Executive Summary
Conditional Use Authorization

HEARING DATE: APRIL 30, 2020

CONSENT

Record No. : 2019-004021CUA
Project Address: 1331 and 1335 Grant Avenue
Zoning: North Beach Neighborhood Commercial District (NCD) Zoning District
40-X Height and Bulk District
North Beach Special Use District
Block/Lot: 0131/004
Project Sponsor: Michael Batryn
Mavrik Studio
5 Whiting Way
San Francisco, CA 94130
Property Owner: Barbary Coast Dispensary
925 Mission Street
San Francisco, CA 94103
Staff Contact: Bridget Hicks– (415) 575-9054
Bridget.Hicks@sfgov.org
Recommendation: Approval with Conditions

PROJECT DESCRIPTION

The Project includes the establishment of a cannabis retail use (dba Barbary Coast North Beach) measuring 1,078 square feet in an existing vacant ground floor commercial space currently in a three-story mixed use building. The project includes interior tenant improvements including an expansion of the subject tenant space with no expansion to the 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 722 to establish a cannabis retail use within the North Beach Neighborhood Commercial Zoning District.

ISSUES AND OTHER CONSIDERATIONS

• Public Comment & Outreach.
  ○ Support/Opposition:
    • The Department has received 12 letters in support which includes letters from the North Beach Business Association and the North Beach Neighbors neighborhood organization. In addition, the Department received a form letter of support with
23 signatures from neighboring residents and merchants. The letters of support reference that this use will be provide a good for which the community has expressed desire, the business will improve safety, security, and cleanliness of Grant Avenue, will restore and activate a historic storefront, and will provide an increase in commercial foot traffic which will benefit the commercial corridor.

- The Department has received one letter of opposition to the Project noting that the Sponsors kept their existing dispensary open during the recent public health emergency.
  - Outreach: The Sponsor has hosted community meeting with the North Beach Business Association, the North Beach Neighbors community group, and the Telegraph Hill Dwellers.

- **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:
  - Comites (test prep), 678 Green Street, 780 feet from site
  - Seabird Preschool, 9 Pelton Place, 849 feet from site
  - Rainbow Preschool, 799 Pacific Avenue, 900 feet from site
  - Brain Child Education, 1421 Powell Street, 960 feet from site
  - Suen An Child Care, 1655 Powell Street, 1,000 feet from site
  - Garfield Elementary School, 420 Filbert Street, 1,005 feet from site
  - Wu Yee Children’s Services, 1010 Montgomery Street, 1,080 feet from site
  - Saint Peter and Paul School, 660 Filbert Street, 1,180 feet from site
  - Wu Yee Children’s Services, 827 Broadway, 1,170 feet from site
  - Jean Parker Elementary School, 840 Broadway, 1,200 feet from site

- **On-Site Consumption.** Cannabis may be consumed or smoked on site subject to accessory use limits. Additionally, a project sponsor must obtain a permit from the Department of Public Health (DPH) for the consumption type requested, pursuant to the requirements of Health Code Article 8A:
  - A ‘Type A’ permit authorizes consumption of pre-packaged cannabis products on-site.
  - A ‘Type B’ permit authorizes consumption of pre-packed cannabis products on-site and limited preparation of cannabis products for consumption on-site.
  - A ‘Type C’ permit authorizes on-site smoking and vaporizing of cannabis products.

The Planning Commission has discretion to prohibit an establishment from obtaining approval for on-site consumption of cannabis products, either fully or partially by prohibiting approval of a
specific consumption type. In determining whether to recommend such a Condition of Approval, the Department considers:

- Whether applicable zoning districts include prohibitions on similar on-site consumption uses, such as bars.
- Whether the site is adjacent to public or publicly accessible open spaces which may be impacted by illegal consumption which may otherwise occur on-site.
- The nature of other site uses, including whether residential uses exist at the site.
- The nature of public and neighborhood group comment on the matter to align the Department’s recommendation with the unique needs of each neighborhood.

Based on the criteria described above, The Department does not recommend a limitation on Type A or Type B permits given that the types of on-site consumption authorized under these permit types has low potential for impact and may easily be conducted off-site in unauthorized locations. Given the nature of the site with residential dwelling units above the subject tenant space, the Department recommends prohibiting Type C consumption (on-site smoking and vaporizing). At this time, the Project Sponsors are not proposing any form of consumption.

- **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](#).

**ENVIRONMENTAL REVIEW**

The Project is exempt from the California Environmental Quality Act (“CEQA”) as a Class 1 and Class 3 categorical exemption.

