



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Analysis

Medical Cannabis Dispensary

HEARING DATE AUGUST 6, 2015

Date: July 22, 2015
Case No.: 2014-002235DRM
Project Address: 214 California Street
Zoning: C-3-O (Downtown Office) District
75-X Height and Bulk District
Downtown Area Plan
Block/Lot: 0237/007
Project Sponsor: Brendan Hallinan
Hallinan & Hallinan, PC
345 Franklin Street
San Francisco, CA 94102
Staff Contact: Nicholas Foster – (415) 575-9167
nicholas.foster@sfgov.org
Recommendation: **Take Discretionary Review and Approve with Modifications**

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

Reception:
415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The proposal is to establish a new Medical Cannabis Dispensary (MCD) at 214 California Street (d.b.a. UNI Collective) to replace a vacant second-floor commercial space previously occupied by a Financial Institution (d.b.a. West America Bank). The space is approximately 3,840 gsf in size. No parking is required and no physical expansion is proposed for the structure.

A previous Mandatory Discretionary Review for the establishment of an MCD (Case No. 2012.0193D) was reviewed—and approved—by the Planning Commission on September 12, 2013. This previous case permitted an approximately 3,840 sf MCD to operate in the rear portion of the ground floor of the subject property, and granted approval for the applicant to sell cannabis and cannabis foodstuffs, but did not permit on-site cultivation or medication of medical cannabis (e.g. smoking, vaporizing, and consumption of medical cannabis edibles). While this previously-approved MCD has not yet opened, the San Francisco Department of Public Health (SFDPH) has since received an updated application from a new operator (d.b.a. 2 ONE 2 California) to operate an MCD on the ground floor, pursuant to the conditions of approval in Case No. 2012-0193D. The SFDPH hearing is scheduled for July 29, 2015.

This Mandatory Discretionary Review (Case No. 2014-002235DRM) is to permit an additional space for the use of several MCDs utilizing the entire second floor of the subject property. The second floor, totaling approximately 1,200 gsf, is designed to function as multi-suite and shared work space (including a shared conference room), with up to sixteen (16) MCDs (collectives) operating out independently-operated office suites. Each of the suites will serve as the principal place of business for each collective, and activities may include: administration; product development; product packaging; quality control; storage; and compliance inspections by SFDPH. The proposed MCD would not be open to the public at the project site, nor would any of the collectives offer on-site distribution (sales) of medical cannabis. All

distribution would be delivery-only (off-site distribution). Only employees registered with SFDPH will be at the subject property on a day-to-day basis. Edible medical cannabis products would be prepared on-site; however, no cannabis plants would be cultivated on-site. Additionally, no on-site medication of medical cannabis (e.g. smoking, vaporizing, and consumption of medical cannabis edibles) would be permitted.

The project sponsor for the second floor MCDs is not required to make tenant improvements to comply with the Mayor's Office of Disability, pursuant to Section 3308(y)(5) of the San Francisco Health Code. Section 3308(y)(5) stipulates that any medical cannabis dispensary that distributes medical cannabis solely through delivery to qualified patients or primary caregivers and does not engage in on-site distribution or sales of medical cannabis shall be exempt from the requirements of subsection 3308(y).

The proposed hours of operation for the new MCDs on the second floor of the subject property are 8 a.m. to 10 p.m., daily. The subject commercial space has approximately 32'-6" of frontage along California Street. The project sponsor will maintain full-time security, which includes indoor and outdoor video cameras. In addition, security guards will be stationed at the front door, and maintenance of the immediate sidewalk will be provided.

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

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

(e) It is unlawful for any person or association operating a medical cannabis dispensary under the provisions of this Article to permit any breach of peace therein or any disturbance of public order or decorum by any tumultuous, riotous or disorderly conduct, or otherwise, or to permit such dispensary to remain open, or patrons to remain upon the premises, between the hours of 10 p.m. and 8 a.m. the next day. However, the Department shall issue permits to two medical cannabis dispensaries permitting them to remain open 24 hours per day. These medical cannabis dispensaries shall be located in order to provide services to the population most in need of 24 hour access to medical cannabis. These medical cannabis dispensaries shall be located at least one mile from each other and shall be accessible by late night public transportation services. However, in no event shall a medical cannabis dispensary located in a Small-Scale Neighborhood Commercial District, a Moderate Scale Neighborhood Commercial District, or a Neighborhood Commercial Shopping Center District as defined in Sections 711, 712 and 713 of the Planning Code, be one of the two medical cannabis dispensaries permitted to remain open 24 hours per day.

SITE DESCRIPTION AND PRESENT USE

The Project Site is a 4,142 sf through-lot, developed with a two-story-over-basement commercial building located on the north side of California Street, between Front and Battery Streets in the Financial District. Since this parcel is a through-lot, the building's secondary frontage is on Halleck Street, which functions primarily as the back-of-house access for the many of the block's restaurants. The building—both ground floor and second floor—was occupied by WestAmericia Bank, however, the entire building is currently vacant. The building contains approximately 32'-6" of street frontage along California Street.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Site is located on the north side of California Street, between Front and Battery Streets in the Financial District, and is zoned C-3-O (Downtown Office). The property is located within the Front-California Conservation District, classified as a Category V-Unrated Building. To the east of the Site at the ground floor is Charles Schwab (located at the corner of California and Front Streets), and to the west is the Hind Building, which includes Barbacco and Perbacco restaurants. This block of California Street also includes Tadich Grill and Michael Mina restaurants at the ground floor. It is across the street from large office buildings with ground floor retail. The Site is located in the heart of the local and regional transportation network, including close proximity to local bus, lightrail, and cable car lines, BART, Golden Gate Transit, and the Ferry.

The Subject Property is located within the C-3-O District. This district, playing a leading national role in finance, corporate headquarters and service industries, and serving as an employment center for the region, consists primarily of high-quality office development. The intensity of building development is the greatest in the City, resulting in a notable skyline symbolizing the area's strength and vitality. The district is served by City and regional transit reaching its central portions and by automobile parking at peripheral locations. Intensity and compactness permit face-to-face business contacts to be made conveniently by travel on foot. Office development is supported by some related retail and service uses within the area, with inappropriate uses excluded in order to conserve the supply of land in the core and its expansion areas for further development of major office buildings.

The Financial District does not currently contain an existing MCD, leaving this community without convenient access to medical cannabis. The proposed MCD will serve chronically ill patients who live or work in this neighborhood and provide them with safe and convenient access to medication for their ailments.

ISSUES AND OTHER CONSIDERATIONS

The proposed dispensary complies with all relevant Planning Code requirements. Most notably, the subject property was not found to fall within 1000' feet of any public or private elementary or secondary schools, or community facility or recreation center primarily serving persons younger than 18 years of age.

The 214 California Street, multi-office MCD project will afford small collectives, delivery services, and research and development groups the much desired opportunity to comply with the SF Health Code and operate legally and under the SFDPH supervision. Each applicant will still be required to file a permit application with SFDPH and will be subjected to their regulations including tax compliance, non-profit operation, background checks and annual compliance inspections. The facility will provide 24 hour security as well as a shared conference room and reception. This facility is being designed to be a hub for innovation and collaboration in the medical cannabis space consistent with the current business and technology culture of San Francisco.

Clustering and Neighborhood Impact

Although the San Francisco Health Code does not prohibit clustering of MCDs, clustering is an issue that has been raised and may create unique neighborhood impact issues. However, because the proposed MCDs will not be open to the public and will not provide on-site distribution, there will be no increase in the intensity of customers and therefore none of the issues that clustering could potentially create exist with this project. Furthermore, the offices are designed for administration only during normal business hours.

Traffic Impact

The proposed collectives will not be utilizing a dedicated on-street parking space for pick up and/or delivery point for medical marijuana. In order to avoid any negative traffic impact around the project site, the landlord will require, through a lease agreement with each of the collectives, that delivery drivers be required to pick up and/or drop off their medical cannabis inventory in the morning (before 9:00 a.m.) and in the evening (after 6:00 p.m.) only. During the hours of 9:00 a.m. through 6:00 p.m., the collectives will be using the MCD space for only for the following activities: administration; product development; product packaging; quality control; storage; and compliance inspections by SFDPH. Additionally, because the MCDs are distribution-only, patients-members (patrons) will not be coming to the project site. Therefore, the Project Sponsor does not anticipate any negative impact on traffic on the streets surrounding the project site.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	30 days	July 7, 2015	July 6, 2015	31 days
Mailed Notice	30 days	July 7, 2015	July 6, 2015	31 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)			1
Other neighbors on the block or directly across the street		2	
Neighborhood groups or others	11	1	

The Department has received the following public comment on the project: ten (10) letters and one (1) phone call in support of the proposed use; two (2) letters and one (1) phone call in opposition to the project; and one (1) phone call of no position on the project. Letters of support have been attached for reference. Those opposed to the project state that they believe the proposed business will not be compatible with the existing business uses in the area.

PROJECT ANALYSIS

MEDICAL CANNABIS DISPENSARY CRITERIA

Below are the six criteria to be considered by the Planning Commission in evaluating Medical Cannabis Dispensaries, per Planning Code Section 202.2(e)(1):

1. That the proposed parcel is located not less than 1,000 feet from a parcel containing a public or private elementary or secondary school; or a community facility and/or a recreation center that primarily serves persons under 18 years of age.

Project Meets Criteria

The parcel containing the MCD is not located within 1,000 feet from a parcel containing a public or private elementary or secondary school, or a community facility and/or a recreation center that primarily serves persons under 18 years of age as defined by Section 202.2(e)(1) of the Planning Code.

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

Project Meets Criteria

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

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

Project Meets Criteria

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

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

Criteria not Applicable

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

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

Project Meets Criteria

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

6. A notice shall be sent out to all properties within 300-feet of the subject lot and individuals or groups that have made a written request for notice or regarding specific properties, areas or Medical Cannabis Dispensaries. Such notice shall be held for 30 days.

Project Meets Criteria

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

GENERAL PLAN COMPLIANCE:

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

COMMERCE AND INDUSTRY

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1

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

The Project will provide access to safe, convenient access to medical cannabis.

Policy 1.2:

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

The location for the proposed MCD meets all of the requirements in Section 202.2(e)(1) of the Planning Code.

OBJECTIVE 2:

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

Policy 2.1

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

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

OBJECTIVE 7:

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL

CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES.

Policy 7.3:

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

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

SECTION 101.1 PRIORITY POLICIES

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

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

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

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

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

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

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

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

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

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

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

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

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

7. Landmarks and historic buildings be preserved.

Although the subject building was constructed circa 1910 and is located within the Front-California Street Conservation District, the Project scope is for a change of use only, with no exterior work on the subject building proposed.

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

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

ENVIRONMENTAL REVIEW

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

BASIS FOR RECOMMENDATION

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

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

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

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

The Planning Department's review is generally limited to the location and physical characteristics of MCDs.

- The MCD complies with all standards and requirements of the Planning Code and advances the objectives and policies of the General Plan.
- This Site is well served by public transit (including MUNI service, Golden Gate Transit, BART, Ferry, etc.).
- The Site is more than 1,000' from any primary and secondary school.
- The Site is more than 1,000' from any active youth-services facility.
- Employment levels are estimated to be between 10 to 12 employees.
- Distribution of medical cannabis would be delivery-only (off-site distribution)
- No on-site distribution (sales) of medical cannabis would be permitted.
- No cannabis plants would be cultivated on-site.
- No on-site medication of medical cannabis (e.g. smoking, vaporizing, and consumption of medical cannabis edibles) would be permitted.
- Only employees registered with SFPDPH will be at the subject property.

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

1. The operator of the establishment shall maintain the entrances and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at minimum, daily sweeping and litter pickup and disposal and washing or steam/pressure cleaning of the entrances and abutting sidewalks at least once every month.
2. The operator shall maintain appropriate odor control equipment to prevent any significant noxious or offensive odors from escaping the premises.
3. An enclosed garbage area shall be provided within the establishment. All garbage containers shall be kept within the building until pick-up by the disposal company.

RECOMMENDATION

RECOMMENDATION: Take Discretionary Review and Approve the MCD with Modifications

Attachments:

Parcel Map
Sanborn Map
Zoning Map
Aerial Photograph
Site Photographs
1,000' Arc View GIS Map

MCD DR Notice

Applicant's MCD Application

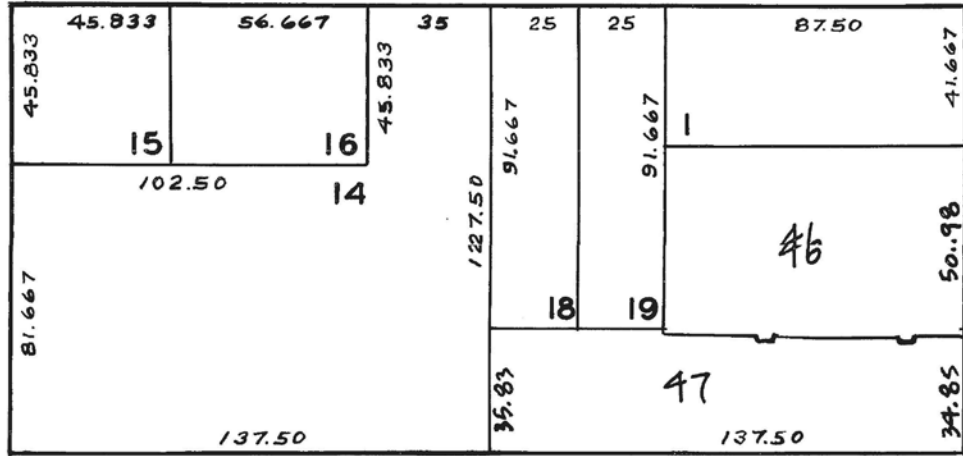
SFDPH Application

Public Comment

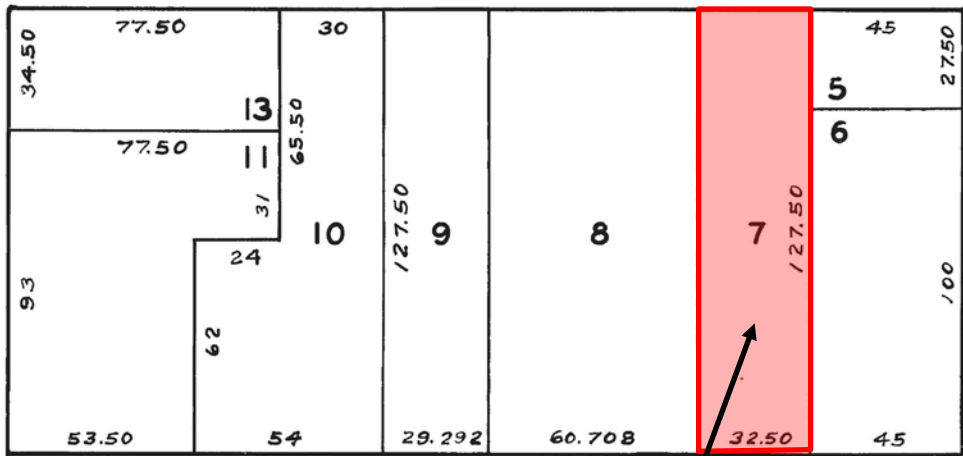
Floor Plans (Note: existing ground floor plans are from 2012; proposed 2nd floor plan is from 2015.)

Parcel Map

SACRAMENTO



HALLECK



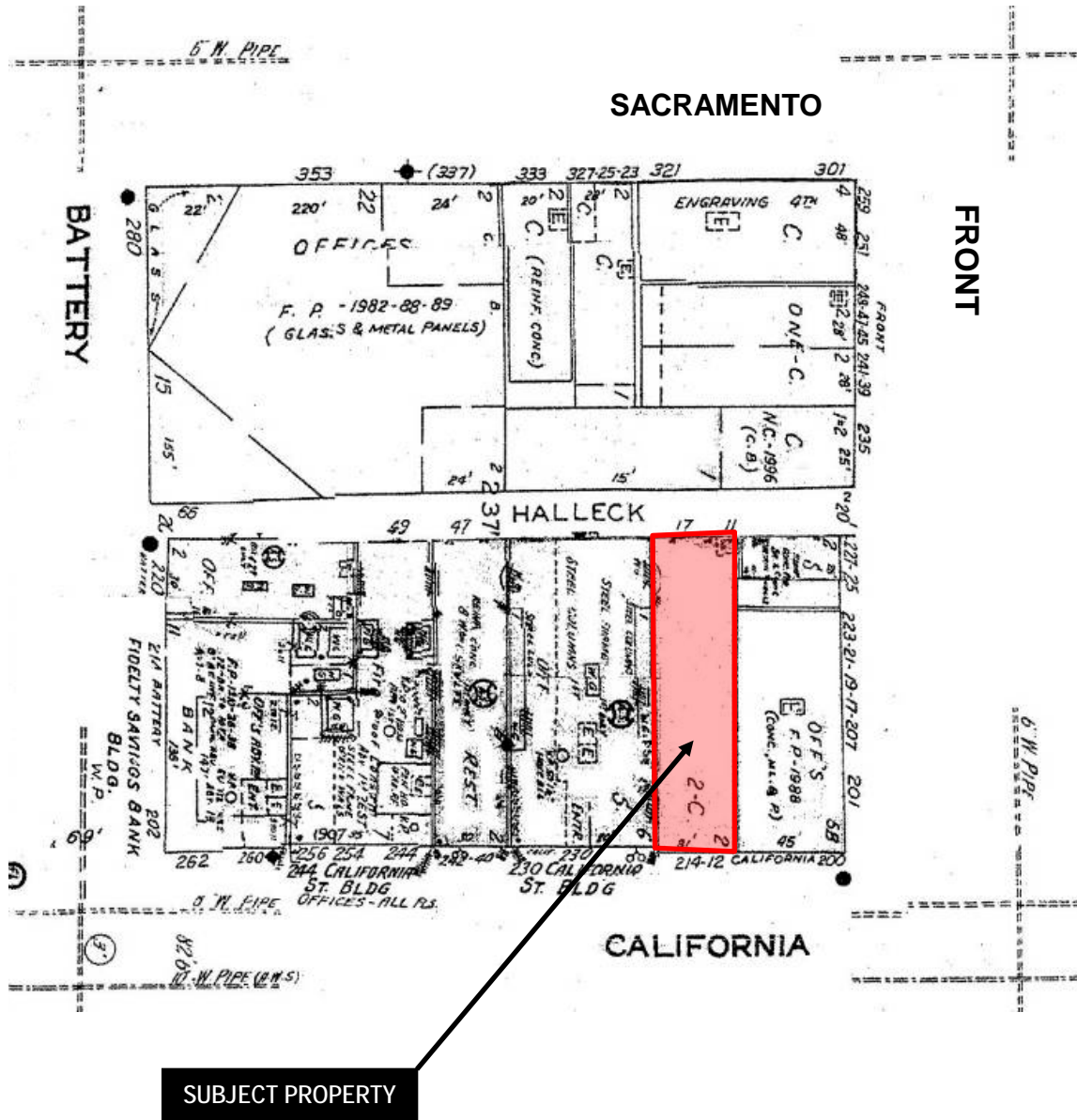
CALIFORNIA

SUBJECT PROPERTY

FRONT



Sanborn Map*



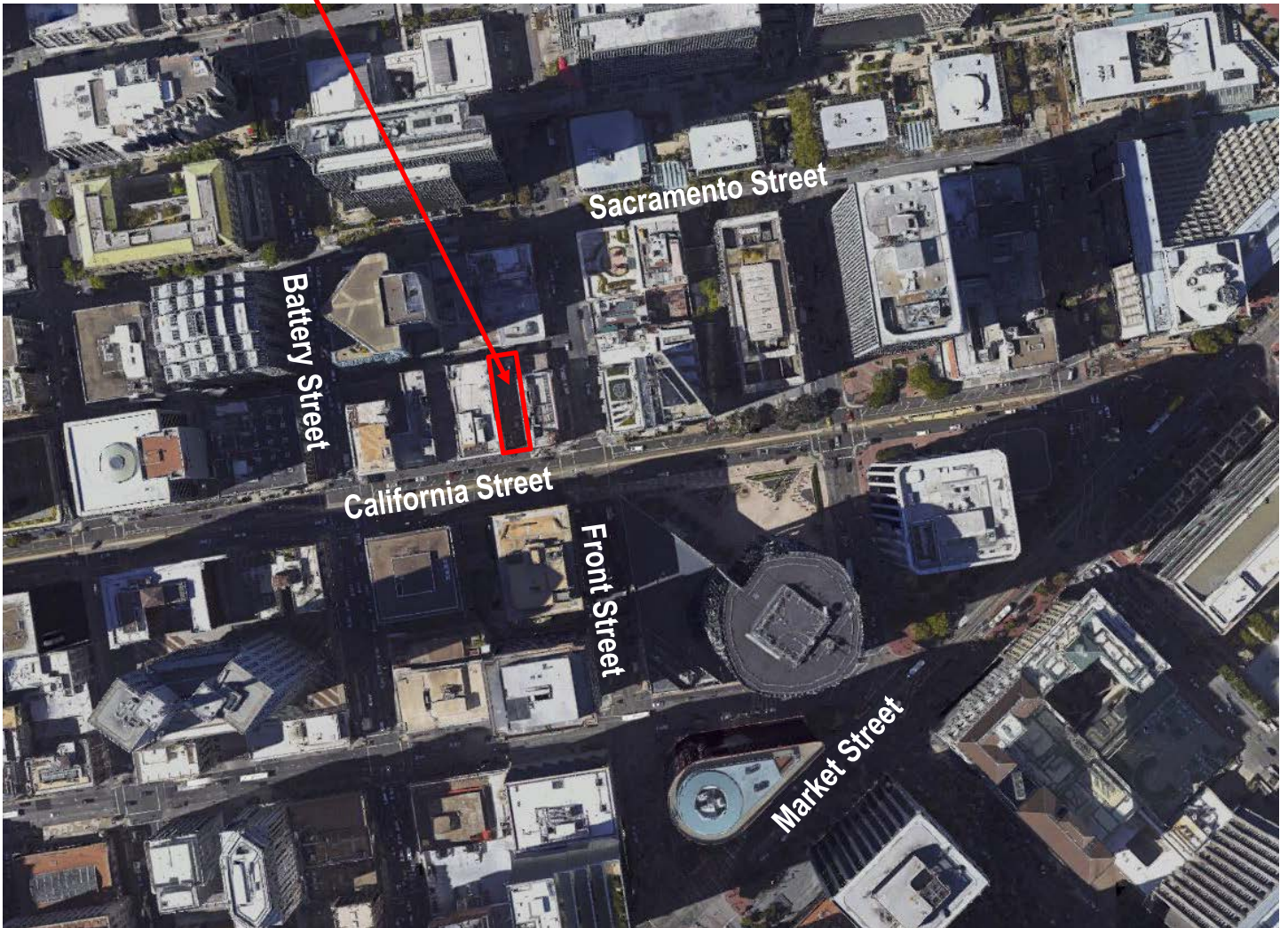
*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing
Case Number 2014-002235DRM
214 California Street

