore, allowing such a large use will not impact the foreclosure of other neighborhood serving uses in the area.

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

The Project will establish a Social Service Facility Use with an Outdoor Activity Area that is focused on providing mentorship to underserved children and their families in the Bayview and citywide. The proposed use size, including the Outdoor Activity Area, will allow the use to best serve the children and their families by accommodating programming and recreational activities that is typically warranted for such type of use.

- c) The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

The Project will not alter the height and bulk of the existing building. Minor interior and exterior alterations of the subject building are proposed, but such alterations will not alter the existing compatibility of the subject building and its scale with the immediate neighborhood.

10. General Plan Compliance. The Project is, on balance, consistent with the following Objectives and

Policies of the General Plan:

BAYVIEW HUNTERS POINT AREA PLAN

LAND USE

Objectives and Policies

OBJECTIVE 2

IMPROVE USE OF LAND ON THIRD STREET BY CREATING COMPACT COMMERCIAL AREAS, ESTABLISHING NODES FOR COMPLEMENTARY USES, AND RESTRICTING UNHEALTHY USES.

Policy 2.1

Improve the physical and social character of Third Street to make it a more livable environment.

COMMERCE

OBJECTIVE 7

ENCOURAGE HEALTHY RETAIL REUSE IN THE EXISTING COMMERCIAL CORE OF THIRD STREET AND COMPLEMENTARY GROWTH IN ADJACENT SECTIONS.

Policy 7.2

Encourage complementary development adjacent to the Third Street core commercial area.

COMMUNITY FACILITIES ELEMENT

Objectives and Policies

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.

POLICY 6.3

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Occasionally, the provision of essential neighborhood amenities, goods, or services may require the demolition of existing housing as part of new multifamily development. Such proposals should be reviewed in accordance with the Housing Element and preserve the City's existing permanently affordable and multifamily rental housing stock so that there is no net loss of these housing types nor permanent displacement of rent-controlled tenants.

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan and Bayview Hunters Point Area Plan. The Project will convert an existing mixed-use building into a Social Service Facility Use for the utilization by the future property owner and operator, Friends of the Children- SF Bay Area. While the Project will result in the loss of Group Housing with eight rooms subject to

the City's Residential Rent Stabilization and Arbitration Ordinance, the Project will provide a community space for underserved children Citywide and in the Bayview neighborhood, that is compatible with the mix of uses in the business district and within close proximity to public transportation. While the Project will not advance the City's objectives to preserve existing sound rental residential use, the unauthorized conversion of the Group Housing was done by a previous tenant and has not had a residential tenant in over 11 years. Friends of the Children- SF Bay Area, founded in 2017, is San Francisco's chapter of a non-profit organization with a mission to provide mentorship to children in underserved communities who face the biggest challenges with trained local professional mentors for the 12 plus years (K-12th grade). The mentors guide and support the children and their families thru a child's biggest challenges. The organization partners with community organizations, and schools to build a community that fosters success for the children. Having served the City for more than 7 years, Friends of the Children- SF Bay Area, is a proven community organization.

11. Planning Code Section 101.1(b) establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

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

The proposal will remove an existing neighborhood serving retail use; the subject commercial tenant space is currently occupied by Restaurant Use. However, the Project provides a community serving use that will increase foot traffic to the area, and therefore strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.

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

The Project will conserve and protect the existing cultural and economic diversity of the neighborhood. The proposal will minimally alter the existing building and establish a Social Service Facility Use that will serve the immediate neighborhood and greater community.

- c) That the City's supply of affordable housing be preserved and enhanced,

The Project will remove a Group Housing Use with eight rooms and convert the existing mixed-use building into a community serving Social Service Facility Use (D.B.A. "Friends of Children- SF Bay Area). Therefore, the project will decrease the City's housing stock.

- d) That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

The Project is not expected to impede public transportation or overburden the immediate neighborhood's existing on-street parking availability. The subject property is located along Third Street and is well served by public transportation. The 44-bus line and T Muni line run along Third Street. Furthermore, no on-street parking spaces will be removed as part of the Project. On-street and three off-street parking spaces are available for those patrons that do choose to drive

to the area.

- e) 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 Project will not displace any service or industry sectors due to commercial office and will not affect residents' employment and ownership opportunities of industrial and service sector. The Project does not propose an office development.

- f) That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project will be altered to conform to the structural and seismic safety requirements of the Building Code. As such, this Project will improve the property's ability to withstand an earthquake.

- g) That landmarks and historic buildings be preserved.

Currently, the Project Site does contain a historic building. The building will be preserved and only minor exterior and interior alterations are proposed.

- h) That our parks and open space and their access to sunlight and vistas be protected from development.

The Project will not have impacts on existing parks and opens spaces and their access to sunlight and vistas.

12. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would constitute a beneficial development.
13. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

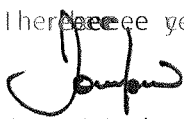
That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2024-008292CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 10, 2024, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission's adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator's Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on January 9, 2025.



Jonas P. Ionin
Commission Secretary

Jonas P Ionin

Digitally signed by Jonas P Ionin
Date: 2025.01.17 14:15:21
-08'00'

AYES: Campbell, McGarry, Williams, Braun, Imperial, Moore, So
NAYS: None
ABSENT: None
ADOPTED: January 9, 2025

EXHIBIT A

Authorization

This authorization is for a conditional use to convert an existing two-story over basement, mixed-use building with Group Housing at the second floor into a Social Service Facility Use (D.B.A. “Friends of the Children- SF Bay Area”) and establish a use greater than 6,000 square feet in size located at 4100 3rd Street, Block 5260, Lot 032, pursuant to Planning Code Sections 121.2, 303, 317, and 752 within the NCT-3 Zoning District, Third Street Alcohol Special Use District, and a 65-J Height and Bulk District; in general conformance with plans, dated September 10, 2024, and stamped “EXHIBIT B” included in the docket for Record No. **2024-008292CUA** and subject to conditions of approval reviewed and approved by the Commission on **January 9, 2025** under Motion No. **21669**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions of Approval

Prior to the Planning approval of the building permit or commencement of use for the Project, the property owner must record a Notice of Special Restrictions prepared by the Planning Department with the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **January 9, 2025** under Motion No. **21669**.

Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. “Project Sponsor” shall include any subsequent responsible party.

Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use Authorization.

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Design – Compliance at Plan Stage

6. **Final Materials.** The Project Sponsor shall continue to work with Planning Department on the building design. Final materials, glazing, color, texture, landscaping, and detailing shall be subject to Department staff review and approval. The architectural addenda shall be reviewed and approved by the Planning Department prior to issuance.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, www.sfplanning.org

7. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7380, www.sfplanning.org

8. **Overhead Wiring.** The Property owner will allow MUNI to install eyebolts in the building adjacent to its electric streetcar line to support its overhead wire system if requested by MUNI or MTA.

For information about compliance, contact San Francisco Municipal Railway (Muni), San Francisco Municipal Transit Agency (SFMTA), at 415.701.4500, www.sfmta.org

Parking and Traffic

9. **Managing Traffic During Construction.** The Project Sponsor and construction contractor(s) shall coordinate with the Traffic Engineering and Transit Divisions of the San Francisco Municipal Transportation Agency (SFMTA), the Police Department, the Fire Department, the Planning Department, and other construction contractor(s) for any concurrent nearby Projects to manage traffic congestion and pedestrian circulation effects during construction of the Project.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Provisions

10. Any future building permit application(s) to change the use of the second story of the existing building shall be subject to Mandatory Discretionary Review by the Planning Commission, unless such change of use is to establish a Residential Use or an Institutional Use that is principally permitted by the then applicable Planning Code.

For information about compliance, contact the Case Planner, Planning Department at 628.652.7380,

www.sfplanning.org

Monitoring - After Entitlement

- 11. Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 12. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

Operation

- 13. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 628.271.2000, www.sfpublishworks.org

- 14. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, www.sfplanning.org

- 15. Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only, and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting

shall be the minimum necessary to ensure safety, but shall in no case be directed so as to constitute a nuisance to any surrounding property.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463,
www.sfplanning.org*



4100 3rd Street, San Francisco

Issue Date: 9/10/2024

PRJ APPLICATION - PLANS

multistudio

**COVER
G0.0**

PROPERTY INFORMATION

LOCATION:
4100 3RD ST
SAN FRANCISCO, CA 94124

ASSESSORS BLOCK/LOT:
5260/032

PARCEL AREA:
8,219 SF

ZONING /BULK DISTRICT:
NCT-3 / 65-J

CONSTRUCTION TYPE:
V-B

FIRE SPRINKLERED:
BUILDING IS NOT SPRINKLERED

BUILDING HEIGHT:
EXISTING: (NO CHANGE PROPOSED)

NO. CAR SPACES:
EXISTING: 3
PROPOSED: 3

NO. BIKE SPACES:
EXISTING: 0
PROPOSED: PER CODE CALC

NO. STORIES:
EXISTING: 2 (NO CHANGE PROPOSED)

NO. BASEMENTS:
EXISTING: 1 (NO CHANGE PROPOSED)

BUILDING AREA:
EXISTING: (NO CHANGE PROPOSED)
BASEMENT LEVEL - 1,807 GSF
LEVEL 1 - 2,011 GSF
LEVEL 2 - 2,305 GSF
TOTAL = 6,123 GSF

OCCUPIED FLOOR AREA:
EXISTING:
BASEMENT LEVEL - 0
LEVEL 1 - 1,884 GSF
LEVEL 2 - 1,910 GSF
TOTAL = 3,794 GSF

PROPOSED:
BASEMENT LEVEL - 1,242 GSF
LEVEL 1 - 1,884 GSF
LEVEL 2 - 1,937 GSF
TOTAL = 5,063 GSF

EXISTING USES:

RESTAURANT
BASEMENT STORAGE - 1,807 GSF
LEVEL 1 - 2,011 GSF
TOTAL = 3,818 GSF

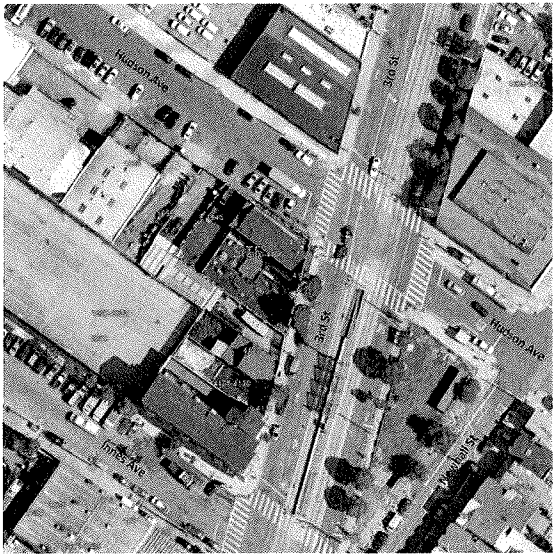
LEVEL 2
GROUP HOUSING (LEGAL)
SOCIAL SERVICES (ILLEGAL) - 2,305 GSF

OUTDOOR ACTIVITY AREA
3,781 GSF

PROPOSED USES:

SOCIAL SERVICE
BASEMENT - 1,807 GSF
LEVEL 1 - 2,305 GSF
LEVEL 2 - 2,305 GSF
TOTAL = 6,123 GSF

OUTDOOR ACTIVITY AREA ASSOCIATED
WITH SOCIAL SERVICE 3,781 GSF



VICINITY MAP



PROJECT DESCRIPTION

Conversion of an existing two-story restaurant/group housing with 8 units to a social service facility and establishing an Outdoor Activity Use. The residential units have not been used for residential use since approximately 2013 but were converted to a Social Service facility without benefit of permit.

1124-0080

DATE - 11/20/24 REVISED TO RESPOND TO PCL DATED
11/04/24

multistudio

4100 3rd Street

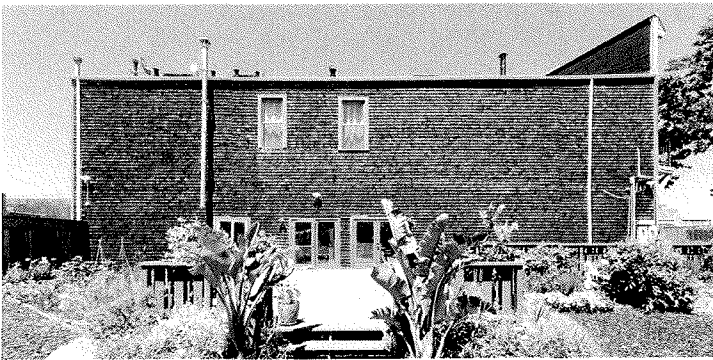
Project Information
G1.0



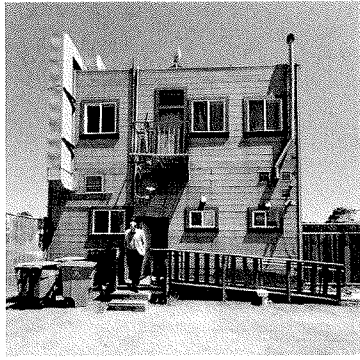
View 1



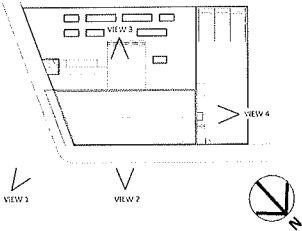
View 2



View 3



View 4



1124-0080
Issue Date: 09/10/2024

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4100 3rd Street

Photographs - Exterior
G1.1



Level 1, View from Entrance



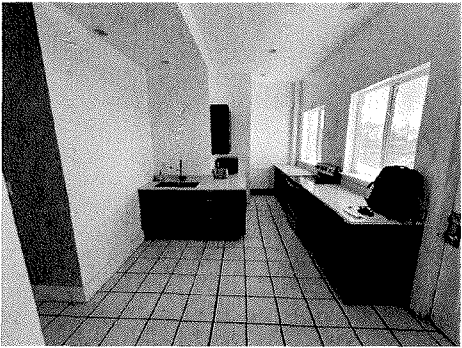
Level 1, View from Kitchen



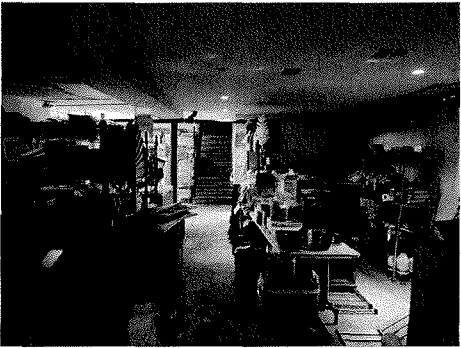
Level 1, Garden



Level 2, Corridor



Level 2, Kitchen



Basement

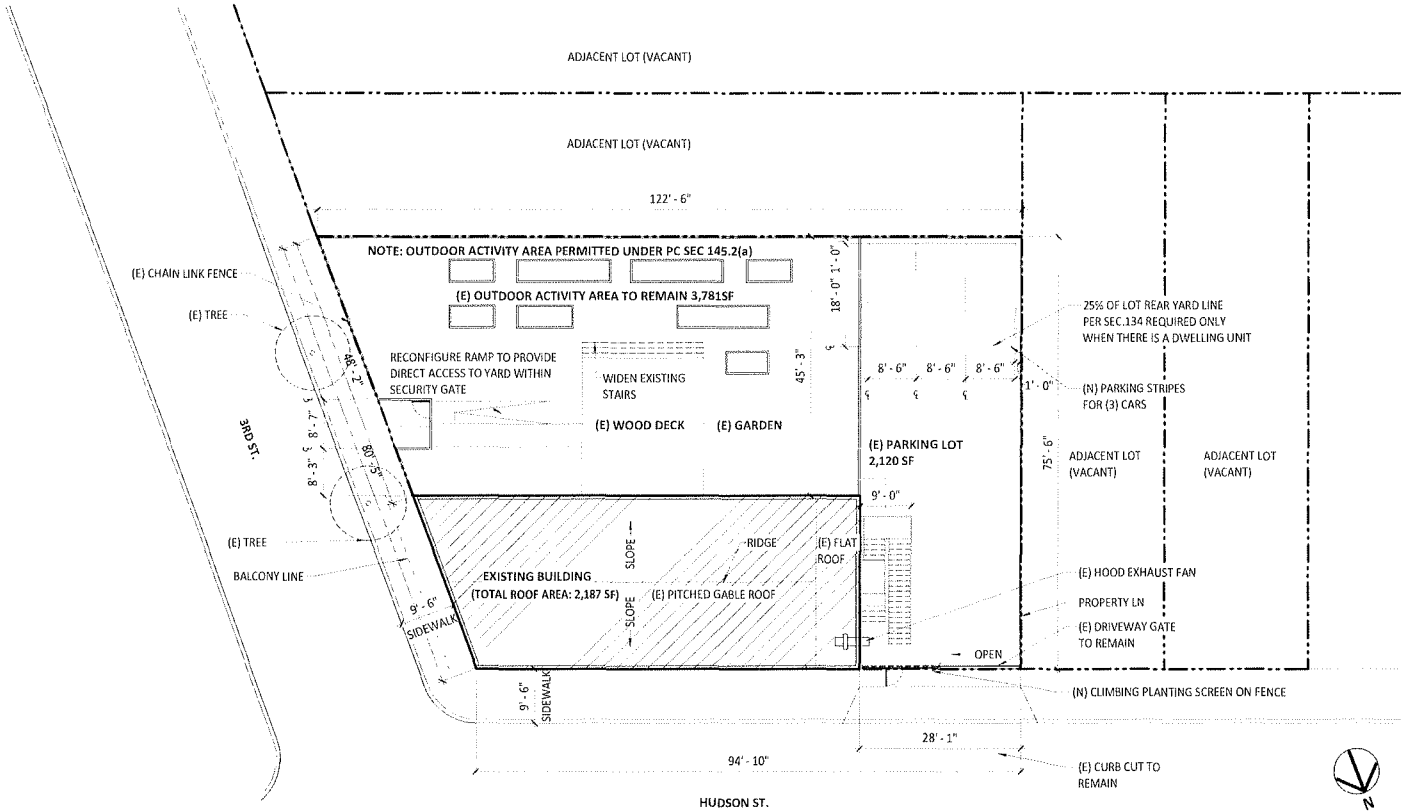
1124-0050

Issue Date: 09/10/2024

4100 3rd Street

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Photographs - Interior
G1.2

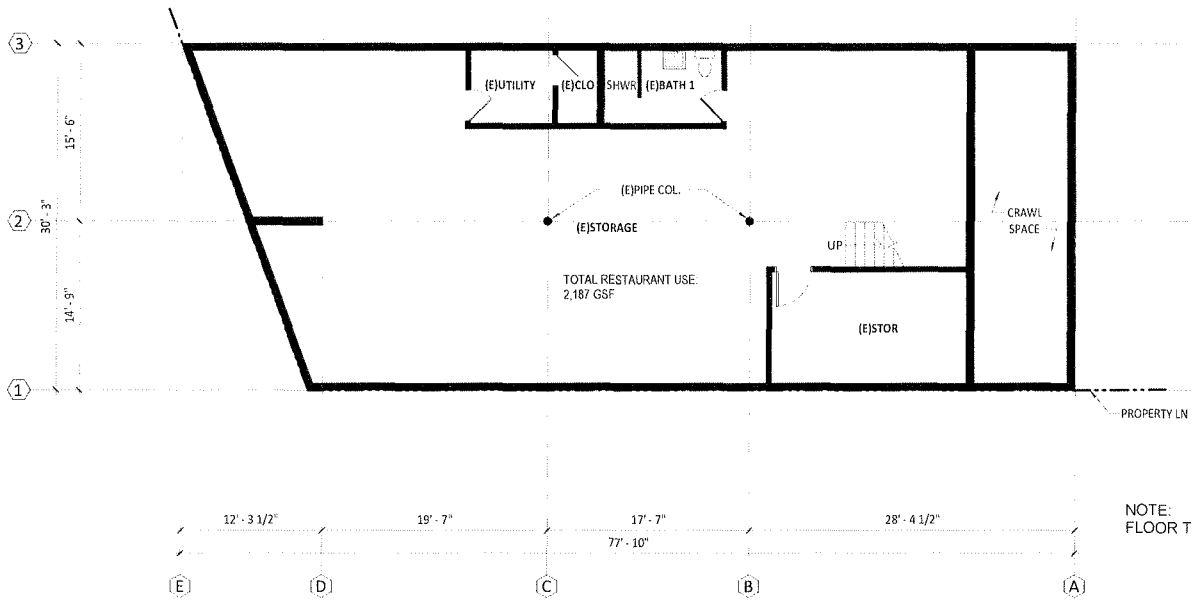


L124-0080

DATE - 11/20/24 REVISED TO RESPOND TO PCL DATED 11/04/24

multistudio

Existing & Proposed Site Plan
AS1.1



NOTE:
FLOOR TO CEILING HEIGHT = 8'-0"



SCALE: 1/8" = 1'-0"

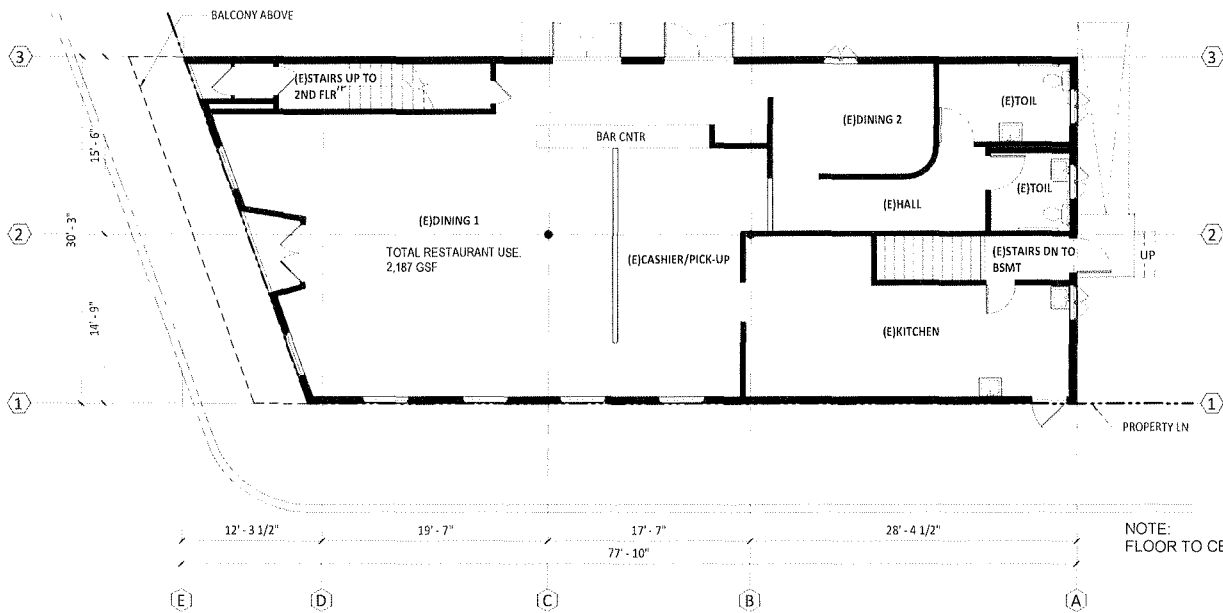
1124-0080

Issue Date: 09/10/2024

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4100 3rd Street

Existing Floor Plan - Basement
AE1.0



NOTE:
FLOOR TO CEILING HEIGHT = 10'-6"



SCALE: 1/8" = 1'-0"

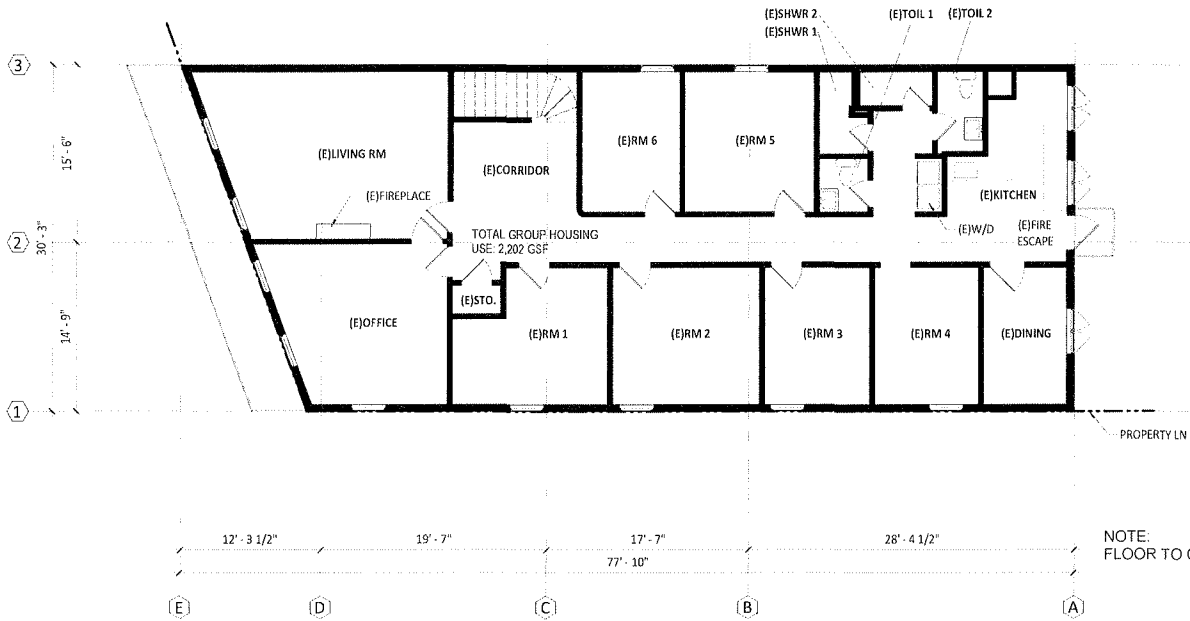
1124-0080

Issue Date: 09/10/2024

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4100 3rd Street

Existing Floor Plan - Level 1
AE1.1



1124-0080

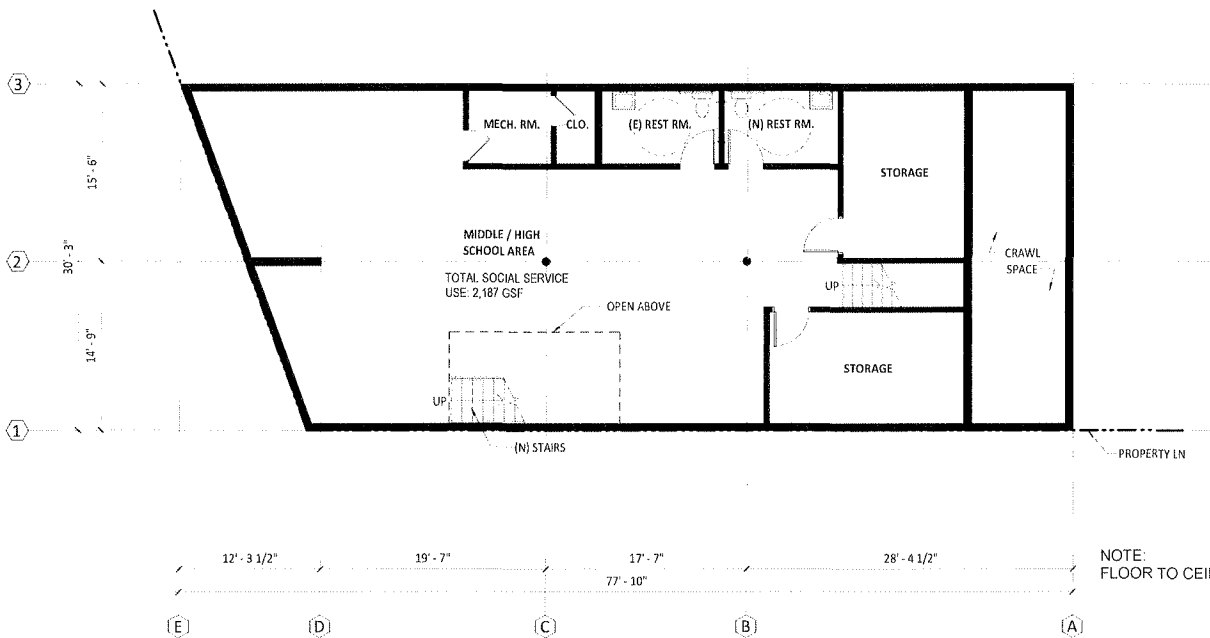
Issue Date: 09/10/2024

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4100 3rd Street

Existing Floor Plan - Level 2

AE1.2



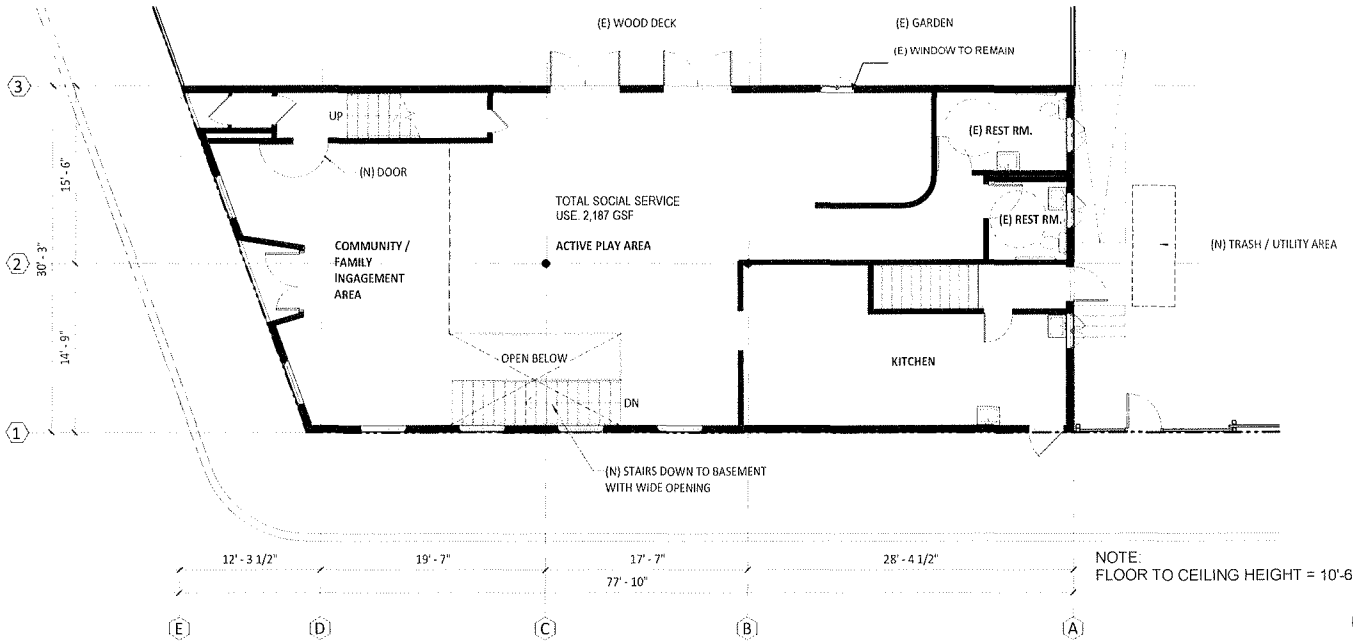
1124-0080

Issue Date: 09/10/2024

multistudio

4100 3rd Street

Proposed Floor Plan - Basement
A1.0



SCALE: 1/8" = 1'-0"

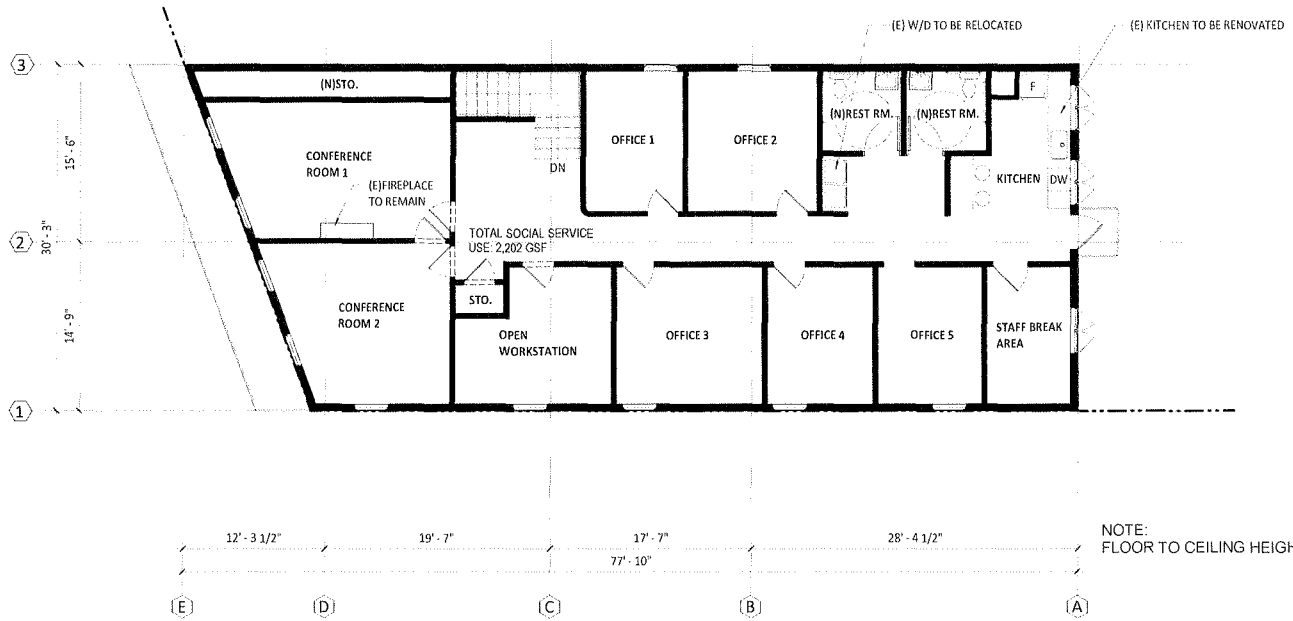
1124-0080

Issue Date: 11/20/2024 REVISED

4100 3rd Street

multistudio

**Proposed Floor Plan - Level 1
A1.1**



1124-0080

Issue Date: 09/10/2024

multistudio

4100 3rd Street

Proposed Floor Plan - Level 2
A1.2

FRIENDS of the CHILDREN

SF Bay Area

111 Quint Street
San Francisco, CA 94124
415.400.4998
friendssfbayarea.org

January 2, 2025

Members, San Francisco Planning Commission
49 South Van Ness Avenue
San Francisco, CA 94110

Re: Case No. 2024-008292CUA
January 9, 2025 Hearing
4100-4106 Third Street
Friends of the Children/SF Bay Area

Dear Commission:

On behalf of Friends of the Children – SF Bay Area (“FotC”), we request your support for the conversion of an existing building at 4100 Third Street for our new headquarters. FotC is a California non-profit corporation that identifies and enrolls kindergarteners from the Bayview community who face the biggest barriers to success. We then provide a salaried, professional mentor (we call them Friends) to walk beside each youth for 12 years, through high school graduation. You can find out more about us at <https://friendssfbayarea.org/how-it-works>.

FotC is in contract to purchase 4100-4106 Third Street, located at the southwest corner of Hudson Street and Third Street. FotC has been located nearby at 111 Quint Street since 2017 and has grown significantly since moving into their current location, from 0 children and 3 employees to 110 children and 23 employees. Additional space is required to further its mission. Due to the efforts of Speaker Emerita Pelosi and others, FotC received a federal grant to purchase a Bayview youth center to further its mission and provided needed stability to the nonprofit. In support of its application for that grant, FotC submitted letters of support from Supervisor Shamann Walton, State Senator Scott Wiener, Rev. Cecil Williams and former City Attorney Louise Renne. Copies of those letters were previously submitted to the Commission.

After a lengthy search, FotC chose 4100 Third Street as the location for its Bayview youth center. The property will be used as program space for our Friends to work with their youth and as office space for our staff. FotC is before the Planning Commission to request a Conditional Use Authorization under Planning Code Section 317 to formally convert Group Housing units to a Social Service facility with an Outdoor Activity Area. This Group Housing was converted to a Social Service Facility by the previous owner without benefit of permit and has not been used as housing for at least 10 years,

Background

The Property was owned by We Are Church (“The Church”) since January 2013, which used the space to counsel formerly incarcerated people and people in recovery. The property is listed as

FRIENDS of the CHILDREN

SF Bay Area

111 Quint Street
San Francisco, CA 94124
415.400.4998
friendssfbayarea.org

- 92% went on to enroll in post-secondary education, enter the workforce or enlist in the military

The Social Service proposal would be allowed as of right in the NCT- District, except for the Group Housing designation, which has not existed for at least 10 years. We know and appreciate that San Francisco faces a housing crisis, and every housing unit is precious, but this project will result in no actual loss of housing. Further, as explained in the letter of support from Supervisor Walton, providing a long-term home for FotC will help to “stem the exodus of Black families from San Francisco [and] support the families most affected by systemic racism.” We respectfully request the Planning Commission grant the Conditional Use Authorization.

Sincerely,



Susan Corlett
Interim Executive Director
Friends of the Children-SF Bay Area



January 9 Hearing, Item 16
Case No. 2024-008292CUA – 4100 Third Street

To the Members of the San Francisco Planning Commission:

I am the Director of Operations of We Are Church (Church), which does business as Crazy Love Ministries. I have been the person in charge of Church's operations at 4100 Third Street in San Francisco since we purchased the building. I am submitting this letter in support of the request of Friends of the Children – SF Bay Area for Conditional Use Authorization.

