


**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 5801 Mission Street

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

June 10, 2021  
Appeal Filing Date

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2021 JUL 12 PM 12:40  
BY 

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. 2020-007152CUA

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

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

We are appealing the Planning Commission's decision to approve the Conditional Use Authorization (CUA) of 5801 Mission Street Case Number. 2020-007152CUA.

We disagree with the Planning Commission's summary that this is a necessary and needed business. District 11 already has THREE cannabis storefronts that serve the community and citizens that reside in San Mateo County. There are at least 5 in a one mile radius and constituents clustering. In addition, there are other means of purchasing/using cannabis including delivery and the ability to grow cannabis which is allowed by law.

The area, within 1000 feet, is identified as a High-Risk corridor by the City and County of San Francisco Vision Zero program and the Longfellow School is identified for the Safe Routes to Schools program, due to the high number of pedestrian and car crashes and near misses. This is a hazard to the community.

As two African American led organizations among the appeal applicants, serving youth and their families, we are located within 100 feet of the proposed cannabis location. Our equity is at stake.

This district has the highest concentration of immigrant population with 68% are monolingual or have limited English ability. The project sponsor had no outreach to the immigrant community and minimal input at the community meetings.

District 11 has 3 cannabis dispensaries with only one grocery store and 8 weekly food pantries (feeding thousands) to serve the District's 78K population.

51% Asian

5% African American

27% Latino

50% Foreign born

68% Speak another language other than English/Monolingual

74% Family Households

44% High School

28% College

8% Master Degree

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

**We challenge the approval of 5801 Mission Street based on the following:**

1. CLUSTERING - already have THREE cannabis storefronts operating in District 11;
2. HIGH DENSITY OF CHILDREN NEARBY including a well-used facility for school-age children located at the San Francisco Christian Center;
3. LACK OF APPROPRIATE OUTREACH TO MONOLINGUAL RESIDENTS.

This is a well-traveled area with a liquor store, tattoo parlour and a bar in direct proximity in addition to the three cannabis storefronts. The community has a need for more resources (food, job training, housing, language access, and mental health) not another cannabis establishment.

Statement of Appeal:

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

previously stated

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

previously stated

Person to Whom  
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Pastor Roderick V. Gittens  
Name  
San Francisco Christian Center  
5825/  
5845 Mission St. SF CA 94112  
Address

Pastor Roderick V. Gittens  
Name  
San Francisco Christian Center  
5825/  
5845 Mission St. SF CA 94112  
Address

415-584-5515  
Telephone Number

415-584-5515  
Telephone Number

Roderick V. Gittens  
Signature of Appellant or  
Authorized Agent



NEIGHBORHOOD APPEAL FOR:

2020-007152CUA

BUILDING PERMIT: 6472/001

DATE OF DECISION: JUNE 10, 2021

**OFFICIAL SAN FRANCISCO  
PLANNING DEPARTMENT  
DOCUMENTS SECTION:**

- 1. PREAPPLICATION**
- 2. PUBLIC HEARING NOTICE**
- 3. PLANNING COMMISSION DECISION**



## PRE-APPLICATION MEETING PACKET

This packet consists of instructions for conducting the Pre-Application Meeting.

For questions, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 628.652.7550. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder.

中文：如果您希望獲得使用中文填寫這份申請表的幫助，請致電628.652.7550。請注意，規劃部門需要至少一個工作日來回應。

**Filipino:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 628.652.7550. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### WHAT IS A PRE-APPLICATION MEETING?

The Pre-Application Meeting is a mandatory form of community outreach conducted by the project sponsor to receive initial feedback regarding certain project types prior to filing a Project Application with the Planning Department. Adjacent neighbors and relevant neighborhood organizations are invited to attend this meeting, which must take place during certain hours of the day and within a certain distance from the project site. The meeting's intention is to initiate neighbor communication and identify issues and concerns early on; provide the project sponsor the opportunity to address neighbor concerns about the potential impacts of the project prior to submitting an application; and, reduce the number of Discretionary Reviews (DRs) that are filed.

### WHY IS A PRE-APPLICATION MEETING REQUIRED?

The Pre-Application process is required for certain projects subject to Planning Code Section 311 Notification, or as required by other activities listed below. It serves as the first step in the process prior to filing a Project Application with the Planning Department. Those contacted as a result of the Pre-Application process will also receive a formal notice after the project is reviewed by Planning Department staff.

### WHEN IS A PRE-APPLICATION MEETING REQUIRED?

- Projects subject to 311 Notification that include:
  - New Construction;
  - Any vertical addition of 7 feet or more;
  - Any horizontal addition of 10 feet or more;
  - Decks over 10 feet above grade or within the required rear yard;
- All Formula Retail uses subject to a Conditional Use Authorization;
- Community Business Priority Processing (CB3P);
- Projects in PDR-1-B Districts subject to Section 313; and
- Department staff may request a Pre-Application meeting be conducted for any project.

## **INSTRUCTIONS FOR PRE-APPLICATION MEETINGS**

Prior to filing any Project Application, the applicant must conduct a minimum of one Pre-Application meeting if required, as stated above.

Additionally, if the project will be required to submit a Transportation Demand Management (TDM) Plan pursuant to Planning Code Section 169, the Project Sponsor must discuss potential TDM Measures that may be incorporated into the project.

These materials must be submitted to the Planning Department:

All of the following materials must be submitted along with the Project Application for the project in order to verify compliance with the Pre-Application Meeting requirements. If a Pre-Application Meeting is required, Planning Department review will not begin until all the following are received:

- A copy of the letter mailed to neighbors and neighborhood organizations (use attached invitation)
- A list of the neighborhood organizations and individuals invited to the meeting, including the mailing address for each (see instructions below)
- A copy of the sign-in sheet (use attached template)
- A summary of the meeting and a list of any changes made to the project as a result of the neighborhood comments (use attached template)
- The affidavit, signed and dated (use attached template)
- One reduced copy of the plans presented to the neighbors at pre-application meeting, labeled as "Pre-Application Plans"

**This meeting must be held in accordance with the following rules.**

These groups and individuals must be invited to the meeting:

- Invite all Neighborhood Organizations for the neighborhood(s) in which the project site is located, as defined on the Planning Department Neighborhood Groups Map. Enter “Neighborhood Groups Map” into the search bar on [www.sfplanning.org](http://www.sfplanning.org). Then, click on the relevant neighborhood on the map, and click on the “Neighborhood Contact List” link to download the list of neighborhood organizations in a spreadsheet format. Be sure to view the list for the appropriate neighborhood(s) by using the tabs at the bottom of the spreadsheet. If the property is located on the border of two or more neighborhoods, you must invite all bordering neighborhood organizations.
- Invite all owners and residents of properties that are abutting (next to), and directly across the street from, the project site. If the project site is on a corner, you must also invite owners and occupants of the properties across both streets, and the corner property diagonally across the intersection. To find the address of abutting properties, go to the online San Francisco Property Information Map ([propertymap.sfplanning.org](http://propertymap.sfplanning.org)), search for the address of the project site, and click on each of the abutting properties to find the address and block/lot number of the property. The list of property owners should be based on the latest citywide property tax roll, which is available at the Office of the Treasurer and Tax Collector, City Hall, Room 140, Carlton B Goodlett Pl. You must also invite all residents of the abutting properties by mailing an invitation to each property addressed to “Residents”. Be sure to mail to each unit separately, if there are more than one unit on the property.
- Note that projects in PDR-1-B districts subject to Sec. 313 require mailing to owners and residents of properties within a 300 foot radius. Refer to the Neighborhood Notification handout, available at [www.sfplanning.org](http://www.sfplanning.org), for clarification.
- Invitations must be sent at least 14 calendar days before the meeting. One copy of the invitation letter must be mailed to the project sponsor as proof of mailing. Invitations The postal date stamp will serve as record of timely mailing.
- You may have a private drafting or mailing service generate the correct mailing list for you, for a fee that varies by firm. The following businesses have indicated that they provide professional notification services. This listing does not constitute an endorsement. Other professionals can also perform this work and can be added to this list upon request:

Build CADD  
3515 Santiago Stree  
San Francisco, CA 94116  
(415) 759-8710

Javier Solorzano  
3288 - 21st Street #49  
San Francisco, CA 94110  
(415) 724-5240, [Javier131064@yahoo.com](mailto:Javier131064@yahoo.com)

Notificationmaps.com  
Barry Dunzer  
(866) 752-6266  
[www.notificationmaps.com](http://www.notificationmaps.com)

Ted Madison Drafting  
P.O. Box 8102  
Santa Rosa, CA 95407  
(707) 228-8850, [tmadison@pacbell.net](mailto:tmadison@pacbell.net)

Radius Services  
1221 Harrison Street #18  
San Francisco, CA 94103  
(415) 391-4775, [radiusservices@sfradius.com](mailto:radiusservices@sfradius.com)

Notice This  
(650) 814-6750



The meeting must be conducted at one of these places:

The project site; or

- An alternate location within a one-mile radius of the project site (i.e. community center, coffee shop, etc.); or
- The project sponsor may opt to have a Pre- Application Meeting held at the Planning Department instead of the project site, for a fee. A planner will be available for questions. Please see the Department Facilitated Pre-Application Meeting form at [www.sfplanning.org](http://www.sfplanning.org) for more information.

The meeting must be held within specific timeframes and meet certain requirements:

- Meetings are to be conducted within 6:00 p.m. -9:00 p.m., Mon.-Fri.; or within 10:00 a.m. -9:00 p.m., Sat-Sun. If the Project Sponsor has selected a Pre-Application Meeting held at the Planning Department, this meeting will be conducted during regular business hours.
- A sign-in sheet must be used in order to verify attendance. Note if no one attended.
- Preliminary plans must be available at the meeting that include the height and depth of the subject building and its adjacent properties, and dimensions must be provided to help facilitate discussion. Neighbors may request reduced copies of the plans from the Project Sponsor by checking the “please send me plans” box on the sign-in sheet, and the Project Sponsor shall provide reduced copies upon such request.
- Questions and concerns by attendees, and responses by Project Sponsor, if any, must be noted.  
Note: When the subject lot is a corner lot, the notification area shall further include all properties on both block faces across from the subject lot, and the corner property diagonally across the street.

Note: When the subject lot is a corner lot, the notification area shall further include all properties on both block faces across from the subject lot, and the corner property diagonally across the street.

For more information, you can call the Planning counter at 628.652.7300 or email [pic@sfgov.org](mailto:pic@sfgov.org) where planners are able to assist you.

Please download and save the application to your computer before filling it out.

# NOTICE OF PRE-APPLICATION MEETING

Date: 10-29-2020

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 5801 Mission Street, cross street(s) Oliver Street (Block/Lot#: 6472/001; Zoning: NCT), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at [www.sfgov.org/dbi](http://www.sfgov.org/dbi).

The Pre-Application process serves as the first step in the process prior to filing a Project Application with the Planning Department. Those contacted as a result of the Pre-Application process will also receive formal notification from the city after the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- New Construction subject to Section 311;
- Any vertical addition of 7 feet or more subject to Section 311;
- Any horizontal addition of 10 feet or more subject to Section 311;
- Decks over 10 feet above grade or within the required rear yard subject to Section 311;
- All Formula Retail uses subject to a Conditional Use Authorization;
- PDR-1-B, Section 313;
- Community Business Priority Processing Program (CB3P).

The development proposal is to: inform the community about a proposed locally owned Social Equity Cannabis Retail Dispensary.

Existing # of dwelling units:	0	Proposed:	0	Permitted:	
Existing bldg square footage:	1935	Proposed:	1935	Permitted:	
Existing # of stories:	2	Proposed:	2	Permitted:	
Existing bldg height:	27 feet	Proposed:	27 feet	Permitted:	
Existing bldg depth:	122 feet	Proposed:	122 feet	Permitted:	

## MEETING INFORMATION:

Property Owner(s) name(s): Generation Skipping TR of Al/Phylis Kurzbard 1998 LVG TR  
Project Sponsor(s): Edward Brown  
Contact information (email/phone): 5801missionstreet@gmail.com/415-873-0933  
Meeting Address\*: Virtual Meeting (see attached instructions) meet.jit.si/5801Mission-Meeting1  
Date of meeting: 11-13-2020 Time of meeting\*\*: 6:00pm

\*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

\*\*Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m, unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, email the Planning counter at the Permit Center at [pic@sfgov.org](mailto:pic@sfgov.org). You may also find information about the San Francisco Planning Department and on-going planning efforts at [www.sfplanning.org](http://www.sfplanning.org).

# AFFIDAVIT OF CONDUCTING A PRE-APPLICATION MEETING

I, Edward Brown, do hereby declare as follows:

1. I have conducted a Pre-Application Meeting for the proposed new construction, alteration or other activity prior to submitting a Project Application with the Planning Department in accordance with Planning Commission Pre-Application Policy.
2. The meeting was conducted at Virtual Meeting/meet.jit.si/5801Mission-Meeting1 (location/address) on 11-13-2020 (date) from 6:00pm (time).
3. I have included the mailing list, meeting invitation and postmarked letter, sign-in sheet, issue/response summary, and reduced plans with the entitlement Application. I understand that I am responsible for the accuracy of this information and that erroneous information may lead to suspension or revocation of the permit.
4. I have prepared these materials in good faith and to the best of my ability.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED ON THIS DAY, 11-17-2020, 2020 IN SAN FRANCISCO.



Signature

Edward Brown

Name (type or print)

Project Sponsor

Relationship to Project (e.g. Owner, Agent)  
(if Agent, give business name & profession)

5801 Mission Street

Project Address

# PRE-APPLICATION MEETING SIGN-IN SHEET

Meeting Date: November 13, 2020  
 Meeting Time: 6:00pm  
 Meeting Address: 5801 Virtual Meeting - meet.jit.si/5801Mission-Meeting1  
 Project Address: 5801 Mission Street  
 Property Owner Name: Generation Skipping TR of Al/Phylis Kurzbard 1998 LVG TR  
 Project Sponsor/Representative: Edward Brown

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS
1.	Mary Elen Coner	declined	personal info		<input type="checkbox"/>
2.	Gaia	declined	personal info		<input type="checkbox"/>
3.	Devon Julian	declined	personal info		<input type="checkbox"/>
4.	"11"	declined	personal info		<input type="checkbox"/>
5.	Patty Clark	declined	personal info		<input type="checkbox"/>
6.	415-606-3885	caller did not ID themselves			<input type="checkbox"/>
7.	Ja <del>x</del> mine	declined	personal info		<input type="checkbox"/>
8.	"Maurice R"	declined	personal info		<input type="checkbox"/>
9.	Adelheid Hanley	declined	personal info		<input type="checkbox"/>
10.	Edward Brown	5801 Mission Street	415-587-0933	5801missionstreet@gmail.com	<input type="checkbox"/>
11.					<input type="checkbox"/>
12.					<input type="checkbox"/>
13.					<input type="checkbox"/>
14.					<input type="checkbox"/>
15.					<input type="checkbox"/>
16.					<input type="checkbox"/>

# SUMMARY OF DISCUSSION FROM THE PRE-APPLICATION MEETING

Meeting Date: November 13, 2020  
 Meeting Time: 6:00pm  
 Meeting Address: Virtual Meeting - meet.jit.si/5801Mission-Meeting1  
 Project Address: 5801 Mission Street  
 Property Owner Name: Generation Skipping TR of AL/Phylis Kurzbard 1998 LVG TR  
 Project Sponsor/Representative: Edward Brown

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group):  
 (MEC) - Children leaving the church is a concern of ours...Ocean street dispensary was a problem.

How will you bring value to the area?  
 Have you seen the dispensaries over a mile away at Geneva?

Project Sponsor Response: There will be no loitering in front of the retail location. We expect most of our customers to use foot traffic. No children will be exposed to cannabis sales, and we will use exit packaging for all customer purchases. We will bring value to the area, with new customers that will patronize businesses. We will also bring job security and hire locally within District 11.

Question/Concern #2: How will you keep "rif-raff" out of the neighborhood? (MEC)

Project Sponsor Response: We have operated for 15 years in SF. We know how to engage the community in a positive and constructive way. Our security staff is well experienced in diffusing potential conflicts.

Question/Concern #3: You are within numerous schools in the area, and there is a afterschool childcare within 600 feet? Do you know that you are within this area?

Project Sponsor Response: SF Office of Cannabis and the SF Planning Department has verified that we are not within 600 feet of a K-12 institution. We would not be before you if our location was not within the guidelines of the Planning code.

