



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Full Analysis

HEARING DATE: AUGUST 4, 2016

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: July 25, 2016
Case No.: **2015-015913DRP**
Project Address: **473 HAIGHT STREET**
Permit Application: 2015.11.19.3094
Zoning: NC-2 [Small-Scale Neighborhood Commercial District]
Lower Haight Alcohol Restricted Use Subdistrict
40-X Height and Bulk District
Block/Lot: 0859/038
Project Sponsor: SPARC (San Francisco Patient and Resource Center)
P.O. Box 14816
San Francisco, CA 94114
Contacts: Joel Freston and Erich Pearson
www.SPARCsf.org
Staff Contact: Sharon M. Young – (415) 558-6346
sharon.m.young@sfgov.org
Recommendation: **Do not take DR and approve as proposed**

PROJECT DESCRIPTION

The request is for a public-initiated Discretionary Review of Building Permit Application No. 2015.11.19.3094, proposing interior and exterior alterations to a legal non-conforming Medical Cannabis Dispensary (MCD) and retail use (d.b.a. SPARC) located in an approximately 1,131 square foot ground-floor commercial space at 473 Haight Street. The commercial space was previously occupied by an MCD and retail tobacco store (d.b.a. Good Fellows Smokeshop), which the Planning Commission approved following a Mandatory Discretionary Review hearing in November, 2006. SPARC is the new business owner proposing to continue the MCD and retail use. On April 29, 2016, the Planning Department approved a referral from the Health Department (Case No. 2015-015717MIS) for the continuation of the MCD use under the new operator because new ownership of a legal nonconforming use is not considered to be a change in land use under the Planning Code and SPARC is currently operating at the site.

The scope of work under Building Permit Application No. 2015.11.19.3094 includes interior modifications to expand the existing medical cannabis dispensary use with the change in ownership from 414 square feet to 517.5 square feet (reducing the retail use from 717 square feet to 613.5 square feet)¹; interior tenant improvements and reconfiguring the rooms in the commercial space; and facade modifications to the existing storefront (with new storefront windows and recessed entry vestibule area), and relocating the existing automatic teller machine (ATM) walk-up facility use which was approved under Conditional Use Authorization under Case No. 2005.0817C. The project sponsors have also filed Building Permit

¹ Pursuant to Zoning Administrator Interpretations dated December 1988 and May 1998, a non-conforming use may be expanded by up to 25% or 500 square feet (whichever is less) and such expansion will not be considered to be a significant alteration. Any increase beyond this amount and a Conditional Use Authorization would be required.

Application Nos. 2016.03.14.1941 and 2016.03.14.1947 for new business signage (blade and canopy signs) for the proposed project.

SITE DESCRIPTION AND PRESENT USE

The project site is located at 473 Haight Street, on the south side of Haight Street between Fillmore and Webster Streets; Lot 038 in Assessor's Block 0859 in the NC-2 (Small-Scale Neighborhood Commercial) Zoning District, Lower Haight Alcohol Restricted Use District, and a 40-X Height and Bulk District. The subject lot is 6,862 square feet (approximately 50 feet wide by 137.5 feet deep) in size and is occupied by single-story commercial building built circa 1900. The existing building is categorized as having a historic resource present (Planning Department Historic Resource Status A) and is located within the Hayes Valley Residential Historic District. The subject property at 473 Haight Street is one of three commercial tenant spaces located on the ground floor of the commercial building. The other commercial tenant space to the west at 473A Haight St is a computer retail store (d.b.a. Love Haight Computers, which is the DR Requestor's property) and the other commercial tenant space to the east at 471 Haight St is a restaurant (d.b.a. Kate's Kitchen).

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located within the Western Addition Neighborhood. The subject property fronts along Haight Street, between Webster and Fillmore Streets. The surrounding development on the subject block and opposite block consists of a variety of multi-story residential, commercial, and mixed-use buildings featuring residential uses above ground-floor commercial establishments. Most of the subject and opposite block is zoned NC-2 (Small-Scale Neighborhood Commercial) Zoning District. Some of the commercial establishments on the subject block include CVS pharmacy, Love Haight Computers, Kate's Kitchen, Sam's Cleaners, Upper Playground, and Two Jacks Nicks' Place. Some of the commercial establishments on the opposite block include The Lodge on Haight, Wing Wings, Underground SF, Volare Pizza & Restaurant, Nickies Bar & Restaurant, Lee's Meat Popular Market, Emanuel Coffee, House of Thai 2, and Lo Cost Meat and Fish Market. On Webster and Fillmore Streets, running east and west of the project site, there are a mix of residential, commercial, and mixed-use buildings within a RM-1 (Residential, Mixed Districts, Low Density) Zoning District and NC-1 (Neighborhood Commercial Cluster) Zoning District, RH-3 (Residential, House, Three-Family) Zoning District, and RTO (Residential, Transit-Oriented) Zoning District. The subject parcel is located within 1,000 feet of John Muir Elementary School, Alt School, Ida B. Wells High School, Koshland Park/Koshland Park Community Learning Garden, Page Street Community Garden, Duboce Park, and several day care centers and treatment centers (Walden House Drug Rehabilitation Center, Bay Area Drug Rehab Rehabilitation Center, Hayes Valley North Community Center, Boys and Girls Club Satellite Community Center, and TALK Line Family Support Center).

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
312 Notice	n/a	n/a	n/a	n/a	n/a

Note: Section 312 Notice (30-day) was not required for the proposed project since the existing medical cannabis use and retail use is a legal non-conforming use with the change in ownership. The Planning

Department sent (via email and regular mail) two Block Book Notice (BBN) letters, one of which was sent to the DR Requestor Mr. Kahn. [A Block Book Notice Application is a fee application made by a member of the public to be notified of permits on any property that is subject to the San Francisco Planning Code.]

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	July 25, 2016	July 25, 2016	10 days
Mailed Notice	10 days	July 25, 2016	July 25, 2016	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	--	1 DR Requestor	--
Other neighbors on the block or directly across the street	--	4	--
Neighborhood groups	1 (LoHaMNA)	--	--

Note: The public comments numbers above reflect individuals that the Planning Department is aware of through direct correspondence.

The Planning Department has received correspondence from neighbors and members of the public expressing both support of and opposition to the proposed project.

The Planning Department has received correspondence from residents, local business owners, and other members of the public in opposition to the proposed project. Some members of the public have also contacted other departments (such as Department of Public Health) expressing their opposition to the proposed project. On July 15, 2016, the Planning Department's Code Enforcement Division opened Case No. 2016-009242ENF in response to numerous complaints that this MCD was not compliant with the 2006 Conditions of Approval. Specifically, the complaints stated that edible cannabis was being offered and sold, and that the MCD did not have proper permits to operate. In response, enforcement staff investigated and performed a site visit which found that the use in compliance with all conditions from the 2006 approval and all required permits have been obtained from the Department of Public Health. While no violations have been found, the Planning Department is keeping the case active for monitoring.

The project sponsors have indicated that they conducted public outreach to Lower Haight Merchants Association (LoHaMNA), interested parties, and have submitted letters of support and a petition with over 150 signatures in support of their proposed project (included as part of their supplemental *Response to Discretionary Review*). LoHaMNA has submitted a letter of support of the project, subject to the project sponsors meeting specific guidelines in their memorandum of understanding (MOU) regarding operating conditions.

DR REQUESTOR

The Public-Initiated DR Request was filed by **Azam Khan** of 473A Haight Street (d.b.a Love Haight Computers), directly adjacent and west of the project site. The DR Requestor's property is an adjacent commercial tenant space located on the subject property.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

The DR Requestor's concerns are summarized below:

- The previous tenants located at 473 Haight Street operated as a smoke shop that specialized in smoking accessories and paraphernalia in which the medical cannabis dispensary (MCD) was accessory. Because the MCD was only accessory to the smoke shop there was no signage related to the selling of cannabis on the premises and very few patrons. Even with the low number of patrons the DR Requestor indicates that he still experienced many problems directly related to the operation of the MCD on the premises including a constant smell of cannabis, cannabis usage on the premises, patrons reselling cannabis outside the MCD, break-ins at multiple locations in the building, and increased crime in the neighborhood. The DR Requestor believes that there have been multiple MCDs in this block that have acted as a magnet for crime in the past as demonstrated by both the Good Fellows Smokeshop as well as the Alternative Herbal Health Clinic.
- The DR Requestor believes the proposed project (d.b.a. SPARC) will operate solely as an MCD and it will significantly increase the amount of traffic directly related to cannabis usage and will therefore contribute directly to the increased problems (crime and violence) related to drug usage on the 400 block of Haight Street and in the Lower Haight District of San Francisco.
- The DR Requestor believes the original smoke shop was in violation of the law stating that any MCD must not operate within 1,000 feet of any school or rehab facility. Within 1,000 feet there are 3 schools, 2 rehabilitation centers, 2 community centers, 1 day care center, as well as residences with small children directly adjacent to the premises.

The DR Requestor requests that the proposed project be disapproved and any future MCD should be denied in the 400 block of Haight Street. The DR Requestor has indicated that other existing MCDs in close proximity to the project site (such as Apothecarian located at Market and Church Streets) in close proximity to the project site can take care of the needs of medical cannabis patients in the Lower Haight and the project sponsors can seek alternative locations to operate their business.

[See attached *Request for Discretionary Review application* for further details on the DR Requestor's concerns and proposed alternatives.]

PROJECT SPONSOR'S RESPONSE TO DR APPLICATION

The Project Sponsor has provided the following response to the DR Requestor's concerns and proposed alternative as summarized below:

- The proposed project does not change the permitted land use on the project site since it is a continuation of an existing use with the new ownership and not a change of use of the subject property.
- The previous tenant at 473 Haight Street was not a responsible operator for the community. This has no bearing on SPARC's business operational standards which are considered the gold

standards for MCD operations in San Francisco by many. LoHaMNA is in support of the proposed project.

- The DR applicant believes that SPARC at 473 Haight Street will increase foot traffic by those who use cannabis, which will contribute to the criminal element in the neighborhood. This has no bearing on SPARC as SPARC has established standard practices wherein SPARC monitors and enforces a strict member code of conduct and “Good Neighbor Policy” in which SPARC members are not allowed to use cannabis in or near 473 Haight Street at the risk of losing their membership.

The Project Sponsor has responded by meeting with the DR Requestor, LoHaMNA, and conducted outreach to other interested parties and offered to make any reasonable changes or incorporate any preferences into safety protocols, staff procedures, video camera placement, floor plan layout, etc. for alternatives to the proposed project.

[See attached *Response to Discretionary Review* and supplemental, for the Project Sponsor’s detailed response.]

PROJECT ANALYSIS

The following project analysis will include a summary background on Medical Cannabis legislation and how it currently relates to the proposed project:

BACKGROUND

In 1996, California voters passed Proposition 215, known as the Compassionate Use Act, by a 56% majority. In San Francisco, Proposition 215 passed by a 78% majority. The legislation established the right of seriously ill Californians, including those suffering from illnesses such as AIDS, cancer and glaucoma, to obtain and use marijuana for medical purposes when prescribed by a physician.

MCDs began to be established in San Francisco shortly after Proposition 215 passed as a means of providing safe access to medical cannabis for those suffering from debilitating illnesses. At that time, San Francisco did not have any regulatory controls in place to restrict the placement and operations of the dispensaries. As a result, over 40 dispensaries were established in the city without any land use controls, often resulting in incompatible uses next to each other.

San Francisco’s Medical Cannabis Act (Ordinance No. 275-05, as approved by the Board of Supervisors and Mayor, became effective locally on December 30, 2005. The Act established a comprehensive regulatory framework for Medical Cannabis Dispensaries (MCD) in San Francisco, including location restrictions. The Act designates the Department of Public Health (DPH) as the lead agency for permitting MCDs. DPH conducts its own review of all applications and also refers applications to other involved City Agencies, including the Planning Department, in order to verify compliance with relevant requirements. The Planning Department’s review is generally limited to the locational and physical characteristics of MCDs, although it may consider certain operational issues. The Act also included a grandfathering provision that allowed existing MCDs, which had been in existence prior to April 1, 2005, to seek permits under the Act even if they did not comply with the location restrictions.

PROPOSED LAND USE

The proposal is for the continuation of a medical cannabis dispensary and retail store use within the NC-2 Zoning District with the change in ownership from Good Fellows Smokeshop to SPARC. The project

sponsors submitted Building Permit Application No. 2015.11.19.3094 for interior and exterior alterations to a vacant ground floor commercial space with approximately 1,131 square feet of floor area and Building Permit Application Nos. 2016.03.14.1941 and 2016.03.14.1947 for new business signage (blade and canopy signs). The scope of work under Building Permit Application No. 2015.11.19.3094 includes interior modifications to expand the existing MCD from 414 square feet to 517.5 square feet (reducing the retail use from 717 square feet to 613.5 square feet); interior tenant improvements and reconfiguring the rooms in the commercial space; and facade modifications to the existing storefront (with new storefront windows with recessed entry vestibule area), and relocating the existing automatic teller machine (ATM) walk-up facility use which was approved under Conditional Use Authorization under Case No. 2005.0817C.

The existing land use on the project site (MCD with retail use) was established under the Planning Code in 2006 (Case No. 2005.0817D). On October 10, 2006, the Planning Department issued neighborhood notification to properties within 300 feet of the subject property. On November 9, 2006, the Planning Commission unanimously approved the subject MCD and adopted conditions related to the operation of the use. The new owners, d.b.a. SPARC, must comply with the previous conditions of approval under to maintain the operation of an existing MCD within an existing retail space. The conditions of approval for the MCD operation and floor plan layout include: sales of cannabis (no cannabis food stuffs) and no on-site growing of cannabis; no on-site smoking or vaporizing; and, hours of operation of the MCD are limited to 10 a.m. to 10 p.m. (including holidays). The proposed floor plan shall include interior modifications (i.e. wall partition with secured access and separate counter space) to physically separate the sale of medical cannabis and other retail service goods sold on-site. The project sponsors have indicated in the retail use component of the proposed project they intend to sell goods such as t-shirts, books, and other accessories (perhaps also feature art by local muralist Sam Flores) for retail display and sales.

Planning Code Section 790.141(a)(1) requires that a parcel containing a proposed MCD may not be located within 1,000 feet of a parcel containing a public or private elementary or secondary school, or a community facility and/or a recreation center that primarily serves persons under 18 years of age. While the subject parcel is within 1,000 feet of multiple schools and community/recreation facilities, an MCD is allowed on the subject property under the terms of Medical Cannabis Act. Per these provisions, if an MCD use was established prior to April 2015 (even though it was within 1,000 feet of schools and/or community/recreation facilities), it was allowed to continue provided that the use seek appropriate permits. The Planning Commission's approval of the MCD application in 2006 through the Discretionary Review process established the legal use of the property as an MCD. As such, the MCD is allowed to continue as a legal non-conforming use pursuant to the provisions of the Planning Code and no further approvals are required to continue the use. Change of ownership to a new operator is not considered to be a change in land use under the Planning Code.

It should be noted that at the time the Medical Cannabis Act was adopted, State law did not contain any land use controls limiting where MCDs could be located. State law did prohibit smoking within 1,000 feet of a school, recreation or youth center. As such, the Medical Cannabis Act did not allow on-site smoking for existing MCDs that were within 1,000 feet of a public or private elementary or secondary school or recreation/community facility that primarily serves persons under 18 years of age. As such, the subject facility contains a condition of approval from 2006 which prohibits on-site smoking. In 2011, State law was enacted (AB 2650) to prohibit MCDs from operating within 600 feet of a school; however, the bill

grandfathered dispensaries that currently allowed to operate under existing local regulations. As such, the existing MCD is compliant with this aspect of State law.

The project sponsors are required to obtain and maintain relevant operator permits from the Department of Public Health (DPH) and other appropriate Departments. On July 15, 2016, DPH issued a Permit to Operate for SPARC and the use is currently open (as previously noted). The Planning Department had provided DPH approval of the health zoning referral under the previous conditions of approval under Discretionary Review Case No. 2005.0817D with the change in ownership. This Discretionary Review hearing on the proposed alterations to the commercial space did not preclude the Planning Department from approving the health zoning referral under the previous conditions of approval for the change in ownership. Originally, the approval of the health referral for the proposed MCD was dependent on the approval of the building permit application for the proposed plans; however, the project sponsor later indicated that they would operate the MCD and retail store use “as-is” with the existing floor plan in the interim pending the outcome of this Discretionary Review hearing. The interim plans include 414 square feet of commercial space utilized for the sale and storage of medical cannabis use and 717 square feet of commercial space utilized for non-cannabis merchandise display and sales area and other common areas in the commercial space that include the front entry, restroom, and ATM closet areas. The Planning Department’s approval of the health zoning referral did not serve as the entitlement for the health permit as the proposed project also had to meet DPH’s other application requirements which are not under the Planning Department’s jurisdiction for review.

ENVIRONMENTAL REVIEW

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

RESIDENTIAL DESIGN TEAM REVIEW

Because the project is located within the NC-2 Zoning District, the proposed project did not require review by the Department’s Residential Design Team (RDT). As such, a Design Review Checklist is not included with this analysis. However, because the subject building is categorized as having a historic resource present (Planning Department Historic Resource Status A) and is located within the Hayes Valley Residential Historic District, it was further reviewed by a preservation planner. The preservation planner indicated that the proposed exterior and interior modifications and proposed business signage (blade and canopy signs) would be consistent with the *Secretary of Interior Standards for the Treatment of Historic Properties*. In addition, the public-initiated request for Discretionary Review pertains to concerns regarding land use of the commercial space as a legal nonconforming use as an MCD and retail use rather than the design of the proposed project.

RECOMMENDATION:	Do not take DR and approve project as proposed
------------------------	---

Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs

DR Application

Response to DR Application

Reduced Plans

Planning Memo to DPH dated 4/29/16

DPH letter dated 7/15/16

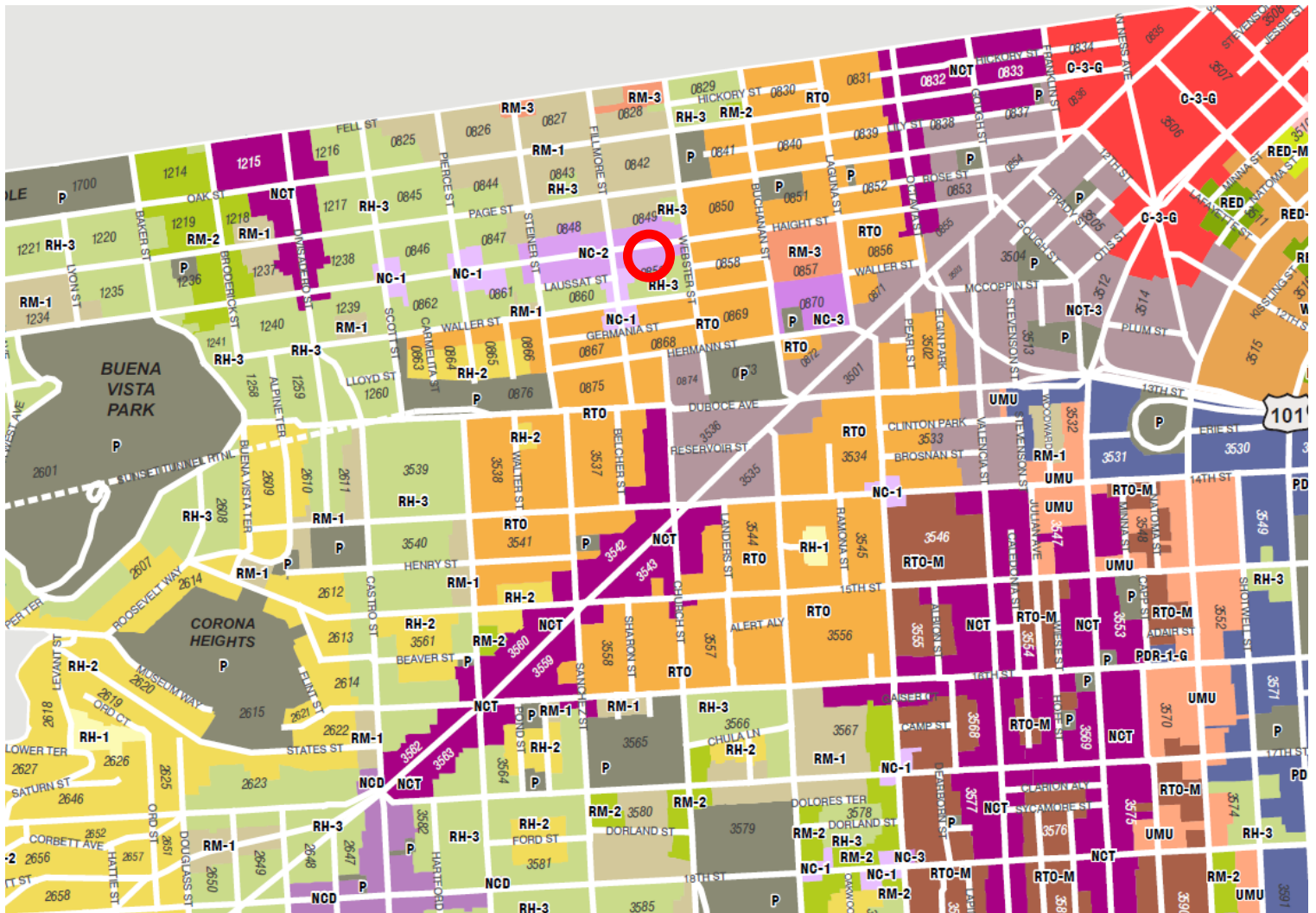
Case No. 2005.0817D - Discretionary Review Analysis Summary

Case No. 2005.0817D – Discretionary Review Action Memo

Portion of Planning Commission minutes from November 9, 2006 Hearing

Public Comment

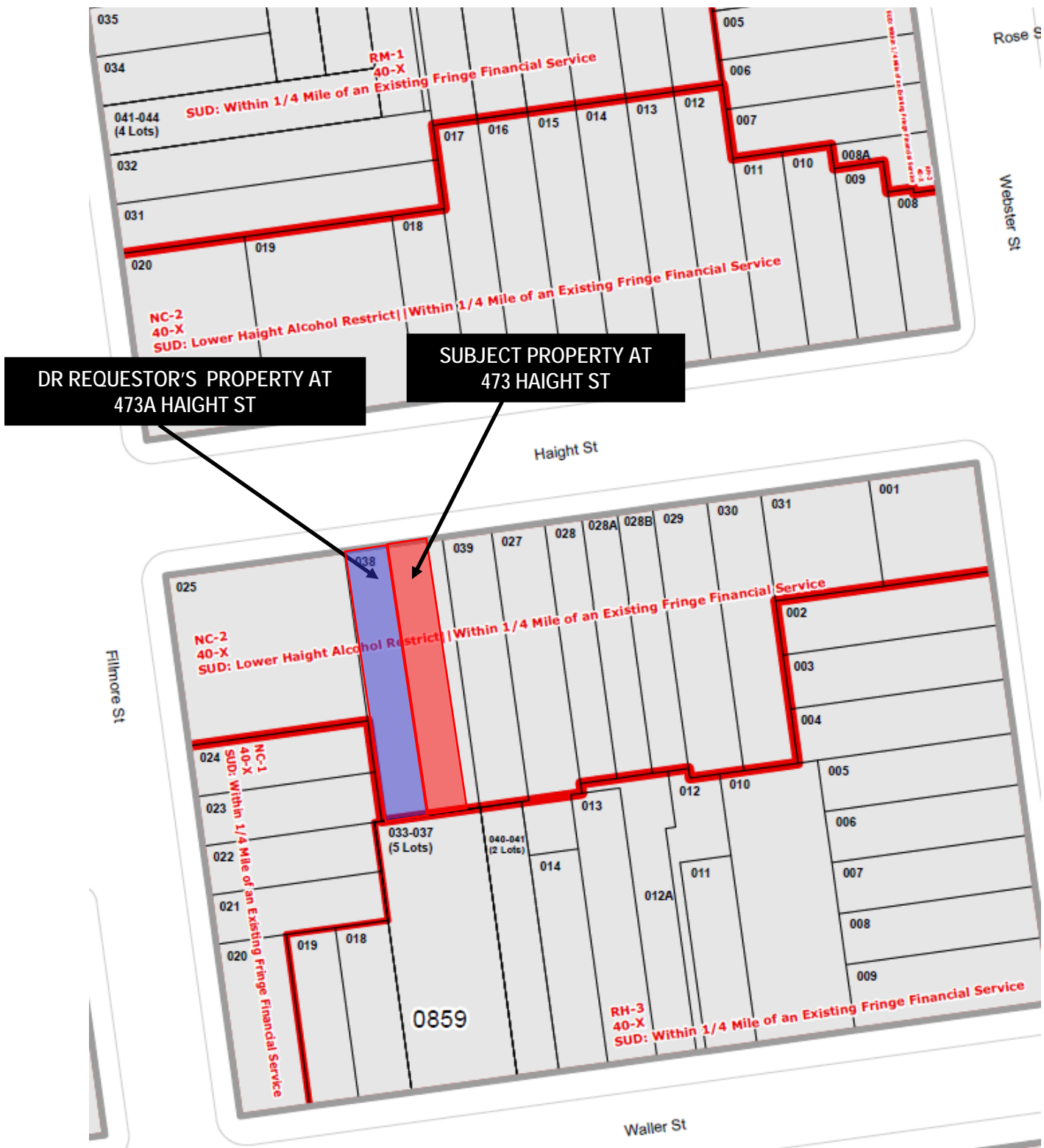
Zoning Map



Discretionary Review Hearing
Case Number 2015-015913DRP
473 Haight Street



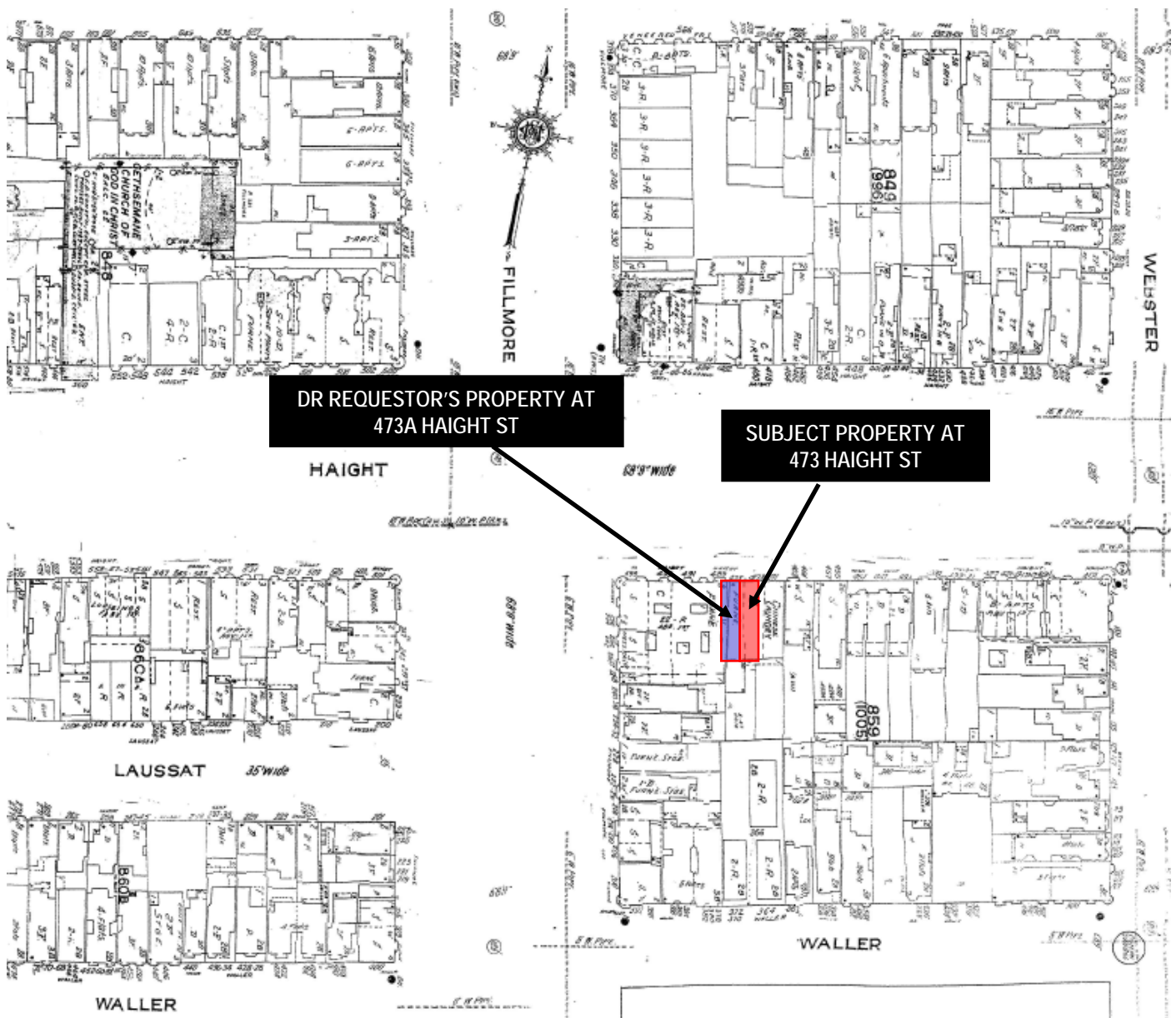
Parcel Map



Discretionary Review Hearing
Case Number 2015-015913DRP
473 Haight Street



Sanborn Map*



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



Discretionary Review Hearing
Case Number 2015-015913DRP
473 Haight Street

Aerial Photo*



*The Aerial Maps reflect existing conditions in June 2016 (Google Imagery).

SUBJECT PROPERTY AT
473 HAIGHT ST



Aerial Photo*



*The Aerial Maps reflect existing conditions in June 2016 (Google Imagery).

SUBJECT PROPERTY AT
473 HAIGHT ST

DR REQUESTOR'S PROPERTY AT
473A HAIGHT ST



Aerial Photo*



*The aerial view reflect existing conditions in June 2016. (Google Imagery)

SUBJECT PROPERTY AT
473A HAIGHT ST

SUBJECT PROPERTY AT
473 HAIGHT ST



Site Photo



**The street view reflect existing conditions in June 2016. (Google Imagery)*

SUBJECT PROPERTY AT
473 HAIGHT ST

DR REQUESTOR'S PROPERTY
AT 473A HAIGHT ST

Discretionary Review Hearing
Case Number 2015-015913DRP
473 Haight Street

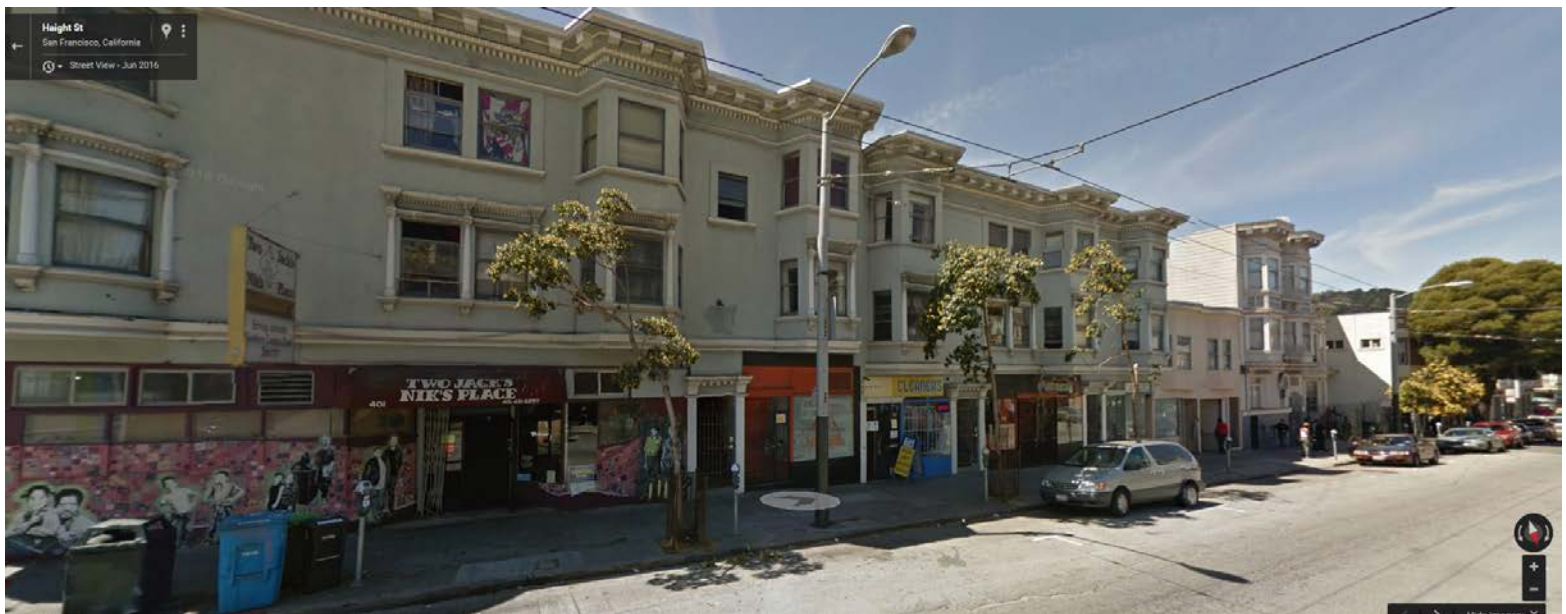
Site Photo

Subject Block



SUBJECT PROPERTY AT
473 HAIGHT ST

DR REQUESTOR'S PROPERTY
AT 473 HAIGHT ST



Discretionary Review Hearing
Case Number 2015-015913DRP
473 Haight Street

Site Photo

Opposite Block



Discretionary Review Hearing
Case Number 2015-015913DRP
473 Haight Street

APPLICATION FOR Discretionary Review

RECEIVED

MAR 28 2016

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT

1. Owner/Applicant Information

DR APPLICANT'S NAME: AZAM KHAN		
DR APPLICANT'S ADDRESS: 473A HAIGHT STREET SF, CA	ZIP CODE: 94117	TELEPHONE: (415) 359-4415
PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: STEVEN KOVACS		
ADDRESS: 1443 HAIGHT STREET SF, CA	ZIP CODE: 94117	TELEPHONE: (415) 713-3990
CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/>		
ADDRESS:	ZIP CODE:	TELEPHONE:
E-MAIL ADDRESS: azam@lovehaightcomputers.com		

2. Location and Classification

STREET ADDRESS OF PROJECT: 473 HAIGHT STREET SF, CA		ZIP CODE: 94117
CROSS STREETS: FILLMORE ST & WEBSTER ST		
ASSESSORS BLOCK/LOT: 0859 / 038	LOT DIMENSIONS: 6862.63	LOT AREA (SQ FT): NC-2
ZONING DISTRICT: 16 FT		HEIGHT/BULK DISTRICT:

3. Project Description

Please check all that apply

Change of Use ☒ Change of Hours ☒ New Construction ☒ Alterations ☒ Demolition ☒ Other ☒Additions to Building: Rear ☐ Front ☐ Height ☐ Side Yard ☐Present or Previous Use: **SMOKE SHOP (PIPES & TOBACCO ACCESSORIES)**Proposed Use: **MEDICAL CANNABIS DISPENSARY (MCD)**Building Permit Application No. **201511193094**Date Filed: **11/19/15**

4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

NO CHANGES MADE AND NO OUTCOME OF ANY KIND.

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

PLEASE REFER TO ADDITIONAL ATTACHED DOCUMENT.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

PLEASE REFER TO ADDITIONAL ATTACHED DOCUMENT.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

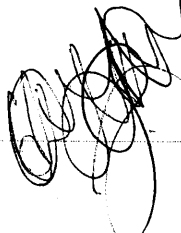
PLEASE REFER TO ADDITIONAL ATTACHED DOCUMENT.

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature: _____



Date: _____

3/28/2016

Print name, and indicate whether owner, or authorized agent:

AZAM KHAN

Owner / Authorized Agent (circle one)

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input checked="" type="checkbox"/>
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>
Photocopy of this completed application	<input checked="" type="checkbox"/>
Photographs that illustrate your concerns	<input type="checkbox"/>
Covenant or Deed Restrictions	<input type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input type="checkbox"/>

NOTES:

☐ Required Material:☒ Optional Material:☐ Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: Matthew RitoDate: 3/28/16

MAR 28 2016

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
P.L.C.

In response to question 1 on page 9:

What are the reasons for requesting this Discretionary Review?

The previous tenants located at 473 Haight Street operated as a smoke shop that specialized in smoking accessories and paraphernalia in which the Medical Cannabis Dispensary (MCD) was an accessory. Because the MCD was only an accessory to the smoke shop there was no signage related to the selling of cannabis on the premises and very few patrons. Even with the low amount of patrons we still experienced many problems directly related to the operation of the MCD on the premises including a constant smell of cannabis, cannabis usage on the premises, patrons reselling cannabis outside of the MCD, break-ins at multiple locations in the building, and increased crime in the neighborhood. There have been multiple MCD's in this block that have acted as a magnet for crime in the past as demonstrated by both the Goodfellow's Smoke Shop as well as the Alternative Herbal Health Clinic.

We believe that because SPARC will operate as solely an MCD it will significantly increase the amount of traffic directly related to cannabis usage and therefore will contribute directly to increased problems related to drug usage on the 400 block of Haight Street and in the Lower Haight District of San Francisco which was already prone to drug related problems. We believe that the operation of an MCD in the Lower Haight will be counter-productive to cleaning up an area that has been known for drug related crime and violence. We also believe that since the MCD is no longer just an accessory to the smoke shop it should be considered a complete change of use and would no longer comply with the permit that is being grandfathered in.

This criminal element poses a direct threat to the adjacent businesses and the employees within.

We believe that the original smoke shop was in violation of the law stating that any Medical Cannabis Dispensary must not operate within 1000 feet of any school or rehab facility. Within 1000 square feet there are 3 schools, 2 rehabilitation centers, 2 community centers, 1 day care center, as well as residences with small children directly adjacent to the premises.

- John Muir Elementary
- Ida B Wells High School
- AltSchool Alamo Square
- Walden House Drug Rehabilitation Center
- Bay Area Drug Rehab Treatment Center
- Hayes Valley North Community Center
- Boys and Girls Club Satellite Community Center
- TALK Line Family Support Center

What are the exceptional and extraordinary circumstances that justify Discretionary Review of this project?

Love Haight Computers (located at 473A Haight Street and 475 Haight Street) shares a wall and continues underneath 473 Haight Street (the proposed location for SPARC). There is also a rear door that is directly adjacent to Love Haight Computers. Love Haight Computers operates a drug free environment for its employees and believes that the presence of an MCD in the building will cause unhealthy and undesired working conditions in the building. The smell of cannabis caused by the operation of the Goodfellow's smoke shop was a constant cause of problems with the employees, interns, and customers. The smell of cannabis and the presence of an MCD adjacent to Love Haight Computers cause Love Haight Computers to appear unprofessional in a trade that demands professionalism.

