



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use Authorization Hearing Date: April 18, 2019

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Record No.:* [2018-012416CUA](#)  
*Project Address:* 1345 Underwood Avenue  
*Zoning:* [Core Production, Distribution, & Repair \(PDR-2\) Zoning District](#)  
[40-X Height and Bulk District](#)  
*Block/Lot:* 4811 / 006  
*Project Sponsor:* Esther Gonzalez-Parber  
Studio North  
391 Sutter Street #803  
San Francisco, CA 94108  
*Staff Contact:* Michael Christensen – (415) 575-8742  
[Michael.christensen@sfgov.org](mailto:Michael.christensen@sfgov.org)  
*Recommendation:* **Approval with Conditions**

### PROJECT DESCRIPTION

The Project includes the establishment of a 9,383 square-foot Industrial Agriculture (cannabis cultivation), use in an existing one-story warehouse space.

### REQUIRED COMMISSION ACTION

For the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 210.3 and 303, to permit the establishment of an Industrial Agriculture use in the PDR-2 Zoning District.

### ISSUES AND OTHER CONSIDERATIONS

- **Conversion of PDR Space.** The Department is working with the Office of Cannabis to track the amount of Industrial space that is being converted to Agricultural uses, chiefly the cultivation of cannabis. However, such information is not yet available. The project under review a legitimization of an existing cultivation facility.
- **Tenant History.** The project sponsor reports that the subject industrial building was previously utilized by the property owner as a metal fabrication company, which ended operation prior to this cannabis cultivation business beginning operation in 2013. Rent payments are reported as \$20,000 per month for the 9,383 square foot space (\$2.13 per square foot). As such, no tenant was displaced by the business.
- **Cannabis Use Buffers.** Planning Code Section 202.2 requires a 600-foot buffer between storefront (Cannabis Retail and Medical Cannabis Dispensary) uses and other storefront uses, and also requires such buffer from schools, public or private. No buffer is required for non-storefront uses.

The proposal does not include any storefront use and thus is not subject to such buffer requirement. If the site were authorized to pursue a Cannabis Retail storefront license by the City's Office of Cannabis, it would be subject to the buffer and permit requirements for that use at that time.

- **Public Outreach:** Two emails in support of the application have been received. No correspondence in opposition has been received. The project was endorsed by the Bayview CAC on January 16, 2019.

## **ENVIRONMENTAL REVIEW**

The Project is exempt from the California Environmental Quality Act ("CEQA") under Class 1 and Class 3 categorical exemptions.

## **BASIS FOR RECOMMENDATION**

The Department finds that the Project is, on balance, consistent with the purpose of the PDR-2 Zoning District and the Objectives and Policies of the General Plan. The Project allows for the cultivation of cannabis in an existing space and supports other permitted economic activities at the site, including manufacturing. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

## **ATTACHMENTS:**

Draft Motion – Conditional Use Authorization with Conditions of Approval  
Exhibit B – Environmental Determination  
Exhibit C – Land Use Data  
Exhibit D – Maps and Context Photos  
Exhibit E – Bayview Hunters Point Citizens Advisory Committee Endorsement Letter  
Exhibit F – Project Sponsor Submittal  
Exhibit G – Plans and Renderings



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: APRIL 18, 2019

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[40-X Height and Bulk District](#)  
*Block/Lot:* 4811 / 006  
*Project Sponsor:* Esther Gonzalez-Parber  
Studio North  
391 Sutter Street #803  
San Francisco, CA 94108  
*Property Owner:* Nathan Apple  
Nordic Investments LLC  
1265 Van Dyke Avenue  
San Francisco, CA 94124  
*Staff Contact:* Michael Christensen – (415) 575-8742  
[Michael.christensen@sfgov.org](mailto:Michael.christensen@sfgov.org)

**ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 210.3 AND 303, TO ALLOW THE ESTABLISHMENT OF A 9,383 SQUARE-FOOT INDUSTRIAL AGRICULTURE USE IN AN EXISTING ONE-STORY WAREHOUSE SPACE, LOCATED AT 1345 UNDERWOOD AVENUE, LOT 006 IN ASSESSOR'S BLOCK 4811, WITHIN THE PDR-2 (CORE PRODUCTION, DISTRIBUTION, & REPAIR) ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

