

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
LAURA THOMAS, CASTRO/UPPER MARKET
COMMUNITY BENEFIT DISTRICT
& DUBOCE TRIANGLE NEIGHBORHOOD ASSOCIATION.)

Appeal No. 14-077

Appellant(s))

vs.)

ZONING ADMINISTRATOR.)

Respondent

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on May 05, 2014, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on April 18, 2014, of a Request for Release of Suspension, addressed to Dept. of Building Inspection Director Tom Hui, asking that the suspension against BPA No. 2013/11/12/1689 be lifted for the reason that the project sponsor has informed the Planning Department that the proposed pharmacy would be changed to a non-Formula Retail Use which would not require Conditional Use Authorization for the project (change the use of a portion of the ground floor commercial space from a retail use to a medical office and pharmacy) at 518 Castro Street.

FOR HEARING ON June 11, 2014

Address of Appellant(s):

Laura Thomas et al., Appellants
1266 Vermont Street
San Francisco, CA 94110

Address of Other Parties:

AIDS Healthcare Foundation, Permit Holder
c/o Dale Gluth, Agent for Permit Holder
100 Church Street
San Francisco, CA 94114



FILE

Date Filed:

BOARD OF APPEALS

MAY 05 2014

APPEAL # 14-077

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS

PRELIMINARY STATEMENT OF APPEAL

I / We, **Laura Thomas**, hereby appeal the following departmental action: **Request for Release of Suspension BPA No. 2013/11/12/1689** by **Zoning Administrator** which was issued or became effective on: **April 18, 2014**, to: **A105 Healthcare Foundation**, for the property located at: **518 Castro Street**.

BRIEFING SCHEDULE:

The Appellant may, but is not required to, submit a one page (double-spaced) supplementary statement with this Preliminary Statement of Appeal. No exhibits or other submissions are allowed at this time.

Appellant's Brief is due on or before: **May 22, 2014, (no later than three (3) Thursdays prior to the hearing date)**, up to 12 pages in length, double-spaced, with unlimited exhibits, with an original and 10 copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

Respondent's and Other Parties' Briefs are due on or before: **June 05, 2014, (no later than one (1) Thursday prior to hearing date)**, up to 12 pages in length, doubled-spaced, with unlimited exhibits, with an original and 10 copies delivered to the Board office by 4:30 p.m., and with additional copies delivered to the other parties the same day.

Only photographs and drawings may be submitted by the parties at hearing.

Hearing Date: **Wednesday, June 11, 2014, 5:00 p.m., City Hall, Room 416, One Dr. Carlton B. Goodlett Place.**

All parties to this appeal must adhere to the briefing schedule above, however if the hearing date is changed, the briefing schedule MAY also be changed. Written notice will be provided of any change to the briefing schedule.

In order to have their documents sent to the Board members prior to hearing, **members of the public** should submit an original and 10 copies of all documents of support/opposition no later than one (1) Thursday prior to hearing date by 4:30 p.m. Please note that names and contact information included in submittals from members of the public will become part of the public record. Submittals from members of the public may be made anonymously.

Please note that in addition to the parties' briefs, any materials that the Board receives relevant to this appeal, including letters of support/opposition from members of the public, are distributed to Board members prior to hearing. All such materials are available for inspection at the Board's office. You may also request a copy of the packet of materials that are provided to Board members at a cost of 10 cents per page, per S.F. Admin. Code Ch. 67.28.

If you have any questions please call the Board of Appeals at 415-575-6880

The reasons for this appeal are as follows:

See attachment to the Preliminary Statement of Appeal

Appellant or Agent (Circle One):

Signature: Laura Thomas

Print Name: Laura Thomas

MAY 05 2014

APPEAL # 14-077

With the purchase of Mom's Pharmacy chain in 2012, AIDS Healthcare Foundation (AHF) established a foothold for nationwide expansion of its \$350 million business using a cookie-cutter approach that has shuttered local nonprofits serving the unique and diverse needs of communities. Its strategy involves co-locating its pharmacy retail locations with its Magic Johnson or Blair Underwood health centers to create a nationwide chain of highly-profitable mega health centers. AHF understands that this model would be rejected for the Castro if subjected to the conditional use and community process. AHF has repeatedly revised its plans and ultimately made the case that 518 Castro Street should not be evaluated as a 4,000 sq. ft. foot operation, but instead two adjacent locations exactly 1,999 sq. ft. each. It is unfortunate that the Board of Appeals overruled the Planning Department on March 19, 2014, ostensibly sanctioning the project sponsor's blatant circumvention of the Planning Code. Even after the Board of Appeal ruled that the use size did not trigger Conditional Use Authorization, the project remained subject to a Conditional Use Authorization by the Planning Commission as a formula retail use. In fact, the Board of Appeals affirmed the Planning Department's determination of the proposed use was subject to formula retail controls. Since the hearing, the project sponsor has modified its proposal yet again to avoid being considered formula retail. It has done this solely by changing the name of the location. This is a blatant and offensive attempt at avoiding the intent and the letter of the law of San Francisco's formula retail controls. Both attempts to modify its project proposal after being told by the Planning Department that such a use would require a Conditional Use authorization advance its agenda of national expansion at the expense of the city and community interests. For these reasons, we respectfully request that the Review Board reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process.



SAN FRANCISCO PLANNING DEPARTMENT

Release of Suspension Request

April 18, 2014

Tom C. Hui, CBO, SE
Director
Department of Building Inspection
1660 Mission Street, Sixth Floor
San Francisco, CA 94103

BOARD OF APPEALS

MAY 05 2014

APPEAL #14-077

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Sign Permit Application Nos.: 201311121689
Property Address: 518 Castro Street
Block and Lot 2695/002
Zoning District: Castro Street Neighborhood Commercial District
Staff Contact: Tina Chang - (415) 575-9197 or tina.chang@sfgov.org

Dear Mr. Hui,

This letter is to request that the Department of Building Inspection (DBI) release the suspension of Building Permit Application No. 201311121689 for 518 Castro Street.

The subject permit was issued on January 13, 2014, in order to change the use of a portion of the ground floor commercial space at the subject property from a retail use to a medical office and pharmacy and to perform associated tenant improvements.

On January 23, 2014, I requested suspension of the subject permit to allow the project sponsor to 1) seek Conditional Use Authorization from the Planning Commission for the proposed change of use and 2) address the question of any new Formula Retail Use at the site, and if necessary, seek Conditional Use Authorization.

On February 7, 2014, the Project Sponsor appealed the suspension request to the Board of Appeals (Appeal No. 14-021). On March 19, 2014, the Board of Appeals held a duly noticed public hearing on the appeal and upheld the Planning Department's determination that the proposed use (dba "AHF Pharmacy") was considered to be a Formula Retail Use. The Board of Appeals also overruled the Planning Department's determination that the proposed use required a Conditional Use Authorization for use size and determined that the proposed medical office use was less than 2,000 square feet.

Subsequent to the Board of Appeals hearing, the Project Sponsor informed the Planning Department that the proposed pharmacy would be changed to a non-Formula Retail Use (dba "Castro Pharmacy"), which would not require Conditional Use Authorization. As such, I am hereby requesting that DBI release suspension of Building Permit Application No. 201311121689 based upon the Board of Appeals decision and the Project Sponsor's representation that the

Tom C. Hui, Director, DBI
Release of Suspension Request
518 Castro Street
April 18, 2014

proposed pharmacy will not operate as a Formula Retail Use. Additionally, if the Project Sponsor proposes signage for the pharmacy or medical service that requires a permit under Planning Code Section 604, they must file a separate Sign Permit Application to authorize such signage.

APPEAL: Any aggrieved person may appeal this letter to the Board of Appeals within fifteen (15) days after the date of the issuance of this letter. For further information, please contact the Board of Appeals in person at 1650 Mission Street, Room 304, or call 575-6880.

Sincerely,



Scott F. Sanchez
Zoning Administrator

CC: Zachary Nathan, Project Architect (via email)
Dale R. Gluth, AIDS Healthcare Foundation (via email)

FILE

Appeal #14-077

Ann Lazarus, President
Board of Appeals
1650 Mission, Room 304
San Francisco, CA 94103

BOARD OF APPEALS

MAY 22 2014

APPEAL # 14-077

Dear President Lazarus:

We are writing to appeal the **Zoning Administrator's Request for Release of Suspension BPA No. 2013/11/12/1689**, regarding the property located at 518 Castro Street. It became effective on April 18, 2014. We are asking that the requirement for a Conditional Use Authorization be re-instated and that the AIDS Healthcare Foundation go through the Conditional Use process for their space at 518 Castro Street. We are asking for this on the grounds that the proposed use of the space should be considered a Formula Retail Use. We believe that the Board of Appeals was correct in its determination on March 19, 2014 that the AHF Pharmacy should be considered a Formula Retail Use, and that AHF has improperly skirted the intent of the formula retail restrictions in renaming their facility the "Castro Pharmacy."

With the purchase of Mom's Pharmacy chain in 2012, AIDS Healthcare Foundation (AHF) established a foothold for nationwide expansion of its \$350 million business using a cookie-cutter approach that has shuttered local nonprofits serving the unique and diverse needs of communities. Its strategy involves co-locating its pharmacy retail locations with its Magic Johnson or Blair Underwood health centers to create a nationwide chain of highly-profitable mega health centers. AHF understands that this model would be rejected for the Castro if subjected to the conditional use and community process. AHF has repeatedly revised its

plans and ultimately made the case that 518 Castro Street should not be evaluated as a 4,000 sq. ft. foot operation, but instead two adjacent locations at just under 2,000 sq. ft. each. It is unfortunate that the Board of Appeals overruled the Planning Department on March 19, 2014, ostensibly sanctioning the project sponsor's blatant circumvention of the Planning Code. Even after the Board of Appeal ruled that the use size did not trigger Conditional Use Authorization, the project remained subject to a Conditional Use Authorization by the Planning Commission as a formula retail use. In fact, the Board of Appeals affirmed the Planning Department's determination of the proposed use was subject to formula retail controls. Since the hearing, the project sponsor has modified its proposal yet again to avoid being considered formula retail. It has done this solely by changing the name of the location. This is a blatant and offensive attempt at avoiding the intent and the letter of the law of San Francisco's formula retail controls. Both attempts to modify its project proposal after being told by the Planning Department that such a use would require a Conditional Use authorization advance its agenda of national expansion at the expense of the city and community interests.

We are concerned that the re-allocation of what is clearly one facility, with one address and one entrance, into two separate entities is a blatant attempt to circumvent the Castro Neighborhood District criteria that facilities of 2,000 square feet or larger should be subject to Conditional Use Authorization. Moving the square footage of the bathrooms, to be used by people in both the pharmacy and the medical office, from one to the other in order to skirt the Castro Neighborhood Commercial District restrictions is a questionable practice and sets a bad precedent for future decisions. The AIDS Healthcare Foundation has stated that clients will have to pass through the pharmacy to access the medical office in the back

of the building. There is no separate entrance. While we understand that there are different activities in the two parts of the building, we question whether that is sufficient to determine that these are fully separate uses. The two activities are clearly linked financially, are both operated by the same organization, and will have some of the same clients.

The difference between a square footage that would trigger the Conditional Use Authorization and that that does not trigger it may seem minor, but the Castro area community worked hard to develop the regulations guiding development in the neighborhood. The proposal to consider the bathrooms as a part of only one of the two functions, despite statements that they would be shared by both, in order to squeeze both in under the 2,000 square foot threshold, is clearly intended to circumvent the process.

We understand that the AIDS Healthcare Foundation has informed the Planning Department that they will change the name of their pharmacy to the “Castro Pharmacy” and that this will therefore not meet the criteria for formula retail. We are concerned that this is another attempt to skirt the rules and avoid the community process. The Jack Spade name change precedent should demonstrate that merely changing the name of a retail establishment, when it is still clearly a part of a larger chain, is not sufficient. The hard-fought formula retail regulations in San Francisco will mean little if any retail chain can merely change the name on their stores, even though it is still financially and legally a component of their chain.

Part of the basis for this appeal is a prior hearing of the Board of Appeals regarding Jack Spade on 16th Street in the Mission where you upheld a rehearing to consider the appeal

that Jack Spade (wholly owned by Kate Spade with 10 stores nation-wide) indeed needed to go through the Conditional Use process because even though it was called “Jack Spade”, it really was “Kate Spade” moving in. Changing the signage from “AHF Pharmacy” to “Castro Pharmacy” should equally not allow AHF to circumvent the Conditional Use process.

We understand that the Planning Commission is meeting on May 22, 2014, to discuss additional changes in San Francisco’s Formula Retail regulations. One of the proposed changes, the ordinance drafted by Supervisor Eric Mar, explicitly adds medical uses to the list of business types to be included under formula retail. Formula Retail is a deeply-felt concern, especially for a neighborhood such as the Castro, that values its cohesiveness and community feeling. The Jack Spade conversation has made it clear that as San Franciscans we deeply value our local small businesses and the character of our neighborhoods. We would like to ask that the proposed changes under conversation be taken into account in this process, and to include as much community input as possible.

We also note that there are a number of local HIV organizations who would like to be able to provide input on the impact that the AIDS Healthcare Foundation has had on HIV services in San Francisco. Attached to this are letters of concern from the San Francisco AIDS Foundation, Project Inform, AIDS Emergency Fund, Positive Resource Center, and the Asian/Pacific Islander Wellness Center, as well as a couple of community members and neighborhood residents. They cite the history of the San Francisco model, and the history of the AIDS Healthcare Foundation’s attempts to undermine it.

For these reasons, we respectfully request that the Board of Appeals reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process.

Duboce Triangle Neighborhood Association

Castro/Upper Market Community Benefit District

Laura Thomas



584 Castro Street #336
San Francisco, CA 94114
PH 415.500.1181
FX 415.522.0395
www.castrocbd.org
www.facebook/
castrocbd
@visitthecastro

May 22, 2014

Ann Lazarus, President
Board of Appeals
1650 Mission St. Room 3014
San Francisco, CA 94103

RE: Appeal 14-077

Dear Ms. Lazarus,

The Castro/Upper Market Community Benefit District (Castro CBD), a special assessment district in the Castro/Upper Market established in 2005, is a leader in the neighborhood. The Castro CBD is writing as an appellant to appeal 14-077. As an appellant the Castro CBD is requesting that the Board of Appeals reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process.

The Castro CBD is joining as an appellant for the following reasons:

- 1) While understanding the City's formula retail controls are undergoing some changes, the Castro CBD board of directors supports the concept of formula retail controls and believes that the conditional use process has been an effective process to vet formula retail in certain commercial districts.
- 2) The new language being considered by the City includes businesses that are at least 50% owned by a formula retail business. The April 18, 2014 Release of Suspension Request by the Dpt. Of Building Inspection, states the Release of Suspension is being requested because the applicant, AIDS

Healthcare Foundation, is no longer a formula retail use having changed their name to Castro Pharmacy. "...the Project Sponsor informed the Planning Department that the proposed pharmacy would be changed to non-Formula Retail use (dba "Castro Pharmacy") which would not require Conditional Use Authorization.

- o The Project Sponsor originally applied under dba AHF Pharmacy, which the Planning Department correctly determined was a Formula Retail Use. Then, subsequent to the February 7, 2014 Board of Appeals hearing the Project Sponsor informed the Planning Department that it was no longer formula retail because they were changing their name. The Castro CBD Board of Directors contends that a simple "dba" name change in this case is not in reality a change of ownership, and that this decision sets a very dangerous precedent in San Francisco for protecting the unique character of San Francisco's neighborhood commercial districts. The decision allows a McDonald's or a Taco Bell to move into a neighborhood commercial district and simply change it's name to "Castro Hamburger/Castro Taco". The Castro CBD is deeply concerned about setting such a dangerous precedent and the subsequent weakening of San Francisco's formula retail controls.

- 3) The Project Sponsor has seemingly been able to bypass the conditional use requirements for occupying large spaces over 3000 square feet, by repeatedly revising plans for the space and has ultimately made the case that its new project at 518 Castro Street is actually two separate but adjacent locations exactly 1,999 square feet each. Thereby circumventing the requirement to submit their project to the conditional use process. This has been approved even though the two projects will use the same address and the same entrance from the street.

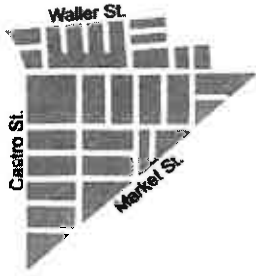
The Castro CBD Board of Directors contends that these decisions set a very dangerous precedent in San Francisco for protecting the unique character of San Francisco's neighborhood commercial districts. A simple "dba" name change in this case is not in reality a change of ownership, 50% of the corporation is still owned by a formula retail business, the AHF Pharmacy. This decision allows a McDonalds or Taco Bell to move into a neighborhood commercial district and simply change it's name to "Castro

Hamburgers/Castro Taco". The CBD Board strongly urges the Board of Appeals to reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andrea Aiello".

Andrea Aiello
Executive Director



Duboce Triangle Neighborhood Association
PMB # 301, 2261 Market Street, San Francisco, CA 94114
(415) 267-1821 / www.dtna.org

San Francisco Board of Appeals
1650 Mission Street, Room 304
San Francisco, Ca.

Dear President Lazarus and Board Members:

The Duboce Triangle Neighborhood Association, founded in 1976, has been active in Land Use issues facing the Upper Market and Castro Neighborhoods actively since the beginning of the Market and Octavia Plan rezoning of the Upper Market and Castro. We have especially been active in trying to protect our neighborhood's character and have been particularly active with regard to Formula Retail policy and issues. In fact, we worked with Planning Department Staff in developing a Formula Retail Concentration Index for the Upper Market Neighborhood Commercial District which the Planning Department adopted as policy last year.

The Duboce Triangle Neighborhood Association is no "anti- Formula Retail" but believes in the integrity of the Conditional Use process requirements in Neighborhood Commercial Districts which was overwhelmingly passed by the voters of San Francisco in 2009 with the passage of Proposition E.

We also believe in a healthy mix of Formula Retail and local small businesses and supported the Conditional Use for CVS last year in their application to open in the neighborhood.

What surprises and concerns us the most is this project sponsor's intent to circumvent the public Conditional Use process first by dividing the site into 2 portions each with a separate business and now by simply indicating that they will change the name of one of those businesses in order to not be considered a Formula Retail. This change is outlined in the Zoning Administrator's Letter of Determination that is attached to this letter.

What is most concerning to us is that the Project Sponsor is not trying out some new concept or a spin off brand through a subsidiary in which capture the interest of a different segment of shoppers in which to help retain their "brick and mortar" presence but simply a name change (AHF Pharmacy dba Castro Pharmacy) from in which to skirt the public Conditional Use process as required by Section 703 of the Planning Code.

Furthermore there is an active proposal by Supervisor Mar which expands the Citywide definition of formula retail to include businesses that have 11 or more outlets worldwide, and to include businesses that are at least 50% owned by a formula retail business which is currently waiting Board of Supervisors Land Use Committee action.

Clearly this Project would come under the new definition should this legislation get passed. Based on some of your comments from other appeals such as October 8, 2013 concerning the rehearing of the appeal for the Jack Spade project at 3166 16th Street, there is new information from previous members of the Board of Supervisors about their intent in passing the Formula Retail Use Controls which would have covered that project as well as this one.

We ask that you please overrule the Planning Department's Determination that this project does not require a Conditional Use permit because we feel that this will set a dangerous precedent for future projects where the Formula Retail project sponsor will simply operate as a different "doing business as" (dba) in order to get around the existing Formula Retail controls and the fact that this project would be covered by pending legislation at the Board of Supervisors.

Sincerely,

Dennis Richards
President of the Board of Directors, Emeritus



CASTRO/EUREKA VALLEY NEIGHBORHOOD ASSOCIATION

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

EVNA
PO Box 14137
San Francisco, CA 94114
www.evna.org
Board@EVNA.org

EVNA, a 501 (C)(4) Non-profit,
Tax ID: 51-0141022

Eureka Valley Foundation,
a 501(C)(3) Non-profit,
Tax ID: 26-0831195

EXECUTIVE COMMITTEE

Alan Beach-Nelson
President
Castro Street
Rob Cox
Secretary
Hartford Street
Vacant
Treasurer

COMMITTEE CHAIRS

James Kelm
Newsletter & Social Media
Castro Village Wine Co.
Jack Keating (Ex-Officio)
Planning & Land Use
17th Street
Aaron Seivertson
Quality of Life
Hartford Street
Mark McHale
Social
Vanguard Properties
Orie Zaklad
Technology & Marketing
Collingwood Street

DIRECTORS:

Patrick Crogan
Market Street
Tim Eicher
Q Bar
Mary Edna Harrell
Castro Street
Loïc Olichon
18th Street

EX OFFICIO DIRECTORS:

Steve Clark Hall
Webmaster
19th Street
Judith Hoyem
Emeritus
17th Street

My 22, 2014

San Francisco Permit Board of Appeals
1650 Mission, Room 304
San Francisco, CA 94103

Via Email: boardofappeals@sfgov.org

Re: AIDS Healthcare Pharmacy at 518 Castro Street

Dear San Francisco Permit Board of Appeals:

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

On Wednesday May 14, the Board of Castro/Eureka Valley Neighborhood Association voted overwhelmingly to oppose AIDS Healthcare Foundation's (AHF) current permit to open at 518 Castro Street in the heart of Castro/Eureka Valley. We are formally asking the Board of Appeals to reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process that engages the community like all other projects.

Specifically, we would like to call attention to the strategy AHF has used to deceive city planners, circumvent city regulation, and advance a lucrative business model that in other jurisdictions have put community-serving nonprofits out of business while contributing to millions of dollars to AIDS Healthcare Foundation global operation.

With the purchase of Mom's Pharmacy chain in 2012, AHF established a foothold for nationwide expansion of its business model using a cookie-cutter approach in communities across the country. Its strategy involves co-locating its acquired national chain of pharmacy retail locations with its established Magic Johnson or Blair Underwood health centers to create a highly profitable chain of clinics around the country. These prefabricated, Formula Retail, models are often situated in direct opposition and conflict with a long-standing community providers indigenous to the locality. Placement is not based on need but to purposefully establish a head to head, competitive, hostile environment in which AHF assumes it will win out because of its deep pockets and the ability to lose money in a location for an extended period of time to outlast the competition. (Examples: Cleveland, OH, Washington, DC).

AHF understands that this model would be rejected by the community if subjected to the conditional use and community process in San Francisco. To avoid that requirement, AHF has repeatedly revised its plans for the space and ultimately made the case that its new project at 518 Castro Street should not be evaluated as a 4,000 square foot operation, but instead two adjacent locations exactly 1,999 square feet each, that will USE the same address and the same door. It is unfortunate that the Board of Appeals overruled the Planning Department on March 19, 2014, ostensibly sanctioning the project sponsor's blatant circumvention of the Planning Code.

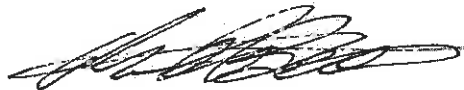
Even after the Board of Appeal ruled that the use size did not trigger Conditional Use Authorization, the project remained subject to a Conditional Use Authorization by the Planning Commission as a formula retail use. In fact, the Board of Appeals affirmed the Planning Department's determination of the proposed use was subject to formula retail controls.

Since the hearing, the project sponsor has modified its proposal yet again to avoid being considered formula retail. Would a McDonald's location using the name Mickey D still not be considered Formula Retail, especially if all other components are exactly the same? It has done this solely by changing the name of the location. This is a blatant and offensive attempt at avoiding the intent and the letter of the law of San Francisco's formula retail controls.

Both attempts to modify its project proposal after being told by the Planning Department that such a use would require a Conditional Use authorization advance its agenda of national expansion at the expense of the city and community interests. The truth is that AHF's one-size-fits-all, chain store merchant model is in fact Formula Retail, regardless of the name slapped on the outside of the building. AHF has proven in other jurisdictions to disrespect the diversity and uniqueness of the local community and put local pharmacies and nonprofits out of business, while demonizing any elected officials or business interests that get in the way. Allowing AHF to game and bastardize the system will set a terrible precedence in San Francisco, and more importantly to our unique neighborhood.

For the reasons stated above Castro/Eureka Valley Neighborhood Association respectfully requests that the Review Board reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process that engages the community like all other projects are required.

Sincerely,



Alan R. Beach-Nelson
President

CC: Castro/EVNA Board of Directors, Board@EVNA.org
Laura Thomas, lgthomas@gmail.com
Cynthia Goldstein, Cynthia.Goldstein@SFGOV.org

May 22, 2014

Dear Laura,

We recently heard that AIDS Healthcare Foundation (AHF) is trying to open up a new clinic and pharmacy in the 500 block of Castro. We have lived in the Castro for over 25 years and are both long term survivors living with HIV. We know our neighborhood. We are strongly opposed to the AHF “storefront/clinic” for a number of reasons.

Before AHF opened its medical clinics in the Bay Area, the CEO of AHF testified before Congress when the Ryan White Care Act was being reauthorized and his inaccurate and inflammatory testimony ultimately played a significant role in a loss of about **\$12,000,000** annually in Federal Funding for HIV/AIDS. The City and County of San Francisco has tried to “back-fill” this money every year to try to maintain our current level of service delivery since the cuts to our Ryan White CARE funds have had such a profound impact on our ability to maintain the San Francisco Model of outstanding HIV/AIDS care.

In spite of the testimony and advocacy on the part of the CEO of AHF attacking the funding and services being provided in San Francisco to its HIV/AIDS community, AHF decided to expand its reach by opening clinics and thrift stores in both Oakland and San Francisco.

Controversy follows AHF everywhere — AHF has been predatory in expanding its clinics. Any cursory review of the AIDS Healthcare Foundation questions not only the organization’s capacity and willingness to work with the communities in which it has its services but also questions whether it is operating in its own vested interest and not that of the HIV affected and infected communities.


AHF’s clinic in San Francisco is staffed by a physician only part time and in order for a person to get specialty services they are sent to one of the public services in San Francisco — such as Ward 86, UCSF 360 Positive Care, UCSF Alliance Health Project for psychiatric services and St. Mary’s HIV program — sites that bore a great deal of the brunt of the very healthcare cuts put into motion by AHF when advocating for cutting SF’s Ryan White CARE funding.

AHF wants to move its clinic and pharmacy to the 500 block of Castro. This is unnecessary and unwanted. The San Francisco AIDS Foundation (SFAF) is building a facility to address all aspects of Gay Men’s Health, bringing together not only its harm reduction substance use programs but also Magnet (the City’s premier gay men’s HIV/STD testing and treatment site which has been in the Castro for nearly 11 years) as well as its HIV outreach programs. This new Gay Men’s Health Center has been in the works for over 2 years and has been welcomed by the community.


What our neighborhood does not need is an entirely new healthcare facility that neither provides comprehensive services that are the standard of care nor that opposes known, effective HIV prevention interventions. It is unclear why AHF wants to move to the location in the 500 block of Castro, but it seems to us that it definitely has something to do with SFAF opening their full service building less than a block away.

Once again, we strongly oppose this storefront/clinic.

Sincerely,



Keith Folger
496A Castro Street
SF, CA 94114



Mike Shriver
2450 Market Street #102
SF, CA 94114

¹ CDC Fact Sheet on Pre-exposure Prophylaxis for HIV Prevention (PrEP), May, 2014

Mike Shriver was the AIDS "Czar" for Mayor Willie Brown, co-directed the AIDS Policy Research Center (UCSF), successfully ran Mobilization Against AIDS for many years, was a Health Commissioner for the City and County of San Francisco, worked at the oldest national AIDS organization in the United States, the National Association of People with AIDS and served on many advisory boards on HIV/AIDS issues around policy, prevention and treatment. Keith Folger has served on the Department of Public Health HIV Prevention and Planning Council, San Francisco HIV Providers Association and worked at the oldest AIDS organization in the United States, the National Association of People with AIDS and served on many advisory boards, both locally and nationally around HIV prevention, mostly for HIV positive people and treatment adherence issues.



273 Ninth Street
San Francisco, CA 94103

tel 415.558.8669
fax 415.558.0684

Helpline 1.877.435.7443
HIV Health InfoLine 1.800.822.7422
www.projectinform.org

May 19, 2014

Members

San Francisco Board of Appeals
1650 Mission Street
San Francisco 94103

Dear Member:

San Francisco has a unique relationship with HIV/AIDS. Our community was among the first to experience epidemic levels of the disease, the first to endure massive mortality rates and, importantly, the first to respond. In the early days of the crisis our community came together. From that initial collaboration was forged the "San Francisco Model," an approach to meeting the needs of our diverse and unique community through collaboration. This model has been replicated around the world.

Embedded in the "San Francisco Model," is a core value: *together, we're better*. Over the past three decades, leaders from the public, private, and nonprofit sector have collaborated to dramatically advance progress in the fight against HIV. That does not mean we always agree. On the contrary, some of our greatest successes can be directly attributed to the healthy tensions that sometimes exist among us.

On this occasion, we come together in solidarity with other HIV/AIDS leaders to express our deep concerns about the expansion of AIDS Healthcare Foundation (AHF) at 518 Castro Street. Specifically, we would like to call attention to the strategy AHF has used to deceive city planners, circumvent city regulation, and advance a lucrative business model that in other jurisdictions have put community-serving nonprofits out of business while contributing to a multi-million AIDS Healthcare Foundation global operation.

With the purchase of Mom's Pharmacy chain in 2012, AHF established a foothold for nationwide expansion of its business model using a cookie-cutter approach in communities across the country. Its strategy involves co-locating its acquired national chain of pharmacy retail locations with its established Magic Johnson or Blair Underwood health centers to create a highly profitable chain of clinics around the country. These prefabricated models are often situated in direct opposition and conflict with a long-standing community providers indigenous to the locality. Placement is not based on need but to purposefully establish a head to head, competitive, hostile environment in which AHF assumes it will win out because of its deep pockets and the ability to lose money in a location for an extended period of time to outlast the competition. (Examples: Cleveland, OH, Washington, DC)

AHF understands that this model would be rejected by the community if subjected to the conditional use and community process in San Francisco. To avoid that requirement, AHF has repeatedly revised its plans for the space and ultimately made the case that its new project at 518 Castro Street should not be evaluated as a 4,000 square foot operation, but instead two adjacent locations exactly 1,999 square feet each. It is unfortunate that the Board of Appeals overruled the Planning Department on March 19, 2014, ostensibly sanctioning the project sponsor's blatant circumvention of the Planning Code.

Even after the Board of Appeal ruled that the use size did not trigger Conditional Use Authorization, the project remained subject to a Conditional Use Authorization by the Planning Commission as a formula retail use. In fact, the Board of Appeals affirmed the Planning Department's determination of the proposed use was subject to formula retail controls.

Since the hearing, the project sponsor has modified its proposal yet again to avoid being considered formula retail. It has done this solely by changing the name of the location. This is a blatant and offensive attempt at avoiding the intent and the letter of the law of San Francisco's formula retail controls.

Both attempts to modify its project proposal after being told by the Planning Department that such a use would require a Conditional Use authorization advance its agenda of national expansion at the expense of the city and community interests. The truth is that AHF's one-size-fits-all, chain store merchant model has proven in other jurisdictions to disrespect the diversity and uniqueness of the local community and put local pharmacies and nonprofits out of business, while demonizing any elected officials or business interests that get in the way.

This is not the first time AHF has acted in a way that sets it at odds with the HIV/AIDS coalition of physicians, researchers, elected officials, private sector partners, and nonprofit organizations that forged our renowned model of response more than thirty years ago. Leaders of this politically charged, highly-profitable global operation have a long, established track record of supporting positions and activities that directly oppose the hard work of the San Francisco community to further its business aspirations. They have advocated repeatedly to cut funding that goes directly to serving people living with HIV/AIDS in San Francisco. To help you better understand why AHF's approach to doing business does not align with the values we cherish and work hard to protect in San Francisco, we have included some examples with this letter.

For the reasons stated above, Project Inform respectfully requests that the Appeals Board reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process.

Respectfully submitted,



Dana Van Gorder
Executive Director



San Francisco Board of Appeals
1650 Mission Street, Suite 304
San Francisco, CA 94103

May 21, 2014

Dear San Francisco Permit Board of Appeals Members:

San Francisco has a unique relationship with HIV/AIDS. Our community was among the first to experience epidemic levels of the disease, the first to endure massive mortality rates and, importantly, the first to respond. In the early days of the crisis our community came together. From that initial collaboration was forged the "San Francisco Model," an approach to meeting the needs of our diverse and unique community through collaboration. This model has been replicated around the world.

Embedded in the "San Francisco Model," is a core value: *together, we're better*. Over the past three decades, leaders from the public, private, and nonprofit sector have collaborated to dramatically advance progress in the fight against HIV. That does not mean we always agree. On the contrary, some of our greatest successes can be directly attributed to the healthy tensions that sometimes exist among us.

On this occasion, we come together in solidarity to express our deep concerns about the expansion of AIDS Healthcare Foundation (AHF) at 518 Castro Street. Specifically, we would like to call attention to the strategy AHF has used to deceive city planners, circumvent city regulation, and advance a lucrative business model that in other jurisdictions have put community-serving nonprofits out of business while contributing to a \$140 million AIDS Healthcare Foundation global operation.

