

File No. 221141

Committee Item No. _____

Board Item No. 10

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: January 24, 2023

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Correspondence |

OTHER

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Appeal Letter - 10/31/22 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Project Sponsor Response - 12/2/22 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Planning Department Response - 12/2/22 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Appellant Supplemental Information - 12/2/22 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Works Response - 12/1/22 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Project Sponsor Response - 11/23/22 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Public Hearing Notice - 12/2/22 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Clerical Documents |
| <input type="checkbox"/> | | |
| <input type="checkbox"/> | | |

Prepared by: Lisa Lew

Date: December 9, 2022

Prepared by: Lisa Lew

Date: January 20, 2023

2022 OCT 31 PM 3:18

NOTICE TO BOARD OF SUPERVISORS OF APPEAL BY ll
FROM ACTION OF THE CITY PLANNING COMMISSION

Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.

The property is located at

4835 Mission St SF CA 94112

September 29, 2022

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

October 31, 2022

Appeal Filing Date

n/a The Planning Commission disapproved in whole or in part an application for reclassification of property, Case No. n/a.

n/a The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No. n/a.

☒ The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 2021-011352-CUA.

n/a The Planning Commission disapproved in whole or in part an application for conditional use authorization, Case No. n/a.

Statement of Appeal:

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

Please see attached copy of planning commission decision provided by the SF planning.

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

- 1) Violation of Sunshine Ordinance
- 2) Code Violation due to proximity of lunch areas for Balboa High School.
- 3) Planning commissioner Tanner's suggestion that BOS revisit the 600 ft buffer zone.
- 4) Over saturation of similar businesses in the area. Please see attached letter.

Person to Whom
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Olinda Mera Vega
Name

Olinda Mera Vega
Name

P.O BOX 885081 SF CA 94188
Address

566 London St SF CA 94112
Address

(415) 312-2401
Telephone Number

(415) 312-2401
Telephone Number


Signature of Appellant or
Authorized Agent

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Appeal signatures
page 1 of 5

BY ll

No. 2021-011352 MA Planning Commission Case

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners or "Verified Tenants" of property affected by the proposed amendment or conditional use (that is, owners or "Verified Tenants" of the property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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

"Verified Tenants" that sign below, hereby declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct, and that the tenant occupies the entire property or at least one separate unit on the property pursuant to a lease with a term exceeding 32 days.

Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
1. 566 London St	6272/011	Owner	Olinda Mera Vega	
2. 528 London St	6272/004	Owner	Raul Sandoval	
3. 556 London	6272/010	Tenant	Alex Oster	
4. 532 London	6272/004B	Tenant	Martina Guerrero	
5. 555 LONDON	6273/021	OWNER	KATIA HERASMO	
6. 570 London	6272/012	Owner	Patricia Harman	
7. 538 London	6272/004A	OWNER	Amber Jay	
8. 556 London	6272/010	Tenant	Matt Pipes	
9. 551 London	6273/023	Tenant	ALEX GONZALEZ	
10. 553 London	6273/022	Owner	Amber Jay	
11. 567 London	6273/019	Owner	Raymond Kim	
12. 551 London	6273/023	Tenant	Fredy Soto	
13. 552 LONDON	6272/008	TENANT	Sonja L. Garlick	
14. 528 London	6272/004	Tenant	Jorge Ramos	
15. 4828 Mission #2	6959/032	Tenant	Felicia Madric	
16. 4796 Mission St #116	6956/016	Tenant	Alexander Poul	
17. 4796 Mission St #206	6956/036	Tenant	Julio Leon	
18. 535 London	6273/024C	Tenant	John Lee	
19. 543 London	6273/024A	OWNER	CHARON GHEA	
20. 543 LONDON	6273/024A	OWNER	TIM SHEA	

(All information provided is subject to public disclosure; personal information will not be redacted.)

2022 OCT 31 PM 3:18

Planning Commission Case
No. 2021-011352 CUA

BY ll

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Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
1. Rent 4827 Mission	6272/023	Tenant	Joyce Chan	[Signature] owner
2. Rent 4788 Mission	6956/036	tenant	Emetia C.M.	[Signature]
3. 47 London St	6273/024	tenant	Tommy	[Signature]
4. 4796 Mission #210	6956/036	tenant	ROGER CAMPBELL	[Signature]
5. 4790 Mission	6956/036	tenant	Lisa Hdz	[Signature]
6. 522 London	6272/034	tenant	LISA ENNIS	[Signature]
7. 582 London St	6272/013B	owner	HUAM YING TAO	[Signature]
8. 578 LONDON ST	6272/013A	owner	BRIAN GERRARD	[Signature]
9. 578 LONDON ST	6272/013A	owner	Syrah Grzybowski	[Signature]
10. 519 London	6273/024G	tenant	Yao Shengxi	[Signature]
11. 5396 coast	6273/024B	tenant	Elmer Jones	[Signature]
12. 545 London	6273/024	Tenant	BENJAMIN JORDANO	[Signature]
13. 557 LONDON	6273/020	owner	Hao Mei Mok	[Signature]
14. 571 London St	6273/017A	owner	Ma. Patricia Desales	[Signature]
15. "	6273/017A	"	Cayetano Desales	[Signature]
16. 554 LONDON ST	6272/009	owner	MI LING JUI	[Signature]
17. 550 London St	6272/028	owner	King ng	[Signature]
18. 150 London St	6272/028	owner	Elina Ngo	[Signature]
19. 523 London St	6273/024F	owner	Meimei Zhu	[Signature]
20. 523 LONDON ST	6273/024F	owner	Kwok HUNG GEE	KWOK HUNG GEE

(All information provided is subject to public disclosure; personal information will not be redacted.)

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BY

[Signature]

Planning Commission Case

No. 2021-011352 CUA

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Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
1. 4811 Mission St. #401	6272/031	Tenant	Ingrid Cruz	<i>[Signature]</i>
2. 4811 Mission St. 301	6272/031	Tenant	Gabriela Chacon	<i>[Signature]</i>
3. 4813 Mission St. #401	6272/047	Owner	Fozia Sarwar	Fozia Sarwar
4. 4813 Mission St. #301	6272/047	Owner	Yukiko Retnik	<i>[Signature]</i>
5. 4813 Mission St. #201	6272/047	tenant	Francisco Lara	F.S.
6. 4833 Mission St.	6272/021	Tenant	Eli Odisho	<i>[Signature]</i>
7. 4843 Mission St.	6272/019	Tenant	Ramon Serrano	<i>[Signature]</i>
8. 4871 Mission St.	6272/015	tenant	Luis Marquez	Luis Marquez
9. 4830 Mission St. #403	6272/033	tenant	Carla Peron	<i>[Signature]</i>
10. 4825 Mission	6272/033	owner	DALIA ORTEGA	Dalia Ortega
11. 4825 MISSION	6272/033	OWNER	WALTER FRANCO	Walter Franco
12. 510 Paris St	6273/001A	Helen ^{tenant}	HELEN CHEN	<i>[Signature]</i>
13. 522 Paris St	6273/001B	Owner	Simon Woo	<i>[Signature]</i>
14. 579 London St	6273/0178	owner	ADAM ADLUNG	<i>[Signature]</i>
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(All information provided is subject to public disclosure; personal information will not be redacted.)

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2022 OCT 31 PM 3:18

No. 2021-01135-2 CNA Planning Commission Case

The undersigned ^{ll} declare that they are hereby subscribers to this Notice of Appeal and are owners or "Verified Tenants" of property affected by the proposed amendment or conditional use (that is, owners or "Verified Tenants" of the property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
1. 522 LONDON	6272/034	OWNER	CHRIS ENNIS	Chris Ennis
2. 579 LONDON	6273/017B	OWNER	CHARMIAN ABANG	Charmian Abang
3. 823 London	6273/024F	TENANT	Susan Huang	Susan Huang
4. 4855 Mission #4	6272/039	OWNER	WALTER LARSEN	Walter Larsen
5. 4855 Mission #5	6272/039	OWNER	EDWARD TAPIA	Edward Tapia
6. 4830 Mission #3	6959/033	Tenant	Meifang Wu	Meifang Wu
7. 554 LONDON ST	6272/009	OWNER	WAI SUN JOE	Wai Sun Joe
8. 15 RUSSELL	6084/019	Tenant	Ashia Mahm	Ashia Mahm
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(All information provided is subject to public disclosure; personal information will not be redacted.)

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No. 2021-011352 Planning Commission Case CWA

The undersigned by declare that they are hereby subscribers to this Notice of Appeal and are owners or "Verified Tenants" of property affected by the proposed amendment or conditional use (that is, owners or "Verified Tenants" of the property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
1. 4867 MISSION ST SF CA 94112	6212/015A	OWNER	ALFREDO DELA ROSA	Alfredo E. delafosa
2. 523 London ST	6273/024F	OWNER	YUN YU ZHANG	Yun Yu Zhang
3. 554 London ST	6272/009	TENANT	Billy Joe	Billy Joe
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(All information provided is subject to public disclosure; personal information will not be redacted.)

October 31, 2022

San Francisco Board of Supervisors
1 Dr Carlton B Goodlett Pl # 244
San Francisco, CA 94102

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BY

Olinda Vega
566 London St.
San Francisco, CA 94112

Re: Appeal of Approval of Conditional Use of 4835 Mission Record # 2021-011352CUA

Dear Board of Supervisors,

I recently sent in an email request to different members of the BOS to make this appeal themselves, as I have received no response from the BOS I am moving forward to make an appeal myself as today is the deadline to do such.

Regarding the recent approval of the SF Planning Commission decision to approve the above cannabis dispensary on September 29, 2022, I was able to attend the hearing and speak momentarily before I was shut down. I believe there are a few issues at play that should be addressed regarding the hearing and the matter itself.

I am a single mother that lives within the 300 foot radius of the proposed site hence my appeal is not only for myself and my own son but also the students of Balboa High School. English is not my primary language and communicating with SFGOV has been challenging and frustrating.

I, along with a couple of concerned neighbors have been trying for weeks to get a mailing list from the planning department of people notified of the hearing living within a 300 foot radius of the address in question. I received such a list October 25, 2022 around 10:30 pm, due to an inquiry with a Sylvia Jimenez at nearly 9:30 pm. We have been contacting her for weeks with this request. It appears that when we yet once again made the request and also directed that same request to the BOS and specifically Ahsha Safaí that the request was sent within an hour, which we found that to be very interesting. I am concerned as to why the SF Planning Department would not have sent the list earlier.

I am concerned that there may have been a violation of the Sunshine Ordinance. Despite the public notices that were sent out and one sign posted at the site of 4835 Mission (the particular site's sign had only English, and did not appear to be easily understood English). Regarding the mailed notices the non-English languages did not appear to be clear as to the matter at hand, and I recall the foreign languages only instructing to call in for more information but did not even suggest in the slightest that a Cannabis Dispensary was attempting to enter the neighborhood.

Nearly 80% (but closer to 78%), of the neighborhood is comprised of native Asian and Spanish speaking people. The notice was not plain easily understood English. This appears to be the opposite of transparent. I understand easily understood English is a core tenet of the Ordinance. In the SF Planning Commission's public notice I simply saw the word cannabis, I did not see the word marijuana. When I went to collect signatures many people did not know that cannabis is essentially very similar to marijuana, the latter apparently being more easily understood English. The difference to non-primary English speaking people is a significant one.

The Planning Commissioners themselves appeared to have been resolute advocates for Cannabis rather than an impartial board (Commissioner Koppel went on to remark that Thailand was more accepting of Cannabis). The hearing was to decide upon an additional dispensary being added to the neighborhood but appeared to be hijacked into 2 sides: Cannabis Vs. No Cannabis. The majority of neighborhood understands and accepts the existing dispensaries but generally believe that additional such businesses would have a negative impact on the neighborhood. The Commission seemed to be more interested regarding supporters who came from outside the neighborhood, as is the big box business applicant Steve Ashbel of Los Angeles County. Another concern during the hearing was the communication system, for people calling in for comment, who spoke Chinese or Spanish, appeared to not be working clearly. This had the effect of the callers not being able to make their message clearly. In fact it appeared that the city's Spanish Translator left early making it so that the Commission had to call on one of the supporters to translate for a caller. Another person attending the hearing informed me that the impromptu translator's translation was not accurate. I suggest that it was improper to continue in such a manner and was prejudicial.

There appears to be a concern regarding the 600-foot rule and the local high school approximately 800 and 16 odd feet away. Yes, the schools proximity now meets the newer lowered distance requirement, however the school has an off campus lunch period. The primary destination for the students is 2 storefronts away at the Hawaiian restaurant, followed by a Taqueria on either side of Mission St. (approximately 66 and 102 feet away respectively), the primary location being nearly 33 feet from the proposed dispensary. Commissioner Tanner herself stated her concern that the distance of the buffer zone may need to be revisited and suggested that the BOS revisit that very point. Additionally, the primary Muni bus stop for students leaving is 100 feet away where they can easily witness Cannabis Patrons going in and out as well as when the students arrive to school. A gentleman who spoke at the hearing regarding the proposed dispensary stated that when he himself was a teen that he could simply pay an adult stranger to buy him alcohol, however one of the supporters stated that something similar would simply not happen with the dispensary, however there was no explanation offered as to how something similar would be avoided. I would wager that everybody on the BOS is educated enough to know that conceptually a teenager can still do something similar; having a proxy adult buy a particular desired substance. I opine that the

location of the primary off campus eating destinations should be included within the buffer zone and that the buffer zone of 1000ft be reinstated.

City planner Michael Christensen stated that there were merely 4 comments of opposition when we appear to have at least 19 at the time of the hearing. Additionally, there were nearly 140 signatures of opposition on the petition that the Planning Commission took no apparent interest in taking into their record despite commenting that they appreciate that it took some work to produce such. Today, at this very point, we have over 200 signatures.

A supporter of the proposed conditional use hearing, Sarah Dale of MMD, boasted of the extensive outreach that was performed in the neighborhood in regard to the project. As I recall, she spoke of extensive outreach, of knocking on doors well up to 1000 feet of the proposed site. I received no such knocking on of doors as was suggested. I spoke to my surrounding neighbors and they were also unaware of any alleged contact. In fact, I reviewed my security system witch can record in excess 6 months at a time, yet still I did not detect anyone attempting to contact me for such. I am dubious as to if the “ extensive outreach” actually occurred. I am doubtful if Sarah Dale did in fact meet the intended requirements of the good neighbor policy.

On 9/21/21 at the BOS hearing for 5801 Mission Cannabis Appeal supervisor Safaí acknowledged that crime increased related to cannabis and our district neighborhood having, then, three existing cannabis dispensaries was adequate. The approval for 5801 eventually made it through. Now, we are debating the 6th Cannabis site. It was brought up that historically San Francisco does have a cap system in place, i.e. liquor stores, yet for some reason cannabis is now able to not have a cap, which appears to be a precarious behavior. Then, Commissioner Fung recognized many of the associated problems with over saturation; it appears that over saturation is indeed happening right now.

While I was collecting signatures I noticed something that resounded in me personally, and that is the fear of retaliation. I come from a Spanish speaking country with a history of human rights abuse. Many of the Spanish and Chinese speaking people I encountered appeared to hold a similar sentiment in regards to one’s own government with a rich history in human rights abuse. The fear for many for many of these people has carried on to become part of their personality. I would liken it to PTSD. I have determined that the majority of people who did not sign our petition, despite the fact that they would prefer to, was due to fear of retaliation. Despite this, I believe those people should have a voice anyway, we exist, we pay taxes, we help our community continue to function due to our own participation in its economy. I am considering victims of human trafficking whom of which we pass laws to protect as many have gone down a path so far that it is extremely difficult for them to help themselves without support of the community. There is a similar mentality working here, our neighborhood wants protection, we need it, and we deserve it, our city government should recognize our need and act on it accordingly.

I believe that this transmission conveys and implies many concerns that suggest there were many flaws in the hearing of the planning commission. I will also include other relevant documents I urge the BOS to address this important matter for themselves.

Thank you for your attention into this matter,

Olinda Vega

SAN FRANCISCO PLANNING COMMISSION



Meeting Minutes

Commission Chambers, Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Thursday, September 29, 2022
1:00 p.m.
Regular Meeting

COMMISSIONERS PRESENT: Moore, Braun, Diamond, Imperial, Koppel, Ruiz, Tanner
COMMISSIONERS ABSENT: None

THE MEETING WAS CALLED TO ORDER BY VICE PRESIDENT MOORE AT 1:05 PM

STAFF IN ATTENDANCE: Aaron Starr, Miriam Chion, Shelley Caltagirone, AnMarie Rodgers, Danielle Ngo, Monica Giacomucci, Michael Christensen, Trent Greenan, Liz Watty – Director of Current Planning, Rich Hillis – Planning Director, Jonas P. Ionin – Commission Secretary

SPEAKER KEY:

- + indicates a speaker in support of an item;
- indicates a speaker in opposition to an item; and
- = indicates a neutral speaker or a speaker who did not indicate support or opposition.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

The Commission will consider a request for continuance to a later date. The Commission may choose to continue the item to the date proposed below, to continue the item to another date, or to hear the item on this calendar.

B. COMMISSION MATTERS

1. Consideration of Adoption:
 - [Draft Minutes for August 25, 2022](#)

SPEAKERS: Speaker – 45 Bernard motion, due process not provided, roof deck
Lindsay Huston – 45 Bernard, ex-parte communication, was not afforded
due process
ACTION: Adopted
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner, Moore

- [Draft Minutes for September 8, 2022](#)

SPEAKERS: None
ACTION: Adopted
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner, Moore

- [Draft Minutes for September 15, 2022](#)

SPEAKERS: Ozzie Rohm – Comments are not reflected adequately in minutes.
Anastasia Yovanopoulos – Minutes - Capture what was said for the record
ACTION: Continued to October 6, 2022
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner, Moore

2. Commission Comments/Questions

Vice President Moore:

I would like to first welcome a full Commission again. Indeed, some of us have never met before but simultaneously I would like to welcome our new Commissioners, Commissioner Tanner and Commissioner Braun. It is great to be back here and it's almost being in a new room and a new experience. We're trying to make the best out of it. But before we get into Commission Comments, and I call on my other fellow Commissioners, please join me in the land acknowledgment that we read into the record every week.

The Planning Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone, who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost, nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the Ancestors, Elders, and Relatives of the Ramaytush Ohlone community and by affirming their sovereign rights as First Peoples.

Commissioner Tanner:

I just want to say I'm glad to be back here. It's good to see everyone in person. Definitely missed being here with you all so just very very excited to be back and have a really great robust agenda today of matters to take up. One item that did come up during the hearing process at the Rules Committee was the discussion of the role between the Commission Secretary and the Commissioners. And I just wanted to, for the record, state that Mr. Ionin and I did talk a little bit about that role and so, Supervisor Peskin had asked for that. So, we have had a conversation and I think it was really helpful for both of us. Just want to commend Mr. Ionin for his really great work and service to the Commission and I think this

has been just wonderful to have you shepherd us through a very, very, very challenging and uncharted territory. And I know that you continue to serve us admirably and I want to thank you for your service to the Commission.

Vice President Moore:

Secretary Ionin, I had a conversation and came onto a very good understanding that ultimately the subtlety of words matters and while we may have some ambiguity in our past motion making, we will pay attention that we all agree on every word that is being used in order to avoid confusion. We come with very different backgrounds, use language quite differently and that is for in a motion which is basic as semi-legal statement about a conclusion of this body, we need to be as precise as possible. And sometimes it involves using the advice from the City Attorney and specific expressions to avoid or to insert. All we need to pay attention to particular professional acronyms and words like architectural terms that are important to be properly used in our motions. We will try our best and I think we have a good understanding to cooperatively work together to bring that forward and avoid lengthy conversations which prolong, unnecessary prolong our meetings. I'm sure you would agree with what I said, Secretary Ionin. I'd like to ask that we please schedule for next week's meeting the Election of Officers. We need to elect a President. And I'm not sure that includes reaffirming the role of the Vice President but we need to elect a new President. So, if you could schedule that perhaps for next week Secretary Ionin, that would be appreciated.

Jonas P. Ionin, Commission Secretary:

Is there a consensus from the Commission? Okay, seeing no opposition, I will schedule the Election of Officers for next week's hearing.

Vice President Moore:

Thank you.

Commissioner Diamond:

I just wanted to explain the use of the head set in case any of you were wondering. I'm not listening to music on this side. I'm hearing impaired and I wear hearing aids and find the closed captioning to be delayed and not very useful and I want to make sure that I am hearing everything that everybody has to say. I found that on Zoom, the quality of the sound was so much better. And I'm working with the tech department and Mr. Ionin to try to come up with a solution in the hearing chambers that allows me to hear every word. So, we are trying a head set clipped into a loudspeaker that allows the mics to be fed directly into my ears. And so far, it is a big improvement. I just wanted to provide you all with that explanation.

Jonas P. Ionin, Commission Secretary:

Thank you. Commissioner Diamond. If there are no other Commissioner comments, there is one more housekeeping item I wanted to address the Commission on. The Castro Theatre was scheduled to come before you next week. We've received a request to continue that item into December. And after conversations internally, we thought it might be prudent for us to sort of consolidate our resources and allow the public to make a single comment on one day. And so, what I'm asking is, would you be available for a joint hearing with the Historic Preservation Commission at 10 a.m. on December 8th? I polled the Historic Preservation Commissioners. We are able to assemble a quorum. They will actually

have back-to-back hearings on their regular day on Wednesday and then join us here on Thursday morning, December 8th at 10 a.m. We do expect a very, very large number of speakers on that matter. I think the indication through the number of e-mails we have been receiving associated with this project indicates strongly that a large number of people. So, to really prevent that members of the public to have to queue up twice in a row on 2 days, we thought we might see if we could accommodate them and hold a Joint Hearing on that matter? And then we would set a time specific for your remainder calendar after that. We might bleed over but at least we could do that. So, if we can get a quorum for 10 a.m., and if we all agree here to do that, we can get that going. And that way the public will know as well.

Vice President Moore:

Do you want to just nod for us to nod or do you want to ask anybody individually.

Jonas P. Ionin, Commission Secretary:

Well, I just, if anyone I think it'd be easier if someone said they can't make 10 a.m. on Thursday, December 8th, that would be easier. If not, I will assume that you all can. Okay, fantastic. Thank you for that, Commissioners.

3. [2021-009977CRV](#) – Remote Hearings – Consideration of action to allow teleconferenced meetings and adopting findings under California government code section 54953(e) to allow remote meetings during the COVID-19 emergency; continue remote meetings for the next 30 days; direct the Commission Secretary to schedule a similar resolution [motion] at a commission meeting within 30 days.

SPEAKERS: Austin Yang – Response to comments and questions
 ACTION: Adopted
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner, Moore
 RESOLUTION: 21174

C. DEPARTMENT MATTERS

4. Director's Announcements

Rich Hillis, Planning Director:

Good afternoon, Commissioners. No formal announcements but welcome Commissioner Braun, happy to have you with us. And welcome back Commissioner Tanner.

5. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

Aaron Starr, Manager of Legislative Affairs:

Good afternoon, Commissioners. Welcome back everyone. It's unusual to see you all out here. So, this week's Land Use Committee was cancelled. However, last week they did hold one and you weren't here.

Land Use Last Week

- 220643 Planning Code - Tenderloin Neon Special Sign District. Sponsors: Preston; Peskin and Melgar. Staff: V Flores

First on last week's land use agenda was the Tenderloin Neon Sign District, sponsored by Supervisor Preston. Commissioners, you heard this item on August 25 and voted to recommend approval with modifications. Those modifications included:

1. Strike Neon Sign provisions that are more restrictive than existing sign regulations.
2. Allow legal, noncomplying Neon Signs to be physically removed from the building and returned for maintenance purposes.
3. Amend the proposed Code language to change "blade signs" to "Projecting Signs".
4. For Residential Hotels, clarify that: 1) these signs are considered Identifying Signs and 2) Projecting.

All your amendments were included in the revised version of this ordinance on September 12th and the item was then continued one week to September 19th. On the September 19th hearing the revised ordinance was heard again. This time there were no public commentors and the item was forwarded to the Full Board as a committee report.

- 220041 Planning Code, Zoning Map - Production, Distribution, and Repair Uses. Sponsor: Walton. Staff: Shaw

Next was Supervisor Walton's ordinance that would remove the Industrial Protection Zone so that the underlying PDR controls would govern the land use in that area. The ordinance would also Social Service and Philanthropic uses to exceed 5,000 sq. ft. Commissioners, you heard this item on March 24th of this year and voted to recommend approval with modification. That modification was to allow a grandparenting clause for Self-Storage Facilities. This amendment was added to the final ordinance at the Land Use Committee. During the hearing, there were no public commenters, and the item was forwarded to the Full Board with a positive recommendation.

- 210866 Planning, Administrative, Subdivision Codes - Density Exception in Residential Districts. Sponsors: Mandelman; Melgar. Staff: Merlone 220997 Planning Code; Zoning Map - Rezoning Residential Districts] Sponsors: Mandelman; Haney

Last but certainly not least, the Committee again considered Supervisor Mandelman's four-plex ordinance. As you probably recall, the mayor vetoed the original ordinance that would have rezone all RH-1 districts to RH-2 and allow four units on interior lots and six units on corner lots. This density exception also came with limitations though. Applicants had to have owned the property for 5 years before they could take advantage of the density bonus. This is one reason why the mayor vetoed the ordinance, as it significantly limited the number of housing units the city would get out of the program. Also at issue was the rezoning from RH-1 to RH-2 to avoid SB9. While rezoning would technically allow the same number of units as SB9 without subdivision, it did not come with any process improvements. Projects maximizing density would still be subject to Planning Code

Section 317 and DR's, while projects under SB 9 would not. If you recall, Planning Staff and the Planning Commission recommended rezoning from RH-1 to RH-2 and included process improvements to avoid Section 317. The Board however did not take this recommendation.

At Land Use, Supervisor Mandelman split his ordinance into two pieces, one to allow four-plexes and one to allow the density bonus program, in the hope that this would allow the density bonus to receive a veto proof majority at the Board.

The Committee added language to the ordinance's findings expressing concern about speculative development and discussed whether they should eliminate or reduce the 5-year holding period. In the end the item was continued to October 3rd to allow further conversations on this point.

Full Board This Week

- 220643 Planning Code - Tenderloin Neon Special Sign District. Sponsors: Preston; Peskin and Melgar. Staff: V. Flores. PASSED SECOND READ
- 220654 Planning Code - Landmark Designation - City Cemetery. Sponsors: Chan; Melgar, Peskin and Mar. Staff: Ferguson. PASSED SECOND READ
- 220041 Planning Code, Zoning Map - Production, Distribution, and Repair Uses. Sponsor: Walton. Staff: Shaw. Passed First Read
- 220905 Mayoral Reappointment, Planning Commission - Rachael Tanner. Sponsor: Mayor. Staff: N/A. Adopted 220906 Mayoral Appointment, Planning Commission - Derek Braun. Sponsor: Mayor. Staff: N/A. Adopted

Full Board Last Week

- 220895 Interim Zoning Controls - Extending and Modifying Requirements for Large Residential Projects in RC, RM, and RTO Districts. Sponsors: Peskin; Chan. Adopted

That concludes my report and I'm happy to take questions.

Jonas P. Ionin, Commission Secretary:

The Board of Appeals met last night. JR Eppler attended his first hearing, replacing Commissioner Tina Chang on the Board.

The Board heard one case of interest to the Planning Commission - an appeal to a 2019 permit for 945-947 Minnesota Street.

The permit is to replace damaged front stairs, windows, and exterior siding. The permit is to also infill the open area beneath an existing three-story rear extension and construct a new roof deck. The property is a contributing structure in the Dogpatch Landmark District.

The appellant is the neighbor to the rear and his concerns are about legality of the existing three-story rear extension. He believes the extension needs to be torn down since there is no building permit found for it.

The Discretionary Review and Rear Yard Variance requests for the project were heard on October 22, 2020. The Planning Commission voted to not take Discretionary Review and approved the project. The Zoning Administrator approved the Variance on December 2, 2020.

The neighbor/DR requestor/appellant subsequently appealed the Variance to the Board of Appeals. On January 27, 2021, the Board of Appeals voted to deny the appeal and uphold the ZA's issuance of the Variance.

Since then, unpermitted work has taken place on the property. Joint site inspections between Planning and DBI revealed that the three-story rear extension has been illegally removed and rebuilt. DBI has issued a Stop Work Order for the property.

At the appeal hearing last night, Board took the Department's recommendation and voted 4-0 to grant the appeal and revoke the permit on the basis that the permit was improperly issued.

The permit and plans contained inaccurate information. There is also evidence of excessive demolition as confirmed by the site inspections.

Moving forward, the project will require a new Certificate of Appropriateness, a new Rear Yard Variance, and a new permit to capture all of the unpermitted work done and new work proposed on the property.

Commissioners, I mentioned that the Historic Preservation Commission did not meet yesterday but we did not have a hearing on the 22nd and they did meet on September 21st so I will give you that briefing now. They adopted a resolution supporting the board of supervisor's resolution urging that the San Francisco Rec and Park develop and install and interpretative signage regarding the dark history at Sharp Park. They also adopted recommendations for approval for a number of legacy business registry applications - Blazing Saddles Bike and Rental Tours on Hyde Street, the Mariposa Hunter's Point Yacht Club on Terry Francois Boulevard, the Larkins Brothers Tire Company on South Van Ness Avenue, Hotel Bohème on Columbus Avenue, Café La Bohème on 24th Street, Club Deluxe on Haight Street. And that concludes those updates and reports.

D. GENERAL PUBLIC COMMENT

SPEAKERS: Georgia Schuttish – Section 317 timeline
Ozzie Rohm – Consider an appointee from BOS for Commission President
Sue Hestor – Difficulty with hearing and understanding comments
Anastasia Yovanopoulos – Derek Braun - tenant rights and cultural equity
Tes Welborn – Preserving rental housing stock

E. REGULAR CALENDAR

The Commission Hearing Procedures provide for presentations by staff; when applicable, followed by a presentation of the project sponsor team; followed by public comment. Please be advised

that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

6. [2020-0094600TH](#) (M. CHION: (628) 652-7437)

CENTERING PLANNING ON RACIAL AND SOCIAL EQUITY – Informational Presentation – Staff will update the Commission on the Department’s progress on the implementation of the June 11, 2020, Planning Commission’s Equity Resolution. Staff will provide an overview of the key progress and deliverables from Fiscal Year 2021-2022, and an overview of the Department’s current fiscal year equity priority projects and programs, several of which will be presented more in-depth at various Fall 2022 Planning Commission hearings. These projects include the 2022 Housing Element, Sunset Forward, and in-depth update of the status of the Racial & Social Equity Action Plan, Communication and Community Engagement Strategies, Cultural Districts, and the Tenderloin Community Action Plan.

Preliminary Recommendation: None – Informational

SPEAKERS:

- = Rich Hillis - Introduction
- = Miriam Chion – Staff presentation
- + Mary Travis-Allen – Equity Council
- + William Ortiz-Cartagena – Equity Council
- Ozzie Rohm – Measurable goals, affordable housing, rent control, tenants
- Speaker – What gets built and for whom, thorough analysis, real changes
- Janthal Labarinto – No substantive changes, community-based land use plans
- Pria – Housing sustainability areas
- + Lorraine Petty – State laws on housing
- Keith - Scrutinize the housing element
- Anastasia Yovanopoulos – Equity impact analysis
- + Theresa Flandrick – Look at specific examples of Planning project

ACTION: Reviewed and Commented

7. [2019-016230CWP](#) (S. CALTAGIRONE: (628) 652-7425)

HOUSING ELEMENT – Informational Presentation – The Housing Element 2022 Update of the General Plan is San Francisco's first housing plan centered on racial and social equity. This plan will express the city’s collective vision and values for the future of housing in San Francisco. It will also identify priorities for decision makers, guide resource allocation for housing programs and services, and define how and where the City should create new homes for San Franciscans, or those who want to call this city home. This update is due late 2022 and it will need to accommodate the creation of 82,000 units by 2031, a target set by State and Regional Agencies that has been tripled compared to the city’s current targets. This hearing will allow SF Planning to share a brief update on the Housing Element review process with the California Department of Housing and Community Development (HCD). SF Planning plans to publish the next draft Housing Element packet to HCD in early October, which will include a 7-day public review period.

Preliminary Recommendation: None – Informational

SPEAKERS:

- = Shelley Caltagirone – Staff report
- Georgia Schuttish – Constraints of lot sizes in San Francisco
- Speaker – Silencing community voices, rubberstamping market rate
- Charlie Siamas – Put affordable first

- Jake Price – Schedule in January not March, status quo is not equitable
- Jessica – Schedule earlier to be in compliance
- Tes Welborn – Where's affordable housing money and land banking?
- Anastasia Yovanopoulos – Where's the money from, affordable housing first
- Robert Frutchman – In dire straits, revise schedule for recertification
- Zack Weisenberger – Put affordable first, commit to land use/resource plan
- = Scott – Let Commissioner Moore draft the next housing element version
- = Rich Hillis – Response to comments and questions
- = Austin Yang – Response to comments and questions

ACTION: Reviewed and Commented

RECUSED: Braun, Ruiz

8. [2018-004217GPA](#) (D. NGO: (628) 652-7591)
2022 SAFETY & RESILIENCE ELEMENT UPDATE – Consideration of **Approval of Amendments** to the San Francisco General Plan – Pursuant to San Francisco Charter Section 4.105, Planning Code Section 340(d) and Section 306.3, the Planning Commission will consider a resolution adopting amendments to the General Plan, including adopting the 2022 Safety & Resilience Element, making Planning Code Section 101.1 findings, and recommending that the Board of Supervisors adopt an Ordinance approving the amendments. On July 21, 2022, the Planning Commission passed Resolution No. 21147 to initiate amendments to the General Plan. If the Planning Commission adopts the amendments, the Commission will forward the proposal to the Board of Supervisors for consideration of adoption.
Preliminary Recommendation: Approve
 (Continued from a Regular hearing on September 15, 2022)

SPEAKERS: = AnMarie Rodgers – Staff presentation
 = Danielle Ngo – Staff presentation
 + Brian Strong – Resilience & Capital Planning
 + Cindy Comerford – Department of Environment
 = Speaker – Functional recovery
 - Georgia Schuttish – Preserving smaller homes, demo calcs
 - Eileen Boken – Damage cost directly and indirectly by earthquake
 - Lorraine Petty – Confuse and dismayed with core intentions
 = Rich Hills – Response to comments and questions

ACTION: Adopted a Resolution Approving Amendments

AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner, Moore

RESOLUTION: 21175

9. [2016-010626CUA](#) (E. SAMONSKY: (628) 652-7417)
6227 3RD STREET – east side between Hollister and Gilman Avenues; Lot 022 in Assessor's Block 4941 (District 10) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 317 and 712 to remove an unauthorized dwelling unit at the ground floor of a two-story single-family residence within a NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04](#)(h).

(Continued from a Regular hearing on September 8, 2022)

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Monica Giacomucci – Staff report
 + Miriam – Project sponsor report
 ACTION: Approved with Conditions
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner, Moore
 MOTION: 21176

10. [2021-011698CUA](#) (E. SAMONSKY: (628) 652-7417)
[424 TEXAS STREET](#) – west side between 19th and 20th Streets; Lot 005 in Assessor's Block 4066 (District 10) – Request for **Conditional Use Authorization** pursuant to Planning Code Section 209.1, 303 and 317 to demolish a two-story, 1,625-square-foot single-family residence and construct a four-story, 3,638-square-foot residential building containing a dwelling unit and an accessory dwelling unit (ADU),) within a RH-2 (Residential-House, Two Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

(Continued from a Regular hearing on September 8, 2022)

Preliminary Recommendation: Approve with Conditions

SPEAKERS: = Monica Giacomucci – Staff report
 + Tom Tunney – Project sponsor presentation
 + Beverly Tso – Design presentation
 - Karen – Impacts of the demolition to her house, loss of light
 - Darlene – Impact to young families, changing atmosphere
 + Speaker – Helps families stay in the city
 + Connor Johnston – Irony
 + Ken Wong – Increase the housing stock and parking
 + Andrew – Condition of building
 + Helen – No shadow impact
 + Speaker – Minimal change
 + Richard Benderwood – Will benefit to the new construction
 + James Garner – Support families to live and stay in the community
 + Speaker – Response to comments and questions
 ACTION: Approved with Conditions
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner, Moore
 MOTION: 21177

11. [2021-011352CUA](#) (R. BALBA: (628) 652-7331)
[4835 MISSION STREET](#) – southeast side between Russia and France Street; Lot 021 in Assessor's Block 6272 (District 11) – Request for **Conditional Use Authorization** pursuant to Planning Code Sections 202.2, 303, and 720, to establish an approximately 1,300 square-foot Cannabis Retail use within the ground floor commercial space of the existing two-story mixed-use building, with no on-site smoking or vaporizing of cannabis products within the Excelsior Outer Mission Street NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).

Preliminary Recommendation: Approve with Conditions
 (Continued from a Regular hearing on September 15, 2022)

SPEAKERS: = Michael Christensen – Staff report
 + Perry Gabriel Jones – Project sponsor report
 + Steve Ashbel – Project sponsor report
 + Miguel Ynares – Help farmers, will provide extra security
 + Angela White – Safer space and will create generational wealth
 - Speaker – List of opposition signatures, residents not properly informed
 + Sergio Guevarra – Support
 - Speaker – Was not aware, did not receive any notice
 - Speaker – Armed security, high volume of kids, Balboa High School
 - Speaker – Feels that neighborhood's voice is not heard
 + Speaker – Kids are not allowed in the store, property value, safety
 - Francisco DaCosta – No proper outreach
 + Corey Smith – Regulated and legal
 = Harry – Labeling should not be too attractive for kids
 - Speaker – Too many dispensaries in their neighborhood
 - Speaker – The neighborhood has a lot of young children
 + Katherine – Controlled legalize store, decrease crimes, security
 - Speaker – Notice not available in Chinese and Spanish, 600 ft radius
 + Speaker – Safe and protected, kids are not allowed to go to the store
 - Speaker – Some are unable to voice concerns due to language barrier

ACTION: Approved with Conditions
 AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner, Moore
 MOTION: 21178

F. DISCRETIONARY REVIEW CALENDAR

The Commission Discretionary Review Hearing Procedures provide for presentations by staff; followed by the DR requestor team; followed by public comment opposed to the project; followed by the project sponsor team; followed by public comment in support of the project. Please be advised that the DR requestor and project sponsor teams include: the DR requestor and sponsor or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

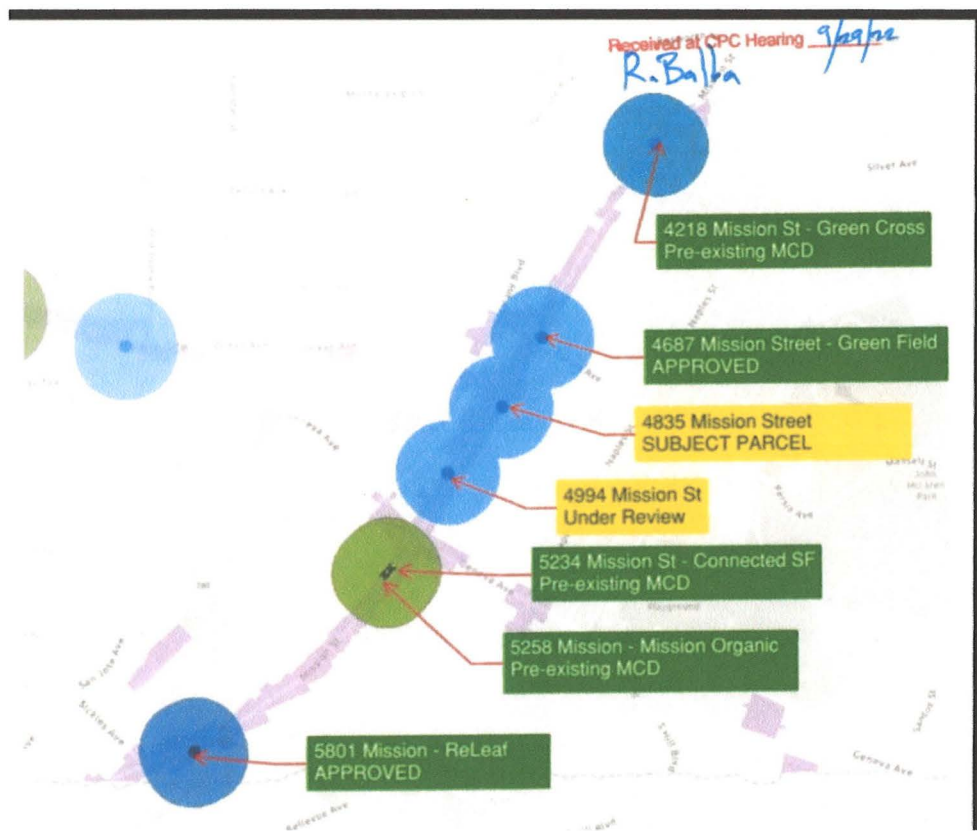
12. [2021-005053DRP](#) (D. WINSLOW: (628) 652-7335)
1334 12TH AVENUE – east side between Judah and Irving Streets; Lot 038 in Assessor's Block 1766 (District 7) – Request for **Discretionary Review** of Building Permit 2021.0506.9906 to construct a three-story rear horizontal addition to a three-story single-family dwelling within a RH-2 (Residential House, Two-Family) Zoning District and 40-X Height and Bulk District. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to San Francisco Administrative Code Section [31.04\(h\)](#).
Preliminary Recommendation: Do Not Take Discretionary Review and Approve as Modified

SPEAKERS: = Trent Greenan – Staff report
 - Nancy Wong – DR presentation
 - John Wong – DR presentation
 + Eric Hall – Project sponsor presentation
 + Speaker – Architect presentation

- Speaker – Light
= Liz Watty – Response to comments and questions
ACTION: No DR
AYES: Braun, Ruiz, Diamond, Imperial, Koppel, Tanner, Moore
DRA: 797

ADJOURNMENT 7:01 PM
ADOPTED OCTOBER 13, 2022

District 11 Cannals Map



SEC. 67.7-1. PUBLIC NOTICE REQUIREMENTS.

(a) Any public notice that is mailed, posted or published by a City department, board, agency or commission to residents residing within a specific area to inform those residents of a matter that may impact their property or that neighborhood area, shall be brief, concise and written in plain, easily understood English.

(b) The notice should inform the residents of the proposal or planned activity, the length of time planned for the activity, the effect of the proposal or activity, and a telephone contact for residents who have questions.

(c) If the notice informs the public of a public meeting or hearing, then the notice shall state that persons who are unable to attend the public meeting or hearing may submit to the City, by the time the proceeding begins, written comments regarding the subject of the meeting or hearing, that these comments will be made a part of the official public record, and that the comments will be brought to the attention of the person or persons conducting the public meeting or hearing. The notice should also state the name and address of the person or persons to whom those written comments should be submitted.

(Added by Ord. 185-96, App. 5/8/96; amended by Proposition G, 11/2/99)



San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

Date: **8/26/2022**

The attached notice is provided under the Planning Code. It concerns property located at **4835 Mission Street - (2021-011352CUA)**. A hearing may occur, a right to request review may expire or a development approval may become final by **9/15/2022**.