Aerial Photo

SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2014-002235DRM
214 California Street

Zoning Map



Discretionary Review Hearing
Case Number 2014-002235DRM
214 California Street

Site Photo

SUBJECT PROPERTY

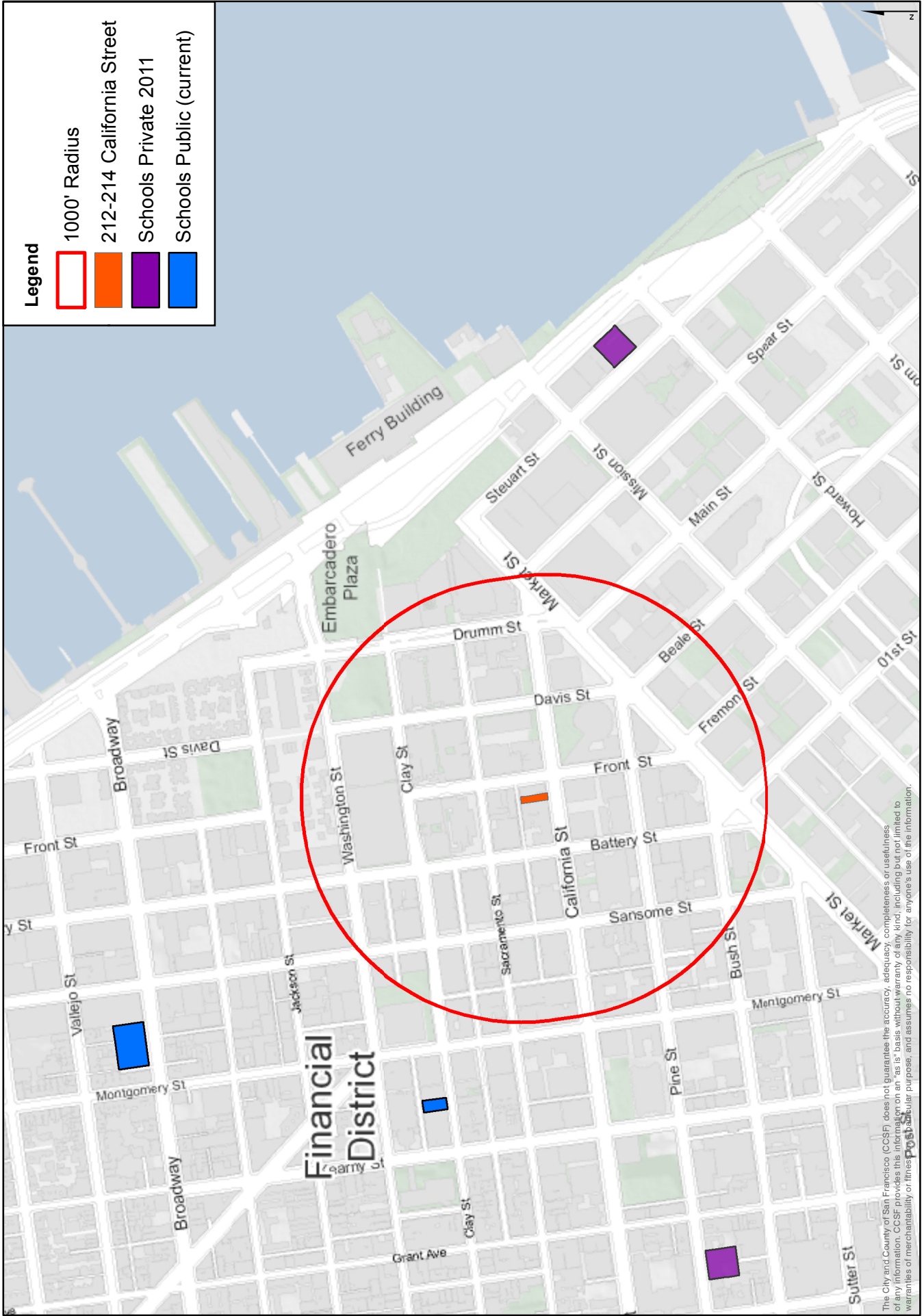


Street View of 212-214 California Street (view from California Street)





Discretionary Review Hearing
Case Number 2014-002235DRM
214 California Street

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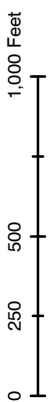
MCD Map: 212-214 California Street (Case No. 2014-002235DRM)



Legend

-  1000' Radius
-  212-214 California Street
-  Schools Private 2011
-  Schools Public (current)

The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.



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**SAN FRANCISCO
PLANNING DEPARTMENT**

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

NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, August 6, 2015**
 Time: **Not before 12:00 PM (noon)**
 Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**
 Case Type: **Mandatory Discretionary Review**
 Hearing Body: **Planning Commission**

PROPERTY INFORMATION	APPLICATION INFORMATION
Project Address: 214 California Street	Case No.: 2014-002235DRM
Cross Street(s): Front Street	Building Permit: Forthcoming
Block /Lot No.: 0237/007	Applicant: Donald Carmignani
Zoning District(s): C-3-O (Downtown Office) / 75-X	Telephone: (415) 518-7771
Area Plan: Downtown	E-Mail: dcarmignani@gmail.com

PROJECT DESCRIPTION

The Request is for a Mandatory Discretionary Review of an application to allow for a Medical Cannabis Dispensary (MCD) to operate at the subject property. The Project Sponsor seeks to develop up to twelve (12) office suites on the second floor of an existing two-story building for multiple medical cannabis businesses (collectives). Each of the suites will serve as the principal place of business for each collective, and activities may include: administration; product development; product packaging; quality control; storage; and compliance inspections by the San Francisco Department of Public Health (SFDPH). The proposed MCD would not be open to the public at the project site, nor would any of the collectives offer on-site distribution (sales) of medical cannabis. All distribution would be delivery-only (off-site distribution). Only employees registered with SFDPH will be at the subject property on a day-to-day basis. Edible medical cannabis products would be prepared on-site; however, no cannabis plants would be cultivated on-site. Additionally, no on-site medication of medical cannabis (e.g. smoking, vaporizing, and consumption of medical cannabis edibles) would be permitted.

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

ADDITIONAL INFORMATION

ARCHITECTURAL PLANS: If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans and Department recommendation of the proposed project will be available one week prior to the hearing through the Planning Commission agenda at: <http://www.sf-planning.org> or by request at the Planning Department office located at 1650 Mission Street, 4th Floor.

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

FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:

Planner: **Nicholas Foster** Telephone: **(415) 575-9167** E-Mail: nicholas.foster@sfgov.org

中文詢問請電: (415) 575-9010

Para información en Español llamar al: (415) 575-9010

GENERAL INFORMATION ABOUT PROCEDURES

HEARING INFORMATION

You are receiving this notice because you are either a property owner or resident that is adjacent to the proposed project or are an interested party on record with the Planning Department. **You are not required to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant or Planner listed on this notice as soon as possible.** Additionally, you may wish to discuss the project with your neighbors and/or neighborhood association as they may already be aware of the project.

Persons who are unable to attend the public hearing may submit written comments regarding this application to the Planner listed on the front of this notice, Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103, by 5:00 pm the day before the hearing. These comments will be made a part of the official public record and will be brought to the attention of the person or persons conducting the public hearing.

Comments that cannot be delivered by 5:00 pm the day before the hearing may be taken directly to the hearing at the location listed on the front of this notice. Comments received at 1650 Mission Street after the deadline will be placed in the project file, but may not be brought to the attention of the Planning Commission at the public hearing.

BUILDING PERMIT APPLICATION INFORMATION

Pursuant to Planning Code Section 311 or 312, the Building Permit Application for this proposal may also be subject to a 30-day notification of property owners and residents within 150-feet of the subject property. **This notice covers the Section 311 or 312 notification requirements, if required.**

APPEAL INFORMATION

An appeal of the approval (or denial) of a **Conditional Use application** and/or building permit application associated with the Conditional Use application may be made to the **Board of Supervisors within 30 calendar days** after the date of action by the Planning Commission pursuant to the provisions of Section 308.1(b). Appeals must be submitted in person at the Board's office at 1 Dr. Carlton B. Goodlett Place, Room 244. For further information about appeals to the Board of Supervisors, including current fees, contact the Clerk of the Board of Supervisors at (415) 554-5184.

An appeal of the approval (or denial) of a **building permit application** by the Planning Commission may be made to the **Board of Appeals within 15 calendar days** after the building permit is issued (or denied) by the Director of the Department of Building Inspection. Appeals must be submitted in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including current fees, contact the Board of Appeals at (415) 575-6880.

Pursuant to California Government Code Section 65009, if you challenge, in court, the decision of an entitlement or permit, the issues raised shall be limited to those raised in the public hearing or in written correspondence delivered to the Planning Commission prior to, or at, the public hearing.

ENVIRONMENTAL REVIEW

This project has undergone preliminary review pursuant to California Environmental Quality Act (CEQA). If, as part of this process, the Department's Environmental Review Officer has deemed this project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained through the Exemption Map, on-line, at www.sfplanning.org. An appeal of the decision **to exempt the proposed project from CEQA may be made to the Board of Supervisors within 30 calendar days** after the project approval action identified on the determination. The procedures for filing an appeal of an exemption determination are available from the Clerk of the Board at City Hall, Room 244, or by calling (415) 554-5184.

Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

中文詢問請電: (415) 575-9010

Para información en Español llamar al: (415) 575-9010

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APPLICATION TO OPERATE A Medical Cannabis Dispensary

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
Donald Carmignani	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
1016 Howard St, San Francisco, CA 94103	(415) 518-7771
	EMAIL:

APPLICANT'S NAME:	
U.C.D.S., Inc. / Tyler Bales & Joseph Peres Same as Above <input type="checkbox"/>	
APPLICANT'S ADDRESS:	TELEPHONE:
C/O Hallinan&Hallinan, 345 Franklin St,SF CA 94102	(415) 863-1520
	EMAIL:
	+ brendan@hallinan-law.com

CONTACT FOR PROJECT INFORMATION:	
Brendan Hallinan Same as Above <input type="checkbox"/>	
ADDRESS:	TELEPHONE:
Hallinan & Hallinan, 345 Franklin St, SF, CA 94102	(415) 863-1520
	EMAIL:
	brendan@hallinan-law.com

2. Location and Dispensary Information

STREET ADDRESS OF PROJECT:		ZIP CODE:
214 California Street, Suite 105, San Francisco, CA		94111
CROSS STREETS:		
Front & Battery		
ASSESSORS BLOCK/LOT:	ZONING DISTRICT:	
3707 / 009	C-3-0	
DISPENSARY SQ. FT.:	SQ. FT. ACCESSIBLE TO PATRONS:	FLOOR ON WHICH DISPENSARY IS LOCATED:
100	N/A	Second Floor
PROPOSED BUSINESS NAME (IF KNOWN):		
UNI Collective		
PRESENT OR PREVIOUS USE:		
Present: vacant, previous: office space		

3. Dispensary Proximity

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

4. Dispensary Services

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

5. Applicant's Statement

Please discuss:

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

Please see attachment "A" for responses to Applicant's Statement questions.

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

214 California Street MCD Application

Project Description

The project site has previously been reviewed and approved by the Planning Commission for a storefront MCD use on the ground floor.

This application seeks to use the second floor of 212-214 California Street as a multi-tenant work space which is similar and compatible to existing offices used in the financial district. The project applicant intends to build 16 individual office suites and a conference room on the second floor which will be used for storage, packaging, quality control, product development, administration, record-keeping, and compliance inspections by the Department of Public Health. The facility will not serve as a pick up or delivery point for medical marijuana patients. In fact, **it will be prohibited for any off the tenants to offer on-site distribution of medical cannabis and the office suites will not be open to the public at any time.** Only SFDPH registered managers and employees will be at the project site on a day to day basis. Additionally there will be no manufacturing, cultivation, or consumption of cannabis allowed on-site at 214 California. The facility will have an onsite security guard during business hours to ensure compliance with building rules.

The San Francisco Health Code currently offers only one type of use permit for medical cannabis and that is a MCD permit. Under **Section 3301(f)** "Medical cannabis dispensary" means a cooperative or collective of ten or more qualified patients or primary caregivers that facilitates the lawful cultivation and distribution of cannabis for medical purposes."

Therefore any collective or cooperative with ten or more members must obtain an MCD permit to legally operate in San Francisco. **Section 3303. Permit Required for Medical Cannabis Dispensary.** "Except for research facilities, it is unlawful to operate or maintain, or to participate therein, or to cause or to permit to be operated or maintained, any medical cannabis dispensary without first obtaining a final permit pursuant to the Article."

The broad definition Medical Cannabis Dispensary has been successful in preventing cooperatives and collectives from operating outside of the rules of the San Francisco Medical Cannabis Act, but has also created compliance challenges for smaller collectives that do not operate as storefront Dispensaries. For example, there are currently dozens of un-permitted collectives and cooperatives that distribute medical cannabis to their patient members by home delivery. This particular project will afford the opportunity to these "delivery services" to submit themselves to the oversight and regulation of San Francisco Department of Public Health. Additionally laboratories that develop new products such as CBD rich medicine, cannabis concentrates, and plant genetics must also obtain a Permit to Operate from SFDPH. Although cultivating or dispensing of cannabis will not take place at this location itself, it will be each applicant's principal place of business where things such as storage, packaging, quality control, product development, administration, record-keeping and compliance inspections by the Department of Public Health will take place. Currently there is little to no opportunity for these types of collectives to obtain a Permit to Operate from SF DPH.

According to information obtained from a recent review of Weedmaps.com there are currently over 40 collectives that deliver in San Francisco without a SFDPH permit. The

primary reason for this is because delivery only collectives must go through the same arduous and expensive process as a brick and mortar MCD. This multitude of unregulated delivery service collectives clearly demonstrates just how important it is that the City of San Francisco brings these existing collectives under the regulation of SFDPH. Without SFDPH oversight, the medical cannabis patients of San Francisco are being put at risk by the operation of unregulated collectives.

Clustering and Neighborhood Impact

Although the SF Health Code does not prohibit clustering of MCDs, clustering is an issue that has been raised and may create unique neighborhood impact issues. However, because the MCDs will not be open to the public and will not provide on-site distribution there will be no increase in the intensity of traffic, employees, or customers and therefore none of the issues that clustering could potentially create exist with this project. Furthermore, the offices are designed for administration only during normal business hours.

Accessibility Requirements

All of the units will be exempt from the Accessibility Requirements of the Medical Cannabis Act because none of the tenants will offer on site distribution or consumption of medical cannabis. **Section 3308 (Y)(5)** of the SF Medical Cannabis Act specifically states that “Any medical cannabis dispensary that distributes medical cannabis solely through delivery to qualified patients or primary caregivers and does not engage in on-site distribution or sales of medical cannabis shall be exempt from the requirements of this **subsection 3308(Y).**” However, the facility does have a large, fully operational elevator and the bathrooms that will be wheel chair accessible and ADA compliant.

Hours of Operation

The collectives will not be using the space for pick up and/or delivery point for medical marijuana during normal business hours. In order to avoid any negative traffic impact around the project site, the landlord is required in the lease agreement delivery drivers will be required to pick up and/or drop off their medical cannabis inventory in the morning before 9am and after 6pm. During the hours of 9am-6pm hours the collectives will be using the facility primarily as their business offices for dispatch, admin, preparation, record keeping, and inspections. Additionally patients-members (patrons) will not be coming to the project site because medicine will not be available to them on site. Because of this we do not anticipate any negative impact on traffic on the streets surrounding the project site.

Conclusion

The 214 California Street, multi office MCD project will afford small collectives, delivery services, and research and development groups the much desired opportunity to comply with the SF Health Code and operate legally and under the DPH supervision. Each applicant will still be required to file a permit application with SFDPH and will be subjected to their regulations including tax compliance, non-profit operation, background checks and annual compliance inspections. The facility will provide 24 hour security as well as a shared conference room and reception. This facility is being designed to be a hub for innovation and collaboration in the medical cannabis space consistent with the current business and technology culture of San Francisco.

Attachment A

1. The business plan for the proposed Medical Cannabis Dispensary

UNI Collective (“UNI”) is a non-profit organization aimed at providing safe consistent access to laboratory tested, high quality medical cannabis products sourced from California’s richest farmlands. UNI believes in a direct harvest-to-patient model, clean and healthy medicine, innovative methods of medicating, and community involvement in order to provide the most comprehensive and compassionate care possible.

One of the key focuses UNI offers is the direct harvest-to-patient model. UNI is taking the increasingly popular concept of farm-to-table, commonly used in the food industry, and applying it to medical cannabis. In much the same way that fruit and vegetable farmers tend to their crops, using communal oversight to ensure that only the best, most organic and natural nutrients are used in the cultivation process, UNI works directly with farmers who treat cannabis in the same manner. Because of this unique model of accountability, UNI is able to ensure that its medicine is derived from accurate sourcing. This means that the all the members of the collective know exactly what went into the plants, the soil, and the growing methods from each farmer. This is different from other collectives who rely on outside vendors to source their medicine and information, a situation that can often result in miscommunication and misinformation. This accountability and access to information is a crucial element when discussing medical cannabis, because it results in the ability to accurately address a patient’s medical needs. We stand by the harvest-to-patient relationship because we believe patients have the right to know where their medicine is coming from, how it works, and what the benefits are, so they can accurately address their unique medical needs.

One of the major benefits derived from the harvest-to-patient concept, and the lasting relationships built with the farmers, is UNI’s ability to guarantee that its medicine is of above average quality, and more importantly, safe for our patients. For example, UNI is able to ensure its medicine is not sprayed with insecticides, pesticides, or any harmful chemicals. This reduces the amount of carcinogens or anything else that is potentially harmful from being consumed or absorbed by the patient. This is particularly important for patients who may have compromised immune systems (such as cancer or HIV patients) for whom these chemicals could be toxic and detrimental to their recovery. In addition, because the plants are grown in controlled air environments, the growers are able to cultivate the plants in optimal conditions. This significantly minimizes the likelihood of allergens, irritants, and toxins due to mold. In order to further garner the trust of the patients, all of this is backed up by official lab results, obtained through a certified laboratory. All of the test results will be readily available to our patients, which will make it easier for them to accurately source medicine for their particular needs.

Patients can choose from a variety of methods of ingestion when addressing their medical needs. In addition to inhalation, UNI seeks to educate patients on the benefits of practices such as juicing cannabis, using topical creams, oils and ointments, and edibles. By using these alternative methods, we aim to give our patients access to the medicine that best suits their needs—whether that be a product that is high in THC, CBD, or Simpson Oil. One way we seek to give our patients the information they need is through a webinar series. UNI will periodically provide original webinars via our website that will inform patients how to use their medicine, the benefits of using different ingestion methods, providing Q&A sessions, and medical cannabis ingestion tutorials.

Last but not least is UNI's sincere commitment to employing the people of its community. For example, it is no secret that this community is experiencing a high volume of returning veterans with PTSD. Close relationships and family experiences have made the UNI management feel an extreme amount of compassion to the men and women who are transitioning back into society. UNI has had the privilege of both employing veterans as well as serving them with medicine, and through these experiences have witnessed, firsthand, the benefits medical marijuana has had on these vulnerable people. UNI seeks to continue this process of hiring veterans, as well as others in the community who feel particularly connected to the UNI mission. The Collective's job is not only to work *for* the community, but *with* the community, and through this delivery service UNI can accomplish a truly compassionate and positive movement for the people of San Francisco.

Dear San Francisco regulator,

This letter is to confirm that CW Analytical Laboratories has been engaged by the owners/operators of DCSM Inc to provide safety and quality assurance testing services upon receipt of an operating permit. This dispensary plans to follow a "hold and release" quality assurance protocol maintained partially by CW Analytical Laboratory. That is, representative finished products of each batch are randomly sampled and tested for the presence of food borne bacteria, yeast, and mold using standard AOAC methods (see below: adapted from the present food industry).

APC	AOAC 986.33	Aerobic Plate Count
Coliform/E.coli	AOAC 991.14	Fecal organisms
Yeast and Mold	AOAC 997.02	Fungi

QA testing includes Aerobic Plate Count (APC), Coliform, E. coli, Yeast, and Mold. Samples found to be high in bacteria, yeast, or mold are rejected and products placed on hold and retested. If retests show a continued presence of bacteria or fungi, samples are destroyed.

The presence of pesticides is analyzed by GC-MS and other analytical methods and a strict "no-pesticide" protocol is followed at the 100 ppm level of sensitivity. A list of pesticides in our standards is available upon request.

All dosage calculations for cannabinoids are verified with laboratory testing using Gas Chromatography with flame ionization detector against pharmaceutical grade standards to ensure accuracy and consistency. Cw Analytical tests for the following cannabinoids:

delta9 -THC,
delta8 - THC
THCA (if needed)
CBD
CBDA (if needed)
CBN
CBG
CBC
THCV

The hold and release protocol will be maintained by this dispensary upon opening and data files will exist to support the due diligence and consistency of their quality process. This dispensary will provide a huge benefit to medical Cannabis patients in San Francisco by ensuring only medicine that passes safety and quality testing will be dispensed, which is currently not a requirement in the state of CA. Actual test results are confidential but, with written client approval, CW Analytical will be willing to share actual data with approved sources or regulatory agencies. If any additional information is required please do not hesitate to call on me personally.

I am yours very truly,

Robert W Martin, Ph. D.
COO and co-founder
CW Analytical Laboratories, Inc
Oakland CA 94621
925-719-0463

DCSM SF Planning Application

1. Business plan for the proposed Medical Cannabis Dispensary:

DCSM seeks to operate as a delivery only medical cannabis dispensary, aiming to bring the highest quality medical cannabis to our patient members who live in San Francisco. The SF Planning Code severely restricts where medical cannabis dispensaries are able to locate which leaves large parts of the city underserved. DCSM will prioritize underserved neighborhoods that lack brick and mortar dispensaries and leave many SF residents without reliable and safe access to high quality medical cannabis.

Our mission statement is to provide safe and reliable access to the best and most effective medical cannabis for our patient members. We intend to do this by employing the most efficient and safest cultivation methods available, with no use of pesticides. We will work with CW Analytical Labs located in Oakland to ensure all our cannabis has been tested with scientifically validated methods for THC and CBD levels, mold, and pesticides. All of our products will be labeled with the results of the laboratory testing, and any product that does not meet exacting standards of quality will be destroyed (See Attached Letter from CW Analytics Labs).

We intend to focus on developing and growing strains of medical cannabis that are high in CBD (high medicinal correlation) and low in THC (psychoactive component of marijuana). Cannabis that is high in CBD has proven to reduce inflammation, is anti-convulsive, causes cancer cells to “commit suicide” while not damaging healthy cells, assists with inducing sleep and it can protect damaged nerves. Currently it is almost impossible to obtain strains of medical cannabis that are rich in the highly medicinal qualities of CBD anywhere in San Francisco.