With the purchase of Mom's Pharmacy chain in 2012, AHF established a foothold for nationwide expansion of its business model using a cookie-cutter approach in communities across the country. Its strategy involves co-locating its acquired national chain of pharmacy retail locations with its established Magic Johnson or Blair Underwood health centers to create a highly profitable chain of clinics around the country. These prefabricated models are often situated in direct opposition and conflict with a long-standing community providers indigenous to the locality. Placement is not based on need but to purposefully establish a head to head, competitive, hostile environment in which AHF assumes it will win out because of its deep pockets and the ability to lose money in a location for an extended period of time to outlast the competition. (Examples: Cleveland, OH, Washington, DC)

AHF understands that this model would be rejected by the community if subjected to the conditional use and community process in San Francisco. To avoid that requirement, AHF has repeatedly revised its plans for the space and ultimately made the case that its new project at 518 Castro Street should not be evaluated as a 4,000 square foot operation, but instead two adjacent locations exactly 1,999 square feet each. It is unfortunate that the Board of Appeals overruled the Planning Department on March 19, 2014, ostensibly sanctioning the project sponsor's blatant circumvention of the Planning Code.



Even after the Board of Appeal ruled that the use size did not trigger Conditional Use Authorization, the project remained subject to a Conditional Use Authorization by the Planning Commission as a formula retail use. In fact, the Board of Appeals affirmed the Planning Department's determination of the proposed use was subject to formula retail controls.

Since the hearing, the project sponsor has modified its proposal yet again to avoid being considered formula retail. It has done this solely by changing the name of the location. This is a blatant and offensive attempt at avoiding the intent and the letter of the law of San Francisco's formula retail controls.

Both attempts to modify its project proposal after being told by the Planning Department that such a use would require a Conditional Use authorization advance its agenda of national expansion at the expense of the city and community interests. The truth is that AHF's one-size-fits-all, chain store merchant model has proven in other jurisdictions to disrespect the diversity and uniqueness of the local community and put local pharmacies and nonprofits out of business, while demonizing any elected officials or business interests that get in the way.

This is not the first time AHF has acted in a way that sets it at odds with the HIV/AIDS coalition of physicians, researchers, elected officials, private sector partners, and nonprofit organizations that forged our renowned model of response more than thirty years ago. Leaders of this politically charged, highly-profitable global operation have a long, established track record of supporting positions and activities that directly oppose the hard work of the San Francisco community to further its business aspirations. They have advocated repeatedly to cut funding that goes directly to serving people living with HIV/AIDS in San Francisco. To help you better understand why AHF's approach to doing business does not align with the values we cherish and work hard to protect in San Francisco, we have included some examples with this letter.

For the reasons stated above we, the undersigned, respectfully request that the Review Board reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process.

Respectfully submitted,

A handwritten signature in black ink that reads "Neil Giuliano".

Neil Giuliano
Chief Executive Officer

May 21, 2014

Ann Lazarus, President
Cynthia Goldstein, Executive Director
San Francisco Permit Board of Appeals
1650 Mission, Room 304
San Francisco, CA 94103

Dear Ms. Lazarus and Ms. Goldstein:

San Francisco has a unique relationship with HIV/AIDS. Our community was among the first to experience epidemic levels of the disease, the first to endure massive mortality rates and, importantly, the first to respond. In the early days of the crisis our community came together. From that initial collaboration was forged the "San Francisco Model," an approach to meeting the needs of our diverse and unique community through collaboration. This model has been replicated around the world.

Embedded in the "San Francisco Model," is a core value: *together, we're better*. Over the past three decades, leaders from the public, private, and nonprofit sector have collaborated to dramatically advance progress in the fight against HIV. That does not mean we always agree. On the contrary, some of our greatest successes can be directly attributed to the healthy tensions that sometimes exist among us.

On this occasion, we come together in solidarity to express our deep concerns about the expansion of AIDS Healthcare Foundation (AHF) at 518 Castro Street. Specifically, we would like to call attention to the strategy AHF has used to deceive city planners, circumvent city regulation, and advance a lucrative business model that in other jurisdictions have put community-serving nonprofits out of business while contributing millions to AIDS Healthcare Foundation global operation.

With the purchase of Mom's Pharmacy chain in 2012, AHF established a foothold for nationwide expansion of its business model using a cookie-cutter approach in communities across the country. Its strategy involves co-locating its acquired national chain of pharmacy retail locations with its established Magic Johnson or Blair Underwood health centers to create a highly profitable chain of clinics around the country. These prefabricated models are often situated in direct opposition and conflict with a long-standing community providers indigenous to the locality. Placement is not based on need but to purposefully establish a head to head, competitive, hostile environment in which AHF assumes it will win out because of its deep pockets and the ability to lose money in a location for an extended period of time to outlast the competition. (Examples: Cleveland, OH, Washington, DC)

AHF understands that this model would be rejected by the community if subjected to the conditional use and community process in San Francisco. To avoid that requirement, AHF has repeatedly revised its plans for the space and ultimately made the case that its new project at 518 Castro Street should not be evaluated as a 4,000 square foot operation, but instead two adjacent locations exactly 1,999 square feet each. It is unfortunate that the Board of Appeals overruled the Planning Department on March 19, 2014, ostensibly sanctioning the project sponsor's blatant circumvention of the Planning Code.

Even after the Board of Appeal ruled that the use size did not trigger Conditional Use Authorization, the project remained subject to a Conditional Use Authorization by the Planning Commission as a formula

retail use. In fact, the Board of Appeals affirmed the Planning Department's determination of the proposed use was subject to formula retail controls.

Since the hearing, the project sponsor has modified its proposal yet again to avoid being considered formula retail. It has done this solely by changing the name of the location. This is a blatant and offensive attempt at avoiding the intent and the letter of the law of San Francisco's formula retail controls.

Both attempts to modify its project proposal after being told by the Planning Department that such a use would require a Conditional Use authorization advance its agenda of national expansion at the expense of the city and community interests. The truth is that AHF's one-size-fits-all, chain store merchant model has proven in other jurisdictions to disrespect the diversity and uniqueness of the local community and put local pharmacies and nonprofits out of business, while demonizing any elected officials or business interests that get in the way.

This is not the first time AHF has acted in a way that sets it at odds with the HIV/AIDS coalition of physicians, researchers, elected officials, private sector partners, and nonprofit organizations that forged our renowned model of response more than thirty years ago. Leaders of this politically charged, highly-profitable global operation have a long, established track record of supporting positions and activities that directly oppose the hard work of the San Francisco community to further its business aspirations. They have advocated repeatedly to cut funding that goes directly to serving people living with HIV/AIDS in San Francisco. To help you better understand why AHF's approach to doing business does not align with the values we cherish and work hard to protect in San Francisco, we have included some examples with this letter.

For the reasons stated above we, the undersigned, respectfully request that the Review Board reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process.

Respectfully submitted,



Lance Toma
Executive Director
Asian & Pacific Islander
Wellness Center



Brett Andrews
Executive Director
Positive Resource Center



Mike Smith
Executive Director
AIDS Emergency Fund

Encl.

A brief review of the record of AIDS Healthcare Foundation

- AHF crusaded to end “hold harmless” provision of Ryan White Care Act, resulting in \$3.31 million loss of federal funding to San Francisco HIV/AIDS services, while simultaneously extracting revenue from San Franciscans via its “Out of The Closet” consignment stores.
- AHF’s legislative allies are the same anti-LGBT Senators (Burr, Coburn, Enzi) that opposed the repeal of “Don’t Ask Don’t Tell,” opposed the resolution calling on Ugandan Parliament to reject its “Kill the Gays” bill, and supported the removal of protections for same-sex couples and their children and a ban on gay marriage.
- AHF has made repeated personal attacks on President Obama and Democratic Leader Pelosi, including organizing a “mock funeral procession” to the personal residence of Leader Pelosi to mislead the public regarding her track record of fighting on behalf of people with HIV/AIDS in Congress.
- AHF fights to eviscerate Title I funding (i.e. meals, legal services, emergency financial assistance, housing, etc.) in favor of primary care, the main source of its \$350 million annual revenue. It has actively crusaded against HIV vaccine and cure research in favor of federal funds for its nationwide medical model.
- AHF spent millions on a failed attempt to block FDA-approval of Truvada, a drug that when taken correctly is proven up to 99% effective in preventing HIV transmission. AHF President Michael Weinstein recently called Truvada a “party drug,” and the gay men who use it to take care of themselves reckless and irresponsible.
- AHF Pharmacies generate millions for AHF from drug rebates they receive from the taxpayer-funded AIDS Drug Assistance Program and pharmaceutical industry. AHF has fought against reducing drug rebates at the expense of public healthcare system and refocused the attention on drug pricing by the pharmaceutical industry.
- AHF sued Los Angeles County after the county determined AHF had misspent \$1.7 million in public funds. It has sued the State of California, Medi-Cal, the LA Health Plan, Johnson & Johnson, Abbott Laboratories, Abbvie and GlaxoSmithKline. Separately, AHF is being sued by San Francisco’s Maitri for not paying rent on the space it leases from the small nonprofit organization.
- In response to a labor dispute and an attempt by AHF employees to unionize citing unfair working conditions, AHF responded: “We have created the largest and most successful AIDS organization in the world. We make no apologies for our success.”

Copyright © 2006 Bay Area Reporter, a division of Benro Enterprises, Inc.



Maitri sues AHF over thrift shop space

by Seth Hemmelgarn

s.hemmelgarn@ebar.com

Maitri hospice is suing the AIDS Healthcare Foundation, claiming that the Los Angeles-based nonprofit hasn't paid the rent for one of its Out of the Closet thrift store locations since August.

Maitri, the San Francisco agency that provides 24-hour residential care to people living with AIDS, has rented space to AHF at 100 Church Street for more than a decade. The foundation uses the space, which is adjacent to Maitri, for the thrift store, a pharmacy, and other services. AHF provides medical care and advocacy around the world.

Through its civil complaint, filed in October in San Francisco Superior Court, Maitri seeks "unlimited" damages over \$25,000 for failure to pay rent, failure to negotiate in good faith, and other causes.

AHF filed a response in December, denying Maitri's allegations and denying that the hospice "sustained or will sustain damages ... at all."

In an interview last week, Maitri Executive Director Michael Smithwick expressed support for AHF's work but said, "The rent revenue we receive on that space is almost 10 percent of our total revenue, so for an organization of our size, that's significant, and it certainly creates challenges."

Prompted by AIDS activist and blogger Michael Petrelis, AHF recently released its tax documents, which show that the foundation's budget for the most recently completed fiscal year was \$164,870,149.

According to Maitri's complaint, the two agencies entered into a lease agreement in September 2003. The deal provided for two five-year renewal options, the first of which AHF exercised in 2008. The agreement was set to expire September 30, 2013.

For that period, the rent was set at \$18,250 a month and was eventually increased to about \$18,283 in 2011. In 2012, the nonprofits agreed to a rent increase of \$100 a month to allow AHF to use Maitri's garbage staging area.

In April 2013, in preparation for a new deal, Maitri provided the foundation with its estimate that the fair

market value of the space was \$24,820 to \$25,550 a month.

The complaint says that on April 2, AHF Bay Area regional director Dale Gluth wrote, "AIDS Healthcare Foundation intends to exercise our renewal option. ... We are in the process of compiling our estimates and will follow up with you shortly."

Maitri then notified AHF that the proposed fair market rent would be \$25,185 a month.

The nonprofit "reasonably and justifiably relied on AHF's statement that it was exercising its second renewal option under the lease," the court documents say, but "AHF has never provided its estimate of the fair market rent" and "has not negotiated in good faith – or at all." AHF also hasn't "requested that an arbitrator be appointed" pursuant of the amended lease, the complaint says, and Maitri holds that its estimate of the fair market rent "prevails."

AHF is supposed to pay the hospice \$25,185 a month to rent the Church Street space from October 1, 2013 through September 30, 2018, as well as \$100 a month to use the garage area. The larger nonprofit should also pay the annual property taxes on the space, according to Maitri.

In addition to losing out on rent money, Maitri has also "been deprived of the economic security of an additional five-year lease of its property at a fair market rental value," the nonprofit claims, and AHF "has made it difficult to find a replacement tenant."

In an interview this week, Tom Myers, the foundation's general counsel, was supportive of Maitri's services but said, "The rent they're seeking is way out of proportion to what the market will bear."

Myers added, "We worked with them in trying to find resolution to this." He said the foundation "made an offer to stay for a reasonable amount of time to allow for a reasonable transition," but the amount Maitri wanted "was not going to work."

Myers didn't know when the last time was that AHF, which also operates other Out of the Closet stores, paid the rent on the Church Street space. He also didn't know what the nonprofit's plans are as far as vacating the location, and he didn't know how much money AHF makes off the shop each month.

Cuts at Maitri

Faced with reduced government funds, especially from the Ryan White HIV/AIDS Treatment Modernization Act, Maitri has been cutting costs.

Over the last three years, Maitri's annual spending has decreased more than 15 percent, Smithwick said. The budget for the 2012-13 fiscal year was \$2,367,110.

Four positions were eliminated in November, but Smithwick said, "All of them were administrative, so there was no cut to direct resident care." Maitri now has about 23 regular full-time paid staff.

The hospice has 15 rooms, which Smithwick said are always filled.

Along with staff cuts, reductions have come in expenses related to the annual Bliss gala, as well as printing costs and other areas. The nonprofit's also been working to bring in more money from non-government sources.

Tax records for the 2012-13 fiscal year list Smithwick's total compensation as \$104,410.

01/09/2014

← Back to Original Article

AIDS nonprofit group faces union campaign

Medical staff members at the AIDS Healthcare Foundation are seeking representation by the National Union of Healthcare Workers, charging that care is suffering.

September 24, 2013 | By Abby Sewell

A group of medical providers at clinics run by an influential but controversial AIDS-focused nonprofit group have launched a bid to unionize, saying that the organization's leadership has lost sight of its mission and patient care is suffering.

Doctors, nurses and physicians assistants in the AIDS Healthcare Foundation's Los Angeles and Bay Area clinics have been engaged in a behind-the-scenes struggle with the organization's leadership for the last two months.

On July 31, medical staff members submitted a petition to the National Labor Relations Board, announcing their desire to organize under the National Union of Healthcare Workers.

The foundation's leadership has contested the validity of the petition, saying that some of the employees involved in the union drive are supervisors not allowed to take part in union organizing.

FOR THE RECORD:

Union drive: In the Sept. 24 LATExtra section, an article about a union drive by medical staff working for the AIDS Healthcare Foundation said that the campaign involved doctors, nurses and physician assistants. The campaign involved doctors, nurse practitioners and physician assistants. —

The organization, with a budget of \$750 million, runs a network of HIV and AIDS testing and treatment facilities around the world, as well as its own pharmacies. Its 10 clinics in the Los Angeles area serve more than 7,000 patients, many of them through contracts with the county.

Local providers say that those clinics are understaffed, that there is a lack of Spanish interpreters and that there has been a push to pack more patients into the schedule each day at the expense of quality care. They say their complaints have been disregarded and that the organization is focusing too much energy on political advocacy. Those include fights with the county and with the adult film industry over attempts to mandate condom use on set as a way to reduce exposure to social diseases.

"We support AHF's mission — that's why we're all here in the first place, but we feel like they're not really carrying out their mission," said Felipe Findley, a physician's assistant at the foundation's downtown clinic.

Kim Sommers, medical director at the organization's Hollywood center, recalled that one day the clinic was so over capacity that a patient suffering from chest pains was sent home by the lone over-stressed medical assistant on duty because no one was available to give him the electrocardiogram Sommers had ordered.

"He came back two days later and he ended up being OK," Sommers said. "But the point is, we don't want to wait for something horrible to happen."

AIDS Healthcare Foundation founder and President Michael Weinstein said the union process had been "tainted" by the involvement of middle managers.

"They've got an absolute right to form a union, but right now it's been organized by people in management, and they've put a lot of pressure on rank-and-file employees," he said. For their part, employees have filed complaints alleging that the executive leadership retaliated against them for their union activities.

Weinstein said the organization is indeed focused on patient care and that changes in scheduling policies were made because the organization had lost patients when they were unable to get follow-up appointments scheduled in a timely manner. He defended the organization's political activities as a core part of its mission.

"The advocacy is who we are, and I would argue that the advocacy we do has very much helped us to improve the care in our patient centers," he said.

The workers went public with their complaints as the foundation's leadership is heading into another political fight with Los Angeles County. The foundation says that the county's Department of Public Health is sprawling and inefficient and is campaigning for a measure for the June ballot that would create an independent health department in the city of Los Angeles.

The county Board of Supervisors voted 3 to 2 last week to go to court in an attempt to stop the measure from getting to the ballot. The board is scheduled to discuss the potential effects of the proposal Tuesday.

abby.sewell@latimes.com

Times staff writer Seema Mehta contributed to this report.