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

附上的是三藩市城市規劃的法定通告。

此通告是與位於 **4835 Mission Street - (2021-011352CUA)**

的建築計劃有關。如果在 **9/15/2022** 之前無人申請聽證會來檢討這一個建築計劃，這計劃最終會被核准。

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

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

El documento adjunto es requerido por el Código de Planeación (Planning Code) y es referente a la propiedad en la siguiente dirección: **4835 Mission Street - (2021-011352CUA)**. Es posible que ocurra una audiencia pública, que el derecho a solicitar una revisión se venza, o que la aprobación final de proyecto se complete el: **9/15/2022**.

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

Ang nakalakip na paunawa ay ibinibigay alinsunod sa Planning Code. Tinatalakay nito ang propyedad na matatagpuan sa **4835 Mission Street - (2021-011352CUA)**. Maaring may paglilitis na mangyayari, may mapapasong paghiling ng isang pagrerepaso (review), o ang na-aprobahang pagpapatayo ay malapit nang ipagtibay sa **9/15/2022**.

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

中文詢問請電

Para Información en Español llamar al

Para sa impormasyon sa Tagalog tumawag sa 628.652.7550



San Francisco Planning

49 South Van Ness Avenue, Suite 1400
San Francisco, CA 94103
628.652.7600
www.sfplanning.org

NOTICE OF PUBLIC HEARING

Hearing Date: **THURSDAY, SEPTEMBER 15, 2022**
Time: **Not before 1:00 PM**
Location: **Visit sfplanning.org/remotehearings for details**
Case Type: **Conditional Use**
Hearing Body: **Planning Commission**

PROJECT INFORMATION

Project Address: **4835 Mission Street**
Cross Streets: **Russia and France Avenues**
Block / Lot No.: **6272 / 021**
Zoning District(s): **Excelsior Outer Mission NCD / 40-X**
Area Plan: **N/A**
Record No.: **2021-011352CUA**

APPLICANT INFORMATION

Applicant: **Steve Ashbel**
Company: **Mission Advisory Co.**
Address: **13425 Ventura Blvd. Suite 300**
City, State: **Sherman Oaks, CA**
Telephone: 213-422-7439
Email: steve@mmdshops.com

PROJECT DESCRIPTION

The proposal is for a Conditional Use Authorization, pursuant to Planning Code Sections 202.2, 303, and 720 to establish an approximately 1,300 sq ft Cannabis Retail use on the first floor of the subject property within the Excelsior Outer Mission Street NCD (Neighborhood Commercial) Zoning District and 40-X Height and Bulk District. The Project does not include a request for authorization of on-site smoking or vaporizing of cannabis products.

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

ADDITIONAL INFORMATION

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

For more information, please contact Planning Department staff:

Planner: **Sylvia Jimenez** Telephone: **628-652-7348** Email: Sylvia.Jimenez@sfgov.org

中文詢問請電

Para información en Español llamar al

Para sa impormasyon sa Tagalog tumawag sa

628.652.7550

Objection emails on the day of the hearing September 29, 2022

4835 Mission St

Record No: 2021-011352CUA

From office of Supervisor Ahsha Safai



cannabis retail use-4835 Mission street, SF , Record#: 2021-011352CUA

1 封邮件

Buckley, Jeff (BOS) <jeff.buckley@sfgov.org>

2022年9月29日周四 (下午12:10)

收件人: yunyuz18@gmail.com <yunyuz18@gmail.com>

Dear

Thank you for contacting us about the proposed cannabis dispensary at 4835 Mission Street. Although Supervisor Safai cannot take a position on matters before the Planning Commission because those items may be appealed to the Board of Supervisors, we value your input and will keep your thoughts in mind at the appropriate time.

This item will be considered today at the Planning Commission (see agenda [here](#)). We encourage you to contact the Planning Commission here. We have also forwarded your message to the Planning Department staff to ensure it will be included in the record.

Our office will continue to monitor this situation and will ensure that the voice of the community is included in all future discussions. Please keep in touch when we can be of assistance in the future.

Sincerely,

Office of Supervisor Ahsha Safai

From: Yun yu Zhang < >

Sent: Saturday, September 17, 2022 3:25 PM

To: Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>

Subject: cannabis retail use-4835 Mission street, SF , Record#: 2021-011352CUA

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

[引用文字已隐藏]



cannabis retail use-4835 Mission street, SF , Record#: 2021-011352CUA

一封邮件

Yun yu Zhang <yunyuz18@gmail.com>

2022年9月17日周六 (下午3:24)

收件人： Ahsha.Safai@sfgov.org

Dear Ahsha Safai,

I Strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112 (Record number: 2021011352CUA).

There are already three cannabis stores located in a half mile radius to this location, all along Mission Street. We object to the saturation of the selling of cannabis in our neighborhood. This Clustering creates a disproportionately detrimental land use impact on our district and residents. We already deal with existing cannabis stores. As has been often reported many businesses selling cannabis draw crimes and have crimes and have been subject to shooting, break-ins, robberies and assaults. The Excelsior outer activities. The local Walgreens and stores have closed down due to the constant thefts and unsafe environments. We do not want to further worsen the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two blocks away, less than 1,000 feet in distance. Additionally, there is cannabis as they get off or wait to board buses to and from school.

There are many families with young children, and disabled and elderly residents who need to and deserve to live in a safe community. We raise concerns for our personal community safety and for youth access and exposure to cannabis. I again strongly object to the conditional authorization and to the project.

I even tried to email the Commision Secretary the email address (commissions.secretary@sfgov.org) was blocked, that is not right. There are big objections about this issue. Our community heard about this. This needs to be community hearing for this cannabis retail use store, our community is concerned.

Thank you very much,

Have good day!



ms ma <msma2345@gmail.com>

OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA

ms ma <msma2345@gmail.com>

27 September 2022 at 23:50

To: commissions.secretary@sfgov.org, sylvia.jimenez@sfgov.org, ahsha.safai@sfgov.org

Dear Commission,

We, the undersigned, strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112 (**Record No.: 2021-011352CUA**). There are already three cannabis stores located in a half mile radius to this location, all along Mission Street. Additionally, recent approvals for Cannabis Retail were granted for locations at 5801 Mission Street and at 4687 Mission Street, just 2 blocks away! There are other applications pending in the pipeline, such as the one at 4994 Mission Street. We object to this saturation of **selling of cannabis** in our neighborhood!

We understand having businesses to create job opportunities and tax revenue for San Francisco are important and needed. However, this clustering of cannabis stores in our neighborhood creates disproportionate detrimental land use impacts on our district and residents. We already deal with open cannabis usage and are impacted by undesirable odors, loitering, and traffic congestion caused by existing cannabis stores. Elderly and other vulnerable residents have to contend with second-hand smoke and other unhealthy impacts from open cannabis users. We are certain members of the Planning Commission would similarly not want to have to live with these undesirable conditions from such a concentration of cannabis retail in their own neighborhood.

We live under constant fear and stress from rising crime rates throughout the city and in our neighborhood. As has been often reported, many businesses selling cannabis draw crimes and have been subject to shootings, break-ins, robberies and assaults. The Excelsior Outer Mission and Geneva Avenue areas of San Francisco already experience many incidences of such criminal activities. The local Walgreens and other stores have closed down due to the constant thefts and unsafe environments. We do not want to further worsen the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. There were previous regulations requiring for cannabis stores to be at least 1,000 feet away from schools. That has been reduced to 600 feet, which is just less than 2 blocks in distance and clearly not enough to adequately protect our children and youth. Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two short blocks away. Additionally, there are bus stops approximately 100 to 200 feet away from the premise where youths will be exposed to cannabis as they get off or wait to board buses to and from school. How can this be adequate protection to minimize cannabis access and exposure to our impressionable youth?

There are many in the community who are fearful of having so many cannabis stores in our neighborhood. Many do not speak English well, or at all, and are fearful of voicing their concerns and objections due to possible retributions. There are many families with young children, and disabled and elderly residents who need to and deserve to live in a healthy and safe community! We are disproportionately and negatively impacted by the concentrated numbers of already existing cannabis stores. There is need to reinstate the prior SF Board of Supervisors Ordinance to limit the number of cannabis retail in our district to 3 stores.

2796

There are more than enough existing stores in this area and plentiful online cannabis offerings to provide for the needs of those who want and medically need this product. We are also tax paying citizens and, similar to the members of the Planning Commission and other residents throughout San Francisco, we just want to live in our homes and neighborhood without fear for our personal and community safety! We implore the Planning Commission and other local representatives to do what is right by and for the citizens in this district and to keep us safe!

We raise concerns for our personal and community safety and for youth access and exposure to cannabis. We again strongly object to the conditional authorization and to this project. Also, we strongly object to any further approvals for anymore cannabis stores in our district. The Planning Commission must make the right and responsible decision to deny any further cannabis retail business applications and protect all residents of this district!

Please see attached 2 pages of Objection signatures.

Thank you for your attention to this issue!

 **OBJECTION SIGNATURES -2 pages.pdf**
32K

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11

Ai Hong Kuang

Xing Chen

WY Chen

Na Heng Xu

Jose Rodriguez

MARSA THOMAS FORNUS

Mai Xia Ho

Mauro C. Dominguez

Ann G

Chen A

Chen in

VMM

OBJECTION TO: Cannabis Retail Use at 4835 Mission Street, S.F.

Project Address: 4835 Mission Street, S.F., CA 94112

Case Type: Conditional Use – Cannabis Retail Use

Records No.: 2021-011352CUA

Mr. [unclear]

Mr. [unclear]

Mr. [unclear]

Mr. [unclear]

Mr. [unclear]

Mr. [unclear]

Mr. [unclear]

Mr. [unclear]

Mr. [unclear]

LUCIA ACOSTA

[Signature]



Cannabis Retail use -- 4835 Mission Street, SF, Record#:2021-011352CUA

1 message

Mei Mei Zhu <mzhcafe@gmail.com>

Sat, Sep 17, 2022 at 12:49 PM

To: Sylvia.Jimenez@sfgov.org

Dear Sylvia. Jimenez,

I Strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112 (Record number: 2021011352CUA).

There are already three cannabis stores located in a half mile radius to this location, all along Mission Street. We object to the saturation of the selling of cannabis in our neighborhood. This Clustering creates a disproportionately detrimental land use impact on our district and residents. We already deal with existing cannabis stores. As has been often reported many businesses selling cannabis draw crimes and have crimes and have been subject to shooting, break-ins, robberies and assaults. The Excelsior outer activities. The local Walgreens and stores have closed down due to the constant thefts and unsafe environments. We do not want to further worsen the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two blocks away, less than 1,000 feet in distance. Additionally, there is cannabis as they get off or wait to board buses to and from school.

There are many families with young children, and disabled and elderly residents who need to and deserve to live in a safe community. We raise concerns for our personal community safety and for youth access and exposure to cannabis. I again strongly object to the conditional authorization and to the project.

Thank you for your attention to this issue!

Have a Blessed day !

Resident Neighborhood (We care about our community)



Cannabis Retail use -- 4835 Mission Street, SF, Record#:2021-011352CUA

1 message

Mei Mei Zhu <mzhcafe@gmail.com>

Sat, Sep 17, 2022 at 1:05 PM

To: Ahsha.Safai@sfgov.org

I Strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112 (Record number: 2021011352CUA).

There are already three cannabis stores located in a half mile radius to this location, all along Mission Street. We object to the saturation of the selling of cannabis in our neighborhood. This Clustering creates a disproportionately detrimental land use impact on our district and residents. We already deal with existing cannabis stores. As has been often reported many businesses selling cannabis draw crimes and have crimes and have been subject to shooting, break-ins, robberies and assaults. The Excelsior outer activities. The local Walgreens and stores have closed down due to the constant thefts and unsafe environments. We do not want to further worsen the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two blocks away, less than 1,000 feet in distance. Additionally, there is cannabis as they get off or wait to board buses to and from school.

There are many families with young children, and disabled and elderly residents who need to and deserve to live in a safe community. We raise concerns for our personal community safety and for youth access and exposure to cannabis. I again strongly object to the conditional authorization and to the project.

I even tried to email the Commision Secretary the email address (commissions.secretary@sfgov.org) was blocked, that is not right. There are big objections about this issue. Our community heard about this. This needs to be community hearing for this cannabis retail use store, our community is concerned. Please do your job, you are supposed to represent the citizens and residents.

Thank you for your attention to this issue!

Have a Blessed day !

Residential Neighborhood (We care about our community)



Cannabis Retail use-4835 Mission Street, SF, Record #: 2021-011352CUA

1 封邮件

Kwok Hung Gee <kwokhung003@gmail.com>

2022年9月17日周六 (下午2:02)

收件人: Ahsha.Safai@sfgov.org

Dear Assha Safai,

I Strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112 (Record number: 2021011352CUA).

There are already three cannabis stores located in a half mile radius to this location, all along Mission Street. We object to the saturation of the selling of cannabis in our neighborhood. This Clustering creates a disproportionately detrimental land use impact on our district and residents. We already deal with existing cannabis stores. As has been often reported many businesses selling cannabis draw crimes and have crimes and have been subject to shooting, break-ins, robberies and assaults. The Excelsior outer activities. The local Walgreens and stores have closed down due to the constant thefts and unsafe environments. We do not want to further worsen the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two blocks away, less than 1,000 feet in distance. Additionally, there is cannabis as they get off or wait to board buses to and from school.

There are many families with young children, and disabled and elderly residents who need to and deserve to live in a safe community. We raise concerns for our personal community safety and for youth access and exposure to cannabis. I again strongly object to the conditional authorization and to the project.

I even tried to email the Commision Secretary the email address (commissions.secretary@sfgov.org) was blocked, that is not right. There are big objections about this issue. Our community heard about this. This needs to be community hearing for this cannabis retail use store, our community is concerned.

Thank you for your attention to this issue!

Resident

Have a great day!

From: [CPC-Commissions Secretary](#)
Cc: [Feliciano, Josephine \(CPC\)](#)
Subject: FW: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA
Date: Friday, September 09, 2022 2:13:26 PM

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7343 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: ms ma <msma2345@gmail.com>
Sent: Friday, September 9, 2022 1:14 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Cc: Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA

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

I strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112 (Record No.: 2021-011352CUA).

There are already three cannabis stores located in a half mile radius to this subject property along Mission Street. We object to the saturation of the selling of cannabis in this neighborhood. This clustering creates disproportionate detrimental land use impacts on our district and residents. We already deal with open cannabis usage and associated issues such as by undesirable odors, loitering, and traffic congestion caused by existing cannabis businesses. As has been often reported, many businesses selling cannabis draw crime. The Excelsior and Geneva Avenue areas of San Francisco already experience many incidents of criminal activities. The local Walgreens and stores have closed down due to thefts and unsafe environments. We do not want to further worsen the conditions in this neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds in close proximity to the subject property. Three elementary schools are in a half mile radius, the nearest center is down the street within 500 feet, and Balboa High School is two blocks away, less than 1,000 feet in distance. Additionally, there is a bus stop approximately 100 feet away from the premise where youths will be exposed to cannabis as they get on and board buses to and from school.

There are many families with young children, and disabled and elderly residents in this neighborhood who need to and deserve to live in a safe community! We raise concerns for our community safety and for youth access and exposure to cannabis. I again object to the conditional authorization and to this project.

1

From: CPC-Commissions Secretary
Cc: Feliciano, Josephine (CPC)
Subject: FW: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA
Date: Monday, September 12, 2022 8:06:14 AM

Commission Affairs
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7343 | www.sfplanning.org
San Francisco Property Information Map

-----Original Message-----

From: King Ma <sfpt379@hotmail.com>
Sent: Saturday, September 10, 2022 10:21 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA

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

Dear Commission,

I strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112 (Record No.: 2021-011352CUA). There are already three cannabis stores located in a half mile radius to this location, all along Mission Street. We object to the saturation of the selling of cannabis in our neighborhood. This clustering creates disproportionate detrimental land use impacts on our district and residents. We already deal with open cannabis usage and are impacted by undesirable odors, loitering, and traffic congestion caused by existing cannabis stores. As has been often reported, many businesses selling cannabis draw crimes and have been subject to shootings, break-ins, robberies and assaults. The Excelsior Outer Mission and Geneva Avenue areas of San Francisco already experience many incidences of such criminal activities. The local Walgreens and stores have closed down due to the constant thefts and unsafe environments. We do not want to further worsen the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two blocks away, less than 1,000 feet in distance. Additionally, there are bus stops approximately 100 to 200 feet away from the premise where youths will be exposed to cannabis as they get off or wait to board buses to and from school.

There are many families with young children, and disabled and elderly residents who need to and deserve to live in a safe community! We raise concerns for our personal and community safety and for youth access and exposure to cannabis. I again strongly object to the conditional authorization and to this project.

Thank you for your attention to this issue!

Sent from my iPhone

From: CPC-Commissions Secretary
Cc: Westhoff, Alex (CPC); Feliciano, Josephine (CPC)
Subject: FW: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA
Date: Monday, September 12, 2022 8:08:12 AM

Commission Affairs
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7343 | www.sfplanning.org
San Francisco Property Information Map

-----Original Message-----

From: Andy Leung <andeethebest@gmail.com>
Sent: Sunday, September 11, 2022 9:22 PM
Subject: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA

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

Dear Commission,

I strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112 (Record No.: 2021-011352CUA).

There are already three cannabis stores located in a half mile radius to this location, all along Mission Street. We object to the saturation of the selling of cannabis in our neighborhood. This clustering creates disproportionate detrimental land use impacts on our district and residents. We already deal with open cannabis usage and are impacted by undesirable odors, loitering, and traffic congestion caused by existing cannabis stores. As has been often reported, many businesses selling cannabis draw crimes and have been subject to shootings, break-ins, robberies and assaults. The Excelsior Outer Mission and Geneva Avenue areas of San Francisco already experience many incidences of such criminal activities. The local Walgreens and stores have closed down due to the constant thefts and unsafe environments. We do not want to further worsen the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two blocks away, less than 1,000 feet in distance. Additionally, there are bus stops approximately 100 to 200 feet away from the premise where youths will be exposed to cannabis as they get off or wait to board buses to and from school.

There are many families with young children, and disabled and elderly residents who need to and deserve to live in a safe community! We raise concerns for our personal and community safety and for youth access and exposure to cannabis. I again strongly object to the conditional authorization and to this project.

Thank you for your attention to this issue!

Sincerely,
Andy

Sent from my iPhone

From: CPC-Commissions Secretary
Cc: Westhoff, Alex (CPC); Felldane, Josephine (CPC)
Subject: FW: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA
Date: Monday, September 12, 2022 8:08:50 AM

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7343 | www.sfpplanning.org
San Francisco Property Information Map

From: Ian Huang <antsfo168@gmail.com>
Sent: Sunday, September 11, 2022 9:38 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA

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

Dear Commission,

I strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112 (Record No.: 2021-011352CUA).

There are already three cannabis stores located in a half mile radius to this location, all along Mission Street. We object to the saturation of the selling of cannabis in our neighborhood. This clustering creates disproportionate detrimental land use impacts on our district and residents. We already deal with open cannabis usage and are impacted by undesirable odors, loitering, and traffic congestion caused by existing cannabis stores. As has been often reported, many businesses selling cannabis draw crimes and have been subject to shootings, break-ins, robberies and assaults. The Excelsior Outer Mission and Geneva Avenue areas of San Francisco already experience many incidences of such criminal activities. The local Walgreens and stores have closed down due to the constant thefts and unsafe environments. We do not want to further worsen the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two blocks away, less than 1,000 feet in distance. Additionally, there are bus stops approximately 100 to 200 feet away from the premise where youths will be exposed to cannabis as they get off or wait to board buses to and from school. There are many families with young children, and disabled and elderly residents who need to and deserve to live in a safe community! We raise concerns for our personal and community safety and for youth access and exposure to cannabis. I again strongly object to the conditional authorization

and to this project.

Thank you for your attention to this issue!

Ian Huang

Neighborhood Resident

From: CPC-Commissions Secretary
Cc: Westhoff, Alex (CPC); Jimenez, Sylvia (CPC); Feliciano, Josephine (CPC)
Subject: FW: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA
Date: Monday, September 12, 2022 8:15:51 AM

Commission Affairs
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7343 | www.sfplanning.org
San Francisco Property Information Map

-----Original Message-----

From: Yu Xian <imyuhyeon_emoking@hotmail.com>
Sent: Sunday, September 11, 2022 9:44 PM
Subject: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA

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

Dear Commission,

I strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112 (Record No.: 2021-011352CUA). There are already three cannabis stores within a half-mile radius of this location, all along Mission Street. We object to the saturation of the selling of cannabis in our neighborhood. This clustering creates disproportionate detrimental land use impacts on our district and residents. We already deal with open cannabis usage and are impacted by undesirable odors, loitering, and traffic congestion caused by existing cannabis stores. As has been often reported, many businesses selling cannabis draw crimes and have been subject to shootings, break-ins, robberies, and assaults. The Excelsior Outer Mission and Geneva Avenue areas of San Francisco already experience many incidences of such criminal activities. The local Walgreens and other stores have closed down due to constant thefts and unsafe environments. We do not want to worsen further the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. Three elementary schools are within a half-mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two blocks away, less than 1,000 feet in distance. Additionally, there are bus stops approximately 100 to 200 feet from the premise where youths will be exposed to cannabis as they get off or wait to board buses to and from school.

There are many families with young children, and disabled and elderly residents who need to and deserve to live in a safe community! We raise concerns for our personal and community safety and for youth access and exposure to cannabis. I again strongly object to the conditional authorization and to this project.

Thank you for your attention to this issue!

Sean

Commission Affairs
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7343 | www.sfplanning.org
San Francisco Property Information Map

-----Original Message-----

From: Olinda Vega <olivegam@yahoo.com>
Sent: Monday, September 12, 2022 6:32 AM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Cc: Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: Objection to Cannabis Retail use at 4835 Mission St. San Francisco, CA. Record no 2021-011352CUA

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

Dear Commissions Secretary,

I strongly object to the conditional authorization for the project to establish a Cannabis retail space at 4835 Mission St. San Francisco, CA 94112 - record no 2021-011352CUA.

There are already 3 cannabis stores on mission st. We already deal with open cannabis usage in our neighborhood. I strongly opposed to this project for various reason:

1. As I live next door to this address, the open cannabis usage gives me headaches and makes me nauseated. The opening of this store would aggravate my condition.
2. There is a school, Balboa school, 2 blocks from the subject property. Also, there are 2 pre-schools within 1-3 blocks from the address. In other words, my kids would be exposed to cannabis and would probably lead to early consumption.
3. Our community would be more exposed to robberies, vandalism and crime.

Our community deserves a healthy environment, our community deserves a healthy new generation and our community deserves a crime-free environment.

Please consider my objection.

Best,

Olivegam

Sent from my iPhone

From: CPC-Commissions Secretary
Cc: Balba, Ryan (CPC); Feliciano, Josephine (CPC)
Subject: FW: Objection to Cannabis Retail use 4835 Mission Street record No. : 221-011352CUA
Date: Wednesday, September 14, 2022 8:17:52 AM

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7600 | www.sfpplanning.org
[San Francisco Property Information Map](#)

From: Pic Vancleef <picvancleef@yahoo.com>
Sent: Wednesday, September 14, 2022 7:27 AM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>; Ahsha.Safai@sfgov.gor
Subject: Objection to Cannabis Retail use 4835 Mission Street record No. : 221-011352CUA

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

Dear Commission,

I live on the block of the proposed site for the Cannabis store. I strongly request that you do not go forward in allowing such to be allowed on this block. To my knowledge there are already 4 within walking distance and there is one slated to be on Mission and Persia. I have noticed cannabis stores to greatly reduce the quality of life for residence. I believe San Francisco has record high car break in numbers.

I am curious if anyone on the commission is truly familiar with the site other than on paper or an occasional drive by. There is already a huge problem, that is not addressed, by way of traffic congestion. I cite this because my experience is that cannabis shops often have patrons who I have witnessed often park illegally (double parking, and especially parking in the red zone at that location) and that of the actual sight. I have frequently seen city vehicles do the same, usually the type of pickup truck that accompanies a street sweeper truck and actual police cars. I have even done in to the taquerias to verify that they were there as patrons and not there on a service call. To be perfectly honest there is no remedy for city vehicles to do such as there is no accountability for such. So in theory, to add to this existing problem that the city does not care to acknowledge a Cannabis store proposed. It's ironic it is almost as if someone is trying to think of a type of business to install that is the worst fit for a neighborhood.

As for the neighborhood, there is a high school 2 blocks away. If anyone is actually familiar with the neighborhood they know and realize that during the lunchbreak at the school this intersection of the proposed sight becomes flooded with kids. I invite the commission to come and witness it for themselves. I believe we all know how this works, people who can not buy cannabis for themselves have others buy it for them before they return to school. And where would such product be consumed? Not on Mission in full sight, but in the doorways of

residential homes in the surrounding neighborhood or possibly in some friends vehicle inviting impaired driving. I would imagine that people living in the homes would not even want to confront cannabis users doing such. I am sure there are laws and rules regarding where the products are to be used , But who would enforce such. The police do not appear to care and should one bring it to a police officers attention the police get a bruised ego and respond with hostility that they are being told what to do. I had this experience with a Officer Coverson star 1680 who is being investigated by the Department of Police Accountability. However, due to my understanding of police misconduct, as is the case with sexual abuse, most instances are never reported and even when reported less than 2% of cases lead to sustained findings, and even with sustained findings the usual remedy it a slap on the wrist. Hence, there is no accountability with real teeth when an officer chooses not confront an issue, and frankly why would an officer want to make an issue in a neighbor where the officer has carte blanche to park in a red zone and enjoy a burrito.

I personally don't care for the wafts of smoke that strike me as I walk with my 4 year old and I have to explain to him why people do such. I should not have to be subjected to this yet I have been.

The neighbors I have spoken to do not care for a cannabis sight on the proposed block. If for some reason it is decided that one should be allowed I believe before approving of such further engagement and anaylsis with the neighborhood is needed.

Pic VanClcef

From: CPC-Commissions Secretary
Cc: Feliciano, Josephine (CPC)
Subject: FW: Objection to Cannabis Retail at 4835 Mission Street, San Francisco. Record no 2021-011352CUA
Date: Wednesday, September 14, 2022 1:55:59 PM
Attachments: Scannable Document on Sep 14, 2022 at 1 09 50 PM.pdf

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7600 | www.sfpplanning.org
San Francisco Property Information Map

From: Olinda Vega <olivegam@yahoo.com>
Sent: Wednesday, September 14, 2022 1:25 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Cc: Balba, Ryan (CPC) <ryan.balba@sfgov.org>; Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: Objection to Cannabis Retail at 4835 Mission Street, San Francisco. Record no 2021-011352CUA

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

Dear Commissions,

We strongly object to the conditional authorization for the project to establish a cannabis retail store at 4835 Mission street in San Francisco.

I had attached the signatures collected over the weekend by myself. The people who had signed are parents that are against having another cannabis store in our neighborhood. As parents we are worry about our children exposed to open cannabis usage.

The opening of this store will only bring strangers, robberies, vandalism and crime to our neighborhood.

As I mentioned before, open cannabis usage gives me headaches and nausea. I'm afraid that my health will be impacted.

Please revised and consider consider our objection.

Best,

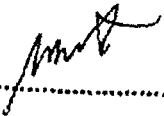
Olinda

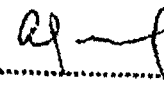
10
OBJECTION TO: Cannabis Retail Use at 4835 Mission Street, S.F.

Project Address: 4835 Mission Street, S.F., CA 94112

Case Type: Conditional Use – Cannabis Retail Use

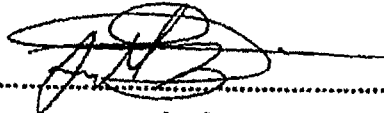
Records No.: 2021-011352CUA


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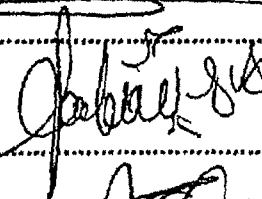
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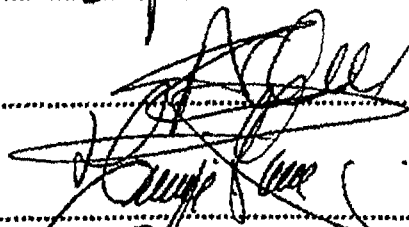
Williams Lopez
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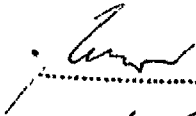
Alonso Aguilera
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OBJECTION TO: Cannabis Retail Use at 4835 Mission Street, S.F.

Project Address: 4835 Mission Street, S.F., CA 94112

Case Type: Conditional Use – Cannabis Retail Use

Records No.: 2021-011352CUA



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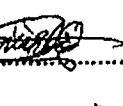

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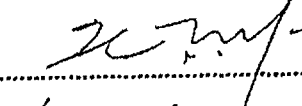

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M. P. Rodriguez
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Delia Selzer
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Harriet Huan
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Amir
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OBJECTION TO: Cannabis Retail Use at 4835 Mission Street, S.F.

Project Address: 4835 Mission Street, S.F., CA 94112

Case Type: Conditional Use – Cannabis Retail Use

Records No.: 2021-011352CUA

~~Dina Baguedo~~

Liliana Baguedo

Cristina Estrada

ORIEL MARQUEZ

Yoselin Baguedo

Galacup

~~Olivia~~

CHUS

~~For~~

Olivia

~~Olivia~~

Daniel Musni

Glória Guevara

From: CPC-Commissions Secretary
Cc: Balba, Ryan (CPC); Jimenez, Sylvia (CPC); Feliciano, Josephine (CPC)
Subject: FW: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA
Date: Monday, September 19, 2022 8:10:18 AM

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7343 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: zu fang <zufang2015@yahoo.com>
Sent: Sunday, September 18, 2022 6:45 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA

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

To whom it may concern,

Please find attached the details of our objections.

Thank you.

22

Please send OBJECTION to
Jimenez, &
3. District 11 Supervisor Ah
addresses: SEP.....
commissions.secretary@sfgov.org
Sylvia.Jimenez@sfgov.org
Ahsha.Safai@sfgov.org

Subject:
OBJECTION TO: Cannabis
011352CUA

Dear Commission,

From: CPC-Commissions Secretary
Cc: Feliciano, Josephine (CPC)
Subject: FW: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No. 2021-011352CUA
Date: Monday, September 26, 2022 12:55:17 PM

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7600 | www.sfpplanning.org
[San Francisco Property Information Map](#)

From: Lynne Yu <lynneyu@att.net>
Sent: Monday, September 26, 2022 12:11 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No. 2021-011352CUA

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

Dear Commission,

I strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at **4835 Mission Street, San Francisco, CA 94112 (Record No. 2021-011352CUA)**. There are already **three** cannabis stores located in a half mile radius to this location, all along Mission Street. Additionally, recent approvals for Cannabis Retail were granted for locations at **5801 Mission Street** and at **4687 Mission Street**, just less than 2 blocks away! There are other applications pending in the pipeline, such as the one at **4994 Mission Street**. We object to this saturation of selling of cannabis in our neighborhood.

We understand having businesses to create job opportunities and tax revenue for San Francisco are important and needed. However, this clustering of cannabis stores in our neighborhood creates disproportionate detrimental land use impacts on our district and residents. We already deal with open cannabis usage and are impacted by undesirable odors, loitering, and traffic congestion caused by existing cannabis stores.

We live under constant fear and stress from rising crime rates throughout the city and in our neighborhood. As has been often reported, many businesses selling cannabis draw crimes and have been subject to shootings, break-ins, robberies and assaults. The Excelsior Outer Mission and Geneva Avenue area of San Francisco already experience many incidences of such criminal activities. The local Walgreens and other stores have closed due to the constant thefts and unsafe environments. We do

not want to further worsen the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. There were previous regulations requiring for cannabis stores to be at least 1,000 feet away from schools. That has been reduced to 600 feet, which is less than 2 blocks in distance! Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two blocks away, less than 1,000 feet in distance. Additionally, there are bus stops approximately 100 to 200 feet away from the premise where youths will be exposed to cannabis as they get off or wait to board buses to and from school. How can this be adequate protection to minimize cannabis access and exposure to our impressionable youth?

There are many in the community who are fearful of having so many cannabis stores in our neighborhood. Many do not speak English well, or at all, and are fearful of voicing their concerns and objections due to possible retributions. There are many families with young children and disabled and elderly residents who need to and deserve to live in a healthy and safe community! We are disproportionately and negatively impacted by the concentrated numbers of already existing cannabis stores. There is need to reinstate the prior SF Board of Supervisors Ordinance to limit the number of cannabis retail in each district to three stores. We are also tax paying citizens and like other residents throughout San Francisco, we just want to live in our homes and neighborhood without fear for our personal and community safety. We implore the Planning Commission and other local representatives to do what is right by and for the citizens in this district and to keep us safe!

We raise concerns for our personal and community safety and for youth access and exposure to cannabis. I again strongly object to the conditional authorization and to this project. Also, I strongly object to any further approvals for anymore cannabis retail businesses in our district!

Thank you for your attention to this issue!

From: CPC-Commissions Secretary
Cc: Feliciano, Josephine (CPC)
Subject: FW: Too many Cannabis dispensaries
Date: Monday, September 26, 2022 3:55:07 PM

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7343 | www.sfpplanning.org
[San Francisco Property Information Map](#)

From: Aldo Ibarra <aldoibarra@rocketmail.com>
Sent: Monday, September 26, 2022 3:13 PM
To: Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>;
CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Subject: Too many Cannabis dispensaries

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

Dear Commission,

I strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112 (Record No. 2021-011352CUA). There are already three cannabis stores located in a half mile radius to this location, all along Mission Street. Additionally, recent approvals for Cannabis Retail were granted for locations at 5801 Mission Street and at 4687 Mission Street, just less than 2 blocks away! There are other applications pending in the pipeline, such as the one at 4994 Mission Street. We object to this saturation of selling of cannabis in our neighborhood.

We understand having businesses to create job opportunities and tax revenue for San Francisco are important and needed. However, this clustering of cannabis stores in our neighborhood creates disproportionate detrimental land use impacts on our district and residents. We already deal with open cannabis usage and are impacted by undesirable odors, loitering, and traffic congestion caused by existing cannabis stores.

We live under constant fear and stress from rising crime rates throughout the city and in our neighborhood. As has been often reported, many businesses selling cannabis draw crimes and have been subject to shootings, break-ins, robberies and assaults. The Excelsior Outer Mission and Geneva Avenue area of San Francisco already experience many incidences of such criminal activities. The local Walgreens and other stores have closed due to the constant thefts and unsafe environments. We do not want to further worsen the conditions in our neighborhood with the

crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. There were previous regulations requiring for cannabis stores to be at least 1,000 feet away from schools. That has been reduced to 600 feet, which is less than 2 blocks in distance! Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two blocks away, less than 1,000 feet in distance. Additionally, there are bus stops approximately 100 to 200 feet away from the premise where youths will be exposed to cannabis as they get off or wait to board buses to and from school. How can this be adequate protection to minimize cannabis access and exposure to our impressionable youth?

There are many in the community who are fearful of having so many cannabis stores in our neighborhood. Many do not speak English well, or at all, and are fearful of voicing their concerns and objections due to possible retributions. There are many families with young children and disabled and elderly residents who need to and deserve to live in a healthy and safe community! We are disproportionately and negatively impacted by the concentrated numbers of already existing cannabis stores. There is need to reinstate the prior SF Board of Supervisors Ordinance to limit the number of cannabis retail in each district to three stores. We are also tax paying citizens and like other residents throughout San Francisco, we just want to live in our homes and neighborhood without fear for our personal and community safety. We implore the Planning Commission and other local representatives to do what is right by and for the citizens in this district and to keep us safe!

We raise concerns for our personal and community safety and for youth access and exposure to cannabis. I again strongly object to the conditional authorization and to this project. Also, I strongly object to any further approvals for anymore cannabis retail businesses in our district!

Thank you for your attention to this issue!

Sent from Yahoo Mail on Android

From: CPC-Commissions Secretary
Cc: Balba, Ryan (CPC); Jimenez, Sylvia (CPC); Feliciano, Josephine (CPC)
Subject: FW: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA
Date: Tuesday, September 27, 2022 11:41:30 AM
Attachments: [objection signatures.pdf](#)

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7600 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: ms ma <msma2345@gmail.com>
Sent: Tuesday, September 27, 2022 9:23 AM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: OBJECTION TO: Cannabis Retail use - 4835 Mission Street, SF, Record No.: 2021-011352CUA

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

(resend with Subject Line)

Dear Commission,

We, the undersigned, strongly object to the conditional authorization for the project to Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco 94112 (**Record No.: 2021-011352CUA**). There are already three cannabis stores in a half mile radius to this location, all along Mission Street. Additionally, recent approval of Cannabis Retail were granted for locations at 5801 Mission Street and at 4687 Mission Street, 2 blocks away! There are other applications pending in the pipeline, such as the one at 4835 Mission Street. We object to this saturation of selling of cannabis in our neighborhood.

We understand having businesses to create job opportunities and tax revenue for San Francisco is important and needed. However, this clustering of cannabis stores in our neighborhood has disproportionate detrimental land use impacts on our district and residents. We already have open cannabis usage and are impacted by undesirable odors, loitering, and traffic congestion caused by existing cannabis stores. Elderly and other vulnerable residents have to contend with second-hand smoke and other unhealthy impacts from open cannabis users. We are certain that members of the Planning Commission would similarly not want to have to live with the undesirable conditions from such a concentration of cannabis retail in their own neighborhood.

We live under constant fear and stress from rising crime rates throughout the city and in our neighborhood. As has been often reported, many businesses selling cannabis draw crime. These areas have been subject to shootings, break-ins, robberies and assaults. The Excelsior and Outer Mission/Geneva Avenue areas of San Francisco already experience many incidences of such crime.

activities. The local Walgreens and other stores have closed down due to the constant of unsafe environments. We do not want to further worsen the conditions in our neighborhood the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to subject property. There were previous regulations requiring for cannabis stores to be at least 1000 feet away from schools. That has been reduced to 600 feet, which is just less than 2 blocks distance and clearly not enough to adequately protect our children and youth. Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, a High School is just two short blocks away. Additionally, there are bus stops approximately 200 feet away from the premise where youths will be exposed to cannabis as they get on board buses to and from school. How can this be adequate protection to minimize cannabis use and exposure to our impressionable youth?

There are many in the community who are fearful of having so many cannabis stores in our neighborhood. Many do not speak English well, or at all, and are fearful of voicing their concerns and objections due to possible retributions. There are many families with young children, disabled and elderly residents who need to and deserve to live in a healthy and safe community. We are disproportionately and negatively impacted by the concentrated numbers of already existing cannabis stores. There is need to reinstate the prior SF Board of Supervisors' limit the number of cannabis retail in our district to 3 stores. There are more than enough stores in this area and plentiful online cannabis offerings to provide for the needs of those who want and medically need this product. We are also tax paying citizens and, similar to those of the Planning Commission and other residents throughout San Francisco, we just want to live in our homes and neighborhood without fear for our personal and community safety! We request the Planning Commission and other local representatives to do what is right by and for the residents of this district and to keep us safe!

We raise concerns for our personal and community safety and for youth access and exposure to cannabis. We again strongly object to the conditional authorization of this project. Also, we strongly object to any further approvals for anymore cannabis stores in our district. The Planning Commission must make the right and responsible decision to deny any further cannabis retail business applications and protect the residents of this district!

Please see attached 9 pages of hundred of objection signatures.
Thank you for your attention to this issue!

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
 Project Address: 4835 Mission Street SF, CA 94112
 Case Type: Conditional Use-Cannabis Retail Use
 Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
 Outer Mission District 11

Maria Geronzo

Cecilia Abasco

Dan' A. [Signature]

Fanny [Signature]

[Signature]

Patricia Murphy

Don Murphy

Chad [Signature]

[Signature]

HUI HUA MY

Liliana Guadalupe

Leonio S. [Signature]

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
 Project Address: 4835 Mission Street SF, CA 94112
 Case Type: Conditional Use-Cannabis Retail Use
 Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
 Outer Mission District 11

Robert

Teran

Virginia

Lucia He

Mariana Tanager

Rosa G. Maldonado

Hong

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
 Project Address: 4835 Mission Street SF, CA 94112
 Case Type: Conditional Use-Cannabis Retail Use
 Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
 Outer Mission District 11

Superv

Jan Hyan

~~Superv~~ Superv

Jim Jim

Li Chan Hwang

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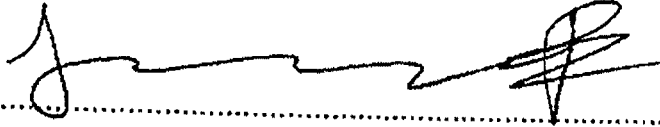
Jim Hwang

PON BAN VIE

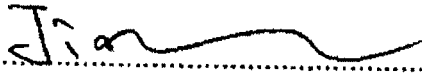
Ma Jan Hao

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

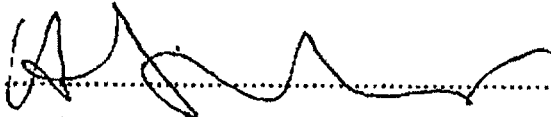
*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11



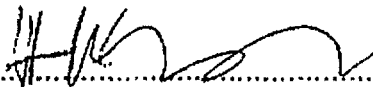


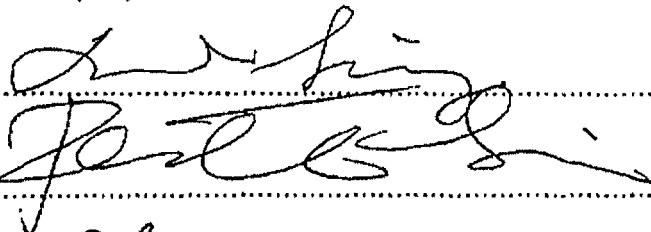




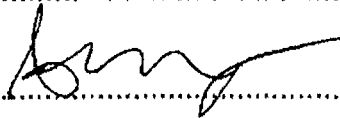


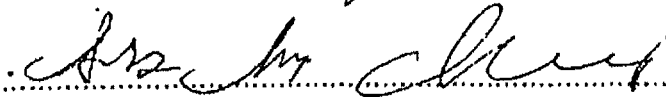












*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
 Project Address: 4835 Mission Street SF, CA 94112
 Case Type: Conditional Use-Cannabis Retail Use
 Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
 Outer Mission District 11

[Signature]

Yun Yu Zhang

[Signature]

Kwok . H . G

Erin Lofthouse

[Signature]

Marina Guerrero

ZHIJIAN WU

MING YU

Guo Guang Li

Guo Ma

Ringfman

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11

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Harry Wong

W.D. Doherty

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Wong

Guillermo Martinez

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
 Project Address: 4835 Mission Street SF, CA 94112
 Case Type: Conditional Use-Cannabis Retail Use
 Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
 Outer Mission District 11

Bob Chen

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2021-011352

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Joan Wang

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OBJECTION TO: Cannabis Retail Use at 4835 Mission Street, S.F.

