



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use Authorization

HEARING DATE: AUGUST 22, 2019

*Record No:* 2019-012580CUA  
*Project Address:* 61 Cambon Drive  
*Zoning:* Neighborhood Commercial Shopping (NC-S) Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 7324/001  
*Project Sponsor:* Keena Middleton  
370 Hamilton Street  
San Francisco, CA 94134  
*Property Owner:* Yousef Realty Investments LLC  
1275 Murchison Drive  
Millbrae, CA 94030  
*Staff Contact:* Bridget Hicks- (415) 575-9054  
[Bridget.Hicks@sfgov.org](mailto:Bridget.Hicks@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The Project would establish a Cannabis Retail Use measuring approximately 1,000 square feet in a retail tenant space in the existing single-story Parkmerced Shopping Plaza. The proposal will involve interior tenant improvements with no expansion of the existing tenant space or building envelope.

### REQUIRED COMMISSION ACTION

For the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 202.2, 303, and 713, to allow the establishment of a Cannabis Retail use in the NC-S Zoning District.

### ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** The Planning Department has received 12 letters of support of the Project to date. The Department has also received a form letter of support with 107 signatures. The letters cite how the Project will provide a necessary and desirable service to residents who rely on cannabis products for medical needs in a community that is currently underserved by cannabis goods and services. The Department received one letter of opposition to the Project citing concerns over the impact to youth as a result of the proximity of the Project to the off-campus student housing for San Francisco State University in the Park Merced neighborhood. The project sponsors held a community meeting in the format of a Pre-Application Meeting on June 10<sup>th</sup>, 2019. There were no attendees.

- **Planning Section 202.2(a)(5)(B) Compliance.** The subject parcel is not located within a 600-foot radius of a parcel containing an existing private or public school or within a 600-foot radius of a parcel for which a valid permit from the City’s Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer has been issued. However, the following sites are identified as potentially sensitive uses:
  - Wu Yee Children’s Services – OMI, 210’6” from site
  - Brandeis Hillel School of San Francisco: 655 Brotherhood Way, 1,196’ from site
  - Montessori Children’s Center: 80 Juan Bautista Circle, 1,295’ from site
  - Krouzian Zekarian Armenian School: 825 Brotherhood Way, 1434” from site
  - Saint Thomas More Catholic School: 50 Thomas More Way, 1,505’ from site
  - Jose Ortega Elementary School: 400 Sargent Street, 1,546’ from site
- **On-Site Consumption.** Cannabis may be consumed or smoked on site subject to accessory use limits. Additionally, a project sponsor must obtain a permit from the Department of Public Health (DPH) for the consumption type requested, pursuant to the requirements of [Health Code Article 8A](#):
  - A ‘Type A’ permit authorizes consumption of pre-packaged cannabis products on-site.
  - A ‘Type B’ permit authorizes consumption of pre-packed cannabis products on-site and limited preparation of cannabis products for consumption on-site.
  - A ‘Type C’ permit confers all the benefits of a ‘Type B’ permit and authorizes on-site smoking and vaporizing of cannabis products.

The Planning Commission has discretion to prohibit an establishment from obtaining approval for on-site consumption of cannabis products, either fully or partially by prohibiting approval of a specific Health Code permit type. In determining whether to recommend such a Condition of Approval, the Department considers:

- Whether applicable zoning districts include prohibitions on similar on-site consumption uses, such as bars.
- Whether the site is adjacent to public or publicly accessible open spaces which may be impacted by illegal consumption which may otherwise occur on-site.
- The nature of public and neighborhood group comment on the matter to align the Department’s recommendation with the unique needs of each neighborhood.

Pursuant to these considerations and based on the site conditions of the proposed project, the Department has recommended that on-site consumption of cannabis products be allowed as an accessory use to the proposed Cannabis Retail establishment, subject to approval by the Department of Public Health.

- **Equity Program.** The Project Sponsor has been verified by the City’s Office of Cannabis to meet the Cannabis Equity Program Requirements of [Police Code Section 1604](#).

## **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 Parkmerced Area Plan and the Objectives and Policies of the General Plan. The project will maintain an active retail space and supports the City’s equity program, administered by the Office of Cannabis. The Department finds that the prohibition of on-site consumption at this time is not necessary, the proposed use is consistent with the zoning allowance for similar on-site consumption uses, such as bars, and is rendered in greater compatibility with the neighborhood. 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 A)

Exhibit B – Plans and Renderings

Exhibit C – Environmental Determination

Exhibit D – Land Use Data

Exhibit E - Maps and Context Photos

Exhibit F – Project Application



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: AUGUST 22, 2019

*Record No.:* 2019-012580CUA  
*Project Address:* 61 Cambon Drive  
*Zoning:* NC-S (Neighborhood Commercial, Shopping Center) Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 7324/001  
*Project Sponsor:* Keena Middleton  
370 Hamilton Street  
San Francisco, CA 94134  
*Property Owner:* Yusef Realty Investments, LLC  
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*Staff Contact:* Bridget Hicks- (415) 575-9054  
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 202.2, 303, AND 713 OF THE PLANNING CODE TO ALLOW A CANNABIS RETAIL USE MEASURING APPROXIMATELY 1,000 SQUARE FEET IN AN EXISTING RETAIL SPACE IN THE EXISTING SINGLE-STORY PARKMERCED SHOPPING PLAZA AT 61 CAMBON DRIVE (ASSESSOR'S BLOCK 7324 LOT 001) WITHIN THE NEIGHBORHOOD COMMERCIAL SHOPPING CENTER ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

### PREAMBLE

On June 17, 2019, Keena Middleton (hereinafter "Project Sponsor") filed Application No. 2019-012580CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a cannabis retail use (hereinafter "Project") at 61 Cambon Drive, Block 7324 Lot 001 (hereinafter "Project Site").

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

On August 22, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-012580CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-012580CUA 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. 2019-012580CUA, 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 a Cannabis Retail Use measuring approximately 1,000 square feet in an existing tenant space in the single-story Parkmerced Shopping Plaza. The proposal will involve interior tenant improvements with no expansion of the existing tenant space or building envelope.
3. **Site Description and Present Use.** The Project is located on a 120,112 square foot parcel on the east side of Cambon Drive between Cardenas Avenue and Felix Avenue. The site is developed with a single-story shopping plaza with a variety of retail sales and service uses. The subject tenant space is currently occupied by a community martial arts center which has occupied the space since 2011.
4. **Surrounding Properties and Neighborhood.** The Project Site is located within the NC-S Zoning District. The immediate context to the north, west, and south, is the Parkmerced neighborhood which consists of mostly two-story residential units. 19<sup>th</sup> Street is located to the east of the Project site and beyond that is the NC-1 and RH-1(D) Zoning Districts with small scale neighborhood serving uses and single-family homes.
5. **Public Outreach and Comments.** The Project sponsors conducted a community meeting in the form of a Pre-Application meeting on June 10, 2019 and there were no attendees. The Department has received 12 letters of support for the Project citing how it will provide a necessary and desirable service to residents who rely on cannabis products for medical needs in a community that is currently underserved by cannabis goods and services. Additionally, the Department has received a form letter of support with 107 signatures. The Department received one letter of opposition to the Project citing concerns over the impact to youth as a result of the proximity of the Project to the off-campus student housing for San Francisco State University in the Park Merced neighborhood.
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 establishment of a Cannabis Retail Use in the Neighborhood Commercial, Shopping Center (NC-S) Zoning District requires a Conditional Use Authorization pursuant to Planning Code Section 713.

*The Project Sponsor is requesting a Conditional Use Authorization to establish a Cannabis Retail use in the NC-S Zoning District.*

- B. **600-Foot Buffer Rule:** Planning Code Section 202.2(a)(5)(B) states that the parcel containing the Cannabis Retail Use shall not be located within a 600-foot radius of a parcel containing an existing public or private School or within a 600-foot radius of a parcel for which a valid permit from the City's Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer has been issued. There shall be no minimum radius from a Cannabis Retail Use to an existing day care center or youth center unless a State licensing authority specifies a minimum radius.

*The subject parcel is not located within a 600-foot radius of a parcel containing an existing private or public school or within a 600-foot radius of a parcel for which a valid permit from the City's Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer has been issued.*

- C. **On-Site Consumption.** Planning Code Section 202.2 allows for on-site consumption of cannabis as an accessory use, if approved by the Department of Public Health.

*The Project Sponsor has not proposed on-site consumption as part of this request. If the Project sponsor wishes to add a consumption lounge at a later date, they must comply with all relevant Planning Code Requirements and requirements of the Department of Public Health and the Office of Cannabis.*

- D. **Hours of Operation.** Planning Code Section 713 states that the permitted hours of operation are from 6 a.m. to 2 a.m.

*The Project sponsors have proposed hours of operation that fall within the permitted hours of operation as defined by Planning Code Section 713.*

- E. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor

windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade. These requirements are further outlined in condition number 7 of this Motion.