Question/Concern #4: We are concerned with the exposure to children in the neighborhood, how do parents have hard conversations with their child, when they see this location? (numerous concerns)  
 There is a bar, tattoo parlor, and a liquor store, we do not need a 4th that doesn't belong

Project Sponsor Response: We are not in the category of alcohol, this is a plant at the end of the day. We will never allow children to enter our dispensary. Unlike a liquor store that has alcohol in plain sight of children, our products will never be visible to children walking by. Our products will be in exit bags. "I am a mother of two", (Equity Applicant) and there must be education and communication. Children need to understand that this is medicine to many, for people to have normal functions, to sleep, to eat, to go about their daily lives.



## NOTICE OF PUBLIC HEARING

Hearing Date: **THURSDAY, JUNE 10, 2021**  
Time: **Not before 1:00 PM**  
Location: **Visit [sfplanning.org/remotehearings](https://sfplanning.org/remotehearings) for details**  
Case Type: **Conditional Use**  
Hearing Body: **Planning Commission**

### PROJECT INFORMATION

Project Address: **5801 MISSION ST**  
Cross Streets: **Oliver & Acton Streets**  
Block / Lot No.: **6472 / 001**  
Zoning District(s): **NCD / 40-X**  
Area Plan: **N/A**  
Record No.: **2020-007152CUA**

### APPLICANT INFORMATION

Applicant: **Edward Brown**  
Company: **JHD Investments**  
Address: **PO BOX 31248**  
City, State: **Walnut Creek, CA**  
Telephone: **510-400-6001**  
Email: **[ed.mat.brown@gmail.com](mailto:ed.mat.brown@gmail.com)**

### PROJECT DESCRIPTION

The proposal is for a Conditional Use Authorization, pursuant to Planning Code Sections 202.2, 303, and 720 to establish an approximately 2,055 sq ft Cannabis Retail use on the first floor of the subject property within the Excelsior Outer Mission Street NCD (Neighborhood Commercial) Zoning District and 40-X Height and Bulk District. The Project does not include a request for authorization of on-site smoking or vaporizing of cannabis products.

A Planning Commission approval at the public hearing would constitute the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section 31.04(h).

### ADDITIONAL INFORMATION

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

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

Planner: **Ryan Balba** Telephone: **628-652-7331** Email: **[Ryan.Balba@sfgov.org](mailto:Ryan.Balba@sfgov.org)**

# General Information About Procedures

## HEARING INFORMATION

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

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

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

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

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

## BUILDING PERMIT APPLICATION INFORMATION

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

## APPEAL INFORMATION

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

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

## ENVIRONMENTAL REVIEW

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

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



Date: **5/21/2021**

The attached notice is provided under the Planning Code. It concerns property located at **5801 Mission St (2020-007152CUA)**. A hearing may occur, a right to request review may expire or a development approval may become final by **6/10/2021**.

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

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附上的是三藩市城市規劃的法定通告。

此通告是與位於 **5801 Mission St (2020-007152CUA)**

的建築計劃有關。如果在 **6/10/2021** 之前無人申請聽證會來檢討這一個建築計劃，這計劃最終會被核准。

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

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

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El documento adjunto es requerido por el Código de Planeación (Planning Code) y es referente a la propiedad en la siguiente dirección: **5801 Mission St (2020-007152CUA)**. Es posible que ocurra una audiencia pública, que el derecho a solicitar una revisión se venza, o que la aprobación final de proyecto se complete el: **6/10/2021**.

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

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Ang nakalakip na paunawa ay ibinibigay alinsunod sa Planning Code. Tinatalakay nito ang propyedad na matatagpuan sa **5801 Mission St (2020-007152CUA)**. Maaring may paglilitis na mangyayari, may mapapasong paghiling ng isang pagrerepaso (review), o ang na-aprobahang pagpapatayo ay malapit nang ipagtibay sa **6/10/2021**.

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







## PLANNING COMMISSION MOTION NO. 20933

HEARING DATE: JUNE 10, 2021

**Record No.:** 2020-007152CUA  
**Project Address:** 5801 Mission Street  
**Zoning:** Excelsior Outer Mission Street Neighborhood Commercial Zoning District  
Fringe Financial Services Restricted Use District  
40-X Height and Bulk District  
**Block/Lot:** 6472/001  
**Project Sponsor:** Edward Brown  
PO BOX 31248  
Walnut Creek, CA 31248  
**Property Owner:** 50% Phylis Kurzbard 1998 Living Trust  
50% Generation-Skipping Trust of Al Furberg Living Trust  
2343 39th Avenue  
San Francisco, California 94122  
**Staff Contact:** Ryan Balba – (628) 652-7331  
[Ryan.Balba@sfgov.org](mailto:Ryan.Balba@sfgov.org)

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 202.2, 303, AND 720 OF THE PLANNING CODE TO ALLOW A CANNABIS RETAIL USE MEASURING APPROXIMATELY 2,055 SQUARE FEET, WITH NO ON-SITE SMOKING OR VAPORIZING OF CANNABIS PRODUCTS, ON THE FIRST FLOOR OF AN EXISTING TWO-STORY MIXED USE BUILDING AT 5801 MISSION STREET (ASSESSOR'S BLOCK 6742 LOT 001) WITHIN THE EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, THE FRINGE FINANCIAL SERVICES RESTRICTED USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

### PREAMBLE

On October 10, 2020, Edward Brown (hereinafter "Project Sponsor") filed Application No. 2020-007152CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a Cannabis Retail use (hereinafter "Project") at 5801 Mission Street, Block 6472 Lot 001 (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act (“CEQA”) under a Common Sense categorical exemption.

On June 10, 2021, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2020-007152CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2020-007152CUA 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. 2020-007152CUA, 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 Project would establish a Cannabis Retail Use measuring 2,055 square feet in a vacant commercial space within a two-story, mixed-use building. The Project does not include a request for authorization of on-site smoking or vaporizing of cannabis products. No changes to the building exterior or envelope are proposed. New business signage will be applied for under a separate permit.
- 3. Site Description and Present Use.** The Project is located on an approximately 11,602 square foot corner parcel fronting Mission Street on the south side between Acton and Oliver Streets. The site is developed with a two-story building containing five commercial spaces at the ground floor and six residential units above. The commercial space was last occupied by a boutique retail shop.
- 4. Surrounding Properties and Neighborhood.** The surrounding neighborhood is dominantly comprised of single family homes. However, there are many fully commercial buildings and mixed-use residential buildings along the corridor. The two directly adjacent properties are a residential property and a religious institution.
- 5. Public Outreach and Comments.** The Sponsor conducted outreach under the Office of Cannabis Good Neighbor Policy, which includes providing a mailed notice of the Project to all property owners and occupants within 300-feet of the site and conducting outreach meetings. Additionally, the Project conducted a pre-application meeting, an individual neighborhood group meeting on April 19, 2021, and a general neighborhood meeting on April 21, 2021. The sponsor has also conducted private meetings with local business owners in the neighborhood, as well as law enforcement. The Department has received forty-three comments expressing support for the Project and seven comments expressing opposition to

the Project.

- A. Support for the Project expressed support for the project team, and support for the business' commitment to local hiring, community support initiatives, and parking and traffic plans. Supervisor Matt Haney also submitted a letter of support for the Project, commending the Equity Applicant for her work with the community and previously establishing a model Medical Cannabis Dispensary within District 6.
- B. Opposition to the Project expressed concerns with an increase in crime, concern for youth access to cannabis products, and concerns with traffic, parking, and sidewalk crowding complications.

**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.** The establishment of a Cannabis Retail use in the Excelsior Outer Mission Street Neighborhood Commercial Zoning District requires a Conditional Use Authorization pursuant to Planning Code Section 720.

*The Project Sponsor is requesting a Conditional Use Authorization to establish a Cannabis Retail use in the Excelsior Outer Mission Street Neighborhood Commercial Zoning District.*

- B. **Use Size.** The Excelsior Outer Mission NCD permits Non-Residential uses at up to 5,999 square feet per use and requires a Conditional Use Authorization for individual uses above 6,000 square feet in size.

*The Project would provide a 2,055 sq ft Cannabis Retail use which is compliant with this requirement.*

- C. **600-Foot Buffer Rule:** Planning Code Section 202.2(a)(5)(B) states that the parcel containing the Cannabis Retail Use shall not be located within a 600-foot radius of a parcel containing an existing public or private School or within a 600-foot radius of a parcel for which a valid permit from the City's Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer has been issued. There shall be no minimum radius from a Cannabis Retail Use to an existing day care center or youth center unless a State licensing authority specifies a minimum radius.

*The subject parcel is not located within a 600-foot radius of a parcel containing an existing private or public school or within a 600-foot radius of a parcel for which a valid permit from the City's Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer has been issued.*

- D. **Hours of Operation.** There are no limits on hours of operation in the Mixed-Use General Zoning District. State law limits hours of operation for Cannabis Retailers to between 6am and 10pm.

*No limit on hours of operation is set at the local level. The Project is required under State law to cease operation between 10pm and 6am.*

- E. **Street Frontage in Neighborhood Commercial and Mixed Use Districts.** Section 145.1 of the Planning Code requires that within Neighborhood Commercial and Mixed Use Districts, space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors

above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The subject commercial space complies with this requirement and shall be maintained in compliance with this Section. No significant modification to the front façade is proposed, and the interior changes do not impact compliance with this Section.*

**7. Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

- A. The proposed new uses and building, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with, the neighborhood or the community.

*The Project provides a use that is necessary and desirable, and compatible with the surrounding neighborhood and community, in that it activates an existing retail space at the same size of the existing space, bringing additional goods and services to the local area. By activating a currently vacant commercial space, the Project will provide jobs and street level activation to the neighborhood. The proposed business places ID check and waiting areas at the front of the businesses, limiting the visibility of cannabis products and sales from the street while maintaining street level activation. In doing so, it is contextually appropriate and compatible with the surrounding neighborhood and community.*

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The height and visible bulk of the existing building will remain the same. The Project will not alter the existing appearance or character of the project vicinity.*

- (2) 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;

*The Planning Code does not require parking or loading for any uses, and the site is very well served by transit services.*

- (3) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

*The Project proposes a Cannabis Retail use which does not include an on-site smoking or vaporizing space, and this approval is conditioned to prohibit smoking or vaporizing of cannabis products. As such, there are safeguards to prevent noxious or offensive emission from the site.*

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

*The Project Site contains an existing parking lot at the rear of the site which is not modified by the proposed Project. The parking lot is screened from view by an existing wall.*

- C. That the use as proposed will comply with the applicable provisions of the Planning Code and will not adversely affect the General Plan.

*The Project complies with all relevant requirements and standards of the Planning Code and is consistent with objectives and policies of the General Plan as detailed below.*

- D. That the use as proposed would provide development that is in conformity with the purpose of the applicable Zoning District.

*The Excelsior Outer Mission Street Neighborhood Commercial District is intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. By providing a new neighborhood serving retail activity within an existing, unutilized space, the Project furthers the stated purpose of the Zoning District.*

- 8. Additional Conditional Use Findings for Cannabis Retail.** Planning Code Section 303(w) outlines additional findings for the Commission when reviewing proposals for new Cannabis Retail establishments. The Commission shall consider “the geographic distribution of Cannabis Retail Uses throughout the City, the concentration of Cannabis Retail and Medical Cannabis Dispensary Uses within the general proximity of the proposed Cannabis Retail Use, the balance of other goods and services available within the general proximity of the proposed Cannabis Retail Use, any increase in youth access and exposure to cannabis at nearby facilities that primarily serve youth, and any proposed measures to counterbalance any such increase.”

*In the December 2019 report titled “Cannabis in San Francisco: A Review Following Adult Use Legalization,” the City Controller’s Office identified the Mission and South of Market Neighborhoods as more concentrated with Cannabis Retail uses in comparison to the balance of San Francisco. The report recommended no numeric or geographic limits to existing or in-process cannabis business permits and recommended that potential future legislation to address the imbalance be applied to new applicants rather than the existing*

*applicant pipeline. The proposed Project would add a new Cannabis Retail outlet to the Excelsior Outer Mission neighborhood, creating a more balanced geographic distribution of these uses.*

*The closest approved Cannabis Retail location to this site is 5260 Mission Street, dba Mission Organic Services, approximately 3,143' from 5801 Mission Street.*

*Within the general proximity of 5801 Mission Street, there is a mix of residential and small commercial uses. Cannabis Retail is one of the few businesses that is continuing to expand during the pandemic induced economic crisis (though many existing sites, particularly existing Medical Cannabis Dispensaries, are closing permanently). By creating a new retail use, the Project can serve to support the development of other retail and service uses in the general vicinity.*

*Key facilities in the surrounding neighborhood that serve youth are the Chiquitos Preschool, Dennis Language Services (language school), and Our Kids First (after-school program), all of which are within 600 feet from the proposed facility. Other facilities Little Steps-Pasitos (day care), Alice's Day Care, Longfellow Elementary School, Lincoln Park Community Center, San Francisco Christian School, George Washington Elementary School, and Pershing Preschool, which are all at least 600 feet from the proposed facility. Cannabis facilities are highly regulated, and it is more likely that youth would gain easy access to cannabis products through the unregulated market, which remains a large and dominant force in the market of San Francisco (partially due to the ease of cultivating cannabis products within a home and partially due to the slow rate of permitting of licensed locations in the City). By providing a regulated, legal market within the neighborhood, the proposed business would further discourage unregulated sales, making youth access to cannabis products more restricted.*

- 9. General Plan Compliance.** The Project is, on balance, consistent with the following Objectives and Policies of the General Plan:

**COMMERCE AND INDUSTRY ELEMENT**

**Objectives and Policies**

**OBJECTIVE 2**

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

**Policy 2.1:**

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

**OBJECTIVE 3:**

**PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.**

**Policy 3.1:**

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

**Policy 3.2:**

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

**OBJECTIVE 4**

**IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.**

**Policy 4.8:**

Provide for the adequate security of employees and property.

**OBJECTIVE 6**

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

**Policy 6.2**

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship, and which are responsive to economic and technological innovation in the market place and society.

*The Cannabis industry provides great potential for the City in that it is a rapidly expanding industry, with very highly developed equity ownership, hiring, and procurement requirements, that employs blue-collar workers with wages and benefits typically far higher than other types of retail services. The City Controller's Office December 2019 report titled, "[Cannabis in San Francisco: A Review Following Adult Use Legalization](#)," found that crime rates, particularly property crimes, generally decreased in the areas immediately surrounding Cannabis storefronts and dispensaries, compared to an overall increase Citywide. The uses are extremely regulated both at the State and local level, and following any Planning Department approval of a site, additional outreach still occurs to develop a Good Neighbor Policy, Security Plans (with review by SFPD), and Odor Mitigation Plans. By activating existing retail spaces in the City (which suffer from high vacancy rates), employing many blue-collar workers, furthering the City's equity goals, and providing alternative medicines that are recognized as helping many residents suffering through pain, Cannabis Retail projects further many of the goals of the City's General Plan and area plans.*

**10. 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 Project site will provide a new retail tenant and new use for the neighborhood. The addition of this business will enhance foot traffic to the benefit neighboring businesses. Cannabis is one of the fastest growing job categories in the country and one of the few retail uses that is burgeoning even in the face of e-commerce.*



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

*No housing is impacted by the Project. The building exterior is maintained, preserving neighborhood character.*

- C. That the City's supply of affordable housing be preserved and enhanced,

*The Project has no effect on housing and does not convert housing to a non-residential use.*

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

*The Project site is extremely well-served by transit. It is presumable that the employees would commute by transit or use the available off-street parking spot at the rear thereby mitigating possible effects on street parking. Providing access to cannabis products broadly in the City reduces the need for medical or adult use customers to transit across neighborhoods to purchase products.*

- 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.

*There is no commercial office development associated with the proposed project and there would be no displacement of any existing industrial or service businesses in the area.*

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

*Any construction associated with Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*No impact to the Historic Resource status is caused by the Project, which proposes interior tenant improvements and the installation of a new security camera and ADA push button on the front façade.*

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

*The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.*

11. 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 contribute to the character and stability of the neighborhood and would constitute a beneficial development.
12. 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. 2020-007152CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated April 19, 2021, 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 June 10, 2021.



Jonas P.  
Ionin

Digitally signed by  
Jonas P. Ionin  
Date: 2021.06.17  
16:47:03 -07'00'

Jonas P. Ionin  
Commission Secretary

AYES: Diamond, Imperial, Moore, Koppel

NAYS: Tanner, Fung

ABSENT: Chan

ADOPTED: June 10, 2021

# EXHIBIT A

## **Authorization**

This authorization is for a conditional use to allow a Cannabis Retail Use located at 5801 Mission Street, Block 6472, and Lot 001, pursuant to Planning Code Sections 202.2, 303, and 720, within the Excelsior Outer Mission Street Neighborhood Commercial Zoning District, the Fringe Financial Services Restricted Use District, and a 40-X Height and Bulk District; in general conformance with plans, dated April 19, 2021, and stamped “EXHIBIT B” included in the docket for Record No. **2020-007152CUA** and subject to conditions of approval reviewed and approved by the Commission on June 10, 2021 under Motion No. **20933**. 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 issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of 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 June 10, 2021 under Motion No. **20933**.

