



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Conditional Use

HEARING DATE: MARCH 16, 2017

*Date:* March 9, 2017  
*Case No.:* **2014.1407C**  
*Project Address:* **1038 TARAVAL STREET**  
*Zoning:* Taraval Street NCD (Neighborhood Commercial District)  
65-A Height and Bulk District  
*Block/Lot:* 2349/018  
*Project Sponsor:* Genoa Gonzalez [agent]  
1038 Taraval Street  
San Francisco, CA 94116  
*Staff Contact:* Veronica Flores – (415) 575-9173  
[veronica.flores@sfgov.org](mailto:veronica.flores@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The project sponsor proposes to legalize an existing retail tobacco paraphenalia establishment d.b.a. "King Kush", which sells more than 10 linear feet of tobacco paraphenalia products. The project also proposes interior renovations to convert an existing second story into a mezzanine looking onto the ground floor. The project does not propose any storefront changes. The existing tenant space measures approximately 1,555 square feet.

The project sponsor proposes a business that will sell tobacco paraphenalia (including hooka, water pipes, hand held smoking pipes, vaporizer, "E" cigarettes, etc.) and other merchandise (including items from the King Kush clothing line, other clothing, wallets, purses, and small miscellaneous items). Proposed hours of operation are 11:00AM to 2:00AM daily. All sale of products will be for take out and there will be no consumption on site.

### SITE DESCRIPTION AND PRESENT USE

The project is located on the northern side of Taraval Street, between 20<sup>th</sup> and 21<sup>st</sup> Avenues, Block 2349, Lot 018. The property is located within the NCD (Taraval Street Neighborhood Commercial) District with 65-X height and bulk district. The property is developed with a two-story building with four commercial businesses on the ground floor including Shandong Deluxe, Linda's Liquor and Deli, and Smile House Cafe. The subject property involves a rectangular shaped lot, with approximately 75 feet of frontage on Taraval Street. The subject building covers approximately 65% of the lot with a rear yard measuring about 40 feet in depth and 55 feet in width. The specific tenant space has approximately 15 feet 7 inches of frontage on Taraval Street and is approximately 1,555 square feet in size.

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The length of the Taraval Street NCD District is approximately one mile. The project site is located on Taraval Street in between 20th and 21st Avenues. Buildings along this section of Taraval Street typically range from one to two stories in height. Upper floors of buildings are generally occupied by residential units. The surrounding properties are located within the RH-2 (Residential House, Two-Family) Districts. The area is well-served by the bus stations at Taraval and 22nd Avenue and Taraval and 19th Avenue which has the L-Taraval light rail line. The Taraval Street NCD is intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market.

## **ENVIRONMENTAL REVIEW**

The Project is not considered a project under the California Environmental Quality Act (“CEQA”) because it does not cause either a direct physical change in the environment, or a reasonably foreseeable direct physical change in the environment.

## **HEARING NOTIFICATION**

<b>TYPE</b>	<b>REQUIRED PERIOD</b>	<b>REQUIRED NOTICE DATE</b>	<b>ACTUAL NOTICE DATE</b>	<b>ACTUAL PERIOD</b>
Classified News Ad	20 days	February 24, 2017	February 24, 2017	20 days
Posted Notice	20 days	February 24, 2017	February 24, 2017	22 days
Mailed Notice	20 days	February 24, 2017	February 24, 2017	20 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the conditional use authorization process.

## **PUBLIC COMMENT**

- The Department has received two communications in opposition the proposal. Some of the concerns included the proposed items for sale and the noise at the project site.

## **ISSUES AND OTHER CONSIDERATIONS**

- On October 21, 2008, the Board of Supervisors (BOS) passed Ordinance No. 244-08, which created a new use category in the Planning Code for Tobacco Paraphernalia Establishments, defined as a retail use where more than 15% of the gross square footage of the establishment is dedicated to such sales. This use required Conditional Use Authorization in all Commercial and Industrial districts throughout San Francisco. Effective February 16, 2010 the BOS adopted Ordinance No. 03-10 that amended the definition of a Tobacco Paraphernalia Establishment where more than 10% of the square footage of occupied floor area or 10 linear feet of display area is dedicated to such sales. No restrictions were placed on the proximity of Tobacco Paraphernalia Establishments to each other or to other uses. Per the Ordinance, Tobacco Paraphernalia Establishments were defined as separate and distinct from Medical Cannabis Dispensaries.

- The Department of Public Health is the City's regulatory agency for tobacco permits. Ordinance No. 030-14 amended the Health Code with restrictions on the sale and use of electronic cigarettes through Board of Supervisor action, effective March 25, 2014. The ordinance generally amended Article 19(N): to prohibit the use of e-cigarettes where smoking is otherwise prohibited; require a tobacco permit for the sale of e-cigarettes; and prohibit the sale of e-cigarettes where the sale of tobacco products is otherwise prohibited.
- On August 5, 2014, the Director of SF Department of Public Health sent a letter to the Federal Drug Administration urging regulation of new noncombustible products, including e-cigarettes. The focus of the recommendations was that the FDA require: regulation of e-cigarettes (and other noncombustibles) in the same manner as existing tobacco products, including to be properly labeled and tested; regulation of marketing/advertising; and restriction of flavorings; and to require child-resistant packaging.
- There are no other retail shops consisting of a Tobacco Paraphernalia Establishment in the Taraval Street NCD. The subject parcel consists of approximately 0.3% commercial frontage within the Taraval Street NCD.
- This Conditional Use Authorization is the result of Enforcement Case No. 13139\_ENF.
- Although not required for purposes of this Conditional Use Authorization process, the Planning Department requested that the project sponsor host a Pre-Application meeting according to Department standards. Adjacent property owners and occupants to the subject property were invited. One person attended the Pre-Application meeting, hosted by Genoa Gonzales (agent) on September 22, 2015, at the subject site. The Project Sponsor held an additional Pre-Application meeting at the subject property on November 30, 2015 since the relevant neighborhood organizations from the Parkside area were not invited to the first meeting.

## **REQUIRED COMMISSION ACTION**

In order for the project to proceed, the Commission must grant conditional use authorization to legalize an existing retail tobacco paraphernalia establishment on subject property located within the Taraval Street NCD, pursuant to Planning Code Sections 741.69 and 790.123.

## **BASIS FOR RECOMMENDATION**

- The project promotes the continued operation of an established, locally-owned business and contributes to the viability of the overall Taraval Street NCD.
- The project would not displace an existing retail tenant providing convenience goods and services to the neighborhood.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The business is not a Formula Retail use and would serve the immediate neighborhood and surrounding neighborhood.
- This type of retail sales must continue to maintain other agency permits to continue operation.

<b>RECOMMENDATION:</b> <b>Approval with Conditions</b>
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**Attachments:**

Block Book Map

Sanborn Map

Aerial Photographs

CUA/312 Combined Notice

Project Sponsor Submittal, including:

- Application

- Site Photographs

- Reduced Plans

Public Comments

Attachment Checklist

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Executive Summary   | <input checked="" type="checkbox"/> Project sponsor submittal                              |
| <input checked="" type="checkbox"/> Draft Motion        | Drawings: <u>Existing Conditions</u>   |
| <input type="checkbox"/> Environmental Determination    | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u>  |
| <input checked="" type="checkbox"/> Height & Bulk Map   | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Parcel Map          | 3-D Renderings (new construction or significant addition)                                  |
| <input checked="" type="checkbox"/> Sanborn Map         | <input checked="" type="checkbox"/> Check for legibility                                   |
| <input checked="" type="checkbox"/> Aerial Photo        | <input type="checkbox"/> Wireless Telecommunications Materials                             |
| <input checked="" type="checkbox"/> Context Photos      | <input type="checkbox"/> Health Dept. review of RF levels                                  |
| <input checked="" type="checkbox"/> Site Photos         | <input type="checkbox"/> RF Report   |
|   | <input type="checkbox"/> Community Meeting Notice  |
|   | <input type="checkbox"/> Housing Documents   |
|   | <input type="checkbox"/> Inclusionary Affordable Housing Program: Affidavit for Compliance |

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

          VAF            
Planner's Initials

VF: I:\Cases\2014\2014.1407 - 1038 Taraval Street\2014.1407C\_1038 Taraval St\_Executive Summary.doc

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# SAN FRANCISCO PLANNING DEPARTMENT

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*Subject to: (Select only if applicable)*

- |  |  |
|--|--|
| <input type="checkbox"/> Affordable Housing (Sec. 415)           | <input type="checkbox"/> First Source Hiring (Admin. Code) |
| <input type="checkbox"/> Jobs Housing Linkage Program (Sec. 413) | <input type="checkbox"/> Child Care Requirement (Sec. 414) |
| <input type="checkbox"/> Downtown Park Fee (Sec. 412)            | <input type="checkbox"/> Other                             |

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## Planning Commission Draft Motion

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[veronica.flores@sfgov.org](mailto:veronica.flores@sfgov.org)  
*Recommendation:* **Approval with Conditions**

**ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 303, 741.69, AND 790.123 OF THE PLANNING CODE TO LEGALIZE AN EXISTING RETAIL TOBACCO PARAPHENALIA ESTABLISHMENT ON THE SUBJECT PROPERTY WITH A LOT SIZE OF 7,500 SQUARE FEET WITHIN THE NCD (TARAVAL STREET NEIGHBORHOOD COMMERCIAL) DISTRICT AND A 65-A HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On September 13, 2014, Khamis Arbid (hereinafter “Project Sponsor”) filed an application with the Planning Department (hereinafter “Department”) for Conditional Use Authorization under Planning Code Sections 303 and 741.69 to legalize an existing retail tobacco paraphernalia establishment on the subject property with a tenant size of approximately 1,555 square feet within the NCD (Taraval Street Neighborhood Commercial) District and a 65-A Height and Bulk District.

On March 16, 2017, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2014.1407C.

The Project is not considered a project under the California Environmental Quality Act ("CEQA") because it does not cause either a direct physical change in the environment, or a reasonably foreseeable direct physical change in the environment.

