

Discretionary Review Analysis

Medical Cannabis Dispensary

HEARING DATE: OCTOBER 26, 2017 CONTINUED FROM: JANUARY 5, 2017

Date:	October 16, 2017
Case No.:	2016-000119DRM
Project Address:	3015 San Bruno Avenue
Zoning:	NC-2 (Neighborhood Commercial – Small Scale) Zoning District
	40-X Height and Bulk District
Block/Lot:	5467/016
Project Sponsor:	Richard Vuong
	715 Gough Street, Apt. B
	San Francisco, CA 94102
Staff Contact:	Michael Christensen – (415) 575-8742
	Michael.Christensen@sfgov.org
Recommendation:	Take Discretionary Review and Approve with Conditions

PROJECT DESCRIPTION

The proposal is to establish a new Medical Cannabis Dispensary (MCD) at 3015 San Bruno Avenue (d.b.a. SBA Wellness), to replace a vacant ground floor commercial space previously occupied by an acupuncture office. The space is approximately 1,644 square feet in size. No parking is required and no physical expansion is proposed for the structure.

The proposed Medical Cannabis Dispensary (MCD) will dispense medical cannabis in the form of food or drink, and will not permit on-site smoking or vaporizing. The MCD will not cultivate cannabis on site. Tenant improvements will be made on this property to comply with Mayor's Office of Disability requirements. The proposed hours of operation are 8 a.m. to 10 p.m., daily. The subject commercial space has approximately 30-feet of frontage on San Bruno Avenue.

The project sponsor will maintain full-time security, which includes indoor and outdoor video cameras. In addition to security guards stationed at the front door, there will be security personnel to patrol the immediate neighborhood to actively enforce good-neighbor policies and to ensure SBA Wellness positively contributes to the commercial district. To address odor concerns, a charcoal air-filter will also be used indoors; however, no smoking is proposed.

Planning Code Section 202.2(e)(1) states that all MCDs are required to be heard by the Planning Commission, which will consider whether or not to exercise their discretionary review powers over the building permit application.

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SITE DESCRIPTION AND PRESENT USE

The project site is a 2,073 square feet (sf) lot, developed with a two-story mixed-use building located on the east side of San Bruno Avenue, near the corner of Paul Avenue, in the Visitacion Valley neighborhood. The building consists of a vacant ground floor commercial space with a partial basement, and a residential unit at the second level.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Small-Scale Neighborhood Commercial Transit District (NC-2) covers multiple sections of San Bruno Avenue between Hale and Olmstead Streets in the Visitacion Valley neighborhood. The subject portion of San Bruno Avenue within the NC-2 Zoning District extends from approximately 300 feet north to 400 south of the subject property. On the west side of San Bruno Avenue, the southern portion of the block is within the RM-1 (Residential – Mixed, Low Density) Zoning District. Generally, the NCT-2 Districts are mixed use districts that support neighborhood-serving commercial uses on lower floors and housing above. These Districts are well-served by public transit and aim to maximize residential and commercial opportunities on or near major transit services. Parking for residential and commercial uses is not required. Buildings range in height, with height limits generally allowing up to four stories. Lots vary in size, with generally small- or medium-sized parcels.

The subject district is mixed use, with a mix of street-fronting retail businesses and dwelling units at the ground floor. The buildings on the subject block range from one to four stories in height. The range of comparison of goods and services offered is varied, with uses such as restaurant, limited restaurant, grocery store, gas stations and martial arts studio. To the north of the subject property is a two-story mixed-use building with a vacant commercial space previously used as a coffee shop. To the south of the subject property is a three-story two-family dwelling. The area is transit-oriented and the commercial uses serve residents of the area as well as residents and visitors from adjacent and other neighborhoods.

The District is served by transit along San Bruno Street, with major bus lines (#8, 8AX, 8BX, 9, 9R, 29 and 90) and a bikeway within a quarter mile of the subject block. Within 250 feet of the subject property, seven bikeways are available to the public as well. The subject block backs up to Highway 101.

ISSUES AND OTHER CONSIDERATIONS

• **Medical Cannabis Dispensary (MCD).** Planning Code Section 202.2(e)(1) states that all MCDs are required to be heard by the Planning Commission, which will consider whether or not to exercise its discretionary review powers over the building permit application.

San Francisco Health Code, Article 33, Medical Cannabis Act 3308:

(e) It is unlawful for any person or association operating a medical cannabis dispensary under the provisions of this Article to permit any breach of peace therein or any disturbance of public order or decorum by any tumultuous, riotous or disorderly conduct, or otherwise, or to permit such dispensary to remain open, or patrons to remain upon the premises, between the hours of 10 p.m. and 8 a.m. the next day. However, the Department shall issue permits to two medical cannabis dispensaries permitting them to remain open 24 hours per day. These medical cannabis dispensaries shall be located in order to provide services to the population most in need of 24 hour access to medical cannabis. These medical cannabis

dispensaries shall be located at least one mile from each other and shall be accessible by late night public transportation services. However, in no event shall a medical cannabis dispensary located in a Small-Scale Neighborhood Commercial District, a Moderate Scale Neighborhood Commercial District, or a Neighborhood Commercial Shopping Center District as defined in Sections 711, 712 and 713 of the Planning Code, be one of the two medical cannabis dispensaries permitted to remain open 24 hours per day.

The 3015 San Bruno Avenue MCD project will afford a small collective the much desired opportunity to comply with the SF Health Code and operate legally and under the SFDPH supervision. The applicant will still be required to file a permit application with SFDPH and will be subjected to their regulations including tax compliance, non-profit operation, background checks and annual compliance inspections. This dispensary is a change of use to a medical cannabis dispensary use independent of other uses within the existing building.

- Planning Code Compliance. The proposed Medical Cannabis Dispensary complies with all standards and requirements of the Planning Code. Most notably, the Project Site was found to be located more than 1,000-feet from any active permitted community facility or recreation center that primarily serves persons under 18 years of age; no public or private elementary or secondary schools are located within 1,000-feet. However, the proposed MCD is within 1,000-feet of the uses described below, which do not have proximity restrictions that would prevent the proposed MCD use from Planning Code compliance:
 - 3061 San Bruno Avenue: includes an active pre-school (dba Child's Time), located 230 feet from the proposed dispensary, on the same block face. A pre-school is not an elementary or secondary school and is considered a personal service use under the Planning Code. However, multiple community members have expressed concern with the compatibility of the proposed MCD with this use located nearby.
- Medical Cannabis Dispensary Moratorium Ordinance No. 190-17. On September 12, 2017, the Board of Supervisors passed an urgency ordinance approving an interim zoning moratorium on the approval of medical cannabis dispensaries for 45 days. The ordinance applies to all projects which have not received Planning Department approval or Planning Commission authorization and that were not scheduled for hearing as of September 11, 2017. This project was scheduled for hearing prior to September 11, 2017 and thus is not subject to the moratorium, as adopted.
- MCD Concentration, Clustering, and Effect on Neighborhood. Although the Planning Code does not prohibit clustering of MCDs, clustering is an issue that has been raised by the Planning Commission and may create unique neighborhood issues. The nearest permitted Medical Cannabis Dispensary to this location is located at 2442 Bayshore Boulevard, which is 1.1 miles away from the project site.
- **Proposition 64/Adult Use of Marijuana Act**. Although approved by the voters in November 2016, the Adult Use of Marijuana Act does not authorize any existing or future MCD to distribute nonmedical (aka "adult use") cannabis without (1) a state license and (2) compliance with San Francisco's local laws. While Proposition 64 requires the State to begin issuing licenses by

January 2018, the Planning Department, along with other City agencies, is crafting local land use and other regulatory controls to address the production, processing, and sale of adult use cannabis. It is anticipated that these controls will address existing MCDs that wish to distribute cannabis for adult use in addition to, or instead of, medical use. As with any change to the Planning Code, these controls will be presented to the Planning Commission for review and discussion prior to consideration by the Board of Supervisors and Mayor.

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	30 days	September 26, 2017	September 26, 2017	30 days
Mailed Notice	30 days	September 26, 2017	September 23, 2017	33 days

All mailed and posted notices were provided in English, Spanish, Cantonese, and Tagalog.

The project was continued from the January 5, 2017 hearing after the close of public comment. As the subsequent hearing was more than six months after the duly noticed hearing, notices were provided for the October 26, 2017 hearing.

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	-	-	-
Other neighbors on the block or			
directly across the street	-	-	-
Neighborhood groups or others	1,028	28	-

Prior to the January 5, 2017 hearing to this item, the Department received 27 letters from the public regarding the project, all expressing general opposition to the project. Since the January 5, 2017 hearing, on additional letter in opposition to the project was received from an area resident. In addition, 1,028 letters and petition signatures in support of the project were received.

*Due to the high volume of comments received, individual comments are not included in the printed packets. All public comments received are available for review by request at the Planning Department.

ADDITIONAL CONSIDERATIONS

• Medical Cannabis is frequently used in the treatment of serious illnesses, and providing options for patients throughout the City is important for the effective treatment of illness and pain. While the Planning Commission approved an MCD at 2442 Bayshore Blvd (approximately 1.1 miles from this proposal), many respondents commented that it is desirable to have MCDs spread throughout the city to provide adequate access to cannabis users.

• The Department does not have data regarding the impact of MCDs on the viability of adjacent commercial spaces. However, the impact of an MCD on the attractiveness of a commercial corridor for consumers may relate to the sensitivity of those consumers to the presence of an MCD. In neighborhoods where residents are not sensitive to the presence of an MCD, the impact of a new MCD opening may be minimal or positive (if it fills a formerly vacant space). In neighborhoods where residents are sensitive to the presence of an MCD for cultural or other reasons, a new MCD opening may make the corridor less attractive for consumers, impacting its viability.

PROJECT ANALYSIS

MEDICAL CANNABIS DISPENSARY CRITERIA

Below are the six criteria to be considered by the Planning Commission in evaluating Medical Cannabis Dispensaries, per Planning Code Section 790.141:

1. That the proposed parcel is located not less than 1,000 feet from 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.

Project Meets Criteria

The parcel containing the MCD is not located within 1,000 feet from 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 as defined by Section 790.141 of the Planning Code.

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

Project Meets Criteria

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.

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

Project Meets Criteria

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

4. 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.

Not Applicable

The project sponsor does not intend to allow smoking on the premises.

5. 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.

Project Meets Criteria

The applicant has applied for a permit from the Department of Public Health.

6. A notice shall be sent out to all properties 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.

Project Meets Criteria

A 30-day notice was sent to owners and occupants within 300-feet of the subject parcel identifying that a MCD is proposed at the subject property and that the building permit was subject to a Mandatory Discretionary Review Hearing.

GENERAL PLAN COMPLIANCE:

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

COMMERCE AND INDUSTRY Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

The Project will provide access to safe, convenient access to medical cannabis, which has been recognized as beneficial option to the residents of San Francisco.

Policy 1.2:

Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

The location for the proposed MCD meets all of the requirements in Section 790.141 of the Planning Code.

OBJECTIVE 2:

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

Policy 2.1

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

The Project introduces a new business into the Visitacion Valley neighborhood, increasing the diversity of job and activity types within this District.

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.

The Project will service chronically ill patients who are in great need of this type of medical service. By allowing the services provided by the MCD, its patients are provided with convenient, safe access to medication for their aliments.

SECTION 101.1 PRIORITY POLICIES

Planning Code Section 101.1 establishes eight priority policies and requires review of permits for consistency, on balance, with these policies. The Project complies with these policies as follows:

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

The proposed use is a neighborhood serving use. The location for the MCD is currently vacant so the new use will not displace a previous neighborhood serving use.

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

The project occupies a ground floor commercial space and will adhere with all signage regulations defined in Article 33 of the Health Code to help preserve the existing neighborhood character. The proposed use would not adversely affect the existing neighborhood character.

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

The proposed use is located in a space previous occupied by non-residential uses so the proposed use will not displace any affordable housing.

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

The site is close to multiple public transit lines and the immediate neighborhood provides sufficient short-term parking so the use will not impede transit operations or impact parking.

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

The subject space is vacant and will not displace any industrial or service industry establishments.

6. The City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The MCD will follow standard earthquake preparedness procedures and any construction would comply with contemporary building and seismic codes.

7. Landmarks and historic buildings be preserved.

The existing building is not a historic resource.

8. Parks and open space and their access to sunlight and vistas be protected from development.

The project will not restrict access to any open space or parks and will not impact any open space or park's access to sunlight or vistas.

ENVIRONMENTAL REVIEW

The project is categorically exempt from the environmental review process under Section 15301 Class 1(a) of the State CEQA Guidelines, pursuant to Title 14 of the California Administrative Code.

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.

- The MCD complies with all standards and requirements of the Planning Code and advances the objectives and policies of the General Plan.
- This Site will not significantly impact public transit.
- The Site is more than 1,000' from any primary and secondary school.
- The Site is more than 1,000' from any active youth-services facility.
- No cannabis plants would be cultivated on-site.
- No on-site medication of medical cannabis (e.g. smoking, vaporizing, and consumption of medical cannabis edibles) would be permitted.
- Only employees registered with SFDPH will be at the subject property.

CONDITIONS OF APPROVAL

To minimize the potential impact of the proposed use on the surrounding commercial area the following conditions are recommended for imposition on the project:

- 1. **Sidewalk Maintenance.** The operator of the establishment shall maintain the main entrance and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at minimum, daily sweeping and litter pickup and disposal and washing or steam/pressure cleaning of the main entrance and abutting sidewalks at least once every month.
- 2. **Odor Control.** The operator will maintain appropriate air cleaning or odor control equipment if necessary to prevent any significant noxious or offensive odors from escaping the premises. Odor control ducting shall not be applied to the primary façade of the building.
- 3. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings. Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.
- 4. **Notices Posted.** Notices urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to not litter or block driveways in the neighborhood, shall be well-lit and prominently displayed at all entrances to and exits from the establishment.
- 5. **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.

RECOMMENDATION

RECOMMENDATION: Take Discretionary Review and Approve with Conditions

Attachments:

Parcel Map Sanborn Map Zoning Map Height and Bulk Map Aerial Photograph Site Photographs Mandatory Discretionary Review Application Department of Public Health Application Letter of Determination 30-day Public Notice California Environmental Quality Act ("CEQA") Categorical Exemption Project Sponsor Submittal Vicinity Map of Public/Private Schools Vicinity Map of Existing and Permitted MCDs Project Plans

Parcel Map



PAUL AVE.



Sanborn Map*



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



Zoning Map





Height & Bulk Map





Aerial Photo





Aerial Photo





Site Photo



SUBJECT PROPERTY

Site Photo



SUBJECT PROPERTY

Application to Operate a Medical Cannabis Dispensary

CASE NUMBER: For Statf Use only 2016 - 000/19 DRM

APPLICATION TO OPERATE A Medical Cannabis Dispensary

	uno, LLC	
PROPERTY OWNER'S ADDRESS: PO BOX 320632, SF (A 94)32	TELEPHONE: (415)890-4190 EMAIL:	
PPLICANT'S NAME: Richard Vuong	Same as Above	
715 Gough St APt B	TELEPHONE: (415) 990- 5561 FMAIL:	
SF CA 94102	richard xvuong @Yabo.com	
WILSON M	Same as Above	
562 BRYANT ST.	TELEPHONE:	
• • • •	(415) 684-0632 EMAIL: WILSONNG 2323 @YAN00.0	
SF CA 94107	WILSONNY 2323 @ /AHOO.C	
Location and Dispensary Information	WILSONNO 2323 @VANOO.C	
Location and Dispensary Information TREET ADDRESS OF PROJECT: 3015 San Brynno Ave.	WILSONNG 2323 @/AHOO.C ZIP CODE: Q4134	
Location and Dispensary Information	WILSONNG 2323 @ JAN 00.0	
Location and Dispensary Information TREET ADDRESS OF PROJECT: 3015 San Bruno Ave. PROSS STREETS:	WILSONNG 2323 @/AHOO.C	
Location and Dispensary Information TREET ADDRESS OF PROJECT: 3015 San Bruno Ave. Pau Ave. SSESSORS BLOCK/LOT: 5467 /016 ZONING DISTRICT: S467 /016 SO ET ACCESSIBLE TO PATRONS:	WILSONNG 2323 @/AHOO.C	
Location and Dispensary Information TREET ADDRESS OF PROJECT: 3015 San Bruno Ave. Pau Ave SSESSORS BLOCK/LOT: 5467 /016 ZONING DISTRICT: 5467 /016 Rev NCD ISPENSARY SQ FT: 1218 + 426 = 1644 SQ FT. 1218 SQ FT.	UILSONNG 2323 EYAHOO, C ZIP CODE: 94134	
Location and Dispensary Information TREET ADDRESS OF PROJECT: 3015 San Bruno Ave. Pau Ave. SSESSORS BLOCK/LOT: 5467 /016 ZONING DISTRICT: S467 /016 SO ET ACCESSIBLE TO PATRONS:	WILSONNG 2323 @/AHOO.C	

3. Dispensary Proximity

PROXIMITY TO SCHOOLS	(Initial Below)
I have used all reasonable resources available to me, including maps and zoning information made available by the Planning Department and a personal and thorough inspection of the broader vicinity of the subject property and have found that, to the best of my knowledge, the property is not within 1,000 feet of an elementary or secondary school, public or private.	Rr
PROXIMITY TO RECREATION BUILDINGS	(Initial Below)
I have used all reasonable resources available to me, including maps and zoning information made available by the Planning Department and a personal and thorough inspection of the broader vicinity of the subject property and have found that, to the best of my knowledge, the property is not within 1,000 feet of a recreation building, as defined in the Planning Code.	pr
PROXIMITY TO SUBSTANCE ABUSE TREATMENT FACILITIES	(Initial Below)
I have used all reasonable resources available to me, including a personal inspection of the subject property and have found that, to the best of my knowledge, the property does not contain a substance abuse treatment facility.	RV

4. Dispensary Services

ON SITE MEDICATING	
Will you allow patrons or employees to smoke or vaporize medical cannabis, or otherwise medicate with medical cannabis, on the premises?	NO VES
MEDICAL CANNABIS EDIBLES	
Will you offer medical cannabis in the form of food or drink or will medical cannabis edibles be produced on-site? If so, please check the appropriate boxes and, if applicable, declare the proposed square footage to be dedicated to on-site production of edibles.	Dispensing
(Note that Planning Code standards may prohibit [1] the dedication of more than 1/4 of the total floor area of the dispensary for the production of food and/or [2] the off-site dispensing of any products that are made on-site. Also please note that if food is provided or produced, additional permits will be required from the Department of Public Health.)	Production SQ FT
ON-SITE MEDICAL CANNABIS CULTIVATION	
Will any live marijuana plants be kept on the premises for purposes of harvesting medical product? If so, please declare the proposed square footage to be dedicated to growing activities.	
(Note that additional safety measures may be required. Consult with the Department of Public Health regarding the use and storage of chemicals associated with the growing process and with the Department of Building inspection regarding associated building safety issues. Also note that the Planning Code may prohibit the use of more than 1/4 of the total area of the dispensary for such purpose.)	
OFF-SITE MEDICAL CANNABIS CULTIVATION	
Will any medical cannabis distributed on the premises have been grown elsewhere than on the premises? If so, please declare whether medical cannabis cultivation will occur within or outside the City and County of San Francisco. (Note that any off-site growing facility located in San Francisco must be properly permitted under applicable state and local law.)	NO VES Within San Francisco

CASE NUMBER: For Staff Use only

5. Applicant's Statement

Please discuss:

1. The business plan for the proposed Medical Cannabis Dispensary;

see attached

2. Specific factors which contribute to the compatibility and appropriateness of the Medical Cannabis Dispensary with the immediate neighborhood and broader City environment;



3. Neighborhood outreach efforts made and the results/input from those efforts;

Sue attached

4. Any other circumstances applying to the property involved which you feel support your application.

see attached

CASE NUMBER: For Staff Use only

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

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



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

see attached

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

see attached

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

sere attached

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

see attached

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

see attached

7. That landmarks and historic buildings be preserved; and

sere attached

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

see attached

CASE NUMBER: For Staff Use only

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: Riller 9 M

Date: 7/28/16

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

Richard Vyong Owner / Authorized Agent (circle one)

Date: 1/28/16

For Department Use Only Application received by Planning Department:

WGOB DATA By:

SBA WELLNESS

MCD Permit Application Attachments

- APPLICANT'S STATEMENT, Items 1, 2, 3 and 4
 (Business Plan; Compatibility & Appropriateness with Neighborhood and City Environment; Community Outreach; and Additional Factors Supporting Application)
- COMPLIANCE WITH MEDICAL CANNABIS DISPENSARY CRITERIA --
- GENERAL PLAN COMPLIANCE: Objectives and Policies
- PRIORITY GENERAL PLAN POLICIES & FINDINGS, Items 1 through 8
- PLANNING CODE Sec. 101.1 Policies
- Community Outreach
- Additional Factors:

Staffing Transparency Compassionate Care Program Community Engagement

APPLICANT'S STATEMENT

Items 1 & 2. The business plan for the proposed Medical Cannabis Dispensary; Specific factors which contribute to the compatibility and appropriateness of the Medical Cannabis Dispensary with the immediate neighborhood and broader City environment

Introduction, Mission Statement, Organization, and the Need for Safe Access

Scientific studies have shown that marijuana is a safe and effective alternative to many commonly prescribed medications, many of which have severe side effects that can significantly impair a patient's quality of life. Marijuana can ease the nausea experienced by patients receiving chemotherapy, help control muscle spasms of MS patients, stimulate the appetite of people suffering from AIDS, cancer and other illnesses (and the side effects of treatments), reduce pressure in the eyes of glaucoma patients, and relieve pain without the addiction and impairment associated with powerful narcotics. Many patients are too sick or otherwise unable to grow their own medical marijuana, and need safe and convenient access t to dispensaries obtain their medicine without the stigma and risks of buying marijuana on the streets. Many patients are also uncomfortable obtaining their medical cannabis from a delivery service, most of which are not subject to regulation, inspection and testing of the medicine, and are understandably concerned about having unknown delivery persons come to their home or place of work.

Applicants chose the location near the corner of San Bruno Ave. and Paul St. because there are no MCDs in the area. As noted in the 2014 report from the Planning Department to the Planning Commission and Board of Supervisors, "of the 29 permitted and operational MCDs in San Francisco, 21 or 72% are located in the north eastern part of the City (Divisadero to the west and Caesar Chávez to the south), and the majority of those, 17 of the 21 or 81%, are located South of Market Street. The north eastern part of the City has the greatest population density and contains the largest area of the green zone, so it is not surprising that most of the MCDs would be locates in these areas. However, that does not explain the complete lack of MCDs in other areas, which have medical cannabis patients and contain portions of the Green Zone. The dearth of dispensaries in the Portola district and immediately adjacent areas, all of which are overwhelmingly residential, means that the nearly ______ residents who live in those areas must travel for miles to obtain medical cannabis from a dispensary elsewhere in the City. Many patients are elderly and disabled, and find it difficult to travel long distances. With no dispensaries near the proposed dispensary site, SBA Wellness will provide the currently underserved residents with safe, reliable access to medical cannabis near to their homes.

The Applicants are committed to the long-term vitality and safety of the neighborhood. They will implement robust security measures to ensure the MCD contributes positively to public safety and security in the neighborhood. As described in more detail on the attached Security Plan, security measures for the MCD include 24-hour video surveillance inside the facility and on the exterior of the building, centrally monitored burglar and fire alarm system, professional security guards, exterior lighting, controlled access, secure storage of all inventory and cash, security procedures, training for all staff, cash handling procedures (including drop safe and daily bank deposits to minimize cash on site), background checks on persons applying for employment and other physical and operational measures designed to ensure the safety and security of persons in and around the MCD.