## **Printing of Conditions of Approval on Plans**

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **20933** shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

## **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 415-575-6863, [www.sfplanning.org](http://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 415-575-6863, [www.sfplanning.org](http://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 415-575-6863, [www.sfplanning.org](http://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 415-575-6863, [www.sfplanning.org](http://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 415-575-6863, [www.sfplanning.org](http://www.sfplanning.org)*

- 6. Additional Project Authorization.** The Project Sponsor shall obtain operating licenses from the City's Office of Cannabis and the State of California prior to commencing any cannabis sales or other activities per Planning Code Section 202.2(a)(5).

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## **Design – Compliance at Plan Stage**

- 7. Transparency and Fenestration.** Pursuant to Planning Code Section 145.1, the site shall be maintained with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

- 8. 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 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

- 9. Signage.** Signs and awnings shall be subject to review and approval by Planning Department.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## **Monitoring - After Entitlement**

- 10. 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 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

**11. 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 415-575-6863, [www.sfplanning.org](http://www.sfplanning.org)*

## Operation

**12. 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, 415-695-2017, <http://sfdpw.org>*

**13. 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 415-575-6863, [www.sfplanning.org](http://www.sfplanning.org)*

**14. On-Site Consumption.** On-site consumption of packaged or prepared cannabis products is permitted as an accessory use to this Cannabis Retail use. On-site smoking or vaporizing of cannabis products is not permitted.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sfplanning.org](http://www.sfplanning.org)*

5801 MISSION ST SAN FRANCISCO

APN: 6472 001  
 BUILDING HEIGHT: 27'-6"  
 EXISTING OCCUPANCY GROUP: B  
 PROPOSED OCCUPANCY GROUP: B  
 CONSTRUCTION TYPE: IV  
 ZONING DISTRICT: EXCEL-SH08 (OUTER MISSION STREET (NCD))  
 HEIGHT LIMITS: 40'-X

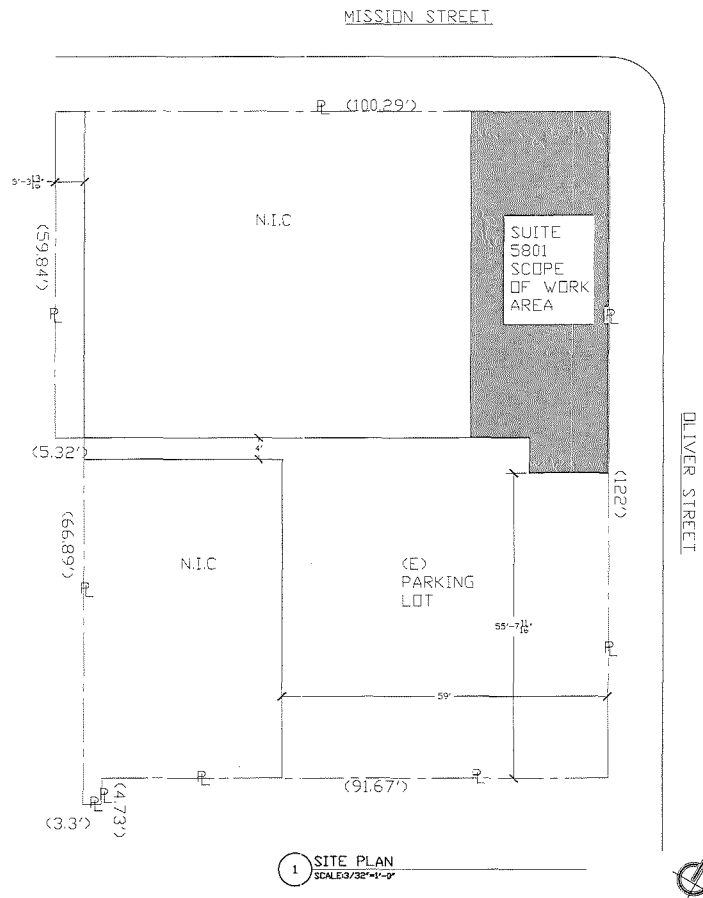
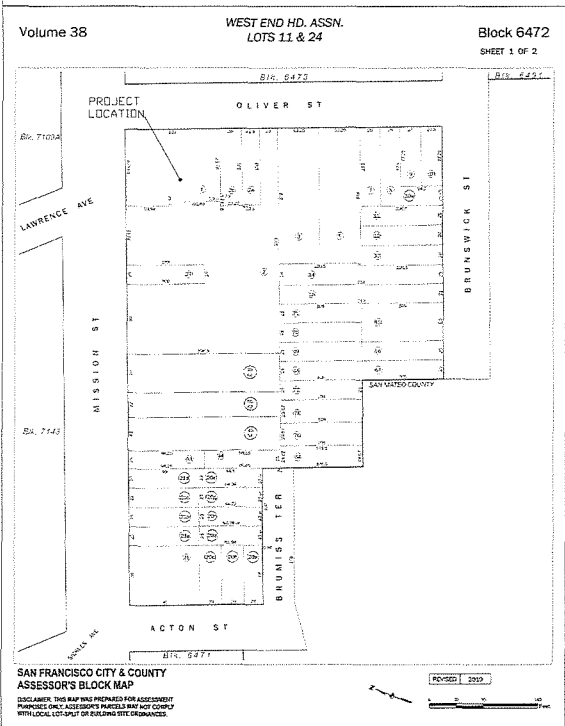
BUILD AREA (GROUND FLOOR): 1413 SQFT  
 (ATTIC FLOOR): 642 SQFT  
 TOTAL: 2055 SQFT

DRAWING INDEX:  
 A-0 COVER SHEET  
 A-1 (E) 1st FLOOR PLAN AND DEMOLITION PLAN  
 A-2 PROPOSED 1st FLOOR PLAN & (E) ATTIC FLOOR PLAN  
 A-3 ELEVATION

SITE PICTURE



ASSESSOR MAP



Joyful Design & Management Group

Tel: 1-415-320-9788  
 E mail: Stephentong9788@gmail.com

Owner

Project:

5801 MISSION ST  
 SAN FRANCISCO

Title:

COVER SHEET

Revision 4/22/2021

Sheet:

A-0





Joyful Design & Management Group

Tel: 1-415-320-9788  
E mail:  
Stephentong9788@gmail.com

Owner

Project:

5801 MISSION ST  
SAN FRANCISCO

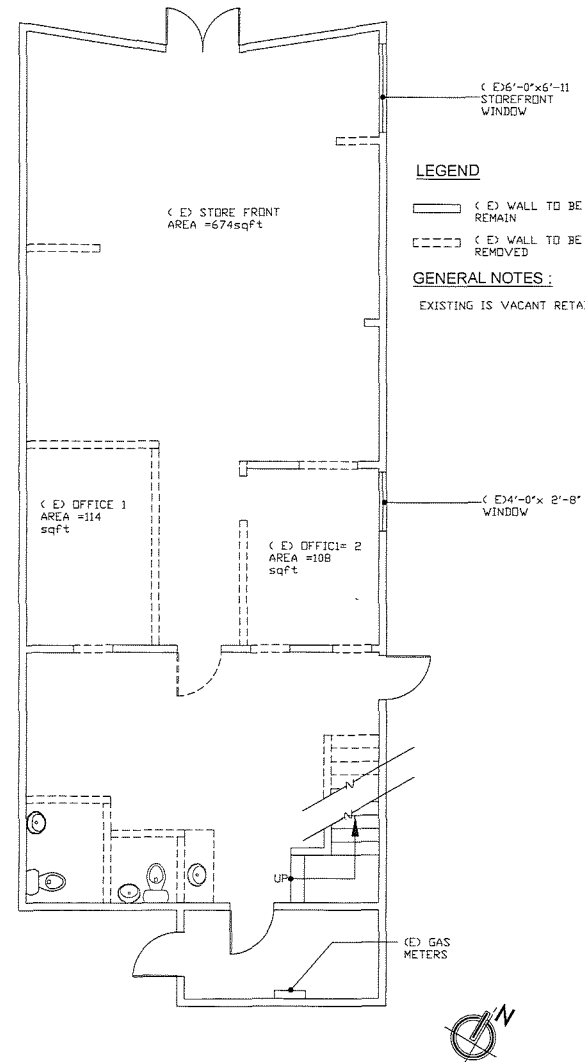
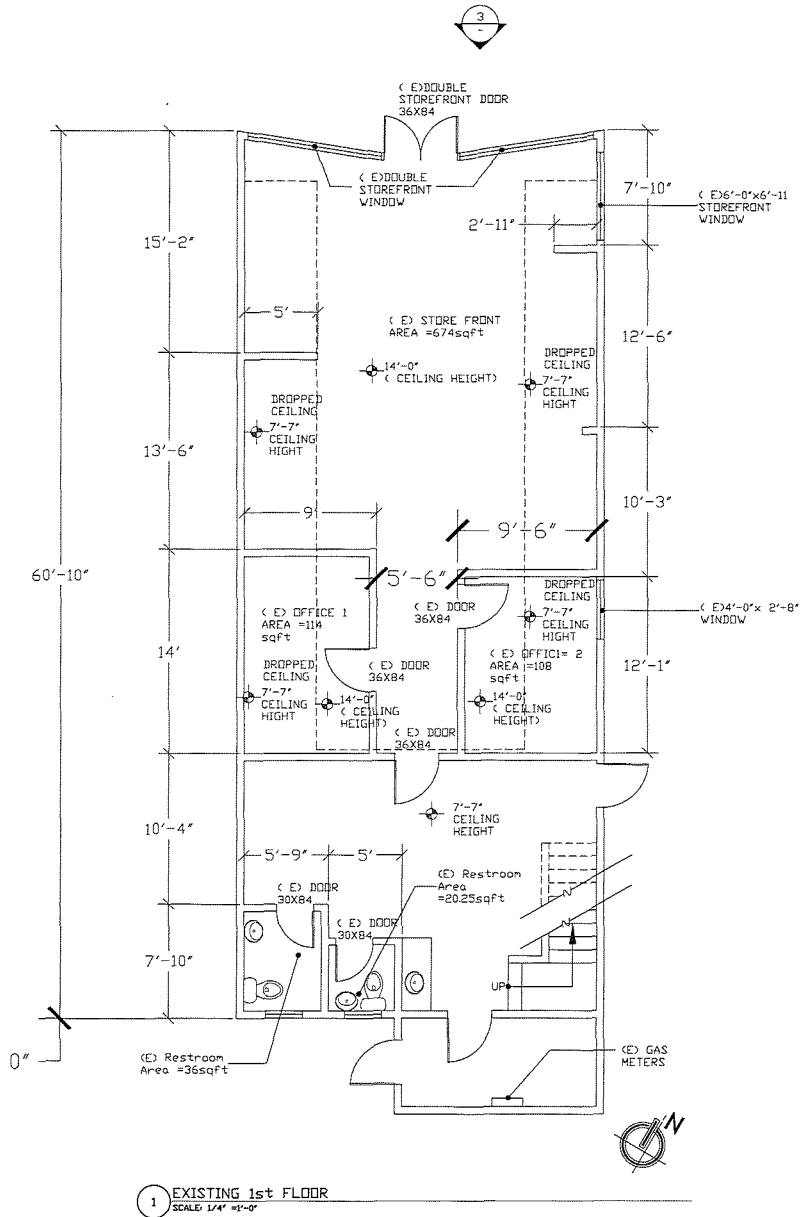
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(E) 1st FLOOR &  
DEMOLITION PLAN

Revision 4/22/2021

Sheet:

A-1





Joyful Design & Management Group

Tel: 1-415-320-9788  
E mail:  
Stephentong9788@gmail.com

Owner

Project :

5801 MISSION ST  
SAN FRANCISCO

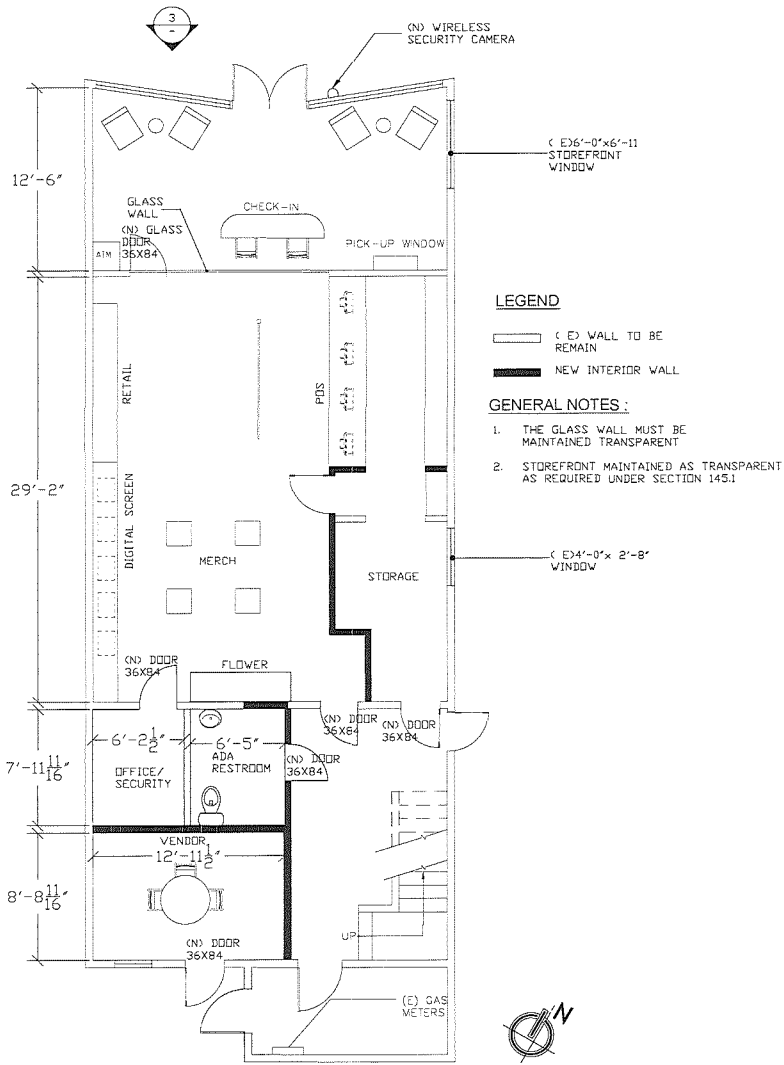
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PROPOSED 1st  
FLOOR PLAN & (E)  
ATTIC FLOOR  
PLAN

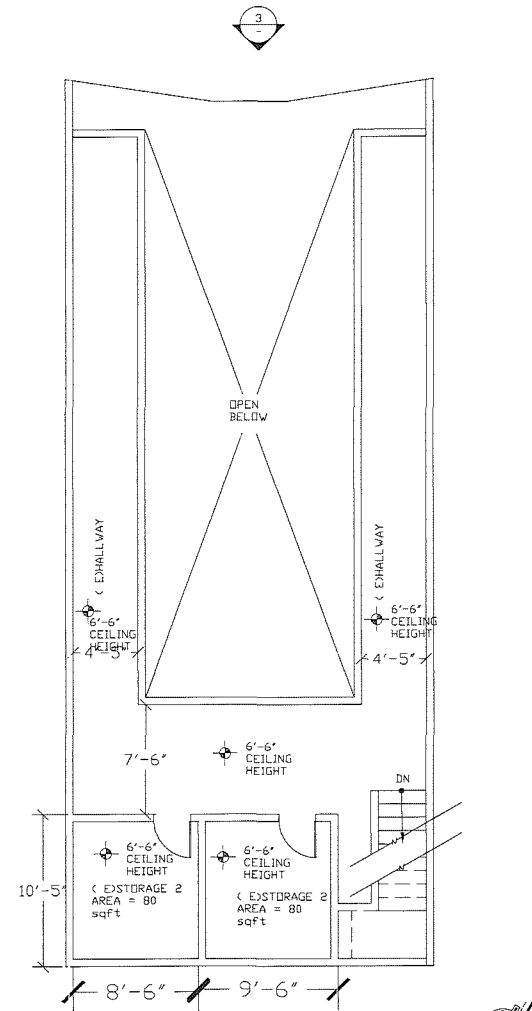
Revision 4/22/2021

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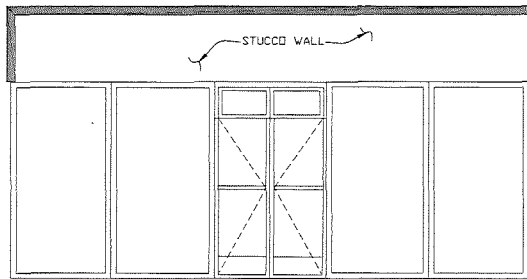
A-2