Aside from the smell, the operation of an MCD at 473 Haight Street poses a direct threat to the security of Love Haight Computers and the safety of its employees. We believe that not only is there an existing threat from the patrons, but from the many employees of SPARC as well.

With the expiration of the lease of Goodfellow's smoke shop, the landlord told us that all of the problems and complaints that we expressed related to the operation of an MCD in the building were going to be a thing of the past and that another MCD would not be allowed to operate in the same space again.

Love Haight Computers in partnership with the Boys and Girls Club of America and operates a community center directly below 473 Haight Street (The proposed location of SPARC) where they teach technology, business, and other skills to adolescents and offers internships through the business. We believe that the presence of an MCD in the building sends a bad message that is counterproductive to the development of these individuals.

How does the project conflict with the City's General Plan of the Planning Code's Priority Policies or Residential Design Guidelines?

We believe that the law referred to in the above paragraphs should be grounds enough to deny the permits for any MCD to be formed or constructed at 473 Haight Street or in the 400 block of Haight Street. This is a direct violation of the law and should be subject to review and the Discretionary Review Process.

In response to question 2 on page 9:

Please explain how this project would cause unreasonable impacts:

If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected and how?

We believe that the operation of a large, exclusive MCD on the premises will cause security threats to employees, property, and inventory located in the building. We also believe that the construction of SPARC could cause unforeseen damage to the property and/or inventory located in the adjacent businesses. We strongly believe that our livelihood and security is at risk. Not only would adjacent businesses need to increase security in the building, they would also be forced to hire additional security personnel which in other cases would be unnecessary.

In response to question 3 on page 9:

What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question 1?

We believe that the operation of any MCD in the Lower Haight district of San Francisco will be counter productive to the advancement of the neighborhood. We are submitting the application in disapproval of the entire project and believe the Planning Department should deny approval of any MCD in the 400 Block of Haight Street. The Apothecarium located at Market Street and Church Street is close enough to take care of any needs of Medical Cannabis patients in the Lower Haight (1/3 mile from 473 Haight Street). In the area, SPARC, Meadow, and Eaze Delivery Service, SPARC is fully capable of delivering products to their customers and should not have any need for another retail location in the 400 block of Haight Street.

RESPONSE TO
**DISCRETIONARY
REVIEW (DRP)**



**San Francisco
Planning**

SAN FRANCISCO PLANNING DEPARTMENT
1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103-2479
MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address: 473 Haight Street

Zip Code: 94117

Building Permit Application(s): 2015.11.19.3094

Record Number: 2015-015913DRP

Assigned Planner: Sharon Young

Project Sponsor

Name: Erich Pearson

Phone: 415-314-4995

Email: ErichP@sparcsf.org

Required Questions

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.)

(Please see additional form)

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

(Please see additional form)

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Include an explanation of your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

(Please see additional form)

Project Features

Please provide the following information about the project for both the existing and proposed features. **Please attach an additional sheet with project features that are not included in this table.**

	EXISTING	PROPOSED
Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	N/A	N/A
Occupied Stories (all levels with habitable rooms)	1	1
Basement Levels (may include garage or windowless storage rooms)	0	0
Parking Spaces (Off-Street)	N/A	N/A
Bedrooms	N/A	N/A
Height	Approx 13 ft	Approx 13 ft
Building Depth	Approx 60 ft	Approx 60 ft
Rental Value (monthly)	unknown	unknown
Property Value	unknown	unknown

I attest that the above information is true to the best of my knowledge.

Signature: <i>Joel Freston</i>	Date:
Printed Name: Joel Freston	<input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Authorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.)

The project should be approved because the application does not provide exceptional and extraordinary circumstances that justify Discretionary Review. The proposed project does not change the permitted land use, which is what the DR requestor states clearly in his request he is attempting to prevent - an MCD at this location. Although the DR requestor listed only "Pipes and Tobacco" as the previous/present use on the DR application, 473 Haight is additionally and previously/presently an MCD that sells medical cannabis - as this project is proposing to continue. There is no requested change to the use of the property and therefore, there are no exceptional and extraordinary circumstances that justify Discretionary Review.

Additionally, the concerns expressed by the DR requestor are not regarding the building permit, which is the purpose of the project sponsor's permit application. Rather, within the request for DR, the DR requestor cites issues with the already approved land-use. We understand the issues cited by the DR requestor to be twofold:

1) The previous tenant at 473 Haight was also an MCD, and was not a responsible operator for the community. This has no bearing on SPARC's operational standards which are considered the gold standard for MCD operations in San Francisco by many, including the San Francisco Department of Public Health. Additionally, the local neighborhood group, LoHaMNA has agreed that SPARC is one of the best operators in the city and feels SPARC will operate at a much higher standard than the previous tenant.

2) The DR applicant believes SPARC's operation at 473 Haight will increase foot traffic by those who use cannabis, which will contribute to the criminal element in the neighborhood. This also has no bearing on SPARC as SPARC has established standard practices wherein SPARC monitors and enforces a strict member code of conduct and "Good Neighbor Policy" in which SPARC members are not allowed to use cannabis in or near 473 Haight Street at the risk of losing their membership. Regardless, neither of these concerns are related to the building permit in question, and thus, again, do not warrant Discretionary Review.

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

We have met with the DR requestor on multiple occasions where we have offered to make any reasonable changes or incorporate any preferences into our safety protocols, staff procedures, video camera placement, floor plan layout, backyard common areas, etc. We offered to change anything the DR requestor may take issue with on many occasions. The DR requestor has no requests for changes to the proposed project. The DR requestor expressed multiple times that there were no issues that needed to be changed, rather the DR requestor only wants SPARC to locate elsewhere – away from 473 Haight.

In November and December of 2015, SPARC hosted neighborhood meetings and met with other concerned parties, including LoHaMNA -- the official neighborhood association. At that time, SPARC agreed to security changes and enforcement procedures regarding camera placement and footage retainment. LoHaMNA and other parties agreed these changes would suffice in order to receive their full support of the project.

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Include an explanation of your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

We are willing to make any reasonable changes requested by the DR requestor. Thus far, despite a series of meetings there have been no change requests by the DR requestor. The DR requestor's only request is to abandon the proposed project altogether. Should the DR requestor provide a list of requests for changes we will consider, as we've done for the neighborhood group - LoHaMNA.

The project will not have any adverse effect on the surrounding properties because the exterior portion of the remodel does not increase the footprint or height of the building. The exterior remodel includes the façade of the building. We have worked closely with the San Francisco Planning Department's historic preservation planners to voluntarily replace the facade to match the historical design of the past.

SPARC has 2,716 members within a half mile radius of the proposed location, and 6,414 members within a mile radius of the proposed location. Most all of these San Francisco residents pass 3 other dispensaries on their commute from the Lower Haight to our existing location at 1256 Mission Street on a regular bases. These residents and neighbors pass these other dispensaries because of the unique professional atmosphere and positive medical experience we provide them. All of these members are San Francisco residents and direct neighbors to the project and will be positively impacted by our presence at this location.

In working closely with the Planning Department, the City's historic planners, LoHaMNA neighborhood association, and our member neighbors, we are positive there will be no negative impact to the neighborhood, but rather a positive one. We clearly improved the neighborhood at our Mission Street location, and we plan to do the same at this location.



San Francisco
Patient and
Resource Center

473 Haight St.
San Francisco CA 94117

www.473Haight.com

TEL 415 252 7727
FAX 415 252 7724

Who we are.
How we help.



Compassion. Caring. Community. It's our Mission.

A model dispensary, SPARC raises the bar for medical-cannabis dispensaries across California. Our Board of Directors has over 50 years of combined experience in medical cannabis and represents our community of members stakeholders. Our primary mission is to serve our members by providing health services and advancing the successful treatment of serious illnesses with access to lab-tested medical cannabis.

Our Mission

SPARC is a nonprofit collective dedicated to providing lab-tested, affordable, high quality cannabis and subsidized health services to our members.

We aim to educate our members about cannabis treatments and other alternative health approaches to supplement their medicine.

SPARC advocates for government change. We seek to be a voice for the implementation of best practices for the regulation and taxation of medical cannabis.

Our History

Serving patients since 2001, SPARC began as a collaboration between several small collectives serving distinct patient populations in San Francisco. SPARC focused primarily on serving

low-income patients suffering from chronic and terminal illnesses. As our member base expanded through the integration of small patient collectives, we sought a permit from the City of San Francisco to open a central healing center and dispensary. This important step allowed us to increase our capacity to serve more members. Our organization is rooted in the same compassionate, patient-centered service that we have maintained for over a decade. We work to bring our members a community-friendly and scientific approach to providing medical cannabis. Increased membership with SPARC helps us continue to offer free health-service programs, as well as our free Compassion Program helping seriously ill, low-income patients in San Francisco. We have provided medical cannabis to critically ill patients in hospice at no charge for nearly 15 years.

“We are grateful for SPARC’s partnership and support. We have seen many patients whose conditions have greatly improved through the use of cannabis for pain management, nausea, harm reduction, and other valuable medical uses.”

– Tim Patriarca

Former Executive Director of Maitri AIDS Hospice

As a not-for-profit organization, our proceeds are reinvested into patient services and community activism. As we grow, our advocacy and patient services grow, too.

Social Services

At the 1256 Mission Street location, we offer a full array of staff-supported community services to our members. These include social services, educational programs, and community-building activities that break the sense of isolation experienced by many ill patients. Programs offered include new-member orientations, women's support groups, HIV/AIDS support groups, harm-reduction groups, and weekly social events. Benefits counselors offer one-on-one consultation with patients and assist with referrals to outlying professional services. These successful programs will be implemented at the 5420 Mission Street location.

Access for Chronically Ill, Low-Income Patients

SPARC is committed to delivering medicine and services to members who are too ill to visit our physical location. We provide cannabis free

of charge to qualified low-income patients; this is based on our successful pilot program, the San Francisco Cannabis Collective, which had a seven-year track record of supplying medical cannabis at no cost to critically ill patients. This tradition of compassionate care culminated in SPARC's Compassion Program that provides free cannabis and delivery to seriously ill patients in hospitals, nursing homes, hospices (or released from hospices), and also for patients who are housebound, bedridden, or have limited mobility. We work closely with healthcare-facility administrators to maintain appropriate protocols to safeguard cannabis access. To date, this program has helped over 60 patients per month, with more than \$60,000 of cannabis proudly donated by SPARC annually.

Laboratory Testing for Scientific Consistency and Safety

SPARC tests all medical cannabis for harmful pathogens, such as mold, fungus, and pesticides. This is particularly important for immune-suppressed patients who cannot risk being exposed to fungus or bacteria, which are not controlled-for in the current system of medical-cannabis production. The laboratory has filled a gap in San Francisco's approach to regulating medical cannabis. As the first dispensary to mandate laboratory testing, SPARC has led the way for San Francisco patients to access medical cannabis that has defined levels of therapeutic compounds and is free from harmful pathogens. We conduct laboratory analysis that screens for contaminants while also providing data on the genetics and potency of various kinds



Mary Gennoy Patient

of cannabis, which allows members to make safe, well-informed decisions when selecting a medicine. Our products include labels that list the predominant active ingredients in each strain of medical cannabis. SPARC caters specific strains to a member's particular medical need, increasing the efficacy of the medicine and limiting unwanted side effects as part of a patient's treatment. Listing cannabinoid profiles and levels allows patients to select the best medicine for their needs.

Scientific Testing: Benefits & Goals

SPARC is one of the few dispensaries in California to have its medicine tested to ensure safety and quality. It is vital that there are no traces of mold or pathogens in any cannabis that is provided to members. Quality is usually determined by the amount of symptom relief that a medicine provides and the reliability of the medicine to produce the desired effect. Not only do we measure the amount of tetrahydrocannabinol (THC) in each strain we offer, but by using standard analytical techniques, we can assay for the presence of other therapeutically significant cannabinoids, such as cannabidiol (CBD). Our packaging lists the percentage of THC and CBD concentrations for each strain, allowing our members to select the right medicine for their health needs. Our long-term goal is to develop a scientific approach that includes the possibility of documenting and researching which plant variations and horticultural practices can be combined to maximize the healing qualities of specific strains. The primary and immediate focus of SPARC is to perform testing of medical cannabis to guarantee safety and quality for our

members. Second, testing helps our collective create standardized, reliable, and consistent medical products on which patients can rely to meet their treatment expectations.

In both cases, our approach is based on best practices employed by Bedrocan, a government-operated laboratory in the Netherlands. A third long-term research opportunity is to participate in studies that identify which plants and variations of medical cannabis—there are 700 variations of cannabis—have the best treatment value for different medical conditions. Important healing and pain-relief components in medical cannabis vary from plant to plant. As indicated by Bedrocan, this research is greatly needed and largely unavailable in the United States. SPARC continues to offer the long-term possibility of pursuing important scientific research, including determining which plant variations, in combination with certain horticultural practices, can create plants most fitting to specific needs.

The Future: Regulation and Transparency

Medical cannabis is at an exciting regulatory crossroads in the United States. Every day, more people recognize its powerful treatment for prevention against many kinds of illness. Our board members and founders are recognized for their industry expertise and have advised on local and state medical-cannabis policy. SPARC seeks to raise the bar for dispensaries and for treatment services for patients in the United States, while expanding access to medical cannabis. We will continue to work with local, state, and national medical cannabis-policy groups to ensure that evidence-based research and human welfare are the driving forces behind future regulation, cultivation, and distribution of medical cannabis.

Table of Contents

Section I
Community Engagement..... 6

Section II
Letters of Support17

Section III
Member Agreements73

Section IV
Safety and Security Plans 77

Section V
Services for Our Members 84

Section VI
Education 89

Section VII
Lab-Tested Cannabis..... 97

A space for your notes101

Section I

Community Engagement



Community Engagement

There's a lot to being a good neighbor—communication, understanding, and respect. SPARC strives to be a good neighbor in every community in which it opens.

Every neighborhood is different and, so, SPARC's operations must suit the unique needs of each community. In October 2015, SPARC launched a comprehensive community outreach and engagement plan to understand the challenges and needs of the Lower Haight neighborhood, home of the proposed location at 473 Haight Street. The outreach not only informed neighbors of the proposal, but helped gather feedback about the proposal and neighbors' experience with other dispensary facilities.

SPARC ensures accessibility to the community with a Community Liaison, a full-time staff member whose role is to be receptive and responsive to needs of the community. Joel Freston MPA., presently holds the role. The Community Liaison reports directly to the Executive Director.

After opening, SPARC's community engagement will continue as it has at the existing 1256 Mission Street location, joining community groups, participating in community meetings and events, and connecting with our neighbors. The efforts toward engaging the proposed location community, as in much of our outreach, has been far above and beyond the

community outreach requirements made by the San Francisco Planning Department. SPARC is not just part of the community, it helps make community.

Outreach

SPARC ensured thorough outreach from stakeholders through a manifold approach:

- Meeting neighbors—SPARC canvassed the neighborhood, going to each door within a one block radius of the proposed location, twice. This includes the immediate and surrounding blocks. Connecting with Community Organizations—SPARC reached out to 9 community organizations - including LoHaMNA, the most prominent neighborhood association in the Lower Haight, who express their full support of the project.
- Hosting 2 SPARC Sponsored Community Meetings—SPARC held two separate community meetings at a neighboring restaurant to the proposed location. SPARC provided food and drinks to attendees. Neighbors, residents, business owners and Supervisor London Breed's office were in attendance.

Meeting Neighbors

As an incoming member of the community, we felt it important to meet with our neighbors, residents and businesses alike, to inform them of our intentions, and welcome any feedback they may have in order to best serve the community. In that regard, in November of 2015 SPARC visited every single door within block radius surrounding the proposed location, which includes the surrounding blocks. This would be the first of two times SPARC visited these neighbors. On this occasion, we introduced ourselves, our intention to operate an MCD at 473 Haight Street, and left both these flyers and an invitation at each door.

Freston, Joel

Community Liaison
415.692.5224
freston@sparcsf.org
community@sparcsf.org
PO Box 14816
San Francisco CA, 94114
www.SPARCsf.org

San Francisco Patient and Resource Center



Hello,

My name is Freston. I'm out going door to door on behalf of SPARC, the San Francisco Patient and Resource Center, a medical cannabis dispensary located at 1256 Mission Street. I serve as the SPARC Community Liaison and would like to introduce myself to you and offer my information as a resource to you and residents and business owners in the area.

We at SPARC strive for excellent relationships with our neighbors and the community. We are beginning a community outreach program that includes reaching out to our adjacent neighbors directly. In that regard, I'm sorry I missed you today. I'm visiting with residents and businesses over the next few weeks to discuss SPARC's recently submitted application to operate a medical cannabis dispensary at **473 Haight Street**. You may hear of our application to operate a second dispensary at 473 Haight Street in the coming weeks. I will be back to your door in the near future, however if possible, I would like the opportunity to speak with you and discuss the application.

SPARC has been open at 1256 Mission Street since 2010, and serves as a nationally recognized operational model, with a strong record of safety, and known for improving the neighborhood in which it's located. SPARC is an experienced, highly professional, and modern retail facility. To learn more, please visit: <http://sparcsf.org/about-sparc/who-we-are>

If you have any questions about our application to operate a medical cannabis dispensary at 473 Haight Street, please feel free to email me at community@sparcsf.org, or call 415-692-5224.

Thank you,
Freston

Hello,
As a neighbor to our proposed location you are cordially invited to a community meeting to discuss SPARC's application to operate a medical cannabis dispensary at 473 Haight Street.

SPARC strives to be a good neighbor in every community in which it opens. Every neighborhood is different and so, SPARC's operations must suit the unique needs of each community. There's a lot to being a good neighbor— communication, understanding, and respect. As we begin to engage the Lower Haight neighborhood we hope to gather helpful feedback from our neighbors as well as address the hopes and concerns of our proposal.

Food and drinks will be provided at the meeting. Please visit sparcsf.org/about-sparc to learn more, or feel free to call me with any questions at 415-264-8835.

Sincerely,
Joel Freston

Community Liaison
415.264-8835
community@sparcsf.org



Lower Haight Community Meeting:

What: Community discussion of SPARC's application to operate a medical cannabis dispensary at 473 Haight Street.

When: Monday November 9th at 6:00PM.

Where: Two Jack's Nik's Place, 401 Haight Street, San Francisco, CA 94117
Food and drink kindly provided by Wing Wing's.



This meeting is facilitated by the
Lower Haight Merchants + Neighbors Association

Questions? Please call 415-264-8835

Lower Haight Community Meeting:

What: Community discussion of SPARC's application to operate a medical cannabis dispensary at 473 Haight Street.

When: Wednesday December 9th at 6:00PM.

Where: Two Jack's Nik's Place, 401 Haight Street, San Francisco, CA 94117



This meeting is facilitated by the
Lower Haight Merchants + Neighbors Association

Questions? Please call 415-264-8835

At this time, we received feedback from some neighbors, and quickly responded to specific concerns via phone, email, and letters. An example of a response to a community member follows.

SPARC
C/O: Joel Freston
1256 Mission Street
San Francisco, CA 94708

San Francisco, CA 94117

May 25, 2016

Dear [REDACTED],

My name is Joel Freston, and I serve as the Community Liaison for SPARC. I'm writing you in regard to our application to remodel the building at 473 Haight Street. Your name and address were provided to me from the San Francisco Planning Department as someone who opposes our application to remodel the building at 473 Haight Street.

As a future neighbor, I want to first express my respect for your opinion and appreciation for your perspective as a resident of the neighborhood. Even though we have been working on this project since August of 2015, there is always more I can learn about the local community and their concerns and desires surrounding our project. What I hope to express to you in this letter is my genuine desire to embrace any changes or recommendations you may have for our project, as well as provide you with some context and history about SPARC and our application at 473 Haight Street.

SPARC is a model cannabis dispensary that is considered by the San Francisco Department of Public Health as the "gold standard" for operations. As of August 2015, SPARC has acquired a former dispensary at 473 Haight Street with the intention to remodel the site to be a branded a SPARC dispensary facility. Additionally, we have worked closely with the San Francisco Planning Department's historic preservation commission to voluntarily restore the facade facing Haight Street to retain its rich historical building fabric to match the history and culture of the neighborhood.

To be clear, the land use right for 473 Haight Street is such that medical cannabis sales are already approved. That was approved by the city with the previous tenant and is not in question. What is in question is whether or not SPARC can remodel the interior of the building and improve the facade. In other words, the request for discretionary review, for which your name was added, will only be considering our permit to remodel the building, not the land entitlement to sell medical cannabis at the site. In my experience reaching out to neighbors over the past 6 months, many in the neighborhood support having a SPARC here. In addition, most agree that they would prefer to have a nice remodeled cannabis dispensary under the SPARC brand rather than opening the dispensary building "as-is".

Given this history and context, I'm reaching out to you in the hope that you'll allow me an opportunity to speak with you about the project and discuss your concerns. Last fall, SPARC hosted two neighborhood open houses on this project where neighbors were invited to provide feedback and express their desires and concerns for the project. At that time, we received feedback and made changes accordingly. If you would like to see

a nonprofit organization



San Francisco
Patient and
Resource Center
PO BOX 14816
San Francisco, CA 94114
info@SPARCsf.org
www.SPARCsf.org
TEL 415 262 SPAR
FAX 415 262 7724



San Francisco
Patient and
Resource Center
PO BOX 14816
San Francisco, CA 94114
info@SPARCsf.org
www.SPARCsf.org
TEL 415 262 SPAR
FAX 415 262 7724

changes to our project, I would be happy to speak with you about them and find a solution with your input.

I have hosted several tours for neighbors to 473 Haight Street and learned that anyone who has toured or read about our facility on 1256 Mission Street understands how serious we are about public safety, a modern professional operation, cleaning up in the neighborhood, and making public improvements that benefit the local neighborhood and community at large. In fact, the local neighborhood organization known as the Lower Haight Merchant & Neighbors Association (LoHaMNA) has officially expressed their support for our project as well.

We at SPARC aim to be a benefit to the entire neighborhood. Even though it appears you're opposing the project, I thought you might be interested in learning who we are and how we help before making a final decision.

If you're interested in touring our current facility at 1256 Mission Street I would be thrilled to host you personally to demonstrate what we have in mind for our 473 Haight Street location. As a neighbor to the project, I think you will be pleasantly surprised at the level of professionalism and respect we demonstrate in regard to our operations and the neighborhoods in which we're located.

I promise that a phone call with me or tour of our current facility won't be a waste of your time. I sincerely appreciate your concerns for the neighborhood and hope to work together to address them in a productive way that benefits the entire community.

Please feel free to call me with any questions, to schedule a tour, express concerns or desires for the project at 415-264-8835, or email at community@sparcsf.org

Sincerely,

Joel Freston

*I hope we can chat about
the project. Thank you,*

a nonprofit organization

Connecting with Community Organizations

In executing our community outreach plan, we identified and began to reach out to the 9 different community organizations that best represent the Lower Haight neighborhood. The process of reaching out involved introducing ourselves and our application to operate an MCD via letters, phone, email, and by attending the community organization's meetings. During these meetings, SPARC presented our intentions, shared our desire to become community partners, and addressed any concerns of the application brought forth by the organizations membership. A list of the community organizations we have reached out to is listed below:

- Castro Upper Market Community Benefit District
- Duboce Triangle Neighborhood Association
- Fillmore Merchants & Improvement Association
- Haight Ashbury Neighborhood Council
- Hayes Valley Merchants & Neighbors Association
- Lower Haight Merchant & Neighbors Association (LoHaMNA)
- Market/Octavia Community Advisory Comm.
- Noe Street Neighbors
- Western Addition Neighborhood Association

Each of these community organizations received multiple letters, emails, and phone calls, and were invited to attend the SPARC community meetings. Each organization was offered a full presentation regarding our application to operate an MCD and who SPARC is. An example of this letter can be seen on the next page:

Joel Freston
SPARC, Community Liaison
1256 Mission Street
San Francisco, CA 94103
October 28, 2015



San Francisco
Patient and
Resource Center
PO BOX 14816
San Francisco, CA 94114
info@SPARCsf.org
www.SPARCsf.org
TEL 415 252 SPARC
FAX 415 252 7724

Hello Neighbor,

I am writing on behalf of SPARC, San Francisco Patient and Resource Center, a medical cannabis dispensary located at 1256 Mission Street. I serve as the SPARC Community Liaison and would like to introduce myself to you and offer my information as a resource to you and your organization's membership.

I am writing to inform you that we will be submitting an application to operate a medical cannabis dispensary at 473 Haight Street. I have also emailed this information to you for your convenience.

We at SPARC strive for excellent relationships with our neighbors and the community. We are beginning a comprehensive community outreach program that includes reaching out to the important community organizations in the area, as well as speaking with our adjacent neighbors directly. In that regard, I can assure you we will take every step to ensure we reach out to the community, provide open and accessible information, and act on helpful feedback we receive during this process.

As I begin reaching out into the community, I would love the opportunity to field any questions you or your organization may have, share with you our plans, and open a dialogue of how best SPARC can move into the neighborhood and become a community partner. Please let me know how to find time on an upcoming agenda, or any suggestions you may have on how best we can discuss this further.

Thank you for your time, and for the hard work you do for the community. I appreciate any direction you can provide in reaching out to the community on this matter. I am happy to answer any of your questions and extend the offer to give you a tour of our dispensary. If you find yourself in our neighborhood, please drive by – we are located at 1256 Mission Street. Due to the city's laws around dispensary access, please let me know in advance if you'd like a tour.

Thank you for your time. I appreciate any direction you can provide in reaching out to the community on this matter. I look forward to working with you more.

Sincerely,

Joel Freston
Community Liaison, SPARC
415-264-8835

a nonprofit organization

As a result of our outreach efforts to these community organizations, we have identified very few concerns and addressed each concern immediately.

During this process we have found many community organizations welcoming and eager to partner on community projects. SPARC has joined and plans to partner with many organizations, including the Lower Haight Merchants and Neighbors Association - LoHaMNA.

Below is a timeline of outreach conducted to the organizations listed above:

Organization	Intro Letter	Intro email	Follow-up call	Community Meeting invitation	Community Meeting Invitation Call	Follow up invite for a tour	Final outreach letter	SPARC joined?
Castro Upper Market Community Benefit District	10/16/2015	11/2/2015	11/6/2015	12/1/2015	12/7/2015	No interest	2/5/2016	
Duboce Triangle Neighborhood Association	10/16/2015	11/2/2015	11/6/2015	12/1/2015	12/7/2015	No interest	2/5/2016	
Fillmore Merchants & Improvement Association	10/16/2015	11/2/2015	11/6/2015	12/1/2015	12/7/2015	No interest	2/5/2016	
Haight Ashbury Neighborhood Council	10/16/2015	11/2/2015	11/6/2015	12/1/2015	12/7/2015	No interest	2/5/2016	
Hayes Valley Merchants & Neighbors Association	10/16/2015	11/2/2015	11/6/2015	12/1/2015	12/7/2015	No interest	2/5/2016	
Lower Haight Merchant & Neighbors Association (LoHaMNA)	10/16/2015	11/2/2015	11/2/2015	11/9/2016 & 12/1/2015	confirmed	tour conducted	6/13/2016	SPARC is a member
Market/Octavia Community Advisory Comm.	10/16/2015	11/2/2015	11/6/2015	12/1/2015	12/7/2015	No interest	2/5/2016	
Noe Street Neighbors	10/16/2015	11/2/2015	11/6/2015	12/1/2015	12/7/2015	No interest	2/5/2016	
Western Addition Neighborhood Association	10/16/2015	11/2/2015	11/6/2015	12/1/2015	12/7/2015	No interest	2/5/2016	

SPARC Hosts Lower Haight Community Meetings

Leading up to the community meetings, we'd formally invited each of the neighbors within a one block radius surrounding our proposed location, business and residents alike. Moreover each of the 9 community organizations identified had received a formal invitation either at their regular membership meeting, or via mail, email, and by phone. Some of the community organizations gracefully published the SPARC community meetings in their newsletters and social media outlets, including the Lower Haight Neighbors and Merchant's Facebook page, and Hoodline posted notifications of the meetings, as seen on the next page:

In November and December, SPARC hosted the Lower Haight community at the 401 Haight Street. The purpose of this meeting was to demonstrate to those community organization membership, and any interested local business owners or residents, exactly what a model dispensary, like SPARC, will bring to the community. We provided food, drinks and information packets to attendees. Invitations were extended to all 9 community organizations, in person and via mail. In addition to the invitations distributed to our neighbors, well over 350 invitations were extended around the Lower Haight community.

Hoodline
News
Events
Search stories
SIGN UP
LOG IN

This Monday: SPARC Hosts Community Meeting For Lower Haight Expansion




Photo: Courtesy of SPARC

SPARC, the SoMa medical marijuana dispensary that hopes to open a second location in the Lower Haight's former Good Fellows space, is holding a community meeting this Monday, November 9th, at 6pm at Two Jacks (401 Haight). Representatives from SPARC will introduce themselves, lay out their plans and address any questions or concerns from the community.



SPARC, which already has a location at 1256 Mission St. in SoMa, has already managed to win over its Haight landlord, who was wary about leasing to another dispensary. "We showed the landlord our trained safety staff and our plans for a professional-looking space," SPARC executive director Robert Jacob told us in September. The original location of SPARC won a prestigious American Institute of Architects award for design.

Sat. November 7, 2015, 3:57pm

shared by Jennie Butler @jennieonline

neighborhoods Lower Haight

location 401 Haight St. San Francisco, CA

Lower Haight Merchants and Neighbors Association
November 2, 2015 · 🌟

Please join us for a community meeting next Monday, November 9th with SPARC. SPARC will discuss its proposal to open a medical cannabis dispensary at 473 Haight Street and respond to questions about its plans. The meeting will be at:

Two Jacks Nik's Place, 401 Haight Street
Monday, November 9th at 6 pm. ... See More

About SPARC | SPARCsf
SPARC is a nonprofit collective dedicated to providing lab-tested, affordable, high quality cannabis and subsidized health services to our members.
SPARCsf.ORG

Like
Comment
Share

You and 1 other
Top Comments

1 share

Write a comment...

Lower Haight Merchants and Neighbors Association
The meeting is especially focused on neighbors in the immediately vicinity of the 400 block (within about a block) who may be affected by the regular business operations. Food and beverages kindly provided by Wing Wings.
Like · Reply · November 2, 2015 at 5:42pm

Hoodline
News
Events
Search stories
SIGN UP
LOG IN

Safety, Security Top Concerns For SPARC Expansion To Lower Haight




Photo: Courtesy of SPARC

Last night, representatives from SPARC, the SoMa medical marijuana dispensary that hopes to open a second location in the former Good Fellows space at 472 Haight, met with the community for a second time, to discuss their plans and the potential impact on the neighborhood.

SPARC says the dispensary is still waiting on approval of its license transfer application from the Department of Public Health. The process has taken longer than expected, because the existing permit required sale of both marijuana and tobacco, and SPARC does not plan to sell tobacco.



If approved, SPARC will need at least another six months to get a building permit, do construction, build out the interior of the space, hire staff and raise money from investors. If all goes according to plan, it hopes to open in late summer 2016.

Thu. December 10, 2015, 3:56pm

by Jennie Butler @jennieonline

neighborhoods Lower Haight

location 473 Haight St. San Francisco, CA





Lower Haight Merchants and Neighbors Association
shared Hoodline's post.
December 12, 2015 · 🌟

Thanks to everyone who joined us and SPARC to talk about potential impacts of a marijuana dispensary on the 400 block. If you couldn't join us but want to weigh in, send your comments to lowerhaight415@gmail.com.

Hoodline
December 10, 2015 · 🌟

"Having a successful, professional business will bring more people to the neighborhood. We really need it, because a lot of businesses are closing," said Kate's Kitchen's owner of Sparc.



Safety, Security Top Concerns For SPARC Expansion To Lower Haight | Hoodline

Security was the watchword at last night's second public meeting with the marijuana dispensary, which is hoping to open next summer.

HOODLINE.COM

Like
Comment
Share

At both community meetings, SPARC featured the premier award winning interior designing. The overall wellness and health approach SPARC takes to healing was described in detail by our member service staff. Our security manager discussed the measures taken to ensure the safety of our members, staff, and the surrounding community. We also provided hordervours and drinks.

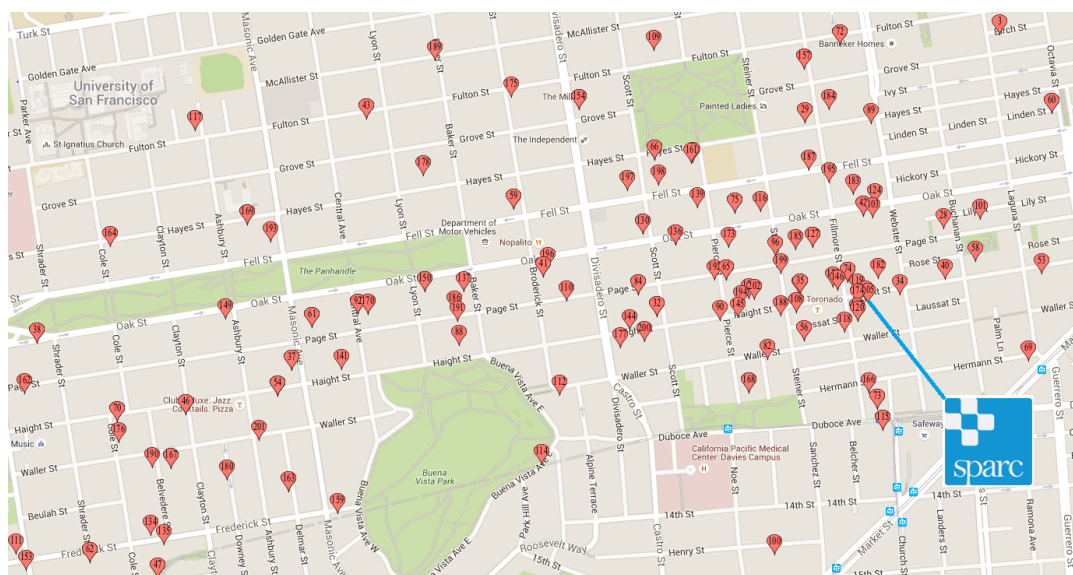
We are very confident and pleased that the membership of these community organizations as well as the neighbors within the one block radius surrounding our proposed location had received an invitation, access to information on SPARC, and information on our hopes of becoming a community partner, as well as ample opportunity to provide feedback during this process.

Community Support

In addition to the over 150 letters of support of our application to operate and remodel that have been mailed in to the Planning Department by individuals living in the Lower Haight, there is also a petition circulating the neighborhood in support of our application with over 150 signatures and growing. These letters of support and petition signatures will be provided at the time of the hearing.

SPARC is supported by the main neighborhood organization in the area, LoHaMNA. Both next door neighbors to the project are in full support (Kate's Kitchen at 471 Haight, and Press Records at 475 Haight). Additionally we have received several letters of support from other business neighbors on the block, including Two Jack's Nik's Place (401 Haight), Memphis Minnies (576 Haight), and UpperPlayground (411 Haight).

SPARC has officially joined both the Lower Haight Merchants and Neighbors Association (LoHaMNA), and we are eager to work with them to enhance and improve the community. As members of LoHaMNA we have attended meetings, and will be working closely to identify opportunities for SPARC to partner with this organization. LoHaMNA has traditionally opposed incoming MCD applications in the past, however they will be supporting SPARC's application primarily because of our extensive and robust outreach efforts and the professional and safe atmosphere we foster at SPARC.



Section IV

Letters of Support



Sharon M. Young
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

May 31, 2016

Hasan Khader
Kate's Kitchen
471 Haight Street
San Francisco, CA 94117

Dear Planning Commissioners,

As the owner and operator of Kate's Kitchen located at 471 Haight Street in the Lower Haight neighborhood, I support SPARC's application to remodel their building and operate a medical cannabis dispensary at 473 Haight Street.

SPARC has hosted two separate community engagement meetings at my establishment in November and December of 2015. As a result of these meetings and ongoing conversations I believe that SPARC will be a positive force for our neighborhood and for neighboring businesses like mine.

My business is located next door to the project location, with my storefront located on Haight. My business would be the most impacted by this project, and I believe in a good way. As a business neighbor to the project site, I am excited at the prospect of SPARC bringing new foot traffic to our block and making improvements to the building.

It is my belief that SPARC will bring the highest standards for safety and community service while also bringing desired foot traffic that will help neighboring business like mine.

As the next door neighbor, I would love to see a SPARC at this location. Please do not take discretionary review and approve this project.

Thank you,
Hasan Khader



“As the next door neighbor, I would love to see a SPARC at this location.”

Hasan Khader
Owner of Kate's Kitchen

Sharon M. Young
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

May 3, 2016

Tom Campbell
General Manager
Memphis Minnie's BBQ Joint
576 Haight Street.
San Francisco, CA 94117

Dear Planning Commissioners,

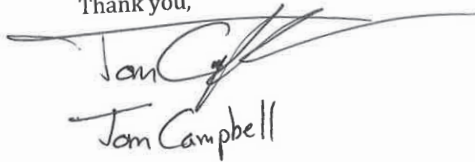
As the General Manager of a neighboring business located at 576 Haight Street in the Lower Haight neighborhood, I support SPARC's application to remodel their building and operate a medical cannabis dispensary at 473 Haight Street.

My business is located on the same street as the project location, with my storefront also located on Haight. As a business neighbor to the project site, I am excited at the prospect of SPARC bringing new foot traffic to our block and remodeling what has been a poorly maintained building for years.

I have also helped SPARC in facilitating a lunch that SPARC sponsored for the Teachers at John Muir Elementary School during Teacher Appreciation Week. I look forward to working with SPARC in the future on other community projects that will benefit my neighborhood.

Please support SPARC's application to operate at 473 Haight Street.

Thank you,



Tom Campbell

“As a business neighbor to the project site, I am excited at the prospect of SPARC bringing new foot traffic to our block...”

Tom Campbell
Memphis Minnies

Sharon M. Young
Planner, Northwest Quadrant, Current Planning
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

April 25, 2016

Adrienne Huesca
493 Haight Street
San Francisco, CA 94117

RE: SPARC's application to open at 473 Haight Street.

Dear Commissioners,

I live at 493 Haight Street in the Lower Haight neighborhood and I support SPARC's application to remodel their building and operate a medical cannabis dispensary at 473 Haight Street.

I have personally toured SPARC at 1256 Mission and I believe that anyone who has toured or read about the SPARC facility understands how serious they are about public safety and being professional and responsible community partner. I believe that having a SPARC on my block will increase safety by providing a neighborhood sentry and responsible steward that monitors the block and cleans the neighborhood. SPARC has established these responsibilities as the standard at their other locations and I support SPARC doing the same here in the Lower Haight neighborhood.