### PREAMBLE

On September 11, 2018, Esther Gonzalez-Parber (hereinafter "Project Sponsor") filed Application No. 2018-012415CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a 9,383 square-foot Industrial Agriculture use in an existing one-story warehouse (hereinafter "Project") at 1345 Underwood Avenue, Block 4811, Lot 006 (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 3 categorical exemption;

On April 18, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-012415CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2018-012415CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

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

**MOVED**, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2018-012415CUA, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

## FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The Project includes the establishment of a 9,383 square-foot Industrial Agriculture use in an existing one-story warehouse.
3. **Site Description and Present Use.** The Project is located on a 10,000 square foot lot on the southwest side of Underwood Avenue between Jennings and Ingalls Streets. The site is developed with a one-story, 9,383 square foot industrial building that is currently occupied by the business, which is operating with temporary authorization from the City’s Office of Cannabis.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the PDR-2 Zoning Districts in the Bayview-Hunters Point Area Plan. The immediate context is mixed in character with residential, industrial, and institutional uses. The project site is two blocks east of the Third Street corridor. All of the directly abutting properties are industrial in nature.
5. **Public Outreach and Comments.** Two emails in support of the application have been received. No correspondence in opposition has been received. The project was endorsed by the Bayview CAC on January 16, 2019.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:
  - A. **Use.** The project proposes to establish an Industrial Agriculture use in an existing warehouse space, which requires Conditional Use Authorization in the PDR-2 Zoning District.

*The project sponsor is seeking Conditional Use Authorization to establish an Industrial Agriculture use at the site.*

B. **Location and Operation Conditions.** Per Planning Code Section 202.2, Agricultural Use is subject to the corresponding conditions:

(1) *Agricultural Uses, General.* Any plot of land that exceeds 1,000 square feet and is newly established shall comply with the applicable water use requirements of Administrative Code [Chapter 63](#). Pursuant to Section [63.6.2](#)(b) of the Administrative Code, no permit for any site where the modified land area exceeds 1,000 square feet shall be issued until the General Manager of the Public Utilities Commission has approved the applicable landscape project documentation.

(2) *Industrial Agriculture.* Cannabis must only be grown within an enclosed structure.

7. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

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

*The size of the proposed use is in keeping with other industrial units on the block face. The proposed uses are supportive of a new small business to the City, thus providing economic opportunity and employment for residents. The size of the proposed business is in keeping with the size of previous businesses. Overall, the addition of new industrial and commercial uses is necessary and desirable with the overall character of the surrounding neighborhood.*

B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:

(1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

*The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity. The proposed work will not affect the building envelope.*

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

*The Planning Code does not require parking or loading for any uses. The site is well served by transit due to its proximity to the Muni T-Line and will not generate any volume of traffic not already expected by the existing Industrial uses at the site.*

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

*The facility will be reviewed by the City's Office of Cannabis for control of any potential odors from the site. Maintaining control of such odors is a requirement of the operator licensing from the Office of Cannabis.*

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs;

*The existing building configuration and streetscape are not altered by the Project.*

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

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

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

*The Project is consistent with the stated purposes of PDR-2 Districts in that the intended use is a light and contemporary industrial activity with low potential for noxious emissions, providing economic and employment opportunities to the City and neighborhood.*

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

## **COMMERCE AND INDUSTRY ELEMENT**

### **Objectives and Policies**

#### **OBJECTIVE 1:**

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

#### **Policy 1.2**

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

**Policy 1.3**

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

**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.

**OBJECTIVE 3:**

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

**Policy 3.1**

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

**Policy 3.4**

Assist newly emerging economic activities.

**BAYVIEW HUNTERS POINT AREA PLAN**

**LAND USE**

**Objectives and Policies**

**OBJECTIVE 1:**

STIMULATE BUSINESS, EMPLOYMENT, AND HOUSING GROWTH WITHIN THE EXISTING GENERAL LAND USE PATTERN BY RESOLVING CONFLICTS BETWEEN ADJACENT INDUSTRIAL AND RESIDENTIAL AREAS.

**Policy 1.5**

Encourage a wider variety of light industrial uses throughout the Bayview by maintaining the newly established Production, Distribution and Repair zoning, by more efficient use of industrial space, and by more attractive building design.

**OBJECTIVE 8:**

STIMULATE BUSINESS, EMPLOYMENT, AND HOUSING GROWTH WITHIN THE EXISTING GENERAL LAND USE PATTERN BY RESOLVING CONFLICTS BETWEEN ADJACENT INDUSTRIAL AND RESIDENTIAL AREAS.