FILE

BOARD OF APPEALS

JUN 05 2014

APPEAL # 14-077

APPEAL NUMBER 14-077

Opposing Brief Submitted by Respondent AIDS Healthcare Foundation to the City and

County of San Francisco Board of Appeals

Re: Release of Suspension Request dated April 18, 2014 re: Permit

Application No. 2013/11/12/1689

INTRODUCTION

In order to provide better and more HIV/AIDS medical, prevention, and testing services in San Francisco, nonprofit AIDS Healthcare Foundation (AHF) is in the process of (1) moving *its already existing HIV/AIDS specialty pharmacy in the Castro* literally around the block, from 4071 18th Street to 518 Castro Street, and (2) co-locating its *already existing* HIV/AIDS outpatient medical clinic with this pharmacy, in order to provide comprehensive HIV/AIDS medical care, pharmacy, and medication adherence services to its patients.

AHF already operates a pharmacy in the Castro. Residents of this community already receive these services. As the Zoning Administrator correctly found, this proposed use does not meet the criteria for Formula Retail use. Instead, with this consolidation, AHF will be able to provide better services, and cost savings will help offset the net loss AHF incurs in providing free and reduced fee medical, prevention, and testing services to San Franciscans,. Consistent with its nonprofit mission to end the AIDS epidemic, in the last 12 years, AHF has subsidized these services in San Francisco in an amount exceeding \$10 million.

STATEMENT OF FACTS

A. AHF's Nonprofit Mission In San Francisco.

1. AHF's Mission And Services.

AIDS Healthcare Foundation (AHF) is a California nonprofit corporation. Its stated mission is to provide “cutting edge HIV/AIDS medicine and advocacy regardless of ability to pay.” AHF has provided services, and fulfilled its nonprofit mission, in San Francisco for over 12 years, since 2002.

In San Francisco, AHF provides HIV/AIDS medical care, HIV/AIDS specialty pharmacy/medication adherence services, and HIV/AIDS and STD prevention, testing, and education services. Currently, it operates an HIV/AIDS outpatient medical clinic at 100 Church Street, two HIV/AIDS specialty pharmacies (one at 100 Church Street, and the other in the Castro at 4071 18th Street), three Out of the Closet Thrift Stores (which also provide free HIV testing), and operates HIV/AIDS and STD prevention, testing, and education programs. All told, AHF employs approximately 55 people in San Francisco.

Since 2002, AHF in San Francisco has provided lifesaving HIV/AIDS medical care to well over 1,000 people. It has provided specialty HIV/AIDS pharmaceutical/medication adherence services to well over 5,000 people, which has improved their health, and reduced the chance that they may inadvertently spread the virus. It has provided for over 8,000 HIV tests, and detected approximately 76 individuals with HIV/AIDS. AHF has been able to refer these people to care, which not only has improved their health, but also has prevented hundreds of other HIV infections.¹ It has distributed over 750,000 free condoms to help prevent the spread of HIV and other STDs. Finally, AHF has spent approximately \$500,000 on HIV/AIDS public awareness and safer sex campaigns.

¹ People who know their HIV status are far more likely to take steps to protect others from infection than those who do not. Moreover, people with HIV who have access to care and treatment, and are adherent to their medication, are virtually noninfectious.

2. The People AHF Serves.

AHF provides these services predominantly to poor and/or uninsured people. Moreover, AHF provides these services overwhelmingly to people and communities of color. For example, the patient demographic at AHF's clinic is over 65% people of color.

The services AHF provides are still vitally needed in San Francisco. Despite the efforts of many organizations and the local government, over 38% of San Franciscans living with HIV/AIDS still do not receive regular medical care for their condition. In addition, there are still over 300 new HIV infections in San Francisco every year.²

3. AHF's Collaborations And Partnerships To Improve Public Health In San Francisco.

Throughout its history, AHF has contracted with, provided support to, and allied itself with other HIV/AIDS providers and community organizations, in order to help create and sustain a comprehensive and holistic response to the HIV/AIDS epidemic. In San Francisco and the East Bay, AHF has provided contracts and/or direct financial support to, among others, ARK of Refuge, Alliance Health Project, Bay Area Young Positives, the HIV Story Project, Art for AIDS, and Women Organized to Respond to Life-threatening Disease (WORLD). In addition, AHF has been a long time participant in and supporter of the San Francisco Pride Parade, the Castro Street Fair, various Folsom Street Events, and the Visitacion Valley Street Fair. The

² While AHF does not consider itself to be competing with other organizations in an attempt to end the HIV/AIDS epidemic, especially given how many people living with HIV/AIDS still do not have access to care, it appears that many organizations that have written in opposition (attached to Appellant's brief) do see themselves as competitors, and may be using this process to gain what they see as a competitive advantage. Specifically, the May 22, 2014 letter from Keith Folger and Mike Shriver references the fact that the San Francisco AIDS Foundation, which itself wrote a letter in opposition, "is building a facility to address all aspects of Gay Men's Health," which has been in the works for over 2 years.

amount of direct financial support that AHF has provided to these organizations over the years is in excess of \$1 million.

AHF also has sought to have a positive impact on the health of all San Franciscans, not just those with or at risk of contracting HIV/AIDS or other STDs. AHF was a primary sponsor of local ballot Measure D, which will help San Francisco negotiate lower drug prices. This Measure was endorsed by over 44 groups, local officials, and newspapers, including the entire Board of Supervisors, the editorial board of the San Francisco Chronicle, the S.F. Democratic Party, Chinese American Democratic Club, S.F. Labor Council, and the Alice B. Toklas LGBT Democratic Club, and was approved in 2013 by approximately 80% of San Francisco voters.³

4. AHF's Financial Commitment To San Francisco.

AHF has provided and continues to provide these services in San Francisco without receiving any financial support from the San Francisco government. Any revenue or reimbursement received by AHF for these services has been well below the cost of providing it. Since 2002, AHF has subsidized all of the above medical services, testing, prevention, education, advocacy, and support in an amount well over \$10 million.

B. AHF's Efforts To Improve Its Nonprofit Services In San Francisco Via The Project At Issue On Appeal.

As stated above, AHF currently operates an HIV/AIDS outpatient medical clinic and two HIV/AIDS specialty pharmacies. AHF applied for Permit No. 2103/11/121/1689, and seeks to renovate the subject space at 518 Castro Street, in order to (1) relocate its medical clinic, and (2) relocate and combine its two pharmacies into one store, and co-locate the pharmacy with the

³ Letters of support from local organizations and individuals are attached hereto as Exhibit 4.

clinic.⁴ As stated above the new 518 Castro Street address literally is around the corner from AHF's already existing pharmacy at 4071 18th Street – AHF will close that pharmacy, and move it to the Castro Street address. In a previous appeal, this Board found that the co-location of AHF's clinic and pharmacy per se did not require utilization of the Conditional Use Authorization process (Notice of Decision of Appeal No. 14-021, attached hereto as Exhibit 1).

AHF expects this change and consolidation to result in better health outcomes for its patients, and an increased ability to provide its other nonprofit testing, prevention, and education services. First, by co-locating its clinic and pharmacy, AHF patients will have the ability to receive comprehensive HIV medical care. Despite the known and proven benefits of antiretroviral treatment, fewer than half of all Americans with HIV/AIDS are receiving medication, and fewer than 28% of all Americans with HIV/AIDS are sufficiently adherent to their medications such that their HIV is under control. Medication adherence has proven to be a difficult challenge in treating HIV, and co-locating a person's medical and other health services has been shown to greatly increase adherence and health outcomes.⁵

Second, by consolidating pharmacies, AHF will be able to realize significant savings while still providing quality services. This will help reduce the subsidy that AHF already provides to its programs in San Francisco, making them more sustainable and allowing for expansion. This will allow AHF to provide more and better services to the people of San Francisco.

⁴ To be clear, AHF is not expanding its pharmacy operations, or increasing the number of pharmacies within San Francisco. It is in fact attempting to reduce its footprint.

⁵ Indeed, the health benefits of providing comprehensive services appears to be one of the reasons that the San Francisco AIDS Foundation has been “building a facility to address all aspects of Gay Men’s Health” for the past two years.

1. The Previous Appeal In This Matter.

On January 23, 2014, Zoning Administrator Scott F. Sanchez issued a Suspension Request for this Permit. (attached hereto as Exhibit 2) Two grounds for the Request were specified:

1. It was asserted that the permit sought a change in use of a space greater than 2,000 square feet, which required the issuance of a Conditional Use Authorization; and
2. A “suggestion” that AHF may be considered a Formula Retail Use under the Planning Code. The Request seeks a suspension of the Permit “to allow [AHF] to . . . address the question of any new Formula Retail use at the site. . . .”

It should be noted that the Request does not make a determination that AHF’s proposed use would in fact be a Formula Retail Use, nor specify exactly how, or under which specific provisions of Planning Code Section 703.3, would qualify AHF’s proposed use of the space as a Formula Retail Use. It merely states that a Formula Retail use has been suggested, and requests suspension only until the issue is adequately addressed.

AHF appealed the Suspension Request to this Board. The Appeal was heard on March 19, 2014, and by Notice of Decision and Order dated April 1, 2014 (attached hereto as Exhibit 1), the Board overruled the first ground for the Request, and upheld the second ground for the Request “with respect to the issue of formula retail.”

2. AHF Addresses Formula Retail Use Concerns, And The Zoning Administrator Determines The Proposed Use Is Not Formula Retail.

After the Board’s decision, and consistent with its Order, representatives from AHF discussed the use with Zoning Administrator Sanchez and his staff, and addressed any questions concerning whether the proposed pharmacy use constituted a Formula Retail use. Specifically,

AHF stated that it would not utilize the name “AHF Pharmacy” with respect to this location, and instead would utilize the business name “Castro Pharmacy.” Administrator Sanchez, who had already reviewed the evidence of AHF’s pharmacy operations in other locations as well as AHF’s proposed pharmacy use at this site, determined that with this name change, AHF’s use would not be considered Formula Retail Use, and would not require Conditional Use Authorization. By letter dated April 18, 2014, Administrator Sanchez requested that the previous Suspension of the permit be released. (attached hereto as Exhibit 3) Appellant Laura Thomas subsequently filed an appeal of this Release of Suspension Request.

Even though the issue on appeal is limited to the Zoning Administrator’s determination that AHF’s proposed use is not Formula Retail, Appellants nevertheless seek to argue that the square footage in the premises requires subjection to the Conditional Use Authorization process. To be clear, this very issue was addressed and disposed of in Appeal No. 14-021. This determination was not appealed by anyone. Moreover, this issue is not part of the Zoning Administrator’s April 18, 2014 Release of Suspension Request, which is the basis of this Appeal. Therefore, this issue is moot, is not before the Board, and should be disregarded.

LEGAL ARGUMENT

A. Standard Of Review Of Zoning Administrator’s Decision On Appeal.

At issue here is the Zoning Administrator’s determination, as stated in his April 18, 2014 Release of Suspension Request, that AHF’s proposed use is not a Formula Retail Use as set out in the Planning Code. As stated in the Special Instructions to Parties contained in the appeals packet, decisions of the Zoning Administrator are entitled to deference: “In appeals of decisions by the Zoning Administrator (ZA), the Board must defer to the ZA unless the Board finds that the ZA erred or abused his or her discretion.”

B. San Francisco's Formula Retail Use Law

The criteria for whether a proposed use constitutes a "Formula Retail Use" are set out in Planning Code Section 703.3(b) (emphasis added):

(b) **Formula Retail Use.** Formula retail use is hereby defined as a type of retail sales activity or retail sales establishment which, along with eleven or more other retail sales establishments located in the United States, *maintains two or more of the following features*: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, a uniform apparel, standardized signage, a trademark or a servicemark. (emphasis added)

C. The Zoning Administrator Correctly Determined That AHF's Proposed Used Does Not Meet The Criteria For Formula Retail.

As stated above, the Zoning Administrator reviewed with AHF any issues regarding the above criteria and resolved that, based on his review of the matter, AHF's proposed pharmacy does not meet at least two of the above criteria, and thus is not Formula Retail. This finding is not in error, is not an abuse of discretion, and is entitled to deference.

In her appeal, appellant contends that the Zoning Administrator erred by determining that AHF's pharmacy, doing business under the unique name "Castro Pharmacy"— a name not shared by any other AHF pharmacy – falls outside the Formula Retail Use criteria. Her argument seems to be that since AHF will remain the owner of the pharmacy, and AHF owns other pharmacies, the pharmacy must be deemed Formula Retail. This is incorrect. A pharmacy with a unique name, signage, and look does not, by itself, trigger the Formula Retail Use requirements. The Zoning Administrator had the complete record before him on the matter, reviewed the criteria,

and his finding that there is no Formula Retail Use is not in error, nor was it an abuse of discretion.⁶

Finally, contrary to the claims of Appellants, AHF's decision to use the name "Castro Pharmacy" is not an attempt to "get around" the Formula Retail Use criteria. Instead, it is a step that addresses, and eliminates, the same concern as that underlying the Formula Retail Use law. It will eliminate one of the presumed competitive advantages that formula retail stores have – superior name recognition. It is that advantage that the Formula Retail Use law seeks to address. Eliminating the use of the name, as is done here, eliminates any presumed advantage.

CONCLUSION

As stated above, the Zoning Administrator did not clearly err or abuse his discretion in determining that AHF's proposed use does not meet at least two of the criteria determining Formula Retail Use. Moreover, the proposed name of the pharmacy expressly and purposefully does not utilize AHF's pharmacy service mark, thus eliminating any possible competitive advantage AHF might have from name recognition in that mark.

Dated: June 5, 2014

AIDS HEALTHCARE FOUNDATION

By: Tom Myers
Tom Myers
Attorney for AIDS Healthcare Foundation

⁶ Some letters in support of the appeal claim that the City is now considering a proposed ordinance that would add an ownership criteria that they claim would prevent the Planning Commission from approving AHF's proposed use. However, even if such an ordinance ever comes to pass, it is nevertheless the case that under the law, as proposed by AHF, the proposed use does not trigger Formula Retail Use. That there is a proposed law that Appellant claims would change the meaning of the Formula Retail Use law is actually further support of the determination for the Zoning Administrator's decision.

Exhibit 1



Edwin M. Lee
Mayor

Cynthia G. Goldstein
Executive Director

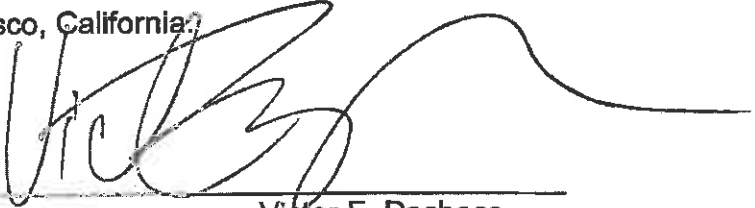
AFFIDAVIT OF SERVICE

**Aids Healthcare Foundation, Appellant
c/o Dale Gluth, Agent for Appellant
100 Church Street
San Francisco, CA 94114**

I, Victor F. Pacheco, Legal Assistant for the Board of Appeals, hereby certify that on this 1st day of April, 2014, I served the attached **Notice of Decision for Appeal No. 14-021, Aids Healthcare Foundation vs. Zoning Administrator**, subject property at **518 Castro Street**, on the appellant by mailing a copy via U.S. mail, first class, to the address above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in San Francisco, California.

April 01, 2014
Date



Victor F. Pacheco

cc: Scott Sanchez, Zoning Administrator
Planning Department
1650 Mission Street, 5th Floor
San Francisco, CA 94103

OTHER PARTIES
OR CONCERNED CITIZENS:

N/A



BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
AIDS HEALTHCARE FOUNDATION,

Appeal No. 14-021

Appellant(s)

vs.

ZONING ADMINISTRATOR,

Respondent

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on February 07, 2014, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on January 23, 2014, of a Request for Suspension (requesting that BPA No. 2013/11/12/1689- tenant improvement of existing vacant retail space for new medical office and pharmacy- be suspended for the reason that the Planning Department's over-the-counter approval was erroneous) at 518 Castro Street.

FOR HEARING ON March 19, 2014

Address of Appellant(s):

Address of Other Parties:

Aids Healthcare Foundation, Appellant
c/o Dale Giuth, Agent for Appellant
100 Church Street
San Francisco, CA 94114

Zassem Sirhed, Subject Property Owner
PO Box 626
Burlingame, CA 94011

NOTICE OF DECISION & ORDER


The aforementioned matter came on regularly for hearing before the Board of Appeals of the City & County of San Francisco on MARCH 19, 2014.

PURSUANT TO § 4.106 of the Charter of the City & County of San Francisco and Article 1, §14 of the Business & Tax Regulations Code of the said City & County, and the action above stated, the Board of Appeals hereby **GRANTS THE APPEAL AND ORDERS**

that the ISSUANCE of the subject Order by the ZONING ADMINISTRATOR is **UPHELD IN PART /OVERRULED IN PART**, and the Suspension Request with respect to the issue of formula retail is **UPHELD**, and the said Suspension Request with respect to the issue of change of use is **OVERRULED** on the basis that the Zoning Administrator **ERRED** in determining that the medical office use exceeded the 2,000 square foot threshold by inaccurately including the bathrooms in the calculations. **Note:** The ZONING ADMINISTRATOR shall issue a revised Order pursuant to this decision in order to clarify which construction elements of the permit scope are re-instated.

BOARD OF APPEALS
CITY & COUNTY OF SAN FRANCISCO

Last Day to Request Rehearing: March 31, 2014
Request for Rehearing: None
Rehearing: None
Notice Released: April 01, 2014


Cynthia G. Goldstein, Executive Director

Ann Lazarus, President

If this decision is subject to review under Code of Civil Procedure § 1094.5, then the time within which judicial review must be sought is governed by California Code of Civil Procedure, § 1094.6.

Exhibit 2



SAN FRANCISCO PLANNING DEPARTMENT

Suspension Request

January 23, 2014

Mr. Tom Hui, CBO
Director
Department of Building Inspection
1660 Mission Street
San Francisco, CA 94103

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Building Application No.:	201311121689
Property Address:	518 Castro Street
Block and Lot	2695/002
Zoning District:	Castro Street Neighborhood Commercial District
Staff Contact:	Delvin Washington - (415) 558-6443 or delvin.washington@sfgov.org

Dear Director Hui,

This letter is to request that the Department of Building Inspection (DBI) suspend **Building Permit Application No. 201311121689** ("the Permit") for the property at 518 Castro Street.

The Permit was issued on January 13, 2014 in order to change the use of a portion of the ground floor commercial space at the subject property from a retail use to a medical office and pharmacy and to perform associated tenant improvements.

It has come to our attention that the Planning Department's over-the-counter approval of the Permit was erroneous. Specifically, Planning Code Section 178(e)(6) requires Conditional Use Authorization in order to change the use of any non-residential space in the Castro NCD that is larger than 2,000 square feet. The Permit authorizes a change of use for such a space but no Conditional Use authorization has sought or approved.

Furthermore, it has been suggested that the proposed tenant of the space may be considered a Formula Retail Use under the Planning Code. Planning Code Section 703.4 requires Conditional Use authorization for a Formula Retail Use in districts including the Castro NCD. No such Conditional Use authorization has been sought or approved.

Based on the foregoing, the Planning Department is requesting the suspension of the Permit to allow the project sponsor to (1) seek Conditional Use authorization from the Planning Commission for the proposed change of use and (2) address the question of any new Formula Retail Use at the site, and if necessary seek Conditional Use authorization.

Tom Hui, CBO, Director
Department of Building Inspection
Suspension Request
518 Castro Street
January 23, 2014

APPEAL: Any aggrieved person may appeal this letter to the Board of Appeals within fifteen (15) days after the date of the issuance of this letter. For further information, please contact the Board of Appeals in person at 1650 Mission Street, Room 304, or call 575-6880.

Sincerely,



Scott F. Sanchez
Zoning Administrator

cc: Zachary Nathan, Project Architect *via email - info@zacharynathan.com*
Joe Duffy, Senior Building Inspector, DBI *via email*
Patrick O'Riordan, Chief Building Inspector, DBI *via email*
Delvin Washington, Planning Department *via email*
Kevin Brusatori, Planning Department *via email*
Daniel Sider, Planning Department *via email*

Exhibit 3



SAN FRANCISCO PLANNING DEPARTMENT

Release of Suspension Request

April 18, 2014

Tom C. Hui, CBO, SE
Director
Department of Building Inspection
1660 Mission Street, Sixth Floor
San Francisco, CA 94103

Sign Permit Application Nos.: 201311121689
Property Address: 518 Castro Street
Block and Lot 2695/002
Zoning District: Castro Street Neighborhood Commercial District
Staff Contact: Tina Chang - (415) 575-9197 or tina.chang@sfgov.org

Dear Mr. Hui,

This letter is to request that the Department of Building Inspection (DBI) **release the suspension of Building Permit Application No. 201311121689 for 518 Castro Street.**

The subject permit was issued on January 13, 2014, in order to change the use of a portion of the ground floor commercial space at the subject property from a retail use to a medical office and pharmacy and to perform associated tenant improvements.

On January 23, 2014, I requested suspension of the subject permit to allow the project sponsor to 1) seek Conditional Use Authorization from the Planning Commission for the proposed change of use and 2) address the question of any new Formula Retail Use at the site, and if necessary, seek Conditional Use Authorization.

On February 7, 2014, the Project Sponsor appealed the suspension request to the Board of Appeals (Appeal No. 14-021). On March 19, 2014, the Board of Appeals held a duly noticed public hearing on the appeal and upheld the Planning Department's determination that the proposed use (dba "AHF Pharmacy") was considered to be a Formula Retail Use. The Board of Appeals also overruled the Planning Department's determination that the proposed use required a Conditional Use Authorization for use size and determined that the proposed medical office use was less than 2,000 square feet.

Subsequent to the Board of Appeals hearing, the Project Sponsor informed the Planning Department that the proposed pharmacy would be changed to a non-Formula Retail Use (dba "Castro Pharmacy"), which would not require Conditional Use Authorization. As such, I am hereby requesting that DBI **release suspension of Building Permit Application No. 201311121689** based upon the Board of Appeals decision and the Project Sponsor's representation that the

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Tom C. Hui, Director, DBI
Release of Suspension Request
518 Castro Street
April 18, 2014

proposed pharmacy will not operate as a Formula Retail Use. Additionally, if the Project Sponsor proposes signage for the pharmacy or medical service that requires a permit under Planning Code Section 604, they must file a separate Sign Permit Application to authorize such signage.

APPEAL: Any aggrieved person may appeal this letter to the Board of Appeals within fifteen (15) days after the date of the issuance of this letter. For further information, please contact the Board of Appeals in person at 1650 Mission Street, Room 304, or call 575-6880.

Sincerely,



Scott F. Sanchez
Zoning Administrator

CC: Zachary Nathan, Project Architect (via email)
Dale R. Gluth, AIDS Healthcare Foundation (via email)



Edwin M. Lee
Mayor

Cynthia G. Goldstein
Executive Director

AFFIDAVIT OF SERVICE

**Aids Healthcare Foundation, Appellant
c/o Dale Gluth, Agent for Appellant
100 Church Street
San Francisco, CA 94114**

I, Victor F. Pacheco, Legal Assistant for the Board of Appeals, hereby certify that on this 1st day of **April, 2014**, I served the attached **Notice of Decision for Appeal No. 14-021, Aids Healthcare Foundation vs. Zoning Administrator**, subject property at **518 Castro Street**, on the appellant by mailing a copy via U.S. mail, first class, to the address above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in San Francisco, California:

April 01, 2014

Date

Victor F. Pacheco

cc: Scott Sanchez, Zoning Administrator
Planning Department
1650 Mission Street, 5th Floor
San Francisco, CA 94103

OTHER PARTIES
OR CONCERNED CITIZENS:

N/A



BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
AIDS HEALTHCARE FOUNDATION,)
Appellant(s))
vs.)
ZONING ADMINISTRATOR,)
Respondent

Appeal No. 14-021

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on February 07, 2014, the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is the ISSUANCE on January 23, 2014, of a Request for Suspension (requesting that BPA No. 2013/11/12/1689- tenant improvement of existing vacant retail space for new medical office and pharmacy- be suspended for the reason that the Planning Department's over-the-counter approval was erroneous) at 518 Castro Street.

FOR HEARING ON March 19, 2014

Address of Appellant(s):

Aids Healthcare Foundation, Appellant
c/o Dale Gluth, Agent for Appellant
100 Church Street
San Francisco, CA 94114

Address of Other Parties:

Zassem Sirhad, Subject Property Owner
PO Box 626
Burlingame, CA 94011

NOTICE OF DECISION & ORDER

The aforementioned matter came on regularly for hearing before the Board of Appeals of the City & County of San Francisco on MARCH 19, 2014.

PURSUANT TO § 4.106 of the Charter of the City & County of San Francisco and Article 1, §14 of the Business & Tax Regulations Code of the said City & County, and the action above stated, the Board of Appeals hereby **GRANTS THE APPEAL AND ORDERS**

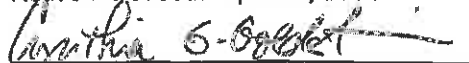
that the ISSUANCE of the subject Order by the ZONING ADMINISTRATOR is **UPHELD IN PART /OVERRULED IN PART**, and the Suspension Request with respect to the issue of formula retail is **UPHELD**, and the said Suspension Request with respect to the issue of change of use is **OVERRULED** on the basis that the Zoning Administrator **ERRED** in determining that the medical office use exceeded the 2,000 square foot threshold by inaccurately including the bathrooms in the calculations. **Note:** The ZONING ADMINISTRATOR shall issue a revised Order pursuant to this decision in order to clarify which construction elements of the permit scope are re-instated.

BOARD OF APPEALS
CITY & COUNTY OF SAN FRANCISCO



Ann Lazarus, President

Last Day to Request Rehearing: March 31, 2014
Request for Rehearing: None
Rehearing: None
Notice Released: April 01, 2014


Cynthia G. Goldstein, Executive Director

If this decision is subject to review under Code of Civil Procedure § 1094.5, then the time within which judicial review must be sought is governed by California Code of Civil Procedure, § 1094.6.

Exhibit 4

Jun 04 14 10:46a

Sirhed Management

16503446942

p.1

SIRHED MANAGEMENT
P.O.Box 626, Burlingame, CA 94011
650.344.4422
650.344.6942 fax

June 2, 2014

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their two Castro locations from Church Street and 18th Street to a single location at 518 Castro Street. In my role as landlord of 518 Castro Street, I am confident that AHF's services are of great value to all San Franciscans. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has made significant contributions toward addressing the HIV epidemic in San Francisco.

I appreciate that AHF offers an essential service to our community where nearly 40% of people living with HIV are not engaged in medical care and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides services in the best interest of all San Franciscans.

I hope the issue with permitting the build out of AHF's new consolidated location can finally be resolved and I thank you for your time and consideration in this matter.

Sincerely,



Sam Sirhed, Owner
Sirhed Management



AIDStaskforce OF GREATER CLEVELAND

June 4, 2014

Ann Lazarus,
President Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am the Executive Director of the AIDS Taskforce of Greater Cleveland and I have served in various capacities at the agency for 16 years. The AIDS Taskforce has operated in Cleveland, Ohio for 31 years and is a classic AIDS Service Organization that provides a compassionate and collaborative response to the needs of people infected, affected and at risk of HIV/AIDS. This is accomplished through leadership in prevention, education, supportive services and advocacy.

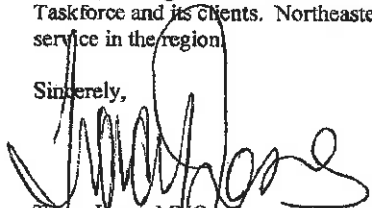
In 2011 the AIDS Taskforce began a dramatic financial downward spiral triggered by cuts in funding we received from federal agencies such as the CDC due to their funding changes. By 2012 we were in financial dire straits and on the verge of closing. If this had happened, it would have been a tragedy for the more than 1200 clients and their families we serve, many of whom have been with us for decades.

In 2012, the board of the AIDS Taskforce realized the need to examine other options to sustain its services to clients and wanted to seek potential assistance from an agency that mirrored our mission, vision and deep desire to put clients first. We approached AHF for help and upon examination and discussion, we realized one of the tenets of both organizations is client care and choice. Thanks to AHF's financial, technical, and administrative support we needed, we have been able to continue and thrive, serving more clients than ever and linking them into new services.

I must say that all of our experiences have been more than positive in the partnership between the AIDS Taskforce and AHF and because of this, the AIDS Taskforce strongly objects to the assertions in certain letters of support submitted by some organizations opposing AHF's permit that AHF operates in places like Cleveland by "purposefully establishing a head to head, competitive, hostile environment" with "long-standing community providers indigenous to the locality." That truly is not what happened with us or other community providers in our region. The relationship between AHF and the Greater Cleveland community has been collaborative and positive. It has also been said that AHF "assumes it will win out because of its deep pockets and the ability to lose money in a location for an extended period of time to outlast the competition." I can tell you emphatically that this was not what happened in Cleveland. In fact, AHF rescued an essential community provider in a manner that has let us stand on our own feet and continue our work. The support that AHF has provided has been nothing but respectful of our experience and of local leadership.

In sum, turning to AHF was not the "lesser of the two evils" option. It was in fact the best option for the AIDS Taskforce and its clients. Northeastern Ohio has been greatly served and we are looking forward to AHF's continued service in the region.

Sincerely,



Tracy Jones, MNO
Executive Director
AIDS Taskforce of Greater Cleveland
2829 Euclid Avenue
Cleveland, Ohio 44115
216 357-3131 ext. 263
tjones@clevelandtaskforce.org



Friday, May 30, 2014

AHP Services Center

CLIENT SERVICES
415-476-3902
FAX 415-476-3655

POSTAL ADDRESS
Box 1312
San Francisco, CA
94143-1312

STREET ADDRESS
1930 Market Street
San Francisco, CA
94102

**AHP Mission
Center Building**

PROGRAM
ADMINISTRATION
415-476-3902
FAX 415-476-7996

Web
ucsf-ahp.org

**Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103**

Dr. Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their two Castro locations from Church Street and 18th Street to a single location at 518 Castro Street. In my role as Director at Alliance Health Project, I have found AHF's services to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options not only without governmental funding, but also at a financial loss subsidized by the organization.

I have appreciated collaborating with AHF, and feel they offer an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Lori Thoemmes
Director- Alliance Health Project



B A Y P O S I T I V E S

Friday, May 30, 2014

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dr. Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their two Castro locations from Church Street and 18th Street to a single location at 518 Castro Street. In my role as Executive Director at Bay Area Young Positives, I have found AHF's services to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options not only without governmental funding, but also at a financial loss subsidized by the organization.

I have appreciated collaborating with AHF, and feel they offer an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Curtis Moore, MPH
Executive Director

Bay Area Young Positives



June 3, 2014

To: Board of Appeals

Get Screened Oakland (GSO) is pleased to write this letter of support for the AIDS Healthcare Foundation and their work in the Bay Area, San Francisco and Oakland in particular.

AIDS Healthcare Foundation has been a community partner of Get Screened Oakland's since its inception, providing resources, support and on-going engagement as Oakland worked to develop its "municipal response to HIV" program model and to work with HIV/AIDS leaders and service providers to establish a new network of HIV service agencies.

AIDS Healthcare Foundation offers a range of services to the greater Oakland and East Bay community that include outreach and engagement services, HIV testing, treatment and pharmacy services. As such, they are a key collaborator and provider of much needed services in the Bay Area. With Get Screened Oakland, AIDS Healthcare Foundation has helped to expand HIV testing and prevention education services through the HIP HOP 4 HIV testing initiative; helped to improve collaboration among existing programs as part of the East Bay AIDS Walk and also helped to expand understanding of the importance of HIV testing and knowing one's HIV serostatus through their support of community workshops and outreach events, such as two of Oakland's premier community events: Art and Soul and Oakland Pride:

The epidemic response in Oakland and the Greater East Bay community has been strengthened by the resources and support of AIDS Healthcare Foundation.

Sincerely,
Marsha Martin
Get Screened Oakland
Advisory Board Member/Director

Monday, June 2, 2014

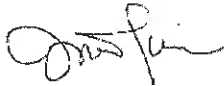
Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dr. Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their two Castro locations from Church Street and 18th Street to a single location at 518 Castro Street. In my role as Sr. Manager, Employee HIV/AIDS Program at Levi Strauss & Co., I have found AHF's services to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions toward addressing the HIV epidemic in San Francisco.

I have appreciated collaborating with AHF, and feel they offer an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Joanne Lim-Pousard
Sr. Manager, Employee HIV/AIDS Program
Levi Strauss & Co.

Adam Ouderkirk

Subject: FW: Board of Appeals letter of support for AHF

From: Dale Gluth
Sent: Wednesday, June 04, 2014 10:41 AM
To: Adam Ouderkirk
Subject: FW: Board of Appeals letter of support for AHF

Sister Vish

Dale R. Gluth
Bay Area Regional Director
AIDS Healthcare Foundation
400 30th St., Suite 300
Oakland, CA 94609
C: 415.218.9587
F: 415.447.0988
E: dale.gluth@aidshhealth.org

From: kenneth bunch [vishphb@thesisters.org]
Sent: Saturday, May 31, 2014 5:52 PM
To: Dale Gluth
Subject: Board of Appeals letter of support for AHF

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dr. Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their two Castro locations from Church Street and 18th Street to a single location at 518 Castro Street. In my role as Founder of The Sisters Of Perpetual Indulgence, I have found AHF's services to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options not only without governmental funding, but also at a financial loss subsidized by the organization. I have appreciated collaborating with AHF, and feel they offer an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,
Kenneth Bunch
Sister Vish

THE SF LGBT CENTER

6/3/2014

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dr. Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their two Castro locations from Church Street and 18th Street to a single location at 518 Castro Street. In my role as Associate Director of Economic Development at the San Francisco LGBT Center, I have found AHF's services to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options not only without governmental funding, but also at a financial loss subsidized by the organization.

