



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text Amendment

HEARING DATE: JUNE 2, 2016
EXPIRATION DATE: JULY 30, 2016

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Project Name: Prohibiting Formula Retail in the Polk Street Neighborhood
Commercial District
Case Number: 2016-001823PCA [Board File No. 160102]
Initiated by: Supervisor Peskin / Introduced February 2, 2016
Staff Contact: Diego R Sánchez, Legislative Affairs
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Reviewed by: Aaron Starr, Manager of Legislative Affairs
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Recommendation: Recommend Approval with Modifications

PLANNING CODE AMENDMENT

The proposed Ordinance would amend Planning Code Section 303.1(f) to include the Polk Street Neighborhood Commercial District (NCD) on the list of zoning districts that prohibit formula retail.

The Way It Is Now:

The Planning Code requires formula retail uses locating in the Polk Street NCD to secure Conditional Use authorization (CU).

The Way It Would Be:

The Planning Code would prohibit formula retail uses from locating in the Polk Street NCD.

BACKGROUND

1600 Jackson Street

Property Description and Current Use

1600 Jackson Street, at the northwest corner of Polk and Jackson Streets, is the location of the former Lombardi Sports store. The improvements on the 22,500 sq. ft. site include a basement level automobile parking area and two floors for commercial use. In all, the improvements measure approximately 59,000 square feet. The site has been vacant for more than one year.

Interest in Future Use of Site

The subsequent use of 1600 Jackson Street is a great concern to the communities that live, recreate and shop in the Polk Street corridor. Staff understands this concern to be, at least in large part, the genesis of the proposed Ordinance.

Over the last 24 months, the Planning Department has received two applications seeking to redevelop or reuse the site. The first was to demolish the existing improvements and replace them with a six story

residential building with ground floor retail and basement parking. This application was withdrawn and the case closed. The second application, which remains active, seeks to reuse the site as a 365 by Whole Foods Market formula retail grocery store. The Planning Department also conducted a Project Review meeting to discuss the possible use of the site as a formula retail use (Target).

As described in the Public Comment Section below, Staff has received a number of email letters focused on the site. Some express the need to institute a prohibition on formula retail uses. Other letters express support for the use of the site as a 365 by Whole Foods Market formula retail grocery store. The proposed Ordinance would greatly influence the possible uses of 1600 Jackson Street site, as well as all other properties in the Polk Street NCD.

Formula Retail Controls in San Francisco

San Francisco has had regulations scrutinizing formula retail uses since 2004.¹ At that time, establishing a formula retail use in most of the City's neighborhood commercial corridors only required neighborhood notification. The Neighborhood Commercial Cluster Districts (NC-1) at Cole and Carl Streets and Parnassus and Stanyan Streets required CU. The Hayes-Gough NCD was the sole corridor with an outright prohibition.

By 2007 the City's formula retail controls were significantly strengthened. The North Beach NCD joined Hayes-Gough as corridors banning formula retail.² When voters approved Proposition G, "The Small Business Protection Act," establishing a formula retail use in any of the City's NCD required CU, if allowed at all.³

Subsequent years saw additional changes to the City's formula retail controls. These were implemented through legislative amendment, Planning Commission policy or Board of Appeals ruling. The changes encompassed areas from the Bayview to Upper Market and the Fillmore to Central Market. Even the Public Works Code was amended to restrict formula retail uses in the public right of way.⁴

Planning Department Study of Formula Retail Controls

The pattern of continually augmenting San Francisco's formula retail controls helped precipitate the Planning Department's 2014 comprehensive review of those controls. As part of this review, the Department held multiple focus groups and commissioned a consultant study to assist in the analysis.

¹ Ordinance Number 62-04;

<https://sfgov.legistar.com/View.ashx?M=F&ID=2577365&GUID=6B0C0778-3AE0-4F2E-B20C-2C67DE0077F8>

² Ordinance Number 65-05;

<https://sfgov.legistar.com/View.ashx?M=F&ID=2577312&GUID=A2169E87-7DA9-4290-98C2-150FBC87AF99>

³ The legal text and arguments in favor and against can be accessed here:

http://sfpl4.sfpl.org/pdf/main/gic/elections/November7_2006.pdf

⁴ Ordinance Number 119-13

<https://sfgov.legistar.com/View.ashx?M=F&ID=2557049&GUID=5250C736-26C0-40EF-B103-4321F058992C>

The focus groups sought, among other things, to discern the principal concerns City residents have with formula retail uses in their neighborhood commercial corridors. The consultant study assessed the role formula retail plays in the City's neighborhoods and the effect the City's formula retail regulations have on NCDs. The study also provided analysis on possible effects of then-proposed changes to the formula retail regulations.

The Department's review culminated in a staff report to the Planning Commission and further refinement of the City's formula retail controls.⁵ The report touched on a wide variety of issues, each informed by an array of sources including public and private studies and articles from popular periodicals. The staff report presented two major findings. First, that the Conditional Use process is working to address residents' concerns about formula retail. Second, adjustments to these controls can be made to better serve residents.

ISSUES AND CONSIDERATIONS

The Polk Street Neighborhood Commercial District

Description and Intentions of the Polk Street NCD

The Polk Street NCD is one of the original 16 named NCDs established in the late 1980's. It spans approximately one mile in a linear, north-south direction and serves the multiple neighborhoods it borders. These include the Polk Gulch, Nob Hill and Russian Hill neighborhoods.

This NCD is intended to provide convenience goods and services. The retail stores providing those goods and services are overwhelmingly found at the street level. Residential uses are typically located in multiple stories above the ground floor. This pattern is in line with the zoning and height controls for the Polk Street NCD. These controls generally allow six story buildings, favor retail and institutional uses located at lower stories, support residential uses at all levels and require off-street parking at minimum amounts.

The February/March 2016 Survey of the Polk Street Neighborhood Commercial District

In late February and early March 2016 Planning Department staff conducted a walking survey of the Polk Street NCD. The aim of the walking survey was to note existing street level retail conditions, including retail types and the number of formula retail establishments. Staff found a total of 336 occupied retail storefronts in the corridor. Of these 336 occupied retail storefronts, eating and drinking establishments comprise the largest percentage of retail establishments. Personal Grooming / Exercise uses also occupy a significant number of storefronts in corridor. (See Table 1).

Of the retail use types, formula retail was most common among the financial uses (banks). However their number is greatest in the Other Retail category, which includes pharmacies, vitamin supplement shops, hardware stores, and the like.

⁵ Ordinance Number 235-14;

<https://sfgov.legistar.com/View.ashx?M=F&ID=3395376&GUID=E968AE34-63B8-4B9B-850C-DFAE0F2A9FD8>

TABLE 1: POLK STREET NCD RETAIL COMPOSITION FEBRUARY/MARCH 2016

USE TYPE	FORMULA RETAIL	INDEPENDENT RETAIL	TOTAL	FORMULA RETAIL / TOTAL
Eating & Drinking	6	117	123	5%
General / Specialty Grocery	1	9	10	10%
Financial	3	1	4	75%
Personal Grooming / Exercise	1	61	62	2%
Apparel	2	18	20	10%
Health Service	0	6	6	0%
Other Retail	9	102	111	8%
TOTAL	22	314	336	7%

Planning Commission Consideration of Formula Retail Applications in the Polk Street NCD

Over the last five years the Planning Commission has heard three cases where formula retail establishments sought to locate in the Polk Street NCD. Of these three, the Planning Commission disapproved one. (See Table 2). In comparison, over the same time period the Planning Commission has heard five formula retail cases in the RC-4 district along Van Ness Avenue, six in the Ocean Avenue NCD and seven in Upper Market. The Planning Commission did not disapprove any in the RC-4 or the Ocean Avenue NCD. It disapproved two in the Upper Market.

TABLE 2: FORMULA RETAIL CASES IN THE POLK STREET NCD APR 2011 – APR 2016

CASE NUMBER	BUSINESS	ADDRESS	ACTION	DATE
2011.1067C	Sherwin Williams	1630 California	Disapprove	December 2011
2011.1046C	Trader Joe's + CVS	1401 California	Approve	December 2011
2014.0125C	Nutrishop	1118 Polk	Approve	May 2014

Planning Department Staff is aware of two active cases seeking to establish formula retail uses in the Polk Street NCD. These cases have yet to come before the Planning Commission. The processing of these cases is dependent upon the Board of Supervisors' and Mayor's consideration of the proposed Ordinance.

Housing and Retail

San Francisco is in the midst of a housing shortage. The 2014 Housing Element reports that from 2007 to 2014 the City produced only 58% of its regional fair share.⁶ Production of housing for households with

⁶ 2014 Housing Element

moderate-incomes (80% to 120% of Area Median Income) and below was especially lacking. The City realized approximately 16% of the production goal for housing for moderate-income households and 41% for households with lower incomes.

While all new housing is generally needed, it is preferable if it is located within close proximity to transit and retail amenities. Larger sites that can accommodate numerous units and lower level commercial uses are even better suited. Where such sites are available, it is worthwhile to incentivize their use for these purposes.

2014 Formula Retail Study

As mentioned in the Background Section above, the Department commissioned a consultant to study formula retail uses in the City. In addition to broadly covering the role and effect of formula retail in NCDs, the study also provided specific insights on the topics below:

Formula Retail Concentration

The Study found that formula retail accounts for 12% of all retail establishments in the City. In zoning districts without formula retail controls, formula retail establishments comprise 25% of retail establishments. In contrast, formula retail comprises 10% of retail establishments in zoning districts with formula retail controls. This suggests that existing formula retail controls have tempered the number of approvals in zoning districts that enjoy them.

The study also found that particular retail uses tend to be formula retail. For example, 84% of all banks were formula retail establishments. Conversely, only 11% of restaurants and bars are formula retail establishments. Likewise, the study found that of all "Supermarket and Other Grocery Stores" only 7% were formula retail. This implies that certain retail use types, such as banks, lend themselves toward a high presence of formula retailers.

The study also found that Formula retail uses gravitate toward specific retail spaces. Almost 85% of the City's formula retailers occupy retail spaces in excess of 3,000 square feet. The national retailers, in particular, favor larger, more prominent locations. This is in contrast to smaller, independent retailers, who tend to locate in smaller and shallower spaces.

Formula Retail and Neighborhood Commercial District Lease Rates

Many, including some letters in the public comment, cite the presence of formula retail as a source of increased retail lease rates. This suggests that severely limiting or prohibiting new formula retail will lower retail lease rates. However, the study found that the retail market is driven by demand for goods and services, as influenced by regional and national economic trends.

In the NCDs studied, there was no clear relation between the approval of a formula retail use and retail lease rates. The study found that retail lease rates generally fell as the national economy dipped into recession. This generally occurred irrespective of the addition of new formula retailers prior to the recession. The study also found that retail lease rates mainly increased as the economy began to improve.

<http://www.sf-planning.org/ftp/General Plan/2014HousingElement-AllParts ADOPTED web.pdf>

This typically occurred whether a formula retail application was approved, withdrawn or disapproved. The perception that new formula retail uses drive lease rates may be informed by the fact that submissions of formula retail applications are correlated to economic expansions.

Formula Retail as Anchor or Detriment

The health of an NCD often determines whether a new formula retail use is beneficial or harmful to its character. For example, the study found that in less vibrant NCDs a formula retail use can serve as an anchor for revitalization. This may often be the case where there are larger retail spaces, as formula retailers tend to seek spaces in excess of 3,000 square feet. The formula retail use represents a new economic investment, spurring economic activity and attracting new customers to the corridor. This may also assist existing retailers struggling to lure new patrons to these overlooked commercial corridors.

In neighborhood commercial corridors with an established character, the addition of a large national chain may degrade that character. Care must be taken to assure aesthetic compatibility. Proper business signage, adequately transparent storefronts and a general pedestrian orientation is paramount. The balance between independently owned and national retail must also be considered. Further, the study noted that residents in such corridors had concerns about the loss of established retailers providing daily goods and services. In these cases heightened scrutiny of a new formula retail establishment is vital.

The Function of the Conditional Use Authorization Process

At the time of the study, the Planning Commission had approved 75% of all formula retail applications. While this rate appears high, it is worthwhile to note that the CU process serves as a filter for applications. In zoning districts with formula retail controls, the CU process frequently lasts more than six months. This timeframe is affected by a number of factors, including the proposed formula retail use and community stakeholder involvement. This long timeframe and need for community outreach often deters some applicants from submitting an application. Indeed, the study found that in cases where there is community consensus against an application or where significant opposition exists, formula retail applications were often disapproved or withdrawn. Conversely, proposals thought to enjoy some level of community support tend to submit applications. With community support, these applications are often approved.

The role of community input is an important detail to note. The CU process allows community stakeholders to provide the Planning Commission with their insights and input. Given the particularities of each of the City's NCDs, it is vital that communities contribute to the discussion about the composition of their retail corridors. The process also affords the Planning Commission discretion and allows its members to exercise their professional judgement on these cases in light of public testimony. In this way, the land use and zoning process is an informed and participatory one.

IMPLEMENTATION

The Department has determined that this ordinance will not impact our current implementation procedures.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

RECOMMENDATION

The Department recommends that the Commission recommend *approval with modifications* of the proposed Ordinance and adopt the attached Draft Resolution to that effect. The Department's proposed recommendation is as follows:

1. Modify the Ordinance to require formula retail uses exceeding 5,000 square feet in size to provide residential uses in a minimum ratio of 3:1.

Specifically, modify Planning Code Section 303.1(f) as such:

(10) Polk Street Neighborhood Commercial District does not permit Formula Retail uses over 5,000 square feet unless the ratio of residential uses on the same lot to the formula retail use is at least 3:1

BASIS FOR RECOMMENDATION

The Department supports the intention of the Ordinance, which is to help preserve the retail character of the Polk Street NCD and, in part, ensure that under developed land is better utilized. However, a blanket prohibition is too blunt of a control. Certain formula retail uses bring value to a neighborhood and existing formula retail controls effectively filter lesser proposals. Instead, the Department believes a modified formula retail regulation can serve multiple policy objectives in the Polk Street NCD.

Recommendation 1: Modify the proposed Ordinance to require formula retail uses exceeding 5,000 square feet in size to provide residential uses on the same lot in a minimum ratio of 3:1.

Staff recommends the proposed modification as means to achieve two policy goals. The first is to carefully manage the number and type of formula retail uses in the Polk Street corridor. The second is to incentivize the use of remaining larger corridor sites for housing. Taken together, this will help new mixed use development fit the existing, character defining pattern that the Polk Street NCD enjoys.

Respect for existing corridor character

The Polk Street NCD, as mentioned above, is characterized by street level retail or institutional uses with residential uses at upper stories. The Polk Street NCD's zoning and height controls also help guide development toward this pattern. The proposed modification will direct formula retail uses in excess of 5,000 square feet to adhere to the NCD's prevailing development pattern. This, in combination with existing design guidelines for residential and formula retail uses, will help any future formula retail uses to be compatible with the NCD's existing character. It also addresses the larger concern about the subsequent use of the 1600 Jackson site.

Formula Retail Concentrations are Similar to Citywide Rates

The figures on formula retail concentration in the Polk Street NCD indicate that it does not have an outsized presence there. Formula retail uses comprise 10% of retail establishments in all zoning districts with formula retail controls. The February/March 2016 survey found that formula retail uses comprise only 7% of retail establishments in the Polk Street NCD. When comparing by specific retail use type, the rate that formula retail uses comprises particular retail use types in the Polk Street NCD generally does not exceed the citywide averages. Taken together this shows that there is not an over concentration of formula retail in the Polk Street NCD, and that some additional formula retail uses would not significantly upset the existing balance with independently owned retail use in the Polk Street NCD.

Formula Retail Uses Can Be Beneficial to Neighborhood Commercial Districts

A new formula retail use can prove beneficial to a neighborhood commercial corridor, depending upon its existing conditions. When a corridor lacks retail serving residents' daily needs, a formula retail use can aptly fill the gap. Even when a healthy balance between formula retail and independently owned establishments exists, the addition of a formula retail use can be advantageous, or in the least, not detrimental. The proposed modification allows for this when the formula retail use is necessary and desirable.

It is also unclear whether formula retail uses raise retail lease rates. As mentioned above, the consultant study did not find a definitive relationship between the approval of a formula retail application and an increase in lease rates. Rather, consumer demand and the business cycle appeared to drive a corridor's lease rates. Given this, it is reasonable to allow community input on the appropriateness of particular formula retail uses.

The Value of the Conditional Use Process

Fundamentally, the Conditional Use process gathers input from concerned stakeholders and professional staff to discern whether a proposal is necessary and desirable. A community's input is indispensable to the process, as it often provides an unequaled familiarity of the context. Likewise, the analysis and discretion of Department Staff and the Planning Commission can help make an informed and nuanced decision.

This mix of information and decision maker discretion is what helps avoid the unintended consequence of systematically prohibiting a beneficial proposal. Community and professional input in concert with the Planning Commission's discretion is what informs a modified and improved proposal and allows it to proceed.

In many NCDs this participatory process also serves as a deterrent to excessive formula retail applications. The consultant study notes that many formula retailers will not submit applications in zoning districts with controls unless they feel confident of success. As cited above, since April 2011 only three Polk Street NCD formula retail applications have come before the Planning Commission. In contrast, other districts have seen twice as many over the same time period. They have also seen far fewer disapproved applications. This supports the notion that the CU process is working to maintain the retail character in the Polk Street NCD.

The Need for Housing near Amenities

Within the context of the current housing crisis, it is advantageous to create incentives and regulations that produce new housing units. This is especially the case on sites that are in close proximity to public transit and retail amenities. In comparison to other neighborhoods in the City, the Polk Street NCD has few larger, non-residential sites ripe for redevelopment. However, it enjoys existing and forthcoming transit improvements as well as a vibrant and extensive neighborhood commercial corridor. The existing zoning and height regulations also promote residential/retail mixed use developments. It is reasonable, then, to direct development on the remaining larger sites in the Polk Street NCD to include housing.

ENVIRONMENTAL REVIEW

The proposed amendments are not defined as a project under CEQA Guidelines Section 15060(c) and 15378 because they do not result in a physical change in the environment.

PUBLIC COMMENT

As of the date of this report, the Planning Department has received 116 letters from the public regarding the proposed Ordinance. Staff is also aware of an online petition that is also against a prohibition on formula retail uses in the Polk Street NCD. This online petition is signed by approximately 100 individuals. Of all letters, 76 generally support the prohibition of formula retail uses in the Polk Street NCD. Those in support cite the need to protect existing neighborhood character and avoid the increase traffic congestion that larger formula retail uses bring. They also argue that a prohibition would allow smaller, homegrown, independent stores to thrive and would help keep commercial leases low.

Neighborhood organizations that submitted letters in support of the prohibition on formula retail uses include:

- Lower Polk Neighbors
- Middle Polk Neighborhood Association
- Polk District Merchant Association
- North Beach Business Association
- Coalition for San Francisco Neighborhoods
- Telegraph Hill Dwellers
- San Francisco Council of District Merchants Associations
- Cathedral Hill Neighborhood Association
- Pacific Heights Residents Association

Those in opposition to the Ordinance cite a need for increased access to affordable goods, especially groceries. They also cite the need to avoid new regulations that would hinder the leasing of vacant storefronts. Correspondence received in opposition to the Ordinance is largely from individuals. However, the following groups have submitted letters in opposition to the Ordinance:

- 1650 Jackson Condominium Owners Association
- 1645 Pacific Avenue Owners Association
- Jackson Plaza Condominium Association
- Pacific Place Owner's Association

RECOMMENDATION:	Recommendation of Approval with Modification
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Attachments:

- Exhibit A: Draft Planning Commission Resolution
Exhibit B: Letters of Support/Opposition
Exhibit C: Board of Supervisors File No. 160102



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Draft Resolution

HEARING DATE JUNE 2, 2016

Project Name: Prohibiting Formula Retail in the Polk Street Neighborhood Commercial District
Case Number: 2016-001823PCA [Board File No. 160102]
Initiated by: Supervisor Peskin / Introduced February 2, 2016
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Recommendation: Recommend Approval with Modifications

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RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE WITH MODIFICATIONS THAT WOULD AMEND PLANNING CODE SECTION 303.1(F) TO PROHIBIT FORMULA RETAIL USES OVER 5,000 SQUARE FEET IN SIZE IN THE POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT UNLESS THE RATIO OF RESIDENTIAL USES ON THE SAME LOT AS THE FORMULA RETAIL USE IS AT LEAST 3:1; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on February 2, 2016 Supervisor Peskin introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 160102, which would amend Section 303.1 of the Planning Code to prohibit formula retail uses in the Polk Street Neighborhood Commercial District;

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 2, 2016; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Sections 15060(c) and 15378; and

WHEREAS, the Planning 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 Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors approve with modifications the proposed ordinance.

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. Regulations on formula retail uses are indispensable tools to help preserve the character of the City's Neighborhood Commercial Districts.
2. The Conditional Use process lies at the core of the City's formula retail regulations. This process allows the community to provide insights and input. It also allows Planning Department Staff analysis and Planning Commission discretion when considering a formula retail application. This helps make the land use and zoning process an informed and participatory one.
3. This City is also in the midst of a housing shortage. Regulations that can incentivize the production of housing on large sites, especially those in close proximity to retail amenities, should be evaluated.
4. The proposed modification can help the City achieve the goals of preserving the character of the Polk Street Neighborhood Commercial District while creating incentives for the inclusion of housing on larger sites located in that District.
5. **General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

Policy 1.1

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

The proposed Ordinance will incentivize the production of housing over larger formula retail uses in the Polk Street NCD when the Planning Commission finds such development necessary and desirable.

Policy 1.3

Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

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The proposed Ordinance will locate retail activities in the Polk Street NCD, where such activity is encouraged.

OBJECTIVE 6

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

Policy 6.3

Preserve and promote the mixed commercial-residential character in neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

The proposed Ordinance will help maintain the mixed residential-retail character of the Polk Street NCD by requiring larger formula retail uses to include residential uses in their developments.

6. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

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

The proposed Ordinance will help preserve neighborhood serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail.

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

The proposed Ordinance will help preserve and enhance existing housing or neighborhood character in the Polk Street NCD

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed Ordinance will help increase the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. 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;

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Polk Street Neighborhood Commercial District

The proposed Ordinance will not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired as the Ordinance deals with retail and residential development

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

The proposed Ordinance will not have an adverse effect on City's preparedness against injury and loss of life in an earthquake because the Ordinance is in regard to allowed retail uses in the Polk Street NCD.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance will not have a direct effect on the City's Landmarks and historic buildings.

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

The proposed Ordinance will not have an adverse effect on the City's parks and open space and their access to sunlight and vistas as the Ordinance concerns the establishment of retail uses.

8. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

Resolution XXXXXX
June 2, 2016

CASE NO. 2016-001823PCA
Prohibiting Formula Retail in the
Polk Street Neighborhood Commercial District

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance with modifications as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 2, 2016.

Jonas P. Ionin
Commission Secretary

AYES:

NOES:

ABSENT:

ADOPTED: XXXXXX XX, 20XX

LOWER POLK NEIGHBORS

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May 26, 2016

Honorable Rodney Fong
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Case No. 2016-001823PCA: Prohibiting Formula Retail in Polk Street Neighborhood Commercial District [Board File No. 160102]

Dear President Fong:

The Lower Polk Neighbors strongly supports enhanced formula retail controls proposed by Supervisor Aaron Peskin within the Polk Street Neighborhood Commercial District. These enhanced controls have been proposed following extensive community outreach in which our community organization, along with other neighborhood and business associations have been stakeholders before, during, and after the introduction process. We thank Supervisor Peskin for shepherding this legislation through the through the legislative pipeline and we also extend our sincere appreciation to the Planning Department staff and Commission for taking the time to consider this during the recommendation process.

While some consider this an unnecessary step, Lower Polk Neighbors considers this an essential step in maintaining a neighborhood character that keeps a unique mix of neighborhood serving businesses that is increasing diminishing in neighborhoods around the city. One reason that organizations on Polk have spent countless hours advocating against formula and chain businesses is that they have threatened to displace important cultural, legacy, and other vital businesses in our neighborhood. We can no longer sustain these on-going "battles" on an on-going basis. With literally dozens of developments in the horizon, we must focus on the affordability crisis and ensure that developments with hundreds of residential units coming online are compatible with our neighborhood. We cannot spend hundreds of hours of bandwidth on formula retail projects that are displacing our retailers, while at the same time addressing a residential displacement crisis. These enhanced controls will allow our volunteer organizations to focus our efforts on housing-housing that is necessary, and desirable at all social economic levels.

The above mentioned affordability crisis is not just limited to residential. It is acute and chronic on the commercial front as well. It is no secret that formula retailers can and do afford higher rents. Landlords are holding out for formula retailers. Longer and more expensive leases, higher TI allowances, and long term security, are all reasons that chain retailers have advantages over mom and pops. Absentee landlords are not concerned with the homogenization of our neighborhoods. Our organization and our peer organizations are. If we want our small retailers which build community to remain- our hardware stores, barbers, tattoo shops, grocers, delis, etc. we need to remove the incentive to allow landlords to lease to national, and even international chains. We want community! We want to raise families in places that promote place making. We NEED your support.

It is important to note that while Lower Polk Neighbors has not taken a position to encourage formula chain retailers to locate to Van Ness or other streets, there are other locations just off Polk that allow formula retail via Conditional Use and provide options for these business to locate near our corridor. We welcome a dialogue with these retailers at any time and have a history of either supporting projects off Polk or taking no position.

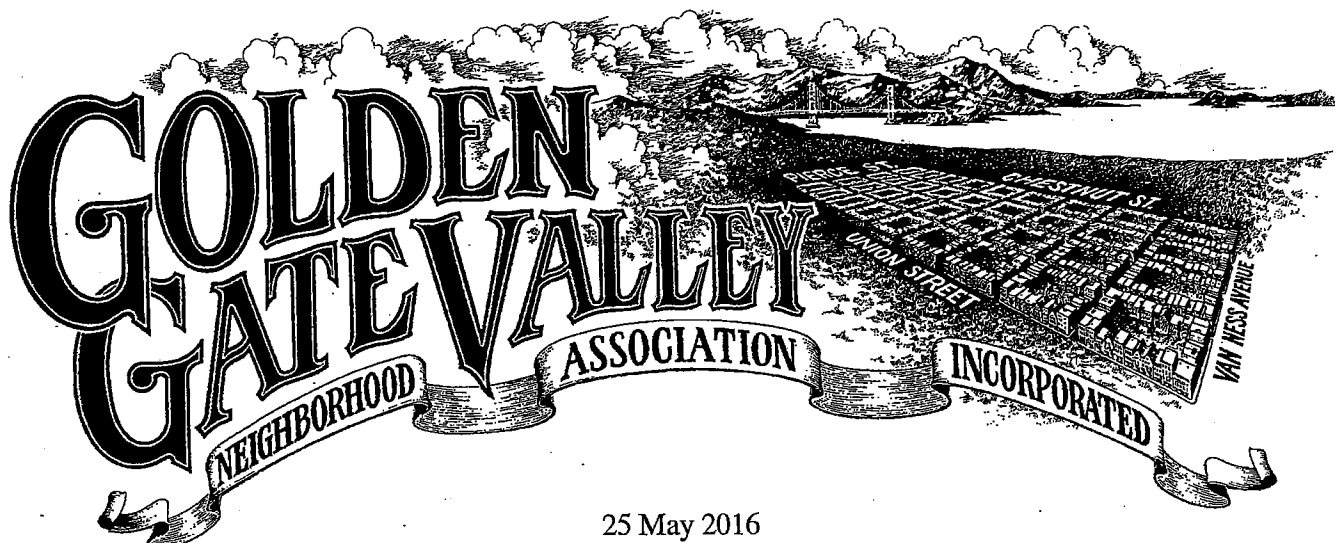
Polk is truly a special street. We love where we live, work, eat, drink, play. We hope you do do. Please join our peer organizations in supporting this legislation.

Regards,

Chris Schulman (via Email)

Secretary,

Lower Polk Neighbors



25 May 2016

City and County of San Francisco
Board of Supervisors
Planning Commission
Planning Department

RE: SUPPORT FOR STRONGER "FORMULA RETAIL" CONTROLS
FOR POLK STREET NEIGHBORHOOD COMMERCIAL DISTRICT (NCD)

We wish to lend our support to the Middle Polk Neighborhood Association and the Polk District Merchants Association and others in their desire to have better controls over the intrusion of "Formula Retail" establishments into the Polk Street NCD.

Many Formula Retail establishments are often referred to as "big box" stores in the sense that they require big spaces and impose big economic footprints. By contrast the historic retail establishments of the typical urban NCD are "small boxes" which occupy smaller spaces and smaller economic footprints. These small boxes have evolved over the years to become the diverse, locally owned businesses that we all cherish for the character and pedestrian texture they give our neighborhoods and the variety of services they offer us. The big box stores, with their economic advantages and their ability to pay higher rents, can easily overwhelm and displace the small box stores.

Thus, controls are needed to prevent this from happening and to preserve our precious neighborhoods.

Sincerely,

Robert E. David
Member of Board of Directors and Past President
Golden Gate Valley Neighborhood Association

PACIFIC AVENUE NEIGHBORHOOD ASSOCIATION
(PANA)

May 19, 2016

London Breed, President &
San Francisco Board of Supervisors
1 Dr Carlton B Goodlett Pl
San Francisco, CA 94102

Re: Legislation for Stronger Formula Retail Controls in the Polk Street NCD

Dear President Breed and SF Board of Supervisors:

The Pacific Avenue Neighborhood Association (PANA) was founded in 2003 to preserve and enrich our small-scale neighborhood character and nature and our neighborhood serving small businesses. Our vision was and still is to attract and support independent small businesses that serve not only immediate neighborhood residents, but destination shoppers, visitors and diners. This approach will grow and support our economic and social diversity and contribute to a thriving and sustainable Polk Street Neighborhood Commercial District (NCD).

Our neighborhood has old-world San Francisco charm that could be gone forever without stronger development and formula retail controls. We believe these controls are necessary in our neighborhood to encourage creative and unique small-scale building development and retail and dining experiences, which are integral to and complement the fabric of our community and San Francisco.

Stronger controls work. There is precedence for stronger formula retail controls in several neighborhoods including North Beach and Hayes Valley – 2 thriving neighborhoods that echo our unique and eclectic variety of merchants and service providers. Communities throughout the Bay Area are adopting stronger formula retail controls as they too see small family owned businesses becoming extinct at an alarming rate.

PANA membership and neighbors believe formula retail controls legislation will protect legacy businesses that have been the ambassadors of our neighborhood for decades, while attracting new merchants that could one day become legacy businesses too. We urge you to support our neighborhood merchants and neighbors to APPROVE legislation for enhanced controls on formula retail within the Polk NCD.

Sincerely,

Robyn Tucker & Andrew Madden
Co-Chairs, Pacific Avenue Neighborhood Association

Sanchez, Diego (CPC)

From: d_b carroll <bravobill@hotmail.com>
Sent: Thursday, May 19, 2016 3:43 PM
To: Peskin, Aaron (BOS); Sanchez, Diego (CPC); Moe@middlepolk.org; Grob, Carly (CPC); Rob.twyman@wholefoods.com; Avalos, John (BOS); Breed, London (BOS); Campos, David (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Mar, Eric (BOS); Tang, Katy (BOS); Wiener, Scott; Yee, Norman (BOS); planning@rodneyfong.com; Richards, Dennis (CPC); wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); mooreurban@aol.com; cwu.planning@gmail.com; Rahaim, John (CPC)
Subject: 365 Whole Foods and Formula Retail Ban

To Whom It May Concern:

I am a homeowner and taxpayer in San Francisco. My address is 1650 Jackson, right next to Lombardi's. My wife and I would be thrilled to have a fine grocer such as 365 Whole Foods next door. We SUPPORT the proposed 365 Whole Foods going into the Lombardi building as do many others.

We OPPOSE the formula retail ban legislation that is being proposed for Polk Street. What would we do without our Walgreens? If this legislation goes through, we won't have the benefit of making our voices heard or being allowed to decide what retail might benefit our neighborhood. This'll be a blow to democracy!

Thank you for your attention to these two very important matters.

William and Diane Carroll, 1650 Jackson #608, SF 94109

Sent from Mail for Windows 10

z, Diego (CPC)

From: Gloria <gloriart8003@sbcglobal.net>
Sent: Wednesday, May 18, 2016 8:47 AM
To: Sanchez, Diego (CPC)
Subject: Fwd: Whole Foods 365 at former Lombardi's, Polk/Jackson

Sent from my iPad

Begin forwarded message:

From: Gloria <gloriart8003@sbcglobal.net>
Date: May 18, 2016 at 8:44:01 AM PDT
To: "Aaron.Peskin@sfgov.org" <Aaron.Peskin@sfgov.org>
Cc: "carly.grob@sfgov.org" <carly.grob@sfgov.org>, "Deigo.Sanchez@sfgov.org" <Deigo.Sanchez@sfgov.org>
Subject: Whole Foods 365 at former Lombardi's, Polk/Jackson

Dear District 3 Supervisor Aaron Peskin,

I have read all the letters from

RUSSIAN HILL NEIGHBORS
1650 JACKSON CONDOMINIUM OWNERS
JACKSON PLAZA CONDOMINIUM ASSOCIATION
PACIFIC PLACE OWNERS' ASSOCIATION

I have attended a neighborhood meeting at which Whole Foods Regional President Rob Twyman responded to our questions and concerns.

Please respect and respond positively to our all encompassing neighborhood and support WF365 at the Lombardi's location as the best and highest use for our diverse neighborhood.

Not only will this friendly food retailer contribute to the residential residents needs but to all the retail store owners as well by bringing new shoppers with disposable income to the many unique shops/stores on Polk Street.

Your plan to build retail and housing above at the Lombardi's location will require demolition of what some of us consider a landmark building (originally on Clement Street) and a time line of 3 or 4 years. WE ALREADY HAVE A WELL-SUITED EXISTING SPACE to enhance our neighborhood!

AND, looking around, there are so many new and coming on line housing units in the Polk vicinity to add to San Francisco's housing needs.

MR. PESKIN, please represent our neighborhood in your district 3 and support our efforts to

welcome WF365 to Lombardi's at Polk/Jackson as its highest and best use!

I am trusting that the Planning Department and the Board of Supervisors, the representatives of our City, have heard us, it's residents, and will vote in our favor.

Thank you.

Gloria Allen
1650 Jackson Street
Apt. 603
San Francisco, CA 94109

(415) 921-2815

gloriart8003@sbcglobal.net

Sent from my iPad

Sanchez, Diego (CPC)

From: James Savoy <suncap@icloud.com>
Sent: Tuesday, May 17, 2016 9:44 PM
To: Sanchez, Diego (CPC)
Subject: Fwd: Whole Foods 365 @ Polk and Jackson

Begin forwarded message:

From: James Savoy <suncap@icloud.com>
Date: May 17, 2016 at 9:38:21 PM PDT
To: Aaron.Peskin@sfgov.org
Subject: Whole Foods 365 @ Polk and Jackson

Dear Mr. Peskin,

I have lived in San Francisco since 1973. It has come to attention that you are proposing a ban on formula stores with more than 11 locations. That you would rather see yet another condo built. This is absurd! Every other week, there's a new Walgreen's or CVS Store opening in SF. Enough is enough! We and the majority people who live in the neighborhood want the Whole Foods. Now you have decided to launch a campaign to prevent this? Butt out!

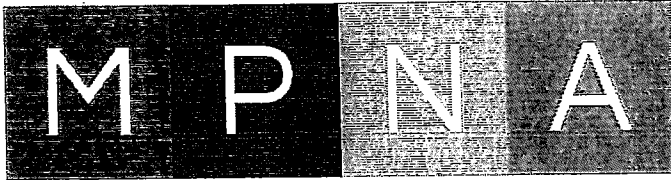
You and you City Hall colleagues have already screwed-up this city, by doing the following:

- 1) Allowing Uber and Lyft to operate in San Francisco. What's resulted from this, is that SF taxis companies will soon be a thing of the past. Now, the city is being overrun with Uber/Lyft cars driven by out-of-city drivers who come in to SF and steal the SF cabbies fares.
- 2) The Board of Supervisors has gone "bicycle bonkers!" Now, you can't even driver on Market Street. Another smart move! What if don't feel like riding a bike down to Nordstrom? Do I make the trip walking or call Uber? Dumb!!!
- 3) The City has gone "building crazy!" Too many new condos! This has greatly reduced the current value of our condominium. When will you stop!!!

You really make me sick!

Sincerely,

James Savoy



Middle Polk Neighborhood Association

Re: Support for Stronger Formula Retail Controls for the Polk Street NCD

May 17, 2016

City and County of San Francisco
Board of Supervisors
Planning Commission
Planning Department

Middle Polk Neighborhood Association, together with Polk District Merchants Association, Lower Polk Neighbors, Cathedral Hill Neighborhood Association, Pacific Heights Residents Association, Pacific Avenue Neighbors, Telegraph Hill Dwellers, North Beach Business Association, the Coalition of San Francisco Neighborhoods, and Neighborhood Council of District Merchants all continue to support legislation prohibited new formula retail for the Polk Street NCD. Similar formula controls are working well in North Beach, Chinatown and in Hayes Valley.

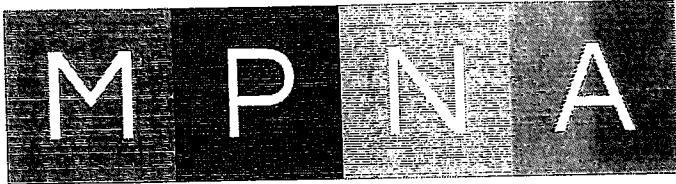
First, this legislation will not lead to increased vacancies or to a proliferation of businesses that do not serve the neighborhood. To the contrary it will with rare exception push down commercial rents and this will lead to more storefronts being filled. Small businesses are very difficult to protect, there is no commercial rent control and formula businesses can offer much higher rents and longer leases than local, small independent businesses. By removing the formula option for commercial landlords, rents will reflect what the pool of potential tenants can pay. This has exactly been the case in North Beach, Hayes Valley and Chinatown where the neighborhood is thriving without any new formula retail. Since businesses serve at the pleasure of the neighbors who decide whether to shop at a particular store, a local business not serving the neighborhood's needs will not be able to survive and will be replaced.

Second, the conditional use permit process does not serve our neighborhood's need and is an insufficient planning control for the historic neighborhoods of the Polk NCD. The conditional use permit process does not account for gigantic resource advantage that large corporations can bring to the land use process. The Polk NCD is truly unique. Similar to North Beach, Chinatown, and Hayes Valley, Polk has a unique local and independent character with a long history of immigrant-owned businesses and a previous few remaining LGBT oriented businesses, like the Cinch Saloon. Chain stores should not be able to destroy this unique neighborhood fabric that is irreplaceable.

Third, this legislation does not shut down community dialogue around retail strategy or business attraction, the legislation simply limits new formula retail in one part of our neighborhood. New formula retail is still entirely permissible in other parts of the neighborhood such as Van Ness Avenue and other zoning districts.

Sincerely,
Moe Jamil,
Chair, Middle Polk Neighborhood Association

PO Box 640918
San Francisco, CA 94164-0918
<http://www.middlepolk.org>



Middle Polk Neighborhood Association

May 17, 2016

City and County of San Francisco
Board of Supervisors
Planning Commission
Planning Department

RE: Whole Foods Conditional Use Permit: 2016-000378CUA, MPNA rebuttal to mass email

Dear Supervisors, Commissioners, Director Rahaim, and members of the planning department,

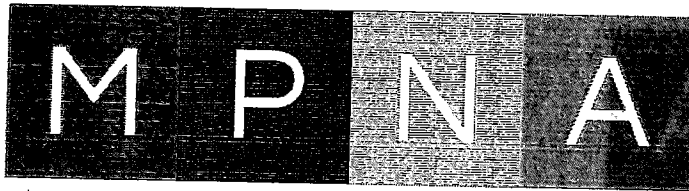
Respectfully, I will respond on behalf of MPNA, Middle Polk Neighborhood Association to this mass email that has been sent over the last few days by supporters of Whole Foods 365 application for CU authorization. As MPNA, LPN (Lower Polk Neighbors), PDMA (Polk District Merchant Association), and Pacific Heights Residents Association have noted in previous submissions, this project is **not necessary, not desirable and not compatible** with our neighborhood. Unless the project sponsor can establish this criteria conditional use authorization should not be granted.

A. WE CANNOT AFFORD TO LOSE A SCARCE HOUSING SITE WHERE AT LEAST 62 HOMES CAN BE BUILT IN THE GREATEST HOUSING AFFORDABILITY CRISIS SAN FRANCISCO HAS EVER FACED, ESPECIALLY WHERE BUILDING HOUSING AT 1600 JACKSON DISPLACES ZERO RESIDENTS AND ZERO BUSINESSES

1600 Jackson, the project site, was previously slated for a mixed-used development of 62 homes with neighborhood scale retail on the ground floor. Such a project was within zoning for the site at 65 feet and would have added badly needed units to the housing supply in a neighborhood severely impacted by San Francisco's housing crisis where the number of new residents far outnumbers the number of housing units available leading to evictions and displacement of long term residents. Building housing at 1600 Jackson displaces 0 residents.

In November 2015, the owners of the property Village Properties announced they had entered into a conditional lease with Whole Foods Market. In December 2015, Village Properties submitted an environmental application for their housing project. **Recently, MPNA expressed to both Village Properties and Whole Foods a middle-ground position to open up negotiations of constructing both the housing project with a grocery store below. To date, neither the Whole Foods nor Village Properties has expressed any interest in this proposed reasonable alternative.** As such, MPNA, along with several other neighborhood and business groups, oppose this conditional use application because the proposed project is not necessary, desirable or compatible.

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<http://www.middlepolk.org>



Middle Polk Neighborhood Association

B. SEVERAL ASSERTED POINTS SIMPLY CANNOT HOLD UP WHEN EXAMINED CAREFULLY

I have included a point-by-point rebuttal of the mass email below.

1. The Middle Polk neighborhood does not have a grocery store. I want to shop in my neighborhood, and it is extremely important to me to have a convenient grocery store nearby that offers quality products at reasonable, affordable prices.

FALSE. Our neighborhood is served by FIVE grocery stores within 10 minutes walking distance including a Whole Foods Market on California/Franklin, a Trader Joes on Hyde/California, Golden Veggie Market on California/Polk, Le Beau Market on Clay/Leavenworth, Real Foods Company Polk/Broadway. Plus THE MARKET on Polk/Clay has already been approved by the Planning Commission, which would bring the total to SIX grocery stores for the neighborhood.

2. The nearest grocery stores, Trader Joe's and Whole Foods on California Street, are very crowded and offer limited parking, forcing me to drive out of my neighborhood to shop. I believe 365 by Whole Foods Market could have the opposite effect and that instead of driving outside the neighborhood to shop, residents would shop locally by foot, bike.

FALSE. The proposed 365 store will also offer parking, which will attract shoppers by car and result in a massive increase in traffic to the neighborhood. The current five grocery stores mentioned above are currently within 10 minutes walking distance of the project site providing ample options for shoppers to shop locally by foot or bike.

3. With the increasing number of commercial vacancies on Polk Street, the focus should be on bringing a quality merchant like Whole Foods to the neighborhood to attract foot traffic and businesses.

FALSE. Research shows that mixed use development and density, housing with ground floor neighborhood scale retail enhances foot traffic and walkability. There is no evidence to suggest that large grocery stores are going to increase foot traffic when a large percentage of shoppers will arrive by car do their shopping and drive home.

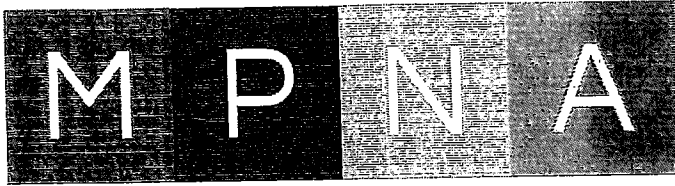
4. I believe that replacing the Lombardi Sports building with residential units and retail unit(s) could add to the number of vacant commercial spaces lining Polk Street.

FALSE. New buildings built recently in the neighborhood such as 1645 Pacific have been able to attract quality businesses such as Craftsman and Wolves. Other new stores like

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Middle Polk Neighborhood Association

Basik Cafe are present in new mixed-use buildings as well. We can also look at our fellow neighborhood Hayes Valley that has had great success placing new businesses in modern mixed-use buildings. Businesses can flourish in new spaces that are attractive to customers particularly given their excellent location at Polk and Jackson.

5. I believe that the owner of the site should be free to lease the property as it sees fit by bringing in a respectable, responsible and viable enterprise that has the financial strength to pay rent.

FALSE. The project sponsor must explain why their project is necessary, desirable and compatible to obtain approval. Without meeting these criteria, the project cannot go forward.

6. I agree with Russian Hill Neighbors that "a vital city will creatively rehabilitate and reuse, rather than simply demolish existing structures". I believe that 365 by Whole Foods Market will enliven the street and bring to life the vacant eyesore that I have lived with for some time. Not to mention the homeless encampment.

FALSE. Nobody has an interest in this building remaining vacant. If the project is not approved the property owner can either move forward with their original mixed use project, sell the property to another owner who will move forward with the project or release the property to another tenant. In any event, the property will be developed. Some period of vacancy is unfortunately inevitable. Making a bad land use decision however will be locked in for decades and cannot be corrected easily.

7. Although I understand the need for housing in San Francisco, 1600 Polk Street is an existing building that has been in place for decades, is not displacing residential units or well-established local businesses and that architecturally, it is appropriately scaled for the neighborhood.

FALSE. The building is a housing soft-site and is completely out of scale for the neighborhood, which consists of small storefronts. The building creates a dead zone along Polk. A mixed-use building would activate the ground floor.

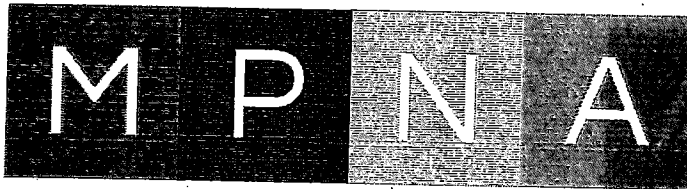
8. Whole Foods has expressed a commitment to work with the neighborhood regarding the timing of deliveries, noise, traffic concerns, community outreach, etc. The fact that Whole Foods has signed a 20-year lease contingent on the 365 by Whole Foods Market becoming a reality demonstrates a strong commitment to my neighborhood. I believe in Whole Foods' commitment to promote local businesses that sell food, wine and liquor.

FALSE. Whole Foods refuses to entertain alternative sites for their project such as on Van Ness Ave, which would be much more, appropriate for number of cars and

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Middle Polk Neighborhood Association

deliveries. Whole Foods and Village Properties refuse to entertain a mixed used proposal that would open up room for negotiations with the neighborhood and merchant groups. There is no doubt that Whole Foods 365 would be an incredible strain on local businesses, as they do not have the pricing power to compete with Whole Foods 365. Moreover, Whole Foods 365 will not be using Union labor for their workforce.

9. I believe that if small merchants who sell food and wine continue to offer their great products and service, they (and other businesses) will not suffer from the presence of 365 by Whole Foods Market and will actually benefit from increased foot traffic that the 365 by Whole Foods Market will bring to the neighborhood.

FALSE. As mentioned above the connection between this store and increased foot traffic is dubious; most shoppers will drive. There is no doubt that small business will be impacted negatively by this store.

10. Currently on Polk Street between California and Broadway there are restaurants, bars, manicure salons, massage parlors/sex equipment merchants, second hand/resale shops and an abundance of vacant storefronts. The departure of the Big Apple Market approximately two years ago left a major gap in the Polk Street shopping experience. The gap is not filled by boutique butcher, cheese, bakery, deli or wine shops. I believe the gap would be filled by 365 by Whole Foods Market.

FALSE. The Big Apple Market site on Polk/Clay has already been approved for a grocery use. Any other gaps are served by the other FIVE grocery stores within 10 minutes walking distance of the project site.

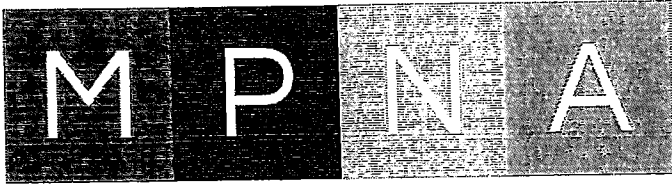
11. I agree with Russian Hill Neighbors that "a very large number of new housing units have been, and are continuing to be built nearby in large buildings along Polk Street, Van Ness Avenue and the streets between, but basic urban services for local residents have lagged far behind this development. We believe a vibrant urban neighborhood must have both a mix of housing for families of different sizes and incomes, and a mix of stores to serve those families, including stores to meet daily shopping needs as well as the restaurants, bars, personal services establishments and specialty stores that are on Polk Street now. A full service grocery store will provide much needed support to existing and future housing in the neighborhood".

FALSE. San Francisco is gaining 10,000 net new residents a year, 18,000 new residents a year minus the 8,000 residents leaving the city. Our neighborhood is very desirable for new residents as we offer walkability, excellent transit and close proximity to many amenities including FIVE grocery stores. Although we have added some new housing units in the last 2 years, the total number of new housing units built is far below the need. This is

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Middle Polk Neighborhood Association

evidenced by the number of evictions around the neighborhood. We need more housing in our neighborhood and in our city. This site offers an opportunity to build housing to assist in solving the crisis we are facing and those residents can shop at one of the FIVE grocery stores in the neighborhood.

12. The Van Ness Improvement Project and the upcoming infrastructure work on Polk Street will impact my neighborhood for quite some time. I do not wish to have added to that the destruction of 1600 Polk Street in order to erect a building that could take many months of loud and dirty construction to finish. Whole Foods is able to take what is currently a blight in the neighborhood to a well-regarded market that our neighborhood needs with little disruption to the neighborhood during the construction process.

FALSE. After approval a housing project can usually be constructed in 18 months. Although construction causes some temporarily disruption, the long-term benefits of a mixed-use development at 1600 Jackson are enormous.

13. Although I am concerned about increased traffic, fewer metered parking spaces and increased noise, I have carefully considered these "cons" and have determined that the "cons" are far outweighed by the "pros".

FALSE. For the reasons outlined above this project is not necessary, desirable or compatible and the cons clearly outweigh the pros.

Sincerely,
Moe Jamil
Chair, MPNA

Sanchez, Diego (CPC)

From: Frank Scappaticci <frankscappa@yahoo.com>
Sent: Monday, May 16, 2016 8:24 PM
To: Sanchez, Diego (CPC)
Subject: Whole Foods 365 in Nob Hill

Hey Diego:

I am an owner at 1650 Jackson St. for the last 12 years and wanted to express my support for the proposal for Whole Foods 365. I think such a grocery store would add to the vibrancy of the neighborhood and would be welcomed by many neighbors. It fulfills an unmet need in the local area of not having a convenient grocery store.

I think a ban on formula retail should be reconsidered. When such commercial opportunities come about, they should be addressed on a case-by-case basis by the neighborhood. A blanket policy would potentially result in missed opportunities to add to this charming neighborhood businesses/retail that might be highly needed or desired.

Thank you and will keep my fingers crossed.

Sincerely,

Frank A. Scappaticci, MD, PhD
frankscappa@yahoo.com
(415) 673-7944

Sanchez, Diego (CPC)

From: Debbe <dsnuptown@gmail.com>
Sent: Monday, May 16, 2016 6:45 PM
To: Peskin, Aaron (BOS); Avalos, John (BOS); Breed, London (BOS); Campos, David (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Mar, Eric (BOS); Tang, Katy (BOS); Wiener, Scott; Yee, Norman (BOS); planning@rodneymong.com; Richards, Dennis (CPC); Wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); mooreurban@aol.com; Cwu.planning@gmail.com; Rahaim, John (CPC); Sanchez, Diego (CPC); Grob, Carly (CPC)
Subject: Proposed Formula Retail Ban on Polk Street: 365 by Whole Foods Market at 1600 Jackson Street

City and County of San Francisco
Board of Supervisors
Planning Commission
Planning Department
Mr. John Rahaim, Director
Mr. Diego Sánchez, Legislative Analyst/Urban Planner
Ms. Carly Grob, Planner, Northeast Quadrant, Current Planning
Land Use and Transportation Committee

RE: Whole Foods Conditional Use Permit: 2016-000378CUA

I am an owner at 1650 Jackson Street, next door to 1600 Jackson, the proposed site of 365 by Whole Foods Market. I have a keen interest in what is developed on this site as well as along Polk Street.

Owners and residents of 1650 Jackson Street were polled by our Board of Directors. Our residents were overwhelmingly in favor of the 365 by Whole Foods Market.

Although I understand the application for the 365 by Whole Foods Market was filed prior to the introduction by Supervisor Peskin of legislation to change the formula retail controls on Polk Street and therefore Whole Foods will not be constrained by the proposed legislation, I would also like to share my thoughts regarding the proposed legislation.

I support the 365 by Whole Foods Market because:

The Middle Polk neighborhood does not have a grocery store. I want to shop in my neighborhood, and it is extremely important to me to have a convenient grocery store nearby that offers quality products at reasonable, affordable prices.

The nearest grocery stores, Trader Joe's and Whole Foods on California Street, are very crowded and offer limited parking, forcing me to drive out of my neighborhood to shop. I believe 365 by Whole Foods Market could have the opposite effect and that instead of driving outside the neighborhood to shop, residents would shop locally by foot, bike.

With the increasing number of commercial vacancies on Polk Street, the focus should be on bringing a quality merchant like Whole Foods to the neighborhood to attract foot traffic and businesses.

I believe that replacing the Lombardi Sports building with residential units and retail unit(s) could add to the number of vacant commercial spaces lining Polk Street.

I believe that the owner of the site should be free to lease the property as it sees fit by bringing in a respectable, responsible and viable enterprise that has the financial strength to pay rent.

I agree with Russian Hill Neighbors that "a vital city will creatively rehabilitate and reuse, rather than simply demolish existing structures". I believe that 365 by Whole Foods Market will enliven the street and bring to life the vacant eyesore that I have lived with for some time. Not to mention the homeless encampment.

Although I understand the need for housing in San Francisco, 1600 Polk Street is an existing building that has been in place for decades, is not displacing residential units or well-established local businesses and that architecturally, it is appropriately scaled for the neighborhood.

Whole Foods has expressed a commitment to work with the neighborhood regarding the timing of deliveries, noise, traffic concerns, community outreach, etc. The fact that Whole Foods has signed a 20-year lease contingent on the 365 by Whole Foods Market becoming a reality demonstrates a strong commitment to my neighborhood. I believe in Whole Foods' commitment to promote local businesses that sell food, wine and liquor.

I believe that if small merchants who sell food and wine continue to offer their great products and service, they (and other businesses) will not suffer from the presence of 365 by Whole Foods Market and will actually benefit from increased foot traffic that the 365 by Whole Foods Market will bring to the neighborhood.

Currently on Polk Street between California and Broadway there are restaurants, bars, manicure salons, massage parlors/sex equipment merchants, second hand/resale shops and an abundance of vacant storefronts. The departure of the Big Apple Market approximately two years ago left a major gap in the Polk Street shopping experience. The gap is not filled by boutique butcher, cheese, bakery, deli or wine shops. I believe the gap would be filled by 365 by Whole Foods Market.

I agree with Russian Hill Neighbors that "a very large number of new housing units have been, and are continuing to be built nearby in large buildings along Polk Street, Van Ness Avenue and the streets between, but basic urban services for local residents have lagged far behind this development. We believe a vibrant urban neighborhood must have both a mix of housing for families of different sizes and incomes, and a mix of stores to serve those families, including stores to meet daily shopping needs as well as the restaurants, bars, personal services establishments and specialty stores that are on Polk Street now. A full service grocery store will provide much needed support to existing and future housing in the neighborhood".

The Van Ness Improvement Project and the upcoming infrastructure work on Polk Street will impact my neighborhood for quite some time. I do not wish to have added to that the destruction of 1600 Polk Street in order to erect a building that could take many months of loud and dirty construction to finish. Whole Foods is able to take what is currently a blight in the neighborhood to a well-regarded market that our neighborhood needs with little disruption to the neighborhood during the construction process.

Although I am concerned about increased traffic, fewer metered parking spaces and increased noise, I have carefully considered these "cons" and have determined that the "cons" are far outweighed by the "pros".

I oppose the proposed Polk Street formula retail ban because:

I am genuinely concerned that if quality retail formula operations are not allowed to serve the neighborhood, the neighborhood will be left with the prospect of increasing vacancies or more "independent" businesses that do not meet the neighborhood's needs.

I believe that the conditional use permit process currently serves my neighborhood's needs and is the appropriate planning control in that it requires formula retail businesses to be considered on a case-by-case basis, therefore not denying access to a business that benefits the neighborhood simply because it is a "chain store".

I believe strongly that community dialogue is imperative and the very nature of San Francisco and that the community would lose its right to be heard should a ban of formula retail be imposed.

Although I am very appreciative of the efforts of the Middle Polk Neighborhood Association, I trust you will recognize when you hear from organized groups such as the MPNA that there are many of us in the neighborhood who are not members of the MPNA. I, and so many of my neighbors, are passionate about our neighborhood and welcome the opportunity to have a 365 by Whole Foods Market at 1600 Jackson Street to meet our daily needs for fresh food that meets Whole Foods' high standards.

Thank you for your time and consideration.

Debbe Noto & Chuck Pendell

Sent from Mail for Windows 10

Sanchez, Diego (CPC)

From: Louisa Sugar <louisa@louisasugar.com>
Sent: Monday, May 16, 2016 5:22 PM
To: Sanchez, Diego (CPC)
Subject: Support of Whole Foods 365 store on Polk

Dear Diego Sanchez,

I'd like to support the Whole Foods 365 store on Polk and Jackson street. I live on that block and consider it a great addition to the neighborhood, both in character and convenience.

All of my neighbors that I've spoken to at the 1650 Jackson condominium high rise are all in favor of the store. This is a city and this exciting retail service near our home is a great addition to a neighborhood where people like to shop on foot and bicycle.

Thanks for your consideration.

Louisa Sugar

Sanchez, Diego (CPC)

From: Judith P. Roddy <jproddy11@gmail.com>
Sent: Monday, May 16, 2016 7:27 AM
To: Peskin, Aaron (BOS); Avalos, John (BOS); Breed, London (BOS); Campos, David (BOS); Cohen, Mália (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Mar, Eric (BOS); Tang, Katy (BOS); Wiener, Scott; Yee, Norman (BOS); planning@rodneyfong.com; Richards, Dennis (CPC); Wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); mooreurban@aol.com; Cwu.planning@gmail.com; Rahaim, John (CPC); Sanchez, Diego (CPC); Grob, Carly (CPC)
Subject: Proposed Formula Retail Ban on Polk Street: 365 by Whole Foods Market at 1600 Jackson Street

City and County of San Francisco
Board of Supervisors
Planning Commission
Planning Department
Mr. John Rahaim, Director
Mr. Diego Sánchez, Legislative Analyst/Urban Planner
Ms. Carly Grob, Planner, Northeast Quadrant, Current Planning
Land Use and Transportation Committee

RE: Whole Foods Conditional Use Permit: 2016-000378CUA
Proposed Legislation: File number 160102

I am an owner at Jackson Plaza Condominium Association located at 1591 Jackson Street at the corner of Polk Street and Jackson Street diagonally across from 1600 Jackson Street, the proposed site of 365 by Whole Foods Market.

I have owned my condominium at Jackson Plaza since 2000. At age 62, I am someday looking forward to retiring and being able to stay at Jackson Plaza. As such, I have a keen interest in what is developed on the site as well as what is developed along Polk Street.

Owners and residents of Jackson Plaza Condominium Association were polled by our Board of Directors. 100% of the residential owners AND the commercial owner are in favor of the 365 by Whole Foods Market. The commercial owner has four commercial units, three of which are occupied and one of which has been vacant for some time.

Although I understand the application for the 365 by Whole Foods Market was filed prior to the introduction by Supervisor Peskin of legislation to change the formula retail controls on Polk Street and therefore Whole Foods will not be constrained by the proposed legislation, I would also like to share my thoughts regarding the proposed legislation.

I support the 365 by Whole Foods Market because:

The Middle Polk neighborhood does not have a grocery store. I want to shop in my neighborhood, and it is extremely important to me to have a convenient grocery store nearby that offers quality products at reasonable, affordable prices.

The nearest grocery stores, Trader Joe's and Whole Foods on California Street, are very crowded and offer limited parking, forcing me to drive out of my neighborhood to shop. I believe 365 by Whole Foods Market

could have the opposite effect and that instead of driving outside the neighborhood to shop, residents would shop locally by foot, bike or car.

With the increasing number of commercial vacancies on Polk Street, the focus should be on bringing a quality merchant like Whole Foods to the neighborhood to attract foot traffic and businesses.

I believe that replacing the Lombardi Sports building with residential units and retail unit(s) could add to the number of vacant commercial spaces lining Polk Street.

I believe that the owner of the site should be free to lease the property as it sees fit by bringing in a respectable, responsible and viable enterprise that has the financial strength to pay rent.

I agree with Russian Hill Neighbors that "a vital city will creatively rehabilitate and reuse, rather than simply demolish, existing structures." I believe that 365 by Whole Foods Market will enliven the street and bring to life the vacant eyesore that I have lived with for some time.

Although I understand the need for housing in San Francisco, 1600 Polk Street is an existing building that has been in place for decades, is not displacing residential units or well-established local businesses and that architecturally, it is appropriately scaled for the neighborhood.

Whole Foods has expressed a commitment to work with the neighborhood regarding the timing of deliveries, noise, traffic concerns, community outreach, etc. The fact that Whole Foods has signed a 20-year lease contingent on the 365 by Whole Foods Market becoming a reality demonstrates a strong commitment to my neighborhood. I believe in Whole Foods' commitment to promote local businesses that sell food, wine and liquor.

I am impressed that Whole Foods will employ approximately 100 employees and that Whole Foods Market consistently appears on Fortune's list of 100 Best Companies to Work For.

I believe that if small merchants who sell food and wine continue to offer their great products and service, they (and other businesses) will not suffer from the presence of 365 by Whole Foods Market and will actually benefit from increased foot traffic that the 365 by Whole Foods Market will bring to the neighborhood.

Currently on Polk Street between California and Broadway there are restaurants, bars, manicure salons, massage parlors/sex equipment merchants, second hand/resale shops and an abundance of vacant storefronts. The departure of the Big Apple Market approximately two years ago left a major gap in the Polk Street shopping experience. The gap is not filled by boutique butcher, cheese, bakery, deli or wine shops. I believe the gap would be filled by 365 by Whole Foods Market.

I agree with Russian Hill Neighbors that "a very large number of new housing units have been, and are continuing to be built nearby in large buildings along Polk Street, Van Ness Avenue and the streets between, but basic urban services for local residents have lagged far behind this development. We believe a vibrant urban neighborhood must have both a mix of housing for families of different sizes and incomes, and a mix of stores to serve those families, including stores to meet daily shopping needs as well as the restaurants, bars, personal services establishments and specialty stores that are on Polk Street now. A full service grocery store will provide much needed support to existing and future housing in the neighborhood."

The Van Ness Improvement Project and the upcoming infrastructure work on Polk Street will impact my neighborhood for quite some time. I do not wish to have added to that the destruction of 1600 Polk Street in order to erect a building that could take many months of loud and dirty construction to finish. Whole Foods is able to take what is currently a blight in the neighborhood to a well-regarded market that our neighborhood needs with little disruption to the neighborhood during the construction process.

Although I am concerned about increased traffic, fewer metered parking spaces and increased noise, I have carefully considered these "cons" and have determined that the "cons" are far outweighed by the "pros".

I oppose the proposed Polk Street formula retail ban because:

I am genuinely concerned that if quality retail formula operations are not allowed to serve the neighborhood, the neighborhood will be left with the prospect of increasing vacancies or more "independent" businesses that do not meet the neighborhood's needs.

I believe that the conditional use permit process currently serves my neighborhood's needs and is the appropriate planning control in that it requires formula retail businesses to be considered on a case-by-case basis, therefore not denying access to a business that benefits the neighborhood simply because it is a "chain store".

I believe strongly that community dialogue is imperative and the very nature of San Francisco and that the community would lose its right to be heard should a ban of formula retail be imposed.

In closing:

Although I am very appreciative of the efforts of the Middle Polk Neighborhood Association and I recently joined the MPNA, I trust you will recognize when you hear from organized groups such as the MPNA that there are many in the neighborhood who are not members of the MPNA. I, and so many of my neighbors, are passionate about our neighborhood and welcome the opportunity to have a 365 by Whole Foods Market at 1600 Jackson Street to meet our daily needs for fresh food that meets Whole Foods' high standards.

Thank you very much for your time.

Judi
Judith Roddy
1591 Jackson Street
No. 11
San Francisco, CA 94109
415.819.4360

Sanchez, Diego (CPC)

From: Judith P. Roddy <jproddy11@gmail.com>
Sent: Monday, May 16, 2016 7:20 AM
To: Peskin, Aaron (BOS); Avalos, John (BOS); Breed, London (BOS); Campos, David (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Mar, Eric (BOS); Tang, Katy (BOS); Wiener, Scott; Yee, Norman (BOS); planning@rodneymfong.com; Richards, Dennis (CPC); Wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); mooreurban@aol.com; Cwu.planning@gmail.com; Rahaim, John (CPC); Sanchez, Diego (CPC); Grob, Carly (CPC)
Subject: Proposed Formula Retail Ban on Polk Street and 365 by Whole Foods Market at 1600 Jackson Street

Jackson Plaza Condominium Association

1591 Jackson Street

San Francisco, CA 94109

City and County of San Francisco

Board of Supervisors

Planning Commission

Planning Department

Mr. John Rahaim, Director

Mr. Diego Sánchez, Legislative Analyst/Urban Planner

Ms. Carly Grob, Planner, Northeast Quadrant, Current Planning

Land Use and Transportation Committee

RE: Whole Foods Conditional Use Permit: 2016-000378CUA

Proposed Legislation: File number 160102

The Board of Directors of Jackson Plaza Condominium Association is writing on behalf of Jackson Plaza located at 1591 Jackson Street - diagonally across the street from the former Lombardi Sports store at 1600 Jackson Street and the proposed site for the 365 by Whole Foods Market.

The Board of Directors polled the owners of Jackson Plaza. One hundred percent of Jackson Plaza residential owners **AND** the commercial owner are AVIDLY ARE IN FAVOR of the proposed 365 by Whole Foods Market.

Our community consists of young, mature, working and retired residents. Many of us have lived at Jackson Plaza and in our neighborhood for decades. We are all very much invested in our neighborhood, both financially and emotionally. Because of our location, we have a keen interest in what is developed on the site as well as what is developed along Polk Street.

There are 24 residential condominium units and one commercial unit at Jackson Plaza. The commercial unit consists of four storefronts. Three of the storefronts are occupied by Town School Clothes Closet, Wags Pet Wash and Boutique and Holiday Cleaners. The fourth storefront has been vacant for quite some time.

In light of our combined overwhelming support for the 365 by Whole Foods Market, we would like to share our thoughts with you. Although we understand that the application for the 365 by Whole Foods Market was filed prior to the introduction by Supervisor Peskin of legislation to change the formula retail controls on Polk Street and therefore Whole Foods will not be constrained by the proposed legislation, we would also like to share our thoughts regarding the proposed legislation.

We support the 365 by Whole Foods Market because:

The Middle Polk neighborhood does not have a grocery store. We want to shop in our neighborhood, and it is extremely important to us to have a convenient grocery store nearby that offers quality products at reasonable, affordable prices.

The nearest grocery stores, Trader Joe's and Whole Foods on California Street, are very crowded and offer limited parking, forcing us to drive out of our neighborhood to shop. We believe 365 by Whole Foods Market could have the opposite effect and that instead of driving outside the neighborhood to shop, residents would shop locally by foot, bike or car.

With the increasing number of commercial vacancies on Polk Street, the focus should be on bringing a quality merchant like Whole Foods to the neighborhood to attract foot traffic and businesses.

We believe that replacing the Lombardi Sports building with residential units and retail unit(s) could add to the number of vacant commercial spaces lining Polk Street.

We believe that the owner of the site should be free to lease the property as it sees fit by bringing in a respectable, responsible and viable enterprise that has the financial strength to pay rent.

We agree with Russian Hill Neighbors that "a vital city will creatively rehabilitate and reuse, rather than simply demolish, existing structures." We believe that 365 by Whole Foods Market will enliven the street and bring to life the vacant eyesore that we have lived with for some time.

Although we understand the need for housing in San Francisco, 1600 Polk Street is an existing building that has been in place for decades, is not displacing residential units or well-established local businesses and that architecturally, it is appropriately scaled for the neighborhood.

Whole Foods has expressed a commitment to work with the neighborhood regarding the timing of deliveries, noise, traffic concerns, community outreach, etc. The fact that Whole Foods has signed a 20-year lease contingent on the 365 by Whole Foods Market becoming a reality demonstrates a strong commitment to our neighborhood. We believe in Whole Foods' commitment to promote local businesses that sell food, wine and liquor.

We are impressed that Whole Foods will employ approximately 100 employees and that Whole Foods consistently appears on Fortune's list of 100 Best Companies to Work For.

We believe that if small merchants who sell food and wine continue to offer their great products and services, they (and other businesses) will not suffer from the presence of 365 by Whole Foods Market and will actually benefit from increased foot traffic that the 365 by Whole Foods Market will bring to the neighborhood.

Currently on Polk Street between California and Broadway there are restaurants, bars, manicure salons, massage parlors/sex equipment merchants, second hand/resale shops and an abundance of vacant storefronts. The departure of the Big Apple Market approximately two years ago left a major gap in the Polk Street shopping experience. The gap is not filled by boutique butcher, cheese, bakery, deli or wine shops. We believe the gap would be filled by 365 by Whole Foods Market.

We agree with Russian Hill Neighbors that "a very large number of new housing units have been, and are continuing to be built nearby in large buildings along Polk Street, Van Ness Avenue and the streets between, but basic urban services for local residents have lagged far behind this development. We believe a vibrant urban neighborhood must have both a mix of housing for families of different sizes and incomes, and a mix of stores to serve those families, including stores to meet daily shopping needs as well as the restaurants, bars, personal services establishments and specialty stores that are on Polk Street now. A full service grocery store will provide much needed support to existing and future housing in the neighborhood."

The Van Ness Improvement Project and the upcoming infrastructure work on Polk Street will impact our neighborhood for quite some time. We do not wish to have added to that the destruction of 1600 Polk Street in order to erect a building that could take many months of loud and dirty construction to finish. Whole Foods is able to take what is currently a blight in the neighborhood to a well-regarded market that our neighborhood needs with little disruption to the neighborhood during the construction process.

Although we are concerned about increased traffic, fewer metered parking spaces and increased noise, we have carefully considered these "cons" and have determined that the "cons" are far outweighed by the "pros".

We oppose the proposed Polk Street formula retail ban because:

We are genuinely concerned that if quality retail formula operations are not allowed to serve the neighborhood, the neighborhood will be left with the prospect of increasing vacancies or more "independent" businesses that do not meet the neighborhood's needs.

We believe that the conditional use permit process currently serves our neighborhood's needs and is the appropriate planning control in that it requires formula retail businesses to be considered on a case-by-case basis, therefore not denying access to a business that benefits the neighborhood simply because it is a "chain store".

We believe strongly that community dialogue is imperative and the very nature of San Francisco and that the community would lose its right to be heard should a ban of formula retail be imposed.

In closing:

Although we are very appreciative of the efforts of the Middle Polk Neighborhood Association and some residents of Jackson Plaza are members, we trust that you will recognize when you hear from organized groups such as the MPNA that there are many of us in the neighborhood who are not members of the MPNA. We, and so many of our neighbors, are passionate about our neighborhood and welcome the opportunity to have a 365 by Whole Foods Market at 1600 Jackson Street to meet our daily needs for fresh food that meets Whole Foods' high standards.

Thank you very much for your time.

Sincerely,

Jackson Plaza Condominium Association

Art Zendarski, President

art@zendarski.com

Sharon Vartanian, Secretary

sharonvartanian@gmail.com

Judith Roddy, Treasurer

jprodgy11@gmail.com

Peter Foller, Member at Large

foller@comcast.net

Lorri Ungaretti, Member at Large

lorrisf@comcast.net

Sanchez, Diego (CPC)

From: Molly Hoyt <mollyhoyt@yahoo.com>
Sent: Saturday, May 14, 2016 3:24 PM
To: Peskin, Aaron (BOS); Avalos, John (BOS); Breed, London (BOS); Campos, David (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Mar, Eric (BOS); Tang, Katy (BOS); Wiener, Scott; Yee, Norman (BOS); planning@rodneyfong.com; Richards, Dennis (CPC); Wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); mooreurban@aol.com; Cwu.planning@gmail.com; Rahaim, John (CPC); Sanchez, Diego (CPC); Grob, Carly (CPC)
Cc: moe@middlepolk.org
Subject: Proposed Formula Retail Ban on Polk Street: 365 by Whole Foods Market at 1600 Jackson Street

City and County of San Francisco

Board of Supervisors

Planning Commission

Planning Department

Mr. John Rahaim, Director

Mr. Diego Sánchez, Legislative Analyst/Urban Planner

Ms. Carly Grob, Planner, Northeast Quadrant, Current Planning

Land Use and Transportation Committee

RE: Whole Foods Conditional Use Permit: 2016-000378CUA
Proposed Legislation: File number 160102

I am an owner at Jackson Plaza Condominium Association located at 1591 Jackson Street at the corner of Polk Street and Jackson Street diagonally across from 1600 Jackson Street, the proposed site of 365 by Whole Foods Market.

I have a keen interest in what is developed on the site as well as what is developed along Polk Street.

Owners and residents of Jackson Plaza Condominium Association were polled by our Board of Directors. 100% of the residential owners AND the commercial owner are in favor of the 365 by Whole Foods Market. The commercial owner has four commercial units, three of which are occupied and one of which has been vacant for some time.

Although I understand the application for the 365 by Whole Foods Market was filed prior to the introduction by Supervisor Peskin of legislation to change the formula retail controls on Polk Street and therefore Whole Foods will not be constrained by the proposed legislation, I would also like to share my thoughts regarding the proposed legislation.

I support the 365 by Whole Foods Market because:

The Middle Polk neighborhood does not have a grocery store. I want to shop in my neighborhood, and it is extremely important to me to have a convenient grocery store nearby that offers quality products at reasonable, affordable prices.

The nearest grocery stores, Trader Joe's and Whole Foods on California Street, are very crowded and offer limited parking, forcing me to drive out of my neighborhood to shop. I believe 365 by Whole Foods Market could have the opposite effect and that instead of driving outside the neighborhood to shop, residents would shop locally by foot, bike or car.

With the increasing number of commercial vacancies on Polk Street, the focus should be on bringing a quality merchant like Whole Foods to the neighborhood to attract foot traffic and businesses.

I believe that replacing the Lombardi Sports building with residential units and retail unit(s) could add to the number of vacant commercial spaces lining Polk Street.

I believe that the owner of the site should be free to lease the property as it sees fit by bringing in a respectable, responsible and viable enterprise that has the financial strength to pay rent.

I agree with Russian Hill Neighbors that "a vital city will creatively rehabilitate and reuse, rather than simply demolish, existing structures." I believe that 365 by Whole Foods Market will enliven the street and bring to life the vacant eyesore that I have lived with for some time.

Although I understand the need for housing in San Francisco, 1600 Polk Street is an existing building that has been in place for decades, is not displacing residential units or well-established local businesses and that architecturally, it is appropriately scaled for the neighborhood.

Whole Foods has expressed a commitment to work with the neighborhood regarding the timing of deliveries, noise, traffic concerns, community outreach, etc. The fact that Whole Foods has signed a 20-year lease contingent on the 365 by Whole Foods Market becoming a reality demonstrates a strong commitment to my neighborhood. I believe in Whole Foods' commitment to promote local businesses that sell food, wine and liquor.

I am impressed that Whole Foods will employ approximately 100 employees and that Whole Foods Market consistently appears on Fortune's list of 100 Best Companies to Work For.

I believe that if small merchants who sell food and wine continue to offer their great products and service, they (and other businesses) will not suffer from the presence of 365 by Whole Foods Market and will actually benefit from increased foot traffic that the 365 by Whole Foods Market will bring to the neighborhood.

Currently on Polk Street between California and Broadway there are restaurants, bars, manicure salons, massage parlors/sex equipment merchants, second hand/resale shops and an abundance of vacant storefronts. The departure of the Big Apple Market approximately two years ago left a major gap in the Polk Street shopping experience. The gap is not filled by boutique butcher, cheese, bakery, deli or wine shops. I believe the gap would be filled by 365 by Whole Foods Market.

I agree with Russian Hill Neighbors that "a very large number of new housing units have been, and are continuing to be built nearby in large buildings along Polk Street, Van Ness Avenue and the streets between, but basic urban services for local residents have lagged far behind this development. We believe a vibrant urban neighborhood must have both a mix of housing for families of different sizes and incomes, and a mix of stores to serve those families, including stores to meet daily shopping needs as well as the restaurants, bars, personal services establishments and specialty stores that are on Polk Street now. A full service grocery store will provide much needed support to existing and future housing in the neighborhood."

I oppose the proposed Polk Street formula retail ban because:

I am genuinely concerned that if quality retail formula operations are not allowed to serve the neighborhood, the neighborhood will be left with the prospect of increasing vacancies or more "independent" businesses that do not meet the neighborhood's needs.

I believe that the conditional use permit process currently serves my neighborhood's needs and is the appropriate planning control in that it requires formula retail businesses to be considered on a case-by-case basis, therefore not denying access to a business that benefits the neighborhood simply because it is a "chain store".

I believe strongly that community dialogue is imperative and the very nature of San Francisco and that the community would lose its right to be heard should a ban of formula retail be imposed.

In closing:

Although I am very appreciative of the efforts of the Middle Polk Neighborhood Association, I trust you will recognize when you hear from organized groups such as the MPNA that there are many of us in the neighborhood who are not members of the MPNA. I, and so many of my neighbors, are passionate about our neighborhood and welcome the opportunity to have a 365 by Whole Foods Market at 1600 Jackson Street to meet our daily needs for fresh food that meets Whole Foods' high standards.

Thank you very much for your time.

Molly Hoyt
Owner at 1591 Jackson Street

Sent from my iPhone

Sanchez, Diego (CPC)

From: Judith P. Roddy <jproddy11@gmail.com>
Sent: Thursday, May 12, 2016 1:06 PM
To: Peskin, Aaron (BOS); Avalos, John (BOS); Breed, London (BOS); Campos, David (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Mar, Eric (BOS); Tang, Katy (BOS); Wiener, Scott; Yee, Norman (BOS); planning@rodneyfong.com; Richards, Dennis (CPC); Wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); mooreurban@aol.com; Cwu.planning@gmail.com; Rahaim, John (CPC); Sanchez, Diego (CPC); Grob, Carly (CPC)
Subject: Proposed Formula Retail Ban on Polk Street and 365 by Whole Foods Market at 1600 Jackson Street

1650 Jackson Condominium Owners Association

1645 Pacific Avenue Owners Association

Jackson Plaza Condominium Association

Pacific Place Owners' Association

City and County of San Francisco

Board of Supervisors

Planning Commission

Planning Department

Mr. John Rahaim, Director

Mr. Diego Sanchez, Legislative Analyst/Urban Planner

Ms. Carly Grob, Planner, Northeast Quadrant, Current Planning

Land Use and Transportation Committee

RE: Whole Foods Conditional Use Permit: 2016-000378CUA

Proposed Legislation: File number 160102

The Boards of Directors of the above condominium associations are writing on behalf of our associations located in the immediate vicinity of the proposed 365 by Whole Foods Market at the former Lombardi Sports site at 1600 Jackson Street. Our four condominium associations represent 284 residential units in addition to commercial units. Because of our location, we have a keen interest

in what is developed on the site as well as what is developed along Polk Street. Some of us are young and some of us are old. Some of us are newcomers to our neighborhood and some of us have lived in our neighborhood for decades. We are all very much invested in our neighborhood, both financially and emotionally.

The members of our associations were polled and overwhelmingly are AVIDLY IN FAVOR of the 365 by Whole Foods Market that is currently going through the Conditional Use permit process.

In light of our combined overwhelming support for the 365 by Whole Foods Market, we would like to share our thoughts with you. Although we understand that the application for the 365 by Whole Foods Market was filed prior to the introduction by Supervisor Peskin of legislation to change the formula retail controls on Polk Street and therefore Whole Foods will not be constrained by the proposed legislation, we would also like to share our thoughts regarding the proposed legislation.

We support the 365 by Whole Foods Market because:

The Middle Polk neighborhood does not have a grocery store. We want to shop in our neighborhood, and it is extremely important to us to have a convenient grocery store nearby that offers quality products at reasonable, affordable prices.

The nearest grocery stores, Trader Joe's and Whole Foods on California Street, are very crowded and offer limited parking, forcing us to drive out of our neighborhood to shop. We believe 365 by Whole Foods Market could have the opposite effect and that instead of driving outside the neighborhood to shop, residents would shop locally by foot, bike or car.

With the increasing number of commercial vacancies on Polk Street, the focus should be on bringing a quality merchant like Whole Foods to the neighborhood to attract foot traffic and businesses.

We believe that replacing the Lombardi Sports building with residential units and retail unit(s) could add to the number of vacant commercial spaces lining Polk Street.

We believe that the owner of the site should be free to lease the property as it sees fit by bringing in a respectable, responsible and viable enterprise that has the financial strength to pay rent.

We agree with Russian Hill Neighbors that "a vital city will creatively rehabilitate and reuse, rather than simply demolish, existing structures." We believe that 365 by Whole Foods Market will enliven the street and bring to life the vacant eyesore that we have lived with for some time.

Although we understand the need for housing in San Francisco, 1600 Polk Street is an existing building that has been in place for decades, is not displacing residential units or well-established local businesses and that architecturally, it is appropriately scaled for the neighborhood.

Whole Foods has expressed a commitment to work with the neighborhood regarding the timing of deliveries, noise, traffic concerns, community outreach, etc. The fact that Whole Foods has signed a 20-year lease contingent on the 365 by Whole Foods Market becoming a reality demonstrates a strong commitment to our neighborhood. We believe in Whole Foods' commitment to promote local businesses that sell food, wine and liquor.

We are impressed that Whole Foods will employ approximately 100 employees and that Whole Foods consistently appears on Fortune's list of 100 Best Companies to Work For.

We believe that if small merchants who sell food and wine continue to offer their great products and services, they (and other businesses) will not suffer from the presence of 365 by Whole Foods Market and will actually benefit from increased foot traffic that the 365 by Whole Foods Market will bring to the neighborhood.

Currently on Polk Street between California and Broadway there are restaurants, bars, manicure salons, massage parlors/sex equipment merchants, second hand/resale shops and an abundance of vacant storefronts. The departure of the Big Apple Market approximately two years ago left a major gap in the Polk Street shopping experience. The gap is not filled by boutique butcher, cheese, bakery, deli or wine shops. We believe the gap would be filled by 365 by Whole Foods Market.

We agree with Russian Hill Neighbors that "a very large number of new housing units have been, and are continuing to be built nearby in large buildings along Polk Street, Van Ness Avenue and the streets between, but basic urban services for local residents have lagged far behind this development. We believe a vibrant urban neighborhood must have both a mix of housing for families of different sizes and incomes, and a mix of stores to serve those families, including stores to meet daily shopping needs as well as the restaurants, bars, personal services establishments and specialty stores that are on Polk Street now. A full service grocery store will provide much needed support to existing and future housing in the neighborhood."

The Van Ness Improvement Project and the upcoming infrastructure work on Polk Street will impact our neighborhood for quite some time. We do not wish to have added to that the destruction of 1600 Polk Street in order to erect a building that could take many months of loud and dirty construction to finish. Whole Foods is able to take what is currently a blight in the neighborhood to a well-regarded market that our neighborhood needs with little disruption to the neighborhood during the construction process.

Although we are concerned about increased traffic, fewer metered parking spaces and increased noise, we have carefully considered these "cons" and have determined that the "cons" are far outweighed by the "pros".

We oppose the proposed Polk Street formula retail ban because:

We are genuinely concerned that if quality retail formula operations are not allowed to serve the neighborhood, the neighborhood will be left with the prospect of increasing vacancies or more "independent" businesses that do not meet the neighborhood's needs.

We believe that the conditional use permit process currently serves our neighborhood's needs and is the appropriate planning control in that it requires formula retail businesses to be considered on a case-by-case basis, therefore not denying access to a business that benefits the neighborhood simply because it is a "chain store".

We believe strongly that community dialogue is imperative and the very nature of San Francisco and that the community would lose its right to be heard should a ban of formula retail be imposed.

In closing:

Although we are very appreciative of the efforts of the Middle Polk Neighborhood Association and several of us are members, we trust that you will recognize when you hear from organized groups such as the MPNA that there are many of us in the neighborhood who are not members of the MPNA. We, and so many of our neighbors, are passionate about our neighborhood and welcome the opportunity to have a 365 by Whole Foods Market at 1600 Jackson Street to meet our daily needs for fresh food that meets Whole Foods' high standards.

Thank you very much for your time.

Sincerely,

1650 Jackson Condominium Owners Association

c/o Debbe Noto, Secretary, Board of Directors

email: dsnuptown@gmail.com

1645 Pacific Owners Association

c/o Bob Schwarzmman, President, Board of Directors

email: dijourno@yahoo.com

Jackson Plaza Condominium Association (1591 Jackson Street)

c/o Judith Roddy, Treasurer, Board of Directors

email: jproddy11@gmail.com

Pacific Place Owners' Association (1701 Jackson Street and 1800 Washington Street)

c/o Danielle Torres, Property Manager

dtorres@citiscapesf.com

Sanchez, Diego (CPC)

From: moe@middlepolk.org
Sent: Wednesday, May 11, 2016 6:53 PM
To: Sanchez, Diego (CPC); Secretary, Commissions (CPC); SBAC (ECN); Board of Supervisors; (BOS)
Subject: [FWD: Polk Street NCD (File #160102)]

For inclusion into the record at the SBC, PC, and BOS.

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

Subject: Polk Street NCD (File #160102)
From: lynne newhouse segal <lynnenewhousesegal@gmail.com>
Date: Wed, May 11, 2016 6:02 pm
To: "mark.farrell@sfgov.org" <mark.farrell@sfgov.org>,
"london.breed@sfgov.org" <london.breed@sfgov.org>,
"aaron.peskin@sfgov.org" <aaron.peskin@sfgov.org>,
"john.rahaim@sfgov.org" <john.rahaim@sfgov.org>, "ed.lee@sfgov.org"
<ed.lee@sfgov.org>
Cc: "moe@middlepolk.org" <moe@middlepolk.org>, "sullam@aol.com"
<sullam@aol.com>

TO: Board of Supervisors
Planning Commissioners
Mayor Ed Lee

FROM: Pacific Heights Residents Association, Lynne Newhouse Segal, President
RE: Planning Code Amendment to Prohibit Formula Retail in Polk Street NCD (File No. 160102)

Pacific Heights Residents Association (PHRA) supports Planning Code Amendment (file No. 160102) prohibiting formula retail in the Polk Street NCD. PHRA, founded in 1978, has over 500 members, representing residents and merchants within the boundaries of Pine to Union Streets, and Presidio to Van Ness. On Fillmore Street we have experienced the significant reduction in neighborhood character, quality of life, and sense of community that can occur when formula retail is not prohibited. Fortunately, our members can still enjoy Polk Street's unique character, and we urge you to pass the Planning Code Amendment prohibiting formula retail on this cherished neighborhood shopping district and community hub.

Please do not hesitate to contact us if you require any further information. Thank you for considering saving this very valued part of our city.

Sanchez, Diego (CPC)

From: Tratratt <tratratt@aol.com>
Sent: Wednesday, May 04, 2016 4:05 PM
To: Rahaim, John (CPC); dennisrichards@sfgov.org; wordweaver21@aol.com; richhillissf@yahoo.com; Johnson, Christine (CPC); mooreurban@aol.com; cwu.planning@gmail.com; Sanchez, Scott (CPC)
Cc: Sanchez, Diego (CPC); Secretary, Commissions (CPC)
Subject: Formula Retail Ban Proposal on Polk St.; Whole Foods 365 at 1600 Jackson

**1650 Jackson Homeowners Association
1650 Jackson Street
San Francisco, CA 94109**

Board of Supervisors
Board of Supervisors Land Use Committee
John Rahaim, Director, Planning Commission
Scott Sanchez, Zoning Commissioner, Planning Commission
Carly Grob, Planning Commission
Diego Sanchez, Planning Commission

Case No. 2016-000378CUA

Case No. 2016-001823PCA

The 1650 Jackson Street Homeowners Association supports the proposed Whole Foods 365 project at 1600 Jackson at Polk. We are an association of 69 condominium units directly adjacent to the proposed site, and a poll of our residents indicated overwhelming support for the project.

Lombardi's, the former business at 1600 Jackson Street, brought a vitality to the neighborhood that is now missing. Lombardi's vacated the building well over a year ago, and since then it has been a magnet for the homeless who camp in its entryway. Whole Foods is proposing a use for the building that could be accomplished in a very short time and restore the usefulness of this corner site. We also understand that this coincides with the intent of the current owners.

We believe that those trying to block the Whole Foods proposal by a complete ban of formula retail stores in the neighborhood are ignoring a reality of the grocery business: full-service operations with competitive prices require high volumes to survive. A full service grocery outlet that could meet the needs of neighborhood residents and offer low to moderate prices cannot be a stand-alone operation or part of a small chain. The existing independent and small-chain grocery outlets in the neighborhood have limited selections and most depend on high mark-ups to survive. Although we are not against some restrictions on formula retail, an outright ban to prevent Whole Foods from opening an outlet would harm - not protect - the neighborhood.

Our neighborhood has been undergoing a transformation due to the construction of several multi-residential buildings over a short period, and services such as Whole Foods are necessary to keep up with demands of the growing population. Because of the site's proximity to many multi-residential buildings, old and new, it is likely to attract a large proportion of shoppers traveling by foot or on the many municipal bus lines that serve the immediate area - shoppers who otherwise might be inconsistent with San Francisco's Transit First policy.

The foot traffic generated by an anchor store such as this on Polk Street would also expose new customers to local businesses. Whole Foods has made it clear that it wants to create a situation that serves both the commercial and residential interests of the neighborhood.

Residents of 1650 Jackson have met with Rob Twyman, Regional President of Whole Foods Market, together with neighbors from 1591 Jackson Street and 1645 Pacific Avenue. We all found Whole Foods to be very responsive to our

concerns about potential problems that could result from the project regarding issues such as delivery times, size of delivery trucks, noise, and increased traffic. We believe that we can work together to mitigate any potential problems.

It appears that the most likely alternative to the Whole Foods outlet would be demolishing the existing building and replacing it with yet another multi-residential building, although we are not aware of any developer who is currently interested in doing this. We would hate to see this building demolished when it has not outlived its usefulness and believe that this would be wasteful and against San Francisco's philosophy to reuse and recycle what we have. We would also hate to see this building continue to be vacant and a detriment to the neighborhood.

Best regards,

The 1650 Jackson St. Homeowners Association

Frank Burkatzky - President

Pat Sonnino - Vice-President

Bob Kamm - Treasurer

Debbe Noto - Secretary

Karen Dold - Member-at-Large

I support legislation to enhance controls on formula retailers that will protect and enhance Polk Street for the residents, visitors and small local merchants. Enhanced controls on formula retail will help our street thrive and encourage the creativity and uniqueness that is an important part of the fabric of San Francisco.

Polk St. has a decade's long history of attracting and supporting small and independent retail merchants and services, and is one of the few remaining traditional shopping districts in San Francisco that has yet to be taken over by corporate conglomerates.

I believe this legislation would protect legacy businesses who have been the ambassadors of our neighborhood for decades, while attracting new merchants and support their efforts to one day become legacy businesses, too.

I am united with my fellow neighbors, small business owners, Polk District Merchants Association, Middle Polk Neighborhood Association, and others to support legislation to enhance controls on formula retail on Polk St.

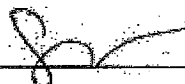
Name

AYA AHN

Affiliation

Bob's Donuts

Signature



Email Address

ayahn@yahoo.com

Sanchez, Diego (CPC)

From: Brenda Wood <brendaw419@yahoo.com>
Sent: Monday, April 18, 2016 11:51 PM
To: Sanchez, Diego (CPC)
Subject: Formula Retail Ban on Polk Street – Proposed 365 by Whole Foods Market

I am a resident of 10+ years in the neighborhood by Polk and Jackson where there is talk of opening a Whole Foods 365 store. I am against opening this store. I feel it would drastically increase traffic and parking congestion in the area and contribute to the disintegration of many fine food local retailers in the area. Not to mention there is already a Whole Foods in close proximity, it is not necessary to open this store.

Thank you.

Sanchez, Diego (CPC)

From: Prashant Sridharan <prashant@strategicnerds.com>
Sent: Monday, April 18, 2016 2:26 PM
To: Peskin, Aaron (BOS); Sanchez, Diego (CPC)
Cc: Board of Supervisors, (BOS)
Subject: Formula Retail Ban on Polk Street – Proposed 365 by Whole Foods Market

Dear sirs,

I'm writing in favor of the Whole Foods 365 proposal for Polk/Jackson. I live at 1650 Jackson and would benefit greatly from a quality grocery store in the neighborhood. The current options are too small and offer little in the way of selection.

I'd also encourage you to walk Polk Street in the area. The Lombardi's location is surrounded by broken bottles, trash, and smells of urine. The longer we wait, the more dilapidated the area will become. As someone who lives literally next door, it is seriously concerning.

Finally, the number of small and large retail locations (occupied and empty) in the area would benefit from a quality anchor tenant like Whole Foods that will bring people to our/my neighborhood.

Thanks,

--

prashant sridharan
prashant@strategicnerds.com

Sanchez, Diego (CPC)

From: jan blum <1janblum@sbcglobal.net>
Sent: Saturday, April 16, 2016 7:53 PM
To: Sanchez, Diego (CPC)
Cc: Peskin, Aaron (BOS); Campos, David (BOS); Mar, Eric (BOS); Avalos, John (BOS); Kim, Jane (BOS); Wiener, Scott; Cohen, Malia (BOS); Yee, Norman (BOS); Tang, Katy (BOS); Farrell, Mark (BOS); Breed, London (BOS)
Subject: SUPPORT FORMULA RETAIL; OPPOSE 365 MARKET

Subject: Proposed Formula Retail Ban on Polk Street; Proposed 365 Market

April 16, 2016

**Re: I SUPPORT THE PROPOSED FORMULA RETAIL BAN ON POLK STREET
I OPPOSE THE ADDITION OF ANY NEW GROCERY STORE, INCLUDING A PRINCIPALLY PRIVATE LABEL
ORIENTED "365 MARKET," AT THE LOMBARDI'S LOCATION,**

Dear Mr. Sanchez:

I support the **Proposed Formula Retail Ban** on Polk Street. I have lived on Russian Hill for 22 years and am a member of Russian Hill Neighbors. Grocery shopping and specialty shopping has never been better than it currently is now on the Hill. We have no need of a lower price point oriented, private label dependent grocery stores such as is proposed by Whole Foods.

I am aware that the Russian Hill Neighbors did a survey of their member ship and that over 200 people supported the concept of a Whole Foods spin off at the former Lombardi's location on Polk. I don't know what the Russian Hill total membership is so have no idea whether 200 people is a significant number of those polled and the membership in total, or not. Nonetheless, I am NOT in agreement with my neighborhood organization on this point. As mentioned, in my 22 years of living on the Hill, that grocery shopping has never been better.

I believe the proposed 365 store is completely unnecessary in that we have sufficient lower cost, private label grocery shopping throughout the area as well as a complete mix of upscale shopping opportunities for specialized items and high end produce. Trader Joe's is located on California at Hyde as well as on Bay and Mason. Safeway Marina is enormous, nearby, and easy to shop. We also have Safeway at North Point. Costco is available to everyone. There are a multitude of stores on Russian Hill serving specialized audiences such as Real Foods on Polk, Belcampo Meat Co. (butcher), Cheese Plus and several corner, neighborhood grocery stores. These are all in addition to the Whole Foods on California at Franklin. All of these are equally convenient for most Russian Hill Dwellers.

Polk Street is adjusting to recent changes in the streetscape and future sewer improvements will cause further disruptions. The addition of a large supermarket will cause negative economic impacts to the smaller markets and would increase already congested traffic, traffic accidents, and pollution on a major north/south corridor targeted by SFMTA as a major bicycle thoroughway in the next 2 years.

Polk Street is only two auto lanes wide and Jackson is one-way going west. We have yet to experience the impacts of Van Ness BRT and additional traffic once the CPMC complex is completed. A supermarket will draw more auto traffic and there will be impacts on adjacent MUNI lines.

Sincerely yours,

Jan Blum
2160 Leavenworth Street, Apt. 201
San Francisco, CA 94133

Sanchez, Diego (CPC)

From: Matheidesz, Dora <dmatheidesz@gmail.com>
Sent: Sunday, April 17, 2016 6:22 PM
To: Sanchez, Diego (CPC)
Cc: Peskin, Aaron (BOS); Board of Supervisors, (BOS)
Subject: Formula Retail Ban on Polk Street – Proposed 365 by Whole Foods Market

Hello --

as a resident of the area, I'd like to express my support for the new Whole Foods on Polk. Lombardi's has been empty for about a year -- as a matter of fact there a ton of empty store fronts on Polk that could use new retailers moving in.

I'm excited about having another grocery store walking distance - the neighborhood really needs this.

Thank you,

Dora Matheidesz

Sanchez, Diego (CPC)

From: Katherine Ma <katherine.b.ma@gmail.com>
Sent: Saturday, April 16, 2016 11:40 AM
To: Sanchez, Diego (CPC)
Cc: Peskin, Aaron (BOS)
Subject: Formula Retail Ban on Polk Street – Proposed 365 by Whole Foods Market.

Mr. Sanchez,

I'm a homeowner and resident at 1442 Jackson Street, and I'm in favor of the Whole Foods 365 store on Polk and Jackson. There aren't enough markets in the area, and it gets crowded and hectic at the existing grocery stores.

I thank you for your consideration in this manner.

Kind Regards,

Katherine

—
Katherine Ma
(949) 275-1172 cell
katherine.b.ma@gmail.com

Sanchez, Diego (CPC)

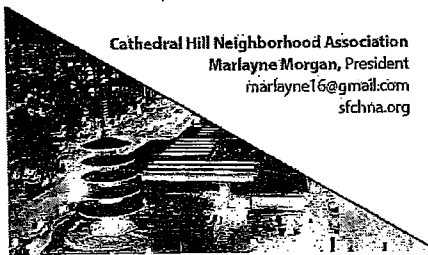
From: moe@middlepolk.org
Sent: Friday, April 15, 2016 10:50 PM
To: Michael Antonini; Rodney Fong; Rich Hillis; Johnson, Christine (CPC); Kathrin Moore; Richards, Dennis (CPC); Cindy Wu; Secretary, Commissions (CPC)
Cc: Rahaim, John (CPC); Sanchez, Diego (CPC); suzanne@middlepolk.org
Subject: CHNA Support Letter for FR Leg. Polk NCD - File No 160102
Attachments: CHNA Support Letter for FR Leg Polk NCD File No 160102.pdf

Dear President Fong and Commissioners,

We are happy to share the attached letter of support from Cathedral Hill Neighborhood Association in support of legislation to restrict formula retail along the Polk Street Neighborhood Commercial District Corridor.

Kind regards,

Moe Jamil
Chair, Middle Polk Neighborhood Association (MPNA)



April 13, 2016

To: President London Breed, Members of the SF Board of Supervisors

From: Marlayne Morgan, President Cathedral Hill Neighborhood Association

Re: CHNA Support for Planning Code Amendments to Prohibit Formula Retail in the Polk Street NCD (File No. 160102)

The Cathedral Hill neighborhood, bounded by Sutter and Eddy on the north and south, and Fillmore and Van Ness Avenue on the west and east, was designed and constructed in the 1960s and 1970's as a project of the SF Redevelopment Agency. Consisting primarily of low rise to high rise residential units, this densely populated area is home to over 12,000 San Franciscans, with a large percentage of senior residents who rely on walking and transit for their personal needs.

Cathedral Hill does not have a retail corridor, with the exception of the Japantown Malls and Japanese specialty businesses and restaurants on Post and Sutter Streets. Our residents now rely on both the Fillmore and Polk Street commercial corridors for local shopping and services; but in the past, many of our residents would not patronize Polk Street. That has changed, and much of the credit for the positive image of Polk Street today is due to the activism of their neighborhood and merchant associations.

Ten years ago, **CHNA** began supporting the efforts of both **Middle Polk Neighborhood Association** and **Lower Polk Neighbors** to rebuild Polk Street as a destination corridor for locally owned shops and quality entertainment venues. We have testified at the ABC, Board of Appeals, Planning, SFMTA and Board of Supervisor's hearings in support of limiting liquor licenses, enforcing hours of operations of bars and restaurants, opposing chain stores and other retail related issues.

It has taken a lot of years and ongoing efforts to design and maintain a destination commercial corridor on Polk that also supports local use. Additional chain stores would wipe out many small specialty businesses on Polk including bakeries, coffee shops, small restaurants and a diverse range of other local retail. Stronger formula controls would allow a creative safe space for new local business to flourish as has been the case in Hayes Valley. Additionally, bringing in formula retailers, with pricing power not only impacts existing business with competing products, but also has the unintended consequence of raising the commercial rents for other small businesses that are already struggling to survive. This is one small step that the City can take to protect a historic neighborhood corridor and its local businesses while preserving opportunities for new local businesses to come.

Therefore, we urge Board of Supervisors to support this legislation to prohibit new formula retail in the Polk Street NCD, and to encourage the continuing vitality of the dozens of locally owned businesses on these blocks of Polk Street.

Sanchez, Diego (CPC)

From: MC <mychen10@yahoo.com>
Sent: Friday, April 15, 2016 7:19 AM
To: Sanchez, Diego (CPC)
Cc: Peskin, Aaron (BOS); Board of Supervisors, (BOS); Farrell, Mark (BOS)
Subject: Formula Retail Ban on Polk Street – Proposed 365 by Whole Foods Market

Dear Mr. Sánchez,

I am writing in support of the proposed Whole Foods 365 store at the former Lombardi Sports store at Polk and Jackson streets. I live a few blocks away without a car. The closest grocery, the Real Foods Store near Polk and Vallejo, is not sufficient for me. After that, other groceries are more than a mile away from me and inconvenient to walk to: the Safeway in the Marina, the Trader Joe's in North Beach, and the Trader Joe's in Nob Hill on California and Hyde.

I feel there is a need for a grocery and I hope that it goes in.

Thank you,
Michael Chen
2563 Polk St
San Francisco CA 94109
(District 2)

Sanchez, Diego (CPC)

From: Rebecca Evans <rebecae@earthlink.net>
Sent: Thursday, April 14, 2016 6:23 PM
To: Sanchez, Diego (CPC)
Cc: Peskin, Aaron (BOS); Campos, David (BOS); Mar, Eric (BOS); Avalos, John (BOS); Kim, Jane (BOS); Wiener, Scott; Cohen, Malia (BOS)
Subject: Proposed Formula Retail Ban on Polk Street; Proposed 365 Market

April 14, 2016

Re: Proposed retail formula ban on Polk Street

Dear Mr. Sanchez:

I support the **Proposed Formula Retail Ban** on Polk Street. I have resided in the Middle Polk neighborhood since 1977 and have noted many changes during those years. Though not opposed to change, I believe that major formula retail in the Polk corridor can only add to traffic congestion, competition for scarce parking and a loss of neighborhood character. Polk Street is adjusting to recent changes in the streetscape and future sewer improvements will cause further disruptions.

Whole Foods 365 market at the Lombardi site - **I oppose this project.** There is a Whole Foods Market at California & Franklin as well as a Trader Joe's at California & Hyde. Smaller neighborhood markets supplement these choices and others, such as several Safeways are readily accessible by MUNI. The addition of a large supermarket will cause negative economic impacts to the smaller markets which have bounced back since the opening of TJ's. The small "mom and pop" market at Sacramento and Leavenworth has recently closed. Under previous ownership, it was a neighborhood landmark.

Polk Street is only two auto lanes wide and Jackson is one-way going west. We have yet to experience the impacts of Van Ness BRT and additional traffic once the CPMC complex is completed. A supermarket will draw more auto traffic and there will be impacts on adjacent MUNI lines. (For the record, I have never owned an automobile.)

Thank you for considering my comments.

Rebecca Evans
1474 Sacramento St., #305
San Francisco, CA 94109

Sanchez, Diego (CPC)

From: Roxanne Stachon <roxandtodd@gmail.com>
Sent: Tuesday, April 12, 2016 5:05 PM
To: Sanchez, Diego (CPC)
Subject: Formula Retail Ban on Polk Street -- Proposed 365 by Whole Foods Market

Dear Mr. Sanchez:

I would like to express my support for the Whole Foods 365 Store on Polk. I have lived in the neighborhood for over 15 years. We are short on grocery stores within walking distance. We desperately need more grocery store options in the neighborhood, particularly those that would provide more value priced items.

There are several speciality stores in the area (such as Cheese Plus) but these stores are very different than what is proposed with the 365 store - they focus on unique, high end brands and food items, they are not grocery stores. Don't get me wrong, I LOVE these stores and frequent them often, but by no means can I shop there for basic grocery needs. For basic grocery needs, we must now go to Safeway or Whole Foods on Franklin, either of which typically require a car trip (vs walking).

Additionally, the Real Foods store on Polk used to be a go to market for many (albeit not all) grocery needs, but the owners of that market have let the quality of their merchandise slip so badly in the last couple of years, that we can no longer depend on this store as we once did. I do not think it is fair to let this existing business stand in the way of approving a nearby grocery store, as you must consider not just the mere existence of a business but also the service and benefit it provides to the neighborhood. I believe the benefit of a larger, full service grocery store in the neighborhood would be tremendous to Russian Hill residents.

Sincerely,
Roxanne Stachon
1178 Greenwich Street, SF 94109

Sanchez, Diego (CPC)

From: Lindy Luoma <lindyluoma@gmail.com>
Sent: Tuesday, April 12, 2016 9:53 PM
To: Peskin, Aaron (BOS); Sanchez, Diego (CPC)
Cc: Board of Supervisors, (BOS)
Subject: Formula Retail Ban on Polk Street – Proposed 365 by Whole Foods Market

Hello Supervisor Peskin and Mr. Sanchez,

I am writing this letter to voice my support for a Whole Foods 365 Market on Polk and Jackson in the old Lombardi sporting goods store.

We don't have enough grocery stores on Nob/Russian Hills and a store at Jackson & Van Ness would be an asset.

Many of us District 3 folks do support independent and family run businesses, but Polk Street is struggling and an anchor tenant like WF365 would bring a lot more people to Polk Street who would also support the other small stores.

Thank you.

Lindy Luoma
1520 Taylor, #601
SF, CA 94133

Sanchez, Diego (CPC)

From: Allison Carpio <allisoncarpio@gmail.com>
Sent: Tuesday, April 12, 2016 4:33 PM
To: Peskin, Aaron (BOS)
Cc: Sanchez, Diego (CPC); Board of Supervisors, (BOS)
Subject: Formula Retail Ban on Polk Street – Proposed 365 by Whole Foods Market

Hi Aaron,

I'm writing to show my support in favor of placing the 365 by Whole Foods store on 1591 Jackson.

I'm currently a Russian Hill resident who goes grocery shopping every week. The closest store to me is Real Foods, which has an *unreasonably* high markup on every food item (\$8 for a bottle of sriracha, \$4 for one avocado). Beyond that, they only have 20% of what's on my grocery list. There's no reason for me--or anyone in the area, according to a couple threads on NextDoor--to shop at Real Foods.

Which is why I walk all the way to Trader Joe's and Whole Foods on California Street-- a total of 1 mile each way. I don't have a car, so I walk there and back.

And because these are the only grocery stores in the area, on any given day the lines stretch all the way to the back of the store. Often times, they run out of produce or meats that I need.

If we allow the 365 by Whole Foods to occupy the old Lombardi's Sports building, it would be a huge win for *everyone*:

- Russian Hill and Nob Hill residents would have multiple affordable choices for fresh groceries
- The lines in every grocery store will be shorter, and the grocery store employees will be less slammed
- More jobs would open up

Did I mention 95% of the people on NextDoor support the 365 store? I would post a screenshot of the thread, but I don't want this email to go into your spam folder.

If you're worried about the Cheese Plus, Belcampo, and Jug Shop--those stores serve different people. People who shop at these stores do so for special occasions or for very certain types of cheese, meat, or liquor. Whereas, the Whole Foods shopper gets their everyday groceries.

And because 365 is the more affordable (read, lesser quality) choice, the craft and quality between 365 and its neighbors cannot be compared. People who want high quality cheese will continue to go to Cheese Plus. People who want everyday cheese will go to Trader Joe's.

Please make the entire community happy and don't let the ban on chain stores pass! It's what the people want.

-Allison Carpio, Resident at Polk & Filbert

Sanchez, Diego (CPC)

From: Nancy Faass <nancyfaass@gmail.com>
Sent: Monday, April 11, 2016 8:16 PM
To: Peskin, Aaron (BOS)
Cc: Board of Supervisors, (BOS); Sanchez, Diego (CPC)
Subject: Formula Retail Ban on Polk Street – Proposed 365 by Whole Foods Market

Dear Supervisor Peskin,

Your support of a ban on formula and big-box retail on Polk Street makes perfect sense, and is essential to preserve some of the unique ambiance that once characterized Polk Street.

However, I am one of the residents who favors an exception for the proposed Whole Foods Market at Polk and Washington, for a number of reasons:

- Whole Foods supports food quality, essential to good health
- Real Foods has been Real Expensive for a long time
- The Trader Joe's is now frequently crowded, with long lines at times on the weekends, suggesting that there might be room for two stores on this side of Van Ness.

Sincere thanks for all you do, and have done, to bring quality of life to our city.

~

Warmly,
Nancy Faass, MSW, MPH
The Writers' Group
1575 Sacramento Street, #6
San Francisco, CA 94109
415.922.6234

~

info@HealthWritersGroup.com
American Society of Journalists and Authors
Association of Health Care Journalists

Sanchez, Diego (CPC)

From: EPaste1979@comcast.net
Sent: Monday, April 11, 2016 4:08 PM
To: Peskin, Aaron (BOS)
Cc: Board of Supervisors, (BOS); Sanchez, Diego (CPC)
Subject: Formula Retail Ban on Polk Street – Proposed 365 by Whole Foods Market.

I am a resident of Nob Hill and I am completely in support of the proposed Whole Foods 365 store. I completely disagree with Supervisor Peskin's desire to ban formula retail projects such as this. It a misguided attempt to save small businesses when in fact it is doing the opposite by leaving buildings vacant, increasing vandalism, and reducing foot traffic which is vital for all businesses.

Sincerely,
Emmy Pasternak

Sanchez, Diego (CPC)

From: Carolyn.Matrixx <carolyn.matrixx@gmail.com>
Sent: Monday, April 11, 2016 3:25 PM
To: Sanchez, Diego (CPC)
Subject: SUPPORT for Proposed 365 by Whole Foods Market

I SUPPORT Whole Foods 365 on Polk Street

Carolyn McGee | 1142 Jackson St #2, San Francisco, CA 94133 | 571.244.0835 | Carolyn.Matrixx@gmail.com

Sanchez, Diego (CPC)

From: joel camarda <joelcamarda@yahoo.com>
Sent: Monday, April 11, 2016 1:48 PM
To: Peskin, Aaron (BOS); Sanchez, Diego (CPC)
Cc: Board of Supervisors, (BOS)
Subject: Formula Retail Ban on Polk Street - Proposed 365 by Whole Foods Market

Dear Mr. Peskin , Mr. Sanchez, Members of the Board of Supervisors

Please be advised of a poll conducted in this neighborhood via Nextdoor Now: Broadway Tunnelers + Nearby Neighborhoods. With over 400 respondents, the sentiment is 85% in favor of the 365 market. I would hope that our district is accurately represented on this issue.

Yours truly,

Joel Camarda
Broadway
San Francisco

Sanchez, Diego (CPC)

From: STEPHEN W PAWLEY <swpaws@mac.com>
Sent: Monday, April 11, 2016 1:53 PM
To: Sanchez, Diego (CPC)
Cc: Peskin, Aaron (BOS); Board of Supervisors, (BOS)
Subject: Formula Retail Ban on Polk Street – Proposed 365 by Whole Foods Market

Mr. Sanchez

Having been a resident of the Lower Nob Hill/Polk Gulch neighborhood for the past 25 years, I support the Whole Foods 365 Market concept at the old Lombardi's location at Polk & Jackson. Population density in this neighborhood has increased leaving residents with packed, upscale markets and no general supermarket. While this would not resolve that major issue, it would relieve some of the stress on the already packed Trader Joes and Whole Foods on California.

I am also a firm opponent of the formula retail ban on Polk Street. I have worked in the North Beach neighborhood and have watched as vacant storefronts simply stay vacant storefronts due to a similar ban. The local Walgreens in Chinatown has been unable to relocate to a larger location - one that the neighborhood desperately needs - due to a similar ban. We're grown up enough to take these issues on one at a time, not with a formula retail ban which will only hurt the majority of residents in this neighborhood.

Stephen Pawley

415-948-6938

swpaws@mac.com

Western Principal Councillor - Actors Equity Association

AEA - Standing Up For Its Members

Sanchez, Diego (CPC)

From: Dan LaFever <clawlafever@gmail.com>
Sent: Sunday, April 10, 2016 3:13 PM
To: Peskin, Aaron (BOS); Sanchez, Diego (CPC)
Subject: Formula Retail ban on Polk Street

I am not against an additional Whole Foods in the area. I cannot make it to the one on Masonic, so when the one moved into the old Cala location at California & Hyde, I was overjoyed.

I'm just wondering why they need to move into the old Lombardi's space, which is literally 6 blocks from the Cal/Hyde location. But if they are the only ones contemplating moving in, because there are no other suitors, go for it.

By the way, what differentiates a Whole Foods and Whole Foods 365 anyway?

Claw

=^..^= \m/

Sanchez, Diego (CPC)

From: Geoffrey Norman <geofnorman@aol.com>
Sent: Sunday, April 10, 2016 3:17 PM
To: Peskin, Aaron (BOS)
Cc: Sanchez, Diego (CPC); Board of Supervisors, (BOS)
Subject: Formula Retail Ban on Polk Street – Proposed 365 by Whole Foods Market

Please add our support to the proposal for a new whole Foods at Polk and Jackson ... we live on Pacific Avenue and this new store location would provide easy access to residents who prefer not to drive to Safeway or other more distant stores.

Many thanks,

Geoffrey Norman
1896 Pacific Avenue

Sanchez, Diego (CPC)

From: christine brooks <msboose@yahoo.com>
Sent: Sunday, April 10, 2016 4:57 PM
Cc: Sanchez, Diego (CPC)
Subject: Formula Retail Ban on Polk Street -- Proposed 365 by Whole Foods Market."

Hello,

I live on Green Street near Polk. I am highly in favor of the Whole Foods Market in my neighborhood. I walk to the Whole Foods on California and Trader Joes on Hyde and California for my shopping now.

I love having choices and would welcome this retail establishment to my neighborhood.

Cordially,

Chris Brooks
1438 Green St.

Sanchez, Diego (CPC)

From: Anne Brubaker <sfavb@comcast.net>
Sent: Tuesday, April 05, 2016 3:13 PM
To: Sanchez, Diego (CPC)
Subject: 365 groceries on Polk

Sir:

I support Whole Foods 365 moving into the old Lombardi Sports location. We need a decent full service grocery store in the neighborhood. Banning all Formula Retail on Polk is insane; I would so love to have some of the quality shops that exist on Union and Chestnut which would be banned as well with this. I still do most of my shopping elsewhere because I go where the full service groceries are and then whatever else I need around it. It is unreasonable to expect an old person to walk from Larkin and Greenwich to any of the current actual groceries for dish soap. Or get Wheat Chex.

Research has shown that grocery stores anchor other business, not squash it. We have too many bars (with vomit) nail parlors, dry cleaners etc. If all you have is more housing, where are all those additional people going to get their dish soap - at a human price? Real Foods and Searchlight are insanely out of my price range. The other small groceries are naturally threatened; they sell rotting lettuce and won't be able to compete. This, however, is not a reason to protect them.

And so I drive to the real grocery stores. Give me some actual options in my neighborhood.

Thank you.

Anne Brubaker
Russian Hill

Sanchez, Diego (CPC)

From: Kevin.Halteman@kp.org
Sent: Tuesday, March 29, 2016 3:46 PM
To: Sanchez, Diego (CPC)
Subject: Polk Street > We need more housing please

I've heard about the Lombardi Sports building no longer becoming retail on the bottom and housing on the top. Please build as much as possible it is WAY too expensive to stay in the city especially if you're planning to start a family...

Also Trader Joes, Philz Coffeee, Peets, and Whole Foods are all good additions to the neighborhood in my opinion.

Kevin Halteman | Digital Strategy & Communications Lead
Finance and Shared Services

One Kaiser Plaza, 26th Floor, Oakland, CA 94612-3604

Work: (510) 271-5623 | Mobile: (510) 407-2423 | Kevin.Halteman@kp.org

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Sanchez, Diego (CPC)

From: Kelly Brinegar <kellybrinegar@gmail.com>
Sent: Tuesday, March 29, 2016 9:07 AM
To: Sanchez, Diego (CPC)
Subject: Whole Foods

We 100% support the Whole Foods coming to Jackson and Polk!

--

Kelly B

Greg McKenney & Molly Hoyt
1591 Jackson Street, Apt 8
San Francisco, CA 94109

March 22, 2016

Diego R Sánchez
Legislative Analyst / Urban Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco CA 94103

Dear Mr Sánchez,

We are writing as residents living on the south-east corner of Polk and Jackson streets, to express our full support for the proposed Whole Foods 365 store at north-west corner of Polk and Jackson streets, kitty corner to our building. We understand that the Planning Department is fielding letters of support and opposition to that development, and to controls on "formula retail" at meetings in late-April 2016.

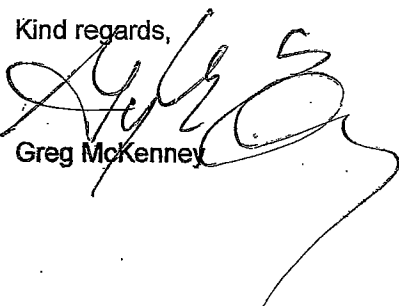
Currently, the closest grocery stores with adequate produce, meat and dairy are: Real Foods (7 min walk), Trader Joes (10 minute walk) and Whole Foods Market (12 minute walk). While hardly a food desert, we feel we would benefit from having a grocery store like Whole Foods 365 within a 3 minute walk of our apartment. Not only is the location extremely convenient for us, it would allow us to avoid crossing the high-speed, multi-lane traffic streets of Broadway, California and Van Ness to get to food shopping. My wife and I are young and very able-bodied, but many people in our building and neighborhood are unable to walk and carry groceries from locations 6 and 10 blocks away.

We have heard that there is opposition to the Whole Foods 365 market from Polk street merchants, and our supervisor, Aaron Peskin. His opposition to the project is a mystery to us, because we have spoken with our neighbors and have heard only hearty, enthusiastic support for the Whole Foods project.

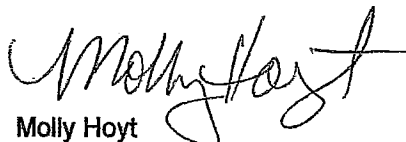
Although we believe "formula retail" is not necessarily an unqualified good for every small neighborhood, we do want a quality-brand chain-store option for our groceries. Whole Foods is a brand that we trust not only for the quality of its products and service, but for its environmental and social mission. We believe the Whole Foods 365 project will bring a much-needed anchor retail to the middle-Polk neighborhood, that will result in increased residence convenience, foot traffic, and over-all retail in the neighborhood. There are already numerous vacant retail spots in our neighborhood: at least 8 in a three block radius. We would like to see the former Lombardi Sports location filled with a thriving store that gets substantial daily foot traffic, to support other retail and restaurant businesses in our neighborhood.

As resident/owners of Polk/Jackson, we desire a livable, walkable neighborhood with a thriving mix of retail and housing. We believe nothing would advance that hope better than a Whole Foods 365 in our neighborhood.

Kind regards,



Greg McKenney



Molly Hoyt

Sanchez, Diego (CPC)

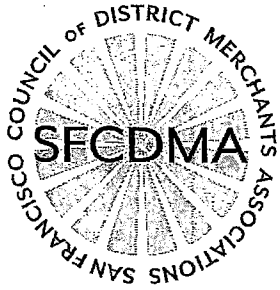
From: Jean Cazort <jeancazort@gmail.com>
Sent: Tuesday, March 22, 2016 7:47 PM
To: Sanchez, Diego (CPC)
Subject: Lombardi Sports space

Dear Mr. Sanchez,

I live in Arkansas but visit my son on Polk Street three or four times a year. From an outsider's viewpoint, it would be terrific to see a Whole Foods go into the Lombardi space. The idea of an apartment building there--well, it leaves me cold. Whole Foods could only improve the neighborhood and make it more attractive, whereas an apartment wouldn't do a thing for that area. Please consider the appeal of Whole Foods compared to a high density residential building.

Respectfully,

Jean Cazort



SAN FRANCISCO COUNCIL OF DISTRICT MERCHANTS ASSOCIATIONS

Henry Karnilowicz
President

Maryo Mogannam
Vice President

Dani Sheehan-Meyer
Secretary

Keith Goldstein
Treasurer

March 19, 2016

Mr. Duncan Ley
President
Polk District Merchants Association
2961 Mission Street
San Francisco, CA 94110

Dear President Ley,

Your Vice-President, Mr. Stephen Cornell, did a presentation before the board of the San Francisco Council of District Merchants Associations, at the last meeting, regarding Supervisor Aaron Peskin's proposed formula retail controls legislation.

The board felt that there are certain areas of the City where formula retail can have a positive influence, because of a lack of pedestrian traffic, long vacant storefronts or the merchants and community feel that formula retail is beneficial to the area, however there are many areas where the opposite is true and the board agreed that the Council should support our homegrown unique and eclectic variety of merchants and service providers. It was also determined that it is because of the variety of unique shops and services that attract visitors and consumers to these merchants corridors, which contributes to the success of these businesses, and economy, and preserves the diversity of our neighborhoods.

It is important that our merchant corridors are not negatively impacted by formula retail businesses and turning them into a shopping mall, that are occupied by usually large corporation owned businesses.

After a lengthy discussion of the merits and demerits of the proposed legislation the board voted to support Supervisor Peskin's legislation.

Sincerely,

President

March 16, 2016

Dear Supervisor Peskin,

I moved to San Francisco in 1995 and purchased my first home (a 1 bedroom condo) at 1591 Jackson #18 (at Polk) in 2006. One of the reasons I moved from my previous address on Filbert and Octavia to Polk was due to the gentrification and the lack of "normal people" stores on Union. No longer could I walk to a reasonable grocery store, a hardware store, etc. but I could get my fill of manicures and pedicures, gourmet doggy pet treats, faddish restaurants, Botox treatment and an array of overpriced clothing, bags and shoes. Sadly, Polk Street has followed in the footsteps of Union Street, albeit more slowly.

As a taxpayer and property owner in San Francisco, I would like you to understand where I, and the entire 1591 Jackson building, come out on the 365 store in the old Lombardi's building. **We support 365 fully and want to see it in the neighborhood.**

Any resident in the neighborhood will tell you that running out for quick groceries has gotten harder and harder as our choices on Polk dry up. The closing of Big Apple hit the neighborhood hard. And TJ's and Whole Foods on California are so busy, it's almost impossible to drive there (and it's too far to walk if I have to do a big shop). I want to shop in the neighborhood, and it is extremely important to have a convenient grocery store nearby that offers quality products at reasonable prices. The smaller merchants (the cheese shop, the butcher store, the wine shop) will benefit from increased foot traffic the store will bring into the neighborhood and we will continue to shop there because they offer a different experience and product. I don't go to the Cheese Plus for milk today and won't ever go there for milk, but I will continue to go there for amazing cheeses, meats, crackers, etc. because that is what they do well.

Currently on Polk Street between California and Broadway there are restaurants, bars, manicure salons, massage parlors, second hand/resale shops and an overabundance of vacant storefronts. The departure of the Big Apple Market approximately two years ago was a major blow for residents on Polk Street for daily staples like toilet paper, milk, etc. And, contrary to the MPNA, the need for daily staples is not filled by boutique butcher, cheese, bakery, deli or wine shops. While I have participated in MPNA activities in the past, the organization DOES NOT SPEAK FOR ME, nor do they speak for the 24 residential units at 1591 Jackson! Be very clear on that.

Those of us in a one block radius of the store probably have the most to lose if the traffic, delivery and noise issues are not addressed intelligently. But Whole Foods has expressed a sincere interest in working with us regarding the timing of deliveries, noise, traffic concerns. The fact that Whole Foods has signed a 20-year lease contingent on the 365 store becoming a reality demonstrates a strong commitment to the neighborhood. And, while they are a national chain, they are a good steward for the environment and a good employer as well.

I believe in smart growth, preserving the livability of our SF neighborhoods, shopping local, and walkable cities. There is a place for 365 on Polk Street. I find it irritating and presumptuous that you are trying to block 365 by putting a ban on all national chains on Polk Street. Using your logic, we would not have Walgreens, Starbucks, or Peets, all valued and important businesses in the neighborhood. A blanket ban on all national chains - no matter how respectable, responsible or sustainable the enterprise - seems unfair at best and protectionist at worst.

The MPNA does not speak for all of us in the neighborhood. There are many of us who want 365 and your attempt to block it using a blanket ban does not serve us.

Carrie Miller



Owner, 1591 Jackson Street #18
San Francisco, CA 94109
415 515 6222

March 17, 2016

Supervisor Aaron Peskin
San Francisco Board of Supervisors
City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689



RE: Support for Planning Code Amendments to Prohibit Formula Retail in the Polk Street NCD (File No. 160102)

Dear Supervisor Peskin:

On behalf of the Telegraph Hill Dwellers, I want to express our support for your efforts to keep the Polk Street Neighborhood Commercial District (NCD) free of additional formula retail outlets.

For more than sixty years, THD has worked, along with many others, to preserve the unique identity of Telegraph Hill and North Beach. The character of such neighborhoods has long depended on their distinct blend of small-scale old and new local independent businesses that creates an ambiance not found elsewhere, offering a diversity and charm enjoyed by San Franciscans, other Bay Area residents, and visitors from around the world.

THD strongly supports the City's formula retail protections as a crucial means to safeguard the unique character of such areas throughout the City from the uniform "sameness" of national chain stores and the disproportionate competitive pressures such stores can exert on local, smaller and more vulnerable businesses.

THD supported the formula retail legislation and controls first enacted in 2004 and the prohibition of formula retail stores enacted within the North Beach NCD in 2005. That prohibition has been central to preservation of the distinctive character and historic features of North Beach.

Likewise, and for many of the same reasons, we support your efforts to enact similar controls on formula retail in the Polk Street NCD.

Sincerely,

A handwritten signature in black ink, appearing to be "Stan Hayes", written in a cursive style.

Stan Hayes
President, Telegraph Hill Dwellers



March 15, 2016

To: President Rodney Fong, San Francisco Planning Commission

From: George Wooding, President, Coalition for San Francisco Neighborhoods

Re: CSFN Resolution in Support of Polk Street NCD

Whereas, the Polk Neighborhood Commercial District (NCD) which includes Polk Street from Filbert Street to Post Street, parts of California Street and Larkin Street, is home to numerous local independent and legacy businesses along with a handful of formula retail outlets;

Whereas, merchants and neighbors in and around the Polk are bracing for significant disruption to daily life and commerce due to the City simultaneously undertaking 3 years of infrastructure improvements to Polk Street and Van Ness Ave, known as the Polk Street Sewer Replacement and Streetscape Improvement Project and the Van Ness Avenue Bus Rapid Transit (BRT) project;

Whereas, the Polk NCD has been facing 2 years of threats by various big-box formula retailers threatening gobble up the few precious sites to build housing in neighborhoods badly impacted by San Francisco's housing and eviction crisis;

Whereas, Supervisor Aaron Peskin has introduced legislation to amend the San Francisco Planning Code to restrict new formula retail uses from setting up within the Polk NCD while not disturbing new formula retail uses from setting up on nearby Van Ness Avenue;

Now be it RESOLVED, that the Coalition of San Francisco Neighborhoods (CSFN), endorses this legislation as necessary and desirable for the Polk NCD and shall communicate said endorsement to the Small Business Commission, the Planning Commission and the Board of Supervisors.



2/09/16

North Beach Business Association
PO Box 330187
San Francisco, CA
94133

Supervisor Aaron Peskin,

Our organization is writing to support the Polk Street Merchants and Neighbors to keep their corridor free of additional formula retail outlets. As one of the first commercial districts to completely ban formula retail from occupying any commercial space in our neighborhood, we encourage you to consider moving Forward in adding this type of ban in the Polk Street area. We believe that by only Allowing independent businesses to operate, we have fostered a positive atmosphere which encourages the continued presence of unique stores and restaurants which define our commercial corridor. It has been enormously helpful in maintaining an environment that draws visitors from all around the world to visit us and sample our blend of businesses that are only to be had here in North Beach.

The presence of Formula Retail in neighborhood commercial districts creates a homogeneous atmosphere and results in higher rents as these corporate models can offer to pay much higher rent than our independents. San Francisco is known as a City of neighborhoods, each with its own personality and special qualities. An excessive amount of Formula Retail destroys this kind of neighborhood Character.

We encourage your organizations to move forward in submitting legislation that will permanently protect your independent neighborhood businesses and the unique environment that are the upper and middle Polk NCD's.

Yours,

Fady Zoubi, President, NBBA

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Polk District Merchants Association (PDMA) supports legislation to enhance controls on formula retailers that will protect and enhance Polk St and our Neighborhood Commercial District for our residents, visitors, and small local merchants. Enhanced controls on formula retail will help our street thrive and encourage the creativity and uniqueness that is an important part of the fabric of San Francisco. PDMA has canvassed neighborhood merchants throughout the Polk Neighborhood Commercial District (NCD) and merchant support for stronger controls is strong.

Polk St. has a decade's long history of attracting and supporting small and independent retail merchants and services. Indeed, the Polk NCD is one of the few remaining traditional shopping districts in San Francisco that has yet to be taken over by corporate conglomerates. Our neighborhood is recognized as one of San Francisco's best for our high concentration of locally owned independent businesses who provide a unique variety of services. Many of our most popular merchants have been doing business here for decades including Russian Hill Bookstore, The Jug Shop, Framie-O-Rama, The Bell Tower, Dr. Hiura Optometry, Swan Oyster Depot, Brownie's Hardware, Victor's Pizza and Polk Street's historic LGBT Bar - the Clinch. Our neighborhood has old-world San Francisco charm that could be gone forever without stronger formula retail controls.

The time to act is now. Construction will soon begin to replace Polk St's aging sewage system, while Van Ness Ave will also be under construction due to the implementation of the Bus Rapid Transit changes. Inevitably, Polk St merchants will see disruptions of business and significant challenges to their daily operations for the next 24 - 36 months. Moreover, our neighborhood merchants have been facing recent threats by large big-box formula retailers to enter the Polk NCD and lock up precious sites with long term leases. Such retailers will continue to be welcomed along Van Ness Avenue one block outside of the Polk NCD and consistent with smart neighborhood and city planning. This legislation is needed now to ensure the distinctive character of our neighborhood is preserved for future generations of San Franciscans.

Stronger controls work. There is precedence for stronger formula retail controls in several neighborhoods including North Beach and Hayes Valley - 2 thriving neighborhoods that echo our unique and eclectic variety of merchants and service providers. Communities throughout the Bay Area are adopting stronger formula retail controls as they too see small family owned businesses becoming extinct at an alarming rate.

PDMA believes this legislation will protect legacy businesses who have been the ambassadors of our neighborhood for decades, while attracting new merchants and support their efforts to one day become legacy businesses, too. We urge you to support our neighborhood merchants and to APPROVE this legislation for enhanced controls on formula retail within the Polk NCD.



Duncan Ley
President
Polk District Merchant Association



**middle polk
neighborhood association**

Middle Polk Neighborhood Association (MPNA) covers the geographic area bounded by California/Broadway/Van Ness and Leavenworth. A core portion of the Polk Neighborhood Commercial District lies within our boundaries. We are in strong support of stronger formula retail controls for the Polk Neighborhood Commercial District embodied by this legislation.

Saving Our Neighborhood Character and Distinctiveness

The Polk NCD is home to a wide variety of small, independent, local and legacy businesses that make up the unique character of the corridor. Given the density of the Polk NCD, the corridor is ideal for walking and cycling and is well served by public transit. The eclectic mix of local businesses is essential to the character, charm and distinctiveness of the neighborhood. According to the real estate website Curbed SF, our neighborhood is one of the most charming neighborhood corridors in San Francisco due to the high concentration of locally owned independent businesses along the Polk NCD.¹ Our neighbors, friends from throughout the City and the Bay Area and the world, love to stroll down Polk Street and visit legendary businesses like Russian Hill Bookstore, The Jug Shop, Shanghai Kelly's, Swan Oyster Depot, Victor's Pizza, Cordon Bleu or Polk Street's last remaining historic LGBT bar, Cinch. Polk Street is far from being Anytown USA, but without stronger formula controls that could all change.

Existing small businesses are under constant threat from eviction by landlords in search of higher paying formula tenants. Indeed, time is of the essence to protect the Polk NCD as the City is about to simultaneously embark on the Polk Street sewer replacement project, combined with the Van Ness BRT that, despite the City's best mitigation efforts, will result in significant business disruption to merchants for up to 3 years. As the City has recognized in planning the Polk Street project, Polk Street is a narrow street in need of improvements to enhance pedestrian and bicyclist safety and improvements to enhance the experience of visiting the many small independent neighborhood storefronts along the corridor. For the past two years, our neighborhood has had to deal with proposals by large formula big-box retailers who have attempted to move into the Polk NCD and

¹ Curbed SF link San Francisco's Most Charming Neighborhoods RentLingo study:

http://sf.curbed.com/archives/2016/02/10/are_these_the_most_charming_neighborhoods_in_san_francisco.php



**middle polk
neighborhood association**

opportunisticly gobble up the few remaining suitable sites for appropriately scaled mixed-use housing development that can add to and enhance the character of the NCD. This legislation is needed now to ensure that the character and distinctiveness of our neighborhood are preserved for future generation of San Franciscans and to support the City's housing goals.

North Beach and Hayes Valley are Thriving With Stronger Formula Controls

North Beach and Hayes Valley were pioneers in the field of stronger formula retail controls. Both neighborhoods are thriving with strong, independent, local and creative retail and commercial uses. Both neighborhoods serve their local neighbors and attract visitors from all over the City, the Bay Area and the world. For the Polk Street NCD, stronger formula retail controls, combined with smart city planning, development and zoning, and active neighborhood and merchant engagement, will sustain and nurture a vibrant creative space for growth for the future.

New Formula Retail Still Allowed on Van Ness Avenue and Grandfathered Uses

Whereas this legislation restricts new formula retail uses in the Polk NCD, such uses are entirely permitted on Van Ness Avenue. This makes sense, as Van Ness Avenue is more heavily trafficked by automobiles and already home to many larger format big-box retailers as well as other formula retail uses. Moreover, existing formula uses within the Polk NCD will not be impacted by this legislation. Even if such formula retailers turned over, other formula retailers could be grandfathered in as non-conforming uses. Formula retail controls have no impact on whole categories of businesses such as pharmacies like Walgreens who has a significant presence in the NCD with 3 outlets.

We urge you to APPROVE this legislation to support the Polk Street NCD.

I support legislation to enhance controls on formula retailers that will protect and enhance Polk Street for the residents, visitors and small local merchants. Enhanced controls on formula retail will help our street thrive and encourage the creativity and uniqueness that is an important part of the fabric of San Francisco.

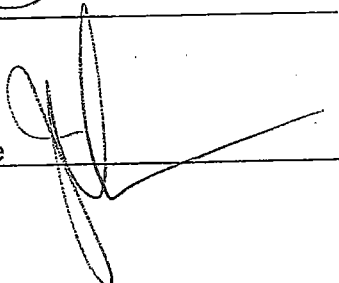
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I believe this legislation would protect legacy businesses who have been the ambassadors of our neighborhood for decades, while attracting new merchants and support their efforts to one day become legacy businesses, too.

I am united with my fellow neighbors, small business owners, Polk District Merchants Association, Middle Polk Neighborhood Association, and others to support legislation to enhance controls on formula retail on Polk St.

Name JOHN KO

Affiliation CITY CAR RADIO

Signature 

Email Address CITYCARADIO@
YAHOO.
COM

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Name Steve Schenck
G.M.

Affiliation Real Food Company

Signature 

Email Address SteveS@
realfoodco.com

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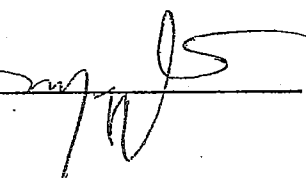
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Name Mary Pham

Affiliation Merry Naniakel

Signature 

Email Address Phammary99@yahoo.com

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Name SAM GALLAGHER

Affiliation NEIGHBOR

Signature 

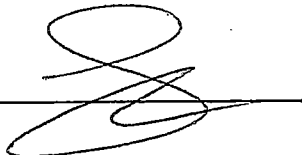
Email Address SAMGALLAGHER

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Name Luzette Torres Affiliation Kobler Baron
Signature  Email Address el.torres@yahoo.com

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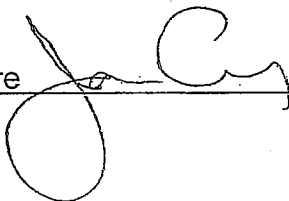
Name

James Terry

Affiliation

"unaffiliated"

Signature



Email Address

rt.art33@gmail.com

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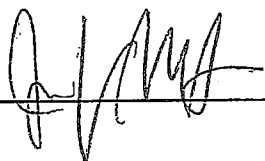
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Name Jennifer Farris

Affiliation owner, studio Gallery c16th Pacific
25+ year resident

Signature 

Email Address info@studiogallerysf.com

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Name PETER RISWOLD

Affiliation NEIGHBOR

Signature P. Riswold

Email Address RISWOLD@SBCGLOBAL.NET

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Name CRIS

Affiliation CRIS CONSIGNMENT

Signature 

Email Address CRISCONSIGNMENT@GMAIL.COM

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Kimberly D. Martin
Name

Affiliation 22 years neighborhood resident

Kimberly D. Martin
Signature

akimbly@aol.com
Email Address

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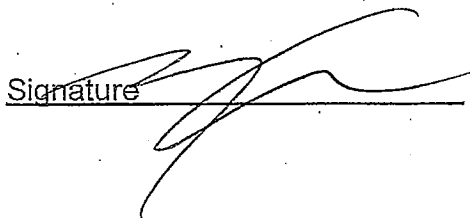
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Name Roger Amrhein

Affiliation 25 year neighborhood resident

Signature 

Email Address ramrhein@gol.com

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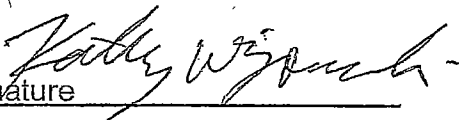
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Name KATHY WIZOWSKI

Affiliation NEIGHBOR

Signature 

Email Address stepwiz@gmail.com

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Name John Egerton

Affiliation Work on Polk. Neighborhood

Signature John Egerton

Email Address John.Egerton@cpbaa.com

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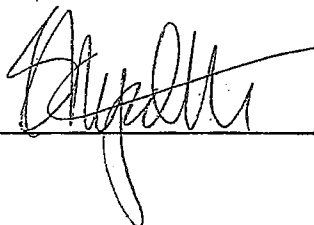
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Name BARBARA WYETH

Affiliation 2590M RESIDENT

Signature 

Email Address bwyeth@earthlink.net

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Name SANDY JADE

Affiliation 17 YR RESIDENT

Signature SANDRA JADE

Email Address JACKSANDRA@SBGLOBAL.NET

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WILMA PARKER de Pavloff
Name Wilma Parker de Pavloff Affiliation Neighbor
Signature [Signature] Email Address wjpdp22@gmail

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Name VINCENT H. BARTZ

Affiliation 22 years LONG TIME RESIDENT

Signature Vincent H. Bartz

Email Address -

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Name Jason Comfort, D.O.

Affiliation Business Owner

Signature 

Email Address JasonComfortDO@gmail.com

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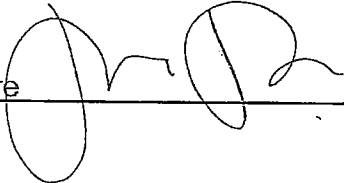
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Name Jena Hartman

Affiliation Merchant - Glammie

Signature 

Email Address jena@glammie.com

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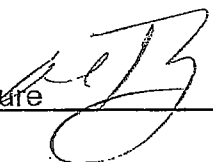
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Name Mitchell Beary

Affiliation Proctor & Kierulff Assoc

Signature 

Email Address mbeary@proctor.com

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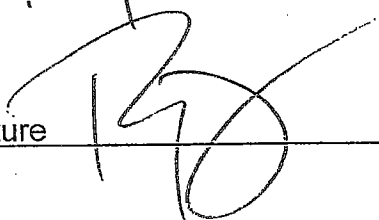
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Name Ray Bore

Affiliation Polk Merchants

Signature 

Email Address Ray@cheeseplus.com

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Name CHARLES LEES

Affiliation

NETBOB / POLK ST

Signature



Email Address

chaslees@yahoo.com

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Name Brendan Dobbins

Affiliation Concerned citizen

Signature 

Email Address Brendan.Dobbins@gmail.com

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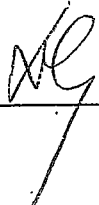
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Name BINH. DUONG

Affiliation UNION NAILS

Signature 

Email Address byd 9090 @YAHOO.COM

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Name Graham Young Affiliation Owner, Eclipse Salon
Signature [Handwritten Signature] Email Address EVERYOUNG@HOTMAIL.CO

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Name DALE MORTENSON

Affiliation Owner Russian Hill Chiropractic

Signature 

Email Address drdaleSF@gmail.com

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Name Stephanie Chang

Affiliation Russian Hill Chiropractic

Signature Stephanie Chang

Email Address drdales7@gmail.com

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Name Ivy Chan

Affiliation Artist Owner

Signature Ivy Chan

Email Address Ivychand5@gmail.com

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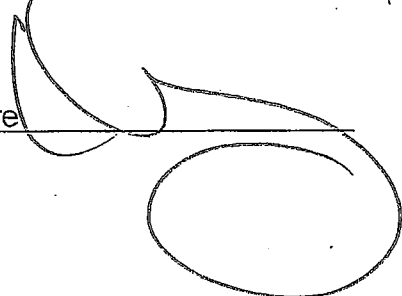
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Name Kenneth C Wong

Affiliation Owner dentist

Signature

A large, stylized handwritten signature in black ink, consisting of a large loop and a trailing flourish.

Email Address KLWUCSF@AOL.COM

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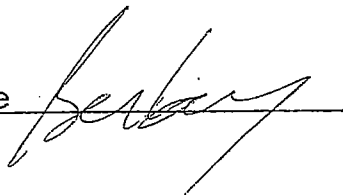
Name

FAIR BERBERY

Affiliation

SMOKE SIGNALS

Signature



Email Address

SmokeSignals@comcast.net

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Affiliation

Email Address

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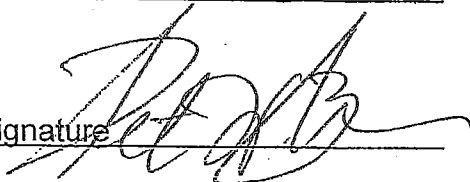
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Name Peter Billeci

Affiliation Nick's Crispy Tacos

Signature 

Email Address crispytaco@sbcglobal.net

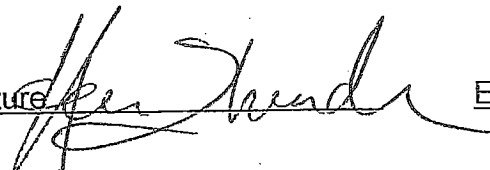
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Name HOWARD SCHINDLER Affiliation Nick's Crispy Tacos

Signature  Email Address hschindler@pacbell.net

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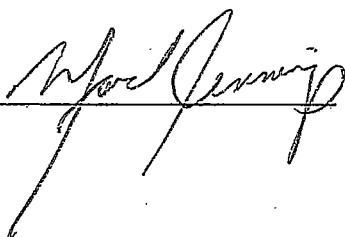
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Name MARK JENNINGS

Affiliation OWNER - SHANGHAI KELLYS

Signature 

Email Address NOE.HHSTAR.KELLYS@GMAIL.

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Name STEVE GREALISH Affiliation OWNER - SHANTHI Kelly

Signature Steve Grealish Email Address BOVEDOOYZ@AOL

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Name Armando Chavez DDS

Affiliation Small Business Owner

Signature



Email Address _____

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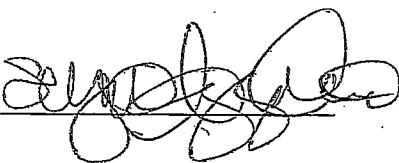
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Name SERGIO F. AZZOLINO

Affiliation AZZOLINO CHIROPRACTIC NEUROLOGY &
INTEGRATIVE WELLNESS

Signature



Email Address

sergio@azzolino.com

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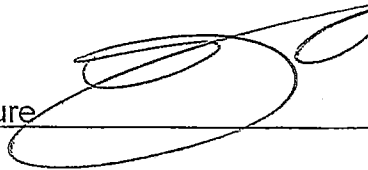
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Name

Rachman Akers

Affiliation

Signature



Email Address

stehmro@polk.org

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Name Ariel Bloom

Affiliation small business owner in the neighborhood

Signature Ariel Bloom

Email Address arieljones@att.net

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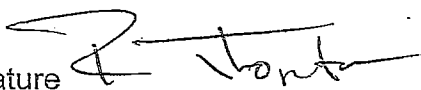
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Name Robert Thornton

Affiliation Cinch Saloon

Signature 

Email Address bobethru@gmail.com

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Name Lee Smith

Affiliation Merchant / "SMITH"

Signature Dwight L. Smith

Email Address leesmithlaw@gmail.com

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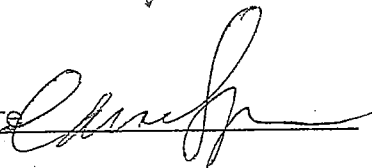
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Name Carol Spencer

Affiliation Russian Hill Bookstore

Signature 

Email Address rssnhillb@ptcbell.net

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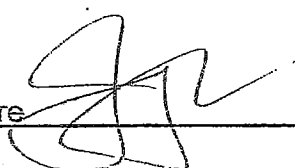
Name

JUNG Ko

Affiliation

HAHN'S KIBACHI

Signature



Email Address

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Name

TOM GINN

Affiliation

Fish & Gari
Buz Owner

Signature



Email Address

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Polk St. Florist

Name SILVIA YEUNG Affiliation Bms. Owner

Signature [Signature] Email Address _____

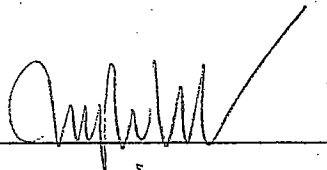
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Name



Affiliation

KT NAILS

Signature

CINTH

Email Address

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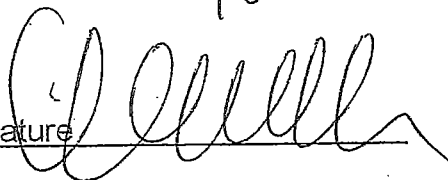
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Name Michelle Clark

Affiliation Parlor LLC

Signature 

Email Address Michelle@parlormiaispa.ca

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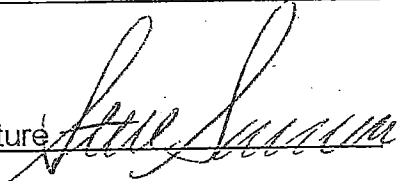
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FEB 27 2018

Name SANCIMIRO FAMILIA

Affiliation

Signature



Email Address



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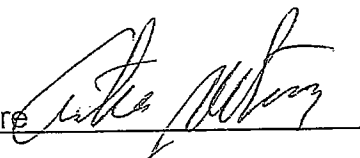
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Name Arturo Martinez

Affiliation El SUPER BURRITO Owner

Signature 

Email Address _____

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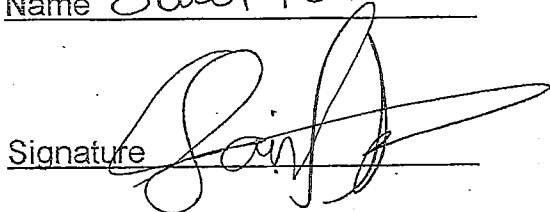
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Name Saeed Farah

Affiliation Smok & Gift

Signature



Email Address

Saeed.Farah89@gmail

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Name Elias Al-haj

Affiliation Quetzal Cafe

Signature



Email Address _____

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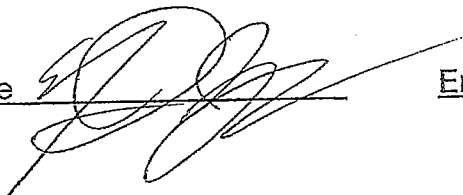
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Name Eric Jones

Affiliation Let It Bleed Tattoo

Signature



Email Address

LetitbleedtattooSF@yahoo.com

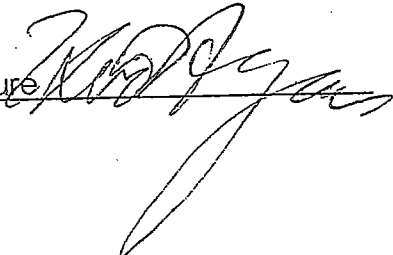
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Name Hiro Hayama Affiliation _____

Signature  Email Address info@mitsuwa-fd.co

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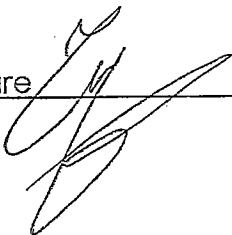
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Name ZIAD EL CHAAR

Affiliation DISON BURGER

Signature



Email Address DISONBURGER@GMAIL.COM

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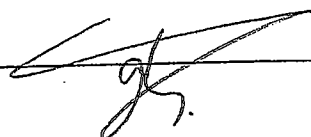
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Name REDA

Affiliation ARCH RESTAURANT

Signature 

Email Address _____

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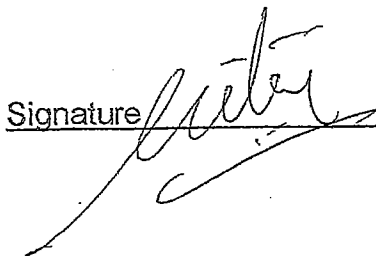
Name

ALDO BUKY

Affiliation

New India Group

Signature



Email Address

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Name

Rosalee

Affiliation

Liquor Store
Buz Arner

Signature



Email Address

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Name

Tsering Yonshan

Affiliation

Tsering Jewelry

Signature

Handwritten signature

Email Address

Tsering Jewelry1@gmail.com

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Name DON ALAN

Affiliation Hemlock Tavern

Signature

A handwritten signature in black ink, appearing to be 'Don Alan', written over a horizontal line.

Email Address hemanova@earthlink.net

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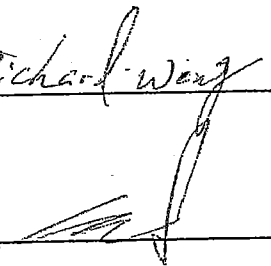
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Name Richard Wang

Affiliation Brownies Hardware

Signature 

Email Address richard@mycreativepaint.com

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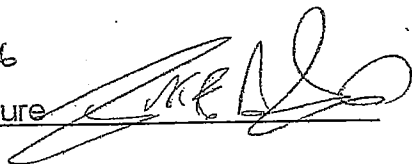
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Name IKE ABOUBZOU

Affiliation ELEVEN ONE

3-7-16

Signature



Email Address IKEABOUB@GMAIL.COM

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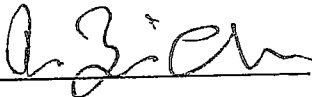
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Name Rasmi Zeidan

Affiliation CA Tobacco Center

Signature 

Email Address _____

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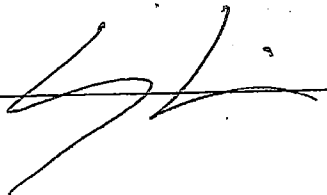
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Name Sammy Suleiman

Affiliation Royal Liquors and Wines

Signature



Email Address

OSm81@comcast.net

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Name Mohammad N Khan

Affiliation

DAN BAN RESTAURANT

Signature

M N Khan

Email Address

SAN SURB FARMER - Co

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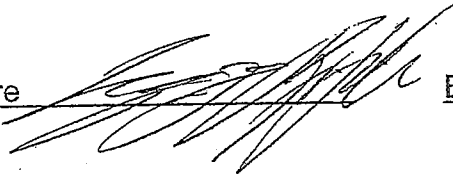
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Name George Papafilis

Affiliation Mykonos Greek Restaurant

Signature



Email Address

george@sfmykonos.com

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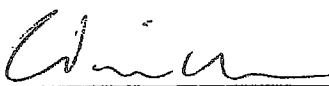
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Name William Bigelow
AKA - Liam

Affiliation The Pour House

Signature 

Email Address SFPOURHOUSE
@GMAIL.COM

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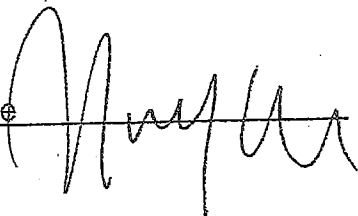
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Name Michael Alfaro

Affiliation TITAN MANAGEMENT Group

Signature



Email Address

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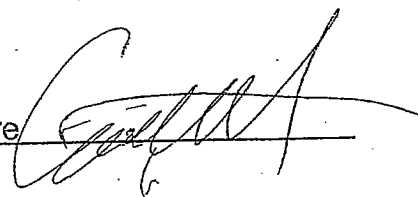
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Name Caskan Abik

Affiliation Dunya Bistro

Signature 

Email Address baysf@hotmail.com

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Name KING CHAN

Affiliation _____

Signature 

Email Address Golden Veggie market@gmail.com

[Planning Code - Prohibiting Formula Retail in Polk Street Neighborhood Commercial District]

Ordinance amending the Planning Code to prohibit formula retail in the Polk Street Neighborhood Commercial District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of public necessity, convenience, and welfare under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

NOTE: Unchanged Code text and uncodified text are in plain Arial font.
Additions to Codes are in single-underline italics Times New Roman font.
Deletions to Codes are in ~~striketrough italics Times New Roman font~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~striketrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental and Planning Code Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 160102 and is incorporated herein by reference. The Board affirms this determination.

(b) On _____, the Planning Commission, in Resolution No. _____, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. _____, and is incorporated herein by reference.

1 (c) On _____, the Planning Commission, in Resolution No. _____,
2 approved this ordinance, recommended it for adoption by the Board of Supervisors, and
3 adopted findings that it will serve the public necessity, convenience, and welfare. Pursuant to
4 Planning Code Section 302, the Board adopts these findings as its own. A copy of said
5 Resolution is on file with the Clerk of the Board of Supervisors in File No. _____, and is
6 incorporated by reference herein.

7 Section 2. Specific Findings.

8 (a) As described more fully in Section 723 of the Planning Code, the Polk Street
9 Neighborhood Commercial District, located in the village-like gulch between Nob and Russian
10 Hills and Pacific Heights, extends for about one mile, and includes a portion of Larkin Street
11 between Post and California Streets.

12 (b) The District's dense mixed-use character consists of buildings with residential
13 units above ground-story commercial use with unique signage and street improvements
14 designed to highlight the pedestrian scale of the corridor, including bulbouts and parklets.

15 (c) The district has a distinctive, active, and continuous commercial frontage along
16 Polk Street, providing convenience goods and services to the residential communities in the
17 Polk Gulch neighborhood and to the residents in Nob and Russian Hills. It has many apparel
18 and specialty boutiques, movie theaters, restaurants, cafes and bars, as well as some
19 automobile uses, which serve a broader trade area. Other non-residential uses include
20 offices, as well as several small schools and churches.

21 (d) Prior to 1970, the area neighborhood was the main gay neighborhood in San
22 Francisco, and several gay, lesbian, and transgender bars and entertainment venues remain
23 historic neighborhood institutions in the district.

24 (e) The district has a significant number of formula retail stores, as that term is defined
25 in Section 303.1 of the Planning Code.

1 (f) The Board of Supervisors finds that formula retail can detract from the distinctive
2 character and aesthetics of the district, as well as discourage the preservation and
3 architecture of one-of-a-kind spaces, and therefore it would be desirable in maintaining the
4 district's distinctive and historic features to prohibit new formula retail from opening in the
5 district.

6 Section 3. The Planning Code is hereby amended by revising Section 303.1, to read
7 as follows:

8 **SEC. 303.1. FORMULA RETAIL USES.**

9 * * * *

10 (f) **Formula Retail Uses Not Permitted.** Formula Retail uses are not permitted in the
11 following zoning districts:

- 12 (1) Hayes-Gough Neighborhood Commercial Transit District;
- 13 (2) North Beach Neighborhood Commercial District;
- 14 (3) Chinatown Visitor Retail District;
- 15 (4) Upper Fillmore District does not permit Formula Retail uses that are also
16 Restaurant or Limited-Restaurant uses as defined in Sections 790.90 and 790.91;
- 17 (5) Broadway Neighborhood Commercial District does not permit Formula
18 Retail uses that are also Restaurant or Limited-Restaurant uses as defined in Sections 790.90
19 and 790.91;
- 20 (6) Mission Street Formula Retail Restaurant Subdistrict does not permit
21 Formula Retail uses that are also Restaurant or Limited-Restaurant uses as defined in
22 Sections 790.90 and 790.91;
- 23 (7) Geary Boulevard Formula Retail Pet Supply Store and Formula Retail
24 Eating and Drinking Subdistrict does not permit Formula Retail uses that are also either a
25 Retail Pet Supply Store or an Eating and Drinking use as set forth in Section 781.4;

1 (8) Taraval Street Restaurant Subdistrict does not permit Formula Retail uses
2 that are also Restaurant or Limited-Restaurant uses as defined in Sections 790.90 and
3 790.91;

4 (9) Chinatown Mixed Use Districts do not permit Formula Retail uses that are
5 also Restaurant or Limited-Restaurant uses as defined in Sections 790.90 and 790.91; and

6 (10) Polk Street Neighborhood Commercial District.

7 * * * *

8 Section 4. Effective Date. This ordinance shall become effective 30 days after
9 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
10 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
11 of Supervisors overrides the Mayor's veto of the ordinance.

12 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
13 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
14 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
15 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
16 additions, and Board amendment deletions in accordance with the "Note" that appears under
17 the official title of the ordinance.

18
19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21 By: _____
22 ANDREA RUIZ-ESQUIDE
23 Deputy City Attorney

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