SBA Wellness is a nonprofit medical cannabis collective formed so that qualified patients and caregivers may associate with one another to cultivate, distribute and obtain marijuana for palliative and medicinal use as recommended by their doctors. The collective's mission is to --

- provide a clean, safe and professionally operated MCD staffed with knowledgeable, ethical and compassionate individuals so that qualified patients and caregivers who are members of the collective can reliably access organically produced, high grade medical cannabis and medical cannabis products for medical use;
- fairly and reasonably allocate the overhead, operating expenses and related costs of the collective so as to ensure an adequate, reliable and affordable supply of medical marijuana for our patient members;
- comply with the laws, regulations and guidelines of the State of California and the City and County of San Francisco applicable to medical marijuana and nonprofit medical marijuana collectives and cooperatives to ensure that our members retain the protections and immunities afforded qualified patients and caregivers under the Compassionate Use Act (Proposition 215) and Medical Marijuana Program Act (SB420); and,
- serve as a model for the proper, responsible operation of an MCD so as to win the acceptance and support of our neighbors and the communities we serve.

To achieve its mission, the collective formed as a California nonprofit corporation. Operation of the MCD will be managed by experienced personnel.

Operations, Quality Assurance, Security & Legal Compliance

Medicine will be obtained from and distributed exclusively to members of our collective. All applicants for membership are required to have a written recommendation from a physician licensed to practice medicine in California. We test all our medical cannabis strains prior to distribution to ensure the medicine our patients receive is free from pesticides, chemical fertilizers, mold, mildew and other contaminants, and to identify the potency and percentage of CBD, THC and other constituent cannabinoid compounds fund in the medicine.

The collective has a once-per-day patient visit rule, and limits to one ounce the amount of medicine a patient can purchase at one time to fully comply with the quantity limits set foth in

Article 33. When a person applies for membership, staff will verify his or her doctor's recommendation as well as the doctor's medical license to ensure the applicant is a qualified patient and the doctor's license is in good standing with the California Medical Board or Osteopathic Medical Board. Staff records the results of the verification process in the patient's file. The expiration date of the patient's written doctor's recommendation is tracked in the collective's database. Patient members whose recommendations have expired may not obtain medicine unless and until the recommendation is renewed and staff has verified the renewed recommendation and status of the doctor's medical license.

All members must agree to follow our "good neighbor policy" and comply with state medical marijuana laws and City ordinances and regulations governing MCDs, including not providing marijuana to any person who is not a qualified patient and member of the collective, not smoking or loitering in the vicinity of the MCD or surrounding neighborhood, never driving while impaired or smoking in a car (even as a passenger), not smoking or possessing marijuana within 1,000' of a school (except in the patient's home), securing medicine where it cannot be accessed by children or adults, obeying traffic and parking regulations when visiting the MCD, etc. The original signed patient collective membership agreement and good neighbor policy are maintained in the patient's confidential file and secured against unauthorized access. Intake staff provide new members with a comprehensive orientation on the rules set forth to our collective membership agreement and good neighbor policy, and explain the importance of being respectful to the neighbors and the consequences of violating the rules. Staff are trained to remind returning patients of the significant legal requirements and rules when they visit the MCD to obtain medicine, which are reinforced by video presentations in the waiting/lobby area, posters, and in periodic handouts.

Licensed professional security guards will be positioned inside and at the entrance/exit to the MCD. Additional security guards will proactively walk the block and surrounding area to deter loitering, smoking, illegal parking, littering and other potential nuisance activity by members that may affect the neighbors, as well as to deter unrelated crime in the neighborhood. SBA Wellness has developed a security and lighting plan for the operation of the proposed MCD that involves the following elements: High resolution security cameras located both on the exterior and interior of the facility; Night lighting for the interior and exterior; Security patrols during operation hours; Entry, rear and interior security systems to control access to the facility both during operation and after hours; Intrusion monitoring system and alarm; Secure storage of medicine; and Employee training. The applicant has retained security consultants and will coordinate with the SFPD code enforcement officer for Taraval Station and SFPD's video forensic unit on the selection and installation of all security equipment and hardware, design of video surveillance and alarm systems, placement of cameras and sensors, dispensary layout, type and location of safe(s), lighting, security procedures and other aspects of the overall security program for the MCD. A key component of the security plan and good neighbor policy is to maintain on-going communications with and solicit feedback from SFPD and community groups on security protocols and dispensary operations to ensure the safety of patients, staff and the general public.

Item 3. Community Outreach

SBA Wellness believes that one of its primary responsibilities is to develop and maintain an on-going dialog with neighborhood groups, businesses and residents in the area, and to respond to any concerns and issues that may arise. Applicants Havan Phui and Richard Vuong have engaged experienced community liaison specialists to assist SBA Wellness' community outreach efforts, and will be visiting every business in a several block radius to introduce the project and engage the business owner and residents about the project, and request meetings with various business and neighborhood associations and other groups. In addition, SBA Wellness has distributed a letter to nearby businesses and residents introducing the collective and its founding members, informing the neighbors of our plans to open an MCD, and inviting them to contact us for more information and discuss any concerns or issues they may have

These initial outreach efforts serve three purposes – first, to inform the residents and businesses in the immediate vicinity about SBA Wellness's intent to open an MCD; second, to gather information from the neighbors about their perceptions, concerns and issues about medical marijuana generally and the proposed location and operation of the MCD; third, to initiate a dialog with the residents, business owners, members of the various community groups and SFPD. By presenting accurate information, soliciting community input and responding to concerns in a forthright and transparent manner, SBA Wellness hopes to dispel any misperceptions or misinformation about the project, earn the trust and respect of our neighbors, tailor the project as may be needed to address legitimate concerns and particular needs of our neighborhood, and ultimately obtain approval to move forward with the project.

SBA Wellness understands that the safe and successful operation of the MCD is an ongoing process that requires regular feedback from stakeholders – neighborhood residents, businesses, SFPD, patients, community groups, and our management team – critical evaluation of procedures and operations by those with experience and expertise in the relevant areas , and an open dialog so that medical marijuana patients in the Portola and surrounding neighborhoods have safe access and the neighborhood is positively impacted by our presence. The founding members of SBA Wellness are committed to this process, and believe that the entire community will benefit from our proposed MCD.

Item 4. Additional Circumstances Supporting Application

The Project meets the Medical Cannabis Dispensary criteria set forth in the Planning Code, and is consistent with the objectives and policies of the General Plan.

MEDICAL CANNABIS DISPENSARY CRITERIA

The MCD project proposed for 3015 San Bruno Avenue meets the five criteria to be considered by the Planning Department and Planning Commission in evaluating Medical Cannabis Dispensaries, per Planning Code Section 790.141. The applicant determined that the proposed location meets the following requirements of the Planning Code, and will be confirmed by the Planning Department staff as it processes SBA Wellness' application.

1. The parcel containing the MCD cannot be located within 1,000 feet from 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.

The project site is not located within 1,000' of an elementary or secondary school, public or private, or active recreation buildings or permitted community centers which primarily serve persons 18 years or less as defined by Section 790.141 of the Planning Code.

2. The MCD is not located on the same parcel as a facility providing substance abuse services that is licensed or certified by the State of California or funded by the Department of Public Health.

The project site 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.

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

No alcohol will be sold or distributed on the premises for on or off-site consumption, nor will consumption of alcohol be allowed on the premises.

4. If medical cannabis is smoked on the premises, the dispensary shall provide adequate ventilation within the structure such that the doors and windows are not left open for such purposes resulting in odor emission from the premises.

This Criteria is Not Applicable because the proposed SBA Wellness MCD will not include an on-site smoking area. Any odor from the medicinal cannabis stored and distributed to patients will be controlled by a carbon filter ventilation system, as indicated on the architectural plans and drawings.

5. Medical Cannabis Dispensary must meet all of the requirements in Article 33 of the San Francisco Health Code.

SBA Wellness has applied for a permit from the Department of Public Health, and has designed the project to meet the requirements of the San Francisco Health Code in all respects.

GENERAL PLAN COMPLIANCE:

The Project is consistent with the following Objectives and Policies of the General Plan:

COMMERCE AND INDUSTRY

Objectives and Policies

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

Policy 1.1: Assure that all commercial and industrial uses meet minimum, reasonable performance standards.

The location for the proposed SBA Wellness MCD meets all of the requirements in Section 790.141 of the Planning Code.

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.

The chronically ill patients who would be served by the proposed use are in great need of this type of medical service. By allowing the services provided by the MCD, its patients are assured safe access to medication for their ailments. Patients in the Portola and surrounding neighborhood districts currently have no MCDs operating in those areas of the City, and must travel several miles to other parts of the City to obtain their medicine.

PRIORITY GENERAL PLAN POLICIES FINDINGS, Items 1 through 8

PLANNING CODE SECTION 101.1 PRIORITY POLICIES

Planning Code Section 101.1 establishes eight priority policies and requires review of permits for consistency, on balance, with these policies. The Project complies with these policies as follows:

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

The proposed use is a neighborhood serving use. The location for the MCD is currently vacant so SBA Wellness will not displace a previous neighborhood serving use. The project will enhance future employment opportunities for residents by creating approximately 15-20 new jobs with good pay, employer-paid health insurance and other employee benefits,. The collective's management is intent on providing opportunities for local residents, and believes that in addition to the new jobs the MDC will create, local employment and business ownership will be further enhanced by the economic multiplier effect of spending on goods and services from businesses in the district and nearby neighborhoods.

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

The project will occupy a vacant ground floor commercial space and adhere with all signage regulations defined in Article 33 of the Health Code to help preserve the existing neighborhood character. The project would enhance the economic diversity of the neighborhood by establishing a use that provides vitally important safe access to an underserved patient community in the southern portions of the City.

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

The proposed MCD will occupy a vacant ground floor storefront previously used as a medical office and therefore will not displace any affordable housing.

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

The site is close to multiple public transit lines and the immediate neighborhood provides sufficient short-term parking so the use will not impede transit operations or impact parking.

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

The proposed MCD will occupy a vacant ground floor storefront, and thus will not displace any industrial or service industry establishments. It will contribute to a diverse economic base in the neighborhood by creating quality jobs and providing a critically important service for medical cannabis patients in need of safe access.

6. The City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The MCD will follow standard earthquake preparedness procedures and any construction would comply with contemporary building and seismic codes.

7. Landmarks and historic buildings be preserved.

The Project does not involve a Landmarked or Historic building. No historic buildings will be adversely affected by the proposed change of use from medical office to an MCD.

8. Parks and open space and their access to sunlight and vistas be protected from development.

The Project will not restrict access to any open space or parks and will not impact any open space or park's access to sunlight or vistas.

SBA WELLNESS: HEALTH, SAFETY, CONVENIENCE, GENERAL WELFARE

The SBA Wellness project as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

Nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structure;

The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking, including provisions of car-share parking spaces, as defined in Section 166 of this Code;

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

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

Nature of the proposed site will not be detrimental to health, safety, convenience or general welfare.

The project is a change of use with no change to the existing building footprint. Details of the tenant improvements, including ADA improvements, are shown in the Drawings submitted. See also,

Accessibility and traffic patterns will not be detrimental to health, safety, convenience or general welfare.

Safeguards afforded to prevent noxious or offensive emissions will not be detrimental to health, safety, convenience or general welfare.

The SBA Wellness project will include a properly permitted and approved HVAC system utilizing Activated Carbon Filtration (ACF). ACF involves forcing the air circulating within the HVAC system through an activated carbon filter in order to filter out odors and pathogens that may pose a public health risk. This method is highly effective and can be used in combination with other technologies such as negative ion generation (electrostatic precipitator) should additional air treatment prove desirable based on operational experience. Replacement of filters and regeneration of activated carbon as well as other routine maintenance will be performed in conformity with manufacturer's recommendation. In addition, the dust collector "sock" associated with the carbon filter will be changed out every 6-8 months for proper air flow. ACF is the least energy intensive of the three technologies (ACF, negative ion generation, and ozone generators) best suited for use in MCD operations to control noxious or offensive emissions. Generally, the energy required to run the filtration system is already accounted for in the HVAC air handling and exchange system.

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

SBA Wellness has developed security, lighting and transportation management plans to ensure that project will not be detrimental to health, safety, convenience or general welfare. (See attachments). Currently the 3000 block of San Bruno Ave has trees located in front of adjacent buildings to the North

and SBA Wellness believes (as reflected in the submitted Drawings) that the existing and proposed conditions and uses and sidewalk width and grade would accommodate addition of an approved San Francisco Street Tree Species in front of the project site (subject to DPW Order 178,631.)

USE COMPLIES WITH CODE AND WILL NOT ADVERSELY AFFECT THE GENERAL PLAN.

As reflected by this this application and its attachments, the MCD use proposed by SBA Wellness complies with Code and does not adversely affect the General Plan.

NO ARTICLE 7 ISSUES:

Planning Code 790.141 Assessment: Complies With All Criteria

The Project complies with the five criteria to be considered by the Planning Commission in evaluating Medical Cannabis Dispensaries, per Planning Code Section 790.141.

Project Complies With 1000 Foot School Buffer:

1. The parcel containing the MCD cannot be located within 1,000 feet from a parcel containing:

a. a public or private elementary or secondary school; or

b. a community facility and/or a recreation center that primarily serves persons under 18 years of age;

SBA Wellness Project Meets Criteria

The project site is not located within 1000 feet of an elementary or secondary school, public or private, or active recreation buildings or permitted community centers which primarily serve persons 18 years or less as defined by Section 790.141 of the Planning Code. Child care facilities are not considered as elementary or secondary schools and therefore an MCD is not restricted from being located less than 1000 feet from such uses. The closest school is located at _______, approximately _______ feet from the project site. The closest recreational building serving persons 18 years or less is located at _______, approximately _______ feet away. The Zoning Administrator has determined that the project meets all Planning Code requirements.(See attached Letter of Determination 2015-008651ZAD).

Project Does Not Impinge On Drug Treatment Center

2. The MCD is not located on the same parcel as a facility providing substance abuse services that is licensed or certified by the State of California or funded by the Department of Public Health

SBA Wellness Project Meets Criteria.

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.

Project Does Not Permit Alcohol Sale/Distribution

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

SBA Wellness Project Meets Criteria: Criteria Not Applicable

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

Project Does Not Permit On Site Cannabis Use

4. If medical cannabis is smoked on the premises, the dispensary shall provide adequate ventilation within the structure such that the doors and windows are not left open for such purposes, resulting in odor emission from the premises.

SBA Wellness Project Meets Criteria: Criteria Not Applicable

The proposed MCD at the project site does not and would not include an on-site smoking area.

Article 33 Criteria

5. In addition to these requirements, an MCD must meet all of the requirements in Article 33 of the San Francisco Health Code.

SBA Wellness Project Meets Criteria

The project sponsor has applied for a permit from the Department of Public Health and will be subject to Article 33 (Medical Cannabis Act) review as part of DPH's approval process.

No Article 7, Section 703.2(a) Issue:

Not Applicable

Additional Factors Favoring Approval

Staffing

The Planning Department and Planning Commission noted in the recent report to the Board of Supervisors several important operational characteristics for a successful dispensary that benefits the community:

MCDs should hire employees that are knowledge, professional and friendly. These three characteristics not only improve the patient experience, but they also help maintain good relationships with the adjacent community. Staff at MCDs should know their product so that patients are informed about their choices and they should have a good understanding of Health Code rules and regulations. In addition, security staff should also appear authoritative and professional, yet also friendly to non-patients and patients alike. Owners are not always there, so it is essential that MCDs hire professional and friendly staff as ambassadors for their MCD to the community.

SBA Wellness has a multifaceted plan to ensure that its workforce is knowledgeable, maintains the highest level of professionalism and provides prompt, friendly and responsive service. so that patients and community members interactions with the MCD and our staff are positive, patients and neighbors' needs are met, and each and every person leaves with a sense of having been treated with respect, given focused attention and provided with the knowledge and/or products appropriate for his or her situation. The main components of SBA Wellness workforce plan include:

- ✓ A hiring process that evaluates job candidates' experience and knowledge relevant to the position, including his or her understanding of the City's operating standards for MCDs and the state laws regulating medical cannabis. Job candidates demonstrating a thorough understanding of the rules, experience in the medical cannabis industry, an extensive knowledge about the history and medicinal uses and properties of cannabis, and a desire to help others ethically and responsibly will be selected over those merely seeking employment.
- ✓ The vetting process will involve contacting former employers and references, verification of information on resumes, and multiple interviewers to probe each candidates' s knowledge and experience relevant to the job duties of the position, as well as interpersonal skills.
- ✓ Once hired, employees will receive training to ensure they have the substantive knowledge and skills to perform their job duties.
- ✓ Employees will receive a comprehensive handbook of the Collective's employment policies and resources. The handbook covers topics such as patient confidentiality requirements, operational procedures, employee benefits, anti-discrimination and anti-harassment policies, grievance and disciplinary procedures, employment rights under City, state and federal labor laws, resources for further information and assistance, information on what SBA Wellness expects from its employees and what employees can expect from management of the Collective, and other topics important to a successful employment relationship.
- ✓ Regular evaluations of employee performance and prompt feedback from management to inform employees of issues where there is need for improvement, and acknowledge employees exhibiting outstanding skills or performance.
- ✓ Job offers will be extended to the candidates most qualified for the positions, and who possess the interpersonal skills and positive, helpful demeanor to provide the best service to our patients and be good representatives of the Collective, especially when interacting with our neighbors.

Transparancy

Another of the concerns addressed in the Planning Commission's report on the siting of MCD's and related issues concerned transparency of the storefront. "[T]wo of the main complaints about MCDs are their exclusivity and 'vibe.' While this can sometimes be attributed to the neighborliness of the MCD employees, it can also be determined by design and by how MCDs relate to the street. Many MCDs obscure their windows, but there are some that provide transparency into the store, which helps to better integrate the dispensary into the community. [...] While privacy concerns should be considered, hiding medical cannabis behind obscured windows only increases the feeling that MCDs are an illicit business."

SBA Wellness intends to be a part of the community and has designed the building façade windows to be transparent rather than opaque. Not only is such transparency required by the Planning Code, but having clear glass that is only slightly obscured by blinds, leaving the interior reasonably visible from the outside, addresses the concerns about exclusivity and a sense that the MCD is closed off from the community. The ability of SFPD officers to be able to see
into the interior from the street is also desirable for security reasons. SBA Wellness will comply with the transparency requirements.

Compassionate Care Program

Compassionate care is the idea of providing free or reduced cost medicine to patients in need. This service reinforces the MCD's role as a non-profit organization that takes care of the sick. Consistent with the 2008 Board of Supervisors resolution urging MCDs to "institute compassionate care programs to relieve the suffering of qualified low and no income patients who are not able, due to income, to attain safe and legal access to medical quality cannabis as recommended by a physician," SBA Wellness will provide free and reduced cost medical cannabis for our seriously ill patients who cannot afford the medicine they need.

Community Engagement

SBA Wellness has engaged with the community since early in the application process and will continue to provide such engagement after approval. The MCD will be a truly positive asset to neighborhood. SBA Wellness will hold meetings and open houses, join merchant organizations, initiate beautification projects, and make financial investments in the community.

RECEIVED



City and County of San Francisco DEPARTMENT OF PUBLIC HEALTH

JAN5 - 2016

Edwin M. Lee, Mayor

DEPARTMENT OF PUBLIC HEALTH ENVIRONMENTAL HEALTH BRANCH CITY & COUPARTMENT Richard J. Lee, MPH, CIH, REHS Medical Cannabis Dispensary Program Acting Environmental Health Director

Medical Cannabis Dispensary Planning Referral

For Health Department Use Only
Date of Application: $12/15$ Date to Zoning: $1/4/15$
Inspector: Ryan Clausnitzer - RRY KESSLER Telephone: 415-252-3856
To be Completed by Applicant Dispensary DBA: <u>SBA WELLNESS</u> 2016-000119 N
Dispensary DBA:SBA WELLNESS2016-000119 NAddress:3015 San Bruno Are., SF, CA Zip: 94134
Existing Business Use: Nor Applicable, building is vacant
Change of Ownership: \Box Yes \blacksquare No
New Establishment: 🛛 🔀 Yes 🗆 No
Is location now vacant? 🙀 Yes 🛛 No
What floor(s) will the business occupy? (check all that apply) 🛛 🔀 Street Level 👘 🗌 Other than street level
Dispensary Square Footage: 2,095 sq.ft. total building area; dispensary sq.feotage (1,0
Applicant's Name: HAVAN PHUI Mailing Address: 1630 39Th Ave., San Francisco, CA City, State: San Francisco, CA Zip Code: 94122 Applicant's Contact Number: 415-812-2272
For Department of City Planning Use Only
Zoning: NC-2 Block: 5467 Lot: 016
Limitations or Conditions (if any):
Building Permit Application #:
Planning Case #:
Approved: Date:
(Planner's Signature)
Disapproved: Date: Date:



Letter of Determination

October 21, 2015

Kit Lewis 3015 San Bruno Avenue San Francisco, CA 94134 1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

Site Address: Assessor's Block/Lot: Zoning District: Staff Contact: Record No.: 3015 San Bruno Avenue 5467/016 NC-2 (NEIGHBORHOOD COMMERCIAL, SMALL SCALE) Jeff Speirs, (415) 575-9106 or <u>jeffrey.speirs@sfgov.org</u> 2015-008651ZAD

Dear Mr. Wright:

This letter is in response to your request for a Letter of Determination regarding the property at 3015 San Bruno Avenue. This parcel is located in the NC-2 (Neighborhood Commercial, Small Scale) Zoning District and 40-X Height and Bulk District. The request is to determine if the subject property meets the requirements of Planning Code Section 790.141, if the subject property were proposed to be a Medical Cannabis Dispensary.

Planning Code Section 790.141(a)(1) requires that a parcel containing a proposed MCD may not be located within 1,000 feet from a parcel containing: 1) a public or private elementary or secondary school; or 2) a community facility and/or a recreation center that primarily serves persons under 18 years of age. Planning Department staff has reviewed available data, and conducted a review of properties within 1000 feet of the property. At this time, the subject property has been found to be in compliance with the proximity requirements of Planning Code Section 790.141. Please note that any proposed MCD would be subject to the Mandatory Discretionary Review Hearing requirements of Section 790.141. Further, MCDs in the NC-2 may only operate between the hours of 8:00 am and 10:00 pm.

APPEAL: If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,

Scott F. Sanchez

Zoning Administrator

cc: Property Owner Neighborhood Groups Jeff Speirs, Planner Sue Exline, Planner

www.sfplanning.org



1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

NOTICE OF PUBLIC HEARING

Hearing Date: Thursday, October 26, 2017 Not before 1:00 PM Time: Location: City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400 **Mandatory Discretionary Review** Case Type: Hearing Body: Planning Commission

PROPERTY INFORMATION

Project Address: Cross Street(s): Block /Lot No.: Zoning District(s): NC-2 / 40-X Area Plan:

3015 San Bruno Ave Paul Avenue 5467 / 016 n/a

APPLICATION INFORMATION

Case No.: Building Permit: Applicant: Telephone: F-Mail:

2016-000119DRM 2016.0728.3597 **Richard Vuong** (415) 368-5444 richardxvuong@yahoo.com

PROJECT DESCRIPTION

The Request is for Mandatory Discretionary Review of Building Permit Application No. 2016.0728.3597 proposing a change of use from Acupuncture Office to Medical Cannabis Dispensary (d.b.a SBA Wellness). The proposed MCD would be approximately 1,644 square feet in size at the ground level with a partial basement. No smoking or cultivation of cannabis is proposed on-site. No exterior changes are proposed.

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

ADDITIONAL INFORMATION

ARCHITECTURAL PLANS: If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans of the proposed project will also be available prior to the hearing through the Planning Commission agenda at: http://www.sf-planning.org

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF: Planner: Michael Christensen Telephone: (415) 575-8742 E-Mail: michael.christensen@sfgov.org



1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

公眾通知通知

 聽證會日期:
 2017年10月26日,週四

 時間:
 不早於下午1:00

 地點:
 市政廳,1 Dr. Carlton B. Goodlett Place, 400 室

 個案類型:
 強制性酌情審査

 聽證主辦者:
 規劃委員會

物業資訊		申請資訊	
項目地址: 十字路口: 街區 /地塊編號: 區劃地區:	3015 San Bruno Ave Paul Ave 5467 / 016 NC-2 / 40-X	個案編號: 建築許可證: 申請人: 電話: 電郵:	2016-000119DRM 2016.0728.3597 Richard Vuong (415) 368-5444 richardxvuong@yahoo.com
	項目	目描述	

要求是對建築許可證,申請號 2016.0728.3597 的強制性酌情審查,提議將針灸局用於醫療大麻藥劑 (d.b.a SBA Wellness)的使用。建議的 MCD 將在地面大約 1,644 平方英尺,部分地下室。建議現 場禁止吸煙或種植大麻。 沒有提出外觀變化。

根據《三藩市行政法典》第 31.04(h)款的規定,規劃委員會在公眾聽證會中的批准將構成 CEQA 項下的項目《批准行動》。

附加資訊

建築計劃:如果您想要查看提議項目的計劃,請與下列規劃者聯繫。該提議項目的計劃也將可以在聽 證會之前在下列網站通過規劃委員會議程調閱: <u>http://www.sf-planning.org</u>

市民在與委員會或規劃部溝通時,不需要提供個人識別資料。所有書面或口頭形式的溝通,包括提供 的個人聯繫資訊,可以根據要求供民眾檢查和複製,並且可能會出現在本部門的網站或者其他公開文 件中。

欲瞭解更多資訊,請與規劃部工作人員聯繫: 規劃者: Michael Christensen 電話: (415) 575-8742 電郵: <u>michael.christensen@sfgov.org</u>





1650 Mission Street, Suite 400 • San Francisco, CA 94103 • Fax (415) 558-6409

PAUNAWA NG PAMPUBLIKONG PAGDINIG

Petsa ng Pagdinig: Oras:	Huwebes, Oktubre 26, 2017 Hindi bago mag-alas 1:00 ng hapon
Lugar:	City Hall, 1 Dr. Carlton B. Goodlett Place,
	Room 400
Tipo ng Kaso:	Mandatory Discretionary Review [Ipinag-
	uutos na Pagsusuri Ayon sa Sariling
	Diskresyon]
Lupon ng Pagdinig:	Planning Commission (Komisyon ng
	Pagpaplano)

IMPORMASYON UKOL SA PAG-AARI		IMPORMASYO	N UKOL SA APLIKASYON
Address ng Proyekto: (Mga) Tinutumbok na Kalye: Numero ng Block / Lot: (Mga) Distrito ng Pagsosona:	3015 San Bruno Ave Paul Ave 5467 / 016 NC-2 / 40-X	Numero ng Kaso: Permit ng Gusali: Aplikante: Telepono: E-Mail:	2016-000119DRM 2016.0728.3597 Richard Vuong (415) 368-5444 richardxvuong@yahoo.com

PAGLALARAWAN NG PROYEKTO

Ang kahilingang "Mandatory Discretionary Review" ng Building Permit Application No. 2016.0728.3597 ay nanunukala ng pagbabago sa paggamit mulang opisina ng acupuncture upang maging Medical Cannabis Dispensary (o MCD bilang "SBA Wellness"). Ang panukalang MCD ay humigit kumulang 1,644 kwadrado sa lapag at may bahaging silong. Hindi pinapanukala ang paninigarilyo o ang pagtanim ng marihuwana sa sinasabing lugar. Walang panukalang bagbabago sa labas ng gusali.

Ang pag-aproba ng Planning Commission sa isang pampublikong pagdinig ay ituturing bilang Approval Action [Aksyon ng Pag-aproba] ng proyekto para sa mga layunin ng CEQA, alinsunod sa San Francisco Administrative Code [Codigo para sa Pamamahala ng San Francisco] Seksyon 31.04(h).

KARAGDAGANG IMPORMASYON

MGA PLANONG PANG-ARKITEKTURA: Kung interesado kayong makita ang mga plano para sa iminumungkahing proyekto mangyaring makipag-ugnayan sa tagaplanong nakalista sa ibaba. Maaari ding makita ang iminumungkahing proyekto bago ang pagdinig sa pamamagitan ng agenda Planning Commission na matatagpuan sa: http://www.sf-planning.org

Hindi kinakailangang magbigay ang mga miyembro ng publiko ng anumang personal na impormasyon na naglalahad ng kanilang identidad kapag nakikipag-ugnayan sila sa Komisyon o sa Kagawaran. Lahat ng mga pakikipag-ugnayang nakasulat o binigkas, kabilang ang mga isinumiteng impormasyon para sa pakikipag-ugnayan, ay maaaring ipakita sa publiko para suriin o kopyahin kung hilingin ito at maaari itong lumabas sa website ng Kagawaran o sa iba pang pampublikong dokumento.

PARA SA KARAGDAGANG IMPORMASYON, MANGYARING MAKIPAG-UGNAYAN SA TAUHAN NG KAGAWARAN PARA SA PAGPAPLANO:

Tagaplano: Michael Christensen Telepono: (415) 575-8742 E-Mail: michael.christensen@sfgov.org





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AVISO DE AUDIENCIA PÚBLICA

Hora: No ant Ubicación: City H Sala 4 Tipo de caso: Revisi	Jueves, 26 de octubre de 2017 No antes de la 1:00 PM City Hall, 1 Dr. Carlton B. Goodlett Place, Sala 400 Revisión discrecional obligatoria Comisión de Planificación	
INFORMACIÓN DE LA PROPIEDAD	INFORMACIÓN DE LA SOLICITUD	
Dirección del Proyecto: 3015 San Bruno Ave Calles de Cruce: Paul Ave Cuadra /Lote No.: 5467 / 016 Distrito(s) de Zona: NC-2 / 40-X	Caso No.:2016-000119DRMPermiso de Construcción:2016.0728.3597Solicitante:Richard VuongTeléfono:(415) 368-5444E-Mail:richardxvuong@yahoo.com	
DESCRIPCIÓN	DEL PROYECTO	
La solicitud del "Mandatory Discretionary Review" de la aplicación No. 2016-0728-3597 del Departamento de Construcción o "Building Department" que propone un cambio del tipo de negocio de acupuntura a cánnabis medicinal (negocio registrado como "SBA Wellness"). La solicitud MCD seria aproximadamente 1,644 pies cuadrados al nivel de calle con un sótano parcial. No habrá cultivo de cánnabis o permiso de fumar en el establecimiento. Tampoco habrán cambios al exterior del edificio.		

Una aprobación de la Comisión de Planificación en la audiencia pública constituiría el documente de la Acción de Aprobación para el proyecto para los propósitos de CEQA, conforme a la Sección 31.04(h) del Código Administrativo de San Francisco.

INFORMACIÓN ADICIONAL

PLANES ARQUITECTÓNICOS: Si usted está interesado en ver los planes para el proyecto propuesto, por favor póngase en contacto con el planificador listado a continuación. Los planes del proyecto propuesto también estarán disponibles antes de la audiencia a través de la agenda de la Comisión de Planificación en: <u>http://www.sf-planning.org</u>

Los miembros del público no están obligados a proporcionar información de identificación personal cuando se comunican con la Comisión o el Departamento. Todas las comunicaciones escritas u orales, incluyendo la información de contacto personal, pueden ser puestas a disposición del público para su inspección y copia, a solicitud y pueden aparecer en el sitio web del Departamento o en otros documentos públicos.

PARA MÁS INFORMACIÓN, POR FAVOR CONTACTE AL PERSONAL DEL DEPARTAMENTO DE PLANIFICACIÓN: Planificador: Michael Christensen Teléfono: (415) 575-8742 E-Mail: <u>michael.christensen@sfgov.org</u>



CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
Case No.	Permit No.	Plans Dated	
Addition/	Demolition	New	Project Modification
Alteration	(requires HRER if over 45 years old)	Construction	(GO TO STEP 7)
Project description for Planning Department approval.			

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

*Note: If n	*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*			
	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.			
	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family			
	residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; .;			
	change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000			
	sq. ft. if principally permitted or with a CU.			
	Class			

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an *Environmental Evaluation Application* is required.

=	· · _
	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).			
	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?			
	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area</i>)			
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>)			
	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>) If box is checked, a geotechnical report is required.			
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones</i>) If box is checked, a geotechnical report is required.			
	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones</i>) If box is checked, a geotechnical report will likely be required.			
	If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an <i>Environmental</i> <i>Evaluation Application</i> is required, unless reviewed by an Environmental Planner.</u>			
	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.			
Comments and Planner Signature (optional):				

STEP 3: PROPERTY STATUS – HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: (refer to Parcel Information Map)			
	Category A: Known Historical Resource. GO TO STEP 5.		
	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.		
	Category C: Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.		

STEP 4: PROPOSED WORK CHECKLIST TO BE COMPLETED BY PROJECT PLANNER

Che	Check all that apply to the project.			
	1. Change of use and new construction. Tenant improvements not included.			
	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.			
	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.			
	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.			
	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.			
	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of- way.			
	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .			
	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.			
Note	Note: Project Planner must check box below before proceeding.			
	Project is not listed. GO TO STEP 5.			
	Project does not conform to the scopes of work. GO TO STEP 5 .			
	Project involves four or more work descriptions. GO TO STEP 5 .			
	Project involves less than four work descriptions. GO TO STEP 6.			

STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW TO BE COMPLETED BY PRESERVATION PLANNER

Check a	Check all that apply to the project.				
	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.				
	2. Interior alterations to publicly accessible spaces.				
	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.				
	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.				
	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.				
	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.				
	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .				
	8. Other work consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):				

	9. Other work that would not materially impair a historic district (specify or add comments):		
	(Requires approval by Senior Preservation Planner/Preservation Coordinator)		
	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation		
	Coordinator)		
	Reclassify to Category A Reclassify to Category C		
	a. Per HRER dated: (attach HRER)		
	b. Other (<i>specify</i>):		
Note	: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.		
	Further environmental review required. Based on the information provided, the project requires an		
	Environmental Evaluation Application to be submitted. GO TO STEP 6.		
	Project can proceed with categorical exemption review. The project has been reviewed by the		
	Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6 .		
Comr	nents (optional):		
Prese	rvation Planner Signature:		
	6: CATEGORICAL EXEMPTION DETERMINATION		
TOB	E COMPLETED BY PROJECT PLANNER		
	Further environmental review required. Proposed project does not meet scopes of work in either <i>(check</i>		
	all that apply):		
	Step 2 – CEQA Impacts		
	Step 5 – Advanced Historical Review		
	STOP! Must file an Environmental Evaluation Application.		

No further environmental review is required. The project is categorically exempt under CEQA.		
Planner Name:	Signature:	
Project Approval Action:		
If Discretionary Review before the Planning Commission is requested,		
the Discretionary Review bearing is the Approval Action for the project.		
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter of the Administrative Code.		
In accordance with Chapter 31 of the San Francisco Administrative Cod within 30 days of the project receiving the first approval action.	e, an appeal of an exemption determination can only be filed	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a "substantial modification" and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different that	Block/Lot(s) (If different than	
		front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

1	
	Result in expansion of the building envelope, as defined in the Planning Code;
	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at loss	tone of the choice house is checked further anxies mental review is required

If at least one of the above boxes is checked, further environmental review is required.

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

	The proposed modifi	cation would not result in any of the above changes.			
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project					
approval and no additional environmental review is required. This determination shall be posted on the Planning					
Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.					
Planner Name:		Signature or Stamp:			
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SBA Wellness

Richard Vuong

A native of San Francisco, Richard Vuong was born in SF Chinatown and raised in the City. He has lived in the City all his life, half of that time in the Bayview and Ingleside neighborhoods.

After college, Mr. Vuong was hired as the manager at Vallejo Organics Center, a medicinal cannabis dispensary in Vallejo, where he supervised (all) areas from operations, human resources, and patient customer service. There, he was able to interact with cancer patients, war veterans with PTSD, and chronic pain sufferers.

The patients not only came to the dispensary for medicine, Jut came to the dispensary for support and for someone to listen to their situation. While working there, Mr. Vuong realized that medicinal cannabis dispensaries, more than anything else, were a "Place of Healing."

After working at the medicinal dispensary, Mr. Vuong returned to working in the Peninsula in the auto dealership industry. Though the difficult commute across the Bay Bridge has been removed, he never forgets the the kind, loving patients he encountered at the medicinal dispensary. He promised that he would one day return to the community to help similar cancer patients and war veterans in need.