As a neighbor, I am particularly happy that SPARC maintains a Community Participation Program where they sponsor their employees to join with community forces to beautify the neighborhoods in which they operate. I believe regular cleaning and maintenance of my block would be most welcome by other residents of the Lower Haight as well as our local community organization, the Lower Haight Merchant and Residents Association, (LoHaMNA). In fact, I agree with LoHaMNA and many others in the neighborhood that SPARC will be a benefit to our block. Please allow SPARC to open this location without delay.

In conclusion, as a next building neighbor to this project, I am excited at the prospect of having a SPARC nearby. SPARC has been a long standing reputable medical cannabis organization that is considered by many as the gold standard in San Francisco for their compliant and responsible operations. For this reason, and the other reasons stated, I know that they will be a positive force for my neighborhood.

Please do not take discretionary review and approve this project.

Thank you,



Adrienne Huesca

**"I agree with LoHaMNA
and many others in the
neighborhood that SPARC
will be a benefit to
our block."**

Adrienne Huesca
Lower Haight Resident

Sharon M. Young,
Planner, NW Quadrant, Current Planning
Planning Department, City & County of SF
1650 Mission St, Ste 400
San Francisco, CA 94103

May 24, 2016

Jeri Jirza

937 Page St

San Francisco, CA 94117

For the attention of the San Francisco Planning Commission:

Dear Commissioners,

I live at 937 Page St in the Lower Haight neighborhood and I support SPARC's application to remodel their building and operate a medical cannabis dispensary at 437 Haight St. As a neighbor to this project,

I have visited SPARC and I believe that anyone who has toured or read about the SPARC Facility on 1256 Mission St understands how serious they are about public safety, a professional and responsible operation, hosting neighborhood clean-ups, making public improvements that benefit the community at large, and being a responsive participant in the local merchant and community groups. I want SPARC to do this in our neighborhood.

I would much rather see a nice dispensary under the SPARC brand than another empty building.

Please do not take discretionary review and approve this project.

Thank you,
Jeri Jirza
Jeri Jirza

"I live at 937 Page St in the Lower Haight and I support SPARC's application..."

Jeri Jirza
Lower Haight Resident

Sharon M. Young
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

May 3, 2016

Nikki Cooper
Two Jacks Nik's Place
401 Haight Street
San Francisco, CA 94117

Dear Planning Commissioners,

As the owner and operator of Two Jacks Nik's Place located at 401 Haight Street in the Lower Haight neighborhood, I support SPARC's application to remodel their building and operate a medical cannabis dispensary at 473 Haight Street.

SPARC has hosted two separate community engagement meetings at my establishment in November and December of 2015. As a result of these meetings and ongoing conversations I believe that SPARC will be a positive force for our neighborhood and for neighboring businesses like mine.

My business is located on the same block as the project location, with my storefront located on Haight. My business would be one of the most impacted by this project, and in a good way. As a business neighbor to the project site, I am excited at the prospect of SPARC bringing new foot traffic to our block.

It is my belief that SPARC will bring the highest standards for safety and community service while also bringing desired foot traffic that will help neighboring businesses like mine.

Thank you,


Nikki Cooper

“It is my belief that SPARC will bring the highest standards for safety and community service while also bringing desired foot traffic that will help neighboring businesses like mine.”

Nik Cooper
Owner of Two Jacks Nik's Place

Sharon M Young
Planner, Northwest Quadrant, Current Planner
Planning Department, City & County of San Francisco
1650 Mission Street, Suite 400
San Francisco CA 94103

June 10, 2016
MATTHEW L RICCI
839 HAIGHT ST #6
SAN FRANCISCO CA 94117

For the Attention of the San Francisco
Planning Commission

Dear Commissioners

I live at 839 HAIGHT #6 in the
Lower HAIGHT neighborhood & I support
SPARC's application to remodel their
building and operate a medical cannabis
dispensary at 473 HAIGHT STREET

As a neighbor to this project I
would much rather see a nice dispensary
under the SPARC brand that is similar
to their location with award winning interior
design at 1756 Mission St. than another
empty building. My neighborhood has seen
merchants doors closed & businesses

and it is my belief that SPARC
will bring the highest standards for
safety and community services while
also bringing desired foot traffic
that will help neighborhood business

Please do not take discretion
review and approve this Project

Thank You

M. L. Rice

MATTHEW LEE RICE

**"I live at 839 Haight St
in the Lower Haight and
I support SPARC..."**

Nathan Rice
Lower Haight Resident

To: Sharon M. Young
Planner, NW Quadrant, Current Planning
Planning Dept., City & County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

June 5, 2016
Phillip MAISER
624 HAIGHT ST
SAN FRANCISCO, CA
94117

Attn: San Francisco Planning Commission

DEAR COMMISSIONERS;

I LIVE AT 624 HAIGHT STREET IN THE LOWER HAIGHT
AND I SUPPORT SPARC'S APPLICATION TO REMODEL
THEIR BUILDING + OPERATE A MEDICAL CANNABIS
DISPENSARY AT 473 HAIGHT STREET.

I WOULD MUCH RATHER SEE A SPARC
DISPENSARY IN THAT SPACE OVER ANOTHER
EMPTY STOREFRONT IN MY NEIGHBORHOOD.

SPARC IS DEDICATED TO PUBLIC SAFETY
+ MAKE PUBLIC IMPROVEMENTS THAT BENEFIT
THE COMMUNITY AT LARGE, AS WELL AS BEING
A RESPONSIVE PARTICIPANT IN LOCAL MERCHANT +
COMMUNITY GROUPS. FURTHERMORE,

I AM EXCITED AT THE PROSPECT OF A
RESPONSIBLE CANNABIS ~~DISPENSARY~~ DISPENSARY
BEING IN MY NEIGHBORHOOD. IT IS
CONSIDERED BY MANY TO BE THE GOLD
STANDARD FOR THEIR OPERATIONS.

PLEASE DO NOT TAKE A DISCRETIONARY
REVIEW AND APPROVE THIS PROTEST!

THANK YOU FOR YOUR TIME,



PHILLIP MAISEK
LOWER HAIGHT RESIDENT

**"I live at 624 Haight Street in
the Lower Haight and I sup-
port SPARC's application... I'm
excited about at the prospect of
a responsible cannabis dispen-
sary being in my neighborhood."**

Philip Maiser
Lower Haight Resident

FROM THE DESK OF
CHRIS GEORGE

Sharon M Young
Planner, Northwest Quadrant, Current Planning
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

re: SPARC's application at 473 Haight Street

17 June 2016
Christopher J George
501 Haight Street, San Francisco CA

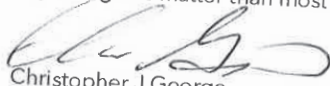
For the attention of the San Francisco Planning Commission:

For 38 years, I have owned the property which includes Iza Ramen, Zip-Zap Hair Salon, Metro Caffe, Haight-Fillmore Whole Food Co, Mike's Barbershop and Stone Bowl Restaurant. I take pride in my property and I am intimately concerned with the atmosphere and the appeal of the Lower Haight.

I have visited SPARC at 1256 Mission Street on a number of occasions. There could be no finer medical cannabis dispensary. Their operation is very clean and in very good taste. The business is tightly managed and I know that they follow the rules very carefully. I think that the Lower Haight would benefit a great deal from SPARC opening a dispensary at 473 Haight Street location, and I can envision absolutely no negative impact that would result.

I feel very strongly that SPARC should be allowed to open in this location, since it was previously a dispensary. If this location can no longer be used as a dispensary, then no location in our neighborhood will be allowed. This essentially denies the residents of our neighborhood the same convenience as residents in every other neighborhood in the City, which is unfair. Neighborhood patients should not be inconvenienced by having to travel outside the neighborhood for their medicine.

I hope you will take my comments into consideration. I have far more at stake regarding this matter than most of my neighbors.


Christopher J George

cc: SPARC 1256 Mission Street, SF, CA

PO BOX 69 FAIRFAX, CA 94978

“For 38 years, I have owned the property which includes Iza Ramen, Zip-Zap Hair Salon, Metro Caffee, Haight-Fillmore Whole Food Co, Mike’s Barbershop and Stone Bowl Restaurant... I feel strongly tat SPARC should be allowed to open in this location... I have far more at stake regarding this matter than most of my neighbors.”

Christopher George
Lower Haight Businees Owner

SHARON M. YOUNG
PLANNER, NORTHWEST QUADRANT, CURRENT PLANNING
PLANNING DEPARTMENT, CITY AND COUNTY OF SAN FRANCISCO
1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103

05/31/2016

BRYAN W LESTER
685 HAIGHT ST #10
SAN FRANCISCO, CA 94117

FOR THE ATTENTION OF THE SF PLANNING COMMISSION:

DEAR COMMISSIONERS,

I LIVE AT 685 HAIGHT IN THE LOWER HAIGHT
NEIGHBORHOOD AND I SUPPORT SPARC'S
APPLICATION TO REMODEL THEIR BUILDING
AND OPERATE A MEDICAL CANNABIS
DISPENSARY AT 473 HAIGHT ST.

AS A NEIGHBOR TO THIS PROJECT, I AM
EXCITED TO SEE A RESPONSIBLE CANNABIS
DISPENSARY MOVE INTO THE VOID THAT
WAS CREATED WHEN OUR TWO PREVIOUS
DISPENSARIES WERE CLOSED. PATIENTS
IN THE AREA DESERVE LOCAL ACCESS

TO THEIR MEDICINE IN A SAFE
ENVIRONMENT THAT SPARC PROMOTES.
THE LOWER HAIGHT NEEDS MORE BUSINESSES
LIKE SPARC, INSTEAD OF EMPTY STOREFRONTS,
NAIL SALONS, AND HIGH END RESTAURANTS.
SPARC SERVES A WIDE DEMOGRAPHIC AND
DESERVES TO BE IN OUR COMMUNITY.

PLEASE DO NOT TAKE DISCRETIONARY
REVIEW AND APPROVE THIS PROJECT,

THANK YOU,



BRYAN W LESTER

"I live at 685 Haight...as a neighbor to this project, I am excited to see a responsible cannabis dispensary move into the void that was created when our two previous dispensaries were closed."

Brian Lester
Lower Haight Resident

Sharon M. Young
Planner, Northwest Quadrant, Current Planning
Planning Dept, City & County of San Francisco
1650 Mission St, Suite 400
SF, CA, 94103

JUNE 23rd 2016
Caitlin Shepherd
618 Cole St, SF, CA, 94117

For the attention of the planning committee of SF:

Dear Commissioners,

I live in the Haight neighborhood, (formerly lived in Lower Haight) and I wholeheartedly support SPARC's application to remodel their building and operate a medical cannabis dispensary at 475 Haight St.

As a neighbor to this project, it's a warm welcome since this area is largely underserved when it comes to medical cannabis. Ever since the closure of the Vapor Room in 2012, the neighborhood has been lacking support for patients in the area. SPARC, in addition, is a reliable, informative, and professional in the industry; it's arrival to the neighborhood is a welcome one. Please do not take discretionary review and approve this project!

Thank you,

Caitlin Shepherd

"As a neighbor to the project, it's a warm welcome since this area is largely underserved when it comes to medical cannabis."

Caitlin Shepherd
Lower Haight Resident

July 2, 2016

To Sharon M Young
Planner Northwest Quadrant Current Planning
Planning Dept. City & County of San Francisco
1650 Mission St. Suite 400
SF Ca 94103

July 2, 2016
Carol Sunderland
1910 Fulton #1
San Francisco Ca 94117

Dear Commissioners
I live in the Lower Haight & I
support Sparc's application to remodel
their building & operate a medical
cannabis dispensary at 473 Haight.

I am pleased to have a Sparc
dispensary close by. I think
Sparc is an excellent & professional
operation.

Sincerely,
Carol J Sunderland

**"I am pleased to have a
SPARC dispensary close by."**

Carol Sutherland
Lower Haight Resident

SHARON M. YOUNG
PLANNER, N. W. QUADRANT, CURRENT PLANNING
PLANNING DEPOT, CITY & COUNTY OF SAN FRANCISCO
1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103

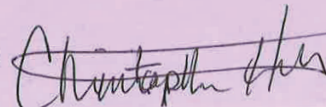
JUNE 1, 2016
CHRISTOPHER HEFNER
820 O'FARRELL STREET, UNIT 215
SAN FRANCISCO, CA 94109

FOR THE ATTENTION OF THE S. F. PLANNING COMMISSION:

DEAR COMMISSIONERS,

I CURRENTLY WORK AT METRO CAFE IN THE LOWER HAIGHT
NEIGHBORHOOD AND I SUPPORT SPARC'S APPLICATION TO REMODEL
AND OPERATE A MEDICAL CANNABIS DISPENSARY @ 473 HAIGHT ST.

AS A NEIGHBOR AND PATIENT WITH SPARC SINCE 2009 I ENCOURAGE
ANY UPGRADES AND/OR EXPANSIONS OF SPARC IN ORDER TO
MORE SIMPLY MAKE IT EASIER AND CLOSER TO ATTAIN QUALITY
CANNABIS AND SAFE ACCESS FOR MY MEDICAL NEEDS.

THANKX, 

**“As a neighbor and patient
with SPARC... I encourage any
upgrades to make it easier and
closer to attain quality cannabis
for my medical needs.”**

Christopher Hefner
Lower Haight Resident

SHARON M. YOUNG
PLANNER, NORTHWEST QUADRANT, CURRENT PLANNING
PLANNING DEPARTMENT, CITY AND COUNTY OF SAN FRANCISCO
1650 MISSION STREET, SUITE 400
SAN FRANCISCO, CA 94103

CHRISTOPHER KANAAN
730 HAYES STREET
SAN FRANCISCO, CA 94102

FOR THE ATTENTION OF THE SAN FRANCISCO PLANNING
COMMISSION:

DEAR COMMISSIONERS,

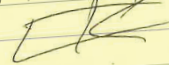
I LIVE AT 730 HAYES IN THE LOWER HAIGHT
NEIGHBORHOOD AND I SUPPORT SPARC'S APPLICATION TO
REMODEL THEIR BUILDING AND OPERATE A MEDICAL
CANNABIS DISPENSARY AT 473 HAIGHT STREET.

AS A NEIGHBOR TO THIS PROJECT, I WOULD MUCH
RATHER SEE A MED DISPENSARY UNDER THE SPARC
BRAND, INSTEAD OF THE "GOOD FELLAS" SHOP THAT
PREVIOUSLY OCCUPIED THE SPACE. I HAVE BEEN A
LONG-TIME MEMBER OF SPARC AND IT IS THE ONLY
SOURCE I TRUST FOR MY MEDICAL NEEDS AS
THEY EXTENSIVELY TEST THEIR MEDICINE. I WOULD
URGE YOU TO APPROVE THEIR APPLICATION.

THANK YOU FOR YOUR CONSIDERATION.

PLEASE DO NOT TAKE DISCRETIONARY REVIEW
AND APPROVE THIS PROJECT.

THANK YOU



CHRISTOPHER KANAAN

2016-06-08

**"I live at 730 Hayes in the Lower
Haight and I support SPARC's
application to remodel their
building and operate an MCD..."**

Christopher Kanaan
Lower Haight Resident

Sharon M. Young
Planner, North Van Ness, Current Planning
Planning Department, City & County of San Francisco
1650 Mission St. #400 SF CA 94103

Dear Commissioners,

I live at 141 Boudinck St. in the Lower Haight neighborhood and I support SPARC's application to remodel their building and operate a medical cannabis dispensary at 473 Haight St.

As a neighbor to this project, I am excited at the prospect of having a SPARC nearby. SPARC has been a long standing responsible cannabis dispensary that is considered by many as the gold standard for their operations. I want a SPARC in my neighborhood.

I know that SPARC is a friend to the San Francisco community. Since 2009, SPARC's compassion program has provided free cannabis and delivery to seriously ill patients who are in hospitals, nursing homes, hospices (or released from hospices), and also for patients who are homebound, bedridden, or have restricted mobility.

Please do not take discretion any further & approve this project.

Thank you,
Ellis Lei

"SPARC has been a long-standing responsible cannabis dispensary that is considered by many as the gold standard. I want a SPARC in my neighborhood."

Ellis Lei
Lower Haight Resident

Sharon M. Young
Planner, Northwest Quadrant, Current Planning
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

June 2, 2016
Emily Petit
1550 Hayes St. #5
San Francisco, CA 94117

For the attention of the San Francisco Planning Commission.

Dear Commissioners,

I live at 1550 Hayes St in the Lower Haight neighborhood and I support SPARC's application to remodel their building and operate a medical cannabis dispensary at 473 Haight Street.

As a neighbor to this project, I not only support but look forward to SPARC being much closer to me and helping to bring the 'good neighbor' vibe, to the businesses and local tenants alike, leading by example. I have seen firsthand the positive effect SPARC has had and continues to have on the neighborhood in the mission and I welcome this addition to our community in the lower haight, a neighborhood in much need of some positive influx. My mother,

"I have seen firsthand the positive effect SPARC has had and continues to have on the neighborhood in the mission and I welcome this addition to my community in the Lower Haight."

Emily Petit
Lower Haight Resident

Sharon M. Young
Planner, Northwest Quadrant, current planning
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

06/07/2016
Emma Marcus

1707 1/2 Oak Street, San Francisco, CA 94117

For the attention of the San Francisco Planning Commission:

Dear Commissioners,

I live at 1707 1/2 Oak in the (Upper) Haight and I support SPARC's application to remodel their building and operate a medical cannabis dispensary at 473 Haight Street.

As a neighbor to this project,

- I am very excited at the prospect of having a SPARC within walking distance of my house. I love coming in - it makes my day better.
- I believe that their intentions and vibe would enhance the neighborhood (honestly, I wish it was coming in even closer to my house)
- My mom frequents SPARC for medicine. She is the closest person to me and I know their products really help her with her pain and anxiety. They help so many people on a daily basis.

- Their security guards are very friendly and professional - you do not get that everywhere.
- I am confident in SPARC's practices and choose to come here because of that.
- SPARC will bring more people to the Haight and will help balance the many bars in the area (bring a less rowdy vibe & atmosphere).
- The space has already allowed medical sales in the past (I used to go to the vapor room before it closed).
- I genuinely believe it would benefit its surroundings, SPARC is great!

Please do not take discretionary review and approve this project.

Thank you!

Emma Marcus

"As a neighbor to this project, I'm very excited at the prospect of having a SPARC within walking distance to my house."

Emma Marcus
Lower Haight Resident

Sharon M. Young
 Planner, Northwest Quadrant, Current Planning
 Planning Dept, City and County of San Francisco
 1650 Mission Street, Suite 400
 San Francisco, CA 94103

July 1st, 2016

Eric Fletcher
 238 Fillmore St., SF, CA 94117

For the attention of the SF Planning Commission:

Dear Commissioners,

I live at 238 Fillmore St. in the Lower Haight neighborhood and I support SPARC's application to remodel their building and operate a medical cannabis dispensary at 473 Haight St.

As a neighbor to this project, I would much rather see a nice dispensary under the sparc brand that is similar to their other location with award winning interior design at 1256 Mission street than another empty building. My neighborhood has seen merchant's doors closed and businesses shuttered and it is my belief that SPARC will bring the highest standards for safety and community service while also bringing desired foot traffic that will help neighboring businesses.

Please do not take discretionary review and approve this project.

Thank you,

Eric Fletcher 7-1-16

"I live at 238 Fillmore St in the Lower Haight ... it is my belief that SPARC will bring the highest standards for safety and community service."

Eric Fletcher
 Lower Haight Resident

Sharon M. Young
Planner, Northwest Quadrant, Current Planning
Planning Dept, City + County of San Francisco
1650 Mission St Suite 400
San Francisco, CA 94103

June 11, 2016
Heather Dunbar
359 A Frederick St
San Francisco, CA 94117

For the attention of the San Francisco Planning
Commission:

Dear Commissioners,
I live at 359A Frederick St in the Haight
neighborhood and I support SPARC's application to
remodel their building + operate a medical cannabis
dispensary at 473 Haight St.

As a neighbor to this project,
I am excited at the prospect of having SPARC nearby.
SPARC has been a long standing responsible cannabis dispensary
that is considered by many as the gold standard for their
operations. I want SPARC in my neighborhood!
Please do not take discretionary review and approve
this project.

Thank you,
Heather Dunbar

**"I want a SPARC in
my neighborhood!"**

Heather Dunbar
Lower Haight Resident

6/25/16

To: Sharon M. Young
Planner, Northwest Quadrant, Current Planning
Planning Department, City and County of SF
1650 Mission Street, Suite 400
San Francisco, CA 94103

From: Jaclyn Anderson
295 Buchanan St #205
San Francisco, CA 94102

Dear Commissioners,

I live at 295 Buchanan St in the lower
haight neighborhood. I support SPARC's
application to remodel their building and
operate a medical cannabis dispensary
at 473 Haight St.

As a neighbor to this project,

I am excited about the prospect of a
SPARC nearby. They are a dispensary
of the highest quality.

I would much rather see a nice
dispensary under the SPARC brand
that is similar to their other shop.
Clean, beautiful interior, wonderful staff.

Please do not take discretionary
review and approve this project.

Thank you,

Jaclyn Anderson

**“As a neighbor to the
project, I am excited about
having a SPARC nearby.
They are a dispensary of
the highest quality.”**

Jaclyn Anderson

Lower Haight Resident

**"I live at 333 Webster
and help run a
music school on 320
Fillmore in the
Lower Haight
neighborhood. I
support SPARC's
application...
for this block,
WE NEED THIS."**

Jon-Pierre Micucci
Lower Haight Resident

Sharon M. Young
Planner, Northeast Quadrant, Current Planning
Planning Department, City and County of San Francisco
1650 Mission St. Suite 410
San Francisco CA 94103

June 23 2016
Jon-Pierre Micucci
333 Webster St + 320 Fillmore St.

For the attention of the San Francisco Planning Commission:

Dear Commissioners,

I live at 333 Webster St and help run a music school on
320 Fillmore St. in the Lower Haight neighborhood and I
support SPARC's application to remodel their building and
operate a medical cannabis dispensary at 473 Haight Street.

As a neighbor to this project, I have visited SPARC and I
believe that not only is SPARC serious about public safety
but also that they promote it. They host clean-ups in the
neighborhood, make public improvements, and are a responsible
and dedicated business owner to the community. For this
block, WE NEED THIS. It's an incredible and vibrant
neighborhood, and the new businesses that join this community
must share a common passion about Lower Haight. I know
SPARC will, and would be honored to welcome its residency to
the community.

Please do not take discretionary review and approve this project. Thank you,
Jon-Pierre Micucci

Sharon M. Young
Planner, North West Quadrant, Current Planning
Planning Department, City & County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

May 25, 2016
KINDA KAYYALI
862 HAIGHT STREET
San Francisco, CA 94117

For the Attention of the San Francisco Planning
Commission:

Dear Commissioners,

I LIVE AT 862 HAIGHT ST in the Lower
HAIGHT neighborhood and I support
SPARC's Application to remodel their
building and operate a medical Cannabis
dispensary at 473 HAIGHT Street.

AS A Neighbor to this project I would
much rather see a nice dispensary under the
SPARC brand that is similar to their other locations
with Award winning interior design AT 1256 Mission
Street than another empty building. My neighborhood
has seen Mercant's' doors closed and business
shuttered, and it is my belief that SPARC

will bring the highest standards for
Safety + Community Service while
Also bringing desired foot traffic that
will help neighboring business.

Please do not take discretionary
Review and Approve this project!

Thank you,

KINDA KAYYALI
862 HAIGHT ST
San Francisco, CA 94117

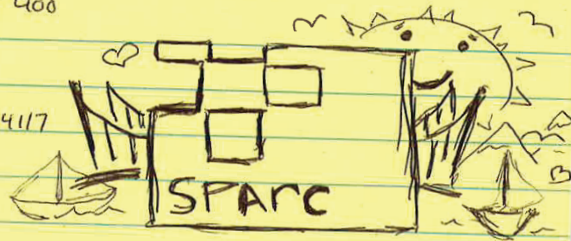
"I live at
862 Haight St
and I support
SPARC's
application..."
Kinda Kayyali
Lower Haight Resident

SHARON M. YOUNG
 PLANNER, NORTHWEST QUADRANT, CURRENT PLANNING
 PLANNING DEPARTMENT, CITY AND COUNTY OF SAN FRANCISCO
 1650 MISSION STREET, SUITE 400
 SAN FRANCISCO, CA 94103

MARLIN JACKSON

1388 HAIGHT ST SF CA 94117

06/09/16



FOR THE ATTENTION OF THE SAN FRANCISCO PLANNING COMMISSION

DEAR COMMISSIONERS,

I LIVE AT 1388 HAIGHT ST IN THE LOWER HAIGHT NEIGHBORHOOD
 AND I SUPPORT SPARC'S APPLICATION TO RENEW THEIR BOARDING
 AND OPERATE A MEDICAL CANNABIS DISPENSARY AT 473
 HAIGHT STREET.

SPARC IS A VERY PROFESSIONAL AND RESPONSIBLE OPERATION. BEING
 SOMEONE WHO USES SPARC, I WOULD LOVE TO SEE THEM BACK IN
 THE NEIGHBORHOOD. THEIR FACILITIES ARE CLEAN, COMFORTABLE
 AND A GREAT PLACE TO SOCIALIZE. I KNOW THEY ARE SERIOUS
 ABOUT PUBLIC SAFETY AND COMMUNITY BUILDING. SPACES
 LIKE SPARC BENEFIT THE COMMUNITY AND HELP US CONNECT.

PLEASE DO NOT TAKE DISCRETIONARY REVIEW AND APPROVE THIS PROJECT

THANK YOU

"I live at 1388 Haight in the
 Lower Haight neighborhood
 and I support SPARC's
 application... Their facilities
 are clean, comfortable, and
 a great place to socialize."

Marlin Jackson
 Lower Haight Resident

~~Sharon~~ Sharon M. Young
 Planner, Northwest Quadrant, Current Planning
 Department, City and County San Francisco
 1650 Mission, Suite 400
 San Francisco CA

06/04/16

Ramsey Abouremeleh

578 Haight St San Francisco CA 94117

Dear Commissioners,

I live, work in lower Haight neighborhood
 and I support SPARC's application to remodel
 their building and operate a medical cannabis
 dispensary at 473 Haight Street

I believe that SPARK will be good Neighbor
~~city~~ and will be a betterment to the Neighbor-
 hood as a whole. I know SPARK has established
 a High standards of care and has helped
 me improve my life. I was excited to hear
 that SPARK would be opening a location
 near me and this is more excitable to
 me. I have a disability and I am
 registered with the Department of
 rehab. I believe SPARK would beautify
 my community and would keep the streets
 clean. They implement this at their other
 location. We need less bars and ~~high~~ Alcohol

business in the neighborhood. Cannabis is
 medicine and is not a blight to our
 community. Thank you.

**"I live and work on the Lower Haight
 neighborhood and I support SPARC's
 application..."**

Ramsey Abouremeleh
 Lower Haight Resident

Sharon M. Young
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

April 18, 2016

Trevor Martin
Upper Playground & FIFTY24SF
220 Fillmore Street
San Francisco, CA 94117

Dear Planning Commissioners,

As the Sales Manager for Upper Playground and FIFTY24SF Gallery in the Lower Haight neighborhood, I enthusiastically support SPARC's application to remodel their building and operate a medical cannabis dispensary at 473 Haight Street.

I have toured the SPARC facility on Mission St. and believe that SPARC will be a positive force for our neighborhood and for neighboring businesses like mine. My business is located on both sides of the project site, with a storefront on Fillmore and on Haight, on the same block as the project. My business would be one of the most impacted by this project, and in a good way. As a business neighbor to the project site, I am excited at the prospect of SPARC bringing new foot traffic to our block and remodeling what has been a poorly maintained building for years.

I believe SPARC is a model cannabis dispensary and I support their application remodel the site to be a branded as a SPARC dispensary facility. The land use designated at 473 Haight St, which used to be Goodfellows, is such that medical cannabis sales are already approved. The issue for discussion then is whether or not the SPARC application for a remodel of the facility shall be approved. As a neighboring business, I would much rather see a nice dispensary under the SPARC brand that is similar to their other award winning interior design location at 1256 Mission St then the current building as-is.

It is my belief that SPARC will bring the highest standards for safety and community service while also bringing desired foot traffic that will help neighboring business like mine.

Please do not take discretionary review and approve this project.

Thank you,
Trevor Martin

As a business neighbor to the project site, I am excited at the prospect of SPARC bringing new foot traffic to our block and remodeling what has been a poorly maintained building for years."

Trevor Martin
Sales Manager at UpperPlayground



RESIDENTIAL CARE FOR PEOPLE LIVING WITH AIDS

May 4, 2016

Sharon M. Young
Planner, Northwest Quadrant, Current Planning
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Planning Commissioners:

I write in the context of SPARC's application to open a new medical cannabis dispensary at 473 Haight Street. While I am unfamiliar with any of the particulars regarding the proposed Haight Street location, I did want to make you aware of SPARC's longtime generosity toward our residents, all of whom struggle with advanced AIDS.

Since 1987, Maitri has served over 1,100 San Franciscans with advanced AIDS and in need of 24-hour nursing care in our 15-bed residential care facility located in the Castro/Duboce area. Originally opened as a hospice, Maitri still serves residents who are at end of life as a core part of our charitable mission. Increasingly, we are also able to help very medically fragile individuals – all with advanced AIDS and of low income – stabilize under our care to the point of discharge back to independent living.

SPARC has been a very generous partner of Maitri's for more than a decade. In addition to much-needed financial support – to help us continue our program services despite federal funding cuts – SPARC has long made bi-weekly deliveries of no-cost medical cannabis to our medically-challenged residents who benefit from the medication and whose physicians have provided written approval. SPARC has also encouraged its staff to volunteer at Maitri, attend our annual fundraising gala and to provide general support for our non-profit program.

Please consider SPARC's demonstrated generosity to San Francisco's most medically vulnerable citizens as you review their application.

Regards,


Michael Smithwick
Executive Director

“Please consider SPARC’s demonstrated generosity to San Francisco’s most medically vulnerable citizens as you review their application”

Michael Smithwick
Executive Director of Maitri

Section III

Member Agreements



Member Agreement: Rules and Policies

v2.2

Medical cannabis is dispensed to patients and caregivers, hereafter referred to as “members”, in accordance with Health and Safety Code Section 11362.7 et seq. Physician recommendation or approval for use of medical cannabis (e.g., state identification cards) must be kept current at all times. Members are responsible for knowing when their recommendation or approval expires and submitting renewals or other new paperwork prior to said expiration. All recommendations and approvals, both initial and renewals, will be verified. Submission of false or intentionally misleading forms, documents, and/or records may be grounds for expulsion from SPARC, the San Francisco Patient and Resource Center, hereafter referred to as “the Collective”, and cancellation of membership. Medical cannabis obtained through the Collective is for personal medical use of members only, and may not be redistributed to any other person for any purpose. Such redistribution is grounds for expulsion from the Collective and cancellation of membership. Member hereby authorizes the Collective to use a copy of their state identification card or a copy of their doctor’s recommendation to support the Collective’s cultivation of medical cannabis. If member documentation is used to support cultivation, identifying information on a doctor’s recommendation will be deleted in order to protect patient privacy.

All members must be respectful and cognizant of other members, employees, and neighbors at all times. No abusive or offensive conduct, loitering, loud noise, or littering is allowed in the Collective facility. None of these activities are allowed in the vicinity of the Collective. Violation of this rule may be grounds for expulsion from the Collective and cancellation of membership. No medical cannabis may be smoked, ingested, or otherwise consumed in the public right of way within 50 feet of the Collective. Any member violating this provision may have their membership revoked. Only members may enter the dispensary. The member agrees to reimburse the Collective for actual cost of cultivation or acquisition of medical cannabis. In addition, each member agrees to contribute to the maintenance and expenses of the Collective. Maintenance and expenses of the Collective may include, but are not limited to, rent, salaries, insurance, utilities, social services, and expenses incurred by the Collective as a direct result of providing for the member’s medical needs.

The Collective reserves the right to suspend or rescind the membership of a member for any reason.

I hereby agree to the Collective’s above stated rules and policies.

Date

Member Name (Printed)

Member Name (Signature)



Please read carefully and sign below.

Assistance is available on request.



San Francisco
Patient and
Resource Center

v1.6

**Members
Code of
Conduct**

SPARC Members Code of Conduct

SPARC believes that each member acts as an ambassador for our entire collective as well as the medical cannabis community. We strive to maintain a diverse collective membership and we do not discriminate based on race, gender, gender identity, sexual orientation, religion, income, or national origin. We want our patients to feel cared for, safe, secure, to be recognized as important members of our community, and to leave our facility inspired and empowered to be a positive voice for medical cannabis.

SPARC is located in a dynamic area and we hope to be a positive influence in our community. SPARC developed this Code of Conduct to maintain a strong and positive relationship with our surrounding neighbors and neighborhood and to ensure that all members and employees are safe, secure, and are treated with respect, dignity, and compassion. Each SPARC collective member is required to comply fully and unequivocally with this Code of Conduct. SPARC reserves the right to terminate membership for any violation of the Code of Conduct. The Code of Conduct includes, but is not limited to, the following:

Code of Conduct

- > Reselling or otherwise distributing medicine obtained at SPARC to any individual IS STRICTLY FORBIDDEN.
- > No double parking in front of the dispensary or along Haight Street. Members in violation will be asked to move vehicles.
- > Cannabis may not be consumed outside of the building within 500 feet of the exterior of the dispensary, including the entire 400 Block. Members in violation will be issued a friendly reminder, but repeated and blatant violations will result in further action.
- > Dabbing, smoking, or ingestion of medical cannabis requiring an open flame is NOT permitted inside the dispensary. Vaporization of cannabis or consumption of cannabis edibles is allowed in the vapor lounge area.
- > Member visits at the vapor lounge are limited to 30 minutes.
- > Tobacco products may NOT be vaporized or smoked inside the dispensary.
- > Cellphone and electronic use IS permitted inside the dispensary for checking time, texting, personal music with headphones at a non-disruptive volume, calculator use, checking bank accounts, internet research, showing photos, game playing, etc.
- > Taking photos, video and electronic recordings, disruptive music, and talking on cellphones IS NOT permitted inside the dispensary. Furthermore, any use of an electronic device deemed inappropriate IS NOT permitted.
- > Laptops and tablets will be allowed to be used inside the dispensary. Video chatting (Skype, etc.), recording, broadcasting, watching explicit videos, and any other inappropriate use is NOT permitted. Members using laptops, tablets or other electronic devices are subject to the 30 minute time limit.
- > We request that all members treat fellow members and staff with respect at all times. Offensive, abusive, threatening, hostile, or derogatory language will NOT be tolerated in the dispensary.
- > For your safety, please place all medicine out of sight before exiting the dispensary.
- > No removal of unauthorized or unpurchased SPARC property.
- > Please no loitering or littering in front or alongside of our building including the 400 block.
- > No eating, sleeping, or any kind of soliciting is allowed inside the dispensary, except for beverages and consumption of cannabis edibles.
- > By law, only qualified patients with a valid doctor's recommendation or state-issued ID card who become members of the SPARC collective may access the dispensary. Please do not bring non-patients or patients who do not have required documentation to the dispensary.
- > Members must ensure that they are in compliance with all applicable state and local limits for the possession and cultivation of medical cannabis. SPARC accepts no responsibility for any violations of applicable statutes.

purses, etc. brought into the dispensary are subject to search at any time.

- > No alcohol, other controlled substances, or weapons are allowed inside the dispensary.

Be a Good Neighbor

SPARC is located in a dynamic area and we hope to be a positive force in our community. SPARC strives to maintain a strong and positive relationship with our surrounding neighbors, the City of San Francisco, and the Police department. As a member of SPARC's community, we ask that you be mindful of our neighbors' property, privacy, and rights.

Help us keep our commitments to our community by following our Code of Conduct and not creating an unnecessary nuisance. These simple precautions will help keep SPARC's neighbor and community relationships in good standing.

Print Name

Signature

Date

Good-Neighbor Agreement

v2.2

As a member of SPARC, you are a representative of our Collective. To memorialize this, you are required to sign this Good-Neighbor Contract, in addition to our Membership Agreement.

These rules are to be observed at all times. Any violations of the rules may result in the termination of your membership.

Respect our community. When entering or leaving SPARC, please be quiet for, mindful of, and polite to our neighbors.

Respect your fellow members and SPARC employees. No abusive language or offensive conduct will be tolerated.

No double-parking. Do not double-park or block any of our neighbors' driveways or businesses. Any violation may result in termination of your membership.

No littering. Littering outside our premises will not be tolerated by Collective members. SPARC is committed to keeping our neighborhood clean.

Do not medicate and drive. SPARC does not condone driving under the influence. We reserve the right to disallow a patient from medicating on-site if their ability to operate a motor vehicle will be impaired.

Do not redistribute, resell, or share. Any redistribution will result in the termination of your membership.

No loitering. Be respectful to our neighbors. Please do not congregate in front of or adjacent to the dispensary. It is important to our neighbors that the sidewalk be maintained as an open space.

The Collective reserves the right to suspend or rescind the membership of a member for any reason.

I hereby agree to the Collective's above stated rules and policies.

Date

.....

Member Name (Printed)

.....

Member Name (Signature)

.....

Section IV

Safety and Security Plans



Safety and Security for Everyone

At SPARC, our first concern is the safety and security of our employees, members, and neighbors.

SPARC Safety and Security Approach

The Safety Team is expected to set the standard for member interaction, community engagement, and neighborly relations. A major responsibility is the observation, identification, and reporting of critical events. The goal of the Safety Team is to implement a safe and secure environment of the dispensary, while maintaining a visible and strong, yet friendly and approachable, presence in the community, and it achieves this via the following means:

- Accurate checking of documentation and identification, and admission of only qualified individuals into the dispensary; individuals lacking the necessary qualifications for entry are identified and denied access.
- Access control measures for staff, members, and visitors.
- Strict safety and security policies and procedures for employees.
- Active development of an open relationship with neighbors and community, enabling better ability to protect the area, members, and staff.
- Trained, experienced security guards from diverse backgrounds: trained in de-escalation, active listening, and communication; able to provide excellent security without being overbearing or excessive.
- Proactive enforcement of a comprehensive Member Code of Conduct, including actively enforcing restrictions on the redistribution of medicine, consumption, drinking, loitering, illegal parking, and other nuisance activity.
- Daily resolution of issues, such as street cleaning, graffiti removal, homeless abatement, and maintenance, with support for these services provided by the CMCBD.
- State-of-the-art security camera and DVR system for 24-hour monitoring coverage of interior and exterior.
- Sophisticated security-alarm system with 24-hour response and ability to immediately and discreetly alert police and emergency personnel in the event of an emergency.
- Private, third-party security company that provides additional support, including after-hours camera monitoring, after-hours alarm response, and patrol quality checks.
- Fire-alarm system.
- Raid and robbery training every six months for all staff.
- Emergency action plans developed for various emergency situations.
- Established Injury Illness Prevention Plan (IIPP) to keep employees and members safe from injury and illness.
- CPR and AED training for Safety and Management Teams.
- Numerous proprietary security features.