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

**MOVED**, that the Commission hereby authorizes the Conditional Use requested in Application No. 2014.1407C, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located on the northern side of Taraval Street, between 20<sup>th</sup> and 21<sup>st</sup> Avenues, Block 2349, Lot 018. The property is located within the NCD (Taraval Street Neighborhood Commercial) District with 65-X height and bulk district. The property is developed with a two-story building with four commercial businesses on the ground floor including Shandong Deluxe, Linda's Liquor and Deli, and Smile House Cafe. The subject property involves a rectangular shaped lot, with approximately 75 feet of frontage on Taraval Street. The subject building covers approximately 65% of the lot with a rear yard measuring about 40 feet in depth and 55 feet in width. The specific tenant space has approximately 15 feet 7 inches of frontage on Taraval Street and is approximately 1,555 square feet in size.
3. **Surrounding Properties and Neighborhood.** The length of the Taraval Street NCD District is approximately one mile. The project site is located on Taraval Street in between 20<sup>th</sup> and 21<sup>st</sup> Avenues. To the immediate west of the lot is a one-story building with one commercial business on the ground floor. To the immediate east of the lot is a two-story building with two residential units and one commercial business on the ground floor.

Buildings along this section of Taraval Street typically range from one to two stories in height. Upper floors of buildings are generally occupied by residential units. The surrounding properties are located within the RH-2 (Residential House, Two-Family) Districts. The area is well-served by the bus stations at Taraval and 22<sup>nd</sup> Avenue and Taraval and 19<sup>th</sup> Avenue which has the L-Taraval light rail line. The Taraval Street NCD is intended to provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market.

4. **Project Description.** The project sponsor proposes to legalize an existing retail tobacco paraphernalia establishment d.b.a. "King Kush", which sells more than 10 linear feet of tobacco



paraphernalia products. The project also proposes interior renovations to convert an existing second story into a mezzanine looking onto the ground floor. The project does not propose any storefront changes. The existing tenant space measures approximately 1,555 square feet.

5.

The project sponsor proposes a business that will sell tobacco paraphernalia (including hooka, water pipes, hand held smoking pipes, vaporizer, "E" cigarettes, etc.) and other merchandise (including items from the King Kush clothing line, other clothing, wallets, purses, and small miscellaneous items). Proposed hours of operation are 11:00AM to 2:00AM daily. All sale of products will be for take out and there will be no consumption on site.

The proposed use is not a Formula Retail use. The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the Conditional Use Authorization process.

The proposed operation currently has one employee as the sole proprietor. The potential for new employees is not applicable at this time. The subject site is well served by public transit so that potential customers should not adversely affect the traffic flow.

6. **Public Comment.** The Department has received two communications in opposition the proposal. Some of the concerns included the proposed items for sale and the noise at the project site.

7. **Planning Code Compliance:** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

A. **Use Size.** Planning Code Section 741.21 permits use sizes up to 3,999 square feet, with a Conditional Use Authorization required for use sizes of 3,000 square feet and above, as defined by Planning Code Section 790.130.

*The proposed use size of the retail store is approximately 1,555 square feet.*

B. **Outdoor Activity.** Planning Code Section 741.24 permits Outdoor Activity Areas in front of building, with a Conditional Use Authorization required if located anywhere else, as defined by Planning Code Section 790.70.

*The Project Sponsor does not intend to establish an outdoor activity area.*

C. **Hours of Operation.** Planning Code Section 741.27 permits hours of operation from 6:00AM to 2:00AM, with a Conditional Use Authorization required for maintaining hours of operation from 2:00AM to 6:00AM, as defined by Planning Code Section 790.48.

*The Project Sponsor does not seek to operate beyond the permitted hours of operation for the Zoning District. The proposed hours of operation for King Kush are from 11:00AM to 2:00AM daily.*

- D. **Rear Yard Requirement in the Taraval Street NCD Zoning District.** Planning Code Section 134 states that rear yards shall be provided at grade level, and at each succeeding story of the building.

*The proposal does not include any structural expansion.*

- E. **Parking.** Planning Code Section 741.22 does not require off-street parking for commercial uses with less than 5,000 square feet of occupied floor area.

*The Subject Property contains approximately 1,555 square feet of occupied floor area and thus does not require any off-street parking.*

- F. **Street Frontage in Neighborhood Commercial Districts.** Planning Code Section 145.1 requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building.

*The subject commercial space has approximately 15 feet 7 inches of frontage along Taraval Street with approximately 80 percent devoted to either the retail entrance or window space. The windows are proposed as clear and unobstructed. There are no changes proposed to the commercial frontage.*

- G. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department per Article 6 of the Planning Code.

*The business signs will conform to Article 6 requirements.*

8. **Planning Code Section 303** establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use approval. On balance, the project does comply with said criteria in that:

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

*The size of the proposed use is in keeping with other storefronts on the block face. This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood. Additionally, the products offered at King Kush include a rare line of "E" cigarettes and different tobacco related products.*

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

- i. Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

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

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

*The Planning Code does not require parking or loading for a 1,555 square foot retail use. The proposal relies on foot traffic and does not require off-street parking and loading. The site is easily accessible by transit for surrounding neighborhoods, and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The majority of employees and patrons walk or take transit to the establishment.*

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

*The proposed use is subject to conditions of approval outlined in Exhibit A. Conditions 10 and 14 specifically obligate the project sponsor to mitigate odor generated by the Tobacco Paraphernalia Use.*

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

*The proposed project does not require additional exterior improvements or new signage, nor does the project require parking or loading.*

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

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

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

*The proposed project is consistent with the stated purpose of the Taraval Street NCD in that the intended use is located at the ground floor, will provide limited convenience goods for the immediately surrounding neighborhoods. The project seeks to retain an existing storefront, which will preserve the fine grain character of the district.*

- E. With respect to a Tobacco Paraphernalia Establishment, as defined in Section 227(v) of the Planning Code, the Commission shall make the following findings:

- i. The concentration of such establishments in the particular zoning district for which they are proposed does not appear to contribute directly to peace, health, safety, and general welfare problems, including drug use, drug sales, drug trafficking, other crimes associated with drug use, loitering, and littering, as well as traffic circulation, parking, and noise problems on the district's public streets and lots;

*The proposal is to legalize an existing commercial establishment. There are no known other Tobacco Paraphernalia Establishments within the Taraval Street NCD. The project sponsor will maintain current contact information for a Community Liaison per Condition 15 in Exhibit A, will endeavor to create a safe business environment, discourage loitering and e-cigarette smoking outside the storefront, and maintain the public space in front of the storefront free from litter per Condition 13 in Exhibit A. Street parking exists along Taraval Street and the area is well-served by the L-Taraval light rail line and the 28 bus line.*

- ii. The concentration of such establishments in the particular zoning district for which they are proposed does not appear to adversely impact the health, safety, and welfare of residents of nearby areas, including fear for the safety of children, elderly and disabled residents, and visitors to San Francisco;

*The proposal is to legalize an existing commercial establishment. The project sponsor will maintain current contact information for a Community Liaison per Condition 15 in Exhibit A, will endeavor to create a safe business environment, discourage loitering and e-cigarette smoking outside the storefront, and maintain the public space in front of the storefront free from litter per Condition 13 in Exhibit A. Additionally, King Kush requires valid ID at time of sale from every customer.*

- iii. The proposed establishment is compatible with the existing character of the particular district for which it is proposed.

*The proposal is to legalize an existing commercial establishment. The use will remain as retail establishment, and no changes are proposed to the fine-grained, pedestrian-oriented storefront. The establishment is compatible with the existing character of particular district for which it is proposed.*

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

## NEIGHBORHOOD COMMERCE

### 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 that has substantial undesirable consequences that cannot be mitigated.

**Policy 1.2:**

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

**Policy 1.3:**

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

*The proposed development will provide specialty goods and services to the neighborhood and will provide employment opportunities to those in the community. Further, the project site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan.*

**OBJECTIVE 2:**

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

**Policy 2.1:**

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

*The Project will retain an existing commercial activity and will enhance the diverse economic base of the City.*

**OBJECTIVE 6:**

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

**Policy 6.1:**

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

*No commercial tenant would be displaced and the project would not prevent the district from achieving optimal diversity in the types of goods and services available in the neighborhood.*

**Policy 6.2:**

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

*An independent entrepreneur is sponsoring the proposal. This is not a Formula Retail use.*

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

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

*The proposal would enhance the district by legalizing an existing commercial establishment in the area. The business would be locally owned and it maintains two employment opportunities for the community. The proposed alterations are within the existing building footprint.*

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

*The existing units in the surrounding neighborhood would not be adversely affected.*

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

*No housing is removed for this Project.*

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

*The site is on Taraval Street and is well served by transit. It is presumable that the employees would commute by transit thereby mitigating possible effects on street parking. The area is well-served by the L-Taraval light rail line and the 28 bus line.*

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

*The Project will not displace any service or industry establishment. The project will not affect industrial or service sector uses or related employment opportunities. Ownership of industrial or service sector businesses will not be affected by this project.*

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

*This proposal will not impact the property's ability to withstand an earthquake. All items are secured as appropriate in cabinets and shelves which are properly secured to prevent damage and injury due to earthquakes.*

G. That landmarks and historic buildings be preserved.

*A landmark or historic building does not occupy the Project site.*

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

*The project will have no negative impact on existing parks and open spaces. The Project does not have an impact on open spaces.*

11. The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.

12. The Commission hereby finds that approval of the Conditional Use authorization would promote the health, safety and welfare of the City.

## DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2014.1407C** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated November 6, 2016, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

**APPEAL AND EFFECTIVE DATE OF MOTION:** Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion No. XXXXX. The effective date of this Motion shall be the date of this Motion if not appealed (After the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on March 16, 2017.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: March 16, 2017



## EXHIBIT A

### AUTHORIZATION

This authorization is for a conditional use to legalize a tobacco paraphernalia establishment on a NCD (Taraval Street Neighborhood Commercial District) zoning district located at 1038 Taraval Street, Block 2349, and Lot 017 pursuant to Planning Code Section 741.69 within the NCD District and a 65-A Height and Bulk District; in general conformance with plans, dated **November 6, 2016**, and stamped "EXHIBIT B" included in the docket for Case No. **2014.1407C** and subject to conditions of approval reviewed and approved by the Commission on **March 16, 2017** under Motion No **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on **March 16, 2017** under Motion No **XXXXXX**.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

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

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

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

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

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

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

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

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

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

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

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

## MONITORING

6. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
7. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## DESIGN

8. **Garbage, composting and recycling storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the architectural addenda. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org).*
9. **Signage.** The Project Sponsor shall submit a sign permit before any sign updates. Proposed signs should be in compliance with Article 6 of the Planning Code. All exterior signage shall be designed to complement, not compete with, the existing architectural character and architectural features of the building.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*
10. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.  
*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

11. **ID Reader and Signage at Front.** In order to ensure that the business owner maintains restrictions on entry to ages 18 and older, the building permit application to implement the project shall include an Identification reader installed at the entry door and signage at the entry door(s) indicating entry by individuals ages 18 and older.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, [www.sf-planning.org](http://www.sf-planning.org)*

## OPERATION

12. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.

*For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-.5810, <http://sfdpw.org>*

13. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards. *For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org/>*

14. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.

*For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), [www.baaqmd.gov](http://www.baaqmd.gov) and Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

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

16. **ID Reader and Signage at Front.** In order to ensure that the business owner maintains restrictions on entry to ages 18 and older, the building permit application to implement the project shall include an Identification reader installed at the entry door and signage at the entry door(s) indicating entry by individuals ages 18 and older.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378,  
[www.sf-planning.org](http://www.sf-planning.org)*

17. **Six-Month Monitoring.** Planning Commission shall be provided an update on operations six months after approval.

*For information about compliance, contact the Case Planner, Planning Department at 415-558-6378,  
[www.sf-planning.org](http://www.sf-planning.org)*

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# Exhibits

Conditional Use Authorization Hearing  
Case Number 2014.1407C  
1038 Taraval Street

# Parcel Map



Conditional Use Authorization Hearing  
 Case Number 2014.1407C  
 1038 Taraval Street





# Sanborn Map\*



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



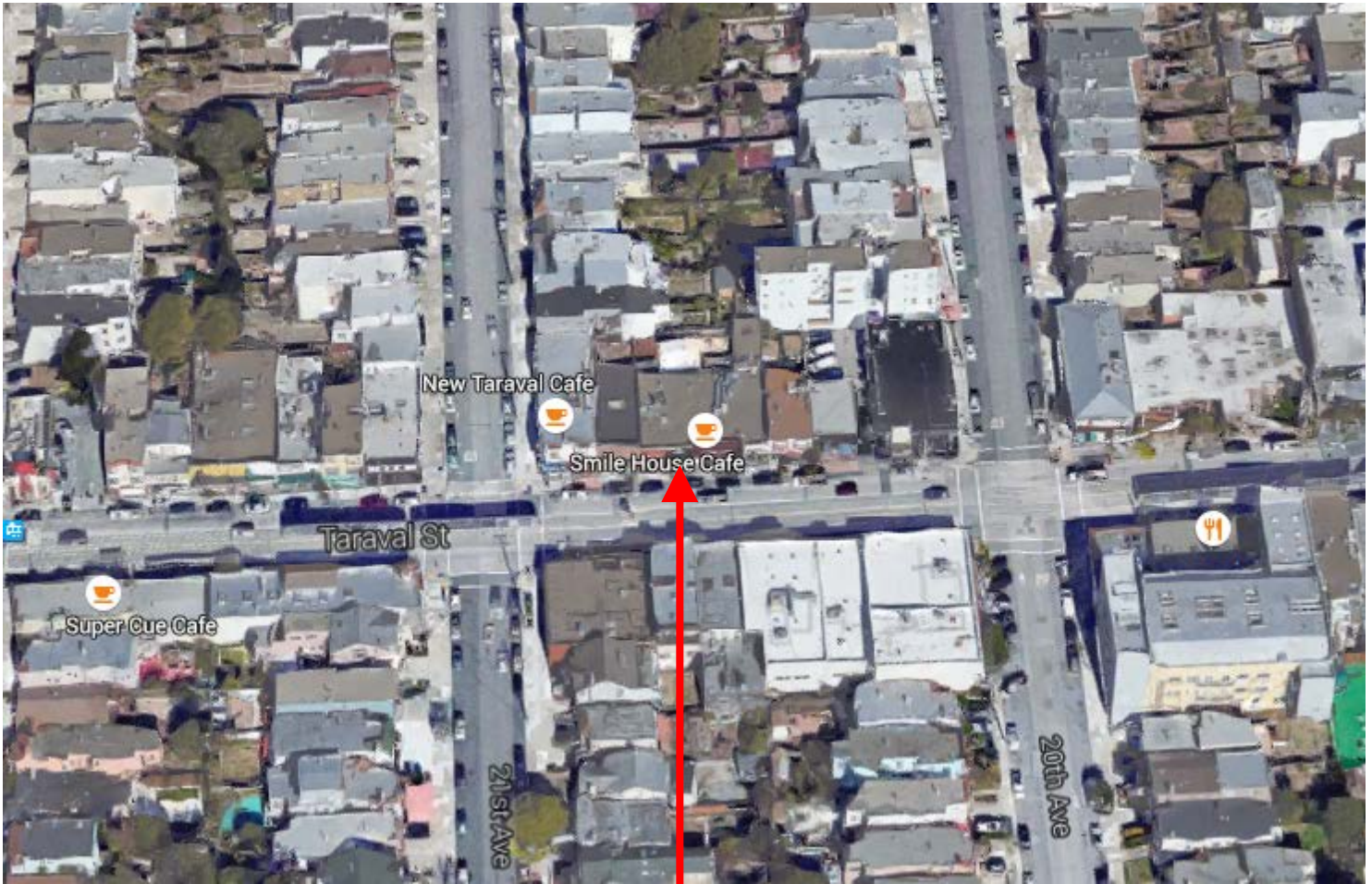
Conditional Use Authorization Hearing  
Case Number 2014.1407C  
1038 Taraval Street

# Zoning Map



Conditional Use Authorization Hearing  
Case Number 2014.1407C  
1038 Taraval Street

# Aerial Photo

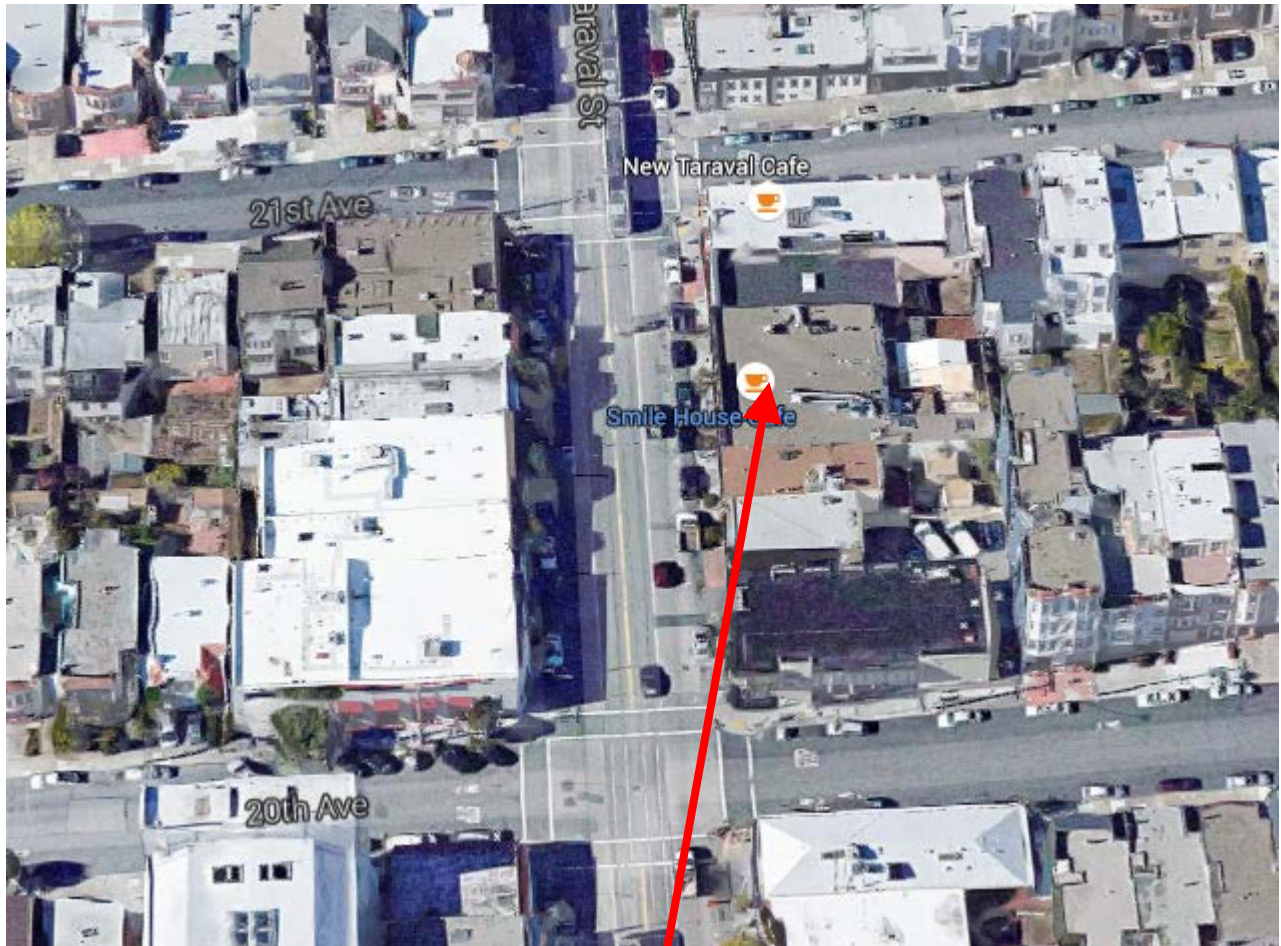


SUBJECT PROPERTY



Conditional Use Authorization Hearing  
Case Number 2014.1407C  
1038 Taraval Street

# Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization Hearing  
Case Number 2014.1407C  
1038 Taraval Street

# Aerial Photo



**SUBJECT PROPERTY**



Conditional Use Authorization Hearing  
Case Number 2014.1407C  
1038 Taraval Street

# Aerial Photo



SUBJECT PROPERTY



Conditional Use Authorization Hearing  
Case Number 2014.1407C  
1038 Taraval Street

# Site Photo



SUBJECT PROPERTY

Conditional Use Authorization Hearing  
Case Number 2014.1407C  
1038 Taraval Street

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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, March 16, 2017**  
 Time: **Not before 12:00 PM (noon)**  
 Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**  
 Case Type: **Conditional Use**  
 Hearing Body: **Planning Commission**

PROPERTY INFORMATION	APPLICATION INFORMATION
Project Address: <b>1038 Taraval Street</b>	Case No.: <b>2014.1407C</b>
Cross Street(s): <b>20<sup>th</sup> and 21<sup>st</sup> Avenues</b>	Building Permit: <b>2016.01.05.6360</b>
Block /Lot No.: <b>2349 / 018</b>	Applicant: <b>Genoa Gonzalez</b>
Zoning District(s): <b>Taraval Street NCD/65-A</b>	Telephone: <b>(510) 712-9096</b>
Area Plan: <b>N/A</b>	E-Mail: <a href="mailto:genoa_gonzalez@yahoo.com">genoa_gonzalez@yahoo.com</a>

### PROJECT DESCRIPTION

The proposal is a request for **Conditional Use Authorization** pursuant to Planning Code Sections 303, 741.69, and 790.123 to allow a change of use to legalize an existing tobacco paraphernalia establishment to abate Enforcement Case No. 13139\_ENF. The subject property is located within the Taraval Street Neighborhood Commercial District (NCD) and 65-A Height and Bulk District. The tenant space is approximately 852 square feet and there are no proposed building expansions.

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 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, 4<sup>th</sup> 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: **Veronica Flores** Telephone: **(415) 575-9173** E-Mail: [veronica.flores@sfgov.org](mailto:veronica.flores@sfgov.org)

# 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](http://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.

# APPLICATION FOR Conditional Use Authorization

## 1. Owner/Applicant Information

PROPERTY OWNER'S NAME:

CHENG FAMILY TRUST

PROPERTY OWNER'S ADDRESS:

1038 TARAVAL STREET  
SAN FRANCISCO, CALIFORNIA 94116

TELEPHONE:

( )

EMAIL:

APPLICANT'S NAME:

KHAMIS ARBID

Same as Above

APPLICANT'S ADDRESS:

1038 TARAVAL STREET  
SAN FRANCISCO, CALIFORNIA 94116

TELEPHONE:

(415 ) 571-8318

EMAIL:

arbidkamis@gmail.com

CONTACT FOR PROJECT INFORMATION:

GENOA GONZALEZ

Same as Above

ADDRESS:

1038 TARAVAL STREET  
SAN FRANCISCO, CALIFORNIA 94116

TELEPHONE:

(510 ) 712-9096

EMAIL:

genoa\_gonzalez@yahoo.com

COMMUNITY LIAISON FOR PROJECT (PLEASE REPORT CHANGES TO THE ZONING ADMINISTRATOR):

N/A

Same as Above

ADDRESS:

TELEPHONE:

( )

EMAIL:

## 2. Location and Classification

STREET ADDRESS OF PROJECT:

1038 TARAVAL STREET

ZIP CODE:

94116

CROSS STREETS:

20th & 21st AVENUE

ASSESSORS BLOCK/LOT:

2349 / 018

LOT DIMENSIONS:

LOT AREA (SQ FT):

ZONING DISTRICT:

TARAVAL STREET (NCD)

HEIGHT/BULK DISTRICT:

3. Project Description

( Please check all that apply )

- Change of Use
- Change of Hours
- New Construction
- Alterations
- Demolition
- Other Please clarify:

ADDITIONS TO BUILDING:

- Rear
- Front
- Height
- Side Yard

PRESENT OR PREVIOUS USE:  
ONLY ALLOWED TO DISPLAY 10% OF OTHER TOBACCO PRODUCTS WITH THE TOBACCO LICENSE

PROPOSED USE:  
TO BE ALLOWED TO DISPLAY 80% OF OTHER TOBACCO RELATED PRODUCTS

BUILDING APPLICATION PERMIT NO. 13139      DATE FILED: 8/25/2014wAN

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	EXISTING USES	EXISTING USES TO BE RETAINED	NET NEW CONSTRUCTION AND/OR ADDITION:	PROJECT TOTALS:
<b>PROJECT FEATURES</b>				
Dwelling Units				
Hotel Rooms				
Parking Spaces				
Loading Spaces				
Number of Buildings				
Height of Building(s)				
Number of Stories				
Bicycle Spaces				
<b>GROSS SQUARE FOOTAGE (GSF)</b>				
Residential				
Retail				
Office				
Industrial/PDR <small>Production, Distribution, &amp; Repair</small>				
Parking				
Other (Specify Use)				
<b>TOTAL GSF</b>				

Please describe any additional project features that are not included in this table:  
( Attach a separate sheet if more space is needed )

5. Action(s) Requested (Include Planning Code Section which authorizes action)

THE BUSINESS NEEDS THE CONDITIONAL LICENSE IN ORDER TO DISPLAY MORE TOBACCO RELATED PRODUCTS.

### Conditional Use Findings

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

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and
2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
  - (a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
  - (b) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
  - (c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
  - (d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and
3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan.

ONE OF THE UNIQUE THING ABOUT OFFERING OUR EXCLUSIVE LINE OF E-CIGARETTES AND VARIOUS OTHER TOBACCO RELATED PRODUCTS IN THIS NEIGHBORHOOD IS THAT THIS BUSINESS IS THE ONLY ONE OFFERING THIS TYPE OF PRODUCT. OUR PRODUCT SPEAKS FOR ITSELF AND OFFERS A WIDE RANGE OF SOLUTIONS THAT THE COMMUNITY CAN EXTREMELY BENEFIT FROM. FOR STARTERS, AS THE BUSINESS EXCELS AND EXPANDS FROM DISPLAYING AND SELLING THIS TYPE OF PRODUCT THERE IS REMOVE FOR GROWTH BY HIRING MORE EMPLOYEES. OUR VAPOR LINE WHICH REDUCES AIR POLLUTION THROUGHOUT THE NEIGHBORHOOD AND PROVIDES ASSISTANCE TO PEOPLE WHO WANT TO QUIT SMOKING. ALL THESE FACTORS COMBINED CONTRIBUTES TO A BETTER NEIGHBORHOOD.

## 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;

ONE OF THE UNIQUE THING ABOUT OFFERING OUR EXCLUSIVE LINE OF E-CIGARETTES AND VARIOUS OTHER TOBACCO RELATED PRODUCTS IN THIS NEIGHBORHOOD IS THAT THIS BUSINESS IS THE ONLY ONE OFFERING THIS TYPE OF PRODUCT. OUR PRODUCT SPEAKS FOR ITSELF AND OFFERS A WIDE RANGE OF SOLUTIONS THAT THE COMMUNITY CAN EXTREMELY BENEFIT FROM. FOR STARTERS, AS THE BUSINESS EXCELS FROM DISPLAYING AND SELLING THIS TYPE OF PRODUCT THERE IS Room FOR GROWTH BY HIRING MORE EMPLOYEES.

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

THE BUSINESS OFFERS OTHER MIDDLE EASTERN PRODUCTS WHICH ENCHANCES THE NEIGHBORHOODS CULTURE. OUR PRODUCTS THAT WE OFFER ARE EXTREMELY UNIQUE AND APPEAL TO A BROAD SPECTRUM OF CULTURAL INTERESTS THAT IS A TESTAMENT TO THE CITY OF SAN FRANCISCO. NOT TO MENTION THE AMOUNT OF REVENUE WE ADD TO OUR NEIGHBORHOODS ECONOMY.

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

N/A THIS DOESN'T APPLY TO THE LICENSE I AM APPLYING FOR.

4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;
- OUR CUSTOMERS WALK TO OUR BUSINESS. MANY FOLKS LIVE IN THE NEIGHBORHOOD. MUNI IS THE BIGGEST FORM OF TRANSPORTATION.

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;

N/A THIS BUSINESS IS A RETAIL SPACE AND WE RENT THE PROPERTY.

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

IT IS OUR DUTY TO ALERT OUR LANDLORD WITH ANY AND ALL ISSUES THAT WOULD EFFECT THE BUILDING STRUCTURE AND/OR POSE A THREAT OF DEATH IN AN EARTHQUAKE. IT IS THE PROPERTY OWNERS RESPONSIBILITY TO INFORM THE CITY OF ANY NEEDED CHANGES THAT NEED TO HAPPEN TO THE PROPERTY.

7. That landmarks and historic buildings be preserved; and

N/A THIS PROPERTY IS NOT A LANDMARK BUILDING SO THIS WOULD NOT APPLY TO OUR NEEDS.

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

N/A THIS IS A RETAIL SPACE THAT IS NOT ASSOCIATED WITH THE CITY PARK AND RECREATION DIVISION AND WE DON'T OWN THE BUILDING AND THEREFORE WON'T BE ADDING ADDITIONS TO THE PROPERTY THAT WOULD EFFECT OTHER HOME OWNERS VIEWS OR BLOCK SUNLIGHT.