*The subject commercial space has approximately 18 feet 9 inches of frontage in the Parkmerced Shopping Plaza. All 18 feet 9 inches of frontage consist of clear, unobstructed glass devoted to either the business entrance or window space. There are no changes proposed to the commercial frontage.*

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 storefronts on the block face. The proposed Cannabis Retail establishment will not impact traffic or parking in the District as it will occupy an existing retail tenant space. This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by maintaining an active storefront. There are currently no Cannabis Retail Establishments on the western side of the City. This project will provide a desirable and compatible service to the community.*

*The impact of increased access and visibility of cannabis to youth is a paramount concern for the City. While there are no sensitive uses (as defined in Planning Code Section 202.2) within 600 feet of the proposed site, there are multiple outlets providing services to youth, including pre-K schools and daycares. However, the retail storefront has been specifically designed to have a security check in at the main entryway to prevent the entrance of minors. Additionally, display cases and sales areas are setback from the front façade to limit the visibility of products. A reception and waiting area are proposed at the front façade to continue to activate the space. With this configuration, the visibility of products and potential impact to youth passing by is minimal.*

- 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.*

- (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 an approximately 1,000 square-foot Cannabis Retail Establishment. The Project site is located within a shopping plaza with dedicated parking spaces. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.*

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

*The Project does not propose any on-site consumption and therefore no additional requirements from the San Francisco Health Code apply.*

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

*The proposed Cannabis Retail establishment does not require any additional tenant improvements and there will be no addition of parking spaces, loading facilities, open space or service areas. All Project signage and projections will be consistent with the controls of the Planning Code.*

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

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

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

*The proposed project is consistent with the stated purpose of NC-S Districts in that the intended use will provide diversity to the retail corridor and a compatible retail service to the public in the immediately surrounding neighborhoods and to a larger market area during daytime hours.*

8. **Additional Conditional Use Findings for Cannabis Retail.** Planning Code Section 303(w) outlines additional findings for the Commission when reviewing proposals for new Cannabis Retail establishments. The Commission shall consider “the geographic distribution of Cannabis Retail Uses throughout the City, the concentration of Cannabis Retail and Medical Cannabis Dispensary Uses within the general proximity of the proposed Cannabis Retail Use, the balance of other goods and services available within the general proximity of the proposed Cannabis Retail Use, any increase in youth access and exposure to cannabis at nearby facilities that primarily serve youth, and any proposed measures to counterbalance any such increase.”

*Cannabis Retail is a newly created land use definition, and as such the distribution of sites that are permitted as Cannabis Retail is limited. However, it is expected that most or all existing Medical Cannabis Dispensaries will convert to Cannabis Retail uses once authorized by the Office of Cannabis to do so, likely in 2020. Currently, most sites are operating as Medical Cannabis Dispensaries with temporary authorization from the Department of Public Health to sell cannabis products to adult-use consumers.*

*Currently, such dispensaries and retailers (collectively outlets) are extremely concentrated in the eastern neighborhoods of the City, particularly in the South of Market and Mission neighborhoods. There are no currently operating outlets in the Sunset District, with one site approved but not yet in operation. The Richmond District currently only has one outlet in operation. Southwestern neighborhoods such as Ingleside and the Excelsior contain four outlets. The remaining thirty-three outlets are largely concentrated in eastern neighborhoods. The distribution of such outlets can be reviewed using the City’s [Cannabis Retail Map](#).*

*The proposed project would add a Cannabis Retail use to the Parkmerced neighborhood which will also serve the Lakeshore and Ocean View neighborhoods. There are currently no Cannabis Retail establishment in this area of the City. The nearest cannabis storefronts are located on Ocean Avenue in the Ingleside neighborhood; however, these are not currently operating. The nearest operating cannabis storefronts are on Mission Street in the Excelsior neighborhood. This Project will provide a desirable service to the Southwestern side of the City which is currently underserved by Cannabis Retail establishments. The Project sponsors hope to provide an accessory delivery service to allow all legal customers access to the product regardless of their physical, mental, emotional, or economic restrictions.*

*The impact of increased access and visibility of cannabis to youth is a paramount concern for the City. While there are no sensitive uses (as defined in Planning Code Section 202.2) within 600 feet of the proposed site, there are multiple outlets providing services to youth, including pre-K schools and daycares. However, the retail storefront has been specifically designed to have a security check in at the main entryway to prevent the entrance of minors. Additionally, display cases and sales areas are setback from the front façade to limit the visibility of products. A reception and waiting area are proposed at the front façade to continue to activate the space, and the proposed consumption lounge is at the rear of the site and not visible from the street. With this configuration, the visibility of products and potential impact to youth passing by is minimal.*

9. **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 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 3.2:

Promote measures designed to increase the number of San Francisco jobs held by San Francisco residents.

#### OBJECTIVE 4:

IMPROVE THE VIABILITY OF EXISTING INDUSTRY IN THE CITY AND THE ATTRACTIVENESS OF THE CITY AS A LOCATION FOR NEW INDUSTRY.

##### Policy 4.8:

Provide for the adequate security of employees and property.

#### OBJECTIVE 6:

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

##### Policy 6.2:

Promote economically vital neighborhood commercial districts which foster small business enterprises and entrepreneurship, and which are responsive to economic and technological innovation in the market place and society.

*Cannabis is one of the fastest growing job categories in the country and one of the few retail uses that is burgeoning even in the face of e-commerce. The project sponsor is a qualified equity applicant Article 16 of*

*the Police Code requires local sourcing of products and services. As such, the business aims to increase employment and resident ownership both in its own Cannabis Retail business and in the cannabis cultivation, manufacturing, and distribution businesses that are provided hundreds of skilled, unskilled, and semi-skilled jobs to San Francisco residents.*

*Cannabis retailers are proven to improve security for the entire neighborhood they serve. A UCLA study funded by the National Institutes of Health demonstrated that neighborhoods with cannabis stores have no more crime than other neighborhoods and that “measures dispensaries take to reduce crime (i.e., doormen, video cameras), may increase guardianship” of the area. The project will have professional security and multiple cameras, as required by law, and will partner with SFPD, local merchants, and the community to increase safety on the corridor.*

*Regulated cannabis is a burgeoning industry specifically because it is at the innovative edge, not just of technology but of government regulation and laws. This is a field that can create small business ownership and employment opportunities for San Francisco residents, renewed vitality on commercial corridors, and destination locations for tourists. Additionally, the Project is not a Formula Retail use.*

10. **Planning Code Section 101.1(b)** establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project 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 will provide a new retail tenant. The addition of this business will enhance foot traffic to the benefit neighboring businesses. Cannabis is one of the fastest growing job categories in the country and one of the few retail uses that is burgeoning even in the face of e-commerce.*

- 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 existing housing and will not affect housing or change the character of the building.*

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

*The Project has no effect on housing and does not convert housing to a non-residential use.*

- 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. The Project is located within walking distance of the 19<sup>th</sup> Avenue and Junipero Serra Boulevard M-line light rail station as well as the 57, 28, and 29 Muni bus lines. Future customers would be afforded proximity to these Muni lines. The Parkmerced Shopping Plaza also provides off-street parking at the principally permitted amounts and sufficient bicycle parking for customers.*

- 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.

*There is no commercial office development associated with the proposed project and there would be no displacement of any existing industrial or service businesses in the area.*

- 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.

*Currently, the Project Site does not contain any City Landmarks or historic buildings. The proposed scope of work is minor and not impactful to the integrity of the existing Parkmerced shopping plaza as a potentially historic resource.*

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

*The Project will have no negative impact on existing parks and open spaces.*

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

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2019-012580CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated May 15, 2019, 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 June 2, 2019.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: August 22, 2019

## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to allow a cannabis retail use (d.b.a. Flight) located at [61 Cambon Drive, Block 7324, and Lot 001] pursuant to Planning Code Section(s) 202.2, 303, and 713 within the Neighborhood Commercial, Shopping Center (NC-S) District and a 40-X Height and Bulk District; in general conformance with plans, dated May 15, 2019, and stamped "EXHIBIT B" included in the docket for Record No. 2019-012580CUA and subject to conditions of approval reviewed and approved by the Commission on August 22, 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 August 22, 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 operating licenses from the City's Office of Cannabis and the State of California prior to commencing any cannabis sales or other activities per Planning Code Section 202.2(a)(5).  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
7. **Transparency and Fenestration.** Pursuant to Planning Code Section 145.1, the site shall be maintained with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

#### DESIGN – COMPLIANCE AT PLAN STAGE

8. **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.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*
9. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans if applicable as determined by the project planner. Odor control ducting shall not be applied to the primary façade of the building.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

#### MONITORING - AFTER ENTITLEMENT

10. **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)*

11. **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

12. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>*

13. **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)*

14. **Hours of Operation.** The subject establishment is limited to the following hours of operation: *Every day from 6 a.m. to 2 a.m. pursuant to Planning Code Section 713 for Neighborhood Commercial Shopping Center Zoning Districts.*

