

1 [Adoption of Findings Related to Conditional Use Authorization - Proposed Project at 2161-
2 2165 Irving Street]

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.



City and County of San Francisco

Tails

Motion: M18-003

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 180017

Date Passed: January 09, 2018

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

January 09, 2018 Board of Supervisors - APPROVED

Ayes: 11 - Breed, Cohen, Farrell, Fewer, Kim, Peskin, Ronen, Safai, Sheehy, Tang and Yee

File No. 180017

I hereby certify that the foregoing Motion was APPROVED on 1/9/2018 by the Board of Supervisors of the City and County of San Francisco.

A handwritten signature in blue ink, appearing to read "Angela Calvillo", written over a horizontal line.

Angela Calvillo
Clerk of the Board