Project Address: 4835 Mission Street, S.F., CA 94112

Case Type: Conditional Use – Cannabis Retail Use

Records No.: 2021-011352CUA

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Eric

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*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11

David Star

Regina Greene

Paul Jones

Robert Green

James

Steve

David

Matt

From: CPC-Commissions Secretary
Cc: Balbo, Ryan (CPC); Feliciano, Josephine (CPC)
Subject: FW: OBJECTION FOR PROJECT AT 4835 MISSION ST. (2021-011352CUA)
Date: Wednesday, September 28, 2022 7:54:55 AM

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7600 | www.sfplanning.org
[San Francisco Property Information Map](#)

From: Billy Joe <billy888joe@gmail.com>
Sent: Tuesday, September 27, 2022 7:38 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Subject: Fwd: OBJECTION FOR PROJECT AT 4835 MISSION ST. (2021-011352CUA)

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

----- Forwarded message -----

From: **Billy Joe** <billy888joe@gmail.com>
Date: Tue, Sep 27, 2022 at 9:57 AM
Subject: OBJECTION FOR PROJECT AT 4835 MISSION ST. (2021-011352CUA)
To: <commissions.secretary@sfgov.org>, <sylvia.ilmenez@sfgov.org>, <ahsha.safai@sfgov.org>

Hi,

My name is Billy Joe and I am a member of the community in the Excelsior.

I would like to express my concerns for the proposed project on 48356 Mission St. I have included news articles below that show the correlation of crime and pot dispensaries. I know in the letter that was sent out the business said there would be armed security guards to protect the area. I do not want my toddler to walk and see guns throughout Mission St. because a lot of these dispensaries are hiring armed security to protect their business. This neighborhood is improving for the better but I think by adding another pot dispensary it will not help the community.

There is a stretch of pot dispensaries on Mission St. from Mt. Vernon to Silver street that is getting out of hand. It seems like there is a dispensary at every block. With the approval of 4994 Mission St./Italy (Basanova) and 4687 Mission St./Persia this is only adding to the

issue. How many dispensaries are needed in a community? When is enough enough?

Schools are located near this stretch of corridor:

James Denman Middle School

Balboa High School

Child Day Care - 4750 Mission St.

The proposed space is centrally located where kids will grab lunch or something to eat after school. It is located between Hawaiian Drive In, El Farolito and Subway. The last thing I want to see is another robbery where a shootout happens in a crowded area.

Below are some articles that have shown the increase of robberies that occur at pot dispensaries.

1)

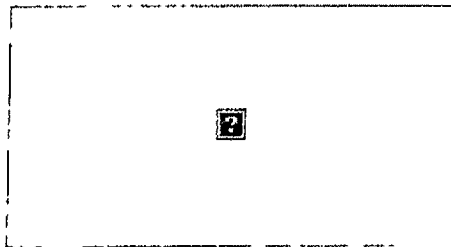
<https://sfstandard.com/business/cannabis-tax-dispensaries-burglaries/>

Among the businesses affected in San Francisco were Mission Organic at 5258 Mission St., ConnectedSF at 5234 Mission St., The Green Cross at 4218 Mission St. and BASA Collective at 1326 Grove St.

3 of those businesses are within blocks of the proposed project.

2)

https://www.sfexaminer.com/archives/bay-area-pot-shops-face-mob-robberies-get-little-help/article_a81532dd-3b2a-5eb8-8a39-c4b6ab6a68d2.html



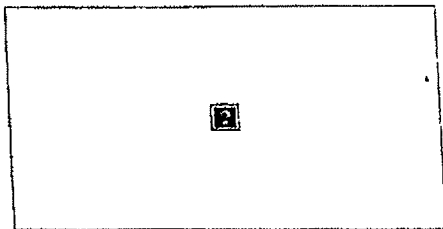
Bay Area pot shops face
mob robberies, get little
help | Archives |
sfexaminer.com - San
Francisco Examiner

The boarded-up storefront at The Green Cross cannabis dispensary following a November robbery attempt. Thieves have targeted the Excelsior District dispensary numerous times over the past year ...

www.sfexaminer.com

3)

<https://www.nbcbayarea.com/news/local/san-francisco/caught-on-camera-thieves-target-san-francisco-dispensary/2740732/>



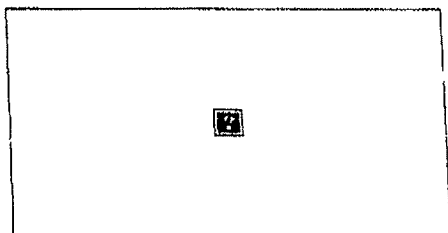
Caught on Camera: Thieves Target San Francisco Dispensary

On Nov. 16 at 5:37 a.m., video shows the first suspect exit the dispensary with a bag in hand, then get into the suspected getaway car.

www.nbcbayarea.com

4)

<https://www.ktvu.com/news/thieves-make-off-with-cannabis-and-security-guards-firearm-in-sf-dispensary-robbery>



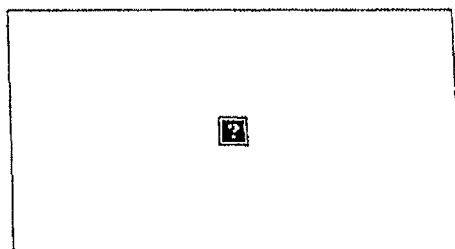
Thieves make off with cannabis and security guard's firearm in SF dispensary robbery - KTVU FOX 2

It's happened again. An organized group of robbers overwhelming security and stealing from a San Francisco business. This time it was a cannabis dispensary.

www.ktvu.com

5)

<https://mjbizdaily.com/new-rash-of-california-cannabis-robberies-threaten-survival-of-some-businesses/>



New rash of California marijuana robberies threaten survival of businesses - MJBizDaily

A spate of violent robberies targeting marijuana businesses in the San Francisco Bay Area last month have thrown into question the survival of

several small businesses, with the
combined losses of those operators
mjbizdaily.com

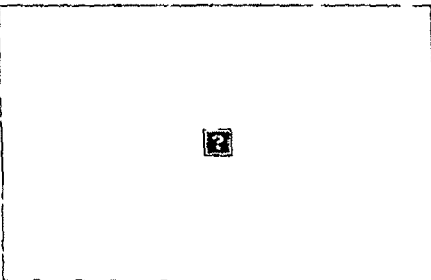
6)
<https://www.cannabisbusinesstimes.com/article/armed-robbers-take-millions-cannabis-mayhem-in-oakland/>



**Bay Area Cannabis
Mayhem: 175 Shots
Fired, Products Worth
Millions Stolen - Cannabis
Business Times**

J. Henry Alston Jr., co-founder and
chief operating officer at James Henry
SF, a Black-owned cannabis equity
brand in California, called the events in
Oakland "heartbreaking." Alston's
company employs 14 people who have
www.cannabisbusinesstimes.com

7)
<https://www.sfchronicle.com/politics/article/Merchants-worry-about-SF-s-Excelsior-12285904.php>



**Merchants worry about
SF's Excelsior
neighborhood going to
pot - San Francisco
Chronicle**

1 of 9 Vic Perkins, (left) a private
security guard in front of the El Pollo
Supremo restaurant along Mission St.
near Geneva in San Francisco, Ca. as
seen on Thurs. Sept. 28, 2017. SF
Cookies , a ...

www.sfchronicle.com

From: CPC-Commissions Secretary
To: Lynch, Laura (CPC); Banales, Julian (CPC); CTYPLN - COMMISSION SECRETARY
Subject: FW: Request for Language Service
Date: Tuesday, September 27, 2022 2:39:18 PM

Please see request for translation of the item below. Thank you.

Commission Affairs
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7600 | www.sfplanning.org
San Francisco Property Information Map

-----Original Message-----

From: ms ma <msma2345@gmail.com>
Sent: Tuesday, September 27, 2022 12:33 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Subject: Request for Language Service

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

Dear Commission,

Might need language assistance interpreter for: Chinese (Cantonese)/Spanish:
Record No. 2021-011352CUA -4385 Mission Street

Thank you.

200 feet away from the premise where youths will be exposed to cannabis as they get off or wait to board buses to and from school. How can this be adequate protection to minimize cannabis access and exposure to our impressionable youth?

There are many in the community who are fearful of having so many cannabis stores in our neighborhood. Many do not speak English well, or at all, and are fearful of voicing their concerns and objections due to possible retributions. There are many families with young children, and disabled and elderly residents who need to and deserve to live in a healthy and safe community! We are disproportionately and negatively impacted by the concentrated numbers of already existing cannabis stores. There is need to reinstate the prior SF Board of Supervisors Ordinance to limit the number of cannabis retail in our district to 3 stores. There are more than enough existing stores in this area and plentiful online cannabis offerings to provide for the needs of those who want and medically need this product. We are also tax paying citizens and, similar to the members of the Planning Commission and other residents throughout San Francisco, we just want to live in our homes and neighborhood without fear for our personal and community safety! We implore the Planning Commission and other local representatives to do what is right by and for the citizens in this district and to keep us safe!

I raise concerns for our personal and community safety and for youth access and exposure to cannabis. We again strongly object to the conditional authorization and to this project. Also, I strongly object to any further approvals for anymore cannabis stores in our district. The Planning Commission must make the right and responsible decision to deny any further cannabis retail business applications and protect all residents of this district! Thank you for your attention to this issue!

Sent from my iPhone

From: CPC-Commissions Secretary
Cc: Balbo, Ryan (CPC); Feliciano, Josephine (CPC)
Subject: FW: object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco
Date: Wednesday, September 28, 2022 7:57:22 AM

Commission Affairs
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7600 | www.sfplanning.org
San Francisco Property Information Map

-----Original Message-----

From: Baoyi Zhu <lingduc@icloud.com>
Sent: Tuesday, September 27, 2022 11:03 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>
Subject: object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco

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

Dear Commission,

I, strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112. There are already three cannabis stores located in a half mile radius to this location, all along Mission Street. Additionally, recent approvals for Cannabis Retail were granted for locations at 5801 Mission Street and at 4687 Mission Street, just 2 blocks away! There are other applications pending in the pipeline, such as the one at 4994 Mission Street. We object to this saturation of selling of cannabis in our neighborhood!

We understand having businesses to create job opportunities and tax revenue for San Francisco are important and needed. However, this clustering of cannabis stores in our neighborhood creates disproportionate detrimental land use impacts on our district and residents. We already deal with open cannabis usage and are impacted by undesirable odors, loitering, and traffic congestion caused by existing cannabis stores. Elderly and other vulnerable residents have to contend with second-hand smoke and other unhealthy impacts from open cannabis users. We are certain members of the Planning Commission would similarly not want to have to live with these undesirable conditions from such a concentration of cannabis retail in their own neighborhood.

We live under constant fear and stress from rising crime rates throughout the city and in our neighborhood. As has been often reported, many businesses selling cannabis draw crimes and have been subject to shootings, break-ins, robberies and assaults.

The Excelsior Outer Mission and Geneva A venue areas of San Francisco already experience many incidences of such criminal activities. The local Walgreens and other stores have closed down due to the constant thefts and unsafe environments. We do not want to further worsen the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. There were previous regulations requiring for cannabis stores to be at least 1,000 feet away from schools. That has been reduced to 600 feet, which is just less than 2 blocks in distance and clearly not enough to adequately protect our children and youth. Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is two blocks away. Additionally, there are bus stops approximately 100 to

270 of 1588

From: CPC-Commissions Secretary
 To: Balboa High School (CPC); Jameson Middle School (CPC); Commission Secretary (CPC)
 Subject: FW: Oppose the Cannabis Dispensary 4835 Mission Street
 Date: Wednesday, September 28, 2022 11:45:59 AM

Commission Affairs
 San Francisco Planning
 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
 Direct: 415.652.7600 | commissionaffairs@sfgov.org
www.sfpplanning.org
[San Francisco Property Information Map](http://www.sfpplanning.org)

From: Jacqueline Dela Rosa DDS <drjackiedelarosa@gmail.com>
 Sent: Wednesday, September 28, 2022 11:42 AM
 To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
 Subject: Fwd: Oppose the Cannabis Dispensary 4835 Mission Street

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

To Whom It May Concern:

I am afraid for my business and my pediatric and adult and elderly patients. My patients will no longer feel safe coming here on this block if you allow this cannabis dispensary. Look at Geneva and Mission where the other cannabis dispensary is located. Constant robbery, constant police, constant harassment of victims, and double parked and speeding cars. You will not see children walking that area anymore.

I am the pediatric dentist located at 4867 Mission Street and we have a relationship with all the vendors here on this block. From the furniture store to Taqueria Guadalajara to Hawaiian Drive Inn, I have been sending our parents and pediatric patients to get their drinks, snacks, and food because they deserve a neighborhood that knows each other.

When the owners or renters of 4835 Mission Street came to my office and mentioned that they will have security guards patrolling this block 24/7, I became scared for my pediatric patients.

Why would a security guard patrolling the block for the cannabis dispensary be necessary?

Is it because this block will no longer be safe? Is it because there will be multiple speeding cars who will double park getting their addiction fix?

Medical cannabis can be obtained from pharmacies. Let's have a pharmacy instead of a recreational drug store that's only for age 21 and over.

We have a free medical clinic next door and a chiropractic clinic in addition to this dental practice.

We do NOT need people littering this block with a security guard making sure our businesses are not being threatened by people walking to get their recreational drugs.

I have patients walking from James Denman and Balboa High School and SF Community School and the Consortium Day Care. They do not need to be tempted or to be curious about the THC Gummies and candies laced with THC or even the Fentanyl candies on the streets.
 PLEASE. KEEP THE YOUTH OF EXCELSIOR AND THE HEALTHCARE SERVICES AND OUR PEACEFUL NEIGHBORHOOD SAFE.

There is already 2 cannabis retails south of us and 1 north of us. Within walking distance those streets that my patients avoid walking to

Jacqueline Dela Rosa, DDS
 Board Certified Pediatric Dentist
 A.R. Dental Care, Inc.
 Clinical Professor, UCSF School of Dentistry

From: CPC-Commissions Secretary
Cc: Balboa, Ryan (CPC); Jimenez, Sylvia (CPC); Feliciano, Josephine (CPC)
Subject: FW: No Cannabis store in our block and let's keep it classy!
Date: Wednesday, September 28, 2022 1:11:21 PM

Commission Affairs

San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7600 | www.sfpplanning.org
[San Francisco Property Information Map](#)

From: Alnette Dela Rosa <alnettedds@yahoo.com>
Sent: Wednesday, September 28, 2022 1:04 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>; Jimenez, Sylvia (CPC) <sylvia.jimenez@sfgov.org>; ahsha.safai@sf.gov.org
Subject: No Cannabis store in our block and let's keep it classy!

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

To Whom It May Concern,

Please do everything in your power to prevent a cannabis store from opening on this block. This will create so many problems. This cannabis store will be a magnet for many bad things (drugs, sex trafficking, porn, sex offenders, addicts and more crimes.) I already don't like having to keep cleaning up all the graffiti our business from those kids that have nothing better to do and I don't like having to keep calling the police to move the homeless that sleep in front of my business. I can already picture the future if this happens and it does not look good. There's already a cannabis store a few blocks away from here. We need to limit the number of cannabis store in this neighborhood.

I am a mother and have two daughters 8.5yo and 11 yo and I work on this block. I bring my daughters to work and we like to walk down the street to get food or snacks or go to the park. I don't want them to be exposed to that bad environment. They will feel unsafe. Balboa high school students and Denman students and charter school students walk home and frequent this area for food or to take the bus and they don't need to be exposed or lured into doing bad things. There's a childcare center nearby. Please make it safe for my kids and the youth in this neighborhood.

Please keep this area classy and professional. There's a dental office, chiropractor and medical office. What we need in this neighborhood is another pharmacy, restaurants or family and kid friendly places.

Thank you,

Alnette

From: CPC-Commissions Secretary
Cc: Bulfinch, Ryan (CPC); Brimicombe, Steven (CPC); Hollister, Roseanna (CPC)
Subject: Oppose the Cannabis Dispensary 4835 Mission Street
Date: Thursday, September 28, 2022 7:27:28 AM

Commission Affairs

San Francisco Planning
20 South Van Ness Avenue, Suite 1400 San Francisco, CA 94101
Phone: 415 376 5900 www.sfdemolition.com
San Francisco Property Information Map

From: Alfredo Dela Rosa <aljun81@gmail.com>
Sent: Wednesday, September 28, 2022 4:56 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Subject: Oppose the Cannabis Dispensary 4835 Mission Street

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

To whom it may concern,

I am opposing the cannabis dispensary for the location at 4835 Mission Street. There are already two other cannabis retailers within half mile. How many more? Our community does not need this dispensary as it will have no benefit to the well being of our residents and children.

What it will do is create more traffic and crime. It will take away money from our disenfranchised community.

What we need are more senior citizen centers, hospital facilities, and at-risk youth centers.

Sincerely,
Alfredo Dela Rosa
Resident of 1131 Geneva Avenue, San Francisco, CA 94112

From: CPC-Commissions Secretary
Cc: Baiba Ryan (CPC); Ameriee Salas (CPC); Ferdinand Josephine (CPC)
Subject: FW: Oppose the Cannabis Dispensary 4835 Mission Street, Regarding: 2021-011352CUA: 4835 MISSION STREET
Date: Thursday, September 29, 2022 7:46:56 AM

Commission Affairs

San Francisco Manning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628 652 7600 | www.sfmanning.org
San Francisco Property Information Map

From: Sarah <sturner0287@gmail.com>
Sent: Wednesday, September 28, 2022 4:57 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Subject: Oppose the Cannabis Dispensary 4835 Mission Street, Regarding: 2021-011352CUA: 4835 MISSION STREET

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

To whom it may concern,

I can't agree with putting cannabis store in this area. I live in this neighborhood. I do grocery shopping in this area. My family lives here. This neighborhood is already disadvantaged to begin with lots of minorities. To put a cannabis store here will take advantage of the limited resources these people have and make the community worse. There is a grade schools, day care, and high school nearby and this will set a poor example in this area. There will be more people double parking as seen on the other 3 cannabis stores. It will make the traffic already worse. There are already 3 cannabis stores within 0.5 mile of this area and a fourth one is not needed in this community. We need a pharmacy, learning centers, and senior centers.

There will be no benefit to the residents of this community and it will make the community worse.

Sarah Turner
Cell 4159880484



99 of 1588

From: CPC-Commissions Secretary
Cc: Belba, Ryan (CPC); Jimenez, Sylvia (CPC); Enidano, Josephine (CPC)
Subject: FW: Oppose the Cannabis Dispensary 4835 Mission Street
Date: Thursday, September 29, 2022 7:30:46 AM

Commission Affairs
San Francisco Planning
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103
Direct: 628.652.7600 | www.sfpplanning.org
[San Francisco Property Information Map](#)

From: Alfredo Dela Rosa <delarosa@archstoneoralsurgery.com>
Sent: Wednesday, September 28, 2022 5:00 PM
To: CPC-Commissions Secretary <commissions.secretary@sfgov.org>
Subject: Oppose the Cannabis Dispensary 4835 Mission Street

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

To whom it may concern,

I am opposing the cannabis dispensary for the location at 4835 Mission Street. I am an oral surgeon at 4867 Mission Street. We don't need marijuana in this area. I provide anesthesia to our patients and I have to routinely give 50% more anesthesia to our patients using marijuana

Research has proven that marijuana use requires more anesthesia.

It is not safe for our patients.

What we need are more senior citizen centers, hospital facilities, and at-risk youth centers.

Sincerely,
Alfredo Dela Rosa
Oral surgeon at 4867 Mission Street



Office of Alfredo A. Dela Rosa, Jr, DDS, MD, MBA
A Professional Corporation
6063 Mission Street, Daly City, CA 94014

Phone: (415) 963-4121 Fax: (415) 963-4171
Website: <https://www.archstoneoralsurgery.com>

Personal Data - Privacy Act of 1974 (PL 93-579)

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Objection Signatures on the day of the hearing September 29, 2022

4835 Mission St

Record No: 2021-011352CUA

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11

Maria Gamero

Cecilia Abasco

Jodi Acosta

Fanny An

~~Amelia~~

Patricia Murphy

Don Murphy

Abraham

Jose M. E.

HUIHUA MA

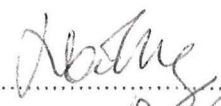
Lidia Guadalupe

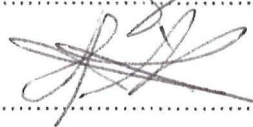
Mano S. Lopez

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11







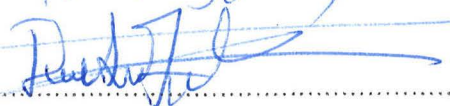
Teran Ma
Virginia

Lucia H e s



Mariana Tamez

Ross G. Meloni





Hong Yng Tan

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
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 Outer Mission District 11

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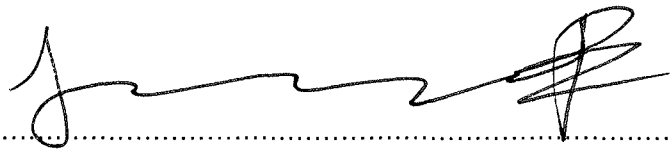
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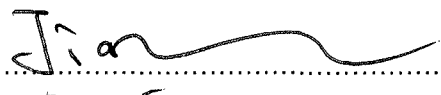
Ma Jan Ma

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

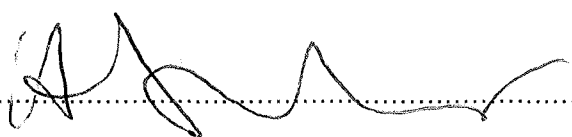
*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11

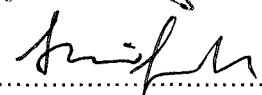


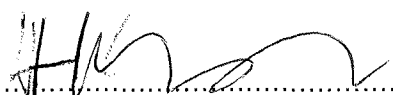


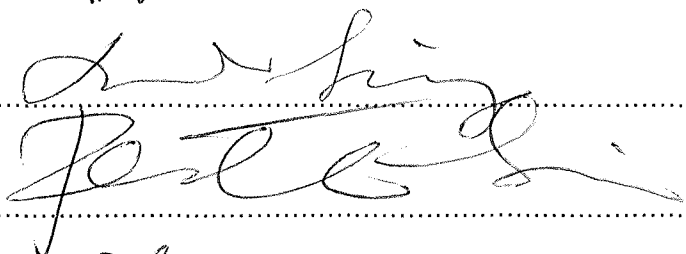




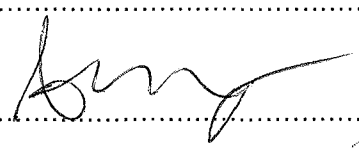


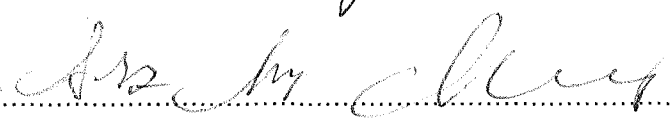












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Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11

Yan Yu Zhang

Yan Yu Zhang

Meg Mee

Kwok, H. G

Erin Lofthouse

Anna for

Marina Guerrero

Zhiyi Jia / Wu

Ming Yu

Hector Garcia Li

Guo Ma

Rui Lin

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
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 Case Type: Conditional Use-Cannabis Retail Use
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*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
 Outer Mission District 11

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William D. Adams

Michael
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Guillermo Martinez

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11

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OBJECTION TO: Cannabis Retail Use at 4835 Mission Street, S.F.

Project Address: 4835 Mission Street, S.F., CA 94112

Case Type: Conditional Use – Cannabis Retail Use

Records No.: 2021-011352CUA

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*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
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Case Type: Conditional Use-Cannabis Retail Use
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Outer Mission District 11

John Doe

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*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
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 Outer Mission District 11

Ai Hong Kuang

Xing Chen

WY Chen

Chang Hu

Jose Rodriguez

MARIA TERESA FORTUS

Mai Xia

Naimo C. Dominguez

Ann G

Chen

Chen

WMA

OBJECTION TO: Cannabis Retail Use at 4835 Mission Street, S.F.

Project Address: 4835 Mission Street, S.F., CA 94112

Case Type: Conditional Use – Cannabis Retail Use

Records No.: 2021-011352CUA

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Anna Gene
Davis

Lidia Zamora
Riley D

Chas. L. Garcia

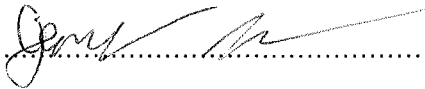
LUCIA ACOSTA

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*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
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 Outer Mission District 11



Li, Jie Tang

Shi Qiang L

Min Wu

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Song



Amy Tran

Nguyen

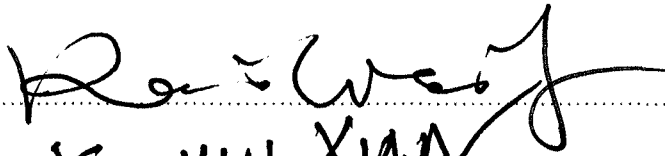
Judy Xu

Shin Min Thant

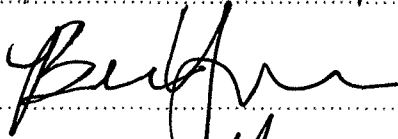
P13

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

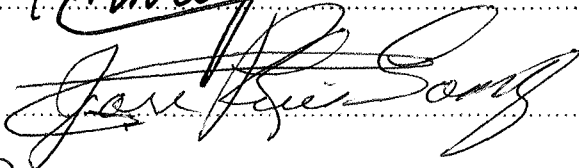
*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11


RUI WANG

Yan Quan Chen



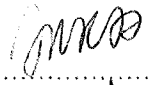
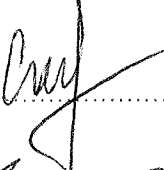
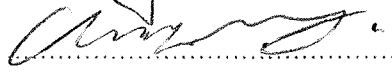

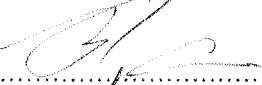
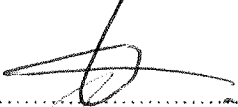
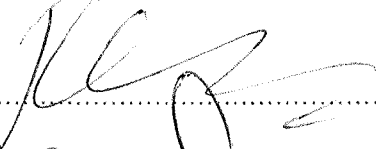
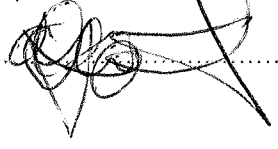




Ramona Ramirez

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11


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*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11



Sophie

Larry Miranda

Jim A. M.

Camille

OBJECTION TO: Cannabis Retail Use at 4835 Mission Street, S.F.

Project Address: 4835 Mission Street, S.F., CA 94112

Case Type: Conditional Use – Cannabis Retail Use

Records No.: 2021-011352CUA

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[Signature]

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OBJECTION TO: Cannabis Retail Use at 4835 Mission Street, S.F.

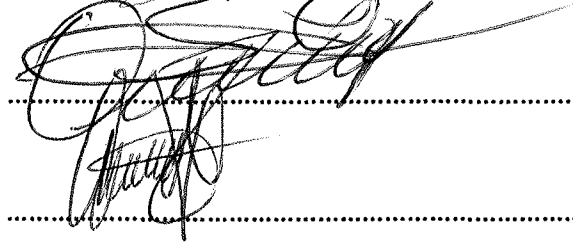
Project Address: 4835 Mission Street, S.F., CA 94112

Case Type: Conditional Use – Cannabis Retail Use


Records No.: 2021-011352CUA


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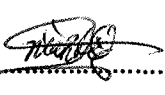

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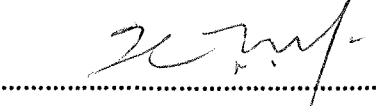

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M. P. Rodriguez
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Oliver Salazar
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Harri M. ...
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Amir ...
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OBJECTION TO: Cannabis Retail Use at 4835 Mission Street, S.F.

Project Address: 4835 Mission Street, S.F., CA 94112

Case Type: Conditional Use – Cannabis Retail Use

Records No.: 2021-011352CUA

Dina L Baquedano

Lili Am Baquedano

Cristina Estrada

OMRI L. MARQUEZ

Yoselin Baquedano

Palacios

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

Glória Guevara

INSTRUCTIONS TO CHAIRMAN: Please use the following format for the list of names.
 Project Address: 4000 Main Street, Suite 100, Los Angeles, CA 90001
 Case Type: Commercial Real Estate
 Revision No.: 2022-09-29-000006

PLEASE DO NOT ADD ANY OTHER INFORMATION TO THE LIST OF NAMES IN THIS LIST.
 Please Submit List by 10/28/22

P19

- | | |
|-------------------|------------------|
| 1. <u>Michael</u> | 16. <u>John</u> |
| 2. <u>John</u> | 17. <u>Kevin</u> |
| 3. <u>John</u> | 18. <u>John</u> |
| 4. <u>John</u> | 19. <u>John</u> |
| 5. <u>John</u> | 20. <u>John</u> |
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| 8. <u>John</u> | 23. <u>John</u> |
| 9. <u>John</u> | 24. <u>John</u> |
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| 12. <u>John</u> | 27. <u>John</u> |
| 13. <u>John</u> | 28. <u>John</u> |
| 14. <u>John</u> | |

OLINDA L MEZA VEGA
566 LONDON ST
SAN FRANCISCO, CA 94112

135

11-4286/1210 4030

10/31/2022

Date

Pay to the
Order of

SF Planning Department

\$ 698.-

Six hundred ninety-eight and 00/100-

Dollars



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Deposit®
Details on back



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California
wellsfargo.com



2021-

For 4835 Mission St Record no 011352 CVA

[Signature]

MP

BY *[Signature]*

2022 OCT 31 PM 3:18

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

From: [BOS Legislation, \(BOS\)](#)
To: "olinda.vega"; "steve@mmdshops.com"; "Sarah.D@mmdshops.com"; "mishka@mmdshops.com"; "conorj@otterbrands.com"; "sam@collaray.com"
Cc: [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Anderson, Katharine \(DPW\)](#); [Blackwell, William \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Schneider, Ian \(DPW\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Wong, Jason \(DPW\)](#); [Ionin, Jonas \(CPC\)](#); [Balba, Ryan \(CPC\)](#); [Jimenez, Sylvia \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: PLANNING DEPARTMENT AND PROJECT SPONSOR RESPONSES: Appeal of Conditional Use Authorization - Proposed 4835 Mission Street Project - Appeal Hearing December 13, 2022
Date: Friday, December 2, 2022 1:36:39 PM
Attachments: [image001.png](#)

Greetings,

The Office of the Clerk of the Board is in receipt of responses from the Planning Department and the Project Sponsor for the appeal of Conditional Use Authorization of the proposed project for 4835 Mission Street.

[Planning Department Response - December 2, 2022](#)

[Project Sponsor Response - December 2, 2022](#)

The hearing for this matter is scheduled for 3:00 p.m. special order before the Board on December 13, 2022.

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 221141](#)

Best regards,

Lisa Lew

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T 415-554-7718 | F 415-554-5163

lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

From: [Samuel Ray](#)
To: [BOS Legislation, \(BOS\)](#); [Calvillo, Angela \(BOS\)](#); [Wong, Jocelyn \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Cc: [Mishka Ashbel](#); [Perry Jones](#); [Sarah Dale](#); [Steve Ashbel](#)
Subject: Re: PROJECT SPONSOR and PUBLIC WORKS RESPONSES: Appeal of Conditional Use Authorization - Proposed 4835 Mission Street Project - Appeal Hearing December 13, 2022
Date: Friday, December 2, 2022 11:36:03 AM
Attachments: [image001.png](#)

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

☐ Applicant Statement.pdf

Good Morning and Happy Friday to All!

Please see the attached Project Sponsor Response with regards to the above referenced Appeal Hearing, scheduled for December 13, 2022. This is intended to be our response, not our letter asking for review of the validity of the appeal, which was sent last week.

Please confirm receipt and that it was submitted prior to the deadline (12/2 at noon). Please let me know if you have any trouble accessing. Thank you for your time!

Best,

Sam

On Thu, Dec 1, 2022 at 4:23 PM BOS Legislation, (BOS) <bos.legislation@sfgov.org> wrote:

Greetings,

The Office of the Clerk of the Board is in receipt of responses from the Project Sponsor and the Department of Public Works for the appeal of Conditional Use Authorization of the proposed project of 4835 Mission Street.

[Project Sponsor Response - November 23, 2022](#)

[Public Works Response - December 1, 2022](#)

The hearing for this matter is scheduled for 3:00 p.m. special order before the Board

on December 13, 2022.

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 221141](#)

Best regards,

Lisa Lew

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

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T 415-554-7718 | F 415-554-5163

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(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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--

Samuel Ray
Colla & Ray LLP
1561 Powell Street
San Francisco, CA 94133
o: [\(415\) 579-1414](tel:(415)579-1414)
d: [\(415\) 579-1413](tel:(415)579-1413)
collaray.com

NOTICE: My office hours are 1:00 – 4:30 pm PST Monday – Friday. The best way to contact me is via text or email and I will respond to you at my earliest convenience. If you require immediate attention, please call the office at (415) 579-1414 . Thank you for your cooperation.

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Board of Supervisors File No. 221141

Applicant Packet In Support of Retail Cannabis
Conditional Use Authorization at 4835 Mission Street

Planning Case No. 2021-011352CUA

INTRODUCTION

The project applicant (the “Applicant”) welcomes the opportunity to present its project to convert the property located at 4835 Mission Street to retail cannabis use (the “Project”) before the San Francisco Board of Supervisors. This Project is a verified social equity owned dispensary, which meets all the requirements of the San Francisco Planning Code and San Francisco Police Code, and fulfills the City and County of San Francisco’s equity goals. This Project received unanimous approval for Conditional Use Authorization from the San Francisco Planning Commission.

The Applicant would like the chance to inform the Board of Supervisors about the details of the Project as well as address the points raised in the Notice of Appeal. Further, the Applicant has done considerable neighborhood outreach and has gathered letters of support from community stakeholders and support cards from surrounding neighbors, which it would like to submit to the Board of Supervisors. As such, the Applicant offers the following documents in support of its Conditional Use Authorization:

- 1. Statement from Project Sponsor**
- 2. Statement Addressing Issues Raised in Notice of Appeal**
- 3. Applicant’s Good Neighbor Policy**
- 4. Letters of Support from Community Stakeholders**
- 5. Map of Neighborhood Members Who Signed Neighborhood Support Cards**
- 6. Neighborhood Support Cards**

Statement from Project Sponsor

Sponsor Statement

Dear Board of Supervisors,

Perry Jones and MMD Inc. are proud to present an overview of the proposed Social Equity retail cannabis project at 4835 Mission Street. Contrary to the appeal before you we have gained wide support from the stakeholders of the Excelsior community, both residents and businesses, as well as the San Francisco Cannabis Social Equity community that stands at heart of what this project is about.

We were granted unanimous approval by the Planning Commission. We have gone above and beyond the requirements set by the City.

Perry Jones is a 3rd generation San Franciscan. He grew up in the Bernal Dwellings Housing Project and attended Phillip Burton High school, close to the project site.

While studying criminal justice on scholarship at San Francisco State University, he was convicted of a minor cannabis offense that resulted in him losing his scholarship and spending 6 months in jail. Instead of losing hope, Perry dedicated his life to helping Bay Area youth who were in similar situations as a case worker at the **Center on Juvenile Criminal Justice** as well as working with **The Beat Within, Project Rebound** and other non-profits. He also became an activist for cannabis social equity.

Perry Jones is exactly who San Francisco's landmark Cannabis Social Equity Program was designed for.

Over the past five years he has taken advantage of the support this program offers, enrolling in courses and workshops focused on business management and cannabis retail.

Perry has partnered with MMD Inc., an established cannabis retailer that has 16 years of legal, compliant cannabis sales experience in California. With MMD's operational expertise, funding, and strong track record of community investment and Perry's deep ties to the community, we are confident this project will be successful.

Our site is a 10-minute walk to the north or a 15-minute walk to the south to the nearest operating dispensary. Our location will provide equitable access for our neighborhood. This project will also enhance neighborhood safety by adding

security cameras and live security that will monitor the area for loitering, litter, and public consumption. We will be accessible and accountable to our community.

We ask the Board to uphold the Planning Commission's unanimous decision and deny this appeal.

Thank you for your time. We are available to answer any questions.

Sincerely,

Project Owners

Perry Jones & Steve Ashbel (MMD Inc.)

Statement Addressing Issues Raised in Notice of Appeal

December 2, 2022

Angela Calvillo, Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall – Room 244
San Francisco, CA 94102
angela.calvillo@sfgov.org



Re: File No. 221141/Planning Case No. 2021-011352CUA/4835 Mission Street – Conditional Use Authorization Appeal

Dear Clerk of the Board of Supervisors:

This law firm represents Mission Advisory Co., the project applicant (the “Applicant”) for conditional use authorization to convert the property located at 4835 Mission Street (the “Property”) to retail cannabis use under Planning Case No. 2021-011352CUA (the “Project”). The Project was **unanimously approved** by the San Francisco Planning Commission on September 29, 2022. On October 31, 2022, the Clerk of the Board of Supervisors received a Notice of Appeal of the Project from Appellant Olinda Meza Vega (“Appellant”).

This Project is a verified social equity owned dispensary, which meets all the requirements of the San Francisco Planning Code and San Francisco Police Code, and fulfills the City and County of San Francisco’s equity goals. This Project has met all the requirements imposed by the City and County of San Francisco in order to receive approval from the Planning Commission and Office of Cannabis. In addition, the Applicant did considerable community outreach, including neighborhood meetings and canvassing. In short, despite the arduous process of opening a dispensary in San Francisco, this Applicant did this project the correct way by respecting all the processes and procedural hurdles imposed by the City and County of San Francisco.

As noted in the Planning Commission’s findings, this Project is consistent with the requirements of the Planning Code. Specifically, this Project is located within the Excelsior Outer Mission District Neighborhood Commercial Zoning District (“Excelsior Out Mission Street NCD”), which allows cannabis retail use with conditional use authorization (see San Francisco Planning Code § 720). Further, this Project is not located within 600 feet of any schools or any other cannabis retailers. (See Planning Code § 202.2(a)(5)(B)). As such, following the Planning Commission Hearing, the Commissioners unanimously approved this Project.

Nevertheless, the Appellant filed a Notice of Appeal on October 31, 2022, which was accepted by the Clerk of the Board. The Notice of Appeal raises several issues, including that (1) the Planning Commission Hearing was not properly noticed and (2) that the Project violates the requirement that dispensaries be located more than 600 feet away from schools and other cannabis dispensaries. For the reasons stated below, these contentions are without merit.

I. The Planning Commission Hearing Was Properly Noticed.

First, this Project’s Planning Commission Hearing was properly noticed. The Applicant displayed the required poster (“Poster”) for the notice period. Further, the Planning Department coordinated the mailing of the notice of hearing (“Notice”), which was sent to more than 300 neighboring residents, property

owners, and neighborhood groups. The Notice was written by the Planning Department and contained directions for obtaining more information about the Project in English, Spanish, Chinese and Filipino.

Moreover, the Notice had its desired effect as the Planning Commission Hearing had robust public participation. Specifically, prior to the Hearing, the Planning Department received 45 letters in support of the Project and 13 letters in opposition. At the Hearing, 17 people participated in public comment, 7 in support, 9 in opposition, and one neutral. In short, there was no lack of public participation and input for this Project. After hearing from the Planning Department, the Applicant, and the Public Commenters, including the Appellant, the Planning Commissioners elected to unanimously approve the Project.

II. This Project Complies With the 600-Foot Buffer Rule

San Francisco Planning Code Section 202.2(a)(5)(B) states that a retail cannabis dispensary cannot be located within a 600-foot radius of a school or another permitted cannabis retailer (“600-Foot Buffer Rule”). As the Planning Commission noted in its decision, the nearest school is Balboa High School which is more than 800 feet from the Project. Additionally, the nearest cannabis retailer is almost 1000 feet away from the Project. As such, this Project complies with the 600-Foot Buffer Rule.

The Applicant argues that the 600-Foot Buffer Rule should be increased and/or a saturation rule (similar to ABC liquor licenses) be adopted. However, at the time the 600-Foot Rule was adopted, the Board of Supervisors considered both of these points and declined to enact a larger buffer or saturation. Therefore, during site selection, this Applicant specifically sought a location that met the requirements of the 600-Foot Buffer Rule because these were the legislative parameters.¹ As such, while the Board of Supervisors could revisit the regulations as a whole, it would be unfair to this Applicant to impose a different distance requirement or implement saturation rules on an arbitrary and ad hoc basis, to the detriment of this Applicant.

III. Conclusion

This Project is a verified social equity cannabis dispensary, which fulfills all the goals of the San Francisco Social Equity Program and complies with all code requirements. The Project’s Equity Applicant – Perry Jones – is a third generation San Franciscan who grew up close the Project site. Finally, as evidenced by the numerous letters of support and the map depicting the location of the verified supporters, this Project has the support of the neighborhood as well. As such, the Applicant requests that the Board of Supervisors uphold the unanimous decision of the San Francisco Planning Commission and deny this Appeal. Thank you for your consideration.

Very Truly Yours,

/s/ Samuel Ray

Samuel Ray
Colla & Ray LLP
Attorneys for Mission Advisory Co.

¹ If the Board of Supervisors had enacted larger buffer zone (for example 1000 ft) or imposed a moratorium in certain area, this Applicant would have selected a different site that fit those parameters.

Applicant's Good Neighbor Policy



Good Neighbor Policy

The MMD team at 4835 Mission St. is committed to being the best neighbors we can be. We will:

Safety & Service

1. Create a safe, welcoming store that benefits the entire community.
2. Employ professional security who secure the area within 50 feet of our store.
3. Have a full-time manager responsible for community relations whom residents and merchants can contact anytime: Perry Jones, community@mmdshops.com.
4. Work closely with all neighborhood and merchants groups, community members, SFPD, and City officials, and be responsive to their questions and concerns.
5. Maintain high-quality security cameras inside and outside the store.
6. Discourage illegal, untested cannabis sales in the community.

Community Benefits

7. Support, hire, and source products from the SF cannabis Equity community whenever feasible.
8. Hire community residents whenever possible.
9. Work with local service providers and suppliers whenever possible.
10. Support community events and nonprofits.

Clean, Quality Experience

11. Maintain our store, entryway, and sidewalk in good condition and prohibit double parking, blocking driveways, loitering, littering, and cannabis use around the premises.
12. Install & maintain lighting for the sidewalk and parking without disturbing residential neighbors.
13. Install high-quality filtration & HVAC system so no cannabis odors are emitted.
14. Install clear, well-lit, and prominent signs at our entrance:
 - a) Reminding customers to keep the neighborhood peaceful
 - b) Prohibiting littering, loitering, and blocking driveways
 - c) Advising people that smoking cannabis in public places is prohibited

Letters of Support from Community Stakeholders

**Good Afternoon Board of Supervisors,**

I am a Latina, been in the Excelsior D11 since I was a year old. My family owned a home here until 1992 before we were evicted, My family lost their business and their home and had to start from scratch when I was 16 to buy a new home, and let go of our 40 year old grocery business, we did not know anything about city support or agencies and well I know what it's like to be middle class and poor and as a young person both of those experiences bring me here today to share with you my support for Perry Jones and his Cannabis Business.

I think we have done alot of work in the last few year to ensure that there is real equity in this industry, unfortunately although there is that we do not have the rich uncles to gift us Hundreds of thousands of dollars to help us create a sustainable business. MMD has provided that for Mr. Jones. I think this partnership is a valued part of his story as well as a valued part of how we can leverage our neighborhood stories and business with bigger pocketbooks to partner with we are able to show work to help folks thrive in small business should be tried and discussed as one way to help us win and tell our story in a way that we want to tell it.

I have met with MMD and with Perry and they understand the needs of our neighborhood, we do not get as much funds as other neighborhoods who have bigger footprints of small business, or even daily support from DPW, we have not only so much dumping but have gotten an influx of people that are houseless and in need of mental health support, we do not know how to deal with this but to be kind and help folks move along or call ambulances to support folks passed out and being passed over by kids going to school. As a partner in community Perry and his team have agreed to work with us on these issues and be a true partner on the block. Something as simple as taking ownership of the pressure washing the street will make a world of difference and I trust they will follow through with their promises.

This business is not just about cannabis but of how we work together to strengthen our neighborhood. I will say that I have even before this business was brought to my attention reached out to other businesses on Mission street and have not gotten any support, I am proud that Perry and his team have sat down and really wanted to invest I hope moving forward everyone will see this as a model.

In Community,

Patricia Barraza

Nieghbor since 1979



MAURICE RIVERS

SAN FRANCISCO, CA

415-729-3658

www.MauriceRivers.com

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

November 29, 2022

Re: File No. 221141 (Appeal of Conditional Use Authorization for 4835 Mission Street Project)

Please accept this letter of support for Mr. Perry Jones, who is a qualified Social Equity applicant. He has followed every rule, procedure and process set by the City & County of San Francisco for new cannabis dispensary applicants. Not only has he been deeply involved with San Francisco equity and cannabis community, but he's responsible for helping customers select the right cannabis products for their needs. He's knowledgeable about the products he sells, and the effects they have.

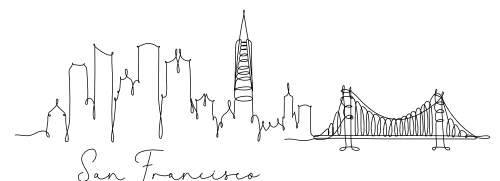
This appeal is simply anti-cannabis, and I respectfully ask the Board of Supervisors to deny this appeal.

It's astonishing to me that even in 2022, people would try to prevent a medical marijuana dispensary, when we know its proven effects in helping those suffering with conditions such as cancer, epilepsy, body aches, and long-term physical ailments. Mr. Jones has worked in the cannabis industry, and he's developed a deep understanding of the plant and its many benefits.

He's passionate about helping people find the right cannabis products for their needs, and enjoys educating others about the many ways that cannabis can improve their lives. He's patient and understanding, and always takes the time to listen to his customers and answer their questions. I think he would be a fine candidate, given all that he's already accomplished.

Regards,

Maurice Rivers
Community Advocate
San Francisco Native Resident
San Francisco District 11 Resident



Nina Park - Equity Trade Certification

2166 Market St. #4

SF, CA 94114

(650) 520-1886

Equitytradecertification@gmail.com

November 28th, 2022

SF Board of Supervisors

1 Dr. Carlton B. Good let Pl,

San Francisco, CA 94102

Dear Honorable Supervisors,

I am writing in support of Perry Jones' dispensary partnership with MMD. Currently it's under appeal:

File No. 221141 -Appeal of Conditional Use Authorization 4835 Mission Street Project

Perry Jones has been a resident of District 11 and grew up attending public schools in the area. Our cannabis equity program was designed to support individuals like Perry Jones who grew up in the city and was criminalized under cannabis prohibition to come back as legitimate entrepreneurs. Over the past 4 years I have witnessed Perry utilize the resources that were put together through the Success Center and other Technical Assistance to gain an understanding of how he could legitimately participate in this industry.

After conversations with his partners at MMD, the prospect of him having hands on partners that are also very committed to investing in his education and the education of other employees as a part of their business model for workforce development, growth and retention, it's a hopeful prospect that people that will get the opportunity to work for this company will also acquire transferable skill sets that will increase their value & earning capabilities for their futures.

I hope that the city of San Francisco will allow this project to continue to move forward.

Sincerely,

Nina Parks

Seat 13 Cannabis Oversight Committee

Equity Trade Certification

www.equitytradecertification.org



November 30, 2022

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

San Francisco, CA 94102-4689

Re: File No. 221141 - Appeal of Conditional Use Authorization 4835 Mission Street Project

Dear Board of Supervisors,

My name is Dale Sky Jones, and I am the Executive Chancellor of Oaksterdam University (OU). Oaksterdam has set the bar for academic rigor and applied learning in cannabis education since 2007. Oaksterdam is committed to civil rights issues and social equity in the cannabis economy.

Perry Jones graduated from the Business of Cannabis and Horticulture certification programs after receiving a full scholarship from OU in 2019. We support our alumni and are beyond proud of Perry's work and all he has achieved. Arrested and convicted in 2003 with 3 ounces of cannabis while attending SF State, he lost his scholarship and PEL grants and then spent six months in jail.

The planning commission unanimously approved Perry's project, but unfortunately, a few neighbors have filed an appeal, and he is scheduled to go before you on December 13th. Perry is precisely who the social equity program was created for. He has followed every rule, procedure, and process set by the city. He's been deeply involved with San Francisco's equity and the cannabis community and represents what the landmark Social Equity program of San Francisco should be proud of.

I ask that the Board of Supervisors to please deny this appeal and follow through on granting Perry his location. People like Perry must be included and supported to right the wrongs of failed drug policy. San Francisco's Cannabis Social Equity Program is essential in this direction, but only if these businesses can open, operate, and contribute to their communities. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads 'Dale Sky Jones'.

Letter of Support for Social Equity Retail Cannabis at 4835 Mission Street

September 15, 2022

To Whom It May Concern,

My name is Mike Lomuto. I am responsible for Diversity, Equity, and Inclusion at the National Cannabis Industry Association (NCIA), which includes our Social Equity Scholarship Program, of which Perry Jones is a recipient and an active and contributing member.

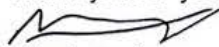
NCIA has served as the voice of Main Street Cannabis since 2010, and is the oldest, largest, and most inclusive trade association representing legal cannabis businesses. Our membership comprises hundreds of forward-thinking businesses dedicated to ensuring that small cannabis businesses have a seat at the table in Washington, D.C. rather than just the wealthiest few.

Perry was introduced to me by one of our Association's leaders, and having gotten to know Perry's character and his vision, I am writing to express my support of his application at 4835 Mission St. Perry is providing a model of how Social Equity programs can succeed at providing opportunities for individuals and communities that have thus far struggled to claim their seat at the table in the regulated industry.

In my role, I have worked with hundreds of Social Equity applicants and operators in municipalities all over the country, as well as collaborated with several Regulators and Advocacy Organizations. However, I have also grown up in San Francisco, attended City College of SF, and have spent many years in the Excelsior, on the very block of Mission Street in question.

Not only is it important for the national industry that individuals like Perry receive the opportunity to show what they're capable of. It is also imperative for the spirit of San Francisco that neighborhoods like the Excelsior remain local and are built to thrive. I fully believe that Perry is the right person to contribute to the revitalization of the Excelsior, and also to do so as a beacon for the cannabis industry and Social Equity nationwide.

Thank you for your consideration,



Mike Lomuto

National Cannabis Industry Association

Diversity | Equity | Inclusion





Strengthening
Families.
Ending Child
Abuse.

RE: Support for 4835 Mission Street Retail Cannabis Social Equity owner Perry Jones

To whom it may concern,

9/14/2022

Greetings! My name is Will Roy and I'm currently the Associate Director of Community Education & Partnerships for Safe & Sound, formerly the San Francisco Child Abuse Prevention Center. I am writing a letter in support of Perry Jones for his social equity retail cannabis license at 4835 Mission Street.

I have known Perry for over 20 years and have been honored to witness, firsthand, his transformation from a teen to a productive member of society that prioritizes giving back to his community. I had the pleasure of working with Perry at the Beat Within upon his release from the California Youth Authority. I was immediately amazed by his charisma, intelligence, and compassion. After serving 10 years in the California Youth Authority, where most folks recidivate shortly after they are released, Perry did the exact opposite. Indeed, he went back to juvenile halls in and around the Bay Area, but now it was as a facilitator and mentor to so many youngsters.

The young people gravitated towards Perry, and it was easy to see why. Perry had the unparalleled ability to connect with the young people in a way that was both caring and authentic. He used his own experience with incarceration to catapult him into conversations with young people informing them of where the trajectories of their lives would lead if they didn't make changes. Many of the young people sought Perry for advice and inspiration. I can't even begin to measure the positive impact he had on everyone he encountered, including myself.

Perry Jones is exactly who San Francisco's Cannabis social Equity program was designed for. Over the past 5 years he has dedicated himself to learning everything he can about business management and cannabis operations, receiving scholarships to do so.



Strengthening
Families.

Ending Child
Abuse.

Now, as a dedicated father, and righteous member of the community, Perry is seeking the final approvals so he can follow his dreams of entrepreneurship. I fully support Perry in this endeavor and believe it would be a massive injustice if he weren't allowed to pursue this dream as he has proven his dedication, aptitude and is partnered with a company that will support him and ensure this endeavor is successful. I cannot think of anyone more deserving of the opportunity to move forward. Thank you for your time and consideration.

With Gratitude,

Will Roy

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

December 01, 2022

Re: Perry Jones

To Whom It May Concern:

My name is David Inocencio and I am the founder and director of The Beat Within, a non-profit program and publication based in San Francisco, CA that publishes the writing and artwork of incarcerated youth and their community members. I'm writing today in support of Perry Jones, who I've had the honor of working with for over 25 years, as he has not only been a valuable writer, and teacher in our publication and workshops, but a longtime friend and supporter.

I met Perry Jones when he was a young teen detained as a juvenile. He not only participated in our program he thrived there, in fact he became a staff member sharing his story with incarcerated youth and the greater community as he inspired others to overcome their struggles.

Encouraged and inspired by The Beat Within Perry enrolled at San Francisco State to study Criminal Justice. While attending S.F. State, his life was irrevocably changed by a minor cannabis offense and conviction that has since been decriminalized. Perry spent 6 months in jail. He lost his scholarship and PEL grants. As a mentor and support system to Perry, The Beat Within supported him through this tough time. He never lost hope that he could make a difference.

Legislation and policy regarding social equity is imperative and must provide real opportunity to those most harmed by the war on drugs. The Cannabis Social Equity Program in San Francisco should serve as a working model for success. The applicant before you Perry Jones is who this program was created for.

From what I understand it's not easy for a Social Equity applicant to advance their project and gain the unanimous approval of the Planning Commission. Perry Jones achieved this. He has partnered with a dedicated, experienced, family-owned cannabis company and together they have done everything and more required by the City to meet compliance and ensure success for their project.

My hope is that Perry will continue to be an inspiration to others through his ownership in this business, providing jobs and investment into the San Francisco community, his home.

Please uphold the Planning Commission's decision to move forward with his dream.

We are proud to know Perry and the work he consciously engages in, as we look forward to continue building community with him. We will always hold a space for him in The Beat Within community. If we can be of further assistance, please do not hesitate to reach out.

With gratitude,

David Inocencio, Founder and Director



December 1, 2022 Project Rebound: Expanded

Project Rebound: Expanded
Associated Students,
San Francisco State University
1650 Holloway Ave, Office #T-161
San Francisco, CA 94132
P: 415 846-7225
<http://www.preexpanded.org>

From: C. Jason Bell, MS
Director of Program Development
CSU Project Rebound Consortium
San Francisco State University

To: San Francisco Board of Supervisors

Re: Mr. Perry Jones

It is with great enthusiasm that I write this letter on behalf of Mr. Jones. I have known Mr. Jones since 2007 through my work with Project Rebound. In my more than 19 years of experience with Project Rebound I have seen many students and supporters come and go. I mention that because Mr. Jones has proven to have a love for learning and advocacy that stands out in my view. As a college mentor and advisor, I have witnessed numerous people come to the office with all the ambition in the world and absolutely no follow through. Mr. Jones is not a person who lacks follow through. He has come into higher education with a clear plan and a direct path to bring his scholastic and career dreams to fruition. While School has always been a difficult course to dedicate himself to wholeheartedly, he refuses to completely give up on the long-term goal of earning his college degree. Mr. Jones has maintained contact with me over all these years to ensure his access to college classes remains sound. At the same time, Mr. Jones has been working to support himself and his family through his efforts with The Beat Within, the Center for Juvenile & Criminal Justice, Bay Shipping, and as a unionized Industrial Painter. He was even able to share his struggles with other legal scholars on various topics connected to legal advocacy for segments of the population that are often overlooked. The event Removing Social Barriers was held on the San Francisco State campus in 2015. Mr. Jones was a panelist at the event.

I am very proud of his achievements and self-motivation to navigate the bureaucratic layers of entrepreneurial stability in the realm of cannabis equity. He is extremely resourceful and is quickly growing into a reputable business man and model community member. Mr. Jones has motivated many others and he continues to inspire people who are completely unaware of the possibilities available to them. I support his appeal to the Board of Supervisors.

Respectfully,

PROJECT REBOUND

Dear Supervisors:

On behalf of the membership of the Brownie Mary Democratic Club of San Francisco, I am writing to you today to urge you to support Perry Jones' dispensary at 4835 Mission Street and reject the appeal.

Mr. Jones' dispensary was approved unanimously by the Planning Commission, a noteworthy achievement. I see no merit in the appeal of this project. His dispensary will bring quality cannabis products to the Excelsior neighborhood.

I urge you to reject the appeal and support this project.

Sincerely,

David Goldman
President, San Francisco Chapter
Brownie Mary Democratic Club
Brownie.MarySF@gmail.com
www.browniemarydemclub.com
Instagram: @bmsf415
m: 415-728-7631



Re: Perry Jones, File #221141
Appeal of Conditional Use authorization
4835 Mission St. Project

Dear Board of Supervisors,

I am writing in support of Perry Jones and to urge the Board to deny the appeal made against Mr. Jones's permit.

My name is Bryan Nashed and I am currently a graduate student pursuing my masters in counseling at a San Francisco university. I recently served as a Career Advisor supporting the Equity department at Success Centers where I worked with Ms. Angela White and a community of San Francisco Verified Equity Applicants.

Success Centers' Equity program featured biweekly workshops, hiring events, and industry training where professionals from successful cannabis companies volunteered their knowledge and experience and networked with San Francisco Equity applicants. Success Centers Equity program also facilitated monthly field trips to first class cannabis manufacturing facilities in Salinas and Hollister for SF Equity applicants to learn industry best practices.

Perry Jones is a valuable and inspiring member of San Francisco's Equity community. He has been on the vanguard for cannabis industry training courses offered and ever present at conditional use hearings to support aspiring SF business owners and operators. Perry Jones is the kind of entrepreneur the city's Equity program was designed to support. He is a paragon of San Francisco's Equity community, exuding perseverance, kindness, and integrity. San Francisco needs more upstanding and community-oriented businessmen like Perry Jones.

To The Board of Supervisors,

File No. 221141 -Appeal of Conditional Use Authorization 4835 Mission Street Project

Hello, my name is Cara Dunn. I am a mother of two, and a fifth generation San Franciscan, who currently works in cannabis myself. I've been working in the industry for six years, starting off as a budtender in the Mission district, and now currently working for STIIIZY distribution in Oakland California. Being a multiracial woman, I strongly believe in equity and paving a path for our community and allowing our people to get the proper education and medication to support our neighbors. As a mother whose children are local students of the community, it's important for me to trust the people who build here. I would like to extend my hand and ask you to consider welcoming Perry Jones and MMD to our community. Perry Jones is a qualified equity candidate and has a long history of giving back to the communities, creating local jobs and career paths that we need. I am cosigning and supporting opening their business in our community.

Cara Dunn
JBTB HOLDINGS INC
NorCal Distribution Office Manager
Cara.Dunn@shrynegroup.com
415-716-8055
Shryne Group, Inc.
A California Company
www.shrynegroup.com

November 30, 2022

File No. 221141 – Appeal of Conditional Use Authorization 4835 Mission Street Project
To the SF Board of Supervisors

Dear Sir/madam,

My name is Lissette Castillo, I am the owner of Best Kept Bookkeeping and Tax Services and provide service to small business owners. I am writing to you in support of 4835 Mission Street Project moving forward.

Not only am I Perry Jones fiancé, but also one of his main supporters even before the SF Equity Program was established. It has been Perry's dream to own and run a retail Cannabis business in San Francisco for years. I have seen Perry's hard work and dedication to get where he is now to see his dream strip away. Perry has been a strong presence as an advocate for the Juvenile Justice System in San Francisco and throughout the states as well as an advocate in the Cannabis industry.

More important Perry is a dedicated family man and a great role model to our daughters especially when it comes to teaching them to never give up on their dreams. Being that I am Latin American myself and come from a strict upbringing, I understand certain cultures do not understand Cannabis and need further education and this why Perry being in the position to educate about the benefits of Cannabis would be a good thing as well as creating employment opportunities to the Excelsior neighborhood.

I was a student at Denman Middle School and Balboa High School, and I would have never believed back then that someone I know, someone I love will be opening a business in the Excelsior District.

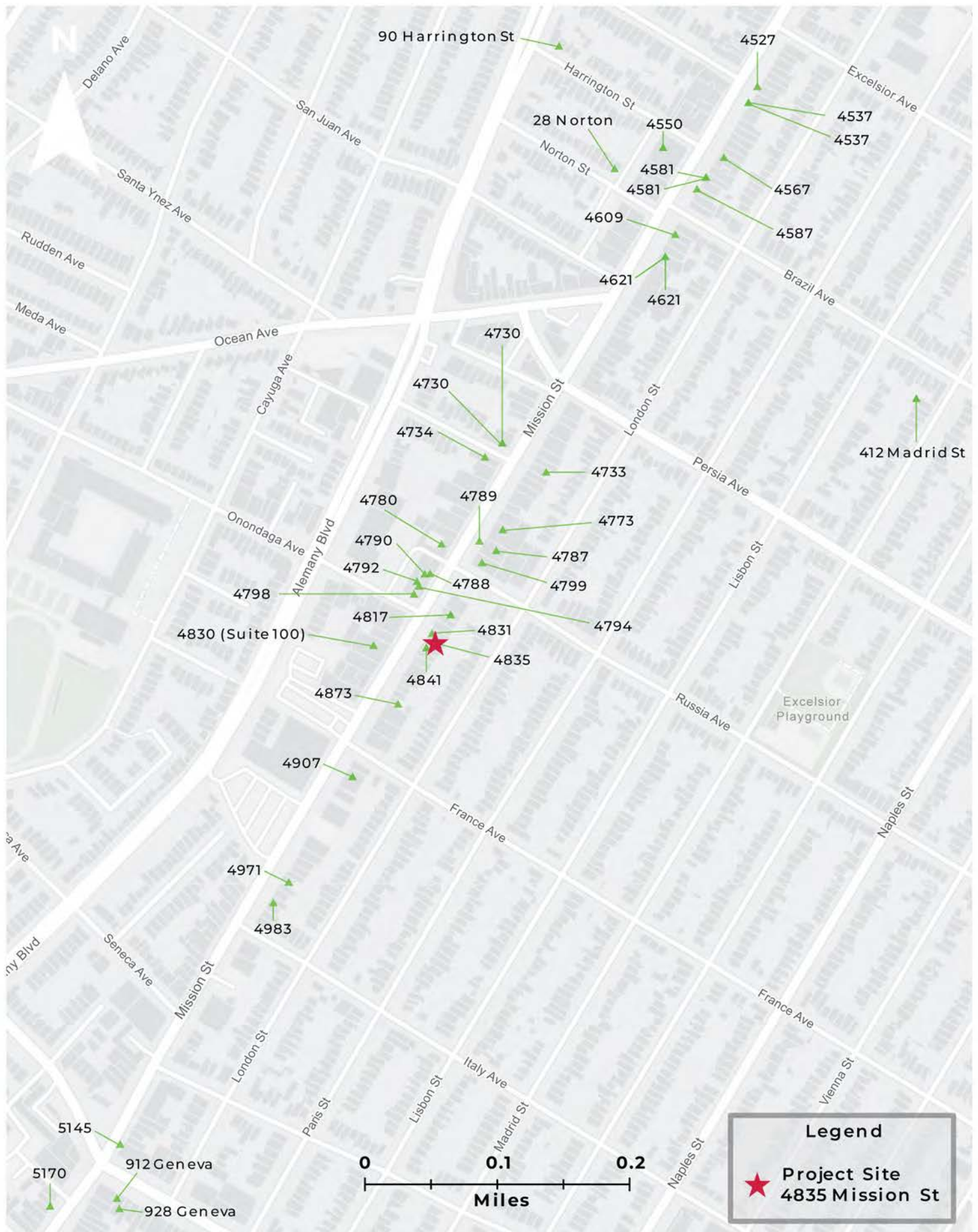
I am asking the Board of Supervisors to deny this appeal.

Sincerely,



Lissette Castillo

Map of Neighborhood Members Who Signed Neighborhood Support Cards



Project Supporters in the Immediate Neighborhood

Neighborhood Support Cards

PERRY'S PARTNERS

To help Perry create the best store for our community, he has partnered with **MMD SHOPS**.

Founded by brothers Steve and Michael Ashbel, MMD has been providing safe, legal cannabis since 2006.



Steve (L) and Michael (R) Ashbel founded MMD Shops and run four stores in Southern CA.

COMMUNITY

- We have robust community investment programs at every location
- We are good neighbors- transparent, accountable and assessable to our community available 24/7 to address and concerns
- We hire locally- 90% of staff are local hires and 50% are qualified social equity hires
- To shop at MMD is to be welcomed into our home and received like family

HEALTH & SAFETY

- Founded as a Medical collective serving patients with HIV/AIDS, Cancer, PTSD and other debilitating conditions
- Stringent Youth access prevention no entry for anyone under 21
- Onsite security 24/7
- Products are tested, tracked and traced in compliance with state standards
- In 15 years not a single violation of state or local regulations

I support the project at 4835 Mission Street

Name: *Melanie Aparicio*

Address: *4621 Mission St*

Email: *mmaparicio2003@gmail.com*

Signature: *[Signature]*

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I support the project at 4835 Mission Street

Name: *Jay Galeano*

Address: *4621 Mission St*

Email: *jaygaleano1@gmail.com*

2899

Signature: *[Signature]*

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I support the project at 4835 Mission Street

Name:

ENRIQUE ARAICA

Address: 4787 MISSION ST

Email:

Signature:

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I support the project at 4835 Mission Street

Name:

Adolfo Barahona Corra

Address:

2900

Signature:

4799 Mission
Adolfo Barahona

Email:

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I support the project at 4835 Mission Street

Name:

Jat Y Chavez

Address:

4794 Mission St

Email:

Dacy8i@hotmail.com

Signature:

Jat Y

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I support the project at 4835 Mission Street

Name:

Sangita

Address:

4792 Mission St

2901

Email:

Signature:

BS

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I support the project at 4835 Mission Street

Name: *Anabel Diaz*

Address: *4587 MISSION ST.*

Email: *anabee25@gmail.com*

Signature: *Anabel Diaz*

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I support the project at 4835 Mission Street

Name: *PABLO PATIÑO*

Address: *4798 MISSION*

2902

Email: *Pablo.patino27@yahoo.com*

Signature: *[Signature]*

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I support the project at 4835 Mission Street

Name: SAAD

Address: 4550 Mission St

Email:

Signature: 

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I support the project at 4835 Mission Street

Name: Irma Castaneda

Address: 4550 Mission St

Email:

Signature:  2903

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I support the project at 4835 Mission Street

Name: Carmen Baez Address: 4537 Mission ST

Email: Carmen940801@gmail.com Signature: 

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I support the project at 4835 Mission Street

Name: Erick Manner Address: 4537 Mission ST

2904

Email: ErickDiaz84@yahoo.com Signature: 

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I support the project at 4835 Mission Street

Name: *Shawnet Horton*

Address: *1018 San Gabriel Cir #523*

Email: *Shawnethorton@yahoo.com*

Signature: *Shawnet Horton*

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I support the project at 4835 Mission Street

Name: *Juanita White*

Address: *1894 Sonnydale ave*

Email: *WhiteJuanita.JW84@gmail.com*

Signature: *Juanita White*

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I support the project at 4835 Mission Street

Name: *Roben Ramirez*

Address: *4581 Mission St*

Email: *Ramirez.RubenSF@gmail*

Signature: *Roben Ramirez*

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Name: *John Maldo*

Address: *95 Bellevue Ave 94014*

Email: *John.maldo721@icloud.com*

Signature: *John Maldo*

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I support the project at 4835 Mission Street

Name: Maria Gonzalez

Address: 4730 mission st

Email: xalika332112@gmail.com

Signature:

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I support the project at 4835 Mission Street

Name: Lorena

Address: 4730 Mission

Email:

Signature:

2907

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Name: *Marc Bradney*

Address: *680 DARTMOUTH ST.*

Email:

Signature: *[Signature]*

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I support the project at 4835 Mission Street

Name: *IVAN IA*

Address: *1818 SUNNYDALE*

Email:

ia.ivan23@gmail.com

Signature: *[Signature]*

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Name: *Bob Davis*

Address: *1815 Italy*

Email:

Signature: *[Signature]*

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I support the project at 4835 Mission Street

Name: *Dianna Moore*

Address: *412 Madrid st*

Email: *roll down the lanes@yahoo.com*

Signature: *Dianna Moore*

2909

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I support the project at 4835 Mission Street

Name: *Juanita White*

Address: *1894 Sunnydale ave*

Email: *RoseLaniesha@gmail.com*

Signature: *[Handwritten Signature]*

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I support the project at 4835 Mission Street

Name: *Alberto Diaz*

Address: *4769 mission st*

Email:

Signature: *[Handwritten Signature]*

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I support the project at 4835 Mission Street

Name: Mercedis Ameza Address: 4841 Mission St.

Email: mercedisameza415@gmail.com Signature: Mercedis Ameza

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Name: ANGEL GALINDO Address: 4734 MISSION ST.

Email: ar.galindo@yahoo.com Signature: [Signature]

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Name: Alfred Palma

Address: 453A Mission St

Email: SkylPalma@yahoo.com

Signature: 

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Name: Bukhari Baaset

Address: 2912 4780 Mission Street.
SF, CA 94112

Email: bukhari.baaset@yahoo.com

Signature: 

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Name: Jose Ramirez

Address: 4541 mission St.

Email: Jose.Ramirezsf@gmail

Signature: [Signature]

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Name: Melissa Arana

Address: 463 Mangles Ave SF CA

Email: Cappy Mex 415 @ G.

Signature: [Signature]

2913 94127

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I support the project at 4835 Mission Street

Name: *RAMI RO*

Address: *4567 mlsb:oca*

Email: *rami.juarez96@gmail.com* Signature: *[Signature]*

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Name: *Diana Noel*

Address: *412 Madrid St*

Email:

Signature: *Diana Noel*

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Name:

BARRY ADAMS

Address: 1125 Geneva Ave

Email:

Signature:

Barry Adams

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I support the project at 4835 Mission Street

Name: SEAN MURPHY

Address: 238 Geneva Ave.

San Francisco CA 94112

Email: seanmurphy2012@gmail.com

2915

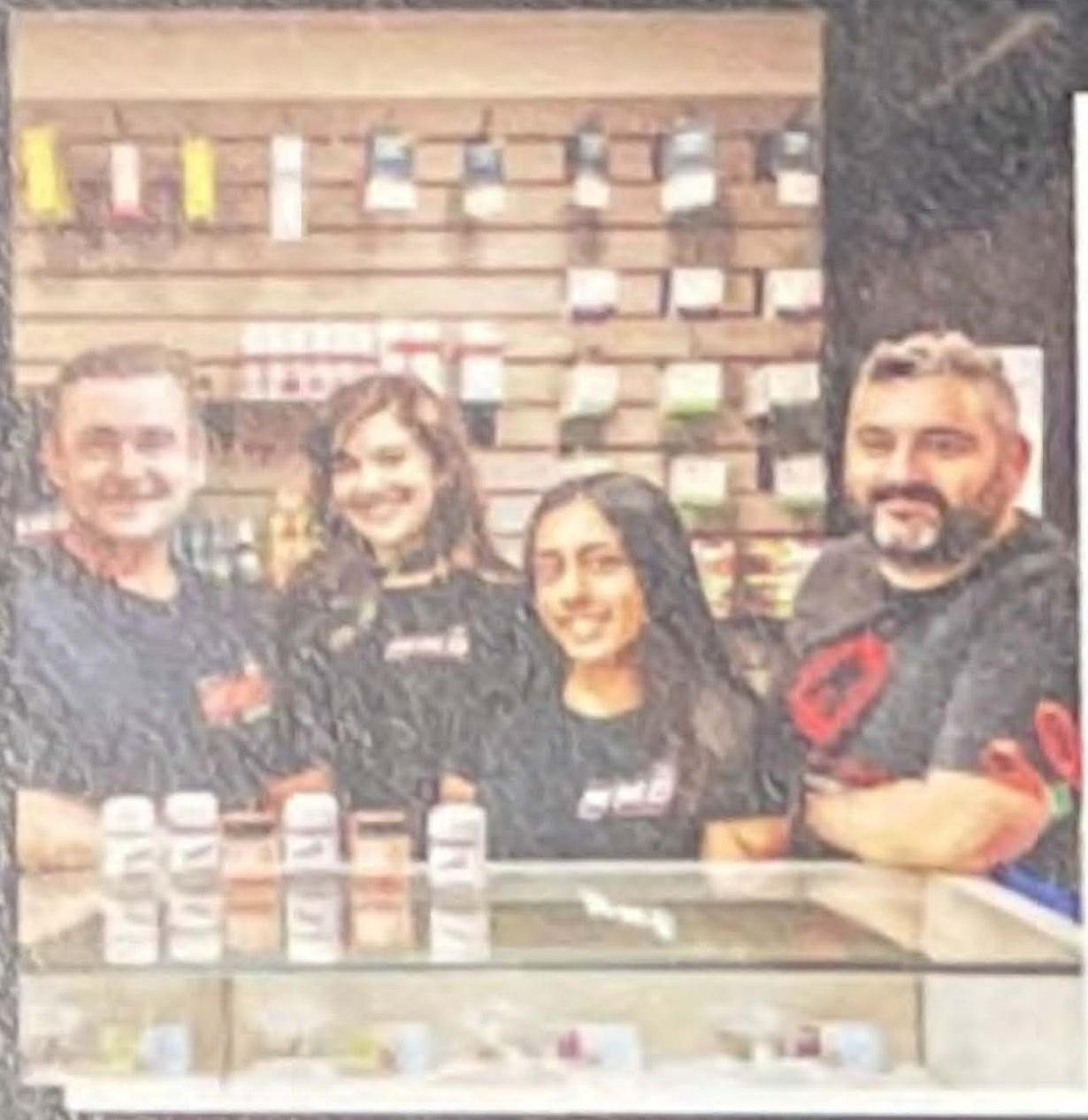
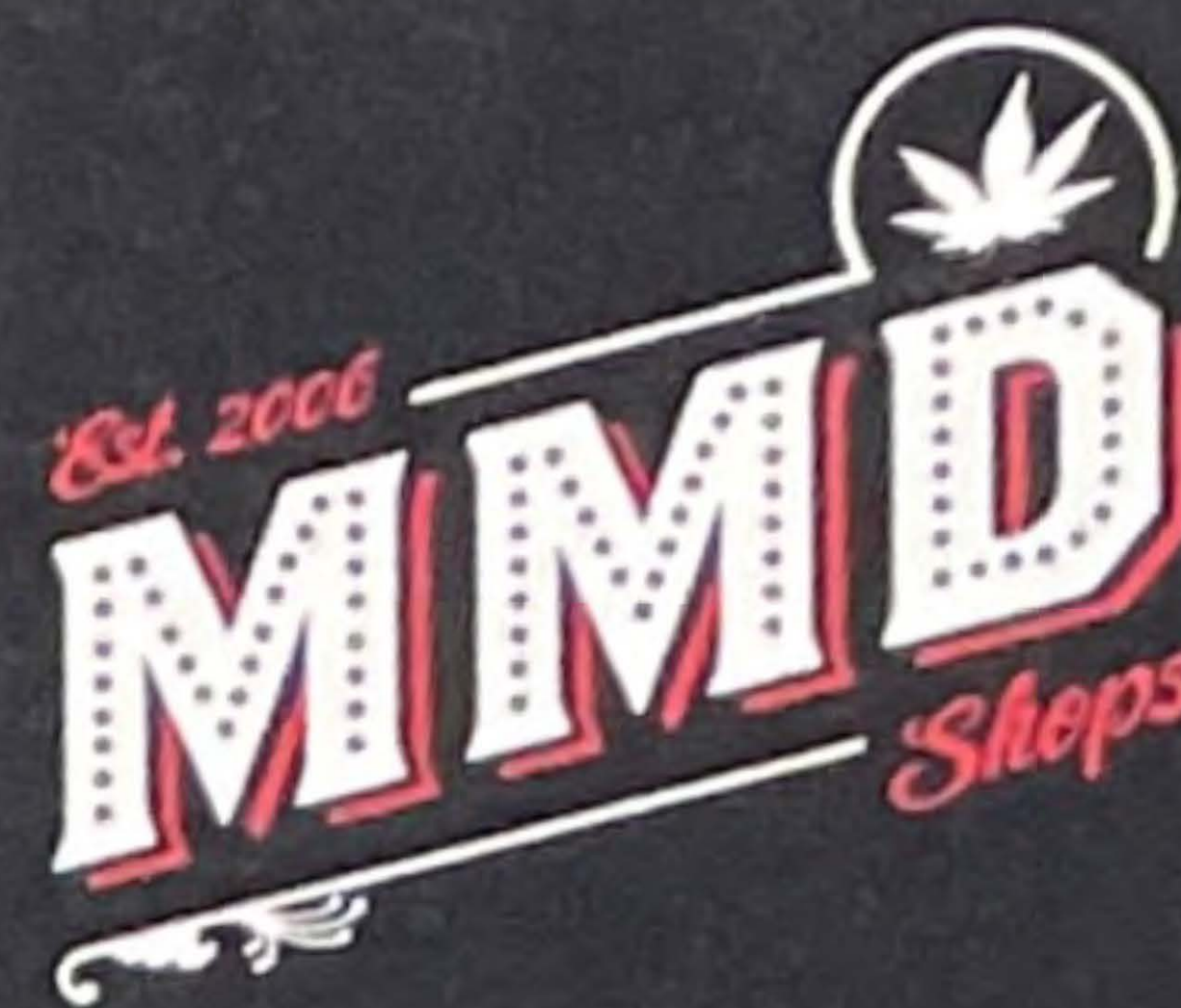
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Name:

Jaime Hernandez

Address:

4790 Mission St

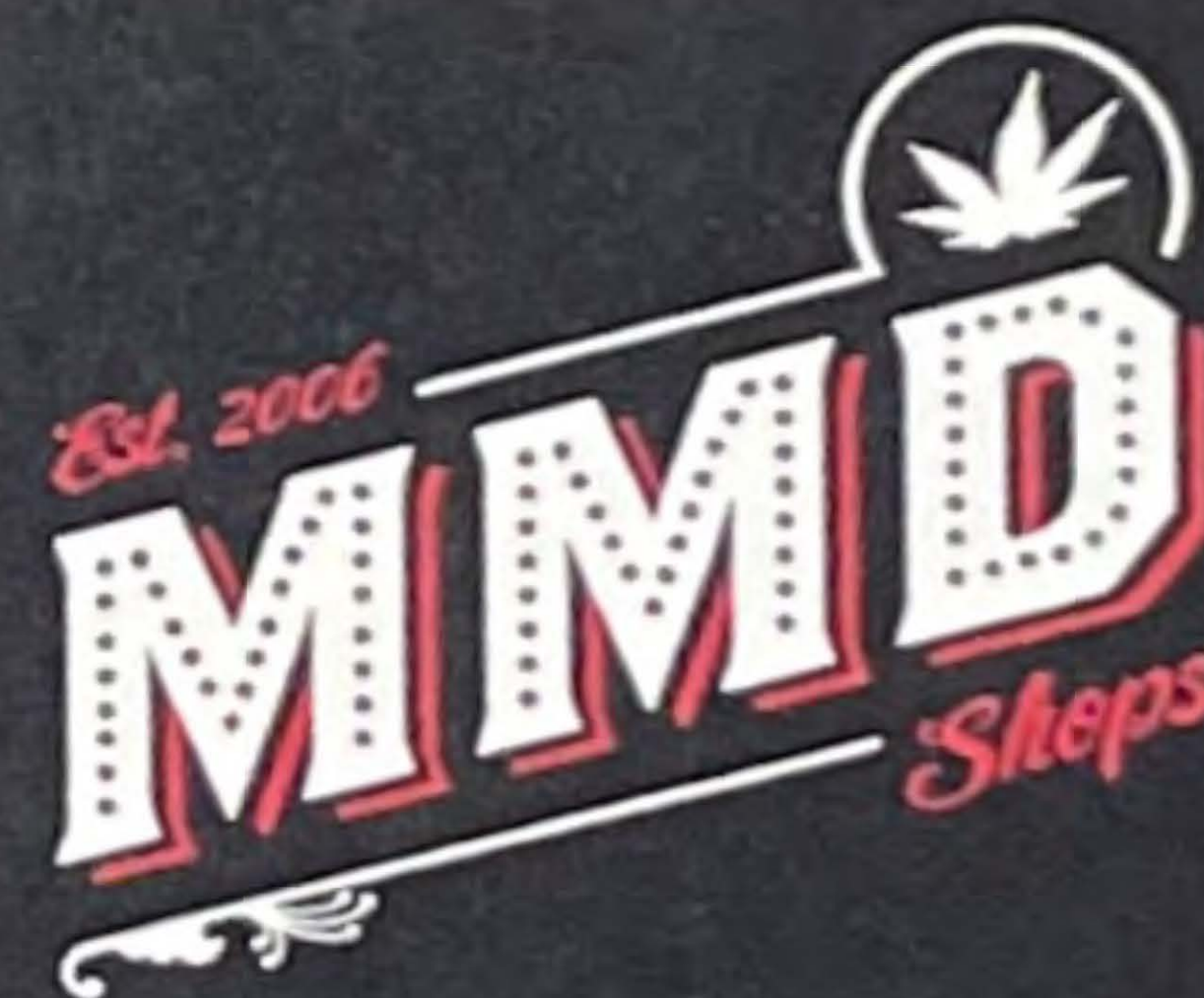
Email:

Signature: *[Signature]*

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Name:

Adrian Ruiz

Address:

1125 Munich St SF. CA.

Email:

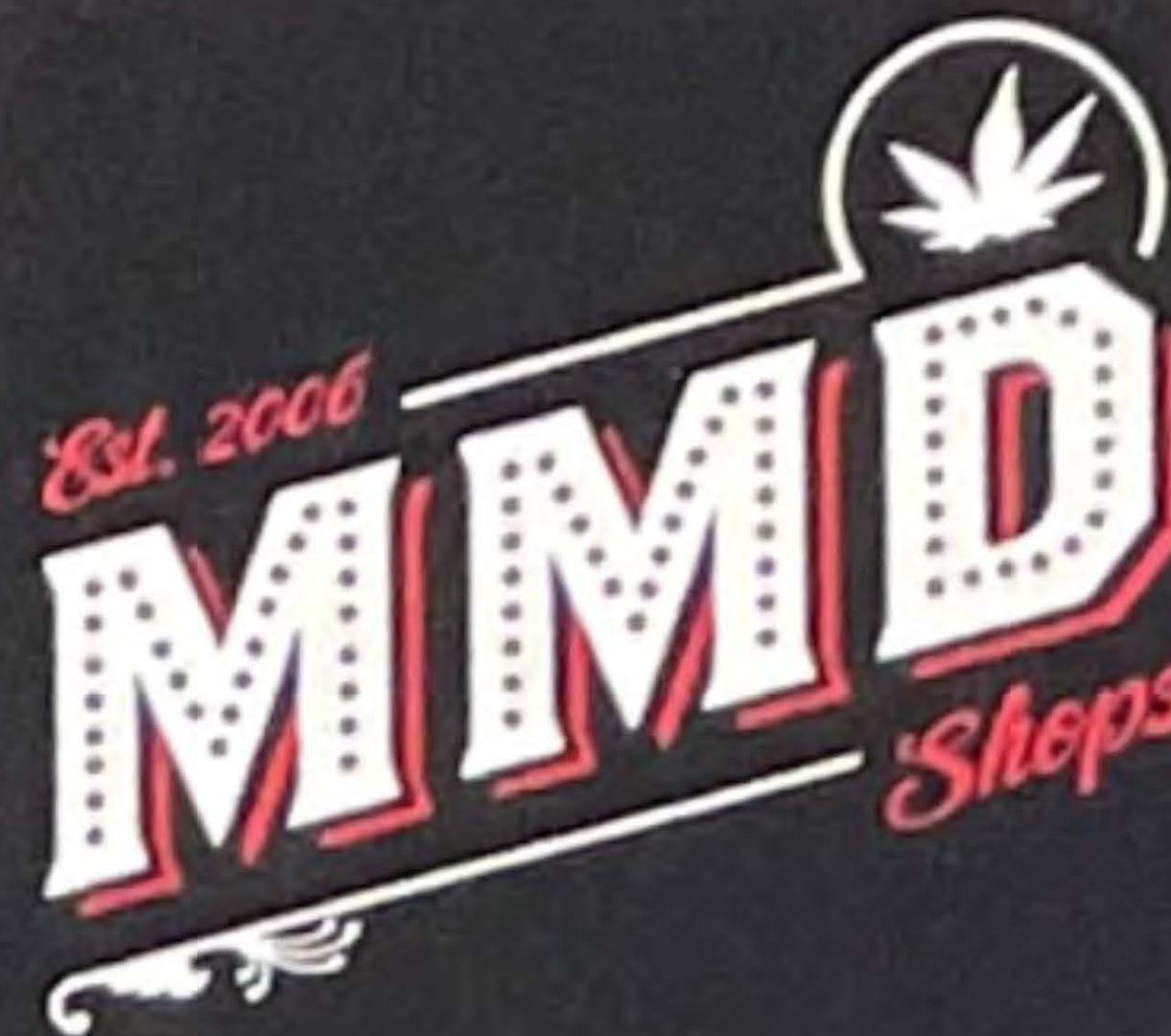
RuizAD23aGmail

Signature: *[Signature]*

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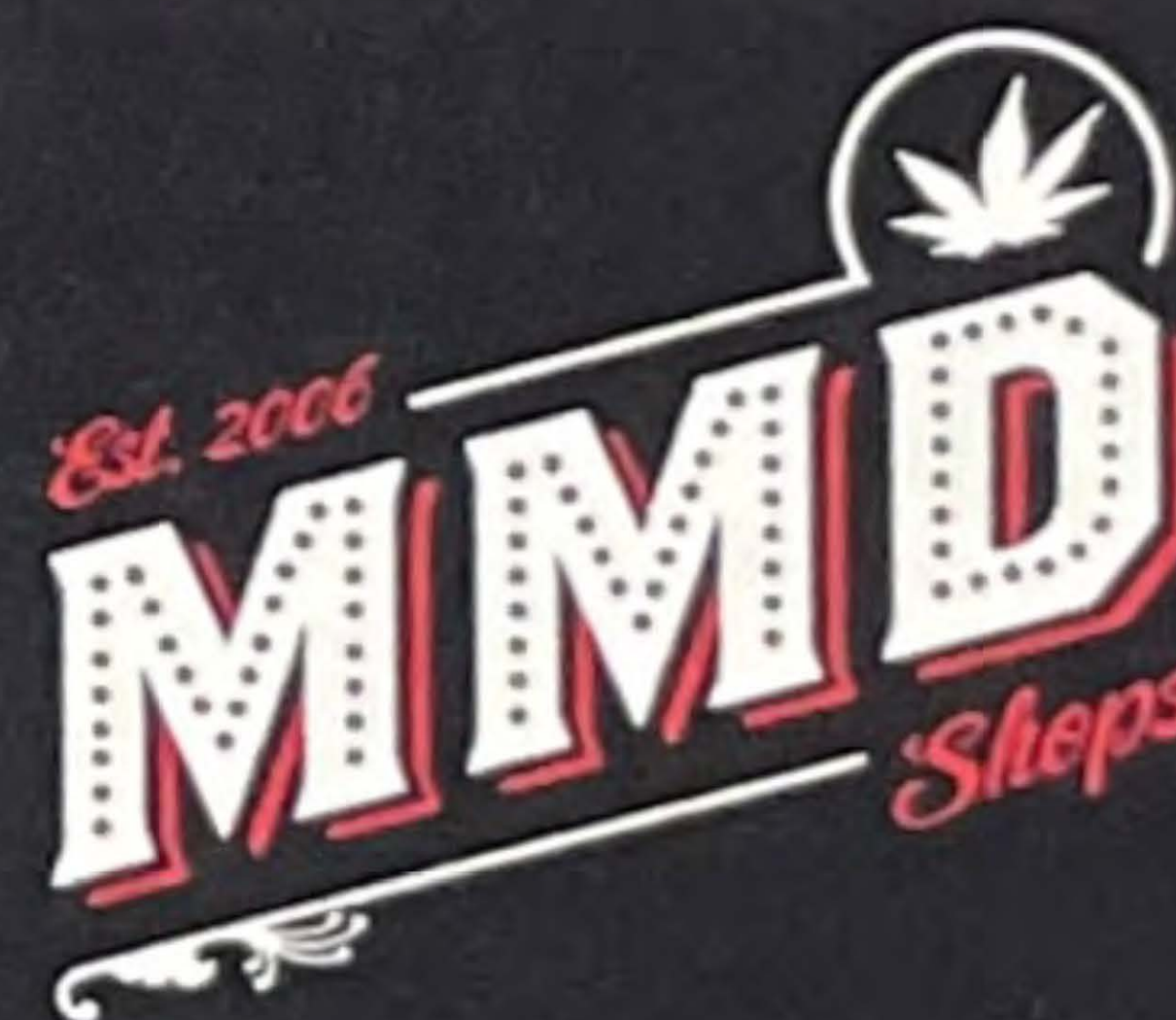
Name: Juan Ramirez Address: 4773 mission ST