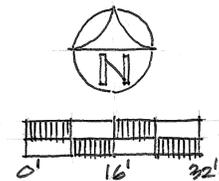
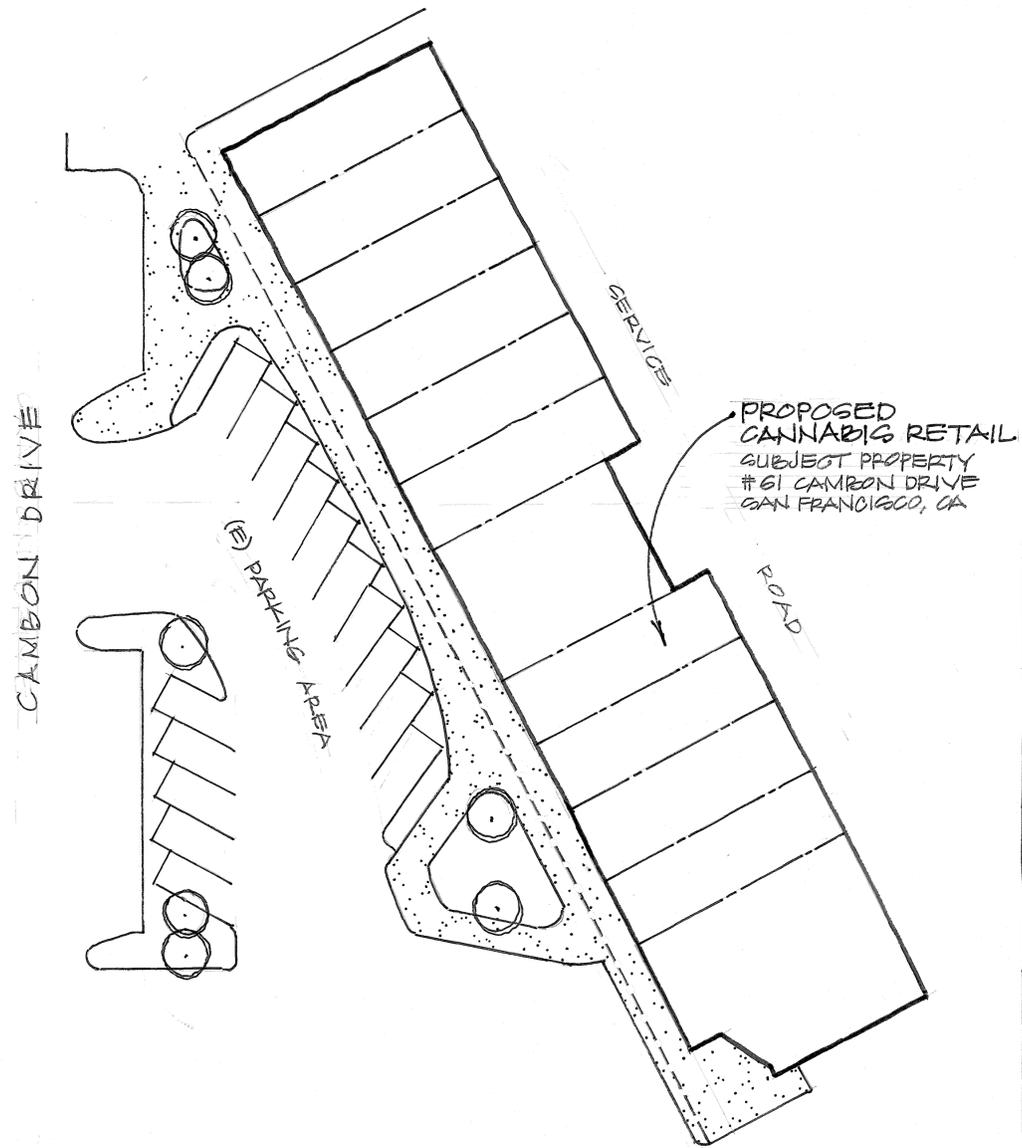
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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RECORD NO. 2019-012580CUA  
61 Cambon Drive

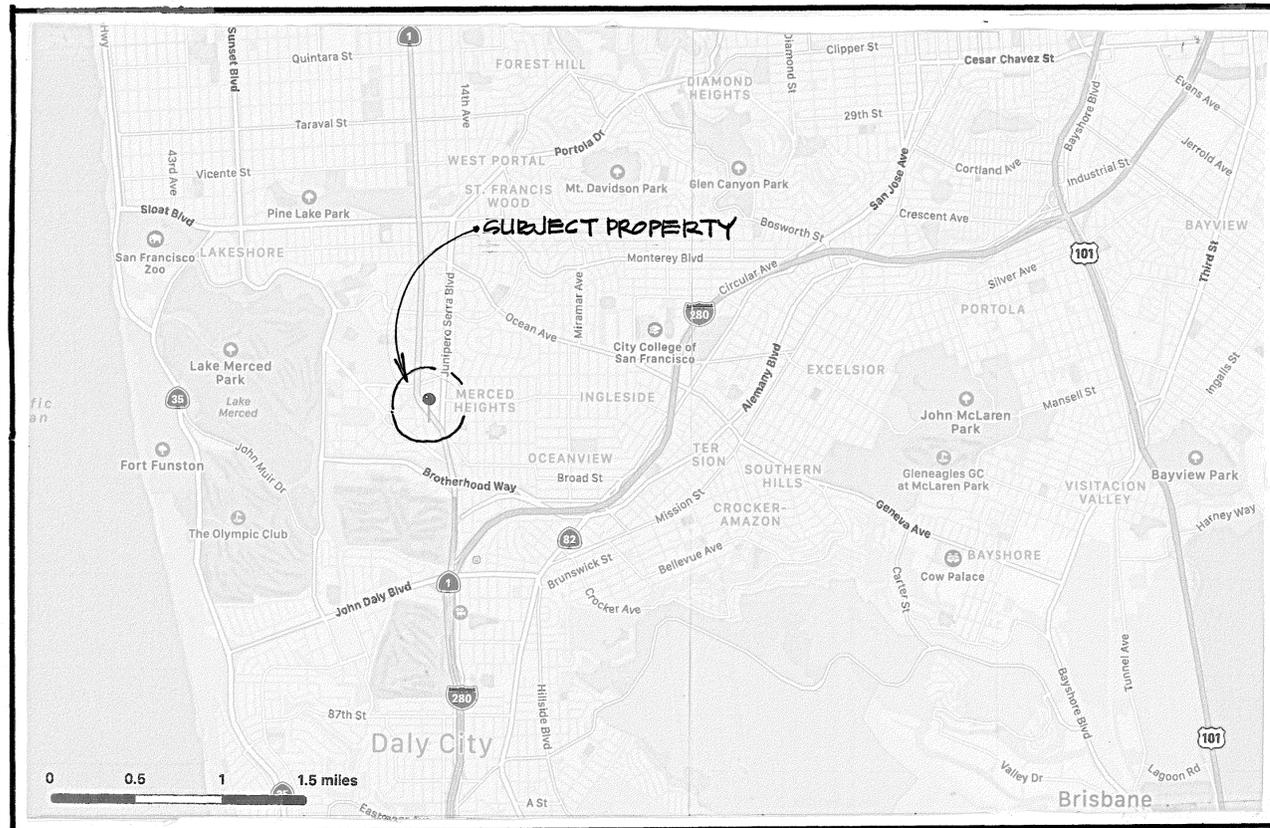
EXHIBIT B  
**Plans and Renderings**

Conditional Use Authorization  
Case No. 2019-012580CUA  
61 Cambon Drive



**EXISTING SITE PLAN**

SCALE: 1" = 16'-0"



**VICINITY MAP**

SCALE AS SHOWN

PREPARED BY:  
**CARY PARSONS DESIGN**  
 NAPA, CALIFORNIA (925) 766-8833

OWNER/LEASEE:  
**YOUSEF REALTY INVESTMENTS, LLC**  
 29-A CAMBON DRIVE, SAN FRANCISCO CA

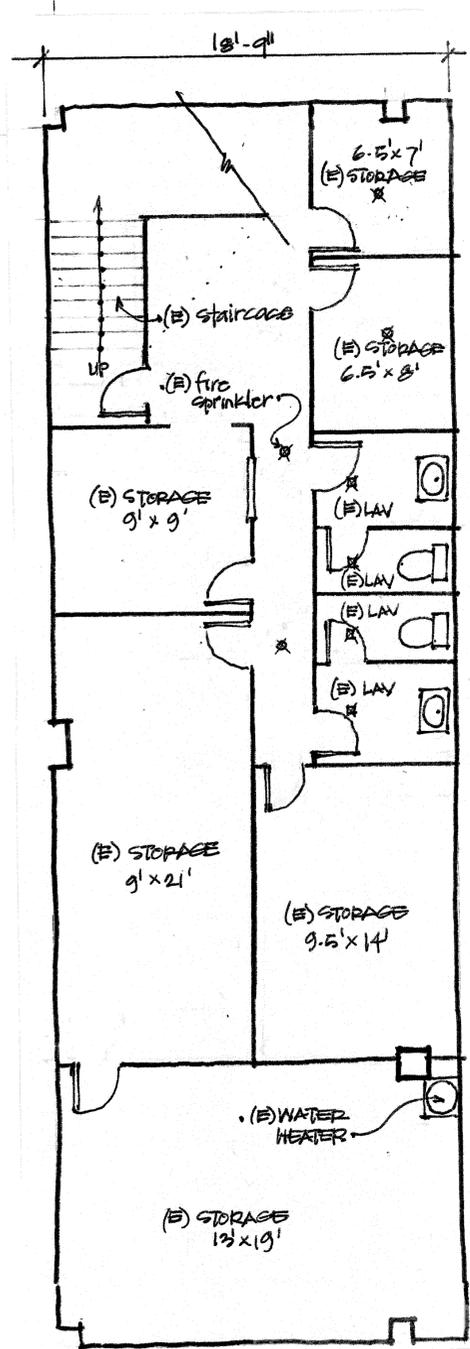
TENANT IMPROVEMENTS  
**TITLE SHEET**  
 VICINITY MAP and SITE PLAN  
 MAY 15, 2019

PERMIT APPLICATION SET for CANNABIS RETAIL  
**POSITIVE VIBES - DBA: FLIGHT**  
**61 CAMBON DRIVE**  
**SAN FRANCISCO, CALIFORNIA**  
 ZONING: NCS PARCEL #7324 LOT # 001