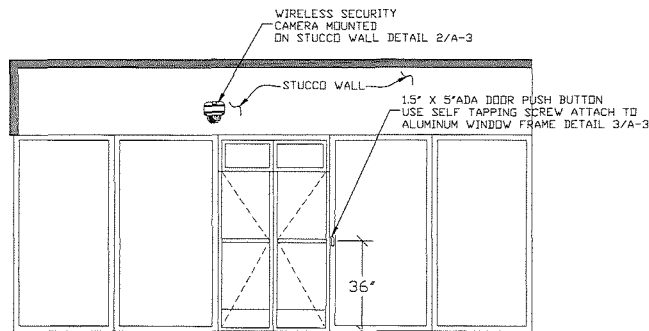
1 PROPOSED 1ST FLOOR  
SCALE: 1/8"=1'-0"



2 EXISTING ATTIC FLOOR PLAN < NOT SCOPE OF WORK >  
SCALE: 1/4" = 1'-0"

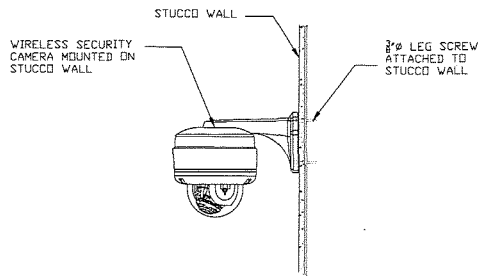


EXISTING STORE FRONT ELEVATION

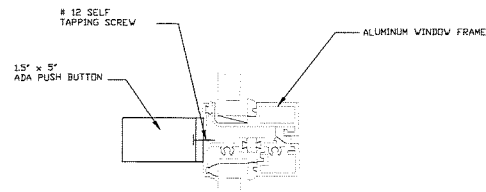


PROPOSED STORE FRONT ELEVATION

**GENERAL NOTES:**  
STOREFRONT MAINTAINED AS TRANSPARENT AS REQUIRED UNDER SECTION 145.1



2 WIRELESS SECURITY CAMERA ATTACH DETAIL



3 ADA PUSH BUTTON CONNECTION DETAILS



Joyful Design & Management Group

Tel: 1-415-320-9788  
E mail:  
Stephentong9788@gmail.com

Owner

Project:

5801 MISSION ST  
SAN FRANCISCO


Title:

ELEVATION

Revision 4/22/2021

Sheet:

**A-3**



NEIGHBORHOOD APPEAL FOR:  
2020-007152CUA  
BUILDING PERMIT: 6472/001  
DATE OF DECISION: JUNE 10, 2021

**PROPERTY OWNER  
SIGNATURE SECTION**

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of 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.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>5825 Mission St</u>	<u>6472/002</u>	<u>DONALD GREEN</u>	<u>[Signature]</u>
2.	<u>5833 Mission St</u>	<u>6472/027</u>	<u>DONALD GREEN</u>	<u>[Signature]</u>
3.	<u>66 Oliver</u>	<u>6472/005</u>	<u>DONALD GREEN</u>	<u>[Signature]</u>
4.	<u>5825 Mission</u>	<u>6472/002</u>	<u>Roderick V. Gittens</u>	<u>[Signature]</u>
5.	<u>5833 Mission St</u>	<u>6472/027</u>	<u>Roderick V. Gittens</u>	<u>[Signature]</u>
6.	<u>66 Oliver St</u>	<u>6472/005</u>	<u>Roderick V. Gittens</u>	<u>[Signature]</u>
7.	<u>50 Oliver St</u>	<u>6472/003</u>	<u>Roderick V. Gittens</u>	<u>[Signature]</u>
8.	_____	_____	_____	_____
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NEIGHBORHOOD APPEAL FOR:

2020-007152CUA

BUILDING PERMIT: 6472/001

DATE OF DECISION: JUNE 10, 2021

**SAN FRANCISCO CHRISTIAN  
CENTER  
SAN FRANCISCO REVIVAL CENTER**

**BACKGROUND DOCUMENTATION  
FOR THE FOLLOWING  
PROPERTIES:**

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1. 5825 MISSION STREET
2. 5833 MISSION STREET
3. 50 OLIVER STREET
4. 60 OLIVER STREET

#293313 A460777

FILED  
In the office of the Secretary of State  
of the State of California

JL

CERTIFICATE OF AMENDMENT  
OF  
ARTICLES OF INCORPORATION

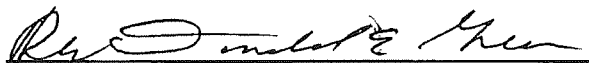
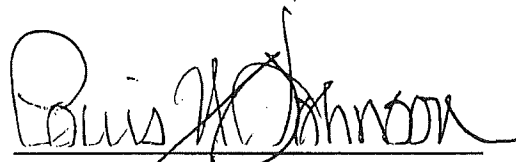
APR 27 1995

  
BILL JONES, Secretary of State

REV. DONALD E. GREEN AND LOUIS N. JOHNSON certify that:

1. They are the President and the Secretary, respectively, of SAN FRANCISCO REVIVAL CENTER, a NON-PROFIT CORPORATION, a California Corporation.
2. The Articles of Incorporation of this Corporation are amended in full to read as set forth within the attached Exhibit "A".
3. The foregoing Amendment and Restatement of Articles of Incorporation have been duly approved by the Board of Directors.
4. The foregoing Amendment and Restatement of Articles of Incorporation have been duly approved by the required vote of members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

DATED: January 20, 1995  
Reverend Donald E. Green, President  
Louis N. Johnson, Secretary

**EXHIBIT "A"**  
**RESTATED AND AMENDED**  
**ARTICLES OF INCORPORATION**

**I**

The name of this corporation is **SAN FRANCISCO CHRISTIAN CENTER.**

**II**

- A. This corporation is a religious corporation and is not organized for the private gain of any person. It is organized under the non-profit Religious Corporation Law exclusively for religious purposes.
- B. To propagate the Gospel of Jesus Christ through evangelizing and missionary endeavors. The specific purpose of this corporation is to nurture and care for people, and help them find fulfillment and purpose in life through the resources provided by Jesus Christ.

**III**

This corporation elects to be governed by all the provisions of the Non-Profit Corporation Law of 1980 not otherwise applicable to it under Part 5 thereof.

**IV**

- A. This corporation is organized and operated exclusively for religious purposes within the meaning of Section 501(c) (3) of the Internal Revenue Code.
- B. No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.



V

The property of this corporation is irrevocably dedicated to religious purposes and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person. Upon dissolution or winding up of the corporation by its members, its assets remaining after payment, or provision for payment of all debts and liabilities of this corporation shall be distributed to a non-profit fund, foundation or corporation which is organized and operated exclusively for religious purposes and which has established its tax exempt status under Section 501(c) (3) of the Internal Revenue Code.

DATED: Jan. 20, 1995

*Dr. Donald E. Green*  
(Signature of Incorporator)

Reverend Donald E. Green  
(Typed Name of Incorporator)



California Secretary of State  
Electronic Filing



Corporation - Statement of Information

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Entity Name: SAN FRANCISCO CHRISTIAN CENTER

Entity (File) Number: C0293313  
File Date: 09/03/2020  
Entity Type: Corporation  
Jurisdiction: CALIFORNIA  
Document ID: GJ24452

---

**Detailed Filing Information**

1. Entity Name: SAN FRANCISCO CHRISTIAN CENTER
  
2. Business Addresses:
  - a. Street Address of Principal Office in California: 5845 Mission St.  
San Francisco, California 94112  
United States of America
  
  - b. Mailing Address: 5845 Mission St.  
San Francisco, California 94112  
United States of America
  
3. Officers:
  - a. Chief Executive Officer: Roderick V Gittens  
5845 Mission St.  
San Francisco, California 94112  
United States of America
  
  - b. Secretary: Cinda Sullivan  
2001 Chipman St.  
Alameda, California 94501  
United States of America

Document ID: GJ24452



## California Secretary of State Electronic Filing

Officers (Cont'd):

- c. Chief Financial Officer: Priscilla Wilder-Watson  
2201 Sea Shell Dr.  
Richmond, California 94804  
United States of America
4. Agent for Service of Process: Cynthia Kay Dillard  
5845 Mission St.  
San Francisco, California 94112  
United States of America

By signing this document, I certify that the information is true and correct and that I am authorized by California law to sign.

Electronic Signature: CDillard

*Use [bizfile.sos.ca.gov](http://bizfile.sos.ca.gov) for online filings, searches, business records, and resources.*

Document ID: GJ24452



## ABOUT SFCC

San Francisco Christian Center is a fellowship of Spirit-filled believers committed to Christ-honoring worship, Kingdom-seeking prayer, Bible-centered discipleship, worldwide evangelism and local community service.

First known as New Testament Temple, the church was founded by Rev. William Keller in 1953 and was succeeded in 1954 by Rev. H.R. Bagwell as senior pastor. Rev. Bagwell changed the name to San Francisco Revival Center. Bishop Donald E. Green became senior pastor in 1966, changing the name to San Francisco Christian Center and served for 44 years before retiring in 2010. Today, Rev. Roderick Gittens leads the non-denominational, charismatic church located in the Outer Mission District.

At SFCC, celebration and adoration of the Lord is demonstrated through music, singing, prayer, drama, and the ministry of God's Word. The desire is that each person attending services at San Francisco Christian Center experience spiritual refreshing that will provoke a godly lifestyle.



**NEIGHBORHOOD APPEAL FOR:**

**2020-007152CUA**

**BUILDING PERMIT: 6472/001**

**DATE OF DECISION: JUNE 10, 2021**

**INGLESIA DE CRISTO MITSRS  
COSECHA**

**BACKGROUND DOCUMENTATION  
FOR TH FOLLOWING  
PROPERTIES:**

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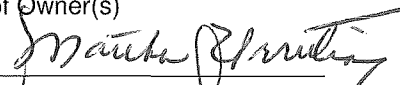
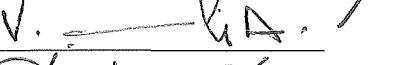

- **1 LAWRENCE AVENUE**

City Planning Commission

Case No. 2020-007152 CUA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of 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.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>1 Lawrence Ave</u>	<u>7143/034</u>	<u>Martha L. Urrutia</u>	
2. <u>1 LAWRENCE AVE</u>	<u>7143/034</u>	<u>VICTOR N. URRUTIA</u>	
3. <u>1 Lawrence Ave</u>	<u>7143/034</u>	<u>Anabelle Gomez</u>	
4. _____	_____	_____	_____
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22. _____	_____	_____	_____

1 LAWRENCE AVE.

BYLAWS OF

Iglesia de Cristo Ministerios Cosecha

A Nonprofit corporation

INTRODUCTION

Foremost in the operation of this Corporation and its Bylaws is the Word of God as taught in Old and New Testaments of the Holy Bible. All provisions herein are declared to be subject to the Word of God which is to every possible extent incorporated herein by reference as a whole and unless otherwise stated to be found in the King James Version or New American Standard Version or other version of the Holy Bible generally accepted among Bible-believing congregations, churches or fellowships throughout this nation or the reading together of these versions to produce an understanding of the Truth of the sayings of God to men as found in the Holy Bible.

ARTICLE I

OFFICES

Section 1. The registered office of the Corporation shall be located at 156 So. Spruce Ave. Ste. 210, So. San Francisco, CA 94080.

Section 2. The Corporation may also have offices at such other places both within and without the state of incorporation as the Board of Directors may from time to time determine or the business of the Corporation may require.

ARTICLE II

TENETS OF FAITH AND DOCTRINE

The Church accepts the Scriptures as the revealed Will of God, the all sufficient rule of faith and practice, and for the purpose of maintaining general unity, adopts these Statements of Fundamental Truths and Doctrine.

Section 1. The Scriptures Inspired. The Bible is the inspired Word of God, a revelation from God to man, the infallible rule of faith and conduct, and is superior to conscience and reason, but not contrary to reason (2 Tim. 3:15-17; 1 Peter 1:23-25; Heb. 4:12).

**Section 2. The One True Godhead.** The triune Godhead is comprised of three (3) separate and distinct personalities, The Father, The Son, and The Holy Spirit, who are eternally self-existent, self-revealed and function as one entity. Jesus Christ, who is God manifested in the flesh, is the second member of the Godhead, co-equal and co-eternal with The Father and The Holy Spirit.

**Section 3. Man, His Fall and Redemption.** Man was created good and upright, for God said, "Let us make man in Our image, after Our likeness". But, man, by voluntary transgression, fell and his only hope of redemption is in Jesus Christ the Son of God (Genesis 1:26-31, 3:1-7; Romans 5:12-21).

**Section 4. The Salvation of Man.**

(a) *Man's only hope of redemption is through the shed blood of Jesus Christ.* On the cross Jesus Christ became sin and sickness providing both salvation and divine healing for all mankind (Psalm 103:3), being justified freely by His Grace through the redemption that is in Christ Jesus. For by grace we are saved through faith. "The word is near you, in your mouth and in your heart--that is, the word of faith which we are preaching, that if you confess with your mouth Jesus as Lord, and believe in your heart that God raised Him from the dead, you shall be saved; for with the heart man believes, resulting in righteousness, and with the mouth he confesses, resulting in salvation" (Romans 3:24; Ephesians 2:8; Romans 10:8-10).

(b) *The Evidence of Salvation.* The inward evidence to the believer of his salvation, is the direct witness of the Spirit (Romans 8:16). The outward evidence to all men is a life of righteousness and true holiness. "And this is His commandment, that we believe in the name of His Son Jesus Christ, and love one another, just as He commanded us." (1 John 3:23); ... while you are waiting for these things to happen and for him to come, try hard to live without sinning; and be at peace with everyone so that he will be pleased with you when he returns (II Peter 3:14 LB).

(c) *Faith and Works.* Salvation is by faith in Jesus Christ and not by human works; however, our works will determine the rewards in eternity (Romans 10:9-1 and II Cor. 5:10).

**Section 5. Baptism in Water.** The ordinance of baptism by a burial with Christ should be observed as commanded in the Scriptures by all who have really repented and in their hearts have truly believed on Christ as Savior and Lord. In so doing,



they declare to the world that they have died with Jesus and that they have also been raised with Him to walk in newness of life. (Matt. 28:19; Acts 10:47, 48; Romans 6:4).

**Section 6. The Lord's Supper.** "And when He had given thanks, He broke it, and said, 'This is my body which is for you. Do this in remembrance of me.' In the same way also the cup, after supper, saying, 'This cup is the new covenant in my blood, Do this, as often as you drink it, in remembrance of me.' Let a man examine himself, and so eat of the bread and drink of the cup" (1 Cor. 11:24; 25, 28).

**Section 7. The Promise of the Father.** All believers are entitled to, and should ardently expect and earnestly seek, the promise of the Father, the Baptism in the Holy Ghost and Fire, according to the command of our Lord Jesus Christ. This was the normal experience of all in the early Christian church. With it comes the endowment of power for life and service, the bestowment of the gifts and their uses in the work of the ministry. (Luke 24:49; Acts 1:4-8; 1 Cor. 12:1-31). This wonderful experience is distinct from and subsequent to the experience of the new birth (Acts 2:38; 10:44-46; 11:14-16; 15:7-9).

**Section 8. The Evidence of the Baptism in the Holy Spirit.** The full consummation of the Baptism of believers in the Holy Spirit is evidenced by the initial physical sign of speaking with other tongues as the Spirit gives utterance, and by the subsequent manifestation of spiritual power in public testimony and service (Acts 2:4; 10:44-46; 19:2, 6; 1:8).

**Section 9. The Church.** The church is the body of Christ, the habitation of God through the Spirit, with divine appointments for the fulfillment of her great commission. Each believer, born of the Spirit, is an integral part of the general assembly and church of the firstborn, which are written in Heaven (Ephesians 1:22; 2:19-22; Hebrews 12:23).

**Section 10. Total Prosperity.**

- (a) Spiritual. John 3:3, 11; II Cor. 5:17-21; Romans 10:9-10.
- (b) Mental. II Tim. 1:7; Romans 12:2; Isaiah 26:3.
- (c) Physical. Isaiah 53:4, 5; Matt. 8:17; I Peter 2:24.
- (d) Financial. III John 1:2; Malachi 3:10-11; Luke 6:38; II Cor. 9:6-10; Deut. 28:1-14.
- (e) Social. Proverbs 3:4.

**Section 11. Blessed Hope.** Jesus is coming again to gather all His Saints to Heaven (I Cor. 15:51-52; I Thess. 4:16-17; and II Thess. 2:1).

**Section 12. The Lake of Fire.** Those who have not accepted the redemptive work of Jesus Christ will suffer eternal separation from the Godhead. The devil and his angels, the beast and the false prophet, and anyone whose name was not found written in the book of life, shall be consigned to everlasting punishment in the lake of fire which burns with brimstone. This is the second death, the lake of fire (Rev. 19:20; 20:10-15).

**Section 13. The Millennial Reign of Jesus.** The return of our Lord Jesus Christ with His Saints from Heaven to rule and reign for one thousand years on earth as the Scriptures promised (Romans 11:25, 27; 2 Thess. 1:7; Rev. 19:11-16; 20:1-7). After this, there shall be a new heaven and a new earth (Rev. 21).

**Section 14. Christian Life; Scriptural Conduct.**

(a) *Personal Ethics.* "I can do anything I want to if Christ has not said no, but some of these things aren't good for me. Even if I am allowed to do them, I'll refuse to if I think they might get such a grip on me that I can't easily stop when I want to" (I Cor. 6:12 LB). "We can always 'prove' that we are right, but is the Lord convinced?" (Proverbs 16:2 LB) "And we beseech you, brethren, to know them which labor among you, and are over you in the Lord, and admonish you" (I Thessalonians 5:12).

(b) *Obedience to Law.* "Obey the government, for God is the one who has put it there. There is no government anywhere that God has not placed in power. So those who refuse to obey the laws of the land are refusing to obey God, and punishment will follow" (Romans 13:1-2 LB). "Obey the laws, then, for two reasons: first, to keep from being punished, and second, just because you know you should. Pay your taxes too, for these same two reasons. For government workers need to be paid so that they can keep on doing God's work, serving you. Pay everyone whatever he ought to have; pay your taxes and import duties gladly, obey those over you, and give honor and respect to all those to whom it is due. Pay all your debts except the debt of love for others - never finish paying that! For if you love them, you will be obeying all of God's laws, fulfilling all his requirements. Another reason for right living in this: you know how late it is; time is running out. Wake up, for the coming of the Lord is nearer now than when we first believed" (Romans 13:5-8, 11 LB).

(c) *Family; Household.* "Honor your father and mother, that you may have a long, good life in the land the Lord your God will give you" (Exodus 20:12). "For if a man know not how to rule his

own house, how shall he take care of the church of God?" (I Timothy 3:5) "Their wives must be thoughtful, not heavy drinkers, not gossipers, but faithful in everything they do" (I Timothy 3:11 LB). "The men you choose must be well thought of for their good lives; they must have only one wife and their children must love the Lord and not have a reputation for being wild or disobedient to their parents. These elders must be men of blameless lives because they are God's ministers. They must not be proud or impatient; they must not be drunkards or fighters or greedy for money" (Titus 1:6-7 LB). "That the aged men be sober, grave, temperate, sound in faith, in charity, in patience. That they may teach the young women to be sober, to love their husbands, to love their children" (Titus 2:2-4). "You wives must submit to your husbands' leadership in the same way you submit to the Lord. For a husband is in charge of his wife in the same way Christ is in charge of his body the Church. (He gave his very life to take care of it and be its Savior!) So you wives must willingly obey your husbands in everything, just as the Church obeys Christ. And you husbands, how the same kind of love to your wives as Christ showed to the Church when he died for her, to make her holy and clean, washed by baptism and God's Word: so that he could give her to himself as a glorious Church without a single spot or wrinkle or any other blemish, being holy and without a single fault. That is how husbands should treat their wives, loving them as parts of themselves. For since a man and his wife are now one, a man is really doing himself a favor and loving himself when he loves his wife. No one hates his own body but lovingly cares for it, just as Christ cares for his body the Church, of which we are parts. (That the husband and wife are one body is proved by the Scripture which says, "A Man must leave his father and mother when he marries, so the two shall be one.") So again, I say, a man must love his wife as a part of himself: and the wife must see to it that she deeply respects her husband - obeying, praising and honoring him. Children, obey your parents; this is the right thing to do because God has placed them in authority over you. Honor your father and mother. This is the first of God's Ten Commandments that ends with a promise. And this is the promise: that if you honor your father and mother, yours will be a long life, full of blessing. And now a word to you parents. Don't keep on scolding and nagging your children, making them angry and resentful. Rather bring them up with the loving discipline the Lord himself approves, with suggestions and godly advice" (Ephesians 5:22-31, 33-6:4 LB).

(d) *Control.* "...For a man is a slave to whatever controls him" (II Peter 2:19 LB). "Even if we believe that it makes no difference to the Lord whether we do these things, still we cannot just go ahead and do them to please ourselves; for we must bear the burden of being considerate of the doubts and fears

of others - of those who feel these things are wrong. Let's please the other fellow, not ourselves, and do what is for his good and thus build him up in the Lord" (Romans 15:2-3 LB).

(e) *Adultery; Immorality.* "Thou shalt not commit adultery" (Exodus 20:14). "...try hard to live without sinning; and be at peace with everyone so that he will be pleased with you when he returns" (II Peter 2:14 LB). "You shall not commit adultery. But I say: Anyone who even looks at a woman with lust in his eye has already committed adultery with her in his heart" (Matthew 5:27-28 LB). "...Don't fool yourselves. Those who live immoral lives, who are idol worshipers, adulterers or homosexuals will have no share in his Kingdom ..." (I Cor. 6:9 LB). "But now I have written unto you not to keep company, if any man that is called a brother be a fornicator, or covetous, or an idolater, or a railer, or a drunkard, or an extortioner; with such an one no not to eat" (I Cor. 5:11 LB).

(f) *Drunkenness; Drugs.* "This son of ours is stubborn and rebellious and won't obey; he is a worthless drunkard. Then the men of the city shall stone him to death. In this way you shall put away this evil from among you, and all the young men will hear about what happened and will be afraid" (Deuteronomy 21:20-21 LB). "...envy, murder, drunkenness, wild parties, and all that sort of thing. Let me tell you again as I have before, that anyone living that sort of life will not inherit the Kingdom of God" (Galatians 5:21 LB). "Nor thieves, nor covetous, nor drunkards, nor revilers, nor extortioners, shall inherit the kingdom of God" (I Cor. 6:10 LB). "Don't drink too much wine, for many evils lie along that path; be filled instead with the Holy Spirit, and controlled by Him" (Ephesians 5:18 LB). "For the drunkard and the glutton shall come to poverty; and drowsiness shall clothe a man with rags" (Proverbs 23:21).

(g) *Smoking.* "Know ye not that ye are the temple of God, and that the Spirit of God dwelleth in you? If any man defile the temple of God, him shall God destroy, for the temple of God is holy, which temple are ye" (I Cor. 3:16-17). "Haven't you yet learned that your body is the home of the Holy Spirit God gave you, and that He lives within you? Your body does not belong to you. For God has bought you with a great price. So use every part of your body to give glory back to God, because He owns it" (I Cor. 6:19).

(h) *Homosexuality.* "You shall not lie with a man as with a woman; it is an abomination" (Leviticus 18:22). "...God let go of them and let them do all these evil things, so that even their women turned against God's natural plan for them and indulged in sex sin with each other. And the men, instead of having a normal sex relationship with women, burned with lust for each other, men doing shameful things with other men and, as a

result, getting paid within their own souls with the penalty they so richly deserved. So it was that when they have God up and would not even acknowledge him, God gave them up to doing everything their evil minds could think of. Their lives became full of every kind of wickedness and sin . . . ." (Romans 1:26-29). "Don't you know that those doing such things have no share in the Kingdom of God? Don't fool yourselves. Those who live immoral lives, who are idol worshippers, adulterers or homosexuals will have no share in his Kingdom... " (I Cor. 6:9-10).

### ARTICLE III DIRECTORS (ELDERS)

**Section 1.** The Directors hereinafter named and wherever the word "Director" shall appear in any corporate document, shall be taken to refer to and mean the word "Elder" as defined in Chapter One of the Epistle to Titus in the New Covenant of the Holy Bible. The initial Directors (Elders) shall be the following persons:

President/Pastor: Victor M. Urrutia

and such other persons as may be determined from time to time by appointment of the President (Pastor) - Chairman of the Board of Directors as hereinafter described. The number of Directors which shall constitute the Board shall not be less than one (1) Director.

**Section 2.** Vacancies and newly created directorships shall be filled by appointment of the Chairman of the existing members of the Board of Directors and each person so appointed shall be a Director until his successor is appointed in like manner.

**Section 3.** The business of the Corporation shall be managed by its Board of Directors under the final authority of the President (Pastor) - Chairman of the Board of Directors as to all decisions as set forth below in these Bylaws. Otherwise stated, no decision shall become a corporate act without approval from the President (Pastor) - Chairman of the Board of Directors.

### MEETINGS OF THE BOARD OF DIRECTORS

**Section 4.** The Board of Directors of the Corporation may hold meetings, both regular and special, either within or without the state of incorporation.

**Section 5.** Regular meetings of the Board of Directors may be held without notice at such time and at such place as shall from time to time be determined by resolution of the President (Pastor) - Chairman of the Board.

**Section 6.** Special meetings of the Board shall be called by the President (Pastor) - Chairman of the Board without necessity of any prescribed notice period.

**Section 7.** At all meetings of the Board at least one of the Directors in office shall be necessary to constitute a quorum for the transaction of business, and the acts of a majority of the Directors present at a meeting at which a quorum is present when approved by the President (Pastor) - Chairman of the Board shall be the acts of the Board of Directors, except as may be otherwise specifically provided by statute or these Bylaws. One or more Directors may participate in a meeting of the Board by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. If a quorum shall not be present at any meeting of Directors, the Directors present thereat may adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present. No meeting of the Board of Directors shall take place without the Chairman of the Board of Directors present.

**Section 8.** If the President (Pastor) - Chairman of the Board of Directors shall take any action which is intended as a corporate act, such action shall be as valid a corporate action as though it had been authorized at a meeting of the Board of Directors. However, no corporate act shall take place or be authorized without the approval of the Chairman of the Board of Directors.

#### **COMPENSATION OF DIRECTORS**

**Section 9.** Directors as such shall not receive any stated salary for their services but, by resolution of the Board, a fixed sum, and expenses of attendance if any, may be allowed for attendance at each regular meeting or special meeting of the Board or at meetings of the Executive Committee; provided that nothing herein contained shall be construed to preclude any Director from serving the Corporation in any other capacity and receiving compensation therefor.

#### **REMOVAL OF DIRECTORS**

**Section 10.** Any individual Director may be removed from office by the President (Pastor) - Chairman of the Board without assigning any cause whatsoever. In case one or more Directors be so removed, new Directors may be appointed at the same meeting or as the President (Pastor) - Chairman of the Board deems appropriate.

ARTICLE IV  
NOTICES

Section 1. Notices to Directors shall be in writing and delivered personally or mailed to the Directors at their addresses appearing on the books of the Corporation. Notice by mail shall be deemed to be given at the time when the same shall be mailed. Notice may also be given by telegram or telephone personally.

ARTICLE IV  
OFFICERS

Section 1. The officers of the Corporation shall be a President (Pastor), Vice President(s), a Secretary and a Treasurer. The President (Pastor) - Chairman of the Board may also choose additional Vice Presidents and one or more Assistant Secretaries and Assistant Treasurers. Any of the aforesaid offices may be held by the same person.

Section 2. The President (Pastor) - Chairman of the Board of Directors may appoint such other officers and agents as he shall deem necessary who shall hold their offices for such duties as shall be determined from time to time by the President (Pastor) - Chairman of the Board of Directors.

Section 3. The salaries, if any, of all officers and agents of the Corporation shall be fixed by the President (Pastor) - Chairman of the Board of Directors.

Section 4. The officers of the Corporation shall hold office until their successors are appointed by the President (Pastor) - Chairman of the Board of Directors. Any officer elected or appointed by the Chairman of the Board of Directors may be removed at any time by the President (Pastor) - Chairman of the Board of Directors. However, the President (Pastor) - Chairman of the Board may not be removed except by voluntary resignation or for gross error defined as severe deviation from the teachings of the Bible (Old and New Testaments read together as a whole) which would tend to spiritually endanger and lead the members of the fellowship away from the Lord, the God of the Bible.

PRESIDENT (PASTOR)

Section 5. The President (Pastor) shall be the Chief Executive Officer of the Corporation, having general and active management power of the business of the Corporation and shall see that all orders and resolutions of the Board of Directors are carried into effect. The word "President" wherever used in any corporate document of this Corporation shall be taken to be and

mean the word "Pastor" of the Church. As Pastor, the President shall officiate all commonly known duties limited to leading the congregants of the Church in regular prayer and worship services, meetings and Bible studies.

**Section 6.** The President (Pastor) shall at all times simultaneously occupy the office of the Chairman of the Board of Directors. The President (Pastor) shall execute any necessary documents and instruments on behalf of the Corporation, except where the signing and execution thereof shall be expressly delegated by the Board of Directors to some other officer or agent of the Corporation. The original President (Pastor) shall be elected by the original Director or Directors. Thereafter, the succeeding President (Pastor) - Chairman of the Board of Directors shall be appointed as more particularly described in Article Four, Section 7, below.

#### **CHAIRMAN OF THE BOARD**

**Section 7.** The Chairman of the Board of Directors shall preside at all meetings of the Board of Directors and shall perform such other duties and have such other powers as the Chairman of the Board may from time to time prescribe. The office of the Chairman of the Board shall at all times be held by the same single person as the President (Pastor). Any successor to the President (Pastor) - Chairman of the Board shall only come into existence at the appointment of the existing President (Pastor) - Chairman of the Board who may appoint his successor to take office in accordance with the written instructions of the then existing President (Pastor) - Chairman of the Board. In the event that the existing President (Pastor) - Chairman of the Board should become unable for any reason to continue in the office of the Chairman of the Board and be unable to appoint a successor President (Pastor) - Chairman of the Board, whether during his lifetime or by his Last Will and Testament, then and in that event a successor President (Pastor) - Chairman of the Board of Directors shall be elected by a majority of the remaining Directors where at least three (3) days advance written notice of such meeting is delivered to each Director, such notice containing the time, place and date and purpose of the meeting to be the election of a successor President (Pastor) - Chairman of the Board of Directors.

#### **ASSISTANT PASTOR**

**Section 8.** The Assistant Pastor as appointed by the President (Pastor) - chairman of the Board, shall in the absence or disability of the President (Pastor) - Chairman of the Board,



perform the duties and exercise the powers of the President, and shall perform such other duties and have such other powers as the Chairman of the Board of Directors may from time to time prescribe.

#### VICE PRESIDENT

Section 9. Vice President(s) shall assist the President (Pastor) - Chairman of the Board or the Assistant Pastor, as the case may be, in any and all duties deemed necessary and appropriate by the President. The duties of the Vice President(s) shall be known as and be taken to be such as the term "Deacon" as described in the New Covenant of the Holy Bible.

#### SECRETARY AND ASSISTANT SECRETARIES

Section 10. The Secretary shall attend all meetings of the Board of Directors and record all the proceedings of the Board of Directors in a book to be kept for that purpose and shall perform like duties for the Executive Committee when required. He shall give, or cause to be given, notice of all special meetings of the Board of Directors - President (Pastor) under whose supervision he shall be.

Section 11. The Assistant Secretary or, if there be more than one, the Assistant Secretaries, in the order determined by the Chairman of the Board of Directors, shall, in the absence or disability of the Secretary, perform the duties and exercise the powers of the Secretary and shall perform such other duties and shall have such other powers as the Chairman of the Board of Directors may from time to time prescribe.

#### TREASURER AND ASSISTANT TREASURERS

Section 12. The Treasurer shall have the custody of the corporate funds and securities donated to the Corporation and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Corporation and shall deposit all monies and other valuable effects in the name and to the credit of the Corporation in such depositories as may be designated by the Chairman of the Board of Directors.

Section 13. He shall disburse the funds of the Corporation as may be ordered by the Chairman of the Board of Directors, taking proper vouchers for such disbursements, and shall render to the President (Pastor) - Chairman of the Board, at its regular meetings, or when the Chairman of the Board of Directors so requires, an account of all his transactions as Treasurer and of the financial condition of the Corporation.