SPARC's comprehensive Safety Plan is designed to provide employees with information about various aspects of our safety and security program.

Our Safety Plan is designed to comply with the safety and health standards that have been developed by federal, state, and local governments and current industry standards. It is SPARC's goal and intent to be in compliance at all times.

In order to accomplish this goal, each employee must actively participate in the implementation of the Safety Plan and be aware of workplace conditions that could pose a potential danger. Each employee is expected to be proactive in their own, coworkers', and members' personal safety.

Included in Safety Plan

- Having an Injury and Illness Prevention Plan (IIPP).
- Having Emergency Action Plans (EAP) developed to address a variety of possible emergencies for all locations.
- Providing CPR, First Aid, and AED training and certification for all Safety staff and for managers.
- Establishing a Safety Committee to review, on a monthly basis, any safety inspections, employee and member accidents, and other safety-related topics.
- Creating a safe and healthful environment for our employees and members.
- Protecting and safeguarding employees and members from potential accidents and hazards.
- Conducting regular, thorough monthly safety inspections to identify and correct unsafe working conditions, equipment, and work practices.
- Conducting routine safety orientation and training for all new hires, as well as ongoing training and annual refreshers for all employees.
- Implementing worker compliance with established safety and security guidelines and procedures.
- Investigating all employee and member accidents and near-misses thoroughly to prevent similar incidents from occurring.
- Providing a means of communicating safety

matters to all employees.

- Establishing regular and open lines of communication with other local businesses and government agencies.
- A binder containing this Safety Plan is available to all employees for review at every location. A master copy of the Safety Plan Binder is retained by the Safety Manager.

Site Plan (Emergency Map)

Site plans for all SPARC locations have been developed and are posted at each location. These site plans show the location of all safety equipment, including:

- Fire-pull stations
- Fire extinguishers
- Emergency exits
- First-aid kits
- Eyewash stations

These site plans are posted in multiple areas at each corresponding location. These plans are to be updated regularly. An additional copy will remain in each site's Safety Plan Binder, along with a master copy that will be kept in the Master Safety Plan Binder. A separate set of site plans will be made available to the San Francisco Fire Department, as well as

other local government agencies upon request.

Emergency Contact List

Emergencies – 911

City Services and Info – 311

Police Non-Emergency – 415-553-0123

SFPD Ingleside Station – 415-404-4000

Medical/Fire Non-Emergency – 415-558-3268

Poison Control – 800-876-4766

Bay Alarm – 800-470-1000

SPARC Safety Manager – 415-470-9164

In the event of an emergency, fire, or critical incident, all SPARC management on the Emergency Contact List are to be notified.

Emergency Planning

Emergency Action Plan (EAP) procedures for all locations have been developed, and are updated annually, to minimize risks arising from incidents that could threaten the safety of employees and members.

The EAP for each location includes the following response plans:

- Fire emergencies
- Earthquake
- First-aid emergencies
- Robbery
- Critical incidents

The EAP will be communicated to all employees by means of a Safety Training Program.

EAP procedures will be posted in common areas and subject to yearly updates. EAP procedures will be required in the training for all employees upon hiring and will be reviewed by all employees at annual safety trainings.

The EAP describes, in detail, the responsibilities

of all employees during emergencies and critical incidents. Employee trainings shall be documented by SPARC management and records kept in the Master Safety Plan Binder.

Fire Emergencies

The objective of the Fire Emergency Action Plan is to ensure the safety of employees and members in the case of a fire emergency.

Training includes making each staff member aware of his or her specific duties during a fire emergency. The Safety Training Plan will give staff members training and preparation to deal with a possible fire emergency.

Staff Training and Preparedness shall include:

- Knowing and becoming familiar with the location of all emergency exits, fire-pull stations, fire extinguishers, and other fire-related equipment.
- Training in safe use of fire extinguishers and pull stations.
- Formulating best pedestrian-traffic patterns for emergency egress.
- Knowing the established emergency meeting place for all employees.
- Knowing the location of all members and employees who may require additional assistance.
- Making sure all walkways and exits are kept clear of obstructions.
- Knowing the locations of all utility shut-offs.
- Conducting periodic fire- and emergency-evacuation drills.
- Establishing and documenting monthly inspections of all fire and safety equipment.

Emergency-Response Procedures for Staff

- Without endangering yourself, attempt to confirm the level of the fire hazard.
- Assess the situation as an immediate and serious threat. Employees are not required to extinguish a fire with a fire extinguisher and should only use an extinguisher if they have been trained and the situation does not present a personal-safety hazard.
- Confine a fire by closing doors to the location where the fire exists.
- Notify other employees and members of the fire and required evacuation.
- Activate the fire alarm system.
- Dial 911 and report conditions.
- Assign a staff member to meet with emergency responders with site plans and master keys.

Building Evacuation Procedures for Staff:

- Direct people to the nearest fire exit with verbal directions that are clear and easy to follow.
- Direct guests, members and onlookers across the street and away from the scene.
- Proceed to the designated emergency meeting place. Remain at the meeting place for a head count and report any missing coworkers to first responders.
- Notify surrounding businesses and neighbors of the fire and evacuation.
- DO NOT return or re-occupy the location without direction of the management or SFFD.

Fire Prevention Plan

The Fire Prevention Plan is designed to provide safe workplace practices that minimize the risk of a fire emergency.

The Fire Prevention Plan includes:

- Conducting and recording periodic facility inspections and identifying and correcting

any unsafe conditions.

- Conducting and recording monthly safety inspections of fire emergency equipment including all: smoke detectors, emergency evacuation lighting, and fire extinguishers.
- Conducting periodic inspections and tests of the fire alarm systems in accordance with state and local regulations.
- Conducting periodic fire drills in accordance with the procedures of the Fire Emergency Action Plan.
- Checking to make sure electrical cords and cables are in good working condition and are not frayed or worn.
- Storing oily and dirty rags in closed metal containers.
- Making sure all potentially flammable chemicals are stored in a safe manor.
- Daily cleaning of work areas with any potentially flammable chemicals.
- No smoking except in designated areas.

Earthquake Response

Earthquakes will most likely occur with little to no warning. If the intensity of the quake is such that it causes alarm among the employees, there is the likelihood that there will be building or structural damage. In the event of an earthquake the following response plans should be followed:

- Shelter in place. Protect yourself from falling objects. Crawl under a desk, table, or door frame until all shaking stops.
- Stay clear of windows, heavy and unstable furniture and equipment.
- Remain sheltered in place for a few

minutes to account for any potential aftershocks.

- Management will assess if the building should be evacuated or to remain inside. Proceed outside when instructed by Management.
- Once outside, if possible, get into an open area away from buildings, power lines, falling debris or glass.

First Aid Emergencies

Serious injuries and first aid emergencies can occur with almost any emergency or work activity. For all locations at least 1 first aid trained and certified staff member is required to be present. All Safety staff and Management are required to be CPR and first aid trained and certified. All staff will know the location of all first aid kits and eye wash stations. The following response plan should be followed for injuries:

- The Safety Team or Management will assess the situation to determine if emergency medical services are necessary.
- Only first aid trained and certified responders are allowed to respond and attend to employees or members who have sustained an injury on company property.
- Do not attempt to move the person if there is potential to cause further injury.
- Remain with the injured person until medical responders arrive.

Robbery

SPARC takes many steps to mitigate the potential for robbery. In the unlikely event of a robbery, it is important that all employees remember that each employees and members safety is paramount. Robberies can escalate and cause

serious injury to both members and employees if not handled properly. All staff members are trained in proper robbery response as part of the Safety Training Plan. Some of the basic procedures are as follows:

Immediate Response:

- Any presence of a weapon, or threat of a weapon inside SPARC during a robbery situation is mandate for compliance and cooperation.
- Stay calm and cooperate with the assailant(s).
- Only activate the hold-up/ Robbery button when it can be done discreetly without alerting the assailant(s).
- Follow all directions.
- Do not do anything that could cause a violent reaction.
- Do not introduce or encourage the use of another weapon against the assailant(s).
- Do not resist, argue, insult, or confront the assailant(s).
- Do everything possible to expedite the robbery. Make sure the interaction is as quick, smooth, and simple as possible.
- Inform the assailant(s) of any potential surprises or movements.
- Never chase or follow a suspect out of the store.

Follow up Response:

- Ensure no one is injured.
- Only first aid trained responders will attend to injuries.
- Notify police and call for medical assistance if necessary.
- Document the description of the assailant(s) in written form and ask other witnesses to do the same.
- Notify appropriate upper

management immediately.

- Secure the area and do not touch anything or move anything that the assailant(s) may have touched.
- Do not release information pertaining to any dollar amounts or product loss involved in the robbery, other than to the police.
- Refer all information requests to management.

Critical Incidents

Critical incidents are any event or incident that can pose a potential threat or danger to members and employees. Critical incidents can often be prevented, addressed, and de-escalated before they become a more serious problem. On a daily basis all employees, but primarily the Safety Team, and Management are expected to maintain an acute awareness of the environment towards the goal of preventing problems from escalating and getting out of hand. Simple routines are often an effective way to diminish the likely hood of certain problems. Towards this effort, the Safety Team and Management will be expected to do the following:

- Regularly clear debris and trash from outside the front and surrounding premises prior to opening and periodically during daily operating hours.
- Ensuring that the sidewalk is open to pedestrian traffic at all times.
- Politely discourage loitering, solicitors, or people obstructing the sidewalk without lawful reason.
- Politely discourage double parking and blocking of sidewalks, streets, and other roadways.
- Enforcing a comprehensive member code of conduct.

- Preventing unnecessary nuisance activity within close proximity such as loitering, consumption of alcohol or drugs within 500 feet, noise, illegal parking, etc...
- Place appropriate calls to help maintain a clean and orderly appearance of the dispensary and surrounding area.

To further insure a safe environment, the dispensary will be staffed by a Safety Team of 5-6 persons, dedicated to the safety and well-being of the members and employees. This number may change based upon the amount of members on the premises. A dedicated staff-to-member ratio will be determined to meet basic safety needs and expectations. Every day, Safety Team members will be posted at key positions within the store to provide for maximum oversight. An additional Safety Team member will be available to move around the interior and exterior of the dispensary to address any issues in a preventative and helpful manner. The possibility of physical altercations or open hostilities, however slight, shall be considered carefully – violence and any threatening or dangerous behavior will not be tolerated. Any such actions are considered immediate reasons for ejection or non-admittance to the dispensary. Persons involved in Critical Incidents will be escorted to the exit and removed with an admonishment not to return. The Safety Team is required to document all Critical Incidents, including the name of the person(s), date, time, and brief description of the incident. The Safety Team is required to inform Management of all Critical Incidents.

Section V

Services for Our Members



Services and Resources that Make a Difference

SPARC offers a variety of services to its members, and all Member Services staff is trained in group facilitation, first aid, and harm-reduction methods.

SPARC's approach to healing involves providing members with an array of tools with which to confront unique health challenges and improve daily life. Members of the SPARC collective come to us not only for cannabis medicine but also for other resources and techniques for healing to address their problems.

The following list of services are available at our current 1256 Mission Street location, and will be implemented at our 5420 Mission Street location.

SPARC offers access to centuries-old healing traditions—with and without cannabis—that are used to foster self-healing. Our services are subject to change based on popularity and member feedback. For a calendar of currently offered services, including times and locations, please visit

www.SPARCsf.org and click “Member Services,” then click “Calendar of Services and Events.”

Ayurveda: The Art of Food as Medicine

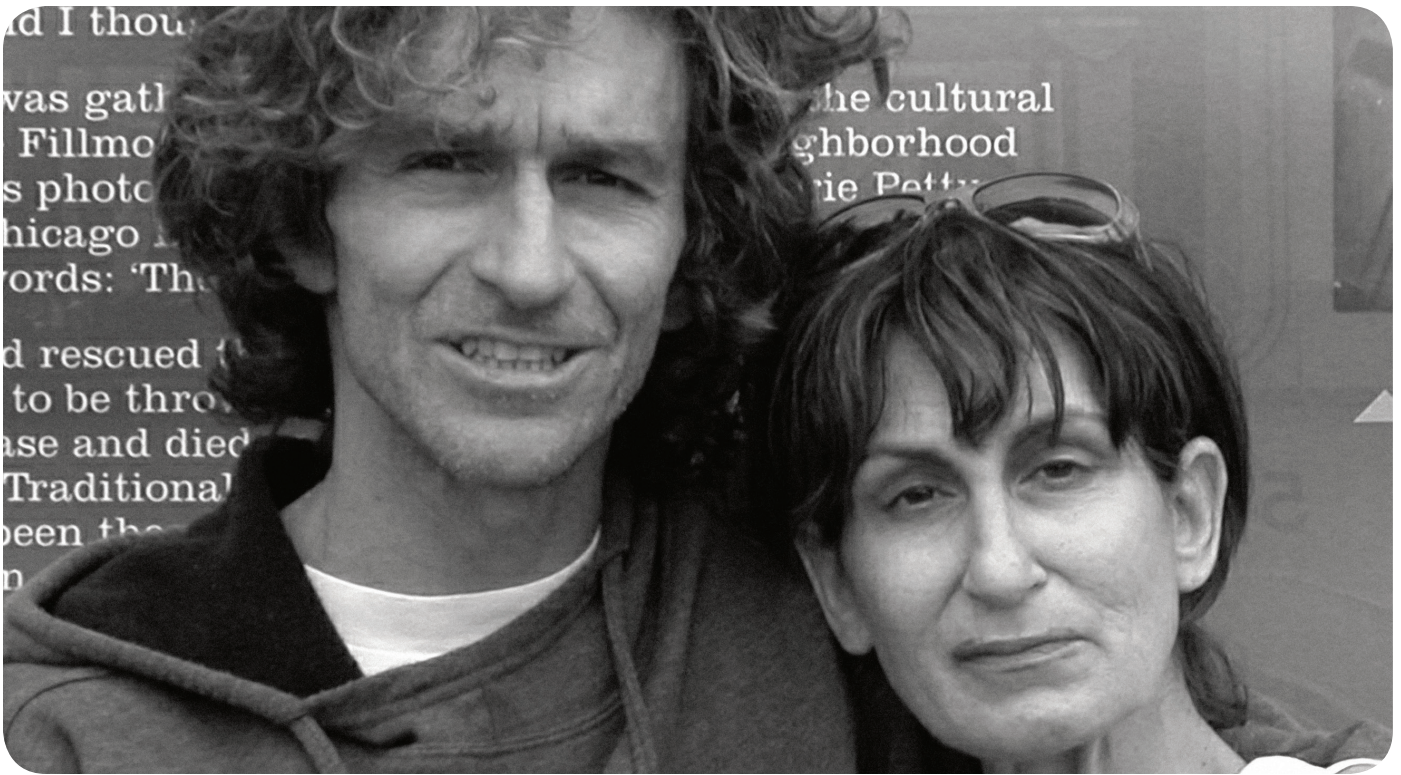
Ayurveda is an ancient system of Indian medicine with a focus on physical, mental, and spiritual balance, and it is believed that, “with correct diet, illness becomes impossible over time.”

Ayurveda is a useful tool for people with chronic health problems, as well as healthy people who want more energy. Our Ayurvedic classes are offered to members and our partner organizations several times a year, giving patients the tools to understand and design diets tailored to their individual health needs.

These seminars teach members, caregivers, and our partnership organizations about diet as a medicine for creating ideal healing conditions. SPARC also brings in Ayurvedic practitioners for comprehensive consultations with caregivers who serve people with chronic illnesses.

Peer-Support Groups

Facilitated by staff and volunteers who are trained in harm-reduction practices and conflict resolution, these groups are often member-led initiatives, which allows members to meet as often as they wish. Other peer-support groups are added upon request.



Mark Dusenbery & Debra Nothmann Members

HIV/AIDS Group

This group is designed to provide practical and emotional support for members who are infected with HIV/AIDS. Conversations about medications, resources, and experiences living with HIV/AIDS are facilitated.

Wellness Group

Intended for seriously ill members, this group meets with the purpose of fulfilling life, enhancing talent, and resolving emotional problems. Here, members share healing methods, problem-solving techniques, relationship skills, stress-management tools, and healthy-living practices.

Women's Group

Members in this group discuss experiences as mothers, wives, and caregivers. Emphasis is placed on healthy-living practices, relationships, achieving balance between self and others, self-

esteem, parenting, and stress management.

Medical Use of Cannabis Education

These classes are offered to all members. Learning safe methods of medicating is a priority, including proper use of edibles, tinctures, salves, and vaporization. Members are able to share their experiences with each other about which plant variations and preparations have been most effective in dealing with their symptoms. For example, a new patient who is suffering from nausea due to chemotherapy might learn from a more-experienced patient that one particular strain of medical cannabis is more successful at reducing nausea or pain than another. Lives change by sharing this kind of information.

Interactive Website

Our website allows members to view schedules of activities, check availability



Bill Niemzyck Member

of various medicines, converse in online forums, and post comments about our services and staff. Lab results for THC and CBD content are also posted to our website.

Referrals to Services

Contact information for doctors, care providers, lawyers, and other professional services is provided to members both through our website and at our physical dispensary location.

New-Member Orientation

New members are educated about the legal structure and mission of our collective. Members will be advised of volunteer and paid positions available at SPARC and how to get involved with day-to-day activities, based on their interests.

Educational Classes

Classes are taught by on-staff experts or by arrangement with outside sources. Classes with the most demand include cultivation methods, legal training, and know-your-rights sessions.

Space for Meetings

We have made our resource center available to other MCDs and patient groups who may not otherwise have a space in which to gather. Advocacy groups for medical-cannabis patients have been able to reserve regular meeting space at our resource center.

Friday Night Harm-Reduction Social

This alcohol-free social gathering for members is offered as an alternative to the bar and club scene. Activities, such as movies, acoustic music, poetry, board games, guest speakers, and ordered-in food are often provided.



Community Action

Part of our collective's mission is to motivate our members to get involved in their communities and with the issues that matter to them. Opportunities for community involvement, ranging from street sweeps to rallies, are presented regularly to members by our full-time Community Liaison. Additionally, we host presentations by local community organizations. Policy organizations dealing specifically with medical-cannabis rights and education are also welcomed, including Americans for Safe Access and the Marijuana Policy Project.

SPARC gives back to the community through our membership and as an organization. We have donated generously to many causes, from LGBT issues to health promotion, from community cleanups to park development. We are also contributing members of multiple national advocacy organizations, as well as local community organizations in San Francisco neighborhoods, including SoMa, Dogpatch, and the Lower Haight. Moreover, SPARC maintains

a Community Participation Program where employees and members alike join with community forces to beautify our neighborhoods and keep our streets clean.

Future Social Services

Future social-service programs will be designed and implemented by staff and volunteers, and may include yoga, physical-fitness programs, and other peer-support groups. Day trips to museums, parks, beaches, and sporting events are also planned.

Compassionate Access

For seriously ill patients who are in hospitals, nursing homes, and hospices (or released from hospices) and for patients who are housebound, bedridden, or have restricted mobility, SPARC provides compassionate access to cannabis. This includes free cannabis and free delivery. We work closely with administrators of healthcare facilities like Maitri and Cohen House to set up appropriate protocols to safeguard patient access to medicine.

Section VI

Education



Education on Healing and Spiritual Traditions that Use Cannabis

The scientific case for medical cannabis: A better healing alternative to some pharmaceutical drugs.

“The evidence is overwhelming that marijuana can relieve certain types of pain, nausea, vomiting, and other symptoms caused by such illnesses as multiple sclerosis, cancer, and AIDS—or by the harsh drugs sometimes used to treat them. And it can do so with remarkable safety. Indeed, marijuana is less toxic than many of the drugs that physicians prescribe every day.”

– Dr. Joycelyn Elders, former Surgeon General under President Clinton

Scientific Findings on Medical Cannabis

- “The medical literature on marijuana goes back 5,000 years. In a 1999 study commissioned by the White House, the Institute of Medicine reported, ‘nausea, appetite loss, pain, and anxiety [. . .] all can be mitigated by marijuana.’ In its April 2003 issue, the British medical journal *The Lancet* reported that marijuana relieves pain in virtually every test that scientists use to measure pain relief.”
- Cannabis provides a treatment option for individuals who do not respond, or respond inadequately, to the therapies currently available.
- “Marijuana’s therapeutic uses are well documented in scientific literature. Recent scientific studies have confirmed what has been reported to us by hundreds of people living with HIV—that marijuana can be safely used to reduce nausea and vomiting, stimulate appetite, and promote weight gain. Marijuana is widely recognized by physicians specializing in AIDS care as an important component of treatment”.
- Opiates, such as morphine and codeine, are

the most commonly used drugs for acute pain, but often result in debilitating side effects, like nausea, sedation, and dependency. Cannabis can provide similar treatment without these adverse side effects.

- More than 6,500 reports and journal articles support the use of cannabis as medicine, including studies commissioned by the United States government, which currently does not support legalization.
- “Eighty-five percent of the [Berkeley Patients Group] sample reported that cannabis has much less adverse side effects than their prescription medications. Additionally, the top two reasons listed by participants as reasons for substituting cannabis for one of the substances previously mentioned were less adverse side effects from cannabis (65%) and better symptom management from cannabis (57.4%).”
- Per Drug Enforcement Administration (DEA) Administrative Law Judge, Francis Young: “In strict medical terms marijuana is far safer than many foods we commonly consume.”
- In a randomized, double-blind, placebo-controlled study, cannabis was effective in reducing pain and sleep disturbance in patients with multiple sclerosis. Other studies have produced similar

results, particularly proving the efficacy of cannabis in treating spasticity and pain.

- Cannabis has been shown to have antioxidant properties and actually inhibits the growth of tumors.
- "Smoked cannabis was well tolerated and effectively relieved chronic neuropathic pain from HIV-associated sensory neuropathy."
- There is evidence that cannabis use among Hepatitis C patients who are undergoing treatment has been beneficial, helping them maintain adherence to the challenging medication regimen.
- Numerous public-health organizations support the medical use of cannabis, including the AIDS Action Council (1996), the American Academy of Family Physicians (1995), the American Academy of HIV Medicine (2003), the American Cancer Society (1997), the American College of Physicians (2008), the American Medical Association (2009), the American Nurses Association (2003), the Association of Nurses in AIDS Care (1999), the American Public Health Association (1994), the California Medical Association (1997), Crescent Alliance Self-Help for Sickle Cell (1999), the Federation of American Scientists (1994), the Gay and Lesbian Medical Association (1995), the Institute of Medicine (1999), Kaiser Permanente (1997), the Lymphoma Foundation of America (1997), the Multiple Sclerosis California Action Network (1996), the National Association for Public Health Policy (1998), the National Association of People With AIDS (1992), the National Institute of Health (1997), among many others.

¹ Elders, Joycelyn "Myths About Medical Marijuana." The Providence Journal, 26 March 2004.

² Ibid.

³ Center for Medicinal Cannabis Research, "Report to the Legislature and Governor of the State of California presenting findings pursuant to SB847 which created the CMCR and provided state funding," University of California, (San Diego, CA: February 2010), p. 2. http://www.cmcr.ucsd.edu/CMCR_REPORT_FEB17.pdf

⁴ Dr. Gates Jr., Henry Louis, et. al. Open letter to General Barry McCaffrey, director of the Office for National Drug Control Policy, 24 February 1999. <http://www.csdp.org/openltr.htm>

⁵ Joy, Janet E., et. al. Marijuana and Medicine: Assessing the Science Base.

National Academy Press: Washington, D.C. 1999, pp. 140.

⁶ "Medical Cannabis Research: What does the evidence say?"

Americans For Safe Access.; Elders, Joycelyn. "Myths About Medical Marijuana." The

Providence Journal, 26 March 2004.

⁷ Reiman, Amanda, "Cannabis as a Substitute for Alcohol and Other Drugs," Harm Reduction Journal 6(35): December 2009. <http://www.harmreductionjournal.com/content/pdf/1477-7517-6-35.pdf>

⁸ US Department of Justice, Drug Enforcement Administration, "In the Matter of Marijuana Rescheduling Petition," [Docket #86-22], (September 6, 1988), p. 57. <http://www.druglibrary.org/olsen/medical/young/young4.html>

⁹ Rog, David J. et. al. "Randomized, controlled trial of cannabis-based medicine in central pain in multiple sclerosis." Neurology 65(6):812-9. American Academy of Neurology. 2005. <http://www.neurology.org/cgi/content/abstract/65/6/812>

¹⁰ Consroe, Paul, et. al. "The Perceived Effects of Smoked Cannabis on Patients with Multiple Sclerosis." European Neurology No. 38: 44-48, 1997.

¹¹ Guzman, Manuel. "Cannabinoids: Potential Anticancer Agents." Nature Reviews, Vol. 3: p. 745. October 2003.

¹² Abrams, Donald, M.D., et. al. "Cannabis in painful HIV-associated sensory neuropathy: A randomized placebo-controlled trial." Neurology, Vol. 68: p. 515. 2007.

¹³ Sylvestre, Diana L., et. al. "Cannabis use improves retention and virological outcomes in patients treated for hepatitis C." European Journal of Gastroenterology and Hepatology 18(10): 1057-1063, October 2006.

Health Conditions Treated with Medical Cannabis

If cannabis were discovered today, it would be considered a medical wonder-plant. Patients suffering from a variety of conditions have found that specific strains of medical cannabis are often a more-effective treatment than expensive pharmaceutical drugs produced by large corporations. As an alternative to traditional pharmaceutical pills and their many debilitating side effects, medical professionals have prescribed medical cannabis for a wide variety of health conditions, including:

- Cancer
- Anorexia
- AIDS
- Glaucoma
- Chronic Pain
- Arthritis
- Insomnia
- Migraines
- Anxiety

- Depression
- Headache
- Nausea
- Epilepsy
- Asthma
- Premenstrual Tension
- Drug withdrawal

Disclaimer: Cannabis will have variable effects when used by different people and under different circumstances. You must discuss indications and side effects with your doctor. SPARC cannot offer medical advice and makes no claims as to the efficacy of medication obtained through our dispensary. Please review the “Sensible Cannabis Use” section of this handbook for more information.

Social-Justice Issues and Cannabis: The Case against Prohibition

“Penalties against drug use should not be more damaging to an individual than the use of the drug itself. Nowhere is this more clear than in the laws against the possession of marijuana in private for personal use.” – Former President Jimmy Carter

SPARC is an advocate for sensible drug-policy reform on the issue of cannabis use. Our membership enables us to continue speaking out for safe access at local, state, and national levels. We are proud supporters of Americans for Safe Access (ASA), Marijuana Policy Project (MPP), National Organization for the Reform of Marijuana Laws (NORML), Students for Sensible Drug Policy (SSDP), and the Drug Policy Alliance (DPA), organizations that all strive to protect the rights of patients to work with their medical professionals to choose the best medicine for their condition. The prohibition and criminalization of marijuana has created hardships for generations of medical-

cannabis patients across our nation. Many people who, at first glance, might be considered “recreational” users actually use cannabis to treat a condition for which they do not want to take pharmaceutical drugs or antidepressants. Insomnia and severe anxiety are also common examples. Like so many of our federal drug policies, these hardships have disproportionately affected lower-income and minority communities while exhausting valuable law-enforcement resources.

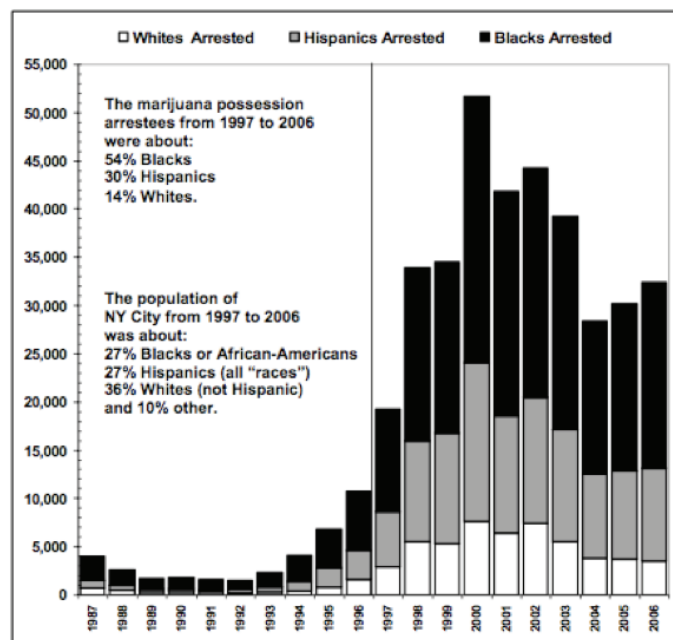
Facts and Figures: Social Justice and the Costs of Cannabis Prohibition in the United States

- “The major benefit of decriminalization, in addition to eliminating the needless arrest, prosecution, and court disposition of over 700,000 people each year, would be the ability of the criminal justice system to focus on more important public safety activities.”
- Cannabis arrests now comprise one-half (49.8%) of all drug arrests reported in the United States. In 2008, 847,864 individuals were arrested on cannabis-related charges.
- A 2005 Harvard University study concluded that the United States government spends \$7.7 billion annually on cannabis prohibition.
- Based on economic research about cannabis prohibition, over 530 distinguished economists signed an open letter in 2005 to Former President Bush urging the legalization of cannabis.
- “Marijuana arrests are not evenly distributed across the population, but are disproportionately imposed on African Americans.”
- African Americans are more than twice as likely as whites to be arrested on cannabis-related charges.
- In California in 2002, African Americans were arrested for possession at a rate of 391 per 100,000, compared to 134 per 100,000 for whites.
- Other studies conclude that, in California,

African Americans are arrested on cannabis-sales charges at a 5-to-1 ratio compared to whites.

This is despite equal use among both groups.

- For the past ten years, New York City has arrested, on average, about 14 whites, 28 Hispanics, and 56 Blacks every day for cannabis.
- In New York City, it was found that 83% of those charged in lowest-level misdemeanor cannabis offense cases were Black or Hispanic. Blacks accounted for 52% of the arrests, twice their share of the city's population, while whites (who are about 35% of the population) were only 15% of those charged—in spite of federal surveys showing that whites are more likely than Blacks or



Hispanics to use cannabis. (See graph below.)

- Seriously ill individuals, including those with cancer, AIDS, and multiple sclerosis, who are using cannabis as a treatment on recommendation from their doctors are at risk of arrest and imprisonment, simply for trying to alleviate pain or stimulate appetite.

¹⁴ Austin, James, Ph.D. "Rethinking the Consequences of Decriminalizing

Marijuana." The JFA Institute, Washington, DC. 2 November 2005. http://www.norml.org/index.cfm?Group_ID=6695

¹⁵ "Pot Arrests Now Comprise One-Half of All US Drug Arrests." The National Organization for the Reform of Marijuana Laws, 14 September 2009. http://norml.org/index.cfm?Group_ID=7972

¹⁶ Miron, Jeffrey A. "The Budgetary Implications of Marijuana Prohibition." Harvard University: Cambridge, Massachusetts. June 2005: pp. 2 – 3.

¹⁷ Friedman, Milton, et. al. Open letter to the President, Congress, Governors, and State Legislators. <http://prohibitioncosts.org/endorsers.html>

¹⁸ Beckett, Katherine and Herbert Steven. The Consequences and Costs of Marijuana Prohibition. University of Washington: Seattle. 2009.

¹⁹ Gettman, Jon B., Ph.D. United States Marijuana Arrests, Part Two: Racial Differences in Drug Arrests. The National Organization for the Reform of Marijuana Laws: Washington D.C. 2000. http://www.norml.org/index.cfm?Group_ID=5328

²⁰ "California Arrest Statistics – 2002: From National NORML Report "Crimes of Indiscretion: Marijuana Arrests in the United States." March 2005. http://www.canorml.org/background/CA_arreststatsNORML.htm

²¹ Ibid.

²² New York State Division of Criminal Justice Services (NYDCJS), Computerized Criminal History System

²³ Dwyer, Jim. "On Arrests, Demographics, and Marijuana." New York Times, 30 April 2008.

Sensible Cannabis Use

The information below is reprinted from the Cannabis Action Network (www.cannabisationnetwork.org).

Like any medicine, cannabis can be misused. Excessive or inappropriate use can contribute to problems, including sleepiness, overeating, and time-management issues. Due to the political climate surrounding cannabis-use research, clinical studies have produced widely conflicting conclusions about the true benefits and potential side effects of cannabis use. Always listen to the advice of your doctor and use good judgment when using medical cannabis. These guidelines help identify ways of using medical cannabis in a positive way.

- Adults should use cannabis only as part of a healthy, balanced, and responsible lifestyle.
- The decision to use cannabis should be made freely and not as a result of social pressure.
- Cannabis users should be well informed

about its effects on themselves and others.

These effects include legal risks, health risks, and personal consequences.

- Never use cannabis as an excuse for antisocial or irresponsible behavior.
- Cannabis users should model and reward responsible use, particularly with new users.
- Develop sensible cannabis-use limits for yourself based on personal, health, situational, and cultural factors. It is important to be objective about your personal cannabis use and listen to the constructive advice of others.
- Avoid cannabis use that puts you or others at risk, such as when driving, at work, or in public places. Remember, personal use of cannabis is still illegal under federal law, and penalties are stiff.
- Use of cannabis by children is inappropriate and should be discouraged.
- Cannabis use should contribute to, rather than detract from, a patient's health, well-being, creativity, work relationships, and social obligations.

Methods of Consumption

There are many ways to ingest medical cannabis, and patients may find that one method is more effective than another for their specific needs.

The effects often vary with each method, sometimes affecting the length of time it takes for the medicine to take effect, or the length of time that it remains effective. Each patient should determine which manner is best for them.

Smoking

Historically, the most traditional form of ingestion is smoking the dried flowers or leaves of the cannabis plant. Hash and kief are also ingested this way. Cannabis can be smoked through a pipe, rolled into a joint (or cigarette), or smoked using a water pipe (or bong). When smoking dried cannabis, the patient will most likely feel the medicine take effect immediately, and depending on the particular

strain and its strength, it can last anywhere from an hour to several hours. Regularly smoking any plant material can have a negative impact and SPARC recommends patients use vaporizers or edible forms of medicine whenever possible.

Vaporizing

A vaporizer is a device that is able to extract the therapeutic ingredients in the plant material, called cannabinoids, at a much lower temperature than is required for burning. This allows patients to inhale the active ingredients as a vapor instead of a smoke, and spares them the irritating effects of smoking and its toxic byproducts. Those patients who are used to smoking may not feel like they are “getting anything” at first because it does not “burn” the throat. It is advised to use caution and wait a few minutes to feel the full effects. Many patients say that, when vaporized, half as much medicine will provide twice the effect.

Types of Cannabis Medicine

Flowers and Leaves

Commonly referred to as “buds,” the flowers of the cannabis plant are the most potent for medicinal properties. The leaves of the cannabis plant also contain some cannabinoids, but in much lower concentrations. The flowers and leaves of the plant can be smoked, vaporized, or used to prepare edibles.

Hash

Hash, or hashish, is manufactured by separating the microscopic reddish “hairs” seen on dried cannabis flowers, called trichomes, from the cannabis flowers. This creates a concentrated dose of this specific part of the cannabis plant. These trichomes are then processed into a relatively solid paste or block. Hash can be somewhat powdery or more solid and sticky, depending on exactly how it was processed.

Kief

Kief, from the Moroccan word for altered consciousness, “kif,” is also made from the trichomes of the cannabis flower. However, kief is just the dried trichomes without any further processing. It comes as a dry powder that can be smoked, vaporized, or used to make edibles. It is often sprinkled on the top of cannabis before smoking or vaporizing, to augment the trichome content in the flowers. Some grinders, which are used to evenly cut up the cannabis flowers before vaporizing or smoking, have a small-mesh screen at the bottom for the purpose of collecting kief over time.

Sativa vs. Indica

Cannabis is the botanical name of a genus of annual flowering plants in the Cannabaceae family. There are over 150 species and 10 genera included in the Cannabaceae family. The hop plant, often used in the production of beer, is also part of the Cannabaceae family. Some types of cannabis, such as sativa and indica, produce fairly large amounts of a cannabinoid chemical known as tetrahydrocannabinol (THC). Cannabis plants grown for their THC content are referred to as hemp plants, but the term “hemp” is more appropriately used to describe cannabis plants that are cultivated for commercial purposes, like clothing and fuel, rather than for THC or other cannabinoid content. Medical cannabis comes in two basic types, sativa and indica, and each type has its own distinct set of characteristics. Medical cannabis is available in pure-sativa strains, pure-indica strains, and countless combinations of the two.

Cannabis Sativa

Cannabis sativa is a tall, slower-growing and -maturing plant that typically has long, thin leaves that vary in color from light to darker greens. Sativa buds are long and thin and turn red as they mature in a warm environment. In cooler environments, the buds may

be slightly purple. Sativa plants smell sweet and fruity, and the smoke is generally quite mild. Cannabis sativa is a source of fiber for rope and other commercial products. The medicating effect of cannabis sativa is often characterized as uplifting and energetic, and the effects are mostly cerebral with a feeling of optimism and well-being. Sativa also provides a good measure of pain relief for certain symptoms. A few pure sativas are very high in THC content. Some sativas seem to have a higher CBD content than indicas, and SPARC is working to develop CBD-rich strains. Used responsibly in moderate doses, sativas are a good choice for daytime medication.

Cannabis Indica

Cannabis indica is a short- to moderate-height bushy plant, typically between three and six feet tall, and its leaves have short, broad fingers. The leaves are usually dark green but are sometimes tinged with purple. As they near maturity, the leaves may become significantly more purple. It is a pungent plant with a “stinky” or “skunky” smell. The smoke of indicas is generally thick and more prone to cause coughing when inhaled. Indicas are the traditional source of hash. The medicating effect of cannabis indica is most often described as a pleasant “body buzz.” Indicas are best for relaxation, stress relief, and an overall sense of calm and serenity. Cannabis indica is also effective for overall body-pain relief and often used in the treatment of insomnia. Indicas are the late-evening choice of many patients as an all-night sleep aid. A few pure-indica strains are very potent in THC, and may cause the “couchlock” effect, enabling the patient to simply sit still and enjoy the experience of the medicine.

Know Your Rights

SPARC operates under the provisions of the California Health and Safety Code 11362.5 and 11362.7 and the San Francisco Health Code (Medical Cannabis Act). However, some local jurisdictions may place additional restrictions on the rights of medical-cannabis patients. We encourage our members to determine what their local guidelines are. Until federal law catches up with California's progressive stance, possession of medical cannabis remains illegal under federal law. We encourage our members to be mindful of this when possessing, transporting, or using medical cannabis on Federal Government property, including San Francisco's Presidio and Golden Gate National Recreation Areas.