**Policy 8.1**

Maintain industrial zones for production, distribution, and repair activities in the Northern Gateway, South Basin, Oakinba, and India Basin Industrial Park subdistricts.

**OBJECTIVE 9:**

IMPROVE LINKAGES BETWEEN GROWTH IN BAYVIEW'S INDUSTRIAL AREAS AND THE EMPLOYMENT AND BUSINESS NEEDS OF THE BAYVIEW HUNTERS POINT COMMUNITY.

**Policy 9.2**

Encourage the local business community to play a larger role in Bayview's industrial sector.

*The Project is a small-scale industrial project, activating 9,383 square feet of industrial space to provide employment and economic opportunity. The Cannabis industry is a new, burgeoning industry that is creating a cluster of economic activity in San Francisco. While cultivation may yield a similar job density as distribution and warehousing, it is complementary to other cannabis uses that provide significant job opportunities to unskilled and semi-skilled workers, such as manufacturing. Additionally, the City's equity requirements provide for employment of local residents, increasing the economic vitality of Bayview Hunters Point.*

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

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

*The project site does not possess any neighborhood-serving retail uses and is not principally zoned for such uses. As such, existing neighborhood-serving retail uses be preserved.*

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

*The project site does not possess any housing, and the Project proposes no changes to the massing or exterior of the existing structure.*

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



*The Project site does not contain any existing affordable housing; thus, the City's supply of affordable housing be preserved.*

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

*The Project Site is served by nearby public transportation options, including the T-Third Street Light Rail line. As such, it is well served by transit and the project will not overburden streets or neighborhood parking.*

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

*The Project does not include commercial office development. The project proposes to establish a new industrial business owned and managed by a local resident, providing for economic activity to the neighborhood.*

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

*The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.*

- G. That landmarks and historic buildings be preserved.

*The Project Site does not contain any City Landmarks or historic buildings.*

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

*The project makes no change to the existing massing or design of the building.*

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

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2018-012415CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated December 28, 2018, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

**Protest of Fee or Exaction:** You may protest any fee or exaction subject to Government Code Section 66000 that is imposed as a condition of approval by following the procedures set forth in Government Code Section 66020. The protest must satisfy the requirements of Government Code Section 66020(a) and must be filed within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code Section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the City of the subject development.

If the City has not previously given Notice of an earlier discretionary approval of the project, the Planning Commission’s adoption of this Motion, Resolution, Discretionary Review Action or the Zoning Administrator’s Variance Decision Letter constitutes the approval or conditional approval of the development and the City hereby gives **NOTICE** that the 90-day protest period under Government Code Section 66020 has begun. If the City has already given Notice that the 90-day approval period has begun for the subject development, then this document does not re-commence the 90-day approval period.

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on April 18, 2019.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 18, 2019

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow an Industrial Agriculture use (d.b.a. **Black Pepper**) located at 1555 Yosemite Avenue, Block 4848, Lot 069 pursuant to Planning Code Sections **210.3 and 303** within the **PDR-2** Zoning District and a **40-X** Height and Bulk District; in general conformance with plans, dated **December 28, 2018**, and stamped "EXHIBIT B" included in the docket for Record No. **2018-012415CUA** and subject to conditions of approval reviewed and approved by the Commission on **April 18, 2019** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **April 18, 2019** under Motion No **XXXXXX**.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

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

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

4. **Extension.** All time limits in the preceding three paragraphs may be extended at the discretion of the Zoning Administrator where implementation of the project is delayed by a public agency, an appeal or a legal challenge and only by the length of time for which such public agency, appeal or challenge has caused delay.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

6. **Additional Project Authorization.** The Project Sponsor shall obtain operator licenses from the City's Office of Cannabis and the State of California Bureau of Cannabis Control prior to commencing operation of any commercial cannabis activity.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING - AFTER ENTITLEMENT

7. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

8. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## OPERATION

9. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

10. **Agricultural Use, General.** Per Planning Code Section 202.2, any plot of land that exceeds 1,000 square feet and is newly established shall comply with the applicable water use requirements of Administrative Code [Chapter 63](#). Pursuant to Section [63.6.2\(b\)](#) of the Administrative Code, no permit for any site where the modified land area exceeds 1,000 square feet shall be issued until the

General Manager of the Public Utilities Commission has approved the applicable landscape project documentation.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

11. **Industrial Agriculture.** Per Planning Code Section 202.2, cannabis must only be grown within an enclosed structure.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
1345 UNDERWOOD AVE		4811006
<b>Case No.</b>		<b>Permit No.</b>
2018-012416PRJ		
<input checked="" type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input type="checkbox"/> <b>New Construction</b>
<b>Project description for Planning Department approval.</b> Conditional Use Authorization to permit the change of use from an existing distribution warehouse to a new industrial agricultural use to legalize an existing non-medical cannabis cultivation.		

### STEP 1: EXEMPTION CLASS

<b>*Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.*</b>	
<input type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six 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.
<input type="checkbox"/>	<b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services.  <b>FOR ENVIRONMENTAL PLANNING USE ONLY</b>
<input type="checkbox"/>	<b>Class ____</b>

## STEP 2: CEQA IMPACTS

### TO BE COMPLETED BY PROJECT PLANNER

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

<input type="checkbox"/>	<b>Air Quality:</b> 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, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<input type="checkbox"/>	<b>Hazardous Materials:</b> 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 Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i>
<input type="checkbox"/>	<b>Transportation:</b> 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?
<input type="checkbox"/>	<b>Archeological Resources:</b> 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<input type="checkbox"/>	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)
<input type="checkbox"/>	<b>Slope = or &gt; 20%:</b> 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> 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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required.</b>

If no boxes are checked above, GO TO STEP 3. If one or more boxes are checked above, an *Environmental Evaluation Application* is required, unless reviewed by an Environmental Planner.

Comments and Planner Signature (optional): Michael Christensen



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

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

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

<b>Check all that apply to the project.</b>	
<input checked="" type="checkbox"/>	1. <b>Change of use and new construction.</b> Tenant improvements not included.
<input type="checkbox"/>	2. <b>Regular maintenance or repair</b> to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. <b>Window replacement</b> that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. <b>Garage work.</b> 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.
<input type="checkbox"/>	5. <b>Deck, terrace construction, or fences</b> not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. <b>Mechanical equipment installation</b> that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. <b>Dormer installation</b> that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. <b>Addition(s)</b> 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.
<b>Note: Project Planner must check box below before proceeding.</b>	
<input type="checkbox"/>	Project is not listed. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project <b>does not conform</b> to the scopes of work. <b>GO TO STEP 5.</b>
<input type="checkbox"/>	Project involves <b>four or more</b> work descriptions. <b>GO TO STEP 5.</b>
<input checked="" type="checkbox"/>	Project involves <b>less than four</b> work descriptions. <b>GO TO STEP 6.</b>

**STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW**  
**TO BE COMPLETED BY PROJECT PLANNER**

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. <b>Interior alterations to publicly accessible spaces.</b>
<input type="checkbox"/>	3. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

<input type="checkbox"/>	7. <b>Addition(s)</b> , 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> .
<input type="checkbox"/>	8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A            a. Per HRER dated            b. Other (specify):         </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C            (attach HRER)         </div> </div>
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</b>	
<input type="checkbox"/>	<b>Further environmental review required.</b> Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. <b>GO TO STEP 6.</b>
<input type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b>	
<b>Preservation Planner Signature:</b>	

## STEP 6: CATEGORICAL EXEMPTION DETERMINATION

### TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<b>Further environmental review required.</b> Proposed project does not meet scopes of work in either (check all that apply): <input type="checkbox"/> Step 2 - CEQA Impacts <input type="checkbox"/> Step 5 - Advanced Historical Review <b>STOP! Must file an <i>Environmental Evaluation Application</i>.</b>	
<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>	
	<b>Project Approval Action:</b> Planning Commission Hearing If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	<b>Signature:</b> Michael Christensen 04/09/2019
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	



# SAN FRANCISCO PLANNING DEPARTMENT

## Land Use Information

PROJECT ADDRESS: 1345 UNDERWOOD AVE  
RECORD NO.: 2018-012416PRJ

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF			
Residential GSF			
Retail/Commercial GSF			
Office GSF			
Industrial/PDR GSF <i>Production, Distribution, &amp; Repair</i>	9,383	9,383	0
Medical GSF			
Visitor GSF			
CIE GSF			
Usable Open Space			
Public Open Space			
Other ( )			
TOTAL GSF			
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable			
Dwelling Units - Market Rate			
Dwelling Units - Total			
Hotel Rooms			
Number of Buildings	1	1	0
Number of Stories	1	1	0
Parking Spaces			
Loading Spaces	2	1	-1
Bicycle Spaces	0	4	4
Car Share Spaces			
Other ( )			