I have appreciated collaborating with AHF, and feel they offer an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Clair Farley
Associate Director of Economic Development
Employment Services/ Trans Employment Program (TEEI)
San Francisco LGBT Community Center

SAN FRANCISCO LESBIAN GAY BISEXUAL TRANSGENDER COMMUNITY CENTER

1800 MARKET STREET, SAN FRANCISCO, CA 94102 • 415-865-5555 • INFO@SFCENTER.ORG • WWW.SFCENTER.ORG

Sunday, June 1, 2014

Dr. Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their two Castro locations from Church Street and 18th Street to a single location at 518 Castro Street. In my role as entertainment committee at the Leland Avenue Market Bazaar, I have found AHF's services to be of great value in San Francisco. Working with us on a recycle re-use fashion show their service was a fantastic way to show our community the value of one style by used clothes and the services that AHF offer to our community. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options not only without governmental funding, but also at a financial loss subsidized by the organization.

I have appreciated collaborating with AHF, and feel they offer an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Visitacion Valley Connections
Toni Zernik
Steering Committee Member
Toni.zernik@gmail.com
Visitacionvalleyconnections.org
P.O. Box 34003
San Francisco, CA 94134



WORLD

Women Organized to Respond to Life-threatening Diseases

Friday, May 30, 2014

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm. 304
San Francisco, CA 94103

Dr. Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their two Castro locations from Church Street and 18th Street to a single location at 518 Castro Street. In my role as Executive Director at Women Organized to Respond to Life-threatening Diseases (WORLD), I have had the opportunity to partner with AHF on several occasions. WORLD's mission is to improve the lives and health of women, girls, families and communities affected by HIV through peer-based education, wellness services, advocacy, and leadership development. Because of WORLD's unique niche and gender focus, we serve clients from across the Bay Area, including many from San Francisco. Our clients have found AHF's services to be of great value in San Francisco.

Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued community collaborator, and has made significant contributions toward addressing the HIV epidemic in San Francisco. WORLD is particularly appreciative of the services AHF has provided to women, inclusive of transgendered women, and people of color often in the margins of HIV services. AHF has proven their commitment to providing prevention and care options not only without governmental funding, but also at a financial loss subsidized by the organization.

I have appreciated collaborating with AHF, and feel they offer an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Cynthia Carey-Grant
Executive Director
WORLD

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,


I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.


As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Ms Billie Cooper
Signature

Ms Billie Cooper
Printed Name

June 4, 2014
Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Thomas C. Mason
Signature

THOMAS C MASON
Printed Name

6-5-14
Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.


As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Signature

Barbara A McBride

Printed Name

6-4-14

Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103


Dear Ms. Lazarus,

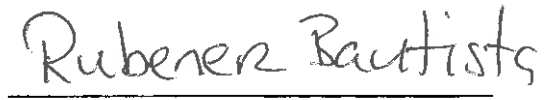
I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

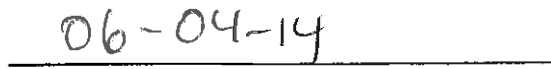
As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

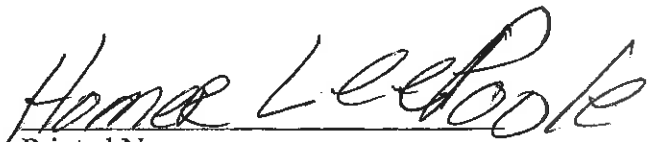
I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

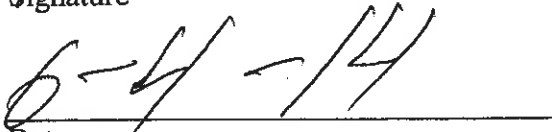
As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,


I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

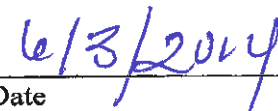
As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103


Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature

Kristi Dixon
Printed Name

6/4/14
Date

FILE

6/11/14

BOARD OF APPEALS

Velez, Xiomara (PAB)

From: Alan Beach-Nelson, EVNA President <alan.beach@evna.org>
Sent: Thursday, May 22, 2014 1:54 PM
To: San Francisco Board of Appeals
Cc: lgthomas@gmail.com; Goldstein, Cynthia (PAB); 'EVNA Board of Directors'; 'Alan Beach-Nelson, EVNA President'
Subject: EVNA Board of Appeals Letter to enforce CU Requirement for AHF at 518 Castro
Attachments: EVNA Board of Appeals Letter to enforce CU Requirement for AHF at 518 Castro.pdf

MAY 22 2014
APPEAL # 14-077

Dear Board of Appeals,

Please find attached a letter from Castro/Eureka Valley Neighborhood Association formally requesting that you reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process that engages the community like all other projects.

If you have any questions, please feel free to email me or call me at 415/431-5152.

Thank you,
Alan

alan beach-nelson | president | Castro/Eureka Valley Neighborhood Association
The neighborhood association for the Castro, Upper Market and all of Eureka Valley since 1881
PO Box 14137, San Francisco, CA 94114 | alan.beach@evna.org | 415.244.5152
I encourage you to learn more about Castro/EVNA; become a member at <http://evna.org/join>



CASTRO/EUREKA VALLEY NEIGHBORHOOD ASSOCIATION

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

EVNA
PO Box 14137
San Francisco, CA 94114
www.evna.org
Board@EVNA.org

EVNA, a 501 (C)(4) Non-profit,
Tax ID: 51-0141022

Eureka Valley Foundation,
a 501(C)(3) Non-profit,
Tax ID: 26-0831195

EXECUTIVE COMMITTEE

Alan Beach-Nelson
President
Castro Street
Rob Cox
Secretary
Hartford Street
Vacant
Treasurer

COMMITTEE CHAIRS

James Kelm
Newsletter & Social Media
Castro Village Wine Co.
Jack Keating (Ex-Officio)
Planning & Land Use
17th Street
Aaron Seivertson
Quality of Life
Hartford Street
Mark McHale
Social
Vanguard Properties
Orië Zaklad
Technology & Marketing
Collingwood Street

DIRECTORS:

Patrick Crogan
Market Street
Tim Eicher
Q Bar
Mary Edna Harrell
Castro Street
Loïc Olichon
18th Street

EX OFFICIO DIRECTORS:

Steve Clark Hall
Webmaster
19th Street
Judith Hoyem
Emeritus
17th Street

My 22, 2014

San Francisco Permit Board of Appeals
1650 Mission, Room 304
San Francisco, CA 94103

Via Email: boardofappeals@sfgov.org

Re: AIDS Healthcare Pharmacy at 518 Castro Street

Dear San Francisco Permit Board of Appeals:

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

On Wednesday May 14, the Board of Castro/Eureka Valley Neighborhood Association voted overwhelmingly to oppose AIDS Healthcare Foundation's (AHF) current permit to open at 518 Castro Street in the heart of Castro/Eureka Valley. We are formally asking the Board of Appeals to reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process that engages the community like all other projects.

Specifically, we would like to call attention to the strategy AHF has used to deceive city planners, circumvent city regulation, and advance a lucrative business model that in other jurisdictions have put community-serving nonprofits out of business while contributing to millions of dollars to AIDS Healthcare Foundation global operation.

With the purchase of Mom's Pharmacy chain in 2012, AHF established a foothold for nationwide expansion of its business model using a cookie-cutter approach in communities across the country. Its strategy involves co-locating its acquired national chain of pharmacy retail locations with its established Magic Johnson or Blair Underwood health centers to create a highly profitable chain of clinics around the country. These prefabricated, Formula Retail, models are often situated in direct opposition and conflict with a long-standing community providers indigenous to the locality. Placement is not based on need but to purposefully establish a head to head, competitive, hostile environment in which AHF assumes it will win out because of its deep pockets and the ability to lose money in a location for an extended period of time to outlast the competition. (Examples: Cleveland, OH, Washington, DC).

AHF understands that this model would be rejected by the community if subjected to the conditional use and community process in San Francisco. To avoid that requirement, AHF has repeatedly revised its plans for the space and ultimately made the case that its new project at 518 Castro Street should not be evaluated as a 4,000 square foot operation, but instead two adjacent locations exactly 1,999 square feet each, that will USE the same address and the same door. It is unfortunate that the Board of Appeals overruled the Planning Department on March 19, 2014, ostensibly sanctioning the project sponsor's blatant circumvention of the Planning Code.

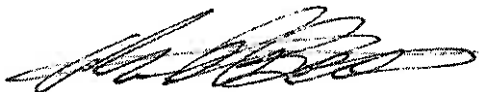
Even after the Board of Appeal ruled that the use size did not trigger Conditional Use Authorization, the project remained subject to a Conditional Use Authorization by the Planning Commission as a formula retail use. In fact, the Board of Appeals affirmed the Planning Department's determination of the proposed use was subject to formula retail controls.

Since the hearing, the project sponsor has modified its proposal yet again to avoid being considered formula retail. Would a McDonald's location using the name Mickey D still not be considered Formula Retail, especially if all other components are exactly the same? It has done this solely by changing the name of the location. This is a blatant and offensive attempt at avoiding the intent and the letter of the law of San Francisco's formula retail controls.

Both attempts to modify its project proposal after being told by the Planning Department that such a use would require a Conditional Use authorization advance its agenda of national expansion at the expense of the city and community interests. The truth is that AHF's one-size-fits-all, chain store merchant model is in fact Formula Retail, regardless of the name slapped on the outside of the building. AHF has proven in other jurisdictions to disrespect the diversity and uniqueness of the local community and put local pharmacies and nonprofits out of business, while demonizing any elected officials or business interests that get in the way. Allowing AHF to game and bastardize the system will set a terrible precedence in San Francisco, and more importantly to our unique neighborhood.

For the reasons stated above Castro/Eureka Valley Neighborhood Association respectfully requests that the Review Board reverse the Zoning Administrator's determination that the proposed use is not subject to Formula Retail controls, suspend the current building permit, and require AHF to submit its project proposal to a conditional use process that engages the community like all other projects are required.

Sincerely,



Alan R. Beach-Nelson
President

CC: Castro/EVNA Board of Directors, Board@EVNA.org
Laura Thomas, lgthomas@gmail.com
Cynthia Goldstein, Cynthia.Goldstein@SFGOV.org

Longaway, Alec (PAB)

From: AIDS Healthcare Foundation <community@aidshealth.org> on behalf of Chrisanne McCoy <community@aidshealth.org>
Sent: Monday, June 09, 2014 3:16 PM
To: San Francisco Board of Appeals
Subject: SUPPORT AHF'S WORK IN SAN FRANCISCO!

BOARD OF APPEALS

JUN 09 2014

APPEAL # 14-077

Jun 9, 2014

President Ann Lazarus

Dear President Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their Castro location from Church and 18th Streets to a single location at 518 Castro Street. I have found AHF's service to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options without governmental funding.

AHF offers an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Mr. Chrisanne McCoy
4338 20th St
San Francisco, CA 94114-2817

Longaway, Alec (PAB)

From: AIDS Healthcare Foundation <community@aidshhealth.org> on behalf of Michael Dinev <community@aidshhealth.org>
Sent: Monday, June 09, 2014 2:46 PM
To: San Francisco Board of Appeals
Subject: SUPPORT AHF'S WORK IN SAN FRANCISCO!

BOARD OF APPEALS

JUN 09 2014

APPEAL # 14-077

Jun 9, 2014

President Ann Lazarus

Dear President Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their Castro location from Church and 18th Streets to a single location at 518 Castro Street. I have found AHF's service to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions to toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options without governmental funding.

AHF offers an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Mr. Michael Dinev
85 States St
San Francisco, CA 94114-1401

Longaway, Alec (PAB)

From: AIDS Healthcare Foundation <community@aidshealth.org> on behalf of Vicky Yoshida.
<community@aidshealth.org>
Sent: Monday, June 09, 2014 3:16 PM
To: San Francisco Board of Appeals
Subject: SUPPORT AHF'S WORK IN SAN FRANCISCO!

Jun 9, 2014

President Ann Lazarus

Dear President Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their Castro location from Church and 18th Streets to a single location at 518 Castro Street. I have found AHF's service to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions to toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options without governmental funding.

AHF offers an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Mr. Vicky Yoshida
87 States St
San Francisco, CA 94114-1401

BOARD OF APPEALS

JUN 09 2014

APPEAL # 14-077

Longaway, Alec (PAB)

From: AIDS Healthcare Foundation <community@aidshealth.org> on behalf of Ivan Manov <community@aidshealth.org>
Sent: Monday, June 09, 2014 3:16 PM
To: San Francisco Board of Appeals
Subject: SUPPORT AHF'S WORK IN SAN FRANCISCO!

BOARD OF APPEALS

JUN 09 2014

APPEAL # 14-077

Jun 9, 2014

President Ann Lazarus

Dear President Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their Castro location from Church and 18th Streets to a single location at 518 Castro Street. I have found AHF's service to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options without governmental funding.

AHF offers an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Mr. Ivan Manov
85 States St
San Francisco, CA 94114-1401

Longaway, Alec (PAB)

From: AIDS Healthcare Foundation <community@aidshealth.org> on behalf of Gene Yoshida <community@aidshealth.org>
Sent: Monday, June 09, 2014 3:16 PM
To: San Francisco Board of Appeals
Subject: SUPPORT AHF'S WORK IN SAN FRANCISCO!

BOARD OF APPEALS

JUN 09 2014

APPEALS # 14-077

Jun 9, 2014

President Ann Lazarus

Dear President Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their Castro location from Church and 18th Streets to a single location at 518 Castro Street. I have found AHF's service to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions to toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options without governmental funding.

AHF offers an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Mr. Gene Yoshida
87 States St
San Francisco, CA 94114-1401

HD 6/11/14

FILE

Longaway, Alec (PAB)

From: AIDS Healthcare Foundation <community@aidshealth.org> on behalf of Gene Yoshida <community@aidshealth.org>
Sent: Monday, June 09, 2014 3:16 PM
To: San Francisco Board of Appeals
Subject: SUPPORT AHF'S WORK IN SAN FRANCISCO!

BOARD OF APPEALS

JUN 09 2014

caff

APPEAL # 14-077

Jun 9, 2014

President Ann Lazarus

Dear President Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their Castro location from Church and 18th Streets to a single location at 518 Castro Street. I have found AHF's service to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions to toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options without governmental funding.

AHF offers an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Mr. Gene Yoshida
87 States St
San Francisco, CA 94114-1401

HD 6/11/14

FILE

Longaway, Alec (PAB)

From: AIDS Healthcare Foundation <community@aidshealth.org> on behalf of Ivan Manov <community@aidshealth.org>
Sent: Monday, June 09, 2014 3:16 PM
To: San Francisco Board of Appeals
Subject: SUPPORT AHF'S WORK IN SAN FRANCISCO!

BOARD OF APPEALS

JUN 09 2014

cfb

APPEAL # 14-077

Jun 9, 2014

President Ann Lazarus

Dear President Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their Castro location from Church and 18th Streets to a single location at 518 Castro Street. I have found AHF's service to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions to toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options without governmental funding.

AHF offers an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Mr. Ivan Manov
 85 States St
 San Francisco, CA 94114-1401

4 D 6/11/14

FILE

Longaway, Alec (PAB)

From: AIDS Healthcare Foundation <community@aidshhealth.org> on behalf of Vicky Yoshida <community@aidshhealth.org>
Sent: Monday, June 09, 2014 3:16 PM
To: San Francisco Board of Appeals
Subject: SUPPORT AHF'S WORK IN SAN FRANCISCO!

BOARD OF APPEALS

JUN 09 2014

off

APPEAL # 14-077

Jun 9, 2014

President Ann Lazarus

Dear President Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their Castro location from Church and 18th Streets to a single location at 518 Castro Street. I have found AHF's service to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions to toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options without governmental funding.

AHF offers an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Mr. Vicky Yoshida
87 States St
San Francisco, CA 94114-1401

AD 6/11/14

FILE

Longaway, Alec (PAB)

From: AIDS Healthcare Foundation <community@aidshealth.org> on behalf of Michael Dinev <community@aidshealth.org>
Sent: Monday, June 09, 2014 2:46 PM
To: San Francisco Board of Appeals
Subject: SUPPORT AHF'S WORK IN SAN FRANCISCO!

BOARD OF APPEALS

JUN 09 2014

afb

APPEAL # 14-077

Jun 9, 2014

President Ann Lazarus

Dear President Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their Castro location from Church and 18th Streets to a single location at 518 Castro Street. I have found AHF's service to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions to toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options without governmental funding.

AHF offers an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Mr. Michael Dinev
85 States St
San Francisco, CA 94114-1401

HD 6/11/14

FILE

Longaway, Alec (PAB)

From: AIDS Healthcare Foundation <community@aidshealth.org> on behalf of Chrisanne McCoy <community@aidshealth.org>
Sent: Monday, June 09, 2014 3:16 PM
To: San Francisco Board of Appeals
Subject: SUPPORT AHF'S WORK IN SAN FRANCISCO!