SHEET #

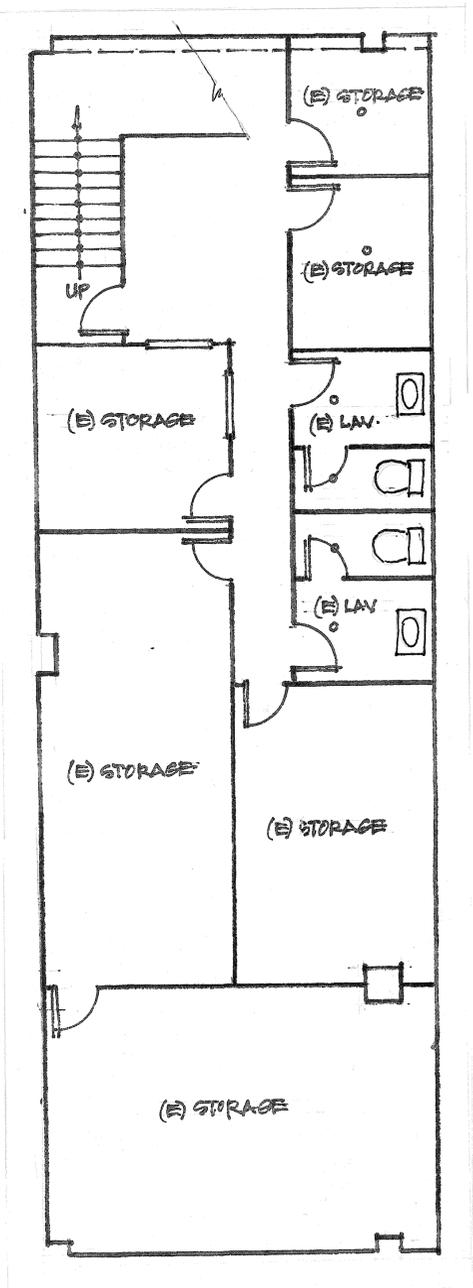
**1**

OF 3



**EXISTING BASEMENT PLAN**

SCALE: 1/4" = 1'-0"



**PROPOSED BASEMENT PLAN**

SCALE: 1/4" = 1'-0"

NOTE! NOT FOR OCCUPANCY  
NO DEMOLITION OR TENNANT  
IMPROVEMENTS NECESSARY

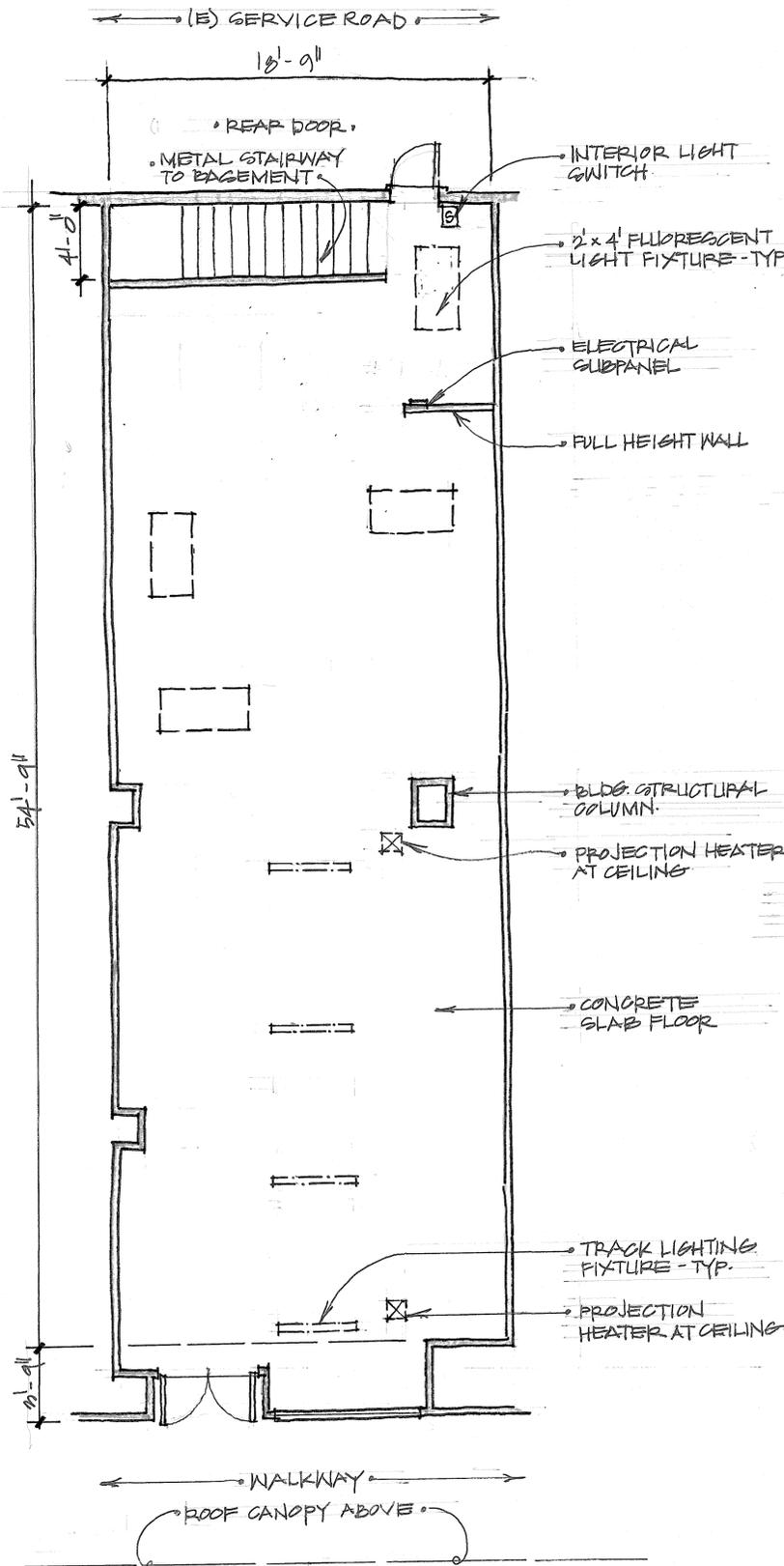
SHEET #  
**3**  
OF 3

PERMIT APPLICATION SET for CANNABIS RETAIL  
**POSITIVE VIBES - DBA: FLIGHT**  
**61 CAMBON DRIVE**  
SAN FRANCISCO, CALIFORNIA  
ZONING: NCS PARCEL #7324 LOT # 001

TENNANT IMPROVEMENTS  
**BASEMENT FLOOR PLAN**  
MAY 15, 2019

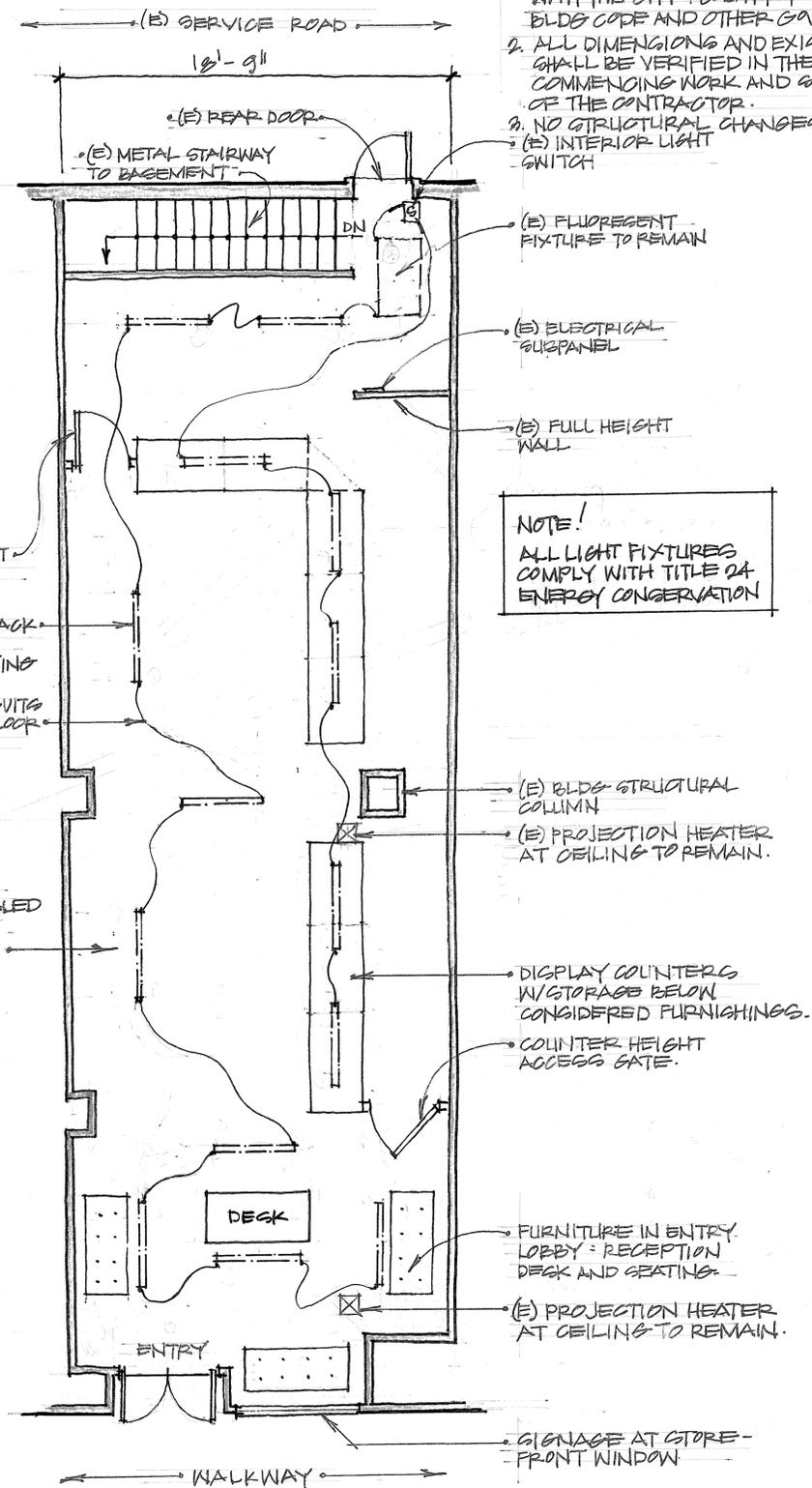
OWNER/LEASEE:  
**YOUSEF REALTY INVESTMENTS, LLC**  
29-A CAMBON DRIVE, SAN FRANCISCO CA

PREPARED BY:  
**CARY PARSONS DESIGN**  
NAPA, CALIFORNIA (925) 766-8833



EXISTING USE: MARTIAL ARTS STUDIO  
(FOR INFORMATIONAL USE ONLY)

**EXISTING FIRST FLOOR PLAN**  
INCLUDING LIGHTING LOCATIONS SCALE: 1/4" = 1'-0"



**CANNABIS RETAIL SPACE ALTERATIONS:**  
 • TRACK LIGHTING SYSTEM - AS SHOWN ON PLAN.  
 • FURNISHINGS and DISPLAY CABINETS SHOWN FOR INFORMATION ONLY.

**PROPOSED FIRST FLOOR PLAN**  
INCLUDING LIGHTING ALTERATIONS SCALE: 1/4" = 1'-0"

- GENERAL NOTES!**
1. ALL NEW WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY & COUNTY OF SAN FRANCISCO BLDG CODE AND OTHER GOVERNING REGULATIONS.
  2. ALL DIMENSIONS AND EXISTING CONDITIONS SHALL BE VERIFIED IN THE FIELD PRIOR TO COMMENCING WORK AND SHALL BE RESPONSIBILITY OF THE CONTRACTOR.
  3. NO STRUCTURAL CHANGES TO THE BLDG.
- (E) INTERIOR LIGHT SWITCH

**NOTE!**  
ALL LIGHT FIXTURES COMPLY WITH TITLE 24 ENERGY CONSERVATION

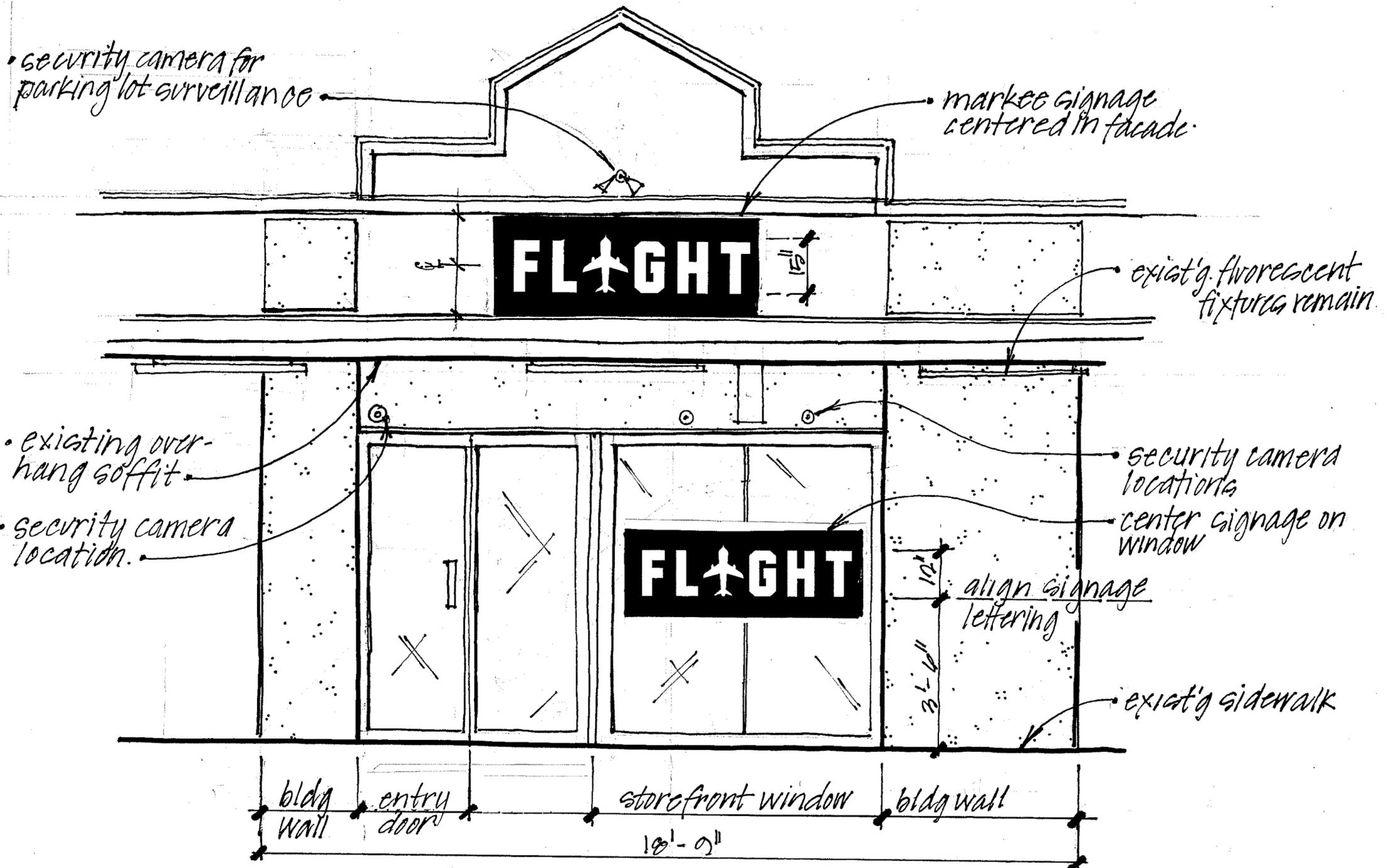
PREPARED BY:  
**GARY PARSONS DESIGN**  
NAPA, CALIFORNIA (925) 766-8833

OWNER/LEASEE:  
**YOUSEF REALTY INVESTMENTS, LLC**  
29-A CAMBON DRIVE, SAN FRANCISCO CA

TENANT IMPROVEMENTS  
**FIRST FLOOR PLAN**  
MAY 15, 2019

PERMIT APPLICATION SET FOR CANNABIS RETAIL  
**POSITIVE VIBES - DBA: FLIGHT**  
**61 CAMBON DRIVE**  
SAN FRANCISCO, CALIFORNIA  
ZONING: NCS PARCEL #7324 LOT # 001

SHEET #  
**2**  
OF 3



**FRONT ELEVATION**

SCALE: 1/2" = 1'-0"

PERMIT APPLICATION SET for CANNABIS RETAIL

**POSITIVE VIBES - DBA: FLIGHT**

**61 CAMBON DRIVE**

**SAN FRANCISCO, CALIFORNIA**

ZONING: NCS PARCEL #7324 LOT # 001

TENNANT IMPROVEMENTS

EXTERIOR LIGHTING

SECURITY & SIGNAGE

JULY 24, 2019

OWNER/LEASEE:

**YOUSEF REALTY INVESTMENTS, LLC**

29-A CAMBON DRIVE, SAN FRANCISCO CA

Draft Motion  
August 22, 2019

RECORD NO. 2019-012580CUA  
61 Cambon Drive

EXHIBIT C

**Environmental Determination:  
CEQA Categorical Exemption**

Conditional Use Authorization

Case No. 2019-012580CUA

61 Cambon Drive



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
61 CAMBON DR		7324001
<b>Case No.</b>		<b>Permit No.</b>
2019-012580PRJ		
<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>
<p><b>Project description for Planning Department approval.</b>          Conditional Use Authorization for change of use to establish Cannabis Retail within a ground floor retail space.</p>		

### STEP 1: EXEMPTION CLASS

<b>The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).</b>	
<input checked="" type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input 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"/>	<p><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:</p> <p>(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.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p><b>FOR ENVIRONMENTAL PLANNING USE ONLY</b></p>
<input type="checkbox"/>	<b>Class ____</b>

## STEP 2: CEQA IMPACTS

### TO BE COMPLETED BY PROJECT PLANNER

<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?  <i>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 involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? 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? If yes, archeo review is required (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). If yes, Environmental Planning must issue the exemption.
<input type="checkbox"/>	<b>Slope = or &gt; 25%:</b> Does the project involve any of the following: (1) square footage expansion greater than 500 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 and Environmental Planning must issue the exemption.</b>
<input type="checkbox"/>	<b>Seismic: Landslide Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 500 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 and Environmental Planning must issue the exemption.</b>
<input type="checkbox"/>	<b>Seismic: Liquefaction Zone:</b> Does the project involve any of the following: (1) square footage expansion greater than 500 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 and Environmental Planning must issue the exemption.</b>
<b>Comments and Planner Signature (optional):</b>	

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

<b>PROPERTY IS ONE OF THE FOLLOWING:</b> (refer to <i>Property Information Map</i> )	
<input checked="" type="checkbox"/>	<b>Category A:</b> Known Historical Resource. <b>GO TO STEP 5.</b>
<input 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 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 checked="" 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 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 checked="" 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):  Install new signage and security cameras along front façade. No removal or alteration of character-defining features.
<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 <input type="checkbox"/> Reclassify to Category A a. Per HRER or PTR dated <input type="checkbox"/> Reclassify to Category C (attach HRER or PTR) b. Other (specify):
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.</b>	
<input checked="" 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> Stephanie Cisneros	

**STEP 6: CATEGORICAL EXEMPTION DETERMINATION  
TO BE COMPLETED BY PROJECT PLANNER**

<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	<b>Signature:</b> Bridget Hicks
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	07/25/2019
	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 approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