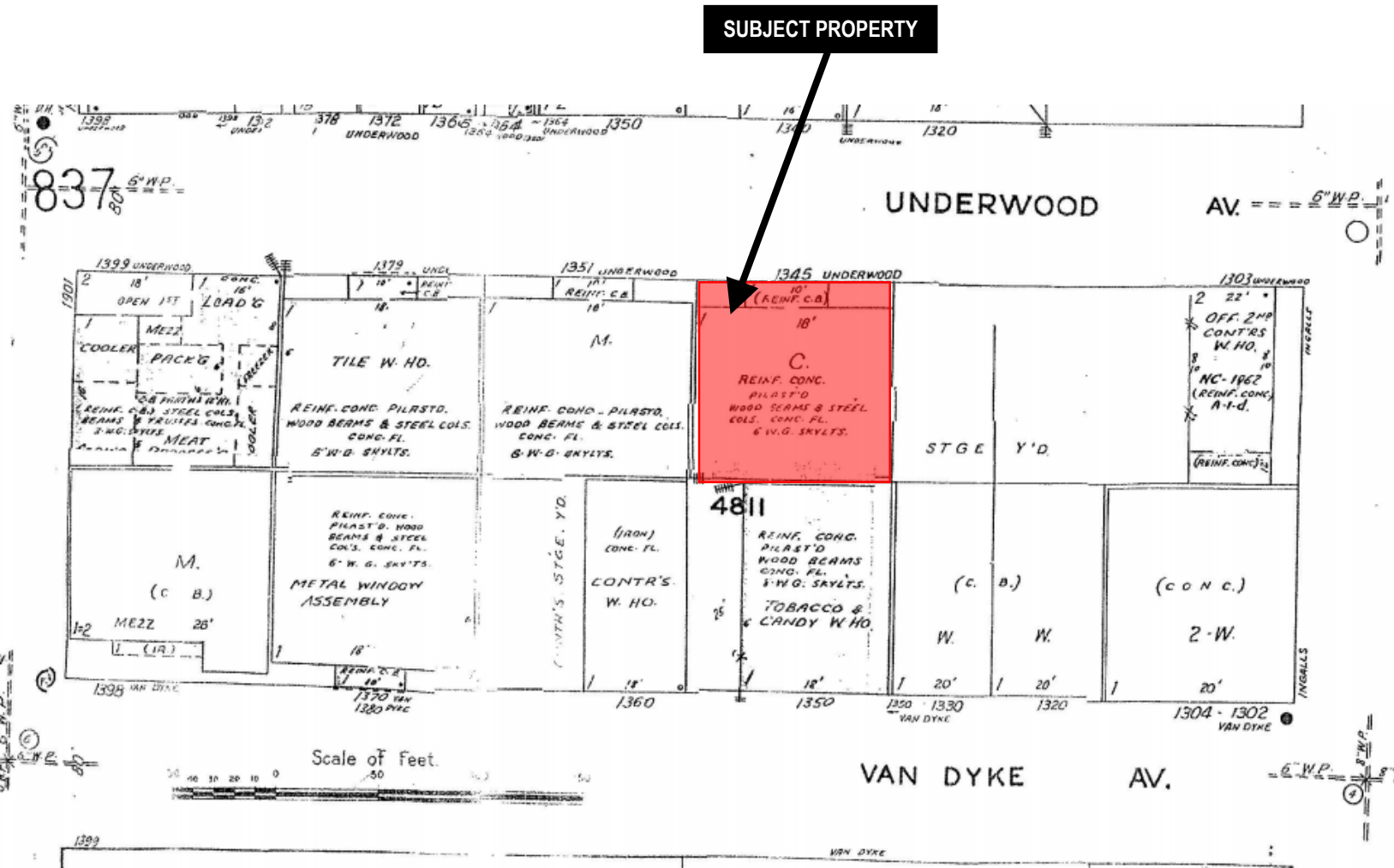
# Parcel Map



**SUBJECT PROPERTY**

Conditional Use Authorization  
Cannabis Cultivation  
**Case Number 2018-012416CUA**  
1345 Underwood Avenue