During our occupancy of 4100 Third Street, Church operated a restaurant on the first floor, the proceeds from which were used to fund the social services we provided. We ran a program designed to mentor recently incarcerated men, helping them to reintegrate into the community. Many of the men enrolled in our program worked full or part-time in the first-floor restaurant. We used the front section of the second floor for administrative purposes and for meetings in furtherance of that mentoring program.


Some of the men enrolled in the program also slept in the rear section of the second floor, which consists of eight small rooms, two bathrooms and a kitchen. All of those men were either enrolled in our program or volunteered to serve as mentors for those men. They were eligible to remain in those rooms as long as they remained in our program; the average length of stay was approximately 6 months. The men did not pay rent for those rooms and we did not enter into any leases or other contractual arrangements with them.

Church eventually concluded that this mentoring model was not financially viable, so we stopped providing those services in 2022, and decided to sell 4100 Third Street. We have entered into a contract to purchase a building in East Palo Alto, which will be used to provide a variety of support services to underserved members of that community, and we plan to use the proceeds from the sale of 4100 Third Street to finance that purchase.

Church placed 4100 Third Street on the market in Fall of 2023, and it has taken us nearly a year and a half to sell the building. If the purchase by Friends of the Children is not finalized, we will not be able to purchase our new building and 4100 Third Street will continue to sit vacant until we find another buyer.

We are thrilled that Friends of the Children will continue using 4100 Third Street to provide much-needed support services to children and families in the Bayview Community. As someone who has been providing services to that community for many years, I understand how the community will benefit from their unique mentoring model, which has a proven track record of helping children to break the generational cycle of poverty.

Sincerely,

DocuSigned by:

E535CE9E67FA427...
Paul Chan

Director of Operations

We Are Church

650-483-6682



San Francisco Property Information Map

4100 third



Historic Preservation

Historic preservation surveys and evaluations.
The Historic Resource status shown on this page is tentative, to confirm the status of your property please speak to a Preservation Technical Specialist. Tel: 628.652.7300; Email: pic@sfgov.org. For a glossary of terms, visit the Help section of this site.

Report for: **4100 THIRD**



Historic Evaluation

Planning Dept. Historic Resource Status:

A - Historic Resource

Present

Parcel: 5260/032

Building

Name:

Address: 4100 -
4106
03RD ST

Status Historic

Reason: Survey
Result

**Article 10 Designated
Historic Districts and
Landmarks**

None

**Article 11
Preservation
Designation**

None

Mills Act

Properties with Mills Act
approval.

None

**Legacy Business
Registry**

None

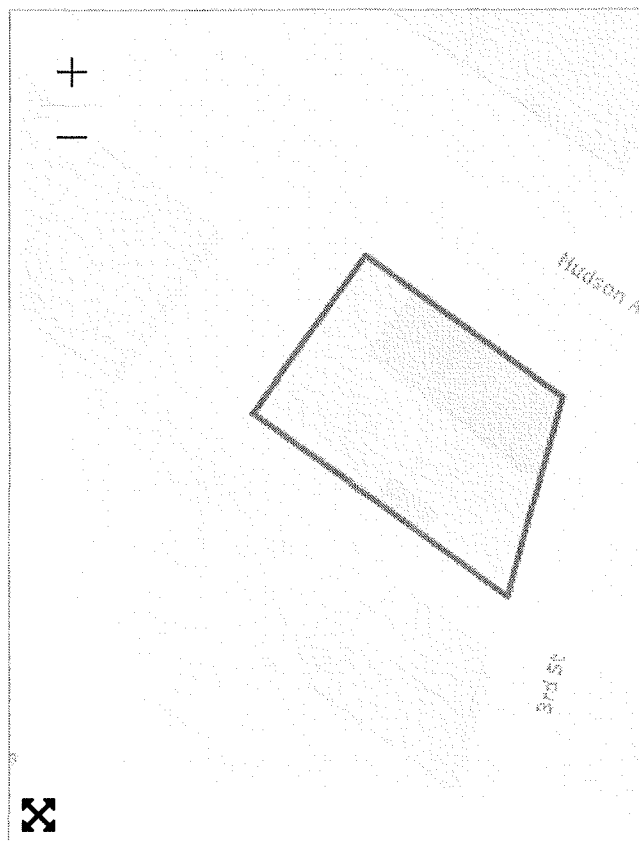
**National Register of
Historic Places**

None

**California Register
of Historical
Resources**

None

Historic Resource Evaluation Responses





San Francisco Property Information Map

4100 THIRD ST



Historic Preservation

Historic preservation surveys and evaluations. The Historic Resource status shown on this page is tentative, to confirm the status of your property please speak to a Preservation Technical Specialist. Tel: 628.652.7300; Email: pic@sfgov.org. For a glossary of terms, visit the Help section of this site.

Report for: **4100 THIRD ST**



Historic Evaluation

Planning Dept. Historic Resource Status:

A - Historic Resource Present

Parcel: 5260/032

Building Name:

Address: 4100 - 4106
03RD ST

Status Reason: Historic
Survey
Result

Article 10 Designated Historic Districts and Landmarks

None

Article 11 Preservation Designation

None

Mills Act

Properties with Mills Act
approval.
None

Legacy Business Registry

None

National Register of Historic Places

None

California Register of Historical Resources

None

Historic Resource Evaluation Responses

Evaluations for the Purposes of CEQA - These evaluations do not result in the automatic listing or designation of any property within the project area.

None

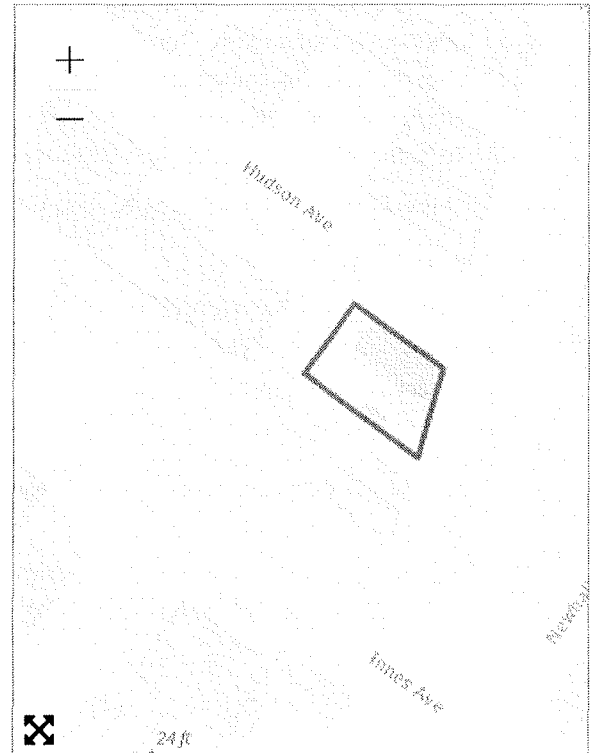
Historic Resource Assessments

None

Historic Resource Reviews

None

Historic and Cultural Resource Surveys



Evaluations for the Purposes of CEQA - These evaluations do not result in the automatic listing or designation of any property within the project area.

None

Historic Resource Assessments


None

Historic Resource Reviews

None

Historic and Cultural Resource Surveys


SF Survey

The San Francisco Citywide Cultural Resources Survey (SF Survey) is underway. SF Survey is a multi-year effort to identify and document places and resources of cultural, historical, and architectural importance to San Francisco's diverse communities. As a part of this effort, staff have been auditing past survey findings to ensure accuracy. To learn more, please visit <https://sfplanning.org/sfsurvey> .

This property is in an Active SF Survey Area.

Past Surveys

Survey	SOUTH BAYSHORE	Evaluation	1/1/2006
Name:	AREA PLAN	Date:	
Parcel:	5260/032	Survey	
		Rating:	

Survey	DCP 1976 Survey	Evaluation	1/1/1976
Name:		Date:	
Parcel:	5260/032	Survey	1
	Survey field form 	Rating:	Rated 0-5 with 5 as the highest rating for architecture. Some are listed as 'Y'.

Historic Context Statements

The mention of a property in a historic context statement does not mean it is a Category A, Historic Resource Present. A formal

PET

726

PET

urant, 819 Clay
t, studio and r. 223 Kearny
n Cal. Pickle Factory, r. Oakland
tternmaker, r. 30 Hunt
ner & Peters) r. 314 Post
or, r. 116 Park Av
liquor saloon, 624 Clay, r. 1218
(William J. Peters & Co.) r. 418

Petersen John, butcher Louis Moding, r. cor Sixth
Av and K, South S. F.
Petersen John, hog butcher. r. K. bet Sixth and Se-
venth Aves, South S. F.
Petersen John, laborer Bay Soap and Candle Works, r.
Railroad Av, bet Eighth and Ninth Aves, South
S. F.
Petersen John, longshoreman, r. 126 Park Av
Petersen John, porter Rouse & Laws, r. 405 Beale
Petersen John, seaman, r. 45 Sacramento

1878 Hog Butcher
1879 Laborer

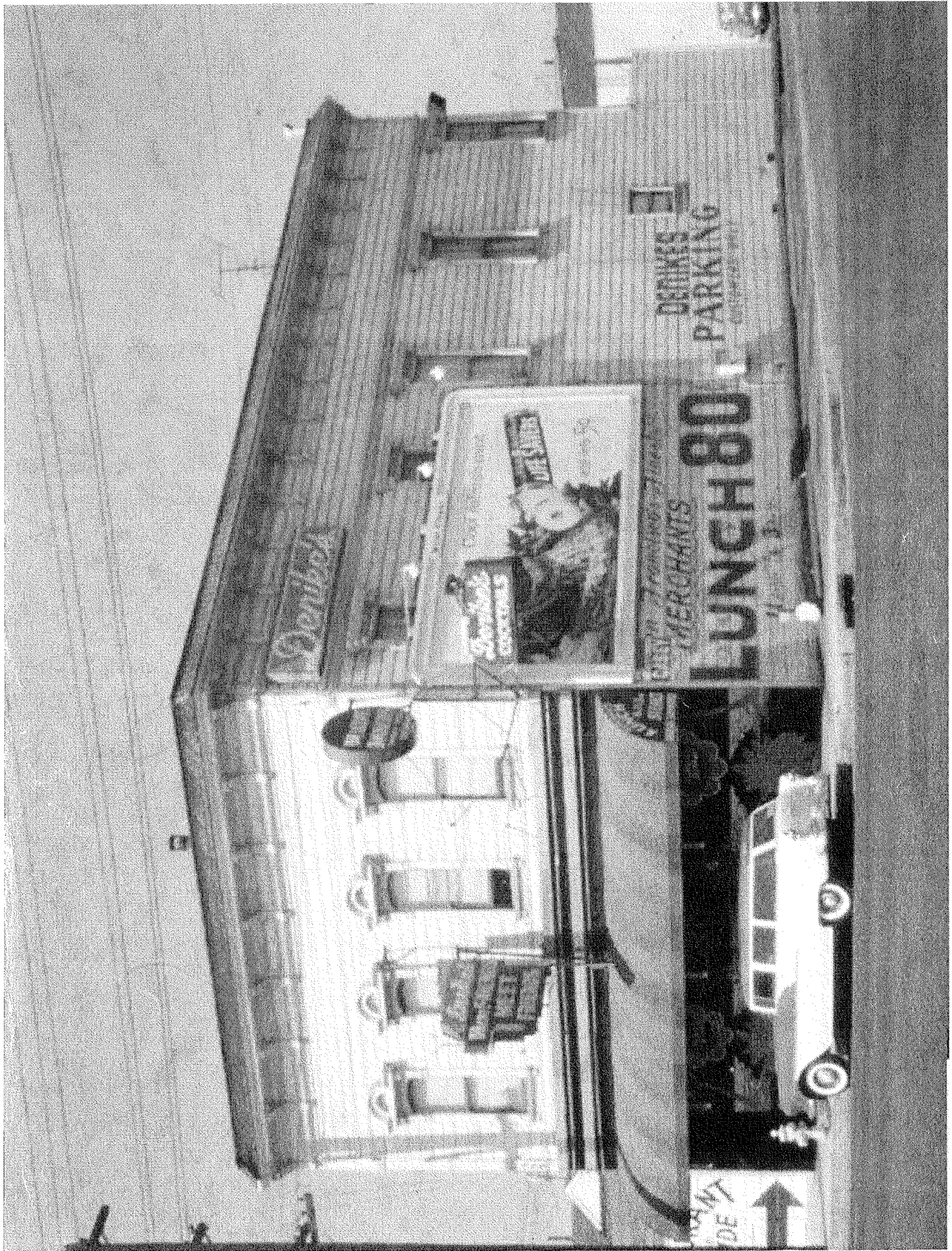
1880 candlemaker

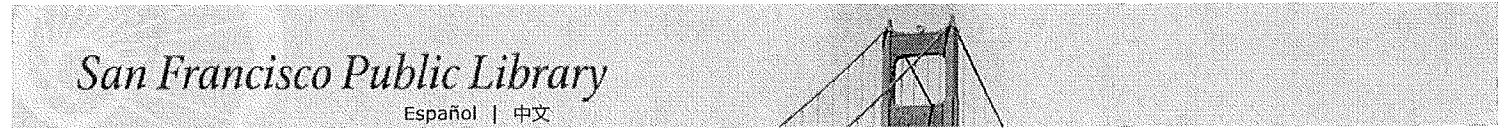
Langley
City Directory

1882 Saloon

1881

Hedge Cures
Butcher
James Beattie





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Save Result

MARC Display

Return to List

Limit/Sort Search

Search Link+

(Search History)

Title

▼

spring valley water tap

View Entire Collection

▼

System Sorted

▼

Search

☐ Limit to available

Record 1 of 3

Result: Previous | Next

Corporate Author

Spring Valley Water Company (San Francisco, Calif.)

Title

Tap records.

Publication Info.

[1861]-[193-] (bulk 1861-1915)

Other Resources

Reviews and Summaries

not yet rated

Rating ☆☆☆☆☆

FAQ for Ratings

Location	Call No.	Status
MAIN - 6th Floor - SF History M43	Vol. 1 also online	LIB USE ONLY
MAIN - 6th Floor - SF History M43	Vol. 2 also online	LIB USE ONLY
MAIN - 6th Floor - SF History M43	Vol. 3 also online	LIB USE ONLY
MAIN - 6th Floor - SF History M43	Vol. 4 also online	LIB USE ONLY
MAIN - 6th Floor - SF History M43	Vol. 5 also online	LIB USE ONLY
MAIN - 6th Floor - SF History M43	Vol. 6 also online	LIB USE ONLY
MAIN - 6th Floor - SF History M43	Vol. 6x also online	LIB USE ONLY
MAIN - 6th Floor - SF History M43	Vol. 7 also online	LIB USE ONLY
MAIN - 6th Floor - SF History M43	Vol. 7x also online	LIB USE ONLY
MAIN - 6th Floor - SF History M43	Vol. 8 also online	LIB USE ONLY

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Description

12 v. ; 30 cm
text txt rdacontent
unmediated n rdamedia
volume nc rdacarrier

Contents

Vol. 1. Abbey Street to Custer Street -- Vol. 2. Daisy Street to Fulton Street -- Vol. 3. Galvez Street to Kramer Place --Vol. 4. Lafayette Place to Oxford Street -- Vol. 5. "P" Street to Ryan Street -- Vol. 6. Sabin Place to Twenty-third Avenue -- Vol. 6x. Alameda Street to Wallace Street -- Vol. 7. Ulloa Street to Zoe Street -- Vol. 7x. Streets A to Z, incomplete (1916-1926) -- Vol. 8. Streets A to Z, incomplete (1923-1936) -- Vol. 9. Streets A to Z, incomplete (1925-1936) -- Vol. 10. Street A to Z, incomplete (1930-1937).

Summary

Logbooks of the Spring Valley Water Company, recording new water connections for residential housing in San Francisco from 1861 into the 1930s. Contains the date a water connection was first made for a structure and the name of the applicant (owner/contractor/developer). Dates may reflect the beginning of construction, the beginning of occupancy, or the date water was provided to an existing structure. Connections are recorded alphabetically by street name.

Note

Available also in microfilm.
Available also in digitized form on Internet Archive.

Subject

Spring Valley Water Company (San Francisco, Calif.) -- Records.
Water-supply -- California -- San Francisco -- History -- Sources.
Housing starts -- California -- San Francisco -- Records.
Water-pipes -- California -- San Francisco -- Records.
Streets -- California -- San Francisco -- History -- Sources.
San Francisco (Calif.) -- History -- Sources.

Genre

Logbooks.

Running Title

Service pipe record

Added Title

Spring Valley water tap records

Other Information: A flat-front italianate with a false semi-mansard
parapet; projecting bracketed conice;symmetrically placed
fenestration with semi-circular squeezed pediment hoods.



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From: [BOS Legislation, \(BOS\)](#)
To: ["bivett@me.com"](#); ["bigblackbrunch@icloud.com"](#); ["larry@badinerurbanplanning.com"](#); ["michaelrugen@gmail.com"](#); ["paulchan@crazylove.org"](#); ["Andrew Junius"](#); ["olateef@reubenlaw.com"](#); ["cangelis@reubenlaw.com"](#)
Cc: [RUSSI, BRAD \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [YANG, AUSTIN \(CAT\)](#); [RUIZ-ESQUIDE, ANDREA \(CAT\)](#); [Hillis, Rich \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Dwyer, Debra \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lewis, Don \(CPC\)](#); [Switzky, Joshua \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Sucre, Richard \(CPC\)](#); [Pantoja, Gabriela \(CPC\)](#); [Lamarre, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: PLANNING DEPARTMENT RESPONSE: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025
Date: Wednesday, March 19, 2025 4:21:26 PM

Greetings,

The Office of the Clerk of the Board is in receipt of a response from the Planning Department for the appeal of Conditional Use Authorization for the proposed 4100-3rd Street project.

Please find the following attached to the email for the matter:

[Planning Department Response - March 19, 2025](#)

Note: The President may entertain a motion to continue this Hearing to the Board meeting of Tuesday, April 8, 2025. Public Comment will be taken on the continuance only.

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 250174](#)

Jocelyn Wong
Legislative Clerk
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sfbos.org

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CONDITIONAL USE AUTHORIZATION APPEAL

4100 3RD STREET

Date: March 19, 2025
To: Angela Calvillo, Clerk of the Board of Supervisors
From: Rich Hillis, Planning Director – Planning Department (628) 652-7600
Gabriela Pantoja, Case Planner – Planning Department (628) 652-7380

Re: **Board File No. 250174, Planning Case No. 2024-008292APL**
Appeal of Conditional Use Authorization for 4100 3rd Street

Hearing Date: March 25, 2025
Project Sponsor: Lawrence Badiner, PO Box 1254, Sebastopol, CA 95473
Appellants: Bivett Brackett, 874 Brussels Street, San Francisco, CA 94134

Introduction

This memorandum and the attached documents are a response to the letters of appeal to the Board of Supervisors (“Board”) regarding the Planning Commission’s (“Commission”) approval of the application for Conditional Use Authorization under Planning Department Case Number 2024-008292APL. The Conditional Use authorization was issued pursuant to Planning Code Sections:

- 121.2 - Non-Residential Use Size,
- 303 - Conditional Use Authorization,
- 317 - Loss of Residential and Unauthorized Units Through Demolition, Merger, and Conversion, and
- 752 - Moderate Scale Neighborhood Commercial Transit District (NCT-3) Zoning District.

The subject site is located at 4100 3rd Street (Lot 032 of Assessor’s Block 5260) and zoned NCT-3, Moderate Scale Neighborhood Commercial Transit District. The proposed project would establish a use greater than 6,000 square feet in size and convert an existing two-story over basement, mixed-use building with eight Group Housing units into an approximately 6,123 square-foot Social Service Facility Use (D.B.A. “Friends Of The Children- Sf Bay Area”). The proposal also includes an Outdoor Activity Area.

This memorandum addresses the appeal to the Board, filed on February 10, 2025, by Bivett Brackett, D.B.A. Big Black Brunch.

The decision before the Board is whether to uphold, overturn, or amend the Planning Commission's approval of an application for Conditional Use Authorization to allow the proposed Project at the subject property.

Site Description & Present Use

The approximately 8,219 square-foot lot is located on the west side of Third Street, between Hudson and Innes Avenues,. The subject property is developed with a two-story basement, mixed-use building located at the northeast section of the property. The remaining portion of the subject property is made up of surface parking lot and yard space. The approximately 6,123 square-foot mixed-use building legally consists of a commercial space on the basement and first floors and a Group Housing with eight rooms and common kitchen and bathroom on the second floor. The Group Housing space is accessed via independent stairs and entry along Third Street. Developed circa 1900, the existing building is considered Historical Resources ("Class A") per the California Environmental Quality Act (CEQA). The commercial space is currently legally authorized as a Restaurant Use and is occupied by "Bayview Makers Kitchen". The second floor was occupied by an unauthorized social service, "We are Church," for 10 years till approximately 2024.

Surrounding Properties and Neighborhood

The subject property is located within the Moderate Scale Neighborhood Commercial Transit (NCT-3) Zoning District, Third Street Alcohol Special Use District, the 65-J Height and Bulk District, and Bayview neighborhood. It is also adjacent to the Potrero Hill and Bernal Heights neighborhoods. The NCT-3 Zoning District is located to the north, south, and east of the subject property, and the PDR-1-G Zoning District is located to the west of the property. The immediate neighborhood is comprised of mostly single-to-four-story commercial and mixed-use developments, with mixed-use developments consisting of commercial tenant spaces located at the ground floor and residential units located above. The neighborhood includes a mix of land uses including residential, restaurant, automotive uses, and professional services.

Project Description

The proposal is for conversion of an existing two-story basement, mixed-use building with a Restaurant Use at the basement and first floor and eight Group Housing units at the second floor into a Social Service Facility Use. The proposed Social Service Facility Use (D.B.A. "Friends of the Children- SF Bay Area") will be approximately 6,123 square feet in size and includes an approximately 3,781 square-foot Outdoor Activity Area. Minor interior and exterior alterations are proposed.

Background

On January 9, 2025, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2024-008292CUA and approved the Project by issuing Motion No. 21669.

On January 16, 2025, the Commission discussed a letter addressed to the Commission by Supervisor Shamann Walton regarding the Project under the hearing's Commission Matters. After discussion, the Commission elected to agendize a discussion on the Project for the following hearing date.

On January 23, 2025, the Commission discussed the Project. After discussion, the Commission requested that Department to evaluate their policy on correspondence shared with the Commission.

Conditional Use Authorization Requirements

Planning Code Section 303 establishes criteria for the Commission to consider when reviewing all applications for Conditional Use approval. To approve the project, the Commission must find that these criteria have been met:

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
 - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.
4. That such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

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

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

- b) The proposed use will serve the neighborhood, in whole or in significant part, and the nature of the use requires a larger size to function.
- c) The building in which the use is to be located is designed in discrete elements which respect the scale of development in the district.

Section 317 of the Planning Code establishes criteria for the Planning Commission to consider when reviewing applications to convert residential buildings. In addition to the criteria of Section 303(c) of this Code, the Commission shall consider the extent to which the following criteria are met pursuant to Section 317(g)(3):

- a) Whether conversion of the unit(s) would eliminate only owner-occupied housing, and if so, for how long the unit(s) proposed to be removed were owner occupied;
- b) Whether Residential Conversion would provide desirable new Non- Residential Use(s) appropriate for the neighborhood and adjoining district(s);
- c) In districts where Residential Uses are not permitted, whether Residential Conversion will bring the building closer into conformance with the Uses permitted in the zoning district;
- d) Whether conversion of the unit(s) will be detrimental to the City's housing stock;
- e) Whether conversion of the unit(s) is necessary to eliminate design, functional, or habitability deficiencies that cannot otherwise be corrected;
- f) Whether the Residential Conversion will remove Affordable Housing, or units subject to the Residential Rent Stabilization and Arbitration Ordinance.

Appellant Issues and Planning Department Responses

ISSUE 1: Misrepresentation in the Application

The appellant states there were four misrepresentations within the submitted application. They are:

- The non-profit claims to have 13-16 staff members, yet their most recent 990 tax filings show only five (5) employees, all listed as part of the executive team. This raises questions about the accuracy of their stated need for a larger facility.
- The application falsely implies that the restaurant was not in operation, when in fact, beer and wine were still being served as recently as 2024 under Bayview's Makers Kitchen, where the appellant was a tenant since June 2023.
- The SRO units were occupied-at least two persons lived there, contradicting any claim that the units were vacant or obsolete.
- The claim that the second floor was converted into social services housing is false. The 2013 real estate listings clearly describe the second floor as containing nine (9) intact SRO units, and no

permits were ever issued to alter their use. Physically, the units remain unchanged, meaning the building has continued to serve as housing and has never been legally converted into a social services facility.

