

1 [Adoption of Findings Related to Conditional Use Authorization - Proposed Project at 2161-  
2165 Irving Street]

2  
3 **Motion adopting findings in support of the Board of Supervisors' disapproval of the**  
4 **decision of the Planning Commission by its Motion No. 20027, approving a Conditional**  
5 **Use Authorization identified as Planning Case No. 2016-002424CUA for a proposed**  
6 **project located at 2161-2165 Irving Street, and the Board's approval of a Conditional**  
7 **Use Authorization for the same Planning Case and property with additional conditions.**

8  
9 WHEREAS, On October 12, 2017, the Planning Commission approved a Conditional  
10 Use Authorization identified as Planning Case No. 2016-002424CUA, by its Motion  
11 No. 20027, to establish a Medical Cannabis Dispensary, dba Barbary Coast Dispensary,  
12 within the Irving Street Neighborhood Commercial District and a 65-A height and bulk district,  
13 for a proposed project located at 2161-2165 Irving Street, Assessor's Parcel Block No. 1777,  
14 Lot No. 037; and

15 WHEREAS, On October 17, 2017, the Mid-Sunset Neighborhood Association filed a  
16 timely appeal, subscribed by five members of the Board of Supervisors, protesting the  
17 approval of the Conditional Use Authorization by the Planning Commission; and

18 WHEREAS, On November 2, 2017, Salvatore Alioto on behalf of the Sunset Merchants  
19 and Neighbors Association, filed a second timely appeal protesting the approval of the  
20 Conditional Use Authorization by the Planning Commission; and

21 WHEREAS, On December 5, 2017, the Board of Supervisors held a duly noticed public  
22 hearing on the two appeals from the approval of the Conditional Use Authorization; and

23 WHEREAS, Following the conclusion of the public hearing that day, the Board voted to  
24 conditionally disapprove the decision of the Planning Commission and to approve the  
25

1 requested Conditional Use Authorization with additional conditions, subject to adoption of  
2 written findings by the Board; and

3 WHEREAS, In deciding the appeals, the Board reviewed and considered the entire  
4 written record before the Board and all the presentations and public comments made in  
5 support of and in opposition to the appeals; now, therefore, be it

6 MOVED, That the Board finds that with the additional conditions imposed by the Board  
7 at the December 5, 2017 meeting, the proposed project is necessary or desirable for, and  
8 compatible with, the neighborhood and the community; and, be it

9 FURTHER MOVED, That the nature of the commercial corridor and the hours of  
10 operation of other storefronts in the immediate vicinity of the proposed Medical Cannabis  
11 Dispensary support the additional conditions imposed by the Board of Supervisors at the  
12 December 5, 2017 meeting; and, be it

13 FURTHER MOVED, That these conditions are consistent with and supported by the  
14 Planning Commission's findings, including the Commission's findings of consistency with the  
15 General Plan and Planning Code Section 101.1, and the Board hereby incorporates those  
16 findings and adopts them as its own.

17  
18  
19  
20  
21  
22  
23  
24  
25