Email: Baser0415@gmail.com Signature: [Signature]

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Name: Maria Navarez Address: 5170 Mission St San Francisco

Email: mjnl19@icloud.com Signature: Maria Navarez

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I support the project at 4835 Mission Street

Name:

Dehlia Love

Address:

4733 Mission

Email:

Signature:

[Handwritten signature]

PERRY'S PARTNERS

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I support the project at 4835 Mission Street

Name:

Jimmy Pickups

Address:

5145 Mission St

Email:

Signature:

[Handwritten signature]

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Name: *La iguna Azul*

Address: *928 Geneva*

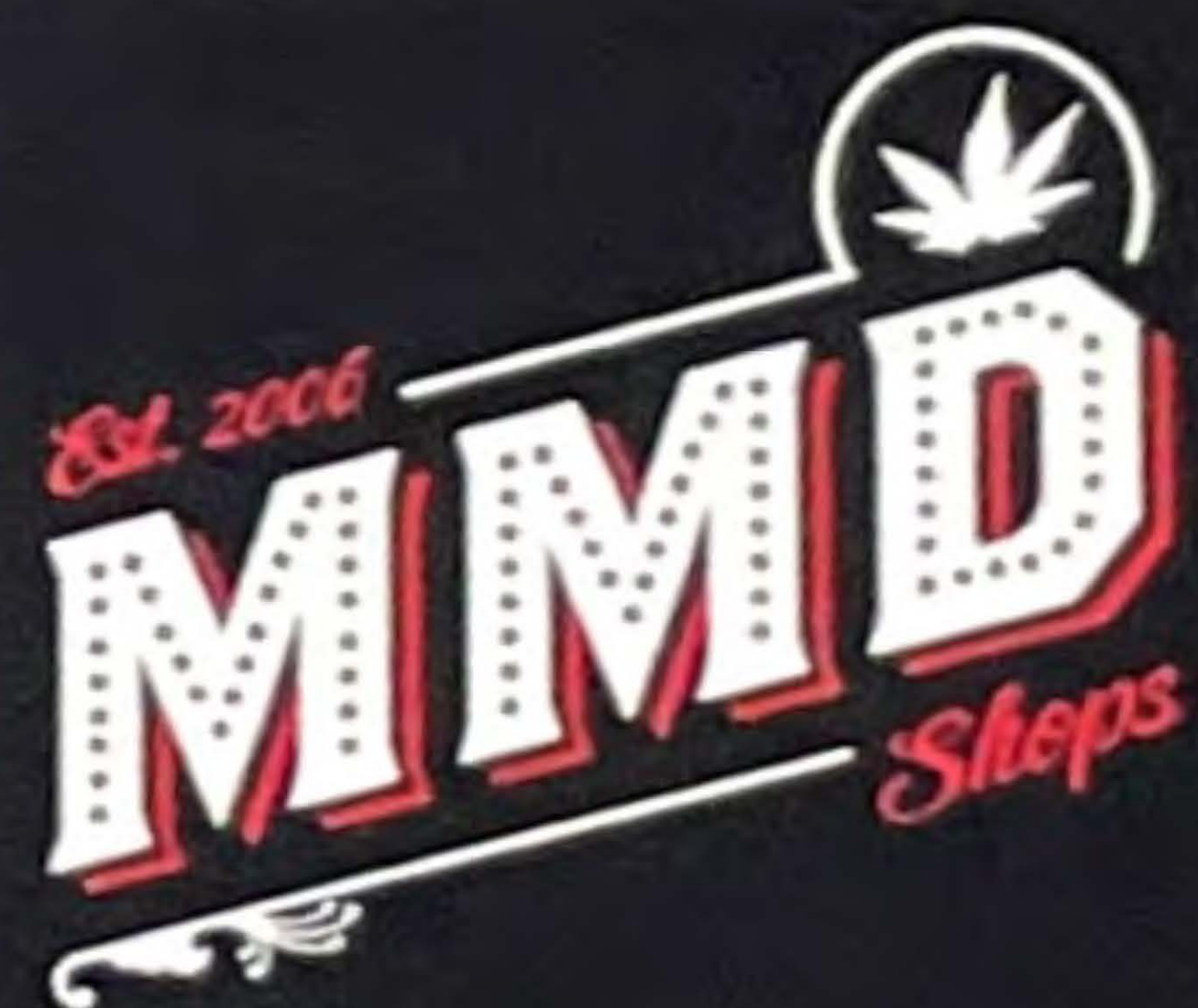
Email:

Signature: *[Signature]*

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Name: *Fred W*

Address: *912 GENEVA AVE
S.F. 94112*

Email: *F. Fred W@yahoo*

Signature: *[Signature]*

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Name: Timothy J. Harrison

Address: 270 Malson St
SF CA 94134

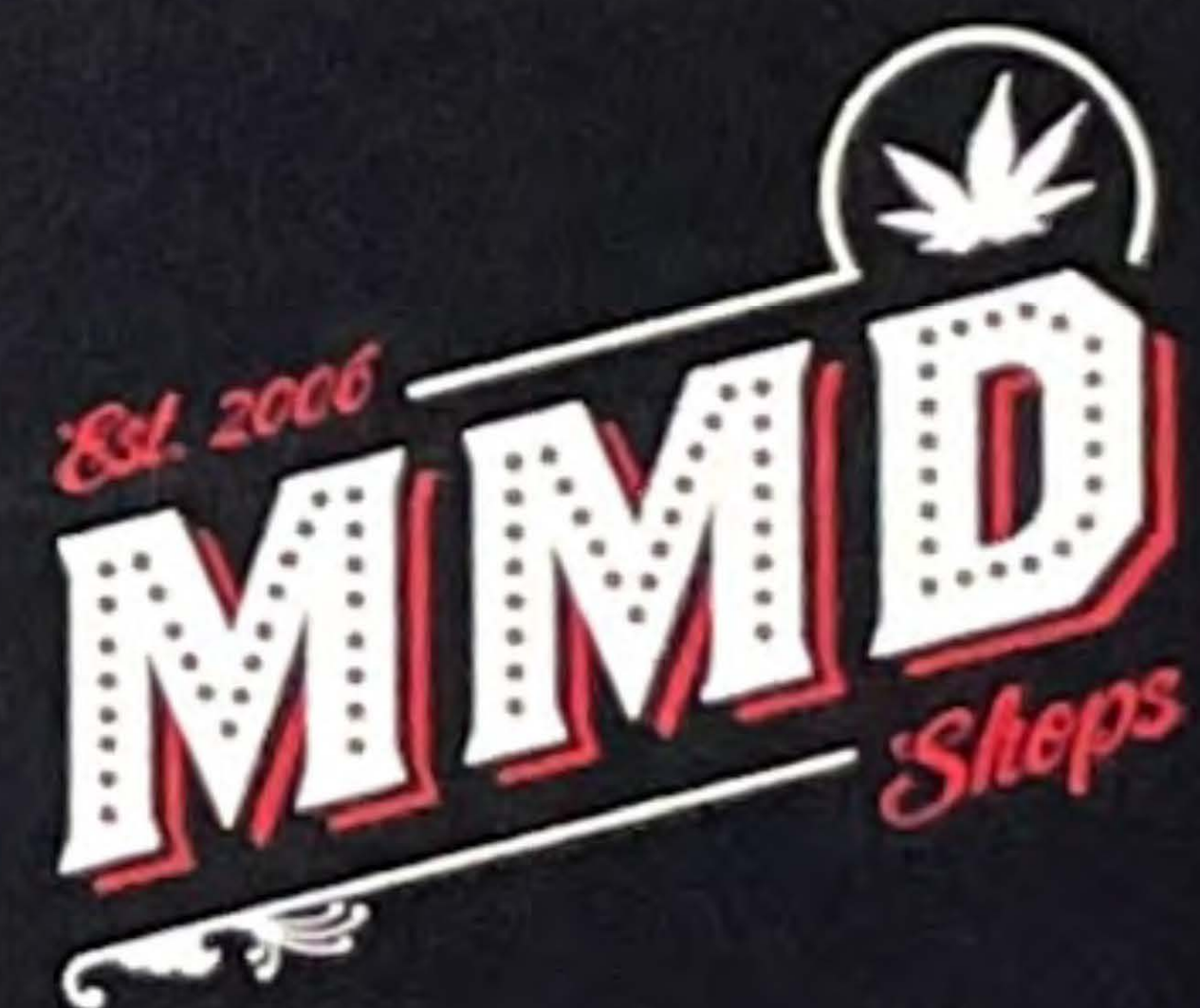
Email: Howard Tim 499
9 Mail com

Signature: Timothy R. Harrison

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Name: Maria Sanchez

Address: 79 Maynard

Email:

Signature: [Signature]

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Name: *CLINT VALASCO*

Address: *126 Trumbull St*

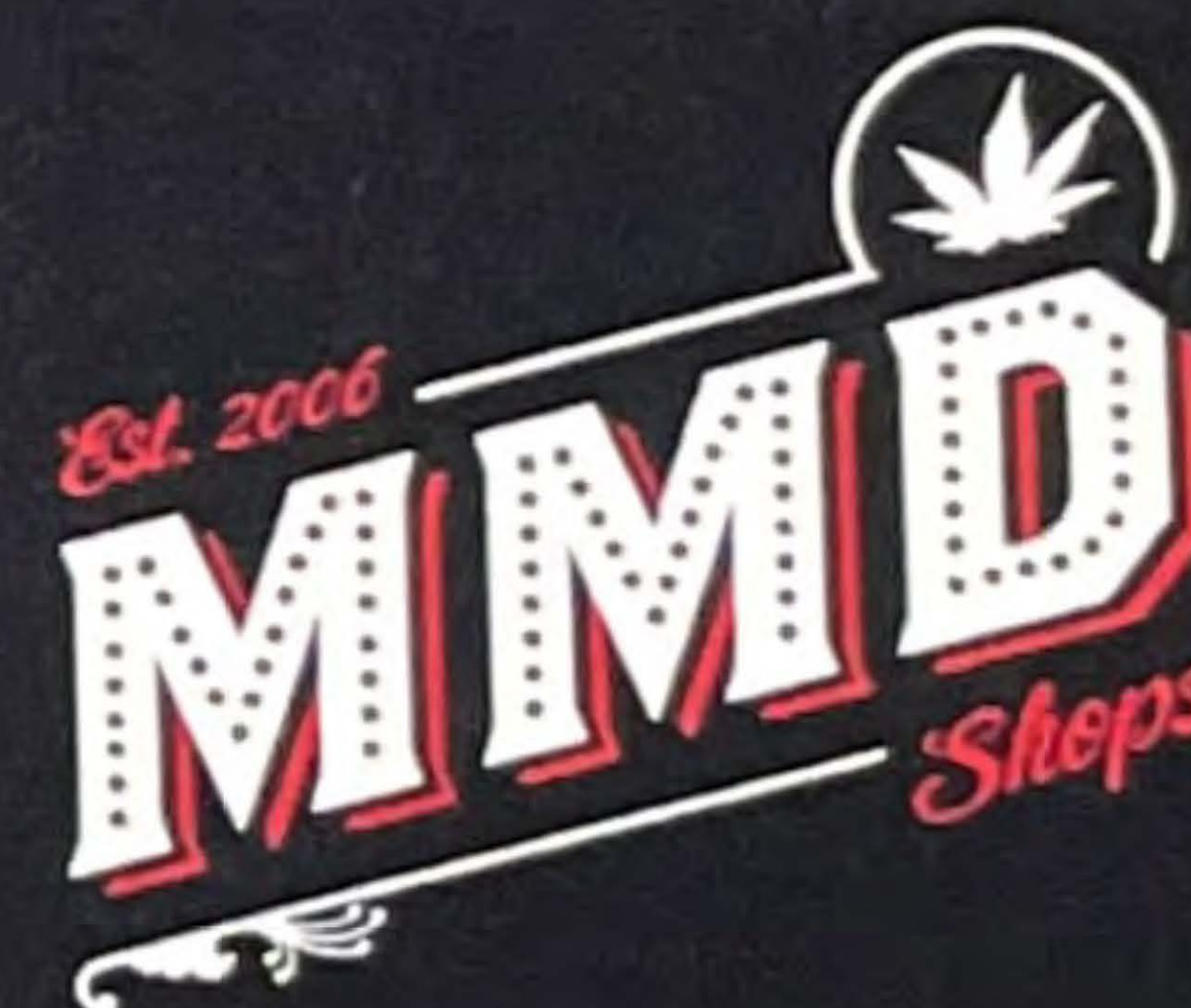
Email: *LEASTA ARTHUR*

Signature: *[Handwritten Signature]*

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Name: *Francis Mahinay*

Address: *47 Florentine St.*

Email: *Francis4are@yahoo.com*

Signature: *[Handwritten Signature]*

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I support the project at 4835 Mission Street

Name: *PATRICK JOHN AYOUB*

Address:

4835 MISSION ST.

Email:

patrick.ayoub@yahoo.com

Signature:

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Name: Raul Gutierrez Address: 4971 Mission St.

Signature: [Signature]

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Name: Metro by mobile Address: 4830 Mission St

Signature: [Signature]

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Name: GERSON

Address: 4830 MISSION
SUITE 100

Signature: [Signature]

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Name: Cho

Address: 4831 MISSION ST

Signature: Chorong Heiron

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Name:

Sundway

Address:

4841 Mission

Signature:

[Signature]

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I support the project at 4835 Mission Street

Name:

Kilisi

Address:

236P Rey

Signature:

[Signature]

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I support the project at 4835 Mission Street

Name:

Aviesha Scott

Address:

3001 Folsom ST SF CA 94110

Signature:

Aviesha Scott

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Name:

Alejandro

Address:

4817 Mission St

Signature:

Alejandro

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Name:

Kimberley

Address:

3048 Harrison

Signature:

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Name:

Kimberley

Address:

3038 Harrison

Signature:

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Name: Adam Joser

Address: 1214 Shotwell

Signature: Adam Joser

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Name: HENRY ESPINO

Address: 28 Norton

Signature: Henry Espino

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Name:

Dariana

Address:

555 London St

Signature:

Dariana S.

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Name:

Puzzle Piece

Address:

9983 Mission St

Signature:

[Signature]

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I support the project at 4835 Mission Street

Name:

Tito Gonzalez Jr SF CA 94124 +B

Address:

4835 Mission

Signature:

[Handwritten Signature]

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Name:

Tito

Address:

4835 Mission St CA

Signature:

[Handwritten Signature]

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Name: BURGER

Address: 4817 Mission

Signature: S. Burger

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Name: Margot Garcia

Address: 320 Susie Way SSF 94080

Signature: [Signature]

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- Founded as a Medical collective serving patients with HIV/AIDS, Cancer, PTSD and other debilitating conditions
- Stringent Youth access prevention no entry for anyone under 21
- Onsite security 24/7
- Products are tested, tracked and traced in compliance with state standards
- In 15 years not a single violation of state or local regulations

I support the project at 4835 Mission Street

Name:

DAVID JIMENEZ

Address:

1132 ROCK SPRING
AMHIOCH CA

Signature:

PERRY'S PARTNERS

To help Perry create the best store for our community, he has partnered with **MMD SHOPS**.

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Steve (L) and Michael (R) Ashbel founded MMD Shops and run four stores in Southern CA.

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I support the project at 4835 Mission Street

Name:

Jessica Brickett

Address:

1101 Connecticut 94107
street Apt 314 SF, CA

Signature:

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Name:

DANNY L F

Address:

4835 Mission St

Signature:

DANNY L F

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I support the project at 4835 Mission Street

Name:

Ruby Smith

Address:

40 Warming St

Signature:

Ruby Smith

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I support the project at 4835 Mission Street

Name:

Doreen Foote

Address:

10816 Cote Ave

Signature:

Doreen Foote

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I support the project at 4835 Mission Street

Name:

Angela White

Address:

4107B Mission St

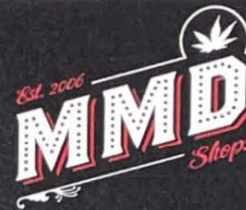
Signature:

Angela White

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I support the project at 4835 Mission Street

Name:

LaShondra Whitmore

Address:

4907 Mission St
SF CA 94112

Signature:

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I support the project at 4835 Mission Street

Name: **MANUEL RAZO**

Address: **327 PARRIS**

Signature:

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I support the project at 4835 Mission Street

Name: Alfredo Flores Address: 198 + W 1st St

Signature: 

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I support the project at 4835 Mission Street

Name:

Antonio Nuñez

Address:

730 Edinburgh St

Signature:

Antonio Nuñez

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I support the project at 4835 Mission Street

Name:

DAndre Bunn

Address:

1987 Huiet St #204

Signature:

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I support the project at 4835 Mission Street

Name:

Nelly Vasquez

Address:

4835 Mission

Signature:

M.V.

RE: Support for Cannabis Retail

4835 Mission Street
San Francisco, CA 94112

My Name is Jatrice Ross.

I support the conditional use authorization for cannabis retail at 4835 Mission Street.

This social Equity cannabis project will benefit our neighborhood. It will provide equitable access for our neighborhood and not require elderly and disabled medical cannabis patients to travel long distances to obtain the products they need. The closest dispensaries are a 10-minute walk to the north or a 15-minute walk to the south. The location at 4835 Mission will provide safe, local access for the neighborhood. This project will enhance neighborhood safety by adding security cameras and live security that will monitor the area for loitering, litter, and public consumption. The 3 blocks closest to the site have many vacant commercial spaces. This project will help to revitalize this commercial corridor and add well-paying jobs to our local economy. Finally, this is a truly local social equity project, Perry Jones was raised in the Mission district and currently lives less than 2 miles from the site. Perry was passionate about finding a compliant space in the area that he considers home. He has a long history of giving back to his community. I believe this retail cannabis business will be a benefit to our neighborhood and enthusiastically give my support.

Thank you for your consideration,

J. Ross

RE: Support for Cannabis Retail

4835 Mission Street
San Francisco, CA 94112

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Thank you for your consideration,

Antonio Nuñez

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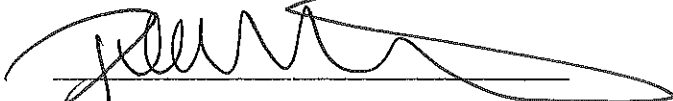
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San Francisco, CA 94112

My Name is Pilar Nuñez.

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Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Pilar Nuñez', written over a horizontal line.

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4835 Mission Street
San Francisco, CA 94112

My Name is Jordi Molina

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Jordi Molina

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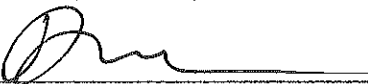
4835 Mission Street
San Francisco, CA 94112

My Name is DeAndre Benn.

I support the conditional use authorization for cannabis retail at 4835 Mission Street.

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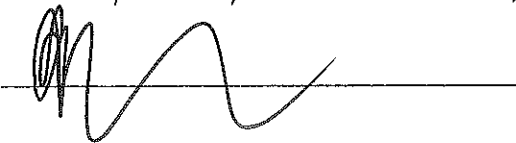
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My Name is Alfredo Flores.

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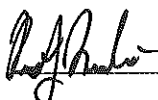
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My Name is Rodolfo Rubio.

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Thank you for your consideration,

_____

RE: Support for Cannabis Retail

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San Francisco, CA 94112

My Name is ELENA F. ALVAREZ

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Thank you for your consideration,

Elena F Alvarez

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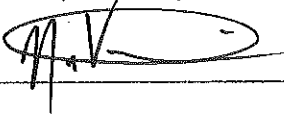
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My Name is Nelly Vasquez.

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RE: Support for Cannabis Retail

4835 Mission Street
San Francisco, CA 94112

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RE: Support for Cannabis Retail

4835 Mission Street
San Francisco, CA 94112

My Name is Alfred Palma
X-press Prints.

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Alfred Palma

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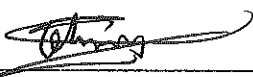
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My Name is Carlos Gonzalez.

I support the conditional use authorization for cannabis retail at 4835 Mission Street.

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Thank you for your consideration,





Conditional Use Authorization Appeal

4835 Mission Street

DATE: December 2, 2022
TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Rich Hillis, Planning Director – Planning Department (628) 652-7600
Ryan Balba, Case Planner – Planning Department (628) 652-7331
RE: Board File No. 221141, Planning Case No. 2021-011352CUA 2021-011352PRJ
Appeal of Conditional Use Authorization for 4835 Mission Street
HEARING DATE: December 13, 2022
PROJECT SPONSOR: Steve Ashbel, Mission Advisory Co., 13425 Ventura Blvd. Suite 300
Sherman Oaks, CA 91423
APPELLANTS: Olinda Meza Vega, P.O. Box 885081, San Francisco, CA 94188

INTRODUCTION

This memorandum and the attached documents are a response to the letters of appeal to the Board of Supervisors ("Board") regarding the Planning Commission's ("Commission") approval of the application for Conditional Use Authorization under Planning Department Case Number 2021-011352CUA pursuant to Planning Code Sections:

- 202.2: Location and Operating Conditions;
- 303: Conditional Use Authorization; and
- 720: Excelsior Outer Mission Neighborhood Commercial District.

This memorandum addresses the appeal to the Board, filed on October 31, 2022, by Olinda Meza Vega.

The decision before the Board is whether to uphold, overturn, or amend the Planning Commission's approval of an application for Conditional Use Authorization to allow the proposed Project at the subject property.

PROJECT DESCRIPTION

The Project would establish a Cannabis Retail Use measuring approximately 1,300 square feet in a vacant commercial space within a two-story, mixed-use building located at 4835 Mission Street, APN 6272/021 ("Project Site"). The Project does not include a request for on-site smoking or vaporizing. No changes to the building exterior or envelope are proposed. New business signage will be applied for under a separate permit.

SITE DESCRIPTION & PRESENT USE

The Project is in the Excelsior Outer Mission Street NCD on an approximately 1,300 square foot rectangular parcel fronting Mission Street on the southeast side between Russia and France Avenues. The site is developed with a two-story building containing one commercial space at the ground floor and two residential units above. The commercial space was last occupied by a cellphone shop.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located on a neighborhood commercial corridor surrounded by mixed-use buildings. The two directly adjacent properties are mixed-use buildings with ground floor commercial spaces. Surrounding the commercial corridor is a residential neighborhood made up primarily of single-family homes. Balboa High School is two blocks, or approximately 825' away.

BACKGROUND

- On November 5, 2021, the Project Sponsor filed the Application with the Department.
- On September 29, 2022, the Commission considered the Application and voted unanimously to approve the Project.

CONDITIONAL USE AUTHORIZATION REQUIREMENTS

Planning Code Section 303 establishes criteria for the Commission to consider when reviewing all applications for Conditional Use approval. To approve the project, the Commission must find that these criteria have been met:

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
 - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
 - b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
 - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
 - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.
4. That such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

In addition, Planning Code Section 303(w) outlines additional findings for the Commission when

reviewing proposals for new Cannabis Retail establishments.

1. The Commission shall consider “the geographic distribution of Cannabis Retail Uses throughout the City, the concentration of Cannabis Retail and Medical Cannabis Dispensary Uses within the general proximity of the proposed Cannabis Retail Use, the balance of other goods and services available within the general proximity of the proposed Cannabis Retail Use, any increase in youth access and exposure to cannabis at nearby facilities that primarily serve youth, and any proposed measures to counterbalance any such increase.”

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

ISSUE 1: There has been a violation of the Sunshine Ordinance’s public notice requirements.

RESPONSE 1: The September 29 Planning Commission hearing for the Project was properly noticed per the City’s public notice requirements.

Administrative Code Section 67.7-1 states that any public notice that is mailed, posted, or published by a City department, board, agency, or commission to residents residing within a specific area to inform those residents of a matter that may impact their property or that neighborhood area, shall be brief, concise and written in plain, easily understood English. The Planning Code additionally establishes a minimum noticing period and mailing radius for notices. The Project’s notice met these requirements and was properly noticed per the City’s language access rules, including mailed, posted, and newspaper advertisements.

ISSUE 2: The proposed project is within proximity of Balboa High School. Further, at the hearing one commissioner suggested that the Board of Supervisors should revisit the 600-foot buffer zone.

RESPONSE 2: The Planning Code establishes a 600-foot buffer between Cannabis Retail locations and schools and the project is in compliance with that requirement.

Planning Code Section 202.2(a)(5)(B) states that a new Cannabis Retail Use shall not be located within a 600-foot radius containing an existing public or private School. The Project is not located within a 600-foot radius containing any school as defined by the Planning Code, including Balboa High School which is approximately 825 feet away as a crow flies. Individual statements from commissioners are not actions by the Commission as a whole. The Commission found that the Project meets all the required findings and unanimously voted to approve the project.

ISSUE 3: There is an oversaturation of similar businesses in the area.

RESPONSE 3: The Planning Commission found that the project is appropriately distanced from other cannabis storefronts and does not contribute to clustering.

Along the Mission Street corridor, there are 3 existing Medical Cannabis Dispensaries. Since legalization of adult use cannabis in late 2017, only two Cannabis Retail applications have been approved along this

corridor. Neither location has received an issued building permit for the change of use to Cannabis Retail. Planning Code Section 202.2(a)(5)(B) states that a new Cannabis Retail Use shall not be located within a 600-foot radius of a parcel for which a valid permit from the City's Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer has been issued. The Project meets this requirement, as the closest Cannabis Retailer is located approximately 997 feet away as a crow flies at 4687 Mission.

SUMMARY RESPONSE

The Appellant claims that there has been a violation of the Sunshine Ordinance, specifically regarding public noticing requirements. The Project was properly noticed, as required by the Administrative Code and the Planning Code. The Appellant also expressed concerns with the Project's proximity to Balboa High School; however, staff's analysis showed and the Commission agreed that the site is not within the 600-foot buffer of the school, as required by the Planning Code. The Commission found the Project to meet all necessary requirements. The Appellant's final issue is that the Project would contribute to an oversaturation of similar businesses. The Commission found that the project meets the Planning Code's buffering provisions, and that it contributes to a more balanced geographic distribution of Cannabis Retailers in the City.

CONCLUSION

For the reasons stated in this document, in the attached Resolution, and in the Planning Department case file, the Planning Department recommends that the Board uphold the Planning Commission's decision in approving the Conditional Use authorization for the Project.



PLANNING COMMISSION MOTION NO. 21178

HEARING DATE: SEPTEMBER 29, 2022

Record No.: 2021-011352CUA
Project Address: 4835 Mission Street
Zoning: Excelsior Outer Mission Street NCD Zoning District
40-X Height and Bulk District
Block/Lot: 6272/021
Project Sponsor: Steve Ashbel of Mission Advisory Co.
13425 Ventura Blvd. Suite 300
Sherman Oaks, CA 91423
Property Owner: Tony W. Lau & Hua Yang
848 Edinburgh St San Francisco, CA 94122
Staff Contact: Ryan Balba – (628) 652-7331
Ryan.Balba@sfgov.org

ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 202.2, 303, AND 720 OF THE PLANNING CODE TO ALLOW A CANNABIS RETAIL USE MEASURING APPROXIMATELY 1,300 SQUARE FEET, WITH NO ON-SITE SMOKING OR VAPORIZING OF CANNABIS PRODUCTS, IN AN EXISTING TWO-STORY MIXED USE BUILDING AT 4835 MISSION STREET (ASSESSOR'S BLOCK 6272 LOT 021) WITHIN THE EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL DISTRICT (NCD) ZONING DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On November 8, 2021, Steve Ashbel of Mission Advisory Co. (hereinafter "Project Sponsor") filed Application No. 2021-011352CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a Cannabis Retail use (hereinafter "Project") at 4835 Mission Street, Block 6272 Lot 021 (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act ("CEQA") under a Class 1 categorical exemption.

On September 29, 2022, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2021-011352CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2021-011352CUA is located at 49 South Van Ness Avenue, Suite 1400, San Francisco, California.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2021-011352CUA, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The Project would establish a Cannabis Retail Use measuring approximately 1,300 square feet in a vacant commercial space within a two-story, mixed-use building. The Project does not include a request for authorization of on-site smoking or vaporizing of cannabis products. No changes to the building exterior or envelope are proposed. New business signage will be applied for under a separate permit.
- 3. Site Description and Present Use.** The Project is located on an approximately 1,300 square foot rectangular parcel fronting Mission Street on the southeast side between Russia and France Avenues. The site is developed with a two-story building containing one commercial space at the ground floor and two residential units above. The commercial space was last occupied by a cellphone shop.
- 4. Surrounding Properties and Neighborhood.** The surrounding neighborhood is dominantly comprised of single-family homes. However, there are many commercial buildings as well as mixed-use residential buildings along the immediate corridor. The two directly adjacent properties are mixed-use buildings with ground floor commercial spaces.
- 5. Public Outreach and Comments.** The Sponsor conducted outreach under the Office of Cannabis Good Neighbor Policy, which includes providing a mailed notice of the Project to all property owners and occupants within 300-feet of the site and conducting outreach meetings. The Department has received 45 letters of support and 13 letters of opposition for the application.
- 6. Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

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

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

- B. **Use Size.** Within the Excelsior Outer Mission Street NCD Zoning District, the Planning Code principally permits Retail Sales and Service Uses (including Cannabis Retail) at up to 5,999 sq ft per lot.

The Project would provide a 1,300 sq ft Cannabis Retail use which is compliant with this requirement.

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

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

- D. **Hours of Operation.** The Excelsior Outer Mission Street NCD Zoning District limits hours of operation for commercial uses to between 6am and 2am. State law limits hours of operation for Cannabis Retailers to between 6am and 10pm.

The Project is required under State law to cease operation between 10pm and 6am.

- E. **Street Frontage in Mixed Use Districts.** Section 145.1 of the Planning Code requires that within Neighborhood Commercial Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The subject commercial space complies with this requirement and shall be maintained in compliance with this Section. No significant modification to the front façade is proposed, and the interior changes

do not impact compliance with this Section.

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

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

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

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

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

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

- (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

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

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

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

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

The Project site has no parking, open spaces, or loading area, and there will be no addition of

parking spaces, loading facilities, open space or service areas. All Project signage, lighting and projections will be consistent with the controls of the Planning Code.

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

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

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

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

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

In the December 2019 report titled “[Cannabis in San Francisco: A Review Following Adult Use Legalization](#),” the City Controller’s Office identified the Mission and South of Market Neighborhoods as more concentrated with Cannabis Retail uses in comparison to the balance of San Francisco. The report recommended no numeric or geographic limits to existing or in-process cannabis business permits and recommended that potential future legislation to address the imbalance be applied to new applicants rather than the existing applicant pipeline. The proposed Project would add a new Cannabis Retail outlet to the Excelsior Outer Mission neighborhood, creating a more balanced geographic distribution of these uses.

Within the general proximity of 4835 Mission Street, there is one other Cannabis Retailer located within 1,000 feet of the site, located at 4687 Mission Street (dba Green Field, approximately 997’ from 4835 Mission). That location was approved via Conditional Use Authorization as Cannabis Retail which is a conditionally permitted use of the property and no Discretionary Review applications were received during the noticing period or at the Hearing.

Within the general proximity of 4835 Mission Street, there is a mix of residential and small commercial uses. Cannabis Retail is one of the few businesses that is continuing to expand during the pandemic induced economic crisis (though many existing sites, particularly existing Medical Cannabis Dispensaries, are closing permanently). By creating a new retail use, the Project can serve to support the development of other retail and service uses in the general vicinity.

A key facility in the surrounding neighborhood that serves youth is the Mission Child Care Consortium, which is within 600 feet from the proposed facility. Other facilities such as Little Tigers Day Care, Ana Paula Day Care, Balboa High School, Excelsior Playground, James Denman Middle School, San Miguel Early Education School, and Leadership High School are all at least 600 feet from the proposed facility. Cannabis facilities are highly regulated, and it is more likely that youth would gain easy access to cannabis products through the unregulated market, which remains a large and dominant force in the market of San Francisco (partially due to the ease of cultivating cannabis products within a home and partially due to the slow rate of permitting of licensed locations in the City). By providing a regulated, legal market within the neighborhood, the proposed business would further discourage unregulated sales, making youth access to cannabis products more restricted.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2

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

Policy 2.1:

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

OBJECTIVE 3:

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

Policy 3.1:

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

Policy 3.2:

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

OBJECTIVE 4

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

Policy 4.8:

Provide for the adequate security of employees and property.

OBJECTIVE 6

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

Policy 6.2

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

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

10. Planning Code Section 101.1(b) establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

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

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

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

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

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

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

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

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

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

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

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

- G. That landmarks and historic buildings be preserved.

No impact to the Historic Resource status is caused by the Project, which proposes only minor exterior alterations.

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

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

- 11.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 12.** The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2021-011352CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated October 15, 2021, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

Protest of Fee or Exaction: You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 29, 2022.



Jonas P Ionin Digitally signed by Jonas P Ionin
Date: 2022.10.04 10:00:00 -0700

Jonas P. Ionin
Commission Secretary

AYES: Moore, Braun, Diamond, Imperial, Koppel, Ruiz, Tanner
NAYS: None
ABSENT: None
ADOPTED: September 29, 2022

EXHIBIT A

Authorization

This authorization is for a conditional use to allow a Cannabis Retail Use located at 4835 Mission Street, Block 6272, and Lot 021, pursuant to Planning Code Sections 202.2, 303, and 720, within the Excelsior Outer Mission Street NCD Zoning District, and a 40-X Height and Bulk District; in general conformance with plans, dated October 15, 2021, and stamped “EXHIBIT B” included in the docket for Record No. **2021-011352CUA** and subject to conditions of approval reviewed and approved by the Commission on September 29, 2022 under Motion No. **21178**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on September 29, 2022 under Motion No. **21178**.

Printing of Conditions of Approval on Plans

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. **21178** shall be reproduced on the Index Sheet of construction plans submitted with the site or building permit application for the Project. The Index Sheet of the construction plans shall reference to the Conditional Use authorization and any subsequent amendments or modifications.

Severability

The Project shall comply with all applicable City codes and requirements. If any clause, sentence, section or any part of these conditions of approval is for any reason held to be invalid, such invalidity shall not affect or impair other remaining clauses, sentences, or sections of these conditions. This decision conveys no right to construct, or to receive a building permit. “Project Sponsor” shall include any subsequent responsible party.

Changes and Modifications

Changes to the approved plans may be approved administratively by the Zoning Administrator. Significant changes and modifications of conditions shall require Planning Commission approval of a new Conditional Use authorization.

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Design – Compliance at Plan Stage

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

8. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

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

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Monitoring - After Entitlement

10. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

- 11. Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Operation

- 12. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

- 13. Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

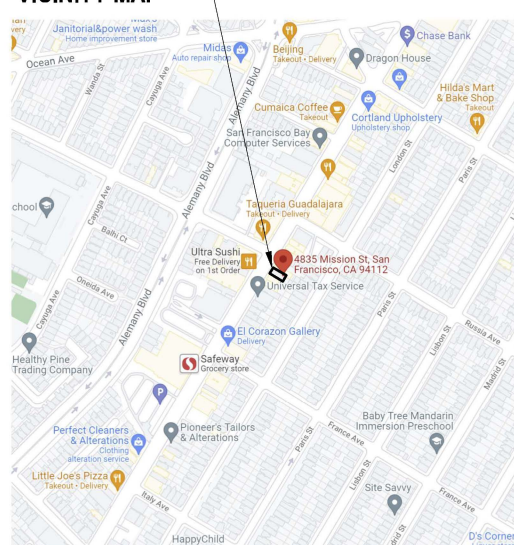
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

4835 MISSION STREET CANNABIS RETAIL TENANT IMPROVEMENT

EXTERIOR VIEW



VICINITY MAP



PENCIL BOX
ARCHITECTS, INC.
237 CLARA STREET, SAN FRANCISCO, CA 94107
WWW.PENCILBOXARCHITECTS.COM
TELEPHONE: 415.699.5953

CONDITIONAL USE PERMIT APPLICATION PROJECT DESCRIPTION:
CHANGE OF USE FROM B-BUSINESS TO M-CANNABIS RETAIL
CONDITIONAL USE APPLICATION FOR CANNABIS RETAIL

PROJECT LOCATION PROPOSED:
4835 MISSION STREET, SAN FRANCISCO, CA

BLOCK/LOT:
6272/021

ZONING:
NCD INDIVIDUAL (NAMED, CONTROLS VARY)
EXCELSIOR OUTER MISSION STREET NEIGHBORHOOD COMMERCIAL
DISTRICT

OCCUPANCY GROUP:
EXISTING B - BUSINESS
PROPOSED B + M - BUSINESS + MERCANTILE MEDICAL + ADULT USE
STOREFRONT CANNABIS RETAIL

CONSTRUCTION TYPE:
EXISTING - VB
PROPOSED - VB

SPRINKLERS:
EXISTING - NO
PROPOSED - NO (NO CHANGE)

AREA OF WORK:
+/- 1,300 SF

NUMBER OF FLOORS:
EXISTING - 2
PROPOSED - 2 (NO CHANGE)

SHEET LIST

CUA-00	COVER SHEET
CUA-01	PLOT PLAN
CUA-01A	ASSESSOR'S MAP
CUA-02	FLOOR PLAN EXISTING
CUA-03	PREMISES DIAGRAM
CUA-04	EXTERIOR ELEVATION EXISTING
CUA-05	EXTERIOR ELEVATION PROPOSED
CUA-06	INTERIOR ELEVATIONS
CUA-07	INTERIOR ELEVATIONS
CUA-08	INTERIOR ELEVATIONS
CUA-09	INTERIOR RENDERING
CUA-10	SECURITY CAMERA SPECIFICATION

PROJECT DIRECTORY

BUILDING OWNER:
NAME: MMD SHOPS, INC.
ADDRESS:
SAN FRANCISCO, CA ZIP
TEL

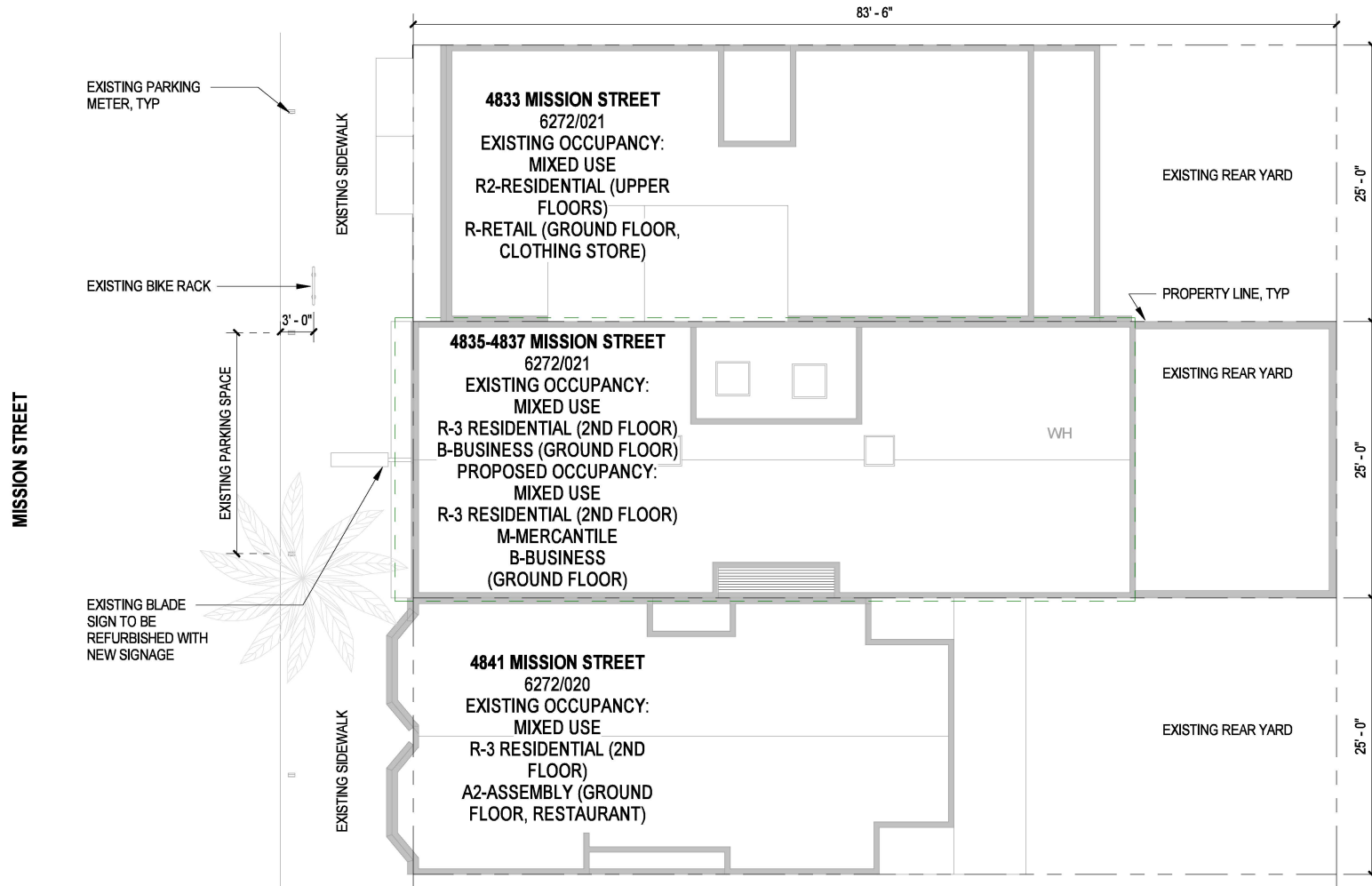
TENANT:
NAME: MMD SHOPS, INC.
ADDRESS:
LOS ANGELES, CA ZIP
213-422-7439

ARCHITECT:
FUMIKO DOCKER, AIA
PENCIL BOX ARCHITECTS, INC.
237 CLARA STREET
SAN FRANCISCO, CA 94107
415-314-6429

COVER SHEET

4835 MISSION ST CANNABIS RETAIL
SAN FRANCISCO, CA 94112

CUA-00
10/15/2021



1" = 10'-0"

CUA-01

10/15/2021



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TELEPHONE: 415.699.5953

PLOT PLAN

4835 MISSION ST CANNABIS RETAIL

SAN FRANCISCO, CA 94112

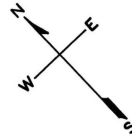
ASSESSOR-RECORDER'S OFFICE

© COPYRIGHT SAN FRANCISCO
CITY & COUNTY ASSESSOR 1995

LOTS MERGED

LOTS	INTO LOT	"1948"
2	16 27	"49"
17	7	

lot26 into lots30to32 for 1999 roll
lots2A&24 into lots33&34 for 2000 roll
lot32 into lots47to50 for 2009 roll



6272
EXCELSIOR HD ASS'N
BLK 5

Revised 1999
Revised 1999
Revised 2000
Revised 2009

CUA-01A
10/15/2021

RUSSIA AVE.