RESPONSE 1: As listed above, the Conditional Use Authorization was based on the legal land use of the subject property, which includes Restaurant Use at the basement and first floors and Group Housing at the second floor. Note the legal use of the basement and first floors was not for a Catering Use or commercial kitchen. The Application did identify the legal existing tenant at the Restaurant tenant space as “Bayview Makers Kitchen.” As background information, the Application also did recognize that the second floor was previously occupied by the prior property owner, “We are Church”, as an illegal social service use for approximately 10 years. No entitlements or building permits were properly sought or issued for the change of use to a Social Service Use at the second floor. “We are Church” have provided a letter that speaks to their use of the second-floor space. Thus, the request for the Conditional Use Authorization was for the removal of the Group Housing Use at the second floor.

ISSUE 2: Historical & Cultural Significance of 4100 3rd Street

The appellant states that the building is an important part of the Bayview’s history and this information was not disclosed for consideration by the Commission.

RESPONSE 2: As listed above, the Conditional Use Authorization did reflect the importance of the subject building and did identify it as historic resource, pursuant to California environmental Quality Act (CEQA). According to the Department’s records, 4100 3rd Street was included in a historic resource survey from 1976 and is part of a collection of other notable buildings in the surrounding neighborhood. The Project recognizes the subject building as a Historic Resource and the proposed minor exterior and interior alterations will not significantly impact the Historic Resource. The Department did analyze proposed work to the property and did not find any significant adverse impacts to a historic resource.

ISSUE 3: Preserving Bayview's Commercial Corridor & Economic Development

The appellant states that the Third Street Corridor is already oversaturated with Social Services and the loss of the subject Restaurant tenant space is an economic setback for the neighborhood and Bayview community, discourage small business development, and limit access to food.

RESPONSE 3: From the land use perspective, the subject property is located within the Moderate Scale, Neighborhood Commercial Transit (NCT-3) Zoning District which principally permits Social Service Uses at all floors of a building and principally permits Restaurant Use at the first and second floors. That is a land use entitlement is not required to establish a Social Service at the subject property. In addition, the NCT-3 Zoning District does not contain land use controls that seek to preserve existing Restaurant Uses. Rather, the NCT-3 Zoning District’s goal is to encourage a mix of uses with a special emphasis on neighborhood serving businesses including Social Service Uses. As mentioned above, the neighborhood includes a mix of land uses including residential, restaurant (aside from the subject property), automotive uses, and professional services.

ISSUE 4: San Francisco's Legal & Moral Obligation to Preserve Housing & Commercial Space

The appellant states that the San Francisco is required under the Housing Element to preserve and expand affordable housing and maintaining commercial spaces.

RESPONSE 4: All Projects are evaluated against the General Plan and all its Elements including the Housing and Community Facilities Elements. It is expected that all Projects will not advance each Element. Therefore, the Department and Commission are tasked with finding a balance. The Commission found that, on balance, the Project was consistent with the Objectives and Policies of the General Plan and Bayview Hunters Point Area Plan. While the Project would not advance the implementation of the Housing Element, the Commission found that the Project would advance the General Plan's Community Facilities Element and Bayview Hunters Point Area Plan's Land Use and Commerce Objective and Policies. Specifically, the Commission found that the Project would provide a community space for underserved children Citywide and in the Bayview neighborhood, that is compatible with the mix of uses in the business district and within proximity to public transportation.

Summary Response

In summary, this listed Application was presented to the Commission with accurate information including identifying the legal use of the subject property, the legal occupancy of the subject property, and its characteristic as a Historic Resource. The Commission thereafter evaluated the request based on the existing land use controls of the NCT-3 Zoning District and the General Plan and Bayview Hunters Point Area Plan, and found that, on balance, the Project was consistent with the Objectives and Policies of the General Plan and Bayview Hunters Point Area Plan.

Conclusion

For the reasons stated in this document, in the attached Resolution, and in the Planning Department case file, the Planning Department recommends that the Board uphold the Planning Commission's decision in approving the Conditional Use authorization for the Project.

From: [BOS Legislation, \(BOS\)](#)
To: ["bivett@me.com"](#); ["bigblackbrunch@icloud.com"](#); ["larry@badinerurbanplanning.com"](#); ["michaelrugen@gmail.com"](#); ["paulchan@crazylove.org"](#); [Andrew Junius](#); [olateef@reubenlaw.com](#); [cangelis@reubenlaw.com](#)
Cc: [RUSSI, BRAD \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [YANG, AUSTIN \(CAT\)](#); [RUIZ-ESQUIDE, ANDREA \(CAT\)](#); [Hillis, Rich \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Dwyer, Debra \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lewis, Don \(CPC\)](#); [Switzky, Joshua \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Sucre, Richard \(CPC\)](#); [Pantoja, Gabriela \(CPC\)](#); [Lamarre, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: PROJECT SPONSOR STATEMENT: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025
Date: Friday, March 14, 2025 10:09:46 AM
Attachments: [Project Sponsor Stmt 031425.pdf](#)
[image001.png](#)

Greetings,

The Office of the Clerk of the Board is in receipt of a response from Andrew Junius of Reuben Junius & Rose LLP, on behalf of project sponsor Friends of the Children-SF Bay Area for the appeal of Conditional Use Authorization for the proposed 4100-3rd Street project.

Please find the following attached to the email for the matter:

Project Sponsor Statement - March 14, 2025

Note: The President may entertain a motion to continue this Hearing to the Board meeting of Tuesday, April 8, 2025. Public Comment will be taken on the continuance only.

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 250174](#)

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

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March 14, 2025

Delivered Via Email

President Rafael Mandelman and Supervisors
San Francisco Board of Supervisors
One Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

**Re: 4100 3rd Street
Opposition to Appeal of Conditional Use Authorization
BOS File No. 250174
Hearing Date: April 8, 2025 (to be continued from March 25, 2025)
Our File No.: 13300.01**

Dear President Mandelman and Supervisors:

This office represents Friends of the Children–SF Bay Area (“**FotC**” and the “**Applicant**”), a 501(c)(3) nonprofit. FotC is an independently funded and managed chapter of a national network that has been applying an intensive, evidence-based mentoring model for over 30 years, hiring salaried, professional mentors to walk beside children facing the biggest barriers as they break the generational cycle of poverty.

After renting space in the Bayview community for the past eight years, and after the Planning Commission approved the Conditional Use (“**CU**”), FotC purchased 4100 Third Street (the “**Property**”), which will provide program space for the 118 children currently enrolled in its program, office space for its 23 employees, and room for the program to grow toward its strategic goal of serving 300 children.

The CU was unanimously approved by the Planning Commission following thoughtful consideration and a detailed review by Planning Department Staff regarding the prior use of the Property and the benefits of the proposed Project. The Appellant only voiced opposition at a subsequent Planning Commission meeting after the approval had been granted.

After their unanimous decision, the Commission revisited the application at two subsequent meetings and, even after hearing Appellant’s concerns about the CU, they maintained their initial approval. The Appellant has now presented those same arguments in this appeal. But the appeal letter is based upon a number of factual inaccuracies and does not provide a valid basis for overturning the CU.

FotC used a community development grant awarded by then-Speaker Nancy Pelosi in 2022, combined with substantial private contributions, to purchase the Property. The Applicant plans to establish a principally permitted social services use that will provide 12-½ years of professional mentorship for up to 300 Bayview children, providing significant community benefit.

We and the Appellant have agreed to the continuance to April 8, requested by Supervisor Walton's Office. We will submit detailed responses to the Appellant's claims before that date for the Board's review.

Please feel free to contact me with any questions in the meantime.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP


Andrew Junius

From: [Somera, Alisa \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Subject: FW: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025
Date: Tuesday, March 4, 2025 12:13:36 PM

Alisa Somera

Legislative Deputy Director
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
415.554.7711 direct | 415.554.5163 fax
alisa.somera@sfgov.org

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---

**From:** Big Black Brunch <bigblackbrunch@icloud.com>  
**Sent:** Tuesday, March 4, 2025 12:11 PM  
**To:** Gee, Natalie (BOS) <natalie.gee@sfgov.org>  
**Cc:** Somera, Alisa (BOS) <alisa.somera@sfgov.org>; bivett@me.com  
**Subject:** Re: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025

Hi Natalie,

Yes, April 8th works for me.

Pleasantries,

Bivett  
Sent from my iPhone

On Mar 4, 2025, at 11:47 AM, Gee, Natalie (BOS) <[natalie.gee@sfgov.org](mailto:natalie.gee@sfgov.org)> wrote:

Hi Bivett,

Can you confirm if April 8<sup>th</sup> works for you?

Thank you!

**Natalie Gee** 朱凱勤, Chief of Staff  
**Supervisor Shamann Walton, District 10**  
1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 279  
**Direct:** 415.554.7672 | **Office:** 415.554.7670  
**District 10 Community Events Calendar:** <https://bit.ly/d10communityevents>

---

**From:** Gee, Natalie (BOS)  
**Sent:** Tuesday, February 25, 2025 12:20 PM  
**To:** Big Black Brunch <[bigblackbrunch@icloud.com](mailto:bigblackbrunch@icloud.com)>  
**Cc:** [bivett@me.com](mailto:bivett@me.com)  
**Subject:** RE: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025

Let's try April 8.

**Natalie Gee** 朱凱勤, Chief of Staff  
**Supervisor Shamann Walton, District 10**  
1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 279  
**Direct:** 415.554.7672 | **Office:** 415.554.7670  
**District 10 Community Events Calendar:** <https://bit.ly/d10communityevents>

---

**From:** Big Black Brunch <[bigblackbrunch@icloud.com](mailto:bigblackbrunch@icloud.com)>  
**Sent:** Tuesday, February 25, 2025 11:59 AM  
**To:** Gee, Natalie (BOS) <[natalie.gee@sfgov.org](mailto:natalie.gee@sfgov.org)>  
**Cc:** [bivett@me.com](mailto:bivett@me.com)  
**Subject:** Re: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025

Hi Natalie,



Any other date in March or April works for me.

Regards,

Bivett

Sent from my iPhone

On Feb 25, 2025, at 10:23 AM, Gee, Natalie (BOS)  
<[natalie.gee@sfgov.org](mailto:natalie.gee@sfgov.org)> wrote:

Hi Bivett,

This is something we can also request on our end. Send me some dates for April that work for community and I'll reach out to the Clerk's office.

**Natalie Gee** 朱凱勤, Chief of Staff  
**Supervisor Shamann Walton, District 10**  
1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 279  
**Direct:** 415.554.7672 | **Office:** 415.554.7670  
**District 10 Community Events Calendar:**  
<https://bit.ly/d10communityevents>

---

**From:** Big Black Brunch <[bigblackbrunch@icloud.com](mailto:bigblackbrunch@icloud.com)>  
**Sent:** Tuesday, February 25, 2025 3:03 AM  
**To:** Gee, Natalie (BOS) <[natalie.gee@sfgov.org](mailto:natalie.gee@sfgov.org)>  
**Cc:** [bivett@me.com](mailto:bivett@me.com)  
**Subject:** Re: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi Natalie,

I'm saddened to hear that Supervisor Walton will not be available for the March 25th Board meeting, which was calendared by the Clerk of the Board. As this is my first time filing an appeal, I am unfamiliar with the process for

requesting a date change to another Tuesday. However, I am open to rescheduling if it is permitted.

Could you provide guidance on the procedure for requesting an alternate date or is this something you can request on your end?

Warmest regards,

Bivett

Sent from my iPhone

On Feb 24, 2025, at 4:03 PM, Gee, Natalie (BOS)  
<[natalie.gee@sfgov.org](mailto:natalie.gee@sfgov.org)> wrote:

Hi Bivett,

Is there another Tuesday that will work for this hearing?  
Supervisor Walton will be absent at the March 25, 2025 meeting.

Thank you,  
Natalie

**Natalie Gee** 朱凱勤, Chief of Staff  
**Supervisor Shamann Walton, District 10**  
1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 279  
**Direct:** 415.554.7672 | **Office:** 415.554.7670  
**District 10 Community Events Calendar:**  
<https://bit.ly/d10communityevents>

---

**From:** BOS Legislation, (BOS) <[bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)>  
**Sent:** Friday, February 21, 2025 4:54 PM  
**To:** 'bivett@me.com' <[bivett@me.com](mailto:bivett@me.com)>;  
'bigblackbrunch@icloud.com' <[bigblackbrunch@icloud.com](mailto:bigblackbrunch@icloud.com)>  
**Cc:** RUSSI, BRAD (CAT) <[Brad.Russi@sfcityatty.org](mailto:Brad.Russi@sfcityatty.org)>; JENSEN,  
KRISTEN (CAT) <[Kristen.Jensen@sfcityatty.org](mailto:Kristen.Jensen@sfcityatty.org)>; YANG,  
AUSTIN (CAT) <[Austin.Yang@sfcityatty.org](mailto:Austin.Yang@sfcityatty.org)>; RUIZ-ESQUIDE,

ANDREA (CAT) <[Andrea.Ruiz-Esquide@sfcityatty.org](mailto:Andrea.Ruiz-Esquide@sfcityatty.org)>; Hillis, Rich (CPC) <[rich.hillis@sfgov.org](mailto:rich.hillis@sfgov.org)>; Gibson, Lisa (CPC) <[lisa.gibson@sfgov.org](mailto:lisa.gibson@sfgov.org)>; Dwyer, Debra (CPC) <[debra.dwyer@sfgov.org](mailto:debra.dwyer@sfgov.org)>; Navarrete, Joy (CPC) <[joy.navarrete@sfgov.org](mailto:joy.navarrete@sfgov.org)>; Lewis, Don (CPC) <[don.lewis@sfgov.org](mailto:don.lewis@sfgov.org)>; Switzky, Joshua (CPC) <[joshua.switzky@sfgov.org](mailto:joshua.switzky@sfgov.org)>; Teague, Corey (CPC) <[corey.teague@sfgov.org](mailto:corey.teague@sfgov.org)>; Tam, Tina (CPC) <[tina.tam@sfgov.org](mailto:tina.tam@sfgov.org)>; Sider, Dan (CPC) <[dan.sider@sfgov.org](mailto:dan.sider@sfgov.org)>; Starr, Aaron (CPC) <[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org)>; Watty, Elizabeth (CPC) <[elizabeth.watty@sfgov.org](mailto:elizabeth.watty@sfgov.org)>; Ionin, Jonas (CPC) <[jonas.ionin@sfgov.org](mailto:jonas.ionin@sfgov.org)>; Sucre, Richard (CPC) <[richard.sucre@sfgov.org](mailto:richard.sucre@sfgov.org)>; Pantoja, Gabriela (CPC) <[gabriela.pantoja@sfgov.org](mailto:gabriela.pantoja@sfgov.org)>; Lamarre, Julie (BOA) <[julie.lamarre@sfgov.org](mailto:julie.lamarre@sfgov.org)>; Longaway, Alec (BOA) <[alec.longaway@sfgov.org](mailto:alec.longaway@sfgov.org)>; BOS-Supervisors <[bos-supervisors@sfgov.org](mailto:bos-supervisors@sfgov.org)>; BOS-Legislative Aides <[bos-legislative\\_aides@sfgov.org](mailto:bos-legislative_aides@sfgov.org)>; Calvillo, Angela (BOS) <[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)>; Somera, Alisa (BOS) <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>; Mchugh, Eileen (BOS) <[eileen.e.mchugh@sfgov.org](mailto:eileen.e.mchugh@sfgov.org)>; BOS Legislation, (BOS) <[bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)>

**Subject:** Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025

Greetings,

The Office of the Clerk of the Board has scheduled for a hearing Special Order before the Board of Supervisors on **March 25, 2025**, at 3:00 p.m. Please find linked below an appeal letter regarding the proposed 4100-3rd Street project, and an informational letter from the Clerk of the Board.

[Appeal Letter - February 10, 2025](#)

[Clerk of the Board Letter - February 21, 2025](#)

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 250174](#)

Regards,

**Lisa Lew**  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T 415-554-7718 | F 415-554-5163  
[lisa.lew@sfgov.org](mailto:lisa.lew@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

**(VIRTUAL APPOINTMENTS)** To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

[<image001.png>](#)

Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

**Disclosures:** *Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

**From:** [Gee, Natalie \(BOS\)](#)  
**To:** [Michael Rugen](#); [larry@badinerurbanplanning.com](mailto:larry@badinerurbanplanning.com); [BOS Legislation, \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Ho, Calvin \(BOS\)](#)  
**Cc:** [Abhi Talwalkar](#); [Susan Corlett](#)  
**Subject:** RE: Reschedule Request: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025  
**Date:** Wednesday, February 26, 2025 1:32:31 PM  
**Attachments:** [image001.png](#)

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Thank you Michael.

I'm looping in the Office of the Clerk to process.

**Natalie Gee** 朱凱勤, Chief of Staff

**Supervisor Shamann Walton, District 10**

1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 279

**Direct:** 415.554.7672 | **Office:** 415.554.7670

**District 10 Community Events Calendar:** <https://bit.ly/d10communityevents>

---

**From:** Michael Rugen <michaelrugen@gmail.com>  
**Sent:** Wednesday, February 26, 2025 1:31 PM  
**To:** Gee, Natalie (BOS) <natalie.gee@sfgov.org>; [larry@badinerurbanplanning.com](mailto:larry@badinerurbanplanning.com)  
**Cc:** Abhi Talwalkar <aytxlr8@gmail.com>; Susan Corlett <SCorlett@friendssfbayarea.org>  
**Subject:** Re: Reschedule Request: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Natalie. We are pleased to accommodate Supervisor Walton's schedule, and an April 8 hearing would be fine with us.

Michael

---

**From:** Gee, Natalie (BOS) <[natalie.gee@sfgov.org](mailto:natalie.gee@sfgov.org)>  
**Date:** Tuesday, February 25, 2025 at 4:30 PM  
**To:** [larry@badinerurbanplanning.com](mailto:larry@badinerurbanplanning.com) <[larry@badinerurbanplanning.com](mailto:larry@badinerurbanplanning.com)>, Michael Rugen <[michaelrugen@gmail.com](mailto:michaelrugen@gmail.com)>  
**Cc:** Abhi Talwalkar <[aytxlr8@gmail.com](mailto:aytxlr8@gmail.com)>, Susan Corlett <[SCorlett@friendssfbayarea.org](mailto:SCorlett@friendssfbayarea.org)>  
**Subject:** Reschedule Request: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025

Hello Larry and Micheal,

We received an appeal of conditional use authorization for the 4100 3<sup>rd</sup> Street project that is

currently scheduled on Tuesday, March 25, 2025. Unfortunately, Supervisor Walton will be absent that day. Are you amenable to moving this hearing to Tuesday, April 8, 2025, 3pm?

**Natalie Gee** 朱凱勤, Chief of Staff

**Supervisor Shamann Walton, District 10**

1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 279

**Direct:** 415.554.7672 | **Office:** 415.554.7670

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**Cc:** RUSSI, BRAD (CAT) <[Brad.Russi@sfcityatty.org](mailto:Brad.Russi@sfcityatty.org)>; JENSEN, KRISTEN (CAT) <[Kristen.Jensen@sfcityatty.org](mailto:Kristen.Jensen@sfcityatty.org)>; YANG, AUSTIN (CAT) <[Austin.Yang@sfcityatty.org](mailto:Austin.Yang@sfcityatty.org)>; RUIZ-ESQUIDE, ANDREA (CAT) <[Andrea.Ruiz-Esquide@sfcityatty.org](mailto:Andrea.Ruiz-Esquide@sfcityatty.org)>; Hillis, Rich (CPC) <[rich.hillis@sfgov.org](mailto:rich.hillis@sfgov.org)>; Gibson, Lisa (CPC) <[lisa.gibson@sfgov.org](mailto:lisa.gibson@sfgov.org)>; Dwyer, Debra (CPC) <[debra.dwyer@sfgov.org](mailto:debra.dwyer@sfgov.org)>; Navarrete, Joy (CPC) <[joy.navarrete@sfgov.org](mailto:joy.navarrete@sfgov.org)>; Lewis, Don (CPC) <[don.lewis@sfgov.org](mailto:don.lewis@sfgov.org)>; Switzky, Joshua (CPC) <[joshua.switzky@sfgov.org](mailto:joshua.switzky@sfgov.org)>; Teague, Corey (CPC) <[corey.teague@sfgov.org](mailto:corey.teague@sfgov.org)>; Tam, Tina (CPC) <[tina.tam@sfgov.org](mailto:tina.tam@sfgov.org)>; Sider, Dan (CPC) <[dan.sider@sfgov.org](mailto:dan.sider@sfgov.org)>; Starr, Aaron (CPC) <[aaron.starr@sfgov.org](mailto:aaron.starr@sfgov.org)>; Watty, Elizabeth (CPC) <[elizabeth.watty@sfgov.org](mailto:elizabeth.watty@sfgov.org)>; Ionin, Jonas (CPC) <[jonas.ionin@sfgov.org](mailto:jonas.ionin@sfgov.org)>; Sucre, Richard (CPC) <[richard.sucre@sfgov.org](mailto:richard.sucre@sfgov.org)>; Pantoja, Gabriela (CPC) <[gabriela.pantoja@sfgov.org](mailto:gabriela.pantoja@sfgov.org)>; Lamarre, Julie (BOA) <[julie.lamarre@sfgov.org](mailto:julie.lamarre@sfgov.org)>; Longaway, Alec (BOA) <[alec.longaway@sfgov.org](mailto:alec.longaway@sfgov.org)>; BOS-Supervisors <[bos-supervisors@sfgov.org](mailto:bos-supervisors@sfgov.org)>; BOS-Legislative Aides <[bos-legislative\\_aides@sfgov.org](mailto:bos-legislative_aides@sfgov.org)>; Calvillo, Angela (BOS) <[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)>; Somera, Alisa (BOS) <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>; Mchugh, Eileen (BOS) <[eileen.e.mchugh@sfgov.org](mailto:eileen.e.mchugh@sfgov.org)>; BOS Legislation, (BOS) <[bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)>

**Subject:** Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025

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[Clerk of the Board Letter - February 21, 2025](#)

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[Board of Supervisors File No. 250174](#)

Regards,

**Lisa Lew**

San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T 415-554-7718 | F 415-554-5163  
[lisa.lew@sfgov.org](mailto:lisa.lew@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

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**From:** [BOS Legislation, \(BOS\)](#)  
**To:** ["bivett@me.com"](#); ["bigblackbrunch@icloud.com"](#); ["larry@badinerurbanplanning.com"](#); ["michaelrugen@gmail.com"](#); ["paulchan@crazylove.org"](#)  
**Cc:** [RUSSI, BRAD \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [YANG, AUSTIN \(CAT\)](#); [RUIZ-ESQUIDE, ANDREA \(CAT\)](#); [Hillis, Rich \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Dwyer, Debra \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lewis, Don \(CPC\)](#); [Switzky, Joshua \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Sucre, Richard \(CPC\)](#); [Pantoja, Gabriela \(CPC\)](#); [Lamarre, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** HEARING NOTICE: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025  
**Date:** Friday, March 14, 2025 8:56:51 AM  
**Attachments:** [image001.png](#)

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Greetings,

The Office of the Clerk of the Board has scheduled a hearing for Special Order before the Board of Supervisors on **March 25, 2025**, at 3:00 p.m. for the appeal of the Conditional Use Authorization for the proposed project at 4100-3rd Street.

**Please find the following link to the hearing notice for the matter:**

[Public Hearing Notice - March 14, 2025](#)

**Note:** The President may entertain a motion to continue this Hearing to the Board meeting of Tuesday, April 8, 2025. Public Comment will be taken on the continuance only.

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 250174](#)

**Lisa Lew**  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T 415-554-7718 | F 415-554-5163  
[lisa.lew@sfgov.org](mailto:lisa.lew@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

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*from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.*

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

## NOTICE OF PUBLIC HEARING

### BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO Sent via Email and/or U.S. Postal Service

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeal and said public hearing will be held as follows, at which time all interested parties may attend and be heard.

**NOTE:** The President may entertain a motion to continue this hearing to the Board meeting of Tuesday, April 8, 2025. Public Comment may be taken on the continuance only.

**Date:** Tuesday, March 25, 2025

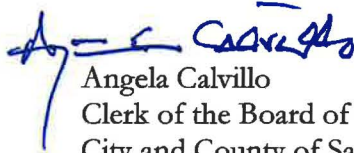
**Time:** 3:00 p.m.

**Location:** Legislative Chamber, Room 250, located at City Hall  
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

**Subject:** **File No. 250174.** Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Planning Code, Sections 121.2, 303, 317, and 752 for a proposed project at 4100-3rd Street, Assessor's Parcel Block No. 5260, Lot No. 032, identified in Planning Case No. 2024-008292CUA, issued by the Planning Commission by Motion No. 21669 dated January 9, 2025, to establish a use greater than 6,000 square feet in size and to convert an existing two-story over basement, mixed-use building with eight group housing units at the second floor into an approximately 6,123 square-foot social service facility use (d.b.a. Friends of the Children-SF Bay Area) that will include an outdoor activity area within the NCT-3 (Moderate Scale Neighborhood Commercial Transit District) Zoning District, Third Street Alcohol Special Use District, and a 65-J Height and Bulk District. (District 10) (Appellant: Bivett Brackett, Founder of Big Black Brunch) (Filed February 10, 2025)

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be added to the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email ([bos.@sfgov.org](mailto:bos.@sfgov.org)). Information relating to this matter is available in the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, March 21, 2025.