DCSM will provide a free education service for our patients on the medical benefits of cannabis and on the preferred method of consuming cannabis. Due to the current legal standing of cannabis federally, there is a lack of knowledge and education about the proper usage of medical cannabis, which leads to improper dosing and subsequent problems with patients. DCSM will employ a full time staff member available to speak with our patients to help educate them on the best medicine for their particular ailment and the proper dosage for their condition. Our website will also have numerous resources for patients to help them better understand various consumption methods.

Finally, DCSM will only hire polite, respectful and courteous employees. Our patients can rest assured that their interactions with our staff and delivery caregivers will be discrete, professional and kind. Through continued employee training our delivery caregivers will all be educated and qualified to discuss the medical cannabis available to our patient members as well as answer any questions that may arise.

Through a simple yet comprehensive menu, best in class cultivation methodology, rigorous quality control, and a superior delivery interaction, DCSM aims to set a new standard of professionalism and quality for San Francisco medical cannabis patients.

A draft report by the planning department dated March 20th, 2014 notes that nearly 50% of SF residents travel an average distance of 3 or more miles to their Medical Cannabis Dispensary (MCD) of choice. The report further states, “We know that navigating even a relatively short distance of three or four miles can become a costly and time consuming task in the city of San Francisco. Nearly one third of SF respondents, 32.95% rely on public transportation to travel, while another large chunk, 23.95% travel by car. This indicates that at least 56.8% of SF respondents do not live within walking distance of an MCD. 61.74% of SF Respondents make a trip to an MCD every other day.... these figures combined paint a picture of San Francisco patients with a great need for expanded access to cannabis.” Other findings from the report: “There are vast areas of our city with no public, city permitted MCD’s where thousands of patients, many of which suffer from chronic pain and mobility barriers live..... This is a disabled access concern.”

We at DCSM agree wholeheartedly with the findings of this report. Throughout our neighborhood outreach efforts, we encountered medical marijuana patients who have significant mobility issues and find simply getting out of bed to be an excruciating task. These patients find the process of getting to brick & mortar retail dispensaries to be time consuming, often painful and expensive given their decreased mobility and medical conditions. These patients expressed dissatisfaction with the unregulated delivery services in San Francisco stating inconsistent product, poor interactions with the providers and a lack of laboratory testing. The patients we spoke with desire a reliable delivery service with high quality, laboratory tested medicine.

DCSM has addressed many of these concerns in the scope of envisioning our operational plans. The medicine we intend to offer will be subject to rigorous standards and then tested to ensure quality. Our delivery caregivers will be trained to be discrete and professional and most importantly accountable. We will aim to provide a continuity of experience from delivery to delivery for patients, superior quality medicine that is difficult to find currently, and most importantly a trustworthy service to serve the needs of San Francisco’s medical cannabis patients.

DCSM will also aim to provide for a community liaison that will serve as a single point of contact to address any current and or future concerns or issues that may arise.

Priority General Plan Policies Findings

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

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

Please see attachment "B" for responses to Applicant's Statement questions.

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

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

Attachment B (page 1 of 2)

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

The existing neighborhood-serving retail uses will not be impacted or influenced by UNI Collective's use of 214 California Street Suite 105 as a small office space. The space is not currently being used, and was previously used as a storage space.

UNI Collective is sincerely committed to employing the people of our community. For example, it is no secret that our generation is experiencing a high volume of returning veterans with PTSD. Close relationships and family experiences have made us feel an extreme amount of compassion to the men and women who are transitioning back into society. We have had the privilege of both employing and serving veterans and through these experiences we have seen, firsthand, the benefits medical cannabis has had on them. We seek to continue this process of hiring veterans, as well as anyone in the community who feels particularly connected to our mission. Our job is not only to work *for* the community, but *with* the community.

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

The proposed medical cannabis delivery service use has no impact on the existing housing and neighborhood character nor the cultural and economic diversity of our City's neighborhoods.

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

The project will not affect the City's supply of affordable housing.

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

The site is close to multiple parking garages where employees and vendors can park for the time they are in the office. Employees working out of the office will make concerted efforts to take public transportation or walk to work.

There will be approximately 10 employees working out of or in the office, but it is unlikely that all employees will be present in the space at the same time, aside from occasional business meetings. Most employees will be in the office intermittently throughout the day, at off-peak hours to avoid the commuter traffic. Thus, the commuter traffic will not impede Muni transit services or overburden the City's streets.

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

The proposed use is on the second floor and will enhance future opportunity for resident employment for, as mentioned above, we seek to hire neighborhood residents as we begin to take on employees. UNI Collective is a diverse economic use which protects service sectors employment.

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

The medical cannabis delivery service will follow standard earthquake preparedness procedures and any construction will comply with current building and seismic codes.

Attachment B (page 2 of 2)

7. That landmarks and historic buildings be preserved; and

There are no exterior alterations as a part of this project. There will be no impact on the Front/California Street conservation district.

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

The proposed project has no effect on this policy as there is no new construction or expansion of the subject property.

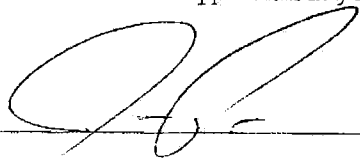
CASE NUMBER
For Staff Use Only

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: _____



Date: _____

12-1-14

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

Joseph Peres

Owner / Authorized Agent (circle one)

For Department Use Only	
Application received by Planning Department	
By: _____	Date: _____

RECEIPT

City & County of San Francisco
 CCSF
 ACCELA, INC
 Accela

Application: 2014-002235DRM
Application Type: Planning/Applications/Discretionary Review/DRM
Address:

Receipt No. 19985842

Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
Check	1810	\$3,768.00	12/02/2014	JSHAMBRA		Medical Cannabis Dispensary-214 California Street, Ste. 105. Paid in full

Owner Info.: Donald Carmignani
 1016 Howard Street
 San Francisco, CA 94103

Work Description: Vacant , previous office space application for medical Cannabis Dispensary

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City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH BRANCH
Medical Cannabis Dispensary Program

Edwin M. Lee, Mayor
 Barbara A. Garcia, MPA, Director of Health
 Richard J. Lee, MPH, CIH, REHS
 Acting Environmental Health Director

Application for Permit to Operate a Medical Cannabis Dispensary



Date of Application: 10/20/2014
 Dispensary Address: 214 California Street, Suite 105, San Francisco, CA Zip Code: 94111
 Dispensary DBA: UNI Collective Dispensary Phone #: _____
 Dispensary Operation Structure: Nonprofit Collective Nonprofit Cooperative - must be registered w/ state
 Dispensary Owner(s): U.C.D.S., Inc.
 Legal Ownership Structure: Nonprofit Corporation* Corporation* Sole Proprietor Partnership
 Cooperative* Other _____
 (*submit a copy of Article of Incorporation)

Applicant/Operator(s) Name*	Age	ID# and ID Type	Address & Contact Number
1. <u>Tyler Bales</u>	<u>24</u>	<u>D8734689</u> CDL	<u>224 Stonegate Drive, Vacaville, CA</u> <u>(707) 972-1015</u>
(title, if corporate)		(ID type)	
2. <u>Joseph Peres</u>	<u>25</u>	<u>D7679146</u> CDL	<u>9175 Judicial Dr. #6209, San Diego, CA</u> <u>(760) 675-6674</u>
(title, if corporate)		(ID type)	
Manager(s):* <u>Tyler Bales and Joseph Peres</u>			
*Must submit valid proof of medical cannabis patient or caregiver status along with live scan background check form			

Note: California fire code requires a Place of Assembly permit if facility can accommodate 50 or more persons.
 *Fire referral included in application packet

Cannabis will be (check all that apply) : Grown on site Smoked on site Vaporized on site
 *Approval for use granted by San Francisco Planning Department

Signature(s) of Applicant(s):

X  X
 X  X

For Department of Public Health Office Use Only

Planning Referral:		Fire Dept. Referral:		Background Check:	
Seller's permit #:		DBI Referral:		Bus. Reg. Certification #:	
MOD Referral:		Facility ID#		Permit Revocation Check:	
DPH Hearing Date:		Additional Notes:			



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH BRANCH
Medical Cannabis Dispensary Program

Edwin M. Lee, Mayor
Barbara A. Garcia, MPA, Director of Health
Richard J. Lee, MPH, CIH, REHS
Acting Environmental Health Director

Medical Cannabis Dispensary Planning Referral

For Health Department Use Only	
Date of Application: <u>10/28/14</u>	Date to Zoning: <u>10/29/14</u>
Inspector: Ryan Clausnitzer	Telephone: 415-252-3856

To be Completed by Applicant

Dispensary DBA: UNI Collective

Address: 214 California Street Suite 105, San Francisco, CA Zip: 94111

Existing Business Use: Vacant

Change of Ownership: Yes No

New Establishment: Yes No

Is location now vacant? Yes No

What floor(s) will the business occupy? (check all that apply) Street Level Other than street level

Dispensary Square Footage: 100 sq. ft.

2014-000960 MIS

Special Note: If any other room or building is to be used in connection with this application; OR, if any part of the proposed operation is not located within or connected to address above, attach explanation sheet.

NSE

Applicant's Name: Tyler Bales and Joseph Peres

Mailing Address: C/O Hallinan & Hallinan, 345 Franklin Street

City, State: San Francisco, CA Zip Code: 94102

Applicant's Contact Number: (707) 972-1015

For Department of City Planning Use Only		
Zoning: <u>C-3-O</u>	Block: <u>0237</u>	Lot: <u>007</u>
Limitations or Conditions (if any):		
Building Permit Application #:		
Planning Case #:		
Approved: _____ (Planner's Signature)	Date: _____	
Disapproved: _____ (Planner's Signature)	Date: _____	



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH BRANCH
Medical Cannabis Dispensary Program

Edwin M. Lee, Mayor
 Barbara A. Garcia, MPA, Director of Health
 Richard J. Lee, MPH, CIH, REHS
 Acting Environmental Health Director

Application for Permit to Operate a Medical Cannabis Dispensary

Date of Application: 10/20/2014
 Dispensary Address: 214 California Street, Suite 107, San Francisco, CA Zip Code: 94111
 Dispensary DBA: DCSM, Inc. Dispensary Phone #: 415-863-1520
 Dispensary Operation Structure: Nonprofit Collective Nonprofit Cooperative - must be registered w/ state
 Dispensary Owner(s): Douglas Cortina and Steve Monahan
 Legal Ownership Structure: Nonprofit Corporation* Corporation* Sole Proprietor Partnership
 Cooperative* Other _____
 (*submit a copy of Article of Incorporation)

Applicant/Operator(s) Name*	Age	ID# and ID Type	Address & Contact Number
1. <u>Douglas Cortina</u>	<u>29</u>	<u>F2255918</u> CDL	<u>214 California Street #107, SF, CA 94111</u> <u>(908) 625-6335</u>
(title, if corporate)		(ID type)	
2. <u>Steve Monahan</u>	<u>29</u>	<u>D2304695</u> CDL	<u>214 California Street #107, SF, CA 94111</u> <u>(415) 497-2322</u>
(title, if corporate)		(ID type)	
Manager(s):* <u>Douglas Cortina, Steve Monahan, and Phil McGarr (also Applicant/Operator)</u>			
*Must submit valid proof of medical cannabis patient or caregiver status along with live scan background check form			

Note: California fire code requires a Place of Assembly permit if facility can accommodate 50 or more persons.
 *Fire referral included in application packet

Cannabis will be (check all that apply) : Grown on site Smoked on site Vaporized on site
 *Approval for use granted by San Francisco Planning Department

Signature(s) of Applicant(s):

X X
 X X

For Department of Public Health Office Use Only

Planning Referral:		Fire Dept. Referral:		Background Check:	
Seller's permit #:		DBI Referral:		Bus. Reg. Certification #:	
MOD Referral:		Facility ID#		Permit Revocation Check:	
DPH Hearing Date:		Additional Notes:			



City and County of San Francisco
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ENVIRONMENTAL HEALTH BRANCH
Medical Cannabis Dispensary Program

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Medical Cannabis Dispensary Planning Referral

For Health Department Use Only	
Date of Application: <u>10/28/14</u>	Date to Zoning: <u>10/29/14</u>
Inspector: Ryan Clausnitzer	Telephone: 415-252-3856

To be Completed by Applicant

Dispensary DBA: DCSM, Inc.