4835 MISSION STREET

MISSION

83.5	50	50
30	50.0	
31	25.0	
32	25.0	27
83.5	25.0	1
83.50	25	2
33	25	34
83.50	25	100
23	25	3
83.50	25	100
83.50	21	100
21	4	
20	4.8	
19	4A	
18	5	
83.50	6	100
29	20	
83.50	8	100
16		
15B	9	
15A	10	
15	11	
14	12	
13	13	
13A	13B	
13C	13D	
13E	100	

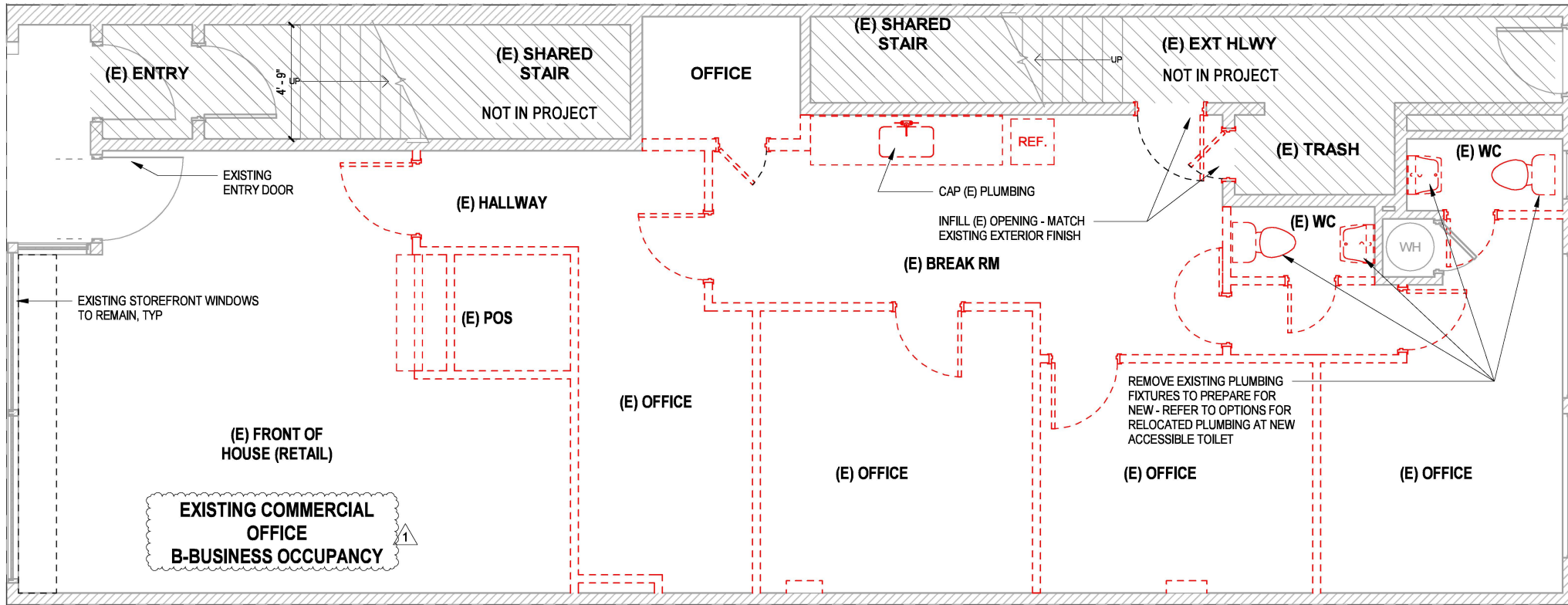
LONDON

FRANCE AVE.

ASSESSOR'S MAP
4835 MISSION ST CANNABIS RETAIL
SAN FRANCISCO, CA 94112

PENCIL BOX
ARCHITECTS, INC.

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WWW.PENCILBOXARCHITECTS.COM
TELEPHONE: 415.699.5953



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TELEPHONE: 415.699.5953

FLOOR PLAN EXISTING

4835 MISSION ST CANNABIS RETAIL
SAN FRANCISCO, CA 94112



1/4" = 1'-0"

CUA-02

10/15/2021

4833 MISSION STREET

4835-4837 MISSION STREET

4841 MISSION STREET



AREA OF WORK

EXISTING ENTRY DOOR TO REMAIN

EXISTING STOREFRONT WINDOWS TO REMAIN

EXISTING BLADE SIGN TO BE REFURBISHED WITH NEW
SIGNAGE (SEPARATE PERMIT APPLICATION)

EXISTING LIGHT FIXTURE TO REMAIN



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TELEPHONE: 415.699.5953

EXTERIOR ELEVATION EXISTING

4835 MISSION ST CANNABIS RETAIL
SAN FRANCISCO, CA 94112

3/16" = 1'-0"

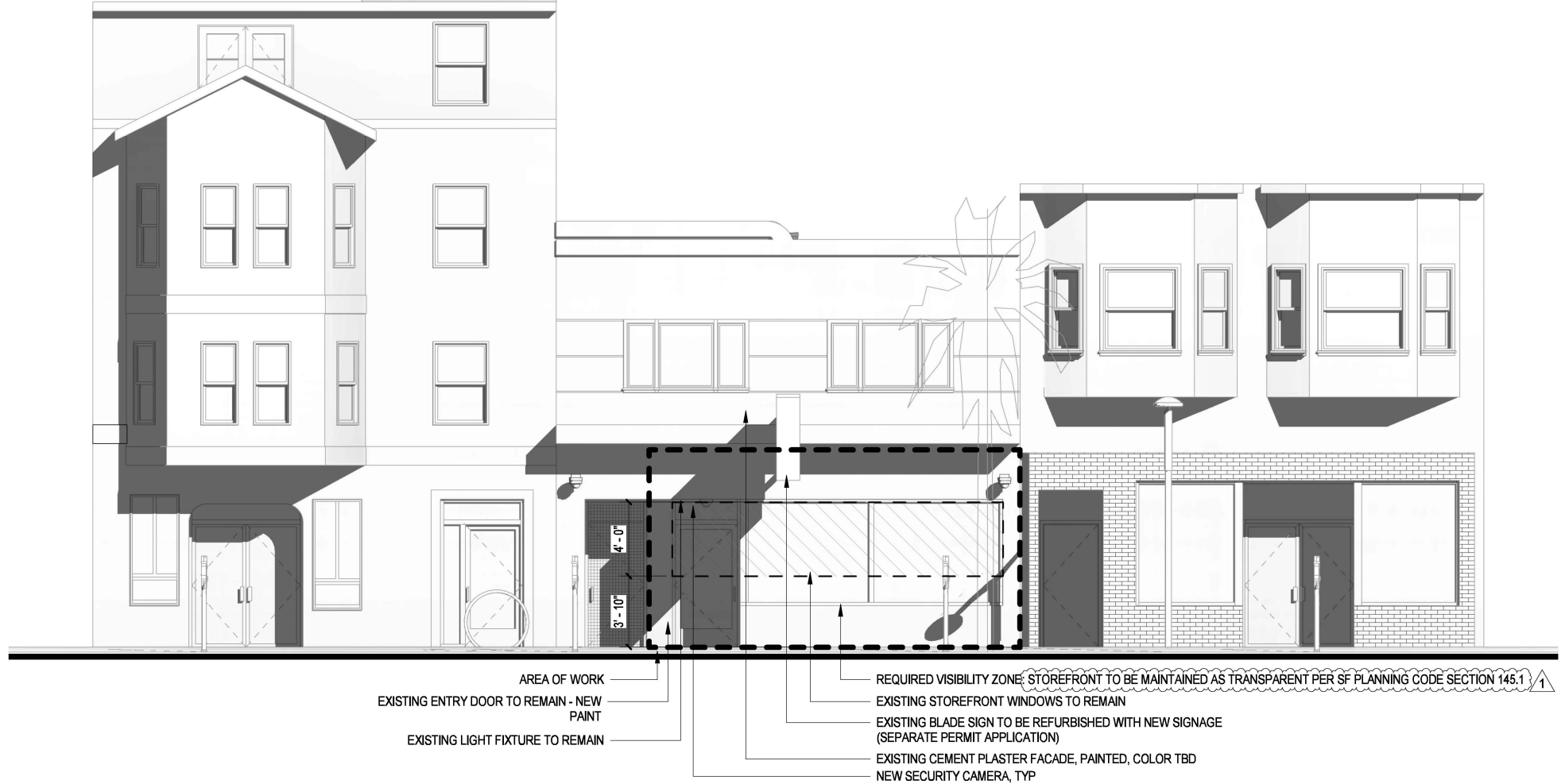
CUA-04

10/15/2021

4833 MISSION STREET

4835-4837 MISSION STREET

4841 MISSION STREET



**PENCIL BOX
ARCHITECTS, INC.**

237 CLARA STREET, SAN FRANCISCO, CA 94107
WWW.PENCILBOXARCHITECTS.COM
TELEPHONE: 415.699.5953

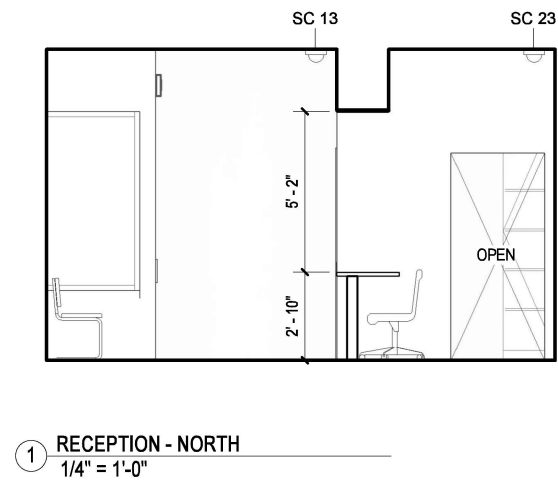
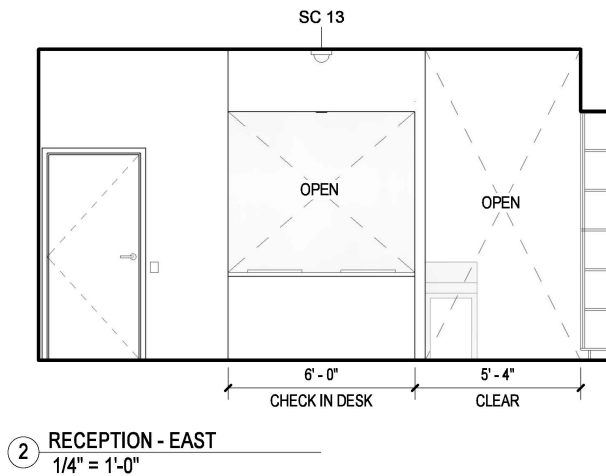
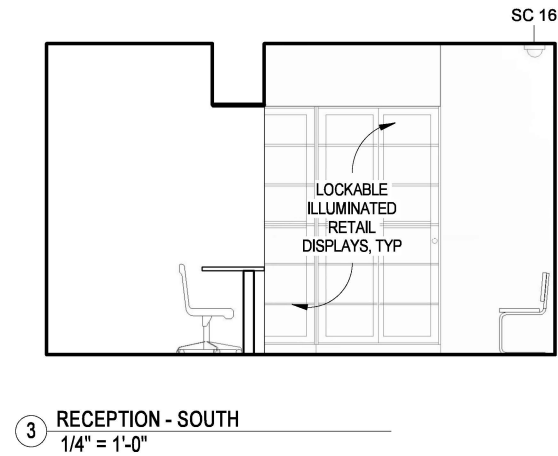
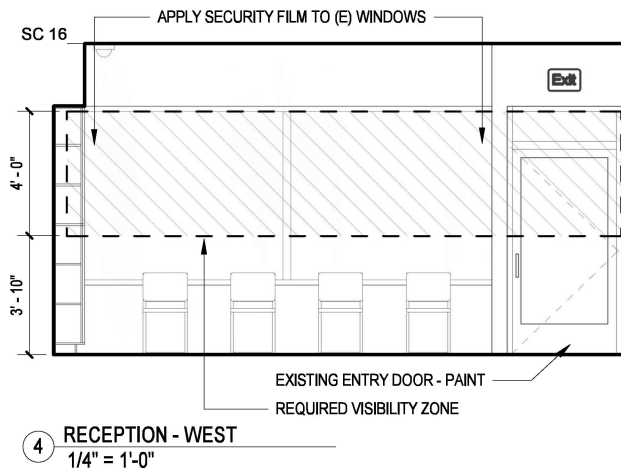
EXTERIOR ELEVATION PROPOSED

**4835 MISSION ST CANNABIS RETAIL
SAN FRANCISCO, CA 94112**

3/16" = 1'-0"

CUA-05

10/15/2021



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ARCHITECTS, INC.

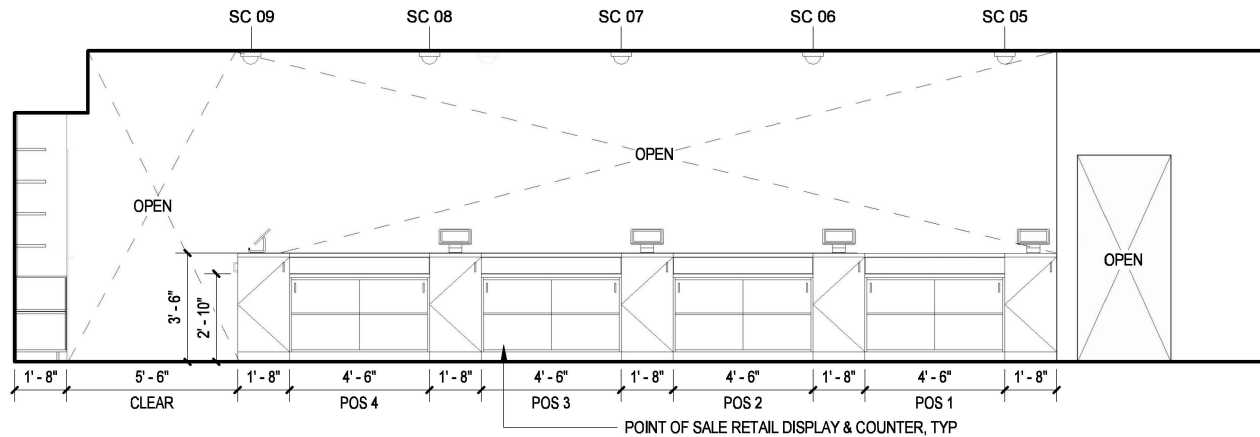
237 CLARA STREET, SAN FRANCISCO, CA 94107
WWW.PENCILBOXARCHITECTS.COM
TELEPHONE: 415.699.5953

INTERIOR ELEVATIONS

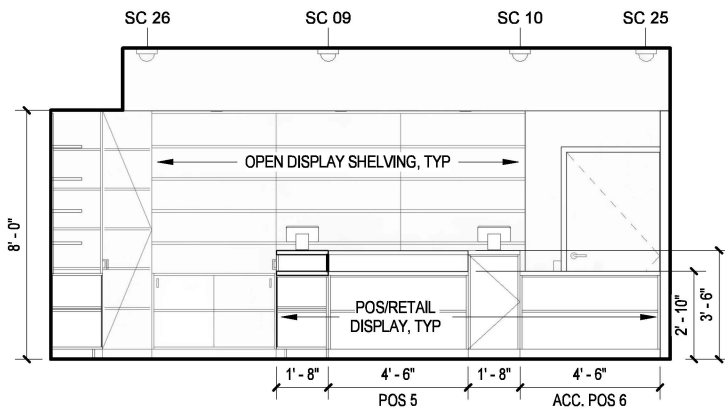
4835 MISSION ST CANNABIS RETAIL

SAN FRANCISCO, CA 94112

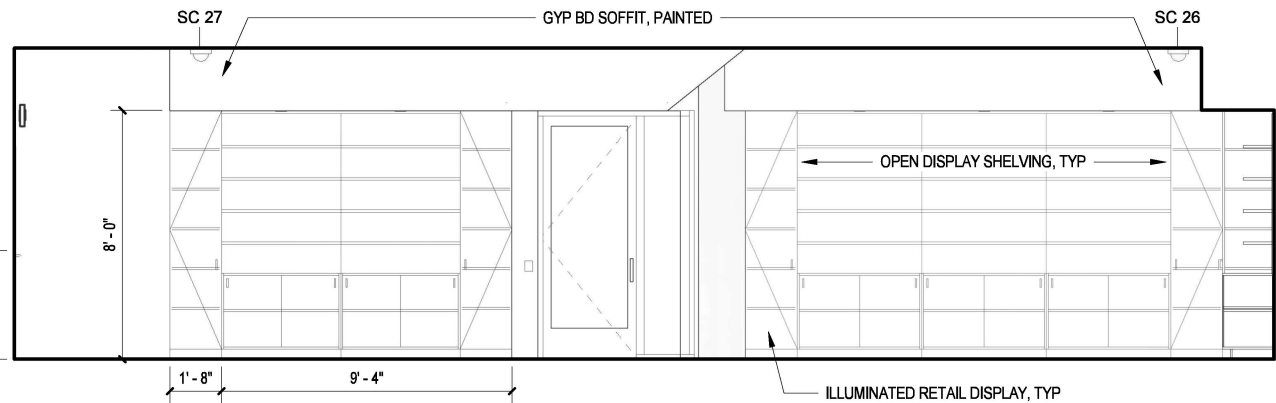
1/4" = 1'-0"
CUA-06
10/15/2021



③ RETAIL AREA - SOUTH
1/4" = 1'-0"



② RETAIL AREA - EAST
1/4" = 1'-0"



① RETAIL AREA - NORTH
1/4" = 1'-0"

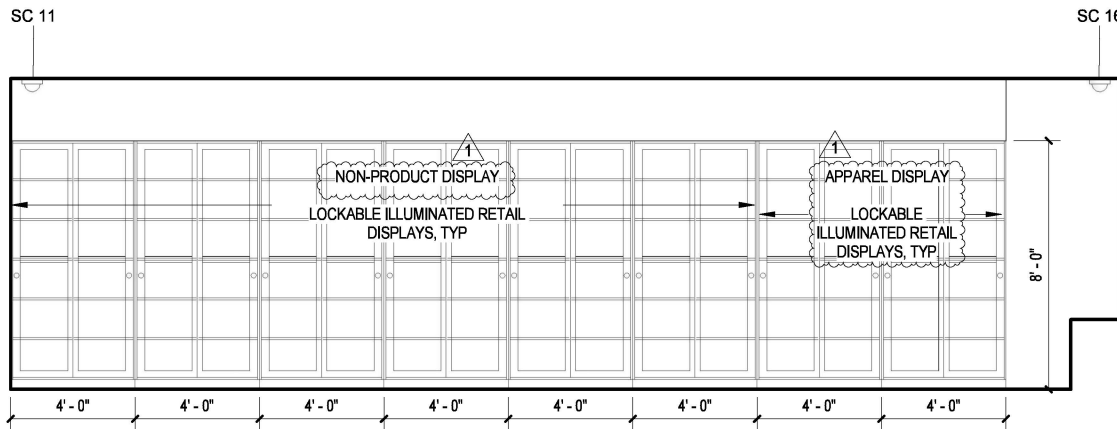


PENCIL BOX
ARCHITECTS, INC.

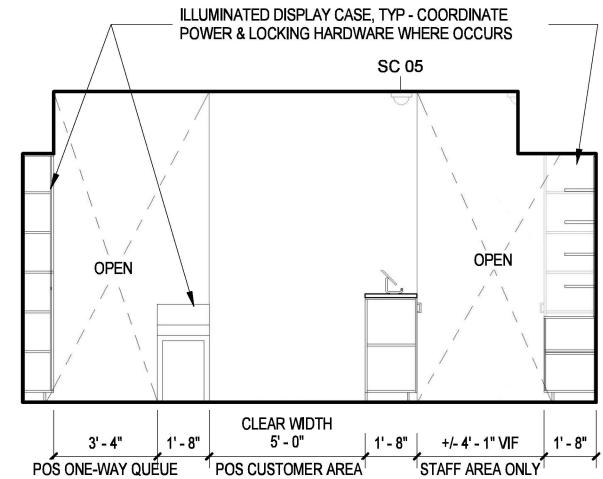
237 CLARA STREET, SAN FRANCISCO, CA 94107
WWW.PENCILBOXARCHITECTS.COM
TELEPHONE: 415.699.5953

INTERIOR ELEVATIONS
4835 MISSION ST CANNABIS RETAIL
SAN FRANCISCO, CA 94112

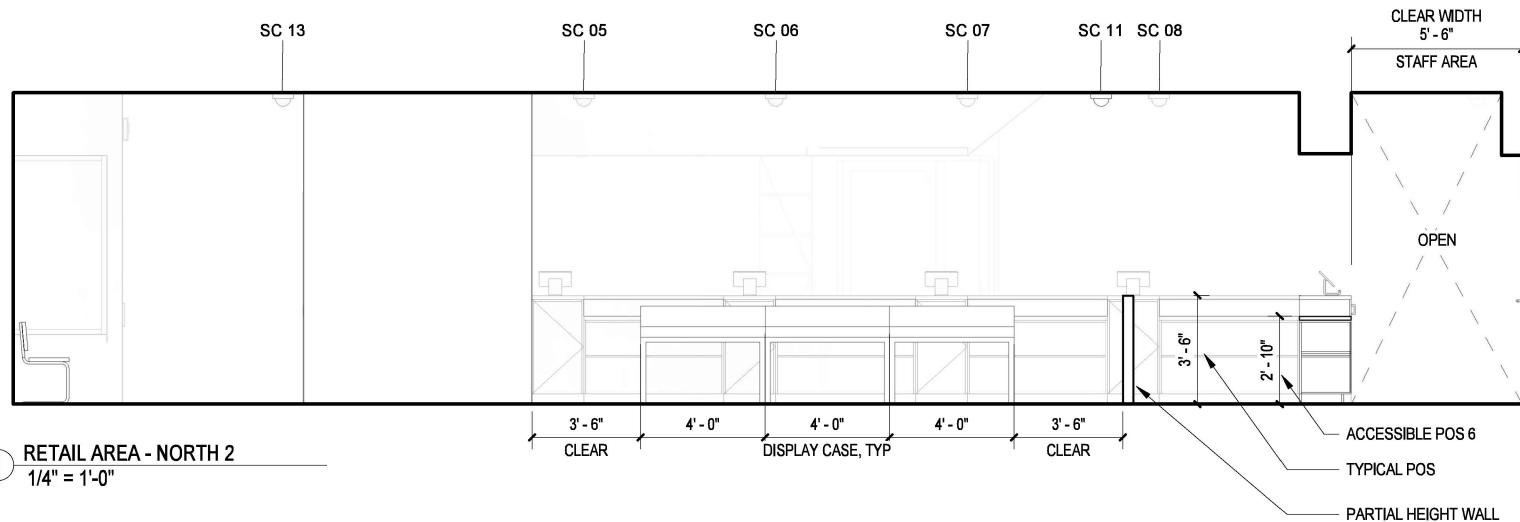
1/4" = 1'-0"
CUA-07
10/15/2021



③ RETAIL AREA - SOUTH 2
1/4" = 1'-0"



② RETAIL AREA - WEST
1/4" = 1'-0"



① RETAIL AREA - NORTH 2
1/4" = 1'-0"



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INTERIOR RENDERING

4835 MISSION ST CANNABIS RETAIL
SAN FRANCISCO, CA 94112

CUA-09
10/15/2021

CMIP7223-S

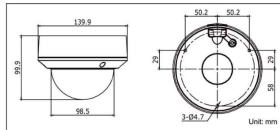
2.0MP VF IR Dome Network Camera



Key features

- 2 megapixel (1920×1080) high resolution
- Full HD1080p real-time video
- 2.8-12mm varifocal lens
- Video Content Analytics(VCA)
- Region of Interest(ROI)
- IR LEDs: up to 100ft(about 30m)
- DWDR & 3D DNR & BLC
- 3-Axis
- Onboard storage (up to 64GB)
- Audio I/O, Alarm I/O
- IP66
- Vandal-proof

Dimensions



CMIP7223-S	
Camera	
Image sensor	1/3" sensor
Min. illumination	0.014lux @(F1.4,AGC ON)
	0 lux with IR
Shutter time	1/25s ~ 1/100,000s
Lens	2.8 ~ 12mm @ F1.4, Angle of view: 113° ~ 33.8°
Lens mount	Φ14
Day & night	ICR
ROI	Yes, up to 4 configurable areas
Digital noise reduction	3D DNR
Wide dynamic range	Digital WDR
Backlight compensation	Yes, zone optional
Angle adjustment	Pan: 0° ~ 355°, Tilt: 0° ~ 75°, Rotation: 0° ~ 355°
Compression standard	
Video compression	H.264 / MJPEG
H.264 compression profile	Main profile
Bit rate	32 Kbps ~ 16 Mbps
Audio compression	G.711/G.726/MP2L2
Audio bit rate	64Kbps(G.711) / 16Kbps(G.726) / 32~128Kbps(MP2L2)
Dual Stream	Yes
Image	
Max. image resolution	1920×1080
Frame rate	60Hz: 30fps (1920×1080)
	50Hz: 25fps (1920×1080)
Image settings	Saturation, brightness, contrast adjustable through client software or web browser
Network	
Network storage	NAS
Alarm trigger	Motion detection, Tampering alarm, Network disconnect, IP address conflict, Storage full, Storage error
Protocols	TCP/IP, ICMP, HTTP, HTTPS, FTP, DHCP, DNS, DDNS, RTP, RTSP, PPPoE, NTP, UPnP, SMTP, SNMP, IGMP, 802.1X, QoS, IPv6, Bonjour
System compatibility	ONVIF, PSIA, CGI, ISAPI
General functionalities	User Authentication, Watermark
Interface	
Communication interface	1 RJ45 10M / 100M ethernet port
On-board storage	Built-in Micro SD/SDHC/SDXC card slot, up to 64 GB
Audio Input/Output	1/1
Alarm Input/Output	1/1
General	
Operating conditions	-22 ° F ~ 140 ° F (-30 ° C ~ 60 ° C), humidity 95% or less (non-condensing)
Power supply	DC12V ± 10%, PoE (802.3af)
Power consumption	Max. 5.5W
Impact protection	IEC60068-2-75Eh, 50; EN50102, up to IK10
Ingress protection level	IP66
IR range	Up to 100ft(About 30m)
Dimensions	Φ5.5"×3.9"(Φ140.0 x 99.9mm)
Weight	2.2lbs(1000g)



Parameter	Wall Mount Bracket with junction Box)
Construction	Aluminum Alloy
Dimension	Φ136×243×290mm (5.4"×9.6"×11.4")
Weight	1490g (3.3lbs)

NOTE: SECURITY CAMERA IS MOUNTED TO FACADE WITH (4) SMALL SCREWS. NO DAMAGE TO THE FACADE SHALL RESULT UPON REMOVAL.



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TELEPHONE: 415.699.5953

SECURITY CAMERA SPECIFICATION

4835 MISSION ST CANNABIS RETAIL
SAN FRANCISCO, CA 94112

CUA-10

10/15/2021

From: [BOS Legislation, \(BOS\)](#)
To: "olinda vega"; "steve@mmdshops.com"; "Sarah.D@mmdshops.com"; "mishka@mmdshops.com"; "conorj@otterbrands.com"; "sam@collaray.com"
Cc: [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Anderson, Katharine \(DPW\)](#); [Blackwell, William \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Schneider, Ian \(DPW\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Wong, Jason \(DPW\)](#); [Ionin, Jonas \(CPC\)](#); [Balba, Ryan \(CPC\)](#); [Jimenez, Sylvia \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: APPELLANT SUPPLEMENTAL INFORMATION: Appeal of Conditional Use Authorization - Proposed 4835 Mission Street Project - Appeal Hearing December 13, 2022
Date: Friday, December 2, 2022 8:59:00 AM
Attachments: [image001.png](#)

Greetings,

The Office of the Clerk of the Board is in receipt of supplemental information from the Appellant, Olinda Vega, for the appeal of Conditional Use Authorization of the proposed project of 4835 Mission Street.

[Appellant Supplemental Information - December 2, 2022](#)

The hearing for this matter is scheduled for 3:00 p.m. special order before the Board on December 13, 2022.

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 221141](#)

Jocelyn Wong

Legislative Clerk

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163

jocelyn.wong@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the

California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.

From: [olinda vega](#)
To: [BOS Legislation. \(BOS\)](#)
Cc: [Lew, Lisa \(BOS\)](#)
Subject: Additional information for the Board members - 4835 Mission St. file No 221141
Date: Friday, December 2, 2022 12:49:26 AM
Attachments: [President Tanner's Statement from Planning Commission Hearing of 09.docx](#)
[No More MJ in the Excelsior .docx](#)

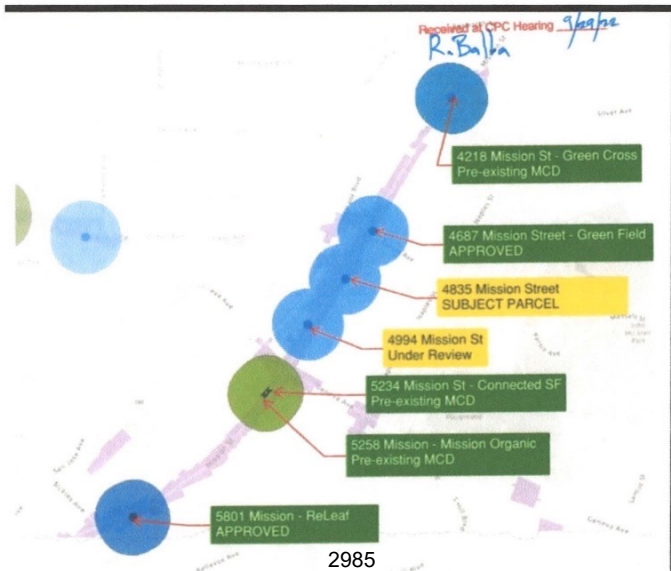
This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

Please see attachments:

1. District 11 Cannabis map
2. President Tanner's Statement from Planning Commission Hearing of 09/29/2022
3. No More MJ in the Excelsior
4. BOS's Mission
5. Pictures of Commissioner's Hearing - President Tanner's Statement

District 11 Cannabis Map



President Tanner's Statement from Planning Commission Hearing of 09/29/2022
Re: 4835 Mission St. Conditional Use request

"Um, I continue to say, you've heard me say this before commissioners: I do think the 600 foot buffer is too close, but that is a policy that the city has set, that the Board Supervisors has set. If any member of the Board is listening, I hope that will be revisited. Whether or not 600 feet is too close, I think to me this map, that we're looking at, demonstrates that it is and I do have concerns around saturation in of of cannabis dispensaries, um, throughout the city... and, Phew, when I first joined this commission it was a really dark time in our city it was the end beginning of the pandemic and all we had here at this commission were cannabis dispensaries that was the only thing that was kinda coming forward at that time, during the pandemic, and who knows what the future holds, maybe we'll be yet again ,um, in the future as the economy continues to be sputteringSo, I wanna appreciate the folks that are concerned about the concentration of cannabis dispensaries in the neighborhood, it is a concern that I share... "

To Whom It May Concern:

I'm writing to voice deep concern as a parent of two middle school children about another proposed marijuana dispensary in the Excelsior District where my family and I reside.

I'm not opposed to dispensaries. I'm opposed to installing 6 of them in the Excelsior District, where there are several schools, day care centers, parks, and major public transportation lines. Our district already has more than enough. We don't don't need another.

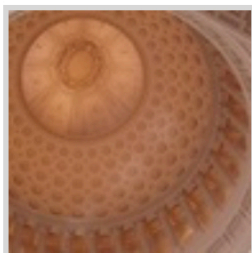
The Excelsior is a hub for students and children who attend schools and youth spaces located in the area, including Balboa High, James Denman middle school, June Jordan High, SF Community middle school, the YMCA, the Excelsior Library, Leadership High School, and more than 2 dozen child care centers. Small children and students in our community will be exposed on a regular basis to this normalized acceptance of recreational drug use.

More affluent neighborhoods in San Francisco -- as well as wealthier Bay Area municipalities -- have considered these implications and in turn have restricted the number of dispensaries in their communities. I urge SF Planning to consider why it is acceptable in the Excelsior?

Peter Bratt

Excelsior District Resident

OUR MISSION



The Board of Supervisors responds to the needs of the people of the City and County of San Francisco, establishes city policies, and adopts ordinances and resolutions.

Customer Satisfaction Survey

We want to hear from you.



HIGHLIGHTS

Interpretation & Translation Services

- English
- 中文
- Español
- Filipino

ADA Services

- English | 中文 | Español | Filipino

PLANNING COMMISSION

9/29/22

11

4835 MISSION STREET – Request for Conditional Use
Authorization to establish a Cannabis Retail use within
the ground floor commercial space

KATHRIN MOORE

board of supervisors set. If any
member of the board is



PLANNING COMMISSION

9/29/22

11

4835 MISSION STREET – Request for Conditional Use
Authorization to establish a Cannabis Retail use within
the ground floor commercial space

KATHRIN MOORE

listening, I hope that's
revisited and whether or not six



PLANNING COMMISSION

9/29/22

11

4835 MISSION STREET – Request for Conditional Use
Authorization to establish a Cannabis Retail use within
the ground floor commercial space

KATHRIN MOORE

hundred feet is too close. This

PLANNING COMMISSION

9/29/22

11

4835 MISSION STREET – Request for Conditional Use
Authorization to establish a Cannabis Retail use within
the ground floor commercial space

KATHRIN MOORE

map demonstrates it is and I
have concern around saturation

PLANNING COMMISSION

9/29/22

11

4835 MISSION STREET – Request for Conditional Use
Authorization to establish 2003 cannabis retail use within
the ground floor commercial space

KATHRIN MOORE

of cannabis dispensaries
throughout the city and when I

From: [Olinda Vega](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [Lew, Lisa \(BOS\)](#)
Subject: Additional Information for the Board members-4835 Mission St. File No 221141
Date: Friday, December 2, 2022 1:09:30 AM

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Download Attachment
Available until Jan 1, 2023

Dear Board of Supervisors,

Please see attached video: President Tanner's Statement from Planning Commission Hearing of 09/29/2022

[Click to Download](#)

IMG_4122.MOV

0 bytes

Sent from my iPhone

From: [BOS Legislation, \(BOS\)](#)
To: "olinda vega"; "steve@mmdshops.com"; "Sarah.D@mmdshops.com"; "mishka@mmdshops.com"; "conorj@otterbrands.com"; "sam@collaray.com"
Cc: [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Anderson, Katharine \(DPW\)](#); [Blackwell, William \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Wong, Jason \(DPW\)](#); [Schneider, Ian \(DPW\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Balba, Ryan \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: PROJECT SPONSOR and PUBLIC WORKS RESPONSES: Appeal of Conditional Use Authorization - Proposed 4835 Mission Street Project - Appeal Hearing December 13, 2022
Date: Thursday, December 1, 2022 4:23:37 PM
Attachments: [image001.png](#)

Greetings,

The Office of the Clerk of the Board is in receipt of responses from the Project Sponsor and the Department of Public Works for the appeal of Conditional Use Authorization of the proposed project of 4835 Mission Street.

[Project Sponsor Response - November 23, 2022](#)

[Public Works Response - December 1, 2022](#)

The hearing for this matter is scheduled for 3:00 p.m. special order before the Board on December 13, 2022.

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 221141](#)

Best regards,

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its

committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors' website or in other public documents that members of the public may inspect or copy.



Nicolas Huff, PE, Bureau Manager | Bureau of Street-Use & Mapping

nicolas.huff@sfdpw.org | T. 628.271.2000 | 49 South Van Ness Ave. 3rd Floor, San Francisco, CA 94103

December 1, 2022

Ms. Angela Calvillo
Clerk of the Board
1 Dr. Carlton B. Goodlett Place
City Hall – Room 244
San Francisco, CA 94102

RE: Planning Case No. 2021-011352CUA
4835 Mission Street – Conditional Use Authorization Appeal
APN 6272 LOT 021

Dear Ms. Calvillo:

This letter is in response to November 23, 2022 letter from Samuel Ray of Colla & Ray, LLP, the law firm representing Mission Advisory Co. (“Sponsor”), the project sponsor in the above Conditional Use Authorization Appeal (“CUA Appeal”). In that letter, the Sponsor challenges the validity of the signatures on the CUA Appeal, and the Department’s conclusion that the signatures on the appeal satisfy the 20% requirement of Planning Code section 308.1. Sponsor requests that the Office of the City and County Surveyor confirm the validity of certain signatures, and its calculation of the percentage of property within a 300 foot radius of the proposed project represented by those signatures.

The Department of Public Works (“Public Works” or the “Department”) provides the following information in response to the Sponsor’s concerns.

Identification of Owners and Verified Tenants

First, the Department was able to verify the identities of owners and the number of units contained in each property within the 300 foot radius through the Assessor Recorder’s property records and property Tax Rolls, respectively. Second, Planning Code section 308.1(b)(5) provides that “Verified Tenants” are tenants who declare under penalty of perjury that they meet the requirements set forth in Planning code section 308.1. Public Works may, but is not required to, request proof of verified tenancy at the time of receipt of a Notice of Appeal. Because each signing tenant provided the required declaration under penalty of

perjury, Public Works did not require further proof of tenancy for this Notice of Appeal. The references in the exhibits provided by the Sponsor to “unverified tenants” do not indicate that the tenants who signed the notice fail to meet the definition of “Verified Tenant” under the Planning Code. Rather, the references were intended to indicate that Public Works did not separately require documentation in support of tenant status from these individuals. In the future, the Department and the Clerk of the Board’s Office will strive to use different terminology to avoid confusion.

In summary, Public Works followed the guidelines set forth under Planning Code section 308.1(b)(5), and counted only signatures meeting the definitions of owners or Verified Tenants as set forth in the code.

Calculation of the 20% Threshold

The Sponsor also argues that the Department has improperly calculated the percentage of property represented by the signatures on the Notice of Appeal. This assertion is also incorrect. The Department addresses each of the contentions of the Sponsor relating to its calculation methodology below.

- (1) Sponsor’s Comment: “Out of those 38 properties, one property – 579 London Street (APN: 6273/017B) – is outside the 300-foot radius.”**

Response: This confirms that Public Works did note that the referenced property was outside the 300-foot radius and did not include it in the original calculation.

- (2) Sponsor’s Comment: “A single tenant of 4828 Mission Street signed the Notice of Appeal. However, 4828 Mission Street is a four-unit building.”**

Response: 4828 Mission Street (APN: 6959-032) is not a four-unit building but rather a five-unit building per the Assessor Recorder’s Property Tax Rolls. Per the original calculations, the Notice of Appeal was signed by one Verified Tenant; therefore 20% of the total square footage was calculated into the total percentage.

- (3) Sponsor’s Comment: “One property owner of 522 Paris Street signed the Notice of Appeal. However, this property actually has two owners on title.”**

Response: 522 Paris Street (APN: 6273-001B) was not counted due to the fact that the signee was not a verified owner.

- (4) Sponsor’s Comment: “In fact, Section 308.1 empowers DPW to require that tenant signatories provide proof of residency ... ”**

Response: Sponsor misstates the requirements of Planning Code Section 308.1(b)(5), which provides:

“a ‘Verified Tenant’ is a residential or commercial tenant of a property who declares, under penalty of perjury of the laws of the State of California, that the tenant occupies the entire property or at least one separate unit on the property pursuant to a lease with a term exceeding 32 days. [...] A Verified Tenant who signs an appeal pursuant to this Section may be required by Public Works to provide such proof of tenancy.”
(Emphasis added.)

Per the Planning Code, there is no requirement for Public Works to pursue proof of tenancy where, as here, all tenant signatures are provided under penalty of perjury.

Following the requirements of Planning Code section 308.1, as amended, Public Works has confirmed that the verified owner signatures and the signatures of Verified Tenants (as that term is defined in section 308.1(b)(5)) total 27.18% of the property within the 300 foot radius of the project site, and no further verification is required.

Sincerely,

K. Anderson

Katharine Anderson
City & County Surveyor

From: [Anderson, Katharine \(DPW\)](#)
To: [Wong, Jason \(DPW\)](#)
Subject: FW: File No. 221141/Planning Case No. 2021-011352CUA/4835 Mission Street – Request for Review of Conditional Use Authorization Notice of Appeal
Date: Wednesday, November 30, 2022 8:02:32 AM
Attachments: [2022-11-23 LTR to BOS re 4835 Mission Street – Conditional Use Authorization Appeal.pdf](#)

Katharine S. Anderson, PLS

City and County Surveyor, City and County of San Francisco

Bureau of Street Use & Mapping | San Francisco Public Works | City and County of San Francisco
49 South Van Ness Avenue, 9th Floor | San Francisco, CA 94103 | (628) 271-2132

From: Samuel Ray <sam@collaray.com>
Sent: Wednesday, November 23, 2022 3:35 PM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Anderson, Katharine (DPW) <katharine.anderson@sfdpw.org>; Huff, Nicolas (DPW) <nicolas.huff@sfdpw.org>
Cc: Jimenez, Sylvia (CPC) <Sylvia.Jimenez@sfgov.org>; JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>; PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Balba, Ryan (CPC) <ryan.balba@sfgov.org>; ChanStaff (BOS) <ChanStaff@sfgov.org>; DorseyStaff (BOS) <DorseyStaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; MelgarStaff (BOS) <MelgarStaff@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>
Subject: File No. 221141/Planning Case No. 2021-011352CUA/4835 Mission Street – Request for Review of Conditional Use Authorization Notice of Appeal

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

Good Afternoon Ms. Cavillo - Clerk of the Board of Supervisors:

I represent Mission Advisory Co., with respect to its conditional use authorization to convert the property located at 4835 Mission Street to retail cannabis use under Planning Case No. 2021-011352CUA, which was recently approved by the San Francisco Planning Commission. As you may know, the Board of Supervisors has received a Notice of Appeal of said Conditional Use Authorization from Olinda Meza Vega, a nearby resident ("Appellant").