Section VII

Lab-Tested Cannabis



Bringing the Rigors of the Laboratory to Medical Cannabis

Our laboratory testing has filled a gap in San Francisco's approach to regulating medical cannabis. SPARC has allowed San Francisco to provide patients with medical cannabis that has a known ratio of therapeutic compounds and is free from harmful pathogens.

Laboratory analysis screens for contaminants while also providing data on the genetics and potency of various kinds of medical cannabis. This allows patients to make safe, well-informed decisions when selecting a medicine.

Specific Aim 1: Assess the prevalence and extent of contamination of medical cannabis by *Aspergillus* species

Aspergillus species are common contaminants of food and tobacco and are present in many soils. The USDA provides inspection services and guidelines for allowable levels of *Aspergillus* contamination in foods, but there is scant data—even from countries where it is tolerated or legal—on the scope or extent of *Aspergillus* contamination of cannabis.

The passing of Proposition 215 in California reflected an emerging popular and scientific consensus that cannabis has therapeutic value for certain conditions. Many people ingest or smoke cannabis obtained from medical-cannabis dispensaries (MCDs) throughout San Francisco and the Bay Area. Those who are immune-compromised from, say, cancer therapy or HIV/AIDS infection, may be at risk of invasive *Aspergillus*. Organ-transplant patients are also highly susceptible to invasive aspergillosis.

Even in states like California and Washington, where laws exist permitting the use of medical cannabis,

hospitals routinely deny patients placement on or remove them from transplant lists if they are actively using the plant.^{1,2} Although several cases of invasive aspergillosis from smoking cannabis have been reported in the literature, they appear to be exceedingly rare and treatable.³⁻⁶ Tobacco smoking, while contraindicated in specific transplant types, such as heart or lung, does not appear to engender the same across-the-board rejection despite some data that suggests tobacco can contain higher *Aspergillus* spore counts than cannabis.³⁻⁶

San Francisco's MCDs are heavily regulated from a land-use perspective, allowing those that complete the permitting process to operate openly without fear of harassment by state or local law enforcement. However, since no reliable standards or testing methods have been developed, neither the city nor state has waded into the issue of quality control for cannabis provided to patients. The absence of any independent-verification process for monitoring contaminants and

lack of best-practices and guidelines for dispensaries may leave certain seriously ill patients at risk.

In order to adequately gauge whether *Aspergillus* species in cannabis poses a significant health threat, we propose an *Aspergillus* Threat-Assessment Research Project (ATARP). Samples of medical cannabis will be obtained from dispensaries within San Francisco and screened for *Aspergillus* species using established protocols.

Specific Aim 2: Monitor and screen for contaminants; provide information on plant genetics and active ingredients so that patients can make safe, informed decisions when selecting their medicine

In addition to fungus, other contaminants can lead to adverse health effects with repeat exposure. Other contaminants include bacteria, heavy metals, and insecticides. Virtually no reliable data exists regarding the extent or type of contamination most prevalent on medical cannabis found in San Francisco, the greater Bay Area, or California.

In order to screen for different forms of contamination, we follow established guidelines and quality-control methods for medicinal plant materials as published by the World Health Organization (WHO) and other academic institutions. In order to effectively assess and respond to biological contamination of medicinal herbal products, we will continually screen samples for various potentially harmful agents and implement common sterilization techniques, such as heat sterilization or gamma irradiation.

Although over 700 varieties of cannabis have been reported around the world, there has been little

comparative research conducted on some of the unstudied medicinal properties.^{11,12} Using established forensic techniques, we can access information within the DNA of cannabis to positively identify the plant's gender, species, and potentially distinguish between related varieties. The cannabis plant contains numerous ingredients, though only five thus far have been studied extensively for therapeutic applications.¹¹

Of these compounds, tetrahydrocannabinol (THC) and cannabidiol (CBD) are the most commonly occurring ingredients on the plant. While THC is often used as a measure of potency, the psychoactive effects also depend on the presence of other compounds, which have additive or inhibitory effects.^{12,13} For example, CBD blocks the intoxicating effects of THC and has also been shown to have antipsychotic, anti-inflammatory, and anxiolytic effects.¹⁴

As CBD can offset the psychoactive effects of THC, potency is not defined merely by the presence of THC. For medical-cannabis patients, potency is determined by symptom relief, which is not necessarily due to THC but rather other distinct therapeutic agents on the plant. Using standard analytical techniques, we can assay for the presence of therapeutically significant compounds.

Thus, we could provide data that informs users about the potential benefits and side effects of medical-cannabis varieties.

Section I I. Analytical Laboratory

1. Ranney, D.N., et al., Marijuana use in potential liver transplant candidates. *Am J Transplant*, 2009. 9(2): p. 280-5.
2. Coffman, K.L., The debate about marijuana usage in transplant candidates: recent medical evidence on marijuana health effects. *Curr Opin Organ Transplant*, 2008. 13(2): p. 189-95.

3. Cescon, D.W., et al., Invasive pulmonary aspergillosis associated with marijuana use in a man with colorectal cancer. *J Clin Oncol*, 2008. 26(13): p. 2214-5.
 4. Marks, W.H., et al., Successfully treated invasive pulmonary aspergillosis associated with smoking marijuana in a renal transplant recipient. *Transplantation*, 1996. 61(12): p. 1771-4.
 5. Levitz, S.M. and R.D. Diamond, Aspergillosis and marijuana. *Ann Intern Med*, 1991. 115(7): p. 578-9.
 6. Sutton, S., B.L. Lum, and F.M. Torti, Possible risk of invasive pulmonary aspergillosis with marijuana use during chemotherapy for small cell lung cancer. *Drug Intell Clin Pharm*, 1986. 20(4): p. 289-91.
 7. Mackiewicz, B., et al., Respiratory disorders in two workers of customs depositories occupationally exposed to mouldy tobacco. *Ann Agric Environ Med*, 2008. 15(2): p. 317-22.
 8. Etze I, R.A., Indoor and outdoor air pollution: tobacco smoke, moulds and diseases in infants and children. *Int J Hyg Environ Health*, 2007. 210(5): p. 611-6.
 9. Meruva, N.K., J.M. Penn, and D.E. Farthing, Rapid identification of microbial spores from tobacco molds using closed-loop stripping and gas chromatography/time-of-flight mass spectrometry. *J Ind Microbial Biotechnol*, 2004. 31(10): p. 482-8.
 10. Thorn, J., J. Brisman, and K. Toren, Adult-onset asthma is associated with self-reported mold or environmental tobacco smoke exposures in the home. *Allergy*, 2001. 56(4): p. 287-92.
 11. Elsohly, M.A. and D. Slade, Chemical constituents of marijuana: the complex mixture of natural cannabinoids. *Life Sci*, 2005. 78(5): p. 539-48.
 12. Russo, E. and G.W. Guy, A tale of two cannabinoids: the therapeutic rationale for combining tetrahydrocannabinol and cannabidiol. *Med Hypotheses*, 2006. 66(2): p. 234-46.
 13. McLaren, J., et al., Cannabis potency and contamination: a review of the literature. *Addiction*, 2008. 103(7): p. 1100-9.
 14. Nadulski, T., et al., Randomized, double-blind, placebo-controlled study about the effects of cannabidiol (CBD) on the pharmacokinetics of Delta9-tetrahydrocannabinol (THC) after oral application of THC versus standardized cannabis extract. *Ther Drug Monit*, 2005. 27(6): p. 799-810.
- of Delta9-tetrahydrocannabinol (THC) after oral application of THC versus standardized cannabis extract. *Ther Drug Monit*, 2005. 27(6): p. 799-810.

A space for your notes...

This image shows a full page of a document template designed for handwriting practice. It consists of approximately 28 evenly spaced, horizontal blue dashed lines extending across the entire width of the page. The background is plain white, providing a clear contrast for the lines. There are no margins, text, or other markings present.

A space for your notes...

Handwriting practice lines consisting of 25 horizontal dotted lines.



San Francisco
Patient and
Resource Center

1256 Mission Street
San Francisco CA 94103

info@SPARCsf.org

www.SPARCsf.org

TEL 415 252 7727
FAX 415 252 7724



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH BRANCH

Edwin M. Lee, Mayor
Barbara A. Garcia, MPA, Director of Health
Stephanie K. J. Cushing, MSPH, CHMM, REHS
Director of Environmental Health

July 15, 2016

SPARC
473 Haight Street
San Francisco, CA 94117
Care of: Erich Pearson

Subject: Final Permit to Operate
SPARC
473 Haight Street, San Francisco

Dear Mr. Pearson

On May 18, 2016, at the Director of Public Health's Hearing, it was decided that a temporary permit to operate should be granted to your facility. The San Francisco Health Code Article 33 does not allow for the issuance of a temporary permit. The code only refers to a provisional permit or a final permit to operate.

DPH has received approved referrals from the SF Fire Department (6/14/2016) and the Mayor's office of Disability (12/14/15). Planning Memo dated 4/29/2016 states that the zoning referral is approved for the continuation of a medical cannabis dispensary. All other DPH application requirements have also been met.

Therefore, pursuant to San Francisco Health Code Article 33, Section 3307 a final Permit to Operate is hereby issued with the effective date of 6/20/2016. Please ensure to pay the upcoming license certificate fee from the Tax Collector's office upon receipt.

Management from this facility must attend the September 21st DPH Directors hearing to present your community involvement and outreach plans going forward, as discussed during the May 18th 2016 hearing.

Please contact Inspector Douglas Obana (415) 252-3993 with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Stephanie K.J. Cushing". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Stephanie K.J. Cushing, MSPH, CHMM, REHS
Director of Environmental Health



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

DATE: April 29, 2016

TO: Douglas Obana, Medical Cannabis Dispensary Program
Department of Public Health – Environmental Health Branch

FROM: Sharon M. Young, (415) 558-6346
Planner, Northwest Quadrant

RE: Status of Health Permit Application Zoning Referral
473 Haight Street (d.b.a. SPARC)

cc: Scott Sanchez, Zoning Administrator, Planning Department

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

This memo is a follow-up to our previous correspondence regarding a Health Permit Application Zoning Referral request that was received by the Planning Department. Such applications are referred to the Planning Department to ensure that the proposed use is consistent with San Francisco's zoning regulations. At this time, the Planning Department will provide a preliminary recommendation for the above-referenced Health Permit Application Zoning Referral for an interim use of the project site.

The DPH Zoning Referral is approved for the continuation of a medical cannabis dispensary and retail store use within the NC-2 Zoning District with the change in ownership from d.b.a. Good Fellows Smokeshop to SPARC. The proposed medical cannabis dispensary (d.b.a. SPARC) is to comply with the previous conditions of approval under Discretionary Review Case No. 2005.0817D as approved by the Planning Commission on November 9, 2006 to maintain the operation of an existing medical cannabis dispensary within an existing retail space.

The conditions of approval for the Medical Cannabis Dispensary (MCD) operation and floor plan layout include: the proposed Medical Cannabis Dispensary (MCD) will sell cannabis (no cannabis food stuffs) and will not grow cannabis on-site. It will not offer on-site smoking or vaporizing for employees and customers of the MCD. The hours of operation of the MCD are 10 a.m. to 10 p.m. (including holidays). The proposed floor plan shall include interior modifications (i.e. wall partition with secured access and separate counter space) to physically separate the sale of medical cannabis and other retail service goods sold on-site. The interim plans (attached) include 414 square feet of commercial space utilized for the sale and storage of medical cannabis use and 717 square feet of commercial space utilized for non-cannabis merchandise display and sales area and other common areas in the commercial space that include the front entry, restroom, and ATM closet areas.

The project sponsors have submitted Building Permit Application No. 2015.11.19.3094 for interior and exterior alterations to a vacant ground floor commercial space and Building Permit Application Nos. 2016.03.14.1941 and 2016.03.14.1947 for new business signage (blade and canopy signs). These building permit applications are on hold pending a public-initiated Discretionary Review (DR) hearing before the Planning Commission, currently scheduled for August 4, 2016. The pending DR hearing on the proposed alterations to the space does not preclude the Planning Department from approving the health zoning referral under the previous conditions of approval with the change in ownership.

Memo



SAN FRANCISCO PLANNING DEPARTMENT

1660 Mission Street, Suite 500
San Francisco, California 94103

DISCRETIONARY REVIEW ANALYSIS SUMMARY

for Hearing on November 9, 2006

REGULAR CALENDAR

Project Address:	473 HAIGHT STREET (GOOD FELLOWS SMOKE SHOP)	Case No.:	2005.0817D
Case Planner:	Sharon M. Young	Telephone	(415) 558-6346
Planner's E-mail:	sharon.m.young@sfgov.org	Facsimile	(415) 558-6409
Reviewed by:	David Lindsay	Telephone	(415) 558-6393
Applicants:	Mouna & Mohamed Khatib (tenants) ; Steven & John Kovacs (owners)		
Filing Date:	June 24, 2005		

PROJECT DESCRIPTION & BACKGROUND:

The proposal is to legalize the operation of an existing Medical Cannabis Dispensary in an existing retail space occupied by a tobacco shop (DBA "Good Fellows Smoke Shop") at 473 Haight Street.

The Good Fellows Smoke Shop was established since 1989, and the medical cannabis dispensary was added in 2004. The proposed Medical Cannabis Dispensary (MCD) will sell cannabis and will not grow cannabis on-site. It will not offer on-site smoking or vaporizing for employees and customers of the MCD. The hours of operation of the MCD are 10 a.m. to 10 p.m. (including holidays). The Applicants have estimated that there are between 25-30 MCD customers per day patronizing the establishment: approximately 80% from the surrounding neighborhood, 15% from other areas of the city, and 5% from outside San Francisco. No physical expansion is proposed to the existing structure. Only minor interior modifications will be made in connection with this property to meet the Building Code requirements for compliance with the Americans with Disabilities Act: modifying the location and configuration of the front counters for better accessibility in the existing retail space, installing an accessible counter, lowering the threshold by ¼ inch to accommodate wheelchair access, and installing a new accessible entry door. Medical cannabis is sold on counter space with other tobacco products and stored in containers located in the back storage room.

Planning Code Section 790.141(h) states that all MCDs are required to be reviewed by the Planning Commission, which will consider whether or not to exercise their discretionary review powers over the building permit application (Building Permit Application No. 2005.07.22.8399). The subject property is located within an NC-2 (Small-Scale Neighborhood Commercial) Zoning District, which allows an MCD to operate on the first story level between the hours of 8 a.m. to 10 p.m., pursuant to Section 711.84 of the Planning Code.

(The Applicants are also seeking Conditional Use authorization pursuant to Sections 711.26 and Section 303 of the Planning Code to legalize the installation of an existing automatic teller machine (ATM) walk-up facility without providing a 3-foot setback from the property line under Case No. 2005.0817C.)

SITE DESCRIPTION & PRESENT USE:

The Project Site is on the south side of Haight Street between Webster and Fillmore Streets, Assessor's Block 0859, Lot 038, within the NC-2 Zoning District and a 40-X Height and Bulk District. The property is located in the Lower Haight (Hayes Valley) neighborhood.

The subject lot is 6,862 square feet (approximately 50 feet wide by 137.5 feet deep) in size and is occupied by single-story commercial building built circa 1900. The existing building (471-475 Haight Street) is within the Planning Department's 1976 Survey of Architecturally Significant buildings and the Hayes Valley Information Survey area. (No further determination was made regarding its status as an historic resource under the California Environmental Quality Act due to the nature of the proposed project as indicated under Case No. 2005.0817E.) The subject property, with approximately 960 square feet in floor area, is one of four commercial tenant spaces at 473 Haight Street (DBA "Good Fellows Smoke Shop"). The other tenant spaces are a breakfast and lunch restaurant (DBA "Kate's Kitchen"), a sports apparel/cellular phone products and services retail store (DBA "Designer Brands #4"), and offices for a vinyl record manufacturing, and CD and DVD replication services company (DBA "Record Pressing.com").

SURROUNDING PROPERTIES & NEIGHBORHOOD:

The subject property fronts Haight Street, between Webster and Fillmore Streets. The surrounding development on the subject block and opposite block consists of a variety of multi-story residential, commercial, and mixed-use buildings featuring residential uses above ground-floor commercial establishments. Generally, commercial establishments characterizing this portion of the Lower Haight (Hayes Valley) area include a mixture of restaurants, small nightclubs, drinking establishments, shoe stores, and hair salons. The property directly west of the subject property at 491 Haight Street is a three-story multi-family residential and commercial (DBA "Walgreens") building, and the property directly east of the subject property at 461-463 Haight Street is a two-story residential and commercial (DBA "Strange Collective LLC") building.

Within the surrounding neighborhood, there are also other medical cannabis dispensaries, schools, and substance abuse facilities. Under the current Planning Code requirements, a new MCD may not be within 1,000 feet of a school or recreation building, nor may it operate on the same parcel as a substance abuse center. However, existing MCDs which have been in continuous operation since prior to April 1, 2005, are not subject to the zoning and proximity restrictions. The subject MCD meets these requirements since it has been in continuous operation since 2004. The MCD is not located on the same parcel as a substance abuse center. The closest substance abuse center to the subject property is Walden House (214 Haight Street), located approximately 1,270 feet from the MCD premises. The nearest school to the subject property is John Muir Elementary School (380 Webster Street). The nearest Recreation and Park Properties are Page Street Community Garden (between Buchanan and Webster Streets) and Koshland Park/Koshland Park Community Learning Garden (corner of Page and Buchanan Streets). The school and park properties are located approximately 500-600 feet from the MCD premises. There are also six other existing MCDs located within the general vicinity of the proposed MCD: Alternative Herbal Health, Vapor Room, Act Up, San Francisco Medical Cannabis Clinic, Love Shack, and Patient's Resource Center. Alternative Herbal Health (442 Haight Street) and Vapor Room (609 Haight Street) are located approximately 100 feet and 750 feet respectively from the proposed MCD. (See Exhibit A)

The subject property is part of a larger NC-2 Zoning District, and abuts both an RH-3 Zoning District along the southern portion of the lot and an NC-1 Zoning District on the southwestern portion of the lot.

ENVIRONMENTAL REVIEW STATUS:

On August 1, 2006, a determination was made by the Planning Department that the proposed Medical Cannabis Dispensary is exempt from environmental review under the California Environmental Quality Act.

HEARING NOTIFICATION REQUIREMENTS:

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	October 20, 2006	October 20, 2006	20 days
Posted Notice	30 days	October 10, 2006	October 10, 2006	30 days
Mailed Notice	30 days	October 10, 2006	October 3, 2006	37 days

NEIGHBORHOOD POSITION:

The Applicants have submitted a petition containing approximately 200 signatures from residents, business owners, and patrons of the MCD that are in support of maintaining the existing MCD at the Good Fellows Smoke Shop.

As of November 1, 2006, the Planning Department has received one letter in support and three letters in opposition to the project. The letter of support indicates that the Good Fellows Smoke Shop has operated as a small, non-invasive, professional establishment for obtaining medical cannabis. The letters of opposition indicates that the neighborhood is not in need of this MCD since there are already three other MCDs (Vapor Room, San Francisco Patients CO-OP, and San Francisco Medical Cannabis Clinic) within close proximity to one another, the existing MCD may attract more criminal activity in the immediate area and have a negative impact on safety for residents living within the Lower Haight (Hayes Valley) neighborhood, and questioned whether the proposal was in conflict with Federal Law.

No comments were received from John Muir Elementary School and the Police Department (Northern Station) with regard to the MCD.

STAFF RECOMMENDATION:

Do not take discretionary review and approve the proposal as submitted.

BASIS FOR RECOMMENDATION:

In 1996, California voters passed Proposition 215, known as the Compassionate Use Act, by a 56% majority. In San Francisco, Proposition 215 passed by a 78% majority. The legislation established the right of seriously ill Californians, including those suffering from illnesses such as AIDS, cancer and glaucoma, to obtain and use marijuana for medical purposes when prescribed by a physician.

MCDs began to be established in San Francisco shortly after Proposition 215 passed as a means of providing safe access to medical cannabis for those suffering from debilitating illnesses. At that time, San Francisco did not have any regulatory controls in place to restrict the placement and operations of the dispensaries. As a result, over 40 dispensaries were established in the city without any land use controls, often resulting in incompatible uses next to each other.

On December 30, 2005, the Medical Cannabis Act, as approved by the Board of Supervisors and Mayor, became effective. The Act, set forth in Ordinance 275-05 and supported by Ordinances 271-05 and 273-05, amended the Planning, Health, Traffic, and Business and Tax Regulation Codes in order to establish a comprehensive regulatory framework for MCDs in San Francisco.

The Act designates the Department of Public Health (DPH) as the lead agency for permitting MCDs. DPH conducts its own review of all applications and also refers applications to other involved City agencies, including the Planning Department, in order to verify compliance with relevant requirements. The Planning Department's review is generally limited to the location and physical characteristics of MCDs.

CRITERIA:

The proposal meets the Criteria for establishing a Medical Cannabis Dispensary as outlined in Section 217(k) of the Planning Code:

1. The Medical Cannabis Dispensary has applied for a permit from the Department of Public Health pursuant to Section 3304 of the San Francisco Health Code.

Criteria Met: *The Applicants have applied for a permit from the Department of Public Health. A copy of the referral from the Health Department to the Planning Department is included in this packet as Exhibit B.*

2. That the proposed site is located not located less than 1,000 feet from the parcel containing the grounds of an elementary or secondary school, public or private, or recreation buildings as defined by Section 217(e) of the Planning Code.

Criteria Met: *Since the existing MCD has been in continuous operation on the subject parcel since prior to April 1, 2005, it is not subject to the zoning and proximity restrictions. The nearest school to the subject property is John Muir Elementary School (380 Webster Street). The nearest Recreation and Park Properties to the subject property are Page Street Community Garden (between Buchanan and Webster Streets) and Koshland Park/Koshland Park Community Learning Garden (corner of Page and Buchanan Streets). The school and park properties are located approximately 500-600 feet from the MCD premises. The existing MCD, which has been in continuous operation since 2004, is considered a 'grandfathered' MCD within 1,000 feet of a school or recreation building.*

3. If Medical Cannabis is smoked on the premises, the dispensary shall provide adequate ventilation within the structure such that doors and/or windows are not left open for such purposes resulting in odor emission from the premises.

Criteria Met: *There will not be any smoking or vaporizing of medical cannabis on-site. The purchase of cannabis is only allowed with a medical cannabis card. The purchase of cannabis takes place at the shared counter area with tobacco products within the tobacco shop.*

4. The parcel containing the MCD cannot be located on the same parcel as a facility providing substance abuse services that is license or certified by the State of California or funded by the Department of Public Health.

Criteria Met: *The subject parcel does not contain a facility providing substance abuse services that is licensed or certified by the State of California or funded by the Department of Public Health.*

5. No alcohol is sold or distributed on the premises for on- or off-site consumption.

Criteria Met: *The Applicants are not proposing to sell alcohol for on- or off-site consumption.*

6. A notice shall be sent out to owners and occupants within 300 feet of the subject lot and individuals or groups that have made a written request for notice or regarding specific properties, areas or medical cannabis dispensaries. Such notice shall be held for 30 days.

Criteria Met: *A notice was sent to owners and occupants within 300 feet of the subject parcel advising that a Medical Cannabis Dispensary (MCD) exists at the subject property and that the building permit is subject to a Staff-Initiated Discretionary Review Hearing scheduled for November 9, 2006, to allow the existing MCD to remain at its current location. The notice was sent out on October 3, 2006 and expired on November 2, 2006. (See Exhibit C).*

The Department's Recommendation is consistent with the following relevant objectives and policies of the **Commerce and Industry Element** of the General Plan:

OBJECTIVE 1: MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL LIVING AND WORKING ENVIRONMENT.

POLICY 1.3: Locate commercial and industrial activities according to a generalized commercial and industrial land use plan.

Consistent: *The Planning Code permits the legalization of existing MCDs in NC-2 Districts, which are intended to encourage neighborhood serving businesses that provide a wide selection of goods and services, drawing customers from the immediate vicinity as well as from throughout the City and region.*

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.

Consistent: *The Good Fellows Smoke Shop has operated at their current location since 1989. By allowing them to remain in operation, the existing commercial activity will be retained.*

OBJECTIVE 7: ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES.

POLICY 7.3: Promote the provision of adequate health and educational services to all geographical districts and cultural groups in the city.

Consistent: *The Good Fellows Smoke Shop is the first MCD of six other existing MCDs within the Lower Haight Neighborhood to apply for necessary permits to legalize its use as an MCD. The Good Fellows Smoke Shop will continue to provide customers, who live within the immediate vicinity as well as from throughout the City and region, with either retail service goods (i.e. tobacco products) or medical cannabis to serve their medical needs. The MCD is also located east of the Haight-Ashbury (Upper Haight) District, which*

retains the tradition of bohemian subculture, and was a center for the hippie movement during the 1960's.

The Department's Recommendation is consistent with the following relevant objectives and policies of the **Community Facilities Element** of the General Plan:

OBJECTIVE 3: ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.

POLICY 3.4: Locate neighborhood centers so they are easily accessible and near the natural center of activity.

Consistent: *This location is easily accessible by public transit lines and the neighborhood provides short-term parking. Public Transit (A bus stop with service from Muni Lines 6, 7, and 71 is located at the corner of Haight and Fillmore Streets) is also within close proximity to the MCD/tobacco shop. Some customers of the MCD/tobacco shop may also live within walking distance of the MCD.*

POLICY 3.6: Base priority for the development of neighborhood centers on relative need.

Consistent: *The Good Fellows Smoke Shop provides medical assistance to seriously ill people in San Francisco and other parts of the Bay Area. Although there is a concentration of existing MCDs within the immediate vicinity, the significant impacts from this existing MCD may be reduced in scope, since it is accessory to the existing tobacco shop, and there is no on-site smoking or vaporizing of medical cannabis on the premises. It is the first existing MCD located within this portion of the Lower Haight neighborhood to seek necessary City permits under the Medical Cannabis Act. In addition, the proposed MCD is not operated as a medical facility, like some of the other MCDs within the immediate area, which may be providing smoking or vaporizing of medical cannabis on-site.*

The Department's Recommendation is consistent with the following relevant policies of **Planning Code Section 101.1 ("Prop M findings")**:

General Plan Findings. Planning Code Section 101.1 establishes Eight Priority Planning Policies and requires review of permits for consistency with said policies. The Project complies with said policies in that:

1. No neighborhood serving retail uses are being displaced or otherwise affected by the proposal.

The MCD was added to the existing tobacco shop in 2004. The existing tobacco shop has been in operation at the current location since 1989. No neighborhood serving retail uses would be displaced with this proposal.

2. Existing housing and neighborhood character will not be adversely affected by the proposed project.

The MCD currently occupies an existing commercial space. The MCD use does not adversely affect the existing housing and neighborhood character.

3. The Project would have no adverse impact on the City's existing supply of affordable housing.

The MCD use does not displace any affordable housing, as the use is located within an existing commercial space.

4. The Project will not significantly affect automobile traffic congestion or parking problems in the neighborhood.

This location is easily accessible by public transit lines and the neighborhood provides short-term parking. Public Transit (A bus stop with service from Muni Lines 6, 7, and 71 is located at the corner of Haight and Fillmore Streets) is within close proximity to the MCD/tobacco shop. Some customers of the MCD/tobacco shop may live within walking distance of the MCD. The proposal to allow the existing MCD to remain at its existing location will not significantly increase traffic or parking congestion in the area.

5. No industrial or service industry establishment would be displaced by the Project.

The MCD currently occupies an existing storefront. The MCD use does not displace any industrial or service industry establishments.

6. Earthquake safety requirements would be considered during review of any building permit applications.

The MCD will follow standard earthquake preparedness procedures.

7. That landmark and historic buildings will be preserved.

The existing building is not a landmark building. The existing building, which was constructed circa 1900, is within the Planning Department's 1976 Survey of Architecturally Significant buildings and the Hayes Valley Information Survey area. No further determination was made in regards to its historical status due to the nature of the project since no exterior construction or modification of the building is proposed and the structural integrity of the building as a result of the project will remain unchanged.

8. The Project has no impact on open space or parks or their access to sunlight and vistas.

The MCD use does not restrict access to any open space or parks. Although there are parks within 1,000 feet radius of the site, the existing MCD has been in continuous operation since 2004, and is not subject to the zoning and proximity restrictions under the current Planning Code requirements.

SAN FRANCISCO PLANNING DEPARTMENT

EXHIBIT CHECKLIST

- | | |
|--|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input checked="" type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map with site identified | Drawings: <u>Proposed Project</u> |
| <input type="checkbox"/> Height & Bulk Map with site identified | <input checked="" type="checkbox"/> Check for legibility |
| <input type="checkbox"/> Parcel Map with site identified | <input checked="" type="checkbox"/> Exhibit A: 1000' Radius Map |
| <input checked="" type="checkbox"/> Sanborn Map with site identified | <input checked="" type="checkbox"/> Exhibit B: Department of Public Health Referral and Application Fee Receipt |
| <input checked="" type="checkbox"/> Aerial Photo with site identified | <input checked="" type="checkbox"/> Exhibit C: Notification (covering Section 312, Mandatory DR, Conditional Use) |
| <input checked="" type="checkbox"/> Context Photos (includes project sponsor's photo location map) | <input checked="" type="checkbox"/> Exhibit D: Neighborhood response letters |
| <input checked="" type="checkbox"/> Site Photos | <input checked="" type="checkbox"/> Exhibit E: Project sponsor's petition |

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

Planner's Initials



PLANNING DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

MAIN NUMBER
(415) 558-6378

DIRECTOR'S OFFICE
PHONE: 558-6411
4TH FLOOR
FAX: 558-6426

ZONING ADMINISTRATOR
PHONE: 558-6350
5TH FLOOR
FAX: 558-6409

PLANNING INFORMATION
PHONE: 558-6377
MAJOR ENVIRONMENTAL
FAX: 558-5991

COMMISSION CALENDAR
INFO: 558-6422
INTERNET WEB SITE
WWW.SFGOV.ORG/PLANNING

DATE: November 17, 2006

TO: Interested Parties

FROM: Linda Avery
Commission Secretary

RE: Planning Commission Action

Property Address: 473 Haight Street (d.b.a. Good Fellows Smoke Shop)
Building Permit Application No.: 2005.07.22.8399S
Discretionary Review Case No.: 2005.0817D

On **November 9, 2006**, the Planning Commission reviewed the above-referenced building permit application in a public hearing with the following results:

1. ACTIONS

- The Planning Commission took Discretionary Review and approved the proposal with modifications to maintain the operation of an existing medical cannabis dispensary within an existing retail space occupied by a tobacco shop (d.b.a. Good Fellows Smoke Shop). The proposed Medical Cannabis Dispensary (MCD) will sell cannabis (no cannabis food stuffs) and will not grow cannabis on-site. It will not offer on-site smoking or vaporizing for employees and customers of the MCD. The hours of operation of the MCD are 10 a.m. to 10 p.m. (including holidays).
- The Planning Commission directed the project sponsors to submit plan revisions that would provide for interior modifications (i.e. wall partition with secured access and separate counter space) to physically separate the sale of medical cannabis and tobacco products/other retail service goods sold on-site.

2. FINDINGS

The reasons the Commission took the actions described above include:

- The subject property is located within an NC-2 (Small-Scale Neighborhood Commercial) Zoning District, which allows for the existing MCD to operate on the first story level between the hours of 8 a.m. to 10 p.m. pursuant to Section 711.84 of the Planning Code.

- The Planning Commission found that the operation of the existing medical cannabis dispensary use meets the criteria for establishing a MCD as outlined under Section 217(k) of the Planning Code and is consistent with all the applicable policies of the General Plan.
- The existing MCD has been in operation since 2004 and is not subject to the zoning and proximity restrictions under the Medical Cannabis Act (Ordinance 275-5), which does not allow a new medical cannabis dispensary to be located within 1,000 feet from any elementary school or secondary school, recreation building, or park.
- The MCD does not significantly impact existing housing and neighborhood character as the use is located within an existing commercial space.
- The MCD does not have a significant impact on parking or traffic congestion in the immediate area. The location is easily accessible by public transit lines and the neighborhood provides short-term parking.
- During public testimony, neighborhood concerns were expressed regarding the non-profit sale of medical cannabis and for-profit sale of tobacco products and miscellaneous retail service goods sold on shared counter space within the existing commercial establishment. In response to this concern, the Planning Commission directed that the project be revised to provide separation between the sale of medical cannabis and the sale of tobacco/other goods.

3. Speakers present at the hearing included:

In Support of the Project	In Opposition to the Project	Neutral/Undefined Position
Amy McKee	Jeff Christen	Heather Altree
Brian Kiister	Rodney	James O'Gallagher
Davie Flackman		Laurence Odhner
Ed Binion		Vergia A. Thompson
Henry Singh		
Juli Carter		
Leslie Thomas		
Maurice Tippet		
Medical Marijuana Community & Patients		
Mike McClarrinon		
Percy Coleman		
Rev. Randi Webster		
Robert Carlotan		
Russell Kyle		
Sarah Clarke		
Sarah Shrader		
Shep Mishkin		

Planning Commissioners:

Ayes: Commissioners Antonini, Lee, Moore, Olague and Sugaya
 Noes: None
 Absent: Commissioner Alexander

Case Planner: Sharon M. Young (558-6346)

cc: Linda Avery
 Applicants
 Architect
 Owners
 Docket File



Planning Department

November 9, 2006

SAN FRANCISCO PLANNING COMMISSION

Meeting Minutes

Commission Chambers - Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
Thursday, November 9, 2006
2:00 PM
Regular Meeting

COMMISSIONERS PRESENT: Olague, Antonini, W. Lee, Moore and Sugaya

COMMISSIONER ABSENT: Alexander

THE MEETING WAS CALLED TO ORDER BY VICE-PRESIDENT OLAGUE AT 2:30 P.M.

STAFF IN ATTENDANCE: Dean Macris – Director of Planning, Craig Nikitas – Acting Zoning Administrator, Amit Ghosh – Chief Planner, Glenn Cabrerros, Dan Sider, Steve Wertheim, Tara Sullivan-Lenane, Michael Smith, Sharon Young, Matt Snyder, Ken Rich, John Billovits, David Alumbaugh, Peter Albert, Charles Rivasplata, Kearstin Dischinger, Jonas Ionin, Linda Avery – Commission Secretary.

A. CONSIDERATION OF ITEMS PROPOSED FOR CONTINUANCE

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

1. (J. LAU: (415) 558-6383)

PRESENTATION ON PROPOSED PLANNING CODE AMENDMENTS TO INDUSTRIAL DISTRICTS IN BAYVIEW HUNTERS POINT - **Informational Item**. The Department is preparing a set of zoning modifications for certain M-1 and M-2 designated areas in the Bayview Hunters Point district. The Department is proposing this zoning update to implement various objectives from the Bayview Hunters Point Area Plan, which seeks to retain space for jobs and light industrial activities and to reduce land use conflicts between housing and industry in the Bayview. In general, the Code amendments would continue to permit a wide range of light and contemporary industrial activities, while restricting the size of retail and office development in the area. The zoning revisions will also standardize and codify existing land use policies and controls that currently discourage or prohibit residential development in these industrial zones.

Preliminary Recommendation: Hold hearing on informational item. No action is proposed at this time.

(Continued from Regular Meeting of November 2, 2006)

(Proposed for Continuance to December 7, 2006)

SPEAKERS

Dorothy Peterson

- Asked the Commission to allow the community's input because housing is a very big issue.
- There is a conflict because it needs to remain affordable housing and not market rate housing.
- Asked the Commission to attend meetings in the neighborhood.
- This should be continued to February.

Rev. Arelious Walker

- There is a lot of excitement from the people of Hunters Point. We want to make sure that people in the community voice their concerns and issues.
- It is very important that everybody in the area be informed. There has not been adequate notice.
- It should be continued to December 7.

Francisco Da Costa

- The Commission has a responsibility to those who pay taxes.
- It should be continued to February to allow proper public input.
- We need the material and notices to go out in various languages.

Espanola Jackson

- I would like to have this continued to February and would like to see what this plan includes.
- I want to make sure that you know we are very interested of what is going to happen.

Willie

- I got pictures of the Hunter's Point and this item should be heard today.

ACTION: Continued to January 18, 2007

AYES: Olague, Antonini, W. Lee, Moore and Sugaya

ABSENT: Alexander

2. 2005.0486D (G. CABREROS: (415) 558-6169)

2564 SUTTER STREET - north side between Broderick and Baker Streets; Lot 012 in Assessor's Block 1053 - Request for Discretionary Review of Building Permit Application No. 2005.01.11.2946 proposing a 35-foot rear horizontal addition and a two-story vertical addition to the existing two-story, single-family residence in an RH-3 (Residential, House, Three-Family District) and a 40-X Height and Bulk District. The existing building is proposed to be lifted approximately 20 inches to allow for a three-car garage to be inserted below the existing basement level. Two additional dwelling units are proposed for a total of three units on the subject lot.

Preliminary Recommendation: Do not take Discretionary Review and approve the project.

(Continued from Regular Meeting of September 28, 2006)

(Proposed for Continuance to December 7, 2006)

SPEAKERS: None

ACTION: Continued as proposed

AYES: Olague, Antonini, W. Lee, Moore and Sugaya

ABSENT: Alexander

PLEASE NOTE: The Planning Commission has temporarily altered the Order of Business for this hearing. COMMISSIONERS QUESTIONS AND MATTERS and DIRECTOR'S REPORT will follow item #11 - Market and Octavia Plan Amendments, Hearing #3.

B. GENERAL PUBLIC COMMENT – 15 MINUTES

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

SPEAKERS:

Pauline Peele, Advisory Member of Indian Basin Neighborhood Association

- Asked the Commission to schedule for discussion 900 Innes Avenue and it sounds like January 25 is the earliest.
- We have been working on this for over a year.

Julia Catalano, Reuben and Junius for Trinity Plaza at 117 Market Street

- This item was approved and forwarded to the Board of Supervisors in August.
- The Planning Code requires that the Board has to hear the item within 90-day of being approved.
- Asked the Commission to reintroduce the General Plan amendments for Trinity Plaza to start the clock again.

Francisco Da Costa

- Regarding 900 Innes, it was told at the Board of Supervisors that this structure was a school and it turned out to be false. It belongs to Joe Cassidy.
- A lot of money has been spent to do data on this project.

- Let us put to rest things like 900 Innes.

Espanola Jackson

- I would like to take you all on a tour at the Bayview Hunters Point and really look at what the community is out there.
- I took Commissioner Lee on a tour and many of the areas of Bayview are not shown in the records.
- Records became missing from moving records from one place to another.
- I want to see information on all these changes in various languages because not everybody in my community speaks English.

C. CONSENT CALENDAR

All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Planning Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

Items 3a and 3b were taken off Consent and followed item 4

3a. 2005.0913D (**Tape IA**) (G. CABREROS: (415) 558-6169)

431 26TH AVENUE - west side between Clement Street and Geary Boulevard; Lot 005 in Assessor's Block 1458 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of housing demolition, of Demolition Permit Application No. 2003.09.26.5931, proposing to demolish an existing single-family dwelling in an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the demolition

SPEAKERS

John Lau, Dickson Consulting Group, Project Sponsor Representative

- I am also in charge of the soundness report and this project has been in the process for about a year.
- Staff made a good brief presentation and I am available to answer any questions.