For any questions about this hearing, please contact our office at [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org) or call (415) 554-5184.

A handwritten signature in blue ink, appearing to read "Angela Calvillo", is positioned above the printed name and title.

Angela Calvillo  
Clerk of the Board of Supervisors  
City and County of San Francisco

jw:ll:ams

BOARD of SUPERVISORS



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

## PROOF OF MAILING

Legislative File No. 250174

Description of Items: Hearing - Appeal of Conditional Use Authorization Approval -  
4100-3rd Street - 106 Notices Mailed

I, \_\_\_\_\_, an employee of the City and  
County of San Francisco, mailed the above described document(s) by depositing the  
sealed items with the United States Postal Service (USPS) with the postage fully  
prepaid as follows:

Date: March 14, 2025

Time: 8:30 a.m.

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: \_\_\_\_\_

A handwritten signature in blue ink, appearing to read "Arin B. New".

Instructions: Upon completion, original must be filed in the above referenced file.

**From:** [BOS Legislation, \(BOS\)](#)  
**To:** ["bivett@me.com"; "bigblackbrunch@icloud.com"](#)  
**Cc:** [RUSSI, BRAD \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [YANG, AUSTIN \(CAT\)](#); [RUIZ-ESQUIDE, ANDREA \(CAT\)](#); [Hillis, Rich \(CPC\)](#); [Gibson, Lisa \(CPC\)](#); [Dwyer, Debra \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lewis, Don \(CPC\)](#); [Switzky, Joshua \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Sucre, Richard \(CPC\)](#); [Pantoja, Gabriela \(CPC\)](#); [Lamarre, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project - Appeal Hearing March 25, 2025  
**Date:** Friday, February 21, 2025 4:53:51 PM  
**Attachments:** [image001.png](#)

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Greetings,

The Office of the Clerk of the Board has scheduled for a hearing Special Order before the Board of Supervisors on **March 25, 2025**, at 3:00 p.m. Please find linked below an appeal letter regarding the proposed 4100-3rd Street project, and an informational letter from the Clerk of the Board.

[Appeal Letter - February 10, 2025](#)

[Clerk of the Board Letter - February 21, 2025](#)

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 250174](#)

Regards,

**Lisa Lew**

San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
T 415-554-7718 | F 415-554-5163  
[lisa.lew@sfgov.org](mailto:lisa.lew@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

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**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**

February 21, 2025

Bivett Brackett  
Big Black Brunch  
874 Brussels Street  
San Francisco, CA 94134

**Subject: File No. 250174 - Appeal of Conditional Use Authorization - Proposed  
4100-3rd Street Project**

Dear Ms. Brackett:

Thank you for your appeal filing regarding the proposed project at 4100-3rd Street. The filing period to appeal the Conditional Use Authorization closed on Monday, February 10, 2025. The Conditional Use appeal was filed with the subscription of five members of the Board of Supervisors, and therefore meets the filing requirements of Planning Code, Section 308.1.

Pursuant to Planning Code, Section 308.1, a hearing date has been scheduled for **Tuesday, March 25, 2025, at 3:00 p.m.**, at the Board of Supervisors meeting.

Please provide to the Clerk's Office by noon:

**20 days prior to the hearing:**  
*Wednesday, March 5, 2025*

names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and


**11 days prior to the hearing:**  
*Friday, March 14, 2025*

any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests electronic files be sent to [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org).

Please feel free to contact our office at [bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org) or call (415) 554-5184 if you have any questions.

Very truly yours,

  
Angela Calvillo  
Clerk of the Board

ll:ak:ams



- c: Brad Russi, Deputy City Attorney  
Kristen Jensen, Deputy City Attorney  
Austin Yang, Deputy City Attorney  
Andrea Ruiz-Esquide, Deputy City Attorney  
Rich Hillis, Director, Planning Department  
Lisa Gibson, Environmental Review Officer, Planning Department  
Debra Dwyer, Principal Environmental Planner, Planning Department  
Joy Navarrete, Environmental Planning, Planning Department  
Don Lewis, Environmental Planning, Planning Department  
Josh Switzky, Acting Director of Citywide Planning, Planning Department  
Corey Teague, Zoning Administrator, Planning Department  
Tina Tam, Deputy Zoning Administrator, Planning Department  
Dan Sider, Chief of Staff, Planning Department  
Aaron Starr, Manager of Legislative Affairs, Planning Department  
Elizabeth Watty, Current Planning Division, Planning Department  
Jonas Ionin, Planning Commission Secretary, Planning Department  
Richard Sucre, Staff Contact, Planning Department  
Gabriela Pantoja, Staff Contact, Planning Department  
Julie Lamarre, Executive Director, Board of Appeals  
Alec Longaway, Legal Process Clerk, Board of Appeals

## Lew, Lisa (BOS)

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**From:** BOS Legislation, (BOS)  
**Subject:** FW: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project

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**From:** Sucre, Richard (CPC) <richard.sucre@sfgov.org>  
**Sent:** Wednesday, February 19, 2025 1:15 PM  
**To:** Sider, Dan (CPC) <dan.sider@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Hillis, Rich (CPC) <rich.hillis@sfgov.org>  
**Cc:** RUSSI, BRAD (CAT) <Brad.Russi@sfcityatty.org>; JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>; YANG, AUSTIN (CAT) <Austin.Yang@sfcityatty.org>; RUIZ-ESQUIDE, ANDREA (CAT) <Andrea.Ruiz-Esquide@sfcityatty.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>; Dwyer, Debra (CPC) <debra.dwyer@sfgov.org>; Navarrete, Joy (CPC) <joy.navarrete@sfgov.org>; Lewis, Don (CPC) <don.lewis@sfgov.org>; Switzky, Joshua (CPC) <joshua.switzky@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Tam, Tina (CPC) <tina.tam@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>; Longaway, Alec (BOA) <alec.longaway@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative\_aides@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>; Flores, Veronica (CPC) <Veronica.Flores@sfgov.org>  
**Subject:** Re: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project

Hello Madam Clerk and Ms. Somera,

We want to affirm that this Appeal of the Conditional Use Authorization for 4100 3<sup>rd</sup> Street (2024-008292CUA) was filed in a timely manner and the Applicant has met the requirements for the Fee Waiver.

Please let me know if you need any further information from the Planning Department. Aaron Starr and Dan Sider are both out of the office this week, and I am happy to answer any further questions.

Thank You,  
Rich

---

**Richard Sucre**

**Deputy Director, Current Planning Division**

**Historic Preservation Team Lead & Planning Information Counter Manager**

San Francisco Planning Department

49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103

Direct: 628.652.7364 | [www.sfplanning.org](http://www.sfplanning.org)

[San Francisco Property Information Map](#)





**From:** [Somera, Alisa \(BOS\)](#)  
**To:** [Hillis, Rich \(CPC\)](#)  
**Cc:** [RUSSI, BRAD \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [YANG, AUSTIN \(CAT\)](#); [RUIZ-ESQUIDE, ANDREA \(CAT\)](#); [Gibson, Lisa \(CPC\)](#); [Dwyer, Debra \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Lewis, Don \(CPC\)](#); [Switzky, Joshua \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [BOS Legislation, \(BOS\)](#); [Ionin, Jonas \(CPC\)](#); [Pantoja, Gabriela \(CPC\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#)  
**Subject:** RE: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project  
**Date:** Wednesday, February 12, 2025 5:19:00 PM  
**Attachments:** [COB Ltr 021225.pdf](#)  
[image001.png](#)  
[Appeal Ltr 021025.pdf](#)

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Hello Director Hillis,

To clarify, the Clerk of the Board is seeking the Planning Department's determination on the "Appeal Fee Waiver" in order for us to move the appeal forward.

*Alisa Somera*

Legislative Deputy Director  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
415.554.7711 direct | 415.554.5163 fax  
[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)

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From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Wednesday, February 12, 2025 4:56 PM

To: Hillis, Rich (CPC) <rich.hillis@sfgov.org>

Cc: RUSSI, BRAD (CAT) <Brad.Russi@sfcityatty.org>; JENSEN, KRISTEN (CAT)

<Kristen.Jensen@sfcityatty.org>; YANG, AUSTIN (CAT) <Austin.Yang@sfcityatty.org>; RUIZ-ESQUIDE, ANDREA (CAT) <Andrea.Ruiz-Esquide@sfcityatty.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>; Dwyer, Debra (CPC) <debra.dwyer@sfgov.org>; Navarrete, Joy (CPC) <joy.navarrete@sfgov.org>; Lewis, Don (CPC) <don.lewis@sfgov.org>; Switzky, Joshua (CPC) <joshua.switzky@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Tam, Tina (CPC) <tina.tam@sfgov.org>; Sider, Dan (CPC) <dan.sider@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Pantoja, Gabriela (CPC) <gabriela.pantoja@sfgov.org>; Longaway, Alec (BOA) <alec.longaway@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Subject: Appeal of Conditional Use Authorization - Proposed 4100-3rd Street Project

Dear Director Hillis,

The Office of the Clerk of the Board is in receipt of an appeal of Conditional Use Authorization for the proposed project at 4100-3rd Street. The appeal was filed by Bivett Brackett (Founder of Big Black Brunch).

Please find the attached letter of appeal and timely filing determination request letter from the Clerk of the Board. Kindly review for timely filing determination and respond by no later than Tuesday, February 18, 2025. Thank you.

Best regards,

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

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February 12, 2025

To: Rich Hillis
Planning Director

From:  Angela Calvillo
Clerk of the Board of Supervisors

**Subject: Appeal of Conditional Use Authorization - Appeal Fee Waiver
Proposed 4100-3rd Street Project**

An appeal of the Conditional Use authorization for the proposed project at 4100-3rd Street was received by the Office of the Clerk of the Board on February 10, 2025, from Bivett Brackett (Founder of Big Black Brunch). However, at the time of receipt, Ms. Brackett did not provide the Appeal Fee and indicated the Planning Department directed her to complete the Appeal Fee Waiver form with the appeal package.

Pursuant to Administrative Code, Section 31.22(h)(2), and Planning Code, Section 350(j)(2), I am forwarding this appeal and Appeal Fee Waiver form to the Planning Department to determine if this Appeal Fee Waiver is granted.

Please feel free to contact our office at bos.legislation@sfgov.org or call (415) 554-5184 if you have any questions.

c: Brad Russi, Deputy City Attorney
Kristen Jensen, Deputy City Attorney
Austin Yang, Deputy City Attorney
Andrea Ruiz-Esquide, Deputy City Attorney
Lisa Gibson, Environmental Review Officer, Planning Department
Debra Dwyer, Principal Environmental Planner, Planning Department
Joy Navarrete, Environmental Planning, Planning Department
Don Lewis, Environmental Planning, Planning Department
Josh Switzky, Acting Director of Citywide Planning, Planning Department
Corey Teague, Zoning Administrator, Planning Department
Tina Tam, Deputy Zoning Administrator, Planning Department
Dan Sider, Chief of Staff, Planning Department
Aaron Starr, Manager of Legislative Affairs, Planning Department
Elizabeth Watty, Current Planning Division, Planning Department
Jonas Ionin, Planning Commission Secretary, Planning Department
Gabriela Pantoja, Staff Contact, Planning Department
Julie Rosenberg, Executive Director, Board of Appeals
Alec Longaway, Legal Process Clerk, Board of Appeals

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

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

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☒ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor inquiries..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Clerk of the Board

Subject:

Hearing - Appeal of Conditional Use Authorization Approval - 4100-3rd Street

Long Title or text listed:

Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Planning Code, Sections 121.2, 303, 317, and 752 for a proposed project at 4100-3rd Street, Assessor's Parcel Block No. 5260, Lot No. 032, identified in Planning Case No. 2024-008292CUA, issued by the Planning Commission by Motion No. 21669 dated January 9, 2025, to establish a use greater than 6,000 square feet in size and to convert an existing two-story over basement, mixed-use building with eight group housing units at the second floor into an approximately 6,123 square-foot social service facility use (d.b.a. Friends of the Children-SF Bay Area) that will include an outdoor activity area within the NCT-3 (Moderate Scale Neighborhood Commercial Transit District) Zoning District, Third Street Alcohol Special Use District, and a 65-J Height and Bulk District. (District 10) (Appellant: Bivett Brackett, Founder of Big Black Brunch) (Filed February 10, 2025)

Signature of Requestor:

