



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use

HEARING DATE: OCTOBER 12, 2017

Date: October 5, 2017
Case No.: **2016-002424CUA**
Project Address: **2161-2165 Irving Street**
Zoning: Irving Street Neighborhood Commercial District
65-A Height and Bulk District
Block/Lot: 1777/037
Project Sponsor: Brendan Hallinan
345 Franklin Street
San Francisco, CA 94102
Staff Contact: Nancy Tran – (415) 575-9174
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Recommendation: **Approval with Conditions**

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PROJECT DESCRIPTION

The Project Sponsor proposes to establish a new Medical Cannabis Dispensary (MCD) for on-site sales of medical cannabis (d.b.a Barbary Coast Dispensary) at 2161-2165 Irving Street. The project does not propose on-site medication (e.g. smoking, vaporizing, or consumption of edibles) or on-site cultivation for harvesting of medical product. The proposed hours of operation are 8:00AM to 10:00PM, seven days a week.

The proposal includes tenant improvements to the two retail spaces, which combined consist of approximately 2,600 square feet and 44 linear feet of frontage along Irving Street. No physical expansion of the building is proposed and exterior work would be limited to signage only. No parking would be required for the change of use. The Project Sponsor will maintain security guard presence during business hours and will install cameras within and around the facility.

The Project Sponsor's goal is to provide medical cannabis to registered patients within the Outer Sunset and other nearby neighborhoods, as there are currently no MCDs in the surrounding area. The Project Sponsor currently operates an MCD within San Francisco at 952 Mission Street (western South of Market).

Per Ordinance No. 100-17 (effective June 19, 2017), MCDs proposed within the Irving, Judah, Noriega, and Taraval Street Neighborhood Commercial Districts are subject to permanent controls requiring Conditional Use Authorization. On September 12, 2017, the Board of Supervisors passed an interim zoning control to impose a 45-day moratorium prohibiting the Planning Commission from approving any new MCDs, except for those whose application have been scheduled to be heard by the Commission as of September 11, 2017. The moratorium, enacted through ordinance No. 190-17, was signed by the

Mayor on September 22, 2017. The application for an MCD at 2161-2165 Irving Street is exempt from the ordinance as its hearing was scheduled before the Planning Commission prior to September 11, 2017. On September 26, 2017, Mayor Lee introduced legislation with respect to adult use cannabis. The Planning Commission is scheduled to hear and make a formal recommendation on the matter at its October 19 meeting.

SITE DESCRIPTION AND PRESENT USE

The project is located at the corner of Irving Street and 23rd Avenue, Block 1777, Lot 037. The subject property is located within the Irving Street Neighborhood Commercial District ("NCD") and the 65-A Height and Bulk District. The property is developed with a two-story commercial building. There is a massage establishment and professional office on the second floor and two ground floor restaurants. The MCD is proposed in two ground floor tenant spaces that have been vacant for several years and previously occupied by an internet cafe and a grocery store. The subject property measures approximately 85 feet by 100 feet, with 8,500 square feet of lot area, and approximately 65% lot coverage.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located within the Irving Street Neighborhood Commercial District (NCD). The Irving Street NCD is located in the Outer Sunset neighborhood and stretches along Irving Street from 19th to 27th Avenues. The District provides a selection of convenience goods and services for the residents of the Outer Sunset District. There is a high concentration of restaurants, drawing customers from throughout the City and the region. There are also a significant number of professional, realty, and business offices as well as financial institutions. The area surrounding this part of the Irving Street NCD is zoned RH-2 (Residential House, Two-Family).

The project site is located on the Irving Street commercial corridor between 22nd and 23rd Avenues. A variety of commercial establishments are located within ground floor storefronts in the Irving Street NCD, including restaurants, apparel stores, personal service, office and other types of retailers. Buildings in the vicinity range from two to three stories in height. Upper floors of buildings are generally occupied by offices or residential units.

The subject location along Irving Street is served by the 7 and 7X MUNI Bus lines. It is also in proximity to 28, 28R, 29, N, NX lines as well as bicycle routes along 20th Avenue and Kirkham Street. The immediate area is not identified as part of the Vision Zero High Injury Network for pedestrians and cyclists. There are no other MCDs currently located in proximity to the subject property; the nearest established MCD is located two miles away at 4811 Geary Boulevard within the Inner Richmond neighborhood. On July 13, 2017, the Planning Commission granted Conditional Use Authorization for an MCD ("The Apothecarium") at 2505 Noriega Street, located approximately one mile away from the subject property; the MCD is pending as it is currently under appeal and scheduled to appear before the Board of Supervisors on October 3, 2017.

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	Sept 22, 2017	Sept 22, 2017	20 days
Posted Notice	30 days	Sept 12, 2017	Sept 12, 2017	30 days
Mailed Notice	30 days	Sept 12, 2017	Sept 12, 2017	30 days

The proposal requires a Section 312-neighborhood notification, which was conducted in conjunction with the Conditional Use Authorization process.

PUBLIC COMMENT/COMMUNITY OUTREACH

- To date, the Department has received (20) communications in favor of the project, which praise the Project Sponsor for its responsible management and professionalism at its other established MCDs within San Francisco. The letters state that the proposal would provide better access to medical marijuana, more jobs in the area and would improve the neighborhood. In addition, the Department received a petition in support of the project with nearly 1,200 signatures; the printed case report only contains a representative sample of the signed petition received.
- To date, the Department has received (29) emails in opposition to the proposal. These individuals expressed concerns that the proposal is neither necessary nor desirable for the neighborhood. They also cited that it will lead to clustering of MCDs in the area and will negatively affect the family-oriented character of the neighborhood. In addition, the Department received a petition in opposition of the project with 2,843 signatures; the printed case report only contains a representative sample of the signed petition received.
- The Project Sponsor conducted bilingual outreach by canvassing adjacent neighbors and businesses on Irving Street between 19th Avenue and 25th Avenue. The sponsors hosted 16 open houses at the proposed property prior to the Commission hearing and promoted the events through a segment on KTSF 26 Chinese news. Additionally, the sponsors attended two community meetings with the Outer Sunset Merchants Association and Sunset Youth Services.

ISSUES AND OTHER CONSIDERATIONS

- **Medical Cannabis Dispensary (MCD).** Planning Code Section 732 states that all MCDs require Conditional Use Authorization from the Planning Commission, which will consider whether or not to exercise its discretionary review powers over the building permit application.

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

(e) It is unlawful for any person or association operating a medical cannabis dispensary under the provisions of this Article to permit any breach of peace therein or any disturbance of public order or decorum by any tumultuous, riotous or disorderly conduct, or otherwise, or to permit such dispensary to remain open, or patrons to remain upon the premises, between the hours of 10 p.m.

and 8 a.m. the next day. However, the Department shall issue permits to two medical cannabis dispensaries permitting them to remain open 24 hours per day. These medical cannabis dispensaries shall be located in order to provide services to the population most in need of 24 hour access to medical cannabis. These medical cannabis dispensaries shall be located at least one mile from each other and shall be accessible by late night public transportation services. However, in no event shall a medical cannabis dispensary located in a Small Scale Neighborhood Commercial District, a Moderate Scale Neighborhood Commercial District, or a Neighborhood Commercial Shopping Center District as defined in Sections 711, 712 and 713 of the Planning Code, be one of the two medical cannabis dispensaries permitted to remain open 24 hours per day.

The 2161-2165 Irving Street MCD project will afford the project sponsor the opportunity to comply with the SF Health Code and operate legally and under SFDPH supervision. The applicant will still be required to obtain a permit from SFDPH and will be subject to their regulations including tax compliance, non-profit operation, background checks and annual compliance inspections. This proposal would convert two vacant ground floor retail spaces to medical cannabis dispensary use.

- **Planning Code Compliance.** The proposed MCD complies with all relevant Planning Code requirements. Most notably, the subject property was not found to fall within 1,000 feet of any public or private elementary or secondary school, or community facility or recreation center primarily serving persons younger than 18 years of age. A map has been included as an attachment to this report, which demonstrates Planning Code compliance. There are Early-Age Child Care facilities (d.b.a. Jefferson Early Education School and Wah Mei School) within 1,000 feet of the subject property; however, these facilities do not meet the Planning Code definition of a school because they only serve up to the age of 5 years old and therefore, would not automatically prohibit the location of an MCD at the subject property.
- **Clustering and Neighborhood Impact.** In the subject District, the Planning Code does not prohibit the clustering of MCDs, nor does the San Francisco Health Code. As of September 2017, there are forty-two (42) permitted MCDs¹ with the Department of Public Health (DPH); additionally, the Planning Commission has recently approved seven (7) more MCDs, which have not yet completed the permitting process through DPH. Of the 49 MCDs that are either permitted by DPH or have received Planning Commission approval, the nearest established MCD is located two miles away at 4811 Geary Boulevard within the Inner Richmond neighborhood. The pending MCD appealed to the Board of Supervisors for 2505 Noriega Street would be located approximately one mile away from the subject property. A map has been included as an attachment to this report, which shows the concentration of MCDs in the immediate vicinity and City as a whole. As there are no other MCDs in the immediate vicinity of the subject property, there should not be any substantial negative impacts that may arise due to clustering of this land use type.

¹ 11 of the 42 permitted MCDs in the DPH database are operating out of a shared office (delivery-only) space at 214 California Street. Therefore there are only 32 distinct locations with permitted MCDs in the City, with recent Planning Commission approval for 7 additional locations.

- **Proposition 64/Adult Use of Marijuana Act.** Although approved by the voters in November 2016, the Adult Use of Marijuana Act does not authorize any existing or future MCD to distribute nonmedical (aka “adult use”) cannabis without (1) a state license and (2) compliance with San Francisco’s local laws. While Proposition 64 requires the State to begin issuing licenses by January 2018, the Planning Department, along with other City agencies, is crafting local land use and other regulatory controls to address the production, processing, and sale of adult use cannabis. Per Mayor Lee’s Executive Directive 16-05, these regulations are to be introduced by September 2017 so that they can be effective prior to the onset of the State licensing system. The Department maintains a very high level of confidence that San Francisco will embrace the opportunity to establish local land use regulations for adult use cannabis businesses, and in particular that these controls will articulate a discretionary process through which existing MCDs can apply to convert in whole or part to adult use cannabis dispensaries. It is unlikely that existing MCDs will be allowed to dispense adult use cannabis on a ministerial basis. As with any change to the Planning Code, these controls will be presented to the Planning Commission for review and discussion prior to consideration by the Board of Supervisors and Mayor.

REQUIRED COMMISSION ACTION

In order for the project to proceed, the Commission must grant Conditional Use Authorization to allow the establishment of a new Medical Cannabis Dispensary (d.b.a. Barbary Coast Dispensary) within Irving Street NCD, pursuant to Planning Code Sections 303 and 732.

BASIS FOR RECOMMENDATION

- The project allows for the establishment of a business with existing patients which live within the broader Sunset neighborhood, and which stand to benefit from a Medical Cannabis Dispensary located closer to their residence. There are no established MCDs that currently exist within the Outer Sunset neighborhood and none within 2 miles of the proposed location.
- The proposed operator has extensive experience and expertise on the subjects of medical marijuana regulation, prescription of medical marijuana to patients, and on the operation of an MCD itself. The operator has an established location in the South of Market (four years) and has grown to be an exemplary model for the operation of MCDs within the City, demonstrating how MCDs can collaborate with and blend into the community, and how an MCD can help to clean up the area in which they operate.
- Similar to Barbary Coast’s South of Market location, which has since its inception supported local neighborhood organizations and other local non-profits; the owners of the proposed MCD anticipate making similar contributions to the Sunset neighborhood.
- The proposed MCD will provide ongoing education programming and consultation to patrons and a senior support group about medical cannabis.
- The project site is directly accessible by transit along Irving Street and the project sponsor will provide bicycle parking.
- The proposed MCD would not allow for any cultivation, processing, smoking, vaporizing, or other means of medication on site.
- The proposed MCD has conducted community outreach and has committed to continue building relationships with Sunset residents, so that any concerns may be addressed quickly. The proposed MCD operator has direct experience in the industry, and plans to employ industry-

standard best practices with regards to safety and security, including use of a surveillance system and employment of an on-site security guard at the entrance to the business.

- The project promotes the operation of an established, locally-owned business and contributes to the viability of the overall Irving Street NCD, as it will merge and occupy two vacant storefronts and add to the diversity of goods and services provided within the District.
- The project meets all applicable requirements of the Planning Code.
- The project is desirable for, and compatible with the surrounding neighborhood.
- The business is not a Formula Retail use and would serve the immediate neighborhood.

RECOMMENDATION:	Approval with Conditions
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Attachments:

Parcel Map
Sanborn Map
Zoning Map
Aerial Photograph
Site Photograph
MCD Concentration/Proximity Map
MCD Combined CUA/312 Notice
California Environmental Quality Act ("CEQA") Categorical Exemption
Project Sponsor Submittals

- CUA/MCD Application Submittal
- Reduced Architectural Plans
- Outreach Efforts

Project Communications in Support

- Example Support Petition Signature Page
- Emails/Letters in Support

Project Communications in Opposition

- Example Opposition Petition Signature Page
- Common Example Email/Letter in Opposition
- Letters in Opposition

Attachment Checklist

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

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

___NHT_____

Planner's Initials

NHT: I:\Cases\2016\2016-002424CUA - 2165 Irving Street\Compilation Files\1_ExecutiveSummary - 2165 Irving St.docx



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

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

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Planning Commission Draft Motion

HEARING DATE: OCTOBER 12, 2017

Date: October 5, 2017
Case No.: **2016-002424CUA**
Project Address: **2161-2165 IRVING STREET**
Zoning: Irving Street Neighborhood Commercial District
65-A Height and Bulk District
Block/Lot: 1777/037
Project Sponsor: Brendan Hallinan
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San Francisco, CA 94102
Staff Contact: Nancy Tran – (415) 575-9074
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTIONS 303 AND 732, TO ESTABLISH A MEDICAL CANNABIS DISPENSARY (MCD) (D.B.A. BARBARY COAST DISPENSARY) WITHIN THE IRVING STREET NEIGHBORHOOD COMMERCIAL DISTRICT AND A 65-A HEIGHT AND BULK DISTRICT.

PREAMBLE

On December 18, 2015, Brendan Hallinan, on behalf of Barbary Coast Dispensary (hereinafter "Project Sponsor"), filed Building Permit Application Number 2015.12.18.5450 with the Department of Building Inspection to authorize a change of use and establish a Medical Cannabis Dispensary (MCD) within existing, vacant ground floor retail spaces at 2161-2165 Irving Street, located within the Irving Street Neighborhood Commercial District and a 65-A Height and Bulk District. On March 30, 2017, the Project Sponsor filed Application No. 2016-002424CUA seeking Conditional Use Authorization pursuant to subject Planning Code Sections 303 and 732 to establish an MCD (d.b.a. Barbary Coast Dispensary) at the location.

Per Ordinance No. 100-17 (effective June 19, 2017), MCDs proposed within the Irving, Judah, Noriega, and Taraval Street Neighborhood Commercial Districts are subject to permanent controls requiring Conditional Use Authorization. On September 12, 2017, the Board of Supervisors passed an interim zoning control to impose a 45-day moratorium prohibiting the Planning Commission from approving any new MCDs, except for those whose application have been scheduled to be heard by the Commission

as of September 11, 2017. The moratorium, enacted through ordinance No. 190-17, was signed by the Mayor on September 22, 2017. The application for an MCD at 2161-2165 Irving Street is exempt from the ordinance as its hearing was scheduled before the Planning Commission prior to September 11, 2017.

On September 26, 2017, Mayor Lee introduced legislation with respect to adult use cannabis. The Planning Commission is scheduled to hear and make a formal recommendation on the matter at its October 19 meeting.

On October 12, 2017, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2016-002424CUA.

The project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption under CEQA.

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

MOVED, that the Commission hereby authorizes the Conditional Use requested in Application No. 2016-002424CUA, pursuant to Planning Code Sections 303 and 732, to establish a Medical Cannabis Dispensary (MCD) (d.b.a. Barbary Coast Dispensary), subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The project is located at the corner of Irving Street and 23rd Avenue, Block 1777, Lot 037. The subject property is located within the Irving Street Neighborhood Commercial District ("NCD") and the 65-A Height and Bulk District. The property is developed with a two-story commercial building. There is a massage establishment and professional office on the second floor and two ground floor restaurants. The MCD is proposed in two ground floor tenant spaces that have been vacant for several years and previously occupied by an internet cafe and a grocery store. The subject property measures approximately 85 feet by 100 feet, with 8,500 square feet of lot area, and approximately 65% lot coverage.
3. **Surrounding Properties and Neighborhood.** The subject property is within the Irving Street NCD located in the Outer Sunset neighborhood which stretches along Irving Street from 19th to 27th Avenues. The District provides a selection of convenience goods and services for the residents of the Outer Sunset District. There is a high concentration of restaurants, drawing customers from throughout the City and the region. There are also a significant number of professional, realty, and business offices as well as financial institutions. The area surrounding this part of the Irving Street NCD is zoned RH-2 (Residential House, Two-Family).

The project site is located on the Irving Street commercial corridor between 22nd and 23rd Avenues. A variety of commercial establishments are located within ground floor storefronts in the Irving Street NCD, including restaurants, apparel stores, personal service, office and other types of retailers. Buildings in the vicinity range from two to three stories in height. Upper floors of buildings are generally occupied by offices or residential units.

The subject location along Irving Street is served by the 7 and 7X MUNI Bus lines. It is also in proximity to 28, 28R, 29, N, NX lines as well as bicycle routes along 20th Avenue and Kirkham Street. The immediate area is not identified as part of the Vision Zero High Injury Network for pedestrians and cyclists. There are no other MCDs currently located in proximity to the subject property; the nearest established MCD is located two miles away at 4811 Geary Boulevard within the Inner Richmond neighborhood. The Conditional Use Authorization for an MCD at 2505 Noriega Street, located approximately one mile away from the subject property, was approved by the Commission on July 13, 2017 and is currently under appeal with the Board of Supervisors

4. **Project Description.** The Project Sponsor proposes to establish a new Medical Cannabis Dispensary (MCD) (d.b.a. Barbary Coast Dispensary) at 2161-2165 Irving Street, within two vacant ground floor retail commercial spaces last occupied by an internet cafe and a grocery store. The project does not propose on-site medication (e.g. smoking, vaporizing, or consumption of edibles) or on-site cultivation for harvesting of medical product. The proposed hours of operation are 8:00AM to 10:00PM, seven days a week.

The proposal includes tenant improvements to the two retail spaces, which combined consist of approximately 2,600 square feet and 44 linear feet of frontage along Irving Street. No physical expansion of the building is proposed and exterior work would be limited to signage only. No parking would be required for the change of use. The Project Sponsor will maintain security guard presence during business hours and will install cameras within and around the facility

The Project Sponsor's goal is to provide medical cannabis to registered patients within the Outer Sunset and other nearby neighborhoods, as there are currently no MCDs in the surrounding area. The Project Sponsor currently operates an MCD within San Francisco at 952 Mission Street.

5. **Public Comment/Community Outreach.** The Project Sponsor conducted door-to-door outreach with Cantonese and Mandarin interpreters to adjacent neighbors and businesses on Irving Street between 19th Avenue and 25th Avenue. The sponsors hosted 16 open houses at the proposed property prior to the Commission hearing and promoted the events through a segment on KTSF 26 Chinese news. Additionally, the sponsors attended two community meetings with the Outer Sunset Merchants Association and Sunset Youth Services. A more detailed summary of outreach efforts can be found as an attachment to the project sponsor's application submittal.

To date, the Department has received (20) communications in favor of the project, which praise the Project Sponsor for its responsible management and professionalism at its other established MCDs within San Francisco. The letters state that the proposal would provide better access to medical marijuana, more jobs in the area and would improve the neighborhood. In addition, the

Department received a petition in support of the project with nearly 1,200 signatures; the printed case report only contains a representative sample of the signed petition received

To date, the Department has received (29) emails in opposition to the proposal. These individuals expressed concerns that the proposal is neither necessary nor desirable for the neighborhood. They also cited that it will lead to clustering of MCDs in the area and will negatively affect the family-oriented character of the neighborhood. In addition, the Department received a petition in opposition of the project with 2,843 signatures; the printed case report only contains a representative sample of the signed petition received.

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

- A. **Medical Cannabis Dispensary Use Criteria.** Planning Code Section 202.2(e)(1) sets forth the following criteria that must be met by all MCDs and considered by the Planning Commission in evaluating the proposed use.

1. That the proposed site is located not less than 1,000 feet from a parcel containing the grounds of an elementary or secondary school, public or private, nor less than 1,000 feet from a community facility and/or recreation center that primarily serves persons under 18 years of age.

Project Meets Criteria

The parcel containing the proposed MCD is not located within 1,000 feet of a primary or secondary school, public or private, nor a community facility and/or recreation center that primarily serves persons under 18 years of age.

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

Project Meets Criteria

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

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

Project Meets Criteria

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

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

Criteria not Applicable

The Project Sponsor does not propose to allow any on-site smoking or consumption of 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

A 30-day notice was sent to owners and occupants within 300-feet of the subject parcel and neighborhood groups identifying that an MCD is proposed at the subject property and that the proposed use is subject to Conditional Use Authorization at a Planning Commission hearing.

- B. **Use Size.** Planning Code Section 732 states that a Conditional Use Authorization is required for uses that are 4,000 square feet in size or larger.

The proposed MCD would be located in an existing vacant retail spaces of approximately 2,600 square feet combined and does not propose any expansion; therefore, the proposed use size is principally permitted within the District.

- C. **Hours of Operation.** Planning Code Section 732 states that a Conditional Use Authorization is required for maintaining hours of operation between 2 a.m. and 6 a.m.

The proposed MCD would operate between the hours of 8 a.m. and 10 p.m., and therefore the proposed hours are principally permitted within the District. The proposed hours of operation also comply with Section 3308 of the San Francisco Health Code, which states that it is unlawful for a dispensary to remain open between the hours of 10 p.m. and 8 a.m. the next day.

- D. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to

provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The proposed MCD would provide for active uses on the ground floor within the first 25 feet of building depth and does not propose any parking. The existing subject storefront space has approximately 44 feet of linear frontage along Irving Street and will meet minimum fenestration requirement with respect to transparent windows and doorways. No changes are proposed to the existing fenestration, nor alteration to the physical nature of the structure.

- E. **Required Ground Floor Commercial Use.** Planning Code Section 732 does not require commercial uses at the ground floor.

Planning Code Section 145.4(c) lists uses which shall be included within the definition of “active commercial uses,” and specifically includes Medical Cannabis Dispensary within this list. While not required, the proposed MCD will provide an active commercial at the ground floor under this Section.

- F. **Off-Street Parking.** Planning Code Section 151 does not require off-street parking for institutional uses as listed in the required parking table.

The proposed MCD is considered an institutional use and does not propose any expansion; therefore, it would not be required to provide any off-street parking. However, two existing spaces at the rear will be provided for staff and meets the maximum accessory quantity permitted.

- G. **Off-Street Loading.** Planning Code Section 152 requires off-street loading spaces for retail uses where the gross floor area of the use exceeds 10,000 square feet.

The proposed MCD would be located in a existing retail spaces with approximately 2,600 square feet and does not propose any expansion; therefore, the proposed MCD would not require any off-street loading.

- H. **Bicycle Parking.** Planning Code Section 155.2 requires bicycle parking where a change of occupancy or increase in intensity of use would increase the number of total required bicycle parking spaces (inclusive of Class 1 and 2 spaces in aggregate) by 15 percent.

The proposed change of use to an MCD would not increase the number of total required bicycle parking spaces by 15 percent or more; therefore no bicycle parking is required. As a voluntary measure, the project sponsor has proposed to provide four (4) Class 2 bicycle parking spaces along the sidewalk, as part of the project sponsor’s efforts to encourage travel to the site by alternative means of transportation.

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

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

The size of the proposed use is in keeping with other storefronts on the block face, and is a principally permitted use size within the District. While a merger with the adjacent storefront is proposed on the same lot, it does not exceed the use size limitation allowed. The proposed Medical Cannabis Dispensary (MCD) will add a unique business type and would provide goods and services that are not otherwise available within the District, nor beyond the immediate District and within the surrounding, broader Sunset neighborhood. The nearest MCD to the project site is approximately 2 miles away, located along Geary Street in the Inner Richmond neighborhood. The Conditional Use Authorization for an MCD at 2505 Noriega Street, located approximately one mile away from the subject property, was approved by the Commission on July 13, 2017 and is currently under appeal with the Board of Supervisors.

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

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

The proposed MCD will be located within an existing building that has been vacant for several years. No new construction, additions, or expansion of the building envelope or storefront are proposed.

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

The Planning Code does not require parking or loading for a 2,600 square-foot MCD. In terms of trip generation, traffic and parking, the proposed MCD use would not increase the occupancy or intensity of use from the previous uses (internet café and restaurant). Another retail or restaurant use, which are common throughout the District, would likely locate within the space if the request for Conditional Use Authorization is denied. The proposed dispensary will comply with current accessibility requirements. Delivery of medical cannabis is currently prohibited by commercial vehicles, the project does not therefore generate any demand for a commercial loading space. Deliveries must be made by private automobile or another alternate means of transportation.

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

The proposed MCD would not permit any cultivation or processing of medical cannabis on site, nor would the proposed MCD permit any smoking, vaporization, or other means of consumption of medical cannabis on site. The MCD will employ a security guard on site who can help to ensure that patients are not medicating once immediately exiting the premises. The proposed MCD will

have a mechanical system designed to keep any potential odors from passing into pedestrian space, and as such, should not generate any noxious or offensive emissions such as noise, glare, dust and odor.

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

The proposed MCD does not require any treatment with regard to landscaping, screening, open spaces, parking and loading areas, or service areas. The Department shall review all lighting and signs proposed for the new business in accordance with Article 6 and Section 790.141(e) of the Planning Code. The existing storefront will be replaced and upgraded with high-quality materials, and should serve to enhance the District.

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

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

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

The proposed project is consistent with the stated purposed of the Irving Neighborhood Commercial District in that the intended use is located at the ground floor, will provide compatible convenience goods and services for the residents of the Outer Sunset District during daytime hours, and will encourage the street's active retail frontage. The District controls acknowledge that there are a high concentration of restaurants in the District, drawing customers from throughout the City and region. The proposed MCD, while primarily intended to serve those residents of the Outer Sunset neighborhood, does have some potential to draw patients from around the City and region; however, these trips are likely to be limited due to the availability of MCDs in other neighborhoods throughout the City and due to the proposed location's site away from highways.

8. **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 WORKINIG ENVIRONMENT.

Policy 1.1:

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

Policy 1.2:

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

Policy 1.3:

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

The proposed MCD project will provide desirable goods and services to the neighborhood and will provide employment opportunities to those in the community. The proposed MCD would meet all the performance standards and requirements identified in Planning Code Section 202.2(e)(1). The project site is located within a Neighborhood Commercial District and is thus consistent with activities in the commercial land use plan. There are no other established MCDs operating in the vicinity, nor within 2 miles of the project site, which should minimize any potential negative impacts associated with the clustering of MCDs. The MCD will utilize a mechanical system designed to keep any potential odors from passing into pedestrian space, and will employ a security guard and help mitigate any undesirable activities.

OBJECTIVE 2:

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

Policy 2.1:

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

The Project will allow a locally-owned and established business to expand to a new location within the City, thus providing new job opportunities for local residents. The proposed MCD will also help to diversify the business activity of the immediate Irving Street NCD and the broader west side of the City, as there are currently no MCDs in the vicinity.

OBJECTIVE 6:

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

Policy 6.1:

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

Policy 6.2:

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

Policy 6.9:

Regulate uses so that traffic impacts and parking problems are minimized.

The proposed MCD would be located within existing, vacant storefronts, and would thus help to activate this portion of the NCD. The last uses within the two tenant spaces were an internet café and restaurant, and thus a proposed MCD is an appropriate replacement use to serve the changing medical needs of patients in the City. As there are no other MCDs within 2 miles of the proposed location, the proposed MCD would function primarily as a neighborhood-serving use for those patients within the broader Sunset neighborhood. The proposed MCD is a locally-owned and developed business that has several years of direct experience working within the medical cannabis industry within San Francisco. The MCD would operate between the hours of 8 a.m. and 10 p.m. and would thus not have detrimental impacts on residents due to late-night activity.

TRANSPORTATION

Objectives and Policies

OBJECTIVE 1:

MEET THE NEEDS OF ALL RESIDENTS AND VISITORS FOR SAFE, CONVENIENT AND INEXPENSIVE TRAVEL WITHIN SAN FRANCISCO AND BETWEEN THE CITY AND OTHER PARTS OF THE REGION WHILE MAINTAINING THE HIGH QUALITY LIVING ENVIRONMENT OF THE BAY AREA.

Policy 1.3:

Give priority to public transit and other alternatives to the private automobile as the means of meeting San Francisco's transportation needs, particularly those of commuters.

The project sponsor has indicated that they will voluntarily provide bicycle parking and encourage travel to the site by alternative means of transportation, other than by private automobile.

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

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

The proposal would enhance the district by providing a unique use in an area that does not have another MCD within 2 miles. The business would be locally owned and it creates 15-20 more employment opportunities for the community. The MCD would be located within an existing, vacant storefront, thus helping to activate this portion of the NCD.

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

The existing units in the surrounding neighborhood would not be adversely affected. The proposed MCD would operate between the hours of 8 a.m. and 10 p.m., and would thus have minimal detrimental effects due to late-night activity on nearby residences. The project will comply with all

signage, lighting, and transparency requirements, in order to help maintain neighborhood character and activate the commercial district.

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

The proposed project would have no effect on the City's supply of affordable housing.

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

The project site is located along Irving Street is served by the 7 and 7X MUNI Bus lines. It is also in proximity to 28, 28R, 29, N, NX lines as well as bicycle routes along 20th Avenue and Kirkham Street.

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

The subject tenant spaces are vacant and will not displace any industrial or service sector establishments.

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

The MCD will follow standard earthquake preparedness procedures and all construction will comply with current building and seismic safety codes.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site, and the proposed rehabilitation work to the storefront is in keeping with the Secretary of the Interior's Standards.

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

The project will have no negative effect on existing parks and open spaces, as it is a change of use with no proposed expansion of the building envelope.

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

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Application No. 2014-002424CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated October 12, 2017, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on October 12, 2017.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 12, 2017

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to establish a Medical Cannabis Dispensary (MCD) (d.b.a. Barbary Coast Dispensary) located at 2161-2165 Irving Street, Lot 037 in Assessor's Block 1777, pursuant to Planning Code Section(s) 303 and 732, within the Irving Street Neighborhood Commercial District and a 65-A Height and Bulk District; in general conformance with plans, dated September 29, 2017, and stamped "EXHIBIT B" included in the docket for Case No. 2016-002424CUA and subject to conditions of approval reviewed and approved by the Commission on October 12, 2017 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on October 12, 2017 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

Conditions of Approval, Compliance, Monitoring, and Reporting

PERFORMANCE

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

DESIGN – COMPLIANCE AT PLAN STAGE

6. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

7. **Rooftop Mechanical Equipment.** Pursuant to Planning Code 141, the Project Sponsor shall submit a roof plan to the Planning Department prior to Planning approval of the building permit application. Rooftop mechanical equipment, if any is proposed as part of the Project, is required to be screened so as not to be visible from any point at or below the roof level of the subject building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

8. **Odor Control Unit.** In order to ensure any significant noxious or offensive odors are prevented from escaping the premises once the project is operational, the building permit application to implement the project shall include air cleaning or odor control equipment details and manufacturer specifications on the plans. Odor control ducting shall not be applied to the primary façade of the building.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

MONITORING

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

OPERATION

11. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a bilingual (Mandarin and Cantonese) community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
12. **Cultural and Educational Services.** The Project Sponsor and proposed MCD shall offer bilingual (Mandarin and Cantonese) cultural and educational services as it relates to medical cannabis and its applied usage within health care.
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
13. **Garbage, Recycling, and Composting Receptacles.** Garbage, recycling, and compost containers shall be kept within the premises and hidden from public view, and placed outside only when being serviced by the disposal company. Trash shall be contained and disposed of pursuant to garbage and recycling receptacles guidelines set forth by the Department of Public Works.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works at 415-554-5810, <http://sfdpw.org>
14. **Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.
For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>
15. **Odor Control.** While it is inevitable that some low level of odor may be detectable to nearby residents and passersby, appropriate odor control equipment shall be installed in conformance with the approved plans and maintained to prevent any significant noxious or offensive odors from escaping the premises.
For information about compliance with odor or other chemical air pollutants standards, contact the Bay Area Air Quality Management District, (BAAQMD), 1-800-334-ODOR (6367), www.baaqmd.gov and Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

Exhibits

Parcel Map



Discretionary Review Hearing
Case Number 2016-002424CUA
MCD - Barbary Coast Dispensary
2161-2165 Irving Street

Sanborn Map*

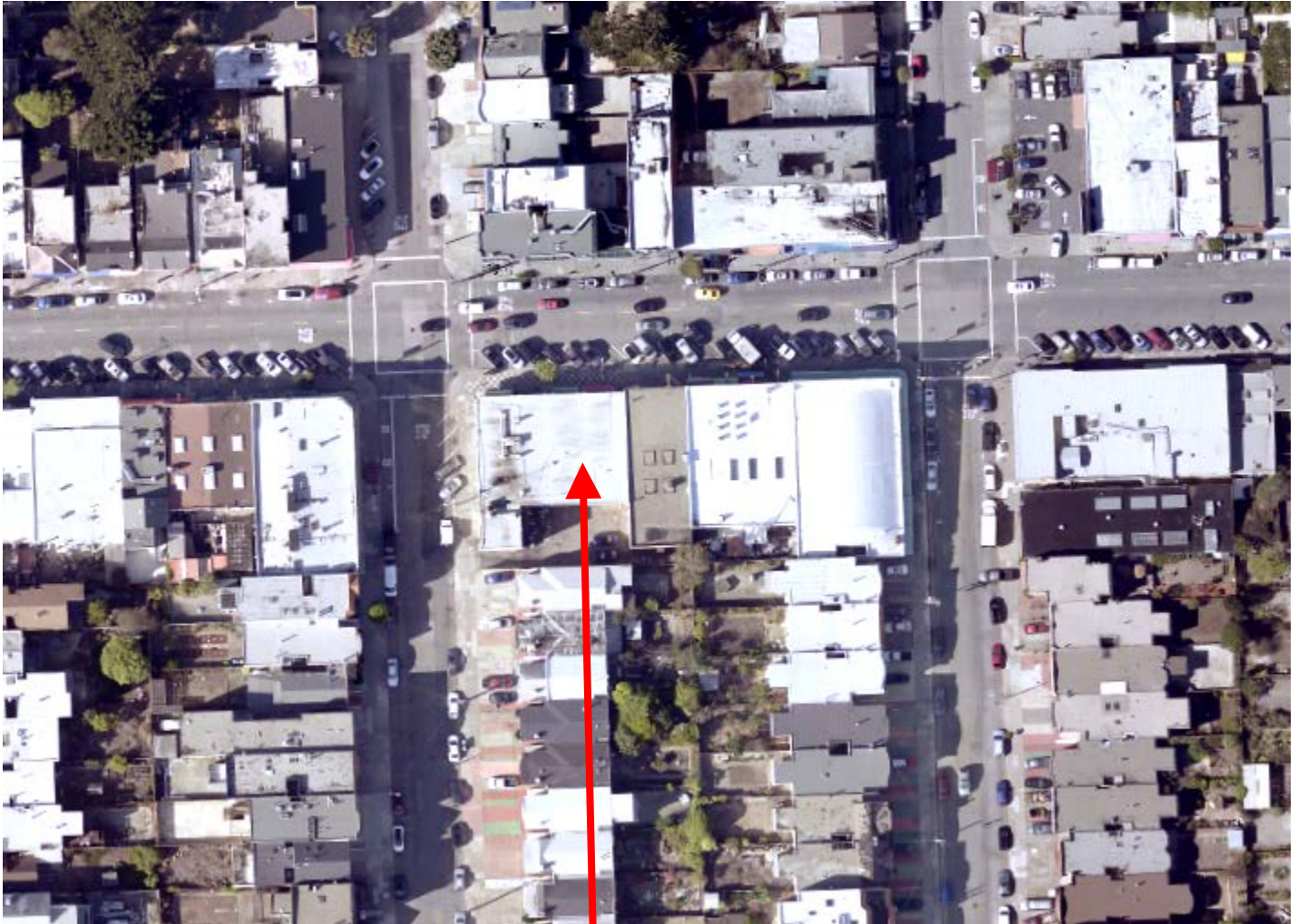


**The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.*



Discretionary Review Hearing
Case Number 2016-002424CUA
 MCD - Barbary Coast Dispensary
 2161-2165 Irving Street

Aerial Photo

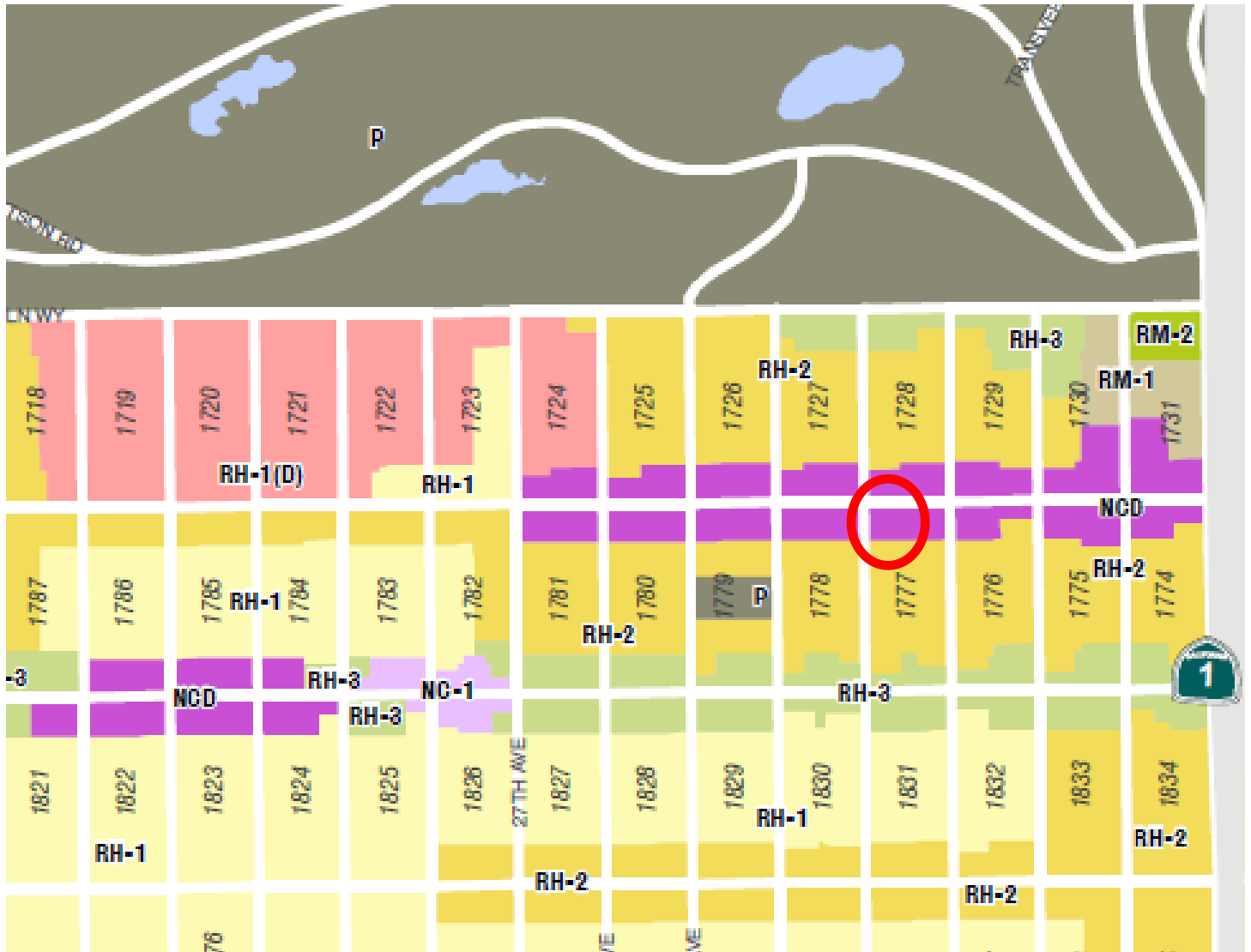


SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2016-002424CUA
MCD - Barbary Coast Dispensary
2161-2165 Irving Street

Zoning Map



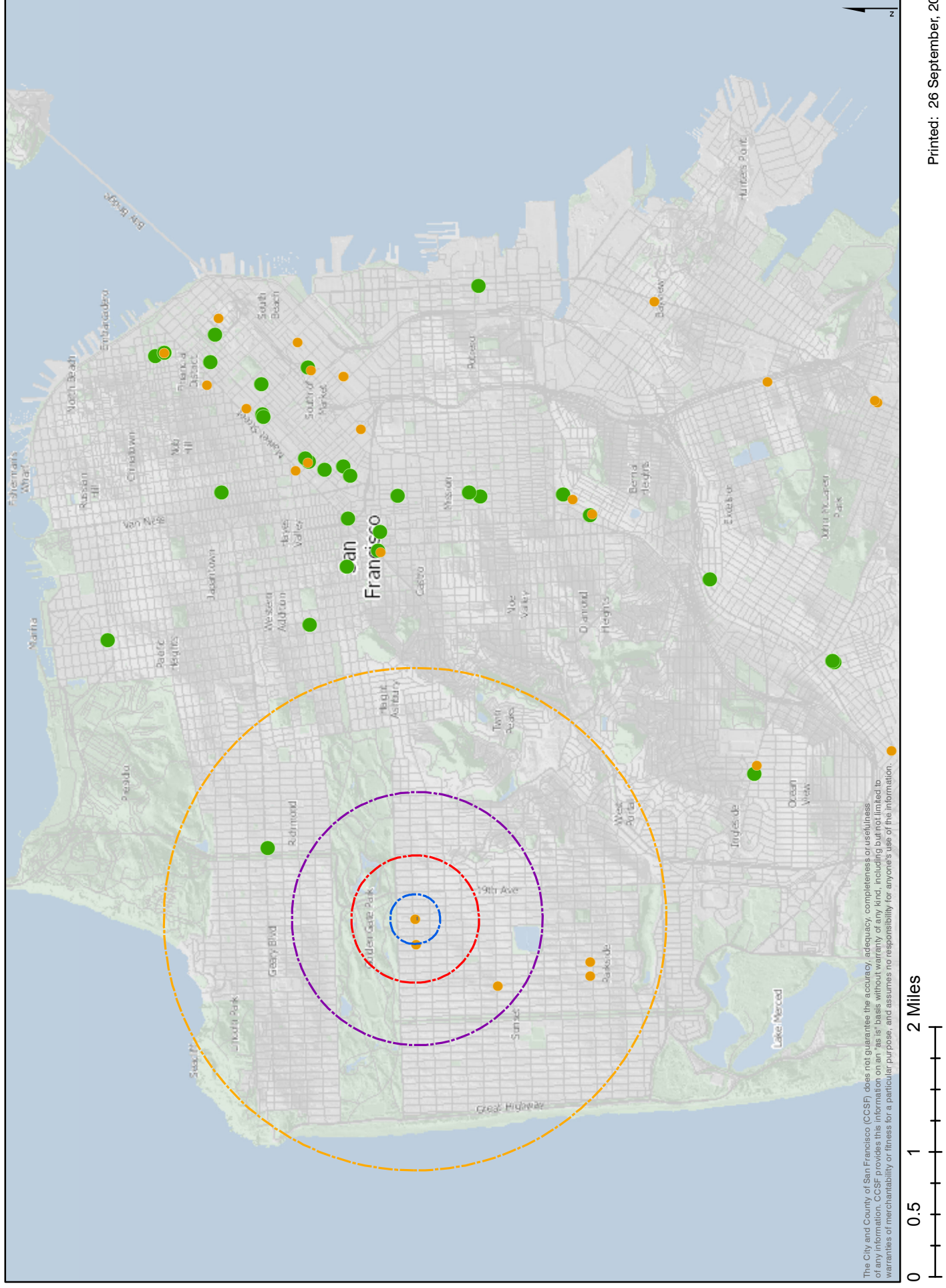
Discretionary Review Hearing
 Case Number 2016-002424CUA
 MCD - Barbary Coast Dispensary
 2161-2165 Irving Street

Site Photo



Discretionary Review Hearing
Case Number 2016-002424CUA
MCD - Barbary Coast Dispensary
2161-2165 Irving Street

Permitted and Pending MCDs in Proximity to 2165 Irving 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 12, 2017**

Time: **Not before 1:00 PM**

Location: **City Hall, 1 Dr. Carlton B. Goodlett Place, Room 400**

Case Type: **Conditional Use**

Hearing Body: **Planning Commission**

PROPERTY INFORMATION		APPLICATION INFORMATION	
Project Address:	2161-2165 Irving Street	Case No.:	2016-002424CUA
Cross Street(s):	23rd Avenue	Building Permit:	2015.12.18.5450
Block /Lot No.:	1777 / 037	Applicant:	Brendan Hallinan
Zoning District(s):	Irving St NCD / 65-A	Telephone:	(415) 863-1520
Area Plan:	N/A	E-Mail:	brendan@hallinan-law.com
PROJECT DESCRIPTION			
<p>The request is for Conditional Use Authorization pursuant to Planning Code Sections 303 and 732, proposing to establish a new Medical Cannabis Dispensary (MCD) (d.b.a. Barbary Coast Dispensary) in vacant ground commercial spaces of the subject property. The MCD would not allow for on-site medication of medical cannabis (e.g. smoking, vaporizing, and consumption of medical cannabis edibles), nor would the MCD permit on-site cultivation of plants for harvesting medical product. The MCD would permit on-site sales of medical cannabis.</p> <p>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).</p>			
ADDITIONAL INFORMATION			
<p>ARCHITECTURAL PLANS: If you are interested in viewing the plans for the proposed project please contact the planner listed below. The plans and Department recommendation of the proposed project will be available prior to the hearing through the Planning Commission agenda at: http://www.sf-planning.org or by request at the Planning Department office located at 1650 Mission Street, 4th Floor.</p> <p>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.</p>			
<p>FOR MORE INFORMATION, PLEASE CONTACT PLANNING DEPARTMENT STAFF:</p> <p>Planner: Nancy Tran Telephone: (415) 575-9174 E-Mail: nancy.h.tran@sfgov.org</p>			

GENERAL INFORMATION ABOUT PROCEDURES

HEARING INFORMATION

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

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

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

BUILDING PERMIT APPLICATION INFORMATION

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

APPEAL INFORMATION

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

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

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

ENVIRONMENTAL REVIEW

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

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



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)	
2161-2165 Irving Street		1777/037	
Case No.	Permit No.	Plans Dated	
2016-002424CUA	2015.12.18.5450	September 29, 2017	
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRER if over 45 years old)	<input type="checkbox"/> New Construction	<input type="checkbox"/> Project Modification (GO TO STEP 7)
Project description for Planning Department approval. Change of use from retail to Medical Cannabis Dispensary. Interior tenant improvements also proposed.			

STEP 1: EXEMPTION CLASS TO BE COMPLETED BY PROJECT PLANNER

Note: If neither class applies, an <i>Environmental Evaluation Application</i> is required.	
<input checked="" type="checkbox"/>	Class 1 – Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 – New Construction/ Conversion of Small Structures. Up to three (3) new single-family residences or six (6) dwelling units in one building; commercial/office structures; utility extensions.; ; change of use under 10,000 sq. ft. if principally permitted or with a CU. Change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class ____

STEP 2: CEQA IMPACTS TO BE COMPLETED BY PROJECT PLANNER

If any box is checked below, an <i>Environmental Evaluation Application</i> is required.	
<input type="checkbox"/>	Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks)? <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Article 38 program and the project would not have the potential to emit substantial pollutant concentrations. (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollutant Exposure Zone)</i>
<input type="checkbox"/>	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential? If yes, this box must be checked and the project applicant must submit an Environmental Application with a Phase I Environmental Site Assessment. <i>Exceptions: do not check box if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the</i>

	<i> Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project create six (6) or more net new parking spaces or residential units? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non-archeological sensitive area? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</i>
<input type="checkbox"/>	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i>
<input type="checkbox"/>	Slope = or > 20%: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Topography)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 1,000 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report will likely be required.
If no boxes are checked above, GO TO STEP 3. <u>If one or more boxes are checked above, an Environmental Evaluation Application is required, unless reviewed by an Environmental Planner.</u>	
<input checked="" type="checkbox"/>	Project can proceed with categorical exemption review. The project does not trigger any of the CEQA impacts listed above.
Comments and Planner Signature (optional):	

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

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

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

Check all that apply to the project.	
<input checked="" type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input checked="" type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

**STEP 5: CEQA IMPACTS – ADVANCED HISTORICAL REVIEW
TO BE COMPLETED BY PRESERVATION PLANNER**

Check all that apply to the project.	
<input type="checkbox"/>	1. Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. Interior alterations to publicly accessible spaces.
<input type="checkbox"/>	3. Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.
<input type="checkbox"/>	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	7. Addition(s) , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. Other work consistent with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):

<input type="checkbox"/>	<p>9. Other work that would not materially impair a historic district (specify or add comments):</p> <p>(Requires approval by Senior Preservation Planner/Preservation Coordinator) _____</p>
<input type="checkbox"/>	<p>10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation Coordinator)</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Reclassify to Category A <input type="checkbox"/> Reclassify to Category C </p> <p style="padding-left: 40px;">a. Per HRER dated: _____ (attach HRER)</p> <p style="padding-left: 40px;">b. Other (specify): _____</p>
<p>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST check one box below.</p>	
<input type="checkbox"/>	<p>Further environmental review required. Based on the information provided, the project requires an <i>Environmental Evaluation Application</i> to be submitted. GO TO STEP 6.</p>
<input type="checkbox"/>	<p>Project can proceed with categorical exemption review. The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. GO TO STEP 6.</p>
<p>Comments (optional):</p> 	
<p>Preservation Planner Signature:</p>	

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

<input type="checkbox"/>	<p>Further environmental review required. Proposed project does not meet scopes of work in either (check all that apply):</p> <p style="padding-left: 40px;"> <input type="checkbox"/> Step 2 – CEQA Impacts <input type="checkbox"/> Step 5 – Advanced Historical Review </p> <p>STOP! Must file an <i>Environmental Evaluation Application</i>.</p>	
<input checked="" type="checkbox"/>	<p>No further environmental review is required. The project is categorically exempt under CEQA.</p>	
	<p>Planner Name: Nancy Tran</p> <hr/> <p>Project Approval Action:</p> <p style="padding-left: 20px;">Building Permit</p> <p style="font-size: small;">If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.</p>	<p>Signature:</p> <div style="display: flex; align-items: center;"> <div style="font-size: 2em; margin-right: 10px;">Nancy Tran</div> <div style="font-size: x-small;"> Digitally signed by Nancy Tran DN: dc=org, dc=sfgov, dc=cityplanning, ou=CityPlanning, ou=Current Planning, cn=Nancy Tran, email=Nancy.H.Tran@sfgov.org Date: 2017.10.02 17:04:31 -07'00' </div> </div>
	<p>Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the first approval action.</p>	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT TO BE COMPLETED BY PROJECT PLANNER

In accordance with Chapter 31 of the San Francisco Administrative Code, when a California Environmental Quality Act (CEQA) exempt project changes after the Approval Action and requires a subsequent approval, the Environmental Review Officer (or his or her designee) must determine whether the proposed change constitutes a substantial modification of that project. This checklist shall be used to determine whether the proposed changes to the approved project would constitute a “substantial modification” and, therefore, be subject to additional environmental review pursuant to CEQA.

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
Case No.	Previous Building Permit No.	New Building Permit No.
Plans Dated	Previous Approval Action	New Approval Action
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input type="checkbox"/>	Result in demolition as defined under Planning Code Section 317 or 19005(f)?
<input type="checkbox"/>	Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption?
If at least one of the above boxes is checked, further environmental review is required. ATEX FORM	

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice.	
Planner Name:	Signature or Stamp:

APPLICATION FOR Conditional Use Authorization

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:

The Araj Trust

PROPERTY OWNER'S ADDRESS:

1244 Toyon Drive, Millbrae, CA 94030

TELEPHONE:

(415) 699-8133

EMAIL:

APPLICANT'S NAME:

Barbary Coast Dispensary, Jesse Henry

Same as Above ☐

APPLICANT'S ADDRESS:

2165 Irving Street
San Francisco, CA 94122

TELEPHONE:

(415) 793-0831

EMAIL:

jesse.barbarycoast@gmail.com

CONTACT FOR PROJECT INFORMATION:

Brendan Hallinan

Same as Above ☐

ADDRESS:

345 Franklin Street
San Francisco, CA 94102

TELEPHONE:

(415) 863-1520

EMAIL:

Brendan@Hallinan-Law.com

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

Jesse Henry

Same as Above ☐

ADDRESS:

952 Mission Street
San Francisco, CA 94103

TELEPHONE:

(415) 793-0831

EMAIL:

jesse.barbarycoast@gmail.com

2. Location and Classification

STREET ADDRESS OF PROJECT:

2165 Irving Street

ZIP CODE:

94122

CROSS STREETS:

23rd Avenue and 22nd Avenue

ASSESSORS BLOCK/LOT:

1777 / 037

LOT DIMENSIONS:

85 x 100

LOT AREA (SQ FT):

8,500

ZONING DISTRICT:

NCD

HEIGHT/BULK DISTRICT:

65-A

3. Project Description

(Please check all that apply)

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

ADDITIONS TO BUILDING:

- ☐ Rear
☐ Front
☐ Height
☐ Side Yard

PRESENT OR PREVIOUS USE:

Vacant - Video Store / Produce

PROPOSED USE:

MCD

BUILDING APPLICATION PERMIT NO.:

201512185450

DATE FILED:

12/18/2015

4. Project Summary Table

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

	EXISTING USES	EXISTING USES TO BE RETAINED	NET NEW CONSTRUCTION AND/OR ADDITION	PROJECT TOTALS:
PROJECT FEATURES				
Dwelling Units	0	0	0	0
Hotel Rooms	0	0	0	0
Parking Spaces	2	2	0	2
Loading Spaces	0	0	0	0
Number of Buildings	1	1	0	1
Height of Building(s)	-	-	0	-
Number of Stories	2	2	0	2
Bicycle Spaces	0	0	0	0
GROSS SQUARE FOOTAGE (GSF)				
Residential	0	0	0	0
Retail	2000	2000	0	2000
Office	0	0	0	0
Industrial/PDR <i>Production, Distribution, & Repair</i>	0	0	0	0
Parking	120	120	0	120
Other (Specify Use)	0	0	0	0
TOTAL GSF	2120	2120	0	2120

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

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

Conditional Use Findings

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

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

SEE ATTACHMENT A

ATTACHMENT A
CONDITIONAL USE FINDINGS & PROJECT DESCRIPTION

THE BARBARY COAST DISPENSARY ON IRVING STREET

1. The proposed use will add a new and compatible use to the Irving Street Neighborhood Commercial District.

The Barbary Coast dispensary on Irving Street is being developed and operated by local San Francisco residents who are members of the community where the proposed facility is located. The Barbary Coast operating group has a sterling reputation for being a model operator. In four years of operation on Mission Street, Barbary Coast has proved through its actions that it is committed to being a part of the fabric of the neighborhood. The team has organized neighborhood security groups, supported countless community initiatives and provided secure, good paying jobs as well as quality service to the community. The operations group has developed organically over the past 10 years and is made up entirely of San Francisco residents who have earned the opportunity to participate in the ownership through their merit by being promoted internally from the business operations. This ownership group has already made three of its former Employees small business owners and has provided employment opportunities for hundreds of residents over the past 10 years.

Use Proposed at 2165 Irving Street:

The proposed use is a medical cannabis dispensary that is designed to cater to the Sunset District's unique character and demographics. The Size & Intensity contemplated at the proposed location, will provide a development that is necessary and desirable for, and compatible with, the neighborhood and the community;

Character of the District:

The Barbary Coast dispensary on Irving Street will be a locally owned small business which is designed to be a neighborhood serving dispensary for the west side of San Francisco. The storefront will have a welcoming façade that allows natural light to enter the space. Although the front windows will not be entirely clear, they will not be blacked out and will not create an unnatural, unwelcoming, or unfriendly image on the street. The patrons will enter the facility into a processing lobby where intake and orientation will be completed. The patrons will then enter the display and dispensing area through a second door. This design will provide additional privacy for patients who may be discussing their medical condition with the dispensary staff, making cash purchases, and will also prevent the smell of the medical cannabis from going onto the street.

Current Uses in the Area:

Currently the Outer Sunset neighborhood commercial corridors have an excessive amount of empty storefront spaces disproportionate to the rest of San Francisco. During a recent survey, there were 12 empty storefronts on Irving between 19th Avenue and 25th Avenue.

Additionally, there is a problematic lack of diversity of businesses types on Irving Street. The Barbary Coast dispensary on Irving Street will not only provide a new business to the neighborhood but also a new use which is of great interest, curiosity, and demand to the public. Neighboring businesses will benefit from the location of the dispensary in the Outer Sunset in that it does not directly compete with any of the existing neighboring businesses, the only exception being Walgreens pharmacy across the street which is not a locally owned small business and does not offer medical cannabis. The other small businesses in the commercial corridor will only see an uptick in business as new customers from the neighborhood are brought to the area for a product that is not otherwise available in the area. Barbary Coast will be a stable business which will operate in this location for the next decade.

Outer Sunset Demographics:

Over 60% of the Outer Sunset residents are 35 years or age and older 80% of the Outer Sunset residents are 18 years of age or older (San Francisco Neighborhoods, Socio Economic Profiles 2005-2009 –SF Planning 2011).

The dispensary is designed to cater to adults, offering only medical cannabis, medical cannabis specialty products, and education about their safe usage and efficacy. Medical cannabis has picked up tremendous popularity over the past 5 years with mainstream acceptance and is now legal in 29 states. National reports and studies from the likes of Sanjay Gumptra and the University of California have shown that medical cannabis use helps with pain and stress management, numerous serious medical conditions and it directly leads to a significant decrease in the use of prescription drugs. (Center for Substance Abuse Studies SF). The adult and aging population of San Francisco will benefit tremendously from having access to this resource in currently unserved neighborhoods like the Outer Sunset.

Aging population in the Outer Sunset:

The Collective has developed programs to educate adults and seniors as to the benefits and proper use of medical cannabis to help them with pain management and supplemental treatments for more serious conditions.

Education and Consultation for all Patrons:

The collective will offer ongoing educational product demonstrations for its patrons focusing on alternative medical cannabis products and methods of administering such products. The staff of the dispensary will go through a training program that has been developed by Barbary Coast

Dispensary which focuses on consulting with patrons on not only the recommended use of different products but also dosage control and using cannabis for pain management.

Medical Cannabis Support Group for Seniors:

The struggles of senior living are best understood by fellow seniors. The focus of the support group is to provide a comfortable and supportive environment for seniors where they can share experience and advice with each other about the use of medical cannabis. The support group will serve those seniors facing common problems such as:

- Those who have started to use medical cannabis and are faced with opposition and/or skepticism from family, friends, or others.
- Those who have tried prescription pills and other treatments for health issues, but need something different and need to know how others have used medical cannabis to limit prescription pill usage.
- Those who use or want to use medical cannabis but have questions about proper usage, safety, storage, transportation.
- Those interested in improving their quality of life with medical cannabis but don't know where to begin.

The dispensary will offer ongoing senior specials and discounts on products that can most benefit this community.

Location, Size & Intensity of the Project:

The project site is located inside the Irving Street NCD on Irving Street on the south side of the Street between 22nd and 23rd Avenue. The proposed facility will take two adjacent storefront facilities and merge them into one 2000 square foot facility. A portion will be used as an intake lobby and meeting room and the rest will be used for display and dispensing of medical cannabis and offices.

There are no schools or youth serving facilities nearby. (See Attached Diagram). The facility is not designed to appeal to youth or teenagers and has very limited exposure to these group that we want to avoid marijuana and marijuana use. There is no evidence to support the idea that the mere existence of this facility will increase access to or usage of medical cannabis by teens. In fact, a study was conducted this year in Colorado on the impact of legalized cannabis on teens, the results showed there was no increased usage.

Desirability and Compatibility of the Project:

Barbary Coast is a model San Francisco small business. Started by local entrepreneurs with deep allegiance and loyalty to San Francisco. Medical Cannabis is a part of the culture and fabric of San Francisco for a huge portion of the City's residents. Cannabis is now legal in California and the Barbary Coast is the exact type of operator that should be the first to operate in a

neighborhood commercial corridor like the Irving Street NCD. The operators will be accountable to the community and will uphold the high standards of community involvement and engagement that they established at their other locations. Although there may be many in the community that think cannabis will bring crime, vagrancy, blight, loitering and other negative impacts on the neighborhood, Barbary Coast's track record over the past 10 years in San Francisco show the exact opposite. Barbary Coast has seen that there is a large community of medical cannabis users and patients in the outer sunset and other western neighborhoods of San Francisco and want to provide a safe and convenient option for these City residents to access their medical cannabis, currently the closest option is 14th Avenue and Geary Boulevard in the Richmond District or on the Ocean Avenue corridor.

Small Business Development and Economic Opportunity Plan:

The Dispensary creates unique employment, job training, and business ownership opportunities for San Francisco residents.

Local Hire Preference, and Job Training:

The dispensary is owned and operated by native San Francisco residents. One of the core values of the ownership group is to serve San Francisco and its residents in multiple ways. The dispensary has a local hiring preference policy and has an extensive training program for new staff. The principals of the dispensary have operated medical cannabis businesses for over the past 10 years and have extensive knowledge in a variety of areas specific to medical cannabis including but not limited to:

- Retail facility management;
- Product sourcing and development;
- Cultivation operations;
- Manufacturing operations;
- Inventory control and cash flow management.

Increased and Enhanced Workplace Diversity:

The ownership group is committed to increased and enhanced workplace diversity including job training, mentoring and management opportunities. The ownership group recognizes that the medical cannabis business has not yet achieved a significant level of diversity in business ownership. Providing increased opportunity and access to job training and mentoring to members of San Francisco's LGBT community, Asian, African, and Latino Americans and women is a social benefit purpose codified into the bylaws of the corporation.

Business Ownership Opportunity and Mentoring:

The ownership group offers mentoring to staff members and does internal promoting. This facility will be the 3rd facility operated by the ownership group. Each new facility is opened and

run by a manager that was promoted internally and each new facility operator has ownership in the facility he operates. This business and ownership group has a verifiable track record of not only offering employment for San Francisco residents but offering the opportunity for small business ownership to its employees which will help them support their families and can afford to continue to live in San Francisco.

Measurable Community Benefits of this project include:

- A. Increased employment and training opportunities for San Francisco residents, at various levels from entry to skilled, in a developing industry with tremendous opportunity for employees to make a career in the cannabis economy.
- B. Barbary Coast has a policy of mentoring staff in operations and management skills and promoting from within.
- C. Community Non-Profit Support is a huge part of the Barbary Coast business model. Giving back to the community is not viewed as an obligation but an honor and duty.
- D. Neighborhood Beautification. Opportunities to make improvements to the community beatification and the neighborhood streetscape are proactively pursued including the greening of the streetscape with plants and trees.
- E. Public Safety. Cameras and a professional and classy security presence in and around the facility insures a safe environment for patrons and neighbors alike. The prevention of loitering, double parking, nuisance and other acts which negatively impact the quality of life in the neighborhood.
- F. Education and Support. Specialized and unique educational and support programs for Senior Support Group, New Patient Education Group, and Women's Group.
- G. Parking & Transportation Management Plan- Members will be encouraged to walk, ride bicycles and/or public transportation to the dispensary.
- H. Community Engagement- A Community Liaison will represent Barbary Coast at community events, meetings, and in neighborhood & merchant groups.

Community Benefit Plan:

Barbary Coast has a long and well documented history of supporting local not for profit organizations and community benefit initiatives. A sample of community benefit programs Barbary Coast has supported in the past include:

Gun Buy Backs with SFPD- Barbary Coast has organized, promoted and financially supported 4 gun buy back events to date which have gathered over 500 guns in San Francisco.

United Players (SOMA), Project Level (Western Addition), San Francisco Seahawks Pop Warner Football and Cheerleading Squads (Western Addition), Sunset District Youth Center, Wounded Veteran's Fund and the PROTECT initiative with Stellium Music to support initiatives aimed at reducing the vulnerability of children against human trafficking and sexual exploitation.

2. The use will not be detrimental to the health, safety, or general welfare of the residents.

This project is designed to serve the residents on in the western neighborhoods of San Francisco. There is adequate street parking and pedestrian access as well as public transportation options. There will be two storefronts merged into one facility for this project to provide additional space for patient services, including but not limited to the Senior Citizens Support Group. In the portion of the facility where medical cannabis will be dispensed there will be air filters to insure there are no smells emitted onto Irving Street.

This location will not impact youth or teenagers in any significant way. Attached is a radius map that shows youth schools, centers, and services in the area. The Think Tank Learning center which provides after school tutoring is located two blocks away on Irving at 25th Avenue. There are no other schools or youth services within 1000 feet and there are no bus stops nearby where youth congregate or other businesses that primarily serve children. This facility and its signage, advertising, and products will be designed to attract adults and seniors and will not be designed to attract the attention of youth in any way. The MCD will not create any nuisance problems.

Barbary Coast Dispensary will have 24-hour monitored camera surveillance with trained security staff on site during business hours. Barbary Coast Dispensary's will provide neighbors with a 24-hour contact number as well as a community liaison.

The proposed Site will bring added services to the community while blending into the neighborhood. It is not the objective of nor the desire for the MCD to disrupt, cause unease, or displace any members of the Sunset community. In fact, it will help to increase the overall health, safety and general welfare of the community. Members of Barbary Coast Dispensary are currently launching a comprehensive outreach effort to meet with and engage with as many stake holders in the local community as possible to educate them about the plan and develop strategies to alleviate their concerns.

3. The proposed Use will comply with all provisions of the Code and will not adversely affect the Master Plan of the Community.

As described above, Barbary Coast Dispensary will do more than dispense medical cannabis; through its Senior program and alignment with various youth support groups, this MCD will

bring added community benefits to the Sunset District without disrupting or affecting the character of the neighborhood.

The dispensary will provide safe and easy access for a huge portion of San Francisco's population which must currently travel across the City to obtain their legal medical cannabis products. Public transportation is excellent in the neighborhood and the dispensary will work the City and neighbors to install bicycle parking racks. A community liaison will also remain in contact with the neighbors to address illegal parking or any other issues that may arise due to the MCD's patrons. Security working for the MCD will not let anyone inside the dispensary if they are parked illegally.

Barbary Coast Dispensary is committed to not only fit in with the plan of the district, but will contribute to the district and become a major staple to the area.

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 use is a neighborhood serving use. This area is many empty storefronts and this project will enhance the area. There lack of diversity in businesses in this neighborhood this project will create heightened interest in the area. There will be many new opportunities for local residents to gain employment in a new growing industry; there will be a job training program and a local hiring preference. This will include preferences for local vendors, tradesmen, and contractors prior to opening.

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

Housing will not be affected. This is a medical use; this project will fit in with the nearby small retail - mild intensity use businesses. There will be no physical alterations to the exterior of the building. The new use will not have a negative impact on the cultural and economic diversity of the neighborhood.

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

The change of use for this property will not have a negative impact on affordable housing.

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

There are two parking spots for staff. A bike rack will be installed in the front of the property. Furthermore this location is close to multiple bus lines. This MCD is not a destination business. The MCD will serve neighbors and foot traffic will be the most common mode of transportation to the MCD. This type of use falls in line with the zoning of NCD.

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 new use will bring diversity to the neighborhood. This type of business is an economic stimulant and will attract more businesses to the area. This use does not displace any current uses in the area. There are no offices and the MCD will provide an opportunity for resident employment and training.

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

Staff will undergo an earthquake preparedness drill once a year.

7. That landmarks and historic buildings be preserved; and

This does not apply to the project due to no demolition taking place.

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

There will be no changes to the structure of the property.

Estimated Construction Costs

TYPE OF APPLICATION:	
Change of Use	
OCCUPANCY CLASSIFICATION:	
BUILDING TYPE:	
TOTAL GROSS SQUARE FEET OF CONSTRUCTION:	BY PROPOSED USES:
ESTIMATED CONSTRUCTION COST:	
\$ 200,000	
ESTIMATE PREPARED BY:	
FEE ESTABLISHED:	

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: Brendan Hallinan

Date: 3/6/2017

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

Brendan Hallinan

Owner ☒ Authorized Agent (circle one)

Application Submittal Checklist

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

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

Not used at this time.
Waiting for full size plans

NOTES:

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

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

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

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

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____

APPLICATION TO OPERATE A Medical Cannabis Dispensary

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:

The Araj Trust

PROPERTY OWNER'S ADDRESS:

1244 Toyon Drive, Millbrae, CA 94030

TELEPHONE:

(415) 699-8133

EMAIL:

APPLICANT'S NAME:

Barbary Coast Dispensary, Jesse Henry

Same as Above ☐

APPLICANT'S ADDRESS:

C/O Hallinan & Hallinan
345 Franklin Street, SF, CA 94102

TELEPHONE:

(415) 863-1520

EMAIL:

brendan@hallinan-law.com

CONTACT FOR PROJECT INFORMATION:

Brendan Hallinan

Same as Above ☐

ADDRESS:

345 Franklin Street, SF, CA 94102

TELEPHONE:

(415) 863-1520

EMAIL:

Brendan@Hallinan-Law.com

2. Location and Dispensary Information

STREET ADDRESS OF PROJECT:

2165 Irving

ZIP CODE:

94122

CROSS STREETS:

23rd Avenue and 22nd Avenue

ASSESSORS BLOCK/LOT:

1777 / 037

ZONING DISTRICT:

NCD

DISPENSARY SQ FT:

2000

SQ FT. ACCESSIBLE TO PATRONS:

1500

FLOOR ON WHICH DISPENSARY IS LOCATED::

ground floor

PROPOSED BUSINESS NAME (IF KNOWN):

Barbary Coast Dispensary

PRESENT OR PREVIOUS USE:

Produce store

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.	
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.	
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.	

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 type="checkbox"/> NO <input checked="" 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 checked="" type="checkbox"/> Outside San Francisco

5. Applicant's Statement

Please discuss:

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

See Conditional Use Application

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

The proposed MCD is within a NCD zoning district. The MCD will be compatible and appropriate at the proposed location as it would be the only MCD in the Sunset district and the surrounding area and will be available to serve the communities in the North West Quadrant of San Francisco. The location is in an extremely dense area and is a supportive service, accessible by foot and public transportation for neighbors in the immediate and general area.

The MCD would occupy the entire ground floor of the storefront with direct access from Irving Street.

The proposed MCD is designed to fit in the streetscape, to allow natural light, with discrete security and signage to mitigate any perceived impact on the neighborhood.

3. Neighborhood outreach efforts made and the results/input from those efforts;

Contained on a separate attachment

4. Any other circumstances applying to the property involved which you feel support your application.

This will be the only MCD within walking distance in the immediate and general area west of Irving Street. The project as proposed has no alterations and therefore maintains the character of Irving Street Neighborhood Commercial District. The location is accessible to multiple public transit lines, including MUNI buses and light rail vehicles. There are numerous parking meters and street parking located in the immediate area.

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 use is a neighborhood serving retail use, and will provide an opportunity for resident employment. The MCD is projected to employ 15-20 residents. The project will fill two currently vacant storefronts.

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

The proposed MCD use has no impact on housing and the project was designed to make no physical alteration to the exterior facade of the building and will have no impact on cultural and economic diversity of the neighborhood.

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

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

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

The site is close to public transit lines including but not limited to multiple MUNI lines in the Sunset area, making it one of the only easily accessible MCDs in the Sunset area. The site is a densely populated area making it accessible by foot to its residents and nearby occupants.

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

The proposed use is on the ground floor and will enhance future opportunity for resident employment and ownership. The use is a diverse economic use which protects service sectors employment.

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

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

7. That landmarks and historic buildings be preserved; and

There are no exterior alterations as a part of this project. There will be no impact on the Irving Street Neighborhood Commercial District.

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

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

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: _____

Brendan Hallinan

Date: _____

March 10, 2017

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

Brendan Hallinan, Authorized Agent

Owner / Authorized Agent (circle one)

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



**SAN FRANCISCO
PLANNING
DEPARTMENT**

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception

1650 Mission Street, Suite 400
San Francisco CA 94103-2479

TEL: **415.558.6378**

FAX: **415 558-6409**

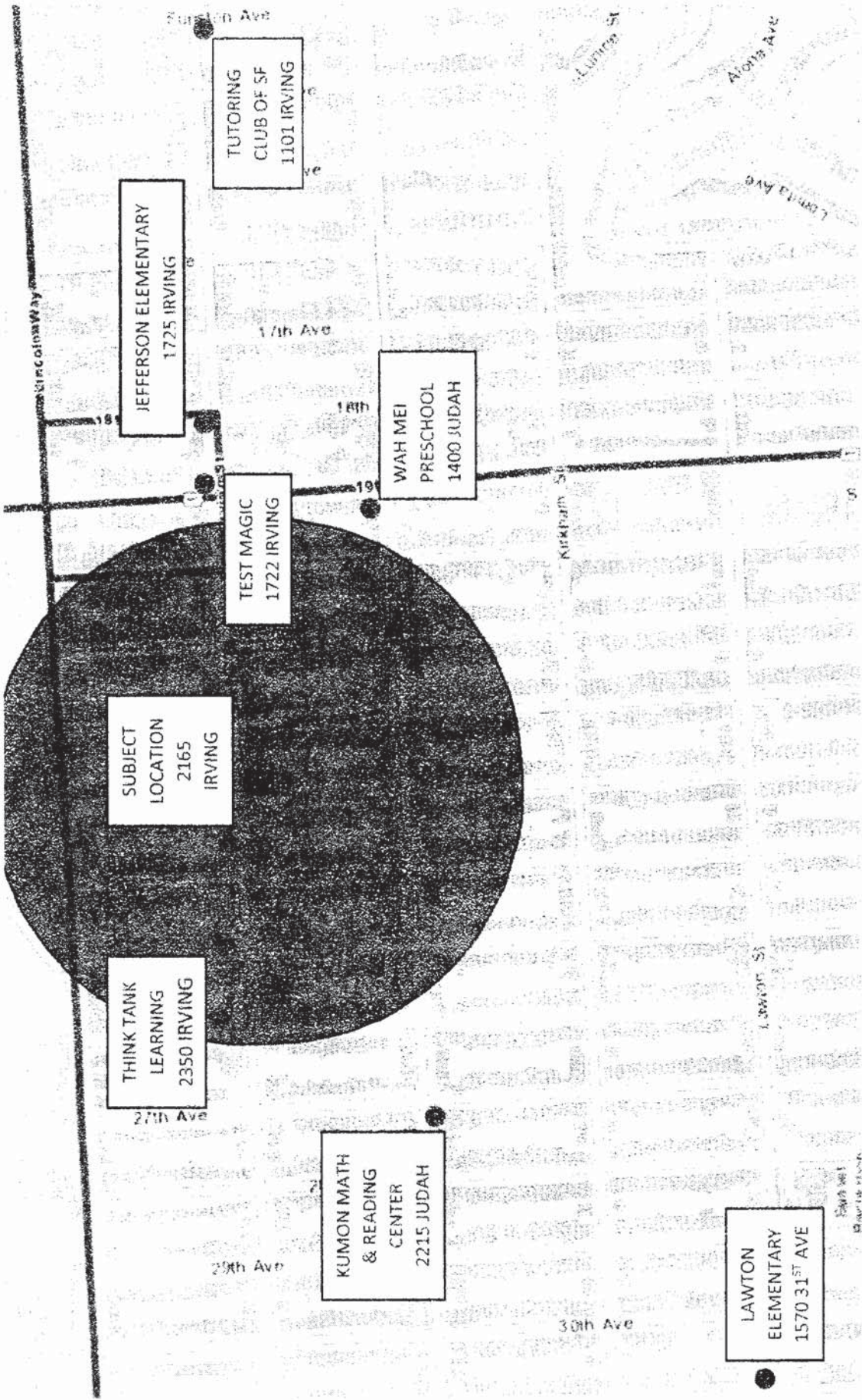
WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)

1660 Mission Street, First Floor
San Francisco CA 94103-2479

TEL: **415.558.6377**

*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*



TUTORING
CLUB OF SF
1101 IRVING

JEFFERSON ELEMENTARY
1725 IRVING

TEST MAGIC
1722 IRVING

WAH MEI
PRESCHOOL
1400 JUDAH

SUBJECT
LOCATION
2165
IRVING

THINK TANK
LEARNING
2350 IRVING

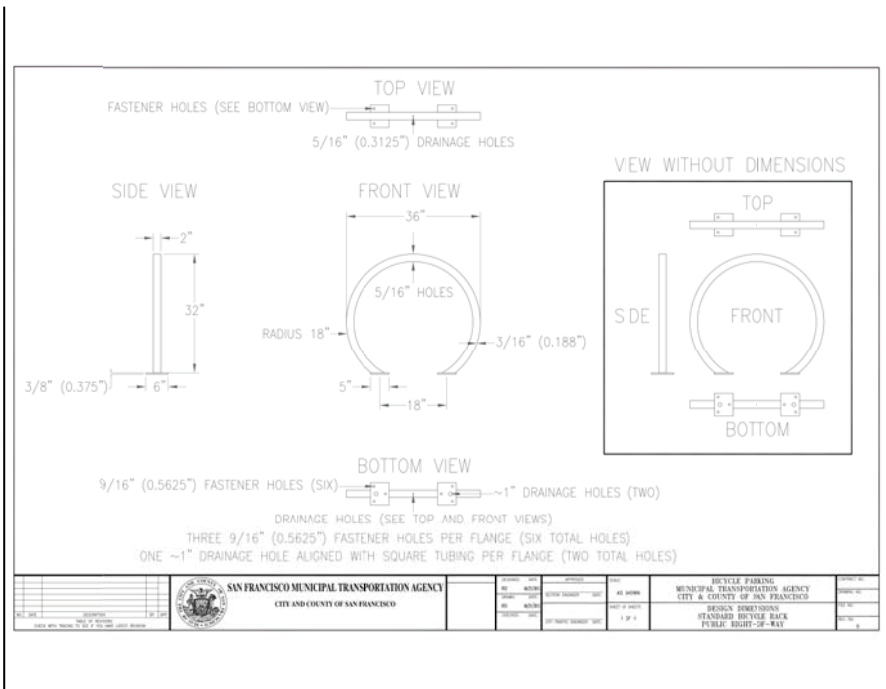
KUMON MATH
& READING
CENTER
2215 JUDAH

LAWTON
ELEMENTARY
1570 31ST AVE

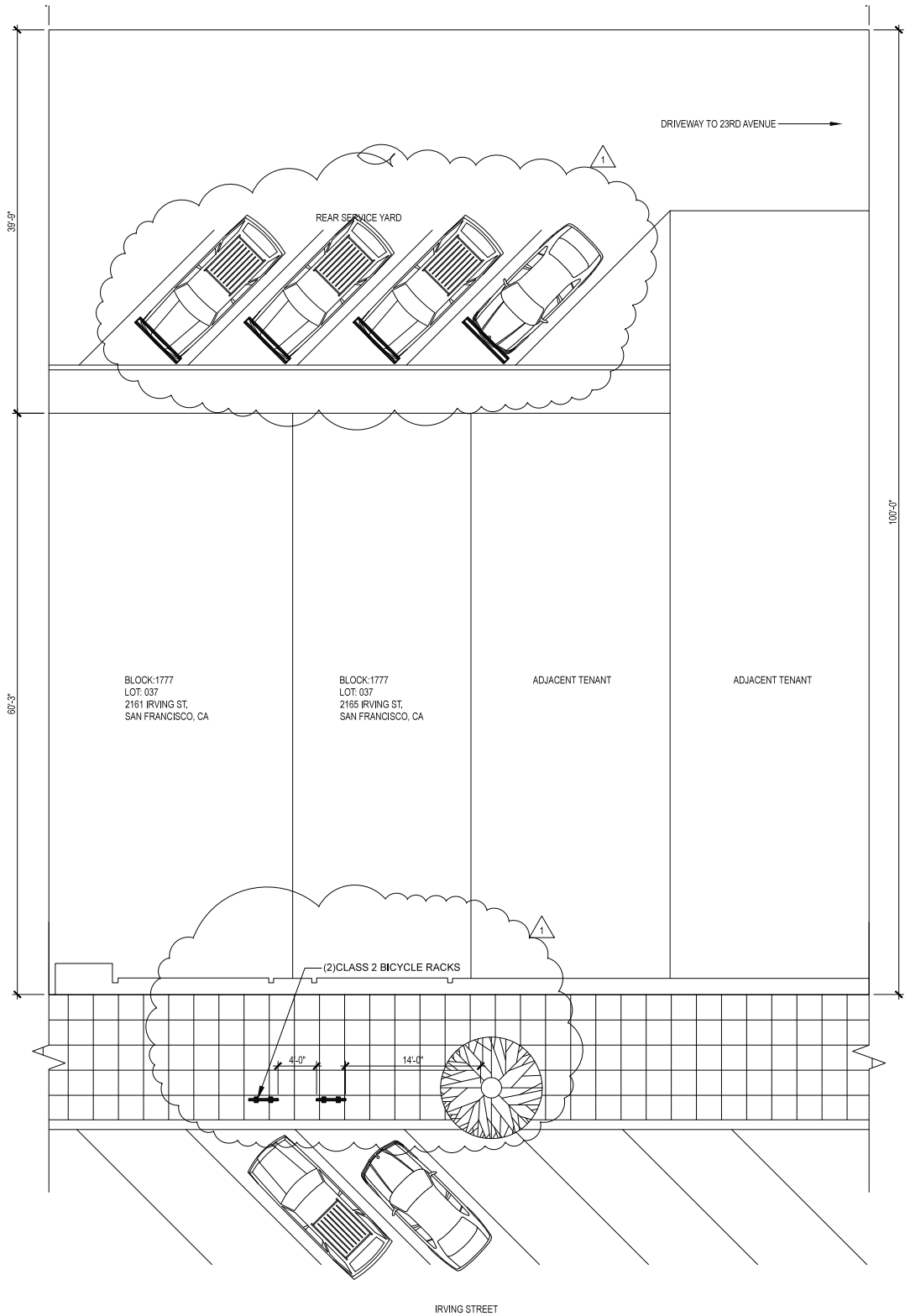


16040

2161 & 2165 IRVING ST



1 BICYCLE RACK PER CITY OF SAN FRANCISCO REQUIREMENTS
SCALE: 1/8" = 1'-0"



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



5 WHITTING WAY
SAN FRANCISCO, CA 94130
T: 415-534-8184

2161 & 2165 IRVING ST DISPENSARY

ISSUED FOR:	DATE:
PERMIT SUBMITTAL SET	02-02-2017
1 PERMIT RESUBMITTAL SET	09-29-2017

2
3

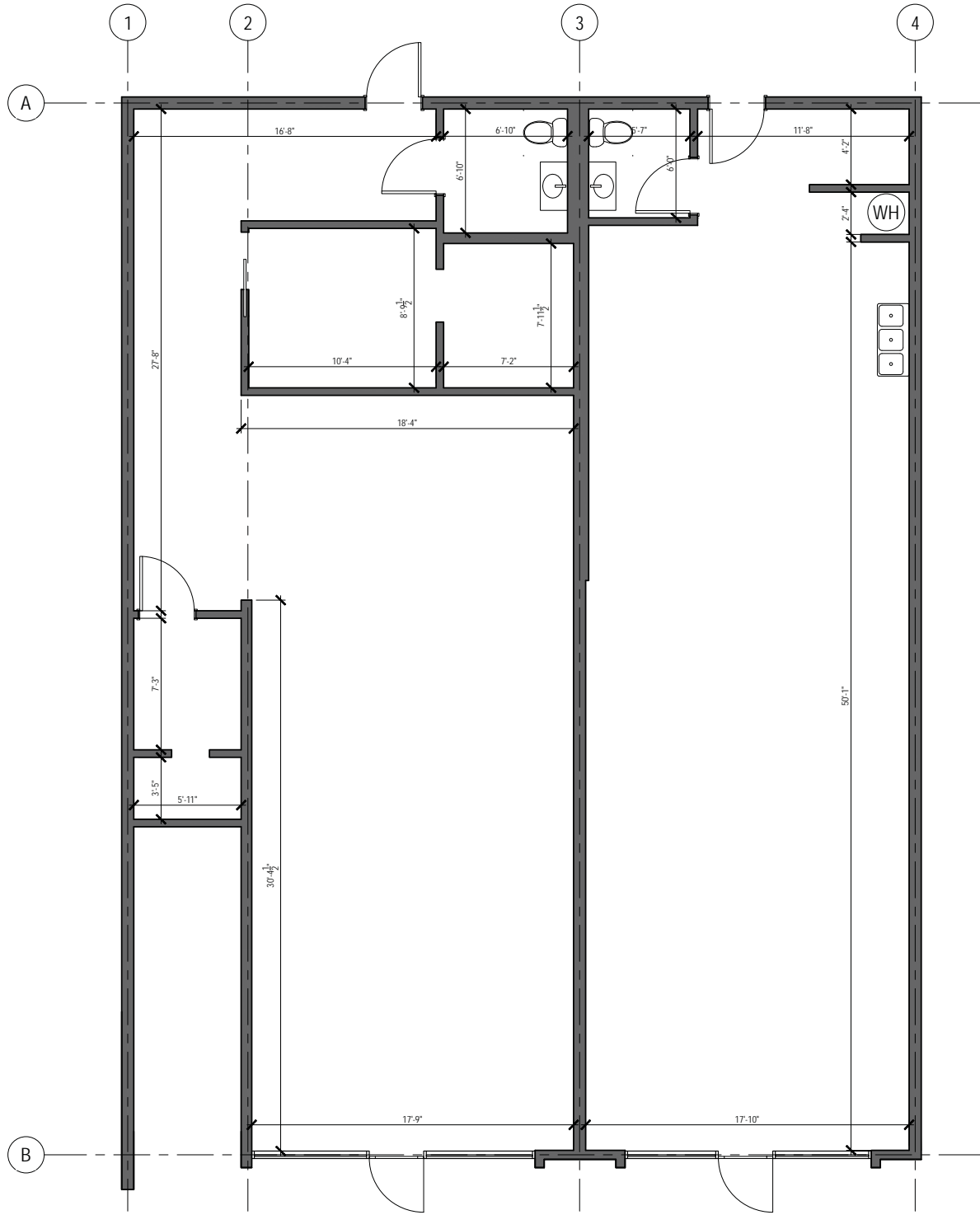


A1.00
EXISTING SITE PLAN



16040

2161 & 2165 IRVING ST



1 FLOOR PLAN

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

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404 CLIPPER COVE WAY, TREASURE ISLAND
SAN FRANCISCO, CA 94130
T: 925 202 6252

2161 & 2165 IRVING ST DISPENSARY

ISSUED FOR: PERMIT SUBMITTAL SET

DATE:

MM.DD.YYYY

1

2

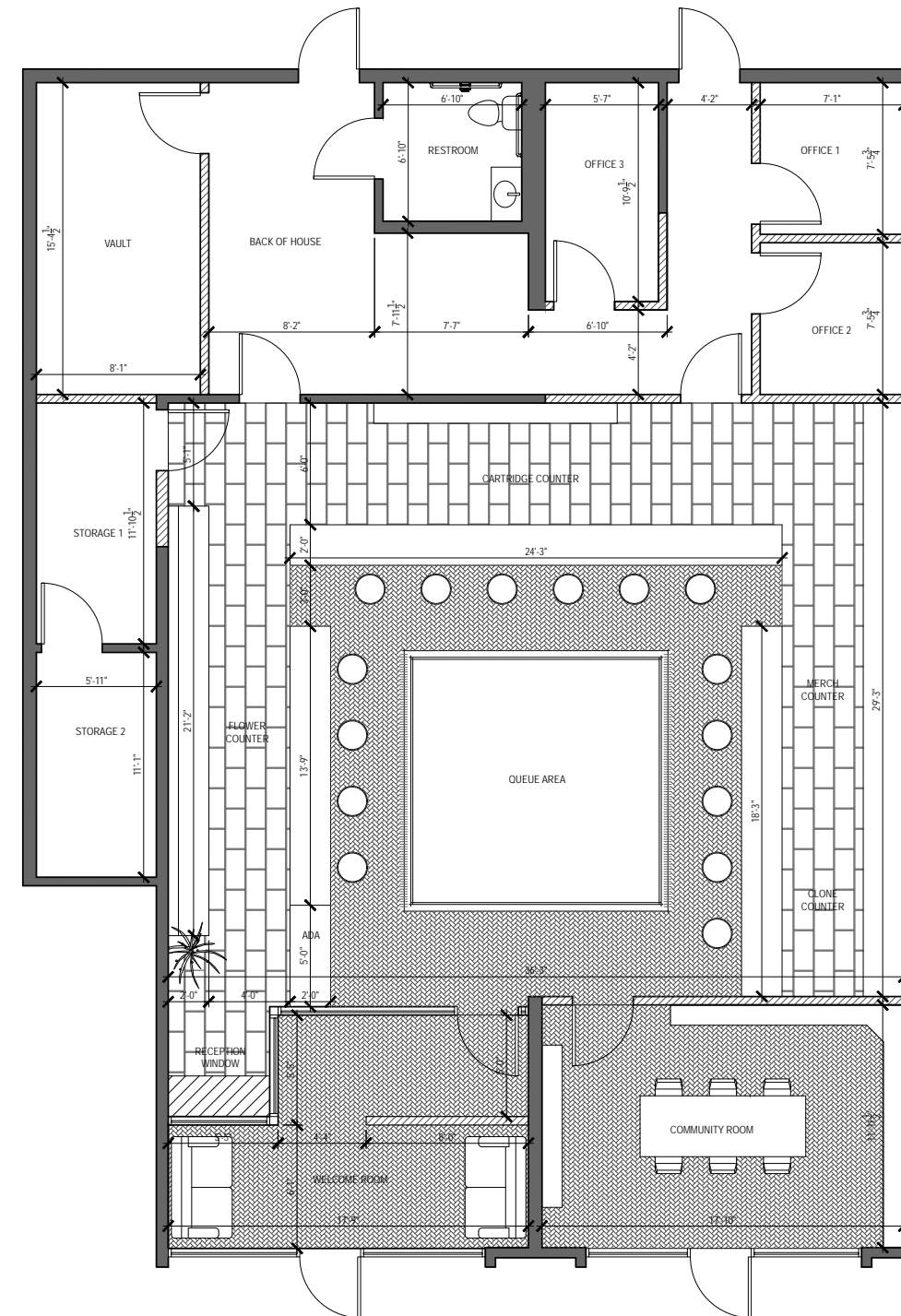
3



A2.00 EXISTING FLOOR PLAN

PROJECT NO.

16040



2161 & 2165 IRVING ST
DISPENSARY

ISSUED FOR: _____ DATE: _____
PERMIT SUBMITTAL SET _____ MM.DD.YYYY

1

2

3

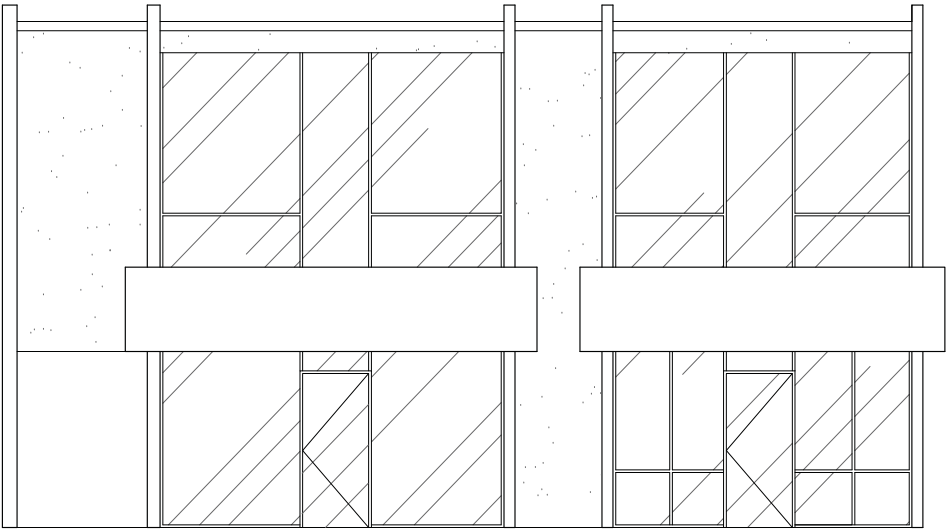


A2.01

PROPOSED FLOOR PLAN



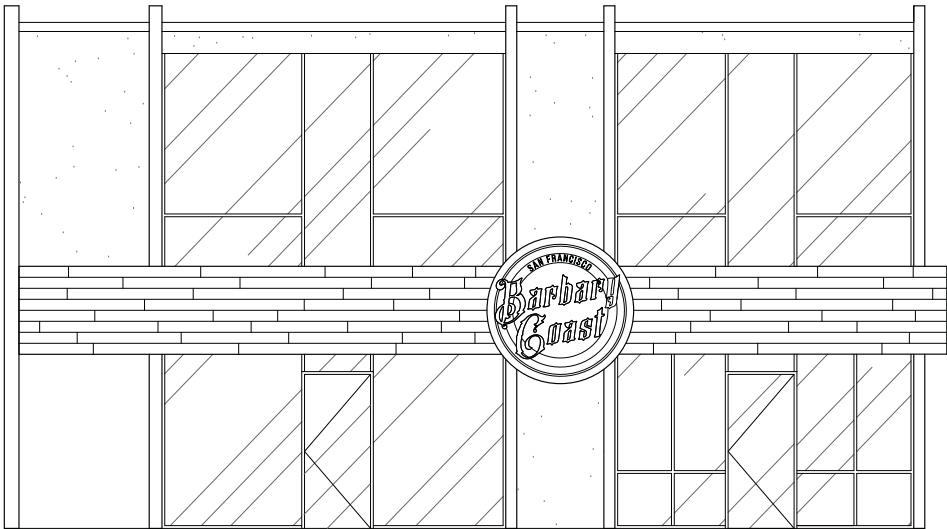
3 EXISTING FRONT PERSPECTIVE
SCALE : NTS



1 EXISTING FRONT ELEVATION
SCALE : 1/4" = 1'-0"



4 PROPOSED FRONT PERSPECTIVE
SCALE : NTS



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



2161 & 2165 IRVING ST DISPENSARY

ISSUED FOR: PERMIT SUBMITTAL SET DATE: MM.DD.YYYY

1

2

3

PROJECT NO. 16040

Summary of Community Outreach

2161-2165 Irving St. MCD application (through 9/15/17)

Neighborhood Groups:

Through Supervisor Tang's Office and the SF Planning Department the Project Applicant identified the local neighborhood groups. The Project Sponsor then sent introductory E-Mails to these neighborhood groups requesting meeting with copy of CU Application and Barbary Coast information PDF. – Received 3 responses:

1. Outer Sunset Merchants Association – Met with Mr. Bill Barnickle, President of the Association. Scheduled presentation at May 23 meeting. Present at the meeting were merchant-members and guest speakers including Assessor-Recorder Chu, DPW Director Nuru, SFPD Cmdr. Lazar, SFPD Capt. Lum, SFPD Sgt. Jue, SFPD Guerrero, Supervisor's Tang's Office Ray Law, New Fix-It Director Sandra Zuniga, Recology, Angelle Chevalier, Jesse Henry (Barbary Coast).
2. Sunset Youth Services – Met with Executive Director Dawn Stueckle and Senior Case Manager Ron Stueckle. Toured the facility, and learned about the services they provide for the youth in the Sunset. After learning about their program and seeing how innovative and effective it was Barbary Coast has been a supporter of their program and now keeps in regular contact with Dawn and Ron.
3. Mid-Sunset Neighborhood Association – Received a reply and told we would receive follow up from the Board. Never received the opportunity to present at their meeting.

Neighborhood Outreach & Interaction:

Beginning Tuesday September 5, 2017, every Tuesday and Thursday from 4pm – 6pm Barbary Coast began conducting additional outreach. Two groups of two people, bilingual in Cantonese & Mandarin went into every business that was open on Irving Street between 19th Avenue and 25th Avenue and spoke with the owner and/or manager and staff. The outreach ambassadors handed out flyers on the street announcing Open House Dates and an overview of the project. The flyers are in both English and Cantonese.

Open House Presentations & Neighborhood Communication:

Beginning September 5, every Tuesday and Thursday Barbary Coast has hosted two Open Houses at the project site. The first Open House on September 5 was for current members of Barbary Coast Collective that live near the project site. Beginning September 7, the Open House presentations have been open to the public. The presentation is made in English and translated in Cantonese & Mandarin as needed. The first presentation is from 6-7pm and the second is from 7-8pm. The following format is used: A brief introduction is made by the Project Sponsor introducing the management team and giving a background on the history and philosophy of Barbary Coast Collective. Subsequently a short 6-minute video is played that shows the Barbary Coast Collective on Mission Street, and provides information about how the dispensary works, who it serves and its operational procedures and policies including security and community relations. The floor is then open for questions from the attendees. 10 minutes before the hour the

public question period ends and there is an opportunity for attendees to speak to each other or to the management one on one.

The Open House events have ranged from 5-25 attendees per presentation. The total number of attendees to the first 6 public meetings has been approximately 80 people. They have been very cordial and respectful of everyone's concerns and opinions.

To promote the events among the Chinese community Barbary Coast Management notified KTSF 26 Chinese News of the events. KTSF came to the facility and ran a story on it the week of 9/11/2017 <http://www.ktsf.com/en/news-video/>. During community outreach on 9/14 numerous merchants and neighbors stated that they had seen the news report and were aware of the project.

12 additional Open House presentations are scheduled before the October 12, 2017 hearing date including 2 that are scheduled from 11-12 and 2 that are scheduled from 12-1. These are geared toward Seniors or other community members that may not be able to attend the evening events.

Letters of Support & Petition:

As of 9/15/2017 Project Sponsor has collected approximately 800 hand written petition signatures and 120 electronic signatures in support of the project as well as 17 written letters of support for the project.



OPEN HOUSE DATES

Join us @
2161 Irving Street and learn more
about Barbary Coast Collective
We are here to answer any questions.

Community Outreach Dates:

6-7pm & 7-8pm
on the following dates:

Thursday 9/7

Tuesday 9/12
Thursday 9/14

Tuesday 9/26
Thursday 9/28

Tuesday 10/3
Thursday 10/5

Refreshments will be served.

11-1pm

**special time for
seniors and
people with disabilities**

*** Tuesday 9/19 ***

*** Thursday 9/21 ***

Refreshments will be served.



Giving back is important to us!

Barbary Coast Collective sponsors various afterschool youth programs; Sunset Youth Services, Project Level, SFPal, United Playas, Parks Alliance benefiting the beautification for San Francisco Unified School yards, San Francisco Firefighter Toy program, SF Aids Walk, Safety for All, and more.



**“we offer our employees
dental and medical benefits,
paid sick leave, and
paid vacation,” says**

- Executive Director Jesse Henry | MG Magazine -



**“There’s a new place, for example, called the Barbary Coast
in San Francisco, and **that’s a very high-end place.**
This is our opportunity to say, ‘What does Hayward want
and what’s distinct about us,’ ” she said.**

- Councilwoman Sara Lamnin | East Bay Times -



“We wanted to make **people feel comfortable when
they’re coming in,” Henry explains.**

**“We want people to feel like it’s OK to be in here,
and it’s OK to come back.”**

- Executive Director Jesse Henry | SF Weekly



**For Barbary Coast general manager Nate Haas,
it was important that the space also **feel connected** to the
city and **neighborhood around it.****

**“Being San Francisco natives with generations of family
history here, it didn’t seem like it would fit to put an
Apple Store on the Barbary Coast,”**

- General Manager Nate Haas for SF Chronicle -

照顧社區是我們的任務!

Barbary Coast一直為不同社區機構提供援助，回饋社區，曾受惠的機構包括，日落區青年中心 (Sunset Youth Services), Project Level, United Playas, 資助三藩市公園聯盟以改善三藩市校區遊樂場設備，三藩市消防局玩具項目，三藩市正視愛滋病大遊行，及Safety for All 等等。



"Barbary Coast 非常榮幸能為所有員工提供牙醫及一般醫療保健，有薪假期及病假。"

Barbary Coast 執行董事 Jesse Henry



"我知道三藩市有一間叫Barbary Coast 的分配中心，是一間十分高級的分配中心。我認為這是一個機會提出希活市需要甚麼，或甚麼令我們與別不同"

東灣希活市(Hayward)市議員 Sara Lamnin



"我們希望病人可以在沒有壓力的情況下購買所需物品，令他們在購買時心情興鬆，持續光顧。"

Barbary Coast 執行董事 Jesse Henry



"將我們的空間連接成為社區的一部分是非常重要的。我和我家人都是三藩市本土居民，把一間蘋果電腦店開在富有歷史價值的巴巴拉海岸合理嗎?"

Barbary Coast 總經理 Nate Haas

PROPOSED NEW LOCATION

2161 IRVING STREET @ 23RD AVENUE

BARBARY COAST DISPENSARY is a locally owned and operated small business with a proven track record of success in providing safe, clean, affordable medical cannabis products to its members while also benefitting the community at large through its ongoing street cleaning, beautification, and charitable programs.

BARBARY COAST DISPENSARY will be the only medical cannabis dispensary in the Irving Street commercial corridor and will provide job training, economic development, and free of cost medical cannabis educational and senior programs. In addition, the dispensary will provide culturally sensitive and language accessible customer services for the community.

BARBARY COAST DISPENSARY is committed to providing top value and service to the Irving Street commercial corridor and the Sunset District.

WHO WE ARE



BARBARY COAST DISPENSARY is located at 952 Mission Street in downtown San Francisco. We first opened our doors in January 2013.

Starting day one we have been committed to providing medical cannabis, its derivatives and education to patients across the bay area. By providing a **SAFE, CLEAN** and **COMFORTABLE** space for patients to visit.

新建議的醫藥大麻店選址於:
2161 Irving街 (夾23街)

BARBARY COAST 是一間由本地人仕擁有及經營的醫藥分配中心，一直為有需要的居民提供安全，可靠，及相宜的醫藥用大麻，並同時投放資源為社區進行美化，改善街道清潔，及參與慈善工作。

BARBARY COAST 將會成為Irving街商圈唯一一間分配中心。他們會為員工提供職業培訓，幫助帶動經濟，免費教育民眾正面認識醫藥用大麻，及資助更多老幼服務。我們的工作人員並會因應不同種族，語言及背景為幫助有需要的居民。

BARBARY COAST 希望能為Irving街商圈及整個日落區的居民提供高質素及最全面的服務。

關於 BARBARY COAST



BARBARY COAST 醫藥分配中心總店於2003年開業，座落米慎街952號。

我們的宗旨在於為三藩市病人提供一個安全，清潔，舒適的環境灌輸正確教育及取得醫療用大麻或其他有關產品。



社區開放日

我們誠邀居民出席 Barbary Coast Collective 社區開放日，了解我們的專業運作，開放時間將會有工作人員解答任何有關醫藥用大麻的問題。

2161 Irving 街 (夾23大道)

開放時間:

開放日子(逢星期二，四)
下午6至7時及下7至8時

9/7,
9/12,
9/14,
9/26,
9/28,
10/3,
10/5

特設老人及殘疾人士
開放時段

9/19(星期二)
9/21 (星期四)
早上11時至下午1時



免費茶點招待，歡迎所有民眾參加



Example Support Petition Page



PROPOSED NEW MCD LOCATION: IRVING @ 23RD AVENUE, SUNSET DISTRICT

BARBARY COAST DISPENSARY is a locally owned and operated small business with a proven track record of success in providing safe, clean, affordable medical cannabis products to its members while also benefitting the community at large through its ongoing street cleaning, beautification, and charitable programs. **BARBARY COAST DISPENSARY will be the only medical cannabis dispensary in the Irving Street commercial corridor** and will provide job training, economic development, and free of cost medical cannabis educational and senior programs. In addition, the dispensary will provide culturally sensitive and language accessible customer services for the community.

BARBARY COAST DISPENSARY is committed to providing top value and service to the Irving Street commercial corridor and the Sunset District.

Please show your support to the San Francisco Planning Commission for this project by signing below.

First + Last Name	Address	eMail or Tele #
Ed Bell	1480 22nd Ave	415-664-2555
David McHugh	50 Chemo-oparmacol	415-867-5309
Joy	1800 22nd Ave	415 8194633
Libe Leonard	1800 22nd Ave	702 957 3466
Brendan O Connor	IRELAND	011353851488805
ITIAH	2021 Taraval St	415 759 5020
Kieran Carey	707 Bellevue Ave	650 3039492
CLARE KOZLOWSKI	435 WALLER ST	ckozlows@alumini.nd.edu
ANDERS JENSEN	300A Juday, SF	415 920 3603
Joey Lyons	25th	415 528 9414
Harold Freeman	2215 MARINA ST. S.F.	
Melissa Miller	2215 RIVINGTON ST	
Chi Chin Chow	323 26th AVE	(415) 699-4379
GARY O KEEFFE	2058 20th AVE	(415) 404-8265
John Dower	2052 10th AVE	415 716 5551
Evan Mulcahy		415-4111 913

Barbary Coast Collective needs your support!

About this petition

PROPOSED NEW MCD LOCATION: IRVING @ 23RD AVENUE, SUNSET DISTRICT

BARBARY COAST DISPENSARY is a locally owned and operated small business with a proven track record of success in providing safe, clean, affordable medical cannabis products to its members while also benefitting the community at large through its ongoing street cleaning, beautification, and charitable programs. BARBARY COAST DISPENSARY will be the only medical cannabis dispensary in the Irving Street commercial corridor and will provide job training, economic development, and free of cost medical cannabis educational and senior programs. In addition, the dispensary will provide culturally sensitive and language accessible customer services for the community.

BARBARY COAST DISPENSARY is committed to providing top value and service to the Irving Street commercial corridor and the Sunset District. Please show your support to the San Francisco Planning Commission for this project by signing below.

Example Support Petition Page

Signatures

1. Name: melinda rodriguez on 2017-08-29 00:07:21
Comments:

2. Name: Danielle on 2017-09-03 01:15:23
Comments: Love Barbury Coast, Best People, Best Product and Best Club

3. Name: Susan Rodriguez on 2017-09-03 01:27:23
Comments:

4. Name: Misha Olivas on 2017-09-03 01:30:42
Comments: Good luck!

5. Name: Santino on 2017-09-03 01:36:49
Comments: Barbary Coast is the best! Super friendly, very knowledgeable, good prices, great atmosphere, and they are community minded!

6. Name: Joffrey THERY on 2017-09-03 02:04:15
Comments:

7. Name: Elizabeth Barboza on 2017-09-03 02:06:50
Comments:

8. Name: Bob Twigger on 2017-09-03 02:15:07
Comments: The very best dispensary in S.F. It has class, is a good neighbor, & has a wonderful smoking lounge. It would be an attribute to the Sunset.

9. Name: Angelique David on 2017-09-03 02:21:06
Comments:

10. Name: Steven Joe on 2017-09-03 02:58:32
Comments:

11. Name: April on 2017-09-03 03:04:27
Comments:

12. Name: Pete Feurtado on 2017-09-03 03:22:57
Comments:

13. Name: Daniel cease on 2017-09-03 06:23:32
Comments: Go for it! Do for passion!

Letters of Support

To Whom it May Concern,

I would like to give my personal support to Barbary Coast in their venture to open another location at 2161-2165 Irving St. I have been a medical marijuana patient since 2010. I am currently a member of both Barbary Coast and Grass Roots medical cannabis dispensaries in San Francisco. I continue returning to both of these collectives because of their friendly and inviting attitudes. The people they have employed really care about what they are doing and making a difference in all of their patients' lives, myself included. They are knowledgeable and are happy to pass along all that they know about cannabis and safe consumption. They take the time to get to know their patients and build relationships with all of us. I never thought I would feel safe walking alone on that stretch of Mission St., but with Barbary Coast's top notch security team close by I never feel in danger. They care about the community and cleaning up the block they are located on. I reside in the Sunset district, and knowing I could more conveniently access my medicine from the same people I have gotten to know and trust over the last seven years would be ideal. I believe a new Barbary Coast dispensary would make a great addition to the neighborhood.

Sincerely,

M. Martin

A handwritten signature in black ink, starting with a stylized 'M' and ending with a long, sweeping horizontal line that curves slightly upwards at the end.

September 1st, 2017

Mister Eric Masters
740 Rhode Island Street Apt. 209
San Francisco, CA 94107

To whom it may concern,

I am writing this letter to give my full support of Barbary Coast opening a dispensary in the Sunset District at 2161 Irving Street. I have been a regular customer of Barbary Coast since there opening in 2013 and have seen first-hand their affect on helping improve the neighborhood. I frequent dispensaries in most areas of the city and whole heartedly believe the sunset deserves the opportunity to benefit from a local business that gives as much back to the community as Barbary Coast. Not only will the district benefit from having access to medicine but it generates jobs, income and a community feeling unmatched by other businesses.

Sincerely

Mister Eric Masters

A handwritten signature in dark ink, appearing to read "Mister Eric Masters", followed by a long, horizontal, slightly wavy line that extends across the width of the signature.

09/13/2017

San Francisco Planning Commission

To Whom It May Concern:

I'm writing this letter in support of the new dispensary Barbary Coast is planning to open in the sunset district, at 2161 Irving Street. A dispensary would be an amazing addition to the neighborhood in that it would provide ease of access to medical cannabis in a safe, clean and helpful facility while adding an economic boost to our beautiful city. Also, the community would have the opportunity to be educated on the many wonderful benefits of medicinal cannabis. Since becoming a medical patient in 2008, Barbary Coast and Grass Roots have been my dispensaries of choice. They set the standard of how all dispensaries should operate. The professionalism and cannabis knowledge of the workers has helped me immensely by being able to get to sleep, as well as staying asleep and pain management. Having a more accessible location to many patients in the Sunset would be only a positive asset to the community. Thank you for your consideration.

Daniel Nunez

A handwritten signature in black ink, appearing to read 'D. Nunez', with a long, sweeping horizontal line extending to the right.

167 Clipper Street

San Francisco, CA 94109

09/13/2017

San Francisco Planning Commission

To Whom It May Concern:

I'm writing this letter in support of the new dispensary Barbary Coast is planning to open at 2161 Irving Street. This dispensary would be an amazing addition to the neighborhood in that it would provide ease of access to medical cannabis in a safe, clean and helpful facility while an economic boost to our beautiful city. Barbary Coast and Grass Roots have been my dispensaries of choice since becoming a medical marijuana patient in 2009. The professionalism and cannabis knowledge of the workers has helped me immensely by being able to get to sleep, as well as staying asleep and pain management. Having a more accessible location to many patients in the Sunset would be only a positive asset to the community. Thank you for your consideration.

Matthew Morgan

A handwritten signature in black ink, appearing to read 'Matthew Morgan', with a large, stylized flourish extending to the right.

730 22nd St.

San Francisco, CA 94109

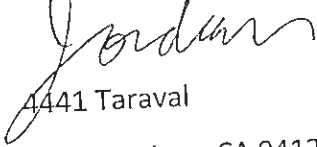
09/13/2017

San Francisco Planning Commission

To Whom It May Concern:

I'm writing in support of the new dispensary Barbary Coast is opening at 2161 Irving Street. This dispensary would be an asset to the neighborhood in that it would provide access to medical cannabis in a safe and helpful facility while providing tax revenue to the city. Barbary Coast has been my dispensary of choice since becoming a medical marijuana patient in 2013. Their professionalism and expertise has helped me immensely with practical pain management. Having a more accessible location to many patients in the Sunset would be only a positive addition to the community. Thank you for your consideration.

Jordan Michael



4441 Taraval

San Francisco, CA 94121

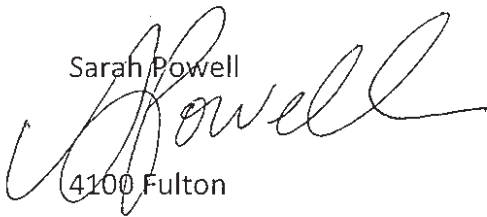
08/29/2017

San Francisco Planning Commission

To Whom It May Concern:

As a resident of the Sunset District, I was pleased to hear that Barbary Coast was petitioning to open a location at 2161 Irving Street. This dispensary would be an asset to the neighborhood in that it would provide access to medical cannabis in a safe and helpful facility. Barbary Coast has been my dispensary of choice since becoming a medical marijuana patient in 2015. Their professionalism and expertise has helped me immensely with practical pain management. Having a more accessible location to many patients in the Sunset would be only a positive addition to the community. Thank you for your consideration.

Sarah Powell

A handwritten signature in black ink, appearing to read 'Sarah Powell', written over the printed name.

4100 Fulton

San Francisco, CA 94121

08/28/2017

San Francisco Planning Commission

To Whom It May Concern:

As a resident of the Sunset District I was happy to hear that Barbary Coast, one of my favorite dispensaries, was petitioning to open a location at 2161 Irving Street. This dispensary will be a huge asset to the neighborhood and will provide help and care for the many residents of this community. I am a long time medical marijuana patient and I hope that our community is allowed safe access to medicinal cannabis facilities.

Thank you,

A handwritten signature in black ink, appearing to read 'Malick Diouf', with a long horizontal stroke extending to the right.

Malick Diouf

1235 17th St #32

San Francisco, CA 94122

8/30/17

San Francisco Planning Commission

To Whom It May Concern:

I am writing this letter to pledge my full support of Barbary Coast opening a dispensary in the Sunset District at 2161-2165 Irving st. I moved to the Inner Sunset over a year ago and I am a medical marijuana patient. Since moving here I only purchase my medicine from Barbary Coast and Grass Roots for many reasons but mainly because of the professional and educational environment they provide. Their knowledge has helped me immensely with my pain management as I am new to using medical marijuana. I have since passed on my knowledge to help my mother with her pain management.

Barbary Coast will be a great asset to the Sunset Community as they will continue to provide top notch service, education, and medicine. Thank you for your consideration.

Kiersten Bushnell

A handwritten signature in black ink, appearing to read 'K. Bushnell', written over the printed name.

1330 12th Ave
San Francisco, CA 94122

September 13th, 2017

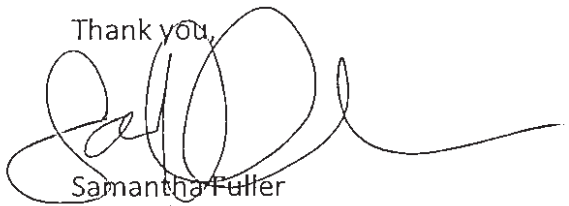
San Francisco Planning Commission
To Whom It May Concern:

I am writing to pledge my support for the proposed medical marijuana dispensary at 2161-2165 Irving St. I have been a resident of the Sunset District since 2009 and have been a medical marijuana patient since 2008. Finding safe and reliable access to medical marijuana facilities in the Sunset has always been a challenge, and I feel this would greatly benefit the community members who rely on medical marijuana to improve their quality of life.

Barbary Coast has played a major role in the lives of myself and the other cannabis patients who are seeking a safe and educational environment to purchase their medicine. The presence of a facility such as Barbary Coast joining the Sunset community is bound to provide excellent relationships and relief to a wide demographic of people.

Please take the time to consider the positive impact this will have on our community.

Thank you,

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

Samantha Fuller
1270 4th Avenue
San Francisco, CA 94122
(510) 712-7103

Septembr 1st, 2017

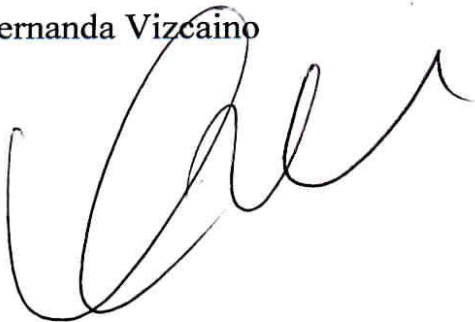
Maria Fernanda Vizcaino
1611 41st Ave
San Francisco CA
94112

To whom it may concern,

Where to start on explaining all of the benefits of having neighborhood access to cannabis. To have a storefront located at 2161-2165 Irving st, a place to go and have the right to choose your own cannabis and or cannabis-products is an essential quality in safe Marijuana practice. I am current member of the collectives Grass Roots, and Barbary Coast, both are currently operating in San Francisco and have been for years. These shops operate with the best balance of safe cannabis and excellent customer service. I feel most comfortable asking their employees any questions regarding their products, up to date info about legalization and any other miscellaneous brain picking I have for them. I would be so overwhelmed with joy and gratitude to have such a high standard dispensary within my own local community. Please support the grow of such high caliber business practices, and lets keep advocating for the highest forms of Cannabis.

Sincerely

Maria Fernanda Vizcaino

A handwritten signature in black ink, appearing to be 'M. Vizcaino', written in a cursive style.

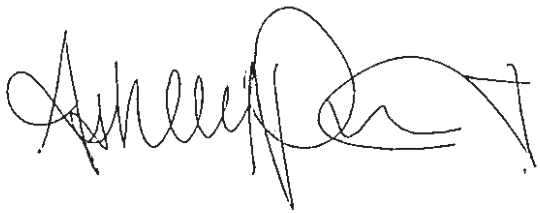
September 5, 2017

Ashley Provost
1330 12th Avenue
San Francisco, CA 94122
415-424-8303

Dear San Francisco Planning Commission,

I am writing to pledge my support to open a medical cannabis dispensary in the Sunset District located at 2161-2165 Irving st. I have been a medical cannabis user for 5 years now, and I'm not looking to stop anytime soon. First and for most there are currently no dispensaries in the Sunset district. I recently moved to the Sunset and it would be nice to be able to pick up my medicine in my own neighborhood. Barbary Coast was the first dispensary I went to when I got my first cannabis card back in 2012, that memory will forever be with me. The first time experience at a dispensary should be nothing but a good experience from the start to finish and I feel like both Grass Roots and Barbary Coast have provided the neighborhoods with nothing but knowledgeable and friendly bud tenders. If Barbary Coast and/or Grass Roots are any indication of the caliber of professionalism to come, they have my full support. Not only would the Sunset community benefit from this business, but also the neighborhoods extending throughout the city and beyond.

Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read 'Ashley Provost', with a stylized flourish at the end.

8/12/17

To Whom it may concern,

As a San Francisco native and lifetime resident, I personally have witnessed the value of medical marijuana. My Mother regularly uses products that help with her joint pain or migraines. Typically I will need to deliver these products to her, as there are no dispensaries near her Sunset district home. The addition of this dispensary would be an improvement in her life. She would have much easier access to the medicines she needs.


Kevin Johnson

Douglas Slocum
1379 7th Avenue
San Francisco, CA 94122

September 10, 2017

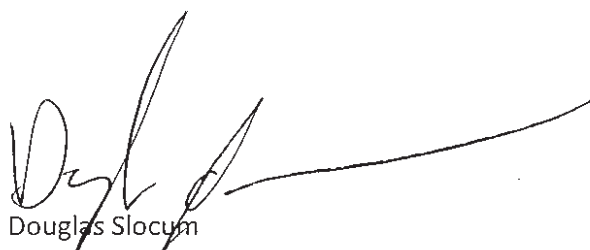
Dear San Francisco Planning Commission,

I am writing as a show of support for the proposed medical marijuana dispensary at 2161-2165 Irving Street. I have been a resident of the Sunset District since I was a student at San Francisco State in the 1990's. A medicinal marijuana dispensary in the neighborhood would greatly benefit the residents of our community. Like any great local organization, the dispensary will add so much character and charm to our area next to Golden Gate Park. Likewise, most of the residents of our neighborhood would love and cherish this organization and help it bring out the best in our community.

Barbary Coast is one of the premiere dispensaries in the city of San Francisco. The knowledge their staff has of their product, the understanding they've demonstrated with patients who need their support when selecting a product, and most of all how easy they make the entire process of acquiring cannabis when frequenting their operation is second to none.

Please think about the joy and benefits this will bring to the lives of everyone living in the Sunset.

All the best.



Douglas Slocum

September 1st, 2017

Elric Neumann
556 Jones st. #706
San Francisco, CA 94102

To whom it may concern,

I am writing this letter to give my full support of barbary coast and the proposed medical marijuana dispensary located at Irving and 23rd avenue. Barbary Coast and Grassroots have shown time and time again they're efforts in bettering the community and making it a safer place for everybody. There needs to be an outstanding organization available for the people to get they're medicine safely. And I think Barbary Coast as well as Grassroots have proven themselves to be the leading medical marijuana dispensary's in San Francisco.
Thank You.

Sincerely,
Elric Neumann

A handwritten signature in cursive script, reading "Elric Neumann", followed by a long horizontal flourish line.

09/13/2017

San Francisco Planning Commission

To Whom It May Concern:

I am writing to support the proposed medical marijuana dispensary at Irving and 23rd avenue. Barbary Coast, Grass Roots, and others like them are proven community builders. They not only have a lot to offer, but this will take the power away from the street dealers who might not be as concerned about patient's needs or the laws that regulate the sale of cannabis. So please let us have safe access to tested safe cannabis. Thank you.

Terence Neumann

A handwritten signature in black ink that reads "Terence Neumann". The signature is written in a cursive style with a long, sweeping horizontal line extending to the right at the end.

San Francisco Resident

September 1st, 2017

Camisha Green
370 Santa Ana Road,
San Francisco, CA 94107

To whom it may concern,

I am writing this letter to give my full support of Barbary Coast opening a dispensary in the Sunset District at 2161 Irving Street. I have been a regular customer of Barbary Coast since there opening in 2013 and have seen first-hand their effect on helping improve the neighborhood. I frequent dispensaries in most areas of the city and whole heartedly believe the Sunset district deserves the opportunity to benefit from a local business that gives as much back to the community as Barbary Coast. Not only will the district benefit from having access to high quality medicine, but will also generates jobs, a stable income and a community feeling unmatched by other businesses.

Sincerely,

Camisha Green

A handwritten signature in black ink, appearing to read 'Camisha Green', with a stylized, cursive script.

September 1st, 2017

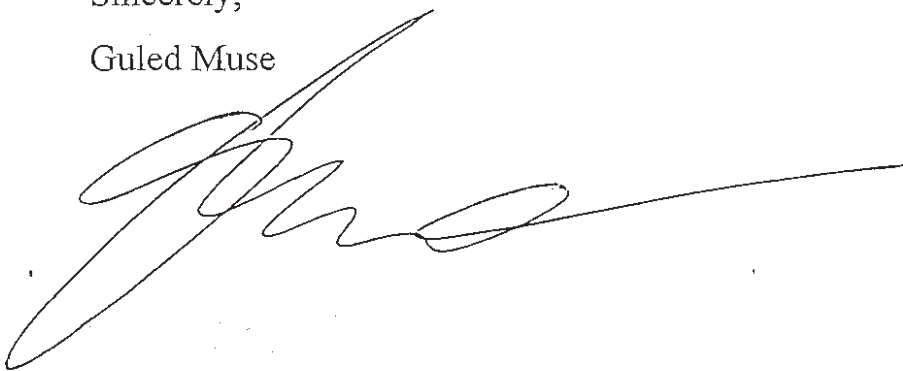
Guled Muse
1546 46th Ave
San Francisco, CA 94107

To whom it may concern,

I am writing this letter to give my full support of Barbary Coast opening a dispensary in the Sunset District at 2161 Irving Street. I have been a regular customer of Barbary Coast since their opening in 2013 and have seen first-hand their effect on helping improve the neighborhood. The Barbary Coast in SoMa is an oasis to a place that is aesthetically rough. It is a dispensary that provides excellent service and guidance for patients in need. I truly believe the Sunset district deserves the opportunity to benefit from a local business that gives as much back to the community as Barbary Coast in SoMa. Not only will the district benefit from having access to high quality medicine, but will also generates jobs, a stable income and a community feeling unmatched by other businesses.

Sincerely,

Guled Muse

A handwritten signature in black ink, appearing to be 'Guled Muse', with a long horizontal flourish extending to the right.

Tran, Nancy (CPC)

From: Terry Rolleri <terryrolleri@yahoo.com>
Sent: Thursday, September 07, 2017 2:17 PM
To: Tran, Nancy (CPC)
Subject: Barbary Coast on Irving

Dear Nancy:

I am a 65 year old home owner from the Richmond district. I have been a customer of Barbary Coast for several years. They are a first rate dispensary -- very professional. I am pleased to hear that I will no longer need to chase down to their Mission Street location. For several years now dispensaries have been primarily located in the eastern part of the City. This has been very inconvenient. I hope Barbary Coast will sail through the approval process and begin operations as soon as possible.

Sincerely,

Terry Rolleri

Tran, Nancy (CPC)

From: Paul Popper <popperibi@aol.com>
Sent: Wednesday, September 13, 2017 9:15 PM
To: Tran, Nancy (CPC)
Cc: Tang, Katy (BOS)
Subject: medical mj dispensary in the Sunset

To whom it may concern,

I am a resident of the Sunset District, at 1838 Judah St 94122.

I am a psychologist and a psychotherapist, with quite a few clients who have successfully used prescribed marijuana for pain reduction, appetite stimulation, dealing with insomnia and lessening their anxiety.

Not one of these client became dependent on its use, and they were all grateful for its availability through legal means.

During one of my downtown walks I have happened to visit the Barbary Coast Dispensary, based on the recommendation of a client who was very impressed by its quiet, dignified atmosphere, and agreed with her impression. It appears that the folks wanting to open a dispensary in the Sunset have a good, solid track record in the business.

Just wanted to share my thoughts,

Sincerely,

Paul Popper PhD

415 753 8666

Tran, Nancy (CPC)

From: Anthoney Maduena <amaduena327@gmail.com>
Sent: Thursday, September 14, 2017 8:07 PM
To: Tran, Nancy (CPC)
Cc: Tang, Katy (BOS)
Subject: Dispensary Request

Hi,

My name is Anthoney and I live in the Sunset. In a building on 26th and Taraval. I'm writing to you today because I'd like a legal Medical Marijuana Dispensary closer to my home. I am a combat veteran with a rated disability from Veteran's Affairs. Part of my care plan requires marijuana edibles. However, there are none available in my neighborhood. It would help me feel more at home if I had easy access to my Medicine.

Thank you,

Anthoney

We Strongly Oppose the Opening of a MCD at 2165 Irving St. / 23rd Ave in the Sunset District, San Francisco
我們強烈反對大麻店在三藩市日落區 2165 Irving St. / 23rd Ave 開設!

San Francisco Residents 三藩市居民 (Please sign only once in this campaign 這次簽名行動中請只簽一次名)

Name / Print 姓名 / 正楷	Address 地址	Phone / WeChat / Email 電話 / 微信 / 電郵	Signature 簽名
1 Han Li Chao	2738 Golden Gate Ave CA 94118	415 899 4128	[Signature]
2 Wenliang Zhu	517 Arguello Blvd #6 SF CA 94118	415 288 0566	[Signature]
3 Joyce Chan	1587 37 th AVE ST CA 94112	(415) 222-3882	[Signature]
4 Gigi Li	658 Geneva Ave. St. CA 94112	becky12238@hotmail.com	[Signature]
5 Vincent Ying	493 Waight St Apt 308 SF 94118	415-845-1787	[Signature]
6 Linda Han	465 Monticello, CA 94120	415-425-5767	[Signature]
7 Tracy Leung	2243-31 st Ave SF CA 94116	415-664-7985	[Signature]
8 Michelle Chang	2558 - 31 st Ave. SF, CA 94116	(415) 665-9598	[Signature]
9 Margaret Bee	1381 28 th Ave. San Francisco	408 499 8909	[Signature]
10 Connie Ma	1262 17 th AVE	(415) 606-8533	[Signature]

Please Note the Date of Hearing. Show Up and Say NO to MCD!

聽證日非常重要!!! 請密切留意聽證日期, 屆時要踴躍參加。

Contact:
Irving Housewares & Gifts
2200 Irving Street
San Francisco, CA 94122

Phone: (415)759-1559

請聯絡:
永新家庭用品公司
2200 Irving Street,
San Francisco, CA 94122

電話: (415)759-1559

Example Opposition Petition Page

Tran, Nancy (CPC)

From: Scott Lu <scottlu20032003@yahoo.com>
Sent: Tuesday, September 19, 2017 9:03 PM
To: richhillissf@yahoo.com; Tran, Nancy (CPC); kathy.tang@sfgov.org; Secretary, Commissions (CPC)

Categories: Blue category

Dear commissioner:

I oppose the proposed MCD at 2161-2165 Irving Street.

I support medical marijuana, and respect with the result of prop64. However, it is not desirable and unnecessary to open an MCD on Irving ST. It triggers the wave of clustering, and subtract from our family friendly neighborhood characteristic.

Sincerely

Tesss Lam
Sent from my iPhone

.

Tran, Nancy (CPC)

From: Christy Tam <christytam@ramsinc.org>
Sent: Wednesday, September 20, 2017 1:35 PM
To: richhillissf@yahoo.com; Tran, Nancy (CPC); Tang, Katy (BOS); Secretary, Commissions (CPC)
Subject: OPPOSE the Proposed MCD at 2165 IRVING ST (2016-002424CUA, 2165 IRVING ST, Block/Lot 1777/037)

Dear commissioner and supervisor Tang:

I live on 13xx 24th Ave, SF between Judah and Irving. I am only two blocks away from the MCD, I strongly oppose the proposed MCD at 2161-2165 Irving Street.

I support medical marijuana, and respect with the result of prop64. However, it is not desirable and not necessary to open an MCD on Irving ST. There are lots of kids under 18 years old during after school from 3:30-6:30. It a center for many schools like Jefferson Elementary School, Lincoln High School, St Ann and Washington High School. MCD on Irving is not a good fit, Please open it somewhere else less crowded. Also, this MCD will trigger a wave of clustering, and it will subtract from our family friendly neighborhood characteristics.

Sincerely

--

Zhao K Liang

Tran, Nancy (CPC)

From: Linh Huang <linhh57@yahoo.com>
Sent: Wednesday, September 20, 2017 5:19 PM
To: richhillissf@yahoo.com; Tran, Nancy (CPC); Tang, Katy (BOS); Secretary, Commissions (CPC)
Subject: OPPOSE the Proposed MCD at 2165 IRVING ST (2016-002424CUA, 2165 IRVING ST, Block/Lot 1777/037)

Categories: Blue category

Dear Commissioners and Supervisor Tang:

I oppose the proposed MCD at 2161-2165 Irving Street.

I support medical marijuana, and respect with the result of prop 64. However, it is not desirable and not necessary to open a MCD on Irving street. It would trigger a wave of clustering, and it would subtract from our family friendly neighborhood characteristics. It also would affect our young people, they would start trying cannabis even they don't have health or pain issue.

Sincerely,

Linh Huang

Tran, Nancy (CPC)

From: Christy Tam <christytam@ramsinc.org>
Sent: Wednesday, September 20, 2017 1:35 PM
To: richhillissf@yahoo.com; Tran, Nancy (CPC); Tang, Katy (BOS); Secretary, Commissions (CPC)
Subject: OPPOSE the Proposed MCD at 2165 IRVING ST (2016-002424CUA, 2165 IRVING ST, Block/Lot 1777/037)

Dear commissioner and supervisor Tang:

I live on 13xx 24th Ave, SF between Judah and Irving. I am only two blocks away from the MCD, I strongly oppose the proposed MCD at 2161-2165 Irving Street.

I support medical marijuana, and respect with the result of prop64. However, it is not desirable and not necessary to open an MCD on Irving ST. There are lots of kids under 18 years old during after school from 3:30-6:30. It a center for many schools like Jefferson Elementary School, Lincoln High School, St Ann and Washington High School. MCD on Irving is not a good fit, Please open it somewhere else less crowded. Also, this MCD will trigger a wave of clustering, and it will subtract from our family friendly neighborhood characteristics.

Sincerely

--

Zhao K Liang

MCD on 2161-2165 Irving, It's Unnecessary and Undesirable!!!

I. Respond to application:

A) Item 4 page 8 Project Summary Table – On application Conditional Use Authorization on item 4, there are 2 existing parking spaces. According to the owner Jesse pointed out during the open house we attended on 9/12/17 from 7pm-8pm. In any particular busy day, they served around 300-500 clients daily. In a slow typical day, they serve between 200-300 clients daily. And on the application, the owner will encourage people to ride bicycle, public transportation or walk to the MCD shop.

Refute: In our opinion, encouraging public transit to avoid traffic, is not a consistent nor measurable solution for local business and local neighbors for the exorbitant traffic issues that MCD will cause. The neighborhood is already congested and finding available parking spaces is already an arduous task and double parking is prevalent and the aforementioned are serious issues we contend with on a daily basis. If MCD should open any added traffic caused by their customers would create a serious environmental impact to an already tenuous traffic issues. This would cause exorbitant hardship to existing customers trying to park and vendors trying to unload and/or make deliveries to existing merchants. Imagine adding 200 more at a minimum to 500 cars at a maximum daily as projected, to an already seriously impacted street and surrounding neighborhoods. Per the executive director at Barbary Coast Jesse said “they are serving very large number of patients daily” As a represented neighborhood we need for you to seriously consider how one merchant namely MCD, will open at the cost of all the merchants and residents in an already overcrowded community. Please reconsider the relocation of MCD and how one merchant should not have the privilege of opening a business at the cost of thousands of constituents.

B) Attachment A: Conditional Use Findings - The proposed use will add a new and compatible use to the Irving Street Neighborhood Commercial District - Barbary Coast pointed out that they will create job opportunities to the community....

Refute: A merchant should enhance a neighborhood and not detract from it. MCD is not a good business model for a neighborhood location like Irving Street. It would serve a small group of consumers that will negatively impact thousands in our community, and it's contrary to our family way of life. In addition, our concern is it may invite those who may not share in our values and the potential

impact of crime it may unwittingly invite as a result of its existence. 60/72 of the merchants on Irving Street between 21st & 25th Ave already signed the petition to against MCD opening on Irving Street. (Total 72 stores on Irving: 1 neutral position, 60 against MCD, 0 support MCD, 4 empty stores, 8 No signatures). As demonstrated by the outcome of the petition MCD is not welcome in this location by almost all merchants and close-by neighbors. Many merchants emphasized that they will consider move their business out of Sunset once the lease is up when a MCD is so close by.

Yes, Barbary Coast will create few job opportunities to the community, but at the same time, many people will lose jobs due to merchant's opposition and disapproval if MCD should be approved. You see, creating a handful of jobs, increasing the traffic burden by up to 500 more cars daily does not equate to good commerce. If you approve the Irving Street location of MCD, it will be in the face of the opposition of merchants and neighbors alike. For us the question becomes should one merchant outweigh the desires of your constituents. Again, it would create a causal relationship of job loss, negative environmental impact and a negative outcome for many local families both in safety and financially. Please do NOT change the working neighborhood makeup by disrupting and damaging a neighborhood model that works. Adding MCD to a small family owned business neighborhood is clearly not population appropriate in our community. Petition signatures will be submitted in person in the hearing meeting on 10/12.

C) Attachment A: Use Proposed at 2165 Irving Street: The size & Intensity contemplated at the proposed location, will provide a development that is necessary and desirable for.....

Refute: A MCD on Noriega has already been approved and will be available for needed clients soon. Plus Irving Street and Noriega is only 5 minutes away from each other, it's totally unnecessary and undesirable for opening the second MCD on Irving in serving total of less than 900 people.

Also, Among the 900 medical cannabis patients, how many are diagnosed use as painkiller, how many are use for stress release or sleeping issue or others. Please have the MCD provide statistic, as many of the problem can be solve thru public resources. Medical cannabis is not the only option to help the patients.

D) Attachment A: Current Uses in the Area: - There are some empty storefront spaces on Irving between 19th Ave and 25th Ave.

Refute: A MCD is NOT what we need for our populous. We recommend and encourage more education activities like tutoring, Kung Fu learning, Tai Chi, After School Programs, Community Services, Senior Center & Youth Programs that are family friendly. Currently, there is only one senior center serving the whole sunset district, that's not enough. Adding MCD to a family neighborhood would serve to profit the merchant at the negative cost for it won't serve the general

population of the community. However, it will invite strangers who would not necessarily visit our neighborhood if it wasn't for their want and/or need this Cannabis product and cause them to conduct their business in our neighborhood. We believe MCD is not a community answer but a desire to individuals desiring to profit off a new unproven market at the cost of our community. We want to feel safe and respect diversity, we are hoping Supervisor Tang can consider use some of the empty space on Irving to provide more senior service or senior center where they can social and mingle with friends. Also, we need some after school programs or a volunteer program for the young generation where they can learn and give back to the community.

E) Attachment A: Aging Population in the Outer Sunset – The Collective has developed programs to educate adults and seniors as to the benefits and proper use of medical cannabis to help them with pain management and supplemental treatments for more serious conditions.

Refute: For pain management and supplemental treatments for seniors' issue. There are few options current seniors can get support from. There are Urgent Care, Ocean Park Health Center, Walgreens Pharmacy and UCSF available very close by.

1. Urgent Care Center, right next door to the proposed MCD on Irving Street
2. Ocean Park Health Center (1351 24th Ave, San Francisco, CA 94122)
Two blocks away from proposed MCD
3. Walgreens Pharmacy (2050 IRVING ST. San Francisco, CA 94122), right around the corner of propose MCD
4. UCSF (300-500 Parnassus Ave, SF CA 94143) 5 minutes driving from propose MCD

For those who need medical cannabis, there are some convenient options available as well. For example, Noriega MCD or phone order. Nowadays, phone ordering medical cannabis are easier than ordering a pizza. There are many websites providing phone order, same day (within 2 hours or less), and next day, weekly or monthly delivery services to patients' doors at any specific time/location as requested.

Following are some links for marijuana delivery services:

<http://sanfrancisco.delivery-medical-marijuana.com/>

[Foggy Daze Delivery Service – Order \(415\) 200-7451](#)

[The Green Cross](#)

[SF Green Delivery \(SFGD\)](#)

[San Francisco Marijuana Delivery Services | California medical marijuana](#)

<https://weedmaps.com/deliveries/in/united-states/california/san-francisco>

Since all medical cannabis are prescribed by licensed doctors, it's the doctor's responsibility to provide appropriate consultation with patients before leaving the

clinic. We are questioning how qualified or how professional the MCD employees are when providing consultation to patients. When not following the rules, what are the consequences to the MCD employees or the owner? What is the control in this area?

F) Attachment A: Medical Cannabis Support Group for seniors

Refute: We understand some people choose to use medical cannabis as their primary painkiller or viable treatment option for some condition that overwhelms them, especially for senior, people with cancers or military/veteran retired person and etc. We totally respect the right and need to for those individuals to be users. However, at the same time, we should also educate our neighborhood population, like seniors to know that there are other community resources available for them. There is no equivalency there, when the district can't answer the need of its senior population with community support and yet it can consider MCD? Why? When we need to offer so much more in support. For example, when seniors feel stress and are ill, where should they go for help and support? We need a senior center in Sunset District instead of a MCD in our neighborhood where our senior can learn self-care. For example what are some way to live healthier, such as eating healthier, do some exercise, healthy social life with similar age group, group participation in games like bingo, senior meals, mingle with senior friendsetc. Senior in Sunset District need a place where they can share struggle and happiness.

G) Attachment A: Location, Size & Intensity of the Project: There are no schools or youth serving facilities nearby. The facility is not designed for appeal to youth or teenagers and has very limited exposure to these group that we want to avoid marijuana and marijuana use.

Refute: Irving Street is our major street for all local neighbors to do our daily grocery shopping and run errands. Although there are no schools or youth serving facilities within 1000 feet, but Irving is a center location for many schools like Jefferson Elementary School, Lincoln High School, Washington High School, Lawton School, St Ann. Irving is the center main street for kids, teens (under 18 age) and families to love to hang around and social with friends at the nearby snacks, pizza and drink shops. This MCD will create an undesirable environment for them and directly exposure to these young group people. You see, if it's there, it's sending a powerful message and children will believe it's OK to use cannabis because it's been approved by our city government to be among the merchants we frequent. Are we not sending the wrong message? To protect our children from marijuana, please no MCD near them.

If time allows, we wish we can have time (at least 3 months) to do a big sample size surveys on how many of those schools we listed above actually come to Irving after school. For sure it's a lot, but this way we can accurately proof to

MCD or commissioner that lots of teens and children are on Irving, we don't want our kids to have early exposure to cannabis.

H) Community Benefit Plan: Barbary Coast has a long and well documented history of supporting local not for profit organizations and community benefit initiatives...

Refute: As Barbary Coast has repeatedly mentioned on their flyer that they are giving back the community. We noticed that they mostly supporting national level charities such as *Sunset Youth Services, Project Level, Sala, Park Alliance benefiting the beautification for SF Unified School yards, SF Firefighter Toy Program, SF Aids Walk, Safety for all and United Playas and etc.* Most of above charities international charities, not district, meaning district neighbors can be benefited from them. We, as a good citizen, we contribute a lot to our communities as well, for example, we donate to United Way, YMCA, district/local Schools, Tzu Chi and etc.

(please visit <https://charitylook.org/zipcode-94122> district charity organizations)

I) The use will not be detrimental to the health, safety, general welfare of the residents.

This project is designed to serve the residents on in the western neighborhoods of SF. There is adequate street parking and pedestrian access as well as public transportation options.....

This location will not impact youth or teenagers in any significant way....

Refute: Currently there are lots of teens and families using Irving Street as their primary shopping and dining location or social place where they can social and mingle with friends. A family friendly place is not appropriate for a MCD, it's UNDESIRABLE. Irving Street is a place where kids, families, teens loves to gather with. Some of the favorite places are Boba shops, sushi restaurant and snacks shops right next to and right across to MCD. The neighborhood on Irving is always crowded no matter if it's on weekdays or weekends. People of all ages love to walk on Irving for different reasons. Please respect our lifestyle, our culture and our perspective for no MCD on Irving. If you approve MCD you are not representing the wishes of your constituents, you are however approving a merchant's need to profit over a community's desire to maintain, a family oriented environment. Again, a no to MCD on Irving for it will create a significantly negative impact and early exposure to our young children. They deserve free second hand smoke and deserve free marijuana environment. The current legislation in controlling use of medical cannabis in public is not yet well established, Please don't open MCD until the legislation is ready. Our family, our kids, our community need your protection.

J) Measurable Community Benefits of this project include:

a. Increase employment and training opportunities for SF residents.....

Refute: Yes, MCD on Irving will increase around 10 employees according to the owner on disclosed during one of the open house. But at the same time, many current Irving Street employees may lose their jobs due to store relocation because of the MCD shop. This result more empty shop on Irving and loss of thousands of dollars in revenue, loss of tax dollars for the city, as the opposing merchants will vacate and the 10 employees will be at the cost of 50 or our losing more and the stores we've grown to depend on as a community.

b) Neighborhood Beautification... offer more greening of the streetscape with plants and tree.

Refute: Supervisor Tang's project greening and streetscape was done recently. We do NOT need additional streetscape at this point or the next decade.

c) Public safety. Cameras and professional and classy security presence in and around the facility insures a safe environment for patrons and neighbors alike.

Refute: The Sunset neighborhood is already a safe area, we do not need security guard or cameras if MCD is not present. We are satisfied as how we are now. Camera and security are only needed when the location is not safe. Also, the surveillance camera and security staff outside of the store can only guarantee its own safety, but not to other neighbors or anyone else.

d) Parking & Transportation Management Plan-Members will be encouraged to walk, ride bicycles and/or public transportation to the dispensary

Refute: As we mentioned previously, currently Irving Street already very crowded, encouragement for option to get to MCD is not measurable. Client load is too heavy, Irving Street cannot handle

II. Argument Points:

1. Clustering – According to MCD disclosed, currently there are less than 900 medical cannabis patients in Sunset Area. Since 2505 Noriega already approved to open one, they can totally serve less than 900 people. There are few propose MCD want to open on Irving Street, the records show the following location also want to open MCD shops: 2161-2165 Irving Street; 2401 Irving Street & 2511 Irving Street. Please be mindful once this MCD opens, it will trigger the wave of clustering. It's totally unnecessary to open an MCD on Irving.

2. Business Practice Unethical – As we go door by door in the last couple weeks, we realized many neighbors live within 300 feet did not receive the public hearing. We are not sure why. As the result, many people were shocked that they were not informed and alerted of what is going on with the MCD. Many neighbors were wondering what the current process is now. How can a proposed merchant circumvent a neighborhoods opinion and how can they be acting on good faith when the community was not informed of the meeting? When the community meeting is hold? Why the MCD is doing things secretly? The owner of MCD disguise Open House as Community Meeting, this is very misleading to the public. Within 300 feet merchants and neighbors emphasized they are very confusing and not sure what is going on. There are lot of questions marks for most people. We can't put profit before the desires of the people, and in this case there appears to be a need to circumvent the neighborhoods knowledge and majority opinion of MCD.

3. MCD not been honest, how can we trust them?
As we attend the open house, the MCD owners told that 70% of the merchants on Irving are supporting them to open on Irving. On the other hand, when MCD owners go around the blocks, they were telling the merchants that 30% of other merchants are supporting them.

MCD LIES!! In the past two/three week, when volunteers stopped by all merchants of Irving, almost all (more than 95%) merchants signed the petition to against the MCD shop open on Irving.

The MCD are not been honest to the community, not honest to the merchants, how can we trust that they will do good things for our neighborhood and community? They are NOT TRUSTWORTHY!!

4. As the MCD go around the blocks, he knew almost all merchants/neighbors are monolingual in Chinese, however, when posting public note on the door, they only posted the English version, and there is no Chinese Public Hearing Notes. MCD is not following the compliance from Planning Department. The secret behind this is that they don't want people to be know about this; they don't want them to know their right to oppose the MCD; they don't want the people to be informed because they know it from their bottom of their heart the less people knew about it, the more chance they can slip thru.
5. Public Hearing Notes and other post notes were posted in a very low position from the window or door, unreadable. Anyone 5 feet or taller has

to bend to their knee to read the notes, this make it especially hard to elderly to read. We feel this is very insulting.

6. The MCD owner was not honest to the community, how can we trust them to do good things for the community?
7. As required by Planning Department, Public Hearing Notes was posted on MCD door on September 12. On the same day, Planning Department also sent out letters to people who live within 300 feet radius, usually people don't receive it in mail until the second or third day after.

However, on 9/13 the MCD announced on the Chinese Singtao News claimed that no one showed up at their first and second community meeting which held on 9/7 & 9/12. We, as the community felt the MCD has not been honest to the public. How can they expect people to know about the MCD meeting before the event receive the notice in mail? By the time when people receive the notice and Shaw what was on the news, everyone thought they already miss the community meeting opportunities. Again, the MCD are making stores up to confuse and mislead the public. NOT A TRUSTWORTHY owner.

8. One of the owner David Ho used to work for some non-profit organization and used to work for campaign for supervisors before. As he stated that his goal was to help the low incomes families to fight for their benefits. We, as the community, we felt David Ho as the Chinese leader has betraying and hurting our community. Please hear our voice, we don't want the MCD open on Irving Street, please consider move to somewhere else.
9. The Proposed MCD in 2161-2165 Irving Street, many merchants and neighbors emphasized that MCD will jeopardize the integrity of our community and force us to make the difficult decision of moving out from the area. The Barbary Coast will be the biggest gentrifies and to be evictors of our neighborhood.
10. Jefferson Preschool is located on 1350 25th Ave, which is within around 600 radius from the MCD, this is undesirable, please help us protect the kids, please reconsider not open the MCD at this location
11. The result of prop 64 though election in 2016 results showed there were 58% Sunset District supporting medical adult use which is not accurate. According to our surveys, 50% of the 58% sunset residents

were Asian and either not actively voters or Green Card holders. Therefore, total of ¼ Sunset District residents were not participated in the election. Thus, the voting election result did not reflect what Sunset District resident's wants. During 2015 Taravel MCD petition, 7000 petition signatures was collected, that proof our point that Sunset residents do NOT need MCD in our neighborhood. Again, it's not necessary.

12. Most importantly, the existing regulation on dispensary control is not good enough; current system is not consistent enough. We need to wait for strengthening of regulation before can approve the MCD open in our neighborhood. We insist believe in Marijuana task force should protect all age group children under 18, they deserve the protection from commissioners like you. Currently, Wah Mei School Preschool and Jefferson Preschool are both located very close by, which are only within around 600 radius, both school emphasized that they do take kids for neighborhood walk on Irving blocks pretty often. If MCD open, they may have to take this activity out from their curriculum which affects their routine. Business is business, but please don't district our children's routines, please don't take away our children's' quality of life.

III. In conclusion, as our elected representatives, you have an obligation to consider the will of the people. It is clear that the practices to get MCD approved on Irving Street was not in good faith and was did not represent all the no-votes of the community. We have to stop putting profits, and political advantages to work against the very people that vote our representatives into office. Again, as a well-established family community we beg you to disapprove and say NO to MCD opening its profitable doors at the cost of our community, and your constituents who believe that we have your representation. Please note that we are united in our efforts and our community pleads with you to keep our family neighborhood safe by saying NO to MCD on Irving Street!

Neighbors	Support	Oppose
Adjacent		2
Same/Across Street		34
Organizations (?)		7
Within 300 Foot		60 (41 Merchants, 19 Neighbors)
Within 500 Foot		110 (61 Merchants, 49 Neighbors)
Within 1000 Foot		165 (79 Merchants, 86 Neighbors)
Others		270