**Section 14.** If required by the Chairman of the Board of Directors, he shall give the Corporation a bond in such sum and with such surety or sureties as shall be satisfactory to the Chairman of the Board of Directors for the faithful performance of the duties of his office and for the restoration to the Corporation, in case of his death, resignation, retirement or removal from office, of all books, papers, vouchers, money and other property of whatever kind in his possession or under his control belonging to the Corporation.

**Section 15.** The Assistant Treasurer, or if there shall be more than one, the Assistant Treasurers, in the order determined by the Chairman of the Board of Directors, shall, in the absence or disability of the Treasurer, perform the duties and exercise the powers of the Treasurer and shall perform such other duties and have such other powers as the Chairman of the Board of Directors may from time to time prescribe.

**ARTICLE V**  
**GENERAL PROVISIONS**  
**INTERESTED DIRECTORS**

**Section 1.** No contract or transaction between the Corporation and one or more of its Directors and officers, or between the Corporation and any other corporation, partnership, association or other organization in which one or more of its directors or officers are also Directors or officers, or have a financial interest, shall be void or voidable solely for such reason, or solely because the Director or officer is present as or participates in the meeting of the Board which authorizes the contract or transaction, or solely because his or their votes are counted for such purpose, if:

(a) The material fact as to his interest and as to the contract or transaction are disclosed or known to the Board of Directors and the Chairman of the Board in good faith authorizes the contract or transaction; or

(b) The contract or transaction is fair as to the Corporation as of the time it is authorized, approved or ratified, by the Chairman of the Board of Directors.

**Section 2.** Interested Directors may be counted in determining the presence of a quorum at a meeting of the Board of Directors which authorizes a contract or transaction in the preceding section.

**CHECKS**

**Section 3.** All checks or demands for money and notes of the Corporation shall be signed by such officer or officers or such other person or persons as the Chairman of the Board of Directors may from time to time designate.

## FISCAL YEAR

**Section 4.** The fiscal year of the Corporation shall be fixed by resolution of the Board of Directors.

## ANNUAL REPORT

**Section 5.** (a) The President and Treasurer shall present annually to the Directors a report, showing in appropriate detail the following:

(i) The assets and liabilities, including trust funds of the Corporation as of the end of the immediately preceding fiscal year.

(ii) The principal changes in assets and liabilities including trust funds during the immediately preceding year.

(iii) The revenue or receipts of the Corporation for the immediately preceding year, including separate data for each trust fund held by or for the Corporation.

(iv) The expenses or disbursements for the immediately preceding year, including separate data for each trust fund held by or for the Directors.

(b) The annual report shall be filed with the minutes of the annual meeting of the Directors.

## ARTICLE VI DISSOLUTION

**Section 1.** Upon the dissolution of the Church, the Board of Directors shall, after the payment of all the liabilities of the Church, dispose of all of the assets of the Church exclusively for the purposes of the Church in such manner, or to such organization or organizations organized and operated exclusively for the purposes of the Church in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall qualify as an exempt corporation or organizations under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or of the corresponding provisions of any future United States Revenue Law) as the Board of Directors shall determine.

**Section 2.** No part of the net earnings of the Church shall inure to the benefit of, or be distributable to, its members, officers, directors, or any person except that the Church shall be authorized and empowered to pay reasonable compensation for services rendered, and to make payments in the furtherance of the

Church. Notwithstanding any other provisions of the Articles of Incorporation or these Bylaws of the Church, the Church shall not carry on any activity not permitted to be carried on (a) by a corporation exempt from Federal Income Tax, under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, (or by the corresponding section of any future Revenue Code of the United States of America) or (b) by a corporation, contributions of which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, as amended (or the corresponding section of any future United States Revenue Law).

**ARTICLE VII  
AMENDMENTS**

Section 1. These Bylaws may be altered, added to, amended or repealed by a majority vote of the Directors, but in no event without the approval of the Chairman of the Board of Directors.

**ARTICLE VIII  
MEMBERS**

Section 1. This Corporation, as a non-member Corporation, shall have no members. All voting rights reside in the Board of Directors and wherever the term "Member" is used in the state's nonprofit corporation act for the purposes of this Corporation, such term shall be taken to refer to Directors as if such term was replaced by the term "Directors."

Section 2. The mere regular attendance and regular contribution to the Corporation shall in no way entitle any person to membership in the Church.

April 15, 1997



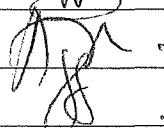
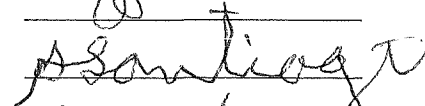
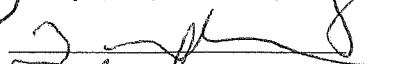

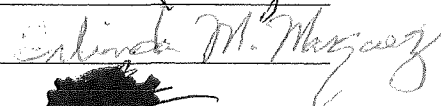


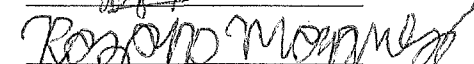
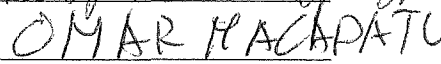
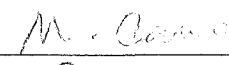


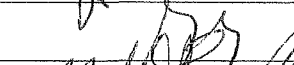

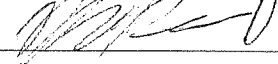


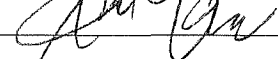


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Victor M. Urrutia  
President (Pastor)  
Chairman of the Board of Directors

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of 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.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 5750 MISSION ST		M. MARQUEZ	
2. 27 PERVIA		L. Argueta	
3. 5775 MISSION		RICKY PABLO J. Santiago	
4. 115 Templeton Ave.			
5. 5539 MISSION		A. SANTIAGO	
6. 5539 MISSION		J. Santiago	
7. 112 LAKEVIEW AVE		Manuel Almaraz	
8. 330 Winding Way		ERIKINDA M. MARQUEZ	
9. [REDACTED]		[REDACTED]	[REDACTED]
10. 76 HURON		CARLOS HERNANDEZ	
11. Laura		Andrea Garcia	
12. 230 Winding Way		ROZANO MARQUEZ	
13. OMAR MACAPATO		466 ELLINGTON ST OMAR MACAPATO	
14. 188 Acton St		M. CAVE	
15. 214 ALEXANDER AVE		ROSE EVANOWSKI	
16. 52 CERRILLO AVE		JANE G.	
17. 167 OTTAWA		ELEEN NAVARD	
18. 363 BELLUNT AV		MICHAEL CREZ	
19. 5717 MISSION		Maria Hernandez	
20. 850 Huron Ave ST.		Marjorie Gascon	
21. 6036 MISSION ST.		LEO CRUZADO	
22. 98 OTTAWA AVE SE		ARNOLD QUIJANO	

ADDRESS	PRINT NAME	SIGNATURE
23 18561 GOTTINGEN	ANTONIO ROOS	Antonio Roos
24 49 Partridge	LEONORA Molmas	LSM
25 49 Partridge	Gloria Molmas	Gloria
26 " "	Felicitas Molmas	Felicitas
27		
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City Planning Commission

Case No. 2020-0071520VA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of 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.

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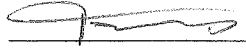
	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>5785 Mission</u>	<u>6473050</u>	<u>Chuck K Sm</u>	<u>Chuck K Sm</u>
2.	_____	_____	<u>CHUCK W H S U</u>	<u>Chuck W H S U</u>
3.	_____	_____	_____	_____
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21.	_____	_____	_____	_____
22.	_____	_____	_____	_____

City Planning Commission

Case No. 2020-0071520UA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of 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.

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>5810 MISSION ST #201</u>	<u>7143/038</u>	<u>ZHENG BO TANG</u>	
2.	<u>5810 MISSION ST #201</u>	<u>7143/038</u>	<u>TAMMY LIANG</u>	
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City Planning Commission

Case No. 2020-0071520VA

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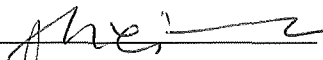

If ownership has changed and assessment roll has not been amended, we attach proof of ownership change. If signing for a firm or corporation, proof of authorization to sign on behalf of the organization is attached.

Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>6851 Mission St.</u>	<u>6472 &amp; 030</u>	<u>Huang/Li FMLY TRUST</u>	<u>Jan-Xiang Li</u>
2. _____	_____	_____	_____
3. _____	_____	_____	_____
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City Planning Commission  
Case No. 20 2000715 2CV4

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of 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.

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>5706 Mission St.</u>	<u>7109 002</u>	<u>Mei Lian Lin</u>	
2. <u>5708 Mission St</u>	<u>7109 002</u>	<u>Steven Liao</u>	
3. _____	_____	_____	_____
4. _____	_____	_____	_____
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City Planning Commission  
 Case No. 2020-007152CVA

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>5712 MISSION</u>	<u>7109003</u>	<u>LAI-WAH WONG</u>	<u>H R W</u>
2.	<u>5712 MISSION</u>	<u>7109003</u>	<u>Lai-wah Wong</u>	<u>LAI WAH WONG</u>
3.	<u>5700 Mission #2</u>	<u>7109-038</u>	<u>Glenda Parode</u>	<u>[Signature]</u>
4.	<u>5700 Mission #3</u>	<u>7109-0039</u>	<u>Glenda Parode</u>	<u>[Signature]</u>
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City Planning Commission  
 Case No. 2020-007152CVA

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>5700 APT 1<sup>#</sup> Mission</u>	<u>7109-037</u>	<u>WAN LING LI</u>	<u>Muler's fi</u>
2. <u>5700 APT<sup>#</sup> 1 Mission</u>	<u>7109-037</u>	<u>ZONG HAO ZHANG</u>	<u>Zong Hao Zhang</u>
3. <u>5700 Mission Apt 4</u>	<u>7109-040</u>	<u>Tina Cen</u>	<u>Tina Cen</u>
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City Planning Commission

Case No. 2020-0071520VA

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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>5810 Mission St 209</u>	<u>7143/046</u>	<u>Dennis Zhu / Bing Fan</u>	<u>Dennis Zhu Bing Fan</u>
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>57 Oliver St. SF.</u>	<u>6473/025</u>	<u>EFREN MOBO</u>	<u>Efrén Mobo</u>
2.	<u>57 Oliver St. SF</u>	<u>6473/025</u>	<u>Arlene Mobo</u>	<u>Arlene Mobo</u>
3.	<u>75 Oliver St. SF</u>	<u>6473/021</u>	<u>Bi Yun Huang</u>	<u>Bi Yun Huang</u>
4.	<u>75 Oliver St SF.</u>	<u>6473/021</u>	<u>BOJUN XIAO</u>	<u>Bojun Xiao</u>
5.	<u>55 Oliver St. SF</u>	<u>6473/026</u>	<u>Kevin Feng</u>	<u>Kevin Feng</u>
6.	<u>55 Oliver St SF</u>	<u>6473/026</u>	<u>Ning Kun Feng</u>	<u>Ning Kun Feng</u>
7.	<u>74 OLIVER ST ST</u>	<u>6472/007</u>	<u>WENYI Y. LI</u>	<u>Wenyi Y. Li</u>
8.	<u>69 Oliver St SF</u>	<u>6473/624</u>	<u>CHIN WA WONG</u>	<u>Chin Wa Wong</u>
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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>5785 Mission St.</u>	<u>6473050</u>	<u>Chuck Siu</u>	<u>Chuck Siu</u>
2. <u>..</u>	<u>..</u>	<u>Yuan Ya Fong</u>	<u>Yuan Ya Fong</u>
3. _____	_____	_____	_____
4. _____	_____	<u>CHUCK YOUNG SIU</u>	<u>Chuck Sp.</u>
5. _____	_____	<u>Anita Siu</u>	<u>Anita Siu</u>
6. _____	_____	<del>Ethan Siu</del> <u>Ethan Siu</u>	<u>Ethan Siu</u>
7. _____	_____	<u>Winston Siu</u>	<u>Winston Siu</u>
8. _____	_____	<u>Justin Siu</u>	<u>Justin Siu</u>
9. _____	_____	<u>Nathan Siu</u>	<u>Nathan Siu</u>
10. _____	_____	<del>Charles Siu</del>	
11. _____	_____	<u>CHUCK WAH SIU</u>	<u>Chuck Wah Siu</u>
12. _____	_____	_____	_____
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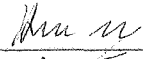
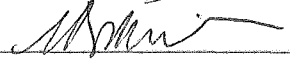


City Planning Commission

Case No. 2020-00-715200A

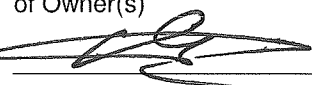


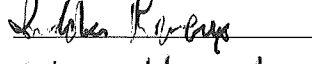
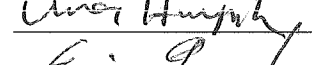



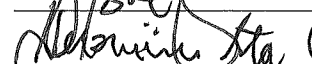

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>5867 Mission St #6</u>	<u>6472   060</u>	<u>MARIA C. MENDOZA</u>	
2. <u>5865 Mission St -</u>	<u>6472   063</u>	<u>JOAN TUN</u>	
3. <u>5867 Mission St #4</u>	<u>6472   058</u>	<u>CESAR MENDOZA</u>	
4. _____	_____	_____	_____
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>29. Oliver St</u>	<u>6473/029A</u>	<u>MIGUEL Chen</u>	
2.	<u>29. Oliver St</u>	<u>6473/029A</u>	<u>Chen Xian Na</u>	
3.	<u>25-OLIVER ST</u>	<u>6473/029B</u>	<u>Miguel RIVERA</u>	
4.	<u>25-OLIVER ST</u>	<u>6473/029B</u>	<u>IMELDA RIVERA</u>	
5.	<u>55 Lawrence Ave.</u>	<u>7143/027</u>	<u>Lina Huang</u>	
6.	<u>55 Lawrence Ave</u>	<u>7143/027</u>	<u>ERIC Q. TA</u>	
7.	<u>45 Laura Street</u>	<u>7109A/033</u>	<u>Vincent Archuleta</u>	
8.	<u>45 Laura Street</u>	<u>7109A/033</u>	<u>Sandra Archuleta</u>	
9.	<u>43 LAWRENCE</u>	<u>7143029</u>	<u>JANE SANTA CRUZ</u>	
10.	<u>43 LAWRENCE</u>	<u>7143029</u>	<u>HERMINIA SANCHEZ</u>	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>5723 MISSION</u>	<u>6473 043</u>	<u>SGAN MATSUBAYASHI</u>	
2.	<u>5723 MISSION</u>	<u>6473 043</u>	<u>ANGIE LAU</u>	
3.	_____	_____	_____	_____
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<del>1048 Brunswick</del>	<del>6491.023</del>	<del>Sham Xin Zhang</del>	<del>[Signature]</del>
2.	1048 Brunswick		Yue ming Huang	[Signature]
3.	1048 Brunswick		Sham Xin Zhang	[Signature]
4.	749 Brunswick	6491.023	Liu De song & Liang Xue Fang	[Signature]
5.	399 BELLEVUE AVE, BIK 4, 2248		Ken Lam & Irene Lam	[Signature]
6.				
7.	CHOLY # 16 RISEL AVE DALY CITY CA 94014		CHOT LEI	[Signature]
8.	1044 BRUNSWICK ST DALY CITY CA 94014		SUN WAN FANG	[Signature]
9.	20 Byron Ct	6489 057	Lifang Zhou	[Signature]
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City Planning Commission

Case No. 2020-007152CUA

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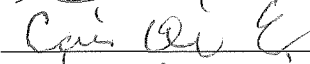
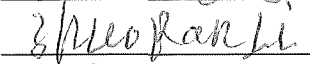

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	74 Oliver St	6472/007	SUSANA S. LI Vincent Li	
2.	634 HANOVER		KANE JIAN SU	
3.	5820 Mission		daniel	
4.	5867 Mission #7	6472/061	DB LI Lil	
5.	5820 MISSION ST		DAK TIMING	
6.	5822 Mission		Wing Shun Tan	
7.	5851 Mission	6472/030	Kenneth Huang	
8.	5810 Mission St	#204 7143/041	MONARK MARK	
9.	29 Oliver St	6473/029A	Mingyue Chen	
10.	29 Oliver St	6473/029A	Xiaona Chen	
11.	5 Oliver St	6473/030	Jason Pong	
12.	5 Oliver St	6473/030	Catherine Leung	
13.	5791 Mission St	6473/030	Jason Pong	
14.	5799 Mission St	6473/030	Catherine Leung	
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City Planning Commission