Connecting at a family event, Mr. Phui and Mr. Vuong realized that they have similar dreams and compassion to give back San Francisco, a place they both call home. me all my life. A community I call home.

Richard Vuong

Working together, they assembled an opportunity to open a medical dispensary in a local neighborhood that does not have safe access to safe medicine for local patients. They will call this dispensary SBA Wellness. It will be at SBA Wellness that Mr. Vuong will have the opportunity to give back to the community of cancer patients and war veterans that he calls friends.

With Mr. Vuong's experience in managing dispensaries. and his sincere compassion for member patients, SBA Wellness will be not only be a place for medicine and healing, but for native San Franciscans to give back to San Francisco.

Havan Phui

As a native San Franciscan from the age of one, my conservative family and I call San Francisco home. I have never left San Francisco, and have witnessed how the city has grown and changed over time. San Francisco has helped my family and I grow and prosper, and now it is my turn to give back to the city, county, and community that has supported me all my life. A community I call home.

In 2004, I was in a severe car accident that almost took my life. I was severely injured in my stomach, lungs, kidney, and most of my vital organs collapsed. The doctors told my wife, twice, that I was not going to make it, but I was gifted a second and third chance in life. When I was awakened from unconciousness, my doctor said that my nerves may never reattach, and that I will be in permanent pain for the rest of my life.

To alleviate my pain and suffering, my doctor prescribed various opiates such as Vicodin, Percocet, and other pain killers. Unfortunately, these manufactured medicines have severe side effects such as nausea, mental and physical numbness, depression, loss of body control, and loss of appetite. Taking these manufactured medicines left me feeling just as worst as the pain itself.

In 2005, I was introduced to an alternative natural medicine called cannabis. I consulted my doctor, and he prescribed a prescription. I was then provided a variety of natural cannabis medicines to provide relief, anxiety, back pain, and overall pain nanagement. After trying cannabis vs. other pain relievers such as Percocet and Vicodin, I immediately switched to the cannabis.

Havan Phui

. Opening a medical cannabis dispensary a the chance for me to give back to San Francisco—the chance to provide a safe environment, for safe medicine, for the underserved community members of my city, that I call home.

History of Building

SBA Wellness' proposed location at 3015 San Bruno is in NC Zoning (Neighborhood Commercial, it has both commercial and residential use. It appears from Planning Department records, that the last permitted use of this building was in 2008 for a Chiropractic office. Numerous complaints are on file, for massage and hydroponic stores operating, and as well as construction upgrades without proper permitting. This storefront has remained empty, or with short term occupants for the last decade. Having a long term tenant, with full permit compliance will be a benefit for the surrounding area.

Previous Outreach

Please see Part 1 of SBA Wellness Planning Commission Submission from January 2017

2017 Outreach Efforts

Hosted Events

SBA Wellness has taken an active role to participate and host events in the Portola neighborhood to get to know more members of the community. These events include:

•Hosted free BBQ for GNG during their Block Party

- Hosted Multiple Happy Hours at FDR, including Beer and Make Up Night
- Organized three town halls at the community recreation center
- Hosted a Business Dinner with personal invites to business operators on San Bruno Corridor
- Neighborhood Walks seeking signatures & support
- Attended Neighborhood Events



Exterior Photos of SBA Wellness Proposed Location

3015 San Bruno Avenue at Paul



- Unveiling of Avenue Theater
- Community safety meetings (including Portola Neighbor hood Association & Portola Family Connections)
- Neighborhood Group Meetings

Neighborhood Safety Concerns

The feedback from neighborhood opposition includes; violence & safety on San Bruno Avenue corridor, general concerns for cannabis, concerns related to youth exposure, the former uses of this building, and the fact that more dispensaries will likely apply on San Bruno in the future.

SBA Wellness has sought professional assistance to develop their security plan to meet the standards of SFPD, to help make his area safer. We have created educational materials to share the history of cannabis and break down some of the existing stereotypes. SBA Wellness does not intend to operate without full permits from the city of San Francisco, calming the fear that another illegal use will be taking place here.

Hosted Events

- Hosted BBQ for GNG during their Block Party
- Hosted Happy Hour at FDR Organized Town hall
- Business Dinner, personal Invites to business operators Neighborhood Walks
- Attend Neighborhood Events
 Theater Opening
 Community safety meetings (PNA, PFC)

Active with Cannabis Organizations

Founders of SBA Wellness made connections within the cannabis community by actively attending monthly meetings, building relationships with membership, or by donating to on-profits working on cannabis policy. SBA Wellness has, and will continue to support the following organizations:

- SF State Cannabis Legalization Task Force
- Brownie Mary Democratic Club
- SF Chapter of Americans for Safe Access
- Asian Americans for Cannabis Education

Financial Support for Non Profit

SBA Wellness is a proud sponsor for The Avenue Theater Revitalization Project, by the Portola Neighborhood Association, and attended their Unveiling on September 13, 2017.

SBA Wellness has participated in meetings related to cannabis activism, attending Brownie Mary Democratic Club since 2016, and sponsoring one meeting in 2017. Once we open our doors, we have pledged to support local organizations such as Portola Family Connections and cannabis organizations such as Asian Americans For Cannabis Education.

Community Safety is the number one concern for the Portola neighborhood. SBA Wellness is looking into sponsoring incentives for gun-buy-back programs to reduce street vio lence.

SBA Wellness is working with the San Bruno Corridor Block Captain, and have agreed to help fund the installation of camera's along the San Bruno Corridor.

Restaurants on San Bruno Corridor

SBA Wellness does not have an established office at this time, as major remodeling needs to be done to our current facility. Strategy meetings have taken place at local restaurants, to show our support of the nearby small business operators and to experience the diverse menu that this neighborhood offers. The following locations have hosted SBA Wellness events, or staff meetings:

- La Placita Restaurant (see letter of Support in Personali zed Letters)
- Saigon BBQ
- Queens Po Boy
- Imperial Gardens
- Round Table
- Tops Cafe
- Fat Belli Deli
- Hawaiian Drive
- Ming Hui Dim
- 4 Barrel Coffee

- FDR (See letter of Support in Personalized Letters)
- Jim George's Donuts
- Ilobasco Restaurant & Pupuseria

Getting to know Neighborhood Business

SBA Wellness hosted a business dinner for all small business operators on San Bruno, from Olmstead Street to Silver Avenue, at Imperial Gardens Restaurant on September 15th. This was an opportunity to meet other storefront operators in the neighborhood. Personal invitations were distributed business by business by the founders, who are bi-lingual. The personal invitation and casual restaurant setting were opportunities to meet the founders and find out more about dispensary protocols. In addition, "nvitations to both town halls were hand delivered to nearby pusinesses, and posted in public places such as laundry mat bulletin boards and bus stops. This outreach to all neighborhood businesses extends far beyond the neighborhood notification requirements, as our goal is to build long term relationships with nearby small business operators.



SBA Wellness Distributed Business Dinner Invites between Silver and Olmstead. Local Businesses Who Do Not Oppose SBA Wellness There are a few businesses or organizations that were concerned about putting their support for cannabis in writing, but expressed "no opposition" to this project, they include:

- Saigon BBQ
- Rock Star Cellular
- Portola Family Connections
- Subway
- Native American Spiritual Wellness Center (ONAC church)
- Imperial Gardens

SBA Wellness worked hard to meet the members of our community. We have built relationships with local community leadership and active members by attending the meetings 'osted by the following neighborhood organizations:

- Goettingen Neighborhood Group
- Portola Neighborhood Association
- SAFE, SFPD's non-profit crime prevention partner through Luke the Corridor Manager & Public Safety Coordinator
- Portola Family Connection, Safety Meeting October 2, 2017 with Supervisor Ronin

Neighborhood Safety Concerns

Security Plan

SBA Wellness will be using Crime Prevention Through Environmental Design (CPTED) concepts for consideration and implementation. In a nutshell, the CPTED process seeks to reduce the fear and incidents of crime, by manipulating the build and physical environments within the community, so as to reduce crime, statistically, and the everyday perception of crime.

CPTED's philosophy focuses on three crime prevention strategies to improve quality of life issues. These strategies are Natu ral Access, Natural Surveillance and Territorial Reinforcement.

Natural Access deals with controlling the movement of individuals onto the property site, in this case, SBA Wellness. The planned physical environment, using defined walkways, entrances, exits and driveways combined and tied in with landscaping, fencing and signage are methods that can be employed to accomplish control. As for the interior of the premises, we will direct activities by counters and furniture located inside the dispensary. That control affords us the ability to direct people on where to walk, stand, congregate and use the area as planned.

Natural Surveillance allows good visibility to deter crime. As you are aware, most common criminals rely on concealment and the ability to remain anonymous as they commit their crimes. Areas that provide this type of environment are more appealing and prone to being targeted. When a property allows for Natural ^urveillance by normal pedestrian foot and vehicular traffic, they ultimately benefit from the enhanced security. Territorial Reinforcement helps define the ownership of a property by defining public and private space use. In the case of SBA Wellness, we will maintain strict controls of patron foot traffic. Properties that let the user know what is public and directed use, send out a clear message of accountability. When a property site is maintained and defined properly, the individual user understands certain activities will not be allowed.building safer communities.

The SBA Wellness security survey starts the process of addressing safety concerns, security measures, risk assessment, proposed policies, procedures, practices and physical improvements..

Lighting

The driveways, sidewalks, recesses and grounds surrounding ane areas will be provided with (enough) lighting of sufficient wattage to provide adequate illumination to make clearly visible the around the area at after dark. Such lighting such be sufficient enough to allow a person to be seen from approximately 250 feet away.

Transitional lighting may be incorporated into the design so as to maintain aesthetics while also providing proper illumination for security reasons. As an example, more lighting should be used in the area of the sidewalk and as well as the dispensary entrance, in the 3000 block of San Bruno Avenue, South of Paul Avenue.

Direct lighting will be used in recessed areas such as walkways that access the property. The lighting will illuminate sidealks, entrances and passageways. Lighting fixtures will be high All pedestrian access has their own light source which will ...dequately illuminate ingress/egress areas at all hours in order to make any person in the area clearly visible & provide adequate illumination for persons entering and exiting. Exterior lighting sources to consider: Incandescent lighting, Florescent lighting, Mercury vapor lighting, Sodium vapor lighting and Metal Halide lighting. Metal Halide lighting is recommended for the area. Lighting uniformity is recommended to maintain a consistent level of light illuminating an area.

Exterior lighting sources to consider: Incandescent lighting, Florescent lighting, Mercury vapor lighting, Sodium vapor lighting and Metal Halide lighting. Metal Halide lighting is recommended for the area. Lighting uniformity is recommended to maintain a consistent level of light illuminating an area. Lighting Trespass is a consideration for neighbors and traffic afety. Light directionals should be used to prevent light pollution from spilling over into the neighbors' property, the businesses across the street, and on-coming traffic.

Lighting Controls used: Interval timer (allows lights to be turned off automatically after a preset time), Photo sensor (are used typically to operate outdoor lights from dusk until dawn or reduced lighting during the day) and a timer clock (used to switch lights on at designated times).

Landscaping

Landscaping in the rear yard, will be situated to maximize observation while providing the desired degree of aesthetics and control. Planters with shrubs and bushes will be maintained at Jaist level height in order to create a visible and defensible space. Plants and shrubs with edges and thorns will be used to prevent tampering and trespass. Defensible Plants or Barrier lants may be considered for the rear and fence areas (Paul Avenue), such as Fire Horn, Bougainvillea, Pyracantha, Holly and and Roses.

Fencing / Access Control

Perimeter fencing and security gates of an open design, such as wrought iron with tubular steel may be utilized in order to establish territorial and defensible space, while maintaining natural surveillance and visibility. Trash containers will be an open and visible so as not to provide concealment of persons.A Convex mirror will be installed at the corners of the building to provide better visibility to the sidewalk.

Security and Camera Systems

Surveillance cameras will be installed at raised and fixed positions for later review when necessary. A total of ten cameras, which will be state of the art color and low light equipped, will be utilized.

Camera footage will be maintained off-site (cloud storage) for a total of thirty (30) days and made available to law enforcement upon request. Cameras will be geared to minimizing any internal or external shrinkages, always maintaining a closed looped system.

Alarm system will be that to have contact sensors, motion sensors and panic alarm activation points all monitored by an off-site security alarm vendor.

Signage in compliance with City regulations restricting trespassing, soliciting and loitering will be placed at all entrances. gns will be of a uniform nature, with a white background and two inch solid black lettering making reference to all municipal and state applicable laws.

Staffing

Three (3) unarmed uniformed security staff will be on-site during business hours. Shift assignments will vary based upon days and hours of operations. Regular and routine trainings will be conducted with security staffing.

Security surveys will be considered living documents that should be built upon for future considerations of new policies, practices and procedures. The site security survey is crucial in identifying key risk factors present that inhibit security measures and quality of life issues.based on the footage provided by SBA Wellness. We are committed to working with our neighbors, local business and SFPD to reduce violence in our community

Community Safety Plan

To help safeguard the neighborhood, SBA Wellness is working with the San Bruno Ave corridor captain to install high resolution video cameras at strategic locations around the neighborhood to deter and solve crime. These systems will be donated by SBA Wellness at no cost to participating building and business owners. The video footage will only be used for crime prevention, and will only be shared with SFPD or other proper authorities to help solve crimes. SBA Wellness is working with key community groups including the Street Violonece Intervention Program by developing a gun buy back program.

SBA Wellness Printed Materials



HAVAN PHUI

As a native San Franciscan from the age of one, my conservative family and I call San Francisco home. I have never left San Francisco, and have witnessed how the city has grown and changed over time. San Francisco has helped my family and I grow and prosper, and now it is my turn to give back to the city, county, and community that has supported me all my life. A community I call home.

In 2004, I was in a severe car accident that almost took my life. I was severely injured in my stomach, lungs, kidney, and most of my vital organs collapsed. The doctors told my wife, twice, that I was not going to make it, but I was gifted a second and third chance in life. When I was awakened from unconsciousness, my doctor said that my nerves may never reattach, and that I will be in permanent pain for the rest of my life.

To alleviate my pain and suffering, my doctor prescribed various opiates such as Vicodin, [¬]ercocet, and other pain killers. Unfortunately, these manufactured medicines have severe side effects such as nausea, mental and physical numbness, depression, loss of body control, and loss of appetite. Taking these manufactured medicines left me feeling just as worst as the pain itself.

In 2005, I was introduced to an alternative natural medicine called cannabis. I consulted my doctor, and he prescribed a prescription. I was then provided a variety of natural cannabis medicines to provide relief, anxiety, back pain, and overall pain management. After trying cannabis vs. other pain relievers such as Percocet and Vicodin, I immediately switched to the cannabisthe natural pain reliever alternative. Cannabis provided the same pain relief as the prescribed manufactured opiates without the side effects. more active and stranger each day.With pain relief and no side effects from cannabis, I was starting to become myself again, and was becoming more active and stronger each day

Late 2005. I was able to return to limited light work and became an employee of the medical cannabis dispensary that I purchased from. I was able connect and consult with other patients of similar backgrounds and educate them on the advantages of medical cannabis vs. manufactured opppiates. tomers, they were my extended family. In 2006, I regained my physical strength, avoided the debilitating side effects of opiate medicines, and was able to return to heavy duty physical work. Because I regained my strength and managed my physical pain, I was able to get a physically demanding job at United Airlines. Though I left the work in the medical cannabis dispensary that helped save my life, I never forgot how compassionate the workers, the patients, and the community were. My dream was to one day give back to the community that helped save my life.

Coming from a very conservative family background, my use of cannabis to relieve my physical pain was not always welcomed. When my Uncle was diagnosed with cancer, he suffered from intolerable pain. I begged him to try cannabis to alleviate the pain, but unfortunately he did not. He suffered painfully for 2 weeks and passed away. After that experience, I vowed to do my best to make sure no one suffers that kind of pain. It will be my passion to educate the members of my community, who reflect my heritage, of the useful effects of medicinal cannabis.

More than a decade later, I have worked hard, saved money, and am now in the position to give back to the community. That is why I am proud, and honored, to have worked hard to create a medical cannabis dispensary in my neighborhood. Opening a medical cannabis dispensary is the chance for me to give back to San Francisco—a chance to provide a safe environment, for safe medicine, for the under served community members of my city, that I call home.

S^Bwellness

Richard Vuong

A native of San Francisco, was born in SF Chinatown and raised in the City. He has lived in the City all his life, with half of the time in the Bayview and Ingleside neighborhoods.

After college, Mr. Vuong was hired as the manager at Vallejo Organics Center, a medicinal cannabis dispensary in Vallejo, where he supervised all areas from operations, human resources, and patient customer service. There, he was able to interact with cancer patients, war veterans with PTSD, and chronic pain sufferers.

The patients not only came to the dispensary for medicine, but came to the dispensary for support and for someone to listen to their situation. While working there, Mr. Vuong realized that medicinal cannabis dispensaries, more than anything else, were a "Place of Healing."

After working at the medicinal dispensary, Mr. Vuong returned to working in the Peninsula in the auto dealership industry. Though the difficult commute across the Bay Bridge had been removed, he had never forgot about the kind, loving patients he encountered at the medicinal dispensary. He promised that he would one day return to the community to help similar cancer patients and war veterans in need.

Connecting at a family event, Mr. Phui and Mr. Vuong realized that they had similar dreams and compassion to give back to San Francisco, a place they both call home.

Working together, they assembled an opportunity to open a medical dispensary in a local neighborhood that did not have safe access to safe medicine for local patients. They would call this dispensary SBA Wellness. It will be at SBA Wellness that Mr. Vuong will have the opportunity to give back to the community of cancer patients and war veterans that he calls friends.

With Mr. Vuong's experience in managing dispensaries. and his sincere compassion for member patients, SBA Wellness will be not only be a place for medicine and healing, but for native San Franciscans to give back to San Francisco.

SAwellness

Cannabis Use In China

The first written documentation of the medical value of cannabis was some 4,500 years o in "The Herbal", written by the father of Chinese Herbal Medicine, Shen Nung. The Herbal Is the earliest Chinese text concerning human use of herbs for medicinal application. "Ma", cannabis tea was recommended for over 100 illnesses including gout, maleria, and digestive ailments. Cannabis Hemp was the earliest documented plant used for production in China, including the production of textile fiber. Yanhai tombs in the Turpain District of the Xinghian-Rlghur region of China, included a Shaman buried with cannabis dating back 2500 years. It was not until 1985 that the People's Republic of China joined the Convention on Psychotropic Substances, making it illegal to use or posses the cannabis plant.

Drug History

In the early 19th century (prior to labeling laws), cannabis was a commonly used ingredient in over the counter remedies available without a prescription at Drug Stores. Cannabis products included cough syrups, pain relief, and infant sleep aids. In 1915 California banned the use of cannabis, presumably so that law enforcement could enforce these laws against immigrants from Mexico who were using "marijuana" while they were working in California. In 1875 a similar law was put in place in San Francisco against smoking of opium. Law enforcement used this as a way to target the Chinese immigrants working in California (Opium smokers sought refuge in underground Opium dens).

History of California Medical Laws

In 1996, the voters of California were the first in the United States to approve medical cannabis. Soon after in 1998 the first medical cannabis dispensary opened here in San Francisco by one of the Ballot supporters, Dennis Peron. SB420 was introduced in 2003 by our state legislature to troubleshoot some of the gray area that our law created. Additionally judges statewide looked at challenges within each jurisdiction which often conflicted with each other. The confusion over multiple court decisions, lead to California's top cop, the Attorney General to write his interpretation of how to follow state law (AG Guidelines of 2008, Jerry Brown). In 2015, MCSRA was put in place providing extensive regulatory laws and by November of 2016, voters of California approved adult cannabis use and a medical system for those 21 and over

SF History of Medical Cannabis Dispensary Permits

Prior to cannabis regulations (2005), an estimated 44 dispensaries were operating in San Francisco, unregulated with very few complaints from local business or residents about the facilities in operation. In December of 2005, San Francisco was the first city in the nation to pass rules written by Board of Supervisors regulating the existing medical cannabis dispensaries. Many of these facilities had to move to more appropriate city approved zones to continue peration. Since the implementation of these rules 12 years ago, there have been no amendments introduced to expand these green zones. Limitations on available commercial properties have left very few options for dispensary locations, and there is a lot of competition on these few available locations. San Francisco does not have a cap on the number of licenses it will issue, because the zoning itself is very restrictive.

San Francisco State Legalization Task Force

In 2015, a number of cannabis legalization bills were introduced in California, one made it onto the ballot (Prop 64). In anticipation of future legalization, then seated Board of Supervisor Scott Weiner (currently represents State Senate, District 11) introduced a group that would work on these policies. This Task Force requires consensus (everyone to vote the same way). Voting members includes ten Board of Supervisor appointed public seats, ten city agencies, and the State Board of Equalization. The State Cannabis Legalization Task Force was created to give recommendations to San Francisco on cannabis policies.

Current California Medical Cannabis Laws

The Governor of California recently drafted and passed a bill (SB94, June 2017), that would synchronize medical cannabis, and adult use laws. The proposed license types are to prevent diversion to the wrong markets. Starting in 2018, the state of California's Bureau of Medical Cannabis Regulation (BMCR) will be issuing licenses to those business which meet the requirements. One of these prerequisites includes having a license from your local city or county. By 2018, all cannabis permits issued within city limits, will require approval from from City of San Francisco, and State of California. Also in 2018, all manufactured cannabis products will be required to have labeling identification including the ingredients so that accidental ingestion can be avoided.

Federal Law

Rohrabacker-Farr introduced a budget proposal known as the CJA Amendment passed annually since 2014, which does not allow for federal Drug Enforcement Agency resources to be used in medical states or states intending to pass medical cannabis laws. In October of 2015, Judge Breyer ruled that with the CJS Amendment in place, the budget does not allow for federal resources to prosecute an entity following state law, as states have the authority issue or revoke licenses based on their laws. THC, the psychoactive ingredient of cannabis, in addition to non psychoactive ingredients like CBD, remain on the federal controlled substances list as schedule 1. Over 20 years since our first state approved medical use, we now have 45 states with legalization, medical, or decriminalization cannabis laws in place.



COMMUNITY BBQ SUPPORTING THE GOETTINGEN STAIR BEAUTIFICATION PROJECT

DATE: August 12, 2017

> TIME: 12:00 -4:00

LOCATION: GOETINGEN & DWIGHT

Cant make it but want to get involved?



VOTE FOR GOETTINBERG!



http://portolaplanet.com/2016/04/portolartgoettigen-cascades-a-new-art-projectcoming-to-the-portola/

STOP BY THE BBQ FOR A TICKET TO PARTICIPATE IN A FREE SOCIAL COMMUNITY HAPPY HOUR THE EVENING OF AUGUST 12th, 2017

5-7 PM at FERMENT. DRINK. REPEAT. 2636 San Bruno Avenue San Francisco, CA 94134

SAwellness



Please join us for a town hall conversation to discuss Medical Cannabis access in the Portola District Friday August 25th, 2017

500 Felton St, San Francisco, CA 94134

GUEST SPEAKERS

Sarah Shrader, SF Cannabis Legalization Task Force Public Policy Seat Dorji Roberts, attorney for San Bruno Avenue Wellness ...More TBA..

DISCUSSION & AGENDA

Current State of Cannabis Laws Moving forward in San Francisco with the State Cannabis Legalization Task Force Cannabis Access in Portola Safety Concerns for the Neighborhood Brainstorm on how to solve or address these Safety Concerns Suggestions or input for community support

Refreshments provided. Everyone Welcome. Wheelchair Accessible. Near bus route 44

FOR MORE INFORMATION VISIT OUR FACEBOOK PAGE: http://bit.ly/2woClMk
SAwellness

QUESTIONNAIRE FOR OUR NEIGHBORS

NAME:

DATE:

ADDRESS:

EMAIL:

- 1. How do you want to see the front facade designed? (Example, open windows, color, Greenery)
- 2. Is it okay to have a nice sign with our logo outside?

3. What type of uniforms should our staff wear? (Ex. 3 Piece Suit)

- 4. What type of wholistic community services would you like to see us provide?
 (Example: Yoga, acupuncture, resume workshops, neighborhood cleanups)
- 5. How do you see s being a good community partner?

6. What is your number one concern?



Dear Small Business Operators,

SBA Wellness would like to take the opportunity to invite you to a formal business dinner to gather as a community and connect with other business operators from your area. SBA Wellness has applied for a permit to operate a medical cannabis dispensary at San Bruno and Paul.

This event will be held at Imperial Gardens restauraunt at 2626 San Bruno Avenue, on Friday September 15th at 6pm. We have reserved two seats for yourself and a guest of your choice to join us for a fune dining experience with the San Bruno Avenue community.

Please RSVP via Call or Text:

415-343-5619

wellness

Look forward to meeting you,

Richard & Havan

Founders of SBA Wellness

SBA Wellness Town Hall OCTOBER 6, 2017 6 to 9 PM 500 Felton St, San Francisco, CA 94134

Please join us for a town hall conversation to discuss Medical Cannabis access in the Portola District

Refreshments provided. Everyone Welcome. Wheelchair Accessible. Near bus route 44

Guest Speakers

Terrance Alan, Chair - San Francisco State Cannabis Legalization Task Force **Sarah Shrader**, Public Policy seat SF State Cannabis Legalization TF **Richard Vuong & Havan Phui**, Founders of SBA Wellness

Cannabis Policy in San Francisco & in California

Current State of Cannabis Laws What changes do we anticipate? Moving forward in San Francisco State Cannabis Legalization Task Force Recommendations Legislation Process Ahead Cannabis Access in Portola

Community Concerns

Learning More About SBA Wellness Neighborhood Safety Plan Organizational Support

Community Brainstorm

Identifying problems or fears that may develop with a dispensary opening Brainstorm solutions to our "problem" list Suggestions or input for existing alliances

Cannabis Operations SBA Wellness

Location Operators Safety Concerns

> FOR MORE INFORMATION VISIT OUR FACEBOOK PAGE: http://bit.ly/2woCIMk



Dear Commissioners, Planning Department, Supervisor Hillary Ronen,

I am a resident of San Francisco, and I am urging you, to approve the dispensary application for San Bruno Avenue Wellness (a proposed Medical Cannabis Dispensary) at 3015 San Bruno Avenue in the Portola District. Patients in this area have been severely under-served as access to medicine remains limited in this district.

SBA Wellness has committed to having a good neighbor policy, a zero tolerance policy for members who violate their membership rules, and has an extensive security plan that will benefit the surrounding area and deter crime. This safety plan includes high definition cameras, guards with body cameras, and outdoor lighting.

Please approve SBA Wellness at 3015 San Bruno Avenue, a minority owned MCD at San Bruno Avenue & Paul Avenue.

FIRST/LAST NAME	ADDRESS/ZIP	EMAIL	SIGNATURE

SAWELLNESS

WELCOMES YOU TO SUPPORTER APPRECIATION NIGHT AT FERMENT. DRENK.REPEAT.

2636 San Bruno Avenue IN SAN FRANCISCO Friday, October 20 6-9pm Everyone Welcome

	on October 26, 2017. It is matter what neighbor- zero tolerance policy for at will benefit the sur-	nmunity come out and	ease sign up below! pdates)	EMAIL					
less	owned MCD applicant o access to medicine no r good neighbor policy, a xtensive security plan th ter crime.	o have the cannabis con ort.	g and celebration ple it only guarantees up	PHONE NUMBER					
SAwellness	t for SBA Wellness, a minority owned MCD applicant on October 26, 2017. It is ts of San Francisco have a safe access to medicine no matter what neighbor- ss has committed to having a good neighbor policy, a zero tolerance policy for embership rules, and has an extensive security plan that will benefit the sur- rounding area and deter crime.	l a lot of opposition we hope to have the cannabis community come out and show their support.	terested in joining our luncheon, hearing and celebration please sig (This does no obligate you to the event, it only guarantees updates)	LAST NAME					
	Please come show your support for SBA Wellness, a minority owned MCD applicant on October 26, 2017. It is of importance that all residents of San Francisco have a safe access to medicine no matter what neighbor-hood they reside in. SBA Wellness has committed to having a good neighbor policy, a zero tolerance policy for members who violate their membership rules, and has an extensive security plan that will benefit the surmembers who violate their members and deter crime.	Our last meeting was met with a	If you are interested in joining our luncheon, hearing and celebration please sign up below! (This does no obligate you to the event, it only guarantees updates)	FIRST NAME					

SAVE THE DATE

SBA Wellness would like to take the opportunity to invite you to our Planning Commission meeting later this month. SBA Wellness has applied for a permit to operate a medical cannabis dispensary at San Bruno and Paul.

OCTOBER 26th, 2017

1PM

DETAILS TO BE ANNOUNCED

http://bit.ly/2woCIMk

CONTACTS US 415-343-5619



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OCTOBER 26th, 2017

1PM DETAILS TO BE ANNOUNCED

http://bit.ly/2woCIMk

CONTACTS US 415-343-5619





Printed: 20 December, 2016

October 26, 2017 Planning Commission Hearing



Printed: 13 October, 2017

SAN FRANCISCO



	1
	REVISIONS:
of building on site. Notify Architect at time crepancy or inconsistencies found.	2 3
ry schedules as a part of their bid	4 5
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	DF SHEETS

D.A. CHECKLIST (p. 1 of 2): The address of the project	s:
For ALL tenant improvement projects in commercial use spaces, both reproduced on the plan set and signed.	pages of this checklist are required to be
1. The proposed use of the project is Office, Restaurant, etc.)	(e.g. Retail,

- 2. Describe the area of remodel, including which floor:
- & threshold are updated annually).
- 4. Is this a City project and/or does it receive any form of public funding? Check one: <u>Yes</u> / <u>No</u> Note: If Yes, then see Step 3 on the Instructions page of the Disabled Access Upgrade Compliance Checklist package for additional forms required.

Conditions below must be fully documented by accompanying drawings

- 5. Read A through D below carefully and check the most applicable boxes. Check one box only:
- A: All existing conditions serving the area of remodel fully comply with access requirements. No further upgrades are required: Fill out page 2 of D.A. Checklist
- B: Project Adjusted cost of construction is greater than the current valuation threshold: Fill out and attach page 2 of D.A. Checklist and any other required forms to plans
- C: Project adjusted cost of construction is less than or equal to the current valuation threshold:
- List items that will be upgraded on Form C. All other items shall be checked on page 2 of the D.A. Checklist in the "Not required by code" column.
- D: Proposed project consists entirely of Barrier removal Fill out and attach Barrier removal form to Plans
- E: Proposed project is minor revision to previously approved permit drawings only. (Note: This shall NOT be used for new or additional work) Provide previously approved permit application here: _______. Description of revision:

CBC chapter 2 section 202 Definitions:

Technically Infeasible. An alteration of a building or a facility, that has little likelihood of being recompliance with the minimum requirements for new construction and which are necessary to provide accessibility.

accessibility.
Unreasonable Hardship. When the enforcing agency finds that compliance with the building standard
would make the specific work of the project affected by the building standard infeasible, based on an
overall evaluation of the following factors:
1. The cost of providing access.
2. The cost of all construction contemplated.
3. The impact of proposed improvements on financial feasibility of the project.
4. The nature of the accessibility which would be gained or lost.
5. The nature of the use of the facility under construction and its availability to persons with disabilities

6

The details of any Technical Infeasibility or Unreasonable Hardship shall be recorded and entered into the files of the Department. All Unreasonable Hardships shall be ratified by the AAC.

L		1				1	1	Location of deta
Note: upgrades below are listed in priority based on CBC-118-2024, exception 8	Existing Fully Complying	Will be Up-graded to Full Compliance	Equivalent facilitation will provide full access	Compliance is Technically infeasible	Approved in compliance with immediately preceding code	Not required by Code (and/or none txisting)	Non-compliant request URH Must be ratified by AAC	include detail no drawing sheet (<u>leave this part la</u> Also clarification comments can b here.
A.One accessible entrance including: approach walk, vertical access, platform (landings), door / gate and hardware for door/gate								
B.An accessible route to the area of remodel including:		-			1			
Parking/access aisles and curb ramps								
Curb ramps and walks								
Corridors, hallways, floors								
Ramps elevators, lifts								
C. At least one accessible restroom for each sex or a single unisex restroom serving the area of remodel.						0		
D. Accessible public pay phone.								
E. Accessible drinking fountains.								
F. Additional accessible elements such as parking, stairways, storage, alarms and signage.						٥		
See the requirements for additional forms listed below	1.	2.	3.	4.	5.	6.	7.	

- No additional forms required No additional forms required Fill out Request for Approval of Equivalent Facilitation form for each item checked and attach to plan. Fill out Request for Approval of Technical Infeasibility form for each item checked and attach to plans. Provide details from set of City approved reference drawings, provide its permit application number here:___________and list reference drawing number on plans. No additional forms required Fill out Request for an Unreasonable Hardship form for each item checked and attach to plan. All UHR must be ratified by the Access Appeals Commission (see UHR form for details)

Form C: DISABLED ACCESS 20% RULE

This form is only required for projects equal to or under the valuation threshold who off on the D.A. Checklist and is for providing an itemized list of the estimated cost used for disabled access upgrades for this project. Reproduce this form along with the any required form(s) on the plans.

Based on CBC Section 11B-202.4 Exception 8, only projects with a construction co the valuation threshold (current ENR Construction Cost Index Amount) are eligib choosing which accessible elements to provide, priority should be as listed on p. 2 of

In general, projects valued over the threshold are not eligible for the 20% rule Exceptions1 through 8 for other exceptions).

CBC Section11B-202.4, Exception 9 (abbreviated): In alteration projects involving previously approved & built without elevators, areas above & below the ground floor r disproportionality provisions described in Exception 8, even if the value of the project threshold in Exception 8. Refer to the Code for the types of buildings & facilities that disproportionality provisions when project valuation is over the threshold.

Contractor's Estimated Cost A) Cost of Construction: (Excluding Alterations to the Path of Travel as required by 11B-202.4) \$ B) 20% of A): \$ List the Upgrade Expenditures and their respective construction cost below s

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Total I	Jpgr	ade	Expe	nditu	res		
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Id when box "C" is ebecked d costs for the expenditures with the D.A. Checklist and on cost less than or equal to eligible for the 20% rule. In p. 2 of the D.A. Checklist. or rule (see CBC 11B-202.4 olving buildings & facilities floor are subject to the 20% project exceeds the valuation es that qualifies for this 20% DBI Revised Cost S		SJA DEVELOPMENT- SJA DEVELOPMENT- LLC DESIGN DIVISION 562 BRYANT STREET TEL (415) 684-0632 SAN FRANCISCI, CA 94107 SAN FRANCISCI, CA 94107
	8	TENANT IMPROVEMENTS FOR SBA WELLNESS 3015 SAN BRUNO AVE. SAN FRANCISCO, CA 94108
		SAN FRANCISCO BUILDING DEPT. DA-02 DISABILITY ACCESS CHECKLIST DATE: 7/18/16 SCALE: AS SHEWN DRAWN BY: WILSEN NG SHEET NE. T-2

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<u>(E) SITE MAP</u> _{NTS}





REVISIONS SJA DEVELOPMENT-/ RAYMOND S. S C-64647 EXP: 6/30/20 TENANT IMPROVEMENTS FOR 3015 SAN BRUNO AVE. SAN FRANCISCO, CA 94108 SBA WELLNESS EXISTING MAP & SITE PLAN DATE: 7/18/16 SCALE: AS SHOWN DRAWN BY: W.J.N JOB NO. SHEET ND. A-1

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TENANT IMPROVEMENTS FOR	SBA WELLNESS	3015 SAN BRUNO AVE. SAN FRANCISCO, CA 94108	
REFL CEIL date: scale:	7/18/ AS BY: W.J.	ED PLAN 16 SHOWN .N	

CEILING HT. @ 7'-6"



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ĒA	135 SQ. FT.	@ 15 P/S.F.	9)EV	N DI EET
VEL	150 SQ. FT.	_			SJA I LLC	DESIGN DIVI 562 BRYANT STREET SAN FRANCISCO, CA 94107
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