ACTION: Did not take Discretionary Review and Approved

AYES: Olague, Antonini, W. Lee, Moore and Sugaya

ABSENT: Alexander

3b. 2005.0914D (**Tape IA**) (G. CABREROS: (415) 558-6169)

431 26TH AVENUE - west side between Clement Street and Geary Boulevard; Lot 005 in Assessor's Block 1458 - **Mandatory Discretionary Review**, under the Planning Commission's policy requiring review of new residential building in association with residential demolition, of Building Permit Application No. 2003.09.26.5941, proposing to construct a new four-story, three-family building in an RM-1 (Residential, Mixed, Low-Density) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project

SPEAKERS: Same as those listed on item 3a.

ACTION: Did not take Discretionary Review and Approved

AYES: Olague, Antonini, W. Lee, Moore and Sugaya

ABSENT: Alexander

4. 2006.1231D (**Tape IA**) (K. DURANDET: (415) 575-6816)

216 TOWNSEND STREET - northeast corner of Ritch Street, Lot 008 in Assessor's Block 3788 - **Mandatory Discretionary Review** for a proposal to procure a new Type 41 Liquor License for a full-service restaurant and wine bar (DBA N38 : MB0600926 & MB0600925) to sell wine and beer for consumption on-site. No physical expansion, or increase in exterior dimensions of the existing building is proposed. Planning Commission Resolution Number 14844 requires a Discretionary Review hearing for all projects that involve a new or relocated liquor license or bar within the proposed Ballpark Vicinity Special Use District (BVSUD). The property is located in an SLI (Service / Light Industrial) District, the proposed BVSUD, and a 50-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and recommend approval of the referral applications

SPEAKERS: None

ACTION: Did not take Discretionary Review and Approved

AYES: Olague, Antonini, W. Lee, Moore and Sugaya

ABSENT: Alexander

D. REGULAR CALENDAR

5. **(Tape IA)** (L. BADINER/S. WEIRTHEIM: (415) 558-6350/558-6612)

Zoning Administrator announcement of the receipt of the New College of California Abbreviated Institutional Master Plan (IMP) pursuant to Planning Code Section 304.5. The Planning Commission has the discretion under Planning Code Section 304.5(d), to hold or not hold a public hearing on an Abbreviated IMP. If the Commission requests a hearing, it would be scheduled for a later date.

(Continued from Regular Meeting of October 26, 2006)

SPEAKERS: None

ACTION: The Commission decided not to hold a public hearing

AYES: Olague, W. Lee, Moore and Sugaya

ABSENT: Antonini and Alexander

6. 2006.0882A **(Tape IA)** (T. SULLIVAN-LENANE: (415) 558-6257)

1306-1310 MCALLISTER STREET - north side between Steiner and Pierce Streets; Assessor's Block 775, Lot 004A - **Request for Certificate of Appropriateness** to remove a portion of the ground floor bay and construct a new garage opening. The building is a contributory-altered building to the Alamo Square Historic District under Article 10. It is located within an RH-1 (Residential, House, One-Family) Zoning District and 40-X Height and Bulk District. The Landmarks Preservation Advisory Board heard this case at the September 6, 2006, public hearing and recommended disapproval.

Preliminary Recommendation: Disapproval.

(Continued from Regular Meeting of October 26, 2006)

SPEAKERS on continuance consideration

John Pollard, Owner Representative

- Respectfully requested continuance to January 18 to have the full Commission and full team for the project including architects on historic preservation.

ACTION: Without hearing, continued to January 18, 2007

AYES: Antonini, W. Lee, Moore and Sugaya

NAYES: Olague

ABSENT: Alexander

7. 2006.0822D **(Tape IB)** (M. SMITH: (415) 558-6322)

70-74 HARTFORD STREET - west side between 17th and 18th Streets, Lot 050 in Assessor's Block 3582 - **Request for Discretionary Review** of Building Permit Application No. 2006.02.24.5386, the proposal is to construct a garage at the basement level, infill the light wells along the north side, and construct stairs at the rear of the three-unit residential building, located in a RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed

SPEAKERS

Judith Hoyam, Board member of Friends of 1800

- We are dedicated to protect the City's Historic Resources.
- This garage addition would remove 2 parking spaces near shopping centers.
- The curb cut would appropriate for private use space that belongs to the City and general public and would remove a mature tree.
- In the 1900 nothing was constructed on Hartford Street and in 1902 it was all full.
- Every house was setback for landscaping. It is the simple characteristic of this block. None of the houses were constructed with garages.
- It was created that way to provide open space.
- We are asking the Commission to require that an independent historic evaluation by a qualified consultant be part of the Environmental Report.

Mark Paez, Chair of Friends of 1800 and Co-Chair of Duboce Triangle Neighborhood Association

- This Planning Department really needs some policy guidance from this Commission to elevate this process and make more qualitative analysis for these types of proposals.
- This project in particular needs historic resource evaluation, environmental review, and careful policy consideration. We believe it is not ready for approval.
- Numerous garage additions to constructions in the Castro and Eureka Valley are being approved by the department without adequate historic evaluation and environmental review and in conflict with the criteria for the garage guidelines.
- The project is also contrary to the Transit First Policy of the General Plan and also the intentions of the Market-Octavia Plan by promoting the no longer required off-street parking.
- Take DR and require additional analysis.

Charles Chase, Executive Director of San Francisco Heritage

- This project does not conform to the Planning Department procedure for garage additions and we question the validity of staff comments on the [Secretary of] Interior Standards application in this case.
- There has not been adequate environmental review and it violates the Transit First policy of the General Plan in the Planning Department.
- Insertion of garages has a potential negative impact on San Francisco's historic resources.
- It should be fully reviewed to determine the extent of the historic fabric loss, the applicability of the Interior Standards, and how the project meets the current policies and those proposed in the Market-Octavia Plan.

Susan

- I want to echo the Friends of 1800's concern of the historic character of the neighborhood and the impact there.
- I wonder how the garage is going in without considering the mature tree.
- Finally, I have a concern about parking and taking these public parking spaces to convert it to private space. It would take away three spaces with the curb cut.

Marcus Connen, Owner

- The house needs a lot of work. The entrance way and back porch are rotted and need to be replaced. It needs new bathroom and kitchen.
- The building is on a non-cement foundation and needs to be reinforced.
- The cost of this project is about \$400,000 to renovate the building to the point that these units could be rented or to sell it. Currently it is my primary residence.
- It is virtually impossible to rent or sell a house in the Castro without parking. The parking is going to be underground and it is that way on many houses on the block.

Gordon Atkinson, Architect

- The Planning Department has confirmed that this project conforms to the guidelines and regulations.
- The mandate of the Commission is to review projects only when there are extraordinary circumstances.
- We are asking permission to bring the building into compliance with DCP parking requirements for new residents, and to restore the historic ornamentation.
- There are no sidewalk improvements or removal of trees. We are proposing to build new concrete benches along the side walk as an amenity.
- There is nothing extraordinary or exceptional about this project.
- This property is not a landmark designation nor is it in a historic district.

MOTION: To not take Discretionary Review and Approved

AYES: Antonini, W. Lee and Sugaya

NAYES: Olague and Moore

ABSENT: Alexander

MOTION FAILED

ACTION: The project is approved as proposed in the absence of a successful substitute motion.

Items 8a and 8c were heard together following 8b.

8a. 2005.0817CD (S. YOUNG: (415) 558-6346)

473 HAIGHT STREET - south side between Webster and Fillmore Streets; Lot 038 in Assessor's Block 0859 - **Request for Conditional Use Authorization** under Sections 711.26 and 303 of the Planning Code to legalize an existing automatic teller machine (ATM) walk-up facility, installed without providing a 3-foot setback from the front property line. The ATM, which was installed without permit, is an accessory use to the existing tobacco shop (d.b.a. Good Fellows Smoke Shop) which houses the medical cannabis dispensary described in part (b) below. The property is located in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Approval with conditions.

SPEAKERS

Brian Kuester, on behalf of Project Sponsor for item 8a

- When the project sponsor purchased the business, the ATM had been in place three years by then. They had no idea that there was no permit for it.
- As soon as they were notified by the department that a permit was required, they filed immediately.
- The charge for the use of the ATM is \$1.50 where most other places charge \$2.50
- If anybody has a problem, the owners handle it right away.

Danny Parker, General Council for Swipe USA LLC - Project Sponsor Representative for item 8c

- We have an alliance with Designer Brand.
- Swipe' has been managing ATM's for seven years. They follow banking guidelines.
- One of the concerns is graffiti at this location and I want to assure you that Designer Brands owner works carefully with 'Swipe' to ensure that any graffiti is removed clean within 24 hours.
- Swipe' is a very responsible business and engages with the Police Department's Patrol Division.
- We have neighborhood support.
- I urge you to apply fundamental fairness to both ATM's and look at the contributions to the community.

Jeff Christen

- I just want to point out that this belongs to the Cannabis Club and they will use the funds from the cannabis to fill the ATM machine.
- I do not know how legal that is. Imagine having an ATM and everything else at this one location

Gary Bell [8c]

- I am here in support of the ATM. The very first goal of the Commerce Industry section of the General Plan is to maintain healthy and diverse economy.
- There are no banks anywhere within easy walking distances.
- In addition to contributing to the local economy, there is no adverse impact on city services from this machine.
- The machine has been in this location for over a year.

Hasah Khader, Designer Brands Owner

- I have been doing business on Haight Street for the last 15 years.
- There were no ATM machines before and now we have more.
- There are no complaints and it is helping to bring more people to spend more money in our community.
- Many residents and merchants support the idea of having both ATM's on our street.

Laurence Odhner

- I am the former owner of this place and during the interim term I noticed that other merchants added ATM's and none have been turned down, to the best of my knowledge.
- To turn down Mr. Khader's request, which is as valid as the others, it would be highly discriminatory.

Marwan Ouziz, Technical Manager for Swipe Management Company

- Approve the conditional use.
- Swipe has been a respectful member of the San Francisco Business community and has extended the amount of service to our customers.

Scott Hart, San Francisco Patrol Special Police

- Swipe' has hired our services to patrol the ATM's at night and make sure that there are no problems.
- If there are any problems, they call Marwan and he contacts us to go out.

Rodney

- The impression is that the ATM being next to the medical marijuana dispensary will bring a negative type of traffic. There could be a problem with marijuana and money.
- We are going backwards in the City. Look at the fact that there is more marijuana in the Haight. Putting money next to the dispensary is not a good idea.

Michael Aldrich

- I am here in support of having the ATM's at both locations.

- I want to raise a couple of points: Mohna has worked very hard to have the medical dispensary working properly and this ATM brings accessibility to people in a wheel chair.
- This ATM charges only \$1.5 which is much less than most ATM's.

Juli Carter

- There were no ATM's before in the area.
- Walgreens put in the first and now there are a few. There is a need for an ATM on Sundays.
- These are the only ones available on Sundays when people come to the neighborhood and need to buy stuff or dine in the area.

Rev. Randi Webster

- I'm speaking in favor of both ATM's because of accessibility for patients of the Medical Dispensary and because the community needs this service.

ACTION: Approved

AYES: Olague, Antonini, W. Lee, Moore and Sugaya

ABSENT: Alexander

MOTION: 17339

8b. 2005.0817CD (**Tape IB; IIA**) (S. YOUNG: (415) 558-6346)

473 HAIGHT STREET - south side between Webster and Fillmore Streets; Lot 038 in Assessor's Block 0859 - **Mandatory Discretionary Review**, under Planning Code Sections 711.84 and 790.141 (h) requiring review of Medical Cannabis Dispensaries (MCDs), of Building Permit Application No. 2005.07.22.8399, to maintain the operation of an existing medical cannabis dispensary within an existing retail space occupied by a tobacco shop (d.b.a. Good Fellows Smoke Shop). The property is located in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Do not take Discretionary Review and approve the project as proposed.

SPEAKERS**Brian Kuester, on behalf of Project Sponsor**

- The project sponsors have demonstrated to the medical cannabis community that they are the kind of people you want to run these collectives.
- They are very involved in the community and have participated in every organized activity to support and enhance the community.
- When our neighborhood requested for them to have an open house, they held two.
- When the Planning Department first sent notices in May 2005 requiring a building permit for a change of use, they were the very first one to apply and by July filed all required documents.
- They want very much to provide service to the community and are very committed to compassion.
- They provide cannabis to patients who are income limited and provide edibles to staff at Saint Mary's Hospital and Laguna Honda to be distributed to needy patients.

Juli Carter

- I have been a patient since 1995 and I have seen the evolution of the owners and the dispensary.
- They have not contributed to problems, if anything, they have helped.

Rev. Randi Webster

- They are a very good addition to the medical cannabis community.
- They are very leveling, giving, and compassionate and I have not heard any problems from them.

Percy Coleman

- I have been a patient for about two years and I am here in support of the dispensary.
- I have never had any problems. This is one of the fewest areas where you can go in and leave without fear.

David Sarmento

- I am here to support the dispensary. I have been a patient there since January 2006.
- These are good fellows and they help and work for the community. Please approve the permit.

Shep Mishkin

- I am a patient of this dispensary and they are very good people.
- I am one of the patients that get free medical marijuana.

Ed Binion

- I am here to urge you to grant the permit to this dispensary.
- They clean the streets and they patrol the streets. They keep the criminal element out and they are doing everything in San Francisco that a club should do to maintain their status.

Henry Singh

- I am a single parent and patient of this dispensary.
- They have provided me free marijuana for the last two years for my arthritis pain.
- It is very convenient being a non-smoking place and a couple steps from the bus stop.

Amy McKee

- I have been a patient of Good Fellows for over a year and I would like you give them the license to stay open.
- This is the only club that I go to because I feel the safest there. They are good people.

Dave Flackman

I have been a patient for over a year. The people are very good and they keep the area clean **Leslie Thomas**

- I am requesting that Good Fellowes remain open. The relationship with the owners has been mainly as an advocate.
- I was the director of a patient union and the smoke shop was generous to our patient group.

They are very good neighbors in between two not good ones.

Vergia Thompson

- I am a patient of this dispensary and they have given me free cannabis and I hope you will give the permission to keep their permit.

Robert Carltan

- I also support giving the permit without the discretionary review.
- I am also a witness of all the compassion that they have extended to all members.

Rodney

- The Federal Government should look into closing down all the medical marijuana clubs in the City.
- There are a lot of citizens that do not like going to the park and there are people smoking marijuana and there are people abusing the clubs just to get the pot.
- You think about the moral value that you are trying to give to the city of San Francisco.
- I hope to see one of the members above me [the Commission] to start working with the Federal Government to close down the medical marijuana pot clubs.

James D'ahllagher, Attorney

- Unlike the other speakers, I am not a user and nor am I going to pontificate on how wonderful they are -- although they are.
- My purpose in coming is to respond to any possible arguments against the recommendation or for not granting this permit.
- So far, I heard one and I do not wish to dignify that one with a serious response. I think the people of California have spoken.

Heather Altree

- I do not think that marijuana should be legalized that way. We are not prepared for this.
- If it is going to be legalized, there should be a lot of talk about situations on how it is going to be when they are on pot, since that makes them incapable of being normal and in control of them selves.
- They should not have license to give pot even if it is for medical reasons. It should go to the drug court.

Sarah Clarke, American Safe Access

- As the medical marijuana community grows in the community, it is becoming crucial that we continue supporting that community.
- If we do not allow these facilities to remain open, we are going to have less dispensaries and more patients and traffic going to the few dispensaries remaining.
- These regulations came up to legitimize and control these facilities.
- They are very compassionate and they are doing everything the City has requested.

Kevin Reed, The Green Cross

- I just want to show my support. They are give compassionate support and they are one of twelve dispensaries that have applied for their permit.

Laurence Odnner

- I had a store adjacent to the Good Fellowes Shop and I am very familiar with them.

- I do not oppose the permit to operate there. However, I do wish to add the caveat that it should be with a conditional review.
- There is a volatile mix if we add the cannabis to that location. This facility sells pornography and dildos and crack pipes.
- Also, the hours of operation late in the evenings on the most dangerous blocks in the city without security are a concern.

Jeff Christen

- I do not oppose the cannabis dispensary but it should have the discretionary review.
- This location sells all kind of pornography and crack pipes and people are selling the pot on the street.
- I know many people spoke in favor of them but that is because they are getting free pot.

Mike McClarrinon

- I oppose this medical cannabis dispensary in that are. It would increase criminal activity.
- On November 8 at approximately 7p.m., I asked the owner about tall cylinder devices on the shelf and the lady said it was a pipe glass to smoke ice.

ACTION: Took Discretionary Review and Approved as modified:

- Fixed the wall between the existing smoke shop and the medical cannabis dispensary that it goes up all the way up to the ceiling.
- Require that food stuff adhere to the City's template on labeling.
- Require secure gate to enter and exit the dispensary from and to the smoke shop.

AYES: Olague, Antonini, W. Lee, Moore and Sugaya

ABSENT: Alexander

8c. 2006.0831C (**Tape IIA**) (S. YOUNG: (415) 558-6346)

473A HAIGHT STREET - south side between Webster and Fillmore Streets; Lot 038 in Assessor's Block 0859 - **Request for Conditional Use Authorization** under Sections 711.26 and 303 of the Planning Code to legalize an existing automatic teller machine (ATM) walk-up facility, installed without providing a 3-foot setback from the front property line. The ATM, which was installed without permit, is an accessory use to an existing retail store (d.b.a. Designer Brands #4). The property is located in an NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District.

Preliminary Recommendation: Disapproval.

SPEAKERS: Same as those listed on item 8a

MOTION: To approve

AYES: Olague, Antonini and W. Lee

NAYES: Moore and Sugaya

ABSENT: Alexander

MOTION FAILED

ACTION: Continued to January 18, 2007 so absent Commissioner can participate

AYES: Olague, Antonini, W. Lee, Moore and Sugaya

ABSENT: Alexander

9a. 2006.0390DV (**Tape IIA; IIB**) (M. SNYDER: (415) 575-6891)

152 ELSIE STREET - west side between Esmeralda Avenue and Virginia Avenue, Lot 5618 in Assessor's Block 020 - **Request for Discretionary Review** of Building Permit Application No. 2003.10.06.6599 proposing to construct a single-family dwelling on a vacant lot. The property is within an RH-1 (House, Single-family District), The Bernal Heights Special Use District, and a 40-X Height and Bulk District.

Preliminary Recommendation: Do Not Take Discretionary Review and approve the project as proposed.

SPEAKERS

Charles Bolton, Discretionary Review Requestor

- The main issue is that we have extremely narrow streets there. The area in question has no legal walk way.
- We have concerns about the height because the two adjacent properties are much lower.

From: [john murray](#)
To: [Young, Sharon \(CPC\)](#)
Subject: 473 haight
Date: Tuesday, July 19, 2016 6:58:04 PM

Hello

I am a lower haight resident since 1991. The neighborhood has become much quieter and safer since then. I fully support and will BUY from the future cannabis club/pot store SPARC at 473 haight, which previously was a very sketchy head shop that sold weed. The safety issues are silly- no 'drug dealer' would buy premium priced weed at a club then turn around and try to resell on the street. Double parking? Look at all the new condos around the area with no parking available for the overpriced 'units'. Near a school? There are liquor stores on every corner and cigarettes and vaping everywhere...SPARC is a model cannabis dispensary without incident at its current location 1256 mission.

I am not sure who you are or represent-Sharon Young
Please stop littering my mailbox with junk mail.

Lower Haight resident and avid pot smoker.

Thank you

20 July 2016

To whom it may concern,

Please please do not allow the opening of a marijuana dispensary in our neighborhood, I am mainly speaking about the planned opening of the Sparc Marijuana Dispensary at 473 Haight St. A dispensary here would have massive detrimental effects on the neighborhood and would possibly make the neighborhood dangerous and violent again.

I have been a resident of Lower Haight for the past 8 years. When I first moved to Webster and Haight, the area was strife with gangs, violence, and sales of drugs. Living on Haight and Webster, I have a front view of all the activities that happen on that corner. For years, drugs sales would occur right at my doorstep since it was a convenient place for them to hang out and rest against my garage and against the building. My tenants would call the police on a daily basis because of all the activity in front of our building.

Back then, I remember seeing and hearing about violence and killings on a regular basis. In fact, on the opening of my former gallery (4x5 Gallery), there was a spate of gunshots fired right at that corner. There have been drive by shootings in the area and loud incidences at night of fights and arguments. So much so that there is a gunshot detector and camera installed at my corner.

As the neighborhood grew up and changed, the violence and gang activity started decreasing. With the close of the Good Fellows, I have seen a dramatic decrease in violence, crime, and gang members hanging in front of my house. In fact, it is now a rare occurrence that they would be there. Now the neighborhood feels much safer and business is actually increasing with the arrival of new restaurants, apartment complexes, galleries, and smaller shops. There are no more monthly reports of gang activity, violence, shootings, and scary people walking on Haight Street. Now my girlfriend and I can walk around the neighborhood at all times of the day and feel safe.

As a long time Lower Haight resident and former local business owner, I am fearful that the neighborhood will revert back to its violent self if a marijuana dispensary (Sparc) returns to the neighborhood. Since the departure of the dispensaries, the neighborhood has changed to a safer, cleaner, and a friendlier neighborhood. Please, please, do not allow the return of Lower Haight's violent past with the return of drugs into the neighborhood. We have made so much progress in the 8 years that I have been a residence here that I would hate to see it relapse back into its past.

Sincerely,

Hung Tran

391 Haight St. SF, CA 94102

hungmtran@gmail.com

From: [John Agoncillo](#)
To: [Young, Sharon \(CPC\)](#)
Subject: Reference 473 Haight Street
Date: Wednesday, July 20, 2016 11:34:24 AM

John
Agoncillo
739 8th
Avenue
Apartment
#2
San
Francisco,
CA
94118

July 20, 2016

Sharon M. Young
City & County of San Francisco
Planning Department
1650 Mission Street
Suite 400
San Francisco, CA
94103-2479

Dear Ms. Young,

I am writing today in opposition of the proposed medical marijuana club in the Lower Haight at 473 Haight Street. I am a frequent visitor to the area and have noticed a substantial decrease in crime in the area after the prior pot club was closed down. To move backwards will affect not only my visits but also the general public. The proposed club will be within a 1000 feet radius of a structure used primarily by those under 18 years of age so I don't see how it will be approved.

I urge you to not allow the dispensary to open. I understand the need for medical marijuana and I'm a big advocate but I wouldn't want the community to be affected by it.

Thank you for your time.

John Agoncillo

To whom it may concern,

I am writing because I am very opposed to having a cannabis dispensary at 473 Haight Street. I am a small business owner with a business on the same block. My business, Glass Key Photo, is located across the street at 442 Haight Street. Allowing this dispensary to open would be massively detrimental to the safety of those that live, work, and visit this part of lower Haight Street. There are three main points to this:

1. Community was not informed/no community input
2. Underserved neighborhoods are taking the brunt of these MCDs
3. There are three schools within the 1000 foot radius of this location

The company trying to open this location, SPARC, did not do outreach to the community. Their claims of doing so are patently false. On numerous occasions I was told that someone from SPARC went door to door telling people about their supposed community meetings. My business is open seven days a week, and I personally here every single day (and have been for years) and not once did anyone from SPARC come into my store. As I talk to more and more people in the surrounding blocks, both business and residential, one thing has been made abundantly clear. Very few people were aware of this at all. Community outreach did not happen.

After decades of crime, drug turf wars, and general fear of crossing Fillmore to the 400 block of Haight, we have seen more and more people on our block in the last year—all starting when the Good Fellows Smoke Shop closed. Good Fellows was a smoke shop that added a small area for cannabis in the back of the store. For close to a year now we have enjoyed lower crime. No more calls to the SFPD. I do not want to go back to the problems of the past. The store front that I currently occupy was a pot club a few years back. At that location they had all the same trimmings—security cameras everywhere, a security guard at the door, etc. That security guard was stabbed in the neck. The next tenant here was held up and robbed at gunpoint. I was next door and heard him scream—a sound I will never forget as long as I live. This block has had continual problems all rotating around cannabis. Please do not allow us to slip backwards into that again.

According to the planning department zoning report there are three schools within 1000 feet of 473 Haight Street. One of those schools, John Muir Elementary, is only 509 feet away. The 1000 foot rule should be adhered to. Even under a planning department proposal that would reduce the distance from schools to 600 feet, this location would not be allowed. The students of this school deserve the same rights as those of all other students in the city.

Sincerely,

Matt Osborne
Glass Key Photo
442 Haight Street

From: [Gordon Szeto](#)
To: [Young, Sharon \(CPC\)](#)
Subject: 473 Haight St
Date: Wednesday, July 20, 2016 10:49:43 PM

To whom it may concern,

I am writing because I am strongly opposed to having a cannabis dispensary at 473 Haight Street. I am a small business owner with a business on the same block. My business, Glass Key Photo, is located across the street at 442 Haight Street. Allowing this dispensary to open would be massively detrimental to the safety of those that live, work, and visit this part of lower Haight Street. I oppose the opening for the following reasons:

- <!--[if !supportLists]-->1. <!--[endif]-->Community was not informed/no community input
- <!--[if !supportLists]-->2. <!--[endif]-->Underserved neighborhoods are taking the brunt of these MCDs
- <!--[if !supportLists]-->3. <!--[endif]-->There are three schools within the 1000 foot radius of this location

The company trying to open this location, SPARC, did not do outreach to the community. Their claims of doing so are patently false. On numerous occasions I was told that someone from SPARC went door to door telling people about their supposed community meetings. My business is open seven days a week, and I personally here every single day (and have been for years) and not once did anyone from SPARC come into my store. As I talk to more and more people in the surrounding blocks, both business and residential, one thing has been made abundantly clear. Very few people were aware of this at all. Community outreach did not happen.

After decades of crime, drug turf wars, and general fear of crossing Fillmore to the 400 block of Haight, we have seen more and more people on our block in the last year—all starting when the Good Fellows Smoke Shop closed. Good Fellows was a smoke shop that added a small area for cannabis in the back of the store. For close to a year now we have enjoyed lower crime. No more calls to the SFPD. I do not want to go back to the problems of the past. The store front that I currently occupy was a pot club a few years back. At that location they had all the same trimmings—security cameras everywhere, a security guard at the door, etc. That security guard was stabbed in the neck. The next tenant here was held up and robbed at gunpoint. I was next door and heard him scream—a sound I will never forget as long as I live. This block has had continual problems all rotating around cannabis. Please do not allow us to slip backwards into that again.

According to the planning department zoning report there are three schools within 1000 feet of 473 Haight Street. One of those schools, John Muir Elementary, is only 509 feet away. The 1000 foot rule should be adhered to. Even under a planning department proposal that would reduce the distance from schools to 600 feet, this location would not be allowed. The students of this school deserve the same rights as those of all other students in the city.

Sincerely,
Gordon Szeto
Glass Key Photo
442 Haight Street

From: [Joseph Ortega](#)
To: [Young, Sharon \(CPC\)](#)
Subject: Please do NOT allow SPARC into our neighborhood
Date: Saturday, July 23, 2016 12:08:46 PM

Dear Sharon

We are 17 year residents of the Lower Haight and have a 5 year old son. SPARC intends to open a marijuana dispensary on 472 Haight Street around the corner from us and dozens of families with small children. SPARC is in direct contravention of the law given their proximity to John Muir Elementary School, not to mention numerous day cares and pre-schools in the area. We find it difficult to believe this can happen to our children or that this business somehow better serves our community.

For the sake of the kids who now have a safe place to thrive PLEASE oppose granting this marijuana dispensary any permission to open. This is a beautiful, diverse neighborhood in a town already massively served by marijuana outlets. There is absolutely no need to sell marijuana in the Lower Haight.

Thank You



January 29, 2016

Sharon Young
Assigned Planner
Re: Building Permit Application No. 201511193094
Proposed MCD at 473 Haight Street

Dear Ms. Young:

The Lower Haight Merchants and Neighborhood Association (LoHaMNA) is in full support of SPARC's MCD permit application at 473 Haight Street.

LoHaMNA previously requested that the Planning Department condition permit approval on the applicant's written commitment to address neighborhood concerns on safety and security. LoHaMNA and SPARC have now executed a Memorandum of Understanding (MOU) that sufficiently addresses these concerns.

The MOU lays out specific guidelines for:

- Security patrol outside of the premises
- Installation of security cameras
- Limitations on expansion of services and premises
- Immediate action on complaints from neighbors
- Suspension of membership for reselling or consuming cannabis in vicinity of premise
- Enforcement of code of conduct violations
- Participation and contribution to LoHaMNA community projects

With the executed MOU, LoHaMNA has assurance that SPARC will effectively prioritize and respond to neighborhood concerns. We urge you to approve their permit application.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael V. Gaines", is written over a light blue horizontal line.

Michael Gaines
Co-President

A handwritten signature in black ink, appearing to read "Gio Acosta", is written over a light blue horizontal line.

Gio Acosta
Co-President

Cc: Scott Sanchez, Planning Department
Supervisor London Breed
Larry Kessler, Department of Public Health



December 2, 2015

Sharon Young
Assigned Planner
Re: Building Permit Application No. 201511193094
Proposed MCD at 473 Haight Street

Dear Ms. Young:

The Lower Haight Merchants and Neighborhood Association (LoHaMNA) requests that the approval of the SPARC MCD permit application for 473 Haight Street be conditioned on the applicant's written commitment to address neighborhood concerns on safety and security.

Specifically, LoHaMNA is currently in discussion with the applicant to commit to the following in a memorandum of understanding / agreement (details to be specified in the final draft MOU):

- Security patrol outside of the premises at all hours of operation
- Installation of security cameras
- No expansion of services (retail only, no on-site consumption – employee or customer)
- No expansion of premises (cap at 517 square feet for cannabis and at 473 Haight only)
- Immediate action if the marijuana smells are causing problems with neighboring residents or business
- Suspension of membership if selling cannabis on the 400 block of Haight or allowing smoking outside of their store
- Suspension of membership if double parking violation on 400 block of Haight
- Financial & resource contribution to LoHaMNA community projects including Art Walk, Public Realm: street lighting and bus bulbout project for Haight Street, as well as future community projects with John Muir Elementary School.

The neighborhood is making these requests not only because the 400 block of Haight has historically experienced a concentration of drug activity, but also the operations of the previous MCD directly contributed to security problem. Neighboring residents and merchants to a previous MCD, AHHS, saw the direct impact in terms of double parking and lack of parking, increased drug trafficking, buying inside the MCD and selling directly outside, fights between

security and patients, including a security guard being stabbed by a patient, robberies of the MCD at gun point, as well as loitering around the MCD.

Given this history, the neighborhood believes that the operation of another MCD must be contingent on its ability to address public safety, and respectfully requests that decisions be based on the applicant's written commitment to do so.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Devon Chulick', with a long horizontal flourish extending to the right.

