

**BOARD of SUPERVISORS**



**City Hall**  
**1 Dr. Carlton B. Goodlett Place, Room 244**  
**San Francisco 94102-4689**  
**Tel. No. (415) 554-5184**  
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**TDD/TTY No. (415) 554-5227**

October 15, 2021

Mr. Joaquin Torres  
Assessor-Recorder, City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 190  
San Francisco, CA 94102

**Re: Board of Supervisors Motion No. M21-141**

Dear Assessor-Recorder Torres:

On July 27, 2021, the Board of Supervisors held a remote public hearing of persons interested in or objecting to the certification of a Conditional Use Authorization for a proposed project located at 5 Leland Avenue and 2400 Bayshore Boulevard, issued by the Planning Department its Motion No. 20925 dated May 27, 2021, and adopted Motion No. M21-113 (Conditionally Disapproving Decision of the Planning Commission and Approving the Conditional Use Authorization - 5 Leland Avenue and 2400 Bayshore Boulevard) and Motion No. M21-114 (Preparation of Findings Related to Conditional Use Authorization - 5 Leland Avenue and 2400 Bayshore Boulevard).

On October 5, 2021, the Board of Supervisors adopted Motion No. M21-141 (Adoption of Findings Related to Conditional Use Authorization - 5 Leland Avenue and 2400 Bayshore Boulevard).

Pursuant to Administrative Code, Section 34.3, the Clerk of the Board is forwarding the following documents to your attention:

- One copy of Motion No. M21-113 (File No. 210758)
- One copy of Motion No. M21-141 (File No. 211037)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org).

Sincerely,

A handwritten signature in blue ink that reads "Angela Calvillo".

Angela Calvillo  
Clerk of the Board

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- c. Juan Carlos Cancino, Office of the Assessor-Recorder  
Holly Lung, Office of the Assessor-Recorder

1 [Conditionally Disapproving Decision of the Planning Commission and Approving the  
2 Conditional Use Authorization - 5 Leland Avenue and 2400 Bayshore Boulevard]

3 **Motion conditionally disapproving the decision of the Planning Commission by its**  
4 **Motion No. 20925, and approving a Conditional Use Authorization, identified as**  
5 **Planning Case No. 2021-000603CUA, for a proposed project at 5 Leland Avenue and**  
6 **2400 Bayshore Boulevard, subject to the adoption of written findings by the Board in**  
7 **support of this determination.**

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9 MOVED, That the Board conditionally disapproves the May 27, 2021 decision, of the  
10 Planning Commission to disapprove Conditional Use Authorization identified as Planning  
11 Case No. 2021-000603CUA , by its Motion No. 20925, to allow the establishment of a 2,198  
12 square foot Cannabis Retail Use with no on-site smoking or vaporizing of cannabis products  
13 within the ground floor commercial space of a two-story mixed-use building located within the  
14 NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District, the Schlage Lock Special  
15 Use District, and a 55-X Height and Bulk District, on property located at:

16 5 Leland Avenue and 2400 Bayshore Boulevard; Assessor’s Parcel Block No. 6249,  
17 Lot No. 001, and conditionally approves the Conditional Use Authorization, subject to the  
18 adoption of written findings by the Board in support of this determination.

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# City and County of San Francisco

## Tails

### Motion: M21-113

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

**File Number:** 210758

**Date Passed:** July 27, 2021

Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 20925, and approving a Conditional Use Authorization, identified as Planning Case No. 2021-000603CUA, for a proposed project at 5 Leland Avenue and 2400 Bayshore Boulevard, subject to the adoption of written findings by the Board in support of this determination.

July 27, 2021 Board of Supervisors - APPROVED

Ayes: 10 - Chan, Haney, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

Noes: 1 - Mar

File No. 210758

**I hereby certify that the foregoing Motion was APPROVED on 7/27/2021 by the Board of Supervisors of the City and County of San Francisco.**

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

Angela Calvillo  
Clerk of the Board

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

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

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

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

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

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

22 MOVED, That the Board finds that:

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

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

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

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

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

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

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

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

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

**Tails**

**Motion: M21-141**

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

**File Number:** 211037

**Date Passed:** October 05, 2021

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

October 05, 2021 Board of Supervisors - APPROVED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 211037

**I hereby certify that the foregoing Motion was APPROVED on 10/5/2021 by the Board of Supervisors of the City and County of San Francisco.**

A handwritten signature in blue ink, appearing to read "Angela Calvillo", written over a horizontal line. A vertical line extends downwards from the end of the signature.

Angela Calvillo  
Clerk of the Board