

File No. 211037

Committee Item No. \_\_\_\_\_

Board Item No. 65

## COMMITTEE/BOARD OF SUPERVISORS

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Committee: \_\_\_\_\_

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

Board of Supervisors Meeting

Date: October 5, 2021

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- Public Correspondence

#### OTHER

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Prepared by: Lisa Lew

Date: October 1, 2021

Prepared by: \_\_\_\_\_

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

1 [Adoption of Findings Related to Conditional Use Authorization - 5 Leland Avenue and 2400  
2 Bayshore Boulevard]

2

3 **Motion adopting findings in support of the Board of Supervisors' decision to approve**  
4 **the proposed Conditional Use Authorization, identified as Planning Case No. 2021-**  
5 **000603CUA, for a proposed retail cannabis use located at 5 Leland Avenue and 2400**  
6 **Bayshore Boulevard.**

7

8 WHEREAS, On June 28, 2021, Gaynorann Siataga filed a timely appeal protesting the  
9 disapproval by the Planning Commission by Motion No. 20925 of an application for a  
10 Conditional Use Authorization identified as Planning Case No. 2021-000603CUA for a  
11 proposed cannabis retail use located at 5 Leland Avenue and 2400 Bayshore Boulevard,  
12 Assessor's Parcel Block No. 6249, Lot No. 001 ("Proposed Project"); and

13 WHEREAS, On July 27, 2021, the Board of Supervisors ("Board") held a duly noticed  
14 public hearing on the appeal from the disapproval of the Conditional Use Authorization; and

15 WHEREAS, Following the conclusion of the public hearing that day, the Board voted to  
16 conditionally disapprove the decision of the Planning Commission and to approve the  
17 issuance of the requested Conditional Use Authorization by a vote of 10-1; and

18 WHEREAS, In deciding the appeal, the Board reviewed and considered the entire  
19 written record before the Board, which is on file with the Clerk of the Board of Supervisors in  
20 File No. 210756, and all the public comments made in support of an in opposition to the  
21 appeal; now, therefore, be it

22 MOVED, That the Board finds that:

23 (1) As noted by the Planning Commission, in the December 2019 report entitled  
24 "Cannabis in San Francisco: A review Following Adult Use Legalization," the City Controller's  
25 Office identified the Mission and South of Market neighborhoods as having a higher

1 concentration of Cannabis Retail Uses in comparison to other neighborhoods in San  
2 Francisco; and

3 (2) Leland Avenue has the highest rate of vacant storefronts in San Francisco, as  
4 compared to other commercial corridors in the city; there are fourteen vacant storefronts on  
5 Leland Avenue between Bayshore Boulevard and Rutland Street; and

6 (3) The Proposed Project will fill two storefronts that have been vacant for several  
7 years; and

8 (4) Services for neighborhood residents and young people in the neighborhood are  
9 already being provided by learning hubs, the Boys and Girls Club, the library, and community  
10 gardens; and

11 (5) The Proposed Project focuses on community, security and safety, workforce  
12 development, and social equity; and

13 FURTHER MOVED, That the Board finds that based on the forgoing findings and the  
14 entire record in Board File No. 210756, the Proposed Project will be necessary or desirable  
15 for, and compatible with, the neighborhood or the community; and be it

16 FURTHER MOVED, That the Board finds that based on the forgoing findings and the  
17 entire record in Board File No. 210756, the Proposed Project will make the geographic  
18 distribution of Cannabis Retail Uses throughout the City more equitable by alleviating the  
19 overconcentration of Cannabis Retail Use in highly concentrated neighborhoods such as the  
20 Mission and South of Market, and will not impair the balance of goods and services available  
21 within the general proximity of the Proposed Project, given the number of existing services  
22 available to neighborhood residents, and the number of vacant properties in the immediate  
23 neighborhood that may be used for additional goods and services; and be it

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1           FURTHER MOVED, That based on the forging findings and the entire record in Board  
2 File No. 210756, the Board disapproved the decision of the Planning Commission by its  
3 motion No. 20925, and approved the Conditional Use Authorization.  
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# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date \_\_\_\_\_

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

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor  inquires"
- 5. City Attorney request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Question(s) submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

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

**Sponsor(s):**

**Subject:**

**The text is listed below or attached:**

Signature of Sponsoring Supervisor: \_\_\_\_\_

For Clerk's Use Only: