



SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Conditional Use Authorization

HEARING DATE: OCTOBER 10, 2019

Record No: 2018-002060CUA
Project Address: 258 Noe Street
Zoning: Upper Market Neighborhood Commercial Transit Zoning District
40-X Height and Bulk District
Block/Lot: 3561/009
Project Sponsor: Jeremy Paul
Quickdraw Permit Consulting
854 Castro Street, #466
San Francisco, CA 94114
Property Owner: Jon Petris and Jon David Petris Revocable Trust
451 Burnette Avenue
San Francisco, CA 94131
Staff Contact: Jeff Horn– (415) 575-6925
Jeffrey.Horn@sfgov.org
Recommendation: **Approval with Conditions**

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

Reception:
415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The Project would establish a Cannabis Retail Use (dba “The Flore Store”) measuring 798.5 square feet in an existing retail space within an existing two-story mixed-use building. The proposal will involve interior tenant improvements and façade alterations with no expansion of the existing tenant space or building envelope.

REQUIRED COMMISSION ACTION

For the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 202.2, 303, and 764 to allow the establishment of a Cannabis Retail use in the Upper Market Neighborhood Commercial Transit (UM-NCT) Zoning District.

ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** The Planning Department has received 27 letters in support of the application from neighbors and local businesses. Three letters in opposition has been received. Additionally, letters of support were received from the Castro Community Benefits District, the San Francisco Filipino American Chamber of Commerce, Castro Merchants, and the Duboce Triangle Neighborhood Association (the attached DTNA letter includes Conditions).
- **Planning Section 202.2(a)(5)(B) Compliance.** The subject parcel is not located within a 600-foot radius of a parcel containing an existing private or public school or within a 600-foot radius of a

parcel for which a valid permit from the City's Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer has been issued. However, the following sites are identified as potentially sensitive uses:

- Sanchez Elementary School / Preschool: 325 Sanchez Street, 815 feet from site
 - McKinley Elementary School: 1025 14th Street, 875 feet from site
 - Everett Middle School, 450 Church Street, 815 feet from site
 - Mission Dolores Academy: 3371 16th Street, 1400 feet from site
 - Mission High School: 3750 18th Street, 1,700 feet from site
 - Children's Day School: 33 Dolores Street, 1,700 feet from site
 - Marin Preparatory School: 117 Diamond Street, 1,890 feet from site
 - Children's After School Arts: 584 Castro Street, 1,970 feet from site
 - Harvey Milk Elementary School: 4235 19th Street, 2,240 feet from site
- **On-Site Consumption.** On-Site Consumption. Cannabis may be consumed or smoked on site pursuant to authorization by the Department of Public Health. The project sponsor is not proposing a consumption lounge on-site as part of this requested authorization. However, a consumption lounge within accessory use limits may be added under a building permit in the future unless specifically prohibited by a Condition of Approval for the project.
 - **Equity Program.** The Project Sponsor has been verified by the City's Office of Cannabis to meet the Cannabis Equity Program Requirements of [Police Code Section 1604](#). The Planning Department does not receive detail of how a specific equity applicant meets the requirements of the program.
 - **Property Line Fence.** The Project Sponsor is proposing to construct an off-site improvement of a 10 foot tall fence along the southern property line of the adjacent San Francisco Recreation and Park Department's (RPD) owned property (Noe & Beaver Mini Park Community Garden) to visually screen from public view the existing wall-mounted PG&E utility box and equipment and to also provide security to the park. Attached to this report is a letter from RPD preliminarily accepting the gift of a fence.

ENVIRONMENTAL REVIEW

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

BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan. The project activates an existing vacant retail space and supports the City's equity program, administered by the Office of Cannabis. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

ATTACHMENTS:

Draft Motion – Conditional Use Authorization with Conditions of Approval (Exhibit A)
Exhibit B – Environmental Determination
Exhibit C – Maps and Context Photos
Exhibit D – Correspondence
Exhibit E – Sponsor’s Findings
Exhibit F – Plans and Renderings



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Motion No. XXXXX

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 202.2, 303 AND 764 OF THE PLANNING CODE TO ALLOW A CANNABIS RETAIL USE, D.B.A. FLORE STORE, MEASURING 798.5 SQUARE FEET IN AN EXISTING TWO-STORY MIXED-USE BUILDING AT 258 NOE STREET (ASSESSOR'S BLOCK 3561 LOT 009) WITHIN THE UPPER MARKET NEIGHBORHOOD COMMERCIAL ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On February 8, 2018 Jeremy Paul (hereinafter "Project Sponsor") filed Application No. 2018-002060CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a Cannabis Retail use (hereinafter "Project") at 258 Noe Street, Block 3561, Lot 009 (hereinafter "Project Site").

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

On October 10, 2019, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2018-002060CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2018-002060CUA is located at 1650 Mission Street, Suite 400, San Francisco, California.

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

MOVED, that the Commission hereby authorizes the Conditional Use Authorization as requested in Application No. 2018-002060CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

1. The above recitals are accurate and constitute findings of this Commission.
2. **Project Description.** The project includes the establishment a Cannabis Retail Use (d.b.a. Flore Store) measuring 798.5 square feet at the ground level of a two-story mixed-use building. The proposal will involve interior tenant improvements with no expansion of the existing tenant space or building envelope.
3. **Site Description and Present Use.** The Project is located on a 2,750 square foot parcel on the west side of Noe Street between Market Street and Beaver Street. The site is developed with a two-story building with one dwelling unit on the second floor, and commercial kitchen at the rear of the ground floor, and an existing commercial space at the front of ground floor, which is currently occupied by the nail salon "Gloss N Glam".
1. **Surrounding Properties and Neighborhood.** The Project Site is located within the Upper Market Neighborhood Commercial Transit in the Duboce Triangle and Castro/Upper Market neighborhoods. The site is located adjacent to the SF Recreation and Parks property 'Noe & Beaver Mini Park Community Garden'. Further to the north and east is the residential neighborhood of Duboce Triangle, mainly comprised of three-story multi-family buildings as well as the California Pacific Medical Center Davies Campus and Duboce Park. To the east, across Noe Street, is the Market and Noe Center, a commercial shopping building that fronts on Market and Noe Streets. Further to the south on the east side of Noe Street, at the corner of with Market Street is Case Flore. To the south and west is a commercial district on Noe and Market Streets with consistent ground floor retail sales and services and some dwelling units above.
2. **Public Outreach and Comments.** The Planning Department has received 27 letters in support of the application from neighbors and local businesses. Three letters in opposition has been received. Additionally, letters of support were received from the Castro Community Benefits District, the San Francisco Filipino American Chamber of Commerce, Castro Merchants, and the Duboce Triangle Neighborhood Association.

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

- A. **Use.** Cannabis Retail requires a Conditional Use Authorization to establish in the Upper Market NCT Zoning District.

The Project Sponsor is requesting Conditional Use Authorization to establish a Cannabis Retail use in the Upper Market Street NCT Zoning District. This is the only location for the business, The Flore Store; therefore, it is not formula retail.

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

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

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

The Project Sponsor has not proposed an on-site consumption area as part of this request. Any future proposals must meet the accessory use limits of the Planning Code, may not be independently accessible, must be in fully separated rooms, and must meet all applicable Department of Public Health requirements.

- 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 subject commercial space is in compliance with this requirement and shall be maintained in compliance with this Section. The façade has glass storefront windows and door that will provide a clear and unobstructed view of the entry lobby and security check-in.

4. **Conditional Use Findings.** Planning Code Section 303 establishes criteria for the Planning Commission to consider when reviewing applications for Conditional Use authorization. On balance, the project complies with said criteria in that:

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

The size of the proposed use is in keeping with other storefronts on the block face. The proposed Cannabis Retail establishment will not impact traffic or parking in the District as it will occupy an existing retail space. This will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by removing a vacant storefront.

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

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

- (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

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

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

The Planning Code does not require parking or loading for the use. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide. The proposed use will be well-served by the existing transit options which include all light-rail lines in the City.

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

If on-site consumption of cannabis is proposed in the future, the San Francisco Health Code will require installation of HVAC systems to prevent odors and emissions from the space from impacting persons or property in the vicinity. The Department of Public Health will not issue a permit for on-site consumption if such odors and emissions are not controlled. As such, the project has safeguards to prevent noxious or offensive emissions such as noise, glare, dust and odor.

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

The Project site has no parking, open spaces or loading area and there will be no addition of parking spaces, loading facilities, open space or service areas. All Project signage, projections, and exterior changes proposed for the business will be consistent with the controls of the Planning Code and the conditions of this Motion.

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

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

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

The proposed project is consistent with the stated purpose of the Upper Market Neighborhood Commercial Transit Zoning District in that the intended retail use will provide diversity to the retail corridor and a compatible retail service to the public in the immediately surrounding neighborhoods and to a larger market area during daytime hours.

5. **Additional Conditional Use Findings for Cannabis Retail.** Planning Code Section 303(w) outlines additional findings for the Commission when reviewing proposals for new Cannabis Retail establishments. The Commission shall consider “the geographic distribution of Cannabis Retail Uses throughout the City, the concentration of Cannabis Retail and Medical Cannabis Dispensary Uses within the general proximity of the proposed Cannabis Retail Use, the balance of other goods and services available within the general proximity of the proposed Cannabis Retail Use, any

increase in youth access and exposure to cannabis at nearby facilities that primarily serve youth, and any proposed measures to counterbalance any such increase.”

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

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

The proposed project would add a Cannabis Retail use to the Castro neighborhood. There are currently no outlets within the District nor in the surrounding neighborhoods of Dolores Heights and Noe Valley. The nearest outlets are in the Upper Market Street neighborhood and Mission District. The proposed project will be further west than most existing cannabis establishments and will not overconcentrate such uses in any neighborhood.

The Castro is a destination neighborhood, home to a variety of neighborhood serving goods and services such as personal services, eating and drinking establishments, and retail shops catering to the LGBTQ community. The multi-purpose commercial district provides both convenience goods to its immediate neighborhood as well as comparison shopping goods and services on a specialized basis to a wider trade area. The Castro neighborhood currently has an abundance of vacant storefronts. The proposed use would activate an existing vacant storefront with a use that will provide goods that are desirable for the neighborhood and may serve as an anchor to other adjacent businesses by increasing customer traffic. As such, the use is supportive of creating a thriving business community on the corridor.

The 2017 HIV Epidemiology Annual Report published by the San Francisco Department of Public Health (DPH) released in September of 2018, estimated that there were 15,952 people living with HIV in SF in 2017. Nearly two-thirds are age 50 and older, and 22 percent are age 60 and older. The bulk of older people living with HIV are part of the City's LGBTQ community and have been infected for 20 or more years and whose health needs stretch beyond managing the condition. A large population of these individuals living with HIV reside in or around the Castro. Cannabis use is common among persons living with HIV to help offset the side effects of HIV treatment. This retail use will serve the immediate community and will provide both general adult-use and medical cannabis products to customers.

The impact of increased access and visibility of cannabis to youth is a paramount concern for the City. While there are no sensitive uses (as defined in Planning Code Section 202.2) within 600 feet of the proposed site,

the sponsors are conscious that minors will pass by the site. As stated above, under Number 7, the retail storefront has been specifically designed to limit its impact to youth passing by.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2:

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

OBJECTIVE 3:

PROVIDE EXPANDED EMPLOYMENT OPPORTUNITIES FOR CITY RESIDENTS, PARTICULARLY THE UNEMPLOYED AND ECONOMICALLY DISADVANTAGED.

Policy 3.1:

Promote the attraction, retention and expansion of commercial and industrial firms which provide employment improvement opportunities for unskilled and semi-skilled workers.

Policy 3.2:

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

OBJECTIVE 4:

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

Policy 4.8:

Provide for the adequate security of employees and property.

OBJECTIVE 6:

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

Policy 6.2:

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

Cannabis is one of the fastest growing job categories in the country and one of the few retail uses that is burgeoning even in the face of e-commerce. The proposed business is entirely owned by local residents and will hire directly from the community. The business has obligations under City policy, to source products and services from local businesses, particularly those owned by and employing residents who meet the Cannabis Equity Criteria. As such, the business aims to increase employment and resident ownership both in its own Cannabis Retail business and in the cannabis cultivation, manufacturing, and distribution businesses that are provided hundreds of skilled, unskilled, and semi-skilled jobs to San Francisco residents.

Cannabis retailers are proven to improve security for the entire neighborhood they serve. A UCLA study funded by the National Institutes of Health demonstrated that neighborhoods with cannabis stores have no more crime than other neighborhoods and that “measures dispensaries take to reduce crime (i.e., doormen, video cameras), may increase guardianship” of the area. The project will have professional security and multiple cameras, as required by law, and will submit a security plan to the City’s Office of Cannabis for formal review, including review by the San Francisco Police Department.

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

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

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

Existing neighborhood-serving retail uses are not impacted by the establishment of the proposed Cannabis Retail use. The Duboce Triangle and Castro neighborhoods have numerous vacancies and activating a vacant retail space is desirable for the neighborhood. The addition of this business will enhance foot traffic to the benefit neighboring businesses. Cannabis is one of the fastest growing job categories in the country and one of the few retail uses that is burgeoning even in the face of e-commerce. The Duboce Triangle community does not currently have an accessible Cannabis retail use.

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

An existing residential unit on upper floor and units in the surrounding neighborhood would not be adversely affected by the Project. The proposal does not affect housing or change the character of the building.

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

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

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

The intersection of Noe Street, 16th Street and Market Street is well served by transit. The F, K, L, M, S, and T muni lines run through the Castro Street Station and the N line along Duboce Avenue and J line along Church Street. Additionally, the 22, 24, 37 and 33 Muni bus lines are located within walking distance. It is presumable that the employees would commute by transit thereby mitigating possible effects on street parking.

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

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

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

The Project will be designed and will be constructed to conform to the structural and seismic safety requirements of the Building Code. This proposal will not impact the property's ability to withstand an earthquake.

- G. That landmarks and historic buildings be preserved.

The site not an identified historic resource.

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

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

8. 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.
9. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2018-002060CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated September 17, 2019, and stamped "EXHIBIT B", which is incorporated herein by reference as though fully set forth.

APPEAL AND EFFECTIVE DATE OF MOTION: Any aggrieved person may appeal this Conditional Use Authorization to the Board of Supervisors within thirty (30) days after the date of this Motion. The effective date of this Motion shall be the date of this Motion if not appealed (after the 30-day period has expired) OR the date of the decision of the Board of Supervisors if appealed to the Board of Supervisors. For further information, please contact the Board of Supervisors at (415) 554-5184, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on October 10, 2019.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: October 10, 2019

EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow Cannabis Retail use measuring 798.5 square feet located at 258 Noe Street pursuant to Planning Code Sections 202.2, 303, and 748 within the Upper Market NCT Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated September 17, 2019, and stamped "EXHIBIT B" included in the docket for Record No. 2018-002060CUA and subject to conditions of approval reviewed and approved by the Commission on October 10, 2019 under Motion No. XXXXX. 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 10, 2019 under Motion No. XXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

The conditions of approval under the 'Exhibit A' of this Planning Commission Motion No. XXXXX 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

6. **Additional Project Authorization.** The Project Sponsor shall obtain operating licenses from the City's Office of Cannabis and the State of California prior to commencing any cannabis sales or other activities per Planning Code Section 202.2(a)(5).

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

7. **Transparency and Fenestration.** Pursuant to Planning Code Section 145.1, the site shall be maintained with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

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

MONITORING - AFTER ENTITLEMENT

8. **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

9. **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

10. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide

the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.

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



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
258 NOE ST		3561009
Case No.		Permit No.
2018-002060PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
Project description for Planning Department approval. Conditional Use Authorization to permit the change of use from nail salon to adult (recreational) cannabis.		

STEP 1: EXEMPTION CLASS

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).	
<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. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. FOR ENVIRONMENTAL PLANNING USE ONLY
<input type="checkbox"/>	Class ____

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<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, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
<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? <i>if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</i>
<input type="checkbox"/>	Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?
<input type="checkbox"/>	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? If yes, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
<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? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.
<input type="checkbox"/>	Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
<input type="checkbox"/>	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
<input type="checkbox"/>	Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.
Comments and Planner Signature (optional): Jeffrey Horn	

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

PROPERTY IS ONE OF THE FOLLOWING: (refer to Property Information Map)	
<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 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 checked="" 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 checked="" 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 PROJECT 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 checked="" 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 checked="" 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): Restoration of existing building based on research and neighborhood context. New wood windows, wood siding, applied architectural details and moldings, tile bulkhead at storefront.
<input type="checkbox"/>	9. Other work that would not materially impair a historic district (specify or add comments): (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. Reclassification of property status. (Requires approval by Senior Preservation Planner/Preservation <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A a. Per HRER or PTR dated b. Other (specify): </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C (attach HRER or PTR) </div> </div>
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input checked="" type="checkbox"/>	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.
Comments (optional):	
Preservation Planner Signature: Stephanie Cisneros	

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

<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Planning Commission Hearing	Signature: Stephanie Cisneros
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	09/05/2019
	Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.	

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
258 NOE ST		3561/009
Case No.	Previous Building Permit No.	New Building Permit No.
2018-002060PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Planning Commission Hearing	
Modified Project Description:		

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

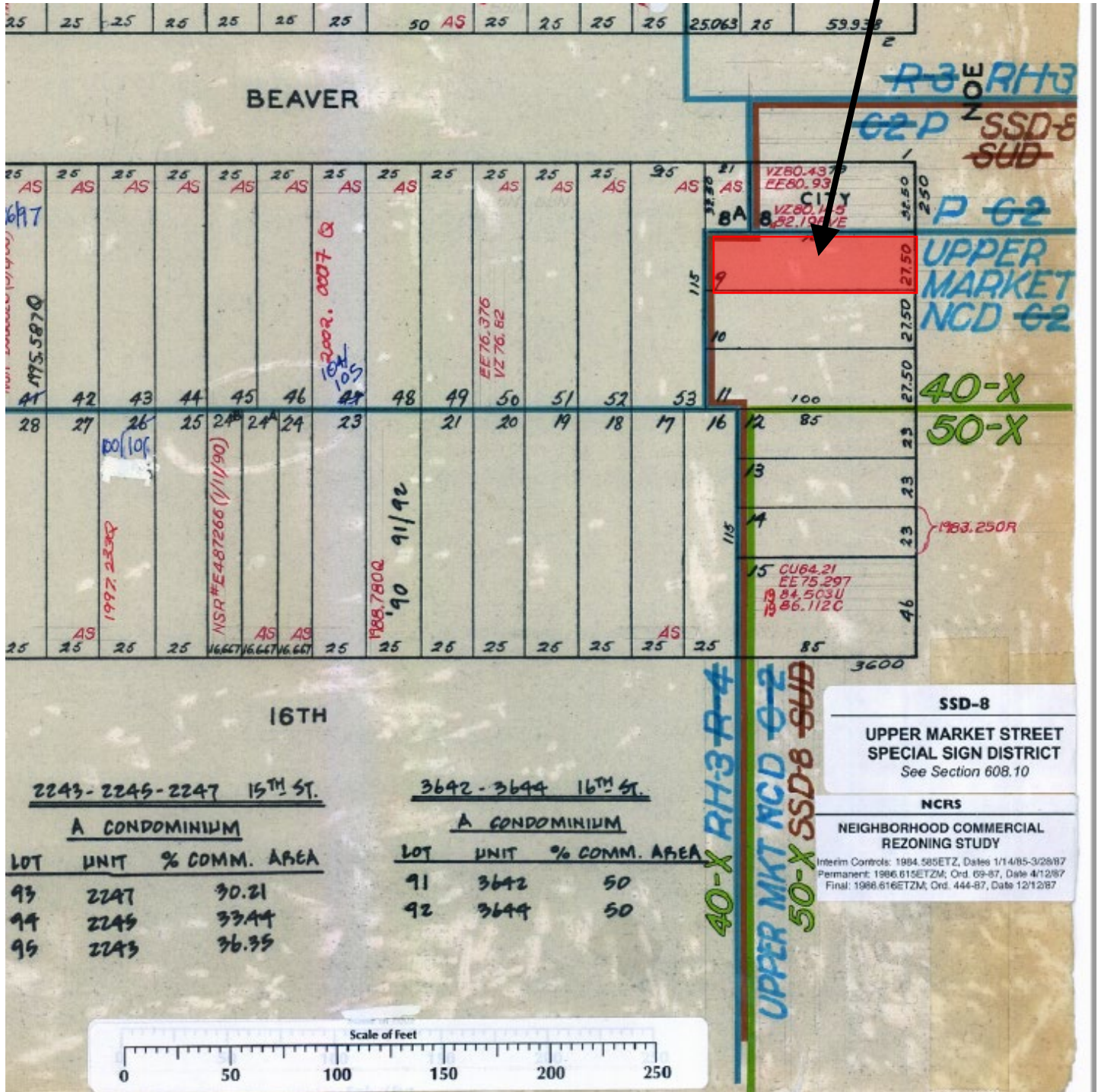
Compared to the approved project, would the modified project:	
<input type="checkbox"/>	Result in expansion of the building envelope, as defined in the Planning Code;
<input type="checkbox"/>	Result in the change of use that would require public notice under Planning Code Sections 311 or 312;
<input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

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

<input type="checkbox"/>	The proposed modification would not result in any of the above changes.
If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.	
Planner Name:	Date:

Parcel Map

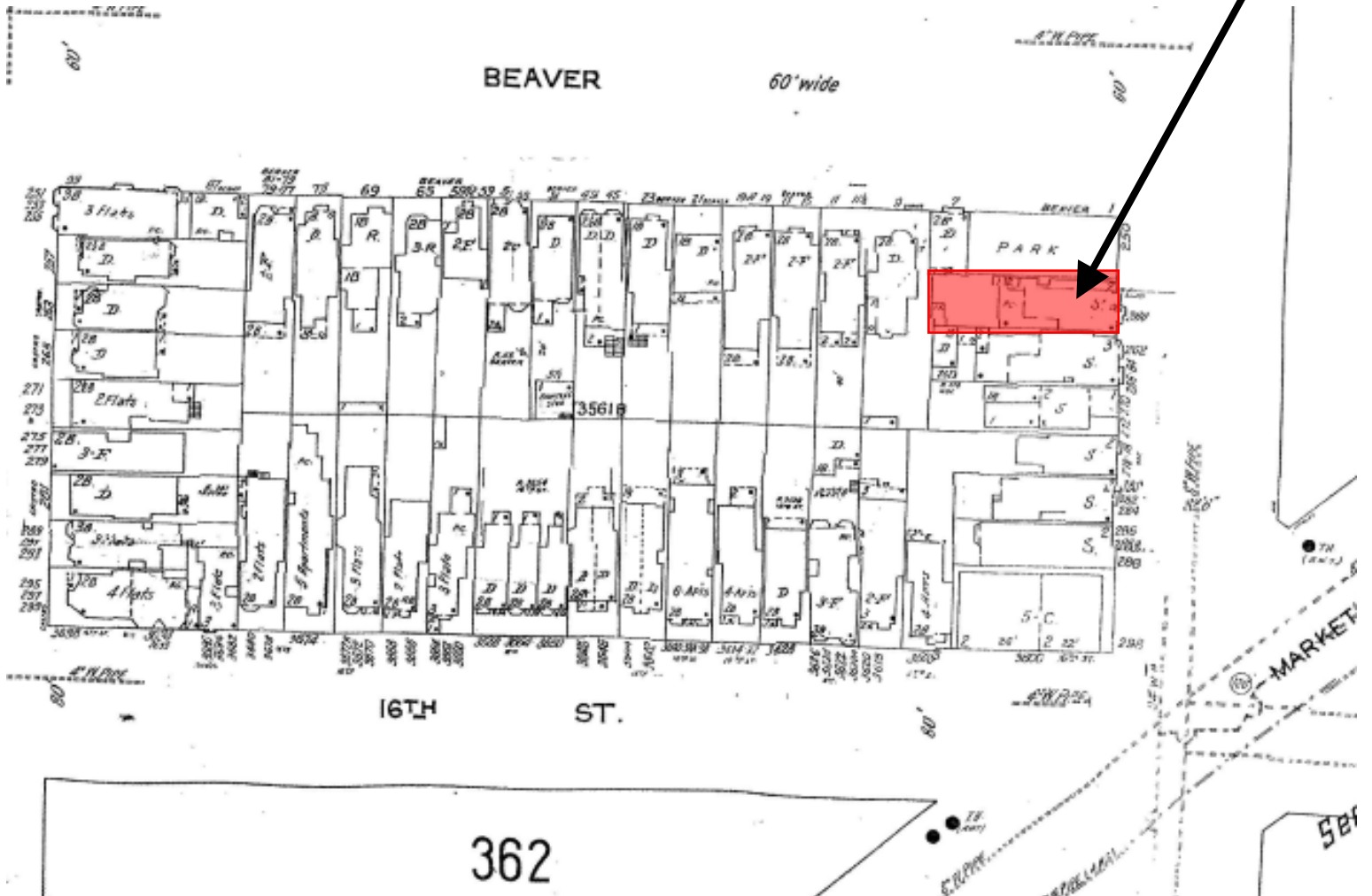
SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2018-002060CUA
258 Noe Street

Sanborn Map*

SUBJECT PROPERTY

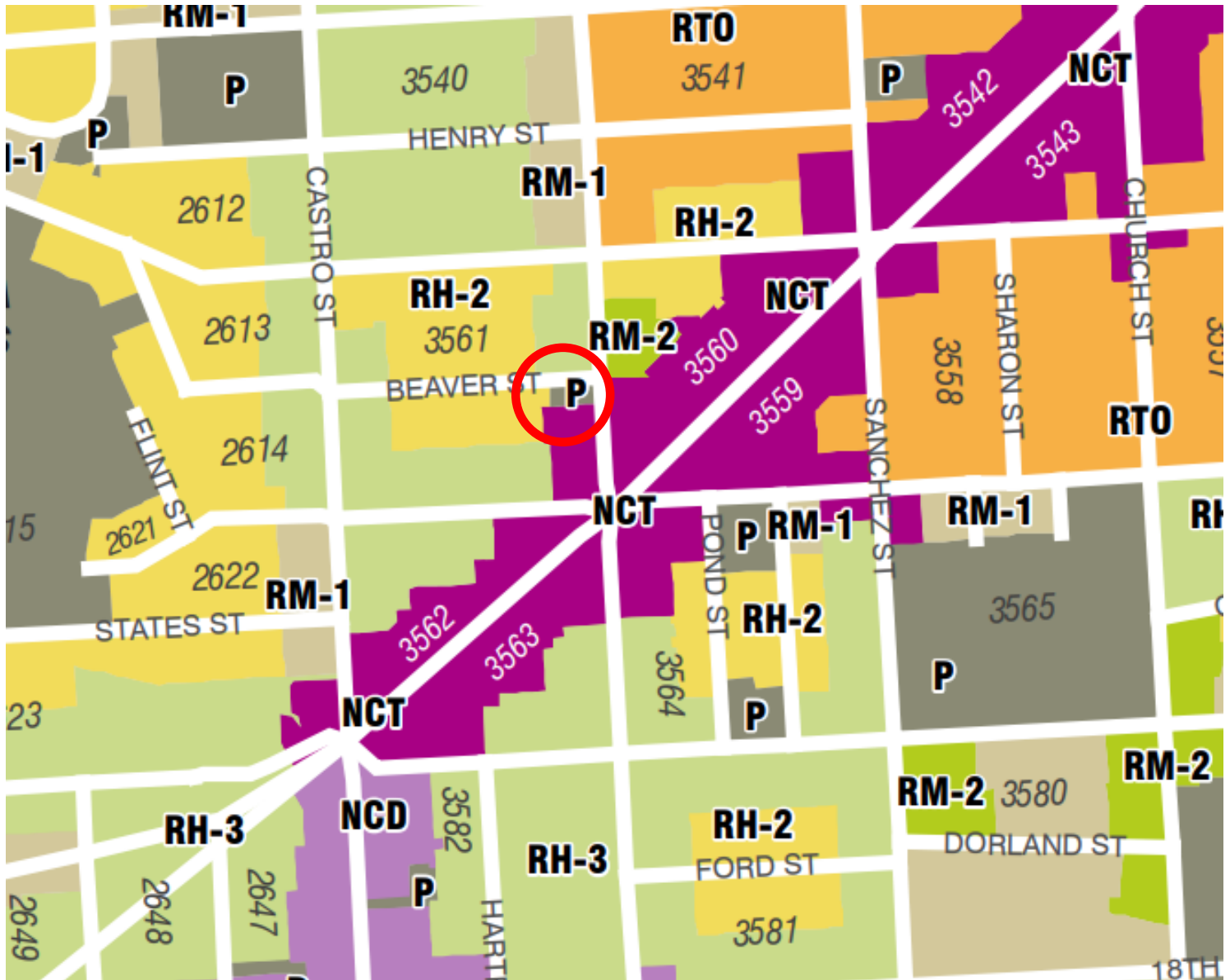


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



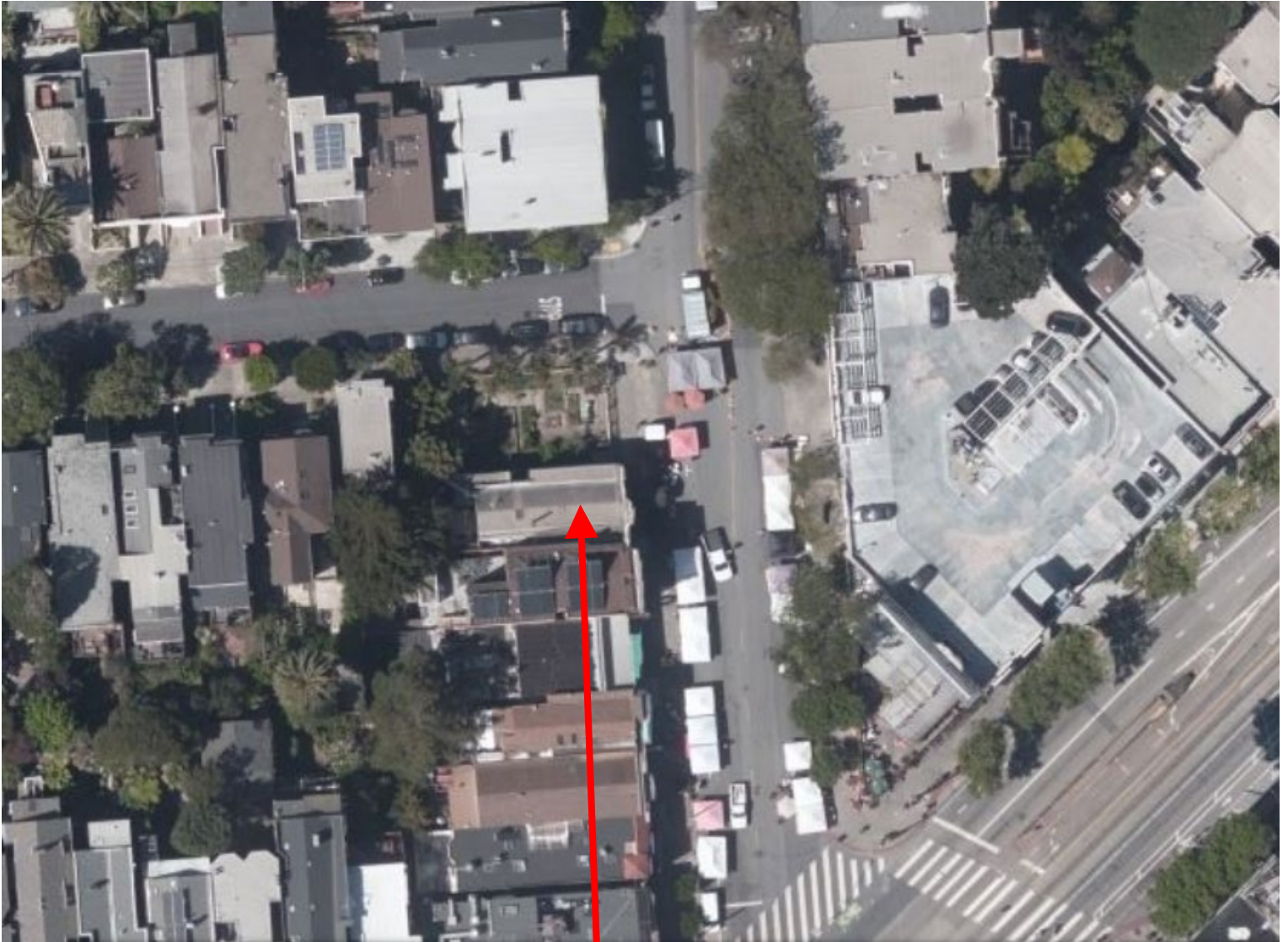
Conditional Use Authorization Hearing
Case Number 2018-002060CUA
258 Noe Street

Zoning Map



Conditional Use Authorization Hearing
Case Number 2018-002060CUA
258 Noe Street

Aerial Photo – View 1

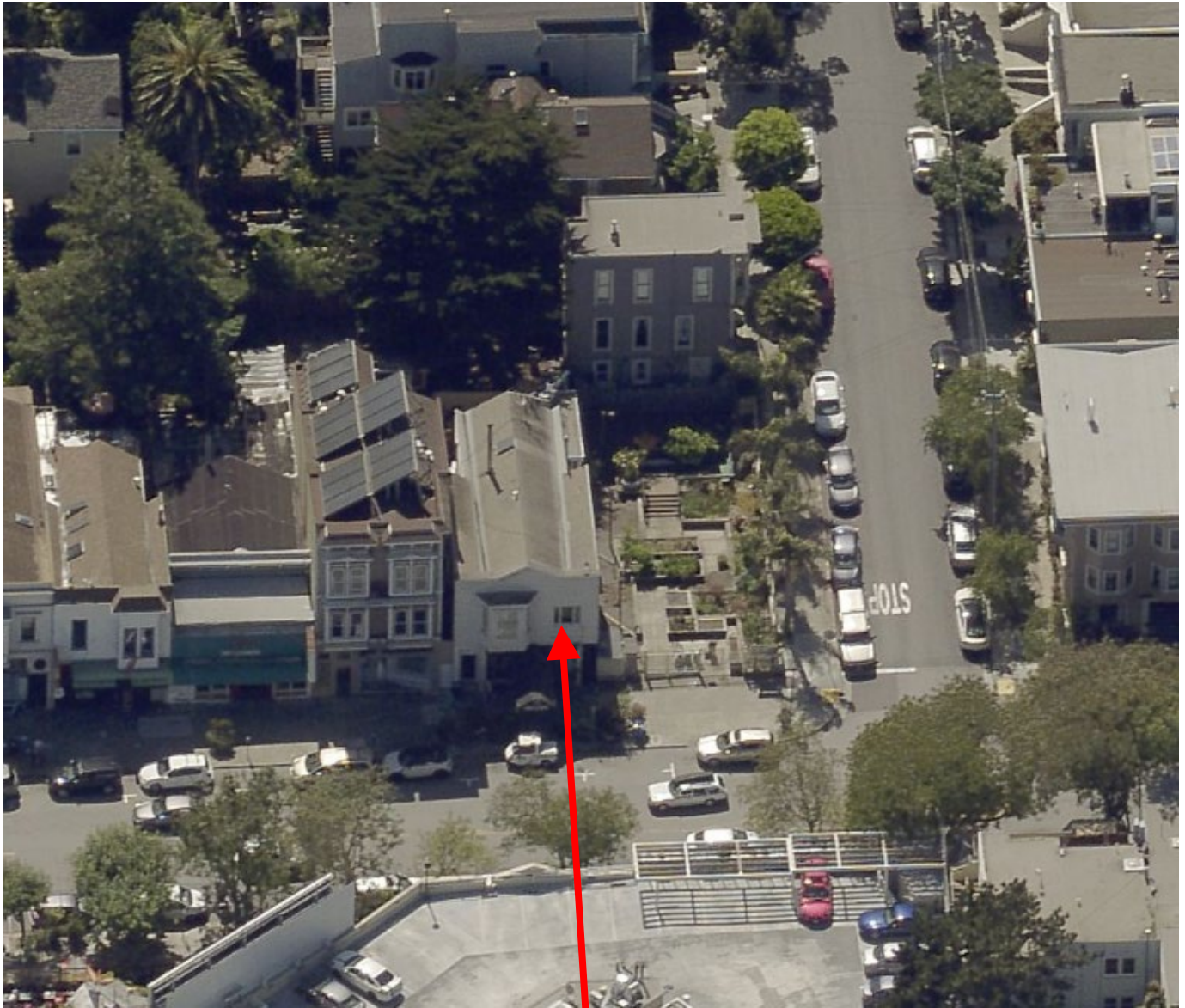


SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2018-002060CUA
258 Noe Street

Aerial Photo – View 2



SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2018-002060CUA
258 Noe Street

Aerial Photo – View 3



SUBJECT PROPERTY



Conditional Use Authorization Hearing
Case Number 2018-002060CUA
258 Noe Street

Site Photo



Conditional Use Authorization Hearing
Case Number 2018-002060CUA
258 Noe Street

Site Photo



Conditional Use Authorization Hearing
Case Number 2018-002060CUA
258 Noe Street



London N. Breed, Mayor
Philip A. Ginsburg, General Manager

September 25, 2019

Jeffrey Horn
Senior Planner, Current Planning Division
San Francisco Planning Department

Re: New section of fence along shared boundary of 258 Noe Street and the Noe Beaver Community Garden

Dear Mr. Horn,

The Recreation and Park Department (RPD) has reviewed the Project Sponsor's proposal to replace a section of fence on RPD property, along the park property boundary with 258 Noe Street.

The project proposes replace a section of fence along the shared boundary of 258 Noe Street and the Noe Beaver Community Garden. The existing fence was installed by community members 18 months ago with approval from RPD after the previous wall was removed by the property owner. The Neighborhood Association has requested the fence be upgraded as part of a proposed change of use of the retail space at 258/260 Noe Street to establish cannabis retail use on the ground floor of the property.

As this solves an identified park problem (creating a clear boundary between our two properties), we are grateful for these fencing improvements for Noe Beaver Community Garden. Formal RPD acceptance of the gift occurs with completion of a partnership pathway process. This process includes, but is not limited, to the following steps:

- Review of project scope, design and schedule by Parks and Open Space and Structural Maintenance Division staff;
- Community engagement as advised by our Public Affairs Division;
- Execution of a formal agreement with the Department for compliance with insurance, indemnity, prevailing wage, permitting and other requirements for working in a City park; and
- Approval by the Recreation and Park Commission if valued at \$10,000 or above, and the San Francisco Board of Supervisors if valued at \$100,000 or above.

Nathan Tincclair (Nathan.tincclair@sfgov.org) in the Partnerships Division will manage the partnership agreement.



The following is our understanding of the fence construction, in accordance with the attached plans, Sheet D-1:

- Approximately 10'0" tall and installed atop a 2'0" concrete retaining wall, approximately 40 feet in length.
- 4x4 pressure treated posts spaced 4' on center and re-enforced with concentric holdowns will be anchored into the concrete retaining wall with epoxy anchors.
- 2x4 pressure treated wood will be used for backer rails, and alternating 1x6 and 2x2 vertical solid "select" or higher-grade redwood planks with beveled ends will be used for slatting, with the redwood slats facing the park, per the pattern, as approved by RPD.
- The fence will be painted a color specified by Rec and Park.
- All pressure treated material will receive proper care and handling. Any cuts into the wood will be treated onsite with wood preservative in conformance with all required guidelines, which includes safe handling of these materials, such as Personal Protection Equipment (PPE) for workers and tarping to protect the garden infrastructure and plants from drips or spills. Any sawdust or debris generated during construction will be kept segregated, out of planter soils and disposed of off-site, so that it does not contaminate garden soils. After construction, all construction debris will be removed from the site.

In addition to the fence, the project sponsor has proposed adding a mural on the north-facing exterior walls of 258 Noe that are adjacent to the fence. RPD recommends community engagement with RPD, community garden members and the broader neighborhood to determine the design and paint products. If access to the wall is needed from the Noe Beaver Mini Park Community Garden, the project sponsor can incorporate this into the Grant Agreement that will permit the fence or can request a Temporary Encroachment Permit from our Permits Division.

Sincerely,



Stacy Radine Bradley
Deputy Director of Planning, Capital and Planning Division
San Francisco Recreation and Parks Department



Duboce Triangle Neighborhood Association
PMB # 301, 2261 Market Street, San Francisco, CA 94114
(415) 295-1530 / www.dtna.org

October 2, 2019

President Myrna Melgar and
Planning Commissioners
San Francisco City Planning Commission
1650 Mission St, Suite 400
San Francisco, CA 94103-2479

Re: 258 Noe St, Case #2018-002060CUA

Dear President Melgar and Commissioners:

After extensive discussions and thought, Duboce Triangle Neighborhood Association's Land Use Committee has voted to SUPPORT the proposed "Flore Store" retail cannabis dispensary at 258 Noe St, subject to a list of conditions which are attached.

The neighborhood has a long and difficult history with Café Flore across the street, whose owners are key participants in this project. There is a great deal of distrust, based on this history, and we ask for the Commission's help in ensuring that the project sponsor meets its commitments to our community. In particular, we ask that you take the unusual step of reviewing the success or failure of the project to successfully operate compatibly with its neighbors by revisiting the CUA after 1, 2 and five years. We feel this scrutiny is necessary to ensure compliance with the Conditions of Use and the other conditions agreed to by the project sponsor.

This project is unusual in that it will displace an existing business which is not, on its face, desirable, particularly given the many retail vacancies in our neighborhood. We thank the project sponsor for agreeing to provide significant financial assistance to allow the existing salon to relocate, hopefully within our neighborhood.

We hope that The Flore Store will be operated responsibly and with sensitivity to its close proximity to residences and a public garden, and will thus be a positive addition to our retail corridor on Noe St.

Thank you for considering our views.

Very truly yours,
Duboce Triangle Neighborhood Association

David Troup,
Land Use Chair

CONDITIONS FOR DTNA SUPPORT OF “THE FLORE STORE”

These conditions have been agreed by DTNA and by Terrance Alan on behalf of the project sponsor.

1. No on-site consumption of cannabis products, in any form, on or around the subject premises.
2. The Flore Store to complete upgrade of the north and east sides of 258 Noe St., as described in current plans, prior to commencing cannabis sales.
3. The Flore Store to pay for and maintain a new 10' fence along the length of the north breezeway, separating the property from the Noe-Beaver Community Garden. This fence will be treated as a gift to the Recreation and Parks Department and the details will be governed by an agreement between the project sponsor and RPD.
4. The Flore Store to provide on-site security personnel to monitor the front of the store and 100 feet adjacent during all hours the store is open plus 30 minutes before and after opening. Store hours to be limited to 9 am to 9 pm daily. Additionally, the Flore Store agrees to provide 24/7/365 video surveillance of these areas, with recorded video retained for a minimum of 90 days and made available to law enforcement upon request.
5. The Flore Store commits to paying for Castro/Upper Market Community Benefits District services for both the Noe St. and Beaver St. frontages of the Noe-Beaver Community Garden on an ongoing basis, until or unless the Recreation and Parks Department begins paying for those services, or the CBD services are provided without requirement for payment.
6. The Flore Store agrees not to request a yellow loading zone, in the interest of preserving street parking. (A single-space green zone (10-minute parking) may be proposed and neighborhood support requested.)
7. Flore Store commits to pay \$25,000 to the existing retail tenant, Gloss 'n Glam Salon, on or before termination of their tenancy, with the intent of allowing them to occupy and build out another suitable space in the neighborhood to continue their business.
8. The Flore Store will work with DTNA and other neighborhood stakeholders to agree on a mural design for the north-facing exterior wall of 258-260 Noe St. The design must not have any depiction or suggestion of cannabis sale or use. The Flore Store agrees to complete the mural within 15 months after receiving Conditional Use authorization for this project.
9. The existing sidewalk awning, if retained, will not have any advertising, design, lettering or signage which depicts or suggests cannabis use, and will be limited to lettering saying “The Flore Store”.
10. The upstairs apartment at 260 Noe St. will be used for long-term residential purposes only, and not for office, hotel, short-term residential or other purposes.
11. There will be no use or preparation of cannabis-containing products, in any form, in the commercial kitchen at 258 Noe St (located directly behind the proposed cannabis dispensary, in the same building) and no such use or preparation of cannabis-containing products in that kitchen shall be permitted without specific future Conditional Use authorization.
12. The Planning Commission shall hold hearings to re-evaluate the Conditional Use Authorization for The Flore Store at one, two and five years from initial approval. If the Conditions of Use are being violated, or if there are other violations of the law, the Commission shall consider revocation of CU Authorization.



**584 Castro Street #333
San Francisco CA 94114-2512**

415/431-2359

formerly "Merchants of Upper Market & Castro – MUMC"

Info@CastroMerchants.com
www.CastroMerchants.com

Masood Samereie, President

August 28, 2019

By Email and USPS Hardcopy

Jeffrey Horn, Staff Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco CA 94103

Re: Your File No. (?) 2018-002060PRJ

Marisa Rodriguez, Director
San Francisco Office of Cannabis
City Hall, Room 018
1 Dr. Carleton B. Goodlett Place
San Francisco CA 94102

Re: Flore Store, 258 Noe Street, Terrance Alan et al

Dear Mr. Horn and Ms. Rodriguez,

This confirms that Castro Merchants (formerly "Merchants of Upper Market & Castro – MUMC") **SUPPORTS** the Applications for retail Cannabis operations by Flore Store to each of your City Departments (as described above).

Our SUPPORT includes for related applications to other San Francisco Departments including Building Inspection, Public Health, and Fire and to other City and State jurisdictions, and other entitlements related to the proposed operation of a retail cannabis business at the location described above.

Castro Merchants' support is based on information provided previously by Flore Store representatives at a Castro Merchants Members Meeting, with a recent update to confirm primary details. The support communicated in this letter remains in effect until withdrawn in writing. We have asked Flore Store to continue to update us promptly, if there is/are any substantial change(s) in information or Conditions of Approval as Flore Store nears its City entitlement Hearing date(s) and other approval milestones. We understand that Flore Store's Planning Commission Hearing currently is scheduled for September 19.

.... continued



CASTRO MERCHANTS

August 28, 2019

San Francisco Planning Department, Re: File No. (?) 2018-002060PRJ
San Francisco Office of Cannabis
Re: Flore Store, 258 Noe Street, Terrance Alan et al

Castro Merchants represents business owners and managers in San Francisco's Castro-Upper Market area, generally along Upper Market Street from Castro Street to Octavia Blvd.; Castro from Market to 19th Street; and commercially-zoned portions of cross streets throughout that area. Castro Merchants has about 300 currently paid Members through April 30, 2020. 258 Noe Street is within Castro Merchants' primary service area.

Please let us know if you have any questions regarding Castro Merchants support for these Applications. Please include this letter in the matter's permanent file and any successor files and assure that our support is communicated to all applicable Staff in your Department and to all Commissioners prior to any Hearing on this matter, and to any Appeal panel(s) at the time that this matter is considered by them.

A hardcopy of this letter is being mailed to each of you.

Thank you for considering our comments.

Respectfully,

A handwritten signature in black ink that reads "Masood Samereie".

Masood Samereie, CASTRO MERCHANTS President

email cc: S.F. District 8 Supervisor Rafael Mandelman, Staff Tom Temprano
SFPD Mission Station Captain Gaetano Caltagirone
cc: Terrance Alan, Flore Store

.... LtrPlanningFloreStore082819



584 Castro Street #336
San Francisco, CA 94114
PH 415.500.1181
FX 415.522.0395
www.castrocbd.org
www.facebook.com/castrocbd
[@visitthecastro](https://twitter.com/visitthecastro)

November 15, 2018

Richard Hillis, President and Fellow Commissioners
San Francisco Planning Commission
1650 Mission Street
San Francisco, CA 94103

Case Number: 2018-002060CUA

Dear Commission President Hillis and Fellow Commissioners,

This letter is written to express the Castro/Upper Market Community Benefit District's support for Flore Store at 258 Market St., case number 2018-002060CUA. Recreational cannabis is a growing industry and the Castro/Upper Market Community Benefit District looks forward to welcoming this new business to the neighborhood.

The plan for Flore Store includes security, and beautification of the building. The Castro CBD board believes that adding this business to Noe Street will help boost the pedestrian traffic on Noe Street and thereby boosting the business along this commercial stretch. Lighting in general will be improved on this block and they have reported that deliveries will be minimal and not impact the neighborhood.

If you have any questions, please contact me at andrea@castrocbd.org or 415-500-1181.

Thank you.

Sincerely,

Andrea Aiello
Executive Director

cc: Terrance Allen, Flore Store
Jeffery Horn, Planner
Supervisor Mandelman, Supervisor District 8
Tom Temprano, Legislative Aide Supervisor Mandelman

San Francisco Filipino American Chamber of Commerce

www.sffilamchamber.org



September 17, 2019

Jeffrey Horn
Planning Department
City and County of San Francisco
1650 Mission St, San Francisco, CA 94103
jeffrey.horn@sfgov.org

Re: 258 Noe St, The Flore Store, 2018-002060CUA

Dear Mr. Horn:

On behalf of the Board of Directors for the San Francisco Filipino-American Chamber of Commerce, I write this letter in support of the "Conditional Use Authorization" to establish cannabis retail use at 258 Noe St, called The Flore Store (TFS).

The TFS operators have done a tremendous job of leading cannabis policy in the City of San Francisco, explaining their project, the benefits and opportunities they will provide its patients, customers, as well as for and non-profit organizations in the City.

All the hard work and decades long community service, advocacy and cannabis experience of Equity Applicant Terrance Alan and his team will ensure excellent community relations, while upholding City and community policies, with a give-back commitment in supporting local programs and charities.

We 100% support their CUA! Their entire team are tremendous community servants and their efforts in continuing to serve and enhance the City of San Francisco, the Castro, and the LGBTQ Community are noteworthy.

If the City can have more operators and businesses like The Flore Store, we'd all be better for it!

Should you have any questions, please don't hesitate to give me a call.

Sincerely,

Jose A. Pecho, President
San Francisco Filipino-American
Chamber of Commerce (SFFAACC)
925-286-6607 Mobile

233 Sansome St, Suite 1008
San Francisco, CA 94104
(925) 286-6607

303(w) **Cannabis Retail.** With respect to any application for the establishment of a new Cannabis Retail Use, in addition to the criteria set forth in subsections (c) and (d) above, the Commission shall consider

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

2) The concentration of Cannabis Retail and Medical Cannabis Dispensary Uses within the general proximity of the proposed Cannabis Retail Use,
There is no currently active adult use cannabis retail in the Upper Market/ Castro/ Duboce Triangle district. The closest Medical Cannabis Dispensary is on Market St., East of 15th St..

3) The balance of other goods and services available within the general proximity of the proposed Cannabis Retail Use,
The Upper Market Castro district is a lively and richly diverse commercial district with services oriented to neighborhood residents as well as the significant number of tourists who come to San Francisco specifically to visit the Castro. The Duboce Triangle is a principally residential, pedestrian oriented neighborhood, enjoying many fine dining and neighborhood serving businesses clustered at intersections.

4) Any increase in youth access and exposure to cannabis at nearby facilities that primarily serve youth, and any proposed measures to counterbalance any such increase.

The subject location is not in the proximity of any facilities that primarily serve youth. Careful design attention will be paid in creating a storefront which celebrates the Castro and Duboce Triangle neighborhood without emphasis or reference to retail cannabis.

All windows will be showcases for displays of neighborhood history and community service programs. These window displays will obscure view from the sidewalk so that pedestrians of all ages cannot view the interior of the store eliminating the possibility of youth observing cannabis retail occurring within.

Cannabis retailers are proven to improve security for the entire neighborhood

they serve. A UCLA study funded by the National Institutes of Health demonstrated that neighborhoods with cannabis stores have no more crime than other neighborhoods and that “measures dispensaries take to reduce crime (i.e., doormen, video cameras), may increase guardianship” of the area. The project will have professional security and multiple cameras, as required by law, and will partner with SFPD, local merchants, and the community to increase safety and enhance a youth-friendly environment in the Castro / Duboce Triangle district.

Security operations will include:

1. The licensed security guard will be stationed at the front interior or exterior of the retail store at all times the store is open.
2. A licensed security guard will be present on site 30 minutes before and 30 minutes after the stores opening and closing.
3. A licensed security guard shall be responsible patrol an area 50 feet on either side of the entrance to the retail store.
4. Our licensed security team will receive additional training educating them to the sensitivities of security at a cannabis retail store. This training includes a thorough review of age restrictions in place for the store specifically that no one under the age of 21 shall EVER be allowed into the premises, whether open to the public or not, unless they are in possession of a valid California Medical Cannabis Identification Card. Our security training shall also include sensitivity training on the “moving on” or “call for service” assisting of any underage or homeless citizen who may choose to frequent the area 50 feet either side of the entrance to the cannabis retail store.

Signage will be prominent and well lit placed at the entrance and exit of the retail store including signs stating the following :

No loitering or littering within 100 feet of the store entry

No cannabis smoking in public places including sidewalks and business entrances

No Double Parking

Please Keep Driveways and Handicap Spaces Clear for Authorized Users

We Support a Peaceful Neighborhood!

Through careful architectural lighting the cannabis retail store will illuminate the sidewalk and recessed doorway area to discourage loitering and provide safe passage for youth, pedestrians, and other non-patrons.

Store management will be responsible for maintaining a clean swept and litter free public sidewalk. The community window displays are intended to be an

attractive point of interest for tourists, youth and neighborhood residents to learn more about Duboce Triangle, the Castro district and their active community groups.

The cannabis retail store will maintain active memberships in the Eureka Valley and Duboce Triangle Neighborhood Association. This participation will ensure ease of communications between neighbors and store management. The store general manager will maintain a dedicated cell phone that will be in use at all times the store is open and for 30 minutes before and after store hours to receive an answer any community calls. This phone number will be posted on the exterior of the store and will be mailed to our surrounding neighbors prior to our grand opening.

The adjacent Noe & Beaver Mini Park and Community Garden is not open to the public and provides a buffer to our residential neighbors. On the North facing wall of the subject property there will be an attractive and colorful mural of subject matter not pertaining to cannabis retail. New screening will be installed covering the existing unsightly mechanical attachments on the exterior of the building.

ABBREVIATIONS

AT CENTERLINE
BLDg BUILDING
BLK BLOCK
BNG BLOCKING
BM BEAM
BOT BOTTOM
BU BUILT UP
CAB CABINET
CER CERAMIC
CIRC CIRCLE
CLS CEILING
CLR CLEARANCE
CNTR COUNTER
COL COLUMN
CONC CONCRETE
CONSTR CONSTRUCTION
CONT CONTINUOUS
CONTR CONTRACTOR
CPT CARPET
C.T. CERAMIC TILE
CTR CENTER
DEMO DEMOLITION
DET DETAIL
DGL DOUGLAS FIR
DIA DIAMETER
DIM DIMENSION
DN DOWN
DS DOWN SPOUT
DR DOOR
DRWG DRAWING
DRAINER DRAINER
EA EACH
EL ELEVATOR
ELEV ELEVATION
ENCL ENCLOSURE
EQ EQUAL
EQUIP EQUIPMENT
EST ESTIMATE
EXH EXHAUST
EXIST EXISTING
EXP EXPANSION
EXT EXTERIOR
FIN FINISHED
F.F. FINISH FLOOR
FLR FLOOR
FLUOR FLUORESCENT
F.O.S. FACE OF STUD(S)
F.O.G. FACE OF CONCRETE
F.O.F. FACE OF FINISH
FT FOOT/FEET
FURR FURRED/FURRING
FUT FUTURE
GAGE
G.C. GENERAL CONTRACTOR
GEN GENERAL
G.F.I. GROUND FAULT INTERRUPT
GLASS GLAZING
GYP GYPSUM
H.C. HOLLOW CORE
HD HEAD
HDR HEADER
HWR HARDWARE
HORIZ HORIZONTAL
HT HEIGHT
H.V.A.C. HEATING VENTILATING
INSUL INSULATION
INT INTERIOR
JOINT
JOIST
KIT KITCHEN
KICKER KICKER PLATE
LAM LAMINATED
LVR LOVER
MAX MAXIMUM
MECH MECHANICAL
MEMB MEMBRANE
MET METAL
MFR MANUFACTURER
MIN MINIMUM
MISC MISCELLANEOUS
MTD MOUNTED
MULL MULLION
NOT IN CONTRACT
NO. NUMBER
NOT TO SCALE
O.A. OVERALL
O.C. ON CENTER
O.D. OUTSIDE DIAMETER
OCCUPANT LOAD
OPP OPPOSITE
P.B.D. PARTICLE BOARD
P-LAM PLASTIC LAMINATE
PLY MD PLYWOOD
P.N. PANEL
REF REFERENCE
REFL REFLECTED
REFR REFRIGERATOR
REG REGISTER
REINF REINFORCING
REQ REQUIRED
REV REVISION
RM ROOM
R.O. ROUGH OPENING
RTN RETAINING WALL
S.C. SOLID CORE
S.E. STRUCTURAL ENGINEERING
SECT SECTION
SF SQUARE FOOT
SHT SHEET
SIM SIMILAR
SPEC SPECIFICATION
SQ SQUARE
STD STANDARD
ST STEEL
STOR STORAGE
STRUCT STRUCTURAL
SUSP SUSPENDED
T.B.D. TO BE DETERMINED
TEL TELEPHONE
TEMP TEMPERED
T&G TONGUE & GROOVE
THK THICKNESS
THRESH THRESHOLD
TOP TOP OF
T.V. TELEVISION
TYP TYPICAL
UNFIN UNFINISHED
U.O.N. UNLESS OTHERWISE NOTED
VCT VINYL COMPOSITE TILE
VEL VENEER
VERT VERTICAL
V.I.F. VERIFY IN FIELD
W WITH
WC WATER CLOSET
W.C. WHEEL CHAIR
W.C. WALK-IN CLOSET
WH WATER HEATER
WP WATER PROOF
WD WINDOW
MT MEET
HEIGHT

GENERAL NOTES

1. ALL DIMENSIONS ARE TO FACE OF FINISH, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL REVIEW ALL PLANS AND SPECIFICATIONS TO COORDINATE WITH EXISTING BUILDING CONDITIONS. ANY VARIANCES AND / OR DISCREPANCIES THAT ARISE IN THE ABOVE REVIEW SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY FOR RESOLUTION.
3. DISCREPANCIES IN DIMENSION OR LAYOUT SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING WITH CONSTRUCTION.
4. DO NOT SCALE DRAWINGS!
5. DESIGN AND CONSTRUCTION SHALL CONFORM TO ALL GOVERNMENT CODES AND ORDINANCES, 2016 CALIFORNIA & SAN FRANCISCO CODES, INCLUDING BUILDING, ELECTRICAL, MECHANICAL, PLUMBING, ENERGY, AND PLANNING.
6. ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE APPLIED, INSTALLED, CONNECTED, ERECTED, USED, CLEANED, ADJUSTED, AND CONDITIONED AS DIRECTED BY THE MANUFACTURER UNLESS HEREIN SPECIFIED TO THE CONTRARY.
7. ALL MATERIALS SHALL BE NEW AND UNUSED, UNLESS OTHERWISE NOTED, AND OF THE HIGHEST QUALITY IN EVERY RESPECT. ALL WORK SHALL BE DONE IN A THOROUGH, WORKMANLIKE MANNER COMPLYING WITH ALL APPLICABLE CODES AND ORDINANCES. WORKMANSHIP SHALL BE EQUAL TO THE BEST STANDARDS OF PRACTICE.
8. ALL DIMENSIONS NOTED "VERIFY" SHALL BE CHECKED BY THE CONTRACTOR PRIOR TO CONSTRUCTION AND REPORTED TO THE ARCHITECT.
9. FEATURES OF CONSTRUCTION NOT FULLY SHOWN SHALL BE OF SAME CHARACTER AS SHOWN FOR SIMILAR CONDITIONS.
10. ELECTRICAL SUBCONTRACTOR SHALL FURNISH AND INSTALL, COMPLETE, ALL MATERIALS, EQUIPMENT AND LABOR AS SHOWN AND IS NECESSARY FOR A COMPLETE WORKABLE SYSTEM. ALL MATERIALS SHALL BE NEW AND FREE FROM ANY DEFECTS. ALL ELECTRICAL MATERIALS AND EQUIPMENT SHALL BE LISTED BY UNDERWRITERS LABORATORIES.
11. EXHAUST SYSTEM SHALL CONFORM TO ALL GOVERNMENT CODES AND ORDINANCES.
12. MECHANICAL SUBCONTRACTOR SHALL PERFORM ALL TESTING REQUIRED BY CODES.
13. ELECTRICAL AND PLUMBING CONTRACTORS ARE RESPONSIBLE FOR THE FILING OF THEIR OWN PERMITS.
14. THE BUILDING, ITS GROUNDS AND THE NEIGHBORING BUILDINGS, PROPERTIES AND STREET SHALL BE PROTECTED FROM ANY DAMAGE THAT MAY OCCUR DUE TO THIS WORK. ANY DAMAGES THAT OCCUR ARE THE FINANCIAL RESPONSIBILITY OF THE GENERAL CONTRACTOR.
15. ALL WASTE AND REFUSE CAUSED BY THE WORK SHALL BE REMOVED FROM THE PREMISES AND DISPOSED OF BY THE CONTRACTOR. THE PREMISES SHALL BE LEFT CLEAN AND CLEAR TO THE SATISFACTION OF THE ARCHITECT.
16. GENERAL CONTRACTOR GUARANTIES ALL MATERIAL AND WORKMANSHIP FOR A PERIOD OF ONE YEAR AFTER SUBSTANTIAL COMPLETION.

CAL GREEN BUILDING STANDARDS CODE

- CAL GREEN REQUIRED MEASURES - THE CA GREEN BUILDING CODE (TITLE 24 PART II) REQUIRES:
1. INDOOR AIR QUALITY MANAGEMENT DURING CONSTRUCTION - DUCT OPENINGS AND AIR DISTRIBUTION COMPONENT OPENINGS MUST COVERED DURING ALL PHASES OF CONSTRUCTION. TAPE, PLASTIC, SHEET METAL OR OTHER ACCEPTABLE METHODS MAY BE USED TO REDUCE THE AMOUNT OF WATER, DUST, AND DEBRIS ENTERING THE SYSTEM.
2. SMART IRRIGATION CONTROLLER - AUTOMATICALLY ADJUST IRRIGATION BASED ON WEATHER AND SOIL MOISTURE. CONTROLLERS MUST HAVE EITHER AN INTEGRAL OR SEPARATE RAIN SENSORS THAT CONNECTS OR COMMUNICATES WITH THE CONTROLLER.
3. INDOOR WATER EFFICIENCY - PLUMBING FIXTURES AND FITTINGS SHALL COMPLY WITH THE FOLLOWING: WATER CLOSETS ≤ 1.28 GAL/FLUSH; URINALS ≤ 0.5 GAL/FLUSH; SHOWERHEADS ≤ 2.0 GPM @ 80 PSI; RESIDENTIAL LAVATORY FAUCET ≤ 1.5 GPM; LAVATORY FAUCETS IN COMMON AND PUBLIC USE AREAS ≤ 0.5 GPM @ 60 PSI; METERING FAUCETS ≤ 0.25 GAL/CYCLE; AND KITCHEN FAUCETS ≤ 1.8 GPM @ 60 PSI (TEMPORARY INCREASE TO 2.2 GPM ALLOWED, BUT MUST DEFAULT TO ≤ 1.8 GPM).
4. BATHROOM EXHAUST FANS - MUST BE ENERGY STAR COMPLIANT, DUCTED TO TERMINATE OUTSIDE THE BUILDING, AND CONTROLLED BY HUMIDISTAT CAPABLE OF ADJUSTMENT BETWEEN RELATIVE HUMIDITY OF LESS THAN 50% TO MAXIMUM OF 80%. HUMIDITY CONTROL MAY BE A SEPARATE COMPONENT FROM THE EXHAUST FAN.
5. LOW-VOC WALL/CEILING PAINTS - CARB VOC LIMITS (CAL GREEN TABLE 4.504.3)
6. LOW-VOC AEROSOL PAINTS AND COATINGS - MEET BAAGHD VOC LIMITS (REGULATION 8, RULE 44) AND PRODUCT-WEIGHTED MIR LIMITS FOR ROG (CCR TITLE 17, SECTION 94520)
7. LOW-VOC CAULKS, CONSTRUCTION ADHESIVES, AND SEALANTS - MEET SCAQMD RULE 1160, SEE CAL GREEN TABLES 4.504.1 AND 4.504.2.
8. LOW-EMITTING COMPOSITE WOOD - MEET CALIFORNIA AIR RESOURCES BOARD AIRBORNE TOXIC CONTROL MEASURE FORMALDEHYDE LIMITS FOR COMPOSITE WOOD; SEE CAL GREEN TABLE 4.504.5
9. LOW-EMITTING FLOORING: ALL CARPET SYSTEMS, CARPET CUSHION, CARPET ADHESIVE, AND AT LEAST 80% OF RESILIENT FLOORING MUST BE LOW-EMITTING.
10. OPERATIONS AND MAINTENANCE MANUALS AND TRAINING - PROVIDE O&M MANUAL TO BUILDING MAINTENANCE STAFF DUE AT THE TIME OF FINAL INSPECTION.
11. SURFACE DRAINAGE: CONSTRUCTION PLANS SHALL INDICATE HOW THE SITE GRADING OR DRAINAGE SYSTEM WILL MANAGE SURFACE WATER FLOWS.
12. PEST PROTECTION - ANNUAL SPACES AROUND PIPES, ELECTRIC CABLES, CONDUITS OR OTHER OPENINGS IN SOLE/BOTTOM PLATES AT EXTERIOR WALLS SHALL BE CLOSED WITH CEMENT MORTAR, CONCRETE MASONRY, OR A SIMILAR METHOD ACCEPTABLE TO DBI FOR PROTECTION AGAINST RODENTS.
13. FIREPLACES AND WOODSTOVES - INSTALL ONLY DIRECT-VENT OR SEALED-COMBUSTION APPLIANCES; COMPLY WITH US EPA PHASE II LIMITS.
14. CAPILLARY BREAK FOR CONCRETE SLAB ON GRADE - CONCRETE SLAB ON GRADE FOUNDATIONS REQUIRED TO HAVE A VAPOR RETARDER MUST ALSO HAVE A CAPILLARY BREAK, INCLUDING AT LEAST ONE OF THE FOLLOWING: 1) A 4" THICK BASE OF 3" OR LARGER CLEAN AGGREGATE SHALL BE PROVIDED WITH A VAPOR RETARDER IN DIRECT CONTACT WITH CONCRETE AND A CONCRETE MIX DESIGN WHICH WILL ADDRESS BLEEDING, SHRINKAGE AND CURLING SHALL BE USED. FOR ADDITIONAL INFORMATION, SEE AMERICAN CONCRETE INSTITUTE, ACI 302.2R06. 2) A SLAB DESIGN SPECIFIED BY A LICENSED DESIGN PROFESSIONAL.
15. MOISTURE CONTENT OF BUILDING MATERIALS - VERIFY WALL AND FLOOR FRAMING DOES NOT EXCEED 19% MOISTURE CONTENT PRIOR TO ENCLOSURE. MATERIALS WITH VISIBLE SIGNS OF MOISTURE DAMAGE SHALL NOT BE INSTALLED. MOISTURE CONTENT SHALL BE VERIFIED IN COMPLIANCE WITH THE FOLLOWING: 1) MOISTURE CONTENT SHALL BE DETERMINED WITH EITHER A PROBE-TYPE OR A CONTACT-TYPE MOISTURE METER. EQUIVALENT MOISTURE VERIFICATION METHODS MAY BE APPROVED BY THE ENFORCING AGENCY AND SHALL SATISFY REQUIREMENTS IN SECTION 101.8. 2) MOISTURE READINGS SHALL BE TAKEN AT A POINT 2 FEET TO 4 FEET FROM GRADE-STAMPED END OF EACH PIECE TO BE VERIFIED. 3) AT LEAST THREE RANDOM MOISTURE READINGS SHALL BE PERFORMED ON WALL AND FLOOR FRAMING WITH DOCUMENTATION ACCEPTABLE TO THE ENFORCING AGENCY PROVIDED AT THE TIME OF APPROVAL TO ENCLOSE THE WALL AND FLOOR FRAMING. INSULATION PRODUCTS WHICH ARE VISIBLY WET OR HAVE A HIGH MOISTURE CONTENT SHALL BE REPLACED OR ALLOWED TO DRY PRIOR TO ENCLOSURE IN WALL OR FLOOR CAVITIES. MANUFACTURERS' DRYING RECOMMENDATIONS SHALL BE FOLLOWED FOR WET-APPLIED INSULATION PRODUCTS PRIOR TO ENCLOSURE.
16. HVAC INSTALLER QUALIFICATIONS - HVAC SYSTEM INSTALLERS MUST BE TRAINED AND CERTIFIED IN THE PROPER INSTALLATION OF HVAC SYSTEMS, SUCH AS VIA A STATE CERTIFIED APPRENTICESHIP PROGRAM, PUBLIC UTILITY TRAINING PROGRAM (WITH CERTIFICATION AS INSTALLER QUALIFICATION), OR OTHER PROGRAM ACCEPTABLE TO THE DEPARTMENT OF BUILDING INSPECTION.

SAN FRANCISCO GREEN BUILDING CODE

1. CONSTRUCTION AND DEMOLITION DEBRIS DIVERSION - 100% OF MIXED DEBRIS MUST BE TRANSPORTED BY A REGISTER HAULER TO A REGISTER FACILITY AND BE PROCESSED FOR RECYCLING.
2. RECYCLING BY OCCUPANTS: PROVIDE ADEQUATE SPACE AND EQUAL ACCESS FOR STORAGE, COLLECTION AND LOADING OF COMPOSTABLE, RECYCLABLE AND LANDFILL MATERIALS.
3. CONSTRUCTION SITE RUNOFF POLLUTION PREVENTION - PROVIDE A CONSTRUCTION SITE STORMWATER POLLUTION PREVENTION PLAN AND IMPLEMENT SFRUC BEST MANAGEMENT PRACTICES.
4. STORMWATER CONTROL PLAN - PROJECTS DISTURBING ≥ 5,000 SF OF GROUND SURFACE MUST IMPLEMENT A STORMWATER CONTROL PLAN MEETING SFRUC STORMWATER DESIGN GUIDELINES.
5. WATER EFFICIENT IRRIGATION - PROJECTS THAT INCLUDE 1,000 SF OR MORE OF NEW OR MODIFIED LANDSCAPE MUST COMPLY WITH THE SAN FRANCISCO WATER EFFICIENT IRRIGATION ORDINANCE.

LEGEND

EXISTING WALL TO REMAIN

EXISTING WALL TO BE REMOVED

PROPOSED WALL

FIRE RATED WALL (1-HOUR U.O.N.)

1

DOOR SYMBOL

2

WINDOW SYMBOL

3

REVISION

4

PROPERTY LINE

A

REFERENCE GRID LINE

3

A/B

SECTION REFERENCE SHEET NUMBER

2

A/B

DETAIL REFERENCE SHEET NUMBER

PROJECT DATA

OWNER: TERRANCE ALAN
258/260 NOE STREET
SAN FRANCISCO, CA 94114

ARCHITECT: LEVY ART & ARCHITECTURE INC
151 POTRERO AVENUE
SAN FRANCISCO, CA 94103
415-641-1320

PROJECT ADDRESS: 258/260 NOE STREET
SAN FRANCISCO, CA 94114

ASSESSOR'S BLOCK: 3561 LOT 004

ZONING: NCT - UPPER MARKET
NEIGHBORHOOD COMMERCIAL
TRANSIT

TYPE CONSTRUCTION: V B

ALLOW BLDG HGT: 2 STORY FOR A PER TABLE
ALLOW BLDG AREA: 503 OF THE 206 CEC

EXIST STORY / BASEMENT: 2 STORY / 0 BASEMENT
PROPOSED STORY / BASEMENT: 2 STORY / 0 BASEMENT

PROJECT DESCRIPTION:

- RENOVATION OF EXISTING COMMERCIAL SPACE, INCLUDING:
1. INTERIOR RETROFIT AS REQUIRED TO ACCOMMODATE NEW USE
2. SPRINKLER, PLUMBING & ELECTRICAL WORK
(VIA SEPARATE PERMIT)

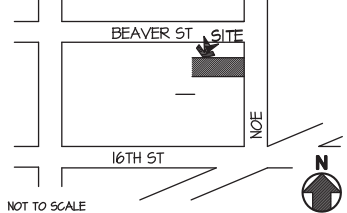
BUILDING AREA:

CONDITIONED AREA (GROSS)	EXISTING	PROPOSED
RETAIL SPACE	566.6 SF	566.6 SF
STORAGE	202.8 SF	187.8 SF
BATHROOM	24.1 SF	44.1 SF
TOTAL:	793.5 SF	798.5 SF
INCREASE IN AREA:	+0 SF	

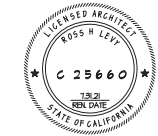
SHEET INDEX

- A0.1 PROJECT DATA & NOTES, PROPOSED SITE PLAN
- A0.2 EXISTING SITE PLAN
- A1.1 EXISTING 1ST & 2ND FLOOR
- A1.2 EXISTING (FRONT) EAST & NORTH ELEVATION
- A1.3 EXISTING SECTION
- A2.1 PROPOSED 1ST FLOOR
- A3.1 PROPOSED (FRONT) EAST & NORTH ELEVATION
- A4.1 PROPOSED SECTION
- D.1 FENCE ARCHITECTURAL DETAILS

VICINITY MAP



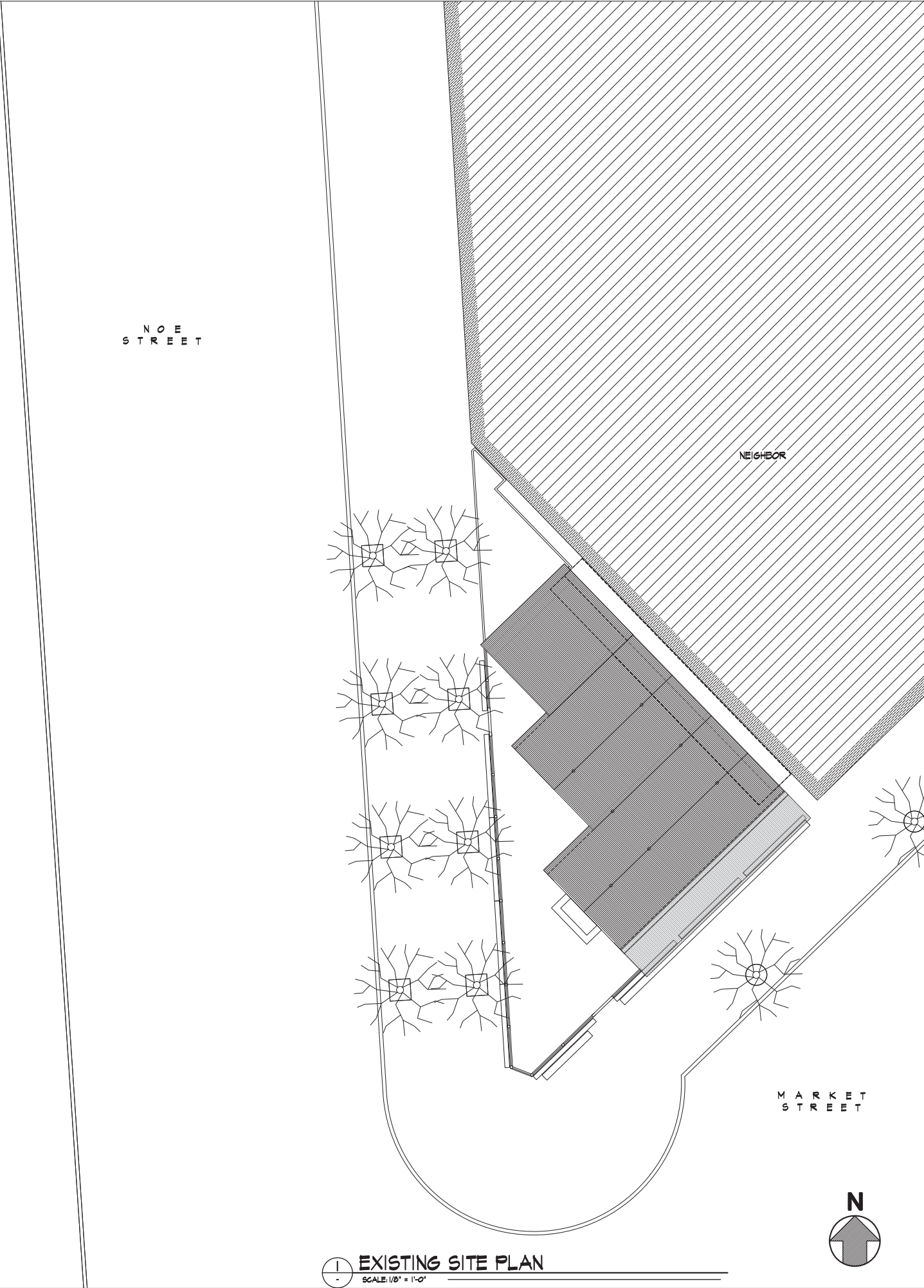
REVISIONS	BY



CANNABIS RETAIL
258/260 NOE ST
SAN FRANCISCO, CA, 94114
BLOCK #3561 LOT #009

Description	PROJECT DATA
Date:	09.17.2019
Scale:	AS NOTED
Drawn:	MCV
Job	ESTABLISHMENT OF CANNABIS RETAIL
Sheet	

A0.1



REVISIONS	BY

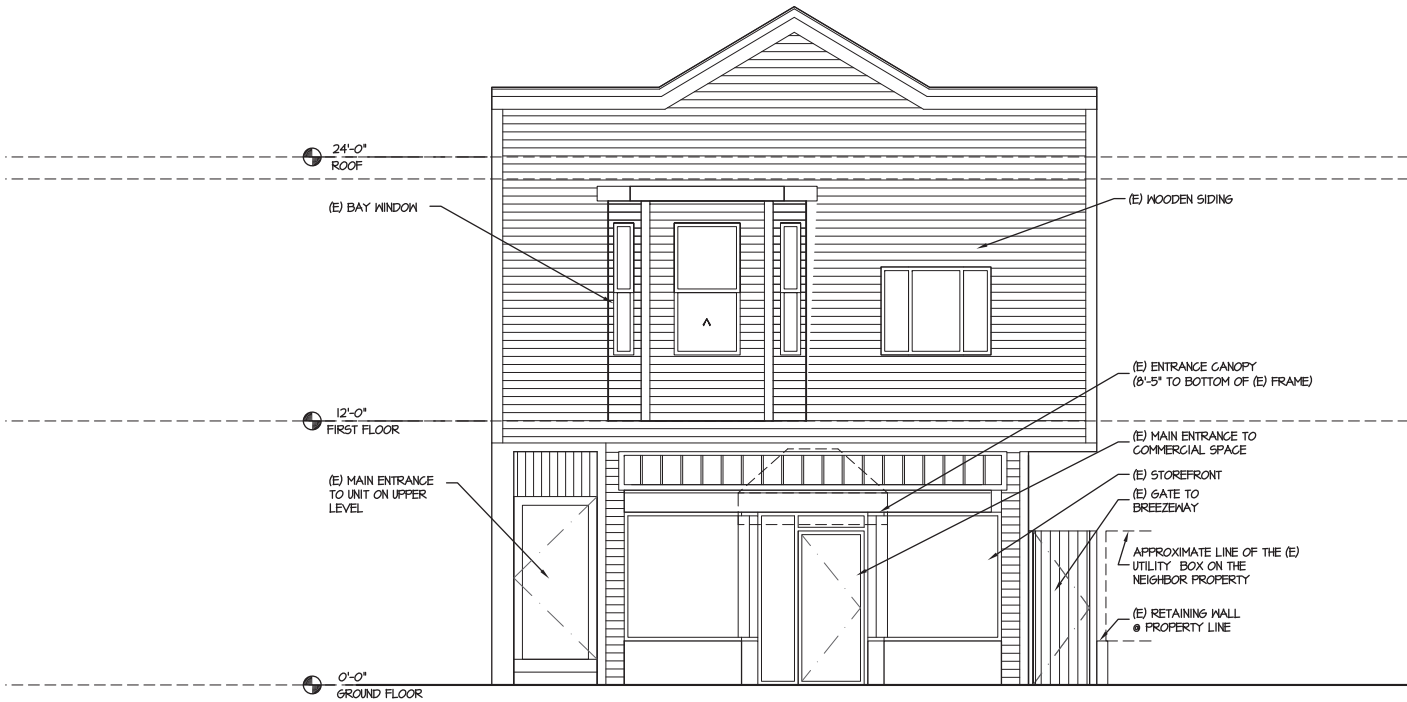


CANNABIS RETAIL
258/260 NOE ST
SAN FRANCISCO, CA, 94114
BLOCK #3561 LOT #009

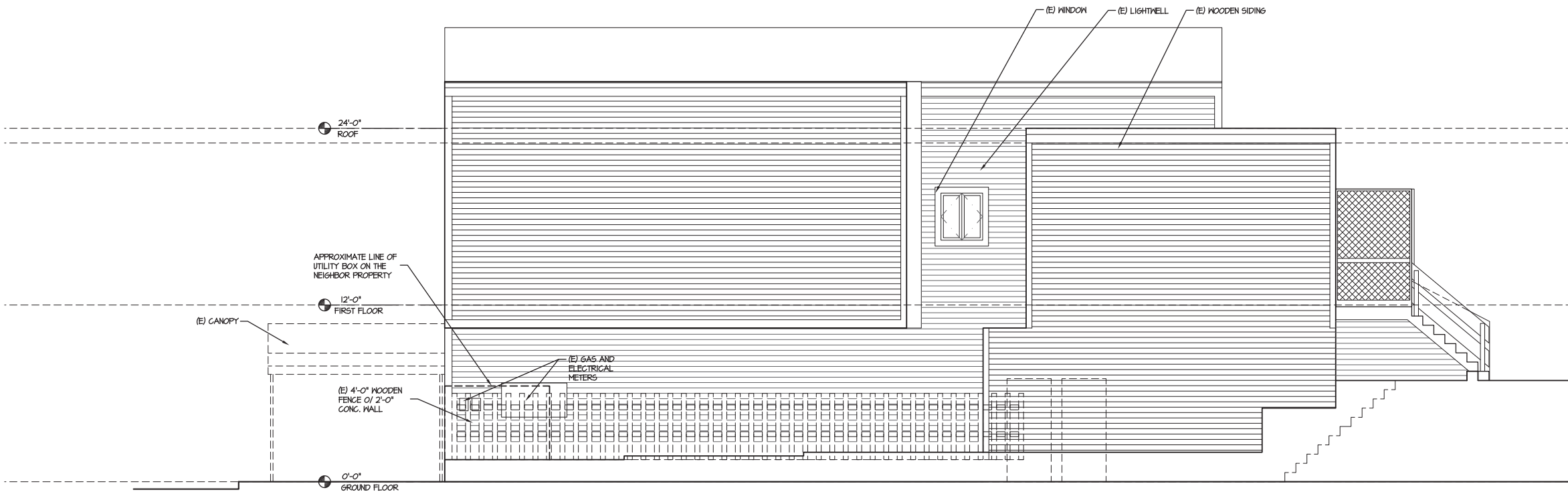
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Date:	09.17.2019
Scale:	AS NOTED
Drawn:	MCV
Job	ESTABLISHMENT OF CANNABIS RETAIL
Sheet	

A0.2

REVISIONS	BY



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



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



CANNABIS RETAIL
258/260 NOE ST
SAN FRANCISCO, CA, 94114
BLOCK #3561 LOT #009

Description	EXISTING ELEVATIONS
Date:	09.17.2019
Scale:	AS NOTED
Drawn:	MCV
Job	ESTABLISHMENT OF CANNABIS RETAIL
Sheet	

A1.2

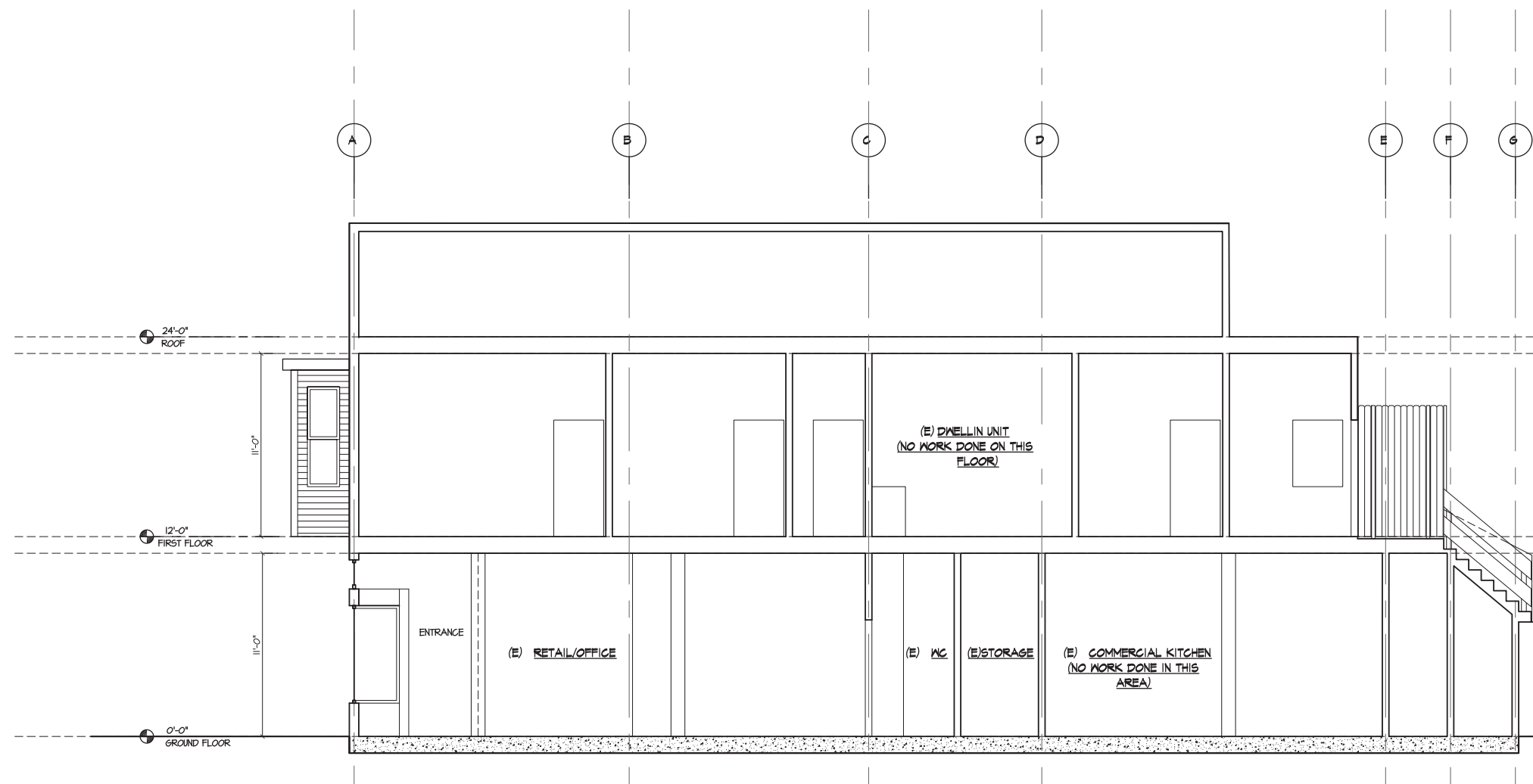
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CANNABIS RETAIL
258/260 NOE ST
SAN FRANCISCO, CA, 94114
BLOCK #3561 LOT #009

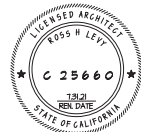
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Date:	09.17.2019
Scale:	AS NOTED
Drawn:	MCV
Job	ESTABLISHMENT OF CANNABIS RETAIL
Sheet	

A1.3



1
-
EXISTING Z-Z SECTION
SCALE: 1/4" = 1'-0"

REVISIONS	BY



CANNABIS RETAIL
258/260 NOE ST
SAN FRANCISCO, CA, 94114
BLOCK #3561 LOT #009

Description	PROPOSED FLOOR PLAN
Date:	04/17/2019
Scale:	AS NOTED
Drawn:	MCV
Job	ESTABLISHMENT OF CANNABIS RETAIL
Sheet	

A2.1

NOTES:

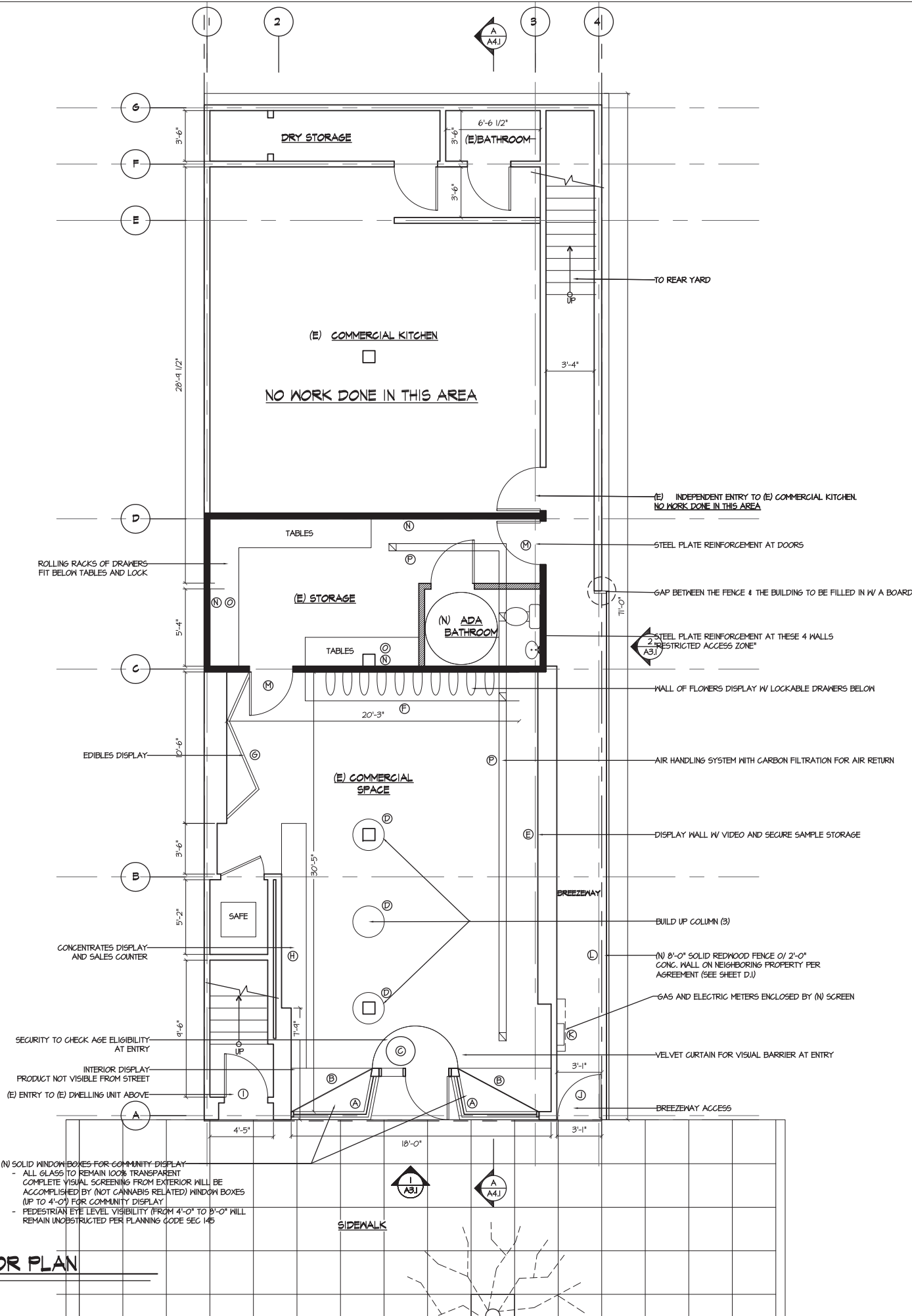
- (A) (N) SOLID WINDOW BOXES FOR COMMUNITY DISPLAY
- ALL GLASS TO REMAIN 100% TRANSPARENT
- COMPLETE VISUAL SCREENING FROM EXTERIOR WILL BE ACCOMPLISHED BY (NOT CANNABIS RELATED) WINDOW BOXES (UP TO 4'-0") FOR COMMUNITY DISPLAY
- PEDESTRIAN EYE LEVEL VISIBILITY (FROM 4'-0" TO 8'-0") WILL REMAIN UNOBSTRUCTED
- (B) INTERIOR DISPLAY
- (C) SECURITY TO CHECK AGE ELIGIBILITY AND VELVET CURTAIN FOR VISUAL BARRIER AT ENTRY
- (D) BUILD UP COLUMN (S)
- (E) DISPLAY WALL W/ VIDEO AND SECURE SAMPLE STORAGE
- (F) WALL OF FLOWERS DISPLAY W/ LOCKABLE DRAWERS BELOW
- (G) EDIBLES DISPLAYS
- (H) CONCENTRATES DISPLAY AND SALES COUNTER
- (I) (E) ENTRY TO (E) DWELLING UNIT ABOVE
- (J) BREEZEWAY ACCESS
- (K) GAS AND ELECTRIC METERS IN BREEZEWAY ENCLOSED BY (N) SCREEN
- (L) (N) 8'-0" SOLID REDWOOD FENCE O/ 2'-0" CONC. WALL ON NEIGHBORING PROPERTY PER AGREEMENT (SEE SHEET D.I)
- (M) STEEL PLATE REINFORCED DOORS
- (N) STEEL PLATE REINFORCEMENT AT THESE 4 WALLS "RESTRICTED ACCESS ZONE"
- (O) ROLLING RACKS OF DRAWERS FIT BELOW TABLES AND LOCK
- (P) AIR HANDLING SYSTEM WITH CARBON FILTRATION FOR AIR RETURN

- (N) SOLID WINDOW BOXES FOR COMMUNITY DISPLAY
- ALL GLASS TO REMAIN 100% TRANSPARENT
- COMPLETE VISUAL SCREENING FROM EXTERIOR WILL BE ACCOMPLISHED BY (NOT CANNABIS RELATED) WINDOW BOXES (UP TO 4'-0") FOR COMMUNITY DISPLAY
- PEDESTRIAN EYE LEVEL VISIBILITY (FROM 4'-0" TO 8'-0") WILL REMAIN UNOBSTRUCTED PER PLANNING CODE SEC 14B

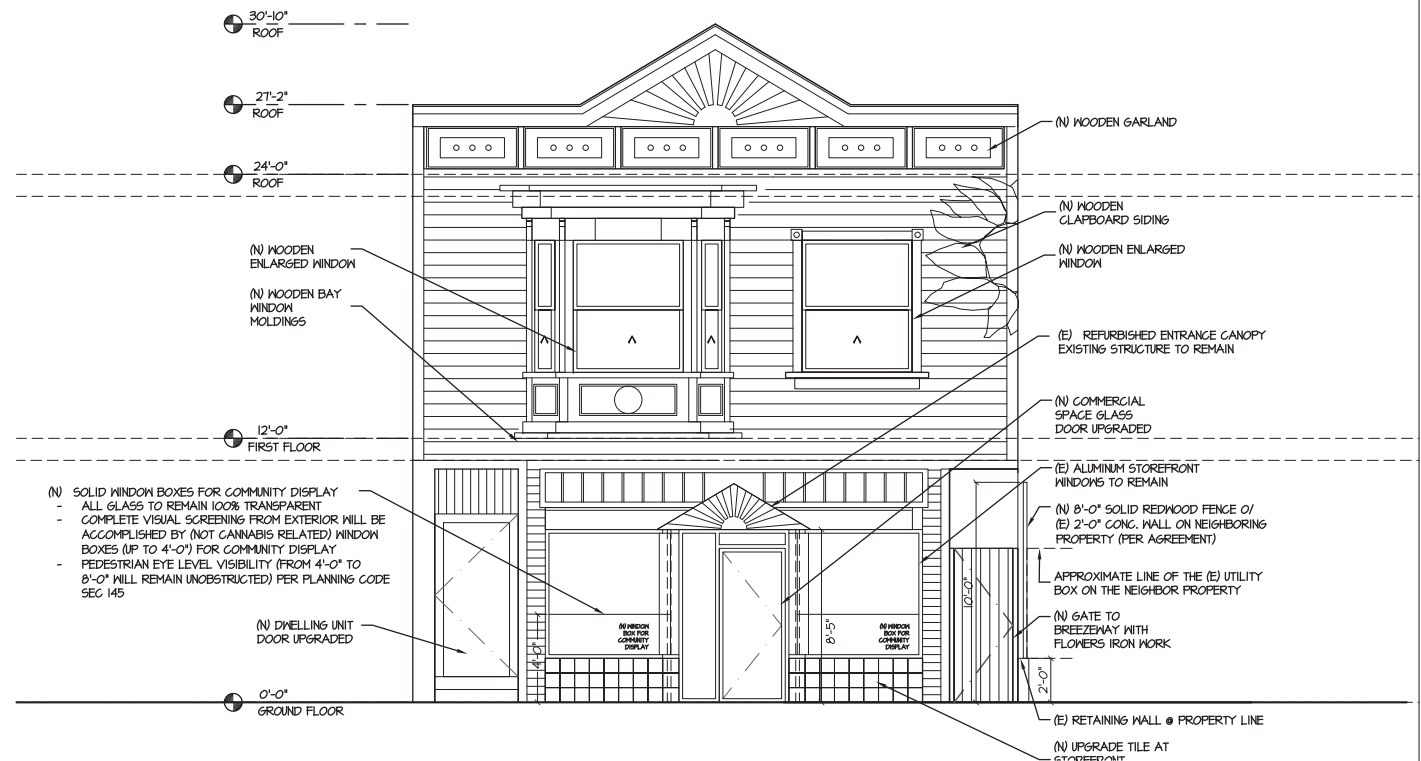


PROPOSED FIRST FLOOR PLAN

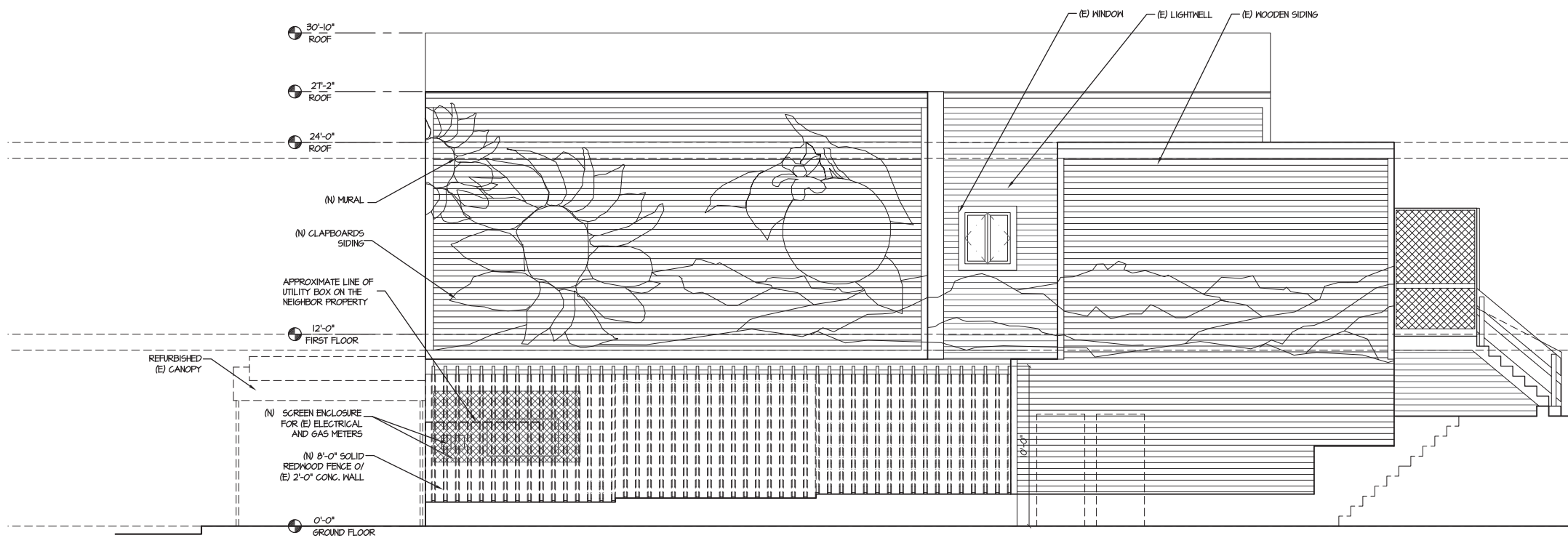
SCALE: 1/4" = 1'-0"



REVISIONS	BY



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



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



CANNABIS RETAIL
258/260 NOE ST
SAN FRANCISCO, CA, 94114
BLOCK #3561 LOT #009

Description	PROPOSED ELEVATIONS
Date:	09.17.2019
Scale:	AS NOTED
Drawn:	MCV
Job	ESTABLISHMENT OF CANNABIS RETAIL
Sheet	

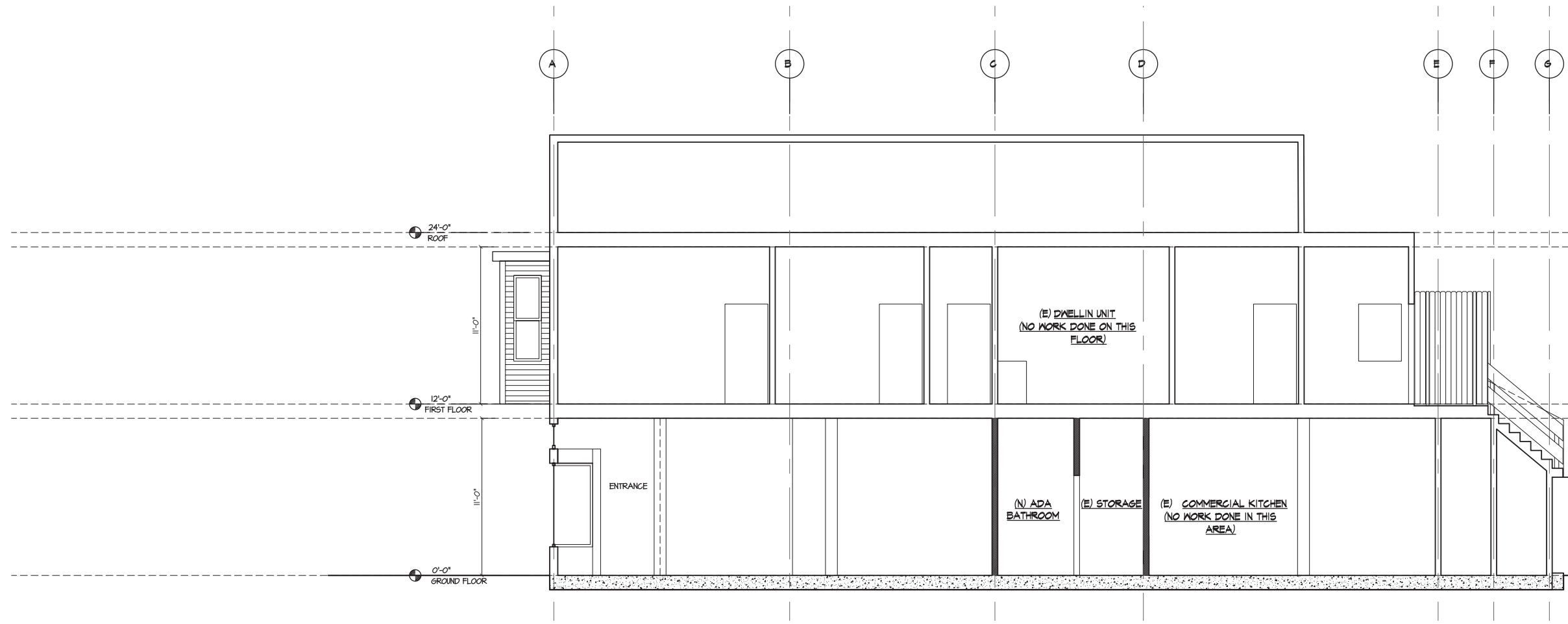
REVISIONS	BY



CANNABIS RETAIL
258/260 NOE ST
SAN FRANCISCO, CA, 94114
BLOCK #3561 LOT #009

Description	PROPOSED SECTION
Date:	09.17.2019
Scale:	AS NOTED
Drawn:	MCV
Job	ESTABLISHMENT OF CANNABIS RETAIL
Sheet	

A4.1

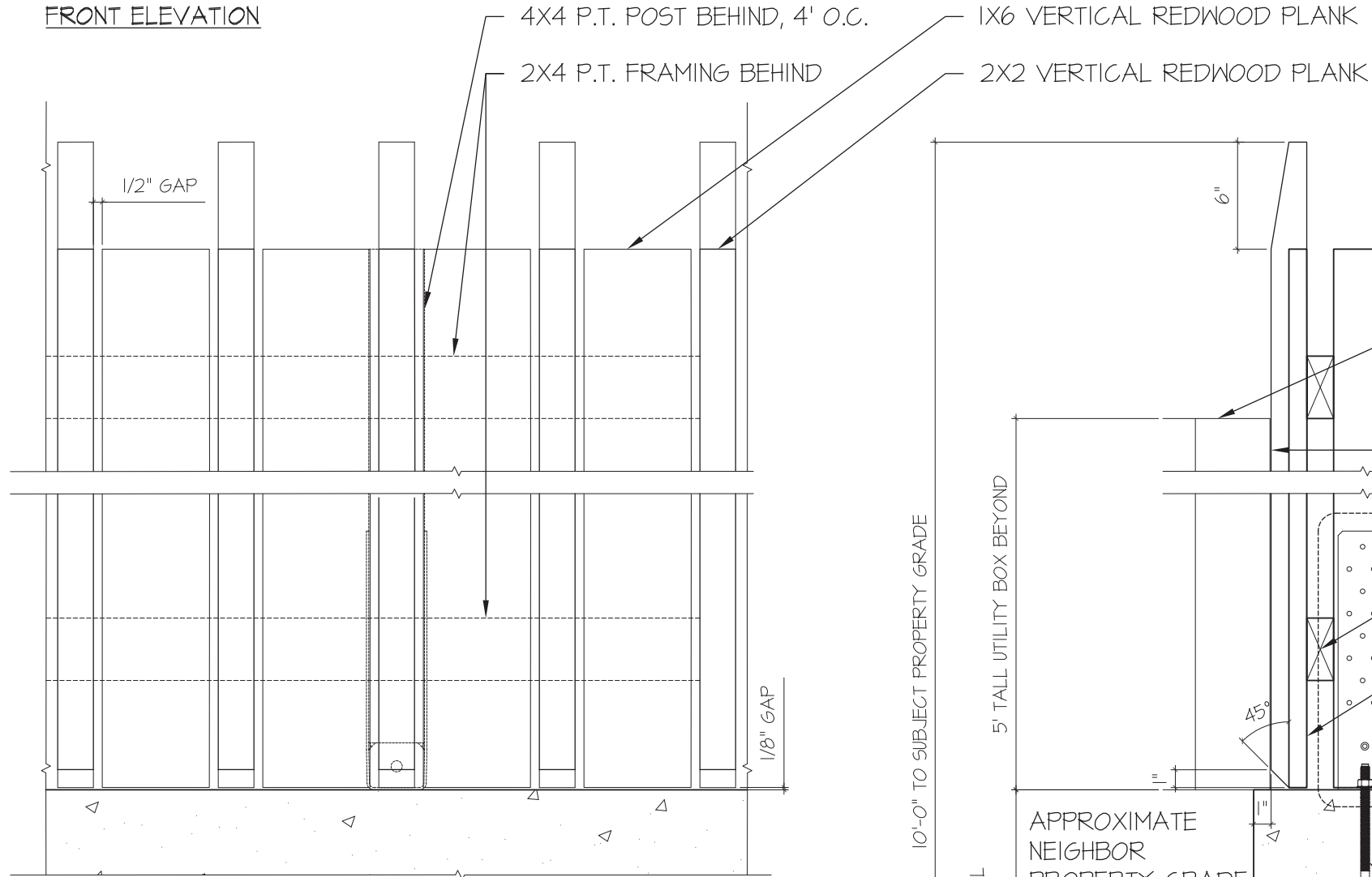


2 PROPOSED SECTION
SCALE: 1/4" = 1'-0"

NOTE:

FENCE SHALL BE PAINTED IN A COLOR SPECIFIED BY REC & PARK AND TRANSMITTED AS A PANTONE COLOR NUMBER WHICH WILL BE TRANSMITTED TO APPLICANT AS THE TIME PERMISSION FOR CONSTRUCTION IS GRANTED.

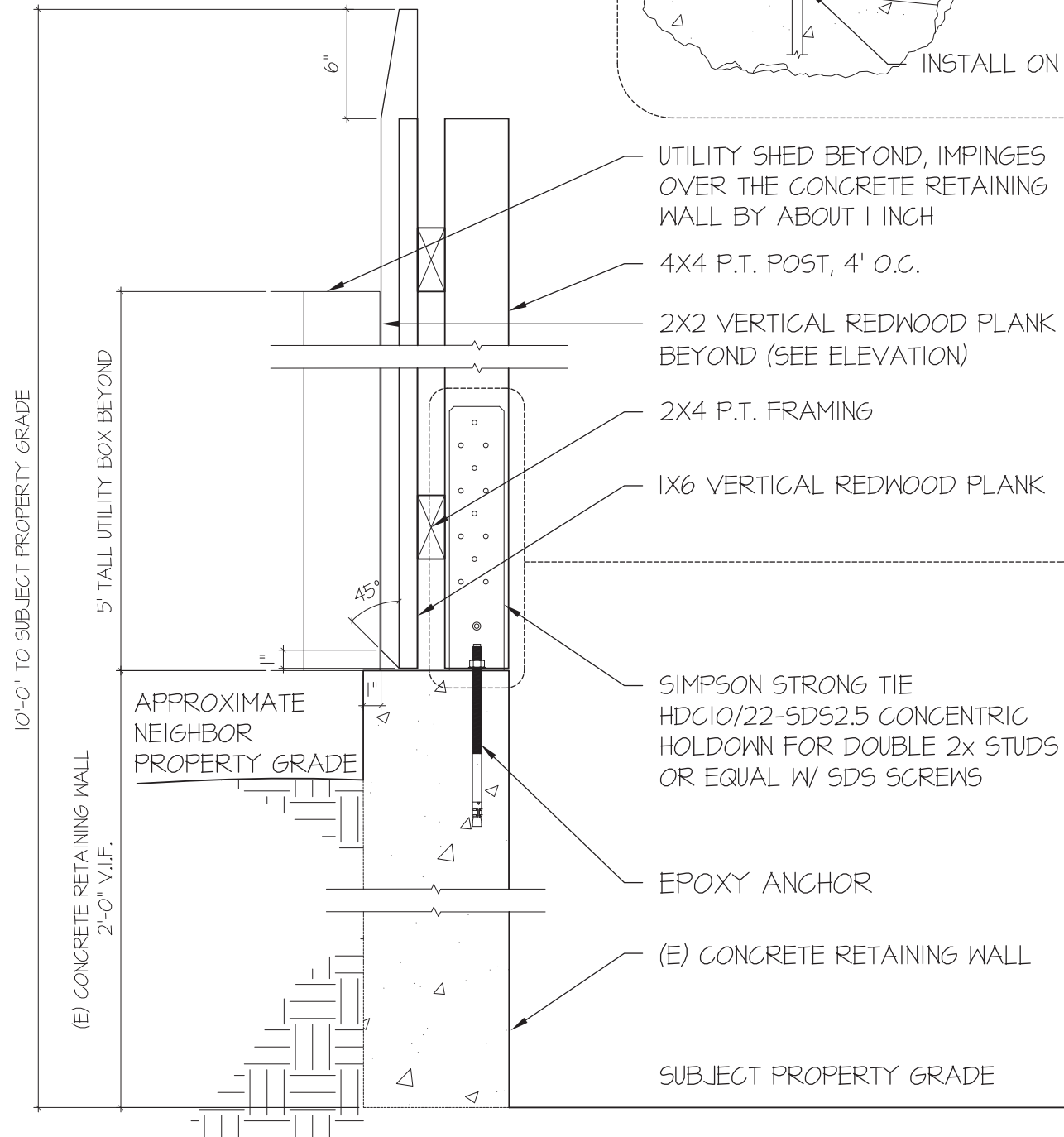
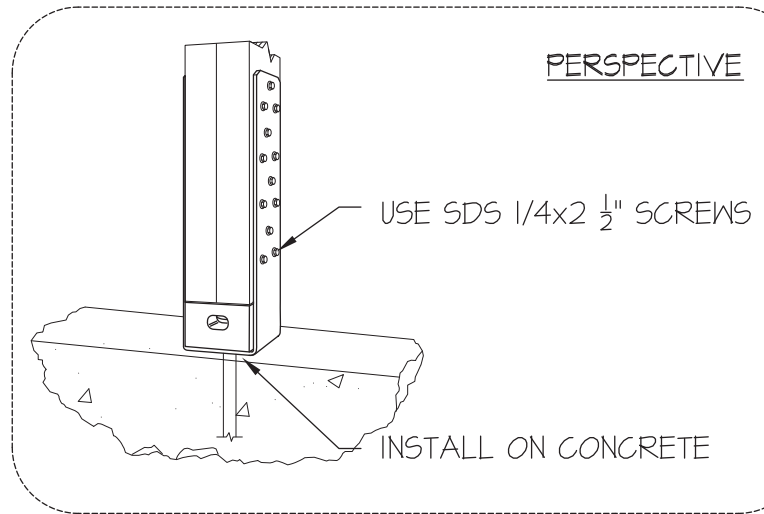
FRONT ELEVATION



NOTE:

ALL PT MATERIAL WILL RECEIVE PROPER CARE & HANDLING. ANY CUTS INTO THE WOOD WILL BE TREATED ONSITE WITH WOOD PRESERVATIVE IN CONFORMANCE WITH ALL REQUIRED GUIDELINES. ANY PT SANDUST GENERATED DURING CONSTRUCTION WILL BE KEPT SEGREGATED, OUT OF PLANTER SOILS & DISPOSED OF OFFSITE & IN A PROPER FASHION. OR SO THAT IT DOES NOT CONTAMINATE SOILS OF THE GARDEN.

PERSPECTIVE



SECTION

REVISIONS	BY



CANNABIS RETAIL
258/260 NOE ST
SAN FRANCISCO, CA, 94114
BLOCK #3561 LOT #009

Description	FENCE ARCHITECTURAL DETAILS
Date:	09.17.2019
Scale:	AS NOTED
Drawn:	MCV
Job	ESTABLISHMENT OF CANNABIS RETAIL
Sheet	

D.1