Case No. 2020-007152CUA

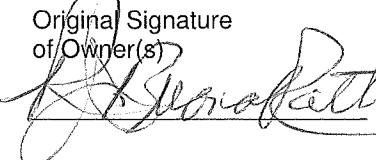
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>30 OLIVER ST.</u>	<u>6472/002</u>	<u>FREDERICK BARRERA</u>	
2.	<u>80 OLIVER ST</u>	<u>6472/008</u>	<u>Q1 E CAL</u>	
3.	<u>80 OLIVER ST</u>		<u>2HUO RAN LI</u>	
4.	<u>11</u>		<u>Angela Li</u>	
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	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>96 OLIVER ST. S.F. CAHIF.</u>	<u>B6472 LOT #4</u>	<u>R. J BUONOLATTI</u>	
2.	_____	_____	_____	_____
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JUANA FLORES 415 307-3643

City Planning Commission

Case No. 2020-0071520VA

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* Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>60 LAWRENCE AVE</u>	<u>7109A-026</u> <sup>LOT</sup>	<u>ANTONIO FLORES</u>	<u>[Signature]</u>
2. _____	_____	<u>JUANA FLORES</u>	<u>[Signature]</u>
3. _____	_____	<u>OSCAR FLORES</u>	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
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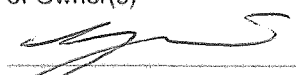


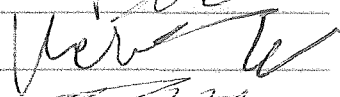

	Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1.	<u>125 Whittier St.</u>	<u>6490 027</u>	<u>Victor Fong</u>	<u>Victor Fong</u>
2.	<u>133 Whittier St.</u>	<u>6490 028</u>	<u>Victor Fong</u>	<u>Victor Fong</u>
3.	<u>125 Whittier ST</u>		<u>Krist E Fong</u>	<u>KNIGT E FONG</u>
4.	<u>125 Whittier ST</u>		<u>Bao Bei Tan</u>	<u>BaoBei Tan</u>
5.	<u>125 Whittier ST</u>		<u>Gary Fong</u>	<u>GARY FONG</u>
6.	<u>125 Whittier ST</u>		<u>Kaitlin Fong</u>	<u>Kaitlin Fong</u>
7.	<u>125 Whittier ST</u>		<u>Kyle Fong</u>	<u>Kyle Fong</u>
8.	<u>125 Whittier ST</u>		<u>Chloe Fong</u>	<u>Chloe Fong</u>
9.	<u>142 WHITTIER ST.</u>		<u>CHOW KAU TAM</u>	<u>Chow Kau Tam</u>
10.	<u>142 WHITTIER ST.</u>		<u>CHOI HUNG CHAN</u>	<u>Choi Hung Chan</u>
11.	<u>142 WHITTIER ST.</u>		<u>JOHNNY TAM</u>	<u>Johnny Tam</u>
12.	<u>167 Whittier St</u>		<u>Jenny Jian</u>	<u>Jin Ai Jian</u>
13.	<u>167 Whittier St</u>		<u>Zhen Wen Li</u>	<u>Zhen Wen Li</u>
14.	<u>152 Whittier St</u>		<u>Lu Ji Liu</u>	<u>LJ</u>
15.	<u>152 Whittier St</u>		<u>Runtan Cai</u>	<u>R Cai</u>
16.	<u>156 WHITTIER ST</u>		<u>CEN MAGAT</u>	<u>Cen Magat</u>
17.	<u>156 Whittier St.</u>		<u>Dalisay Magat</u>	<u>Dalisay Magat</u>
18.				
19.				
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City Planning Commission

Case No. 2020-007152CUA

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners of property affected by the proposed amendment or conditional use (that is, owners of 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).

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. 34 Whittier Street		Yue Hin Ko	
2. 34 Whittier Street		Wing Wai Hong	
3. 22 Whittier St		To, David	
4. 28 Whittier St.		Wei Danyu	
5. 28 Whittier St		Jan Shen Huang	
6. _____			
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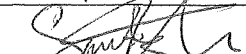
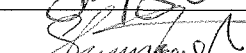
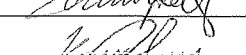
Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>779 Brunswick street</u>		<u>Mei Xiang Yan</u>	<u>mei xiang yan</u>
2. <u>779 BRUNSWICK STREET</u>		<u>Emily Yan Ting Wu</u>	<u>Emily Yan Ting Wu</u>
3. <u>212 Lobos ST</u>		<u>MINDY HUANG</u>	<u>Mindy Huang</u>
4. <u>210 Lobos st</u>		<u>Alice Lee</u>	<u>Alice Lee</u>
5. <u>5897 mission</u>		<u>JAMES ZHANG</u>	<u>James Zhang</u>
6. <u>90 Florentine</u>		<u>JINI RU</u>	<u>Jini Ru</u>
7. <u>5816 MISSISSA ST.</u>		<u>ALFREDO PEÑA</u>	<u>Alfredo Peña</u>
8. <u>5816 MISSISSA ST A</u>		<u>VIVIAN FAM</u>	<u>Vivian Fam</u>
9. <u>5816 MISSION ST</u>		<u>ZOSIMO VILLAPAZA III</u>	<u>Zosimo Villapaza III</u>
10. <u>5816 Mission St 201</u>		<u>Jorge P. Meza</u>	<u>Jorge P. Meza</u>
11. <u>5818 Missions</u>		<u>Al. Meza</u>	<u>Al. Meza</u>
12. <u>80 Lanke st</u>		<u>ELAINE LAU</u>	<u>Elaine Lau</u>
13. <u>170 Alise</u>		<u>Don Tan</u>	<u>Don Tan</u>
14. <u>11210'</u>		<u>Peixing Li</u>	<u>Peixing Li</u>
15. <u>310 Gutfenberg</u>		<u>BILL PHUONG</u>	<u>Bill Phuong</u>
16. <u>80 OLIVER</u>		<u>STEVEN LI</u>	<u>Steven Li</u>
17. <u>80 OLIVER</u>		<u>Angela Li</u>	<u>Angela Li</u>
18. <u>49 Oliver</u>		<u>Villa M Jaento</u>	<u>Villa M Jaento</u>
✓ 19. <u>298 Whittier</u>		<u>Jamie</u>	<u>Jamie</u>
20. <u>298 Whittier</u>		<u>Lisuan</u>	<u>Lisuan</u>
21. _____			
22. _____			

City Planning Commission

Case No. 2020-007152CUA

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Street Address, property owned	Assessor's Block & Lot	Printed Name of Owner(s)	Original Signature of Owner(s)
1. <u>5800 MISSION ST SE</u>	<u>7143 038</u>	<u>ZHENG BO TANG</u>	
2. <u>u v</u>	<u>v v</u>	<u>TAMMY LIANG</u>	
3. <u>m v1</u>	<u>u v1</u>	<u>SAMANTHA TANG</u>	
4. <u>v v1</u>	<u>v v1</u>	<u>SHAWNEE TANG</u>	
5. <u>u u</u>	<u>u v1</u>	<u>KENNY CHOW</u>	
6. _____	_____	_____	_____
7. _____	_____	_____	_____
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City Planning Commission

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1. 80 CRESCIO CT		Jenny Lee	
2. <del>80 Crescio Ct</del>		<del>Mi Rhee</del>	<del>Mi Rhee</del>
3. 80 Crescio Ct.		APRIL LEE	
4. 218 NIAGARA		YIM SIN FONG	Yim Sin Fong
5. 537 BRUNSWICK ST		XUE BIN HANG	Xue Bin Hang
6. 749 Brunswick St		JIE SONG LIAO	Jie Song Liao
7. 749 Brunswick St		XUE TANG LING	Xue Tang Ling
8. 132 BRUNSWICK ST		GUINAN JIANG	Guinan Jiang
9. 132 BRUNSWICK ST		JIE B HUANG	Jie B Huang
10. 81 White Street		Shi Lyshu	
11. 80 White Street		Yanxue Kong	Yanxue Kong
12. 218 London St		Bi Chang Wu	Bi Chang Wu
13. 2 Amazon Ave.		Yan Huan Wu	Yan Huan Wu
14. 843 Brunswick St		Qarmer Alday	
15. 843 Brunswick		gpadra	
16. Price St only w/h		Chli	
17. <del>416</del> 416 Monroe St		Zhang	Zhang
18. 609 BRUNSWICK		Ruzi Li	Ruzi Li
19. 728 Brunswick Street		Shu Ping Wu	Shu Ping Wu
20. 431 Amazon Ave		Somboon	
21. 281 Cowell Street		Xinlan Huang	Xinlan Huang
22. 787 Brunswick		Chiling Wang	
23. 152 White St		Annie Cai	Annie Cai
24. Hill G L.		850D BRUNSWICK ST	
25. 135 GRANADA AVE		Mu Lu	

26 ~~75~~ OLIVER ST

XIAO FENG HUANG    XIAO FENG HUANG

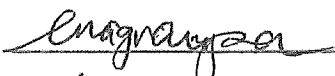
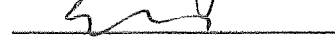

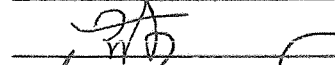
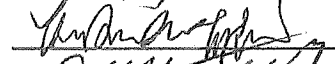

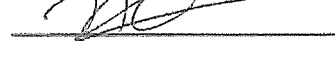
27 GAO ZHU ZHU    82 BRUNSWICK ST

28. MI MI CAI    118 OLIVER ST

29 605 HANOVER    LILY WONG 3

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1. <u>5871 Mission St. #8 S-E</u>	<u>64721050</u>	<u>ESTHER NAGRAMP</u>	
2. <u>5871 Mission St. #8 2</u> <small>941B</small>	<u>64721044</u>	<u>Shmei Tan</u>	
3. <u>5871 mission Apt 5</u>	<u>64721043</u>	<u>Shashi</u>	<u>S.K.</u>
4. <u>5871 Mission 6</u>	<u>64721048</u>	<u>EXCER SUCAPITA</u>	
5. <u>5871 Mission Apt 7</u>	<u>64721049</u>	<u>Wendy chen</u>	
6. <u>5871 Mission st. #9</u>	<u>64721051</u>	<u>Yan Qing Chow</u>	
7. <u>5871 MISSION #3</u>	<u>64721045</u>	<u>Oleg Tomillo</u>	
8. <u>5873 MISSION ST.</u>	<u>64721054</u>	<u>NOREEN QUIMSON</u>	
9. _____	_____	_____	_____
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NEIGHBORHOOD APPEAL FOR:

2020-007152CUA

BUILDING PERMIT: 6472/001

DATE OF DECISION: JUNE 10, 2021

**LETTERS OF SUPPORT &  
MISC.**

# BetterHousingPolicies.org

## 住房政策改良会

7/10/2021

Dear Board of Supervisors,

BetterHousingPolicies.org(BHP) is joining the African-American-led SF Christian Center and other neighborhood groups in the **appeal against** the Planning Commission's decision to approve the Conditional Use Authorization (CUA) of 5801 Mission Street as a cannabis retail. The Case Number is **2020-007152CUA**.

BHP represents a majority of the monolingual and limited English-speaking Chinese and Asian communities in the City on their quality housing needs. We must highlight that the Outer Mission's population is 51% Asian, 50% foreign born, 74% families and 68% limited or non-English-speakers, we have a large membership presence in the Outer Mission. Our membership is overwhelmingly **opposing** this project because it **decreases** the quality-of-life for the neighborhood, and **subtracts** from the offering of the neighborhood business. **Our membership and our community need services for families, youth and seniors, not yet another cannabis store.**

Moreover, the project sponsor did not do an adequate job in **outreaching** to our communities and membership. Most of our members in the 300' area were not notified in a culturally competent way. There were only one or two members of the Asian community attended the two community meetings held by the project sponsor. None of our members affected by the project knew about the meetings. **The project is culturally insensitive and exclusionary.** This gives an impression that the project sponsor tries to fly under the radar. This is an indicator that the project sponsor will be a subpar neighbor.

We join the other appealing neighborhood organizations in **protest** of the Planning Commission's assessment that the project is a necessary and welcomed business. **District 11 already has THREE cannabis storefronts** that serve both San Francisco and San Mateo County. There are **at least FIVE stores in a one mile radius** and it already constitutes **clustering**. In addition, there are other means of purchasing and using cannabis, including delivery and legally growing at home.

Don't forget, around the 1,000 feet radius of the project site is identified as a **High-Risk Corridor** by the Vision Zero program of the City and County of San Francisco. Also, the areas around the Longfellow School are identified for the **Safe Routes to Schools** program due to the high number of pedestrian fatality and injuries. **Adding another cannabis store attracting traffic from two counties is a hazard to the community.**

We respectfully ask you to reject this project.

Sincerely,

*Josephine Zhao*

07 / 11 / 2021

BetterHousingPolicies.org  
info@BetterHousingPolicies.org

<b>TITLE</b>	Appeal 5801 Mission LOS
<b>FILE NAME</b>	BHP joining neigh...nnabis retail.pdf
<b>DOCUMENT ID</b>	8d5dc4cb22459977f990fff84933ce2faa92c536
<b>AUDIT TRAIL DATE FORMAT</b>	MM / DD / YYYY
<b>STATUS</b>	• Completed

## Document History

 SENT	<b>07 / 12 / 2021</b> 04:18:05 UTC	Sent for signature to Josephine Zhao (josephine8zhao@gmail.com) from fitzpatrick.delia@gmail.com IP: 73.170.115.23
 VIEWED	<b>07 / 12 / 2021</b> 05:08:52 UTC	Viewed by Josephine Zhao (josephine8zhao@gmail.com) IP: 157.131.114.37
 SIGNED	<b>07 / 12 / 2021</b> 05:09:28 UTC	Signed by Josephine Zhao (josephine8zhao@gmail.com) IP: 157.131.114.37
 COMPLETED	<b>07 / 12 / 2021</b> 05:09:28 UTC	The document has been completed.



July 9, 2021

San Francisco Board of Supervisors  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Attention Board of Supervisors:

The African American Early Childhood Educators respectfully requests the Board of Supervisors to allow an appeal hearing on the Conditional Use Authorization case number 2020-007152, allowing 5801 Mission Street to be used as a cannabis retailer.

The African American Early Childhood Educators are advocates for African American children and all child care providers that support and educate. Our organization is a resource to the Family Child Care community and city at large, providing support services and assistance, referrals, and a wealth of knowledge and guidance for best practice insights for all who provide care to African American children in San Francisco. We want to reduce the achievement gap; to ensure that each child has access to quality education and equitable resources

The African American Early Childhood Educators' vision is that every child will have equitable access to high quality education, fitted with positive social emotional learning and reinforced with trauma informed. The approval of a cannabis establishment so close to children whether 100 or 1000 feet; in an SFUSD school, in an afterschool or child care facility should be view as hazardous, unethical and illogical.

We request an appeal hearing on the conditional use of the 5801 Mission Street location be granted for three reasons.

1. **Public Safety.** Longfellow Elementary is 1000 feet from 5801 Mission Street. This Title 1 school is the educational home to over 500 students and was the **first school identified by SFUSD to operate a Safe Routes to Schools program**, due to the high number of pedestrian and car crashes and near misses. Over the past five years, SFMTA has installed new signals, cross walks, and traffic calming measures to remediate crashes and injuries. Cannabis dispensaries are high volume, stop, drop, and roll businesses. 5801 Mission Street is desirable due to its proximity to the San Mateo County line and 280 freeway on and off ramps. This business will increase car traffic in a high injury corridor,

putting children and families directly in the path of cannabis club visitors between 5:00pm and 6:20pm, when working parents pick up kids from school.

2. Inadequate community engagement. COVID-19 pandemic and the struggles and damage it caused didn't allow families to think about anything but survival and safety. To be clear, 94112 led the city with the highest number of infections for six months. If the Longfellow Elementary school site hadn't been closed the majority of the past 18 months due to the COVID 19 public health crisis, far more families and community members would have been engaged. An appeal hearing should not be scheduled until after the 2021-2022 school year starts, allowing time for school families and community to be better informed.

During the Planning Department hearing when the conditional use to operate as a cannabis dispensary was granted, Cantonese speaking participants in public testimony did not receive adequate translation services.

3. Community Equity and Cannabis Equity. Application of the Cannabis Equity program shouldn't come at the expense of Community Equity. The intent of the cannabis equity program is to make it easier for folks whose neighborhoods were most impacted by the Federal Government's failed "War on Drugs" to enter into the marketplace.

Sincerely,



Monique Guidry, Founding Member  
African American Early Childhood Educators  
Guidry's Early Care & Education Program (26 years of service)  
San Francisco, CA. 94112

***Members of the African American Early Childhood Educators:***

Margie Stokes, Marge's Child Care (37 years of service)  
Renee Underwood, Retired Child Care Provider (38 years of service)  
Mary Evelyn Thomas, Our Special Place (40 years of service)  
Pat Sullivan, Baby Steps Nature School (30 years of service)  
Delia Fitzpatrick, Our Kids First (12 years of service) (Admin)

[info@aaece.org](mailto:info@aaece.org)

JULY 11TH, 2021



TAX ID #33-1090268

**OMI CULTURAL PARTICIPATION PROJECT**

Dear San Francisco Planning Commission  
San Francisco Board of Supervisors,

We are appealing the Planning Commission's decision to approve the Conditional Use Authorization (CUA) of 5801 Mission Street Case Number. 2020-007152CUA.

We disagree with the Planning Commission's summary that this is a necessary and needed business. District 11 already has THREE cannabis storefronts that serve the community and citizens that reside in both San Francisco and San Mateo County. There are at least 5 in a one mile radius and constituents clustering. In addition, there are other means of purchasing/using cannabis including delivery and the ability to grow cannabis which is allowed by law.

The area, within 1000 feet, is identified as a High-Risk corridor by the City and County of San Francisco Vision Zero program and the Longfellow School is identified for the Safe Routes to Schools program, due to the high number of pedestrian and car crashes and near misses. This is a hazard to the community.

Sincerely,

07 / 11 / 2021

Maurice Rivers  
Executive Director

415-729-3658  
209 OCEAN AVENUE • SAN FRANCISCO, CA 94112  
WWW.OMI-CPP.ORG

<b>TITLE</b>	5801 Mission Street Appeal OMI-CPP
<b>FILE NAME</b>	5801 Mission Supp...r (OMI-CPP) R.pdf
<b>DOCUMENT ID</b>	2793d5d73ad91fa46edd1103a6ab5580f3c89562
<b>AUDIT TRAIL DATE FORMAT</b>	MM / DD / YYYY
<b>STATUS</b>	• Completed

Document History



**07 / 12 / 2021**  
03:45:34 UTC

Sent for signature to Maurice Rivers  
(jumpstreet1983@gmail.com) from fitzpatrick.delia@gmail.com  
IP: 73.170.115.23



**07 / 12 / 2021**  
03:46:50 UTC

Viewed by Maurice Rivers (jumpstreet1983@gmail.com)  
IP: 73.93.154.126



**07 / 12 / 2021**  
03:47:11 UTC

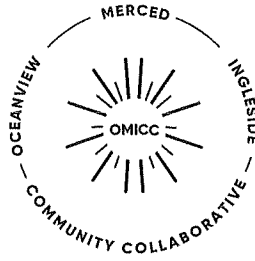
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IP: 73.93.154.126



COMPLETED

**07 / 12 / 2021**  
03:47:11 UTC

The document has been completed.



*Lakeview*

July 9, 2021

San Francisco Board of Supervisors  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Attention Board of Supervisors:

The OMI Community Collaborative respectfully requests the Board of Supervisors to allow an appeal hearing on the Conditional Use Authorization case number 2020-007152, allowing 5801 Mission Street to be used as a cannabis retailer.

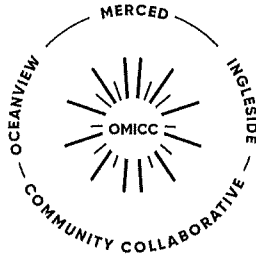
The Oceanview, Merced Heights and Ingleside Community Collaborative (OMI-CC) is a group of individuals, non-profit organizations, business owners and faith-based organizations who have come together to form alliances that will strengthen their communities and give stability to future generations.

The mission of the OMI Community Collaborative (OMICC) is to seek community engagement through inclusive and diverse practices, to build community resources which enable thriving economic self-sufficiency and stability and to create diverse family and neighborhood-oriented community that is vibrant, educated, thriving and green with health and lifestyle needs that are easily met.

We request an appeal hearing on the conditional use of the 5801 Mission Street location be granted for three reasons.

1. Public Safety. Longfellow Elementary is 1000 feet from 5801 Mission Street. This Title 1 school is the educational home to over 500 students and was the **first school identified by SFUSD to operate a Safe Routes to Schools program**, due to the high number of pedestrian and car crashes and near misses. Over the past five years, SFMTA has installed new signals, cross walks, and traffic calming measures to remediate crashes and injuries. Cannabis dispensaries are high volume, stop, drop, and roll businesses. 5801 Mission Street is desirable due to its proximity to the San Mateo County line and 280 freeway on and off ramps. This business will increase car traffic in a high injury corridor, putting children and families directly in the path of cannabis club visitors between 5:00pm and 6:20pm, when working parents pick up kids from school.
2. Inadequate community engagement. COVID-19 pandemic and the struggles and damage it caused didn't allow families to think about anything but survival and safety. To be clear, 94112 led the city with the highest number of infections for six months. If the Longfellow Elementary school





*Lakeview*

site hadn't been closed the majority of the past 18 months due to the COVID 19 public health crisis, far more families and community members would have been engaged. An appeal hearing should not be scheduled until after the 2021-2022 school year starts, allowing time for school families and community to be better informed.

During the Planning Department hearing when the conditional use to operate as a cannabis dispensary was granted, Cantonese speaking participants in public testimony did not receive adequate translation services.

3. Community Equity and Cannabis Equity. Application of the Cannabis Equity program shouldn't come at the expense of Community Equity. The intent of the cannabis equity program is to make it easier for folks whose neighborhoods were most impacted by the Federal Government's failed "War on Drugs" to enter into the marketplace. There are any number of vacant storefronts on Mission street a little further north on Mission Street that the applicant could have chosen. Longfellow Elementary has been operating in that location for 139 years.

Sincerely,

Delia Fitzpatrick  
OMI Community Collaborative, Chair  
Our Kids First/Invest Black/African American Early Childhood Educators  
5845 Mission Street, Ste. 301  
San Francisco, CA. 94112

**Members of the OMI Community Collaborative:**

Al Harris, OMI Neighbors in Action  
Alida Fisher, CASE/Resident  
Bonnie Ora Sherk, A Living Library  
Brandon Wiley, OMI Family Resource Center/Urban YMCA  
Denise Sanderson, Ocean View Library  
Felicia Thibodeaux, Southwest Community Corporation/I.T. Bookman Community Center  
Jackie Battle Rec and Park Department  
Jennifer Gasang, SFSU/Institute of Civil Engagement  
Johanna Lopez Miyaki, We are OMI  
Laura Padilla, Mission YMCA  
Mary C. Harris, OMI Neighbors in Action

Mary Evelyn Thomas, African American Early Childhood Educators  
Maurice Rivers, OMI Cultural Participation Project  
Moneka Urbanske, Ridge Lane Neighbors  
Monique Guidry, African American Early Childhood Educators  
Patty Clement-Cihak, Catholic Charities CYO  
Renard Monroe, Youth 1st  
Robert Muehlbauer, Ridge Lane Neighbors  
Theresa De Dios, Stonestown YMCA



Delia Fitzpatrick &lt;fitzpatrick.delia@gmail.com&gt;

**Re: Question about Releaf Cannabis at 5801 Mission**

1 message

**Balba, Ryan (CPC)** <ryan.balba@sfgov.org>

Wed, Mar 10, 2021 at 2:13 PM

To: Delia Fitzpatrick &lt;fitzpatrick.delia@gmail.com&gt;

Cc: Ahsha Safai &lt;ahshasafai@gmail.com&gt;, Ernest Jones &lt;mrernestjones@gmail.com&gt;, Patty Clement-Cihak &lt;pclement@cccyo.org&gt;, Gale Rosboro &lt;rosboro.gale@gmail.com&gt;, Mary Thomas &lt;ospmayethomas@gmail.com&gt;, jumpstreet1983 &lt;jumpstreet1983@gmail.com&gt;, Roderick Gittens &lt;rgittens@sbcglobal.net&gt;, Jackie Manion &lt;jackie@okfprogram.com&gt;

Hello Delia,

Thank you for your email. The Pre-Application Meeting is an opportunity for applicants to meet with persons or groups who are interested in a Project, so they can provide feedback and discuss any concerns. If you still have concerns with the Project after the Pre-Application Meeting, we recommend that you continue to discuss your concerns with the Project Sponsor. If you still have concerns when the Project goes to hearing, you can certainly submit a written comment prior to the hearing or provide a verbal comment during the hearing.

As to your concern with the attendee list, the Department does not attend these meetings, and we only verify that correct notice was provided so that any person who may be interested can attend and discuss the Project. It seems that you received that notice and were able to attend. I can (and will) certainly note to the Project Sponsor to verify the attendee list on Zoom and ensure that anyone who identified themselves during the meeting is listed.

Thank you,  
Ryan**Ryan Balba, Assistant Planner**  
**Southwest Team, Current Planning Division****All Pronouns**

San Francisco Planning

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

Direct: 628.652.7331 | [www.sfplanning.org](http://www.sfplanning.org)[San Francisco Property Information Map](#)

Due to COVID-19, San Francisco Planning is operating remotely, and the City's Permit Center is open on a limited basis. Our staff are [available by e-mail](#), and the Planning and Historic Preservation Commissions are convening remotely. The public is [encouraged to participate](#). Find more information on our services [here](#).

**From:** Delia Fitzpatrick <fitzpatrick.delia@gmail.com>**Sent:** Wednesday, March 10, 2021 3:50 AM**To:** Balba, Ryan (CPC) <ryan.balba@sfgov.org>**Cc:** Ahsha Safai <ahshasafai@gmail.com>; Ernest Jones <mrernestjones@gmail.com>; Patty Clement-Cihak <pclement@cccyo.org>; Gale Rosboro <rosboro.gale@gmail.com>; Mary Thomas <ospmayethomas@gmail.com>; jumpstreet1983 <jumpstreet1983@gmail.com>; Roderick Gittens <rgittens@sbcglobal.net>; Jackie Manion <jackie@okfprogram.com>**Subject:** Question about Releaf Cannabis at 5801 Mission

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

Good morning, Ryan:

My early morning reading included the pre-application about Releaf.

How do you validate the details provided in the application?

I have a few concerns about a few things:

1. Per my notes, there were 16 people on the call, the application only mentions 9. I know for a fact that 9 people were excluded from the attendance roster:

Gale Rosboro, Patty Clement, Mary Evelyn Thomas, Pastor Roderick Gittens, Mary &amp; Al Harris, Felisia Thibodeux, Nicholas Wilsey, and myself.

Maurice Rivers was included as Maurice R.

Question: How are you validating (fact-checking) the information provided?

2. The supplemental use application says:

*There are no sensitive uses (as defined in Planning Code Section 202.2A) within 600 feet of the proposed site, the sponsors are conscious that minors will pass by the site.*

My feedback:

A. Our Kids First, an SFUSD community learning hub/after-school and summer program: 226 feet away at 5845 Mission Street. We walk and pick our students up from Longfellow Elementary and San Francisco Christian School. I know that the laws were amended to shorten the distance from 900 to 600 of only a school (K-12), but the impact needs to account for the impact of the community and include the SFUSD satellite location. We are a valued extension and should be view as such.

3. The supplemental use application says:

*This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by removing a vacant store-front.*

My feedback:

Per my comment from the pre-application meeting that I was not documented as being in attendance, the proposed site is across the street from Woody's liquor store (82 feet), the Connection bar (174 feet), and a Lucky Van's tattoo parlor (200 feet). This is a hazardous environment already and adding one more ingredient would make it inhabitable by the community that lives there.

4. The supplemental use application says:

*The Planning Code does not require parking or loading for any use. The proposed use is designed to meet the needs of the immediate neighborhood and should generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The applicant intends to diligently prevent double-parking by customers who visit the store.*

My feedback:

There is no available parking on a regular day.  
How can they prevent double parking and high foot traffic?

5. The supplemental use application says:

*This Project is consistent with the stated purpose of the NCD district in that the intended retail use will provide diversity to the retail corridor and a compatible retail service to the public in the immediate surrounding neighborhood.*

My feedback:

District 11 consists of the highest youth and seniors in the city.

There are already 3 cannabis establishments:

Green Leaf, 4214 Mission Street  
Cookies, 5226 Mission Street  
Mission Organic, 5258 Mission Street

Please provide clarification.

Delia  
Our Kids First  
OMI Community Collaborative  
African American Early Educators  
Invest Black

--

Delia Fitzpatrick

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2020-00715204 *[Signature]*

MONARCH



## BOARD OF SUPERVISORS APPEAL FEE WAIVER FOR NEIGHBORHOOD ORGANIZATIONS

### APPLICATION

#### Appellant's Information

Name: Pastor Roderick Gittens

Address: 5825-5845 Mission Email Address: rgittens@sfchristiancenter.org

Telephone: 415-584-5515 ext. 20

#### Neighborhood Group Organization Information

Name of Organization: San Francisco Christian Center

Address: 5825-5845 Mission Email Address: cdillard@sfchristiancenter.org

Telephone: 415-584-5515 ext. 13

#### Property Information

Project Address: 5801 Mission Street

Project Application (PRJ) Record No: 2020-007152CUA Building Permit No: 6472/ 001

Date of Decision (if any): JUNE 10, 2021

#### Required Criteria for Granting Waiver

All must be satisfied; please attach supporting materials.

REQUIRED CRITERIA	YES	NO
The appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization.	<input checked="" type="checkbox"/>	
The appellant is appealing on behalf of an organization that is registered with the Planning Department and that appears on the Department's current list of neighborhood organizations.	<input checked="" type="checkbox"/>	
The appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications and rosters.	<input checked="" type="checkbox"/>	
The appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.	<input checked="" type="checkbox"/>	

#### For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_ Date: \_\_\_\_\_

#### Submission Checklist:

- APPELLANT AUTHORIZATION     CURRENT ORGANIZATION REGISTRATION     MINIMUM ORGANIZATION AGE
- PROJECT IMPACT ON ORGANIZATION

- WAIVER APPROVED     WAIVER DENIED



## BOARD OF SUPERVISORS APPEAL FEE WAIVER FOR NEIGHBORHOOD ORGANIZATIONS INFORMATIONAL AND APPLICATION PACKET

Pursuant to Planning Code Section 350(j)(3) and Ordinance No. 149-16, Section 4, the Planning Director shall consider and make determinations regarding applications for the authorization of a Board of Supervisors Appeal Fee Waiver.

For questions, call 415.558.6377, email [pic@sfgov.org](mailto:pic@sfgov.org), or visit the Planning Information Center (PIC) at 1660 Mission Street, San Francisco, where planners are available to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

**中文:** 如果您希望獲得使用中文填寫這份申請表的幫助, 請致電415.575.9010。請注意, 規劃部門需要至少一個工作日來回應。

**Tagalog:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9120. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### WHAT IS AN APPLICATION FOR A BOARD OF SUPERVISORS APPEAL FEE WAIVER?

Planning Code Section 350(j)(3) and Ordinance No. 149-16, Section 4, establishes a waiver from the Board of Supervisor Appeal fees if the appeal is filed by a neighborhood organization that has been in existence for 24 months prior to the filing date of the request, is on the Planning Department's neighborhood organization notification list and can demonstrate to the Planning Director or his/her designee that the organization is substantially affected by the proposed project.

### WHO MAY APPLY FOR A DISCRETIONARY REVIEW FEE WAIVER?

Any individual or neighborhood group can file for a Board of Supervisors Appeal. Exact criteria for neighborhood group organizations in order to qualify for a fee waiver are specified below:

- the appellant is a member of the stated neighborhood organization and is authorized to file the appeal on behalf of the organization. Authorization may take the form of a letter signed by the President or other officer of the organization;
- the appellant is appealing on behalf of the organization that is registered with the Planning Department and that appears on the Planning Department's current list of neighborhood organization. To determine if the neighborhood group organization is registered with the Planning Department, visit <http://sf-planning.org/neighborhood-groups-map>;
- the appellant is appealing on behalf of an organization that has been in existence at least 24 months prior to the submittal of the fee waiver request. Existence may be established by evidence including that relating to the organization's activities at that time such as meeting minutes, resolutions, publications, website or roster; and
- the appellant is appealing on behalf of a neighborhood organization that is affected by the project and that is the subject of the appeal.

### HOW DO I SUBMIT THE APPLICATION?

If the requirements above are met, complete the following application, along with any necessary supporting materials, and submit it to the Planning Information Center (PIC) at 1660 Mission Street, First Floor, San Francisco, CA 94013.

A check must be made for the correct amount per the [Planning Department Fee Schedule](#), payable to San Francisco Planning Department. Once the Department determines that the requestor is eligible for the fee waiver, the Department will mail the check back to the entity.