The purpose of the attached correspondence is to contest the validity of the Notice of

Appeal on the basis that it does not comply with the requirements of San Francisco Planning Code Section 308.1.

Please let me know if you have any questions. We look forward to your response.

Best,

Sam

--

Samuel Ray
Colla & Ray LLP
1561 Powell Street
San Francisco, CA 94133
o: [\(415\) 579-1414](tel:(415)579-1414)
d: [\(415\) 579-1413](tel:(415)579-1413)
collaray.com

NOTICE: My office hours are 1:00 – 4:30 pm PST Monday – Friday. The best way to contact me is via text or email and I will respond to you at my earliest convenience. If you require immediate attention, please call the office at (415) 579-1414 . Thank you for your cooperation.

CONFIDENTIALITY NOTICE: This communication and its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws, including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

November 23, 2022



Angela Calvillo, Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall – Room 244
San Francisco, CA 94102
angela.calvillo@sfgov.org

Nicholas Huff, PE, Bureau Manager
Katharine Anderson, City & County Surveyor
Department of Public Works
Bureau of Street Use & Mapping
49 South Van Ness Avenue, 3rd Floor
San Francisco, CA 94103
nicholas.huff@sfdpw.org
katharine.anderson@sfdpw.org

Sent Via Email and Hand Delivery.

Re: File No. 221141/Planning Case No. 2021-011352CUA/4835 Mission Street – Conditional Use Authorization Appeal – Request for Verification of Validity of Notice Appeal.

Dear Clerk of the Board of Supervisors:

This law firm represents Mission Advisory Co., the project applicant (the “Applicant”) for conditional use authorization to convert the property located at 4835 Mission Street (the “Property”) to retail cannabis use under Planning Case No. 2021-011352CUA (the “Project”). The Project was unanimously approved by the Planning Commission on September 29, 2022. This Project is a verified equity owned dispensary, which meets all the requirements of San Francisco Police Code Article 16 and fulfils the City and County of San Francisco’s equity goals.

On October 31, 2022, the Clerk of the Board of Supervisors received a Notice of Appeal of the Project and assigned this matter File No. 221141. The relevant portion of the Notice of Appeal is attached hereto as **Exhibit A**. On November 8, 2022, the Department of Public Works (“DPW”) sent the Clerk of the Board a letter verifying the Notice of Appeal (“DPW Verification Letter”). A copy of the DPW Verification Letter is attached hereto as **Exhibit B**. On November 9, 2022, the Clerk of the Board sent a letter to the Appellant accepting the Notice of Appeal (“Clerk of Board Letter”). A copy of the Clerk of the Board Letter is attached hereto as **Exhibit C**.

The purpose of this letter is to contest the validity of the Notice of Appeal on the basis that it does not meet the requirements of San Francisco Planning Code Section 308.1. This Applicant is a small business and an equity-owned dispensary. This Project has met all the requirements imposed by the City and County of San Francisco in order to receive approval from the Planning Commission and Office of Cannabis. In addition, the Applicant has done considerable community outreach, including neighborhood meetings and canvassing. In short, despite the arduous process of opening a dispensary in San Francisco, this Applicant has done this project the correct way by respecting all the processes and procedural hurdles imposed by the City. Therefore, the prospect of having to go before yet another government body, after already receiving unanimous approval from the Planning Commission, is daunting as it interjects uncertainly at the end of

what has already been a long journey. As the Applicant has respected due process throughout this Project, they only requests that they are affordable the same due process in consideration of this Notice of Appeal.

As such, the Applicant requests that the City review the Notice of Appeal to ensure it meets the requirements of Planning Code Section 308.1. Upon review, the City will find that the Notice of Appeal does not meet the signature requirement. As detailed below, Section 308.1 requires that a notice of appeal be subscribed to by “the owners or Verified Tenants of at least 20% of the property affected by the Conditional Use[.]” (Planning Code §308.1(b).) Here, the Notice of Appeal is subscribed to by less than 20% of the verified tenants/owners of the affected properties, as such this Notice of Appeal should not have been accepted.

I. Summary of Section 308.1

On or about September 16, 2022, the Board of Supervisors amended Planning Code Section 308.1 to allow “Verified Tenants”, in addition to property owners, to subscribe to appeals for the purpose of reaching the required 20% threshold of affected properties. (See File No. 220130; Planning Code §308.1.) This amendment became effective on October 17, 2022. For your reference, a true and correct copy of Planning Code Section 308.1 is attached hereto as **Exhibit D**.

Section 308.1 now states, in relevant part, that a notice of appeal shall be subscribed by, *inter alia*, “the owners or Verified Tenants of at least 20% of the property affected by the . . . Conditional Use.” (Planning Code §308.1(b).) For the purpose of appeals of a conditional use authorization, Section 308.1 defines “property affected” as “all property within 300 feet of all exterior boundaries of the property for which Conditional Use has been approved by the Planning Commission, excluding the property for which the approval has been given.” (Planning Code §308.1(b)(2).) Section 308.1 defines a “Verified Tenant” as “a residential or commercial tenant of a property who declares, under penalty of perjury of the laws of the State of California, that the tenant occupies the entire property or at least one separate unit on the property pursuant to a lease with a term exceeding 32 days.” (Planning Code §308.1(b)(5).) Verified Tenants are required to “maintain proof of tenancy,” which can be requested by DPW to verify tenancy. (*Ibid.*)

As some tenants only occupy a portion of an affected property and some owners only own a fraction of a building, Section 308.1 provides instructions for calculating the number of properties affected with signatures subscribing to the petition:

- Section 308.1(b)(4) states that, [i]f a property is held in joint ownership, “the signatures of the joint owners shall be calculated as representing affected property in direct proportion to the amount of total ownership of that property attributed to the joint owner or owners subscribing to the notice of appeal.” Further, if an owner has “exclusive rights to a portion of the property, the proportion of the total ownership attributable to that owner shall be calculated in terms of a ratio of the floor area and land area in which that owner has exclusive, joint, and common rights to the total floor area and land area of that property.”
- Section 308.1(b)(6) states that, “[w]here a property contains more than one rental unit, the signatures of Verified Tenants shall be calculated as representing the percentage of affected property in the same proportion of the number of rental units on the property represented by the Verified Tenants subscribing to the appeal to the total number of rental units in that property.” Further, “if more than one Verified Tenant occupying a single rental unit subscribes to the appeal, that unit will only be given the weight of a single unit in the property.”

- Section 308.1(b)(7) states that, “[i]f an owner of 100% of a tenant-occupied property and one or more Verified Tenants of the same property subscribe to the appeal, the land area of the affected property shall be given the same weight as the land area of an affected property owned by a single owner in determining whether 20% of the property affected is represented by signatures to the appeal.”

Therefore, Section 308.1 requires that the City not only count the number of affected properties represented by signatures, but also properly weigh each of those signatures in accordance with the percentage of the property that each signatory owns or rents.

II. Application of San Francisco Planning Code Section 308.1 to this Notice of Appeal

Here, there are 153 affected properties (properties within 300 feet of exterior boundaries of the Property). As such, in order to reach the 20% threshold of affected properties, either owners or Verified Tenants of 31 affected properties must subscribe to the Notice of Appeal. The Notice of Appeal has 64 signatures, which represent 38 different properties. Out of those 38 properties, one property – 579 London Street (APN: 6273/017B) – is outside the 300-foot radius. Further, in accordance with the method for calculating the 20% threshold of property described above (see Planning Code §308.1(b)(1)-(7)), many of the affected properties are multi-unit buildings and the signatories represent only a fraction of the units within said property. Finally, some of the affected properties are multi-owner properties, and the signatories only represent a percentage of the property’s ownership. As such, in determining if the 20% threshold is met, those signatures must be weighted appropriately.

Here are two examples from this Notice of Appeal of how signatures should be weighted in accordance with Section 308.1:

1. A single tenant of 4828 Mission Street signed the Notice of Appeal. However, 4828 Mission Street is a four-unit building. Per Section 308.1(b)(6), **“[w]here a property contains more than one rental unit, the signatures of Verified Tenants shall be calculated as representing the percentage of affected property in the same proportion of the number of rental units on the property represented by the Verified Tenants subscribing to the appeal to the total number of rental units in that property.”** (Emphasis Added.) As such, this tenant’s signature should only be attributed to 1/4 of the affected property. In other words, for the purposes of determining whether the 20% threshold has been met (31 properties), this signature should be counted as .25, as opposed an entire property.
2. One property owner of 522 Paris Street signed the Notice of Appeal. However, this property actually has two owners on title. Per Section 308.1(b)(4), if a property is held in joint ownership, “the signatures of the joint owners shall be calculated as representing affected property in direct proportion to the amount of total ownership of that property attributed to the joint owner or owners subscribing to the notice of appeal.” As such, this owner’s signature should only be attributed to 1/2 of the affected property. In other words, for the purposes of determining whether the 20% threshold has been met, this signature should be counted as .5, not the entire property.

Accounting for the above considerations, the City will find that less than 20% of the affected properties have subscribed to this Notice of Appeal. Further, many of the signature are from “tenants.” In order to be considered, Section 308.1 specifically requires that the tenants be “Verified Tenants” as defined

by Section 308.1(b)(5). In fact, Section 308.1 empowers DPW to require that tenant signatories provide proof of residency in the form of an executed lease agreement, tax records, DMV records, and/or utility bills. Here, DPW never requested tenant verification. Notably, in the Verification Letter, DPW specifically states that “**[w]e were not able to verify tenant’s signatures**” and stated that the tenants are “**unverified tenants**.” (See Exh. B [emphasis added].) Further, the Letter from the Clerk of the Board specifically states that Notice of Appeal contain signatures from “verified property owners and **unverified tenants**.” (See Exh. C [emphasis added].) However, Section 308.1 specifically requires that the tenants be “**Verified Tenants**” in order to be counted. Therefore, DPW should request proof of residency from the tenant signatories or, in the alternative, not count the signatures of “unverified tenants” towards the 20% threshold.

As previously stated, the approval of this Project has been a long road for the Applicant. In fact, despite being held to the strict letter of the law, the Applicant has surpassed every single legal and procedural hurdle. Therefore, the prospect of having this Project reviewed by another government body after receiving unanimous approval from the Planning Commission is concerning as it could have huge implications on the future of this business. As such, before accepting this Notice of Appeal, the Applicant respectfully requests that the City review this Notice of Appeal to ensure that it is subscribed to by 20% of the affected properties as required by Section 308.1.

Very Truly Yours,

/s/ Samuel Ray

Samuel Ray
Colla & Ray LLP
Attorneys for Mission Advisory Co.

cc: Supervisor/Board President Shamann Walton
Supervisor Ahsha Safai
Supervisor Connie Chan
Supervisor Catherine Stefani
Supervisor Aaron Peskin
Supervisor Gordon Mar
Supervisor Dean Preston
Supervisor Matt Dorsey
Supervisor Myrna Melgar
Supervisor Rafael Mandelman
Supervisor Hillary Ronen
Anne Pearson, Deputy City Attorney
Kristen Jensen, Deputy City Attorney
Jonas Ionin, Planning Commission
Sylvia Jimenez, Planning Department
Ryan Balba, Planning Department

EXHIBIT A

2022 OCT 31 PM 3:18

NOTICE TO BOARD OF SUPERVISORS OF APPEAL BY ll
FROM ACTION OF THE CITY PLANNING COMMISSION

Notice is hereby given of an appeal to the Board of Supervisors from the following action of the City Planning Commission.

The property is located at

4835 Mission St SF CA 94112

September 29, 2022

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

October 31, 2022

Appeal Filing Date

n/A The Planning Commission disapproved in whole or in part an application for reclassification of property, Case No. n/A.

n/A The Planning Commission disapproved in whole or in part an application for establishment, abolition or modification of a set-back line, Case No. n/A.

☒ The Planning Commission approved in whole or in part an application for conditional use authorization, Case No. 2021-011352 CUA.

n/A The Planning Commission disapproved in whole or in part an application for conditional use authorization, Case No. n/A.

Statement of Appeal:

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

Please see attached copy of planning commission decision provided by the SF planning.

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

- 1) Violation of Sunshine Ordinance
- 2) Code Violation due to proximity of lunch areas for Balboa High School.
- 3) Planning commissioner Tanner's suggestion that BOS revisit the 600 ft buffer zone.
- 4) Over saturation of similar businesses in the area. Please see attached letter.

Person to Whom
Notices Shall Be Mailed

Name and Address of Person Filing Appeal:

Olinda Mera Vega
Name

Olinda Mera Vega
Name

P.O BOX 885081 SF CA 94188
Address

566 London St SF CA 94112
Address

(415) 312-2401
Telephone Number

(415) 312-2401
Telephone Number


Signature of Appellant or
Authorized Agent

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BOARD OF SUPERVISORS
SAN FRANCISCO

2022 OCT 31 PM 3:18

Appeal signatures
page 1 of 5

BY ll

No. 2021-011352 MA Planning Commission Case

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners or "Verified Tenants" of property affected by the proposed amendment or conditional use (that is, owners or "Verified Tenants" of the property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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

"Verified Tenants" that sign below, hereby declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct, and that the tenant occupies the entire property or at least one separate unit on the property pursuant to a lease with a term exceeding 32 days.

Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
1. 566 London St	6272/011	Owner	Olinda Mera Vega	
2. 528 London St	6272/004	Owner	Raul Sandoval	
3. 556 London	6272/010	Tenant	A. John Ostun	
4. 532 London	6272/004B	Tenant	Martina Gurrever	
5. 555 LONDON	6273/021	OWNER	KATIA HERASMOZ	
6. 570 London	6272/012	Owner	Patricia Harman	
7. 538 London	6272/004A	OWNER	Amber Jay	
8. 556 London	6272/010	Tenant	Matt Pipes	
9. 551 London	6273/023	Tenant	ALEX GONZALEZ	
10. 553 London	6273/022	Owner	Alexander	
11. 567 London	6273/019	Owner	Raymond Kim	
12. 551 London	6273/023	Tenant	Fredy Soto	
13. 552 LONDON	6272/008	TENANT	Sonja L. Garlick	
14. 528 London	6272/004	Tenant	Jorge Ramos	
15. 4828 Mission #2	6959/032	Tenant	Felicia Madric	
16. 4796 Mission St #116	6956/016	Tenant	Alexander Poul	
17. 4796 Mission St #206	6956/036	Tenant	Julio Leon	
18. 535 London	6273/024C	Tenant	John Lee	
19. 543 London	6273/024A	OWNER	CHARON GHEA	
20. 543 LONDON	6273/024A	OWNER	TIM SHEA	

(All information provided is subject to public disclosure; personal information will not be redacted.)

2022 OCT 31 PM 3:18

Planning Commission Case
No. 2021-011352 CUA

BY ll
The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners or "Verified Tenants" of property affected by the proposed amendment or conditional use (that is, owners or "Verified Tenants" of the property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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

"Verified Tenants" that sign below, hereby declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct, and that the tenant occupies the entire property or at least one separate unit on the property pursuant to a lease with a term exceeding 32 days.

Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
1. Rent 4827 Mission	6272/023	Tenant	Joyce Chan	[Signature] owner
2. Rent 4788 Mission	6956/036	tenant	Emetoria C.M.	[Signature]
3. 577 London St	6273/024	tenant	Tommy	[Signature]
4. 4796 Mission #210	6956/036	tenant	ROGER CAMPBELL	[Signature]
5. 4790 Mission	6956/036	tenant	Lisa Hdz	[Signature]
6. 522 London	6272/034	tenant	LISA ENNIS	[Signature]
7. 582 London St	6272/013B	owner	HUAM YING TAO	[Signature]
8. 578 LONDON ST	6272/013A	owner	Brian G. G. G. G.	[Signature]
9. 578 LONDON ST	6272/013A	owner	Syrah Grzybowski	[Signature]
10. 519 London	6273/024G	tenant	Yao Shengxi	[Signature]
11. 5396 coast	6273/024B	tenant	Elmer Jones	[Signature]
12. 545 London	6273/024	Tenant	BENJAMIN J. J. J.	[Signature]
13. 557 LONDON	6273/020	owner	Hao Mei Mok	[Signature]
14. 571 London St	6273/017A	owner	Ma. Patricia Desales	[Signature]
15. "	6273/017A	"	Cayetano Desales	[Signature]
16. 554 LONDON ST	6272/009	owner	MI LING JUI	[Signature]
17. 570 London St	6272/028	owner	King ng	[Signature]
18. 150 London St	6272/028	owner	Eliza Ngo	[Signature]
19. 523 London St	6273/024F	owner	Meimei zhu	[Signature]
20. 523 LONDON ST	6273/024F	owner	Kwok HUNG GEE	KWOK HUNG GEE

(All information provided is subject to public disclosure; personal information will not be redacted.)

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2022 OCT 31 PM 3:18

BY

[Signature]

Planning Commission Case

No. 2021-011352 CUA

page 3 of 5

The undersigned declare that they are hereby subscribers to this Notice of Appeal and are owners or "Verified Tenants" of property affected by the proposed amendment or conditional use (that is, owners or "Verified Tenants" of the property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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

"Verified Tenants" that sign below, hereby declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct, and that the tenant occupies the entire property or at least one separate unit on the property pursuant to a lease with a term exceeding 32 days.

Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
1. 4811 Mission St. #401	6272/031	Tenant	Ingrid Cruz	<i>[Signature]</i>
2. 4811 Mission St. 301	6272/031	Tenant	Gabriela Chacon	<i>[Signature]</i>
3. 4813 Mission St. #401	6272/047	Owner	Fozia Sarwar	Fozia Sarwar
4. 4813 Mission St. #301	6272/047	Owner	Yukiko Retnik	<i>[Signature]</i>
5. 4813 Mission St. #201	6272/047	tenant	Francisco Lara	F.S.
6. 4833 Mission St.	6272/021	Tenant	Eli Odisho	<i>[Signature]</i>
7. 4843 Mission St. #A	6272/019	Tenant	Ramon Serrano	<i>[Signature]</i>
8. 4871 Mission St.	6272/015	tenant	Luis Marquez	Luis Marquez
9. 4830 Mission St. #403	6272/033	tenant	Enila Peron	<i>[Signature]</i>
10. 4825 Mission	6272/033	owner	DALIA ORTEGA	Dalia Ortega
11. 4825 MISSION	6272/033	OWNER	WALTER FRANCO	Walter Franco
12. 510 Paris St	6273/001A	Helen ^{tenant}	HELEN CHEN	<i>[Signature]</i>
13. 522 Paris St	6273/001B	Owner	Simon Woo	<i>[Signature]</i>
14. 579 London St	6273/0178	owner	ADAM ADLUNG	<i>[Signature]</i>
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(All information provided is subject to public disclosure; personal information will not be redacted.)

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2022 OCT 31 PM 3:18

page 4 of 5

Planning Commission Case
No. 2021-01135-2 CNA

The undersigned ll declare that they are hereby subscribers to this Notice of Appeal and are owners or "Verified Tenants" of property affected by the proposed amendment or conditional use (that is, owners or "Verified Tenants" of the property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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

"Verified Tenants" that sign below, hereby declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct, and that the tenant occupies the entire property or at least one separate unit on the property pursuant to a lease with a term exceeding 32 days.

Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
1. 522 LONDON	6272/034	OWNER	CHRIS ENNIS	Chris Ennis
2. 579 LONDON	6273/017B	OWNER	CHARMIAN ABANG	Charmian Abang
3. 823 London	6273/024F	TEINANT	Susan Huang	Susan Huang
4. 4855 Mission #4	6272/039	OWNER	WALTER LARSEN	Walter Larsen
5. 4855 Mission #5	6272/039	OWNER	EDWARD TAPIA	Edward Tapia
6. 4830 Mission #3	6959/033	Tenant.	Meifang Wu.	Meifang Wu
7. 554 LONDON ST	6272/009	OWNER	WAI SUN JOE	Wai Sun Joe
8. 15 RUSSELL	6084/019	Tenant	Subho Mohan	Subho Mohan
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(All information provided is subject to public disclosure; personal information will not be redacted.)

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

page 5 of 5

2022 OCT 31 PM 3:18

No. 2021-011352 Planning Commission Case CWA

The undersigned by declare that they are hereby subscribers to this Notice of Appeal and are owners or "Verified Tenants" of property affected by the proposed amendment or conditional use (that is, owners or "Verified Tenants" of the property within the area that is the subject of the application for amendment or conditional use, or within a radius of 300 feet of the exterior boundaries of the property.

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

"Verified Tenants" that sign below, hereby declare under penalty of perjury, under the laws of the State of California that the foregoing is true and correct, and that the tenant occupies the entire property or at least one separate unit on the property pursuant to a lease with a term exceeding 32 days.

Street Address, property owned or rent	Assessor's Block & Lot	Owner or Verified Tenant	Printed Name	Original Signature
1. 4867 MISSION ST SF CA 94112	6212/015A	OWNER	ALFREDO DELA ROSA	Alfredo E. delafra
2. 523 London ST	6273/024F	OWNER	YUN YU ZHANG	Yun Yu Zhang
3. 554 London ST	6272/009	TENANT	Billy Joe	Billy Joe
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(All information provided is subject to public disclosure; personal information will not be redacted.)

EXHIBIT B



Nicolas Huff, PE, Bureau Manager | Bureau of Street-Use & Mapping

nicolas.huff@sfdpw.org | T. 628.271.2000 | 49 South Van Ness Ave. 3rd Floor, San Francisco, CA 94103

November 8, 2022

Ms. Angela Calvillo
Clerk of the Board
1 Dr. Carlton B. Goodlett Place
City Hall – Room 244
San Francisco, CA 94102

RE: Planning Case No. 2021-011352CUA
4835 Mission Street – Conditional Use Authorization Appeal
APN 6272 LOT 021

Dear Ms. Calvillo:

This letter is in response to your November 2, 2022, request for the Office of the City and County Surveyor to review for verification of signatures with respect to the above referenced appeal. We were able to verify the owners through the Assessor Recorder's property records. We were not able to verify tenant's signatures. They did, however, declare under penalty of perjury that they occupy the property.

Please be advised that per our calculations the appellants' signatures (verified owners and unverified tenants), they represent 27.18% of the area, which is greater than 20% of the area involved and therefore may be enough for an appeal.

Sincerely,

A handwritten signature in blue ink that reads "K. Anderson".

Katharine Anderson
City & County Surveyor

EXHIBIT C

BOARD of SUPERVISORS



**City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227**

November 9, 2022

Olinda Vega
566 London Street
San Francisco, CA 94112

**Subject: File No. 221141 - Appeal of Conditional Use Authorization
4835 Mission Street Project**

Dear Ms. Vega:

The appeal filing period for the Conditional Use approval for the proposed project at 4835 Mission Street closed on October 31, 2022.

The City and County Surveyor has informed the Board of Supervisors in a letter received November 8, 2022 (copy attached), that the signatures represented with your appeal filing on October 31, 2022, have been checked pursuant to the Planning Code, and represent more than 20% of the verified property owners and unverified tenants required, and are sufficient for an appeal.

Pursuant to Planning Code, Section 308.1, a hearing date has been scheduled for **Tuesday, December 13, 2022, at 3:00 p.m.**, at the Board of Supervisors meeting.

Please provide to the Clerk's Office by noon:

20 days prior to the hearing:
Wednesday, November 23, 2022

names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

11 days prior to the hearing:
Friday, December 2, 2022

any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests electronic files be sent to bos.legislation@sfgov.org.



If you have any questions, please feel free to contact Legislative Clerks, Lisa Lew, at (415) 554-7718, Jocelyn Wong, at (415) 554-7702, or Arthur Khoo, at (415) 554-4447.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Angela Calvillo".

Angela Calvillo
Clerk of the Board

jw:ak:ll:ams

- c: Anne Pearson, Deputy City Attorney
- Kristen Jensen, Deputy City Attorney
- Katharine Anderson, Public Works
- William Blackwell, Public Works
- Bernie Tse, Public Works
- Nicolas Huff, Public Works
- Jason Wong, Public Works
- Ian Schneider, Public Works
- Lisa Gibson, Planning Department
- Devyani Jain, Planning Department
- Joy Navarrete, Planning Department
- Corey Teague, Planning Department
- Tina Tam, Planning Department
- AnMarie Rodgers, Planning Department
- Dan Sider, Planning Department
- Aaron Starr, Planning Department
- Elizabeth Watty, Planning Department
- Jonas Ionin, Planning Commission
- Ryan Balba, Planning Department
- Julie Rosenberg, Board of Appeals
- Alec Longaway, Board of Appeals

EXHIBIT D

SEC. 308.1. APPEALS: AMENDMENTS TO THE PLANNING CODE AND CONDITIONAL USES.

(a) **Right of Appeal.** The action of the Planning Commission, in disapproving in whole or in part an amendment to the Planning Code initiated by application as described in Section 302 and Sections 306 through 306.5, or in approving or disapproving in whole or in part an application for Conditional Use authorization as described in Sections 303 and 304 and Sections 306 through 306.5, shall be transmitted to the Office of the Clerk of the Board in final and signed form within 20 business days of Commission's action to approve or disapprove in whole or part the application, and subject to appeal to the Board of Supervisors in accordance with this Section 308.1. An action of the Commission so appealed from shall not become effective unless and until approved by the Board of Supervisors in accordance with this Section 308.1.

(b) **Notice of Appeal.** Any appeal under this Section 308.1 shall be taken by filing written notice of appeal with the Board of Supervisors no earlier than ten business days after the date of action by the Planning Commission, and no later than within 30 days after the date of action by the Planning Commission. The appeal shall be filed with the Office of the Clerk of the Board in a manner prescribed by the Clerk of the Board and in accordance with the Planning Fee Schedule. The notice of appeal shall be subscribed by either (i) the owners or Verified Tenants of at least 20% of the property affected by the proposed amendment or Conditional Use or (ii) five members of the Board of Supervisors. The signature on the appeal of members of the Board shall not be deemed to be any indication of their position on the merits of the appeal but rather shall indicate only that they believe there is sufficient public interest and concern in the matter to warrant a hearing by the Board of Supervisors. Upon receipt of a notice of appeal, the Office of the Clerk of the Board shall transmit the notice of appeal and subscribed signatures to Public Works within five business days for its determination of the 20% threshold of the property referenced above. For the purposes of this Section 308.1, the property affected, and the determination of the 20% threshold, shall be calculated by Public Works within five business days from when the Office of the Clerk of the Board requests a determination on the 20% threshold of the property referenced, as follows:

(1) When a proposed amendment or Conditional Use has been disapproved by the Planning Commission, the property affected shall be deemed to be all property within the area that is the subject of the application for amendment or Conditional Use, and within 300 feet of all exterior boundaries of the property that is the subject of the application;

(2) When a proposed Conditional Use has been approved by the Planning Commission, the property affected shall be deemed to be all property within 300 feet of all exterior boundaries of the property for which the Conditional Use has been approved by the Planning Commission, excluding the property for which the approval has been given;

(3) In either of the above cases, when any property is owned by the City and County of San Francisco, the United States Government or the State of California, or any department or agency thereof, or by any special district, and is located within 300 feet of the area that is the subject of the application for amendment or Conditional Use, such property shall be excluded in determining the property affected unless such owner shall itself be a subscriber of the notice of appeal; and

(4) Wherever a property is held in joint ownership, the signatures of joint owners shall be calculated as representing affected property in direct proportion to the amount of the total ownership of that property attributable to the joint owner or owners subscribing to the notice of appeal. For the purposes of this calculation, the term "joint ownership" shall include joint tenancies, interests in common, community property, partnerships, stock cooperatives, condominiums, community apartments and planned unit developments. Where each owner has exclusive rights to a portion of the property, the proportion of the total ownership attributable to that owner shall be calculated in terms of a ratio of the floor area and land area in which that owner has exclusive, joint, and common rights to the total floor area and land area of that property. Under these calculations, the land area of an affected property in joint ownership shall be given the same weight as the land area of an affected property not in joint ownership, in determining whether 20% of the property affected is represented by signatures to the notice of appeal.

(5) For purposes of this Section 308.1, a “Verified Tenant” is a residential or commercial tenant of a property who declares, under penalty of perjury of the laws of the State of California, that the tenant occupies the entire property or at least one separate unit on the property pursuant to a lease with a term exceeding 32 days. Each Verified Tenant who signs an appeal pursuant to this Section 308.1 must maintain proof of tenancy including either an executed lease reflecting a term of more than 32 days, or at least one of the following forms of records reflecting that the tenant has occupied the property for more than 32 consecutive days as of the date of signature: (a) state or federal income tax records, (b) department of motor vehicle records including license, registration or California identification, or (c) utility bills. A Verified Tenant who signs an appeal pursuant to this Section may be required by Public Works to provide such proof of tenancy. A “Verified Tenant” shall not include occupants of property who rent the property for less than 32 consecutive days, or for Tourist or Transient Use, or as a Short-Term Residential Rental, as those terms are defined in Section 41A.4 of the Administrative Code, but shall include tenants of all Unauthorized Units in the property.

(6) Where a property contains more than one rental unit, the signatures of Verified Tenants shall be calculated as representing the percentage of affected property in the same proportion of the number of rental units on the property represented by the Verified Tenants subscribing to the appeal to the total number of rental units in that property. Only one Verified Tenant for each residential or commercial rental unit shall be counted for each such unit; if more than one Verified Tenant occupying a single rental unit subscribes to the appeal, that unit will only be given the weight of a single unit in the property. Under these calculations, an affected property rented by multiple Verified Tenants shall be given the same weight as an affected property owned by a single owner or occupied by a single tenant, in determining whether 20% of the property affected is represented by signatures to the notice of appeal.

(7) If an owner of 100% of a tenant-occupied property and one or more Verified Tenants of the same property subscribe to the appeal, the land area of the affected property shall be given the same weight as the land area of an affected property owned by a single owner in determining whether 20% of the property affected is represented by signatures to the appeal. If a joint owner of land held in joint ownership property and one or more Verified Tenants of the same property subscribe to the appeal, the total land area of the affected property shall be calculated by adding the land areas calculated pursuant to subsections (3) through (6), above, and may total, but not exceed 100% of the land area of the property in determining whether 20% of the property affected is represented by signatures to the appeal.

(c) **Hearing.** Upon the filing of such written notice of appeal so subscribed, the Board of Supervisors or the Clerk thereof shall set a time and place for hearing such appeal, which shall¹ may be not less than 21 nor more than 45 days after such filing. If there is not a Board meeting scheduled during that time, the Clerk may schedule the hearing at the next regularly scheduled Board meeting more than 50 days after the filing. The hearing may be held no more than 60 days from the date of filing, unless the parties consent to a later date as provided in subsection (f) below.

(d) **Decision.** The Board of Supervisors shall hear and decide the appeal within 90 days of the filing of the written notice of appeal, unless the parties consent to a later date as provided in subsection (f) below. The Board’s decision on the appeal is final upon adjournment of the meeting at which the hearing was held and at which the Board votes to approve or deny such appeal. Failure of the Board of Supervisors to act within such time limit shall be deemed to constitute approval by the Board of the action of the Planning Commission.

(e) **Findings.** The Board of Supervisors shall adopt findings supporting its decision to uphold or deny an appeal under this Section 308.1 within 60 days after making its decision on the appeal. Notwithstanding the foregoing sentence, failure of the Board to approve findings within the time specified will not affect the finality of the Board’s decision on the appeal.

(f) **Continuances.** Any continuance of the time periods specified in this section 308.1 shall require a written request from the party or parties seeking continuance in such form as may be provided by the Clerk of the Board for the Board of Supervisors’ consideration.

(g) **Votes Required.** In acting upon an appeal of a Planning Commission determination on a request for reclassification by an interested party, the Board of Supervisors may disapprove the action of the Planning Commission only by a vote of not less than 2/3 of all members of the Board. In acting upon any other appeal of a

Planning Commission determination on a Planning Code amendment, the Board of Supervisors may disapprove the action of the Planning Commission by a majority vote of the Board. In both cases, in the event that one or more of the full membership of the Board is disqualified or excused from voting because of an interest prohibited by general law or the San Francisco Charter, any such disapproval shall be by a vote of all members of the Board that are not disqualified or excused; provided, however, that in the event that a quorum of all members of the Board is disqualified or excused from voting because of an interest prohibited by general law or the Charter, the action of the Planning Commission shall be deemed approved. In the event the Board disapproves the action of the Commission when the Commission has disapproved in whole or in part a proposed amendment, the Board shall, not later than its next regularly scheduled meeting, adopt the proposed ordinance. In the event the Board disapproves the action of the Commission when the Commission has disapproved in whole or in part a proposed conditional use, the Board shall prescribe in its motion such conditions as are in its opinion necessary to secure the objectives of this Code, in accordance with Section 303(d).

(Amended by Ord. 443-78, App. 10/6/78; Ord. 69-87, App. 3/13/87; Ord. 321-96, App. 8/8/96; Ord. 121-01, File No. 010271, App. 6/1/2001; Ord. 277-03, File No. 031497, App. 12/12/2003; Ord. [129-17](#), File No. 170203, App. 6/30/2017, Eff. 7/30/2017; Ord. [202-18](#), File No. 180557, App. 8/10/2018, Eff. 9/10/2018; Ord. [191-22](#), File No. 220130, App. 9/16/2022, Eff. 10/17/2022)

AMENDMENT HISTORY

Divisions (a) and (b)-(b)(4) amended; Ord. [129-17](#), Eff. 7/30/2017. Division (a) amended; Ord. [202-18](#), Eff. 9/10/2018. Divisions (a), (b), (b)(4) amended; divisions (b)(5)-(7), (e), and (f) added; division (c) amended as divisions (c) and (d); former division (d) redesignated as division (g); Ord. [191-22](#), Eff. 10/17/2022.

CODIFICATION NOTE

1. So in Ord. [191-22](#).

Editor's Note:

See also: Interpretations related to this Section.

From: [Zhou Huan Yu](#)
To: [Board of Supervisors \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.
Date: Wednesday, January 18, 2023 3:59:39 PM

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

Dear Board Of Supervisors:

I am a member of the Excelsior Neighborhood and am voicing my objection to the proposed dispensary opening at 4835 Mission St. I believe that there are many health and safety concerns that would be impacted negatively should such an entity open in an area that is already oversaturated with similar businesses. We are in fear of the crimes that are already associated with such businesses (car break ins, murder for hire plots, shootouts during armed robberies and the like).

There are 5 dispensaries already approved here in the district 11. In point of fact the closest one is 997 feet away at 4687 north of the proposed site. Additionally, there is another dispensary in the pipeline at 4994 Mission approximately one and a half blocks to the south.

Our district has more than enough cannabis dispensaries and does not require nor need anymore. The existing buffer zone distance needs to be greater than 600 feet. The buffer zones in San Francisco were once 1000 feet. Daycares, preschools, primary schools, elementary, high schools, parks, and any community center catering to kids must be protected as they once were until the rules were changed. Our children's safety is paramount. Interestingly, the rules have changed bit by bit to make it easier and easier for cannabis dispensaries to enter neighborhoods.

We need to reinstate the cap of 3 dispensaries in the Excelsior that we once had, present dispensaries in the Excelsior can be exempt.

Please listen to the concerns of the majority of the neighborhood and act accordingly as is your mission.

Thank you.

From: [Pav Heng](#)
To: [Board of Supervisors \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.
Date: Tuesday, January 17, 2023 11:25:24 PM

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

Dear Board Of Supervisors,

My name is Pav Heng. I have lived in Excelsior for 17 years; I have owned a coffee shop, known as Glaze Donuts, in Excelsior for 16 years; and I own a few commercial properties in Excelsior, one of which is actually located right next to the proposed location on 4835 Mission street.

As a member of the Excelsior Neighborhood, I am voicing my objection to the proposed dispensary opening at 4835 Mission St. I believe that there are many health and safety concerns that would be impacted negatively should such an entity open in an area that is already oversaturated with similar businesses. We are in fear of the crimes that are already associated with such businesses (car break ins, murder for hire plots, shootouts during armed robberies and the like).

There are 5 dispensaries already approved here in the district 11. In point of fact the closest one is 997 feet away at 4687 Mission Street, north of the proposed site. Additionally, there is another dispensary in the pipeline at 4994 Mission approximately one and a half blocks to the south.

Our district has more than enough cannabis dispensaries and does not require nor need anymore. The existing buffer zone distance needs to be greater than 600 feet. The buffer zones in San Francisco were once 1000 feet. Daycares, preschools, primary schools, elementary, high schools, parks, and any community center catering to kids must be protected as they once were until the rules were changed. Our children's safety is paramount. Interestingly, the rules have changed bit by bit to make it easier and easier for cannabis dispensaries to enter neighborhoods.

We need to reinstate the cap of 3 dispensaries in the Excelsior that we once had. Present dispensaries in the Excelsior can be exempt.

More importantly, this proposed location on 4835 Mission St is extremely close to Balboa High School, only two to three minutes walk away. This proposed cannabis retail is right next to subway restaurant on 4841 Mission St and Hawaiian Drive Inn on 4827 Mission St, where many many high school students come to hang out and buy their food. High school students must not be directly exposed to cannabis, a substance that can affect teenagers' brain development, memory impair, significant IQ dropping...etc.

Please listen to the concerns of the majority of the neighborhood and acting accordingly is your mission.

Sincerely,
Pav Heng

Sent from my iPhone

From: [zhi hong](#)
To: [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.
Date: Monday, January 16, 2023 5:52:36 PM

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

Effectively: Community Members of whom object to issuance of a permit to open for business at proposed location.

Dear Board of Supervisors:

I am a member of the Excelsior Neighborhood and am voicing my **objection to the proposed dispensary opening at 4835 Mission St.** I believe that there are many health and safety concerns that would be impacted negatively should such an entity open in an area that is already oversaturated with similar businesses. We are in fear of the crimes that are already associated with such businesses (car break ins, murder for hire plots, shootouts during armed robberies and the like).

There are 5 dispensaries already approved here in the district 11. In point of fact the closest one is 997 feet away at 4687 Mission, north of the proposed site. Additionally, there is another dispensary in the pipeline at 4994 Mission approximately one and a half blocks to the south.

Our district has more than enough cannabis dispensaries and does not require nor need anymore. The existing buffer zone distance needs to be greater than 600 feet. The buffer zones in San Francisco were once 1000 feet. Daycares, preschools, primary schools, elementary, high schools, parks, and any community center catering to kids must be protected as they once were until the rules were changed. Our children's safety is paramount. Interestingly, the rules have changed bit by bit to make it easier and easier for cannabis dispensaries to enter neighborhoods.

We need to reinstate the cap of 3 dispensaries in the Excelsior that we once had, present dispensaries in the Excelsior can be exempt.

Please listen to the concerns of the majority of the neighborhood and act accordingly as is your mission.

Thank you.

From: [Emeteria Martinez](#)
To: [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#)
Subject: No Cannabis Dispensary at 4835 Mission St
Date: Monday, January 16, 2023 5:46:30 PM

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

Dear Board of Supervisors,

I'm the owner of la Loma # 6 located 4788 Mission St. and I am voicing my objection to the proposed dispensary opening at 4835 Mission St. I believe that opening the store will bring drug addiction in our neighborhood and there will be more homeless, robberies and car brake ins.

Another thing that I want to mention is that why is so easy for the cannabis to get their application to be approved.

I myself had applied for an extension to sell more items at my store but the health department denied it.

It's not fair that the cannabis store has it easy and myself who sells produce has it more difficult .

Aside from that, no one from the Cannabis store contacted me yet to introduce his/herself or notified me about the opening of the sore.

Our district has more than enough Cannabis dispensaries and does not require nor need anymore. Our district it's getting saturated with these Cannabis Stores 3 are already operating and 2 more were approved recently.

No more Cannabis stores in District 11

Respectfully,

La Loma # 6

From: [Ramona Ramirez](#)
To: [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#)
Subject: No more Marihuana Stores in the Excelsior District
Date: Saturday, January 14, 2023 2:02:09 PM

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

Estimado junta de Supervisores,

Soy miembro del vecindario de Excelsior y expresé mi objeción a la apertura de la tienda de Marihuana propuesto en 4835 Mission St.

I used to have a Nutrición store on 8 Niagara Ave. San Francisco, 94112. After 10 year in bussiness, our store was affected when the the 2nd Cannabis stores opened on 5258 mission St. I lost many of my clients due to this store. There were many brake in on my clients cars, robberies and there were no enough párking for my clients. The marihuana store took all the parking.

Two years ago we moved closer to 4800 block but we found out that there is a marihuana store opening. I am afraid that I will loose my clients again and be out of bussiness.

I Need my bussiness to support my family. Supervisores please no more Cannabis store in the Excelsior.

Nuestro distrito tiene más que suficientes dispensario y no requiere más.

Gracias.

January 15, 2023,

Jaime Hernandez
4790 Mission St.
San Francisco, 94112 CA

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2023 JAN 18 PM 1:32

BY  BOS-11

RE: Appeal of Approval of Conditional Use Authorization of 4835 Mission, record# 2021-011352CUA file # 221141

Dear Board Of Supervisors,

My name is Jaime Hernandez and my native language is Spanish. I am within the 300ft radius of the proposed cannabis site. I am writing because there is confusion regarding my support of the project.

I want to clearly state; I DO NOT support the Cannabis project going forward on any level.

I strongly support the appellant.

I also want to elaborate on the confusion. An Asian volunteer that works with the appellant originally approached me; at that point I did not understand what the woman was saying other than that she wanted my signature. As I did not understand I could not offer my signature towards the appeal. The Asian woman later returned to my address and presented queries in a note that she had translated into Spanish so that I would know what she was saying. When I then understood what the appeal was for I gladly signed as it aligned with my beliefs.

On another day I was approached by a heavier set, possibly Caucasian, man. He was speaking English and I did not clearly understand what he wanted. He had a card, which I was of the belief in conjunction or an extension of the appeal that I had previously signed, I therefore signed the card and the gentleman held his thumb up, which I understand to be a gesture of approval. I do believe it was evident to the gentleman that I am a Spanish speaking person and that my English is limited.

On yet another date the appellant approached me and we spoke. It became clear that I mistakenly signed the support card.

I would like the record to reflect that I am formally rescinding my signature of the support card of MMD.

I am concerned that the sponsors of the cannabis project would secure my signature in the manner in which they did; it was deceptive. They made no attempt to communicate their concerns in my language. (English Translated By Google)

Respectfully,
Jaime Hernandez



15 de enero de 2023,

Jaime Hernández
4790 Mission St.
San Francisco, 94112 CA

RE: Apelación de aprobación de la autorización de uso condicional de 4835 Mission, número de registro 2021-011352CUA. File #221141

Estimada Junta De Supervisores,

Me llamo Jaime Hernández y mi lengua materna es el español. Estoy dentro del radio de 300 pies del sitio de Marihuana que se ha propuesto. Le escribo porque hay confusión con respecto a mi apoyo al dicho proyecto.

Quiero decir claramente; NO APOYO el proyecto de la tienda de Marihuana bajo ningún nivel.

Apoyo firmemente al apelante.

También quiero dar más detalles sobre la confusión. Un voluntario asiático que trabaja con el apelante se me acercó originalmente; en ese momento no entendía lo que la mujer estaba diciendo, aparte de que quería mi firma. Como no entendí, no podía ofrecer mi firma para la apelación. La mujer asiática más tarde regresó a mi dirección y presentó preguntas en una nota que había traducido al español para que yo supiera lo que estaba diciendo. Cuando entendí cuál era la apelación, con mucho gusto firmé, ya que estaba alineada con mis creencias.

Otro día se me acercó un hombre más pesado, posiblemente Americano. Hablaba inglés y no entendía claramente lo que quería. Tenía una tarjeta, que yo creía que era una extensión de la apelación que había firmado anteriormente, por lo tanto, firmé la tarjeta y el caballero levantó el pulgar, lo que entiendo que es un gesto de aprobación. Creo que era evidente para el caballero que soy una persona de habla hispana y que mi inglés es limitado.

En otra fecha, el apelante se me acercó y hablamos. Quedó claro que firmé por error la tarjeta de soporte.

Me gustaría que el registro reflejara que estoy rescindiendo formalmente mi firma de la tarjeta de soporte de MMD.

Me preocupa que los patrocinadores del proyecto de Marihuana obtengan mi firma de la manera en que lo hicieron. No intentaron comunicar sus preocupaciones en mi idioma.

Respetuosamente,

Jaime Hernández

A handwritten signature in black ink, appearing to be 'Jaime Hernández', with a stylized, somewhat abstract flourish at the end.

From: [Minda S.](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.
Date: Thursday, December 8, 2022 8:23:01 AM

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

Effectively: Community Members of whom object to issuance of a permit to open for business at proposed location.

Dear Board Of Supervisors:

I am a member of the Excelsior Neighborhood and am voicing my objection to the proposed dispensary opening at 4835 Mission St. I believe that there are many health and safety concerns that would be impacted negatively should such an entity open in an area that is already oversaturated with similar businesses. We are in fear of the crimes that are already associated with such businesses (car break ins, murder for hire plots, shootouts during armed robberies and the like).

There are 5 dispensaries already approved here in the district 11. In point of fact the closest one is 997 feet away at 4687 Mission, north of the proposed site. Additionally, there is another dispensary in the pipeline at 4994 Mission approximately one and a half blocks to the south.

Our district has more than enough cannabis dispensaries and does not require nor need anymore. The existing buffer zone distance needs to be greater than 600 feet. The buffer zones in San Francisco were once 1000 feet. Daycares, preschools, primary schools, elementary, high schools, parks, and any community center catering to kids must be protected as they once were until the rules were changed. Our children's safety is paramount. Interestingly, the rules have changed bit by bit to make it easier and easier for cannabis dispensaries to enter neighborhoods.

We need to reinstate the cap of 3 dispensaries in the Excelsior that we once had, present dispensaries in the Excelsior can be exempt.

Please listen to the concerns of the majority of the neighborhood and act accordingly as is your mission.

Thank you

15 de enero de 2023,

Jaime Hernández
4790 Mission St.
San Francisco, 94112 CA

RE: Apelación de aprobación de la autorización de uso condicional de 4835 Mission, número de registro 2021-011352CUA. File #221141

Estimada Junta De Supervisores,

Me llamo Jaime Hernández y mi lengua materna es el español. Estoy dentro del radio de 300 pies del sitio de Marihuana que se ha propuesto. Le escribo porque hay confusión con respecto a mi apoyo al dicho proyecto.

Quiero decir claramente; NO APOYO el proyecto de la tienda de Marihuana bajo ningún nivel.

Apoyo firmemente al apelante.

También quiero dar más detalles sobre la confusión. Un voluntario asiático que trabaja con el apelante se me acercó originalmente; en ese momento no entendía lo que la mujer estaba diciendo, aparte de que quería mi firma. Como no entendí, no podía ofrecer mi firma para la apelación. La mujer asiática más tarde regresó a mi dirección y presentó preguntas en una nota que había traducido al español para que yo supiera lo que estaba diciendo. Cuando entendí cuál era la apelación, con mucho gusto firmé, ya que estaba alineada con mis creencias.

Otro día se me acercó un hombre más pesado, posiblemente Americano. Hablaba inglés y no entendía claramente lo que quería. Tenía una tarjeta, que yo creía que hera una extensión de la apelación que había firmado anteriormente, por lo tanto, firmé la tarjeta y el caballero levantó el pulgar, lo que entiendo que es un gesto de aprobación. Creo que era evidente para el caballero que soy una persona de habla hispana y que mi inglés es limitado.

En otra fecha, el apelante se me acercó y hablamos. Quedó claro que firmé por error la tarjeta de soporte.

Me gustaría que el registro reflejara que estoy rescindiendo formalmente mi firma de la tarjeta de soporte de MMD.

Me preocupa que los patrocinadores del proyecto de Marihuana obtengan mi firma de la manera en que lo hicieron. No intentaron comunicar sus preocupaciones en mi idioma.

Respetuosamente,

Jaime Hernández

A handwritten signature in black ink, appearing to be 'Jaime Hernández', with a long horizontal stroke extending to the left.

January 15, 2023,

Jaime Hernandez
4790 Mission St.
San Francisco, 94112 CA

RE: Appeal of Approval of Conditional Use Authorization of 4835 Mission, record# 2021-011352CUA file # 221141

Dear Board Of Supervisors,

My name is Jaime Hernandez and my native language is Spanish. I am within the 300ft radius of the proposed cannabis site. I am writing because there is confusion regarding my support of the project.

I want to clearly state; I DO NOT support the Cannabis project going forward on any level.

I strongly support the appellant.

I also want to elaborate on the confusion. An Asian volunteer that works with the appellant originally approached me; at that point I did not understand what the woman was saying other than that she wanted my signature. As I did not understand I could not offer my signature towards the appeal. The Asian woman later returned to my address and presented queries in a note that she had translated into Spanish so that I would know what she was saying. When I then understood what the appeal was for I gladly signed as it aligned with my beliefs.

On another day I was approached by a heavier set, possibly Caucasian, man. He was speaking English and I did not clearly understand what he wanted. He had a card, which I was of the belief in conjunction or an extension of the appeal that I had previously signed, I therefore signed the card and the gentleman held his thumb up, which I understand to be a gesture of approval. I do believe it was evident to the gentleman that I am a Spanish speaking person and that my English is limited.

On yet another date the appellant approached me and we spoke. It became clear that I mistakenly signed the support card.

I would like the record to reflect that I am formally rescinding my signature of the support card of MMD.

I am concerned that the sponsors of the cannabis project would secure my signature in the manner in which they did; it was deceptive. They made no attempt to communicate their concerns in my language. (English Translated By Google)

Respectfully,
Jaime Hernandez



Brian Foust

330 Capistrano Ave
San Francisco, Ca 94112
415.615.2418
fousty@gmail.com

Jan 3rd, 2023

Asha Safai

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, Ca 94102-4689

Dear Mr. Safai,

I am writing to you concerning the recent proposed project for a Cannabis Dispensary at 4835 Mission St in the Excelsior. (Project # 2021-0111352APL.) It is of concern to me that yet another cannabis dispensary would be located in our neighborhood. There are already three cannabis dispensaries located along the Mission St Corridor in our neighborhood, we do not need another. If it is not too late, I ask that you not allow this project to move forward and promote a more diverse use of ground floor retail in our neighborhood.

Sincerely,

Brian Foust

From: [Billy Joe](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Appeal for File No. 221141 (Use of Authorization of Cannabis Dispensary)
Date: Monday, December 12, 2022 11:47:31 PM

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

Hi Board of Supervisors,

I have been fortunate enough to grow up and still live in the very same home that my parents raised me in. Having attended Luther Burbank, Burton High School and CCSF I have seen the ups and downs of this neighborhood. Now, I have my own kid and I hope to raise him in the very same home my parents raise me.

I believe this neighborhood has too many dispensaries already. There is a stretch that is less than a mile (Mission & Niagara to Mission & Persia) that already has 4 dispensaries that are either already there or have already been approved.

What benefit will it be to the neighborhood if we add another dispensary?

I do not disagree with the business itself but I do not believe this particular location is a right fit.

Thanks for your time.

--

Billy Joe

From: [Kwok Hung Gee](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.
Date: Saturday, December 10, 2022 10:20:33 AM

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

Effectively: Community Members of whom object to issuance of a permit to open for business at proposed location.

Dear Board Of Supervisors:

I am a member of the Excelsior Neighborhood and am voicing my objection to the proposed dispensary opening at 4835 Mission St. I believe that there are many health and safety concerns that would be impacted negatively should such an entity open in an area that is already oversaturated with similar businesses. We are in fear of the crimes that are already associated with such businesses (car break ins, murder for hire plots, shootouts during armed robberies and the like).

There are 5 dispensaries already approved here in the district 11. In point of fact the closest one is 997 feet away at 4687 Mission, north of the proposed site. Additionally, there is another dispensary in the pipeline at 4994 Mission approximately one and a half blocks to the south.

Our district has more than enough cannabis dispensaries and does not require nor need anymore. The existing buffer zone distance needs to be greater than 600 feet. The buffer zones in San Francisco were once 1000 feet. Daycares, preschools, primary schools, elementary, high schools, parks, and any community center catering to kids must be protected as they once were until the rules were changed. Our children's safety is paramount. Interestingly, the rules have changed bit by bit to make it easier and easier for cannabis dispensaries to enter neighborhoods.

We need to reinstate the cap of 3 dispensaries in the Excelsior that we once had, present dispensaries in the Excelsior can be exempt.

Please listen to the concerns of the majority of the neighborhood and act accordingly as is your mission.

Thank you

From: gupawhappy@gmail.com
To: [Board of Supervisors \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.
Date: Friday, December 9, 2022 2:33:31 PM

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

Effectively: Community Members of whom object to issuance of a permit to open for business at proposed location.

Dear Board Of Supervisors:

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Thank you.

email address TO:
board.of.supervisors@sfgov.org

Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.

Effectively: Community Members of whom object to issuance of a permit to open for business at proposed location.

Dear Board of Supervisors:

I am a member of the Excelsior Neighborhood and am voicing my **objection to the proposed dispensary opening at 4835 Mission St.** I believe that there are many health and safety concerns that would be impacted negatively should such an entity open in an area that is already oversaturated with similar businesses. We are in fear of the crimes that are already associated with such businesses (car break ins, murder for hire plots, shootouts during armed robberies and the like).

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We need to reinstate the cap of 3 dispensaries in the Excelsior that we once had, present dispensaries in the Excelsior can be exempt.

Please listen to the concerns of the majority of the neighborhood and act accordingly as is your mission.

Thank you.

From: [tony.c](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.
Date: Friday, December 9, 2022 1:46:54 PM

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

Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.

Effectively: Community Members of whom object to issuance of a permit to open for business at proposed location.

Dear Board Of Supervisors:

I am a member of the Excelsior Neighborhood and am voicing my objection to the proposed dispensary opening at 4835 Mission St. I believe that there are many health and safety concerns that would be impacted negatively should such an entity open in an area that is already oversaturated with similar businesses. We are in fear of the crimes that are already associated with such businesses (car break ins, murder for hire plots, shootouts during armed robberies and the like).

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We need to reinstate the cap of 3 dispensaries in the Excelsior that we once had, present dispensaries in the Excelsior can be exempt.

Please listen to the concerns of the majority of the neighborhood and act accordingly as is your mission.

Thank you

Sent from my iPhone

From: [ninja](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary - 4835 Mission Street
Date: Friday, December 9, 2022 9:53:30 AM

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

Appeal of Conditional Use Authorization of Cannabis Dispensary - 4835 Mission Street

To the Board of Supervisors,

I was recently made aware that a cannabis dispensary was possibly setting up shop at 4835 Mission St. I currently stay not too far from the area on London St. and I am writing with my concerns regarding another of this type of business being established.

There are currently more than 4 dispensaries within district 11. Many of the residents (myself included) are worried on how this could negatively impact the community with the effects on health and possibly influx of crime and traffic. Keep in mind that Balboa High and other schools are also in close proximity.

I am all for small businesses coming into the area but I would prefer to see less of this in areas that could affect our children when there should be more space for them free from such influence and with their safety in mind. Please review the matter and let us reinstate a cap on how many of these businesses can be established. The community has a voice and many are in opposition to the proliferation of these dispensaries in our district.

Sincerely,
Aldwin Ablang
(a concerned citizen and resident)

Sent from my iPhone

From: [ms.ma](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Appeal #221141 - 4835 Mission Cannabis Retail Use
Date: Friday, December 9, 2022 1:38:40 AM

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

(resubmitted with attachment)

Dear Board of Supervisors,

We, the undersigned, strongly object to the conditional authorization for the project to establish a Cannabis Retail space at the subject property located at 4835 Mission Street, San Francisco, CA 94112. There are already three cannabis stores located in a half mile radius to this location, all along Mission Street. Additionally, recent approvals for Cannabis Retail were granted for locations at 5801 Mission Street and at 4687 Mission Street, just 2 blocks away! There are other applications pending in the pipeline, such as the one at 4994 Mission Street. We object to this saturation of selling of cannabis in our neighborhood!

We understand having businesses to create job opportunities and tax revenue for San Francisco are important and needed. However, this clustering of cannabis stores in our neighborhood creates disproportionate detrimental land use impacts on our district and residents. We already deal with open cannabis usage and are impacted by undesirable odors, loitering, and traffic congestion caused by existing cannabis stores. Elderly and other vulnerable residents have to contend with second-hand smoke and other unhealthy impacts from open cannabis users. We are certain all members of Board of Supervisors would similarly not want to have to live with these undesirable conditions from such a concentration of cannabis retail in their own neighborhood.

We live under constant fear and stress from rising crime rates throughout the city and in our neighborhood. As has been often reported, many businesses selling cannabis draw crimes and have been subject to shootings, break-ins, robberies and assaults. The Excelsior Outer Mission and Geneva Avenue areas of San Francisco already experience many incidences of such criminal activities. The local Walgreens and other stores have closed down due to the constant thefts and unsafe environments. We do not want to further worsen the conditions in our neighborhood with the crimes that can come with selling cannabis.

Of particular concern, there are numerous schools and public playgrounds located close to the subject property. There were previous regulations requiring for cannabis stores to be at least 1,000 feet away from schools. That has been reduced to 600 feet, which is just less than 2 blocks in distance and clearly not enough to adequately protect our children and youth. Three elementary schools are in a half mile radius, a childcare center is down the street within 500 feet, and Balboa High School is just two short blocks away with open campus lunch. Additionally, there are bus stops approximately 100 to 200 feet away from the premise where youths will be exposed to cannabis as they get off or wait to board buses to and from school. How can this be adequate protection to minimize cannabis access and exposure to our impressionable youth?

There are many in the community who are fearful of having so many cannabis stores in our

neighborhood. Many do not speak English well, or at all, and are fearful of voicing their concerns and objections due to possible retributions. There are many families with young children, and disabled and elderly residents who need to and deserve to live in a healthy and safe community! We are disproportionately and negatively impacted by the concentrated numbers of already existing cannabis stores. There is need to reinstate the prior SF Board of Supervisors Ordinance to limit the number of cannabis retail in our district to 3 stores. There are more than enough existing stores in this area and plentiful online cannabis offerings to provide for the needs of those who want and medically need this product. We are also tax paying citizens and, similar to the members of the Board of Supervisors and other residents throughout San Francisco, we just want to live in our homes and neighborhood without fear for our personal and community safety! We implore the Board of Supervisors and other local representatives to carry out their mission to do what is right by and for the citizens in this district and to keep us safe!

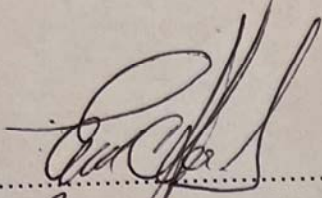
We raise concerns for our personal and community safety and for youth access and exposure to cannabis. We again strongly object to the conditional authorization and to this project. Also, we strongly object to any further approvals for any more cannabis stores in our district. The Board of Supervisors must carry out their mission to make the right and responsible decision to deny any further cannabis retail business applications and protect all residents of this district!

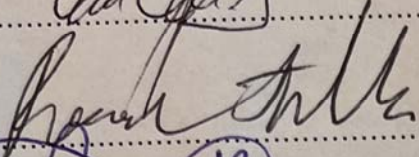
Please see attached Objection signatures.

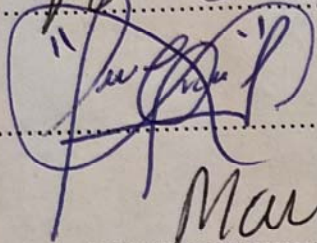
Thank you for your attention to this issue!

*OBJECTION TO: Cannabis Retail use at 4835 Mission Street
Project Address: 4835 Mission Street SF, CA 94112
Case Type: Conditional Use-Cannabis Retail Use
Records No.: 2021-011352CUA

*OBJECTION TO: Any Further Authorization to Cannabis Retail Use in Excelsior
Outer Mission District 11







Maria T Garcia

Paulina Jmca

Alfonso Lara

~~Ostaldo Borillas Agudo~~

From: [Katiela Guido](#)
To: [Board of Supervisors \(BOS\)](#)
Date: Thursday, December 8, 2022 4:59:04 PM

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

TO:
board.of.supervisors@sfgov.org

Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.

Effectively: Community Members of whom object to issuance of a permit to open for business at proposed location.

Dear Board Of Supervisors:

I am a member of the Excelsior Neighborhood and am voicing my objection to the proposed dispensary opening at 4835 Mission St. I believe that there are many health and safety concerns that would be impacted negatively should such an entity open in an area that is already oversaturated with similar businesses. We are in fear of the crimes that are already associated with such businesses (car break ins, murder for hire plots, shootouts during armed robberies and the like).

There are 5 dispensaries already approved here in the district 11. In point of fact the closest one is 997 feet away at 4687 Mission, north of the proposed site. Additionally, there is another dispensary in the pipeline at 4994 Mission approximately one and a half blocks to the south.

Our district has more than enough cannabis dispensaries and does not require nor need anymore. The existing buffer zone distance needs to be greater than 600 feet. The buffer zones in San Francisco were once 1000 feet. Daycares, preschools, primary schools, elementary, high schools, parks, and any community center catering to kids must be protected as they once were until the rules were changed. Our children's safety is paramount. Interestingly, the rules have changed bit by bit to make it easier and easier for cannabis dispensaries to enter neighborhoods.

We need to reinstate the cap of 3 dispensaries in the Excelsior that we once had, present dispensaries in the Excelsior can be exempt.

Please listen to the concerns of the majority of the neighborhood and act accordingly as is your mission.

Thank you.

From: [Charmian Desales-Ablang](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: File no. 221141: Comments
Date: Thursday, December 8, 2022 3:54:22 PM
Attachments: [BOS Appeal to Cannabis Dispensary 4835.docx](#)

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

Please see attached. thanks

Angela Calvillo
Clerk of the Board, City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, California

Dear Board of Supervisors:

I am a member of the Excelsior District neighborhood and a proud member at that. I grew up in this District for the last 35 years. I went to Epiphany Elementary school from first to eight grade. I attend Corpus Christi church every Sunday. I walk my 84 year old Dad around our block for exercise and take him shopping at the little storefronts in the Mission. My son is active with the San Francisco Boys and Girls Club after school sports program. All activities centered in the Excelsior District.

I am completely against the proposed marijuana dispensary business set to open at 4835 Mission Street. There are many reasons as to why I am opposed to this business operating in my neighborhood but my number one concern is crime and a strong second would be safety. As a parent of a nine year old boy, I feel that a marijuana dispensary will attract crime, if not unsafe activities. The marijuana dispensary has proven to be an income generating business and will be an excellent target for violent robberies. With the current lenient approach on criminal activity in San Francisco, particularly the Excelsior district, a marijuana dispensary will only worsen the current state of our neighborhood. We are already faced with a heightened increase of crime in the neighborhood such as assaults, random shootings but theft and burglary have certainly topped this list. A dispensary is an easy invitation for theft, burglary. Not only will potential robberies occur against the business itself, customers will also be targeted for money or marijuana possession. This environment will certainly pose a risk to young families, all children and vulnerable members of our community (i.e. Senior community and the disabled). Lastly, there have been reports that operators of marijuana dispensaries have been associated with illegal activity. Activities such as money laundering, sale of illegal weapons and business dealings with organized gangs have been known to be associated with marijuana dispensaries. I believe that these facts will be detrimental to all citizens of the Excelsior community which not only applies to the residents but to the business owners, who have helped the community flourish. Keep in mind that the proposed location (4835 Mission Street) of this marijuana dispensary is within a few blocks from schools. Balboa High School is about 1 block away from this location and I often see children walking, hanging out in the area after school. Most are in the surrounding eateries (El Farolito, Taqueria Guadalajara, Aloha Hawaiian BBQ, Superstar Filipino restaurant, BNB Wings and Things). The proposed site of the marijuana dispensary is next to Subway Sandwich. Elementary schools such as Monroe Elementary, Cleveland Elementary, Epiphany Elementary schools) are also within 3-5 blocks from this location. Young people are an easy prey for marijuana and may likely drive some to impaired judgments that can lead to criminal activities, unsafe situations and addiction, at worst. I say that we "nip it in the bud" and prevent these businesses from opening before it becomes a big problem for our community.

Upon my research, I have discovered that there are currently five dispensaries operating here in District 11. In fact, the closest dispensary is 997 feet away at 4687 Mission street, north of the proposed site. Additionally, there is another dispensary at 4994 Mission street approximately one and half blocks to the south. Do we really need another dispensary? No. District 11 has more than enough dispensaries and does not need anymore. To recap what I had just mentioned, crime is at an all time high in the

Excelsior district and to add another business with a high potential for criminal dealings and activity will only worsen the conditions we are currently facing in the neighborhood.

Finally, one of the worse consequences for running a marijuana dispensary in the Excelsior is the likelihood that traffic will increase at an already high traffic, congested area. Aside from the traffic, many illegally double park and/or block driveways due to the lack of parking spots. This causes havoc among residents, frustrated drivers and business owners. It also becomes a safety issue for pedestrians who cross the streets, especially during rush hour that starts at 4PM.

I ask that the San Francisco Board of Supervisors strongly consider my objection to the proposed dispensary opening at 4835 Mission Street. I'd like to keep this neighborhood safe and free from potential crime and trouble in the future for the sake of our children and the Excelsior district community as a whole.

Thank you.

Charmian Desales-Ablang

From: [Norris Data Blog](#)
To: [Board of Supervisors - CBOS](#)
Subject: Appeal of conditional use authorization of Cannabis Dispensary at 4835 Mission Street
Date: Thursday, December 8, 2022 1:59:09 PM

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

(pls send email ASAP by Friday 12/9/22 12pm noon)
email address **TO:**
boardofsupervisors@sfgov.org

Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.

Effectively, Community Members of whom object to issuance of a permit to open for business at proposed location.

Dear Board of Supervisors:

I am a member of the Excelsior Neighborhood and am voicing my **objection to the proposed dispensary opening at 4835 Mission St.** I believe that there are many health and safety concerns that would be impacted negatively should such an entity open in an area that is already oversaturated with similar businesses. We are in fear of the crimes that are already associated with such businesses (car break ins, murder for hire plots, shootouts during armed robberies and the like).

There are 5 dispensaries already approved here in the district 11. In point of fact the closest one is 987 feet away at 4687 Mission, north of the proposed site. Additionally, there is another dispensary in the pipeline at 4994 Mission approximately one and a half blocks to the south.

Our district has more than enough cannabis dispensaries and does not require nor need anymore. The existing buffer zone distance needs to be greater than 600 feet. The buffer zones in San Francisco were once 1000 feet. Daycares, preschools, primary schools, elementary, high schools, parks, and any community center catering to kids must be protected as they once were until the rules were changed. Our children's safety is paramount. Interestingly, the rules have changed bit by bit to make it easier and easier for cannabis dispensaries to enter neighborhoods.

We need to reinstate the cap of 3 dispensaries in the Excelsior that we once had, present dispensaries in the Excelsior can be exempt.

Please listen to the concerns of the majority of the neighborhood and act accordingly as is your mission.

Thank you

Richard E. del-Pena
4867 Mission St.
SAN FRANCISCO, CA 94112

Sent from my iPhone

From: [Mei Mei Zhu](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.
Date: Thursday, December 8, 2022 7:22:59 AM

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

Effectively: Community Members of whom object to issuance of a permit to open for business at proposed location.

Dear Board Of Supervisors:

I am a member of the Excelsior Neighborhood and am voicing my objection to the proposed dispensary opening at 4835 Mission St. I believe that there are many health and safety concerns that would be impacted negatively should such an entity open in an area that is already oversaturated with similar businesses. We are in fear of the crimes that are already associated with such businesses (car break ins, murder for hire plots, shootouts during armed robberies and the like).

There are 5 dispensaries already approved here in the district 11. In point of fact the closest one is 997 feet away at 4687 Mission, north of the proposed site. Additionally, there is another dispensary in the pipeline at 4994 Mission approximately one and a half blocks to the south.

Our district has more than enough cannabis dispensaries and does not require nor need anymore. The existing buffer zone distance needs to be greater than 600 feet. The buffer zones in San Francisco were once 1000 feet. Daycares, preschools, primary schools, elementary, high schools, parks, and any community center catering to kids must be protected as they once were until the rules were changed. Our children's safety is paramount. Interestingly, the rules have changed bit by bit to make it easier and easier for cannabis dispensaries to enter neighborhoods.

We need to reinstate the cap of 3 dispensaries in the Excelsior that we once had, present dispensaries in the Excelsior can be exempt.

Please listen to the concerns of the majority of the neighborhood and act accordingly as is your mission.

Thank you very much!

God bless you!

From: [Sharon Shea](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization of Cannabis Dispensary at 4835 Mission St.
Date: Thursday, December 8, 2022 6:12:01 AM

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

Dear Board Of Supervisors:

I am a member of the Excelsior Neighborhood and am voicing my objection to the proposed dispensary opening at 4835 Mission St. I believe that there are many health and safety concerns that would be impacted negatively should such an entity open in an area that is already oversaturated with similar businesses. We are in fear of the crimes that are already associated with such businesses (car break ins, murder for hire plots, shootouts during armed robberies and the like).

There are 5 dispensaries already approved here in the district 11. In point of fact the closest one is 997 feet away at 4687 Mission, north of the proposed site. Additionally, there is another dispensary in the pipeline at 4994 Mission approximately one and a half blocks to the south.

Our district has more than enough cannabis dispensaries and does not require nor need anymore. The existing buffer zone distance needs to be greater than 600 feet. The buffer zones in San Francisco were once 1000 feet. Daycares, preschools, primary schools, elementary, high schools, parks, and any community center catering to kids must be protected as they once were until the rules were changed. Our children's safety is paramount. Interestingly, the rules have changed bit by bit to make it easier and easier for cannabis dispensaries to enter neighborhoods.

We need to reinstate the cap of 3 dispensaries in the Excelsior that we once had, present dispensaries in the Excelsior can be exempt.

Please listen to the concerns of the majority of the neighborhood and act accordingly as is your mission.

Thank you.
Sharon Shea
415.317.3198
London Street between Russia and France

Sent from my iPhone

From: [BOS Legislation, \(BOS\)](#)
To: "olinda.vega"; "steve@mmdshops.com"; "Sarah.D@mmdshops.com"; "mishka@mmdshops.com"; "conorj@otterbrands.com"; "sam@collaray.com"
Cc: [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Anderson, Katharine \(DPW\)](#); [Blackwell, William \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Wong, Jason \(DPW\)](#); [Schneider, Ian \(DPW\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Balba, Ryan \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: HEARING NOTICE - Appeal of Conditional Use Authorization - Proposed 4835 Mission Street Project - Appeal Hearing December 13, 2022
Date: Friday, December 2, 2022 8:25:00 AM
Attachments: [image001.png](#)

Greetings,

The Office of the Clerk of the Board has scheduled for a hearing for Special Order before the Board of Supervisors on **December 13, 2022**, at 3:00 p.m. **Please find the following link to the hearing notice for the matter:**

[Public Hearing Notice - December 2, 2022](#)

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 221141](#)

Best Regards,

Jocelyn Wong

Legislative Clerk

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102

T: 415.554.7702 | F: 415.554.5163

jocelyn.wong@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

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public documents that members of the public may inspect or copy.

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO Sent via Email and/or U.S. Postal Service

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeal and said public hearing will be held as follows, at which time all interested parties may attend and be heard in person or remotely.

Members of the public attending this hearing in-person may be required to wear masks and adhere to certain procedures, please visit https://sfbos.org/in_person_meeting_guidelines for the current guidelines.

Date: Tuesday, December 13, 2022

Time: 3:00 p.m.

Location: **IN-PERSON MEETING INFORMATION**
Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

REMOTE ACCESS

Watch: www.sfgovtv.org

Watch: SF Cable Channel 26, 28, 78 or 99 (*depending on your provider*) once the meeting starts, the telephone number and Meeting ID will be displayed on the screen.

Public Comment Call-In: <https://sfbos.org/remote-meeting-call>

Subject: **File No. 221141.** Hearing of persons interested in or objecting to the approval of a Conditional Use Authorization pursuant to Sections 202.2, 303, and 720 of the Planning Code, for a proposed project at 4835 Mission Street, Assessor's Parcel Block No. 6272, Lot No. 021, identified in Planning Case No. 2021-011352CUA, issued by the Planning Commission by Motion No. 21178, dated September 29, 2022, to establish an approximately 1,300 square-foot Cannabis Retail use within the ground floor commercial space of the existing two-story mixed-use building, with no on-site smoking or vaporizing of cannabis products within the Excelsior Outer Mission Street NCD (Neighborhood Commercial

District) Zoning District and 40-X Height and Bulk District. (District 11)
(Appellant: Olinda Meza Vega) (Filed October 31, 2022)

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102 or sent via email (board.of.supervisors@sfgov.org). Information relating to this matter is available in the Office of the Clerk of the Board or the Board of Supervisors' Legislative Research Center (<https://sfbos.org/legislative-research-center-lrc>). Agenda information relating to this matter will be available for public review on Friday, December 9, 2022.

For any questions about this hearing, please contact one of the Legislative Clerks:

Lisa Lew (lisa.lew@sfgov.org) ~ (415) 554-7718)
Jocelyn Wong (jocelyn.wong@sfgov.org) ~ (415) 554-7702)
Arthur Khoo (arthur.khoo@sfgov.org) ~ (415) 554-4447)

Please Note: The Department is open for business, but employees are working from home. Please allow 24 hours for us to return your call or email.


f Angela Calvillo
Clerk of the Board of Supervisors
City and County of San Francisco

jw:ll:ak:ams

BOARD of SUPERVISORS



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San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

PROOF OF MAILING

Legislative File No. 221141

Description of Items: Hearing - Appeal of Conditional Use Authorization Approval - 4835
Mission Street - 376 Notices Mailed

I, Jocelyn Wong, an employee of the City and County of San Francisco, mailed the above described document(s) by depositing the sealed items with the United States Postal Service (USPS) with the postage fully prepaid as follows:

Date: December 1, 2022

Time: 4:30 p.m.

USPS Location: Repro Pick-up Box in the Clerk of the Board's Office (Rm 244)

Mailbox/Mailslot Pick-Up Times (if applicable): N/A

Signature: _____

A handwritten signature in blue ink, appearing to be "JW", written over a horizontal line.

Instructions: Upon completion, original must be filed in the above referenced file.

From: [BOS Legislation. \(BOS\)](#)
To: [Liu, Bella \(CPC\)](#); [Yeung, Tony \(CPC\)](#)
Cc: [BOS-Operations](#); [BOS Legislation. \(BOS\)](#)
Subject: CHECK PICKUP: Appeal of Conditional Use Authorization - Proposed 4835 Mission Street Project - Appeal Hearing December 13, 2022
Date: Wednesday, November 9, 2022 4:08:00 PM
Attachments: [image001.png](#)
[Appeal Check Pickup.doc](#)

Hi Bella,

The check for the appeal filing fee for the Conditional Use Authorization appeal of the proposed 4835 Mission Street project, is ready to be picked up at the Clerk's Office. Our office is opened Monday through Friday from 8:00am to 5:00pm. A fee waiver was not filed with this project. Kindly sign the attached Appeal Check Pickup form once the filing fee is picked up.

Thank you.

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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From: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Sent: Wednesday, November 9, 2022 3:51 PM
To: 'olinda vega' <olivegam@yahoo.com>
Cc: PEARSON, ANNE (CAT) <Anne.Pearson@sfcityatty.org>; JENSEN, KRISTEN (CAT) <Kristen.Jensen@sfcityatty.org>; Anderson, Katharine (DPW) <katharine.anderson@sfdpw.org>; Blackwell, William (DPW) <William.Blackwell@sfdpw.org>; Tse, Bernie (DPW) <bernie.tse@sfdpw.org>; Huff, Nicolas (DPW) <nicolas.huff@sfdpw.org>; Wong, Jason (DPW) <jason.c.wong1@sfdpw.org>; Schneider, Ian (DPW) <ian.schneider@sfdpw.org>; Gibson, Lisa (CPC) <lisa.gibson@sfgov.org>; Jain, Devyani (CPC) <devyani.jain@sfgov.org>; Navarrete, Joy (CPC)

<joy.navarrete@sfgov.org>; Teague, Corey (CPC) <corey.teague@sfgov.org>; Tam, Tina (CPC) <tina.tam@sfgov.org>; Rodgers, AnMarie (CPC) <anmarie.rodgers@sfgov.org>; Sider, Dan (CPC) <dan.sider@sfgov.org>; Starr, Aaron (CPC) <aaron.starr@sfgov.org>; Watty, Elizabeth (CPC) <elizabeth.watty@sfgov.org>; Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>; Balba, Ryan (CPC) <ryan.balba@sfgov.org>; Rosenberg, Julie (BOA) <julie.rosenberg@sfgov.org>; Longaway, Alec (BOA) <alec.longaway@sfgov.org>; BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Subject: Appeal of Conditional Use Authorization - Proposed 4835 Mission Street Project - Appeal Hearing December 13, 2022

Greetings,

The Office of the Clerk of the Board has scheduled for a remote hearing Special Order before the Board of Supervisors on **December 13, 2022**, at 3:00 p.m. Please find linked below an appeal letter regarding the proposed 4835 Mission Street project, as well as direct links to the Public Work's determination letter, and an informational letter from the Clerk of the Board.

[Appeal Letter - October 31, 2022](#)

[Public Work's Letter - November 8, 2022](#)

[Clerk of the Board Letter - November 9, 2022](#)

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 221141](#)

Best regards,

Lisa Lew

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

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BOARD of SUPERVISORS



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Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

November 9, 2022

File Nos. 221141-221144

Planning Case No. 2021-011352CUA

Received from the Board of Supervisors Clerk's Office one check, one in the amount of Six Hundred Ninety Eight Dollars (\$698) the filing fee paid by Olinda L. Meza Vega for the appeal of the Conditional Use Authorization for the proposed 4835 Mission Street project:

Planning Department By:

Tong Yencg
Print Name

[Signature] 11/10/22
Signature and Date

From: [BOS Legislation, \(BOS\)](#)
To: "olinda vega"
Cc: [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Anderson, Katharine \(DPW\)](#); [Blackwell, William \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Wong, Jason \(DPW\)](#); [Schneider, Ian \(DPW\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Balba, Ryan \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization - Proposed 4835 Mission Street Project - Appeal Hearing December 13, 2022
Date: Wednesday, November 9, 2022 3:50:00 PM
Attachments: [image001.png](#)

Greetings,

The Office of the Clerk of the Board has scheduled for a remote hearing Special Order before the Board of Supervisors on **December 13, 2022**, at 3:00 p.m. Please find linked below an appeal letter regarding the proposed 4835 Mission Street project, as well as direct links to the Public Work's determination letter, and an informational letter from the Clerk of the Board.

[Appeal Letter - October 31, 2022](#)

[Public Work's Letter - November 8, 2022](#)

[Clerk of the Board Letter - November 9, 2022](#)

I invite you to review the entire matters on our [Legislative Research Center](#) by following the link below:

[Board of Supervisors File No. 221141](#)

Best regards,

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

(VIRTUAL APPOINTMENTS) To schedule a "virtual" meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

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BOARD of SUPERVISORS



**City Hall
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San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227**

November 9, 2022

Olinda Vega
566 London Street
San Francisco, CA 94112

**Subject: File No. 221141 - Appeal of Conditional Use Authorization
4835 Mission Street Project**

Dear Ms. Vega:

The appeal filing period for the Conditional Use approval for the proposed project at 4835 Mission Street closed on October 31, 2022.

The City and County Surveyor has informed the Board of Supervisors in a letter received November 8, 2022 (copy attached), that the signatures represented with your appeal filing on October 31, 2022, have been checked pursuant to the Planning Code, and represent more than 20% of the verified property owners and unverified tenants required, and are sufficient for an appeal.

Pursuant to Planning Code, Section 308.1, a hearing date has been scheduled for **Tuesday, December 13, 2022, at 3:00 p.m.**, at the Board of Supervisors meeting.

Please provide to the Clerk's Office by noon:

20 days prior to the hearing:
Wednesday, November 23, 2022

names and addresses of interested parties to be notified of the hearing, in spreadsheet format; and

11 days prior to the hearing:
Friday, December 2, 2022

any documentation which you may want available to the Board members prior to the hearing.

For the above, the Clerk's office requests electronic files be sent to bos.legislation@sfgov.org.



If you have any questions, please feel free to contact Legislative Clerks, Lisa Lew, at (415) 554-7718, Jocelyn Wong, at (415) 554-7702, or Arthur Khoo, at (415) 554-4447.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Angela Calvillo".

Angela Calvillo
Clerk of the Board

jw:ak:ll:ams

- c: Anne Pearson, Deputy City Attorney
- Kristen Jensen, Deputy City Attorney
- Katharine Anderson, Public Works
- William Blackwell, Public Works
- Bernie Tse, Public Works
- Nicolas Huff, Public Works
- Jason Wong, Public Works
- Ian Schneider, Public Works
- Lisa Gibson, Planning Department
- Devyani Jain, Planning Department
- Joy Navarrete, Planning Department
- Corey Teague, Planning Department
- Tina Tam, Planning Department
- AnMarie Rodgers, Planning Department
- Dan Sider, Planning Department
- Aaron Starr, Planning Department
- Elizabeth Watty, Planning Department
- Jonas Ionin, Planning Commission
- Ryan Balba, Planning Department
- Julie Rosenberg, Board of Appeals
- Alec Longaway, Board of Appeals



Nicolas Huff, PE, Bureau Manager | Bureau of Street-Use & Mapping

nicolas.huff@sfdpw.org | T. 628.271.2000 | 49 South Van Ness Ave. 3rd Floor, San Francisco, CA 94103

November 8, 2022

Ms. Angela Calvillo
Clerk of the Board
1 Dr. Carlton B. Goodlett Place
City Hall – Room 244
San Francisco, CA 94102

RE: Planning Case No. 2021-011352CUA
4835 Mission Street – Conditional Use Authorization Appeal
APN 6272 LOT 021

Dear Ms. Calvillo:

This letter is in response to your November 2, 2022, request for the Office of the City and County Surveyor to review for verification of signatures with respect to the above referenced appeal. We were able to verify the owners through the Assessor Recorder's property records. We were not able to verify tenant's signatures. They did, however, declare under penalty of perjury that they occupy the property.

Please be advised that per our calculations the appellants' signatures (verified owners and unverified tenants), they represent 27.18% of the area, which is greater than 20% of the area involved and therefore may be enough for an appeal.

Sincerely,

A handwritten signature in blue ink that reads "K. Anderson".

Katharine Anderson
City & County Surveyor

From: [BOS Legislation. \(BOS\)](#)
To: [Anderson, Katharine \(DPW\)](#)
Cc: [Blackwell, William \(DPW\)](#); [Tse, Bernie \(DPW\)](#); [Huff, Nicolas \(DPW\)](#); [Wong, Jason \(DPW\)](#); [Schneider, Ian \(DPW\)](#); [PEARSON, ANNE \(CAT\)](#); [JENSEN, KRISTEN \(CAT\)](#); [Gibson, Lisa \(CPC\)](#); [Jain, Devyani \(CPC\)](#); [Navarrete, Joy \(CPC\)](#); [Teague, Corey \(CPC\)](#); [Tam, Tina \(CPC\)](#); [Rodgers, AnMarie \(CPC\)](#); [Sider, Dan \(CPC\)](#); [Starr, Aaron \(CPC\)](#); [Watty, Elizabeth \(CPC\)](#); [Ionin, Jonas \(CPC\)](#); [Balba, Ryan \(CPC\)](#); [Rosenberg, Julie \(BOA\)](#); [Longaway, Alec \(BOA\)](#); [BOS-Supervisors](#); [BOS-Legislative Aides](#); [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [BOS Legislation. \(BOS\)](#)
Subject: Appeal of Conditional Use Authorization - Proposed Project at 4835 Mission Street - Verification of Signatures
Date: Wednesday, November 2, 2022 1:36:33 PM
Attachments: [Appeal Ltr 103122.pdf](#)
[image001.png](#)
[COB Ltr 110122 Det Req.pdf](#)

Dear Ms. Anderson,

The Office of the Clerk of the Board is in receipt of an appeal of the Conditional Use Authorization for the proposed project at 4835 Mission Street. The appeal was filed Olinda Vega on October 31, 2022.

Please find attached the appeal filing packet with signatures, and a letter requesting verification of signatures submitted with the appeal filing.

Kindly review for verification of signatures and submit your determination no later than 5:00 p.m. on November 8, 2022. Thank you.

Kind regards,

Lisa Lew
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T 415-554-7718 | F 415-554-5163
lisa.lew@sfgov.org | www.sfbos.org

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

November 1, 2022

Katharine Anderson
City and County Surveyor, Public Works
49 South Van Ness Avenue, Suite 300
San Francisco, CA 94103

Planning Case No. 2021-011352CUA
4835 Mission Street - Conditional Use Authorization Appeal

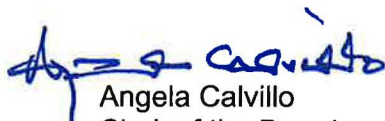
Dear Ms. Anderson:

The Office of the Clerk of the Board is in receipt of an appeal filed by Olinda Vega, from the decision of the Planning Commission on September 29, 2022, relating to an approval of a Conditional Use Authorization (Case No. 2021-011352CUA) to establish an approximately 1,300 square-foot Cannabis Retail use within the ground floor commercial space of the existing two-story mixed-use building, with no on-site smoking or vaporizing of cannabis products within the Excelsior Outer Mission Street NCD (Neighborhood Commercial District) Zoning District and 40-X Height and Bulk District. The proposed project is located at:

4835 Mission Street, Assessor's Parcel Block No. 6272, Lot No. 021

By copy of this letter, the City and County Surveyor is requested to determine the sufficiency of the signatures, in regard to the percentage of the area represented by the appellant. Please submit your determination no later than 5:00 p.m. on November 8, 2022.

Sincerely,



Angela Calvillo
Clerk of the Board

ll:ak:ams

c: William Blackwell, Public Works
Bernie Tse, Public Works
Nicolas Huff, Public Works
Jason Wong, Public Works
Ian Schneider, Public Works
Anne Pearson, Deputy City Attorney
Kristen Jensen, Deputy City Attorney
Lisa Gibson, Planning Department
Devyani Jain, Planning Department
Joy Navarrete, Planning Department

Corey Teague, Planning Department
Tina Tam, Planning Department
AnMarie Rodgers, Planning Department
Dan Sider, Planning Department
Aaron Starr, Planning Department
Elizabeth Watty, Planning Department
Jonas Ionin, Planning Commission
Ryan Balba, Planning Department
Julie Rosenberg, Board of Appeals
Alec Longaway, Board of Appeals

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

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

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☐ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor inquiries..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

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

Sponsor(s):

Subject:

Long Title or text listed:

Signature of Sponsoring Supervisor: