

# SAN FRANCISCO PLANNING DEPARTMENT

# Executive Summary Conditional Use

**HEARING DATE: SEPTEMBER 26, 2013** 

1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception:

415.558.6378

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Planning Information: **415.558.6377** 

Date: September 19, 2013

Case No.: **2013.0177C** 

Project Address: 1285 SUTTER STREET

Zoning: RC-4 (Residential-Commercial, High-Density)

Van Ness Special Use District

Van Ness Automotive Special Use District

130-V Height and Bulk District

Block/Lot: 0691/008 Project Sponsor: John Kevlin

> Reuben & Junius, LLP 1 Bush Street, Suite 600 San Francisco, CA 94104

*Staff Contact:* Sara Vellve – (415) 558 - 6263

sara.vellve@sfgov.org

Recommendation: Approval with Conditions

#### PROJECT DESCRIPTION

The applicant proposes to establish a formula retail use, CVS Pharmacy, of approximately 9,500 square feet on the ground floor of the newly constructed Etta building. The store would sell prescription and OTC drugs, beauty products and cosmetics, photo finishing, seasonal merchandise, greeting cards, limited groceries (milk, bread, eggs), alcohol and household goods. Based on plans submitted by the sponsor, alcohol sales would occur in two areas of the store, one shelf area of approximately 88 square feet, and a second refrigerator of approximately 30 square feet. The store would require a Type 20 or 21 ABC license. Overall, the area of liquor sales would represent approximately 1.3% of the store's area. The 2008 approval of a Trader Joe's outlet in this space stipulated that the operating hours were limited to 8:00 a.m. to 10:00 p.m. In order to serve project and neighborhood residents, and visitors and patients of CPMC's Cathedral Hill hospital, CVS proposes to operate 24 hours a day, 7 days a week.

The pedestrian entrance for CVS is proposed to be at the corner of Sutter Street and Van Ness Avenue. A below-grade garage contains 21 off-street parking spaces for the commercial space, which is accessed from a garage entrance on Hemlock Street. Internal stairs and elevators provide direct access from the commercial parking garage to the store.

CVS has 10 stores operating in San Francisco and three Conditional Use authorization applications pending, not including the subject proposal.

#### SITE DESCRIPTION AND PRESENT USE

The 21,330-sq.ft. project site is located in the Van Ness Avenue corridor, west of the Polk Gulch area, at the southeast corner of Van Ness Avenue and Sutter Street. In 2008 the Planning Commission approved Conditional Use authorization to demolish a movie theatre (d.b.a. Galaxy Theater) and construct a mixed-use building containing ground floor commercial space and approximately 106 dwelling units. In 2008 it was anticipated that Trader Joe's would occupy the ground-floor commercial space. The residential units are nearing completion and leasing, and sales, are occurring.

#### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located on the eastern fringe of the Western Addition neighborhood and is adjacent to the Downtown/Civic Center as well as the Lower Nob Hill and Pacific Heights neighborhoods to the east. The subject property is also located in the Van Ness Special Use District and is part of the Van Ness Area Plan, which is predominantly a RC-4 and RC-3 zoning district. The corridor contains a number of architecturally and historically significant and contributory buildings. Van Ness Avenue is also known as the U.S. Highway 101, which is a wide vehicular arterial that consists of a variety of residential, commercial, and mixed-use buildings featuring residential uses above ground-floor commercial establishments. Generally, the commercial establishments characterizing this portion of Van Ness Avenue include a mixture of retail stores, office buildings, restaurants, and automobile dealership/repair shops.

Nearby land uses include residential, offices, retail, restaurants and bars, auto services, churches, hotels, and parking. The other lots on the subject block are zoned RC-4 and Polk Neighborhood Commercial District and contain one-story buildings with commercial uses. To the north across Sutter Street is a four-story entertainment building (d.b.a. The Regency Ballroom). To the south across Hemlock Street is a two-story building with commercial uses. West across Van Ness Avenue is a two-story commercial building. An expanded BevMo! store is located diagonally across Van Ness Avenue from the proposed CVS pharmacy. The proposed CPMC Cathedral Hill hospital is located one block south of the subject site.

#### **ENVIRONMENTAL REVIEW**

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

#### **HEARING NOTIFICATION**

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	September 6, 2013	September 6, 2013	20 days
Posted Notice	20 days	September 6, 2013	September 6, 2013	20 days
Mailed Notice	20 days	September 6, 2013	September 6, 2013	20 days

Section 312-neighborhood notification was conducted in conjunction with the conditional use authorization process.

Executive Summary
Hearing Date: September 26, 2013

#### **PUBLIC COMMENT**

The Department has received one letter in support of the proposal and one letter in opposition to the proposal from The Community Leadership Alliance. The Department understands that the sponsor has worked with those opposing the proposal to address their concerns.

#### ISSUES AND OTHER CONSIDERATIONS

- There are approximately 43 existing formula retail establishments, excluding the subject property, out of approximately 232 commercial establishments within the RC-4 zoning district of the Van Ness Avenue SUD, which is approximately 18.5% of the commercial uses.
- There are seven existing formula retail establishments, excluding the subject property, within the immediate two block radius.
- The character of Van Ness Avenue historically supported larger commercial uses. The subject building was recently constructed for a single ground-floor commercial occupant; which ultimately located elsewhere.
- There are approximately seven existing commercial vacancies within the immediate two block radius of the project.
- The proposed establishment is a formula retail use with approximately 7,500 locations nationwide.

#### REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use authorization to allow the establishment of a Formula Retail use within the RC-4 (Residential-Commercial, High-Density) and to modify Condition 1(K) of Motion 17592 to allow 24 hour, 7 day operation of the use, pursuant to Planning Code Sections 209.8, 303, 703.3 and 703.4.

#### BASIS FOR RECOMMENDATION

- The project does not displace a current commercial or industrial tenant.
- The commercial space was designed and concerved as a location for a larger, formula retail use.
- The size of the commercial space is consistent with the historic floorplates of such spaces, which were traditionally used for automotive sales.
- The formula retail tenant includes a pharmacy, which will serve CPMC's Cathedral Hill hospital 24 horus a day, 7 days a week.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.

RECOMMENDATION:	Approval with Conditions
RECOMMENDATION.	rippioval with conditions

#### **Attachments:**

Executive Summary Hearing Date: September 26, 2013

CASE NO. 2013.0177C 1285 Sutter Street

	Executive Summary	CVS Submittal		
$\bowtie$	Draft Motion	•	•	Site Photo
		•	•	Plans
	Zoning District Map			
	Parcel Map			
	Sanborn Map			
	Aerial Photo			
	Context Photos			
	Community Comment			

Exhibits above marked with an "X" are included in this packet

SV

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# SAN FRANCISCO PLANNING DEPARTMENT

Subject to:	(Select	only if	applicable	)
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- ☐ Affordable Housing (Sec. 415)
- ☐ Jobs Housing Linkage Program (Sec. 413)
- ☐ Downtown Park Fee (Sec. 412)
- ☐ First Source Hiring (Admin. Code)
- ☐ Child Care Requirement (Sec. 414)
- □ Other

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## **Planning Commission Motion No.**

**HEARING DATE: SEPTEMBER 26, 2013** 

Date: September 19, 2013

*Case No.:* **2013.0177C** 

Project Address: 1285 SUTTER STREET

*Zoning:* RC-4 (Residential-Commercial, High-Density)

Van Ness Special Use District

Van Ness Automotive Special Use District

130-V Height and Bulk District Block/Lot: 0691/008

Project Sponsor: John Kevlin

Reuben & Junius, LLP 1 Bush Street, Suite 600 San Francisco, CA 94104

*Staff Contact:* Sara Vellve – (415) 558 - 6263

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 209.8, 303, 703.3, AND 703.4, OF THE PLANNING CODE TO ESTABLISH A FORMULA RETAIL USE (D.B.A. CVS PHARMACY), OF APPROXIMATELY 9,500 SQUARE FEET AND CHANGING CONDITION NUMBER 1(K) OF MOTION 17592 TO ALLOW THE PROPOSED PHARMACY TO OPERATE 24 HOURS PER DAY, 7 DAYS A WEEK, WITHIN THE RC-4 (RESIDENTIAL-COMMERCIAL COMBINED, HIGH DENSITY) DISTRICT, THE 130-V HEIGHT AND BULK DISTRICT, VAN NESS SPECIAL USE DISTRICT, AND VAN NESS AUTOMOTIVE SPECIAL USE DISTRICT.

#### **PREAMBLE**

On February 19, 2013, John Kevlin (hereinafter "Project Sponsor") filed an application with the Planning Department (hereinafter "Department") for Conditional Use Authorization under Planning Code Section(s) 209.8, 303, 703.3 and 703.4 to establish a new formula retail use (d.b.a. CVS Pharmacy) operating 24 hours a day, 7 days a week within the RC-4 (Residential-Commercial Combined, High

Density) District, a 130-V Height and Bulk District, the Van Ness Special Use District and the Van Ness Automotive Special Use District.

On September 26, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2013.0177C.

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

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2013.0177C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

#### **FINDINGS**

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

- 1. The above recitals are accurate and constitute findings of this Commission.
- 2. Site Description and Present Use. The 21,330-sq.ft. project site is located in the Van Ness Avenue corridor, west of the Polk Gulch area, at the southeast corner of Van Ness Avenue and Sutter Street. In 2008 the Planning Commission approved Conditional Use authorization to demolish a movie theatre (d.b.a. Galaxy Theater) and construct a mixed-use building containing ground floor commercial space and approximately 106 dwelling units. In 2008 it was anticipated that Trader Joe's would occupy the ground-floor commercial space. The residential units are nearing completion and leasing, and sales, are occurring.
- 3. Surrounding Properties and Neighborhood. The project site is located on the eastern fringe of the Western Addition neighborhood and is adjacent to the Downtown/Civic Center as well as the Lower Nob Hill and Pacific Heights neighborhoods to the east. The subject property is also located in the Van Ness Special Use District and is part of the Van Ness Area Plan, which is predominantly a RC-4 and RC-3 zoning district. The corridor contains a number of architecturally and historically significant and contributory buildings. Van Ness Avenue is also known as the U.S. Highway 101, which is a wide vehicular arterial that consists of a variety of residential, commercial, and mixed-use buildings featuring residential uses above ground-floor commercial establishments. Generally, the commercial establishments characterizing this portion of Van Ness Avenue include a mixture of retail stores, office buildings, restaurants, and automobile dealership/repair shops.