Devon Chulick,
President, LoHaMNA board

Cc: Scott Sanchez, Planning Department
Supervisor London Breed

MEDICAL CANNABIS DISPENSARY
473 HAIGHT STREET
San Francisco, California

GENERAL NOTES								LOCATION MAP		SCALE: N.T.S.		PROJECT DIRECTORY		SHEET INDEX																																																																																																																																																																																																																																																																																																																																							
<p>1. THESE NOTES APPLY TO ALL DRAWINGS AND GOVERN UNLESS NOTED OR SPECIFIED FOR MORE SPECIFIC REQUIREMENTS APPLICABLE TO PARTICULAR DIVISIONS OF THE WORK. SEE NOTES CONTAINED IN SUBSECTIONS OF THESE DRAWINGS.</p> <p>2. THE GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION, (AIA DOCUMENT A201), LATEST EDITION, AND SPECIFICATIONS SUPPLEMENT THESE DRAWINGS AND OR ARE A PART OF THE CONTRACT DOCUMENTS.</p> <p>3. ALL WORK SHALL CONFORM TO ALL APPLICABLE PERMITS, REGULATIONS, CODES, AND ORDINANCES OF PUBLIC AUTHORITIES, FEDERAL, STATE, AND LOCAL, HAVING JURISDICTION.</p> <p>4. CONTRACTOR SHALL VISIT SITE AND BE FULLY COGNIZANT OF ALL FIELD CONDITIONS. ANY CONFLICTS OR DISCREPANCIES BETWEEN THE DRAWINGS AND SITE CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE ARCHITECT.</p> <p>5. DISCREPANCIES WITHIN THE DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING.</p> <p>6. CONTRACTOR TO VERIFY ALL EXISTING DIMENSIONS IN FIELD . ON DRAWINGS, ONLY WRITTEN DIMENSIONS SHALL BE USED. DO NOT SCALE DRAWINGS. CONTRACTOR SHALL VERIFY AND BE MADE COMPLETELY RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB. ARCHITECT MUST BE NOTIFIED IN WRITING OF ANY PROPOSED OR REQUIRED VARIATIONS FROM THE DIMENSIONS AND CONDITIONS SHOWN, AND A WRITTEN CHANGE ORDER ISSUED BEFORE MAKING ANY CHANGES AT THE JOB SITE.</p> <p>7. CONTRACTOR ACKNOWLEDGES THAT HE HAS THOROUGHLY FAMILIARIZED HIMSELF WITH THE BUILDING SITE CONDITIONS WITH THE DRAWINGS AND SPECIFICATIONS, WITH THE DELIVERY FACILITIES, AND ALL OTHER MATTERS AND CONDITIONS WHICH MAY AFFECT THE OPERATION OF THE WORK, AND ASSUMES ALL RISK THEREFROM.</p> <p>8. ALL DIMENSIONS ARE TO FACE OF STUD, UNLESS OTHERWISE INDICATED: DIMENSIONS LOCATING DOORS AND WINDOWS ARE TO EDGE OF DOOR JAMB OR EDGE OF WINDOW, UNLESS OTHERWISE INDICATED.</p> <p>9. THESE DRAWINGS AND ALL IDEAS, ARRANGEMENTS AND PLANS, EITHER INDICATED OR REPRESENTED BY THESE DRAWINGS ARE OWNED BY, AND ARE THE PROPERTY OF HARVEY HACKER ARCHITECTS, AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH THE PROJECT SO DESIGNATED IN THE TITLE BLOCK. NONE OF THESE IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY, OR DISCLOSED TO, ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER, NOR SHALL ANY CHANGES WHATSOEVER BE MADE ON THIS DRAWING WITHOUT THE WRITTEN PERMISSION FROM HARVEY HACKER ARCHITECTS. THESE DRAWINGS ARE NOT VALID FOR ANY USE UNLESS THEY BEAR THE ORIGINAL SEAL AND SIGNATURE OF THE ARCHITECT. UPON COMPLETION OF THE PROJECT, ALL PLANS</p>												<p>LESSEE: MIPARC, INC dba SPARC P.O. BOX 14070 SAN FRANCISCO, CA 94114 TEL: (415) 314 4995 EMAIL: EPEARSONSF@GMAIL.COM CONTACT: ERICH PEARSON</p> <p>ARCHITECT: HARVEY HACKER ARCHITECTS 528 BRYANT STREET SAN FRANCISCO, CA 94107 TEL: (415) 957 0579 FAX: (415) 957 5851 EMAIL: HARVEY@HARVEYHACKER.COM CONTACT: HARVEY HACKER</p>		<p>ARCHITECTURAL:</p> <p>A0.0 TITLE SHEET A0.1 DISABLED ACCESS CHECKLIST A0.2 DISABLED ACCESS 'FORM C' A0.3 MAYOR'S OFFICE ON DISABILITY FORMS A0.4 NOTICE OF SPECIAL RESTRICTION (PAGE 1 OF 2) A0.5 NOTICE OF SPECIAL RESTRICTION (PAGE 2 OF 2) A1.0 EXISTING AND PROPOSED FIRST FLOOR PLAN A1.1 USE DETAILS A1.2 EXITING & OCCUPANCY DIAGRAM A2.0 EXISTING AND PROPOSED NORTH ELEVATION AND PROPOSED LONGITUDINAL SECTION A4.0 ENLARGED RESTROOM PLAN, ENTRY PLAN AND INTERIOR ELEVATIONS A4.1 REFERENCE ACCESSIBILITY DETAILS A4.2 REFERENCE ACCESSIBILITY DETAILS A5.0 SCHEDULES</p>																																																																																																																																																																																																																																																																																																																																							
ABBREVIATIONS								SITE PLAN		SCALE: 1/16"=1'-0"		SCOPE OF WORK																																																																																																																																																																																																																																																																																																																																									
<table><tr><td>A.B.</td><td>ANCHOR BOLT</td><td>D.S.</td><td>DOWNSPOUT</td><td>I.D.</td><td>INSIDE DIMENSION</td><td>REFR.</td><td>REFRIGERATOR</td></tr><tr><td>A.F.F.</td><td>ABOVE FINISH FLOOR</td><td>DIM.</td><td>DIMENSION</td><td>INSUL.</td><td>INSULATION</td><td>REQ.</td><td>REQUIRED</td></tr><tr><td>ABV.</td><td>ABOVE</td><td>DN.</td><td>DOWN</td><td>INT.</td><td>INTERIOR</td><td>RESIL.</td><td>RESILIENT</td></tr><tr><td>ACOUS.</td><td>ACOUSTICAL</td><td>DR.</td><td>DOOR</td><td>JT.</td><td>JOINT</td><td>RM.</td><td>ROOM</td></tr><tr><td>A.C.T.</td><td>ACOUSTICAL CEILING TILE</td><td>DRWG.</td><td>DRAWING</td><td>MAX.</td><td>MAXIMUM</td><td>S</td><td>SOUTH</td></tr><tr><td></td><td></td><td>(E)</td><td>EXISTING</td><td>MECH.</td><td>MECHANICAL</td><td>S.C.</td><td>SOLID CORE</td></tr><tr><td></td><td></td><td>E.</td><td>EAST</td><td>MEMB.</td><td>MEMBRANE</td><td>S.S.D.</td><td>SEE STRUCTURAL DRAWINGS</td></tr><tr><td>ADJ.</td><td>ADJUSTABLE</td><td>E.A.</td><td>EACH</td><td>MFR.</td><td>MANUFACTURER</td><td>SHT.</td><td>SHEET</td></tr><tr><td>ALUM.</td><td>ALUMINUM</td><td>EL.</td><td>ELEVATION</td><td>MIN.</td><td>MINIMUM</td><td>SIM.</td><td>SIMILAR</td></tr><tr><td>ARCH.</td><td>ARCHITECTURAL</td><td>ELEC.</td><td>ELECTRICAL</td><td>MISC.</td><td>MISCELLANEOUS</td><td>SQ.</td><td>SQUARE</td></tr><tr><td></td><td></td><td>EQ.</td><td>EQUAL</td><td>MTL.</td><td>METAL</td><td>STD.</td><td>STANDARD</td></tr><tr><td></td><td></td><td>EXP.</td><td>EXPANSION</td><td>(N)</td><td>NEW</td><td>STL.</td><td>STEEL</td></tr><tr><td></td><td></td><td>EXT.</td><td>EXTERIOR</td><td>N</td><td>NORTH</td><td>SYM.</td><td>SYMMETRICAL</td></tr><tr><td>B.O.</td><td>BOTTOM OF</td><td></td><td></td><td>N.I.C.</td><td>NOT IN CONTRACT</td><td></td><td></td></tr><tr><td>B.O.W.</td><td>BOTTOM OF WALL</td><td></td><td></td><td>N.T.S.</td><td>NOT TO SCALE</td><td></td><td></td></tr><tr><td>BASE.</td><td>BASEBOARD</td><td>F.E.</td><td>FIRE EXTINGUISHER</td><td>NOM.</td><td>NOMINAL</td><td>T</td><td>TREAD</td></tr><tr><td>BD.</td><td>BOARD</td><td></td><td></td><td></td><td></td><td>T & G</td><td>TONGUE & GROOVE</td></tr><tr><td>BLDG.</td><td>BUILDING</td><td>F.F.</td><td>FINISH FLOOR</td><td></td><td></td><td>T.B.</td><td>TOWEL BAR</td></tr><tr><td>BLKG.</td><td>BLOCKING</td><td>F.O.</td><td>FACE OF</td><td>O.C.</td><td>ON CENTER</td><td>T.O.</td><td>TOP OF</td></tr><tr><td>BTWN.</td><td>BETWEEN</td><td>FIN.</td><td>FINISH</td><td>O.D.</td><td>OUTSIDE DIAMETER</td><td>T.O.S.</td><td>TOP OF SLAB</td></tr><tr><td></td><td></td><td>FLASH.</td><td>FLASHING</td><td>OFCI</td><td>OWNER-FURNISHED,</td><td>T.O.W.</td><td>TOP OF WALL</td></tr><tr><td></td><td></td><td>FL.,FLR.</td><td>FLOOR</td><td>OFOI</td><td>OWNER-FURNISHED,</td><td>T.P.D.</td><td>TOILET PAPER DISPENSER</td></tr><tr><td></td><td></td><td>FLUOR.</td><td>FLUORESCENT</td><td>OPNG.</td><td>OWNER-INSTALLED</td><td>TEL.</td><td>TELEPHONE</td></tr><tr><td>C. JT.</td><td>CONTROL JOINT</td><td>FT.</td><td>FOOT OR FEET</td><td>OPP.</td><td>OPPOSITE</td><td>TYP.</td><td>TYPICAL</td></tr><tr><td>CAB.</td><td>CABINET</td><td>FTG.</td><td>FOOTING</td><td></td><td></td><td></td><td></td></tr><tr><td>CER.</td><td>CERAMIC</td><td></td><td></td><td></td><td></td><td>U.O.N.</td><td>UNLESS OTHERWISE NOTED</td></tr><tr><td>CFCI</td><td>CONTRACTOR FURNISHED CONTRACTOR INSTALLED</td><td></td><td></td><td>P.</td><td>PAVEMENT</td><td></td><td></td></tr><tr><td>CLG.</td><td>CEILING</td><td>G.S.M.</td><td>GALVANIZED SHEET METAL</td><td>P. LAM.</td><td>PLASTIC LAMINATE</td><td></td><td></td></tr><tr><td>CLR.</td><td>CLEAR</td><td>GA.</td><td>GAUGE</td><td>PANEL'G</td><td>PANELING</td><td>V.C.T.</td><td>VINYL COMPOSITE TILE</td></tr><tr><td>CNTR.</td><td>COUNTER</td><td>CER.</td><td>CERAMIC</td><td>PL.</td><td>PLATE</td><td></td><td></td></tr><tr><td>COL.</td><td>COLUMN</td><td>GALV.</td><td>GALVANIZED</td><td>PLAS.</td><td>PLASTER</td><td>V.I.F.</td><td>VERIFY IN FIELD</td></tr><tr><td>COMP.</td><td>COMPOSITION</td><td>GL.</td><td>GLASS</td><td>PLYWD.</td><td>PLYWOOD</td><td>VAR.</td><td>VARIES</td></tr><tr><td>CONC.</td><td>CONCRETE</td><td>GW.B.</td><td>GYPSUM</td><td>PTD.</td><td>PAINTED</td><td>VERT.</td><td>VERTICAL</td></tr><tr><td>CONC.</td><td>CONCRETE</td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>CONT.</td><td>CONTINUOUS</td><td>GYP.</td><td>GYPSUM</td><td></td><td></td><td></td><td></td></tr><tr><td>CPT.</td><td>CARPET</td><td></td><td></td><td>R.</td><td>RISER</td><td>W</td><td>WEST</td></tr><tr><td>CTR.</td><td>CENTER</td><td>H.C.</td><td>HOLLOW CORE</td><td>R.O.</td><td>ROUGH OPENING</td><td>W.O.</td><td>WINDOW OPENING</td></tr><tr><td></td><td></td><td>H.M.</td><td>HOLLOW METAL</td><td>R.W.L.</td><td>RAIN WATER LEADER</td><td>W/</td><td>WITH</td></tr><tr><td></td><td></td><td>HDWD.</td><td>HARDWOOD</td><td>RAD.</td><td>RADIUS</td><td>W/O</td><td>WITHOUT</td></tr><tr><td></td><td></td><td>HORIZ.</td><td>HORIZONTAL</td><td>RDWD.</td><td>REDWOOD</td><td>WD.</td><td>WOOD</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td>WT.</td><td>WEIGHT</td></tr></table>								A.B.	ANCHOR BOLT	D.S.	DOWNSPOUT	I.D.	INSIDE DIMENSION	REFR.	REFRIGERATOR	A.F.F.	ABOVE FINISH FLOOR	DIM.	DIMENSION	INSUL.	INSULATION	REQ.	REQUIRED	ABV.	ABOVE	DN.	DOWN	INT.	INTERIOR	RESIL.	RESILIENT	ACOUS.	ACOUSTICAL	DR.	DOOR	JT.	JOINT	RM.	ROOM	A.C.T.	ACOUSTICAL CEILING TILE	DRWG.	DRAWING	MAX.	MAXIMUM	S	SOUTH			(E)	EXISTING	MECH.	MECHANICAL	S.C.	SOLID CORE			E.	EAST	MEMB.	MEMBRANE	S.S.D.	SEE STRUCTURAL DRAWINGS	ADJ.	ADJUSTABLE	E.A.	EACH	MFR.	MANUFACTURER	SHT.	SHEET	ALUM.	ALUMINUM	EL.	ELEVATION	MIN.	MINIMUM	SIM.	SIMILAR	ARCH.	ARCHITECTURAL	ELEC.	ELECTRICAL	MISC.	MISCELLANEOUS	SQ.	SQUARE			EQ.	EQUAL	MTL.	METAL	STD.	STANDARD			EXP.	EXPANSION	(N)	NEW	STL.	STEEL			EXT.	EXTERIOR	N	NORTH	SYM.	SYMMETRICAL	B.O.	BOTTOM OF			N.I.C.	NOT IN CONTRACT			B.O.W.	BOTTOM OF WALL			N.T.S.	NOT TO SCALE			BASE.	BASEBOARD	F.E.	FIRE EXTINGUISHER	NOM.	NOMINAL	T	TREAD	BD.	BOARD					T & G	TONGUE & GROOVE	BLDG.	BUILDING	F.F.	FINISH FLOOR			T.B.	TOWEL BAR	BLKG.	BLOCKING	F.O.	FACE OF	O.C.	ON CENTER	T.O.	TOP OF	BTWN.	BETWEEN	FIN.	FINISH	O.D.	OUTSIDE DIAMETER	T.O.S.	TOP OF SLAB			FLASH.	FLASHING	OFCI	OWNER-FURNISHED,	T.O.W.	TOP OF WALL			FL.,FLR.	FLOOR	OFOI	OWNER-FURNISHED,	T.P.D.	TOILET PAPER DISPENSER			FLUOR.	FLUORESCENT	OPNG.	OWNER-INSTALLED	TEL.	TELEPHONE	C. JT.	CONTROL JOINT	FT.	FOOT OR FEET	OPP.	OPPOSITE	TYP.	TYPICAL	CAB.	CABINET	FTG.	FOOTING					CER.	CERAMIC					U.O.N.	UNLESS OTHERWISE NOTED	CFCI	CONTRACTOR FURNISHED CONTRACTOR INSTALLED			P.	PAVEMENT			CLG.	CEILING	G.S.M.	GALVANIZED SHEET METAL	P. LAM.	PLASTIC LAMINATE			CLR.	CLEAR	GA.	GAUGE	PANEL'G	PANELING	V.C.T.	VINYL COMPOSITE TILE	CNTR.	COUNTER	CER.	CERAMIC	PL.	PLATE			COL.	COLUMN	GALV.	GALVANIZED	PLAS.	PLASTER	V.I.F.	VERIFY IN FIELD	COMP.	COMPOSITION	GL.	GLASS	PLYWD.	PLYWOOD	VAR.	VARIES	CONC.	CONCRETE	GW.B.	GYPSUM	PTD.	PAINTED	VERT.	VERTICAL	CONC.	CONCRETE							CONT.	CONTINUOUS	GYP.	GYPSUM					CPT.	CARPET			R.	RISER	W	WEST	CTR.	CENTER	H.C.	HOLLOW CORE	R.O.	ROUGH OPENING	W.O.	WINDOW OPENING			H.M.	HOLLOW METAL	R.W.L.	RAIN WATER LEADER	W/	WITH			HDWD.	HARDWOOD	RAD.	RADIUS	W/O	WITHOUT			HORIZ.	HORIZONTAL	RDWD.	REDWOOD	WD.	WOOD							WT.	WEIGHT			<p>1. REMODEL MCD PORTION OF RETAIL STORE AND EXPAND IT TO 517 SQ FT.</p> <p>2. RELOCATE ENTRY AND ATM.</p> <p>3. MECHANICAL AND ELECTRICAL UNDER SEPARATE PERMITS.</p>			
A.B.	ANCHOR BOLT	D.S.	DOWNSPOUT	I.D.	INSIDE DIMENSION	REFR.	REFRIGERATOR																																																																																																																																																																																																																																																																																																																																														
A.F.F.	ABOVE FINISH FLOOR	DIM.	DIMENSION	INSUL.	INSULATION	REQ.	REQUIRED																																																																																																																																																																																																																																																																																																																																														
ABV.	ABOVE	DN.	DOWN	INT.	INTERIOR	RESIL.	RESILIENT																																																																																																																																																																																																																																																																																																																																														
ACOUS.	ACOUSTICAL	DR.	DOOR	JT.	JOINT	RM.	ROOM																																																																																																																																																																																																																																																																																																																																														
A.C.T.	ACOUSTICAL CEILING TILE	DRWG.	DRAWING	MAX.	MAXIMUM	S	SOUTH																																																																																																																																																																																																																																																																																																																																														
		(E)	EXISTING	MECH.	MECHANICAL	S.C.	SOLID CORE																																																																																																																																																																																																																																																																																																																																														
		E.	EAST	MEMB.	MEMBRANE	S.S.D.	SEE STRUCTURAL DRAWINGS																																																																																																																																																																																																																																																																																																																																														
ADJ.	ADJUSTABLE	E.A.	EACH	MFR.	MANUFACTURER	SHT.	SHEET																																																																																																																																																																																																																																																																																																																																														
ALUM.	ALUMINUM	EL.	ELEVATION	MIN.	MINIMUM	SIM.	SIMILAR																																																																																																																																																																																																																																																																																																																																														
ARCH.	ARCHITECTURAL	ELEC.	ELECTRICAL	MISC.	MISCELLANEOUS	SQ.	SQUARE																																																																																																																																																																																																																																																																																																																																														
		EQ.	EQUAL	MTL.	METAL	STD.	STANDARD																																																																																																																																																																																																																																																																																																																																														
		EXP.	EXPANSION	(N)	NEW	STL.	STEEL																																																																																																																																																																																																																																																																																																																																														
		EXT.	EXTERIOR	N	NORTH	SYM.	SYMMETRICAL																																																																																																																																																																																																																																																																																																																																														
B.O.	BOTTOM OF			N.I.C.	NOT IN CONTRACT																																																																																																																																																																																																																																																																																																																																																
B.O.W.	BOTTOM OF WALL			N.T.S.	NOT TO SCALE																																																																																																																																																																																																																																																																																																																																																
BASE.	BASEBOARD	F.E.	FIRE EXTINGUISHER	NOM.	NOMINAL	T	TREAD																																																																																																																																																																																																																																																																																																																																														
BD.	BOARD					T & G	TONGUE & GROOVE																																																																																																																																																																																																																																																																																																																																														
BLDG.	BUILDING	F.F.	FINISH FLOOR			T.B.	TOWEL BAR																																																																																																																																																																																																																																																																																																																																														
BLKG.	BLOCKING	F.O.	FACE OF	O.C.	ON CENTER	T.O.	TOP OF																																																																																																																																																																																																																																																																																																																																														
BTWN.	BETWEEN	FIN.	FINISH	O.D.	OUTSIDE DIAMETER	T.O.S.	TOP OF SLAB																																																																																																																																																																																																																																																																																																																																														
		FLASH.	FLASHING	OFCI	OWNER-FURNISHED,	T.O.W.	TOP OF WALL																																																																																																																																																																																																																																																																																																																																														
		FL.,FLR.	FLOOR	OFOI	OWNER-FURNISHED,	T.P.D.	TOILET PAPER DISPENSER																																																																																																																																																																																																																																																																																																																																														
		FLUOR.	FLUORESCENT	OPNG.	OWNER-INSTALLED	TEL.	TELEPHONE																																																																																																																																																																																																																																																																																																																																														
C. JT.	CONTROL JOINT	FT.	FOOT OR FEET	OPP.	OPPOSITE	TYP.	TYPICAL																																																																																																																																																																																																																																																																																																																																														
CAB.	CABINET	FTG.	FOOTING																																																																																																																																																																																																																																																																																																																																																		
CER.	CERAMIC					U.O.N.	UNLESS OTHERWISE NOTED																																																																																																																																																																																																																																																																																																																																														
CFCI	CONTRACTOR FURNISHED CONTRACTOR INSTALLED			P.	PAVEMENT																																																																																																																																																																																																																																																																																																																																																
CLG.	CEILING	G.S.M.	GALVANIZED SHEET METAL	P. LAM.	PLASTIC LAMINATE																																																																																																																																																																																																																																																																																																																																																
CLR.	CLEAR	GA.	GAUGE	PANEL'G	PANELING	V.C.T.	VINYL COMPOSITE TILE																																																																																																																																																																																																																																																																																																																																														
CNTR.	COUNTER	CER.	CERAMIC	PL.	PLATE																																																																																																																																																																																																																																																																																																																																																
COL.	COLUMN	GALV.	GALVANIZED	PLAS.	PLASTER	V.I.F.	VERIFY IN FIELD																																																																																																																																																																																																																																																																																																																																														
COMP.	COMPOSITION	GL.	GLASS	PLYWD.	PLYWOOD	VAR.	VARIES																																																																																																																																																																																																																																																																																																																																														
CONC.	CONCRETE	GW.B.	GYPSUM	PTD.	PAINTED	VERT.	VERTICAL																																																																																																																																																																																																																																																																																																																																														
CONC.	CONCRETE																																																																																																																																																																																																																																																																																																																																																				
CONT.	CONTINUOUS	GYP.	GYPSUM																																																																																																																																																																																																																																																																																																																																																		
CPT.	CARPET			R.	RISER	W	WEST																																																																																																																																																																																																																																																																																																																																														
CTR.	CENTER	H.C.	HOLLOW CORE	R.O.	ROUGH OPENING	W.O.	WINDOW OPENING																																																																																																																																																																																																																																																																																																																																														
		H.M.	HOLLOW METAL	R.W.L.	RAIN WATER LEADER	W/	WITH																																																																																																																																																																																																																																																																																																																																														
		HDWD.	HARDWOOD	RAD.	RADIUS	W/O	WITHOUT																																																																																																																																																																																																																																																																																																																																														
		HORIZ.	HORIZONTAL	RDWD.	REDWOOD	WD.	WOOD																																																																																																																																																																																																																																																																																																																																														
						WT.	WEIGHT																																																																																																																																																																																																																																																																																																																																														
								<p>PLANNING CODE</p> <p>PLANNING CODE: SAN FRANCISCO PLANNING CODE, THROUGH SEPTEMBER 2015</p> <p>STREET ADDRESS: 473 HAIGHT STREET SAN FRANCISCO, CA 94117</p> <p>BLOCK / LOT: BLOCK 0859 / LOT 038</p> <p>USE DISTRICT: NC-2 (NEIGHBORHOOD COMMERCIAL, SMALL SCALE)</p> <p>HEIGHT LIMIT: 40-X</p> <p>EXISTING USE: RETAIL SALES (INCLUDING MEDICAL CANNABIS DISPENSARY)</p> <p>EXISTING AREA: 1,131 SQ.FT</p> <p>PROPOSED USE: RETAIL SALES (INCLUDING MEDICAL CANNABIS DISPENSARY)</p> <p>PROPOSED AREA: 908 SQ.FT</p>																																																																																																																																																																																																																																																																																																																																													
								<p>BUILDING CODE</p> <p>CODES:</p> <p>SAN FRANCISCO BUILDING CODE, 2013 EDITION CALIFORNIA ENERGY CODE, 2013 EDITION SAN FRANCISCO PLUMBING CODE, 2013 EDITION SAN FRANCISCO MECHANICAL CODE, 2013 EDITION SAN FRANCISCO FIRE CODE, 2013 EDITION 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN</p> <p>CONSTRUCTION TYPE:</p> <p>EXISTING: III-B, UNSPRINKLERED PROPOSED: III-B, UNSPRINKLERED</p> <p>EXISTING OCCUPANCY CLASSIFICATION:</p> <p>M (RETAIL STORE)</p> <p>PROPOSED OCCUPANCY CLASSIFICATION:</p> <p>M (RETAIL STORE)</p>																																																																																																																																																																																																																																																																																																																																													

Harvey Hacker Architects

528 Bryant Street
San Francisco, CA 94107
415 957 0579

REGISTERED ARCHITECT

STATE OF CALIFORNIA

C8520

EXPIRES 12/31/2025

MEDICAL CANNABIS DISPENSARY

473 HAIGHT STREET
SAN FRANCISCO, CA

TITLE SHEET

DATE 17 NOV 2015

SCALE AS NOTED

DRAWN CR / TT

JOB 1570

SHEET A0.0

REVISIONS

BY

1 MOD REV. 7 DEC '15 CR

3 PLANNING 16 MAR '16 CR

Harvey Hacker Architects

528 Bryant Street
San Francisco, CA 94107
415 957 0579

REGISTERED ARCHITECT

STATE OF CALIFORNIA

NO. 10000

EXPIRATION DATE 12/31/2020

MEDICAL CANNABIS DISPENSARY

473 HAIGHT STREET
SAN FRANCISCO, CA

TITLE SHEET

DATE 17 NOV 2015

SCALE AS NOTED

DRAWN CR / TT

JOB 1570

SHEET A0.0

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

RECORDING REQUESTED BY

And When Recorded Mail To:

Name: Harvey Hacker Architects

Address: 528 Bryant St.

City: San Francisco

State: CA ZIP: 94107

CONFORMED COPY of document recorded

03/16/2016, 2016K216215

on _____ with document no. _____
This document has not been compared with the original
SAN FRANCISCO ASSESSOR-RECORDER

(Space Above This Line For Recorder's Use)

I, STEVEN KOVACS, the owner(s) of that
certain real property situated in the City and County of San Francisco, State of California more
particularly described as follows: (or see attached sheet marked "Exhibit A" on which property is more
fully described):

BEING ASSESSOR'S BLOCK: 0859, LOT: 038;

COMMONLY KNOWN AS: 473 HAIGHT STREET;

hereby give notice that there are special restrictions on the use of said property under Part II, Chapter II
of the San Francisco Municipal Code (Planning Code).

Said Restrictions consist of conditions attached to Building Permit Application No.
2015.11.19.3094 for interior and exterior alterations to a vacant ground floor commercial space with
approximately 1,131 square feet of floor area (d.b.a. SPARC, previously occupied by a medical cannabis
dispensary and retail tobacco store use d.b.a. Good Fellows Smokeshop). The proposal will include
interior modifications to expand the existing medical cannabis dispensary use with the change in
ownership from 414 square feet to 517.5 square feet (reducing the retail use from 717 square feet to
613.5 square feet) pursuant to the Zoning Administrator's interpretation to Planning Code Section
186.1(b); interior tenant improvements and reconfiguring the rooms in the commercial space; and facade
modifications to the existing storefront (with new storefront windows with recessed entry vestibule area),
and relocating the existing automatic teller machine (ATM) walk-up facility use which was approved
under Conditional Use Authorization under Case No. 2005.0817C.

The Project Site is located within the NC-2 (Small-Scale Neighborhood Commercial) Zoning District,
Lower Haight Alcohol Restricted Use District, and a 40-X Height and Bulk District. The subject lot is
6,862 square feet (approximately 50 feet wide by 137.5 feet deep) in size and is occupied by single-story
commercial building built circa 1900. The existing building is categorized as having a historic resource
present (Planning Department Historic Resource Status A) and is located within the Hayes Valley
Residential Historic District.

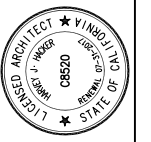
NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

The plans filed with the present application indicate that the subject ground floor commercial
space consists of a cannabis and storage area (including customer waiting area) with 517 square feet of
floor area, a non-cannabis merchandise display area with 140 square feet of floor area, a non-cannabis
merchandise display and sales area with 184 square feet of floor area. Other common areas in the
commercial space include the entry vestibule, restroom, and ATM closet area consisting of
approximately 290 square feet of floor area.

The restrictions and conditions of which notice is hereby given are:

1. The proposed medical cannabis dispensary (d.b.a. SPARC) shall not occupy more than
517.5 square feet of floor area within the existing commercial tenant space, the remaining
613.5 square feet shall be retained for non-cannabis merchandise display and sales retail
use (no cannabis sales or storage use). Pursuant to Zoning Administrator's Interpretation
Code Section 186.1(b), a nonconforming use in a Neighborhood Commercial District cannot
be significantly altered, enlarged or intensified, except upon approval of a conditional use.
The proposed 103.5 square footage expansion of the medical cannabis use (from 404
square feet to 517.5 square feet) is not considered significant since it is less than 25 percent
of the floor area, but not exceeding 500 square feet, whichever is less and may be approved
administratively by the Zoning Administrator. Within the NC-2 Zoning District, "Other Retail
Sales and Services Uses" are permitted uses on the first (ground) floor of the subject
commercial space under Section 711.40 of the Planning Code.
2. The proposed medical cannabis dispensary (d.b.a. SPARC) is to comply with the previous
conditions of approval under Discretionary Review Case No. 2005.0817D as approved by the
Planning Commission on November 9, 2006 to maintain the operation of an existing medical
cannabis dispensary within an existing retail space. The conditions of approval for the
Medical Cannabis Dispensary (MCD) operation and floor plan layout include: the proposed
Medical Cannabis Dispensary (MCD) will sell cannabis (no cannabis food stuffs) and will not
grow cannabis on-site. It will not offer on-site smoking or vaporizing for employees and
customers of the MCD. The hours of operation of the MCD are 10 a.m. to 10 p.m. (including
holidays). The proposed floor plan shall include interior modifications (i.e. wall partition with
secured access and separate counter space) to physically separate the sale of medical
cannabis and other retail service goods sold on-site.
3. Minor modifications as determined by the Zoning Administrator may be permitted.
4. **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
5. The property owners shall record a copy of these conditions with the Office of the Recorder of
the City and County of San Francisco as part of the property records for the block and lot
identified above.

REVISIONS	BY
3	PLANNING
16 MAR '16	CR



MEDICAL CANNABIS DISPENSARY
473 HAIGHT STREET
SAN FRANCISCO, CA

NOTICE OF SPECIAL
RESTRICTION
(PAGE 1 OF 2)

DATE 17 NOV 2015
SCALE AS NOTED
DRAWN CR / TT
JOB 1570

SHEET
A0.4

NOTICE OF SPECIAL RESTRICTIONS UNDER THE PLANNING CODE

6. The recorded Notice of Special Restrictions shall be reproduced on the Index Sheet of the construction plans submitted with the Site or Building Permit Application for the Project.

The use of said property contrary to these special restrictions shall constitute a violation of the Planning Code, and no release, modification or elimination of these restrictions shall be valid unless notice thereof is recorded on the Land Records by the Zoning Administrator of the City and County of San Francisco; except that in the event that the zoning standards above are modified so as to be less restrictive and the uses therein restricted are thereby permitted and in conformity with the provisions of the Planning Code, this document would no longer be in effect and would be null and void.

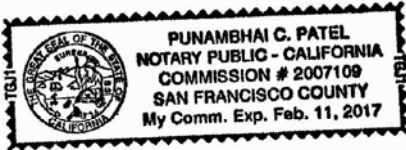
Steven Kovacs STEVEN KOVACS
(Signature) (Printed Name)
Dated: March 15, 2016 at San Francisco, California.
(Month, Day) (City)

(Signature) (Printed Name)
Dated: _____, 20____ at _____, California.
(Month, Day) (City)

(Signature) (Printed Name)
Dated: _____, 20____ at _____, California.
(Month, Day) (City)

Each signature must be acknowledged by a notary public before recordation; add Notary Public Certification(s) and Official Notarial Seal(s).

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.



State of California
County of San Francisco
On 3/15/16 before me, PUNAMBHAI C. PATEL
personally appeared STEVEN KOVACS
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Page 3 of 3 WITNESS my hand and official seal.

Signature: _____

REVISIONS	BY
3 PLANNING 16 MAR '16	CR

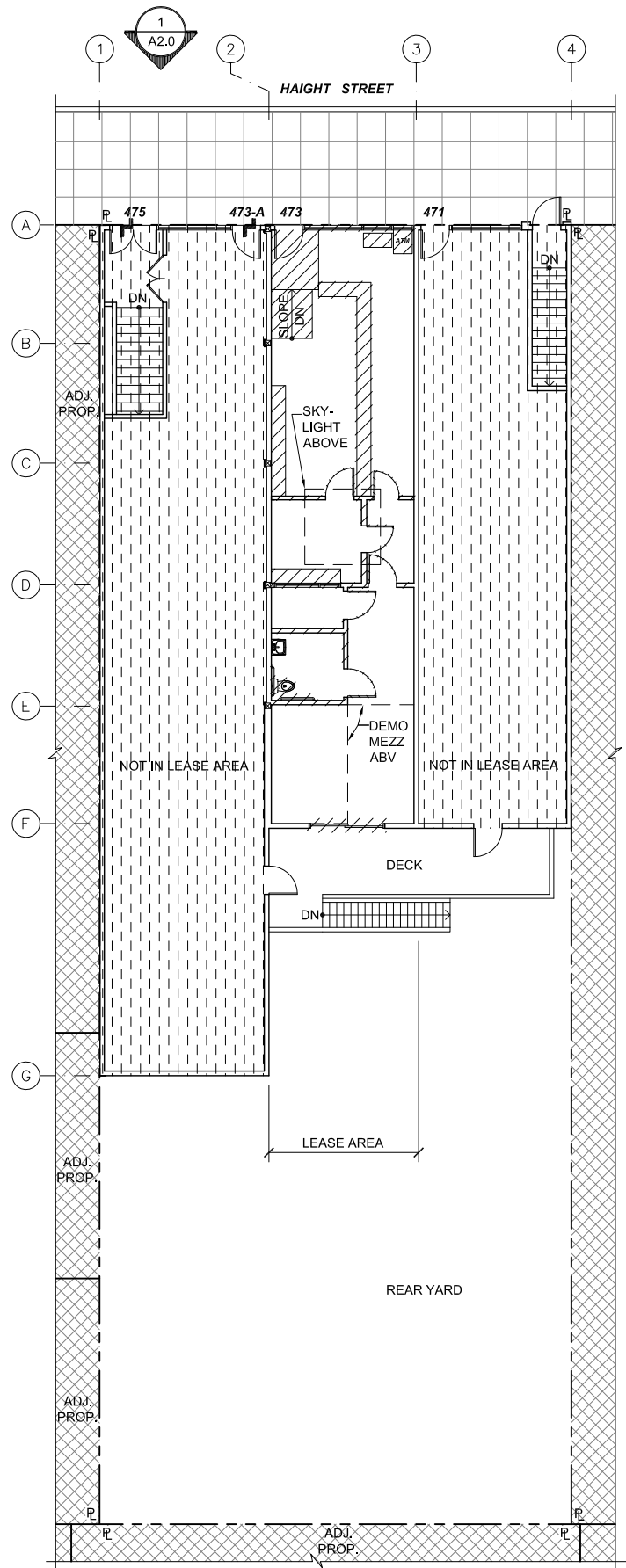
Harvey Hacker Architects
528 Bryant Street
San Francisco, CA 94107
415 957 0579



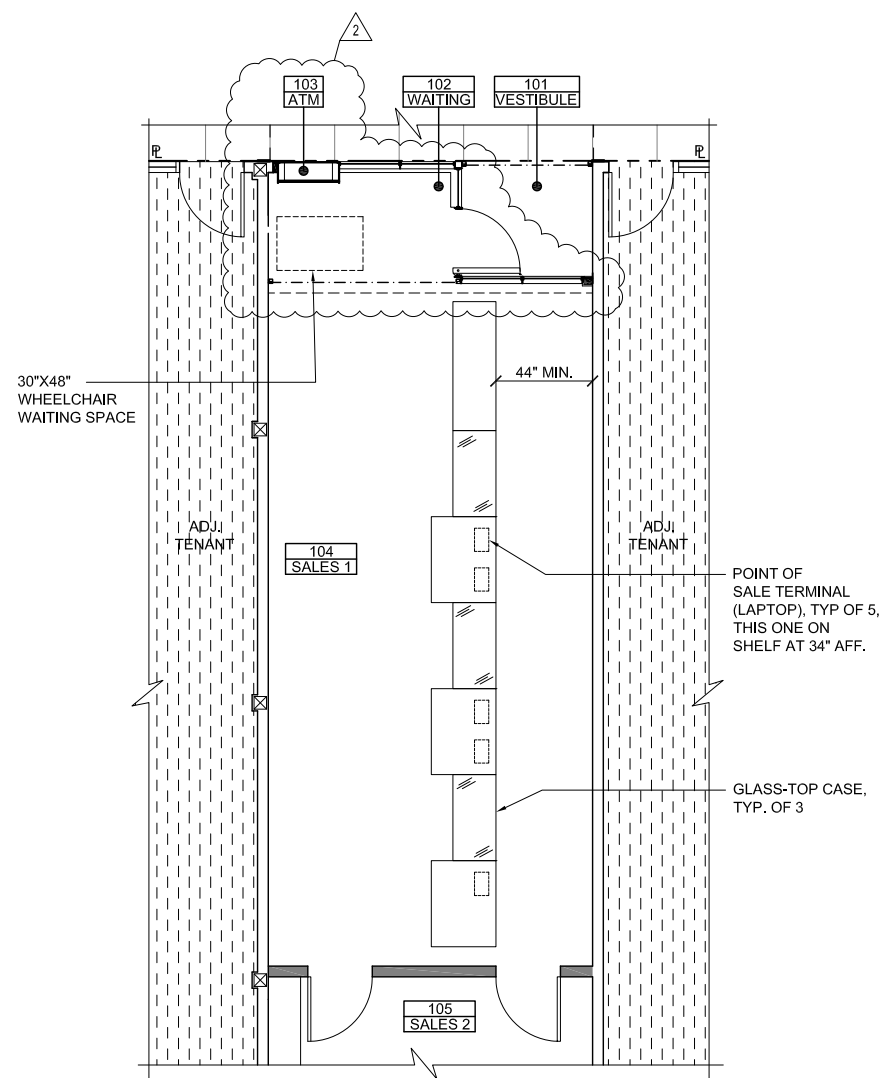
MEDICAL CANNABIS DISPENSARY
473 HAIGHT STREET
SAN FRANCISCO, CA

NOTICE OF SPECIAL RESTRICTION (PAGE 2 OF 2)

DATE	17 NOV 2015
SCALE	AS NOTED
DRAWN	CR / TT
JOB	1570

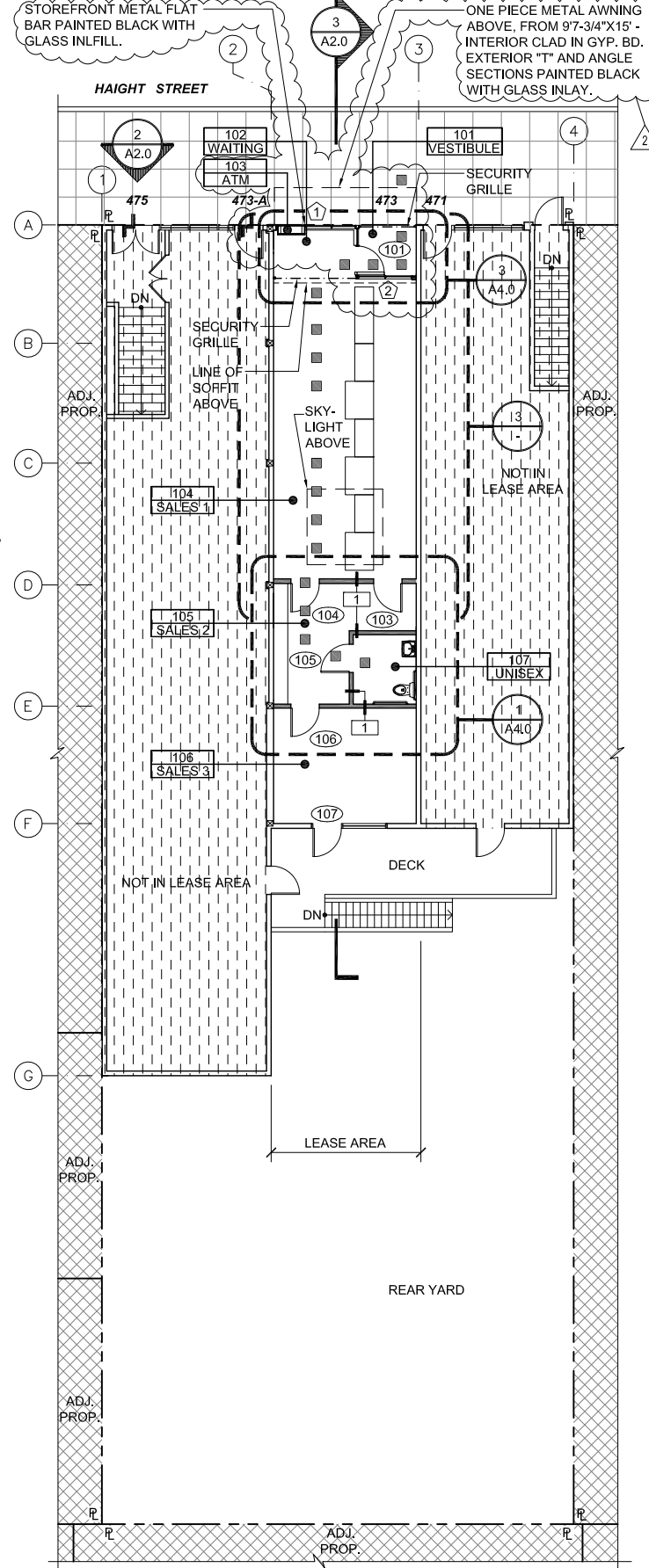


1 EXISTING FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



3 ENLARGED PARTIAL FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

FLOOR PLAN LEGEND:			
	ADJ. PROPERTY		ROOM TAG
	NOT IN LEASE AREA		ROOM NUMBER
	EXISTING		ROOM NAME
	NEW		PARTITION TYPE SYMBOL, SEE WALL/PARTITION SCHEDULE SHEET A5.0
	TO BE DEMOLISHED /REMOVED		DOOR SYMBOL, SEE DOOR SCHEDULE SHEET A5.0
	ACCESSIBLE PATH OF TRAVEL		EXISTING DOOR SYMBOL
			EXISTING WINDOW SYMBOL



2 PROPOSED FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

REVISIONS	BY
1 MOD REV. 7 DEC 15	CR
2 PLANNING 7 MAR 16	CR

Harvey Hacker Architects
528 Bryant Street
San Francisco, CA 94107
415 957 0579

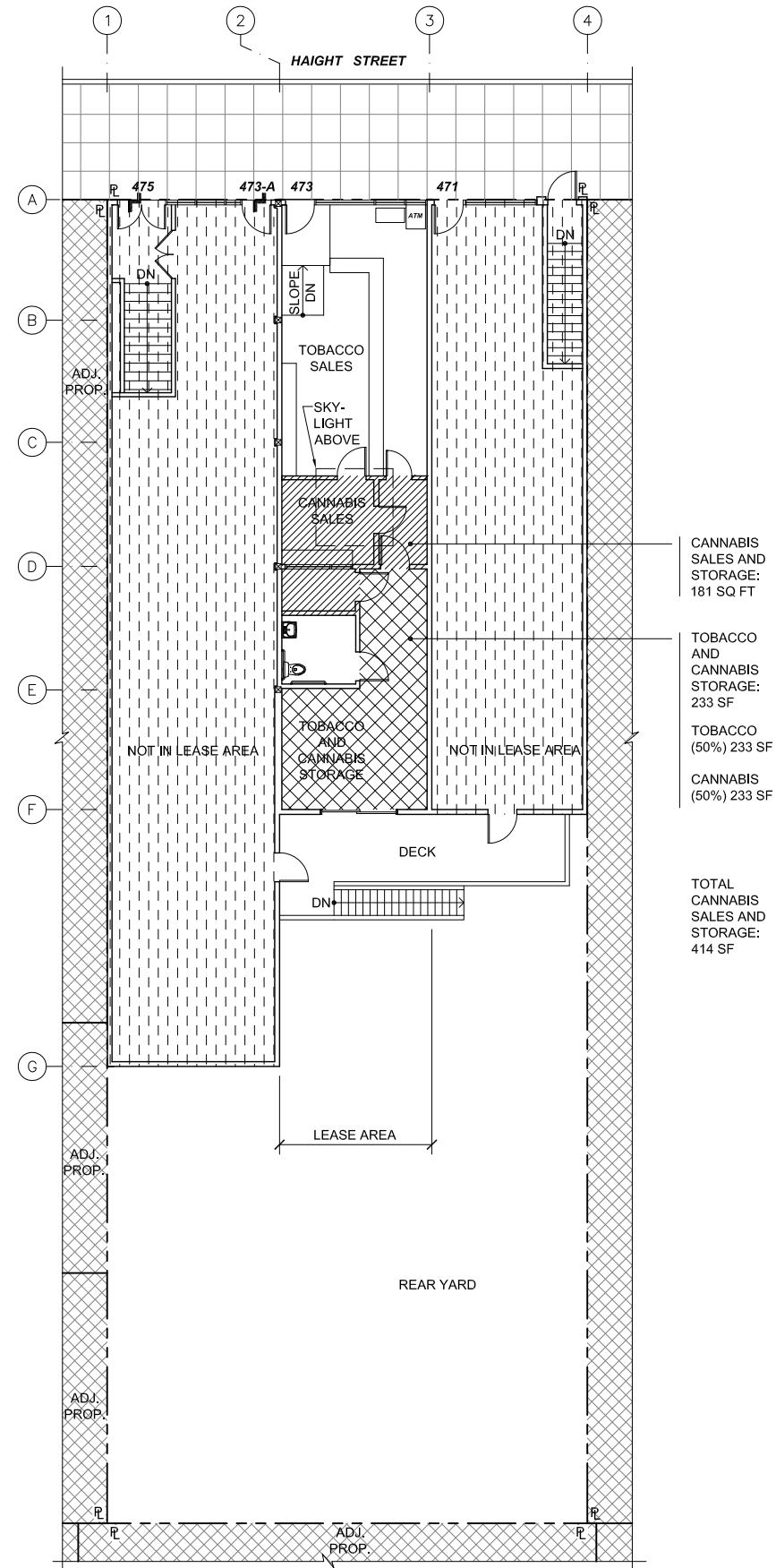


MEDICAL CANNABIS DISPENSARY
473 HAIGHT STREET
SAN FRANCISCO, CA

EXISTING & PROPOSED
FIRST FLOOR PLAN

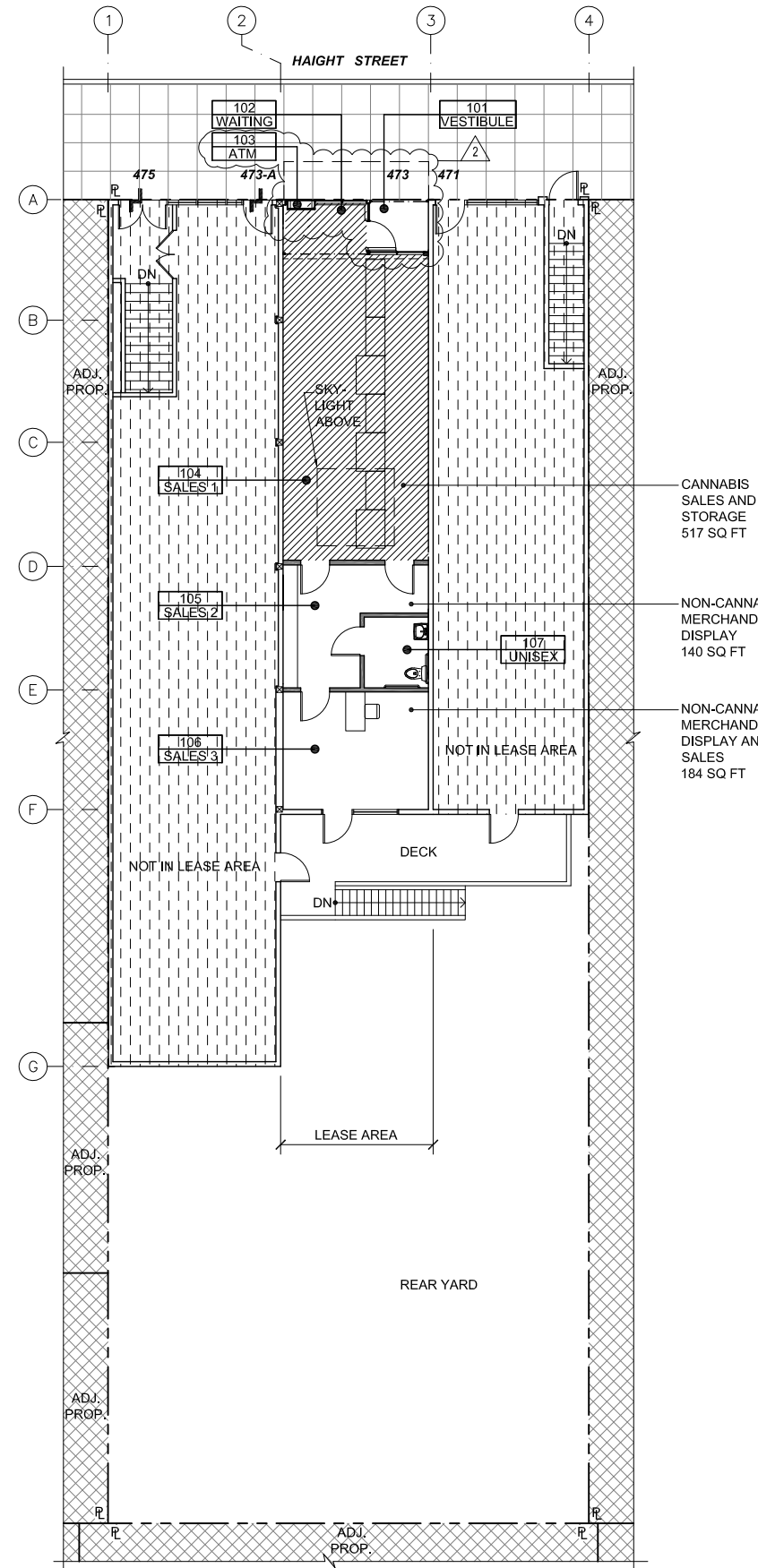
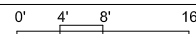
DATE	17 NOV 2015
SCALE	AS NOTED
DRAWN	CR / TT
JOB	1570
SHEET	

A1.0



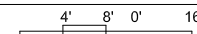
1 EXISTING USE DETAIL

SCALE: 1/8" = 1'-0"



2 PROPOSED USE DETAIL

SCALE: 1/8" = 1'-0"



REVISIONS	BY
1 MOD REV. 7 DEC 15	CR
2 PLANNING 7 MAR 16	CR



MEDICAL CANNABIS DISPENSARY

473 HAIGHT STREET
SAN FRANCISCO, CA

USE DETAILS

DATE	17 NOV 2015
SCALE	AS NOTED
DRAWN	CR / TT
JOB	1570
SHEET	

A1.1

REVISIONS	BY
1 MOD REV. 7 DEC '15	CR
2 PLANNING 7 MAR '16	CR



Harvey Hacker
Architects
528 Bryant Street
San Francisco, CA 94107
415 957 0579

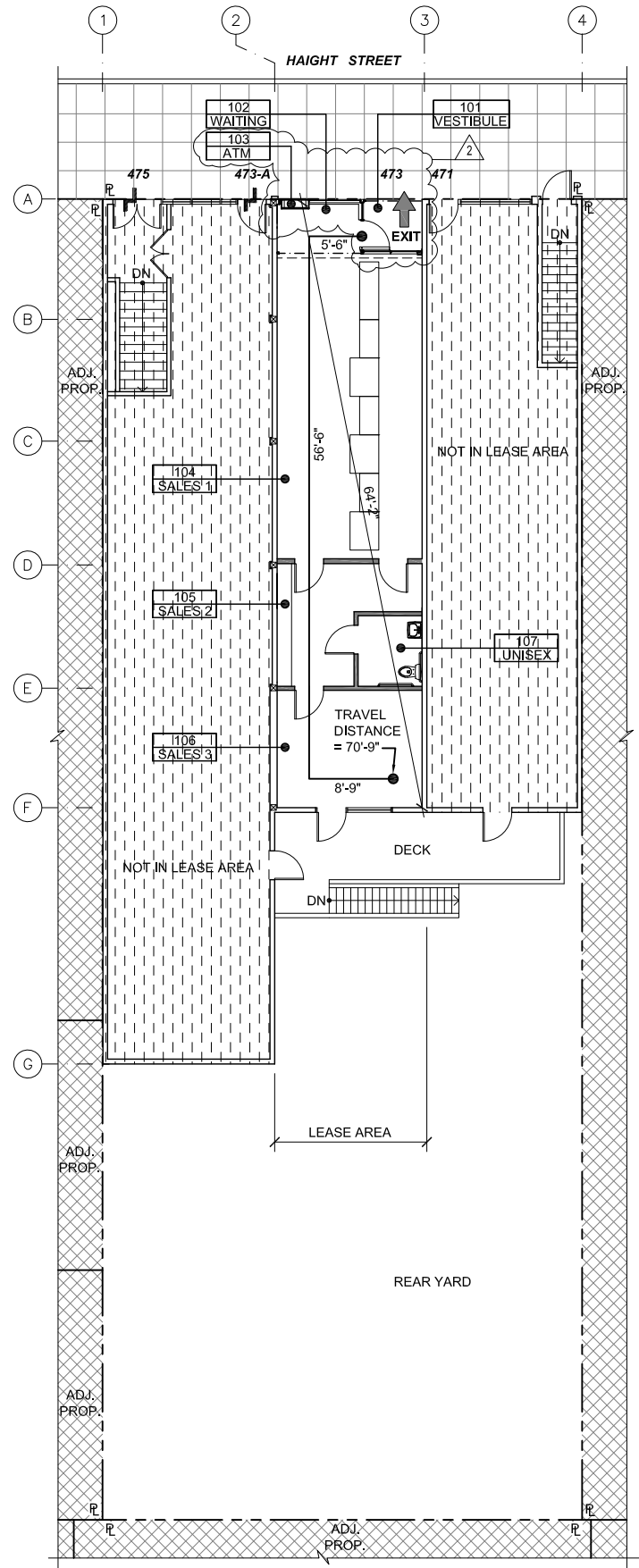


MEDICAL CANNABIS DISPENSARY
473 HAIGHT STREET
SAN FRANCISCO, CA

EXITING & OCCUPANCY
DIAGRAM

DATE	17 NOV 2015
SCALE	AS NOTED
DRAWN	CR / TT
JOB	1570
SHEET	

A1.2



PLUMBING FIXTURE CALCULATIONS:

1- OCCUPANT LOAD - GROUP M
(PER SF BUILDING CODE TABLE 2902.1) :
908 SQ FT / 200 SQ FT = 5 OCCUPANTS

2- SEPARATE FACILITIES: NOT REQUIRED PER SEC 2902.4,
EXCEPTION1 AND TABLE 2902.1, NOTE 3.

**OCCUPANCY LOAD CALCULATIONS
PER 2013 SFBC TABLE 1004.1.2:**

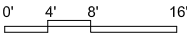
MERCANTILE (BASEMENT AND GRADE FLOOR AREAS)
OCC. LOAD FACTOR: 30 SF GROSS/OCCUPANT

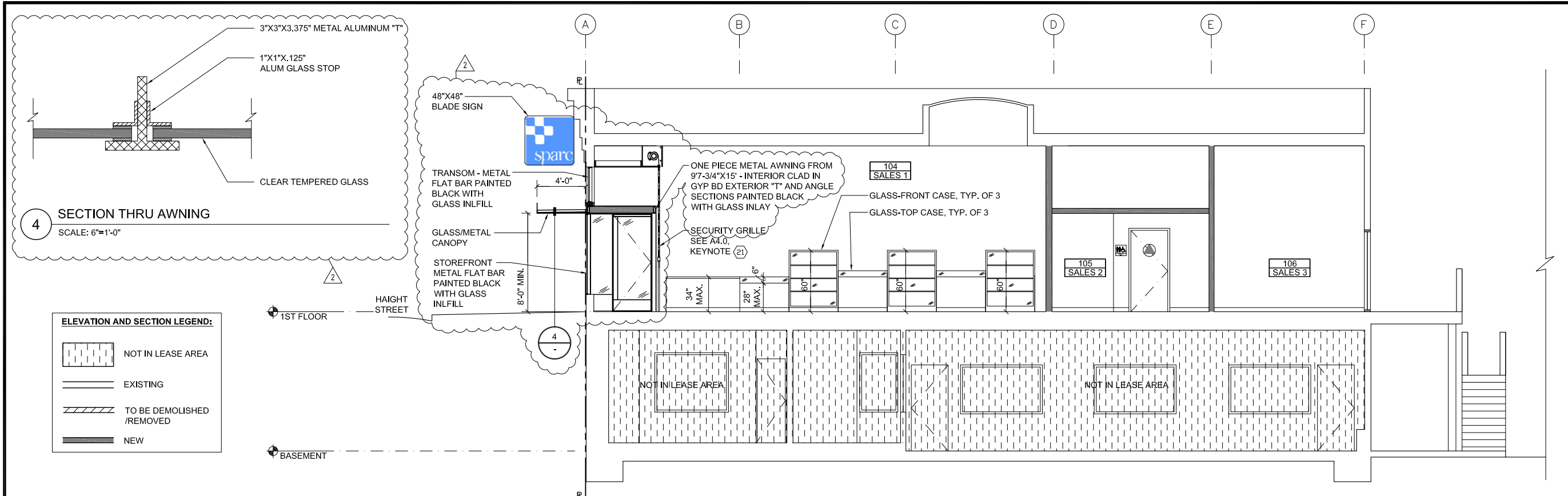
TOTAL:
908 SQ FT / 30 = 30 OCCUPANTS

FLOOR PLAN LEGEND:

- ADJ. PROPERTY
- NOT IN LEASE AREA
- EXISTING
- NEW

1 PROPOSED FIRST FLOOR PLAN: EXITING AND OCCUPANCY DIAGRAM
SCALE: 1/8" = 1'-0"

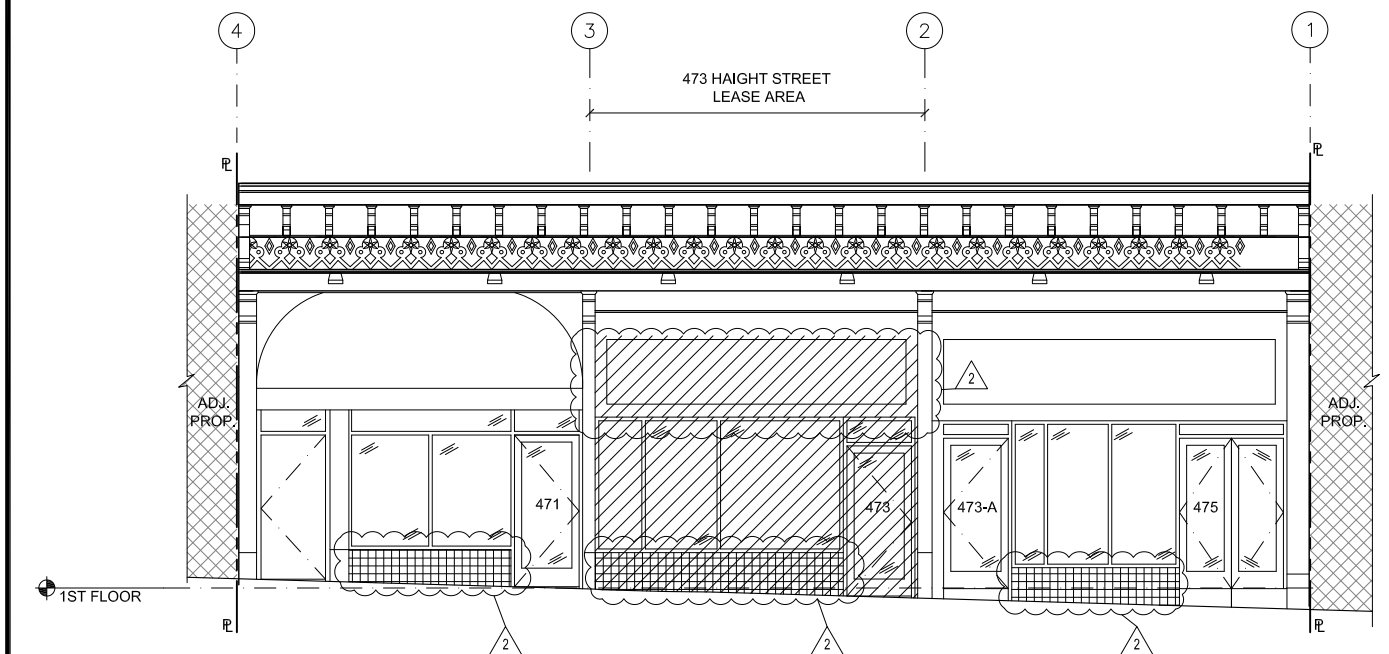
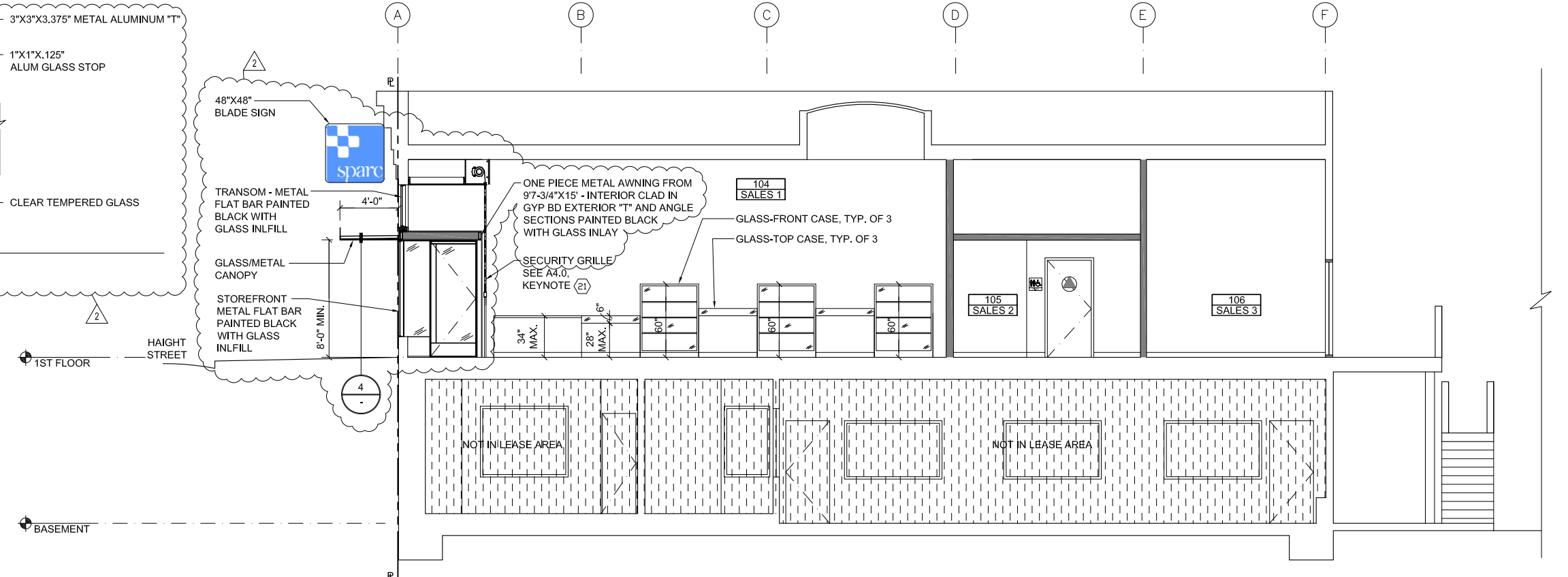




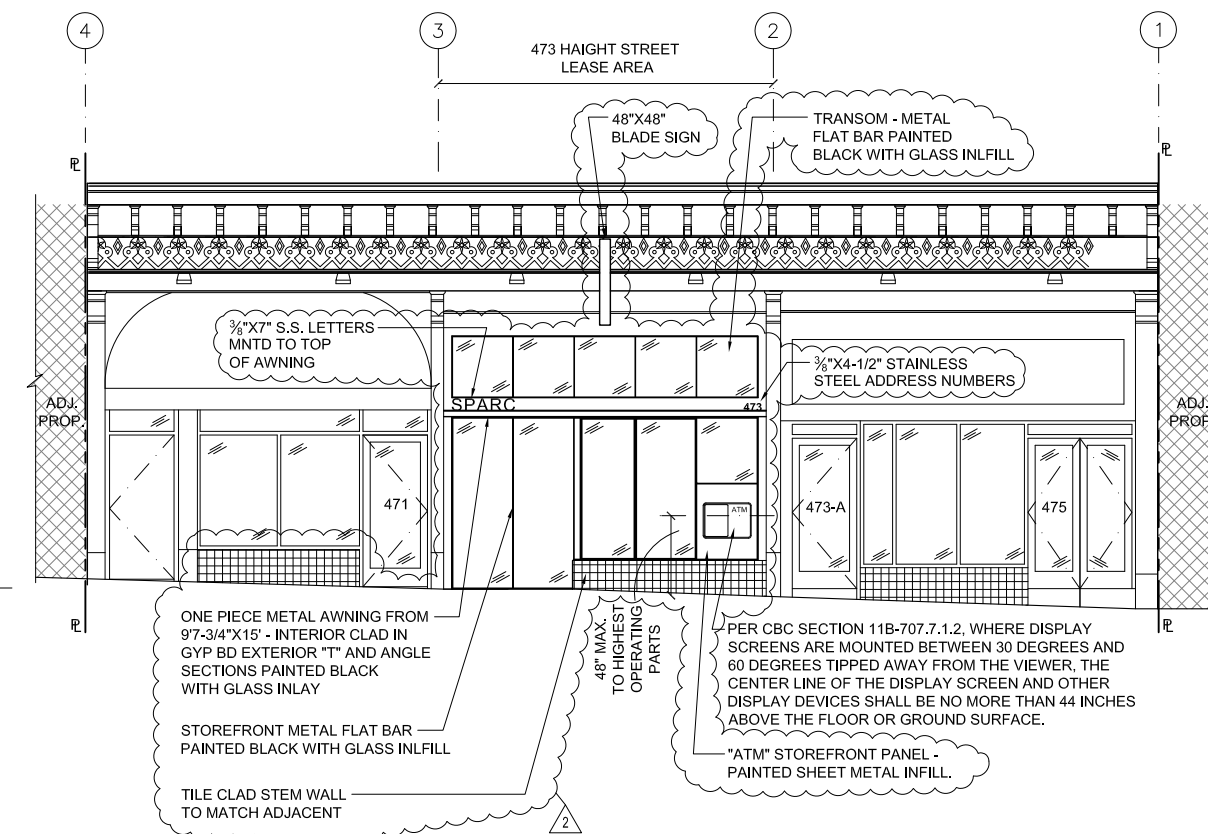
ELEVATION AND SECTION LEGEND:

- NOT IN LEASE AREA
- EXISTING
- TO BE DEMOLISHED / REMOVED
- NEW

3 PROPOSED LONGITUDINAL SECTION
SCALE: 1/4" = 1'-0"



1 EXISTING NORTH ELEVATION (HAIGHT STREET)
SCALE: 1/4" = 1'-0"



2 PROPOSED NORTH ELEVATION (HAIGHT STREET)
SCALE: 1/4" = 1'-0"

REVISIONS		BY
1	MOD. REV. 7 DEC '15	CR
2	PLANNING 7 MAR '16	CR

Harvey Hacker Architects
528 Bryant Street
San Francisco, CA 94107
415 957 0579

MEDICAL CANNABIS DISPENSARY

EXISTING & PROPOSED NORTH ELEVATION AND PROPOSED LONGITUDINAL SECTION

473 HAIGHT STREET
SAN FRANCISCO, CA

DATE	17 NOV 2015
SCALE	AS NOTED
DRAWN	CR / TT
JOB	1570
SHEET	A2.0

RESTROOM KEYNOTES

- 1 36" GRAB BAR
SEE DETAIL 1&2/A4.1 FOR GRAB BAR REQUIREMENTS.
- 2 42" GRAB BAR
SEE DETAIL 1&2/A4.1 FOR GRAB BAR REQUIREMENTS.
- 3 LAVATORY (HANDICAP ACCESSIBLE):
WALL-HUNG LAVATORY, 'AMERICAN STANDARD' 'LUCERNE', MODEL # 0356.015, COLOR 'WHITE', 3-HOLE FAUCET (8" CENTERS).
FAUCET:
TWO-HANDLE LAVATORY FAUCET, 'AMERICAN STANDARD' 'HERITAGE', MODEL # 4802.000.002, 6"-12" WIDESPREAD LAVATORY FAUCET, WITH GRID STRAINER DRAIN.
FAUCET HANDLES (HANDICAP ACCESSIBLE):
WRIST BLADES, 'AMERICAN STANDARD' 'HERITAGE', MODEL # 0000.372H.002;
SEE DETAIL 3/A4.1 FOR LAVATORY REQUIREMENTS
- 4 SOAP DISPENSER:
'BOBRICK' 'SURFACE-MOUNTED SOAP DISPENSER', MODEL # B-2111;
SEE REFERENCE DETAIL 4/A4.1 FOR MOUNTING HEIGHT REQUIREMENTS
- 5 PAPER TOWEL DISPENSER AND WASTE RECEPTACLE:
'BOBRICK', MODEL # B-3699, 'CLASSIC SERIES SURFACE-MOUNTED PAPER TOWEL DISPENSER AND WASTE RECEPTACLE';
SEE REFERENCE DETAIL 4/A4.1 FOR MOUNTING HEIGHT REQUIREMENTS
- 6 MIRROR:
'BOBRICK', MODEL # B-165 1836, MIRROR WITH STAINLESS STEEL CHANNEL FRAME; DIMENSIONS 18"x36"
SEE REFERENCE DETAIL 4/A4.1 FOR MOUNTING HEIGHT REQUIREMENTS
- 7 WATER CLOSET (HANDICAP ACCESSIBLE):
'TOTO', MODEL# 'DRAKE' ADA, 1.28 GPF, MODELS # CST744EL, COLOR '#01 COTTON', TRIP LEVER LOCATED ON SIDE OF TANK AWAY FROM WALL, PROVIDE COMMERCIAL TOILET SEAT W/ NO LID, MODEL # SC534, COLOR '#01 COTTON';
SEE DETAIL 1&2/A4.1 FOR SINGLE ACCOMMODATION TOILET FACILITY REQUIREMENTS.
- 8A ACCESSIBLE RESTROOM SIGNAGE (MOUNTED ON WALL)
MOUNT SIGN w/ BRAILLE ADJACENT TO THE LATCH SIDE OF THE DOOR 60" A.F.F.
SEE REFERENCE DETAIL 1/A4.2 FOR SIGNAGE REQUIREMENTS
- 8B ACCESSIBLE RESTROOM SIGNAGE (MOUNTED ON DOOR)
MOUNT SIGN w/ BRAILLE 60" A.F.F.
FOR REFERENCE, SEE DETAIL 1/A4.2 FOR SIGNAGE REQUIREMENTS
- 9 WATER RESISTANT G.W.B. W/ ENAMEL PAINT FINISH
- 10 TIGHT FITTING INSULATION AROUND ALL EXPOSED LAVATORY PIPING.
- 11 60" DIA. CLEAR SPACE
- 12 30" MIN. X 48" MIN. LAVATORY KNEE CLEARANCE AREA
SEE REFERENCE DETAIL 3/A4.1
- 13 SHEET VINYL FINISH FLOOR W/ 6" SELF-COVE BASE
- 14 EXHAUST FAN TO EXTERIOR (MIN. 50 CFM/UNIT)
- 15 WALL SWITCH OCCUPANCY SENSOR:
'LUTRON', MODEL# LOS-SIR-HD-WH
SEE 'ELECTRICAL NOTES' FOR MOUNTING HEIGHT REQUIREMENTS
- 16 THRESHOLD
SEE REFERENCE DETAIL 7/A4.0 FOR DOOR THRESHOLD REQUIREMENTS
- 17 TOILET SEAT-COVER DISPENSER:
'BOBRICK', MODEL # B-221, 'CLASSIC SERIES SURFACE-MOUNTED SEAT-COVER DISPENSER';
SEE DETAIL 4/A4.1 FOR MOUNTING HEIGHT REQUIREMENTS
- 18 FRP (FIBERGLASS REINFORCED PANEL) WAINSCOT
- 19 TOILET TISSUE DISPENSER:
'BOBRICK', MODEL # B-3888, RECESSED MULTI-ROLL TOILET TISSUE DISPENSER;
SEE DETAIL 1/A4.1 FOR MOUNTING HEIGHT REQUIREMENTS

ENTRY KEYNOTES

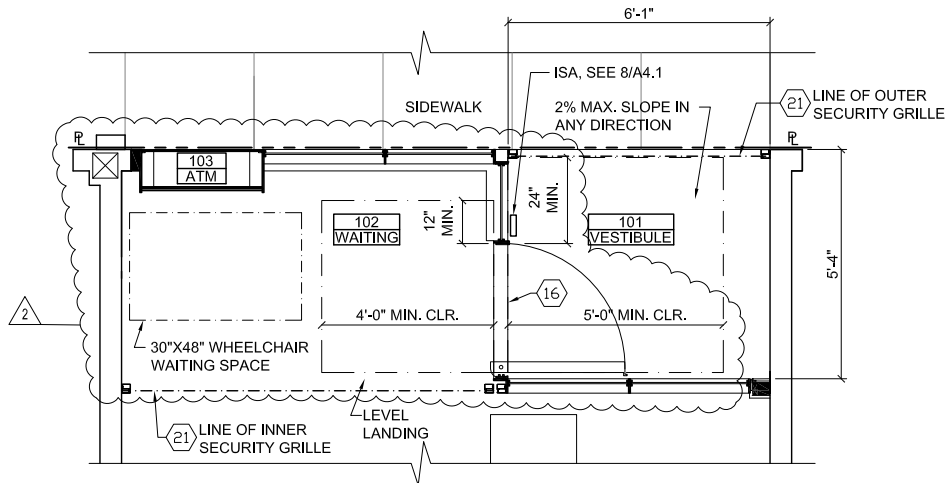
- 21 SECURITY GRILLE:
PER CBC SECTION 1008.1.4.4, 'SECURITY GRILLES SHALL BE OPENABLE FROM THE INSIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT DURING PERIODS THAT THE SPACE IS OCCUPIED. THE GRILLES SHALL REMAIN SECURED IN THE FULL-OPEN POSITION DURING THE PERIOD OF OCCUPANCY BY THE GENERAL PUBLIC.'

FLOOR PLAN LEGEND

- (E) WALL
- (N) WALL
- FINISH FLOOR
SEE 'RESTROOM KEYNOTE 13'

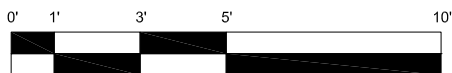
ELECTRICAL NOTES

1. ALL ELECTRICAL SWITCHES SHALL BE LOCATED NO MORE THAN 48" MEASURED FROM THE TOP OF THE OUTLET BOX NOR LESS THAN 15" MEASURED FROM THE BOTTOM OF THE OUTLET BOX TO THE LEVEL OF THE FINISH FLOOR.
2. ALL ELECTRICAL RECEPTACLE OUTLETS SHALL BE LOCATED NO MORE THAN 48" MEASURED FROM THE TOP OF THE RECEPTACLE OUTLET BOX NOR LESS THAN 15" MEASURED FROM THE BOTTOM OF THE RECEPTACLE OUTLET BOX TO THE LEVEL OF THE FINISH FLOOR.



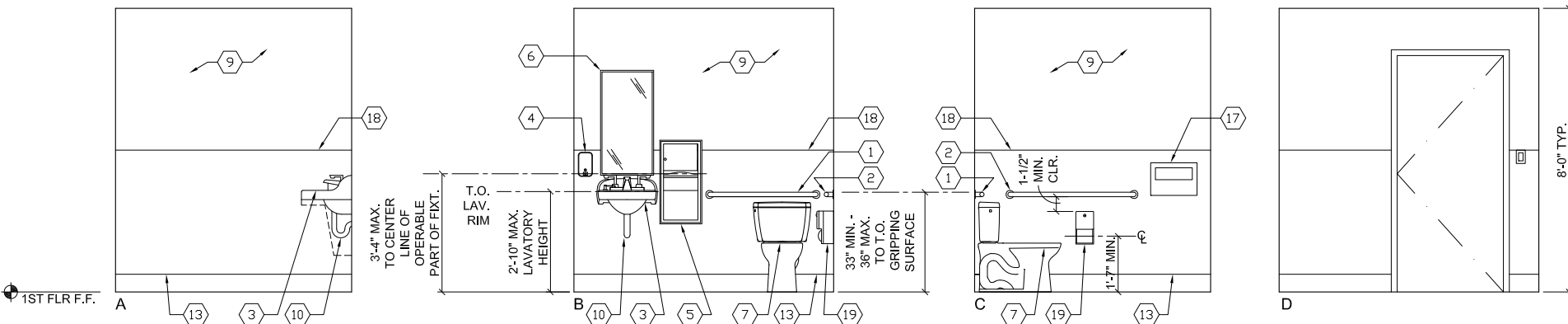
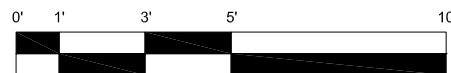
3 ENLARGED ENTRY PLAN

SCALE: 1/2" = 1'-0"



1 ENLARGED RESTROOM PLAN: UNISEX 107

SCALE: 1/2" = 1'-0"



2

INTERIOR ELEVATIONS: UNISEX 107

SCALE: 1/2" = 1'-0"



REVISIONS	BY
1 MOD REV. 7 DEC '15	CR
2 PLANNING 7 MAR '16	CR



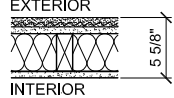
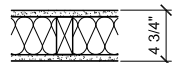
MEDICAL CANNABIS DISPENSARY

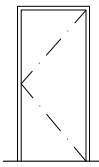
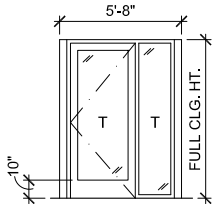
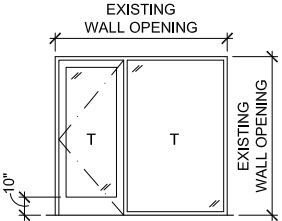
473 HAIGHT STREET
SAN FRANCISCO, CA

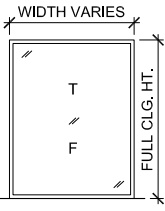
ENLARGED
RESTROOM PLAN,
ENTRY PLAN AND
INTERIOR ELEVATIONS

DATE	17 NOV 2015
SCALE	AS NOTED
DRAWN	CR / TT
JOB	1570
SHEET	

A4.0

WALL/PARTITION SCHEDULE			
KEY	CONSTRUCTION	DESCRIPTION	FIRE RESISTIVE RATING
<div>W1</div>	<div><div>EXTERIOR</div><div></div><div>INTERIOR</div></div>	EXTERIOR WALL - STUCCO EXTERIOR: 7/8" CEMENT PLASTER OVER EXPANDED METAL LATHE OVER GRADE D BLDG. PAPER OVER 5/8" TYPE 'X' GYPSUM SHEATHING; FRAMING: 2x4 STUDS AT 16" O.C.; INTERIOR: 5/8" TYPE 'X' GYPSUM BD.; WALL CAVITY FILLED WITH R-19 BATT INSULATION	-
<div>1</div>	<div><div></div></div>	INTERIOR WALL 2x4 STUDS AT 16" O.C., 5/8" TYPE 'X' GYPSUM WALL BOARD BOTH SIDES. WALL CAVITY FILLED WITH R-13 BATT INSULATION	-

DOOR SCHEDULE								
SYMBOL	DOOR TYPE	DOOR SIZE W X H	DOOR MATERIAL	DOOR FINISH	FRAME MATERIAL	FRAME FINISH	FIRE RATING	NOTES
FIRST FLOOR								
<div>101</div>	B	3'-0" WIDE x FULL CLG. HT	GLASS	CLEAR	H.M.	PAINTED	-	ENTRANCE/OFFICE LOCK ND50PD, CENTER PIVOT DOOR
<div>102</div>	NOT USED							
<div>103</div>	A	3'-0" x 7'-0"	WOOD	STAINED	H.M.	PAINTED	-	PASSAGE, NO CLOSER
<div>104</div>	A	3'-0" x 7'-0"	WOOD	STAINED	H.M.	PAINTED	-	PASSAGE
<div>105</div>	A	3'-0" x 7'-0"	WOOD	STAINED	H.M.	PAINTED	-	PRIVACY LOCK ND40S, CLOSER, THRESHOLD, FLOOR STOP
<div>106</div>	A	3'-0" x 7'-0"	WOOD	STAINED	H.M.	PAINTED	-	PASSAGE
<div>107</div>	C	3'-0" WIDEx(E) OPENING HT.	GLASS	CLEAR	H.M.	PAINTED	-	ENTRANCE/OFFICE LOCK ND50PD
DOOR NOTES 1. SCHLAGE (U.N.O) OR APPROVED EQUAL. 2. BRUSH CHROME FINISH (US 26D). 3. RHODES LEVER HANDLES (U.N.O). 4. DOOR OPERATING DEVICES FOR ALL DOORS SHALL MEET THE STATE OF CALIFORNIA ACCESSIBILITY STANDARDS. 5. SEE FLOOR PLANS FOR DOOR SWINGS. 6. ALL HARDWARE SHALL BE MOUNTED TO A CENTERED HEIGHT OF 36" A.F.F.. 7. ALL EXISTING DOOR OPENING MEASUREMENTS SHALL BE VERIFIED IN FIELD FOR ACCURACY. 8. SEE DETAILS 5,6&7/A4.1 FOR OTHER DOOR REQUIREMENTS. 9. ALL DOOR TO OPERATE WITH MAX 5 lbs. OF EFFORT.								
DOOR TYPES <div><div><div><div></div><div>A</div></div><div><div><div></div><div>B</div></div><div><div><div></div><div>C</div></div></div><div>LEGEND:<div>T TEMPERED OR SAFETY GLAZING</div></div></div></div></div>								

WINDOW SCHEDULE									
SYMBOL	TYPE	ROUGH OPENING (width x height)	UNIT SIZE (width x height)	MANUFACTURER	MODEL #	FINISH	U-FACTOR	FIRE RATING	REMARKS
FIRST FLOOR									
<div>1</div>	STOREFRONT	6'-5" X FULL CLG. HT.	-	-	-	-	0.7 MAX.	-	CLEAR TEMP GLASS
<div>2</div>	STOREFRONT	6'-1" X FULL CLG. HT.	-	-	-	-	0.7 MAX.	-	CLEAR TEMP GLASS
<div><div><div><div></div><div><div>1</div><div>2</div></div></div><div>LEGEND:<div>T TEMPERED OR SAFETY GLAZING</div><div>F FIXED</div></div></div></div>									

REVISIONS

BY

2

PLANNING

7 MAR '16

CR

Harvey Hacker Architects

528 Bryant Street
San Francisco, CA 94107
415 957 0579

REGISTERED ARCHITECT

STATE OF CALIFORNIA

NO. 00000000

00000000

MEDICAL CANNABIS DISPENSARY

473 HAIGHT STREET
SAN FRANCISCO, CA

SCHEDULES

DATE 17 NOV 2015

SCALE AS NOTED

DRAWN CR / TT

JOB 1570

SHEET

A5.0