Jun 9, 2014

President Ann Lazarus

BOARD OF APPEALS

JUN 09 2014

cab

APPEAL # 14-077

Dear President Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that they are in the process of relocating their Castro location from Church and 18th Streets to a single location at 518 Castro Street. I have found AHF's service to be of great value in San Francisco. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued collaborator, and has made significant contributions to toward addressing the HIV epidemic in San Francisco. AHF has proven their commitment to providing prevention and care options without governmental funding.

AHF offers an essential service to a community where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Mr. Chrisanne McCoy
4338 20th St
San Francisco, CA 94114-2817

HA 6/11/14

FILE

THE SF LGBT
CENTER

BOARD OF APPEALS

JUN 10 2014

14-077

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dr. Ms. Lazarus,

I am writing to retract the SF LGBT Center letter of support for AIDS Healthcare Foundation requested permit for the Castro. The letter was sent in error and we request that it is rescinded from the recorded.

Do not hesitate to contact me if you have any further questions.

Sincerely,

Clair Farley
Associate Director of Economic Development
Employment Services/ Trans Employment Program (TEED)
San Francisco LGBT Community Center
415-865-5632
Clairf@sfccenter.org

SAN FRANCISCO LESBIAN GAY BISEXUAL TRANSGENDER COMMUNITY CENTER

1800 MARKET STREET, SAN FRANCISCO, CA 94102 • 415-865-5555 • INFO@SFCENTER.ORG • WWW.SFCENTER.ORG

AD 6/11/14

FILE

BOARD OF APPEALS

JUN 10 2014 *af*

Longaway, Alec (PAB)

APPEAL # 14-077

From: MUMC-SF <mumc-sf@earthlink.net>
Sent: Tuesday, June 10, 2014 11:23 AM
To: San Francisco Board of Appeals; Goldstein, Cynthia (PAB); Dale.Gluth@aidshhealth.org; Chang, Tina (CPC)
Cc: Wiener, Scott; Taylor, Adam (BOS); Power, Andres; Cretan, Jeff (BOS); Perea, Daniel (POL); LGThomas@gmail.com; ExecDirector@CastroCBD.org; PTura@me.com; Alan.Beach@EVNA.org
Subject: Appeals Case No 14-077 Hearing on 6/11/2014

San Francisco Board of Appeals, attn: Cynthia Goldstein, Executive Director
 Dale Gluth, AIDS Healthcare Foundation (AHF)
 Tina Chang, S.F. Planning Department
 Sup. Scott Wiener & staff
 Capt. Dan Perea, S.F.P.D Mission Station
 Appellants: Laura Thomas, CastroCBD (AA), DTNA (PT)
 EVNA (AB-N)

Ladies and gentlemen,

Attached is a letter to the Board of Appeals regarding CASTRO MERCHANTS' *SUPPORT for the Appellants* in:

Hearing Date June 11, 2014

Case No. 14-077

Laura Thomas et al, Appellants

AIDS Healthcare Foundation (AHF) Project Sponsor

518A Castro Street, San Francisco Project Address

While we understand that it is past the formal deadline for submission of material supporting a Board of Appeals Agenda item for tomorrow, we ask that Board of Appeals staff include our letter in material at Wednesday's Hearing and/or inform Board Members of our position then.

In any event, please add our letter to the matter's file.

We understand that Tina Chang is the Planning Department's Staff Planner for this Case. We were unable to confirm that with her today (or to confirm Planning's file/case number), as Planning's website is not working properly (2-3 minute response time for every click). If Ms. Chang has questions or this message should be re-directed to a colleague, I ask her to please contact me.

Please contact us if there are questions about this material.

Thank you for your consideration.

Richard Magary, Administrator

for

Daniel Bergerac, President

CASTRO MERCHANTS

584 Castro Street #333; San Francisco CA 94114

415/431-2359

Info@CastroMerchants.com



**584 Castro Street #333
San Francisco CA 94114-2512**

formerly "Merchants of Upper Market & Castro – MUMC"

415/431-2359

**Info@CastroMerchants.com
www.CastroMerchants.com**

June 10, 2014

By Email and USPS hardcopy

City & County of San Francisco Board of Appeals
attn: Cynthia Goldstein, Executive Director
1650 Mission Street, Room 304
San Francisco CA 94103

Re: Appeal No 14-077, Laura Thomas et al (Appellants)
Project Sponsor: AIDS Healthcare Foundation (AHF)
Project Address: 518A Castro Street, San Francisco

Honorable Commissioners,

This confirms that the Members of **CASTRO MERCHANTS** (formerly "Merchants of Upper Market & Castro – MUMC") have voted to SUPPORT the APPELLANTS in Appeal No. 14-077 to be heard by your Commission on or after June 11, 2014.

Our Members agree with Appellants that a San Francisco Planning Department Conditional Use Authorization process should apply because of a proposed Formula Retail Use by AIDS Healthcare Foundation (AHF) at 518A Castro Street. Our Members also are concerned whether an appropriate S. F. Planning Department Conditional Use Authorization process was followed in designating the single space at 518A Castro (approx. 4,000s.f.) into two separate spaces of 1,999 s.f. each, thus avoiding a more transparent and thorough Public Hearing and approval at Planning Department. We urge the Board of Appeals to support the Appellants, that BPA No.2013/11/12/1689 remain suspended (or cancelled, then re-issued when and as appropriate following further Planning Department process) and that the Case and its proposed project be returned to the Planning Department for further, proper processing under appropriate Conditional Use Authorization rules.

While we respect the work and many community contributions of AHF (which is a Member of our organization), we are concerned about the precedent implied by allowing AHF to move forward with this proposed project on the basis used to previously approve BPA No. 2013/11/12/1689.

..... continued

CASTRO MERCHANTS

San Francisco Board of Appeals
re: Appeal No. 14-077, 518A Castro Street

June 10, 2014
Page 2

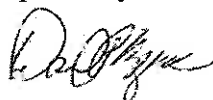
Our Members' position is based on information provided by representatives of the Project Sponsor (AHF) and of the Appellants (EVNA) during their presentations at our Members Meeting on June 5, 2014. We have asked those presenting groups to notify us if there are any subsequent, substantive changes to the issues they presented then, so we can evaluate whether such changes would affect CASTRO MERCHANTS' position. We have received no such notification, to date.

CASTRO MERCHANTS is the merchants' organization serving San Francisco's Castro-Upper Market area, generally along Upper Market Street from Octavia Blvd. to Castro Street; Castro from Market to 19th Street; and commercial cross streets and locations throughout that area. **CASTRO MERCHANTS** has about 270 paid Members for 2014-2015. The property covered by this matter is within our organization's primary service area.

In addition to today's email to you and to the individuals cc'd below, a hardcopy of this letter will be mailed to you and to others indicated below on June 10.

Please let us know if you have any questions regarding **CASTRO MERCHANTS**'s position regarding this Appeal. Please include this letter in the matter's permanent file. Please also assure that it is mentioned during your staff's initial presentation of this matter at the Appeals Hearing on June 11 (or subsequently), and that it is provided to all Board of Appeals Commissioners, and to any other hearing panels at the time that this matter is considered by them. We are sending a copy of this letter also to the S.F. Planning Department staffer (Tina Chang), who we understand handles the matter at that Department. Thank you for considering our comments.

Respectfully,



Daniel Bergerac, President

Email and hardcopy cc's: Dale Gluth (AHF), Tina Chang (S.F. Planning Dept.)
email cc: Supervisor Scott Wiener and staff
Capt. Dan Perea, SFPD Mission Station
Appellants: L. Thomas, Castro CBD (AA), DTNA (PT), EVNA (AB-N)

D 6/10/14



584 Castro Street #333
San Francisco CA 94114-2512

formerly "Merchants of Upper Market & Castro – MUMC"

415/431-2359

Info@CastroMerchants.com
www.CastroMerchants.com

FILE

June 10, 2014

By Email and USPS hardcopy

✓ City & County of San Francisco Board of Appeals
attn: Cynthia Goldstein, Executive Director
1650 Mission Street, Room 304
San Francisco CA 94103

BOARD OF APPEALS

JUN 11 2014

APPEAL # 14-077

Re: Appeal No 14-077, Laura Thomas et al (Appellants)
Project Sponsor: AIDS Healthcare Foundation (AHF)
Project Address: 518A Castro Street, San Francisco

Honorable Commissioners,

This confirms that the Members of **CASTRO MERCHANTS** (formerly "Merchants of Upper Market & Castro – MUMC") have voted to SUPPORT the APPELANTS in Appeal No. 14-077 to be heard by your Commission on or after June 11, 2014.

Our Members agree with Appellants that a San Francisco Planning Department Conditional Use Authorization process should apply because of a proposed Formula Retail Use by AIDS Healthcare Foundation (AHF) at 518A Castro Street. Our Members also are concerned whether an appropriate S. F. Planning Department Conditional Use Authorization process was followed in designating the single space at 518A Castro (approx.. 4,000s.f.) into two separate spaces of 1,999 s.f. each, thus avoiding a more transparent and thorough Public Hearing and approval at Planning Department. We urge the Board of Appeals to support the Appellants, that BPA No.2013/11/12/1689 remain suspended (or cancelled, then re-issued when and as appropriate following further Planning Department process) and that the Case and its proposed project be returned to the Planning Department for further, proper processing under appropriate Conditional Use Authorization rules.

While we respect the work and many community contributions of AHF (which is a Member of our organization), we are concerned about the precedent implied by allowing AHF to move forward with this proposed project on the basis used to previously approve BPA No. 2013/11/12/1689.

..... continued

CASTRO MERCHANTS

San Francisco Board of Appeals
re: Appeal No. 14-077, 518A Castro Street

June 10, 2014
Page 2

Our Members' position is based on information provided by representatives of the Project Sponsor (AHF) and of the Appellants (EVNA) during their presentations at our Members Meeting on June 5, 2014. We have asked those presenting groups to notify us if there are any subsequent, substantive changes to the issues they presented then, so we can evaluate whether such changes would affect CASTRO MERCHANTS' position. We have received no such notification, to date.

CASTRO MERCHANTS is the merchants' organization serving San Francisco's Castro-Upper Market area, generally along Upper Market Street from Octavia Blvd. to Castro Street; Castro from Market to 19th Street; and commercial cross streets and locations throughout that area. **CASTRO MERCHANTS** has about 270 paid Members for 2014-2015. The property covered by this matter is within our organization's primary service area.

In addition to today's email to you and to the individuals cc'd below, a hardcopy of this letter will be mailed to you and to others indicated below on June 10.

Please let us know if you have any questions regarding **CASTRO MERCHANTS**'s position regarding this Appeal. Please include this letter in the matter's permanent file. Please also assure that it is mentioned during your staff's initial presentation of this matter at the Appeals Hearing on June 11 (or subsequently), and that it is provided to all Board of Appeals Commissioners, and to any other hearing panels at the time that this matter is considered by them. We are sending a copy of this letter also to the S.F. Planning Department staffer (Tina Chang), who we understand handles the matter at that Department. Thank you for considering our comments.

Respectfully,



Daniel Bergerac, President

Email and hardcopy cc's: Dale Gluth (AHF), Tina Chang (S.F. Planning Dept.)
email cc: Supervisor Scott Wiener and staff
Capt. Dan Perea, SFPD Mission Station
Appellants: L. Thomas, Castro CBD (AA), DTNA (PT), EVNA (AB-N)

.... LtrAppealsAHF518Castro061014

To: BoardOfAppeals@SFGov.org, Cynthia.Goldstein@SFGov.org, Dale.Gluth@aidshhealth.org, Tina.Chang@SFGov.org
From: MUMC-SF <mumc-sf@earthlink.net>
Subject: Appeals Case No 14-077 Hearing on 6/11/2014
Cc: Scott.Wiener@SFGov.org, Adam.Taylor@SFGov.org, andres.power@SFGov.org, Jeff.Cretan@SFGov.org, Daniel.Perea@SFGov.org, LGThomas@gmail.com, ExecDirector@CastroCBD.org, PTura@me.com, Alan.Beach@EVNA.org
Bcc:
Attached:

San Francisco Board of Appeals, attn: Cynthia Goldstein, Executive Director
Dale Gluth, AIDS Healthcare Foundation (AHF)
Tina Chang, S.F. Planning Department
Sup. Scott Wiener & staff
Capt. Dan Perea, S.F.P.D Mission Station
Appellants: Laura Thomas, CastroCBD (AA), DTNA (PT)
EVNA (AB-N)

Ladies and gentlemen,

Attached is a letter to the Board of Appeals regarding CASTRO MERCHANTS' **SUPPORT for the Appellants** in:

Hearing Date June 11, 2014

Case No. 14-077

Laura Thomas et al, Appellants

AIDS Healthcare Foundation (AHF) Project Sponsor

518ACastro Street, San Francisco Project Address

While we understand that it is past the formal deadline for submission of material supporting a Board of Appeals Agenda item for tomorrow, we ask that Board of Appeals staff include our letter in material at Wednesday's Hearing and/or inform Board Members of our position then. In any event, please add our letter to the matter's file.

We understand that Tina Chang is the Planning Department's Staff Planner for this Case. We were unable to confirm that with her today (or to confirm Planning's file/case number), as Planning's website is not working properly (2-3 minute response time for every click). If Ms. Chang has questions or this message should be re-directed to a colleague, I ask her to please contact me.

Please contact us if there are questions about this material.
Thank you for your consideration.

Richard Magary, Administrator
for
Daniel Bergerac, President
CASTRO MERCHANTS
584 Castro Street #333; San Francisco CA 94114
415/431-2359
Info@CastroMerchants.com

BoardOfAppeals@SFGov.org, Cynthia.Goldstein@SFGov.org, Dale.Gluth@aidhealth.org, Tina.Cha

www.CastroMerchants.com
6/10/2014 11:15pdt

Member, Board of Supervisors
District 8



City and County of San Francisco

SCOTT WIENER

威善高

June 11, 2014

Ms. Ann Lazarus
President, Board of Appeals
1650 Mission Street, Suite 304
San Francisco, CA 94103

Submitted at Public Hearing
S.F. Board of ~~Permit~~ Appeals
Appeal No. 14-077

— 48 6/11/14.

Re: Appeal No. 14-077 – 518 Castro Street

Dear President Lazarus and Commissioners of the Board of Appeals:

I write in support of the Appellants in their appeal of the Zoning Administrator's determination that the AIDS Healthcare Foundation ("AHF") project at 518 Castro Street does not fall under formula retail controls. The AHF project is clearly formula retail – a last-minute name change notwithstanding – and I am concerned that if AHF succeeds in avoiding the formula retail process, we will quickly see other formula retail projects use name changes and similar efforts to avoid the conditional use process.

Inherent in our entitlement process is a need for transparency and consistent application of our zoning controls, taking into account both the letter and intent of the law. While I am in no way accusing AHF of being disingenuous, I do believe that a last-minute alteration of the submitted plans to reflect a new name for the location – and the Zoning Administrator's subsequent reversal of his initial determination – is inconsistent with the intent of San Francisco's formula retail controls.

The project before you was submitted to the City for entitlement by AHF and has been advanced by AHF and AHF only. AHF staff has been the contact for our office and for the Planning Department. There has been no doubt in anyone's mind that this project will be an AHF location.

The Zoning Administrator correctly made an initial determination that the project was subject to formula retail controls. This Board affirmed that decision. AHF's removal of its name from the project does not change the project's status as formula retail. I am concerned that if the Zoning Administrator's decision stands, other formula retail projects will have an incentive to make superficial changes to a project name or design and then claim they are not formula retail.

Ms. Ann Lazarus

June 11, 2014

Page 2

This letter exclusively concerns the status or lack thereof of the AHF project as formula retail and is not an expression of support or non-support for the underlying AHF project. My support for this appeal is about the formula retail process for which many of us have fought over the years. I express no opinion about the underlying merits of the AHF project. Those merits will be assessed as part of the well-established conditional use process at the Planning Commission and possibly at the Board of Supervisors.

This appeal is supported by neighborhood, merchant, and property associations alike, including Castro Merchants, the Duboce Triangle Neighborhood Association, the Castro/Upper Market Community Benefit District, and the Eureka Valley Neighborhood Association. I urge you to support the appeal as well.

Sincerely,

A handwritten signature in blue ink that reads "Scott Wiener". The signature is written in a cursive, flowing style.

Scott Wiener
Supervisor, District 8

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Submitted at Public Hearing
S.F. Board of Permit Appeals

Appeal No. 14-077

— 6/11/14

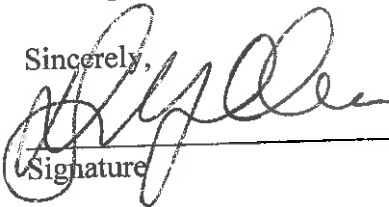
Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.