## 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 than front page)		Block/Lot(s) (If different than front page)
61 CAMBON DR		7324/001
Case No.	Previous Building Permit No.	New Building Permit No.
2019-012580PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Planning Commission Hearing	
Modified Project Description:		

### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	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?
<b>If at least one of the above boxes is checked, further environmental review is required.</b>	

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification 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. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.	
Planner Name:	Date:

Draft Motion  
August 22, 2019

RECORD NO. 2019-012580CUA  
61 Cambon Drive

EXHIBIT D  
**Land Use Data**

Conditional Use Authorization  
Case No. 2019-012580CUA  
61 Cambon Drive



# SAN FRANCISCO PLANNING DEPARTMENT

## Land Use Information

PROJECT ADDRESS: 61 CAMBON DR  
RECORD NO.: 2019-012580PRJ

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
<b>GROSS SQUARE FOOTAGE (GSF)</b>			
Parking GSF	0	0	0
Residential GSF	0	0	0
Retail/Commercial GSF	1000	1000	0
Office GSF	0	0	0
Industrial/PDR GSF <small>Production, Distribution, &amp; Repair</small>	0	0	0
Medical GSF	0	0	0
Visitor GSF	0	0	0
CIE GSF	0	0	0
Usable Open Space	0	0	0
Public Open Space	0	0	0
Other ( )	0	0	0
<b>TOTAL GSF</b>	<b>1000</b>	<b>1000</b>	<b>0</b>
	EXISTING	NET NEW	TOTALS
<b>PROJECT FEATURES (Units or Amounts)</b>			
Dwelling Units - Affordable	0	0	0
Dwelling Units - Market Rate	0	0	0
Dwelling Units - Total	0	0	0
Hotel Rooms	0	0	0
Number of Buildings	1	0	1
Number of Stories	1	0	1
Parking Spaces	0	0	0
Loading Spaces	0	0	0
Bicycle Spaces	0	0	0
Car Share Spaces	0	0	0
Other ( )	0	0	0

	EXISTING	PROPOSED	NET NEW
<b>LAND USE - RESIDENTIAL</b>			
Studio Units	0	0	0
One Bedroom Units	0	0	0
Two Bedroom Units	0	0	0
Three Bedroom (or +) Units	0	0	0
Group Housing - Rooms	0	0	0
Group Housing - Beds	0	0	0
SRO Units	0	0	0
Micro Units	0	0	0
Accessory Dwelling Units	0	0	0

Draft Motion  
August 22, 2019

RECORD NO. 2019-012580CUA  
61 Cambon Drive

EXHIBIT E  
**Maps and Context Photos**

# Parcel Map

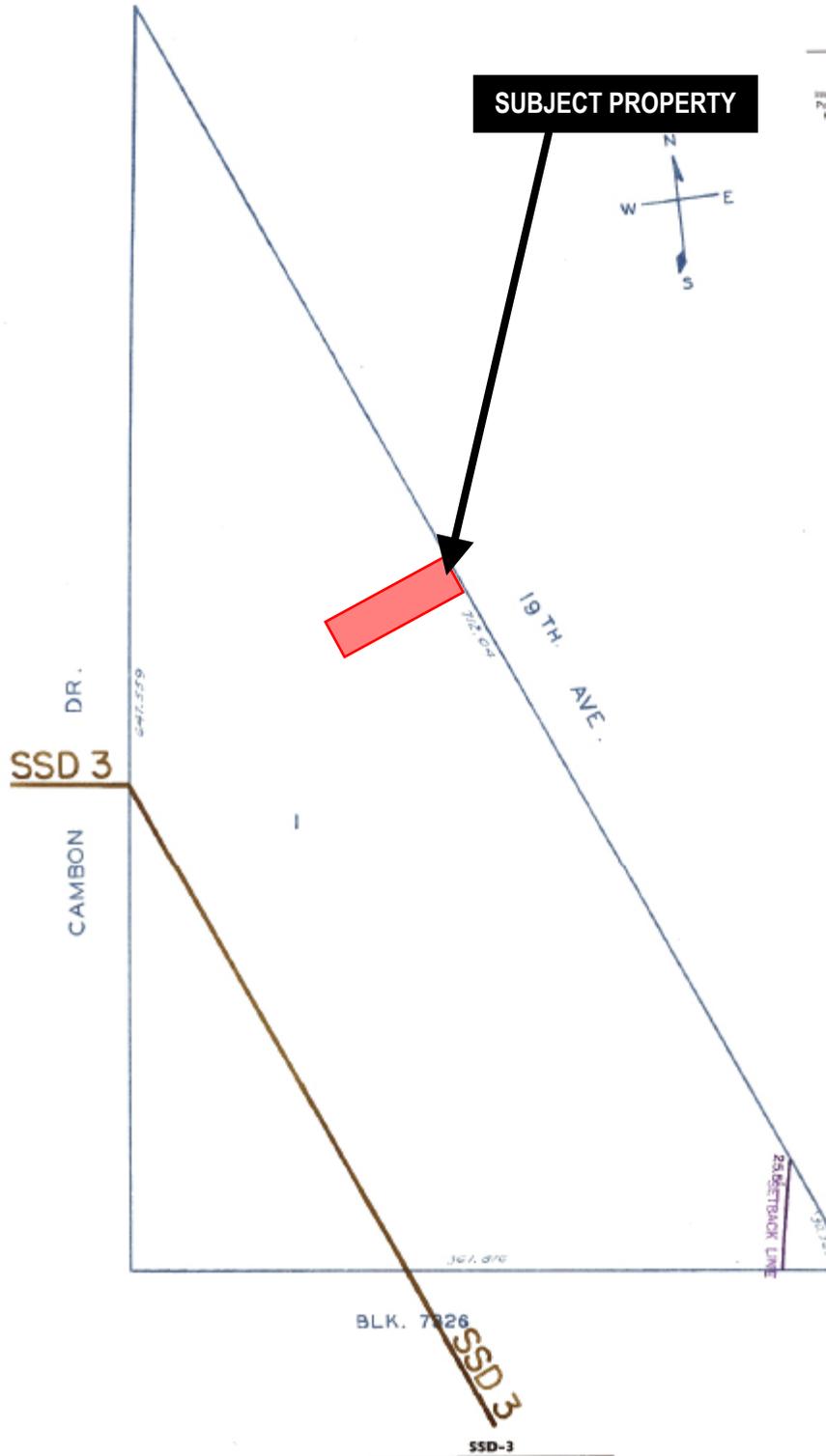
C-1  
NC-S  
40-X

PRIOR SFIP, RES. 3558

NCRS

NEIGHBORHOOD COMMERCIAL  
REZONING STUDY

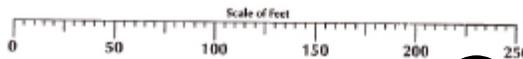
Initial Codebook: 1984.582ETZ, Dates: 1/14/85-3/29/87  
Permanent: 1988.815ET2M, Ord. 69-87, Date: 4/13/87  
Final: 1989.616ET2M, Ord. 94-87, Date: 12/12/87