# Estimated Construction Costs

TYPE OF APPLICATION: \_\_\_\_\_  
 OCCUPANCY CLASSIFICATION: Conditional  
 BUILDING TYPE: \_\_\_\_\_  
 TOTAL GROSS SQUARE FEET OF CONSTRUCTION: \_\_\_\_\_ BY PROPOSED USES: \_\_\_\_\_  
 ESTIMATED CONSTRUCTION COST: \_\_\_\_\_  
 ESTIMATE PREPARED BY: \_\_\_\_\_  
 FEE ESTABLISHED: \_\_\_\_\_

## 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: Khamis G Arbid Date: 8/30/14

Print name, and indicate whether owner, or authorized agent:  
Khamis G Arbid  
 Owner / Authorized Agent (circle one)



# Application Submittal Checklist

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

APPLICATION MATERIALS	CHECKLIST	NOTES
Application, with all blanks completed	<input checked="" type="checkbox"/>	
300-foot radius map, if applicable	<input checked="" type="checkbox"/>	
Address labels (original), if applicable	<input checked="" type="checkbox"/>	
Address labels (copy of the above), if applicable	<input checked="" type="checkbox"/>	
Site Plan	<input checked="" type="checkbox"/>	
Floor Plan	<input checked="" type="checkbox"/>	
Elevations	<input checked="" type="checkbox"/> N/A	
Section 303 Requirements	<input checked="" type="checkbox"/>	
Prop. M Findings	<input checked="" type="checkbox"/>	
Historic photographs (if possible), and <u>current photographs</u>	<input checked="" type="checkbox"/>	
Check payable to Planning Dept.	<input checked="" type="checkbox"/>	<i>partial payment</i>
Original Application signed by owner or agent	<input checked="" type="checkbox"/>	
Letter of authorization for agent	<input checked="" type="checkbox"/>	
Other: Section Plan, Detail drawings (ie. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (ie. windows, doors)	<input type="checkbox"/>	

NOTES:  
 Required Material. Write "N/A" if you believe the item is not applicable. (e.g. letter of authorization is not required if application is signed by property owner.)  
 Typically would not apply. Nevertheless, in a specific case, staff may require the item.  
 Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

**After your case is assigned to a planner, you will be contacted and asked to provide an electronic version of this application including associated photos and drawings.**

Some applications will require additional materials not listed above. The above checklist does not include material needed for Planning review of a building permit. The "Application Packet" for Building Permit Applications lists those materials.

No application will be accepted by the Department unless the appropriate column on this form is completed. Receipt of this checklist, the accompanying application, and required materials by the Department serves to open a Planning file for the proposed project. After the file is established it will be assigned to a planner. At that time, the planner assigned will review the application to determine whether it is complete or whether additional information is required in order for the Department to make a decision on the proposal.

For Department Use Only

Application received by Planning Department:

By:

*[Handwritten Signature]*

Date:

*9/13/14*

14.1407 C

07/3/2014

By signing this document, I the owner of 1038 Taraval St., San Francisco, CA 94116, hereby agree and give permission for Khamis Arbid, who owns and operates the business King Kush at 1038 Taraval St. to apply for a Conditional Use License. A Conditional Use License stays with the life time of the property. It allows more product to be displayed in the store.

Your (the landlord) signature means that you agree to all statements above and give permission for your property to acquire a Conditional Use License.

Signed,

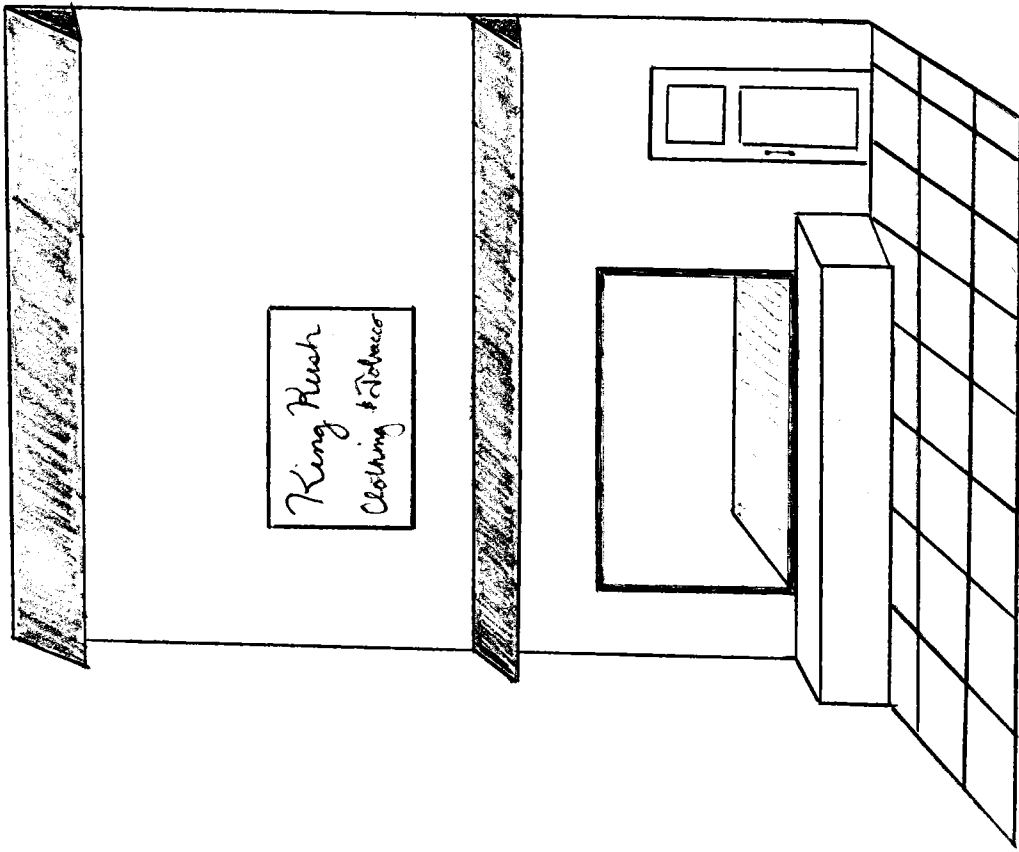


Khamis Arbid

\_\_\_\_\_  
Owner, 1038 Taraval St., SF, CA 94116

**RECEIVED**

SEP 08 2014  
CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
RECEPTION DESK



1 ft = 1/8"

FRONTAL VIEW

2

**King Kush Clothing Plus**  
1038 Taraval Street  
San Francisco  
California, 94116



SAN FRANCISCO CA 94116

07 OCT 2015 PM 4 L

KING KUSH CLOTHING PLUS  
1038 TARAVAL ST  
SAN FRANCISCO, CA 94116

94116242338

# Notice of Pre-Application Meeting

September 22, 2015

Date

Dear Neighbor:

You are invited to a neighborhood Pre-Application meeting to review and discuss the development proposal at 1038 Taraval Street cross 20th & 21st Avenue (Block/Lot#: Block 2349/Lot 18); Zoning: Commmercial Property), in accordance with the San Francisco Planning Department's Pre-Application procedures. The Pre-Application meeting is intended as a way for the Project Sponsor(s) to discuss the project and review the proposed plans with adjacent neighbors and neighborhood organizations before the submittal of an application to the City. This provides neighbors an opportunity to raise questions and discuss any concerns about the impacts of the project before it is submitted for the Planning Department's review. Once a Building Permit has been submitted to the City, you may track its status at [www.sfgov.org/dbi](http://www.sfgov.org/dbi).

The Pre-Application process serves as the first step in the process prior to building permit application or entitlement submittal. Those contacted as a result of the Pre-Application process will also receive a formal entitlement notice or 311 or 312 notification after the project is submitted and reviewed by Planning Department staff.

A Pre-Application meeting is required because this project includes (check all that apply):

- New Construction;
- Any vertical addition of 7 feet or more;
- Any horizontal addition of 10 feet or more;
- Decks over 10 feet above grade or within the required rear yard;
- All Formula Retail uses subject to a Conditional Use Authorization;
- PDR-I-B, Section 313;
- Community Business Priority Processing Program (CB3P).

The development proposal is to: be granted a Conditional License in order to display and sell all of are available tobacco related products.

Existing # of dwelling units:	Proposed:	Permitted:
Existing bldg square footage:	Proposed:	Permitted:
Existing # of stories:	Proposed:	Permitted:
Existing bldg height:	Proposed:	Permitted:
Existing bldg depth:	Proposed:	Permitted:

## MEETING INFORMATION:

Property Owner(s) name(s): Khamis Arbid  
Project Sponsor(s): Genoa Gonzalez  
Contact information (email/phone): genoa\_gonzalez@yahoo.com / (510) 712-9096  
Meeting Address\*: 1038 Travaval Street  
Date of meeting: October 6, 2015  
Time of meeting\*\*: 6pm to 9pm

\*The meeting should be conducted at the project site or within a one-mile radius, unless the Project Sponsor has requested a Department Facilitated Pre-Application Meeting, in which case the meeting will be held at the Planning Department offices, at 1650 Mission Street, Suite 400.

\*\*Weeknight meetings shall occur between 6:00 p.m. - 9:00 p.m. Weekend meetings shall be between 10:00 a.m. - 9:00 p.m., unless the Project Sponsor has selected a Department Facilitated Pre-Application Meeting.

If you have questions about the San Francisco Planning Code, Residential Design Guidelines, or general development process in the City, please call the Public Information Center at 415-558-6378, or contact the Planning Department via email at [pic@sfgov.org](mailto:pic@sfgov.org). You may also find information about the San Francisco Planning Department and on-going planning efforts at [www.sfplanning.org](http://www.sfplanning.org).

# Pre-Application Meeting Sign-in Sheet

Meeting Date: Tuesday, October 6th  
Meeting Time: 6pm to 9pm  
Meeting Address: 1038 Taraval Street  
Project Address: 1038 Taraval Street  
Property Owner Name: Joanne Chen of the Chen Family Trust  
Project Sponsor/Representative: Genoa Gonzalez/business owner Kahamis Arbid

Please print your name below, state your address and/or affiliation with a neighborhood group, and provide your phone number. Providing your name below does not represent support or opposition to the project; it is for documentation purposes only.

	NAME/ORGANIZATION	ADDRESS	PHONE #	EMAIL	SEND PLANS
1.	<u>Angela Tse</u>				<input type="checkbox"/>
2.					<input type="checkbox"/>
3.					<input type="checkbox"/>
4.					<input type="checkbox"/>
5.					<input type="checkbox"/>
6.					<input type="checkbox"/>
7.					<input type="checkbox"/>
8.					<input type="checkbox"/>
9.					<input type="checkbox"/>
10.					<input type="checkbox"/>
11.					<input type="checkbox"/>
12.					<input type="checkbox"/>
13.					<input type="checkbox"/>
14.					<input type="checkbox"/>
15.					<input type="checkbox"/>
16.					<input type="checkbox"/>
17.					<input type="checkbox"/>
18.					<input type="checkbox"/>

# Summary of discussion from the Pre-Application Meeting

Meeting Date: Tuesday October 6th  
Meeting Time: 6pm to 9pm  
Meeting Address: 1038 Taraval Street  
Project Address: 1038 Taraval Street  
Property Owner Name: Joanne Chen of the Chen Family Trust  
Project Sponsor/Representative: Genec Gonzalez / business owner Kahamis Arbid

Please summarize the questions/comments and your response from the Pre-Application meeting in the space below. Please state if/how the project has been modified in response to any concerns.

Question/Concern #1 by (name of concerned neighbor/neighborhood group):  
Angela Tse / Why she was receiving this letter? / Will there be any additional building on this property?

Project Sponsor Response: Because we are trying to be approved by the City of SF for a Conditional license which allows more than 10% of tobacco related products to be sold and no there will be no additional building on the property.

Question/Concern #2: \_\_\_\_\_

Project Sponsor Response: \_\_\_\_\_

Question/Concern #3: \_\_\_\_\_

Project Sponsor Response: \_\_\_\_\_

Question/Concern #4: \_\_\_\_\_

Project Sponsor Response: \_\_\_\_\_

King Kush Clothing Plus  
1038 Taraval Street  
San Francisco, CA 94116

OAKLAND CA 945  
17 NOV 2015 PM 5 L



Painted Bunting

King Kush Clothing Plus  
1038 Taraval Street  
San Francisco, CA 94116

94116242338

(Don't Open)



## 4. Business Details

- a. Please provide the business name

*King Kush Clothing Plus*

- b. Please provide the existing and proposed business hours, if applicable.

*11am to 2am (Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday).*

- c. Please provide the length of time the business has been in operation.

*Opened August 2012. Operating for 3 years 4 months*

- d. Please include information about other products sold/marketed at the location

*King Kush specializes in its own line of clothing (which includes custome T-Shirts, Hoodies, Sweat Pants & Baseball Caps) with the King Kush logo. Plus, other clothing (T-shirts, Hoodies, Sweat Pants, Shorts and Baseball caps\_ are also displayed and sold in the store. You can find numerous accessories (Such as wallets, purses, costume contacts, electronic adaptors, power cords, earrings, rings, shoes, blankets, sleeping bags, scarves, umbrellas, etc.) that are sold throughout the store. The store also carried all tobacco related products (such as cigars, cigarettes, lighters, rolling papers, matches, cigarette holders, lighter cases, containers to store raw tobacco & etc.) along with a variety of paraphernalia products (such as hookahs, water pipes, glass pipes, vaporizers, E-Cigarettes, E-Liquid, aspirin products, etc.)*

- e. Clarify the business square footage --

*350 square feet*

- f. Clarify the building depth and height

*Depth - 36 feet*

*Height - 36 feet*

- g. Clarify if this a locally owned business

*This business is owned and operated in San Francisco. The owner, Khamis Arbid, also resides in San Francisco.*

- h. Confirm if there are any storefront changes

*No storefront changes are being done and or planned at this time.*

- i. **Clarify the number of existing employees, and the potential number of new employees, if applicable**

*The business King Kush Clothing is a "sole proprietorship", so there are no employees, only the business owner who is working as the sole proprietor. The potential for new employees opportunities is not applicable at this time, as the business is still growing and has not generated enough revenue to acquire employees.*

# 5. Conditional Use

## Authorization Application

- a) **This is an application for Tobacco Paraphernalia Establishment. Please review the definition and clarify the types of Paraphernalia to be sold/marketed.**

*King Kush wants to continue selling different types of Paraphernalia to compliment the store's Tobacco Products. Those items consist of Hookahs (which can range from 24", 36" & 48" in height), Water Pipes (which can range from 12", 18", 24", 30" & 36" in height and are made of either glass or plastic materials), Hand Held Smoking Pipes (which can range from 3", 4", 5", 6", 8", 10" 12" & 15" in length and are made of either glass, metal, or wooden materials) Vaporizers (which range from Small 4" by 4", Medium 6" by 6", Large 8" by 8") Electronic Cigarettes (several different brands and types are offered), E-Liquids (36 different flavors to choose from) & Aspirin ( Advil, Tylenol & Bayer)*

**10% Hookah** *is a single\_or multi-stemmed instrument for vaporizing and smoking flavored tobacco called SHISHA in which the vapor or smoke is passed through the water basin before inhaling. They are made from only glass materials.*

**(15%) Water Pipe** is a filtration device generally used for smoking tobacco. In construction and function a water pipe is similar to a Hookah, except small with only one stem and more portable. They are made from glass or plastic materials.

**(15%) Hand Held Smoking Pipe** is a device made to allow the users to inhale or taste smoke or vapor derived from the burning or vaporization of tobacco. The small size makes it a very portable device. They are made from glass, metal, or wooden materials.

**(5%) Vaporizer** is a machine used to extract tobacco and turn them into a humidified essence to inhale.

### **(10%) Tobacco & Cigars**

We offer a wide variety of name brand and generic cigarettes (e.g.- Marlboro, Newport and Benson and Hedges) we offer a wide variety of cigars as an alternative to smoking conventional cigarettes. We store them in a humidor display case. Which is a vaporizing system that also flavors and preserves the tobacco.

**(1%) Electronic Cigarette** is a battery-powered vaporizer, which simulates the feeling of smoking, but without tobacco combustion. Their use is commonly called vaping. They are often cylindrical, but come in many variations. Instead of cigarette smoke, the user inhales and aerosol, commonly called vapor. They typically have a heating system element that atomizes a liquid solution known as E-Liquid.

**(3.5%) E-Liquid** is the liquid solution used in all Electronic Cigarette. This liquid usually contains propylene glycol, glycerin, water, nicotine flavoring. Some are sold without propylene glycol, without nicotine, or without flavoring.

**(.5%) Aspirin** is often used to treat pain, fever and inflammation.

**(10%) Clothing and Accessories** Logo shirts, sports wear, hats, scarves, jackets, jewelry, wallets, contacts, shoes, pants, leggings, gloves, blankets, luggage, umbrellas, etc.

**b. Please review and elaborate on Conditional Use Finding #1- that the proposed development use or feature, at the size and intensity contemplated and the proposed location, will provide a development that is necessary or desirable for, and compatible with the neighborhood or the community.**

*Our products are unique and highly desirable throughout the City not just exclusive to our neighborhood. Our rare line of E-Cigarettes and different, unusual tobacco related products enhance the neighborhood because we are the only business that is offering these types of products. Our product speaks for itself by the amount of customers that frequent the business regularly from the neighborhood and throughout the city. The E-Cigarettes and Vapor Line speaks for itself and offers a wide range of solutions that the community can extremely benefit from. These products that can reduce air pollution throughout the neighborhood and the City from the customers that*

*purchase these types of products. Also these types of products provide assistance to customers that purchase these types of products. Also these types of products provide assistance to customers who want to quit smoking. Plus, as the business grows there is an opportunity to hire more employees. All these factors combined contributes to enhancing the business neighborhood. All these factors combined contribute to enhancing the neighborhood. Also, our neighborhood customers walk to our business. I noticed few people use their car. I find MUNI to be another form of transportation that our customers use. The business also offers Middle Eastern products, which also enhances the neighborhood's culture. Not to mention the amount of revenue we add to our neighborhood and City's Economy.*

## 6. Additional Findings for Tobacco Paraphernalia Establishments

a. Please review the additional findings required under Section 303(m) of the Planning Code, and prepare responses to each

- 1) (A) The concentration of such establishments in the particular zoning district for which they are proposed does not appear to contribute directly to peace, health safety and general welfare problems including drug use, drug sales, drug trafficking, other crimes associated with drug use, loitering, and littering, as well as traffic circulation, parking and noise problems on the district's public streets and lots.

*Our business has two signs at the Front Door stating that customers MUST BE 18 & OLDER" and another sign that says "NO LOITERING". There is no drug use, drug sales, drug trafficking, or other crimes associated with drug use that this business is in any way involved with.*

*We strictly sell our tobacco related products and our exclusive clothing line. Our business is peaceful and complies with health and safety and doesn't contribute to any type of general welfare problems. Like I mentioned before, most of our customers are generally walk up and take MUNI to our establishment, which means we aren't creating any traffic or parking issues. Our business is done inside of our establishment so people come in and leave after they make their purchase so our business doesn't contribute to any noise problems outside our store.*

- 2) (B) The concentration of such establishments in the particular zoning district for which they are proposed does not appear to adversely impact the health, safety and welfare of the residents of nearby areas, including fear for the safety of children, elderly and disabled residents, and visitors to San Francisco

**Answer to (2) (B) Continued-**

*This business does not impact the health, safety, and welfare of residents of this neighborhood. It only impacts the customers that choose to come in and purchase certain tobacco products, which is a personal choice. We do not sell anything to a minor. Every customer is expected to show a valid ID at the time of any sale. This is how we conduct every final sale. Plus, the store is suitable for disabled residents because it offers handicap access.*

**3) (C) the proposed establishment is compatible with the existing character of the particular district for which it is proposed.**

*There are three businesses in the Sunset District that sell similar products:*

***Magic Dragon Tobacco Shop a Smoke shop featuring artist-made pipes  
35 Cambon Dr San Francisco, CA  
(415) 452-0962 (Not in the Taraval NCD)***

***Cheaper Cigarettes No reviews · Tobacco Shop  
1709 Noriega St  
(415) 504-6000 (Not in the Taraval NCD)***

***Juicebox Vapor Tobacco Shop  
907 Taraval St  
(415) 564-5066 (In the Taraval NCD)***

*We happen to provide the most profitable business because we offer a wide variety of tobacco products that people come from everywhere in the City to purchase these unique products. The neighbors enjoy us and have embraced our business with only kind words and support. Many people in the neighborhood feel like this is just what the neighborhood needs as long as it stays respectable like it has been for the last three years. We are located three blocks from Taraval Police Station and not one officer has come into our business with a neighborhood dispute against our business. This says a lot about our business. The neighborhood likes having this business here.*







you are seeing  
glare from the  
inside lights  
③ Compliant  
for Transparency



left hand side  
view 4' from  
window to inside  
store  
③ Compliant

48+

③ Compliant

Business Signs  
affixed to window  
no larger than  $\frac{1}{3}$   
the size of the window

④ Exterior  
Signs were  
never all over  
the windows



Right hand side  
view 4' from  
window to  
inside stor  
③ Compliant

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### DISPLAY AREA INFORMATION

	SQUARE FOOTAGE	PERCENTAGE
GROSS FLOOR AREA:	1,555	-
PARAPHERNALIA DISPLAY AREA:	60	3.8%
TOTAL DISPLAY AREA:	167	10.7%

### PROJECT INFORMATION

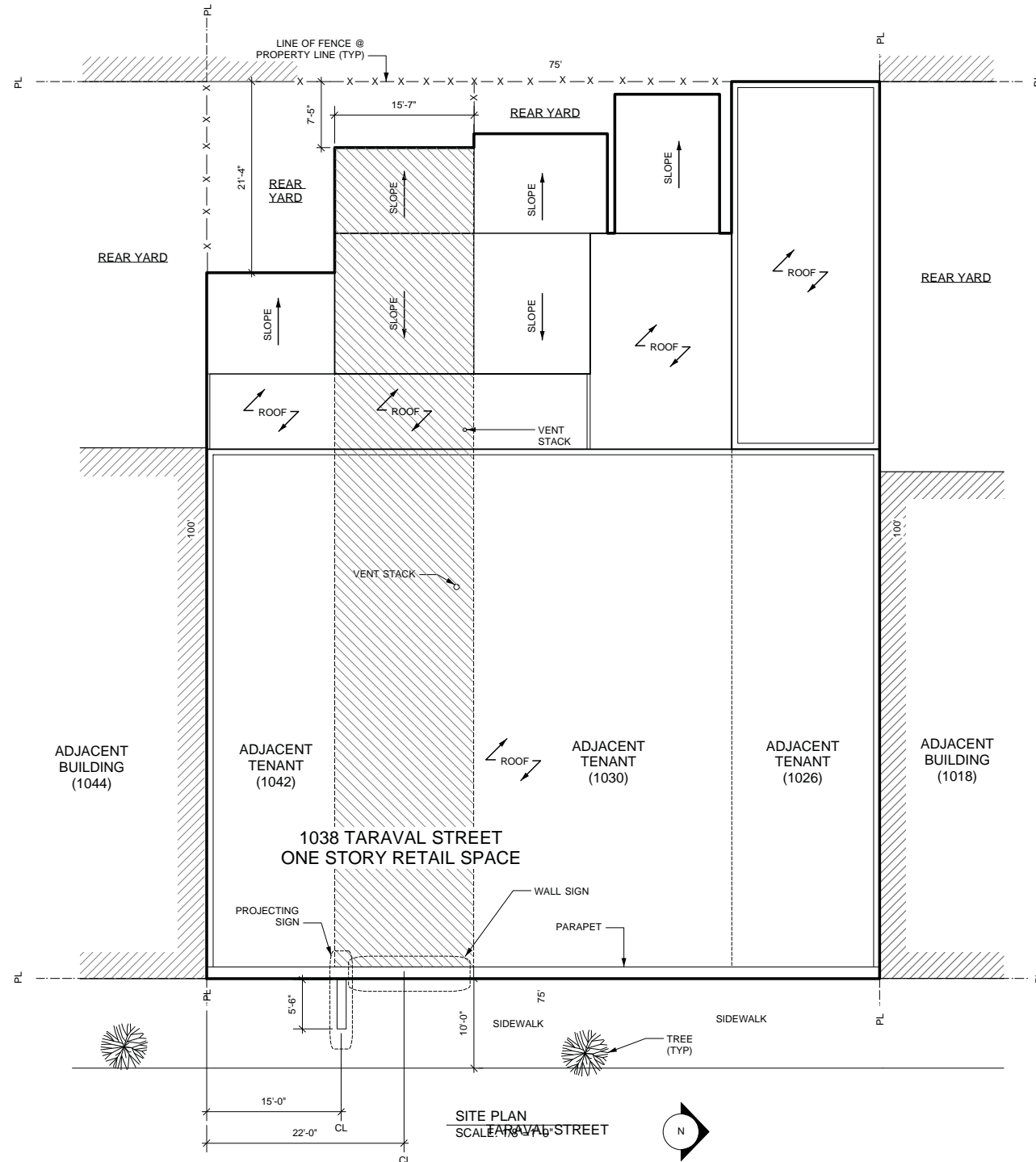
ADDRESS	1038 TARAVAL STREET
OCCUPANCY GROUP	M
BUILDING TYPE	V-B
ASSESSOR'S PARCEL NUMBER	2349-018
ZONING USE DISTRICT	NCD
TOTAL GROSS EXISTING SQUARE FOOTAGE	1,555

### SCOPE OF WORK

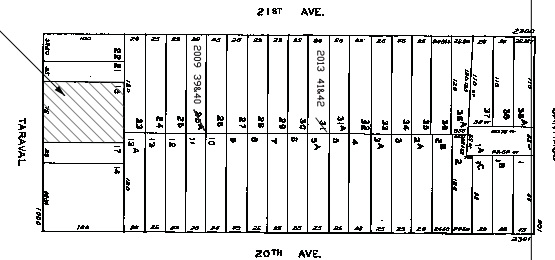
CHANGE OF USE FROM TRAFFIC SCHOOL TO LEGALIZE TOBACCO PARAPHERNALIA ESTABLISHMENT (PLANNING CASE NO. 2014.1407C)

### SHEET SCHEDULE

- A1 PROJECT INFORMATION, APM, SITE PLAN & FRONT ELEVATION
- A2 FLOOR PLANS, BUILDING SECTION & INTERIOR ELEVATION

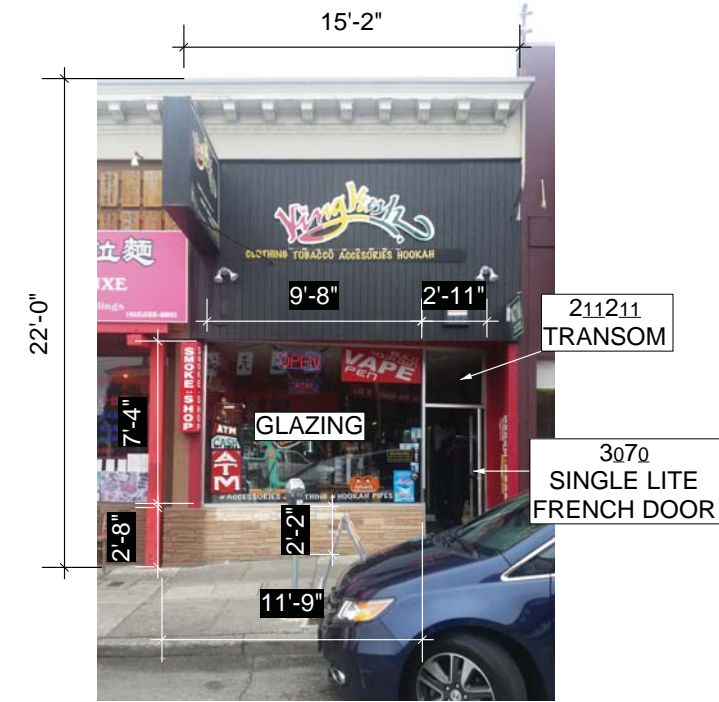


SITE LOCATION



### NOTE:

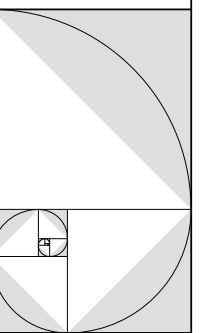
THERE ARE NO PROPOSED STOREFRONT CHANGES



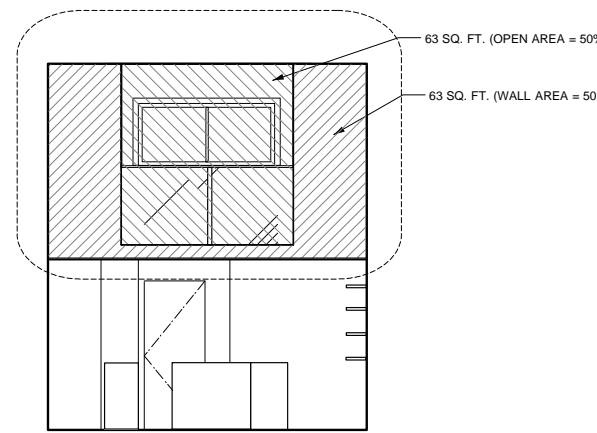
a. gordon atkinson, aia

735a taraval street ~ san francisco, ca 94116  
tel:415-731-9927 fax 415-731-9942 e-mail: gordonatkinson@sbcglobal.net

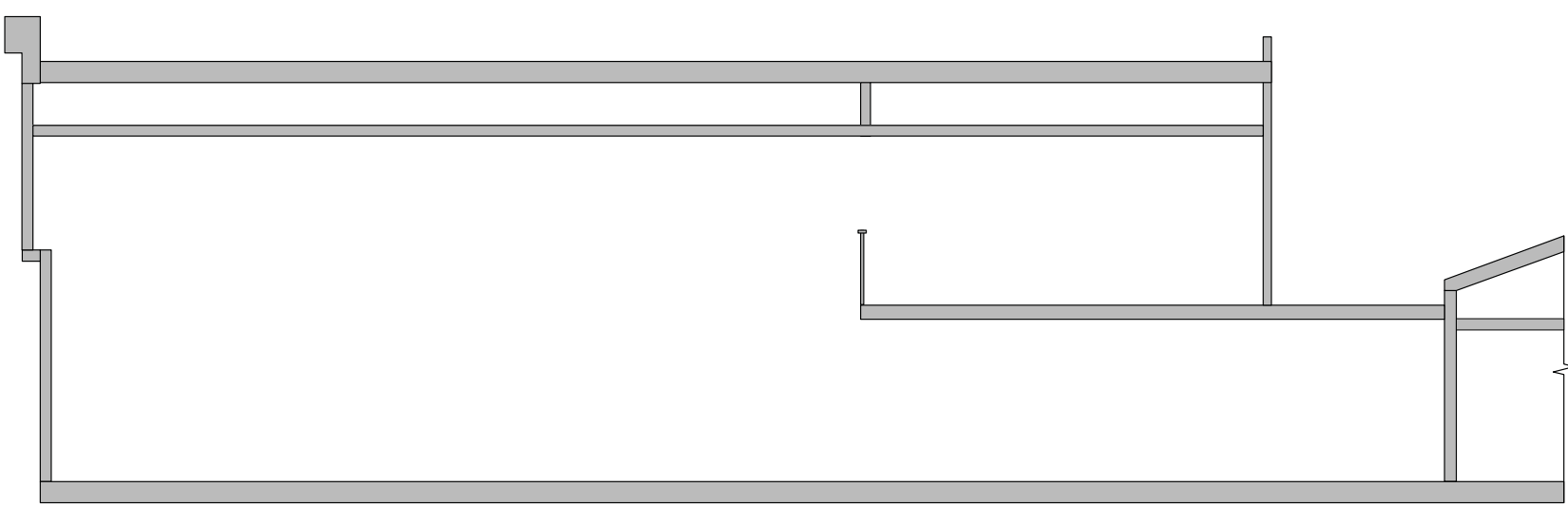
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drawn by	TS
revised	03.06.2017
date	11/09/2016
scale	AS NOTED



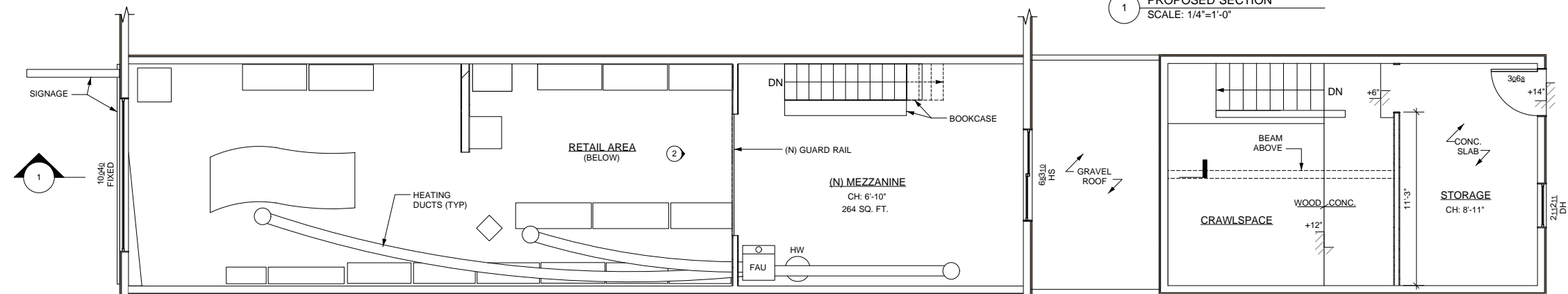
**KING KUSH CLOTHING PLUS**  
**CONDITIONAL USE AUTHORIZATION**  
 1038 TARAVAL STREET,  
 SAN FRANCISCO, CA 94116  
 PROJECT INFORMATION, APM, SITE PLAN & FRONT ELEVATION



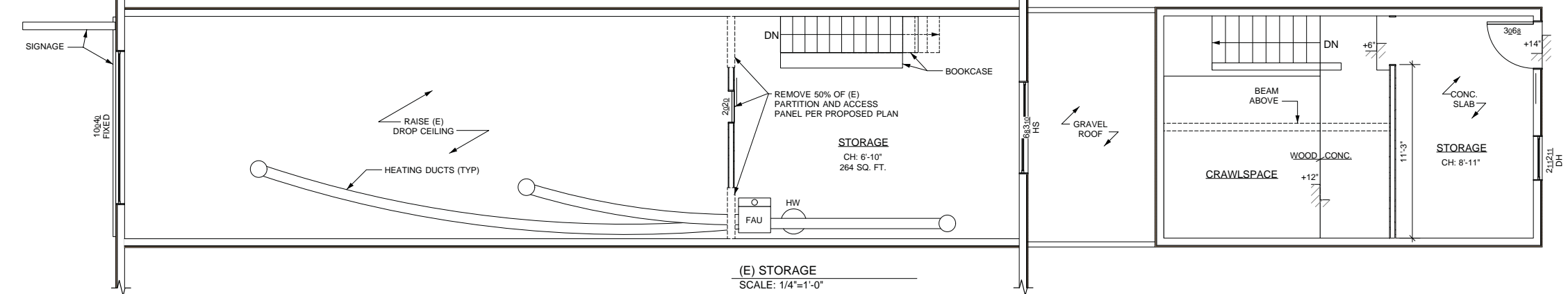
2 ELEVATION  
SCALE: 1/4"=1'-0"



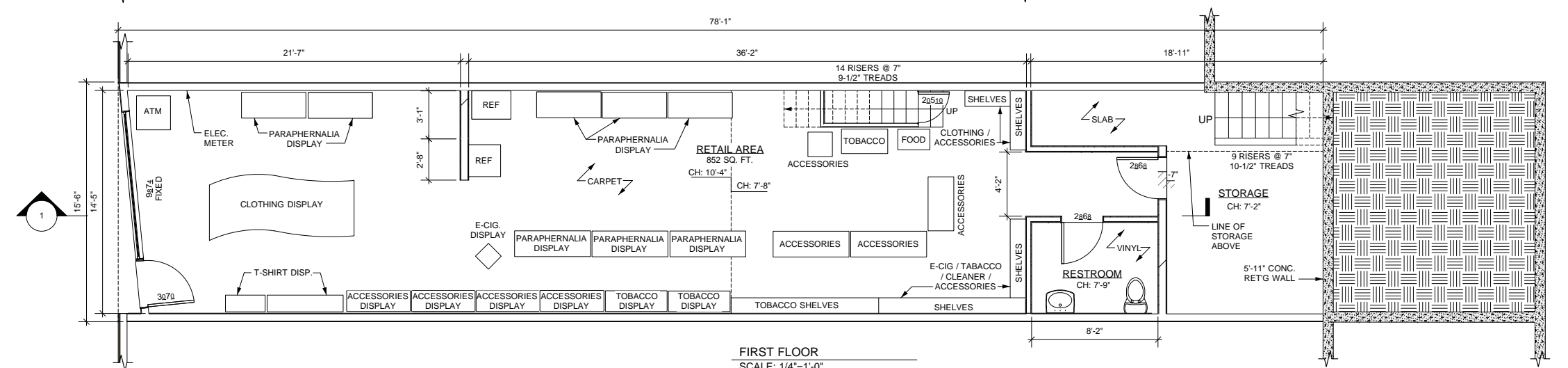
1 PROPOSED SECTION  
SCALE: 1/4"=1'-0"



FLOOR AREA:  
BELOW PROPOSED MEZZANINE: 1,096 SQ. FT.  
PROPOSED MEZZANINE: 264 SQ. FT. (24%)  
PROPOSED MEZZANINE & STORAGE  
SCALE: 1/4"=1'-0"



(E) STORAGE  
SCALE: 1/4"=1'-0"



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

a. gordon atkinson, aia  
735a taraval street - san francisco, ca 94116  
tel 415-731-9927 fax 415-731-9942 e-mail gordonatkinson@sbcglobal.net

sheet	A2
of	
drawn by	TS
revised	03.06.2017
date	11/03/2016
scale	AS NOTED

KING KUSH CLOTHING PLUS  
CONDITIONAL USE AUTHORIZATION  
1038 TARAVAL STREET,  
SAN FRANCISCO, CA 94116  
FLOOR PLANS

## Flores, Veronica (CPC)

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**From:** Licia Kuhn <liciakuhn@gmail.com>  
**Sent:** Monday, March 06, 2017 9:37 AM  
**To:** Flores, Veronica (CPC)  
**Subject:** 1038Taraval Street case No:2014.1407C

Upon receiving the public hearing Notice from the Planning Department, I walked to the address mention #1038 Taraval Street. . I live around the corner from Bank Of America for about 40 years . I walked along the 20th street of Taraval, looking for the address .

About the middle of the block , I see this small store all painted with in white hieroglyphics and loud music and look up at the other side of the street.

Crossed the street and saw where it was coming from . There was a man sitting outside of the store. The store looked more like a bazaar . The windows and the sign above the entrance door are painted in white ornamental design with strange words and just the word "Tobacco" .

I did not see any sign announcing a change or application for this new place.

Sheepishly I entered the store to look inside. The man quickly followed me . I said "I was looking' I asked How long was the shop there ,He said 5 years. I said I had not seeing the shop before. The shop is full of show cases along the right side and the left side. Pipes of all kinds ,in glass , in pottery, in metal , Big one, little ones . I really felt to be in a bazaar. Nobody can make a living and pay the rent of the store selling pipes and Huckers (I do not know the spelling of this type of pipe) . Something else with come in there .

This area does not need this kind of activity . The schools are nearby , library eating places for the students that come down from Lincoln High School ,etc

Help this community.It would become a drug haven ...