I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature

DAVID Y. ALLEN
Printed Name

6.7.2014
Date

AHF ~~is~~ I see has part of
my care and essential to a
sense of well-being with
multiple medical issues
Thanks.


Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name

Date



Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature

Chris Campagna
Printed Name

6/10/14
Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature

6/10/14
Date


Printed Name

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

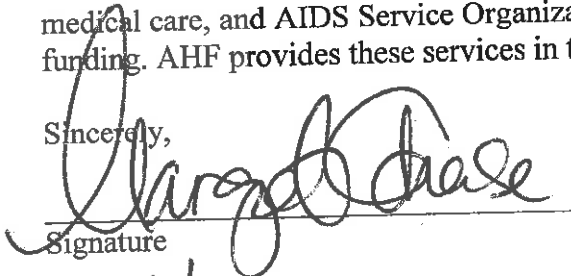
Dear Ms. Lazarus,

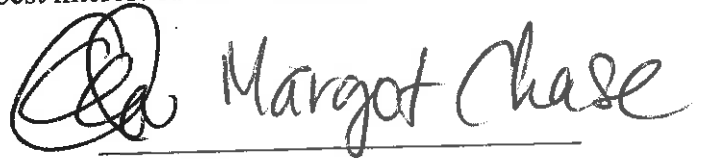
I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature



Printed Name

6/10/14
Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103


Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Signature

MARK ERON
Printed Name

6/18/14
Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.


As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Date


Printed Name

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Rafka V. Gonzalez
Signature

RALFKA GONZALEZ
Printed Name

6/10/14
Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature



Printed Name

6/16/14

Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature

5/11/14
Date

James Hopkins
Printed Name

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Signature

SERGE HUARD
Printed Name

10/6/2014
Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

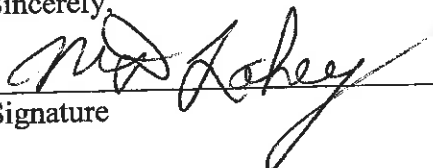
Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

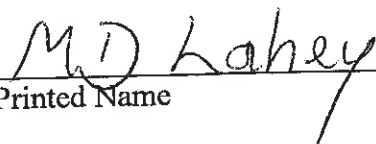
As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

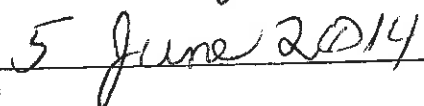
Sincerely,



Signature



Printed Name



Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

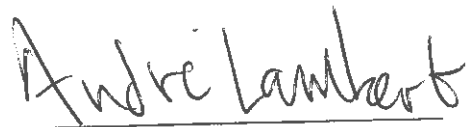
As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

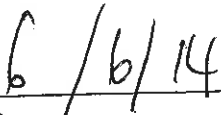
Sincerely,



Signature



Printed Name



Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.


As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.


Sincerely,



Signature



Printed Name



Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

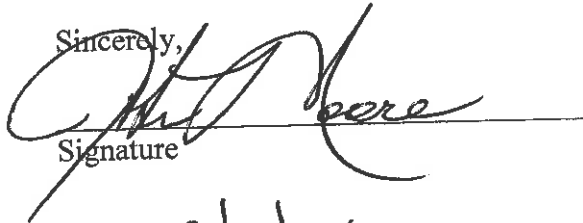
Dear Ms. Lazarus,

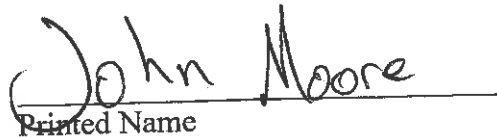
I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

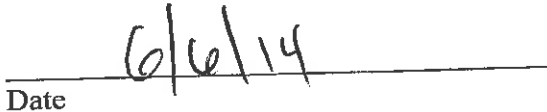
As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

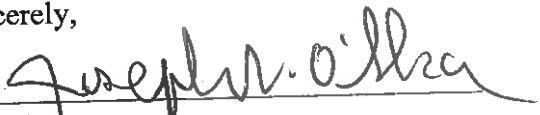
Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature

JOSEPH V. O'SHEA
Printed Name

6-10-14
Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103


Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.


As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Signature



Printed Name



Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103


Dear Ms. Lazarus,


I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.


As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

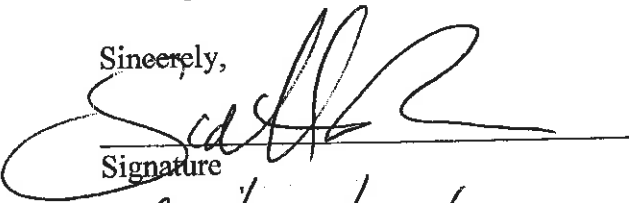
Dear Ms. Lazarus,

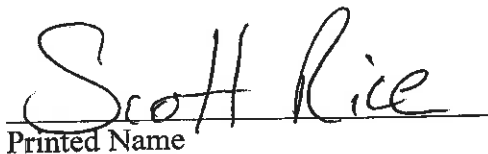
I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

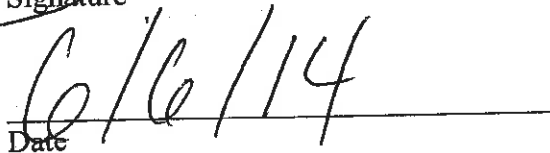
As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Signature

CARMINE A. RODRIGUES
Printed Name

06/11/2014
Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature

6/10/14
Date


Printed Name

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Signature

June 10, 2009

Date

Paul Simon

Printed Name

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

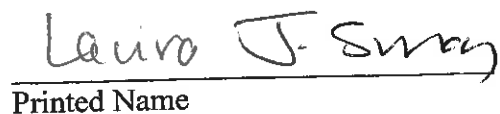
I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

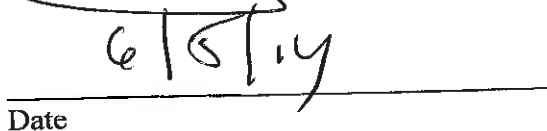
As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Signature

6 / 9 / 2014

Date

ROBERT SUNDRAM
Printed Name

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

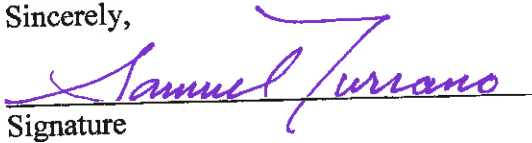
Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature

SAMUEL TURRANO
Printed Name

6-6-14
Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

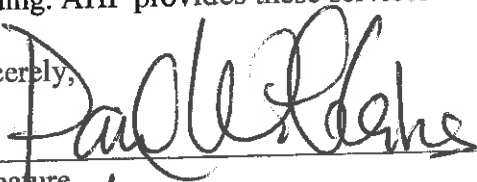
As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Signature

Date



6/10/14

Paul Wilkins

Printed Name

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Signature



Date



Printed Name

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103


Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.


As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

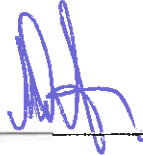
Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Signature



Printed Name

06/05/14

Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103


Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Signature

Euan Devoldsen

Printed Name

6/9/14

Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

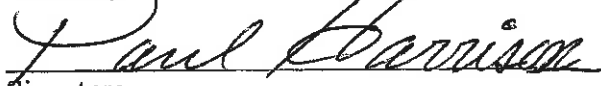
Dear Ms. Lazarus,

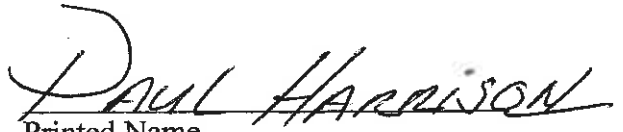
I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

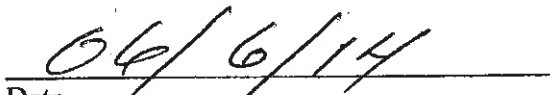
As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103


Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,



Signature

Ivan Manou

Printed Name

06/05/14

Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

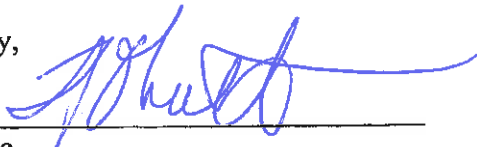
Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

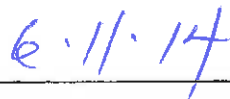
Sincerely,



Signature



Printed Name



Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103


Dear Ms. Lazarus,


I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.


As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,


Signature


Printed Name


Date

Ann Lazarus, President
Board of Appeals
1650 Mission St., Rm 304
San Francisco, CA 94103

Dear Ms. Lazarus,

I am pleased to write this letter of support for AIDS Healthcare Foundation. I am aware that AHF is in the process of relocating their two Castro pharmacies and Castro Healthcare Center from Church Street and 18th Street to a single location at 518 Castro Street.

As someone who utilizes and benefits directly from AHF's services, I can say they play an important role in my wellbeing. Since their introduction to San Francisco in 2001, and more specifically since their move to the Castro in 2009, AHF has been a valued addition to the array of available services. I understand I may have other options for where I receive my care, but feel having access to healthcare, pharmacy and other services in one location is extremely helpful and appreciated.

I have appreciated having AHF as a service to me and to my community. AHF offers an essential service in a city where nearly 40% of people living with HIV are not engaged in medical care, and AIDS Service Organizations struggle to battle significant reductions in funding. AHF provides these services in the best interest of San Franciscans.

Sincerely,

Ben Suire
Signature

Ben Suire
Printed Name

6-9-14
Date

Good evening. My name is Cynthia Davis. For the past 26 years, I have been a member of the Board of Directors of the nonprofit AIDS Healthcare Foundation. I currently serve as the Vice Chair of the Board. I have a master's degree in public health from the University of California Los Angeles, and am an assistant professor and program director at Charles Drew University of Medicine and Science. I served as an advocate for the development of the first women's HIV treatment clinic in South Los Angeles, and helped develop and operate Agape House, a residential care facility for HIV positive women and their children.

While I understand that the task before this Board is a narrow one – whether the Zoning Administrator's decision as set forth in his April 18, 2014 Release of Suspension Request was clearly in error – I wanted to address some of the misstatements made in the appeal materials concerning AHF and its mission.

AHF's mission is to end the HIV/AIDS epidemic. In the United States, this epidemic is still raging. There are approximately 50,000 new infections every year. 20% of Americans with HIV/AIDS don't know they are infected. Less than one-third of all Americans with HIV/AIDS have the disease effectively under control.

Given the magnitude of the crisis, AHF has responded nationally to this national epidemic. Every place AHF serves, it works with any and all organizations that are committed to the same end. In Los Angeles, for example, AHF participates in an extensive network of groups and organizations that help to provide a comprehensive response to the epidemic for all people who have or are at risk of contracting HIV/AIDS. We provide financial and technical support to organizations providing a variety of culturally appropriate social, psychological, housing, and substance abuse services to this oftentimes marginal and very vulnerable population. For the 12 years that AHF has served in San Francisco, it has helped develop and participate in a similar network, and offered similar support.

Given the magnitude of the crisis, many more, not fewer hands are needed. While I understand that this is not the basis for your decision, having dedicated my personal and professional life to ending this epidemic, and having proudly served for 26 years on the Board of AHF, I can clearly state that the claims made by some of the opponents of AHF's permit that AHF somehow "shutters" local nonprofits are untrue, contrary to clear evidence and, frankly, offensive.

(or uninformed)

FACT SHEET:

NUHW and AIDS Healthcare Foundation

Submitted at Public Hearing
S.F. Board of Permit Appeals
Appeal No. 14-077

On July 31, 2013, the physician staff at AIDS Healthcare Foundation (AHF) filed a petition with the National Labor Relations Board to form a union with NUHW. The providers – 27 M.D.s, Nurse Practitioners and Physician Assistants – treat approximately 200,000 patients each year at AHF's 12 healthcare clinics in California. Their main objective in forming a union is to negotiate improvements in substandard staffing levels that undermine the quality of patients' care. After the providers submitted their request to the NLRB, AHF's attorneys filed legal charges to block the NLRB from holding a union-representation election. 6/11/14

Who are AHF's patients?

AHF's patients include low-income, uninsured and underinsured individuals.

Who are AHF's physician staff?

AHF's providers include Medical Doctors, Doctors of Osteopathy, Physician Assistants, and Nurse Practitioners. With specialties and training ranging from Family Medicine to Internal Medicine to Infectious Disease, the providers have caseloads of 300 to 600 patients. Some providers have worked at AHF for more than 20 years.

Does AHF have sufficient funding to improve staffing levels for its patients?

Since 2008, AHF's has made \$107 million in profits, according to AHF's IRS Form 990. In 2012 (the most recent year for which figures are available), AHF reported a total of \$23.4 million in profit, with a profit margin of 12.4 percent. AHF is a 501(c)(3) nonprofit organization.

In 2012, AHF's net worth was \$125 million, over eleven times greater than it was in 2005. Additionally, at the end of 2012, AHF held \$70 million in savings and investments.

Executive Compensation (2012):

Michael Weinstein, President: \$398,650

Peter Reis, Senior Vice President: \$238,122

Donna Stidham, Chief of Managed Care: \$225,474

Thomas Myers, Chief of Public Affairs/General Counsel: \$225,371

Michael Kahane, Bureau Chief, Southern Region: \$221,524

(Source: IRS Form 990)

AIDS Healthcare doctors plan Friday rally for patient care

By Susan Abram, Los Angeles Daily News
Wednesday, September 25, 2013

DailyNews.com

LA Daily News (<http://www.dailynews.com>)

AIDS Healthcare doctors plan Friday rally for patient care



Physicians with AIDS Healthcare Foundation will hold a rally in Hollywood Friday to draw attention to what they say has become a shift in focus by their employer from once providing top-notch care to HIV-positive patients to now spending money on campaigns such as enforcing condoms in pornography.

The march, to be held in front of AHF's office on Sunset Boulevard, will include doctors, physician assistants and nurse practitioners. About two dozen AHF employees voted on July 31 to unionize.

Physicians say while they are not against AHF founder and executive director Michael Weinstein or advocacy work, they question what they describe as his heavy-handed policies on patient loads and lack of staffing.

"Our very real concern is patient care," said Dr. Kim Sommers, medical director at AHF's Hollywood Healthcare Center, who has worked there for a year and feels those making decisions on patient quotas have no medical backgrounds.

Sommers said she and the others have felt hamstrung by top-level supervisors regarding their concerns about patient loads and quotas — up to 21 a day per doctor, in some cases. They're also short-staffed, and there is a lack of Spanish-speaking translators, she noted.

"Advocacy is an important component, but we feel AHF has lost sight of its mission," Sommers said. She said clinics have been seeing more urgent-care patients, adding to the load.

"Unionizing is a last resort," Sommers said. "We know our patients. We love them. We just want to care for them better."

Weinstein said he respects their right to unionize. But he also said a consensus was reached among physicians years ago that they would see 14 patients per day, which is low compared to many programs, he added.

"I don't understand why they are calling this 'patients before profits,' Weinstein said of the motto physicians have chosen. "We're a nonprofit; 96 cents for every dollar goes to patients. We serve 230,000 patients worldwide, including 7,000 in Los Angeles, and those patients trust us with their lives.

Animosity between head of AIDS group, L.A. County supervisor emerges

By ABBY SEWELL

FEBRUARY 12, 2014, 7:30 PM

Long-simmering animosity between two Los Angeles political figures reached new heights this week when their bad blood surfaced in a footnote attached to a federal judge's ruling.

The footnote revealed a series of vitriolic remarks made by AIDS Healthcare Foundation President Michael Weinstein about Los Angeles County Supervisor Zev Yaroslavsky.

In a lawsuit filed in December 2012, the foundation had accused county officials of using audits of the nonprofit's contracts to retaliate against it for criticizing the county and advocating for policies county leaders opposed.

The nonprofit and the county have tangled repeatedly over contract and billing disputes, questions about patient care and a successful ballot measure the foundation bankrolled in 2012 to require adult film actors to wear condoms.

But U.S. District Judge Percy Anderson ruled in the county's favor Monday.

"Rather than a sincere attempt to vindicate their First Amendment rights," the judge noted, "the court fears that plaintiffs instituted this action in an effort to obtain a tactical advantage in their ongoing political battles" with the county.

In support of that reasoning, he included an excerpt from an email Weinstein sent to a foundation staff member in November 2012, shortly before the suit was filed:

"It is time to take the gloves off," Weinstein wrote. "We need to go after Zev [Yaroslavsky] directly and hard. He is the real power behind our problems with the county on porn, the audit and fee-for-service. Plus he is a lame duck and an arrogant jerk. His Berman-Waxman power base is dead and he and others need to be taught a lesson. The voters are with us."

Weinstein went on to say that the organization should call for county Public Health Director Jonathan Fielding and Mario Perez, the head of its sexually transmitted disease programs, to step down.

"This needs to be coordinated with our legal strategy," he wrote. "I want to go to court much