BLK. 7826

SSD-3

SCENIC STREETS  
SPECIAL SIGN DISTRICT  
See Section 608.6

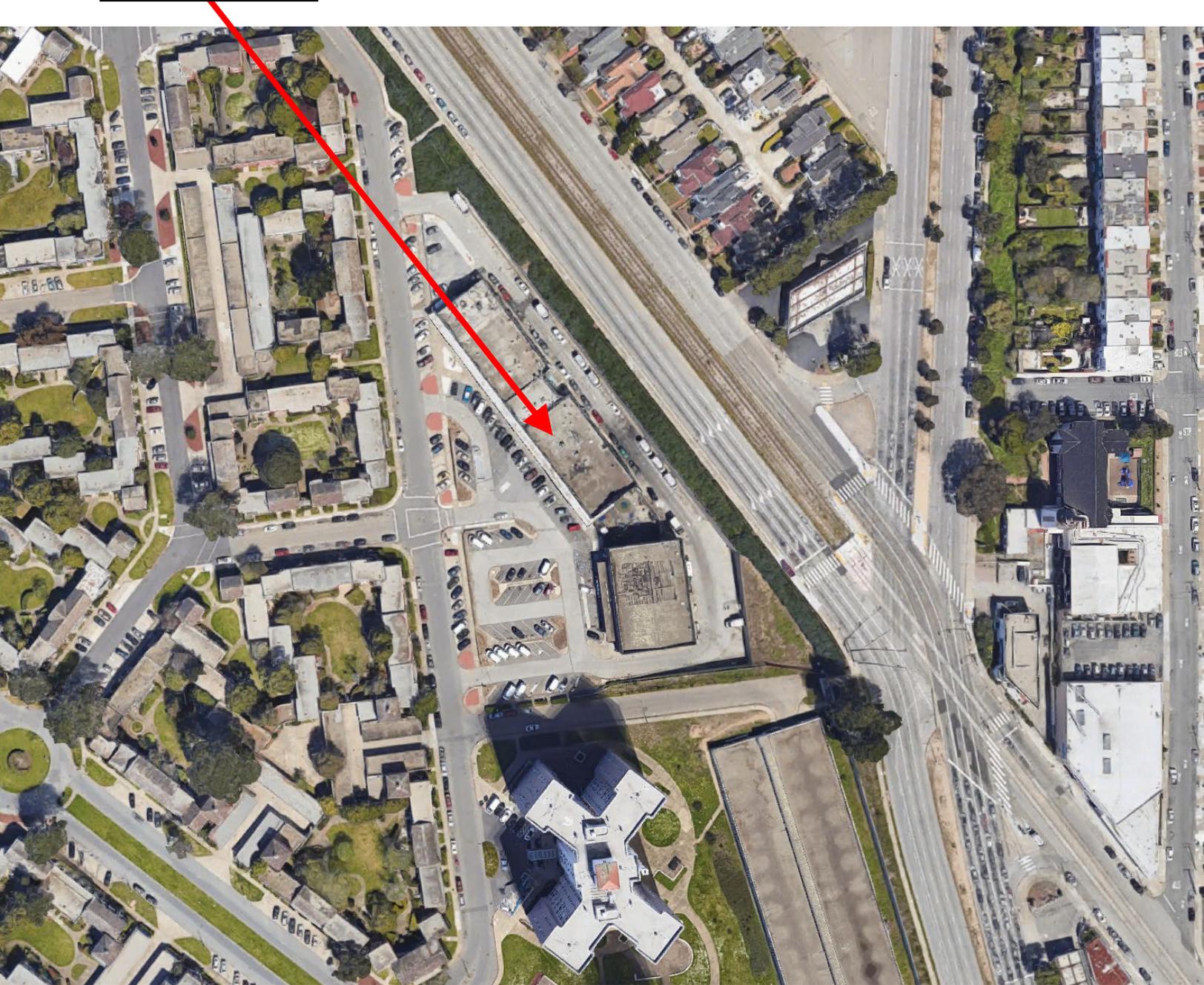


Conditional Use Authorization Hearing  
Case Number 2019-012580CUA  
NC-S, Neighborhood Commercial,  
Shopping Zoning District  
61 Cambon Drive

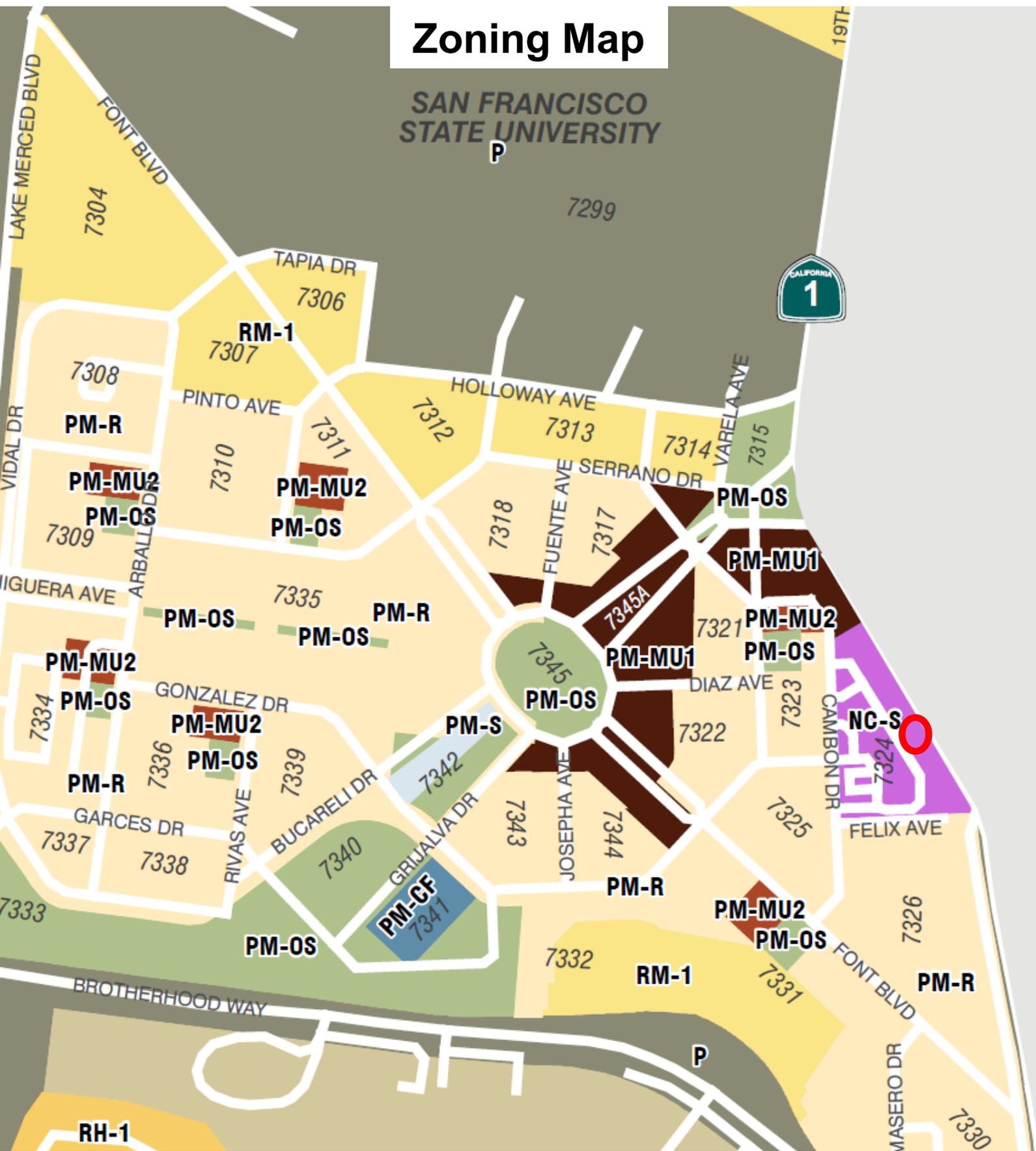


# Aerial Photo

**SUBJECT PROPERTY**



# Zoning Map



# Site Photo



Draft Motion  
August 22, 2019

RECORD NO. 2019-012580CUA  
61 Cambon Drive

EXHIBIT F  
**Project Applications**

Conditional Use Authorization

Case No. 2019-012580CUA

61 Cambon Drive



# PROJECT APPLICATION (PRJ)

## GENERAL INFORMATION

### Property Information

Project Address: 61 Cambon Dr

Block/Lot(s): 7324/001

### Property Owner's Information

Name: Yousef Realty Investments llc

Address: 29-A Cambon Drive  
San Francisco, CA 94132

Email Address: Samer@danfouralaw.com

Telephone: 415-970-8012

### Applicant Information

Same as above

Name: Keena Middleton

Company/Organization: Positive Vibe

Address: 370 Hamilton St  
San Francisco, ca 94134

Email Address: kjmiddle10@gmail.com

Telephone: 415-725-0338

#### Please Select Billing Contact:

Owner       Applicant       Other (see below for details)

Name: Keena Middleton      Email: kjmiddle10@gmail.com      Phone: 415-725-0338

#### Please Select Primary Project Contact:

Owner       Applicant       Billing

## RELATED APPLICATIONS

### Related Building Permit Applications

N/A

Building Permit Application No(s):

### Related Preliminary Project Assessments (PPA)

N/A

PPA Application No:

PPA Letter Date:

PROJECT INFORMATION

**Project Description:**

Please provide a narrative project description that summarizes the project and its purpose. Please list any special authorizations or changes to the Planning Code or Zoning Maps if applicable.

We plan to occupy existing unit with no structural changes only interior furniture.

Equity Applicant, Conditional Use Approval Pursuant to Planning Code section 303(w) ; 202.2(a)(5); 713 to Establish Cannabis Retail use within a ground floor retail space.

**Project Details:**

- Change of Use     New Construction     Demolition     Facade Alterations     ROW Improvements
- Additions     Legislative/Zoning Changes     Lot Line Adjustment-Subdivision     Other \_\_\_\_\_

- Residential:**     Senior Housing     100% Affordable     Student Housing     Dwelling Unit Legalization
- Inclusionary Housing Required     State Density Bonus     Accessory Dwelling Unit

Indicate whether the project proposes rental or ownership units:     Rental Units     Ownership Units     Don't Know

- Non-Residential:**     Formula Retail     Medical Cannabis Dispensary     Tobacco Paraphernalia Establishment
- Financial Service     Massage Establishment     Other: \_\_\_\_\_

**Estimated Construction Cost:** 0

**PROJECT AND LAND USE TABLE**

		Existing	Proposed
<b>General Land Use</b>	Parking GSF		
	Residential GSF		
	Retail/Commercial GSF	1000	1000
	Office GSF		
	Industrial-PDR		
	Medical GSF		
	Visitor GSF		
	CIE (Cultural, Institutional, Educational)		
	Useable Open Space GSF		
	Public Open Space GSF		

<b>Project Features</b>	Dwelling Units - Affordable		
	Dwelling Units - Market Rate		
	Dwelling Units - Total		
	Hotel Rooms		
	Number of Building(s)		
	Number of Stories		
	Parking Spaces		
	Loading Spaces		
	Bicycle Spaces		
	Car Share Spaces		
	Other: _____		

<b>Land Use - Residential</b>	Studio Units		
	One Bedroom Units		
	Two Bedroom Units		
	Three Bedroom (or +) Units		
	Group Housing - Rooms		
	Group Housing - Beds		
	SRO Units		
	Micro Units		
	Accessory Dwelling Units For ADUs, list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.		

**ENVIRONMENTAL EVALUATION SCREENING FORM**

This form will determine if further environmental review is required.

If you are submitting a Building Permit Application only, please respond to the below questions to the best of your knowledge. You do not need to submit any additional materials at this time, and an environmental planner will contact you with further instructions.

If you are submitting an application for entitlement, please submit the required supplemental applications, technical studies, or other information indicated below along with this Project Application.

Environmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
<b>1a. General</b>	Estimated construction duration (months):	N/A	
<b>1b. General</b>	Does the project involve replacement or repair of a building foundation? If yes, please provide the foundation design type (e.g., mat foundation, spread footings, drilled piers, etc)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>2. Transportation</b>	Does the project involve a child care facility or school with 30 or more students, or a location 1,500 square feet or greater?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit an Environmental Supplemental- <a href="#">School and Child Care Drop-Off &amp; Pick-Up Management Plan</a> .
<b>3. Shadow</b>	Would the project result in any construction over 40 feet in height?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, an initial review by a shadow expert, including a recommendation as to whether a shadow analysis is needed, may be required, as determined by Planning staff. (If the project already underwent Preliminary Project Assessment, refer to the shadow discussion in the PPA letter.)  An additional fee for a shadow review may be required.
<b>4a. Historic Preservation</b> 	Would the project involve changes to the front façade or an addition visible from the public right-of-way of a structure built 45 or more years ago or located in a historic district?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit a complete <a href="#">Historic Resource Determination</a> Supplemental Application. Include all materials required in the application, including a complete record (with copies) of all building permits.
<b>4b. Historic Preservation</b>	Would the project involve demolition of a structure constructed 45 or more years ago, or a structure located within a historic district?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, a historic resource evaluation (HRE) report will be required. The scope of the HRE will be determined in consultation with <a href="mailto:CPC-HRE@sfgov.org">CPC-HRE@sfgov.org</a> .

Environmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
<b>5. Archeology</b> 	Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeologically sensitive area or eight (8) feet below grade in a non-archeologically sensitive area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If Yes, provide depth of excavation/disturbance below grade (in feet*):  <i>*Note this includes foundation work</i>
<b>6. Geology and Soils</b> 	Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 20% or greater?  -----  Area of excavation/disturbance (in square feet):  -----  Amount of excavation (in cubic yards):  -----	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project: <ul style="list-style-type: none"> <li>● The project involves:               <ul style="list-style-type: none"> <li>○ excavation of 50 or more cubic yards of soil, or</li> <li>○ building expansion greater than 1,000 square feet outside of the existing building footprint.</li> </ul> </li> <li>● The project involves a lot split located on a slope equal to or greater than 20 percent.</li> </ul> <i>A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.</i>
<b>7. 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 Pollutant Exposure Zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, the property owner must submit copy of initial filed application with department of public health. More information is found <a href="#">here</a> .
<b>8a. Hazardous Materials</b>	Would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit a Phase I Environmental Site Assessment prepared by a qualified consultant.
<b>8b. Hazardous Materials</b> 	Is the project site located within the Maher area and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit a copy of the <a href="#">Maher Application Form</a> to the Department of Public Health. Also submit a receipt of Maher enrollment with the Project Application.  For more information about the Maher program and enrollment, refer to the Department of Public Health's <a href="#">Environmental Health Division</a> .  <i>Maher enrollment may also be required for other circumstances as determined by Environmental Planning staff.</i>

# 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) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

  
\_\_\_\_\_  
Signature

Keena Middleton  
\_\_\_\_\_  
Name (Printed)

5-31-2019  
\_\_\_\_\_  
Date

Applicant: Positive Vibe  
*Secretary*  
\_\_\_\_\_  
Relationship to Project  
(i.e. Owner, Architect, etc.)

415-725-0338  
\_\_\_\_\_  
Phone

kjmiddle10@gmail.com  
\_\_\_\_\_  
Email

**For Department Use Only**  
Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_



# CONDITIONAL USE AUTHORIZATION

## SUPPLEMENTAL APPLICATION

### Property Information

---

Project Address: 61 Cambon Dr

Block/Lot(s): 7324/001

---

### Action(s) Requested

Action(s) Requested (Including Planning Code Section(s) which authorizes action)

We plan to occupy existing unit with no structural changes only interior furniture.

Equity Applicant, Conditional Use Approval Pursuant to Planning Code section 303(w) ; 202.2(a)(5); 713 to Establish Cannabis Retail use within a ground floor retail space.

### Conditional Use Findings

Pursuant to Planning Code Section 303(c), before approving a conditional use authorization, the Planning Commission needs to find that the facts presented are such to establish the findings stated below. In the space below and on separate paper, if necessary, please present facts sufficient to establish each finding.

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community. If the proposed use exceeds the non-residential use size limitations for the zoning district, additional findings must be provided per Planning Code Section 303(c)(1)(A-C).

The size of the proposed use is in keeping with other storefronts on the block face. The proposed Cannabis Retail Establishment will not impact traffic or parking as it will occupy an existing retail/service space and equipped with shared parking lot. This will compliment the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood.

The impact of increased access and visibility of Cannabis to the youth is a supreme concern for the City. While there are no sensitive uses (as defined in Planning Code Section 202.2) within 600 feet of the proposed site, the sponsors are conscious that minors will pass by the site. As such, the retail storefront has been specifically designed to have a security check-in at the main entryway to prevent the entrance of minors. Additionally, display cases and sales areas are set back from the front facade to limit the visibility of products. With this configuration, the visibility of products and potential impact to youth passing by is minimal.

2. That such use or feature 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:
  - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
  - b. 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;
  - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
  - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

A. The height and bulk of the existing building will remain the same and the project will not alter the existing appearance or character of the project vicinity.

B. The planning code does not require parking or loading for the use. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The proposed use will be well-served by the existing parking lot and local transit authorities.

C. The San Francisco Health Code will require installation of proper HVAC systems to prevent odors and emissions from the space from impacting persons or property in the vicinity. The Department of Health will not issue a permit if such odors and emissions are not controlled. As such, the project has safeguards to prevent noxious or offensive emissions such as noise, glare, dust, and odor.

D. The project site parking lot, and landscaping are maintained by building management. All project signage, projections, and exterior changes proposed for the business will be consistent with the controls of the Planning Code and the conditions of this Motion.

3. That such use or feature as proposed will comply with the applicable provisions of this 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.

4. The use or feature satisfies any criteria specific to the use of features listed in Planning Code Section 303(g), et seq.

N/A

# APPLICANT'S AFFIDAVIT

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\_\_\_\_\_  
Signature

keena Middleton  
\_\_\_\_\_  
Name (Printed)

6/1/2019  
\_\_\_\_\_  
Date

Applicant *Positive Vibe Secretary*  
\_\_\_\_\_  
Relationship to Project  
(i.e. Owner, Architect, etc.)

415-725-0338  
\_\_\_\_\_  
Phone

kjmiddle10@gmail.com  
\_\_\_\_\_  
Email

**For Department Use Only**  
Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_



# San Francisco Planning

## AFFIDAVIT FOR FORMULA RETAIL ESTABLISHMENTS

### 1. Location and Classification

Project Address: 61 cambon dr

Block/Lot(s): 7324/001

### 2. Proposed Use Description

Proposed Use (Use Category Per Article 7 or 8):

Proposed Business Name:

RETAIL

FLIGHT

Description of Business, Including Products and/or Services:  
recreational/medicinal cannabis retail storefront

Building Permit Application No. (if applicable):

Conditional Use Case No. (if applicable):

### 3. Quantity of Retail Locations

3.A	List the number of existing locations this business has worldwide. Please include any property for which a lease has been executed.	0
3.B	List the number of existing locations in San Francisco.	0

If the number entered on Line 3.A above is 11 or more, then the proposed use may be a Formula Retail Use. Continue to section 4 below.

If the number entered on Line 3.A above is 10 or fewer, no additional information is required. Proceed to section 5 on the next page and complete the Applicant's Affidavit.

### 4. Standardized Features

	FEATURES	YES	NO
A	Array of Merchandise	<input type="checkbox"/>	<input type="checkbox"/>
B	Trademark	<input type="checkbox"/>	<input type="checkbox"/>
C	Servicemark	<input type="checkbox"/>	<input type="checkbox"/>
D	Décor	<input type="checkbox"/>	<input type="checkbox"/>
E	Color Scheme	<input type="checkbox"/>	<input type="checkbox"/>
F	Façade	<input type="checkbox"/>	<input type="checkbox"/>
G	Uniform Apparel	<input type="checkbox"/>	<input type="checkbox"/>
H	Signage	<input type="checkbox"/>	<input type="checkbox"/>
TOTAL			

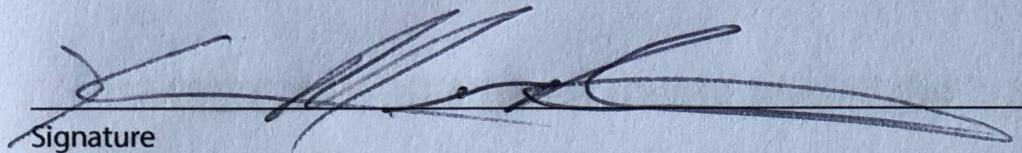
Enter the total number of Yes/No answers above.

If the total YES responses is two (2) or more, then the proposed use is a Formula Retail Use.

# APPLICANT'S AFFIDAVIT

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Signature

Keena Middleton

Name (Printed)

7/15/2019

Date

Positive Vibe, Secretary

415-725-0338

kjmiddle10@gmail.com

Relationship to Project  
(i.e. Owner, Architect, etc.)

Phone

Email

## PLANNING DEPARTMENT USE ONLY

PLANNING CODE SECTION(S) APPLICABLE:

HOW IS THE PROPOSED USE REGULATED AT THIS LOCATION?

- Principally Permitted
- Principally Permitted, Neighborhood Notice Required (Section 311)
- Not Permitted
- Conditional Use Authorization Required (Please list Case Number below)

CASE NO.	MOTION NO.	EFFECTIVE DATE	NSR RECORDED?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

COMMENTS:

VERIFIED BY:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Phone: \_\_\_\_\_