Nearby land uses include residential, offices, retail, restaurants and bars, auto services, churches, hotels, and parking. The other lots on the subject block are zoned RC-4 and Polk Neighborhood Commercial District and contain one-story buildings with commercial uses. To the north across Sutter Street is a four-story entertainment building (d.b.a. The Regency Ballroom). To the south across Hemlock Street is a two-story building with commercial uses. West across Van Ness Avenue is a two-story commercial building. An expanded BevMo! store is located diagonally across Van Ness Avenue from the proposed CVS pharmacy. The proposed CPMC Cathedral Hill hospital is located one block south of the subject site.

4. **Project Description.** The applicant proposes to establish a formula retail use, CVS Pharmacy, of approximately 9,500 square feet on the ground floor of the newly constructed Etta building. The store would sell prescription and OTC drugs, beauty products and cosmetics, photo finishing, seasonal merchandise, greeting cards, limited groceries (milk, bread, eggs), alcohol and household goods. Based on plans submitted by the sponsor, alcohol sales would occur in two areas of the store, one shelf area of approximately 88 square feet, and a second refrigerator of approximately 30 square feet. The store would require a Type 20 or 21 ABC license. Overall, the area of liquor sales would represent approximately 1.3% of the store's area. The 2008 approval of a Trader Joe's outlet in this space stipulated that the operating hours were limited to 8:00 a.m. to 10:00 p.m. In order to serve project and neighborhood residents, and visitors and patients of CPMC's Cathedral Hill hospital, CVS proposes to operate 24 hours a day, 7 days a week.

The pedestrian entrance for CVS is proposed to be at the corner of Sutter Street and Van Ness Avenue. A below-grade garage contains 21 off-street parking spaces for the commercial space, which is accessed from a garage entrance on Hemlock Street. Internal stairs and elevators provide direct access from the commercial parking garage to the store.

CVS has 10 stores operating in San Francisco and three Conditional Use authorization applications pending, not including the subject proposal.

- 5. Public Comment. The Department has received one letter in support of the proposal and one letter in opposition to the proposal from The Community Leadership Alliance. The Department understands that the sponsor has worked with those opposing the proposal to address their concerns.
- 6. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Parking**. Planning Section 151 of the Planning Code requires one off-street parking space for every 500 square-feet of occupied floor area, where the occupied floor area exceeds 5,000 square-feet.

The proposed tenant space is approximately 9,500 square feet of area and requires 19 off-street parking spaces. The building includes 21 commercial off-street parking spaces in a below-grade garage. The

garage entrance is located on Hemlock Street and the exit is located on Sutter Street. Stairs and elevators provide access from the garage to the commercial space.

B. **Loading.** Section 152 and 154 of the Planning Code requires one off-street freight loading for uses over 10,000 square feet. The first required freight loading space shall have a minimum width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance, including entry and exit, of 12 feet.

The proposed CVS pharmacy would be approximately 9,500 square feet, which does not meet the threshold for the off-street loading requirement. However, the sponsor is working with the Department of Parking and Traffic to locate a loading zone on Hemlock Street.

C. **Use Size.** Planning Code Sections 121.2 and 209.8(f), requires Conditional Use (CU) authorization for non-residential use exceeding 6,000 square feet in the RC-4 zoning district.

In 2008, the area of retail space was proposed to be approximately 17,300 square feet, and the Planning Commission granted Conditional Use authorization for the use size. Although the proposed use size exceeds 6,000 square feet, the 2008 Conditional Use authorization for use size remains in effect.

D. **Formula Retail.** Planning Code Section 703.3 defines Formula Retail as a type of retail sales activity or retail sales establishment which, along with eleven or more other retail sales establishments located in the United States, maintains two or more of the following features: a standardized array of merchandise, a standardized façade, a standardized décor and color scheme, a uniform apparel, standardized signage, a trademark or a servicemark. Planning Code Section 209.8(d) requires Conditional Use authorization for Formula Retail Use, as defined in Section 703.3(b) of this Code.

The proposed Formula Retail expansion would share a standardized array of merchandise, décor and color scheme, uniform apparel, standardized signage and trademark with approximately 7,500 other existing CVS/Long's Drug locations nationwide, and requires Conditional Use authorization.

E. **Liquor Store.** Planning Code Section 209.8(g) principally permits Liquor Stores on the ground floor, as defined in Section <u>790.55</u> of the Code.

The proposed use complies with the definition of liquor store and is principally permitted at the ground floor. The area devoted to the sale of alcoholic beverages is approximate 120 square feet and constitutes approximately 1.3% of the store's total floor area.

- F. **Signage**. Any proposed signage will be subject to the review and approval by the Planning Department and must comply with Article 6 of the Planning Code.
- 7. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

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

The proposed use will occupy an existing vacant retail space and does not involve an exterior expansion. Although the subject storefront will be generous, it is not uncommon for commercial uses to occupy the length of a block in the subject SUD. The subject building was recently constructed and designed for a single retail tenant at the ground floor. The proposed use complements the mix of goods and services currently available in the district and will not alter the existing mix of uses; therefore, it is necessary and desirable.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
  - i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

The height and bulk of the existing building will remain the same and the project will not alter the existing exterior appearance or character of the project vicinity. No building expansion is proposed.

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

The existing traffic pattern will not be significantly affected by the proposed project. There is an abundance of public transit available within ½ mile of the Subject Site including seven Muni lines (2, 3, 19, 38, 47, 49, and 90), and seven Golden Gate Transit lines (101X, 10, 54, 70, 80, 93, and 101). There is off-street parking in the subject building and on-street parking along all three frontages of the subject property and in the surrounding neighborhood.

iii. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

The proposed use would not emit noxious or offensive emissions such as noise, glare, dust and odor.

iv. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

The proposed project will involve a tenant improvement, and the Department will review all lighting and signs proposed for the project in accordance with the Planning Code.

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

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

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

The proposed project is not located within a Neighborhood Commercial District.

- 8. Planning Code Sections 303(i), 703.3(h) and 703.4 require Conditional Use authorization for the establishment of a Formula Retail Use in Neighborhood Commercial Districts. The Planning Commission shall consider the following criteria set forth in Section 303(i) in addition to the criteria set forth in Section 303(c):
  - a. The existing concentrations of formula retail uses within the Neighborhood Commercial District.

The subject site is not in a Neighborhood Commercial District. Based on staff's survey, there are approximately 232 ground floor retail establishments along the Van Ness Avenue SUD within the RC-4 zoning district and approximately 43 (18.5%) of these businesses appear to qualify as formula retail uses. These formula retail uses are primarily financial institutions, car dealerships, restaurants and limited-restaurants. The proposed project will increase the existing number of formula retail establishments in the area by one.

Planning Department staff found seven existing formula retail uses (d.b.a. Mattress Discounters, Starbucks, Peet's, Nissan/Infinity, BevMo!, Verizon, and Fed-Ex/Kinkos) within the immediate two block radius.

b. The availability of other similar retail uses within the Neighborhood Commercial District.

The subject site is not in a Neighborhood Commercial District. There are currently two pharmacies in the Van Ness SUD within the RC-4 zoning district, a Walgreens at 790 Van Ness Avenue (at Eddy Street, .3 miles) and another CVS Pharmacy at 2025 Van Ness Avenue (at Pacific Avenue, .5 miles). Additional formula retail pharmacies are located on Franklin, Polk, Hyde and Market Streets. There appear to be approximately two small general stores along Van Ness Avenue, one at Washington Street and one at Ellis Street. With regard to liquor stores, BevMo! (which was recently granted Conditional Use authorization to expand) is located across Van Ness Avenue from the project site. There are two other liquor stores along Van Ness Avenue.

c. The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the Neighborhood Commercial District.

The subject site is not in a Neighborhood Commercial District; however, the proposed project involves the elimination of a commercial door system to be replaced by a commercial window system on the Van Ness Avenue façade.

d. The existing retail vacancy rates within the Neighborhood Commercial District.

The subject site is not in a Neighborhood Commercial District; however, there are approximately 23 retail vacancies out of approximately 232 retail spaces within the RC-4 zoned portion of the Van Ness SUD, which is approximately 10%. There are approximately seven commercial vacancies within the immediate two block radius.

e. The existing mix of Citywide-serving retail uses and neighborhood-serving retail uses within the Neighborhood Commercial District.

The subject site is not in a Neighborhood Commercial District. The proposed CVS pharmacy will complement the mix of goods and services along the Van Ness Avenue SUD. The proposed use will not change the existing mix of Citywide-serving and neighborhood-serving uses in the district.

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

#### VAN NESS AVENUE AREA PLAN

#### **Objectives and Policies**

#### **OBJECTIVE 1:**

CONTINUE EXISTING OF THE AVENUE AND ADD A SIGNIFICANT INCREMENT OF NEW HOUSING.

#### Policy 1.1:

Encourage development of high density housing above a podium of commercial uses in new construction or substantial expansion of existing buildings.

The project furthers this policy by adding a new retail tenant in a new ground-floor retail space along the Van Ness Avenue corridor. The CVS store with pharmacy would provide a pharmacy and everyday convenience items within walking, biking and transit distance from the growing number of residents in the area.

#### NEIGHBORHOOD COMMERCE

#### **Objectives and Policies**

#### **OBJECTIVE 1:**

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

#### Policy 1.1:

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

The project supports this policy by creating new jobs and increasing foot traffic in the subject neighborhood. The proposed CVS will occupy a large, new retail space on a commercial corridor with a vacancy rate of approximately 10%. The goods and services will benefit the growing residential neighborhood and those using CPMC's approved Cathedral Hill hospital, one block from the subject property.

#### **OBJECTIVE 2:**

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

#### Policy 2.1:

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

The project proposes to establish a retail pharmacy store use of approximately 9,500 square feet at the site, thus increasing the level of commercial activity in area. The building was approved in 2008 anticipating that one commercial formula retail tenant would occupy the site.

#### **OBJECTIVE 6**:

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

#### Policy 6.1:

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

The proposed use is neighborhood-serving in that it will provide a number of beneficial goods and services such as a pharmacy, photo processing, household supplies and limited grocery items. The project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.

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

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

The project will provide approximately 9,500 square feet of neighborhood- serving retail use, and will occupy a large, new retail space on the property. The project provides new employment opportunities for neighborhood residents, and would activate the neighborhood by increasing pedestrian traffic that would patronize other neighborhood establishments.

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

The proposal involves the use of a newly constructed commercial space and will have no effect on housing or neighborhood character.

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

No housing is removed for this project.

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

The project site is on Van Ness Avenue and is well served by 14 lines of bus transit, and both on- and off-street parking is available.

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

The project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project. The tenant space it would occupy is currently vacant.

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

The project is designed and will be constructed to conform to the structural and seismic safety requirements of the City Building Code. This proposal will not affect the property's ability to withstand an earthquake.

G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the project site.

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

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

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

#### **DECISION**

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2013.0177C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated July 18, 2013, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. 18947. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on September 26, 2013.

Jonas P. Ionin Acting Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED:

#### **EXHIBIT A**

#### **AUTHORIZATION**

This authorization is for a conditional use to permit a new formula retail use (d.b.a. CVS Pharmacy) to operate 24 hours a day, 7 days a week located at 1285 Sutter Street, Block 0691, and Lot 008 pursuant to Planning Code Sections 209.8, 303, 703.3 and 703.4 within the RC-4 (Residential-Commercial Combined, High Density) District, a 130-V Height and Bulk District, and the Van Ness Special Use District; in general conformance with plans, dated **July 18, 2013**, and stamped "EXHIBIT B" included in the docket for Case No. **2013.0177C** and subject to conditions of approval reviewed and approved by the Commission on **September 26, 2013** under Motion No. **XX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

#### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **September 26, 2013** under Motion No. **XX**.

#### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

#### **SEVERABILITY**

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

#### CHANGES AND MODIFICATIONS

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

#### Conditions of Approval, Compliance, Monitoring, and Reporting

#### **PERFORMANCE**

1. Validity and Expiration. The authorization and right vested by virtue of this action is valid for three years from the effective date of the Motion. A building permit from the Department of Building Inspection to construct the project and/or commence the approved use must be issued as this Conditional Use authorization is only an approval of the proposed project and conveys no independent right to construct the project or to commence the approved use. The Planning Commission may, in a public hearing, consider the revocation of the approvals granted if a site or building permit has not been obtained within three (3) years of the date of the Motion approving the Project. Once a site or building permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. The Commission may also consider revoking the approvals if a permit for the Project has been issued but is allowed to expire and more than three (3) years have passed since the Motion was approved.

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

- 2. **Motion 17592.** All Conditions, Mitigation Measures and aspects of Motion 17592 shall remain in effect except the hours of operation for the ground-floor commercial space as modified by the subject Case 2013.0177C. For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org
- 3. **ABC License.** The Project Sponsor shall obtain all necessary approvals from the Department of Alcoholic Beverage Control (ABC). For information about compliance, contact the Department of Alcoholic Beverage Control, at (916) 419-2500, <a href="http://www.abc.ca.gov/">http://www.abc.ca.gov/</a>

#### **DESIGN**

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

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

#### **MONITORING**

5. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

#### **OPERATION**

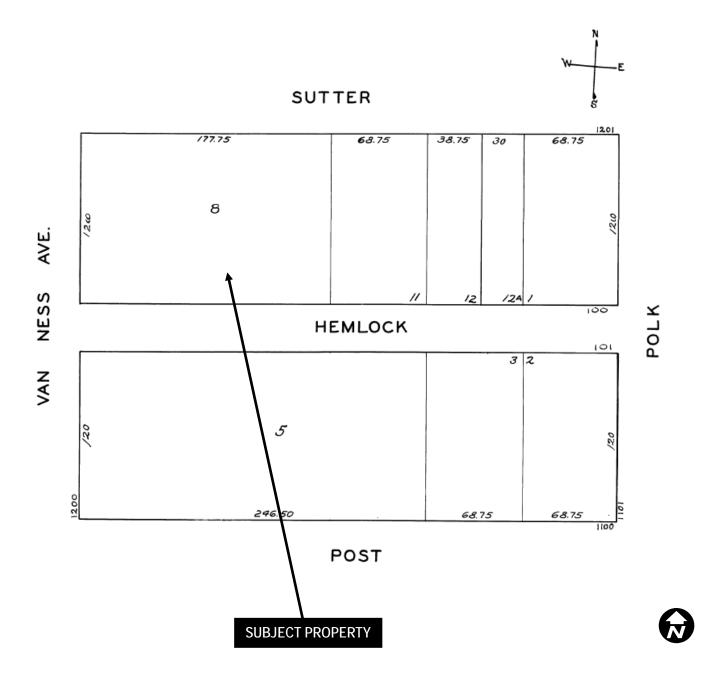
- 6. Sidewalk Maintenance. The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <a href="http://sfdpw.org/">http://sfdpw.org/</a>
- 7. **Hours of Operation.** The subject establishment is permitted to operate 24 hours per day, 7 days per week. *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org*
- 8. Window Transparency. All street facing windows shall remain free of any visual clutter and store furniture and fixtures so that visual access between the use and street is not blocked in any way. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
- 9. Community Liaison. Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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

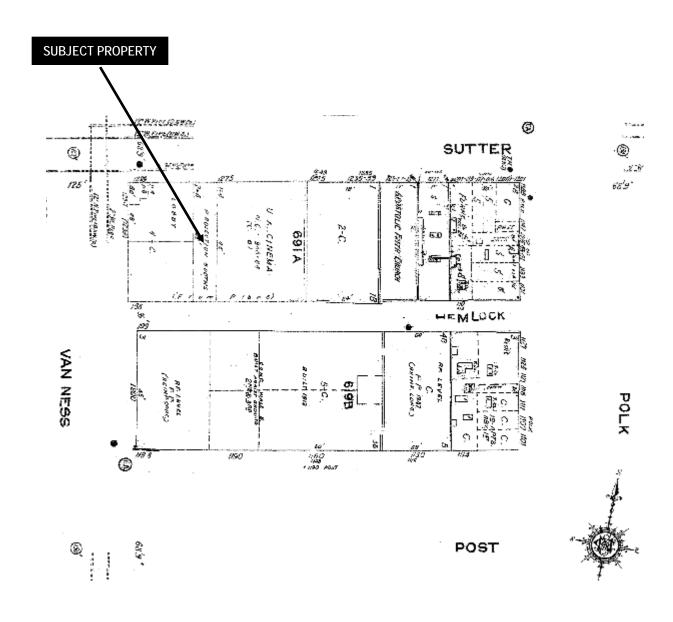
## **Zoning Map**



## **Parcel Map**



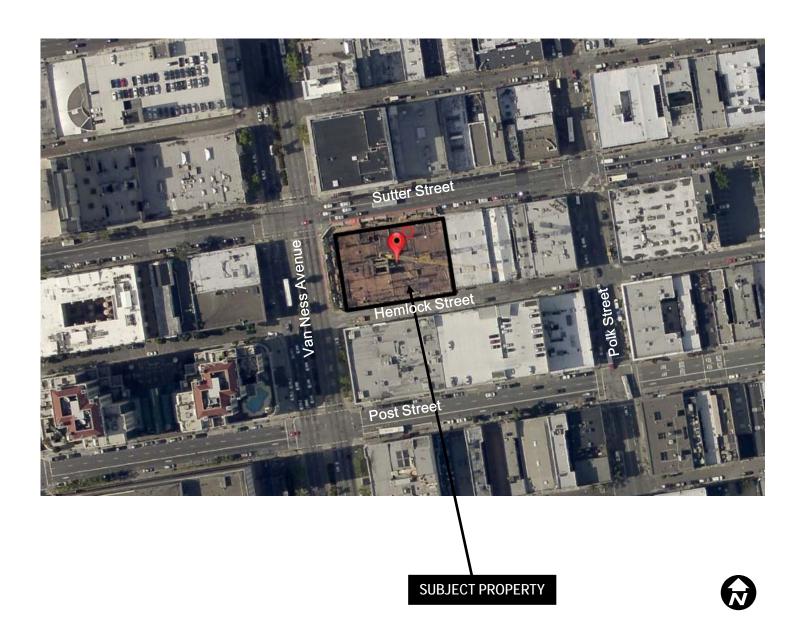
## Sanborn Map\*



\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



## **Aerial Photo**



## **Context Photos**

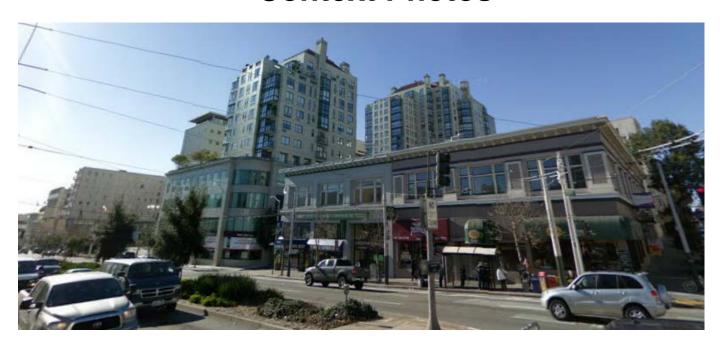


Looking North on Van Ness Avenue



Looking South on Van Ness Avenue

## **Context Photos**



Looking West across Van Ness Avenue from Project Site

From: Dennis Stanton [mailto:dls248@yahoo.com]
Sent: Monday, September 16, 2013 7:05 PM

To: Commissions.Secretary@sfgov.org

**Cc:** Taylor Jordan

Subject: CVS at 1285 Sutter

I would like to express my support of the CVS pharmacy on Sutter and Van Ness. I live at Daniel Burnham Court and am 67 years old. Currently, my prescription drug plan, through Medicare, only works at CVS. Although there is a Walgreens near my home, I cannot access their prescription drugs.

Also, I think we need to have a variety of pharmacies available in the community. Walgreens seems to have had almost a monopoly in the city. It has been valuable to see CVS and Safeway open up to prevent a monopoly.

Thank you for allowing me to express my opinion.

Dennis Stanton 1 Daniel Burnham Court, #1216 San Francisco, CA

dls248@yahoo.com

415-368-9515

From: CommunityLeadershipAlliance

To: <u>PlanningCommission; PlanningCommission; P</u>

<u>Secretary, Commissions; PlanningCommission; PlanningCommission; PlanningCommission; PlanningCommission</u>

Cc: <u>jkevlin@reubenlaw.com</u>; <u>Vellve, Sara</u>

Subject: Re: Case# 2013.0177C-1285 Sutter-Formula Retail-dba-CVS

**Date:** Friday, September 06, 2013 7:58:20 PM

Re: Case# 2013.0177C-1285 Sutter-Formula Retail-dba-CVS

Dear/Honorable SF Planning Commission,

When first learning of the subject titled project proposal, our organization attempted twice by way of a formal invitation, to have the project sponsor/s make a project/business plan presentation to our membership, and to address concernsissues that we and our membership share with respect to this formula retailer moving-in, and operating at 1285 Sutter. Our invitations, and phone calls have been blatantly ignored.

Due to the project sponsor's unwillingness to perform adequate community outreach, we are unable to support this project. Incidentally, our next community outreach meeting for the subject project's area of the city, is on Monday, September 30th at 4:pm.

Sincerely David James Villa-Lobos, Executive Director www.communityleadershipalliance.net 415-921-4192

## <u>www.CommunityLeadershipAlliance.net</u> San Francisco Entitlements-Permits Consulting & Outreach Facilitators

PLEASE CONTRIBUTE TO COMMUNITY LEADERSHIP ALLIANCE

Mail Your Contributions To: Community Leadership Alliance P.O. Box 642201, SF,CA.94164

Or Our On-Line Contribution Link Below:

#### **CONTRIBUTION PAGE:**

http://pleaseContribute.com/1497 Thank you so very much for your support

#### \*\*NOTICE-CONTRIBUTIONS/DUES: Non-Refundable\*\*

#### VISIT US ON FACEBOOK

http://www.facebook.com/communityleadershipallianceSF

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS PRIVILEGED AND/OR CONFIDENTIAL INFORMATION INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED.

## REUBEN, JUNIUS & ROSE, LLP

September 18, 2013

#### **VIA MESSENGER**

Mr. Rodney Fong, President San Francisco Planning Commission 1650 Mission Street, 4<sup>th</sup> Floor San Francisco, CA 94103

Re:

CVS Pharmacy – 1285 Sutter Street

Planning Department Case No. 2013.0177C

Hearing Date: September 26, 2013

Our File No.: 7127.03

Dear President Fong and Commissioners:

This office represents Armstrong Development Properties, Inc., the project sponsor of a proposed CVS pharmacy and retail store ("Project" or "CVS") to be located at 1285 Sutter Street (the "Property"), on the east side of Van Ness Avenue between Sutter Street and Hemlock Street.

The Property consists of a newly-constructed 13-story mixed-use building (named Etta SF) which recently began leasing apartments to new tenants. The building was approved by the Planning Commission in 2008 per Motion 17592, which included a 17,000 square foot retail space on the ground floor to be occupied by a formula retail Trader Joe's grocery store. Since the approval, Trader Joe's passed on the space and the project sponsor of the mixed-use project reduced the size of the retail space to 9,400 square feet. CVS is now proposing to operate a pharmacy and retail store at the Property. The retail space is served by 19 off-street parking spaces in a below-grade garage at the Property.

The Property is located one block north of the site of the new California Pacific Medical Center, and will provide patients of the hospital convenient access to prescription medications and other convenience shopping items. Our outreach team has spent the past six months providing project information to the neighborhood, and to date has identified over 200 supporters of the proposed CVS.

The Planning Commission approval required for this Project is a conditional use authorization for formula retail use and for the modification of the previous Planning Commission motion to allow for 24 hour operation.

San Francisco, CA 94104 tel: 415-567-9000 fax: 415-399-9480

1. Also admitted in New York Z. Of Counsel 3. Also admitted in Massachusetts

One Bush Street, Suite 600

President Fong and Commissioners September 18, 2013 Page 2

A floor plan and elevations for the proposed store are attached as  $\underline{\textbf{Exhibit A}}$ . A photo of the completed building at the Property is attached as  $\underline{\textbf{Exhibit B}}$ .

#### A. Benefits of the Project

Benefits of the Project will include:

- Activating a new retail space along Van Ness Avenue;
- Providing a pharmacy in close proximity to the new California Pacific Medical Center;
- Replacement of a previously-approved formula retail use that sold food and health products
  with another formula retail use that would sell food and health products, as well as a
  pharmacy;
- Creation of new construction jobs during store construction;
- Creating up to 25 new jobs in the city, including 6 to 8 full time positions and many other entry-level opportunities;
- Generation of new economic activity and production of business tax revenue to the City.

#### B. The Property is an Appropriate Location for the Proposed CVS Pharmacy

The Property is located in an increasingly-dense residential/retail corridor with a high demand for pharmacies. There are a significant number of ground floor vacancies along Van Ness Avenue, and the proposed CVS will fill a new, large retail space. The large size of the retail space means it would otherwise be difficult to lease, since there are a number of ground floor retail spaces along Van Ness Avenue that have sat vacant for some time, including large retail spaces at 1122 Van Ness Avenue and 1200 Van Ness Avenue. (See photos of vacant spaces attached as **Exhibit C**.) The proposed CVS would help revive the Van Ness Corridor, by occupying a new, high-visibility retail space with a tenant.

The Property is also located just one block away from the proposed California Pacific Medical's Center's approved Cathedral Hill Campus, which would be served by the proposed CVS. The proposed CVS would also serve the 106 new apartments being leased at the Property, as well as the growing number of residences all along the Van Ness Avenue corridor. Operating 24 hours a day will permit hospital patients and residents to access the CVS Pharmacy at all hours for emergency health needs.

One Bush Street, Suite 600 San Francisco, CA 94104

tel: 415-567-9000 fax: 415-399-9480 President Fong and Commissioners September 18, 2013 Page 3

The surrounding Van Ness Avenue area is characterized by residential neighborhoods with Van Ness Avenue as the main commercial corridor, consisting of high-density residential development over ground floor retail. Establishing a pharmacy and retail store at the Property will provide many basic, daily necessities, for neighborhood residents and help beautify the Van Ness Avenue corridor by filling a newly-constructed retail space. The CVS will also be a driver of traffic to other nearby retailers.

## C. The Proposed CVS Maintains the Same Formula Retail Balance Previously Approved by the Planning Commission

A formula retail Trader Joe's was approved as part of the larger, mixed-use project approval by the Planning Commission in 2008. Since then, the Trader Joe's has opted not to operate a store at the retail space, and the space has been reduced in size to its current 9,400 square feet. The proposed CVS will provide a number of products and services that would otherwise have been provided by the Trader Joe's, including convenience foods and health and beauty items. In addition to those items, the CVS will also provide a full-service pharmacy, which Trader Joe's would not have provided.

As the Trader Joe's would have been a formula retail use, the proposed CVS would not change the balance of formula retail uses along the Van Ness Avenue corridor from what was previously approved by the Planning Commission. Further, there are already roughly 39 formula retail uses in the Van Ness Special Use District, and therefore an additional formula retail use will not significantly alter the balance of formula retail uses in the district.

#### D. The Proposed CVS Pharmacy Will Be the Only 24-Hour Pharmacy Near CPMC

The project sponsor is requesting that the proposed CVS Pharmacy also be granted the flexibility to operate 24 hours in order to continue to provide the availability and convenience of basic needs items, quality health care products, beauty products, and household goods at any time of the day to residents of the surrounding neighborhood. The future California Pacific Medical Center, located a block south of the Property, will serve patients 24 hours a day and the addition of a 24 hour pharmacy would be a significant benefit to those who need prescriptions filled when leaving the hospital during later hours. No other pharmacies in the vicinity operate 24 hours a day, so a CVS Pharmacy with the ability to operate 24 hours would be especially desirable by providing a new retail service to the neighborhood.

#### E. Providing Access to Good Jobs

CVS also looks forward to being a strong source of good jobs in the community. CVS wages and benefits programs are developed specifically for each individual location and are very competitive, taking into account area wages of direct competitors, union wage salaries, and other geographical market factors. CVS is committed to filling its new positions with local hires. CVS works closely with the Mayor's Office of Workforce and Economic Development, which has provided pre-screening

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tel: 415-567-9000 fax: 415-399-9480 President Fong and Commissioners September 18, 2013 Page 4

assistance in CVS's hiring of over 120 San Francisco residents for full-time and part-time positions to date.

#### F. Community Outreach

The Project Sponsor has conducted significant community outreach leading up to this Planning Commission hearing, and has identified over 200 local supporters of the proposed CVS. A memo outlining these outreach efforts is attached as **Exhibit D** and the supporter documentation is attached as **Exhibit E**.

#### G. Conclusion

The proposed CVS Pharmacy requires conditional use authorization for a formula retail use and for 24-hour operations. It provides substantial benefits to the City by activating a new retail space along the Van Ness Avenue commercial corridor. It will establish the only 24-hour pharmacy serving the residents in the vicinity, and will be especially desirable for patients of the new California Pacific Medical Center that will be located one block south of the Project. The CVS Pharmacy will also generate foot traffic that will benefit nearby businesses. Planning Department staff is recommending approval of the requested authorization. For all of these reasons and those listed in the application, we respectfully request this Commission grant this conditional use authorization for this Project.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP

John Kevlin

cc: Vice President Cindy Wu

Commissioner Michael Antonini

Commissioner Gwen Borden

Commissioner Rich Hillis

Commissioner Kathrin Moore

Commissioner Hisashi Sugaya

John Rahaim - Planning Director

Scott Sanchez - Zoning Administrator

Jonas Ionin - Commission Secretary

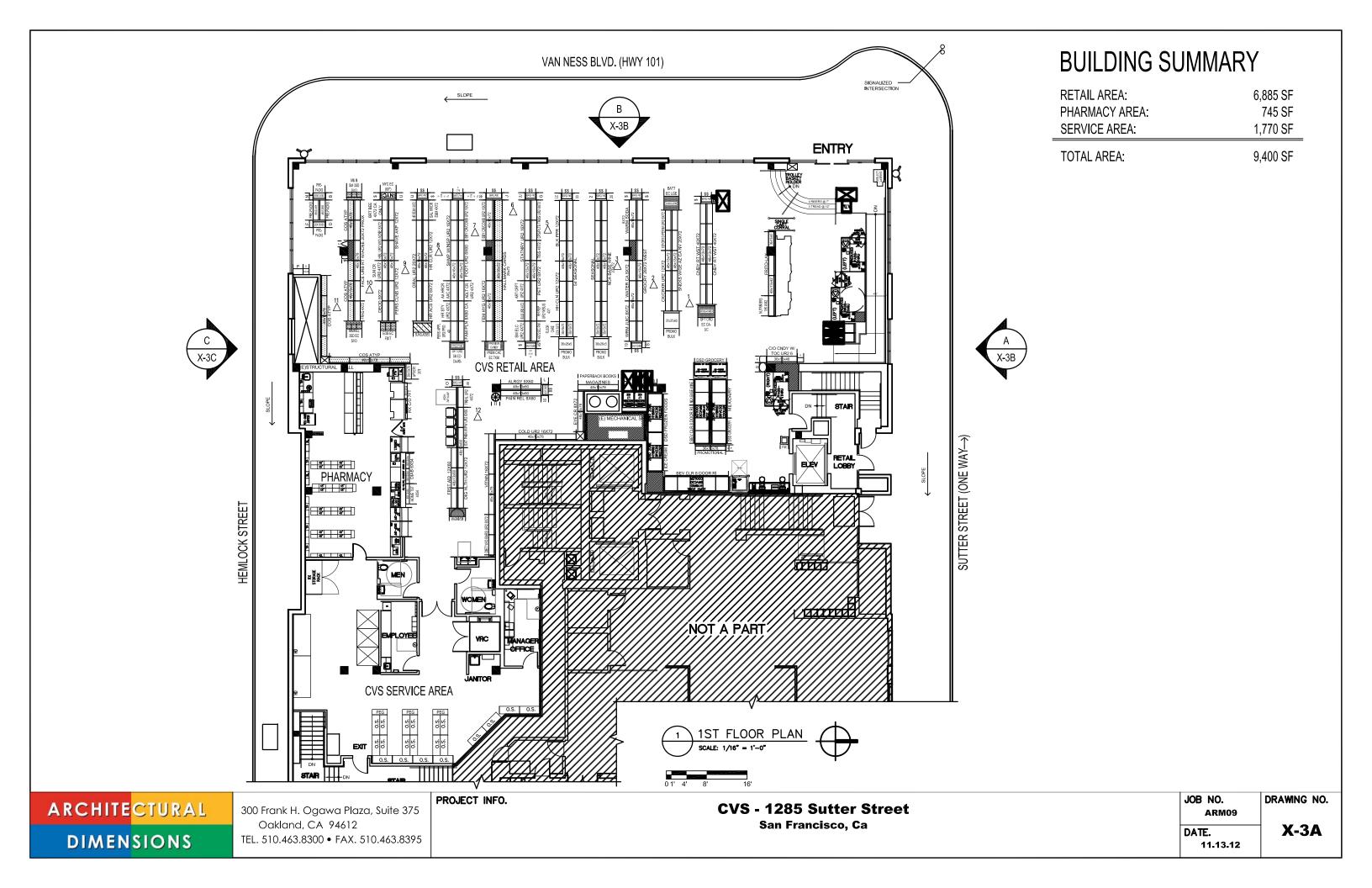
Sara Vellve – Project planner

William McDermott - Armstrong Development Properties, Inc.

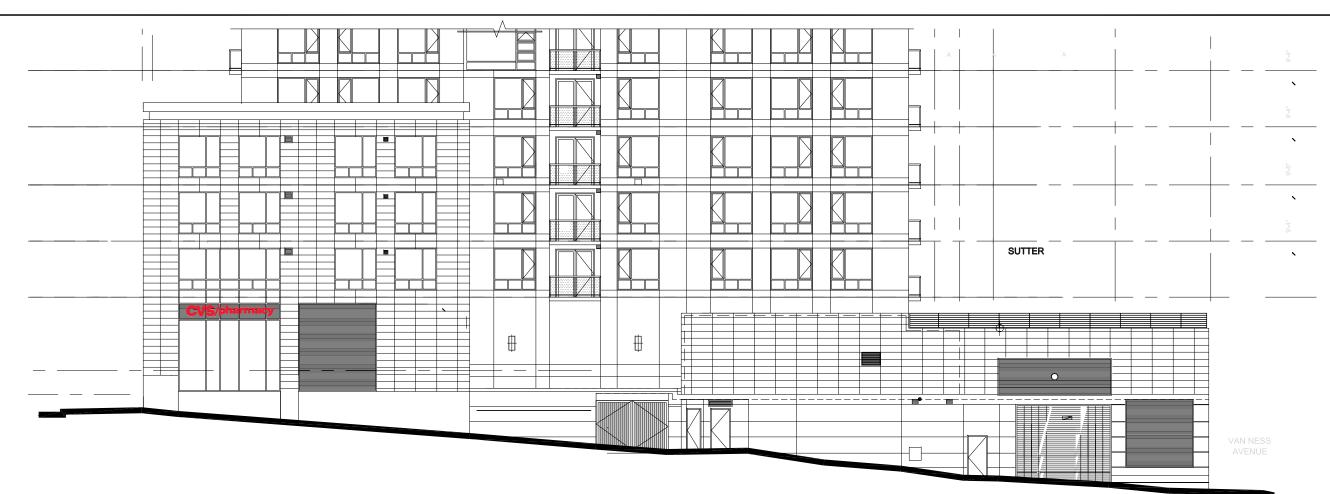
One Bush Street, Suite 600 San Francisco, CA 94104

tel: 415-567-9000 fax: 415-399-9480

## **EXHIBIT A**







SOUTH ELEVATION (HEMLOCK STREET)



ARCHITECTURAL DIMENSIONS

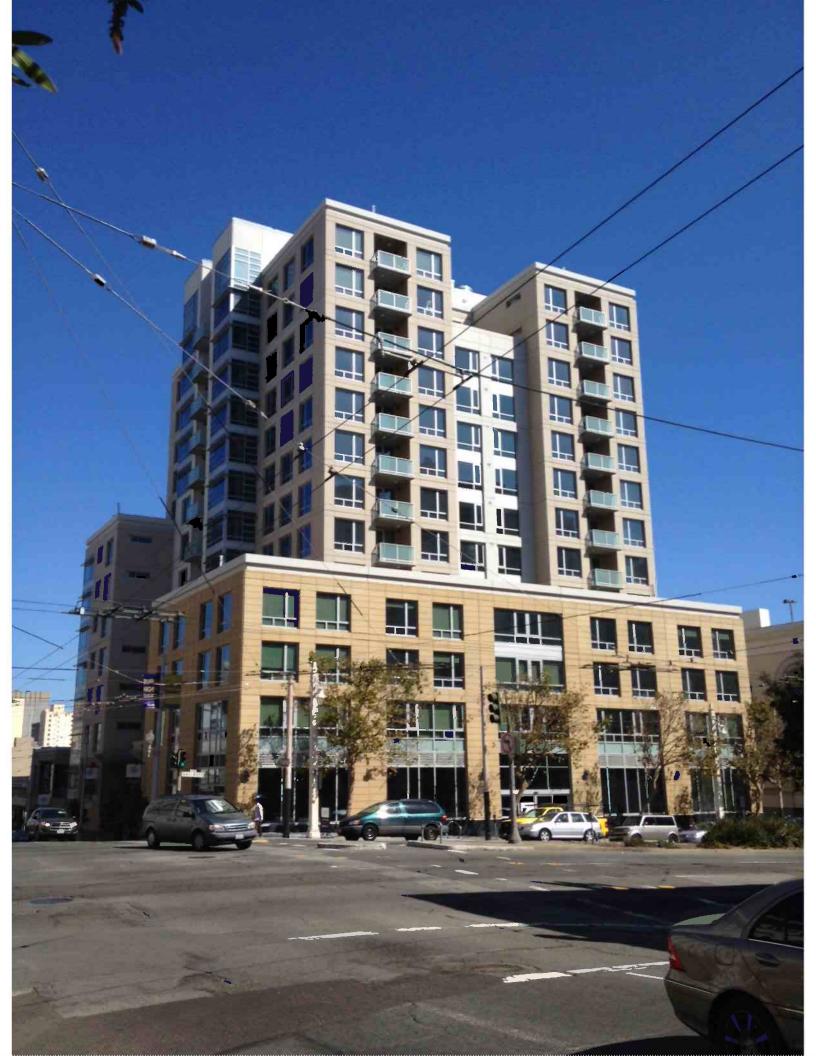
300 Frank H. Ogawa Plaza, Suite 375 Oakland, CA 94612 TEL. 510.463.8300 • FAX. 510.463.8395 PROJECT INFO.

**CVS - 1285 Sutter Street** San Francisco, Ca

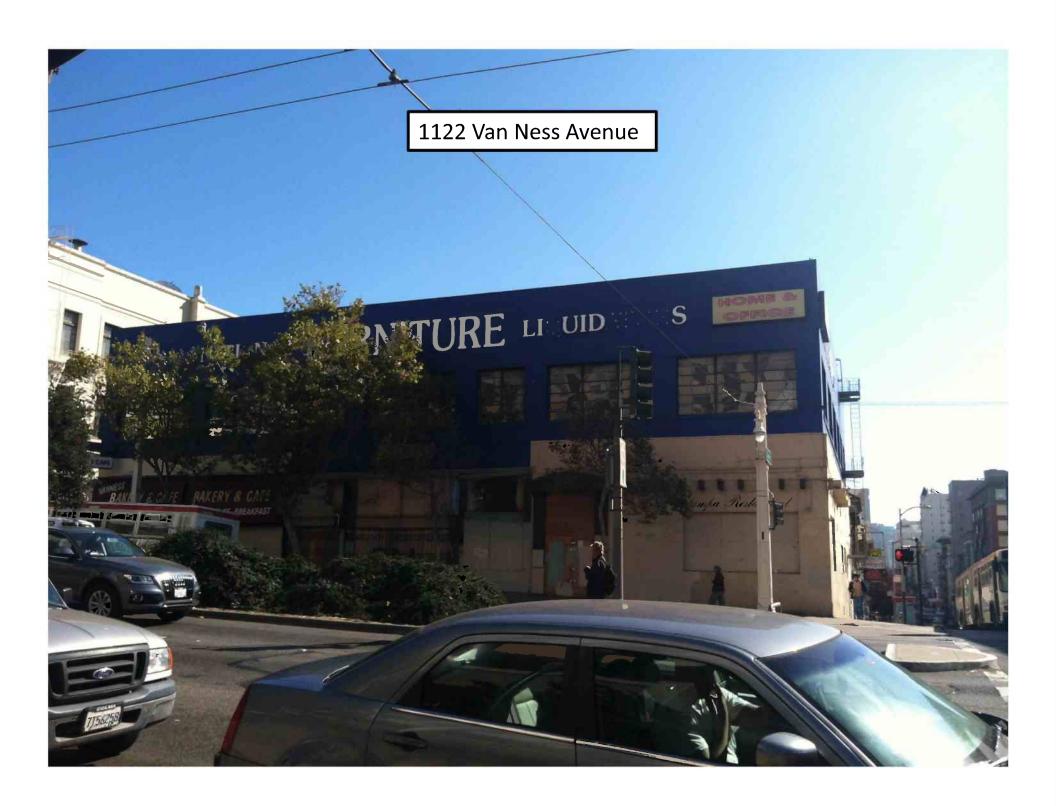
JOB NO. ARM09 DATE.

DRAWING NO. **X-3C** 11.13.12

## **EXHIBIT B**



#### **EXHIBIT C**





#### 1200 Van Ness Avenue



#### **EXHIBIT D**

#### Berg Davis Public Affairs

### Memo



DATE: September 10, 2013

TO: President Fong

President, San Francisco Planning Commission

FROM: BergDavis Public Affairs/Armstrong Development

RE: CVS/pharmacy at 1285 Sutter Street

#### **Introduction**

After many years of service as the Galaxy movie theater, 1285 Sutter has recently transformed itself into the newly-opened Etta SF, a residential building with 106 rental units on the corner of Sutter and Van Ness. With almost 10,000 square feet of ground floor retail space previously approved for another formula retailer, CVS/pharmacy is now looking to make Etta SF home.

With the construction of new residential buildings like Etta SF and the recent approvals for a new California Pacific Medical Center just one block away, there is no doubt that this neighborhood is poised for growth. The new CPMC has immediate neighborhoods bracing themselves for a substantial increase in both foot and vehicular traffic and the subsequent demand for neighborhood-serving retail, and healthcare related retail in particular.

CVS/pharmacy hopes to serve the neighbors, Van Ness corridor commuters and future healthcare consumers as soon as possible, with features such as a full-service pharmacy, top quality healthcare-related products, basic needs like household cleaners and personal care items, and limited grocery including wine and beer. Ample underground parking ensures that commuters along Van Ness/Hwy 101 will be able to visit the location without congesting neighborhood street parking.

#### **Community Involvement**

CVS/pharmacy has a record of working closely with the city of San Francisco, as well as the Lower Polk neighborhood.

<u>Workforce Initiatives</u> – Recently, CVS/pharmacy has hired over 120 full-time and part-time San Franciscans with prescreening assistance from the Mayor's Office of Economic Workforce Development and Manpower SF to staff newly-opened stores in the City. CVS /pharmacy works with Federal, State and local organizations by cultivating innovative partnerships and programs that attract and train diverse talent for dynamic and rewarding careers. Additional local hiring efforts have included job fairs at the Metreon, San Francisco State University, and JVS/Strictly Business, and military hiring events with Hiring Our Heroes, Veteran Summit, and Swords to Plowshares.

By working locally, CVS/pharmacy helps communities by hiring future leaders, supporting diversity and engaging community stakeholders. These newly-hired employees will work at a variety of CVS locations in the City, including Hyde Street, Market Street, and California Street. CVS's workforce development team is exploring additional partnerships with other community service organizations such as Larking Street Youth and is developing training programs with local schools to offer pharmacy tech externships. Most recently, CVS has signed an On the Job Training (OJT) agreement with MOEWD for its staffing needs at the 1401 California Street store, just a few blocks away from the proposed site.

Community Improvements – Last year, CVS/pharmacy worked closely with the Lower Polk Neighbors on opening the California and Hyde Street CVS/pharmacy. This partnership resulted in the purchase of three liquor licenses, including one from J&D Liquors, a problem liquor store just three blocks from 1285 Sutter, known for irresponsible alcohol sales, loitering and graffiti. This license was specifically targeted for acquisition by LPN and resulted in the closure of J&D. CVS is pleased to have helped close a blighted and dangerous business in the neighborhood while building a trusting relationship with community leaders. The improvement to the neighborhood has been immediate, and feedback from the community has been extremely positive.

#### **Community Outreach**

For over seven months, BergDavis Public Affairs and CVS/pharmacy have been engaging the community regarding plans for a new location on the ground floor of the newly-constructed Etta SF at 1285 Sutter Street. Contact has included mailers, merchant walks, and a regular visibility at the local farmer's market, and efforts have been made to reach those well beyond the required 300 foot radius. In that time we have collected **over 200 supporters for the project**. Below is a brief recap of that outreach and other work CVS has done in the community.

<u>February 2013</u> – In early February, BergDavis and CVS hosted an open house for the project at the First Congregational Church of San Francisco. Representatives from the CVS/pharmacy team were on hand to discuss all aspects of the project and to answer any questions. Though invitations were sent out to residents beyond the required 300' radius as well as many neighborhood organizations such as Lower

Polk Neighbors, Middle Polk Neighborhood Association, Alliance for a Better District 6, Cathedral Hill/Van Ness Neighborhood Association and others, only one person, a representative from Lower Polk Neighbors, attended the meeting.

Later in February, CVS/pharmacy presented the project to Lower Polk Neighbors at their monthly meeting. Approximately 30 members were in attendance for the presentation. CVS is currently in ongoing discussions with Lower Polk Neighbors on how we may again partner together to improve the neighborhood and support efforts to establish a vibrant Community Benefits District.

In February, David Villa-Lobos of the Community Leadership Alliance asked for a one-on-one project presentation. BergDavis met with Mr. Villa-Lobos at that time and promised to keep him apprised of any significant developments or changes that occurred with the project as it moved forward.

<u>May 2013</u> – In May, BergDavis and CVS sent out informational mailers to nearby residents describing the project and providing contact information for additional questions.

Also in May, BergDavis reached out to the homeowners associations at nearby residential complexes including SF Towers, One Daniel Burnham Court, and The Sutterfield to introduce the project to residents and offer project presentations. All of the residential buildings declined our offer for a presentation.

<u>June 2013</u> – In June, BergDavis met with neighboring merchants and businesses, providing informational handouts and contact information. This outreach also involved contact with Larkin Street Youth Services. CVS is planning to meet with Larkin Street leaders to discuss possible partnership opportunities.

In June, BergDavis and CVS also made a presentation on the project to the Alliance for a Better District 6 at their monthly meeting. While the project is a few blocks from the District 6 boundary, the organization was interested in learning more about plans in the adjacent neighborhood.

From June through July, CVS regularly attended the Fern Alley Farmers Market (off Polk), talking with nearby residents and merchants about the project.

<u>July 2013</u> – In July, CVS teamed up with the management of the newly-opened Etta SF (1285 Sutter) to introduce new residents to the plans during their individual orientations to the building.

<u>August 2013</u> – In August, CVS participated in a "Know Your Neighborhood" open house presented by Etta SF for all new residents.

### EXHIBIT E

From: Dennis Stanton [mailto:dls248@yahoo.com]

Sent: Monday, September 16, 2013 7:05 PM To: Commissions, Secretary @sfgov.org

Cc: Taylor Jordan

Subject: CVS at 1285 Sutter

I would like to express my support of the CVS pharmacy on Sutter and Van Ness. I live at Daniel Burnham Court and am 67 years old. Currently, my prescription drug plan, through Medicare, only works at CVS. Although there is a Walgreens near my home, I cannot access their prescription drugs.

Also, I think we need to have a variety of pharmacies available in the community. Walgreens seems to have had almost a monopoly in the city. It has been valuable to see CVS and Safeway open up to prevent a monopoly.

Thank you for allowing me to express my opinion.

Dennis Stanton 1 Daniel Burnham Court, #1216 San Francisco, CA

dls248@yahoo.com

415-368-9515

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Street: Kathleen Shurling 1817 California Street, Apt. 209 San Francisco, CA 94109	Yes! I support a CVS/pharmacy Sutter & Van Ne	Street: 1350 Sutter St. Apt 32	Yes! I support a new CVS/pharmacy at Sutter & Van Ness!
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ame: Amy Lau	Yes! I support a ne CVS/pharmacy at	Name: Oyoung Korg	Yes! I support a new
treet: 1158 Suffer St. Unit 7	Sutter & Van Ness!	Street: 1 Daniel Bumham C	CVS/pharmacy at Sutter & Van Ness!
ity: San Francisco zip: 94109		City: ST Zip: 94169	77504
Pay Phone: 415.717.3696		Day Phone:	*
Vork Phone:		Work Phone:	
mail Address:		Email Address: Okonasfa yahro, c	m
Comments:		Comments:	/
			-
		lasaa in in in muura ee ee a uu muu muu muu muu muu muu muu muu mu	0.1.11
By filling out this form you agree to receive updates about this project		By filling out this form you agree to receive updates about this project	
	i		
Name: ELS SEJOH	Yes! I support a CVS/pharmacy	Name: Ross Glasser	Yes! I support a new CVS/pharmacy at
Street: 1090 POST. 5C# 303	Sutter & Van Ne	Street: 1285 S-Her St.	Sutter & Van Ness!
City: SAN FRANCISCO Zip: 94109		City: 5F Zip: 94109	
Day Phone: 415 - 350 - 9749	1	Day Phone:	
Work Phone:	4 4 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9	Work Phone:	
Email Address: Email Address: Email Address: Email Address:	<i>†</i>	Email Address:	
Comments:		Comments:	
	3		
Would you like to receive updates on this project? ☐ Yes ☐ No	,	Would you like to receive updates on this project? ☐ Yes ☐ No	
	3-14-0		

eet: 98 Parkridge D- #101  y: St Zip: 94131  y Phone: 858-373-8575  ork Phone:  mail Address: Ivan Collo Cyahara Can  comments: Creat Idea  Tola	Yes! I support a ne CVS/pharmacy at Sutter & Van Ness	Name: June (January) Farmory Street: Job Juriar St. City: SF Zip: QCLTOG  Day Phone: (415) 4w 8593  Work Phone: Email Address: Farmole June Old	Yes! I support a new CVS/pharmacy at Sutter & Van Ness!
ould you like to receive updates on this project? ☐ Yes ☐ No		Would you like to receive updates on this project? ☐ Yes ☐ No	
Name: William Educe  Street: 1916 BUSh  City: SF CA Zip: 24109  Day Phone: 415 396 4832  Work Phone:  Email Address: Mo De la land Tea - C	Yes! I support a CVS/pharmacy Sutter & Van Ne	3	Yes! I support a new CVS/pharmacy at Sutter & Van Ness!
Comments: Support		Comments:  Welcome Itom  H.	AJ 1
Would you like to receive updates on this project? ☐ Yes ☐ No		By filling out this form you agree to receive updates about this project	

10:30-475M

# **CVS/pharmacy**\*

Dear Planning Commissioners,

_	-		
Name	Business	Address	Email
Hank Wolny	Foot WORShip	1214 Sutter	none
ROBERT CTUCH	Opus (1647	1222 SUTTER	POBERT @ OPISCIEHTS. COM
Sarah Sulan	per Fronthone	1428 Bush.	NA
	12 BATTERIES PLUS	1450 BUSIT	Tom. Schultte batteresset
Jonny Gartin	kle Minin Ad Sy	400 1414 Ven NASS	Jerny P miamiads cholica
Jan Med	uds Audio Sym		farzin@audiosymphony.com
-		/	
-			

# **CVS**/pharmacy

Dear Planning Commissioners,

Name	Business	Address	Email
MANET Witkosky	Paragon Real ESTATE	1400 Van NESS	
Fran Bailtista	Paragon Real F State Group	1900 Van Ness	
MICHAE KNUTSON	PREAGON REMESTATE	1400 VAN NESS	
Callista Stopsherd	Paragon	1400 Van Xless	
marelyn Lacap	lawayon Red Estate	1400 NM H125	
LANDIC Gims	Paragon Real Estate	1400 Van New	
PSMY MARKET	PARAGON REAL THAT	HOO VAN MESS	
			4

### **CVS/pharmacy**®

Dear Planning Commissioners,

Name	Business	Address	Email
REBECCEA WIL	Latch, So + Hipp Chiro	1237 Van Ness Ave ST	EA 94109 LSandH. @LSandH. WA
paniela asign	latch, sod thep Chiro	1237 van Ness Ave (1)	CA 94/109 LS OND + QUE SOUGH COM
Lype	Latch SUAHipp Chivo	1237 Vandess Ave 87 C	4341st Leantha (Sandy-an
John birrians	LATCH 50 & HIPP CHINO.	1237 VAN NESS AU	E-SF CA 94105 SAME
Sufina yan	Latch, so & Hipp Chicoprac		



Dear	Plan	nnina	Commissioners,	
Dear	T la	шшц	Commissioners	٠

Name	Business	Address	Email	
JERUSalem	MARKET	1100 SUTTER ST	S. Ca 94/09	
Vpsel Ke	MARKET au au iu	1336 Van N	ess Ave #1.	SR. CA 94109

# **CVS/pharmacy**\*

T	D1.	•	0	•		
Dear	PIZ	nning		ommi	SS1	oners,

Name	Business	Address	Email
Son Nutaki	Manamis Sleepa	HONDINESSE	Slepwortd.com
		1,5	
			V



As a resident or employee in the Lower Polk neighborhood, I support bringing a new CVS/pharmacy to 1285 Sutter location. This CVS/pharmacy would a benefit to the neighborhood.

PRINTED NAME	<u>ADDRESS</u>	<u>EMAIL</u>	Resi	ident/Worker
Gerardo ferel	PD BOX 424868.	S.F. CA. 94142 Sevan	topeniy15 e Gmifins	Readed.
Rosalie TACques	1215 Polk ST	SF 94/09	- (415 - 771 -	8814) Postrei
Pietra Lain	811 Geary of # 6	08 SF 94109		R
Jenn to Sp	851 prs}	49 SF 94109		e
EVA Jang	378 PRA	RW St. 94112	**************************************	2
Lozephine Poilens		55 #45 S.F.CF		
JOSE ORTIZ	- 1384 1/1	AWNESS SE CO	79109	
6. SNIDER	· ·	TERST. #5 ST, CA		mail com P
KristenBantzman	1008 LOIKI	n St # 409 SFC	A 94109 -	R
Sophie CAMPI	05 1075 PO	ST ST SEC	p94109 -	- C



As a resident or employee in the Lower Polk neighborhood, I support bringing a new CVS/pharmacy to 1285 Sutter location. This CVS/pharmacy would a benefit to the neighborhood.

PRINTED NAME	<u>ADDRESS</u>	<u>EMAIL</u>	Resident/Worker
M.A. Holly	760 Gen-y St	6	he don't
M. WARL	825 Geary St	SF. 94109	
Quantavons	1714 pold	STQYIOG	
RAY FONG	2942 ANZA ST	S.F. 94121	w
Francis Berry		S#94109	Francis John
Dry Hebe	329 Gashen	SE94162	R
/ Delsah Ma	NIVNOH	94109	
CARM RICH	1201 BOCK		R
Jonney Trees	1104 LARKIN	94109	R
19/1/	GARY R Thomas	176 6TM STS	FCH 44104 Garythomas S44004hao
Angelina Loftin	6340 Geary Blod.	S.F. 94121 : you	2-5,-152 @ hotoral.on



As a resident or employee in the Lower Polk neighborhood, I support bringing a new CVS/pharmacy to 1285 Sutter location. This company would a benefit to the neighborhood.

NAME	ADDRESS	<u>EMAIL</u>	Resident/Worker
Tony Lattin	6340 Cany Aul.	ging lottnogment com	12
Joseph DimARIO	111 TAY LOR ST.		chara R
Hyd Allian	III Thy Loa St	Hydelpha allisoney	B
DOHANNA AVATE	1650 California St.	johannallise yolovo, com	R
Victor Porce	506 Grove St. \$203	victor. fonce grain ! con	2
Jason SMFPGRO	631 OFMRIZELL	JAASTAFFORDE SMAIL COM	R
Ilan Kopeday	1855 Surmon To	i Kopedy a yelow cor	C
Rate Mibyin	940 Buy St. \$10	Katiegnegly nul grain	
Koki Nokao	1409 Bush st.	) ) , ,	£.



As a resident or employee in the Lower Polk neighborhood, I support bringing a new CVS/pharmacy to 1285 Sutter location. This CVS/pharmacy would a benefit to the neighborhood.

PRINTED NAME  NEROLO B	ADDRESS	<u>EMAIL</u>	Resident/Worker
dagsto	1 (or hot now).	Demegral	45
		4	

### **CVS/pharmacy**\*

### Dear Planning Commissioners,

Name	Address	Email	Resident/Worker
Cherryl Parker	1711 Leavenworth St. 45	porter of the whenexplorer com	Resident
Tem Hankus	1505 Googh, ST 01-74189	Hawkins Browtlook.com	Reordens
Vanessa Mush	1153 Jackson Street S	74133	Resident
Liz Story	1020 Post St \$309, SF 94		resident
Report )/5	to For Steiner	sistoxida gacbell, na	Et Desidal
OMAR BANKER	oll 135 Ltb 51	Edsel, Ban (373, gn	ien brown Resident
JESSICA WILL	IAMS 161 heaven	My .	1) ~ Jan.
Linda West	1000 Sister	5£ 94109	Resident/wine
Miz Rome 6	910 ENGATE	BLUF	37-0
RODERY FASS	TIRAC 1185 SACRA	MUNKO & # 17	

# **CVS/pharmacy**

### Dear Planning Commissioners,

Name	Address	Email		Resident/Worker
YELEHA Abubereas	VA 785 Maietet \$600	SF 94103 YELENA®	svetlam. com	R
Adam Neufer		MPL, SF CA P4103	ha 2842 Chotmal	I won R
Aisa Silva	1115 Polk St. #39	7. S.F.CA. 94109		R
Bethany Gart	he 2145 Scott Stra	2P++4 SF/A94115,	bethe 89@ ama	ii. com B
JOHN HRONG	DWSKI 1539 CLAY S	7 # 12 SF CA9910	79 - 3	4
Brunden MEFTO,	9 1026 Post # 5	on SFCA a	1/09	2
Otvelina Maignez	174 Salaunia +#	123 - San Fen 9410:	<u> </u>	R
Mallen Day	U 1330 DUSU S	of #5K St 94/69		1/2
Glorbe Loi	white 1070 Post	34 #7 SF 99	1769	<
My Kron	2 1217 Pas	4 4T 9 0910°	7	
Syrusy	I.C			

### **CVS/pharmacy**°

#### Dear Planning Commissioners,

		building at 1285 Sutter. As the neighbo	rhood grows, there is an
increased need for the daily con	veniences provided by CVS		
Name lover leve 1	Address	Email	Resident/Worker
2 /	12/6 2/	11 CFF	
MSCAL LETERHARN	1345 DUSA	pledermannoatst.com	1 W
Edina Johnson	747 Heary		P
J. CARRETT	- 861 Sy-	teldy gyes	TLEKO, 6 MAIL COM
Tony NEWY ED	741 Breker	n #8 & 0	7
nam chi	741-E115A	4	R-
_ Pien L'	353 347	8	P
THANHTRUDNG	2,15-697-21149	LOLK St	R
QUANTAN	V		- R
Richard & Koonts	1115 90 Pa St	5.7 Call 94109	R
bugthen Chart	589 Pag St	1chce 980 cm=11	R

### **CVS/pharmacy**\*

#### Dear Planning Commissioners,

Name		Address		Email		Resident/Worker
MAGA	13 W	990 GOANY	51	Carrier State Control of the Control		2
ann Ritch	havt	1299 Bran St.	-			R
Juf Bg	EX	1299 Such St				R
LANGE	ALDEN	1070 Post 4		-		R
Kay H	MAXY	1399 Bush s	st			W
Mexama	Shepart	1635 Bush 9	Sh -			R
DAVE	MEEKS	1600 CAMPURA	VIA St			2
Rachid	Alva	1723 ROV	1/		-	R
, ,		7,70				



#### Dear Planning Commissioners,

Name	Address	Email	Resident/Worker
Eugenié Paco	pac 1312 Larkin St	eugenie paespar Domuil.com	Resident
Danielle 1	Baher 469 25have	dibaker Hagmail com	lesident
ohn c	be 46 and st	john jue a me. con	Rendent
Joshua	Ballato 415 9th ST	shallhog@ Yahoo.com	Res
	N CALDWON 1729	Alauna Jus	
Sephora	Commorato 825 Post SX	Sexivisen- 774 algho. com Res	
Emily-Ann	Little	9416	res
	Stankrew)	robert 94108@xehoo.an	Reita
Julie Dec	Ker Stein Kraus	Idsovia not com	Resident
Shanna	Eldridge 1001 POLK St	Shanna elder the 2001 Ayano.	o Regident

darken tugher of Jame, manager.

# **CVS/pharmacy**\*

Dear Planning Commissioners,

Name	Address	Email	Resident/Worker
Larkin a	Street youth	services 1142 S	utterst. W
Sholing	Amon	536 Centra	AVR
Steve 8	910 Ge	ary X	Resident
yamej.	-		R
Mike 83hb	Lev 9411	$\varphi$	
Kenn Bran	re 94111	) X	R
LisaBi	unelle 941	10 15ccx	iacon R
James	5 Burks the	Franchis	Poal
LASL 16	BRYCKER 9410	1	
Linda Allan	226 Precita Ave #	94110	R

CVS/pharmacy Committee Com

	Name	Address	Email	Resident/Worker
	Kelth Jones 98	OSt Francis Blud # 980	DayCtych	Worter
	Town toster "	15 Post 94109	3	Resident
	SANDRA Y. SARAUTA			1471/2
, s	CAROLINA FORMUSO	536 LEAUENWOOTH. #4	., SF. 94109	RESIDENT.
19	Augu Cay (05- Johnson	570 Jen St- SF	-CA. visit	Trafter.
	MADOYGABRIEL	925 POST ST APT 579	SFCA 94109	RESIDENT
7	HIM wandy (2)	820 OFMERTE	5 #28 STA 94108	Resident.
	JOHNIN GIBSON			
	Jamit Wille			K
	Bug Johns			

# **CVS/pharmacy**°

Dear Planning Commissioners,

Name A	ddress	Email		Resident/Worker
Down Roberts	250 3M	1 AVE		R
AZ THOMAS	13,5POLK	St#217	· ·	R
ONA HOLMES	1156 Sxt	50 St - A 366		R
David Scott	400 101 H	ide SFCA 4	1/02 -	R
Sherman Crusenberr	y 1304 Low	BARD ST SFE	CA 94/09-	R
Fresh Prethox	/ 1122 SUFF	EN ST.		R
JERIMO GAREA	94117	\		R
Galburt Ruf	1370 Ca	lifornia St	#312	R
Tim Filman	1130/4	W/ 19 57# 32		R
DOUL MEDON	AG 1500 5	10000 # 2	211	

# **CVS/pharmacy**\*

Dear Planning Commissioners,

Name	Address	Email	I	Resident/Worker
Sarah Lulling	San Jose, (A	Sarmar	ia 7@ yahoo com	Visitor
L. VEF	SE 9410	09		R
Melvin STARMS	80 Box 180822, SF 9	9 146 18		P
BETER K	220 0410	9		R
Druce Bellinhan	435 FAIS ST	1114 bubul	yhme yator, com	J'C,
Mannal la	11-370 Ellis	ST. #2 M	Cenvir moores @ gr	noul c
Toss Mache	195 Judah	SF, SF		
Deborah Sande	re 140 Sutter	st		R
JOS BALLENGER	1130 CARICI	N (T=35		K
A212 DO	VIEB 910 F	CART + 63	SF94107	1 /2
	1			

# **CVS/pharmacy**®

Dear Planning Commissioners,

I support a (increased ne	CVS pharmacy in the new, 13-story residential buted for the daily conveniences provided by CVS.	iilding at 1285 Sutt	Daral filer cale	ows, there is an
Name	Address	Email	Daral tile won.	Resident/Worker
Calke	at Out sto you I'm DAR	AL PIET	gmm.	
(2).	Prede Pearson 82	00 F	arcall 312	R
taw.	16 July California St	F		2
120h	ut Tweknell 725 Hylo St	# 11 SF		R
1 ora	Batter 2048 18457			R
AL	Cashen IIIb polk st.	Daval	FIKEN - wife.	RIW
1303	3 Carkin st. 601			

### **CVS/pharmacy**°

Dear Planning Commissioners,

I support a CVS pharmacy in the new, 13-story residential building at 1285 Sutter. As the neighborhood grows, there is an increased need for the daily conveniences provided by CVS.

rewards program.

		Email	
Kiffy Smith 50	35 Leavenworth	Kitty hendler@hotmai	1.com
Michael Wahl 8	25 Geary St. S.F	, CA. 94169	2
Thomas My Donald 2	2160 MARKET ST SEC	A 94114	R
Denniter Ving 4	150 Jones St. Apt # 105 SF., CA,	94102	R/W
Vincent S.Le 7.	31 9th Ave		R/W =
Ryan S. 4 7	3 gen sue		RIW
Romand way	476 al Dornast		26
Pily Wong	1436 Californa	SH =	
SUNIL THACKER	Vander at Fo	inner Municot	5 · · · · · · ·

## **CVS/pharmacy**°

Dear Planning Commissioners,

Name	Address	Email	Resident/Worker
Dylan Udy	2462 Fulton St.	dylan udy@gol.com	Resident
Scott Mayels	1328 Fell St.	Scott margels 170 yahow. con	Resident
Bonnie Fong	246 9 Ave	bonnie-68@hotmail.com	Resident
1) mimaca	140 Queha Sta		pesicly
Betty Louis	a 357 OXFORD ST	94134 -	R
Jessica Murphy	1140 Sutter St	morf. CA82@yAhrosom	Rejection
5 Malle			
Allan Craigie	GOGGEAUST 507		1
Quar Jon	1714 BOCK		
Idanh Torrag	MURDIK		



As a resident or employee in the Lower Polk neighborhood, I support bringing a new CVS/pharmacy to 1285 Sutter location. This CVS/pharmacy would a benefit to the neighborhood.

PRINTED NAME	<u>ADDRESS</u>	<b>EMAIL</b>		Resident/Worker
Harry Clay	945 Larkin St	hdsdayCyaho	oo, com	Resident
Skip King	2023 Lincoln Rd	406A City CA 95993		worker
Antonio Zeleda				FOSIPENT
Stember Tans	1447 Francisco St	+ 5F, 94127		Rosi rus,
DAVIT VANM	ANSTRICT 655 HY	DE ST 94109	)	RESIDENT
Jessica Na	rod 305 has	le St 94109		Pesident
Adelle Vm	Dervocat 706 1	POLK ST # 94167	Adellevander	a yshow the
Emily Amb		1enuary St. 94100		Resident
Davil YA	1238 Bridge	St Apt 6 STOP	94100	Resident
Done Wet	~	mekenand guar		Feriden
Da M.V		Bot Palm DRice		Vocato, CA 9494
V				

### CVS/pharmacy®

Dear Planning Commissioners,

Name	Address	Email	Resident/Worker
HAJI-NAJ MABAD Robert C. Potter	952 Sutter St #605	SFC& 94109	(415) 885 6321 1 474-6555
LOUIS MC ALISTER	1140 SUTTER ST. # 406	SF CA 94109	(501) 590-8206
7			
* The state of the		P.	

## **CVS/pharmacy**\*

	TN1		0		
Dear	Pla	inning	Con	nmiss	sioners,

Name	Address		Email		Resident/Worker
Actuso	1200	POLK ST		650 7032262	
/ /	8				
				dill	



Dear Planning Commissioner
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Name	Address	Email	Resident/Worker
JANET	WHKOSKY 1233 California S		Resident
# · · · · · · · · · · · · · · · · · · ·			



Dear Planning Commissioners,

Name Seyed M.R.	ezvani lä	Iress 245 Van (	lessave	Email Ezvaniseye	da Jahoo. Com	Resident/Worker  Both
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	<del></del>					



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lear.	$\mathbf{P}_{\mathbf{P}}$	anning	( om	mic	CION	erc
Dear	T 10	2111111112	COIL	111110	PIOII	CIO.

Name	Address	Email	Resident/Worker
ShermLaPorte	avod of view lagmailie		res
j	<i>f</i>		
			-11



Dear Planning (	Commissioners
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Name	Address	Email	Resident/Worker	
Laura	1810 POIKST	W192837@gman)		