# Sanborn Map\*



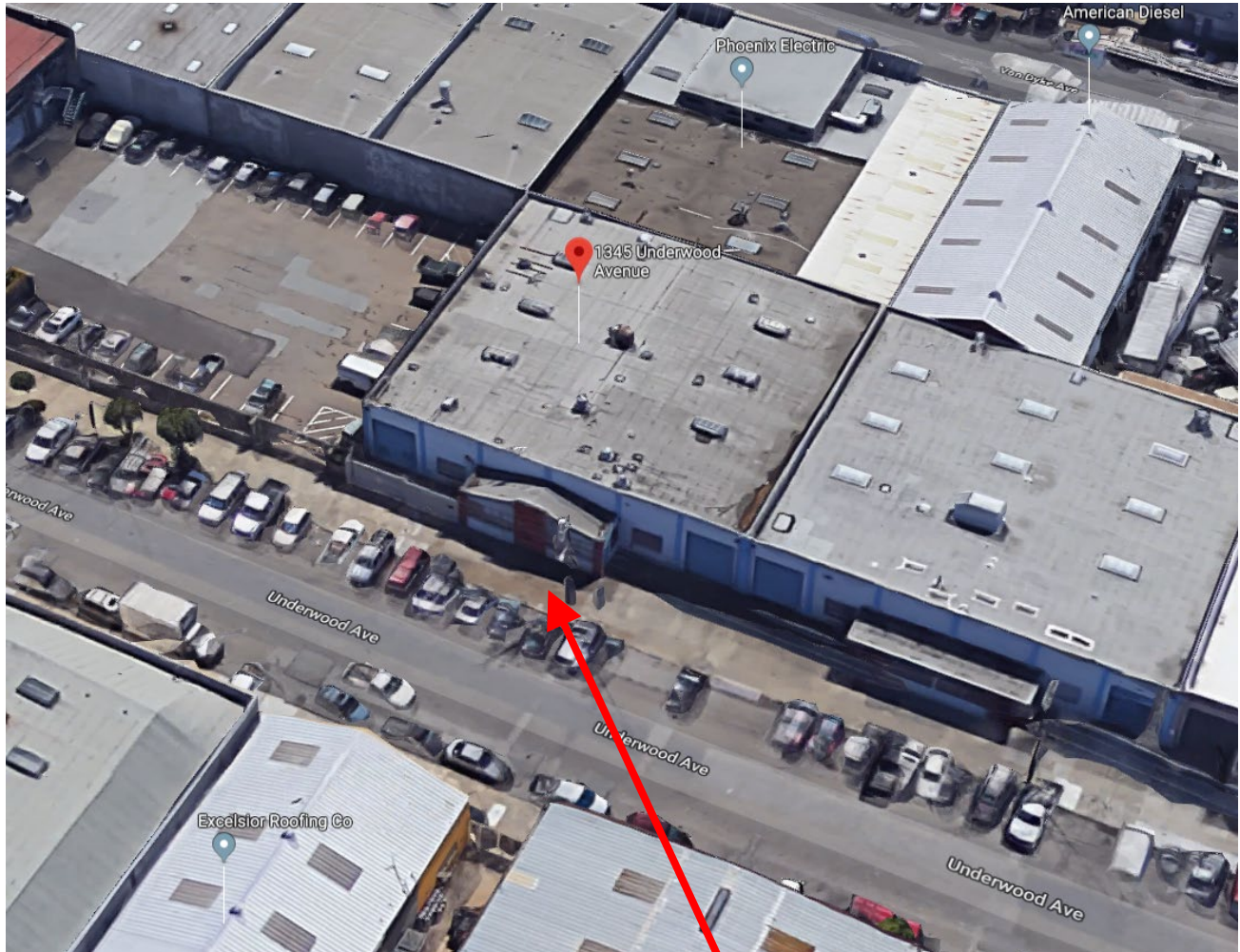
\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization  
Cannabis Cultivation  
Case Number 2018-012416CUA  
1345 Underwood Avenue



# Aerial Photo – View 1



**SUBJECT PROPERTY**



# Site Photo





# OFFICE OF THE CITY ADMINISTRATOR



London N. Breed, Mayor  
Naomi M. Kelly, City Administrator

## **Bayview Hunters Point Citizens Advisory Committee**

Ellouise Patton, Chair  
Tim Chan, Vice Chair

January 16<sup>th</sup>, 2019

Planning Commission  
City and County of San Francisco  
1650 Mission Street,  
San Francisco, CA 94103

Project:  
1345 Underwood  
San Francisco, CA 94124

Commissioners:

On January 9, 2019, the Bayview Hunters Point Citizens Advisory Committee voted and gave a positive recommendation to the project at 1345 Underwood, which requires a Conditional Use Permit. The proposal includes a change of use to Industrial Agriculture to allow for the cultivation of cannabis.

The Committee asks if any major changes happen to this project in the future, that the project sponsor return to the CAC for review. The Committee has also requested that the project sponsor return to the Bayview CAC, to update committee members on how effective the implementation of their work force development and local hire plan has been.

Sincerely,

Ellouise Patton, Chair  
Bayview Hunter Point Citizen Advisory Committee



# 1345 UNDERWOOD AVE

## Summary

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Address: 1345 Underwood Ave

Applicant: Underwood St Facility LLC

Application: Conditional Use Authorization-  
establish Industrial Agriculture use

Use: Cannabis Cultivation Facility

Zoning: PDR-2

Changes: Tenant improvements limited to  
interior of building, except for  
mechanical equipment behind new  
screen wall

## Who We Are

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Our team of owners and operators are:

- Long-time Bay Area residents and born and raised in the Bay Area
- A diverse group of women, veterans and minorities
- Long-term tenants at 1345 Underwood since 2013
- Experienced industry participants since Medical Cannabis

# Who We Are & Vision

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## ✓ BRED IN THE SAN FRANCISCO BAY AREA

Local owner/operators with over 40 years combined experience in the California medicinal marijuana market

## ✓ CRAFT CANNABIS

Emphasis on strain selection & care for the craft of cultivating clean, high quality cannabis- we are a niche player, not trying to compete with commercial cannabis

## ✓ SEASONED PLAYERS

Principals have a strong network within California, have been navigating the complex California regulatory environment. Developing licensing agreements with Runtz and Cookies

## ✓ TARGET MARKET

The brand projects a quality standard, target demographic of urban trendsetting millennials, cannabis connoisseurs and the casual consumer who want quality and consistency



### CRAFT

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Utilize small-batch methods to ensure the best quality - flower rooms will be divided into 40 light rooms



### PRICE

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Focusing on top quality cannabis will be less price volatile than commercial grade cannabis over the medium to long term



### EFFICIENCY

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Integrate new technology to maximize space and labor efficiency:  
- Double stacked LED lights  
- Water recycling program

# Community Outreach

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## Bayview Citizens Advisory Committee

- Presented December 2018, Follow up presentation January 2019
- Unanimous approval for recommendation by the Committee

## Local workforce development

- YCD, DJ Brookter & Tim Waters
- Employment opportunities
- Job training program development
- Local Bayview job fairs

## Outreach

- Neighborhood letters of support
- Community Outreach meetings

## Local Bayview Cannabusiness coalition

- Security initiatives
- Neighborhood/community programs

## Community Benefit programs

- Target youth programs
- Veterans
  - Outreach: Bayview Veterans Association, Kareem Hazard
- Charitable drives

# Community Outreach

DATE	ORGANIZATION/BUSINESS	NOTES
11/29/2018	Filigreen	Discuss neighborhood canna coalition to coordinate neighborhood security efforts
1/4/2018	Ramon Garcia- SF Equity Working Group	Text
12/5/2018	Bayview Citizens Advisory Committee	Present project to neighborhood committee
12/12/2018	Filigreen	Email for letter of support
12/15/2018	EZ Buy	In person- letter of support
12/15/2018	City Lunch	In person- letter of support
12/15/2018	Han's Sheet Metal	In person- letter of support
12/16/2018	Cunningham Moving & Storage	In person- letter of support
12/17/2018	Trotter Studios	In person- letter of support
12/28/2018	SECAP	In person meeting with Rodney & Brandon re: Bayview equity applicants, outreach
12/29/2018	Nina Parks- SF Equity Working Group	Discuss ways Headstash can get involved in equity program, neighborhood initiatives
1/3/2019	Hunters Point Family	Emailed/called Melody at Hunters Point Family re: local hiring
1/7/2019	Thea Selby	Call, email- letter of support
1/7/2019	Gold Seal	Call with Aaron Flynn- discuss various neighborhood programs- local hiring, community benefit programs, advocacy, etc
1/7/2019	Kareem Hazard- BV HP Veterans Association	Call, email- letter of support. Discuss job opportunities for local veterans
1/7/2019	Young Community Developers	Met with DJ & Tim at 1715 Yosemite to discuss YCDs involvement with Canna-businesses in the Bayview/HP neighborhood.
1/8/2019	Basa SF	Call with Tariq
1/8/2019	Anresco Labs	Email- letter of support
1/8/2019	Gold Seal	Email- letter of support
1/9/2019	Bayview Citizens Advisory Committee	Follow up presentation to committee- unanimously approved
1/10/2019	Bayview Merchants Association	Attend BMA reception for Shamann Walton
1/23/2019	Young Community Developers	Visit at Headstash- Showed DJ & Tim around our cultivation facility, discussed the general workflow and cycle of cultivation, types of potential job opportunities
3/11/2019	Young Community Developers	Email- YCD is not ready to develop a formal cannabis program, revisit in future
3/13/2019	SECEP	Attend info session & mixer held by SECEP (SE Consortium for Equitable Partnership). Presentations by Supervision Walton, BV CAC president Eloise Patton, Eugene Hillsman from OOC, CA DOL, Teamsters, etc., neighborhood feedback
3/21/2019	SF Cannabis Coalition event	Attend first meet up of SF Cannabis Coalition event
3/21/2019	The Betty Project	In person- chat with Jim & Anna
3/21/2019	Brownie Mary Democratic club of SF	In person- spoke to Brownie Mary Democratic Club of SF, next meeting is April 10th
4/2/2019	The Betty Project	In person meeting- discuss neighborhood initiatives, support
4/2/2019	Portola Neighborhood Association	Email
4/2/2019	Dogpatch Neighborhood Association	FB message
4/2/2019	Vis Valley Community	Email
4/3/2019	The Betty Project	In person visit, discuss community initiatives

# Good Neighbor Policy

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## GOOD NEIGHBOR POLICY- DRAFT:

### MISSION

Underwood St Facility LLC at 1345 Underwood Ave aims to be responsible, respectful and professional neighbors. Our mission is to have a positive impact on the neighborhood, enforce safety and maintain a cleanliness around our workplace.

### COMMUNITY EFFORTS

Engage with neighbors, local businesses, SFPD and be responsive to their concerns  
Member of the Bayview Merchants Association  
Train and hire employees from the neighborhood, whenever possible

### SAFETY

Maintain adequate exterior lighting  
Maintain security cameras inside and outside the premises  
No exterior signage

### CLEANLINESS

Ensure no odor emanates from the building  
Maintain a clean space in front of the building

# Letters of Support

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1. Filigreen Distribution- 2089 Ingalls
2. EZ Buy- 1280 Van Dyke
3. City Lunch- 2101 Ingalls
4. Cunningham Moving & Storage- 1250 Van Dyke
5. Trotter Studios- 1395 Wallace
6. Han's Sheet Metal- 1285 Van Dyke
7. Gold Seal- Yosemite
8. Bayview Veteran's Association, Kareem Hazard
9. Anresco Labs- 1375 Van Dyke
10. The Betty Project- Donner Ave
11. Clark Fabrication- 2120 Ingalls
12. EF Gomez- 1368 Underwood
13. Thea Selby- Lower Haight Neighbor & Merchant Association
14. High Speed Productions- 1333 Underwood
15. Plus Additional

# Neighborhood Considerations

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## ODOR MITIGATION

- Sealed, modular room design
- Carbon filtration systems
- Negative pressure environment

## SECURITY-

- Limited Access Controls
- 24/7 Camera surveillance
- Alarm systems and monitoring
- Electronic transactions/armored vehicle transport



# Proposed New Design



- ★Seven 40 light rooms for a total of 280 lights dedicated to flowering. Smaller room size ensures quality control
- ★Additional rooms for moms, clones, veg and trim
- ★Ancillary rooms for office, break room, water control room, mechanical and server room
- ★Implement new technology and environmental friendly options such as modular room panels, double stacked LED lights, water recirculation program, custom irrigation systems and soil recycling

