



SAN FRANCISCO PLANNING DEPARTMENT

Mandatory Discretionary Review Analysis

Medical Cannabis Dispensary

HEARING DATE OCTOBER 22, 2015

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

Reception:
415.558.6378

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Planning
Information:
415.558.6377

Date: October 15, 2015
Case No.: 2015-002683DRM
Project Address: 2414 Lombard Street
Zoning: NC-3, Moderate Scale NCD
40-X Height and Bulk District
Block/Lot: 0936/009
Project Sponsor: Ryan Hudson
2095 Market Street
San Francisco, CA 94114
415-928-3300
Staff Contact: Sara Vellve
415-558-6263
sara.vellve@sfgor.org
Recommendation: **Take Discretionary Review and Approve with Conditions**

PROJECT DESCRIPTION

The proposal is to establish a new Medical Cannabis Dispensary, dba "The Apothecarium," at 2414 Lombard Street to replace a vacant ground floor commercial space previously occupied by Thaina Cafe. The proposed retail space is approximately 1,904 gross square feet in size. No parking is required or provided and no physical expansion is proposed for the structure.

The proposed Medical Cannabis Dispensary (MCD) will dispense medical cannabis in various forms, but will not allow consumption of any kind on site, whether food or by smoking or vaporizing. The MCD will not cultivate cannabis on site. Tenant improvements will be made on this property to comply with Mayor's Office of Disability requirements. The proposed hours of operation are not to exceed 8 a.m. to 10 p.m., daily as per the Planning Code. The subject commercial space has approximately 17 feet of frontage on Lombard Street.

According to the Project Sponsor's website, The Apothecarium is a not-for-profit collective dedicated to providing lab tested, high quality cannabis and free wellness programs to members. The organization has operated out of their existing location at 2095 Market Street (corner of Church St) for the past 4+ years, serving over 35,000 registered patients, and plans to apply its experience to the proposed MCD at the subject property. The Apothecarium intends to continue operating its MCD at 2095 Market Street.

The Project Sponsor will maintain full-time security, which includes indoor and outdoor video cameras. In addition, unarmed security staff will be employed inside and outside the subject retail space.

Planning Code Section 790.141 states that all MCDs are required to be heard by the Planning Commission through a Mandatory Discretionary Review Process in which the Commission will consider whether or not to exercise its discretionary review powers over the building permit application that has been filed to alter the space at 2414 Lombard Street.

SITE DESCRIPTION AND PRESENT USE

The subject property is on the north side of the 2400 block of Lombard Street near the corner of Scott Street and falls within a 40-X height and bulk district, and the NC-3, Moderate Scale Neighborhood Commercial District. The subject two-story commercial building was constructed circa 1915 and lies between an Indian restaurant and a proposed restaurant and bar at the corner. The proposed MCD site occupies 17' of frontage. The second story of the building contains one dwelling unit which is not part of the proposal. There is no off-street parking on the property.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The NC-3 Neighborhood Commercial District is intended in most cases to offer a wide variety of comparison and specialty goods and services to a population greater than the immediate neighborhood, additionally providing convenience goods and services to the surrounding neighborhoods. NC-3 Districts are linear districts located along heavily trafficked thoroughfares which also serve as major transit routes. The Districts include long linear commercial streets, some of which have continuous retail development for many blocks. Large-scale lots and buildings and wide streets distinguish the districts from smaller-scaled commercial streets, although the districts may include small as well as moderately scaled lots. Buildings typically range in height from two to four stories with occasional taller structures.

The subject block is zoned NC-3 as are those to the east and west. Lots fronting the south side of Lombard Street are zoned NC-3 as well. The Chestnut Street shopping district is immediately north of the site and Scott Street to the east contains commercial frontage as well. The Union Street shopping district is located three blocks south. Properties in the vicinity fronting Lombard Street contain a mix of uses including restaurants, hotels, personal services, retail stores, and automotive repair shops. Building heights range from one to four stories with residential uses generally above the ground-floor commercial uses. There are no other Medical Cannabis Dispensaries in the neighborhood. The MCD closest to the Marina is located on Post Street near the corner of Polk Street – a two-mile trip from the proposed site. The height designation for the entire neighborhood is 40-X.

The District is well-served by public transit with approximately eight routes available to residents and visitors. Local and regional east/west bus routes run on Lombard and Chestnut Streets, while a local north/south bus route runs on Fillmore Street.

ISSUES AND OTHER CONSIDERATIONS

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 Department is aware that some private entities provide programming for children are located within 1000' of the subject property.

The proposed dispensary complies with all relevant Planning Code requirements.

The Apothecarium has presented to the Department evidence that it has engaged in a comprehensive community outreach plan to make neighbors aware of their proposal, and to make neighbors feel comfortable providing feedback to its outreach efforts. Its strategy involved a 3 pronged approach, including (1) reaching out to three identified community organizations; (2) hosting two open houses; (3) appearing at a community forum hosted by Patricia Vaughey (Chair, Marina/Cow Hollow Neighbors & Merchants Association); (4) introducing itself in a letter to those persons within 300 feet of the project site.

Community groups that The Apothecarium has reached out beyond written communications include:

- Marina Community Association
- Cow Hollow Association
- Larkin Street Youth Services / Edward II
- Lombard Street Merchant Association

Others that The Apothecarium has reached out to:

- Captain McEachern, Northern Police Station
- Supervisor Mark Farrell
- Catherine Stefani, Aide to Supervisor Mark Farrell
- Tenants of the single residential unit above the proposed site
- Chirag Patel, owner of the nearby Super 8 motel
- Via Goa, the adjacent Indian restaurant
- Patricia Vaughey, neighborhood resident, business owner & activist

According to the Project Sponsor, each community organization received multiple letters, emails and phone calls, and were invited to attend two open houses. Each organization was offered a full presentation regarding their application to operate an MCD and about The Apothecarium itself. A sample letter sent to community organizations is attached.

The Apothecarium sent a separate mailing on October 7, 2015 to each address within a 300' radius surrounding the proposed MCD location. The organization's principals and staff introduced themselves and described the manner in which they intend to operate an MCD. The Apothecarium responded to letters, emails and/or phone calls received in writing. See sample response attached on page ____ of the Project Sponsor packet.

Leading up to the October 13, 2015 Open House, the principal neighborhood organizations and neighbors within a 300' radius were invited to an Open House event via nextdoor.com – an online community web site.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	30 days	September 23, 2015	September 22, 2015	30 days
Mailed Notice	30 days	September 23, 2015	September 22, 2014	30 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	None stated.	None stated.	None stated
Other neighbors on the block or directly across the street	Many letters of support do not state a specific address. The sponsor reports there are approximately 100 letters of support from the Marina and Cow Hollow neighborhoods	Many letters of opposition do not state a specific address. Those that do generally reference the 94127 zip code.	-
Neighborhood groups or others	4 outside n'hood	2 in n'hood	1 in n'hood

As of the date of this Report, the sponsor has submitted approximately 600 letters of support for the proposed use. The sponsor has reported that approximately 100 of those are within the Marina and Cow Hollow neighborhoods. Support is generally based on the following factors:

- The professional management and operation style of the Apothecarium's store on Market Street near Church Street over the past four years.
- The lack of Police Department reported incidents at the Market Street site.
- The organization's compassion as demonstrated through their "MedBox" program, which provides free medicine and delivery to seriously ill patients including those in hospices, hospitals and those who are homebound, bedridden or have mobility problems.
- The use will encourage more people to use Lombard Street which will increase safety.
- The following neighborhood groups support the proposal: Duboce Triangle Neighborhood Assn, Castro Merchants, Castro/Upper Market Community Benefit District, Castro/Eureka Valley Neighborhood Assn, Shanti Project.

The Department has received approximately 70 letters of opposition to the project from residents of the Marina and Cow Hollow neighborhoods. Opposition is generally based on the following considerations:

- The vulnerability of young adults residing at the Edward II program across the street from the subject site. The young adults in this program are transitioning from the foster care system to independent living. They are receiving on-site services for support with training and educational opportunities, and job applications and employment skills. The facility is managed by Larkin Street Youth Services and was developed by Community Housing Partnership of San Francisco. The facility opened earlier this year.
- Many dispensaries (including the Apothecarium on Market Street) offer delivery services throughout the city, thus making the proposed site unnecessary.
- There are other suitable sites for an MCD on the north side of the city.
- The dispensary will cause more traffic and backup on Lombard Street from double parking and drivers circling the neighborhood to find parking.
- There is no local demand for the product and no community benefit from the business.

- Businesses on Lombard Street will be compromised because people will avoid the MCD and pedestrian traffic will decrease.
- The use will encourage a dangerous demographic to visit the neighborhood businesses and the success of businesses and safety of residents will be compromised. Drug use within the neighborhood will rise when considerable resources have been used to address problems of the nearby hotel.
- Bars and restaurants in the neighborhood are already noisy and the proposed use will exacerbate this problem.
- The following neighborhood groups oppose the proposal: Golden Gate valley Neighborhood Association, Cow Hollow Association.

As of October 12, 2015 the Marina/Cow Hollow Neighbors & Merchants Association was still deliberating.

To address neighborhood concerns the Project Sponsor has committed to a number of self-imposed operating procedures, which are fully described in their submittal.

PROJECT ANALYSIS

MEDICAL CANNABIS DISPENSARY CRITERIA

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

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

Project Meets Criteria

The subject parcel is not located within 1000' of an elementary or secondary school, public or private, or active recreation buildings or permitted community centers which primarily serve persons 18 years or less.

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. The building's second floor is occupied by a dwelling unit.

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 as there will be no smoking on the premises.

The Project Sponsor does not intend to permit smoking, vaporizing or otherwise medicate with medical cannabis 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

On September 22, 2015 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 is subject to a Mandatory Discretionary Review Hearing.

MEDICAL CANNABIS DISPENSARY CRITERIA

Below are additional controls for MCDs within the NC-3 Moderate Scale Neighborhood Commercial District pursuant to Planning Code Section 712.84:

1. Medical cannabis dispensaries in NC-3 District may only operate between the hours of 8 a.m. and 10 p.m.

Project Meets Criteria

The proposed hours of operation will not exceed 8 a.m. to 10 p.m.

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:

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

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

OBJECTIVE 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 ill patients who would be served by the proposed use are in great need of this type of medical service. By allowing the services provided by the MCD, its patients are assured to 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 and does not affect existing housing.

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

The proposed space in the existing building was last 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 building is vacant and the proposed use will not displace any industrial or service industry establishments. The proposed use is not a commercial office development. The Apothecarium will have staff of about 21 full time persons and 6 part time persons and through that, the proposed MCD will enhance jobs in a service industry establishment.

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. All fixtures, shelving, etc., will be firmly affixed to its adjacent surface. Additionally, an automatic shut-off valve will be added to the gas meter. Trauma kits, fire extinguishers and emergency water and food supplies will be stored on-site.

All staff will be required to undergo Emergency Response Training during initial onboarding and periodically throughout the year. Regular drills and training on use of fire extinguishers, meeting points and building clearance and reentry procedures will be conducted. These trainings will cover procedures for all emergency situations, including fire, flood, and burglary in addition to earthquakes.

7. Landmarks and historic buildings be preserved.

The proposed façade alterations are minor and will create larger windows openings and reintroduce appropriate materials and architectural features that may have been present at the time the building was constructed. The do not adversely affect any existing character-defining features of the building that are visible from the public right-of-way.

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 California Environmental Quality Act (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. Planning Department review is generally limited to the location and physical characteristics of MCDs.

The Planning Department recommends that the Commission not exercise its Discretionary Review Powers for the following reasons:

- The MCD complies with all standards and requirements of the Planning Code and advances the objectives and policies of the General Plan.
- This 2400 Block of Lombard is well served by local and regional public transit.
- The proposed site is more than 1,000' from any public or private primary and secondary schools.
- The proposed site is more than 1,000' from any community recreation building primarily serving persons 18 years of age or under.
- The proposed project will not allow smoking, vaporizing or consumption on the premises.
- There appear to be no other retail MCDs in the area of the subject property so there is no overconcentration of the use.
- Approval may prevent over concentration of MCD's in the Mission and SOMA neighborhoods and could assist in the dispersion of MCD's across the entire City.
- The plans indicate that the retail space will be renovated to provide a safe, well-lit environment for California Medical Marijuana Patients with proper identification cards.
- It is expected that employment levels found in the previous retail use will be restored at this location as The Apothecarium will need to have staff to serve patients at this location in the same or greater number as the previous restaurant use.

- The Project Sponsor has developed self-imposed conditions of operation to address the concerns of two neighborhood associations, including the Cow Hollow Association.
- To minimize the potential impact of the proposed use on the surrounding commercial area the following conditions are recommended for imposition on the project, and are generally required of MCDs through Planning Code requirements:
 1. *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.
 2. *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.
 3. *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.
 4. *Notice.* Posted notice urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to not litter or block driveways in the neighborhood, shall be well-lit and prominently displayed at all entrances to and exits from the establishment. Notices shall be incorporated into the plan elevations.
 5. *Signage.* All exterior signage shall be designed to complement, not compete with, the existing architectural character and architectural features of the building. Signage for the medical cannabis dispensary shall be limited to one wall sign not to exceed ten square feet in area, and one identifying sign not to exceed two square feet in area; such signs shall not be directly illuminated. Any wall sign, or the identifying sign if the medical cannabis dispensary has no exterior wall sign, shall include the following language: "Only individuals with legally recognized Medical Cannabis Identification Cards or a verifiable, written recommendation from a physician for medical cannabis may obtain cannabis from medical cannabis dispensaries." The required text shall be a minimum of two inches in height.

6. *Window Transparency.* The transparency requirement of Planning Code Section 145.1(c)(6) shall be maintained.
7. *Cultivation.* No medical cannabis shall be cultivated at the establishment.

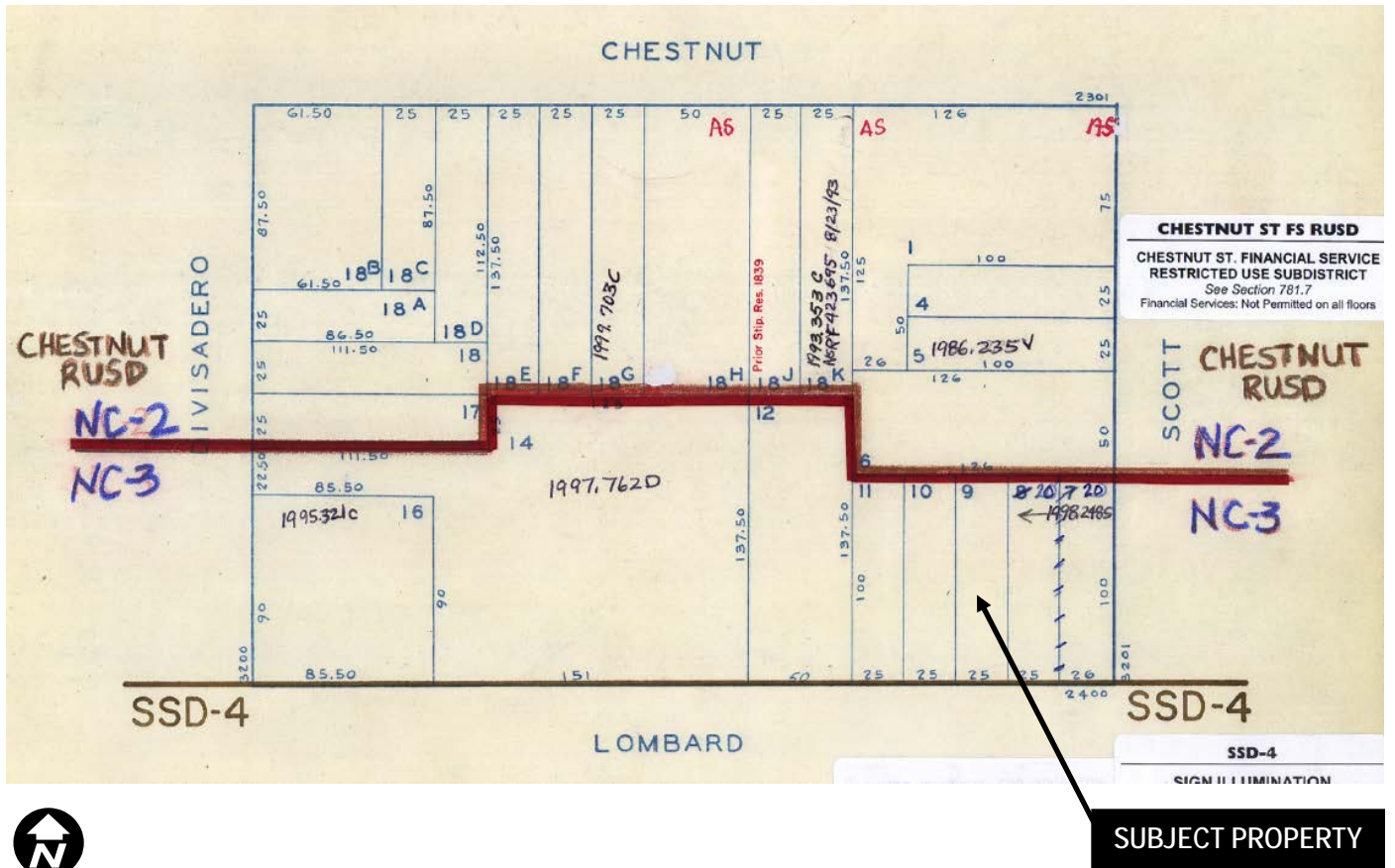
RECOMMENDATION

RECOMMENDATION: Take Discretionary Review and Approve with Conditions
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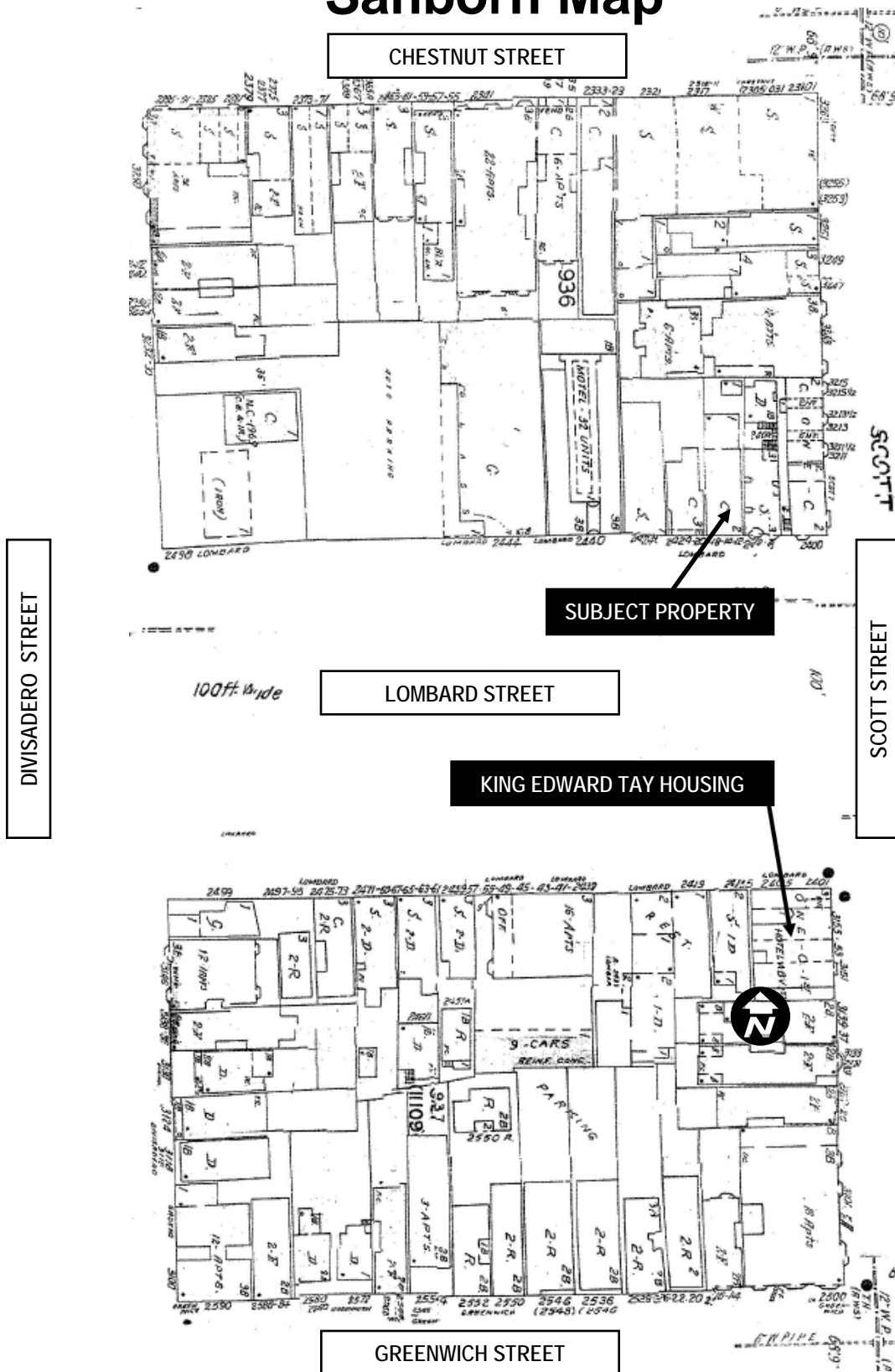
Attachments:

Parcel Map
Sanborn Map
Zoning Map
500' & 1000' Radius Map
Area Map of Potential MCD Locations
GIS MCD Proximity Map
Aerial Photograph
Site Photographs
MCD DR Notice
Reduced Architectural Plans
Applicant's MCD Application
Letters of Opposition (DR Analysis includes 15 representative letters of approximately 70 submitted)
Project Sponsor Submittal Including Letters of Support (DR Analysis includes 15 representative letters of approximately 600 submitted)
Additional Letters of Support Submitted by Project Sponsor

Parcel Map



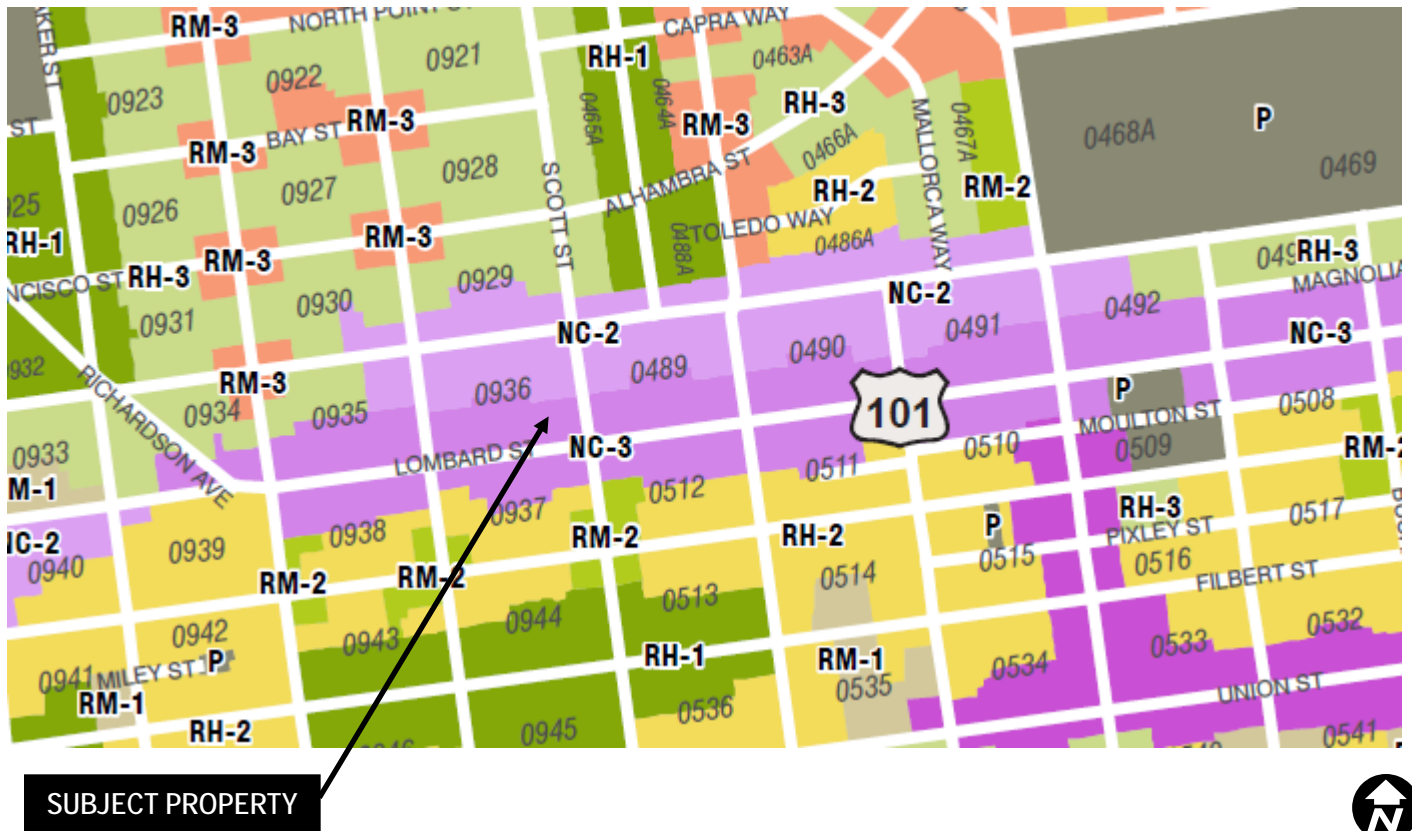
Sanborn Map*



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

Mandatory Discretionary Review Hearing
 Medical Cannabis Dispensary (MCD)
 2015-002683DRM
 2414 Lombard Street

Zoning Map

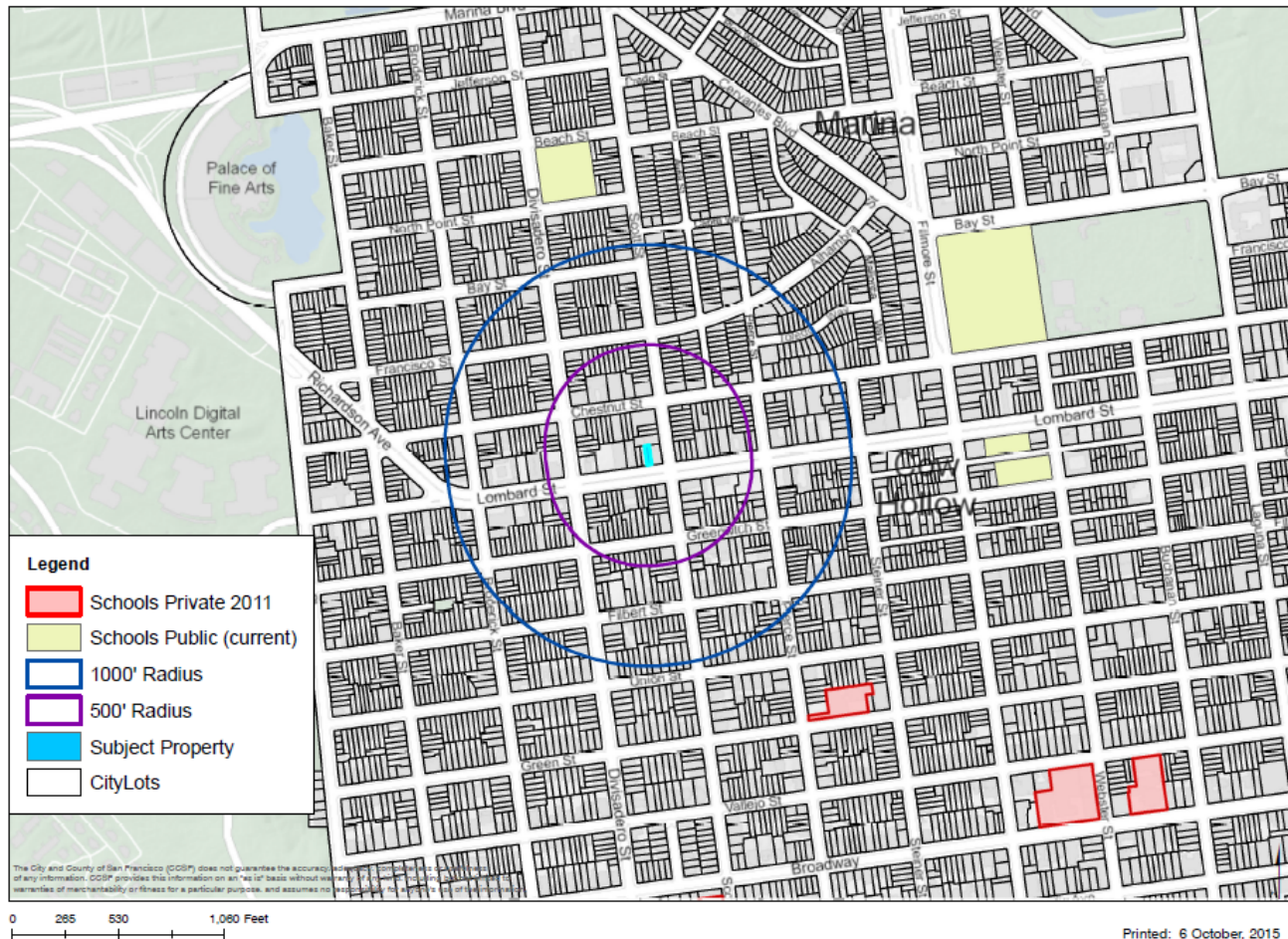


SUBJECT PROPERTY



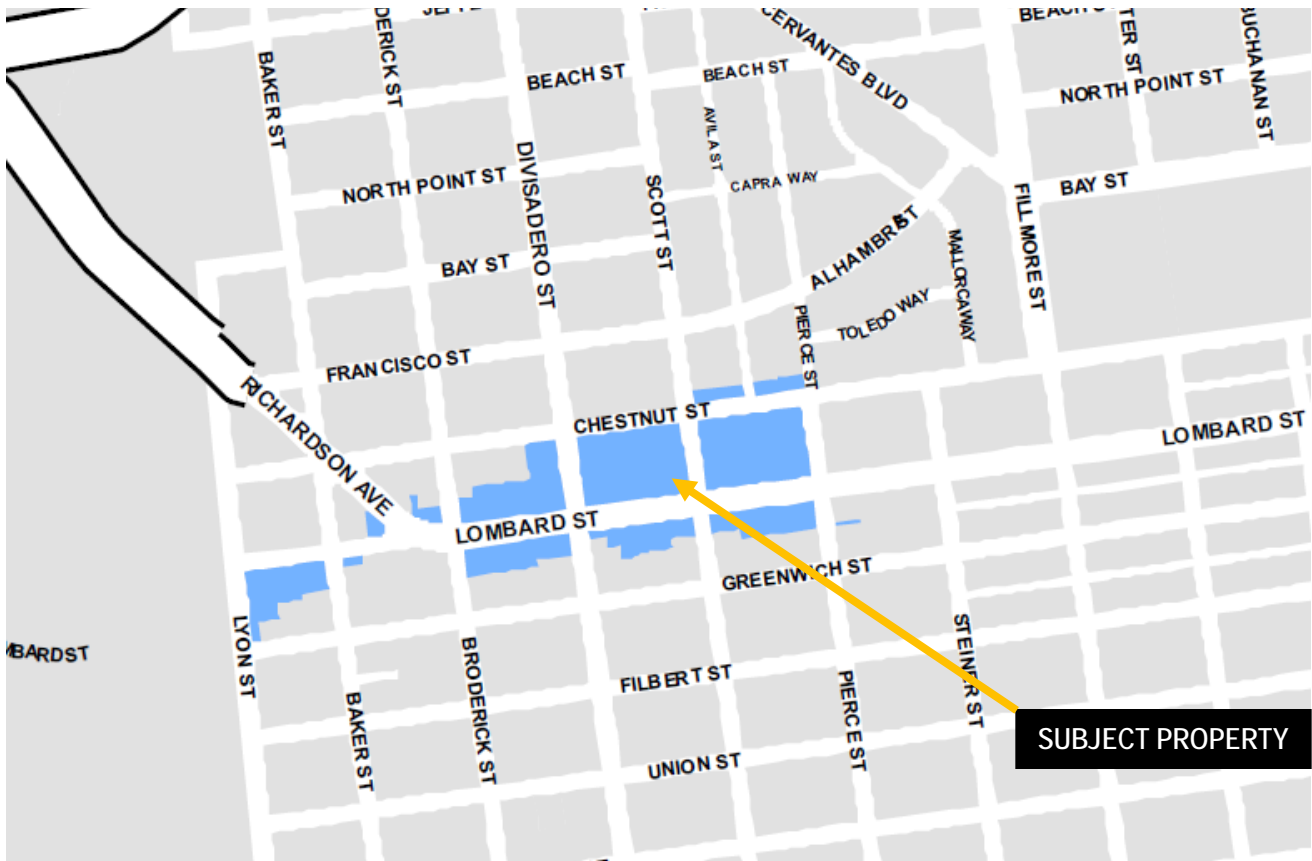
500' and 1000' Arc View GIS Map

2414 Lombard MCD 500' & 1000' Radius Map



Mandatory Discretionary Review Hearing
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2414 Lombard Street

Area Map of Potential MCD Locations



Notes: This map as an initial guide for investigating possible Medical Cannabis Dispensary (MCD) locations. It is not intended to supersede or be used in-lieu of applicable requirements found in the Planning Code.

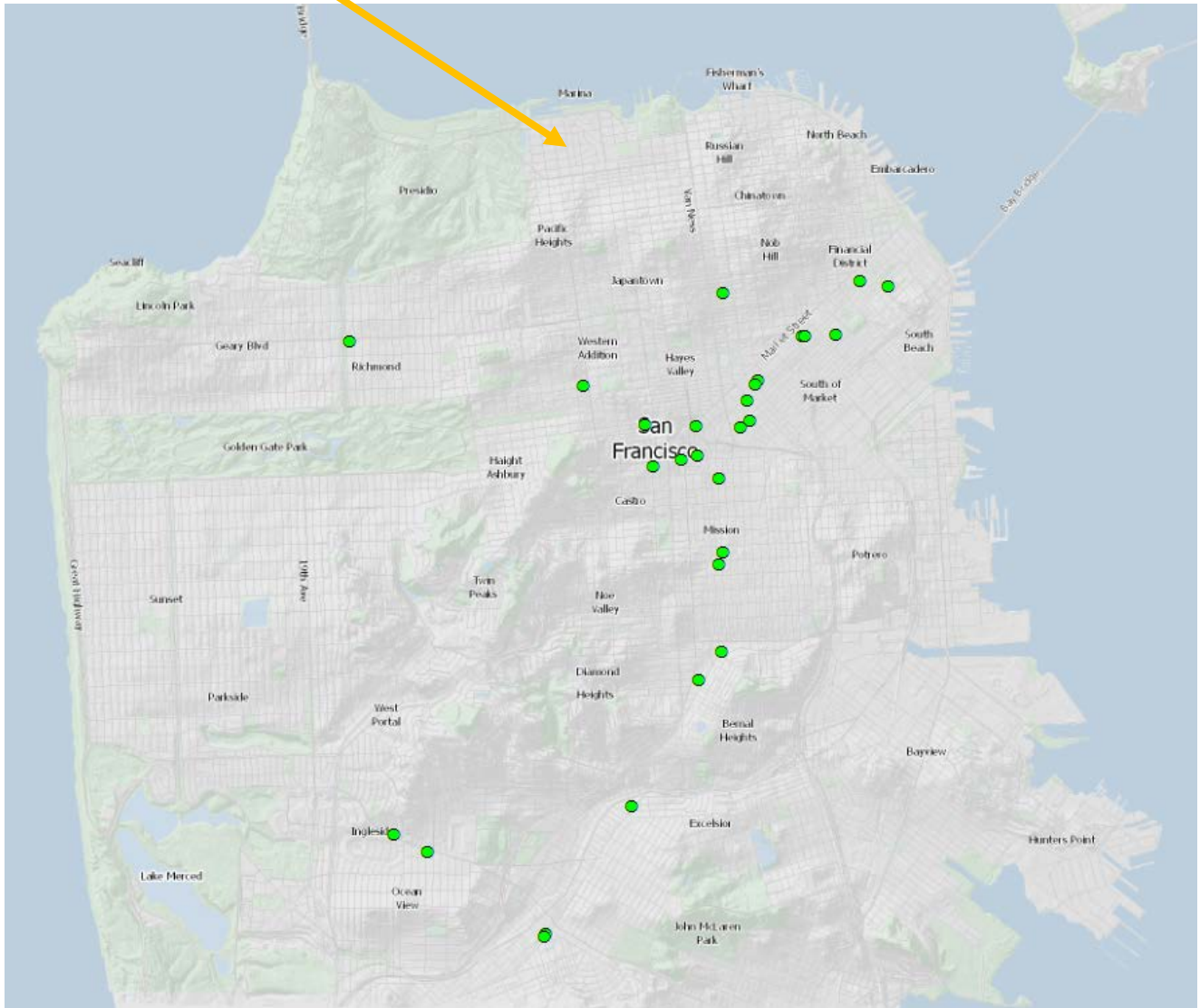
This map indicates area which are (1) zoned to allow new MCDs and (2) not not located within 1,000' of a school. This map does not indicate uses which further restrict MCD locations including (i.e.community facilities, recreation buildings, and substance abuse treatment centers)

This map is based on the best information available at the time of publication. The City and County of San Francisco (CCSF) does not guarantee the accuracy, 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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GIS MCD Proximity Map

SUBJECT PROPERTY



MCD Locations as of August 12, 2014. Does not include “delivery only” dispensaries.

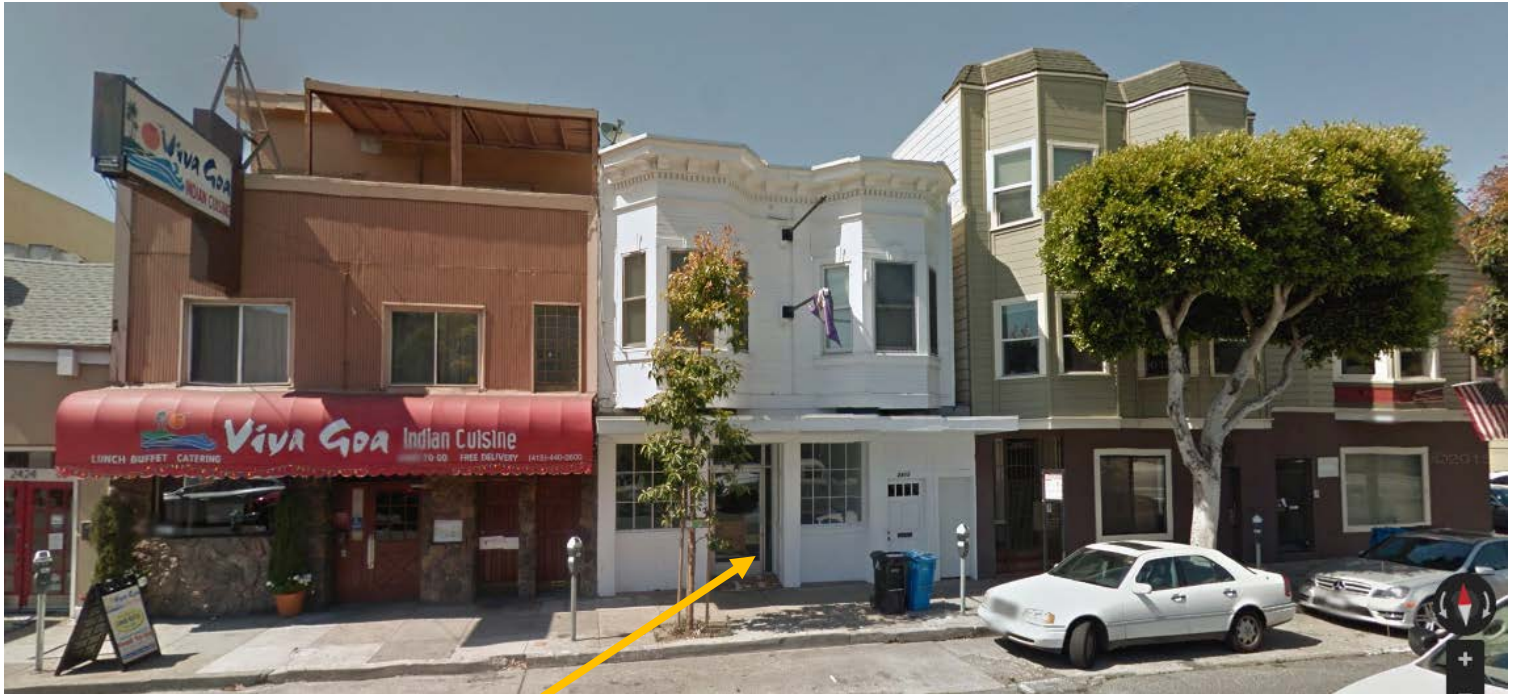
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Aerial Photo



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Medical Cannabis Dispensary (MCD)
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Street Facade



SUBJECT PROPERTY

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2414 Lombard Street



SAN FRANCISCO PLANNING DEPARTMENT

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

NOTICE OF PUBLIC HEARING

Hearing Date: **Thursday, October 22, 2015**
Time: **Not before 12:00 PM (noon)**
Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**
Case Type: **Discretionary Review**
Hearing Body: **Planning Commission**

PROPERTY INFORMATION	APPLICATION INFORMATION
Project Address: 2414 Lombard Street	Case No.: 2015-002683DRM
Cross Street(s): Scott Street	Building Permit: 2015.03.03.9784
Block /Lot No.: 0936/009	Applicant: Ryan Hudson
Zoning District(s): NC-3 / 40-X	Telephone: (415) 746-9001
Area Plan: N/A	E-Mail: Lombard@apothecariumsf.com

PROJECT DESCRIPTION

The request is for a Mandatory Discretionary Review of an application to operate a Medical Cannabis Dispensary (Apothecarium) on the ground floor of the existing mixed-use building. Through Building Permit Application 2015.03.03.9784 tenant improvements to the ground floor and façade would be completed to implement the project. This notice satisfies the requirements of Planning Code Section 312. More information about the project can be found at the project website: www.2414Lombard.com

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

ADDITIONAL INFORMATION

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

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

FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:

Planner: **Sara Vellve** Telephone: **(415) 558-6263** E-Mail: sara.vellve@sfgov.org

中文詢問請電: (415) 575-9010

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

APPLICATION TO OPERATE A Medical Cannabis Dispensary

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:	
Ryan Hudson, Michael Thomsen, Arion Luce, Anthony Shira	
PROPERTY OWNER'S ADDRESS:	TELEPHONE:
2095 Market Street, San Francisco, Ca 94114	(415) 928-3300
	EMAIL:
	ryan@apothecariumsf.com

APPLICANT'S NAME:	
Ryan Hudson	Same as Above <input type="checkbox"/>
APPLICANT'S ADDRESS:	TELEPHONE:
2095 Market Street, San Francisco, CA 94114	(415) 928-3300
	EMAIL:
	ryan@apothecariumsf.com

CONTACT FOR PROJECT INFORMATION:	
Mark Brand Architecture	Same as Above <input type="checkbox"/>
ADDRESS:	TELEPHONE:
681 Harrison Street, San Francisco, CA 94107	(415) 543-7300
	EMAIL:
	vincent@markbrandarchitecture.com

2. Location and Dispensary Information

STREET ADDRESS OF PROJECT:	ZIP CODE:
2414 Lombard Street	94123
CROSS STREETS:	
Scott Street & Divisadero Street	

ASSESSORS BLOCK/LOT:	ZONING DISTRICT:
0936 / 009	NC-3, Moderate-Scale Neighborhood Commercial District

DISPENSARY SQ. FT.	SQ. FT. ACCESSIBLE TO PATRONS:	FLOOR ON WHICH DISPENSARY IS LOCATED:
1,904 sq. ft.	1,068 sq. ft.	1

PROPOSED BUSINESS NAME (IF KNOWN):
The Apothecarium
PRESENT OR PREVIOUS USE:
Restaurant

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.	TH
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.	TH
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.	TH

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;

See attachment.

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

See attachment.

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;

The proposed dispensary will increase employment opportunities, replacing those from the previous restaurant. The proposed dispensary will add variety to an already vibrant commercial corridor. It will compliment other businesses. The proposed dispensary will add convenience to the neighborhood since the next closest dispensaries are located in the Tenderloin and South of Market neighborhoods.

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

The existing apartment above the proposed dispensary will be retained. The existing storefront will be enhanced with painted wood trim, adding interest and complexity to the facade. Existing plastic windows in the existing storefront will be replaced with wood-framed glass windows. The existing metal door and sidelight will be replaced with a wood door and sidelights. The proposed signage will be understated and scaled appropriately, in keeping with neighboring retail and commercial uses.

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

The existing housing unit above the proposed dispensary will be retained. The proposed dispensary will not remove any housing units.

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

Commuter traffic and need for parking is not expected to exceed that which was required by the previous restaurant use. We expect the proposed dispensary to employ approximately the same number of people as the previous restaurant.

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 dispensary will not remove any industrial or service sector businesses. The proposed dispensary will increase industrial and service sector businesses associated with Medical Cannabis Dispensaries.

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

The proposed dispensary will be constructed to current building code and seismic requirements.

7. That landmarks and historic buildings be preserved; and

The proposed dispensary will not affect any historic landmarks or historic buildings.


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

The proposed dispensary will not reduce open space nor decrease access to sunlight and/or views.

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: 

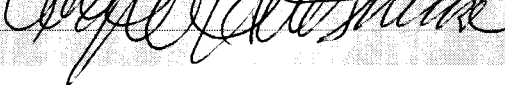
Date: 0304/2015

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

RYAN HUDSON - owner
Owner / Authorized Agent (circle one)

For Department Use Only

Application received by Planning Department

By: 

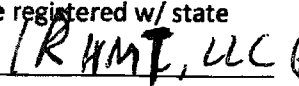
Date: 3/4/15



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

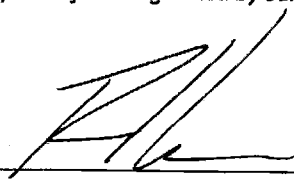
Date of Application: 3/2/2015
Dispensary Address: 2414 Lombard St Zip Code: 94123
Dispensary DBA: Apothecarium Dispensary Phone #: 415-928-3300
Dispensary Operation Structure: ☒ Nonprofit Collective ☐ Nonprofit Cooperative - must be registered w/ state
Dispensary Owner(s): Ryan Hudson, Michael Thomsen, Arion Luce, Anthony Shira RHMT, LLC 
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>Ryan Hudson</u> <u>President</u>	<u>36</u>	<u>CDL: B5320647</u>	<u>2120 PACIFIC AVE #306, SF, 94115</u>
(title, if corporate)		(ID type)	
2. <u>Michael Thomsen</u> <u>Chief Financial Officer</u>	<u>36</u>	<u>CDL: B5454753</u>	<u>178 15TH AVE, SF, CA, 94118</u>
(title, if corporate)		(ID type)	
Manager(s):* <u>Ryan Hudson, Michael Thomsen, Arion Luce, Anthony Shira</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 #:	<u>452076</u>
MOD Referral:		Facility ID#	<u>82289</u>	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
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Acting Environmental Health Director

Mayor's Office on Disability (MOD) Referral Form

Date: 3/2/15

Mayor's Office on Disability (MOD)
401 Van Ness Ave., Room 300
San Francisco, CA
Attn: Carla Johnson

Subject: **Medical Cannabis Dispensary**

Location: 2414 Lombard

Block: 0936

Lot: 009

Building Owner: Ryan Hudson, Michael Thomson

DBA: Apothecarium

Applicant: RHMT, LLC

For the Mayor's Office on Disability Use Only

Our office has received an application to operate a Medical Cannabis Dispensary at the above-referenced location. The permitting process requires compliance with San Francisco Health Code Article 33, Section 3308(y) to be determined by the Mayor's Office on Disability. Please mark the appropriate box and return to;

SF Health Dept., Medical Cannabis Dispensary Program @ 1390 Market St #210.
Attn: Ryan Clausnitzer

☐ The building permit(s) pertaining to access pursuant to SF Health Code Article 33, section 3308(y) has been approved for this location. Comments: _____

☐ The building permit(s) pertaining to access pursuant to SF Health Code Article 33, section 3308(y) has not been approved for this location or has not been filed for this location. Comments: _____

Reviewed by: _____

MOD Name and Phone Number _____

Date _____

Respectfully,

Richard J. Lee

Richard Lee, Director of
Regulatory Programs
ENVIRONMENTAL HEALTH



COMPANY SUMMARY

NONPROFIT ENTITY

The Apothecarium Marina will operate on a not-for-profit basis. Dividends will never be paid on any shares of the corporation nor will any shareholder ever receive any dividend, nor will any person receive any draw upon the earnings of the corporation. The Apothecarium Marina's property (including its retained earnings) will be irrevocably dedicated to public and charitable purposes. No part of the net income or assets of the corporation will ever inure to the benefit of any director, officer, or shareholder of the corporation or to the benefit of any private person.

All of the corporation's revenue in excess of its expenses will be given to charity or will remain in the corporation itself. Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities will be distributed to one or more nonprofit funds, foundations, or corporations organized and operated exclusively for public, charitable, scientific, or educational purposes.

MISSION

To provide a professional environment in which San Francisco patients may safely access medical cannabis therapeutics, obtain product knowledge,

and participate in integrated health programs to promote wellness within the patient collective.

OBJECTIVES

The organization's objective is to extend its current model of medical cannabis business operations in the Castro District of San Francisco to meet the needs of existing and new patients living in and around the Marina, Cow Hollow, Pacific Heights and other adjacent neighborhoods. Similar to its location in the Castro, the Apothecarium Marina will operate under a good-neighbor policy and serve as an active member of the immediate community in order to ensure the continued success of medical cannabis establishments in San Francisco. In addition to operating as a non-profit organization, The Apothecarium Marina and its founders commit to establishing philanthropic focused health and wellness services which will further contribute to a successful MCD and establish The Apothecarium Marina as a respected, hyper-local brand serving existing and new patients in the northern portion of the City. We have 2,650 member-patients in Zip Codes 94123, 94115, 94109, 94133 and 94129 plus several thousand more who would likely find the proposed location more convenient than our current location.



LEADERSHIP TEAM EXPERIENCE

Ryan Hudson, Executive Director

Mr. Hudson is a seasoned entrepreneur with an engineering and technical background. He has served in network engineer roles supporting large medical device and investment bank corporations. His professional business acumen originates from his previous start-ups in the veterinary health, mobile app, and computer diagnostic arenas. Mr. Hudson sits on The Apothecarium Castro's philanthropic advisory board and founded 1st Saturdays SF, a non-profit focused on helping the homeless in San Francisco. Ryan attended San Francisco State University and has been a resident of San Francisco since 2005.

Michael Thomsen, Chief Financial Officer

Michael graduated from the University of San Diego earning degrees in Business Administration and International Relations. His professional career spans supply chain management and commercial real estate lending. Mr. Thomsen is committed to community improvement and has solicited over \$1.2 million for the local United Way Chapter. Through The Apothecarium San Francisco's philanthropic advisory board, Mr. Thomsen has overseen donations of more than \$200,000 to help non-profits and strengthen the community.

Dr. Uwe Blesching, Science Advisor

Born and raised in Germany, Dr. Uwe Blesching served as a paramedic and firefighter for the City and County of San Francisco for more than 20 years. Completing a long-term research project with groups and individuals using body-mind medicine, he learned that infusing consciousness into the healing process allows any healing method to become more effective. Dr. Blesching is the author of *The Cannabis Health Index: How to Achieve Deep(er) Healing of 100 Chronic Symptoms and Diseases by Linking Science of Medical Marijuana with the Art of Mind-Body Consciousness*. Dr. Blesching currently lives and works in San Francisco, California.

Anthony Shira, Principal

Mr. Shira is one of The Apothecarium's founding members. Anthony works in close coordination with Ryan and Michael on the financial planning side of the business. He helps to ensure sound

business structures are created and that the company can sustain industry and regulatory changes. Anthony also leads fundraising for future brand expansion. In addition to serving on the Philanthropic Board, Anthony is an active volunteer with Choices, United Way, Habitat for Humanity, Junior Achievement, and the Catholic Youth Organization.

Arion Luce, Principal

Mr. Luce is one of The Apothecarium's founding members. His responsibilities include day-to-day management of its Market Street location. Arion was originally introduced to the medical cannabis industry when working with the chronically ill as a dialysis technician. Today, he spearheads our Medbox donation program established to support our most critically ill population through subsidizing a portion of their medical cannabis needs. In addition to serving on the Philanthropic Board, Arion also does charitable work with the Harvey Milk Civil Rights Academy.

Jamie Shira, Director of Human Resources

With a background in Human Resource Management from Regent's Business School in London, Mrs. Shira manages internal employee matters and will lead the patient support program. Prior to joining The Apothecarium, Mrs. Shira was a Human Resources analyst with a prominent Silicon Valley software company. Jamie's efforts have helped build a suite of positive support programs that are freely offered to our patients. A Santa Cruz native, Mrs. Shira now lives in Santa Rosa with her husband and their newborn baby.

The Apothecarium is accredited by the Better Business Bureau which includes a commitment to the following Standards of BBB Accreditation:

- + Build Trust
- + Advertise Honestly
- + Tell the Truth
- + Be Transparent
- + Honor Promises
- + Be Responsive
- + Safeguard Privacy
- + Embody Integrity



INDUSTRY PARTNERSHIPS

Steep Hill Laboratories (Testing Lab)

The Apothecarium Marina will be dedicated to sourcing the highest quality medicine for our patients. Flowers, topical oils, edibles and concentrates are sent to Steep Hill Laboratories for testing levels of active cannabinoids, as well as to screen for pesticides, fungus and mold. We test our entire selection of offerings and post the results on our menu for our patient's reference. We order comprehensive reports on all items sent in for testing.

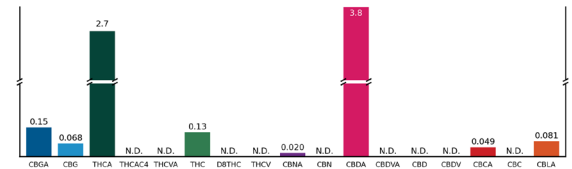
Steep Hill Laboratories was launched in early 2008 as Steep Hill Medical Collective to provide quality control services to the medical cannabis industry, which—12 years after its legalization under California law— consisted of hundreds of businesses providing potentially unsafe herbal products to hundreds of thousands of consumers. The company's primary mission was and is to protect the public health by providing infrastructure and analytical services to legally authorized distributors and producers of cannabis and to regulators tracking their operations. The company was founded by David Lampach, Addison Demoura and Steve DeAngelo. Corporate headquarters are in Oakland, California. The company's customers are medical cannabis providers anticipating regulation and inspection by public health authorities. In June 2008 the company developed the first microbiological method for determining mold and bacteria levels on cannabis destined for human consumption.

These reports present a wealth of information on one page, including the percentages of a wide range of active cannabinoids and terpenes. We interpret this data with feedback from our patients and distill this information into an easy-to-read menu description. Collective collaboration and lab testing are the backbone of cannabis as safe, natural medicine.

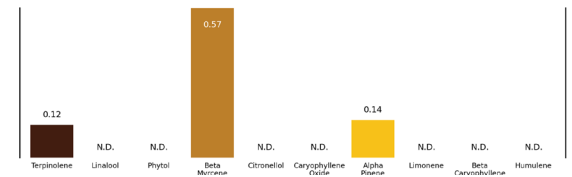
AG The Good Medicine

Customer: The Apothecarium	Test Site: SHL Oakland	Instrument: HPLC-DAD-MS
Test: Cannabinoid, Terpene Potency	Sample Type: Flower	Customer's ID: Sample ID: S77024
Submitted: -	Analyzed: -	Reported: -
		Sample Mass: 0.5766 g

Cannabinoids as Percent by Mass



Terpenes as Percent by Mass



Steep Hill Laboratories active cannabinoids levels report

3.11.15 THE APOTHECARIUM ALL PURCHASES ARE SUBJECT TO 8% SALES TAX			
BLACKBERRY KUSH Indica A cross between Blackberry Kush and Big Bud. This indica-dominant strain is known for its potent, earthy, and slightly sweet flavor. It is a great choice for those looking for a strong, relaxing effect.	EFFECTS Sedative Anxiety Relief Anti-inflammatory Antispasmodic Creative Stimulation Mood Elevation	PRICING Gram.....\$17 Eighth.....\$55 Quarter.....\$110 Half.....\$210 Ounce.....\$370	TESTING RESULTS THC 17.3% CBD 20%
PURPLE ALIEN OG Indica A cross between Purple Alien and OG Kush. This indica-dominant strain is known for its potent, earthy, and slightly sweet flavor. It is a great choice for those looking for a strong, relaxing effect.	EFFECTS Sedative Anxiety Relief Anti-inflammatory Antispasmodic Creative Stimulation Mood Elevation	PRICING Gram.....\$17 Eighth.....\$55 Quarter.....\$110 Half.....\$210 Ounce.....\$370	TESTING RESULTS THC 14.1% CBD 20%
WHITE OG Indica A cross between White OG and OG Kush. This indica-dominant strain is known for its potent, earthy, and slightly sweet flavor. It is a great choice for those looking for a strong, relaxing effect.	EFFECTS Sedative Anxiety Relief Anti-inflammatory Antispasmodic Creative Stimulation Mood Elevation	PRICING Gram.....\$17 Eighth.....\$55 Quarter.....\$110 Half.....\$210 Ounce.....\$370	TESTING RESULTS THC 14.1% CBD 20%
AG THE GOOD MEDICINE Sativa This sativa strain is a good option for treating seizures as well as a range of other medical conditions. Its high CBD content and low THC content provides little to no psychoactive effects.	EFFECTS Sedative Anxiety Relief Anti-inflammatory Antispasmodic Creative Stimulation Mood Elevation	PRICING Gram.....\$17 Eighth.....\$55 Quarter.....\$110 Half.....\$210 Ounce.....\$370	TESTING RESULTS THC 0.5% CBD 20%
GODFATHER OG Indica A cross between Godfather OG and OG Kush. This indica-dominant strain is known for its potent, earthy, and slightly sweet flavor. It is a great choice for those looking for a strong, relaxing effect.	EFFECTS Sedative Anxiety Relief Anti-inflammatory Antispasmodic Creative Stimulation Mood Elevation	PRICING Gram.....\$17 Eighth.....\$55 Quarter.....\$110 Half.....\$210 Ounce.....\$370	TESTING RESULTS THC 14.1% CBD 20%
MAD MEN OG Indica A cross between Mad Men OG and OG Kush. This indica-dominant strain is known for its potent, earthy, and slightly sweet flavor. It is a great choice for those looking for a strong, relaxing effect.	EFFECTS Sedative Anxiety Relief Anti-inflammatory Antispasmodic Creative Stimulation Mood Elevation	PRICING Gram.....\$17 Eighth.....\$55 Quarter.....\$110 Half.....\$210 Ounce.....\$370	TESTING RESULTS THC 14.1% CBD 20%



AG THE GOOD MEDICINE

This sativa strain is a good option for treating seizures as well as a range of other medical conditions. Its high CBD content and low THC content provides little to no psychoactive effects.

EFFECTS

Sedative	██████████
Anxiety Relief	██████████
Anti-inflammatory	██████████
Antispasmodic	██████████
Creative Stimulation	██████████
Mood Elevation	██████████

PRICING

Gram.....	\$17
Eighth.....	\$55
Quarter..	\$110
Half.....	\$210
Ounce...	\$370

TESTING RESULTS

THC 0.5%
CBD 20%



NEIGHBORHOOD COMPATIBILITY, BENEFITS, AND SUPPORT



NEIGHBORHOOD COMPATIBILITY

The Apothecarium's mission is to provide a professional environment where patients in the Marina can safely access medical cannabis therapeutics, obtain product knowledge, and participate in integrated health programs to promote wellness within the patient collective.

The objective of the organization is to adapt and continue its current models of medical cannabis business operations (operating for several years in the Castro neighborhood) to meet the goals and needs of the Marina, Cow Hollow and Pacific Heights.

Similar to its location in the Castro, The Apothecarium Marina will operate under a good-neighbor policy and serve as an active member of the community. The Apothecarium and its founders commit to establishing philanthropic focused health and wellness services which will further contribute to a successful Medical Cannabis Dispensary (MCD), establish The Apothecarium as a respected brand, and cultivate a loyal patient collective.

Proposed Location of Dispensary

2414 Lombard Street, between Scott and Divisadero Streets in San Francisco, California. The Apothecarium has proposed this location because it lies on a busy commercial street (not on a

residential street) near the center of the northern neighborhoods in San Francisco, including the Marina, Cow Hollow and Pacific Heights. This location will provide thousands of patients from this area with a local facility and alleviate the need to travel to The Apothecarium's location near Market Street and Church Street. Hundreds of The Apothecarium's current patients who reside in the Marina, Cow Hollow and Pacific Heights have communicated in writing their support of opening a location on Lombard Street because of how the area is under-served by medical cannabis dispensaries, as none currently exist. Opening a store on Lombard Street will help us to better serve those patients, but also serve our patients who do not have a location nearby to obtain high-quality, laboratory-tested medicine in a safe and compassionate atmosphere.

The proposed location includes a variety of businesses that can provide significant benefits to the patient collective because of shared health and wellness missions. The neighboring businesses with shared health and wellness missions are shown in the map on the following page.

Compliance

The 2414 Lombard site is in compliance with the Planning Code's limitations on where an MCD can be located (See Code Section 790.141):

1. It 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.
2. It is not located on the same parcel as a facility providing substance abuse services that is licensed or certified by the State of California or funded by the Department of Public Health;
3. No alcohol is sold or distributed on the premises for on or off-site consumption;
4. It meets of the requirements in Article 33 of the San Francisco Health Code.

Partnership Compatibility

The Apothecarium was drawn to the nearby businesses that also deliver health and wellness services. From yoga studios to massage and chiropractic clinics, the neighborhood provides opportunities for business partnerships related to

health and wellness. We anticipate relationships with these types of business including:

- + Lamai Thai Massage
- + Greens and Company – Organic Juicery
- + Embrace Health – Integrative Wellness Medicine, Chiropractic Care, Massage
- + Body Temp Yoga
- + Golden Gate Urgent Care
- + Perfect Massage Studio

"I am confident that establishing this facility on Lombard Street will add value to our community, benefit thousands of residents in District 2 and neighboring areas, and help upgrade the commercial aspects of Lombard Street."

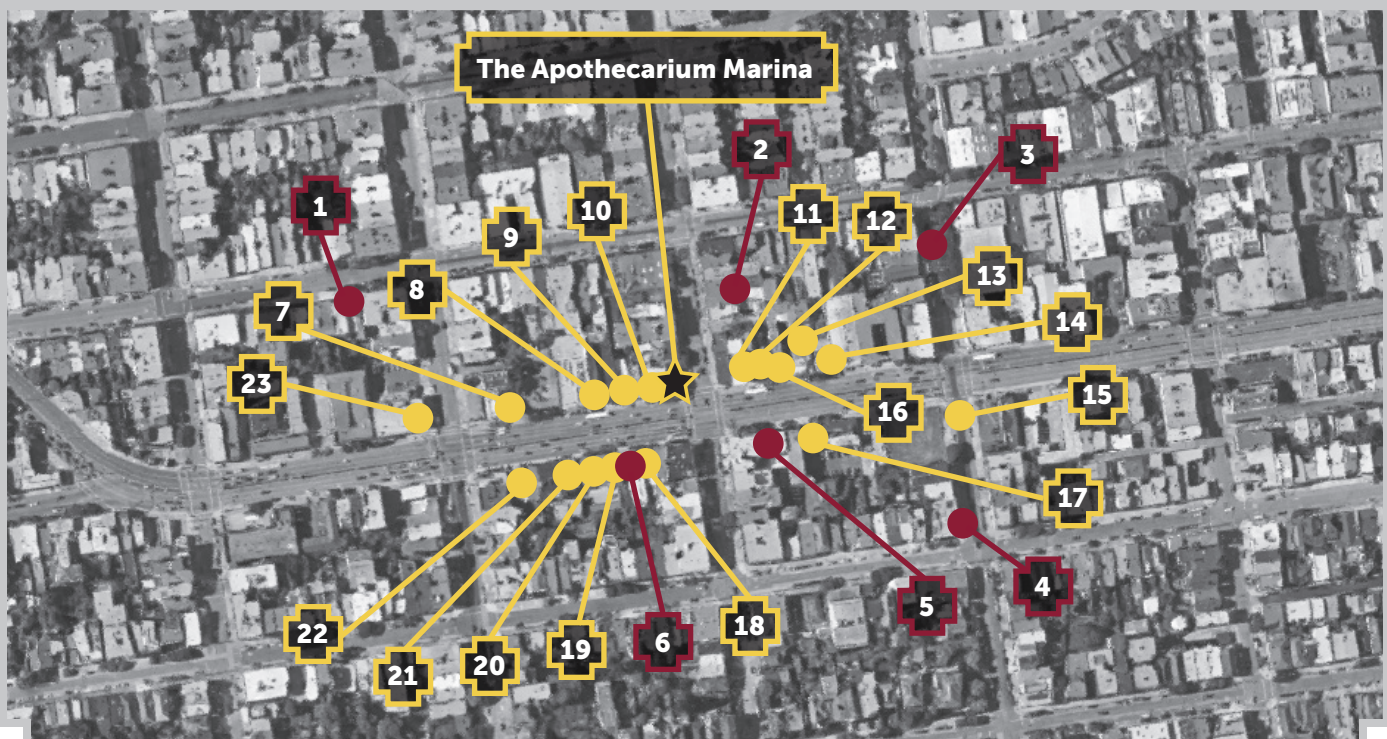
Peter Fortune
Community Member

Health and Wellness Neighbors

1. Body Temp Yoga
2. Greens and Company - Organic Juicery
3. Lamai Thai Massage
4. Embrace Health - Integrative Wellness Medicine, Chiropractic Care, Massage, Pilates
5. Golden Gate Urgent Care
6. Perfect Massage Studio

Additional Neighbors

7. 76 Gas Station
8. Wolf and Lion Pet Supplies
9. Super 8 Motel
10. Viva Goa Indian Cuisine
11. Shoes and Feet
12. Sign and Design Shop
13. Days Inn
14. Priority Express Cleaners
15. Bus Stop
16. Yukol Place Thai Cuisine
17. Presidio Inn and Suites
18. Point 16
19. Lombard Beauty Salon
20. Real Estate Company
21. Neva's Beauty
22. Original Buffalo Wings
23. Walgreens



Partnerships with these businesses will result in a concentration of available wellness services within a three block radius. The Apothecarium will integrate these partnerships with its current in-house wellness programs.

Aesthetic Compatibility

Just as we have done in the Castro/Upper Market neighborhood, we will integrate the Marina neighborhood at the core of our business model to ensure compatible aesthetics, operations, and partnerships. The Apothecarium Marina's design will provide a visually appealing storefront with a high-end aesthetic for patients, neighbors, and passersby. The exterior will resemble that of a high-end retail boutique that will complement other local businesses. The design will speak to patients looking for professionalism and safety from their collective. The interior will include patient waiting areas and an elegantly designed pharmacy counter where medication will be dispensed. The exterior of the building will resemble a retail boutique with discrete signage that will not advertise medical cannabis services.



Operational Compatibility

Through diligent management of daily operations, The Apothecarium will ensure the MCD will not be a nuisance to our neighbors or negatively impact the neighborhood.

Traffic and Public Transportation

Commuter traffic and need for parking is not expected to exceed that which was required by the building's previous use as a restaurant. The location is also served by three MUNI lines and a bus stop for SFMTA bus lines 28, 43, and 91 a.

Security

The Apothecarium will manage the sidewalk with a security team to monitor cleanliness and loitering, as well as greet patients entering the MCD. The security team will provide a highly visible presence and deterrent to potential criminal activity by ensuring only those visiting the facility are allowed entry for legitimate business. This team will be vigilant to suspicious activity on the exterior of the premises. Cleanliness is also managed constantly with checks throughout the business day. This team will also periodically visit the nearby bus stops to ensure transactions are not taking place.

During all aspects of our operations, The Apothecarium is committed to providing a safe and secure service facility to reduce any negative impact on the community. Our facility will include a state-of-the-art video surveillance system, alarm system, and key card key system.

Vendor Deliveries

The Apothecarium will operate with a detailed receiving procedure to ensure the safety of our vendors and employees and avoid any disturbance to the neighborhood. Elements of the security plan for vendor deliveries include:

- + The Security staff member will screen all delivery personnel and non-product vendors
- + When ready, one of two Security Specialists will escort the vendor to a secure entrance
- + Once the transaction is complete, the vendor is escorted back to the vendor's vehicle and monitored during departure

Waste

Trash, recycling and compost will be stored in a secured area and removed by the waste management company. MCD waste will never contain products or medication. Daily security checks will ensure the waste area remains clean with trash secured in the garbage bins.



COMMUNITY BENEFITS

The Apothecarium will operate under a good-neighbor policy and serve as an active member of the local community to ensure the continued success of medical cannabis establishments in San Francisco. The Apothecarium and its founders commit to establishing philanthropic focused health and wellness services which will further contribute to a successful and cultivate a loyal patient collective. The Apothecarium's success and status as a pillar of the community in the Castro will directly translate to our operations in the Marina neighborhood.

Wellness Programs

In addition to high-quality medication, the Apothecarium offers free access to programs that promote the overall health and wellness of the community. Currently, the Apothecarium hosts weekly yoga, meditation, anxiety and depression, and veteran support groups. These groups reinforce healthy lifestyles and encourage positive behaviors to mitigate stress and create connection.

CONNECT!

PATIENT WELLNESS PROGRAM

Our CONNECT! Patient Wellness Program is a direct outreach program that offers support groups one day a week, free of charge to members. For participation, we also provide members with a 20% off compassion card to use for discounted medicine. CONNECT! Patient Wellness Program offerings will include:

- + **Simple Yoga for Busy Times:** Come join us for a great way to start your week! We will stretch and open our bodies, relax our minds, and bring balance and peace to our whole being. Life is busy enough, but we have a great opportunity to come and deepen our concentration and create the way for a peaceful day.
- + **Women's Support Group:** The bonds of emotional connection between women offer a powerful spark of opportunity to grow, deepen, and receive support. In this circle, women come together, share in one another's journeys, and open to powerful and transformative practices and

experiences that will help them grow and move forward in their lives.

- + **Meditation Group:** Every day is a busy day when it comes to dealing with our minds, especially if we are dealing with hardships such as illness, physical or emotional pain, loss, grief or other major life changes. Meditation is helpful for reducing stress, gaining emotional balance, increasing mind-body connection, and deepening awareness, presence, and compassion in community. Class structure will include a short check in, instructions, meditation, Dharma talk and closure.
- + **Anxiety and Depression Support Group:** Anxiety and depression need not be faced alone; but sadly, many do - and feel overwhelmed. Help is here. Using mindfulness skills, awareness, presence and interpersonal support, group participants come together, share their experiences and receive care, guidance, and practices to help navigate through the states of anxiety and depression.

The CONNECT! Program is accessible online through our website where patients are informed on offering dates and times. Our CONNECT! Patient Needs Survey is also available in order for patients to let us know what types of additional services they are looking for.

Harm Reduction Therapy

The Apothecarium will provide high-risk patients with a certified Harm Reduction Counselor to help eliminate the existing disparities in the provision of health care and services for drug users. Our Harm Reduction Counselor will work with the patient to navigate safe use of medical cannabis in tandem with addressing their substance abuse needs and high-risk behaviors.

"I commend your dedication to the promotion of the Upper Market/Castro neighborhood. It is through the efforts of individuals such as you that ensure a brighter future for our community."

Mark Leno
California State Senator

Harm reduction is an approach to working with drug-users that aims to reduce drug related harm to individuals, their families, and communities while decreasing the negative consequences of drug use.

Philanthropy

The Apothecarium will serve as a steward of service for the community through the establishment of a Philanthropic Advisory Board led by local community leaders. Appointed board members will be required to actively participate in determining the best use of financial donations on behalf of the non-profit. Special consideration will be given to organizations in the Marina and charities that directly benefit the neighborhood. Past recipients of donations include:

- + Castro/Eureka Valley Foundation
- + Dolores Street Community Services
- + Brighter Beginnings
- + Equality California
- + LYRIC
- + Rocket Dog Rescue
- + Lyon-Martin Health services
- + Larkin St. Youth Center
- + PAWS (Pets are Wonderful Support)
- + SF Pride
- + SF Aids Foundation - Stop AIDS Project
- + SF Aids Foundation - Stonewall Project
- + SF Aids Foundation - Magnet
- + Positive Resource Center
- + Canine Companions for Independence
- + 1st Saturdays San Francisco
- + AIDS Lifecycle
- + Muttville Senior Dog Rescue
- + The Sisters of Perpetual Indulgence
- + AIDS Emergency Fund

- + SF Aids Walk
- + St. Francis Lutheran Church
- + Harvey Milk Civil Rights Academy
- + GIFTOKNOWLEDGE.org
- + Americans for Safe Access
- + Castro Lions Club
- + PFLAG
- + Pink Triangle
- + Castro CBD

COMMUNITY SUPPORT

We have started communicating with residents and organizations in the Marina to help create open dialogue and mutually supportive relationships. To date, we have met with:

- + Captain Greg McEachern of the SFPD's Northern Station
- + Supervisor Mark Farrell and his legislative aide, Catherine Stephanie
- + President of the Cow Hollow Neighborhood Association, Lori Brooke and Board Member David Bancroft
- + President of the Marina Merchants Association and local businessman, Mr. Awadalla
- + Board of the Marina Merchants Association Board
- + 42-year resident of the Marina, Michelle Aldrich who accepted our invitation to be on our Philanthropic Advisory Board

We also created a website (2414Lombard.com) to inform any interested parties about the project.

Letters of support from local residents and organizations are included on the following pages.

"When we heard of Ryan and Michael's plans for The Apothecarium SF, the board of EVNA was thoroughly impressed. They had a clear and thoughtful approach to operating the business in a way that would add value to our community, and alleviate potential crime and other neighborhood nuisances that one imagines being associated with an MCD.

Crime and nuisance activities in the vicinity of The Apothecarium has actually decreased over the past 30 months since their opening.

Their commitment to community far outshines and even sets the standard for other businesses and community leaders to follow."

Alan Beach-Nelson, President
Castro/Eureka Valley Neighborhood Association



MITIGATIONS AND OTHER CONDITIONS OF APPROVAL

1. Security

- + A surveillance system will be installed by a qualified security company to cover each room, point of sale, entrances, exits and adjacent sidewalks
- + A 24/7 alarm system will be installed for after-hours monitoring
- + A silent alarm will be mounted under the sales counter
- + Safe cash handling practices, such as cash drops, will limit the amount of cash on site
- + Security guards will provide on site monitoring of the storefront to discourage loitering and noise. They also will visit the closest MUNI stop to verify that transactions are not taking place at such location

2. Existing Ventilation

Since smoking will not be allowed on site, a new ventilation system will not be required.

3. Accessibility

The location will comply with applicable local, state and federal laws.

4. No Smoking or Consumption On Site

Medical cannabis will not be smoked, ingested, or otherwise consumed at the establishment.

5. No Growing On Site

Medical cannabis will not be cultivated at the establishment.

6. No Food Preparation On Site

Edible cannabis products will be prepackaged elsewhere and will originate from vendors that have been certified and comply with the Department of Public Health's Medical Cannabis Dispensary regulations.

7. Traffic Minimization

- + The Apothecarium will have zero tolerance for double parking and will refuse entrance to any member who double-parks a vehicle.
- + Members will be provided periodic information with directions on how to access the facility by public transportation.

- + Employees will be provided with monthly MUNI passes and encouraged to take public transportation to work.

8. California Products

The Apothecarium will only sell or distribute cannabis manufactured and processed in the state of California that has not left the state before arriving at the medical cannabis dispensary.

9. Other Good Neighbor Policies

- + A Community Liaison will communicate with owners and occupants within 75 feet of our facility and communicate any issues and their resolution to the Zoning Administrator.
- + Notices will be prominently displayed and lit that urge patrons to leave the establishment and neighborhood in a quiet, peaceful and orderly fashion, not to litter nor block driveways.
- + The hours of operation will be limited to 8:00 a.m. to 8:30 p.m., seven days a week
- + The main entrance, façade, fences, and sidewalks abutting the property will be maintained in a clean and sanitary condition, free of graffiti, and graffiti shall be taken off regularly.
- + Garbage, composting and recycling will be stored in an enclosed storage area.
- + Outdoor lighting will be directed on to the property and immediately surrounding sidewalk area only and designed and managed so as not to be a nuisance to surrounding neighbors.
- + A member code of conduct will be created to prohibit loitering, smoking and consumption within 500 feet of the establishment
- + Landscaping improvements will be proposed to the Planning Department and DPW prior to approval of a building permit.

10. Compassion Program

Therapy partners such as chiropractors will periodically offer complementary therapy to members on site.

11. Philanthropic Advisory Board

A Philanthropic Advisory Board will assist in directing establishment resources to local non-profits and social services.



FACILITY/ SECURITY

FIRE SAFETY PLAN

Code Compliance

The Apothecarium Marina (TAM) will comply with all applicable City of San Francisco fire codes.

Upon receipt of a permit, we will contract with Reed Brothers Security for any necessary upgrades to meet fire codes. The following description addresses our understanding of a typical code-confirming plan. We have determined that a sprinkler system will not be required for our proposed building. Central Station monitoring will be provided for all alarm and trouble signals.

Fire Alarms

A fire alarm system will be designed and installed to comply with City of San Francisco requirements and NFPA 13. It will be a fully analog addressable fire alarm system comprising of a main fire alarm panel, which is fully networkable and expandable. The main fire alarm panel will be located in the first floor Security Storage room. In compliance with the San Francisco Fire Department requirement, a remote annunciator will be located outside the Waiting Area for fire department access. Manual pull stations will be

located at each exit and at each stairwell exit. Audio/visual fire alarm devices will be located in the Waiting Area, egress areas and restrooms. Smoke detectors will be located in the Service Area and in the Secure Storage room. The fire alarm system will be installed using open plenum rated standards. There will be a communication dialer for Central Station notification upon receipt of alarm and trouble conditions.

Details of all annunciation and control panels to be installed will be submitted to the Fire Department for review and approval prior to installation.

Site Maintenance

The site will be kept clean at all times as necessary to prevent accumulation of waste, trash and debris, and to minimize the hazards therefrom. All waste, trash and debris will be stored in approved containers or in rooms constructed of noncombustible materials. All waste, trash and debris will be disposed of legally on a regular basis in a safe, acceptable manner, in accordance with applicable laws and ordinances and as prescribed by authorities having jurisdiction.

Extinguishers

Portable fire extinguishers will be located in accordance with National Fire Protection Association 10 (NFPA) and City of San Francisco requirements.

Monitoring Services

While our first objective is always to prevent fires, in the event of an emergency, TAM uses fire monitoring services or "Remote Station Monitoring." When an alarm signal is received, our contracted company will dispatch the fire department and notify our on-duty manager for immediate corrective action.

All signals from our fire monitoring system are sent to a UL listed central station that is staffed 24 hours a day, 365 days a year. The central station is ready to receive signals from our premises and take action. All fire-monitoring systems send a timer test signal to the central station every 24 hours. The timer test signal enables confirmation that the fire monitoring system is operating normally without problem.

Our fire monitoring system has a fire communications module or a communications panel. The communications panel is required to have two conventional telephone lines by which the panel communicates to the central station.

As a life safety system, the fire monitoring system constantly supervises its wiring, phone lines, AC power, battery and general operations. If one phone line should fail, the system uses the other phone line to call the central station and to notify TAM of a phone line failure. The same is true of most other system problems; the system calls the central station and identifies the problem so the situation can be corrected.

Computer automation is an essential part of the central station operation. The computers receive alarm and trouble signals and presents the information to the station operators. This allows TAM to take action as quickly and efficiently as possible.

When an alarm distress signal is received, the fire department is dispatched and one of TAM's responsible parties is contacted. In an effort to

conserve false alarms and City resources, when an alarm signal is received, our fire monitoring service first asks our responsible party whether it is necessary to dispatch the fire department, or whether there was an equipment malfunction.

Fire Evacuation Plan

TAM recognizes that the safe, orderly and prompt evacuation of our employees and other building occupants depends on having the physical safety features of the building in operating condition in addition to having an emergency evacuation plan.

The cooperation and participation of every building occupant is essential. Every employee has an individual responsibility to know how to evacuate in an emergency and to accomplish the evacuation when the fire alarm device sounds or when directed by an authority or management. TAM's Fire Evacuation Plan includes the following:

a) Pre-planning the escape

- + The locations of fire alarm pull box will be clearly identified and all employees will be made aware of them.
- + Exits will be checked routinely to ensure there are at least two unobstructed pathways out.
- + The fire exits will be checked routinely to make sure they are usable.
- + Periodic fire drills will be provided to ensure employees learn the sound of the building's fire alarm.
- + Emergency telephone numbers will be posted near all telephones.
- + Fire evacuation exit diagrams will be posted throughout the building.
- + Exits will be clearly marked.

b) Evacuate if there is a fire or fire alarm

- + When an employee discovers a fire or smoke condition, he/she must sound the building alarm by activating the nearest pull station, and make a follow-up call to 911.
- + Whenever the fire alarm is sounded, all employees must leave immediately! Employees must not assume the fire alarm is false or a test and wait to see what others do. In a fire, seconds count.
- + Each employee must try to help others, if he/she can do so safely.

- + Unless unusual conditions dictate otherwise, all employees must use the nearest hallway as this is the best evacuation route to the nearest exit.
- + When leaving, each employee must close but not lock the door behind. If the door locks automatically, the employee shall carry his/ her key in case the employee needs to return for refuge.
- + Once outside, the employee shall meet at the relevant assembly point and a head count will be taken to ensure everyone is out of the premises, and accounted for. Employees must never attempt to re-enter the building to search for someone believed to be missing; instead promptly inform the fire or police officials.

c) Check the door

- + Before opening a door, each employee should make sure there is no fire on the other side by using the back of one's hand to feel the door, door knob or door frame for excessive heat.
- + If the door, doorknob or door frame feels hot, the door shall not be opened, as there is probably fire on the other side. If the door, door knob or door frame feels cool, the door should be opened slowly, and the employee shall leave the area and close the door without locking behind them.
- + Stay low when there is smoke.
- + If an employee encounters smoke while escaping, crawl or get as low as possible as the cleanest air will be within 1 to 2 feet from the floor. If the main exit is blocked by fire or smoke, the employee should use their alternate route. If this is not feasible, the employee shall go back in his/her room to wait for rescue.

d) If one can't escape

- + Close all doors between the employee and the fire.
- + All cracks around doors must be sealed with cloth to keep the smoke out.
- + Call 911 to notify emergency personnel of the employee's location.

Signs & Notification for Hazardous Materials

TAM will comply with applicable local and state requirements regarding the posting of signs identifying the presence of hazardous materials on the facility. This will include the posting of NFPA diamond signs used by emergency personnel to quickly and easily identify the risks posed by nearby hazardous materials. This is necessary to help determine what, if any, specialty equipment should be used, procedures followed, or precautions taken during the first moments of an emergency response.

In addition, TAM will comply with applicable local and state regulations regarding the notification of appropriate agencies in the event of release or threatened release of hazardous material into the workplace or environment. This includes providing all state, city, or county fire or public health or safety personnel and emergency rescue personnel with access to the facility as necessary to mitigate the emergency.

SECURITY PLAN

TAM is committed to providing our patients and staff with a safe and secure setting. As part of our execution of this commitment, we've developed a comprehensive and facility-specific security plan, which includes the following:

- + Comprehensive **risk identification**, mitigation and response protocol.
- + State-of-the-art video **surveillance system** electronically monitored and recorded 24/7 by contracted security professionals. This system utilizes 20 conspicuously placed video cameras to provide a highly visible deterrent, while protecting the interior and exterior of the facility. The system automatically records all activity to a digital server for future viewing as needed.
- + State-of-the-art **security alarm system**, incorporating door and window sensors, fixed/remote panic switches monitored live 24/7 by contracted outside security professionals.
- + State-of-the-art **card key system**, programed for specific staff access to authorized areas of the facility. The issuance of card keys to each staff person ensures electronic access only to authorized secure areas, while providing digital evidence of the cards use for future review. Deactivation of the card keys is immediate, when authorized by facility management.
- + **Hand-held radio system** ensures constant communications between management, staff and security personnel.
- + **Industrial-grade safe**, with access allowed only to the General Manager or Assistant General Manager, for product and cash storage. Proposed 1,481 lb. "Commander" model from Cannon Safe Co.
- + **Security Director** assigned to oversee a staff of two security team members with training specific to the special needs of our patients and staff. The security team may be equipped with non-lethal implements and incorporate non-confrontational, high profile techniques to deter robbery, theft and disturbances.

We have retained Bay Alarm and Reed Brothers Security for video monitoring and system maintenance.

Importantly, we have secured debit and credit card processing ability identical to the system currently active in The Apothecarium's location in the Castro. Thus, we anticipate patient cash transactions to be no more than 20% of total projected activity, limiting the potential risk from maintaining large amounts of cash on-hand.

Our Service Plan has been reviewed by an independent Security Consultant and deemed appropriate for our facility and intended operation.

SECURITY STAFF

In keeping with TAM's emphasis on ensuring the protection of our patients and staff, the security plan requires three security staff members to monitor and secure the facility. The members will be unarmed with additional training in facility protocols for safety and response to critical situations and emergencies. The Security Plan emphasizes communication, vigilance, high visibility, deterrence, and avoiding physical confrontation.

- + An unarmed security staff member will be posted at the front door of the facility, trained to greet and identify current and prospective patients. The security staff member will provide a highly visible presence and deterrent to potential criminal activity by ensuring only those visiting the facility are allowed entry for legitimate business. This staff member will remain aware of suspicious activity on the exterior of the premises. The officer will also screen delivery personnel, non-product vendors and visitors to the facility as mandated by TAM protocol.
- + One unarmed security staff member will be stationed at the entrance security podium to verify patient credentials, and provide

presence and protection for the clients, staff and property.

- + One unarmed security staff member will provide a high visible presence throughout the facility. The staff members will conduct foot patrols of the facilities exterior and nearby bus stops, and provide escorts for product vendors, following TAM protocols for screening, surveillance and safe passage for clients, staff and delivery personnel. The staff member may also provide assistance to clients and staff to ensure safe passage to vehicles and nearby transportation stops as appropriate.

Security Training

All TAM staff will receive security training upon hiring as well as quarterly scheduled training to constantly update and address security response and protocol. During these training sessions, security protocols are reviewed and employees participate in role-play to demonstrate protocol understanding.

RISK MITIGATION AND RESPONSE

Risk	Mitigation Strategy	Response
Penetration of the perimeter while the facility is unoccupied	As a matter of protocol, all doors are locked and alarmed; all windows are alarmed with glass break sensors. The interior has "four-step" motion detection, in case of a break in or a hidden intruder manages secretion before closing. Video surveillance will capture all internal and external activity 24/7.	Alarm activation will result in the alarm company notifying SFPD. A secondary call to the facility manager and security director will also be made so that a facility representative with keys and knowledge of the premises responds immediately to assist SFPD and provide assistance with walkthroughs, video accessibility, etc.
Penetration of the perimeter while the facility is occupied	Security staff provide vigilance and deterrence through high visibility, face-to-face contact with visitors and passersby, constant communication with colleagues and staff, while on patrols or at fixed posts. Security and other authorized staff are equipped with hand-held radios, fixed, remote alarm triggers, and non-lethal devices. A state of the art video surveillance and alarm system is used.	Security and staff will trip fixed and remote alarms to alert SFPD via the alarm company. Security staff will evaluate the threat of the intruder and make contact as appropriate to determine the threat level and segregate the intruder from clients and staff if possible. Staff and security will follow the established TAM protocol for robberies and hostile encounters.
Unauthorized personnel entering through main entry or delivery doors	During normal business hours, the exterior doors are locked. The security officer posted outside of the security doors maintains ingress to the secure facility under TAM protocols. Two security officers are posted in the rear and control ingress to the rear delivery door. Hand-held radios, fixed/remote alarms, a video monitoring screen at the security podium, and a high visibility security presence are utilized to proactively protect the entries.	In the event an unauthorized person makes entry through the front doors the security officers will intercept and ask the intruder to leave the premises. Should the intruder refuse to leave the intruder will be told they are trespassing and will be arrested. The security officers will consider client/staff safety when deciding to affect an arrest and may elect to restrict the intruder's movement and call SFPD for assistance. Should the front or rear door guards be needed to assist in providing cover, the facility will be locked down until the incident is under control and no ingress or egress should occur.

Risk	Mitigation Strategy	Response
Public disturbance or unrest	When the facility is closed, all doors are locked and alarmed; all windows are alarmed with glass break sensors. The interior has "four-step" motion detection in case of a break in. Video surveillance will capture all activity. While open for business, security officers provide vigilance and deterrence through high visibility, face-to-face contact with visitors and passersby, constant communication with colleagues/ staff, along with facility patrols. Security officers and staff are equipped with hand-held radios, fixed and remote alarm triggers. The security director will maintain a liaison with SFPD in the event of unrest or a demonstration is eminent.	At the discretion of the facility manager, the building can be closed and secured. In the event the business remains open, security officers will be on heightened alert for disturbances that may affect the safety of the clients/staff and maintain communication with the facility manager. The security manager will maintain a liaison with SFPD and utilize discretion in closing the business or taking heightened security measures to ensure client/staff safety. Should an unforeseen disturbance arise, security officers will enter the facility, ensure all clients and staff are encouraged to remain inside, and set all perimeter alarms. The facility manager will notify SFPD and advise them they are secured in the facility. The security officers will maintain vigilance of doors and windows and utilize hand-held video recorders as a deterrent to potential vandals.
Tampering of security systems by a staff member	Security cameras and alarm systems are tamper-proof and monitored 24/7. All security systems will be maintained and serviced regularly as per contract with the alarm vendor.	Should employee tampering of the security system be discovered, the security director will conduct an internal investigation to determine the circumstances of the incident, gather all evidence, interview staff and complete a report of the findings. TAM management will review the findings and determine the next course of action, should the evidence indicate an employee was involved in security system tampering. Disciplinary action may result in a warning or escalate to termination and notification to law enforcement at the discretion of TAM management.
Employee theft of inventory or proceeds from storage	Inventory and proceeds will be secured in safes and vaults with limited access by authorized staff. Authorized staff will follow strict TAM protocols for access, removal and return of inventory to storage and proceeds to safes, vaults and registers. Audits will be performed to ensure inventory and proceeds accuracy, as per TAM protocols. Security cameras and alarms strategically placed throughout the facility act as a theft deterrent and will be randomly reviewed for employee integrity. A state-of-the-art card key system protects locked areas and identifies which staff member has utilized the card.	Comprehensive background checks for all employees, including known associations, will be conducted prior to date of hire. Should an employee theft be discovered the security director would conduct an internal investigation to determine the circumstances of the incident, gather all evidence, interview staff and complete a report of the findings. TAM management will review the findings and determine the next course of action, should the evidence indicate an employee has been involved in a theft. Disciplinary action may result in a warning or escalate to termination and notification to law enforcement at the discretion of TAM management.

Risk	Mitigation Strategy	Response
Power, phone or network power is cut to facility	The security system is protected against a power failure by a redundant landline phone and cellular transmitter. In case of power loss, the landline transmitter will back-up the cellular signal to ensure uninterrupted coverage. The facility is equipped with a back-up generator, which will start immediately after any disruption of normal power. The generator will be inspected and tested monthly.	Should a power interruption occur normal business should not be affected due to back-up systems. Security officers will be vigilant of any suspicious activity that may occur due to an unexpected power loss and report any unusual activity. Should a total failure occur, ingress and egress should be halted and entry-exits be secured by uniformed security. Clients may be asked to remain until security is confirmed; however, they will be escorted out of the facility upon request.
Generator fails to operate in event of power failure	The generator will be inspected and tested monthly.	TAM protocols for a power failure will be followed.
Attempted takeover at opening, closing or during normal business hours	Security staff members provide vigilance and deterrence through high visibility, face-to-face contact with visitors and passersby, constant communication with colleagues and staff, while on patrols or posts. Security officers and authorized staff are equipped with hand-held radios, fixed and remote alarm triggers.	The preservation of life and public safety is paramount; product and proceeds are secondary. Should security be breached and subjects execute a "take-over" style robbery, all security and staff will react in a manner that does not escalate the threat or injury to staff or clients. Staff will follow TAM protocols for armed robberies, which place life and safety over product and proceeds.
Cash transfer interruption	80% of patients' payments will be conducted via debit or credit card. Remaining cash will be used for vendor payments.	TAM will establish internal cash handling protocols that address remaining cash and deposit to a nearby bank branch, if needed.

TRANSACTIONAL AND INVENTORY MANAGEMENT SECURITY

Transactional Security Policies

Maintaining fiscal integrity and discipline is paramount in the medical cannabis industry. As a certain portion of transactions still take place with cash, TAM has established accountability and transparency protocols to reduce the temptation and opportunity for internal theft. TAM will encourage use of credit and debit cards in an effort to automate the process reducing and mitigating the possibility of fraud. The entire transaction process will take place through our POS system that ties directly into our inventory management systems. When bulk product is received it is broken down into retail units and a barcode is applied that relates to the bulk batch. The retail barcode is scanned into inventory for retail sale.

When a transaction takes place payment is collected in the form of cash, credit or debit. The outgoing medication is scanned and removed from the inventory system. At any time TAM can undertake a flash audit showing any shortfalls in payments or medication.

For example, if one pound of bulk product is broken down into 16, one ounce retail packages, each package will be bar-coded and input into the POS system. If six packages are sold in a week's time, a flash audit should show 10 packages in inventory and the sale of six packages and the corresponding payment associated with those transactions. If a shortfall exists TAM can identify where that shortfall originated. All cash drawers will be reconciled after each shift and signed off by a retail manager. Each station is assigned a drawer with an allotment of starting cash for each day as well as a current inventory

pool of medications to pull from. This enables TAM to reconcile individual stations quickly and accurately. Any discrepancies should show at the close of a drawer or station. If additional cash or medication is needed during the day, it is signed out by a retail manager and reconciled with their starting allotment.

The Assistant General Manager signs off on all the drawers at the end of each and every shift and creates a daily batch report that is reviewed by the general manager daily. The CFO and General Manager review the daily batch reports weekly. This series of checks and balances will effectively mitigate the risk of financial indiscretions that may occur at any level of the financial reporting process.

PRODUCT SECURITY AND INVENTORY MANAGEMENT

Keeping accurate records and tracking inventory is essential for ensuring proper accounting and full legal compliance. Accurate record keeping also provides a clear and easy way to manage the progress of our patients' care and ongoing health. After extensive research, TAM has selected for use MJ Freeway, a software tracking system developed specifically for the needs of the medical cannabis industry. The software system is made up of three core modules covering patient management, inventory control, and point of sales. Using this system, TAM will enable precise tracking, traceability, and transparency in its inventory protocols.

Tracking

Tracking product from intake to patient provisioning is a priority for TAM. When bulk product arrives and is broken down to smaller retail packages, it goes through an extensive bar-coding system so that each retail pack will be associated with the larger bulk shipment that was received into inventory.

For example, if one pound of bulk product is broken down into 16, one ounce retail packages, each package will be bar-coded and input into the inventory system. If six packages are sold in a week's time, a flash audit of the system should show the arrival of the original one-pound bulk

The MJ Freeway system allows us to:

- + Track inventory gram by gram from supplier to patient
- + Set up unlimited inventory categories
- + Set up specials by individual product or across all products.
- + Get one-click conversion of inventory from bulk to retail product
- + Track and sort product by custom attributes
- + Generate bar codes and product labels
- + Produce inventory reports for a clear snapshot of our products at any time.
- + Produce restricted inventory adjustment screens and reports
- + Ensure vendor compliance by tracking by vendor and purchase order, selected by date, weight, and product
- + Track for fields such as name, description, cost, retail price, received date, expiration date, image, attributes specific to the product, barcodes, notes, and quality/condition
- + Track patient's documentation and history
- + Help caregivers meet HIPAA requirements
- + Mitigate the risk of financial fraud and diversion
- + Enable compliance with legal requirements
- + Pay attention to industry specific details such as card expirations, incoming orders, weighed vs. sold quantities, doctor verification, and medicinal attributes

shipment, the resulting ten packages in inventory and the sale of six packages. This allows TAM to locate and track all products in the supply chain, and to immediately identify any shrinkage or diversion.

Traceability

Traceability is a crucial part of patient health. If any contaminated product is found, the TAM inventory management system enables scanning each retail package and determining from which

bulk product purchase the retail pack originated. TAM can then move back down the supply chain and locate all other potentially contaminated retail packages for removal from inventory. Any patients that have received contaminated product can be alerted immediately to mitigate quality control problems.

Transparency

This bar-coding inventory system is fully integrated in the TAM retail Point of Sale (POS) system, allowing for seamless communication between inventory and sales. This adds an additional level of security, preserving patient safety as well as inventory and financial integrity. TAM can manage the entire supply chain and financial history from one interface, effectively eliminating the risk of diversion and financial fraud.

DELIVERY AND RECEIVING SECURITY PROTOCOL

- + Before registering as a vendor with TAM, a cultivator must make an appointment with TAM's Supply and Purchasing Manager to provide all necessary forms and documents demonstrating that their garden is in compliance with State and local laws and regulations.
- + Upon registration, the cultivator identification is entered into a secure database and the cultivator is given a special phone number and email address with which to make vending appointments.
- + Vending appointments must be requested and confirmed via email 24 hours in advance.
- + Upon arriving at the dispensary preferably ten minutes prior to their appointment, the vendor (or registered representative) will park in one of two designated parking spots.
- + Vendor checks-in with the security staff member at the building exterior.
- + Using a Daily Vendor Appointment Schedule, the security staff member checks the vendor ID, verifies that the vendor has an appointment, and notifies the Supply and Purchasing Manager to confirm readiness to receive product.
- + If the vendor does not have an appointment, he/she will be asked to leave.
- + If the vendor is early, or if the Supply and Purchasing Manager is not ready, the vendor will be asked to wait in their vehicle.
- + When ready, one of the two security guards will escort the vendor to the private monitored side door. The other guard will remain on lookout in the designated parking area.
- + Once the vendor is escorted to the private side door, the Supply and Purchasing Manager will greet the vendor, and provide escort to the buying office.
- + The security guard will remain on lookout outside the private side door during the transaction.
- + In the buying office, the Supply and Purchasing Manager will examine the vendor's product.
- + If the product specimen meets TAM standards and TAM chooses to accept the product, the Supply and Purchasing Manager will radio the Inventory and Packaging Specialist to receive the product.
- + The Inventory and Packaging Specialist will take the product to the Product Handling Room and provide an additional visual inspection.
- + Once the Inventory and Packaging Specialist confirms the product's visual cleanliness and quality, he/she will direct the General Manager to provide the appropriate payment amount to the Supply and Purchasing Manager.
- + The Supply and Purchasing Manager will re-count the funds and issue the vendor a receipt.
- + Once the transaction is complete, the vendor is escorted to the private side door. Upon exit, the security staff member will escort the vendor to the vendor's vehicle and monitor departure from the designated parking spot.
- + If the product does not meet TAM standards, TAM will return it to the vendor without payment and escort the vendor to their vehicle in the same manner as above.

Visitor Security

We extend the same overall security concerns and requirements to visitors, such as local business people or officials, who may seek to visit TAM.

Visitor security protocol will include:

- + Visitors must make an appointment with the Assistant General Manager or General Manager 24 hours in advance of their planned visit. Their name and anticipated time of arrival will be provided to the Security Supervisor on duty that day.
- + Visits will be limited to 10:00 to 12:00 pm and 1:00 pm to 3:00 pm.
- + Upon arrival, he or she will present a valid photo ID to the Security Supervisor, and then sign the visitor log, with time of arrival.
- + The visitor will be provided a badge clearly identifying their visitor status. This badge must be visibly worn throughout their visit.
- + The Security Supervisor will then contact via radio the on-duty Assistant General Manager or General Manager, who will come to the dispensary entrance and accompany the visitor throughout their time within the building.
- + At the conclusion of their visit, the visitor shall sign the visitor log, with time of departure, and relinquish the visitor badge.

3rd Party Contractor Security

Security protocols for site visits by 3rd party contractors will include:

- + All 3rd party contractor firms shall be pre-approved, via rigorous application process, by the General Manager.
- + All individuals designated to work at the dispensary site shall submit to prior 3rd party background checks, and added to a pre-approved service provider list.
- + A supervisor from the contracting firm must make an appointment with the General Manager 24 hours in advance of the planned visit. The name of the individual contractor and specified time of arrival will be provided to the Security Supervisor on duty that day. His or her name will be cross-checked with the list of individuals pre-approved to provide services.
- + Upon arrival, he or she will present a valid photo ID to the Security Supervisor, and then sign the contractor log, with time of arrival.

- + The contractor will be provided a badge clearly identifying their contractor status. This badge must be visibly worn throughout their visit.
- + The Security Supervisor will then contact via radio the on-duty Assistant General Manager or General Manager, who will come to the dispensary entrance and accompany the contractor throughout their time within the building.
- + At the conclusion of their visit, the contractor shall sign the contractor log, with time of departure, and relinquish the contractor badge.

SECURITY SYSTEMS – CCTV AND ACCESS CONTROL DEVICES

TAM has engaged Reed Bros. Security, a leading security hardware firm, to install the following CCTV related equipment:

- + (1) Hikvision 32 Channel 12TB NVR
- + (2) Hikvision 16 Port POE Network Switch
- + (16) Hikvision 3MP 4MM IP Indoor Dome Cameras
- + (3) Hikvision 3MP 2.7-9MM IP Outdoor Vandal Dome Cameras

Reed Brothers will also install computer programmed card lock door access devices for all internal and external access points.

ALARM DEVICES

Reed Brothers will install and monitor on a 24/7 basis alarm devices for points of ingress and egress as well as window contacts. Installed equipment will include:

- + (1) Honeywell Lynx Touch – All-in-One Alarm Control System (Built in siren, touch screen, backup battery, panic button)
- + (3) Wireless Door and/or Window Contacts
- + (1) Glass Break Detector
- + (1) Motion Detector
- + (1) 4 Button Wireless Remote Control with Panic Button
- + (1) GSM Radio

Vellve, Sara (CPC)

From: Irene Holmes <ireneholmes@yahoo.com>
Sent: Thursday, October 08, 2015 6:56 PM
To: Vellve, Sara (CPC)
Subject: 2414 Lombard Street MCD permit application: STATEMENT IN OPPOSITION TO PROPOSED USE

To the San Francisco Planning Department:

We are residents of the neighborhood and are strongly opposed to the proposed use of the current urgent care medical facility, on the southeast corner of Lombard and Scott, as a dispensary of medical marijuana.

1. This location would serve not only the northern neighborhoods of the city but would also become a stopping-off place for customers driving in from the Marin County side.
2. Most remarkably, the proposed location is across Scott Street from the newly opened Edward II housing facility for youth in recovery who are clients of the Larkin Street Youth Center. As these youth and young adults are contending with many challenges, including substance abuse histories, it seems almost cynical to open a cannabis dispensary across the street.
3. I assume that the sale of cannabis is largely a cash business. It would be naive to think it will thus not also be a criminal target, or at least a danger.
4. As you may know, the Chestnut Street area bars and restaurants have become very loud and crowded gathering places on weekend nights, requiring extra police monitoring. The sale of marijuana would be an additional attraction.
5. Finally, since the City proposes to streamline traffic on Lombard Street in the area of the proposed dispensary by adding transit pop-outs and eliminating street parking, it is predictable that customers arriving by car will be double parking in the neighborhood, along Scott Street. This will produce conflict and will present a traffic hazard.

Thank you for your consideration.
Lock and Irene Holmes
2763 Filbert Street

Vellve, Sara (CPC)

From: Irene Solomon <ilisfilbert@gmail.com>
Sent: Wednesday, September 30, 2015 3:30 PM
To: Vellve, Sara (CPC)
Subject: MCD on Lombard Street

I support the position of the Cow Hollow Association opposing the location of a Medical Cannabis Dispensary (MCD) on Lombard Street opposite the Edward II facility for at risk youth. In addition to the issues already raised, there is evidence that the proximity of liquor stores to youth residences is associated with increased alcohol consumption. Although it has not yet been studied, one would expect that locating an MCD close to a residence for at risk youth would lead to their increase use of marijuana. This is an inappropriate message to give these young people.

Irene Solomon
ilisfilbert@gmail.com

Vellve, Sara (CPC)

From: Anna Rembold <anna@annamarieevents.com>
Sent: Tuesday, September 29, 2015 11:58 PM
To: Vellve, Sara (CPC)
Cc: info@cowhollowassociation.org
Subject: Medical Cannabis Dispensary on Lombard Street

Dear Sara,

I am writing in regards to the proposed Medical Cannabis Dispensary on Lombard Street and would like to state my opposition to this facility.

1. The proposed site is directly across the street from Edward II, a housing facility for at risk youth who seek needed support to transition to a productive adult life by study, vocational training and being able to obtain employment.
2. The applicant, The Apothecarium, plans the proposed store to service the entire Northside of San Francisco: Russian Hill, North Beach, Golden Gate Valley, Cow Hollow and the Marina. Given the size of the area they plan to serve, there are many alternative sites to locating across the street from an at-risk youth housing facility.
3. The Apothecarium offers delivery services from its Castro location throughout San Francisco as do at least a dozen other San Francisco dispensaries and online sites. Denial of the permit for the location directly across from Edward II would not deprive anyone in the Northside of reasonable access to medical marijuana. Only impulsive, "convenience" buys by drop-in purchase from nearby Edward II will be impeded by denial of the permit, exactly the kind of transactions posing the greatest jeopardy to at-risk youth.

As a concerned citizen of the neighborhood, I strongly encourage you not to approve this facility on Lombard Street. Thank you for your service.

Warm regards,

Anna Marie Rembold
President

Anna Marie Events

Email / Anna@AnnaMarieEvents.com

Phone / 415-685-4440

Mobile / 415-531-0924

Fax / 415-685-4424

www.AnnamarieEvents.com

Vellve, Sara (CPC)

From: Gina Symczak <gdonati@spcglobal.net>
Sent: Wednesday, September 23, 2015 12:35 PM
To: Vellve, Sara (CPC)
Subject: proposed marijuana dispensary in the Marina

Dear Sara,

As a lifelong resident of the Marina and Cow Hollow, I wanted to share my and my family's opposition to the Apothecarium. Unfortunately, I cannot make the hearing on the matter, so I am writing to you in the hopes that you and your colleagues will take this into consideration.

I have been very saddened to see the Lombard Street corridor fall into general disrepair over the past 30 years. It's no secret that the thoroughfare that runs through our neighborhood--- US 101 -- provides easy, quick access to and from the prostitution and drug deals that occur all along it in the lower-end motels and other dilapidated buildings. We don't think we need another opportunity for people leveraging the thoroughfare to have easy access to additional questionable services. After all, this is a neighborhood of families and young professionals who are catching buses to their jobs, and driving their children to school--- they're already exposed to a seedy element along Lombard. We should all be working to make that better, not worse.

I support the Larkin Street Youth Services home on Lombard Street because I have mentored a teen who has benefited from their services, and I know that they run a tight ship. While I trust Larkin Street's ability to guide their residents, I don't think that a dispensary across the street will set a good example for those at-risk youth who are fragile -- often in recovery themselves -- and need support as they transition to adulthood. It's like opening a liquor store across the street from an AA meeting place.

The Apothecarium offers delivery from some of their other locations, and people in the Marina/ Cow Hollow who truly need their products can take advantage of that service. There's no reason for a retail outlet directly across the street from Larkin St. Youth Services, or on a street already plagued with prostitution and drug trafficking.

Thank you for your consideration.

Gina Symczak

Vellve, Sara (CPC)

From: Lindsay Lovier <llovier@yahoo.com>
Sent: Friday, October 09, 2015 1:24 PM
To: Vellve, Sara (CPC)
Cc: info@cowhollowassociation.org
Subject: Cow Hollow MCD: OPPOSE

To the Planning Department,

I am writing to you to express my opposition to the Apothecarium's request for a medicinal marijuana dispensary at 2414 Lombard St. I am a nearby resident and owner at 3190 Scott Street.

While I am not opposed to a dispensary on the north side of SF or in the city in general, this is a very poor choice of a location. It does meet the city requirements, but it is across the street from the Edward II, a housing facility for at-risk youth.

As you are likely aware, it is incredibly easy to get a medical marijuana license even if one is not ill. The at-risk youth housed at Edward II would have a very easy time getting medical marijuana licenses (even if they are not ill, as everyone knows how easy it is to get a "medical" license) and then be able to walk one block to purchase marijuana there. Nor is it a stretch to say that the issues with drugs, crime and prostitution at the motels on Lombard Street literally blocks away (Bridge Motel, etc) are going to worsen with the opening of a business that sells medical marijuana.

Another major issue I have with this proposed location is that it is also less than half a mile from two different public schools: Claire Lilienthal Elementary School and Marina Middle School. There are several bus stops that the children use to get to and from these schools, and the children frequent the shops and restaurants on Chestnut Street as well as those along Scott Street between Chestnut and Lombard, and often hang out at the Walgreens on Divis and Lombard, all of which are feet from the proposed dispensary.

The proposed dispensary aims to serve the entire north side of the city. In addition, this will add to the already congested traffic on Lombard and Chestnut Streets, especially given the private shuttle buses that frequent these streets. There is already a lack of parking and access to this area.

I do not think denying this permit will prevent those who have a legitimate need for medical marijuana, as there are several existing dispensaries and many delivery services, including one from the Apothecarium's existing Castro location. The Apothecarium can continue to search for a location on the north side of the city that is not directly across from at-risk youth housing and just outside the required distance from two schools.

Thank you for your time and consideration.

Lindsay Lovier

Lindsay Lovier
3190 Scott St #307
San Francisco, CA 94123

Vellve, Sara (CPC)

From: Erik <me@eriktammar.com>
Sent: Tuesday, October 06, 2015 12:37 PM
To: Vellve, Sara (CPC)
Subject: Cow Hollow MCF - OPPOSE

Dear Sara,

As a resident of the Marina/Cow Hollow District, I strongly oppose the proposed Medical Cannabis Dispensary (MCD) on 2114 Lombard St.

This part of the city is, first and foremost, a residential neighborhood; overwhelmingly a place people call home, with numerous schools, daycare centers, family parks, playgrounds, churches, restaurants, shops and small markets. It is NOT an appropriate setting for a MCD.

The Marina and Cow Hollow is also a destination for tourists, who seek out our sites, dining and recreation...not Marijuana. (And, illegal for out-of-state residents).

Furthermore, the local demand for this MCD appears to be (nearly) non-existent. Implying that those seeking this permit will simply be capitalizing on transient customers, instead of servicing legitimate cannabis patients in the neighborhood, who, it should be pointed out, can already obtain prescriptions by other SF MCD's via delivery.

Lastly, it is outrageous that the proposed location for the MCD is across the street from an At-Risk-Youth center, and blocks from numerous substance abuse recovery centers.

I hope you will consider my objections in the permit process and NOT approve the proposed MCD.

Erik Tammar
3101 Divisadero st.

Vellve, Sara (CPC)

From: Scott Helffond <scott.helffond@aon.com>
Sent: Monday, September 21, 2015 9:55 AM
To: Vellve, Sara (CPC)
Cc: info@cowhollowassociation.org; lorimbroke@gmail.com
Subject: Email against Marina Dispensary

Importance: High

This is indeed a ridiculous project and is so absurd, it makes one wonder what is the back story. This cannot happen. We have over 50 bars within a very short area of this proposed location. Already a fast and wild crowd around and would only be exacerbated by opening a dispensary. More importantly, even though I fought the Larkin St. King Edward project, it got done. I feel sorry for the residents that can now be tempted by upscale drunk party folks, a massage parlor that DOES HAVE PROSTITUTION offered, the Bridge Motel that has more than its share of police calls andnow.....a pot dispensary.

Sad state of affairs for not giving half way house residents a good shot at mainstreaming into society. I serve as a Commissioner in the City and am more than happy to discuss in more detail should you so desire. This is NOT a NIMBY issue.....it is purely common sense.

Many thanks,
Scott Helffond

Scott R. Helffond | Aon Risk Services
t +1.415.265.4463 | f +1.312.381.9202
scotth@ix.netcom.com
scott.helffond@aon.com | aon.com

Vellve, Sara (CPC)

From: Usdsf <usdsf@aol.com>
Sent: Wednesday, September 23, 2015 4:06 PM
To: Vellve, Sara (CPC)
Cc: info@cowhollowassociation.org; lbrooke@lmi.net; dbancroft@sideman.com
Subject: Fwd: Cow Hollow MCD - OPOSE

To Whom it May Concern:

How is it a good idea to sell drugs next to kids?

We are two doors down from the proposed MCD site. My own business features after-school care for kids, 3 1/2 and up. We operate now with many children, from Marina, Cow Hollow, and Pacific Heights, as well as outlying neighborhoods. This is our 20th Anniversary here on Lombard St!

The applicant, The Apothecarium, plans the proposed store to service the entire Northside of San Francisco: Russian Hill, North Beach, Golden Gate Valley, Cow Hollow and the Marina. Given the size of the area they plan to serve, there are many alternative sites to locating across the street from an at-risk youth housing facility.

Yours in Health,
JT Collins

United Studios of Self Defense
2424 Lombard St.
SF, CA 94123

415-771-5186

Vellve, Sara (CPC)

From: Susan Green <suebob111@icloud.com>
Sent: Monday, October 05, 2015 3:11 PM
To: Vellve, Sara (CPC)
Subject: Marijuana dispensary in our neighborhood

Thank you for your concern. I do not think it should be allowed...especially since there are so many young people in this area, and it encourages drug use and sets them on a very bad path for life, and creates multiple new problems for those already endangered. Our family has lived here for many years, and nothing like this has ever been proposed before.

Sent from my iPad

Vellve, Sara (CPC)

From: Stephen Holtzman <steveh@efn.org>
Sent: Thursday, October 08, 2015 3:42 PM
To: Vellve, Sara (CPC)
Subject: Marijuana Dispensary plans for Lombard St

I live in Cow Hollow, there is a proposal for a marijuana dispensary to be opened on Lombard St. near Scott. This location is directly across the street from Edward II Housing for youth at risk run by the Larkin St. Center. These formerly homeless youth are struggling to overcome many issues in their lives including struggles with addiction to drugs.

I have worked at Larkin St. as a volunteer at the Haight St. Drop In Center. I have witnessed these struggles first hand. Please consider denying the issuing of a permit for this dispensary in light of the impact on the the youth at risk who will see the sign of this dispensary from their windows. The placement of this dispensary also affects the quality of life of the home owners in Cow Hollow. The reputation and behavior of shoppers at this store will contribute to lowering real estate values in our safe neighborhood. Lombard St. does not need this downgrading of it's street life. There already exists a transient population on Lombard. My friend a single woman has mentioned that she never walks on Lombard because it feels unsafe, it would be worse if the Marijuana Dispensary opened there.

Stephen Holtzman
2525 Lyon St.
San Francisco, CA
94123

Vellve, Sara (CPC)

From: Timothy Arcuri <timothyarcuri@gmail.com>
Sent: Tuesday, September 22, 2015 3:42 AM
To: Vellve, Sara (CPC)
Cc: info@cowhollowassociation.org
Subject: MCD at 2414 Lombard St

Sara - I am a Cow Hollow homeowner (2832 Broderick St (Filbert/Union)) and writing you to voice my strong opposition to the proposed MCD in this location. There are 3 key reasons why this permit should be denied. First and foremost, the location is literally across the street from a recently established at-risk youth facility - already a contentious and somewhat worrisome situation for the greater Cow Hollow community. Regardless of my home's proximity, to allow this permit in this location would be a complete and total failure in common sense in much the same way that recovering alcoholics should not live next to liquor stores. Secondly, the applicant plans to use the location to serve the entire north side of the City - ergo, the pool of potential locations for this facility is very large. Again, this further argues for common sense to prevail here. Lastly, there are at least a dozen MCD locations throughout the City including a location in the Castro operated by this supplier in addition to several online suppliers. Nobody in SF is being denied MC. The point is that demand is already met with ample supply in multiple locations - the denial of this permit would restrict access only to those at risk youth across the street.

It is my hope that common sense prevails in this matter.

Timothy Arcuri
(415) 710-5550

From: [Marion Blumberg](#)
To: [Velve, Sara \(CPC\)](#); [Cow Hollow Association](#); [Marion Blumberg](#)
Subject: Cow Hollow MCD: OPPOSE
Date: Saturday, September 19, 2015 10:10:19 AM

To the SF Planning Department:

I have been a resident of Cow Hollow for 40 years, living at 2514 Green Street between Scott and Divisadero Streets, 4 blocks directly above the proposed Medical Cannabis Dispensary (MCD) at 2414 Lombard Street. I am strongly opposed to the opening of this MCD for the following reasons:

1. The proposed site is directly across the street from Edward II, a housing facility for at-risk youth who seek support to transition to a productive adult life by education and vocational training which will enable them to obtain employment. Having a marijuana dispensary directly across the street might prove to be too much of a temptation for these young people who are trying to turn their lives around.

2. The applicant, The Apothecarium, plans for the proposed store to serve the entire Northside of San Francisco, including Russian Hill, North Beach, Golden Gate Valley, Cow Hollow, and the Marina. Given the size of the area they plan to serve, there are many other sites to choose from, rather than locating across the street from an at-risk youth housing facility.

3. The Apothecarium offers delivery services from its Castro location throughout San Francisco, as do at least a dozen other San Francisco dispensaries and online sites. Denial of the permit for the location directly across from Edward II would not deprive anyone in the Northside of reasonable access to medical marijuana. The only people who would be inconvenienced by denying this permit would be the at-risk youth at Edward II, who would not be able to make drop-in purchases at this MCD. For these reasons I urge you to deny the permit request by The Apothecarium to locate an MCD at 2414 Lombard Street, San Francisco .

Thank you,

Marion A. Blumberg

2514 Green Street

San Francisco CA 94123

marionblumberg@sbcglobal.net

From: [Lindsey wetzel](#)
To: [Velve, Sara \(CPC\)](#)
Cc: info@cowhollowassociation.org
Subject: Cow Hollow MCD: OPPOSE
Date: Monday, September 21, 2015 8:36:43 PM

To whom it may concern.

My name is Lindsey Wetzel and my husband and our two boys live in Cow Hollow on Greenwich and Divisadero. I am writing today to let you know that we oppose the proposed location for the Medical Cannabis Dispensary at 2414 Lombard Street.

The proposed site on Lombard street is located directly across the street from Edward II, a housing facility for at risk youth. This facility has been instrumental in helping young adults aged 18-24 who are at risk of homelessness transition to a productive adult life by study, vocational training and being able to obtain employment. There has to be a better location than across the street from our at-risk-youth.

It is our understanding that denial of the permit for the location directly across from Edward II would not deprive anyone in the Northside of reasonable access to medical marijuana as all areas of the city are serviced thru delivery out of the Castro.

It would however, prevent impulsive buys by drop-in purchases from nearby at risk youth. There has to be a better location than across the street from our at-risk-youth.

Our family writes today in opposition of the Cow Hollow MCD.

Sincerely,
Lindsey and Jon Wetzel



Post Office Box 29086, Presidio Station, San Francisco, California 94129 (415) 931-3438

September 24, 2015

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

RE: Medical Cannabis Dispensary 2414 Lombard Street

Golden Gate Valley Neighborhood Association urges the Planning Department to disapprove the plan to locate a Medical Cannabis Dispensary (MCD) at 2414 Lombard Street. The proposed MCD would sit directly across the street from the Edward II, an at-risk youth residential facility.

Golden Gate Valley was the sole neighborhood association on the city's north end to initially and unequivocally support creation of an at-risk youth residential facility at the Edward II site. Now that the facility is up and running, it is particularly important to Golden Gate Valley that the project succeed. This will not happen if the at-risk youth at Edward II have their journeys to responsible adulthood derailed by the temptations afforded by the MCD and its retail activities. Please give the at-risk youth at Edward II some breathing room in their struggles to get their lives together. Require that the proprietor of this proposed MCD find a more suitable location for the business.

Sincerely,

Robert Bardell
President, Golden Gate Valley Neighborhood Association



October 12, 2015

Sara Vellve
Planner, SF Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: CHA Opposition to MCD permit at 2414 Lombard Street

Dear Sara,

The Cow Hollow Association (CHA) submits the following comments in opposition to the application of the Apothecarium for a permit to operate an MCD (marijuana retail store) at 2414 Lombard St., San Francisco.

The CHA is a neighborhood association with over 350 members residing in the 35-block area bounded by Lyon and Pierce, Lombard and Pacific, comprising some 1,500 households.

Our opposition is based upon the following:

1. An MCD Should Not be Permitted Directly Across From Group Housing for At-Risk Young People

Edward II, on the south side of Lombard at Pierce. was authorized as Group Housing by the Planning Commission to locate there in 2012. The extensive renovation of the former motel was completed in the late fall of 2014, and the first residents (of 23) were in place by year end.

Edward II is operated by the non-profit Larkin St. Youth Services under the auspices of the Community Housing Project. The young people (18-24) residents there are admitted on the basis that they were either “homeless or at risk of homelessness”, and/or were “abused or neglected”, some of whom may also have had “substance abuse issues” (Larkin St. and Mayor’s Office of Housing websites; emphasis supplied.) Residents do not have vocational training and are without adult living skills. Applicants with misdemeanor and non- violent felony criminal records are accepted.

The Larkin St. program seeks to provide the residents with adult living skills: for example, cleaning up after cooking and eating in the communal kitchen/dining room; abiding other “house rules”, including paying their very modest (heavily subsidized) rent on time; academic education for those who choose that; vocational training for others, all with the goal of employment.

As expected with respect to these vulnerable residents, there have been unfortunate incidents, most notably over 2014/2015 New Year when police were called to the premises and some residents ended up in an altercation with the officers, one punching a policeman in the face, sending him to the hospital. But Larkin St. has handled this and other circumstances responsibly; for example, instituting a program of having police officers come to the facility and conference with the residents as community liaisons. Accordingly, there have been no other similar incidents.

Two features of Edward II residency require particular comment: (1) the guest program; and (2) the residents’ privacy rights.

Each resident is allowed to have up to 10 different overnight guests per month (a realistic recognition of the mores of the times, including the collegiality and informal intimacy among young people of similar backgrounds.)

As a condition of a young person agreeing to take up residency at Edward II, Larkin St., CHP and the residents have executed a privacy rights agreement barring those agencies from disclosing who are the residents of Edward II or that they live at its address or otherwise reside in a group housing residence for at-risk youth people (a realistic recognition that disclosure could be taken by prospective employers, etc. as an unfavorable circumstance.)

It is apparent from all of the foregoing that: the residents of Edward II are truly at risk of being diverted from acquiring adult living skills, vocational training and education, and the employment opportunities that Larkin St. and CHP deploy such considerable effort and resources to provide them. For many, if not all the residents, Edward II is their last, best chance to learn to lead productive lives.

Locating an MCD directly across the street from Edward II, presents a greatly increased opportunity for both impulse and/or convenience buys of marijuana by these at risk residents, AND not only by the residents directly, but also by the guests for the residents. This strongly recommends that an MCD permit for this site not be granted.

Common sense tells us that putting an MCD directly across from group housing for at-risk young people creates an untoward and wholly unnecessary risk of derailing those at-risk young people from the life opportunities that are otherwise being provided to them. As noted, for many, if not all, Edward II is their last, best chance. If even one young person fails due to this, that would be a life-shaping and unnecessarily tragic consequence. (And an expensive one: CHP bought the Edward II building for \$9M. Renovation ran another \$9M (all publically financed by the selling of units of participation entitled to very large tax credits and/or deductions). And each year the City subsidizes residents' rent to the tune of some two thirds of a million dollars -- \$660,000 a year.)

How Would the Applicant Propose to Limit or Preclude Sales to Residents? We have asked the Apothecarium how, in light of the privacy restrictions and the guest program at Edward II, they propose to control sales to residents and/or the guests buying for the residents. The only answer we have received relates to the promised security guards and surveillance cameras, with no articulation as to how such measures would preclude or limit marijuana sales to these young people.

Why do we care so much? A bit of recent history explains. Initially, many in the Cow Hollow neighborhood had grave reservations whether group housing for at-risk young people should be located here, and we opposed it. When the permit for Edward II became headed for approval, CHA met with the sponsors, Larkin St. and CHP, with the idea that all of us would, together, form a mutual Neighborhood Benefit Agreement, permitting CHA, on the one hand, to have an ongoing understanding of and input with respect to Edward II's programs and operations; and on the other hand, the sponsors would have the benefit of our advice, assistance with and participation in its programs for these young people. We meet regularly at Edward II in the implementation of the Agreement. In addition, one of our neighborhood's main churches, St Mary's Church at Union and Steiner, has programs giving active support to the Edward II residents. Accordingly, we believe we have a good understanding of the kind of residents in program, their needs and wants, and their vulnerabilities. In sum, we have a strong interest in seeing Edward II--the young people resident there--succeed.

Particular note must be taken here of the fact that CHP and Larkin St. have authorized us to state that they have concerns about this permit application and support the Cow Hollow Association's opposition to it.

2. There are Ample Alternative Sites for an MCD to Service the Northside of the City

The Apothecarium has made clear in their submission to the Planning Commission and to us that the Lombard Street site is designed to service not just Cow Hollow, but the entire northside of the city: Russian Hill, Telegraph Hill, North Beach, Northpoint, Golden Gate Valley, as well as the Marina and Cow Hollow. It claims that its prospective clientele needs to be near a retail cannabis store.

First, we note that the Apothecarium store in the Castro delivers, city-wide. We further note that there are well over a dozen other San Francisco MCD delivery services listed on the web. The proliferation of delivery services belies the notion that proximate brick and mortar MCD retail stores are, in addition to convenience, essential for MCD customers.

Second, we note that the Planning Commission's own map marks out well over forty (40) areas, blocks, streets and/or buildings on the Northside available to MCDs other than the location sought right across from Edward II. (See attached map.)

We have in mind that the Apothecarium bought the building on Lombard in June 2014 knowing that the Edward II was directly across the street: that its permit had been issued by the Planning Commission, and renovation construction had begun.

Why should an MCD be located across from an at-risk youth facility? We have had discussions with the Apothecarium, asking, "What commanding or paramount reason is there to locate an MCD across from this residence for at-risk young people?" We were first told that the location right across the street was the only property they could identify as being for sale, and that they had to buy rather than rent, because federal authorities would pressure a landlord by threatening to seize the building unless the MCD renter was evicted. When we pointed out that our research had failed to disclose any such case (except the truly massive operation and plant in Oakland), they were unable to cite any.

We asked further, "Why would they want to buy rather than rent a building since the federal authorities could just as readily threaten to seize what you owned?", which they eventually conceded. We were never given any explanation for locating an MCD across from Edward II, except that their customers needed to be close to the marijuana and consultation services.

However, the Apothecarium's submission in support of their permit application makes clear that the intended service for the Lombard St. outpost is the entire Northside, which, with the number of suitable alternative sites, makes clear that there is, in fact, no commanding or paramount reason why an outpost to service the entire Northside must be sited directly across from the Edward II.

3. Locating an MCD at This Location is Inconsistent With the Neighborhood

A number of neighborhood residents have commented that Cow Hollow is a family oriented, residential neighborhood, with children's clothes stores, karate schools for school-aged kids, a popular cupcake shop around the corner. Living in San Francisco should not mean that marijuana stores are suitable everywhere that is commercially zoned and at least 1000 feet from an elementary or higher school, or a recreational facility servicing such students.

4. The Arguments Advanced by Some Who Support the Application are Misplaced.

a. The Apothecarium is "A Clean Well Lighted Place..." Argument.

The applicant makes much of the fact, by testimonials and endorsements that it has an excellent reputation, and is community oriented. The store in the Castro receives excellent reviews for being well run, and without reported incident.

Rebuttal: The issue is NOT how well designed and operated the store would be, NOR how much money the business has contributed to "the community". (One might assume--or not-- that it was just coincidence that the Apothecarium doubled their donations --totaling \$20,000--to Larkin St. in the months leading up to and after they bought the Lombard St. property). Without an effective means of limiting access to the at-risk residents (and their guests, buying for the residents), it makes no difference how well the store may otherwise be operated.

This point cannot be overemphasized.

b. The Proximity is Immaterial Argument: Because it won't make any difference if the store were to locate a few blocks away (or even a few more) it won't make any difference if it is sited across the street. In any event, there is no *evidence* that proximate location will entice Edward II residents (and/or their guests for them) to buy marijuana.

Rebuttal: It would make a difference. Out of constant sight is more likely to be more out of constant mind. 1000 feet is the legislated judgment for schools, etc. Does that guarantee that a student or someone bent on supplying a student will not be able to do so? No, but it materially lessens the probability.

The same common sense judgment that prescribes that MCDs not be located within 1000 feet of a school (on the grounds that proximity does increase the likelihood) – that same common sense should inform us here.

c. The Planning Code Argument: The Planning Code does not prescribe any distance limitation from group housing for at-risk youth young people.

Rebuttal: But this does not mean that close proximity would somehow be appropriate. Ordinances often do not include every appropriate limitation because they cannot always all be hypothesized when the legislation is enacted. Indeed, that is why the Planning Commission is legislatively consigned the discretion to determine appropriateness in the granting and denial of permits.

d. The Alcohol Argument: There are bars nearby to the Edward II, alcohol is readily available, so the availability of marijuana would be of no marginal importance.

Rebuttal: The fact that alcohol is one embedded problem is simply no justification for now adding another, especially (again) since there is no overarching reason for siting an MCD in the proposed location when there are a number of other alternative locations available in the service area sought for the proposed outpost on Lombard.

e. The Argument That Locating the MCD Across from Edward II Will Actually Give Its Residents an Opportunity to Acquire Adult Living Skills. Part of making one's way in the world is dealing with temptation and intoxicants, and budgeting.

Rebuttal: Learning adult living skills does not require confrontation with every goal-diverting or adverse circumstance of life. These young, vulnerable people have enough “baggage” to deal with from the start: limited education, homelessness and/or abuse backgrounds, and minimal or no vocational skills. At this early stage in their development towards leading a productive life on their own, they do not need additional threats to achieving that.

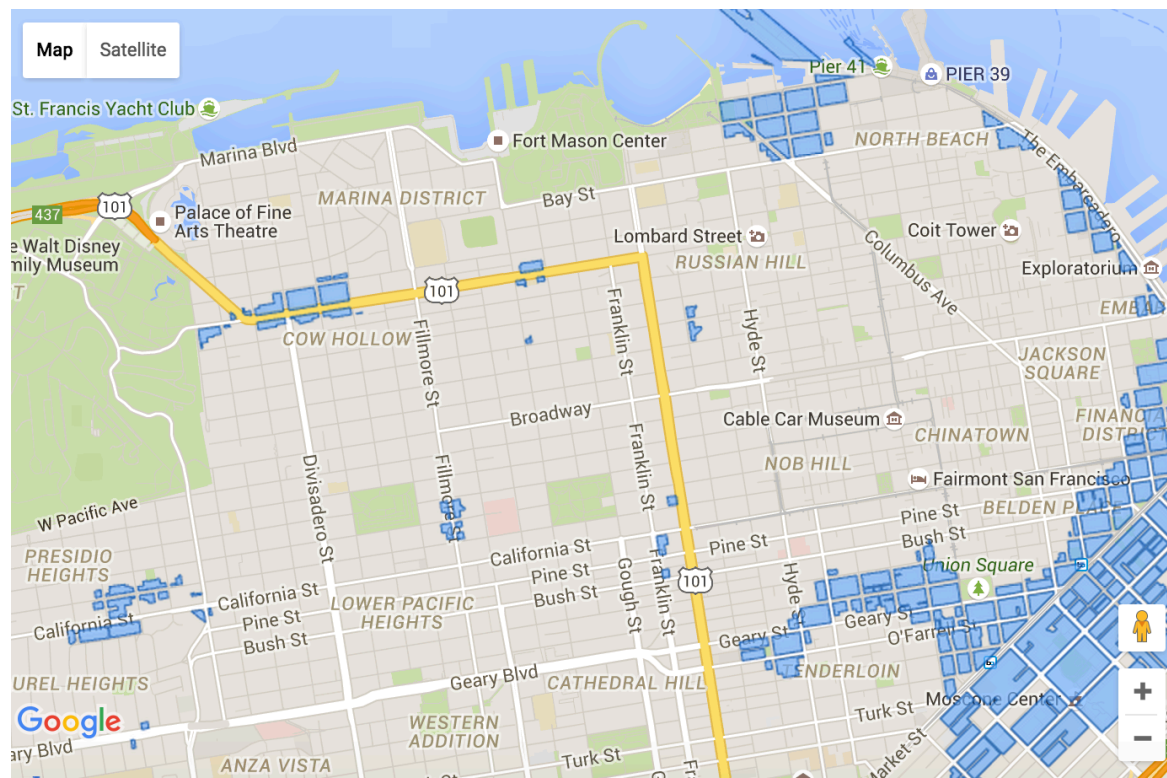
CONCLUSION

1. An MCD Should Not Be Permitted to Locate Directly Across the Street from a Group Housing for At-Risk Young People. Edward II is a residence for young persons who are homeless or at risk for homelessness and/or have been abused or neglected, usually with limited education and limited or no vocational

training. Young people who have had substance abuse issues and non violent criminal records are eligible for admittance.

Every effort is being made to teach them adult living skills so they can lead productive lives. For many, Edward II will be their last best chance to do so. Putting an MCD directly across the street will inevitably and unnecessarily increase the likelihood of impulse and/or convenience buys of marijuana both by those young people and/or their guests for them.

2. This MCD Purports to Service the Entire Northside of the City, Where There Are Many Alternative Sites Zoned and Otherwise Approved for Locating Same. The Apothecarium's permit application makes clear that the Lombard St. outpost is to serve not just Cow Hollow and the Marina, but Golden Gate Valley, North Beach, Northpoint, and Russian and Telegraph Hills. It is clear from the Planning Commission's map that there are many other alternatives: on Sacramento and Walnut, Fillmore and Clay, Franklin and Pine, Union and Polk, Bay and Columbus, along the Embarcadero--Kearney to Broadway, even at Lombard and Octavia. The cross streets can be seen by zooming in on Planning's website for Potential Medical Cannabis Dispensary Locations (<http://www.sf-planning.org/index.aspx?page=2486>) for the Northside area depicted in the map referenced below.



3. Locating an MCD at Lombard and Scott Would be Inconsistent with the Character of the Cow Hollow Neighborhood. This is largely a family single residence owner occupied neighborhood, with many children, going to and from school, taking classes in academies here, shopping and going to eateries with their parents. We are mindful that San Francisco is a tolerant and open minded city. But it is also a city of neighborhoods, each with its predominant character. The “neighborhood argument” is not offered here as a stand alone reason to deny a permit, but as a factor to be considered in light of its character and this neighborhood’s efforts in seeking to ensure that the Edward II is a success.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Lori Brooke', with a long horizontal flourish extending to the right.

Lori Brooke
President, Cow Hollow Association

1. DIMENSIONS ON DRAWINGS: DO NOT SCALE THE DRAWINGS. USE WRITTEN DIMENSIONS. IF CONFLICTS EXIST NOTIFY THE ARCHITECT BEFORE PROCEEDING WITH THE WORK. DIMENSIONS ARE TO THE FACE OF FINISH UNLESS OTHERWISE NOTED.

3. CONFLICTS IN DOCUMENTS: NOTIFY ARCHITECT IMMEDIATELY FOR CLARIFICATION SHOULD ANY CONFLICT IN INFORMATION FOUND IN THE DOCUMENTATION BE DISCOVERED.

5. TEMPORARY SHORING AND UNDERPINNING: IF REQUIRED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SHORING AND BRACING OF BOTH EXISTING AND NEW WORK AS REQUIRED TO STABILIZE THE WORK AND TO MINIMIZE RISK OF PROPERTY DAMAGE OR INJURY ON SITE OR TO ADJACENT PROPERTIES. SHORING AND UNDERPINNING WORK IS TO BE PERFORMED UNDER SEPARATE PERMIT OBTAINED BY THE GENERAL CONTRACTOR.

7. SPECIAL INSPECTIONS AND TESTING: IF REQUIRED BY THE GOVERNING AGENCIES, THE OWNER IS TO PROVIDE REQUIRED SPECIAL INSPECTIONS AND TESTING VIA EITHER THE STRUCTURAL ENGINEER OR A LICENSED THIRD-PARTY TESTING AGENCY. THE GENERAL CONTRACTOR IS TO COORDINATE ALL WORK AND GIVE THE ARCHITECT, STRUCTURAL ENGINEER AND OWNER A MINIMUM FIVE DAY NOTIFICATION ONCE THE WORK IS READY FOR INSPECTION. KEEP ALL REPORTS FOR SUBMITTAL TO AUTHORITIES AT FINAL INSPECTION.

9. PROTECTION OF PROPERTY: PROTECT THE ADJACENT PROPERTIES AND IMPROVEMENTS FROM ALL DISTURBANCES AND DAMAGE. DO NOT TRESPASS ON NEIGHBORING PROPERTY. IF REQUIRED, SUBMIT WRITTEN REQUEST TO NEIGHBOR(S) WITH COPY TO OWNER AND ARCHITECT AT LEAST 10 DAYS PRIOR TO NEEDED DATE OF TRESPASS. IF ANY DAMAGE OR DISTURBANCE OCCURS TO NEIGHBORING PROPERTIES, RESTORE TO PREVIOUS EXISTING CONDITION AT NO ADDITIONAL COST TO OWNER.

11. TEMPORARY BARRIERS: PROVIDE TEMPORARY BARRIERS TO PROTECT BOTH EXISTING AREAS AND NEW WORK COMPLETED FROM DISTURBANCE, DUST, DIRT, DEBRIS OR OTHER DAMAGE. IF ANY DISTURBANCE OR DAMAGE OCCURS, RESTORE TO PREVIOUS CONDITION AT NO COST TO THE OWNER.

13. **FINAL CLEANING:** THE WORK INCLUDES FINAL CLEANING AT THE SITE INCLUDING THE BUILDING INTERIOR, EXTERIOR AND SITE. WIPE DOWN AND DUST ALL SURFACES, VACUUM OR MOP ALL FLOORS, WASH AND POLISH GLASS, REMOVE ANY AND ALL PAINT SPOTS ON EXPOSED SURFACES AND REMOVE ALL DEBRIS AND TRASH.

15. DOORS AND WINDOWS: THE CONTRACTOR IS RESPONSIBLE FOR THE FOLLOWING DOOR AND WINDOW COORDINATION:

D.) COORDINATE INSTALLATION OF ALL EXTERIOR DOOR AND WINDOW ASSEMBLIES TO INSURE A WEATHER-TIGHT CONDITION.

16. MECHANICAL: THE CONTRACTOR IS TO PROVIDE DESIGN-BUILD SERVICES FOR THE PLUMBING AND MECHANICAL SCOPE OUTLINED IN THE DRAWINGS. COMPLY WITH ALL APPLICABLE CODES AND TITLE 24 ENERGY COMPLIANCE. SECURE AND PAY FOR ALL REQUIRED PERMITS. REVIEW DRAWINGS AND COORDINATE PATHWAYS SUCH THAT THEY ARE HIDDEN FROM VIEW. IF PATHWAYS CANNOT BE CONCEALED WITHIN THE WALLS, SOFFITS AND CEILING PROFILES AS SHOWN ON THE DRAWINGS, COORDINATE ALTERNATE LOCATIONS WITH ARCHITECT ON SITE PRIOR TO PROCEEDING WITH THE WORK.

A0.0



**APOTHECARIUM:
Tenant
Improvement**

**2414 Lombard St.
San Francisco, CA**

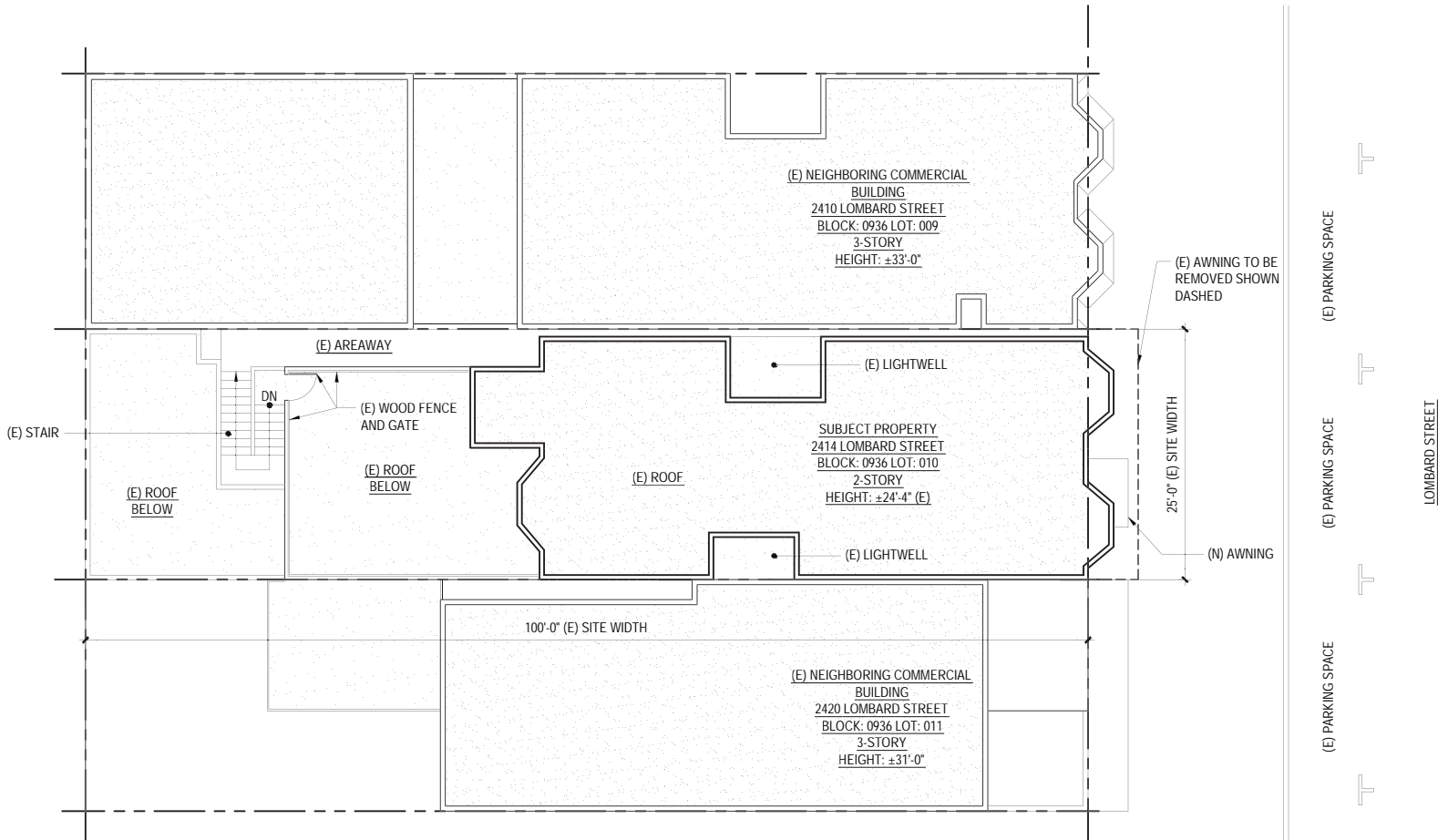
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SITE PERMIT	3-3-2015
NOPDR #1	7-22-2015

DATE:	3-3-2015
DRAWN BY:	CE-H
JOB NO:	14-CM-01
SCALE:	
SHEET TITLE:	

**PLOT
PLAN**

SHEET NO.

A0.1



PLOT PLAN
SCALE: 1/8"=1'-0"

1



**APOTHECARIUM:
Tenant
Improvement**

**2414 Lombard St.
San Francisco, CA**

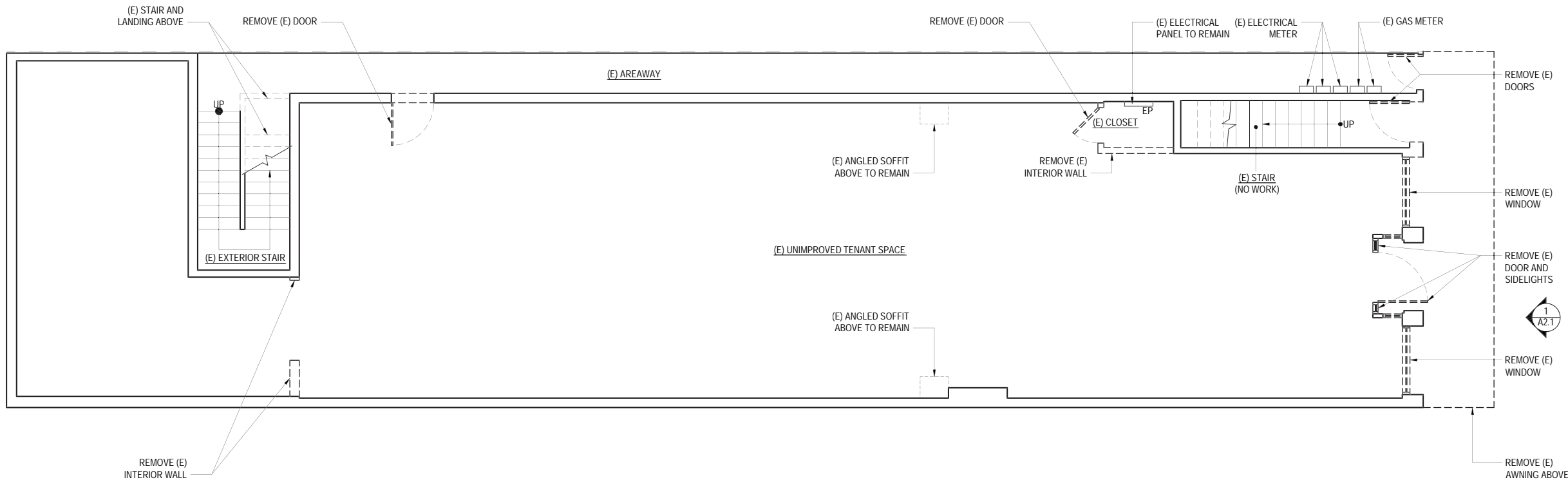
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SITE PERMIT 3-3-2015
NOPDR #1 7-22-2015

DATE: 3-3-2015
DRAWN BY: CE-H
JOB NO: 14-CM-01
SCALE:
SHEET TITLE:

**EXISTING/
DEMOLITION
PLAN**

SHEET NO.

A1.1



EXISTING/DEMOLITION FLOOR PLAN
SCALE: 1/4"=1'-0"

1



**APOTHECARIUM:
Tenant
Improvement**

**2414 Lombard St.
San Francisco, CA**

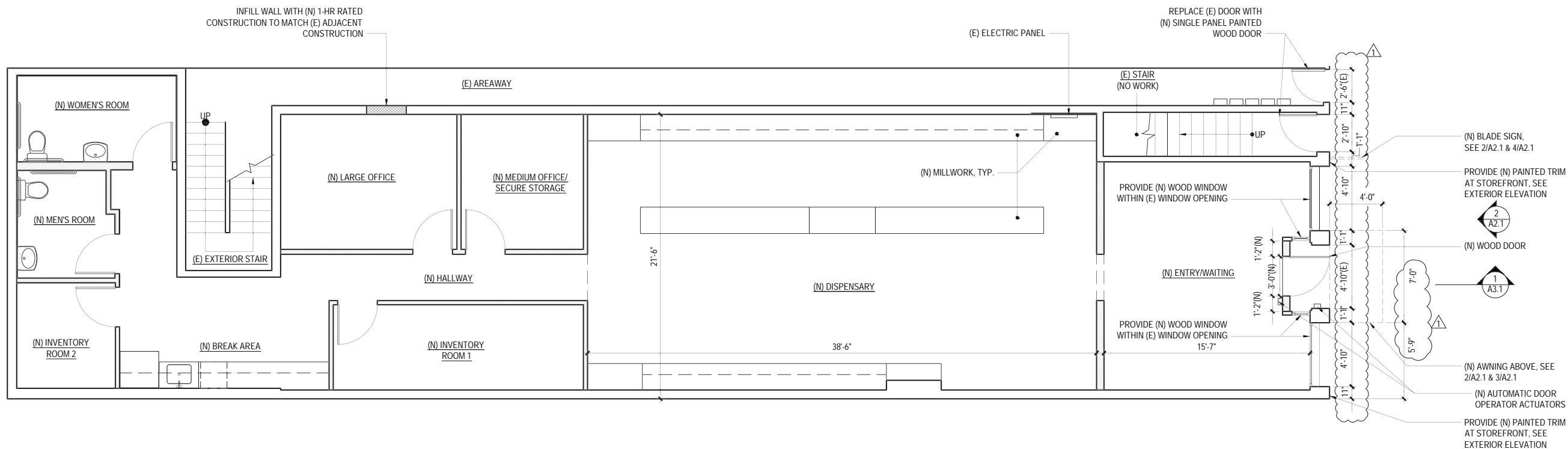
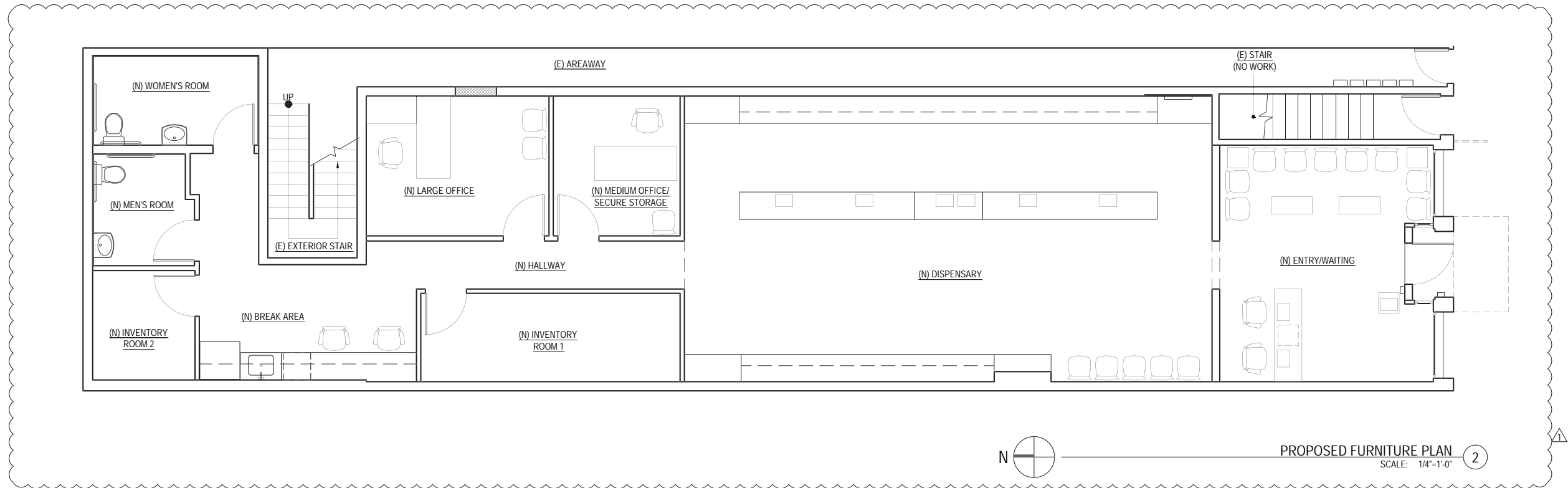
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SITE PERMIT 3-3-2015
NOPDR #1 7-22-2015

DATE: 3-3-2015
DRAWN BY: CE-H
JOB NO: 14-CM-01
SCALE:
SHEET TITLE:

**PROPOSED
FLOOR PLAN**

SHEET NO.

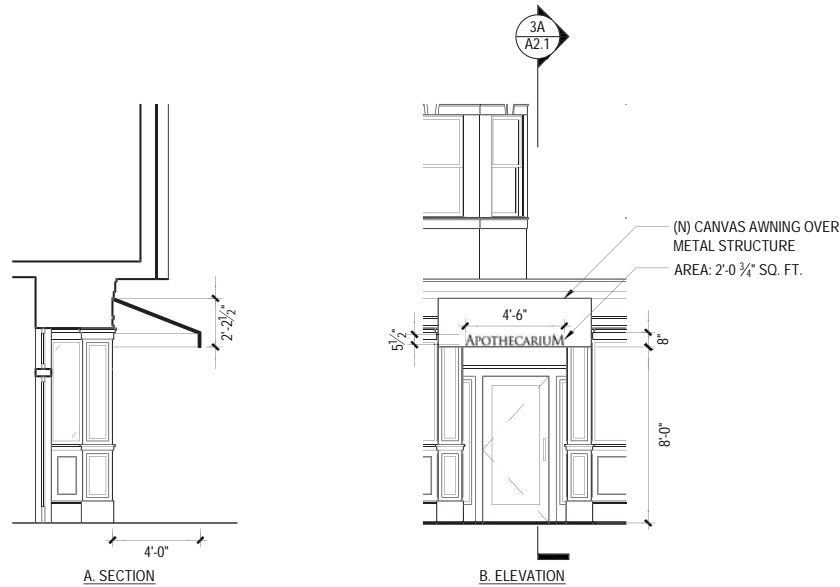
A1.2



SAN FRANCISCO PLANNING CODE SECTION 145.1 (c) (6)

- LENGTH OF STOREFRONT: 18'-4"
- TOTAL LENGTH OF PROPOSED FENESTRATION AND DOORWAYS: 14'-6 1/2"
- PROPOSED TRANSPARENCY PERCENTAGE: 79%
- REQUIRED TRANSPARENCY PERCENTAGE: 60% MIN.

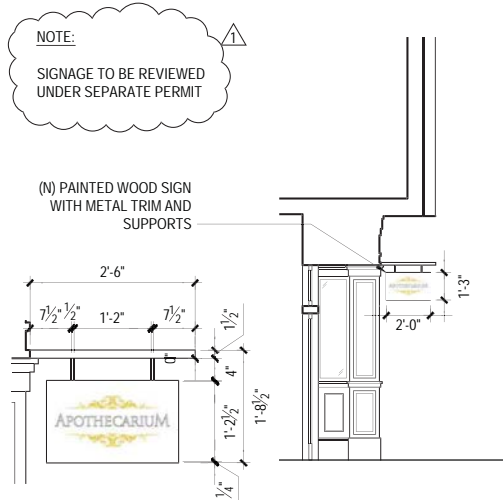
TRANSPARENCY AND FENESTRATION CALCULATIONS 2



PROPOSED AWNING AND SIGNAGE DETAILS

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

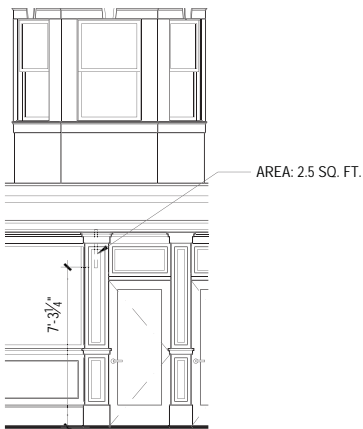
3



PROPOSED BLADE SIGN DETAILS

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

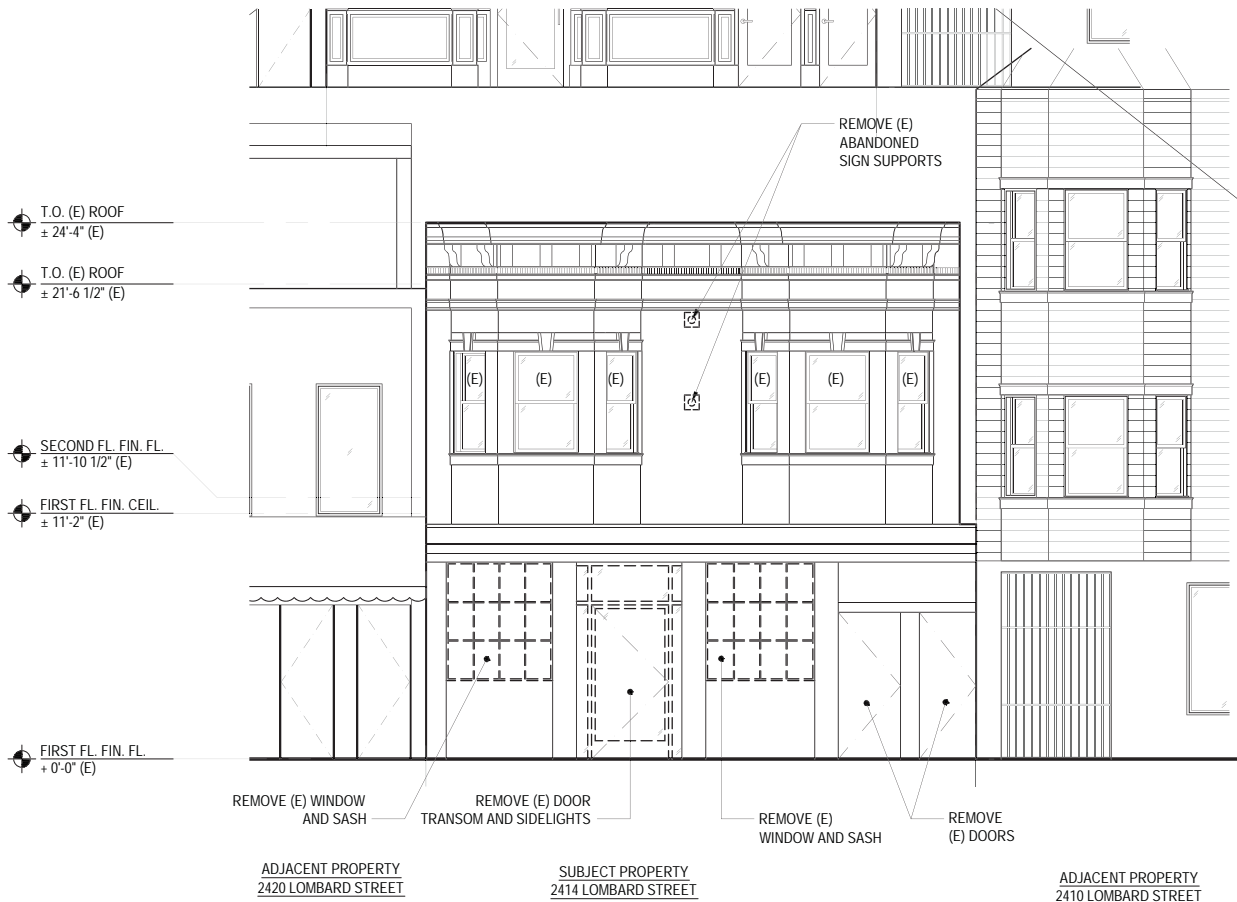
4



PROPOSED FRONT (SOUTH) EXTERIOR ELEVATION @ LOMBARD STREET

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

2



EXISTING FRONT (SOUTH) EXTERIOR ELEVATION @ LOMBARD STREET

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

1



APOTHECARIUM:
Tenant
Improvement

2414 Lombard St.
San Francisco, CA

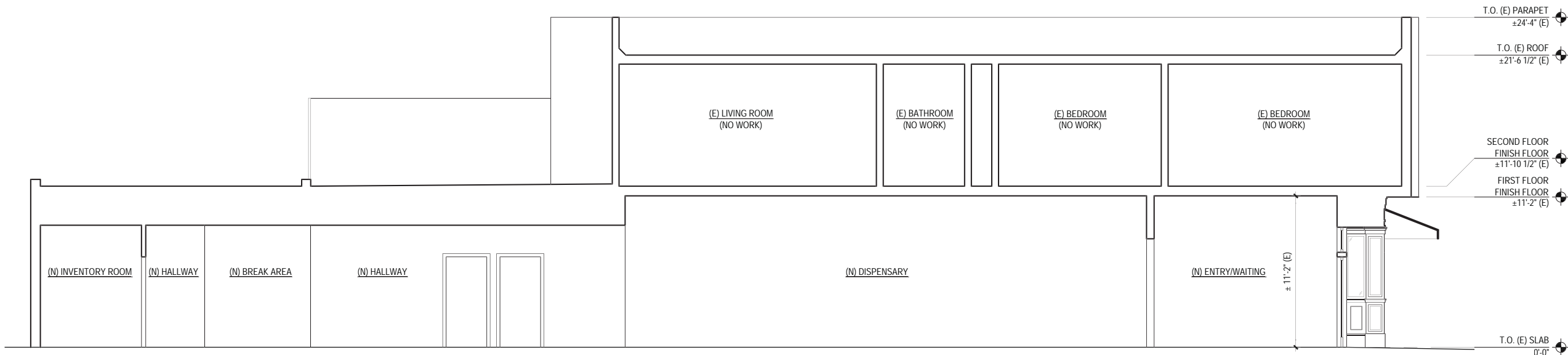
ISSUE:	DATE:
SITE PERMIT	3-3-2015
NOPDR #1	7-22-2015

DATE:	3-3-2015
DRAWN BY:	CE-H
JOB NO:	14-CM-01
SCALE:	
SHEET TITLE:	

PROPOSED
BUILDING
SECTION

SHEET NO.

A3.1



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

October 9, 2015

BY HAND DELIVERY

Rodney Fong
Commission President
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: The Apothecarium 2414 Lombard Street MCD; October 22, 2015 Hearing

Dear President Fong and Commissioners:

We represent Deep Thought, LLC, whose main principals are Ryan Hudson and Michael Thomsen. Their business operates under the name "The Apothecarium" – and they run a Medical Cannabis Dispensary (MCD) at 2095 Market Street near Church Street. They wish to have a second site located on the ground floor of 2414 Lombard Street in an existing two-story building on the north side of the street between Divisadero and Scott Streets. Our firm also represented The Apothecarium before your Commission in 2011. Your Commission voted 6-0 not to take discretionary review and approved the use. Their 2095 Market Street site has been in operation since that time. Current Commissioners voting that day included Commissioners Antonini, Fong and Moore.¹

The commercial space that The Apothecarium leases at 2414 Lombard Street is approximately 2,100 square feet and formerly housed two restaurants, Thaina Cafe and Tom Yum. The Project Sponsors have applied for a permit from the Department of Public Health for the MCD.

The fact that restaurants (which attract cars) existed in the space means the site has previously accommodated a number of visitors. Any parking needs triggered by the MCD use are not expected to exceed that which occurred by the building's previous use as a restaurant.

The City's Health Department (DPH) cannot approve the MCD permit until the Planning Commission has approved the use. The Project Sponsors have also applied for an alteration permit from the Department of Building Inspection in order to renovate the interior. Attached is the proposed floor plan (Exhibit A) which is part of building permit application 2015.03.03.9784, along with a drawing of the proposed dispensary's facade.

The Apothecarium operates in compliance with the applicable California law that requires it to be operated in the manner of a non-profit, and operate as a "collective" whose employees, patients, and suppliers are members. It prides itself on providing lab tested, high quality cannabis and free wellness programs to members. The organization has operated out of 2095

¹ Along with former Commissioners Sugaya, Miguel and Olague.

Market Street (corner of Church St) for the past 4+ years, serving over 35,000 registered patients, and plans to apply its experience to the proposed MCD at the subject property. The Apothecarium will continue operating at 2095 Market Street.

The Apothecarium will maintain full-time security, which includes indoor and outdoor video cameras. In addition, unarmed security staff will be employed inside and outside the subject retail space.

1. The Location Will Not Be a Detriment To the Neighborhood.

1. In its four years in the Castro, there have been no complaints from merchants or residential neighbors or parents of children living or being schooled nearby.
2. At a recent Marina Community Association a Captain Greg McEachern from the Northern Station told attendees that he had spoken with his colleague at The Mission Station (whose area covers the existing Apothecarium site) and he confirmed there have been no police incidents related to the presence of the Apothecarium since they opened in 2011.
3. In its 2014, MCD Report to your Commission, your Department's research indicated that crime may actually go down in areas surrounding MCD's: "Based on the information available to the Department, it does not appear that MCD's have a negative impact on crime or community safety, and they may actually improve safety in certain neighborhoods as they provide additional eyes on the street."
4. The proposed site will not have (a) smoking; (b) substance abuse services; (c) alcohol for sale; or (d) food preparation or consumption (d) growing of the product.²
5. The site will meet the more than 15 requirements of the DPH's MCD Regulations found at Exhibit B.
6. The site will meet the more than 12 restrictions found in the Planning Code.
7. The operations will comply with many restrictions that the operators will impose on themselves, which are attached as Exhibit C hereto and will be read into the record at the hearing. Those that are not required under City and State regulations have been highlighted in yellow. Once my clients presented these to the Marina Community Association, the Association decided that it would not oppose this approval.³

2. The Site Has Been Carefully Chosen

The location is within a "Green Zone" - a geographic area already designated by the City as eligible for an MCD location due to distance from certain sensitive uses, such as schools and

² The only food sold will be that which is prepared off-site and prepackaged in accordance with DPH's Regulations.

³ My clients tried several times to present these to the Cow Hollow Association, but the Board did not allow that, and the Board as a whole would not meet with them.

others described in Exhibit D. In addition to being in the Green Zone, The Apothecarium was drawn to this site for several reasons:

- 1) There are a sizeable number of existing member-patients of The Apothecarium in the area who would be better served by a location in the Marina. The Apothecarium's total number of existing member-patients in zip codes 94123, 94115, 94109, 94133 and 94129 exceeds 2,650. See attached map of where those zip codes lie (Exhibit E). The fact that thousands of existing patients live in these northern neighborhoods in the City makes this proposal neighborhood serving.
- 2) There are no MCDs in the Marina or anywhere in the City north of Post Street, a fact that is contrary to the City's policy of dispersion of this use. See Statement from Planning staff report named "Evaluating Code's Medical Cannabis Dispensaries Locational Requirements. Case No. 2013.1255u. at Exhibit F. The closest MCD (on Post Street near Polk) is a two-mile trip through streets from the proposed site. Yet there are 2,650 existing Apothecarium patients with medical issues within the nearby zip codes shown on Exhibit E.
- 3) There is a concentration of health / wellness services in this area with which The Apothecarium hopes to establish some association, as they have done with a number of such businesses in the Castro. From yoga studios to massage and chiropractic clinics, the neighborhood provides opportunities for The Apothecarium to partner with these businesses to "leverage" their services to the advantages of their shared clients. A map of those health and wellness stores and services nearby is attached as Exhibit G, pg 2.
- 4) The Apothecarium's Executive Director and co-founder, Ryan Hudson, has lived in District 2 for 12 years -- residing minutes away from the proposed site and making this an easy site for him to monitor -- and one he has a vested interest in maintaining to a high standard. Michael Thomsen was also a resident of Pacific Heights and The Marina District for over a decade, having lived on Lyon, Broderick, and Chestnut Streets.
- 5) Marina and Pacific Heights voters approved Proposition 215 (legalizing medical marijuana) with 76.9 percent support (per the City's Department of Elections) -- suggesting widespread support for medical marijuana in the immediate community.
- 6) The site is located at the nexus of significant public transit routes, including MUNI bus lines that run on Lombard Street (28, 28R, 76X, 43) and on those that run on nearby Chestnut Street (30, 30X) and Union Street (41, 45).⁴

3. The Edward II Residential Facility Across the Street.

One source of concern to some members of the community is the presence of the Edward II which is a housing and supportive services program for 18-24 year olds who have experienced

⁴ Driving to the site and double parking will be discouraged in the Member Code of Conduct that all new members will be required to sign.

or are at risk of homelessness managed by Larkin Street Youth Services. We strongly believe that the presence of The Apothecarium is not a risk to the residents of Edward II:

- 1) Residents of the Edward II facility are adults with the legal right under California law to obtain recommendations for the use of medical cannabis to alleviate medical conditions and should not be discriminated against for formerly being homeless or being at risk for homelessness.
- 2) Those residents of the facility age 21 and over have the right to purchase alcohol at any one of the 128 purveyors of alcohol that presently exist in the Marina/Cow Hollow neighborhood. If the Edward II can co-exist with all these sources of alcohol nearby, a single MCD will not have a negative impact on the operations of the Edward II facility. The success or failure of residents in leading healthy lives will not be determined by a well run MCD across the street.
- 3) Some letters of opposition have alleged the MCD will be a "place of temptation" for the young adults residing across the street. But residents of Edward II seeking recreational marijuana already have access to illegal street marijuana -- which is cheaper, quicker to purchase (because it does not require a doctor's recommendation), and is available 24 hours a day.
- 4) In several meetings, the operators of the Edward II and the Project Sponsors have discussed cooperation to make sure that residents of the facility do not, in conjunction with the MCD use, cause any problems to the immediate community. This cooperation discussion has included several ideas:
 - a) Voluntary exclusion – residents of Edward II who are seeking to avoid cannabis use would have the option to put themselves on a list of people who are not allowed entry to the MCD.
 - b) Harm reduction – if Edward II operators become aware that any resident is using medical cannabis in a problematic manner – whether obtained from the street or from The Apothecarium – the MCD could sponsor a "Responsible Use" program at the Edward II facility whereby a licensed physician would speak to all residents who have a medical cannabis prescription on how best to responsibly manage the medication.

Some letters state that the absence of an MCD in the Marina / Cow Hollow will cause no inconvenience to patients in those areas because:

- a) There are delivery services to all such areas and the "only" people (their phrase) who would be patronizing the new MCD location would be those who engage in "impulsive, convenience" buys -- such as youths from nearby Edward II.

- b) However, only 17% of customers at the current Castro location are between the age of 18 – 25 and no difference is expected at the new facility -- suggesting that few customers of this new location will be young impulse buyers.
- c) As stated in (5) above, there are three other reasons why this site's customers will not include the young impulsive buyer.

4. Delivery of Medical Cannabis is Not A Good Option for Neighborhood Residents.

Many opposing letters have suggested that delivery by MCDs meets the needs of neighborhood residents with medical needs. We believe delivery alone is insufficient for many reasons:

- 1) First-time clients of the Apothecarium often come in during a very difficult and traumatic period in their life. Many have just received a diagnosis, begun chemotherapy, or are dealing with the effects of other serious maladies. Personal attention at these times is of the utmost importance - especially to those with limited English.
- 2) The breadth of medicine that this MCD offers is extremely wide as evidenced by a patient menu with hundreds of items for sale; without professional help, patients will likely choose ineffective options and potentially engage in unpleasant overdosing.
- 3) Patients need ongoing help in selecting medication and determining dosage. This MCD's professional patient consultants help people through the maze of options to find the right medicine for that particular person.
- 4) Cannabis is not a single drug, but rather a class of drugs. There are tens of active compounds that all interact with humans differently. Patients need assistance determining what they need and what dosage is appropriate. Even after getting comfortable and experienced with their medication, people's conditions and blood chemistry change and need the counsel that cannot be given to them by using delivery services.
- 5) Finally, people living in certain communal housing situations may not be able to utilize a delivery service without compromising their privacy.

The city does not require residents to rely on delivery for other medications, given the complex interaction of drugs and people's bodies, and it should be no different with MCD's.

5. The Project Will Benefit The Community

The Board of Supervisors has issued a Proclamation honoring the current store for many things (see below), including for helping to clean up the corner where they operate. The operators of The Apothecarium intend to replicate the program of community engagement and philanthropy that they have employed successfully in the Castro since 2011. These efforts will include:

- 1) A Philanthropic Advisory Board led by neighborhood leaders who will direct donations from The Apothecarium to community-minded groups. Special consideration will be given to nonprofit organizations in the Marina and Cow Hollow whose mission directly benefit these neighborhoods. The Apothecarium's same program in the Castro has donated more than \$300,000 to over 40 beneficiaries including Maitri Residential Care, Breast Cancer Emergency Fund, Rocket Dog Rescue, Rooms that Rock 4 Chemo, Castro/Upper Market Community Benefit District, Shanti Project, Pets are Wonderful Support, AIDS Foundation, LYRIC, SF Pink Triangle, Harvey Milk Civil Rights Academy and many others.
- 2) The Apothecarium will offer free access to programs that promote the overall health and wellness of the community, similar to programs they offer in the Castro but tailored to the needs of those who live near the new location. These programs are oriented to reinforce healthy lifestyles and encourage positive behaviors to mitigate stress and create connection. Current programs offered in the Castro include:
 - a) U.S. Veterans' support groups;
 - b) Yoga and meditation sessions;
 - c) Workshops on anxiety and depression.
- 3) The Apothecarium will provide high-risk patients with a certified Harm Reduction Counselor to help eliminate the existing disparities in the provision of health care and services for drug users. The Harm Reduction Counselor will work with the patient to navigate safe use of medical cannabis in tandem with addressing their substance abuse needs and high-risk behaviors.

6. The Sponsors Have a Track Record of Successful MCD Operations

While in operation for over four years, The Apothecarium has received acclaim from neighbors, community leaders and elected officials:

- 1) The Northern Station Police Captain, Greg McEachern, advised the Marina Community Association at its general meeting that there has never been a police incident at their Castro dispensary.
- 2) The SF Planning Department, in its Planning Commission Report dated March 20, 2014 praised The Apothecarium for its "community centered approach" and for showing how a dispensary "can successfully blend into the community."
- 3) We understand that Planning Staff is providing you separately letters of support from several community leaders who have come to know the Apothecarium well over the past four years, such as:
 - a) Daniel Bergerac, President, Castro Merchants Association.
 - b) David Troup, President, Duboce Triangle Neighborhood Association whose letter of support to your Commission states (in part):

"...in the case of The Apothecarium, everything they promised to do for the neighborhood actually came to pass. Ryan Hudson, Michael Thomsen and their management team are very ethical people, and they live up to the commitments they make. They told us how their business would operate; how they would benefit our neighborhood and then they made it all happen. They operate a clean, quiet, honest business that has improved the neighborhood significantly. If that weren't enough, they have also donated \$300,000 -- and counting -- to community nonprofit groups."

- c) Andrea Aiello, Executive Director, The Castro/Upper Market Community Benefit District.
- 4) On October 1, 2015, San Francisco Board of Supervisors Member Scott Wiener issued a proclamation declaring the day "Apothecarium Day" and congratulating the dispensary for their fine service to patients, their \$300,000 in donations to community-minded groups *and for helping to clean up the corner where they operate.* (Exhibit I).
- 5) United States Congresswoman Dina Titus visited the Apothecarium's Castro store to learn from their example as her home state of Nevada was setting up their medical marijuana program. (Exhibit J)

7. The Project has Substantial Community Support

The Apothecarium has submitted at least 600 letters of support including more than 100 from the immediate area (viewable at the Planning Department). Writers identified their geographic location as follows:

- a) 100+ persons describing their locations as the North Side of San Francisco, such as the Marina and Cow Hollow (including a 3-block radius of the site)
- b) 500 from San Francisco generally

We are pleased to tell you that we have received strong letters of support from important members of local community groups (see below).

Exhibit H has 15 letters of support from other Marina residents including Kip Clifton who lives facing across the street.

- a) Brian Davis, **President of the Board, Marina Community Association**
- b) John Farrell, **Board member, Marina Community Association**
- c) Peter Fortune **Board member, Marina Community Association**
- d) Malcolm Kaufman, **Board member, Cow Hollow Association**

8. Outreach to the Community Has Been Quite Extensive.

Outreach started in February of 2015 has included the efforts listed in Exhibit K attached. This includes:

- Hosting two "open-houses" at the project site that members of the community and neighborhood groups were invited to attend.
- Creating a website to inform any interested parties about their project at www.2414Lombard.com. We also attach positive comments and our response to concerns of community members posting (Exhibit L) on nextdoor.com (an online community bulletin board).

9. The City's Current Policy is to Encourage Geographical Dispersion of MCD's.

Starting at the end of 2013, the Board of Supervisors responded to citizens' complaints that new MCD's were beginning to cluster together in certain neighborhoods such as the Mission and in SOMA. The Board considered legislation to change that, but instead decided to ask the Planning Department to report back to it on whether this was the case and if so, why that was occurring. At a Commission Hearing on March 20, 2014, Staff delivered a Report named "Evaluating the Planning Code's Medical Cannabis Dispensaries Locational Requirements. Case No. 2013.1255U."

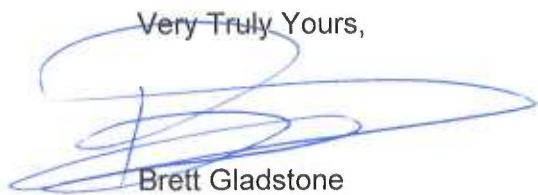
That Report concluded that the City's Medical Cannabis Act would need amendment if the City is to address MCD concentration. Because the northern part of the City has very few such establishments (the closest to 2414 Lombard Street is at Post on Polk Streets), the neighborhood has a deficit of this use and approval of an MCD for this site would contribute to a dispersion of MCD uses throughout the City.

10. Conclusion

Ultimately, the best way to judge a person or business is their track record. Unlike many MCD's that come to you, this one has a long track record of successful operations in San Francisco, one that prominent members of the community and neighborhood associations have attested to. There have been no police complaints in four plus years.

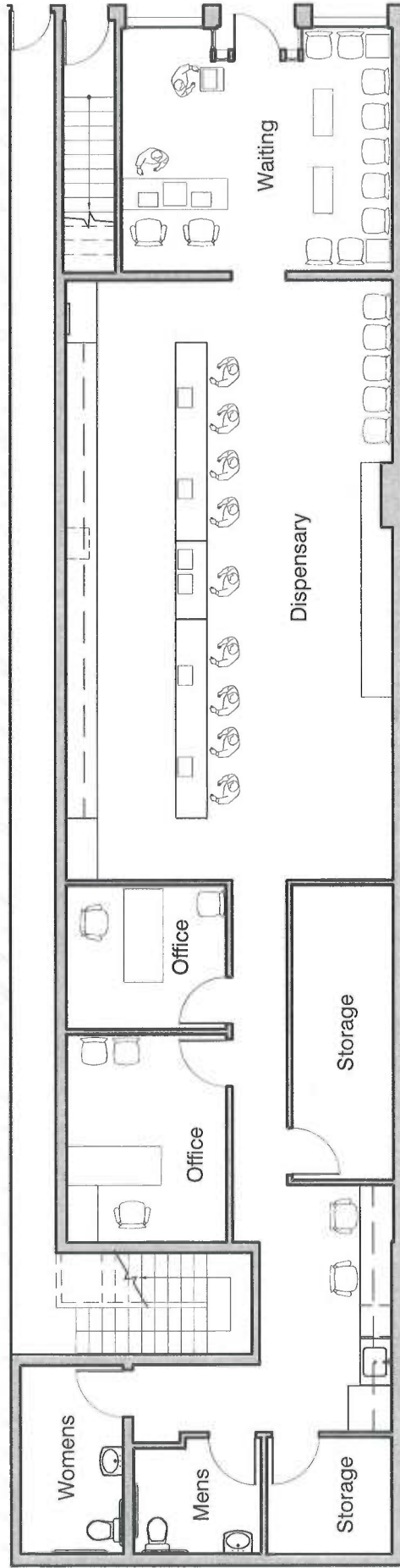
According to patient records, The Apothecarium's total number of existing member-patients in and around the Marina and Pacific Heights (zip codes 94123, 94115, 94109, 94133 and 94129 as shown on Exhibit E) exceeds 2,650. From this, it's clear this is a neighborhood serving use and it's clear that your decision to allow this new use will alleviate these patients from traveling several miles to the Castro, burdening City streets and public transit. As mentioned above, dispersion of these MCD's around the City is a policy backed by the Board of Supervisors. We respectfully request your approval.

Very Truly Yours,

A handwritten signature in blue ink, appearing to be 'Brett Gladstone', written over the printed name.

Brett Gladstone

EXHIBIT A



FLOOR PLAN
 January 27, 2015
 (not to scale)

The Apothecarium
 2414 Lombard Street
 San Francisco, CA



The Apothecarium
2414 Lombard Street
San Francisco, CA

EXTERIOR VIEW
January 27, 2015



The Apothecarium
 2414 Lombard Street
 San Francisco, CA

WAITING ROOM
 January 27, 2015



The Apothecarium
 2414 Lombard Street
 San Francisco, CA

WAITING ROOM
 January 27, 2015

EXHIBIT B

SEC. 3308. OPERATING REQUIREMENTS FOR MEDICAL CANNABIS DISPENSARY.

(a) Medical cannabis dispensaries shall meet all the operating criteria for the dispensing of medical cannabis as is required pursuant to California Health and Safety Code Section 11362.7 et seq., by this Article, by the Director's administrative regulations for the permitting and operation of medical cannabis dispensaries and by the AG's Guidelines.

(b) Medical cannabis dispensaries shall be operated only as collectives or cooperatives in accordance this ordinance. All patients or caregivers served by a medical cannabis dispensary shall be members of that medical cannabis dispensary's collective or cooperative. Medical cannabis dispensaries shall maintain membership records on-site or have them reasonably available.

(c) The medical cannabis dispensary shall operate on a not for profit basis. It shall receive only compensation for the reasonable costs of operating the dispensary, including reasonable compensation incurred for services provided to qualified patients or primary caregivers to enable that person to use or transport cannabis pursuant to California Health and Safety Code Section 11362.7 et seq., or for payment for reasonable out-of-pocket expenses incurred in providing those services, or both. Reasonable out-of-pocket expenses may include reasonable expenses for patient services, rent or mortgage, utilities, employee costs, furniture, maintenance and reserves. Sale of medical cannabis to cover anything other than reasonable compensation and reasonable out-of-pocket expenses is explicitly prohibited. Once a year, commencing in March 2008, each medical cannabis dispensary shall provide to the Department a written statement by the dispensary's permittee made under penalty of perjury attesting to the dispensary's compliance with this paragraph. Upon request by the Department, based on reasonable suspicion of noncompliance, the medical cannabis dispensary shall provide the Department copies of, or access to, such financial records as the Department determines are necessary to show compliance with this paragraph. Reasonable suspicion is defined as possession of specific and articulate facts warranting a reasonable belief that the dispensary is not complying with the requirement that it be not for profit. Financial records are records of revenues and expenses for the organization, including but not limited to Board of Equalization returns, payroll records, business expense records and income tax returns. The Director only shall disclose these financial records to those City and County departments necessary to support the Director's review of the records. Upon completion of the Director's review, and provided that the Director no longer has any need for the records, the Director shall return any financial records, and copies thereof, to the medical cannabis dispensary.

(d) Medical cannabis dispensaries shall sell or distribute only cannabis manufactured and processed in the State of California that has not left the State before arriving at the medical cannabis dispensary.

(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.

(f) Medical cannabis dispensaries may not dispense more than one ounce of dried cannabis per qualified patient to a qualified patient or primary caregiver per visit to the medical cannabis dispensary. Medical cannabis dispensaries may not maintain more than ninety-nine (99) cannabis plants in up to 100 square feet of total garden canopy measured by the combined vegetative growth area. Medical cannabis dispensaries shall use medical cannabis identification card numbers to ensure compliance with this provision. If a qualified patient or a primary caregiver has a doctor's recommendation that this quantity does not meet the qualified patient's medical needs, the qualified patient or the primary caregiver may possess and the medical cannabis dispensary may dispense an amount of dried cannabis and maintain a number cannabis plants consistent with those needs. Only the dried mature processed flowers of female cannabis plant or the plant conversion shall be considered when determining allowable quantities of cannabis under this Section.

(g) No medical cannabis shall be smoked, ingested or otherwise consumed in the public right-of-way within fifty (50) feet of a medical cannabis dispensary. Any person violating this provision shall be deemed guilty of an infraction and upon the conviction thereof shall be punished by a fine of \$100. Medical cannabis dispensaries shall post a sign near their entrances and exits providing notice of this policy.

(h) Any cultivation of medical cannabis on the premises of a medical cannabis dispensary must be conducted indoors.

(i) All sales and dispensing of medical cannabis shall be conducted on the premises of the medical cannabis dispensary. However, delivery of cannabis to qualified patients with valid identification cards or a verifiable, written recommendation from a physician for medical cannabis and primary caregivers with a valid identification card outside the premises of the medical cannabis dispensary is permitted if the person delivering the cannabis is a qualified patient with a valid identification card or a verifiable, written recommendation from a physician for medical cannabis or a primary caregiver with a valid identification card who is a member of the medical cannabis dispensary.

(j) The medical cannabis dispensary shall not hold or maintain a license from the State Department of Alcohol Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. Nor shall alcoholic beverages be consumed on the premises or on in the public right-of-way within fifty feet of a medical cannabis dispensary.

(k) In order to protect confidentiality, the medical cannabis dispensary shall maintain records of all qualified patients with a valid identification card and primary caregivers with a valid identification card using only the identification card number issued by the State or City pursuant to California Health and Safety Code Section 11362.7 et seq. and City Health Code Article 28.

(l) The medical cannabis dispensary shall provide litter removal services twice each day of operation on and in front of the premises and, if necessary, on public sidewalks within hundred (100) feet of the premises.

(m) The medical cannabis dispensary shall provide and maintain adequate security on the premises, including lighting and alarms reasonably designed to ensure the safety of persons and to protect the premises from theft.

(n) Signage for the medical cannabis dispensary shall be limited to one wall sign not to exceed ten square feet in area, and one identifying sign not to exceed two square feet in area; such signs shall not be directly illuminated. Any wall sign, or the identifying sign if the medical cannabis dispensary has no exterior wall sign, shall include the following language: "Only individuals with legally recognized Medical Cannabis Identification Cards or a verifiable, written recommendation from a physician for medical cannabis may obtain cannabis from medical cannabis dispensaries." The required text shall be a minimum of two inches in height. This requirement shall remain in effect so long as the system for distributing or assigning medical cannabis identification cards preserves the anonymity of the qualified patient or primary caregiver.

(o) All print and electronic advertisements for medical cannabis dispensaries, including but not limited to flyers, general advertising signs, and newspaper and magazine advertisements, shall include the following language: "Only individuals with legally recognized Medical Cannabis Identification Cards or a verifiable, written recommendation from a physician for medical cannabis may obtain cannabis from medical cannabis dispensaries." The required text shall be a minimum of two inches in height except in the case of general advertising signs where it shall be a minimum of six inches in height. Oral advertisements for medical cannabis dispensaries, including but not limited to radio and television advertisements shall include the same language. This requirement shall remain in effect so long as the system for distributing or assigning medical cannabis identification cards preserves the anonymity of the qualified patient or primary carver.

(p) The medical cannabis dispensary shall provide the Director and all neighbors located within 50 feet of the establishment with the name phone number and facsimile number of an on-site community relations staff person to whom one can provide notice if there are operating problems associated with the establishment. The medical cannabis dispensary shall make every good faith effort to encourage neighbors to call this person to try to solve operating problems, if any, before any calls or complaints are made to the Police Department or other City officials.

(q) Medical cannabis dispensaries may purchase or obtain cannabis only from members of the medical cannabis dispensary's cooperative or collective and may sell or distribute cannabis only to members of the medical cannabis dispensary's cooperative or collective.

(r) Medical cannabis dispensaries may sell or distribute cannabis only to those members with a medical cannabis identification card or a verifiable, written recommendation from a physician for medical cannabis. This requirement shall remain in effect so long as the system for distributing or assigning medical cannabis identification cards preserves the anonymity of the qualified patient or primary caregiver.

(s) It shall be unlawful for any medical cannabis dispensary to employ any person who is not at least 18 years of age.

(t) It shall be unlawful for any medical cannabis dispensary to allow any person who is not at least 18 years of age on the premises during hours of operation unless that person is a qualified patient with a valid identification card or primary caregiver with a valid identification card or a verifiable, written recommendation from a physician for medical cannabis.

(u) Medical cannabis dispensaries that display or sell drug paraphernalia must do so in compliance with California Health and Safety Code §§ 11364.5 and 11364.7.

(v) Medical cannabis dispensaries shall maintain all scales and weighing mechanisms on the premises in good working order. Scales and weighing mechanisms used by medical cannabis dispensaries are subject to inspection and certification by the Director.

(w) Medical cannabis dispensaries that prepare, dispense or sell food must comply with and are subject to the provisions of all relevant State and local laws regarding the preparation, distribution and sale of food.

(x) The medical cannabis dispensary shall meet any specific, additional operating procedures and measures as may be imposed as conditions of approval by the Director in order to insure that the operation of the medical cannabis dispensary is consistent with the protection of the health, safety and welfare of the community, qualified patients and primary caregivers, and will not adversely affect surrounding uses.

(y) Medical cannabis dispensaries shall be accessible as required under the California Building Code. Notwithstanding the foregoing, if a medical cannabis dispensary cannot show that it will be able to meet the disabled access standard for new construction, it shall meet the following minimum standards:

(1) An accessible entrance;

(2) Any ground floor service area must be accessible, including an accessible reception counter and access aisle to the employee workspace behind; and,

(3) An accessible bathroom, with a toilet and sink, if a bathroom is provided, except where an unreasonable hardship exemption is granted.

(4) A "limited use/limited access" (LULA) elevator that complies with ASME A17.1 Part XXV, an Article 15 elevator may be used on any accessible path of travel. A vertical or inclined platform lift may be used if an elevator is not feasible and the ramp would require more than thirty percent (30%) of the available floor space.

(5) 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).

EXHIBIT C

Appendix A

1. Community Liaison Officer to address the issues of concern to neighbors
2. Litter removal services twice each day of operation in front of the premises and within one hundred feet of the premises.
3. Steam/pressure cleaning of the main entrance and abutting sidewalks as needed
4. All garbage containers shall be kept within the building until pick-up by the disposal company.
5. Graffiti shall be abated as soon as practicable
6. Notices urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to please not litter or block driveways in the neighborhood.
7. Zero tolerance for double parking and will refuse entrance to any member who does.
8. Small, subtle, surveillance cameras on the exterior of the premises.
9. A 24/7 alarm system will be installed for after-hours monitoring
10. Silent alarm buttons will be mounted under the sales counter
11. Safe cash handling practices, such as cash drops, will limit the amount of cash on site
12. Health and Safety manager and staff will provide on site monitoring of the storefront to discourage loitering and noise.
13. They also will visit the closest MUNI stop to verify that transactions are not taking place at such location.
14. Encourage members to get to the establishment by public transportation
15. Employees of the establishment will be provided with monthly MUNI passes and encouraged to take public transportation to work.
16. No medical cannabis shall be smoked, ingested or otherwise consumed at the establishment.
17. We will enforce the City's ordinance that no medical cannabis shall be smoked, ingested or otherwise consumed in the public right-of-way within fifty (50) feet of the establishment
18. No medical cannabis shall be cultivated at the establishment.
19. The exterior will resemble that of a high-end retail boutique that will complement other local businesses. Discrete signage will not advertise medical cannabis services.
20. There will be some transparency of window treatment so that passersby will see activity within and not have to look at blacked out windows.
21. The Apothecarium will offer free access to programs that promote the overall health and wellness of the community. Currently, the Apothecarium hosts weekly yoga, meditation,

anxiety and depression, and veteran support groups. We intend to have a similar program in the Marina.

22. The Apothecarium will provide high-risk patients with a certified Harm Reduction Counselor to work with the patient to navigate safe use of medical cannabis
23. A Philanthropic Advisory Board will be established to make donations to local nonprofits and social services.

EXHIBIT D

SEC. 790.141. MEDICAL CANNABIS DISPENSARY.

Medical cannabis dispensary ("MCD") as defined by Section 3301(f) of the San Francisco Health Code.

(a) **Requirements.** MCDs must meet all of the following requirements:

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

(A) a public or private elementary or secondary school; or

(B) a community facility and/or a recreation center that primarily serves persons under 18 years of age;

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

(3) 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 the doors and windows are not left open for such purposes, resulting in odor emission from the premises;

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

EXHIBIT E

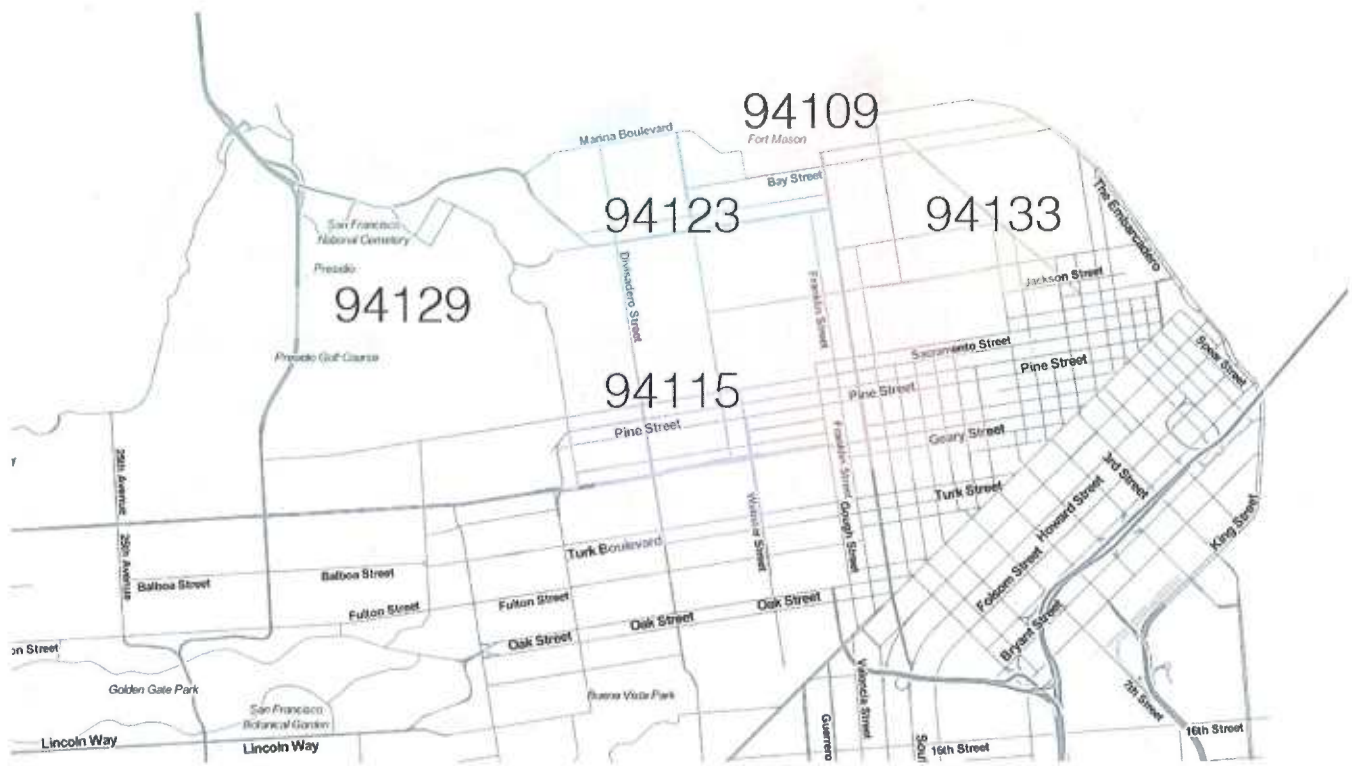


EXHIBIT F

CASE NO. 2013.1255U

Report on Medical Cannabis Dispensaries

The largest area of the Green Zone is located in the downtown core, but there are parts of Green Zone in most areas of the City. As shown in Exhibit F, of the 29 permitted and operational MCDs in San Francisco, 21 or 72% are located in the north eastern part of the City (Divisadero to the west and Caesar Chávez to the south), and the majority of those, 17 of the 21 or 81%, are located South of Market Street. The north eastern part of the City has the greatest population density and contains the largest area of the green zone, so it isn't surprising that most of the MCDs would be located in these areas. However, that doesn't explain the complete lack of MCDs in other areas, which presumably have medical cannabis patients and contain portions of the Green Zone. Notably, there are no MCDs located in the Inner or Outer Sunset Districts, Outer Richmond, Park Side, West Portal, Haight Ashbury, Laurel Heights, the Marina, or North Beach; and there is only 1 MCD in the Outer Richmond.

Some of this could be inertia; MCDs, like other businesses, may gravitate towards one another to attract customers and provide choice. Some of it might be because MCDs want to open in areas with the least amount of neighborhood opposition; MCDs that are located downtown or in SOMA probably don't face as much neighborhood opposition as MCDs that try to locate within neighborhood commercial districts. Whatever the specific reason, it is hard to deny that MCDs are clustering in certain neighborhoods. This is at least partly because of the land use restrictions enacted in the 2005 MCA that limits the areas where they can locate, but because the Green Zone is dispersed throughout the City it can also be attributed to outside forces that discourage MCD in certain neighborhoods.

The nature and extent of effects of the location requirements for MCDs on medical cannabis patients' access to medical cannabis.

Patients and patient advocates assert that the City's location requirements are having a significantly negative effect to their access. As mentioned above, there are numerous neighborhoods in the City that do not have any MCDs. This unequal distribution requires some patients to travel long distances to obtain their medicine and for patients who require a large amount of medicine and have to visit MCDs several times a week, this can be quite a burden. Based on a survey conducted by American's For Safe Access (See Exhibit E) 48.49% of SF Residents travel an average distance of three or more miles to their MCD of choice. Further, at least 56.8% of San Francisco respondents do not live within walking distance of an MCD and 61.74% of made a trip to an MCD every other day. Journeys to MCDs by public transit from underserved neighborhoods can take up to an hour each way, which is a long time for anyone but especially for patients that have illnesses or disabilities that impair their mobility.

Several MCDs offer deliver service, and three locations in the City only operate as delivery service. This is a great solution for some patients who don't live near an MCD or who can't leave home because of their illness. However, according to advocates, there are patients that cannot use delivery services or prefer to go to the MCD for a variety of reasons. Patients may not feel comfortable having medical cannabis delivered to their home; some MCD patients live in government assisted housing or SROs where anti-drug policies are strictly enforced. Some patients prefer to discuss their medication options with the person behind the counter; different strains of cannabis have different affects, and the person behind the counter has the expertise to help patients find the right strain of cannabis to address their particular needs. And finally, MCDs provide patients a way to socially interact with other patients helping to foster community, which also aids in improving health and wellness.

EXHIBIT G

NEIGHBORHOOD COMPATIBILITY, BENEFITS, AND SUPPORT

NEIGHBORHOOD COMPATIBILITY

The Apothecarium's mission is to provide a professional environment where patients in the Marina can safely access medical cannabis therapeutics, obtain product knowledge, and participate in integrated health programs to promote wellness within the patient collective.

The objective of the organization is to adapt and continue its current models of medical cannabis business operations (operating for several years in the Castro neighborhood) to meet the goals and needs of the Marina, Cow Hollow and Pacific Heights.

Similar to its location in the Castro, The Apothecarium Marina will operate under a good-neighbor policy and serve as an active member of the community. The Apothecarium and its founders commit to establishing philanthropic focused health and wellness services which will further contribute to a successful Medical Cannabis Dispensary (MCD), establish The Apothecarium as a respected brand, and cultivate a loyal patient collective.

Proposed Location of Dispensary

2414 Lombard Street, between Scott and Divisadero Streets in San Francisco, California. The Apothecarium has proposed this location because it lies on a busy commercial street (not on a

residential street) near the center of the northern neighborhoods in San Francisco, including the Marina, Cow Hollow and Pacific Heights. This location will provide thousands of patients from this area with a local facility and alleviate the need to travel to The Apothecarium's location near Market Street and Church Street. Hundreds of The Apothecarium's current patients who reside in the Marina, Cow Hollow and Pacific Heights have communicated in writing their support of opening a location on Lombard Street because of how the area is under-served by medical cannabis dispensaries, as none currently exist. Opening a store on Lombard Street will help us to better serve those patients, but also serve our patients who do not have a location nearby to obtain high-quality, laboratory-tested medicine in a safe and compassionate atmosphere.

The proposed location includes a variety of businesses that can provide significant benefits to the patient collective because of shared health and wellness missions. The neighboring businesses with shared health and wellness missions are shown in the map on the following page.

Compliance

The 2414 Lombard site is in compliance with the Planning Code's limitations on where an MCD can be located (See Code Section 790.141):

NEIGHBORHOOD COMPATIBILITY, BENEFITS, AND SUPPORT

1. It 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.
2. It is not located on the same parcel as a facility providing substance abuse services that is licensed or certified by the State of California or funded by the Department of Public Health;
3. No alcohol is sold or distributed on the premises for on or off-site consumption;
4. It meets the requirements in Article 33 of the San Francisco Health Code.

Partnership Compatibility

The Apothecarium was drawn to the nearby businesses that also deliver health and wellness services. From yoga studios to massage and chiropractic clinics, the neighborhood provides opportunities for business partnerships related to

health and wellness. We anticipate relationships with these types of business including:

- + Lamai Thai Massage
- + Greens and Company – Organic Juicery
- + Embrace Health – Integrative Wellness Medicine, Chiropractic Care, Massage
- + Body Temp Yoga
- + Golden Gate Urgent Care
- + Perfect Massage Studio

"I am confident that establishing this facility on Lombard Street will add value to our community, benefit thousands of residents in District 2 and neighboring areas, and help upgrade the commercial aspects of Lombard Street."

Peter Fortune
Community Member

Health and Wellness Neighbors

1. Body Temp Yoga
2. Greens and Company - Organic Juicery
3. Lamai Thai Massage
4. Embrace Health - Integrative Wellness Medicine, Chiropractic Care, Massage, Pilates
5. Golden Gate Urgent Care
6. Perfect Massage Studio

Additional Neighbors

7. 76 Gas Station
8. Wolf and Lion Pet Supplies
9. Super 8 Motel
10. Viva Goa Indian Cuisine
11. Shoes and Feet
12. Sign and Design Shop
13. Days Inn
14. Priority Express Cleaners
15. Bus Stop
16. Yukol Place Thai Cuisine
17. Presidio Inn and Suites
18. Point 16
19. Lombard Beauty Salon
20. Real Estate Company
21. Neva's Beauty
22. Original Buffalo Wings
23. Walgreens



Partnerships with these businesses will result in a concentration of available wellness services within a three block radius. The Apothecarium will integrate these partnerships with its current in-house wellness programs.

Aesthetic Compatibility

Just as we have done in the Castro/Upper Market neighborhood, we will integrate the Marina neighborhood at the core of our business model to ensure compatible aesthetics, operations, and partnerships. The Apothecarium Marina's design will provide a visually appealing storefront with a high-end aesthetic for patients, neighbors, and passersby. The exterior will resemble that of a high-end retail boutique that will complement other local businesses. The design will speak to patients looking for professionalism and safety from their collective. The interior will include patient waiting areas and an elegantly designed pharmacy counter where medication will be dispensed. The exterior of the building will resemble a retail boutique with discrete signage that will not advertise medical cannabis services.



Operational Compatibility

Through diligent management of daily operations, The Apothecarium will ensure the MCD will not be a nuisance to our neighbors or negatively impact the neighborhood.

Traffic and Public Transportation

Commuter traffic and need for parking is not expected to exceed that which was required by the building's previous use as a restaurant. The location is also served by three MUNI lines and a bus stop for SFMTA bus lines 28, 43, and 91 a.

Security

The Apothecarium will manage the sidewalk with a security team to monitor cleanliness and loitering, as well as greet patients entering the MCD. The security team will provide a highly visible presence and deterrent to potential criminal activity by ensuring only those visiting the facility are allowed entry for legitimate business. This team will be vigilant to suspicious activity on the exterior of the premises. Cleanliness is also managed constantly with checks throughout the business day. This team will also periodically visit the nearby bus stops to ensure transactions are not taking place.

During all aspects of our operations, The Apothecarium is committed to providing a safe and secure service facility to reduce any negative impact on the community. Our facility will include a state-of-the-art video surveillance system, alarm system, and key card key system.

Vendor Deliveries

The Apothecarium will operate with a detailed receiving procedure to ensure the safety of our vendors and employees and avoid any disturbance to the neighborhood. Elements of the security plan for vendor deliveries include:

- + The Security staff member will screen all delivery personnel and non-product vendors
- + When ready, one of two Security Specialists will escort the vendor to a secure entrance
- + Once the transaction is complete, the vendor is escorted back to the vendor's vehicle and monitored during departure

Waste

Trash, recycling and compost will be stored in a secured area and removed by the waste management company. MCD waste will never contain products or medication. Daily security checks will ensure the waste area remains clean with trash secured in the garbage bins.

COMMUNITY BENEFITS

The Apothecarium will operate under a good-neighbor policy and serve as an active member of the local community to ensure the continued success of medical cannabis establishments in San Francisco. The Apothecarium and its founders commit to establishing philanthropic focused health and wellness services which will further contribute to a successful and cultivate a loyal patient collective. The Apothecarium's success and status as a pillar of the community in the Castro will directly translate to our operations in the Marina neighborhood.

Wellness Programs

In addition to high-quality medication, the Apothecarium offers free access to programs that promote the overall health and wellness of the community. Currently, the Apothecarium hosts weekly yoga, meditation, anxiety and depression, and veteran support groups. These groups reinforce healthy lifestyles and encourage positive behaviors to mitigate stress and create connection.

CONNECT!

PATIENT WELLNESS PROGRAM

Our CONNECT! Patient Wellness Program is a direct outreach program that offers support groups one day a week, free of charge to members. For participation, we also provide members with a 20% off compassion card to use for discounted medicine. CONNECT! Patient Wellness Program offerings will include:

- + **Simple Yoga for Busy Times:** Come join us for a great way to start your week! We will stretch and open our bodies, relax our minds, and bring balance and peace to our whole being. Life is busy enough, but we have a great opportunity to come and deepen our concentration and create the way for a peaceful day.
- + **Women's Support Group:** The bonds of emotional connection between women offer a powerful spark of opportunity to grow, deepen, and receive support. In this circle, women come together, share in one another's journeys, and open to powerful and transformative practices and experiences that will help them grow and move forward in their lives.
- + **Meditation Group:** Every day is a busy day when it comes to dealing with our minds, especially if we are dealing with hardships such as illness, physical or emotional pain, loss, grief or other major life changes. Meditation is helpful for reducing stress, gaining emotional balance, increasing mind-body connection, and deepening awareness, presence, and compassion in community. Class structure will include a short check in, instructions, meditation, Dharma talk and closure.
- + **Anxiety and Depression Support Group:** Anxiety and depression need not be faced alone; but sadly, many do - and feel overwhelmed. Help is here. Using mindfulness skills, awareness, presence and interpersonal support, group participants come together, share their experiences and receive care, guidance, and practices to help navigate through the states of anxiety and depression.

The CONNECT! Program is accessible online through our website where patients are informed on offering dates and times. Our CONNECT! Patient Needs Survey is also available in order for patients to let us know what types of additional services they are looking for.

Harm Reduction Therapy

The Apothecarium will provide high-risk patients with a certified Harm Reduction Counselor to help eliminate the existing disparities in the provision of health care and services for drug users. Our Harm Reduction Counselor will work with the patient to navigate safe use of medical cannabis in tandem with addressing their substance abuse needs and high-risk behaviors.

"I commend your dedication to the promotion of the Upper Market/Castro neighborhood. It is through the efforts of individuals such as you that ensure a brighter future for our community."

Mark Leno
California State Senator

Harm reduction is an approach to working with drug-users that aims to reduce drug related harm to individuals, their families, and communities while decreasing the negative consequences of drug use.

Philanthropy

The Apothecarium will serve as a steward of service for the community through the establishment of a Philanthropic Advisory Board led by local community leaders. Appointed board members will be required to actively participate in determining the best use of financial donations on behalf of the non-profit. Special consideration will be given to organizations in the Marina and charities that directly benefit the neighborhood. Past recipients of donations include:

- + Castro/Eureka Valley Foundation
- + Dolores Street Community Services
- + Brighter Beginnings
- + Equality California
- + LYRIC
- + Rocket Dog Rescue
- + Lyon-Martin Health services
- + Larkin St. Youth Center
- + PAWS (Pets are Wonderful Support)
- + SF Pride
- + SF Aids Foundation - Stop AIDS Project
- + SF Aids Foundation - Stonewall Project
- + SF Aids Foundation - Magnet
- + Positive Resource Center
- + Canine Companions for Independence
- + 1st Saturdays San Francisco
- + AIDS Lifecycle
- + Muttville Senior Dog Rescue
- + The Sisters of Perpetual Indulgence
- + AIDS Emergency Fund
- + SF Aids Walk
- + St. Francis Lutheran Church
- + Harvey Milk Civil Rights Academy
- + GIFTOKNOWLEDGE.org
- + Americans for Safe Access
- + Castro Lions Club
- + PFLAG
- + Pink Triangle
- + Castro CBD

COMMUNITY OUTREACH

We have started communicating with residents and organizations in the Marina to help create open dialogue and mutually supportive relationships. To date, we have met with:

- + Captain Greg McEachern of the SFPD's Northern Station
- + Supervisor Mark Farrell and his legislative aide, Catherine Stephanie
- + President of the Cow Hollow Neighborhood Association, Lori Brooke and Board Member David Bancroft
- + President of the Marina Merchants Association and local businessman, Mr. Awadalla
- + Board of the Marina Merchants Association Board
- + 42-year resident of the Marina, Michelle Aldrich who accepted our invitation to be on our Philanthropic Advisory Board

We also created a website (2414Lombard.com) to inform any interested parties about the project.

Letters of support from local residents and organizations are included on the following pages.

"When we heard of Ryan and Michael's plans for The Apothecarium SF, the board of EVNA was thoroughly impressed. They had a clear and thoughtful approach to operating the business in a way that would add value to our community, and alleviate potential crime and other neighborhood nuisances that one imagines being associated with an MCD.

Crime and nuisance activities in the vicinity of The Apothecarium has actually decreased over the past 30 months since their opening.

Their commitment to community far outshines and even sets the standard for other businesses and community leaders to follow."

Alan Beach-Nelson, President
Castro/Eureka Valley Neighborhood Association

MITIGATIONS AND OTHER CONDITIONS OF APPROVAL

1. Security

- + A surveillance system will be installed by a qualified security company to cover each room, point of sale, entrances, exits and adjacent sidewalks
- + A 24/7 alarm system will be installed for after-hours monitoring
- + A silent alarm will be mounted under the sales counter
- + Safe cash handling practices, such as cash drops, will limit the amount of cash on site
- + Security guards will provide on site monitoring of the storefront to discourage loitering and noise. They also will visit the closest MUNI stop to verify that transactions are not taking place at such location

2. Existing Ventilation

Since smoking will not be allowed on site, a new ventilation system will not be required.

3. Accessibility

The location will comply with applicable local, state and federal laws.

4. No Smoking or Consumption On Site

Medical cannabis will not be smoked, ingested, or otherwise consumed at the establishment.

5. No Growing On Site

Medical cannabis will not be cultivated at the establishment.

6. No Food Preparation On Site

Edible cannabis products will be prepackaged elsewhere and will originate from vendors that have been certified and comply with the Department of Public Health's Medical Cannabis Dispensary regulations.

7. Traffic Minimization

- + The Apothecarium will have zero tolerance for double parking and will refuse entrance to any member who double-parks a vehicle.
- + Members will be provided periodic information with directions on how to access the facility by public transportation.

- + Employees will be provided with monthly MUNI passes and encouraged to take public transportation to work.

8. California Products

The Apothecarium will only sell or distribute cannabis manufactured and processed in the state of California that has not left the state before arriving at the medical cannabis dispensary.

9. Other Good Neighbor Policies

- + A Community Liaison will communicate with owners and occupants within 75 feet of our facility and communicate any issues and their resolution to the Zoning Administrator.
- + Notices will be prominently displayed and lit that urge patrons to leave the establishment and neighborhood in a quiet, peaceful and orderly fashion, not to litter nor block driveways.
- + The hours of operation will be limited to 8:00 a.m. to 8:30 p.m., seven days a week
- + The main entrance, façade, fences, and sidewalks abutting the property will be maintained in a clean and sanitary condition, free of graffiti, and graffiti shall be taken off regularly.
- + Garbage, composting and recycling will be stored in an enclosed storage area.
- + Outdoor lighting will be directed on to the property and immediately surrounding sidewalk area only and designed and managed so as not to be a nuisance to surrounding neighbors.
- + A member code of conduct will be created to prohibit loitering, smoking and consumption within 500 feet of the establishment
- + Landscaping improvements will be proposed to the Planning Department and DPW prior to approval of a building permit.

10. Compassion Program

Therapy partners such as chiropractors will periodically offer complementary therapy to members on site.

11. Philanthropic Advisory Board

A Philanthropic Advisory Board will assist in directing establishment resources to local non-profits and social services.

EXHIBIT H

15 Letters

1. Kip Clifton - Marina Resident (one block away)
2. Tracy Snyder Walder - Neighbor (one block away)
3. Dana Levitt - Marina Resident (one block away)
4. Mark Lewandowski - Marina Resident
5. Brian Davis - Marina Community Association, President
6. John Farrell - Marina Community Association, Board Member
7. Malcolm Kauffman, Cow Hollow Association, Board Member
8. Peter Fortune - Marina Community Association, Board Member
9. Paul Mauriello - Marina Resident
10. Joseph Tobin II - District 2 Resident
11. Michael & Michelle Aldrich - Cow Hollow Residents
12. Robert Tuller - District 2 Resident
13. Gabriel Gennarelli - College Student who grew up in Cow Hollow
14. Steven Oliver - Marina Resident
15. Sean Snyder - Marina Resident



Ryan Hudson <ryan@apothecariumsf.com>

Fwd: Hearing for Lombard - IN SUPPORT OF THE APOTHECARIUM

Ryan Hudson <ryan@apothecariumsf.com>
To: Ryan Hudson <ryan@apothecariumsf.com>

Wed, Oct 7, 2015 at 11:49 AM

----- Forwarded message -----

From: Kip Clifton <kipclifton@gmail.com>
Date: Tue, Oct 6, 2015 at 1:00 PM
Subject: Hearing for Lombard - IN SUPPORT OF THE APOTHECARIUM
To: "support@apothecariumsf.com" <SUPPORT@apothecariumsf.com>
Cc: Megan Clifton <megan.m.clifton@gmail.com>

Hey all,

We live at 3137 Scott St, or right across from your proposed site and right next to the Edward II.

We, as a family, are extremely excited to potentially have you all as neighbors.

To give you some history on our family: we have lived at this location for the past six years. We have put two boys through high school at Stuart Hall (as their guardians) and have a 7 month old. We have always thought Lombard was lacking in terms of professionally run businesses and we hope that you can be the start of change for this.

We understand that the Cow Hollow Association Board is opposed to your move; however their argument is rich with irony, given their reasoning - that it is directly across from the Edward II, the home for at-risk-youth. I should remind everyone that this is the same home which they were strongly opposed to being built only a few years ago. Please see [here](#). Specifically this line: **"Despite recent efforts to reach a compromise, all five surrounding neighborhood organizations – including the Marina Community Association, Cow Hollow Association, Marina Cow Hollow Neighbors & Merchants, Marina Merchants Association, and Union Street Association – filed a joint appeal against the King Edward II project."**

So for the Cow Hollow Association Board to come out in opposition to this proposal, with the reasoning being that it would be a negative influence on these individuals who they did not care about to begin with, rings hollow.

Unfortunately we are unable to make the hearing to voice our opinions but we hope our support can somehow make its way to whoever may find this useful.

Thanks and feel free to give me a call at anytime:
m#843-822-6293
Kip

Sara Vellve
SF Planning Department
1650 Mission St., #400
SF, Ca. 94103-4279
(415) 575-9197
sara.vellve@sfgov.org

Dear Ms. Vellve,

I'm writing to support The Apothecarium's proposed medical marijuana dispensary at 2414 Lombard Street.

I'm proud to support The Apothecarium's commitment to community. As you may know, since opening in Duboce Triangle in 2011, The Apothecarium has:

- Donated \$300,000+ to community groups, including nonprofits, schools and community benefit districts
- Never had a single police incident
- And has received praise from the President of the Castro Merchants' Association, who said:

"Everyone in the neighborhood loves the Apothecarium: their security improves safety; their foot traffic increases business; their philanthropy helps our community; and their upscale space sets a high standard. We've had no trouble from them — in truth, we need more businesses like the Apothecarium."

I agree and I hope you will support The Apothecarium's new dispensary. Patients on San Francisco's North Side deserve the opportunity to purchase their medicine in a safe, responsible dispensary run by a company with a strong track record of being a positive force in the community.

I am a resident of (check all that apply):

- ☒ San Francisco
☒ The North Side of San Francisco
☐ The Marina
☒ A three-block radius of 2414 Lombard Street (@Scott Street)

Optional: Medical marijuana is important to me because I have autoimmune diseases and it helps improve my appetite and helps me sleep

Sincerely,

Name Tracy L. Snyder-Walder

Signature Tracy L. Snyder-Walder

Address 2569 Greenwich St (between Divisadero and Scott - Cow Hollow)
San Francisco 94123

Select Comments from Nextdoor.com discussion of The Apothecarium

Dana Levitt from Central Marina 23 Sep

I was originally opposed to this, but after hearing the owners speak at a few of the recent community meetings I changed my mind - and I live on the next block of Lombard. This particular dispensary sounds like the epitome of a well run one. What I was most impressed with is due to the fact that they are required to have someone stationed at the door - like a bouncer, per se, in the area where they have their other dispensary, I think somewhere on Market St, crime has actually decreased. There were police at the last meeting (at Claire Lilienthal) who said that in the 3 years since they opened, they have not had 1 single call as a result of the clientele. It is not like just anyone can walk into a dispensary if they do not have a doctor-issued medical marijuana card. Whether people are getting them when they may not be justified, is a separate issue. But there is no use allowed onsite. They have other wellness programs for the members and seem to care about the community. At the past meetings, they addressed the issue of Edward II. I think they said they would have a list of people who are officially allowed to purchase (or possibly a list of those living at Edward II who as to not let them in.) I'd rather have them as a neighbor than all super loud and young the bars with raucous, wasted people milling around...

[Thanked! Flag](#)

You, David, Marisa, and 9 others thanked Dana

Mark Lewandowski from Central Marina 25 Sep

My gut reaction was to oppose this opening so close to my house. I had all the same feeling other opponents on this thread have discussed (increased crime, street corner drug dealing, intoxicated patrons roaming the streets). As a parent I was very worried about the impact this would have on the kid friendliness of the area.

But the more I think about it, and big thanks to the other commenters on this thread, I don't think I'm really opposed to it any longer. Without any statistical evidence for increased illegal activity near dispensaries I find it hard to oppose something that is beneficial to those who truly have a medical need for marijuana. And honestly, I'd rather have to explain to my son why someone is stoned with the munchies than have to explain the belligerent intolerance of our drunk "frat-boy" neighbors.

After all, we're already surrounded by so many adult vices, adding one more legal and responsible facility should be easy enough to deal with.

[Thanked! Flag](#)

You, David, David, and 7 others thanked Mark

From: Brian Davis
Sent: Friday, October 09, 2015 8:56 AM
To: sara.vellve@sfgov.org
Cc: Brian Davis
Subject: The Apothecarium at 2414 Lombard Street

Sara Vellve
SF Planning Department

Ms. Vellve,

As a twenty-year resident of the Marina District, I write to express my support for the proposed Apothecarium at 2414 Lombard Street.

Frankly, given my own personal views against the use of drugs, I did not expect to be a supporter of this proposal.

But over the past several months, as the President of the Marina Community Association (although I do not write on behalf of nor express an opinion here for the MCA), I have been engaged in a thorough consideration of this business, their service and management, and the proposed new location. In doing so, I have found it to be a very professional, safe and secure business operation that has sincerely and comprehensively reached out to our community, and taken seriously and responded to any and all concerns expressed.

In addition, this clean, safe and secure business will be a great addition and improvement to the Lombard Corridor. We need more good businesses and neighbors to improve this deteriorated and ignored thoroughfare in the middle of several beautiful neighborhoods (Marina, Cow Hollow and Presidio), and seen by thousands of visitors to our City every day.

The Castro District has benefited very much by having the Apothecarium and their good people in their neighborhood, and we too would like to have them as a part of our neighborhood.

Best,
Brian Davis



Letter of support for Apothecarium

John Farrell <johnfarrell@jjflaw.com>
Reply-To: John Farrell <johnfarrell@jjflaw.com>
To: Ryan Hudson <ryan@apothecariumsf.com>

Wed, Jun 10, 2015 at 3:44 PM

Sara Velve
SF Planning Department
1650 Mission St. #400
San Francisco, CA. 94103-4279

Dear Ms. Velve

I am writing this letter to express my support for the Apothecarium proposed medical marijuana dispensary in the Marina at 2414 Lombard St.

I have both met with their principals, including Ryan Hudson, and attended their presentation at a Marina Community Association sponsored community meeting and based on these significant encounters enthusiastically endorse their project!

I have lived and raised my family in the Marina for over 45 years and would welcome them as responsible neighbors. I am also a member of the Board of Directors of the Marina Community Association but speak here individually.

I would be happy to answer any questions or participate in any organized discussions on this topic.

Sincerely,
John J. Farrell
3439 Broderick Street
567-7166

From: Ryan Hudson <ryan@apothecariumsf.com>
To: johnfarrell@jjflaw.com
Sent: Friday, June 5, 2015 2:27 PM
Subject: Letter of support for Apothecarium
[Quoted text hidden]

Date: September 29, 2015

To: Sara Vellve

From: Malcolm Kaufman, Cow Hollow Association (CHA) Board member

Re: Proposed MCD at 2414 Lombard

While the CHA Board voted to oppose the subject MCD, the vote was not unanimous, and I was one of the dissenters.

I recommended that the Board remain neutral on this matter, neither actively supporting nor denying the permit that is before the Planning Commission for a Mandatory Discretionary Review Hearing. Here's why.....

The key question is:

Would the proposed MCD at 2414 Lombard have a negative impact on the quality of life of Cow Hollow residents? I submit that it would not. The issues.....

Issues:

1. No Proven Medical Benefit to Cannabis

While this may be true, in my opinion, it doesn't matter. There are people who suffer from nausea, pain and other maladies. They may "think" they are getting relief from using cannabis, and that is what matters to them. Whether there is medical research to support their supposed relief is irrelevant. There are a host of products and services sold in the U.S. under specious claims, and there is a segment of the population that buys them without factual evidence that supports such claims.

2. Crime and Safety

A general perception is that a MCD store promotes more neighborhood crime. I could not find any evidence to support this theory. In fact, I found a number of articles online that suggests the opposite is true, primarily because MCDs employ security cameras and guards which discourage loitering, vandalism and bad elements coming into the neighborhood. Excerpt.....

Draft Planning Commission Report
Hearing Date: March 20, 2014

CASE NO. 2013.1255U
Report on Medical Cannabis Dispensaries

Crime and Safety. Based on the information available to the Department, it does not appear that MCDs have a negative impact on crime or community safety, and they may actually improve safety in certain neighborhoods because they provide additional eyes on the street. There are also several related studies out of UCLA that

deal with this issue. One study showed that there was "no correlation between increased violent and property crime and the density of MCDs." And another study showed that MCDs located in Sacramento with robust security systems actually had lower crime rates within 250 feet than MCDs without those security systems.

3. Impact on Cow Hollow Property Values

There will be no impact on Cow Hollow property values, in my opinion as a professional real estate agent.

4. Edward II

Residents of Edward II are not children and are adults under California law able to consume cannabis and alcohol if they wish, the former with a physician's recommendation. If Edward II can successfully co-exist with dozens of sources (stores, bars, etc.) of alcohol nearby, then it seems reasonable to assume that Edward II can continue to successfully exist with a single MCD in its midst.

5. Mitigation and other Conditions of Approval:

Appendix A is a list of security measures and other good neighbor policies that will be submitted to Planning by the Apothecarium. I understand that the Apothecarium has submitted this list to the Planning Staff and has pledged to abide by these policies, whether or not the Cow Hollow Association or any other neighborhood group supports them.

I also understand that there are well over a dozen restrictions found in the Planning Code, and Health Department Code, whether dealing with hours of operation, clean up, creating a neighborhood liaison, etc. and that breach of these can result in revocation of any permits issued by the City to the Apothecarium

Appendix A

1. Community Liaison Officer to address the issues of concern to neighbors
2. Litter removal services twice each day of operation in front of the premises and within one hundred feet of the premises.
3. Steam/pressure cleaning of the main entrance and abutting sidewalks as needed
4. All garbage containers shall be kept within the building until pick-up by the disposal company.
5. Graffiti shall be abated as soon as practicable
6. Notices urging patrons to leave the establishment and neighborhood in a quiet, peaceful, and orderly fashion and to please not litter or block driveways in the neighborhood.
7. Zero tolerance for double parking and will refuse entrance to any member who does.
8. Small, subtle, surveillance cameras on the exterior of the premises.
9. A 24/7 alarm system will be installed for after-hours monitoring
10. Silent alarm buttons will be mounted under the sales counter
11. Safe cash handling practices, such as cash drops, will limit the amount of cash on site
12. Health and Safety manager and staff will provide on site monitoring of the storefront to discourage loitering and noise.
13. They also will visit the closest MUNI stop to verify that transactions are not taking place at such location.
14. Encourage members to get to the establishment by public transportation
15. Employees of the establishment will be provided with monthly MUNI passes and encouraged to take public transportation to work.
16. No medical cannabis shall be smoked, ingested or otherwise consumed at the establishment.
17. We will enforce the City's ordinance that no medical cannabis shall be smoked, ingested or otherwise consumed in the public right-of-way within fifty (50) feet of the establishment
18. No medical cannabis shall be cultivated at the establishment.
19. The exterior will resemble that of a high-end retail boutique that will complement other local businesses. Discrete signage will not advertise medical cannabis services.
20. There will be some transparency of window treatment so that passersby will see activity within and not have to look at blacked out windows.
21. The Apothecarium will offer free access to programs that promote the overall health and wellness of the community. Currently, the Apothecarium hosts weekly yoga, meditation, anxiety and depression, and veteran support groups. We intend to have a similar program in the Marina.

22. The Apothecarium will provide high-risk patients with a certified Harm Reduction Counselor to work with the patient to navigate safe use of medical cannabis
23. A Philanthropic Advisory Board will be established to make donations to local nonprofits and social services.

Peter Fortune
3579 Pierce Street
San Francisco, CA 94123
415-346-5678
peter.fortune@gmail.com

BY EMAIL AND U.S. MAIL TRANSMISSION

June 8, 2015

Ms. Sara Vellve
San Francisco Planning Department
1650 Mission Street, No. 400
San Francisco, CA 94103-4279
(sara.vellve@sfgov.org)

Re: The Apothecarium

Dear Ms. Vellve:

I ask that the Planning Department approve The Apothecarium's proposed medical marijuana dispensary at 2414 Lombard Street.

Preliminarily, I advise that I am not a patient of The Apothecarium, I have no intention of ever becoming one of its patients, and I am not in anyway connected with it.

Investigation. I write this letter -- in accordance with my frequent practice -- after having done considerable investigation about an issue, which here is The Apothecarium and its proposed medical marijuana dispensary on Lombard Street. I have toured The Apothecarium's facility on Market Street; observed the absence of any people congregating outside this dispensary; spoken several times with Ryan Hudson; heard Mr. Hudson win over most of an initially skeptical audience at a neighborhood meeting of the Marina Community Association in April this year; heard Captain Greg McEachern of the Northern Station voluntarily announce to this same audience that his informal investigation revealed no police incidents at The Apothecarium's Market Street dispensary or at other medical marijuana dispensaries in the City; listened to and questioned representatives of the Cow Hollow Association when they spoke against establishing this dispensary; and participated in an interview of Sherilyn Adams, the Executive Director of Larkin

Street Youth Services, which, in partnership with the Community Housing Partnership, operates Edward II on Lombard Street.

I have also spoken to my sister, who lives in Denver, Colorado, about her knowledge of the results of Colorado's residents having recently voted to "legalize" marijuana in that state. (She reports nothing negative.)

Civic service background. I am a longtime resident of the Marina District, having lived in the Marina before I bought my home here, on Pierce Street, in 1984. I serve on the Board of the Marina Community Association. For the last 20 years, I have served, and still serve, on the Board of San Francisco Beautiful, whose mission is to enhance and protect the beauty and livability of our City; for two years (2012-2014) I served as president of that nonprofit. I served for three years on the City's Tree Advisory Board, and for the last six years, have had a seat on the DPW's News Rack Advisory Committee. I was recently appointed to the Marina Earthquake Memorial Steering Committee.

I volunteered for this civic service because what happens in our City, and in particular, what happens in the Marina, has been extremely important to me and my family, as well as to many of my neighbors.

Reasons for supporting the Lombard Street dispensary. This same concern about what happens in the Marina is the reason I send this letter strongly supporting The Apothecarium's proposed dispensary on Lombard Street. I am confident that establishing this facility on Lombard Street will add value to our community, benefit over 7000 District 2 residents, and help upgrade the commercial aspects of Lombard Street.

The Apothecarium has already demonstrated its strong commitment to benefit our City by donating more than a quarter million dollars to various nonprofits, community groups, schools, and community benefit districts. This amazing level of commitment to our community absolutely dwarfs that of any other small business of which I am aware. Certainly, we can reasonably expect an expansion of this generous philanthropy if the Lombard Street facility enables The Apothecarium to expand its business.

Establishing this dispensary on Lombard Street would provide a significant benefit to more than 7000 residents of District 2. These 7000-plus residents are currently among The Apothecarium's Market Street dispensary patients and would

no longer have to struggle with the confusing maze of traffic to reach the Market Street dispensary. Benefiting these 7000-plus District 2 residents should, *by itself*, be reason for the Planning Department to approve the Lombard Street dispensary.

In addition, the dispensary on Lombard Street would raise the overall quality of that street's commercial establishments. The Apothecarium's Market Street dispensary gives the impression of a high-end retail establishment, with its clean and modern décor, its obvious dedication to its patients' needs, its extensive menu, and the appealing packaging of its products. No doubt, the Lombard Street facility would meet, if not exceed, these high standards and would thereby provide a model for many other Lombard Street commercial establishments.

Lombard Street is scheduled for major upgrades in the near future. The Apothecarium at 2414 Lombard Street would be a major contributor to this upgrade.

"Proximity objection." I have listened to representatives of the Cow Hollow Association (CHA) present the CHA's "proximity objection" to establishing the Lombard Street dispensary: Because it would be across the street from Edward II, which houses 24 youths at risk for homelessness, it would (somehow) cause drug problems for those residents.

I must expect that before the Planning Department gives any credence to this proximity objection, it would have reliable evidence of the claimed link between this proximity and any resultant drug problems for these 24 residents. I have researched this issue but have found no evidence to support this claimed link. The CHA representatives did not cite any such evidence in response to questions about it – they essentially conceded that this link is speculation. Nor did the CHA's representatives answer the questions, "How close to Edward II would it be acceptable to the CHA for a dispensary to operate?" and "How far away from Edward II would a medical marijuana dispensary have to be before it would *not* pose the problem you claim to foresee?" The apparent absence of any solid evidence of this claimed link, and the silence in response to these two questions, reflect this objection's lack of validity and credibility.

Considering that alcohol -- not marijuana -- is the major precursor to drug addiction, this proximity objection seems to me to be rather a red herring. There are two establishments ("CC's" next door to Edward II and "The Republic" directly across Lombard Street) that serve alcohol to the public; but I have not heard the CHA object to their doing business in such close proximity to Edward II.

Given the widespread predictions that the sale of marijuana will become legal, without restrictions, in California within the next few years, it would seem that this proximity objection is merely a subterfuge to oppose the establishment of *any* facility for the legal sale of marijuana in our neighborhood.

In the interview with Ms. Adams (Executive Director of Larkin Street Youth Services), she pointed out that it would be more difficult for the Edward II residents to obtain marijuana from The Apothecarium's proposed Lombard Street dispensary than it is now for youths in other Larkin Street Y.S. facilities around the City, who might buy from illegal sources. She also stated that the operators of Edward II, as part a larger agreement with the CHA, have agreed that *only if both* the CHA and the Marina Community Association (MCA) *agree* on a position on a neighborhood issue, will the operators of Edward II align themselves with that position. While the CHA has opposed the Lombard Street dispensary, the MCA, to date, has not taken a position on it. Therefore, I expect that the operators of Edward II will not have taken a position for or against approving the Lombard Street medical marijuana dispensary.

In conclusion, for the reasons explained above I urge the Planning Department to approve establishment of The Apothecarium's medical marijuana dispensary on 2414 Lombard Street.

Thank you for your consideration. I would be pleased to answer any questions about matters in this letter.

Sincerely,

Peter Fortune

cc: The Apothecarium

Paul Mauriello

1842 Jefferson Street, Suite 106

San Francisco, CA 94123

m) +1 415 566 8690

e) pmauriello@pmauriello.com

s) paul_mauriello

June 9, 2015

Sara Vellve

SF Planning Department

1650 Mission St., #400

SF, CA. 94103-4279

(415) 575-9197

sara.vellve@sfgov.org

Dear Ms. Vellve,

I am currently 64 years old and have had a residence in San Francisco for 45+ years. I am in the Marina and I'm writing to fully support The Apothecarium's proposed medical marijuana dispensary at 2414 Lombard Street.

As you are surely aware, The Apothecarium is strongly commitment to community. Since opening in Duboce Triangle in 2011, The Apothecarium has:

- Donated \$250,000+ to community groups, including nonprofits, schools and community benefit districts
- Never had a single police incident
- And has received praise from Dan Bergerac, the President of the Castro Merchants' Association, who said:

"Everyone in the neighborhood loves the Apothecarium: their security improves safety; their foot traffic increases business; their philanthropy helps our community; and their upscale space sets a high standard. We've had no trouble from them — in truth, we need more businesses like the Apothecarium."

I agree, advise and hope you will support The Apothecarium's new dispensary. Patients in San Francisco's Marina District deserve the opportunity to purchase their medicine in a safe, responsible dispensary run by a company with a strong track record of being a positive force in the community.

Sincerely,



Paul Mauriello

TO: Sara Vellve
SF Planning Department
(415) 575-9197
sara.vellve@sfgov.org

CC: Supervisor Mark Farrell
15 July 2015

Dear Ms. Vellve,

As you consider The Apothecarium's proposed location for 2414 Lombard Street, I imagine you will evaluate their immediate impact on the neighborhood and their long-term prospects for success in San Francisco. I'm writing to offer my perspective on both.

As a 25 year resident of District 2, I would welcome The Apothecarium to my neighborhood. Lombard and Divisadero is a rougher corner of the city that would benefit from an upscale retail establishment with a history of successful operations. I've toured their facility at 2095 Market Street and met with many of their staff. Most existing retail establishments could learn from their example of cleanliness, design and customer service. Our neighborhood will see immediate benefits when The Apothecarium opens.

I also write as an investor (not in The Apothecarium) and as a philanthropist who, I hope, can take the long view of business in San Francisco. Our city has a proud history of embracing new industries, especially those championed by leaders with a passion not just for their business, but also a vision for improving the city as a whole. I see that reflected in the leaders of The Apothecarium. What other founders of a young business have donated more than \$275,000 to community groups?

Some industries are burdened with a negative public perception that does not match reality. From personal and family experience, I know this is sometimes true for newspapers, lawyers, investors and others. In this instance, I believe it is also true for the cannabis industry.

I urge the Planning Department to put aside bogus fears and NIMBYism. Instead, look at the real world impact of The Apothecarium. I urge you to approve The Apothecarium's location at 2414 Lombard Street.

Thank you for your consideration.

Sincerely,



Joseph D. Tobin II
2100 Washington Street
San Francisco, CA
Director Emeritus Holy Family Day Home

June 5, 2015

Sara Vellve
SF Planning Department
1650 Mission Street, #400
San Francisco, CA 94103-4279
(415) 575-9197
sara.vellve@sfgov.org

Dear Ms. Vellve,

We are writing to support The Apothecarium's proposed medical marijuana dispensary at 2414 Lombard Street.

Michelle and I have lived in Cow Hollow (District 2) for more than 40 years. We are members of other dispensaries—SPARC and The Green Cross—but neither have location in the Marina. There are presently no dispensaries in this neighborhood.

We recently attended a meeting of the Marina Neighborhood Association in support of The Apothecarium's desire to locate a branch dispensary here on Lombard Street. Their request was supported by the Police Captain and a beat officer who serve the neighborhood. They had checked with the police in the Castro and received a glowing commendation for The Apothecarium's good community practices at their original location in the Castro.

Dan Bergerac, President of the Castro Merchants' Association, praised the dispensary as follows:

"Everyone in the neighborhood loves The Apothecarium: their security improves safety; their foot traffic increases business; their philanthropy helps our community; and their upscale space sets a high standard. We've had no trouble from them—in truth, we need more businesses like The Apothecarium."

As neighbors, we feel that The Apothecarium should be permitted to open at 2414 Lombard Street, and urge you to support their application to do so.

Yours truly,

Michael and Michelle Aldrich
2755 Franklin Street, #7
San Francisco, CA 94123
(415) 776-7949

Robert M. Tuller Jr.
1900 Gough Street, #605
San Francisco, CA 94109

October 8, 2015

Ms. Sara Vellve
San Francisco Planning Department
1650 Mission St., #400
SF, Ca. 94103-4279

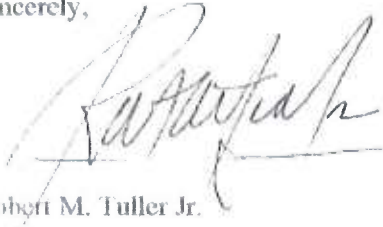
Dear Ms. Vellve,

I am a native San Franciscan who grew up on Pierce & Vallejo Streets and currently reside on Gough & Sacramento Streets. In addition, I am married and am the father of two boys, ages 12 & 10, who attend The Town School for Boys at 2750 Jackson Street. I am an ultra-distance marathon trail runner and have worked in the Presidio as a strength and conditioning coach with San Francisco CrossFit for 6 years. The Marina is the primary neighborhood that my family and I frequent, patronizing the businesses on Chestnut street almost everyday.

This letter is written in full support of The Apothecarium's plans to open a medical cannabis dispensary on Lombard Street. As someone who works with athletes, I am fully aware of the benefits of cannabis for reducing pain and inflammation and have several athletes that I work with who use it in lieu of aspirin or stronger, more harmful prescription drugs.

Recently I have spent time to get to know the owners of The Apothecarium, visiting their store on Market Street which I found to be a truly professionally run retail establishment. As such I would welcome their presence at their proposed new retail site, a stretch of Lombard St where few other businesses seem to be able to survive.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Robert M. Tuller Jr.', written over a horizontal line.

Robert M. Tuller Jr.

[of the Cow
Hollow Association]

Dear CHA Board,

It is in my opinion that the decision of the board to actively oppose the dispensary is morally, scientifically, and logically ill founded. A previous release to the board stating that there are no studied benefits to marijuana-based treatment is false. The Yale Cancer Center (yalecancercenter.org) notes "physicians caring for cancer patients in the United States who recommend medicinal Cannabis predominantly do so for symptom management."

Indeed, anecdotally speaking, in dealing with chronic migraines, I have found pain relief from marijuana, and subsequently the side effects are easier to manage than those from my previous medication: Nortriptyline. This medication would leave me drowsy and sedated, ultimately unable to perform near my potential at school, nor continue normal social function.

Tangentially, the board's comment "Denial of the permit for the location directly across from Edward II would not deprive anyone in the North side of reasonable access to medical marijuana. Only impulsive, "convenience "buys by drop-in purchase from nearby Edward II will be impeded by denial of the permit, exactly the kind of transactions posing the greatest jeopardy to at-risk youth." is both unfounded and fallacious on multiple counts.

First, it fails to recognize the up-charges for marijuana when delivered; deterring patients from using such a method. A physical location is both convenient, cheaper for the customer, and provides assistance on new treatments available. Similarly the board provides no evidence that a physical location is only for "impulsive, "convenience "buys by drop-in purchase from nearby Edward II" and fails to recognize that any patient must first get a medical marijuana card to gain access to legal medication. Thus regardless of the board's final decision this wording should be struck from its argument for its misleading and unsubstantiated nature.

The medical community itself has historically been the one opposed to the criminalization of marijuana for seeing much promising benefit from the plant in terms of treatment and symptom management. After all, it worked for Queen Victoria's back pain. Perhaps it should be noted that a fair bit of the basis for criminalizing marijuana was due to a fear of "racially inferior"

Mexicans during the great depression who were seen as the heaviest recreational users. (Pbs.org) As criminalization continues from the 10's to 60's, in 1937 the American Medical Association member Dr. William C. Woodward argued, "Marihuana, he argued, was largely an unknown quantity, but might have important uses in medicine and psychology." (Medicalmarijuana.procon.org). This is realizing that the US has historically used cannabis tinctures for all sorts of remedies. Although I concede this was not hard science, I thus refer to the need for limits to be lifted for rigorous examination, and would point to the available research at <http://www.webmd.com/pain-management/news/20100830/marijuana-relieves-chronic-pain-research-show?page=2> & <http://www.cmcr.ucsd.edu> & <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3683594/> & <http://medicalmarijuana.procon.org/view.resource.php?resourceID=000884>

Personally, I have used the Apothecarium's services, and have found them to be nothing but reputable and professional as an establishment. At their Castro location, they have a rigorous identification system, as well as sufficient security and high quality, unadulterated medication. I have greater objection to opiates and antidepressants being used as means to treat pain for reasons of greater intensity and severity of side effects, and especially in regards to the former, addictive possibility.

Another issue the board should be considering is the futility of blocking a medical dispensary while it is likely by 2018 that marijuana will be recreationally legal in California. Thus while I'm sure the board's influence is of ample reach and girth to adequately harass the zoning bodies which would allow such establishments, does the board want to spend its local political capital trying to regress a social trend that has for long now passed its jurisdiction?

Despite personal misgivings about cannabis being the Armageddon of community living, blocking convenient medical access to marijuana is nothing more than NIMBYISM. Additionally, while Edward II is across the street, both using them as your poster child and gaining a sudden interest in the at risk youth (Adults) you wished to block from this community is wholly disingenuous and does little to reflect the board's integrity in a positive light.

Regards,

Gabriel M. Gennarelli



Apothecarium Support

1 message

Steven Oliver <swoliver3@yahoo.com>

Thu, Oct 8, 2015 at 6:56 PM

To: sara.vellve@sfgov.org

Cc: eliot@apothecariumsf.com

Hello Sara,

Good afternoon...

I'm writing to voice my support for The Apothecarium's proposed medical cannabis dispensary at 2414 Lombard Street.

I have lived in the neighborhood for 4 years, just a few blocks away from the site. My wife and I are raising a young child (Emma - 18mo), with another on the way. We think The Apothecarium would be an asset to the neighborhood!

We could use more eyes on the street on this stretch of Lombard Street. Patients in this area of the city would benefit from more convenient access to their medication.

I know a lot of people have fears about cannabis in their neighborhood. But there really isn't any evidence to suggest that medical cannabis harms children or neighborhoods. I think it can actually help!

People's false fears shouldn't be allowed to get in the way of a well-run business providing their patients with an important medical service.

Thanks for your attention...

Have a good one,
Steven.

415-912-0521

Sent from my iPhone

SF Planning Department
1650 Mission St., #400
SF, CA. 94103-4279
(415) 575-9197
sara.vellve@sfgov.org

Dear Ms. Vellve,

I'm writing to support The Apothecarium's proposed medical marijuana dispensary at 2414 Lombard Street and their effort to become part of the Manna District community.

I have met the principals and spoke in depth. I believe they are upstanding citizens and their commitment to a safe business, and EXTRA willingness to further support the community - as they have demonstrated with their Duboce Triangle facility - should be commended and encouraged.

I agree and I hope you will support The Apothecarium's new dispensary. Patients in San Francisco's Manna District deserve the opportunity to purchase their medicine in a safe, responsible dispensary run by a company with a strong track record of being a positive force in the community.

I do not believe NIMBY reasons for opposition should play a relevant factor in the Planning decision for a legal business in our district. Nor do I want to see my District be on the wrong side of history.

A friend of mine recently survived Leukemia and he swears it was because he was able to get medical marijuana conveniently while he was fighting for his life. That's compelling and more relevant to our society than another coffee shop or restaurant that would otherwise occupy the space without hassle.

Thank you.

Sincerely,



Sean Snyder
3789 Fillmore St. #7
San Francisco, CA 94123
415-305-9555

cc: Supervisor Mark Ferrell

EXHIBIT I



Scott Wiener



Following

Honoring the @ApothecariumSF, terrific
#medicalcannabisdispensary in the #Castro.
#cannabis #SanFrancisco



6

12



9:33 AM - 1 Oct 2015



The City and County of San Francisco

PROCLAMATION

THE APOTHECARIUM DAY

OCTOBER 1, 2015

WHEREAS, The Apothecarium, a premium medical cannabis dispensary, began serving patients in June 2011 at Market & Church; and

WHEREAS, During that period it has served over 30,000 patients, helping them deal with conditions like seizures, HIV/AIDS, cancer, diabetes, insomnia, pain and other disorders; and

WHEREAS, The Apothecarium has become a vital part of the Castro/Upper Market/Duboce Triangle neighborhood, including donating over \$300,000 to local community groups through their Philanthropic Advisory Board; and

WHEREAS, Local merchant groups and the police have commended it for cleaning up the corner at Market & Church and invigorating the local business community; and

WHEREAS, The Apothecarium hosts a Women's Support Group, Veteran's Support Group, Simple Yoga for Busy Times, Meditation Group, and an Anxiety and Depression Support program; now, therefore be it

RESOLVED, That the City & County of San Francisco honors The Apothecarium on its four year anniversary; and, be it

FURTHER RESOLVED, That the City & County of San Francisco commends The Apothecarium for investing \$300,000 in local charities and non-profits in order to improve access to goods and services in local neighborhoods; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby proclaims October 1st, 2015 to be **The Apothecarium Day** in the City and County of San Francisco.

Scott Wiener

Scott Wiener
Member, Board of Supervisors
October 1, 2015

EXHIBIT J

About News Opinion Arts Obituaries BARTab Search Classifieds

Latest Blogs CA Governor Brown signs LGBT data collection bill into law - Oct 07, 2015

Nevada congresswoman visits SF cannabis club

NEWS

by David-Elijah Nahmod

Published 04/24/2014



Congresswoman Dina Titus (D-Nevada), right, smells the different varieties of medical marijuana during her visit to the Apothecarium. Carlos Blumberg and Lara DeCaro look on. Photo: Rick Gerharter

ARTICLE TOOLS

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A D V E R T I S E M E N T

A Nevada congresswoman who represents Las Vegas came to San Francisco to see first hand how the city's medical cannabis dispensaries operate.

Representative Dina Titus, (D), visited the Apothecarium, one of San Francisco's leading medical marijuana clinics.

Titus's visit was due to a change in policy regarding medical marijuana in Nevada. Voters passed a law allowing medical cannabis use back in 2000 but it's only been in recent years that counties can decide whether to allow clinics.

As of last spring, each city and county in Nevada can now decide for itself whether to allow clinics. Las Vegas is now working out the details for 10 clinics it will open. The state allows a maximum of 10 clinics per county.

"I want the state to learn from someone who has done it right," Titus told Apothecarium staff during her April 16 visit.

Titus also said the federal government should not prosecute people who are following medical marijuana laws in their states. Medical cannabis is legal in 21 states and the District of Columbia.

"The federal government should not be going after people who are obeying their own state laws," she said, an apparent reference to the U.S. attorney for the northern district of California raiding and shutting down medical cannabis clubs in the Bay Area.

Titus said that she supported Nevada's medical cannabis ballot measure in 2000 and that a ballot measure allowing for recreational pot use in Nevada was now in the works.

"It's getting started up," she said. "I would support it. I definitely support the defelonization of marijuana."

Located on Market Street right off of Church, the elegantly appointed Apothecarium is the opposite of the image so often associated with such places. Spotlessly clean and with a friendly security team at the front door, the club's interior features artwork and crystal chandeliers. A knowledgeable staff works behind the counter to answer clients' questions.

The staff showed Titus many of the products that are available to those who have a medical marijuana card, which can only be obtained by consulting with a medical doctor. Pain management, muscle relaxation, clinical depression, and other mental health issues were among the

conditions that could be treated with cannabis products, as well as conditions such as glaucoma and HIV/AIDS. Titus examined products, which included pills, candy bars, and pastries, all of which were made with carefully measured amounts of medical marijuana.

Titus listened intently as she was told that only a doctor could recommend a patient to the clinic.

"I think there's a great need for this," Titus said, noting the staff's knowledge and expertise.

Some staff members are also clients themselves.

"Many of us came to medical marijuana because of our own issues," said Apothecarium staffer Sarah Payan, a stage three colon cancer survivor. She pointed out that cannabis has greatly alleviated the suffering of many people who live with cancer and HIV.

"It's a good way to help people be comfortable in their end stages of life," Payan said.

EXHIBIT K

Apothecarium Marina Community Outreach

The following meetings were attended by The Apothecarium's co-founder, Ryan Hudson; many were also attended by his fellow co-founder Michael Thomsen.

Marina Community Association

- Board of Directors, Feb 26
- Presentation to General Membership, April 21
- Tour of Castro Dispensary for Brian Davis, MCA Board President, Sep 11
- Tour of Castro Dispensary for Brad Anderson, MCA Board member, Oct 6
- Tour of Castro Dispensary for Peter Fortune, MCA Board Member, June 4
- Board Meeting MCA - July 2
- John Farrell, MCA Board member

Cow Hollow Association

- Individual meeting with Executive Board (Lori Brooke, David Bancroft, Malcolm Kaufman) - Jan 28
- Requested presentation to full board or general membership; denied by President of Board - July 17
- Extensive written responses to questions/concerns of select Board members - Aug 7
- Tour of Castro Dispensary for Malcolm Kaufman; CHA Board member - June 26

Marina-Cow Hollow Neighbors & Merchants Group

- Individual meetings with Patricia Vaughey - March 13 and 26
- Presented at general meeting and answered member questions - April 14
- Presented at general meeting and answered member questions - Oct 8

Mark Farrell, Board of Supervisors Member for District 2

- Meeting with the Supervisor Mark Farrell - January 28
- Regular check-ins with Catherine Stefani, aide to Supervisor Mark Farrell

Captain McEachern, Northern Station Individual Meeting - May 15, 2015

- Met with the Captain and Vinnie Etcheber, SFPD Narcotics Detail - **June 2, 2014**

Lombard Merchant Association

- Individual meetings with President Awadalla Awadalla - Feb 18
- Presentation to Board at general meeting - Feb 25
- Tour of Castro location for Awadalla Awadall - Oct 6

Larkin Street Youth Services / Edward II

- Sherilyn Adams, Executive Director & Chief Development Officer, Kathy Lowry - May 21
- Gail Gilman, Executive Director, Community Housing Partnership - May 21

Open Houses at Proposed Site for Neighbors & General Public

- Sept 22
- Oct 13 (scheduled)

Outreach to Other Marina Community Members

- Kat Anderson, Marina activist; Member SFDCCC
- Michelle Aldrich, 43 year Marina Resident
- Tour of Castro Dispensary for Joe Tobin - Pacific Heights resident
- Tour of Castro Dispensary for Paul Mauriello; Marina resident, MCA member
- Meeting with Sean Snyder; Marina resident, MCA member
- Multiple conversations with tenants of the apartment above the proposed MCD
- Peter Svendsen, MCA member and Marina resident
- Tour of Castro Store with Robert Tuller - Pacific Heights resident
- Sensei JT Collins, Proprietor of United Studios of Self Defense on Lombard St
- Scott Williford, Manager, La Luna Inn on Lombard
- Tye DeGrange, Chestnut St resident
- Blaine Hovarth, Chestnut St resident

EXHIBIT L

Select Comments from Nextdoor.com discussion of The Apothecarium

Dana Levitt from Central Marina23 Sep

I was originally opposed to this, but after hearing the owners speak at a few of the recent community meetings I changed my mind - and I live on the next block of Lombard. This particular dispensary sounds like the epitome of a well run one. What I was most impressed with is due to the fact that they are required to have someone stationed at the door - like a bouncer, per se, in the area where they have their other dispensary, I think somewhere on Market St, crime has actually decreased. There were police at the last meeting (at Claire Lilienthal) who said that in the 3 years since they opened, they have not had 1 single call as a result of the clientele. It is not like just anyone can walk into a dispensary if they do not have a doctor-issued medical marijuana card. Whether people are getting them when they may not be justified, is a separate issue. But there is no use allowed onsite. They have other wellness programs for the members and seem to care about the community. At the past meetings, they addressed the issue of Edward II. I think they said they would have a list of people who are officially allowed to purchase (or possibly a list of those living at Edward II who as to not let them in.) I'd rather have them as a neighbor than all super loud and young the bars with raucous, wasted people milling around...

Thanked! Flag

You, David, Marisa, and 9 others thanked Dana

Mark Lewandowski from Central Marina25 Sep

My gut reaction was to oppose this opening so close to my house. I had all the same feeling other opponents on this thread have discussed (increased crime, street corner drug dealing, intoxicated patrons roaming the streets). As a parent I was very worried about the impact this would have on the kid friendliness of the area.

But the more I think about it, and big thanks to the other commenters on this thread, I don't think I'm really opposed to it any longer. Without any statistical evidence for increased illegal activity near dispensaries I find it hard to oppose something that is beneficial to those who truly have a medical need for marijuana. And honestly, I'd rather have to explain to my son why someone is stoned with the munchies than have to explain the belligerent intolerance of our drunk "frat-boy" neighbors.

After all, we're already surrounded by so many adult vices, adding one more legal and responsible facility should be easy enough to deal with.

Thanked! Flag

You, David, David, and 7 others thanked Mark

Apothecarium Co-Founder's Response to Concerns on Nextdoor.com

Ryan Hudson from Central Marina 2 Oct

Hey everyone - I'm a longtime District 2 resident (Russian Hill and Pacific Heights) and the co-founder and executive director of The Apothecarium. I'm posting today to respond to some of the concerns that have come up -- and to thank our supporters.

This is a long response, so bear with me. You can also reach out to me at atryan@apothecariumsf.com or on my cell phone at 415-928-3300. I'll post later about some of the ways I think we will actually be a benefit to the neighborhood.

CHILDREN: Every single pharmacy, corner store, grocery store, bar and restaurant in the Marina sells products that can be lethal to children and adults (including aspirin, alcohol, nail polish remover -- even nutmeg). Here's a map of all the liquor and tobacco licenses in the neighborhood. <https://www.google.com/maps/d/u/0/viewer...>

Unlike a dispensary, children are even allowed inside many of these locations. Alcohol and tobacco are proven to kill millions of people annually. Marijuana, on the other hand, has no known lethal dose. <https://www.americanscientist.org/librar...>

CRIME: The Apothecarium's Castro store has never had a single police incident. The SF Planning Department issued a 2014 report that says: "Based on the information available to the Department, it does not appear that MCDs [medical cannabis dispensaries] have a negative impact on crime or community safety, and they may actually improve safety in certain neighborhoods because they provide additional eyes on the street."

<http://commissions.sfplanning.org/cpcpac...>

EDWARD II: Residents of Edward II are not children; they are adults with the legal right under California law to use medical marijuana, if they have a doctor's recommendation. Residents age 21 and over also have the right to consume alcohol -- a right they may exercise at any one of 128 purveyors of alcohol in the immediate vicinity of the facility (per City records). If Edward II can successfully co-exist with 100+ sources of alcohol nearby, we find it difficult to believe that a single cannabis dispensary will have a significant impact on their operations. FYI, the residents are "at-risk" for homelessness; that is an issue we have nothing to do with.

RESALE: We sell premium medical cannabis. Basic logic suggests that any one re-selling marijuana will seek out street cannabis -- which is invariably cheaper, is not taxed, not tested for potency or safety and does not involve the expense or hassle of a doctor's recommendation.

BUYING ON THE STREET: Someone suggested people should just get their marijuana the "old fashioned way." That's not a good idea for patients struggling with HIV, cancer or other serious conditions (or anyone else). That marijuana will not be lab tested for mold, pesticides and potency. Also, do you really want people buying on the streets of the Marina? (They won't all leave the neighborhood.)

GATEWAY DRUG: Research from multiple sources - reported in Newsweek - strongly refutes the false idea that marijuana is a gateway to harder drugs.

<http://www.newsweek.com/marijuana-not-ga...>

Research recently reported in the The New York Times shows that "Marijuana use did not increase among teenagers in the states in which medical marijuana has become legal...."

<http://www.nytimes.com/2015/06/16/us/med...>

PHARMACY: A lot of people have suggested that medical cannabis should be available at pharmacies like Walgreens. That is simply not legal under California law. But I would ask, how is The Apothecarium different from Walgreens? We follow strict protocols of verifying each patient's recommendation from their physician. The role we play is remarkably similar to that of a pharmacy.

HEALTH: Research reported in Time magazine - "Marijuana does not impair lung function—at least not in the doses inhaled by the majority of users, according to the largest and longest study ever to consider the issue, which was published today in the Journal of the American Medical Association."

<http://healthland.time.com/2012/01/10/st...>

A study released this year shows that "frequent marijuana use by teenage boys does not correlate to later physical and mental health issues" reported here in Newsweek:

<http://www.newsweek.com/chronic-marijuan...>

I hope people making claims about the dangers of marijuana will link to respected, recent studies that backup their arguments.

Thanks anyone who made it to the end!