Address: 214 California Street Suite 107, San Francisco, CA Zip: 94111

Existing Business Use: Vacant

Change of Ownership: Yes No

New Establishment: Yes No

Is location now vacant? Yes No

What floor(s) will the business occupy? (check all that apply) Street Level Other than street level

Dispensary Square Footage: 100 sq.ft.

2014-000961 MJS

Special Note: If any other room or building is to be used in connection with this application; OR, if any part of the proposed operation is not located within or connected to address above, attach explanation sheet.

NSE

Applicant's Name: Douglas Cortina, Steve Monahan, and Phil McGarr

Mailing Address: 214 California Street Suite 107

City, State: San Francisco, CA Zip Code: 94111

Applicant's Contact Number: (908) 625-6335

For Department of City Planning Use Only		
Zoning: <u>C-3-O</u>	Block: <u>0237</u>	Lot: <u>007</u>
Limitations or Conditions (if any):		
Building Permit Application #:		
Planning Case #:		
Approved: _____ (Planner's Signature)	Date: _____	
Disapproved: _____ (Planner's Signature)	Date: _____	

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244 California Street Associates

244 California Street, Suite 700

San Francisco, CA 94111

415.905.5314

July 23, 2015

**San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103**

Attn: Nicholas Foster

Re: Case No: 2014-0002235DRM

Subject Property: 214 California Street, San Francisco

Dear Mr. Foster:

We are in receipt of the Notice of Public Hearing regarding an application to allow for a Medical Cannabis Dispensary ("MCD") to operate at the Subject Property where the Applicant seeks to develop up to twelve (12) office suites on the second floor of the existing two (2) story building for multiple medical cannabis businesses ("collectives").

On behalf of the ownership of 244 California Street please be advised that we oppose the proposed use and change in tenancy to a MCD at 214 California Street. The proposed tenancy and use does not fit into the existing commercial office, restaurant, retail, finance and banking tenancy presently occupying ground floor and upper floor commercial space in this historical Lower California Street Financial District.

We believe that the proposed business use will not be compatible with existing business uses in the area. We have met with other property and business owners in the area and understand that they are also opposed to the MCD proposed conversion/tenancy of the second floor at 214 California Street and they will also be writing you regarding this matter and voicing their objections.

Please contact the undersigned if you have any questions or require any additional information.

Sincerely,

Wilson Meany as Manager for

244 California Street Associates



Paul C. Richards

Vice President

cc: Mr. Albert Schreck

Mr. Alan Hyden

Mr. Umberto Gibin, Perbacco Ristorante

Mr. Michael Davis, Charles Schwab & Co.

Mr. Michael Buich, Tadich Grill

MONTGOMERY CAPITAL CORPORATION

244 CALIFORNIA STREET, SUITE 700
SAN FRANCISCO, CALIFORNIA 94111-4375
(415) 392-8969
FAX (415) 392-3990

July 23, 2015

San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Attn: Nicholas Foster

Re: Case No: 2014-0002235DRM

Subject Property: 214 California Street, San Francisco

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We are in receipt of the Notice of Public Hearing regarding an application to allow for a Medical Cannabis Dispensary ("MCD") to operate at the Subject Property where the Applicant seeks to develop up to twelve (12) office suites on the second floor of the existing two (2) story building for multiple medical cannabis businesses ("collectives").

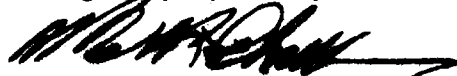
On behalf of the ownership of 244 California Street and as a tenant in the building please be advised that we oppose the proposed use and change in tenancy to a MCD at 214 California Street. The proposed tenancy and use does not fit into the existing commercial office, restaurant, retail, finance and banking tenancy presently occupying ground floor and upper floor commercial space in this historical Lower California Street Financial District.

We believe that the proposed business use will not be compatible with existing business uses in the area. We have met with other property and business owners in the area and understand that they are also opposed to the MCD proposed conversion/tenancy of the second floor at 214 California Street and they will also be writing you regarding this matter and voicing their objections.

Please contact the undersigned if you have any questions or require any additional information.

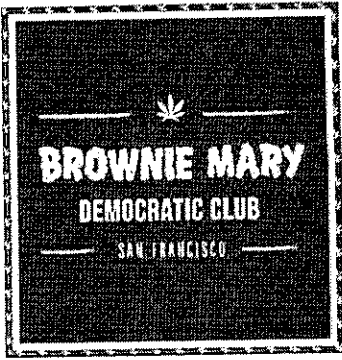
Sincerely,

Montgomery Capital Corporation



Albert R. Schreck
Chairman

cc: Mr. Paul Richards
Mr. Alan Hyden
Mr. Michael Mina



BROWNIE MARY DEMOCRATIC CLUB OF SAN FRANCISCO

July 27, 2015

Mr. Nicholas Foster
Planner, Northeast Quadrant
Planning Department, City and County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103

Re: 214 California Street Permit Application

Dear Mr. Foster,

As Secretary of the Brownie Mary Democratic Club of San Francisco, I wish to urge your support of the permit application to provide space for medical cannabis delivery services at 214 California Street, San Francisco.

The Brownie Mary Democratic Club of San Francisco's Agenda is to provide support for thousands of existing medical cannabis patients, plus the businesses and jobs provided in this thriving industry. Delivery services have sprung up randomly, as patient demand has increased, and permits in the outer districts of San Francisco have been denied or blocked. I believe the permit for 214 California Street will be a positive step for this segment of the industry.

Delivery services in San Francisco have historically been in renegade mode because of the City restrictions. The 214 California Street permit to run services out of this building will be a big asset to patients and owners, and will provide much needed oversight, taxation, and the chance to demonstrate good business practices. If delivery services were properly permitted, cannabis patients would be able to rely upon consumer protections such as safe and informative packaging, quality assurance, and compliance with state law regulations. Employees could receive workers comp and be provided an important degree of safety in their jobs. Owners would join a thriving group of small business entrepreneurs with legitimacy.

From 2009-2013, I managed the medical cannabis physicians' clinic Greenway, during which time the physicians there provided letters of recommendation for thousands of patients. The average age of medical cannabis patients is 37 years old. Patients suffer genetic conditions, chronic pain, accident related injuries, and stress related ailments. In my four years at Greenway, we never served a patient who was indifferent to the responsibilities that using cannabis requires. We did, however, serve a high number of patients who could not manage to acquire their medicine conveniently, so they relied on delivery services.

For the sake of safety and well-being, I trust you will make the right decision for the people of San Francisco.

Sincerely,



Penelope deVries

Brownie Mary Democratic Club

(415) 956-9927

brownie.mary@yahoo.com

Foster, Nicholas (CPC)

From: Tomas Balogh <tomasbalogh@gmail.com>
Sent: Monday, July 27, 2015 9:33 AM
To: Foster, Nicholas (CPC)
Subject: Support for Permitted Delivery Services in SF

Hello,

I am a San Francisco resident and medical cannabis patient. I would like to express my unabashed support for the project that Brendan Hallinan is putting together to permit 12 medical cannabis delivery services in an office building in downtown SF.

My main concern is for product/patient safety. Most of the delivery services in SF do not have proper labeling or lab testing and I strongly believe that needs to change. I also would like to see background checks for operators of delivery services that I may be letting into my home.

Thank you very much for your consideration.

Best,

Tomas Balogh
2560 Hyde St.
San Francisco, CA
415-722-9484

Foster, Nicholas (CPC)

From: paul kennelly <pkennelly@gmail.com>
Sent: Monday, July 27, 2015 10:50 AM
To: Foster, Nicholas (CPC)
Subject: Letter in Support of Delivery-Only MCD Administrative Center

Good Morning Mr. Foster,

I had my date and address wrong on previous letter of support so here is revision.

It has come to my attention that there is a hearing next week for Delivery only Medical Marijuana Dispensaries. As a patient in San Francisco for over 10 years I am in full support of more safe and reliable sources to procure medicine. This letter is to express my full support for the 214 California Street Application that will guarantee a place for organizations focused on offering the San Francisco community safe access to medicine to thrive.

There are many delivery services out there today that operate under no regulations or standard for testing labeling, and protection for patients. I support this application so that there will be medical cannabis delivery services that will follow the standards required by the SF Department of Public Health.

I ask that the Planning Commission please support the San Francisco community that seeks safe, reliable methods of obtaining medical cannabis in discrete and private environments by approving for the allowance of organizations to run their operations in 214 California St offices.

Thank you,

Paul Kennelly

Foster, Nicholas (CPC)

From: Kenneth Koehn <kmkoehn@gmail.com>
Sent: Sunday, July 26, 2015 12:51 PM
To: Foster, Nicholas (CPC)
Subject: Permit for 214 California St.

Dear Mr. Foster and members of the San Francisco Planning Commission:

I am writing you to let you know of my support for the permitting for 214 California Street. I am a long term resident of San Francisco and a home owner. I am an educator, activist and patient. I was on the leadership team for the San Francisco chapter of Americans for Safe Access for four years and am presently a member of the San Francisco chapter of the Brownie Mary Democratic Club.

Unpermitted delivery services and collectives are risky for our community and patients. The following issues arise for such unpermitted delivery services.

- Inability of law enforcement and DPH to verify compliance with state law as it pertains to the operation of medical marijuana collectives/cooperatives;
- Failure of unpermitted delivery services to pay sales and income taxes;
- Failure of unpermitted delivery services to maintain proper insurance including worker's compensation and liability;
- Inability of DPH to insure proper labeling and warnings;
- Inability of DPH to conduct background checks on operators;
- Inability of patients to receive consumer protection.

Until we see a better permitting system for delivery only dispensaries, creating the addition of 12 permitted delivery services will be good for the patients and the city. This project will allow for small collectives, delivery services, and research and development groups the opportunity to comply the the S.F. Health Code and operate legally under the DPH supervision. The DPH will still be required to issue a permit and they will be required to follow regulations, background checks and annual compliance inspections.

I urge your support for this application.

Thank you,

Kenneth Michael Koehn
246 Sanchez Street Apt. B.
San Francisco, CA 94114

h: 415-863-6831

kmkoehn@gmail.com

Foster, Nicholas (CPC)

From: David Goldman <dcgoldman@yahoo.com>
Sent: Sunday, July 26, 2015 12:00 PM
To: Foster, Nicholas (CPC)
Subject: re: Letter of Support for permit application for 214 California Street

Dear Mr. Foster and members of the San Francisco Planning Commission:

I am writing today to express my strong support for the permit for 214 California Street. I have been a resident of San Francisco for 42 years and a homeowner for 38 years. I am also a medical cannabis patient and activist. I served as a patient-advocate on the San Francisco Medical Cannabis Task force from 2009 - 2011. I was the chair of the San Francisco chapter of Americans for Safe Access from 2008 - 2013. Currently I am the Vice-President of the San Francisco Chapter of the Brownie Mary Democratic Club.

Large areas of San Francisco have no medical cannabis dispensaries and patients must rely on delivery services to provide them access to their medicine. According to the website Weedmaps, there are approximately 40 unlicensed delivery services operating in San Francisco. Unfortunately there is no other legal avenue available in San Francisco for a delivery service to get permitted unless they qualify as a brick and mortar dispensary, which is a long, challenging and expensive proposition. If the city of San Francisco or the state of California moves to shut down all unpermitted delivery services, 99% of them will disappear. In particular, the San Francisco Department of Public Health is currently working with the City Attorney's Office to find a way to shut down all unpermitted delivery services.

Unpermitted delivery services/collectives create risk for the community and for patients. Specifically, such rogue players face the following issues:

- Inability of law enforcement and DPH to verify compliance with state law as it pertains to the operation of medical marijuana collectives/cooperatives;
- Failure of unpermitted delivery services to pay sales and income taxes;
- Failure of unpermitted delivery services to maintain proper insurance including but not limited to worker's compensation and liability;
- Inability of DPH to insure proper labeling and warnings;
- Inability of DPH to conduct background checks on operators;
- Inability of patients to receive consumer protections.

The success of this project insures that we will have a minimum of an additional 12 permitted delivery services in San Francisco, until such time as the City creates a more realistic permitting system for delivery only dispensaries. The 214 California Street MCD project will afford small collectives, delivery services, and research and development groups the much desired opportunity to comply with the SF Health Code and operate legally under DPH supervision. Each applicant will still be required to file a permit application with SF DPH, and will be subjected to their regulations including tax compliance, non-profit operation, background checks, and annual compliance inspections. The facility will provide 24-hour security as well as a shared conference room and reception. This facility is being designed to be a hub for innovation and collaboration in the medical cannabis space consistent with the current business and technology culture of San Francisco.

I urge you to support this application. Thank you.

Sincerely yours,

David Goldman
246 Sanchez Street Apt. B
San Francisco, CA 94114
m: 415-728-7631
dcgoldman@yahoo.com

Foster, Nicholas (CPC)

From: Brian McMorrow <bmcorrow@gmail.com>
Sent: Sunday, July 26, 2015 8:20 PM
To: Foster, Nicholas (CPC)
Subject: Letter in Support of Delivery-Only MCD Administrative Center

Dear Mr. Foster,

As a medical cannabis patient and working professional, I value the privacy and convenience afforded by reputable medical cannabis delivery services. This letter is to express my full support for the 124 California Street Application that will guarantee a place for organizations focused on offering the San Francisco community safe access to medicine to thrive. This will foster an environment of collaboration and innovation focused on the benefits of patients in the community. Offices that support the growth of local organizations will continue the spirit of innovation that makes San Francisco what it is today.

Many of my friends, colleagues, and members of the community find the convenience and privacy of a delivery service to be their preferred method of acquiring medicinal cannabis. It is my strong opinion that medicinal cannabis collective delivery services should adhere to the standards required by the SF Department of Public Health, and ensure the quality, testing, labeling, and protection for patients.

I am in full support of this program which will guarantee the tangible benefits provided by regulated medical cannabis patient collective delivery services. The guidelines of both the SF Department of Public Health and San Francisco city and county offer tremendous benefits to patients and the community, including for example:

- requisite labeling of medicine
- background checks on operators
- consumer protections
- insurance requirements of operators
- payment of sales and income taxes
- compliance with state and local laws

I ask that the Planning Commission please support the San Francisco community that seeks safe, reliable methods of obtaining medical cannabis in discrete and private environments by approving for the allowance of organizations to run administrative aspects of their operations in 124 California St offices.

Thank you,
Brian McMorrow

From: [Burke Hansen](#)
To: [Foster, Nicholas \(CPC\)](#)
Subject: DELIVERY SERVICES - 214 CALIFORNIA ST
Date: Monday, July 27, 2015 11:10:08 AM

Mr. Foster,

I am writing this email to express my support for the project at 214 California, which would provide a space for medicinal cannabis delivery services. Large areas of the City have no MCDs and patients must rely on delivery services to provide their medicine. Most of the delivery services in the city are unpermitted, which creates obvious problems for patients and law enforcement alike. No sales will be onsite - it would simply allow permitted delivery services to operate out of the shadows as envisioned by Health Code 3303. As a long time resident and local attorney I can vouch for the benefits of the transparency provided by proper permitting. Proper permitting protects workers, law enforcement and patients, and provides a level playing field for all operators.

I strongly urge you to support this project. The most vulnerable San Franciscans have no choice but to rely on delivery services for their medication- at the end of the day this is a public health issue, and having properly permitted delivery services is essential. This project will allow necessary delivery services to operate in the light of day.

Regards,

Burke Hansen

NOTICE: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the address listed below.

Foster, Nicholas (CPC)

From: David Goldman <dcgoldman@yahoo.com>
Sent: Sunday, July 26, 2015 12:00 PM
To: Foster, Nicholas (CPC)
Subject: re: Letter of Support for permit application for 214 California Street

Dear Mr. Foster and members of the San Francisco Planning Commission:

I am writing today to express my strong support for the permit for 214 California Street. I have been a resident of San Francisco for 42 years and a homeowner for 38 years. I am also a medical cannabis patient and activist. I served as a patient-advocate on the San Francisco Medical Cannabis Task force from 2009 - 2011. I was the chair of the San Francisco chapter of Americans for Safe Access from 2008 - 2013. Currently I am the Vice-President of the San Francisco Chapter of the Brownie Mary Democratic Club.

Large areas of San Francisco have no medical cannabis dispensaries and patients must rely on delivery services to provide them access to their medicine. According to the website Weedmaps, there are approximately 40 unlicensed delivery services operating in San Francisco. Unfortunately there is no other legal avenue available in San Francisco for a delivery service to get permitted unless they qualify as a brick and mortar dispensary, which is a long, challenging and expensive proposition. If the city of San Francisco or the state of California moves to shut down all unpermitted delivery services, 99% of them will disappear. In particular, the San Francisco Department of Public Health is currently working with the City Attorney's Office to find a way to shut down all unpermitted delivery services.

Unpermitted delivery services/collectives create risk for the community and for patients. Specifically, such rogue players face the following issues:

- Inability of law enforcement and DPH to verify compliance with state law as it pertains to the operation of medical marijuana collectives/cooperatives;
- Failure of unpermitted delivery services to pay sales and income taxes;
- Failure of unpermitted delivery services to maintain proper insurance including but not limited to worker's compensation and liability;
- Inability of DPH to insure proper labeling and warnings;
- Inability of DPH to conduct background checks on operators;
- Inability of patients to receive consumer protections.

The success of this project insures that we will have a minimum of an additional 12 permitted delivery services in San Francisco, until such time as the City creates a more realistic permitting system for delivery only dispensaries. The 214 California Street MCD project will afford small collectives, delivery services, and research and development groups the much desired opportunity to comply with the SF Health Code and operate legally under DPH supervision. Each applicant will still be required to file a permit application with SF DPH, and will be subjected to their regulations including tax compliance, non-profit operation, background checks, and annual compliance inspections. The facility will provide 24-hour security as well as a shared conference room and reception. This facility is being designed to be a hub for innovation and collaboration in the medical cannabis space consistent with the current business and technology culture of San Francisco.

I urge you to support this application. Thank you.

Sincerely yours,

David Goldman
246 Sanchez Street Apt. B
San Francisco, CA 94114
m: 415-728-7631
dcgoldman@yahoo.com

HALLINAN & WINE
ATTORNEYS AT LAW
345 FRANKLIN STREET
SAN FRANCISCO, CA 94102
(415) 621-2400

Kenneth H. Wine

Fascimile (415) 575-9930

July 27, 2015

Via email nicholas.foster@sfgov.org

Nicholas Foster
Planner, Northeast Quadrant
Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 214 California Street

Dear Mr. Foster,

In the interest of full disclosure, I am not affiliated with Brendan Hallinan's firm, but have a separate criminal defense practice with Patrick Hallinan. I am writing as a practicing criminal defense attorney, someone who must advise clients about the law and, at the same time, deal with the realities of the modern world. Here are the realities.

Despite nearly 20 years since the legalization of medical marijuana, the state legislature has utterly failed to provide guidance, clarity or a means for marijuana to be produced, transported, and supplied to medical patients in the State. Ultimately, the goal of medical marijuana is noble and deserves to be given great consideration, because it promotes an important societal goal, the relief of suffering. In any other area of social planning, if medicine was not available due to some legislative failure, it would quickly be fixed. Yet here we are, 20 years later, and the reality is that local jurisdictions are required to fill in the gaps, to be the creative force that allows patients to receive medicine in the most efficient and streamlined manner.

The proposal at 214 California does just that. It effect, it hands the City exactly what it wants – easy business inspection, compliance, tax monitoring for several medical marijuana delivery services – without the foot traffic. Instead, it will simply be a typical business park where delivery-only medical marijuana businesses can administratively operate and, more importantly, be monitored by the City.

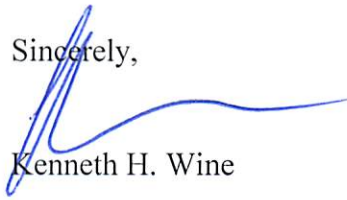
Nicholas Foster
Planning Department

Page 2

As it now stands, the City has no real chance to force compliance of the 40 or so current delivery-only medical marijuana businesses, because these businesses have no way to become compliant. The concept of this application provides the City exactly the opportunity it needs to regulating these delivery-only businesses, and it does so in a simple, under one roof, fashion.

Because the State legislature has sat on their hands for nearly two decades, it is the City's burden to monitor, regulate, and innovate when it comes to medical marijuana distribution. This application is a common sense approach that will lighten that burden.

Sincerely,



Kenneth H. Wine

KHW/dp

July 27, 2015

Nicholas Foster
Planner, Northeast Quadrant
Planning Department CCSF
1650 Mission Street, #400
San Francisco, CA 94103

BY Email to: Nicholas.foster@sfgov.org

Re: Proposed project to permit 12 medical cannabis delivery-only dispensaries
Hearing Date: August 6, 2015

Dear Mr. Foster:

This letter is in support of the Proposal before the Planning Commission on August 6, 2015, to permit 12 medical cannabis delivery-only dispensaries at 214 California Street, San Francisco, California. The reasons for supporting this proposal are as follows:

The building proposed to house this project—214 California Street—is in a downtown location that is highly appropriate to this type of use. There are no schools, parks, playgrounds, or recreational facilities located anywhere near the site. All the surrounding venues are commercial venues, which San Francisco ordinances do not regulate or restrict the proposed project from operating in this neighborhood.

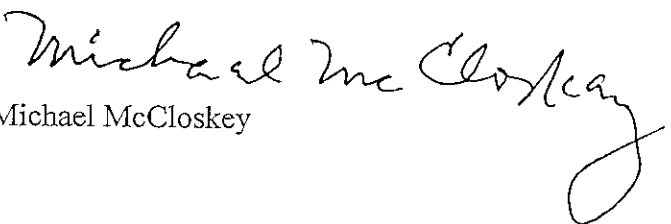
1. Large areas of the City have no MCD;s, and patients residing there must rely on delivery services to provide their needs.
2. At present, the only delivery services which operate in San Francisco are **unpermitted** ones which create risks and dangers to the City and to patients, including:
 - a. Inability of law enforcement and DPH to verify compliance with Stae law as it pertains to the operation of MCD collectives/cooperatives;
 - b. Failure of unpermitted delivery services to pay Sales and Income taxes;
 - c. Failure of unpermitted delivery services to maintain proper insurance, including workers' comp and liability;
 - d. Inability of DPH to insure proper labeling and warnings;

Nicholas Foster
Planning Department CCSF
July 27, 2015
Page 2

- e. Inability of DPH to conduct background checks on operators;
- f. Inability of patients to receive consumer protections.

I believe that the proposed project addresses all of these concerns, and is deserving of the Planning Commission's support. Thank you.

Very truly yours,


Michael McCloskey

This page intentionally left blank.

D.A. CHECKLIST (p. 1 of 2):

The address of the project is 212 California Street + 17 Halleck St

For ALL tenant improvement projects in commercial use spaces, this checklist is required to be reproduced on the plan set and signed.

- The proposed use of the project is Retail-Medical Cannabis Dispensary (e.g. Retail, Office, Restaurant, etc.)
- Describe the area of remodel, including which floor: Entry Lobby and 1st Flr Tenant Space
- The construction cost of this project excluding disabled access upgrades is \$ 90,000.00, which is (check one) more than / less than the Accessibility Threshold amount of \$ 136,050.00, based on the "2012 ENR Construction Cost Index" (The cost index & threshold are updated annually).
- Is this a City project and/or does it receive public funding? Check one: Yes / No Note: If Yes, then see Step 3 on the Instructions page for additional forms required.

Conditions below must be fully documented by accompanying drawings

5. Read A through G below carefully and check the most applicable box (one box only):
- A: All existing conditions serving the area of remodel fully comply with access requirements. No further upgrades are required.
 - B: All existing conditions serving the area of remodel that do not fully comply with access requirements will be fully upgraded with this project.
 - C: Proposed project (check one) is less than the threshold / is over the threshold & falls under CBC 11B.2.1 Ex. 2; Partial upgrades, including Equivalent Facilitation will be provided up to 20% of the project value as itemized on Form C. Priority of upgrades are to be considered in the order listed on p. 2 of the D.A. Checklist. Fill out Hardship request form(s) for non-complying items, including for Equivalent Facilitation items. Checking box C means there are still non-complying items serving the area of remodel.
 - D: Access features will either fully comply or be provided with Code defined Equivalent Facilitation. Submit an Unreasonable Hardship Request (UHR) for the Equivalent Facilitation items.
 - E: Hardship appeal to be filed with Access Appeals Commission (AAC). Note: Plan check of items not under AAC consideration will continue while resolution of AAC decision is sought.
 - F: Consisting only of Barrier Removal, Notice of Accessibility Violation (NOV) Compliance or Exempted Work, Fill out Form F.
 - G: Minor revision to previously approved permit drawings only. (Note: This shall NOT be used for new or additional work) Provide previous approved permit application here: _____ Description of revision: _____

D.A. CHECKLIST (p. 2 of 2):

Check all applicable boxes and specify where on the drawings the details are shown:

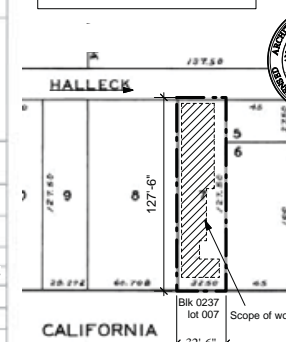
Note: upgrades below are listed in priority based on CBC 11B.2.1 Ex.1	Existing Fully Complying	Upgrade to Full Compliance	Partial Upgrade / Hardship	Equivalent Facilitation / Hardship	Barrier Removal / NOV	Access Appeals / NOV	Barrier Removal / NOV	Location of details include detail no. & drawing sheet (do not leave this part blank!) Also, clarification comments can be written here.
1. One accessible entrance serving the area of remodel. Note: This should be a primary entrance. Add'l upgrades may be required if it is not.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Details 2,3,4, Sheet A1
2. An accessible route to the area of remodel:								
2a. path of travel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Details 2,3,4, Sheet A1
2b. ramps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	not in scope of permit
2c. elevator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	not in scope of permit
2d. stairs (if no elevator)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2f. other:								
3. At least one accessible restroom for each sex serving the area of remodel.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detail 3, Sheet A1 also Restroom Elevations, 4/Sht A3
4. Accessible public pay phone.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Accessible drinking fountains (if low).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Signage.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Detail 1, Sheet A1
7. Visual Alarm.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building is not sprinklered, no alarms
8. Parking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Others:								
path from parking area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Shower	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

If details are provided from a set of City approved reference drawings, provide the permit application number here: _____

1. Website Name - Handbook Checklist for DA 7 of 11

INDEX OF DRAWINGS:

- A1: Disabled Access/MOD Forms ADA Details
- A2: Existing Floor Plans + Demo Plan
- A3: Alteration to Entry Lobby & New 1st Floor Plan
- A4: Reflected Ceiling Plan / Lighting



A1 PLOT PLAN Scale: 1" = 50 ft

SCOPE of WORK

- Upgrade Entry Door & Door hardware
- Upgrade Existing Restrooms (1st floor)
- Install new non-load bearing partitions & retail fixtures as required by new tenants

Existing ADA & Title 24 features Not in Compliance to be upgraded under this Permit:

- Entry Door / Threshold
- Existing Restroom
- Signage

CONSTRUCTION TYPE: UMB (upgraded) Two Story Bldg w/Basement

B (Office) over M (Retail)

OCCUPANCY CLASSIFICATION: B / M

APPLICABLE CODES:

- ADAAG Americans with Disabilities Act Accessibility Guidelines
- 2010 California Building Code
- 2010 San Francisco Building Code
- 2010 Mechanical Code
- 2010 Plumbing Code
- 2010 Electrical Code, and Amendments to the 2010 California Building Code
- 2010 California Historical Building Code

Mayor's Office on Disability

DISABILITY ACCESS COMPLIANCE APPROVAL



Edwin M. Lee Mayor
Susan Mizner Director

PROJECT: Halleck Health Solutions, Inc.
Number: FY 2012
Project Address: 212 CALIFORNIA STREET

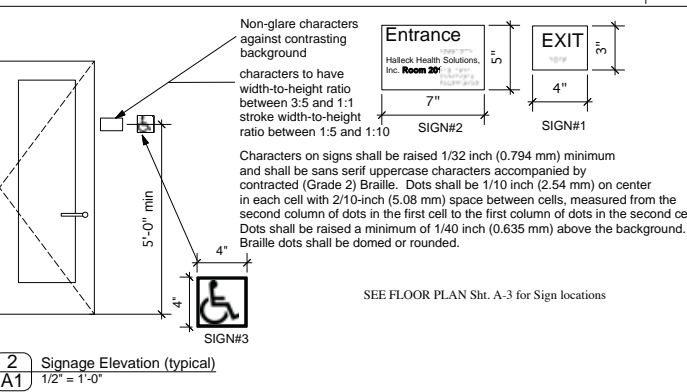
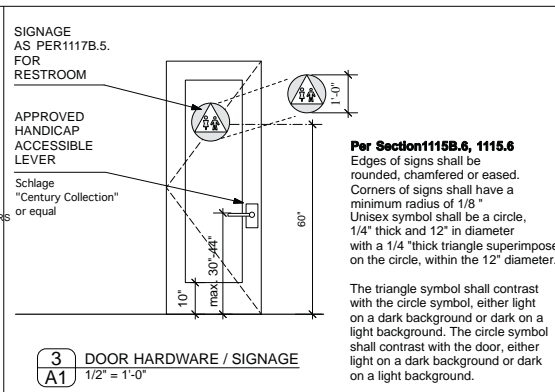
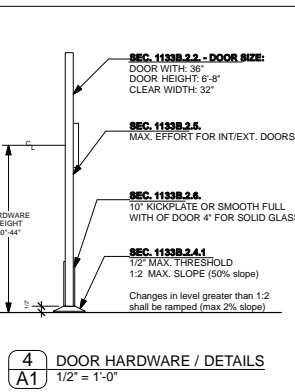
THE MAYOR'S OFFICE ON DISABILITY HAS REVIEWED AND APPROVED:
 Site Permit Plans
 Final Construction Plans

ACCESSIBILITY COMPLIANCE AT THE SITE HAS BEEN APPROVED IN THE FOLLOWING FORM:
 Temporary Certificate of Occupancy (TCO)
 Final Signoff
 Certificate of Final Completion (CFC)

By: Jim Whipple / Carls Johnson

Date: _____

401 Van Ness Avenue, Suite 302, San Francisco, CA 94102 415.554.8750 415.554.8750 TTY MOD@sf.gov



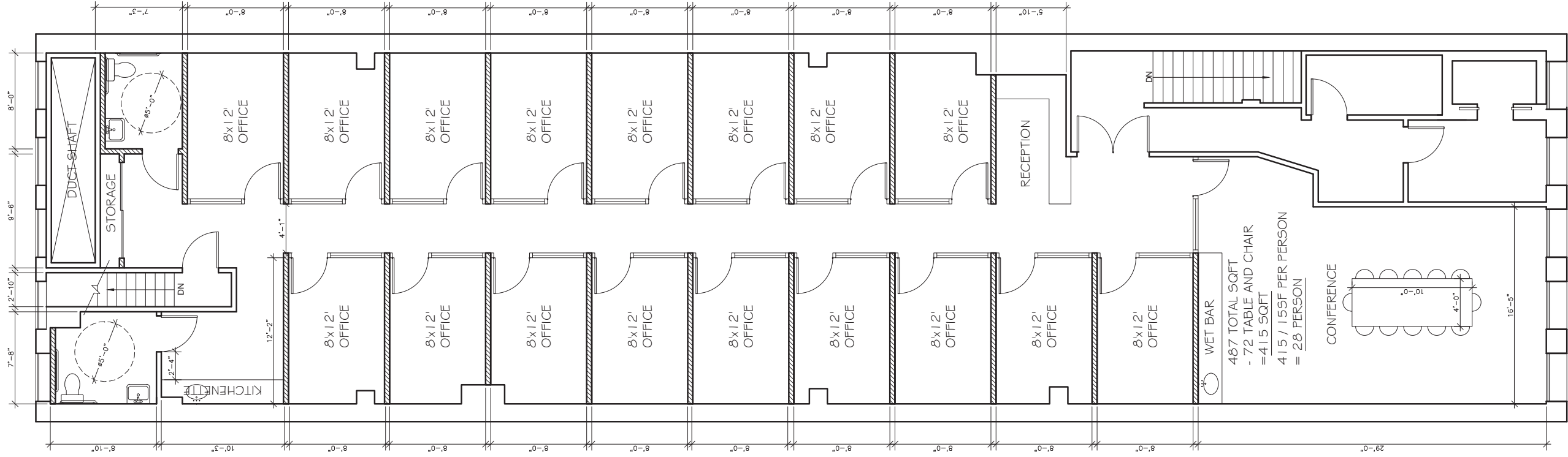
REVISIONS	BY
February 13, 2013	

STEPHEN ANTONAROS ARCHITECT
2261 Market Street #324
San Francisco, California 94114
antonaros.com antonaros@stephba.net
(415) 864.2261

for Halleck Health Solutions, Inc. (415) 246-8875

TENANT IMPROVEMENT-MCD
212 California Street & 17 Halleck Street
Block 02.37 Lot 007

Date	July 2012
Scale	1/8"=1'-0" w.o.n.
Drawn	SA
Job	
Sheet	A-1
of	Sheets



487 TOTAL SQFT
 - 72 TABLE AND CHAIR
 = 415 SQFT
 415 / 155F PER PERSON
 = 28 PERSON

2 PROPOSED 2ND FLOOR PLAN

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