**BASIS FOR RECOMMENDATION**

The Department finds that the Project is, on balance, consistent with the North Beach Neighborhood Commercial District and the Objectives and Policies of the General Plan. The Project adds diversity to the existing neighborhood-serving retail corridor 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 B – Plans and Renderings
Exhibit C – Environmental Determination
Exhibit D – Maps and Context Photos
ADOPTING FINDINGS RELATING TO A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 202.2, 303, AND 722, TO ESTABLISH A CANNABIS RETAIL USE (DBA BARBARY COAST NORTH BEACH) MEASURING APPROXIMATELY 1078 SQUARE FEET LOCATED AT 1335 GRANT AVENUE, LOT 004 IN ASSESSOR’S BLOCK 0131, WITHIN THE NORTH BEACH NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, THE NORTH BEACH SPECIAL USE DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On March 20, 2019, Michael Batryn of Mavrik Studio (hereinafter "Project Sponsor") filed Application No. 2019-004021CUA (hereinafter “Application”) with the Planning Department (hereinafter “Department”) for a Conditional Use Authorization to establish an approximately 1078 square foot cannabis retail use (dba Barbary Coast North Beach) (hereinafter “Project”) at 1335 Grant Avenue, Block 0131 Lot 004 (hereinafter “Project Site”).

On April 9, 2020, the San Francisco Planning Commission (hereinafter “Commission”) conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-004021CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-004021CUA 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. 2019-004021CUA, 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 of a 1078 square foot cannabis retail use. The Project includes interior tenant improvements to the commercial tenant spaces at 1331 and 1335 Grant Avenue and a 225 square foot increase to the subject tenant space at 1335 Grant Avenue. The result will be a 1078 square foot dispensary at 1335 Grant Avenue and a 532 square foot art gallery at 1331 Grant Avenue with 204 square feet of common space at the rear for receptacle storage. The Project involves a façade remodel which includes the demolition of the existing non-historic vertical wood slat band and clear anodized aluminum storefront and the construction of new wood cleatstory windows, a vertical wood bulkhead and glazing. The Project also includes the addition of two Class 2 bicycle racks resulting in four net new bicycle parking spaces.

3. Site Description and Present Use. The Project is located within an existing three-story building with two ground floor commercial tenant spaces and 5 residential dwelling units located on the upper floors. The existing retail tenant spaces are currently vacant and have been since 2016, prior to which they were occupied by a salon and laundromat.

4. Surrounding Properties and Neighborhood. The Project Site is located within the North Beach Neighborhood Commercial Zoning District and the North Beach Special Use District. The immediate context is mainly comprised of two- and three-story buildings with ground floor commercial uses and residential units above. Nearby zoning districts include (RM-1) Residential-Mixed, Low Density and (RM-2) Residential-Mixed, Moderate Density.

5. Public Outreach and Comments. The Department has received twelve individual letters of support including letters from the North Beach Business Association and the North Beach Neighbors and a form letter with 23 signatures. The letters reference that this use will provide a good for which the community has expressed desire, the business will improve safety, security, and cleanliness of Grant Avenue, will restore and activate a historic storefront, and will provide an increase in commercial foot traffic which will benefit the commercial corridor. The Department has received one letter of opposition to this Project noting that the sponsors did not close their other dispensary location during the recent public health emergency. The sponsors held multiple community meetings including with the North Beach Business Association, the North Beach Neighbors community organization, and the Telegraph Hill Dwellers.
6. **Planning Code Compliance.** The Commission finds that the Project is consistent with the relevant provisions of the Planning Code in the following manner:

   A. **Use.** Cannabis Retail requires a Conditional Use Authorization to establish in the Polk Street Neighborhood Commercial Zoning District.

   The Project Sponsor is requesting Conditional Use Authorization to establish a Cannabis Retail use in the North Beach Neighborhood Commercial Zoning District.

   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 on-site consumption as part of this request but may seek authorization for Type A or Type B on-site consumption in the future as an accessory use in coordination with the Office of Cannabis and the Department of Public Health. Due to the nature of the site, with residential dwelling units located above the subject tenant space, the Department recommends prohibiting Type C on-site consumption (smoking and/or vaporizing). If Type C consumption is desired by the Project Sponsor in the future, that Project will require an amendment to this Conditional Use Authorization.

   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 has approximately 30-feet of frontage on Grant Avenue with approximately 23 feet 5 inches devoted to either the storefront glazing. The proposed windows and doors are clear and unobstructed. The sponsors have proposed sliding security gates that consist of open grillwork and are at least 75 percent open.

7. **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 use will not impact traffic or parking in the District because it is located neighborhood that is well served by transit. This use 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.

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. The Project includes only interior tenant improvements and historically compatible storefront rehabilitation.

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 a 1,078 square-foot cannabis retail 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.

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

   The Project will not produce noxious or offensive emissions and will meet all applicable requirements from the Department of Building Inspection and the Department of Public Health. All products will
be sealed in airtight, odor resistant packaging. The sponsor will post notices reminding patrons that smoking cannabis in public is prohibited.

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

The proposed cannabis retail use will meet the requirements of the Planning Code and those of the Office of Cannabis with regards to storefront transparency, lighting, and security. All signage must be approved by a historic preservation planner at a later date.

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 North Beach Neighborhood Commercial Zoning District in that the intended use is located at the ground floor, will provide a compatible convenience service for the immediately surrounding neighborhoods during daytime hours, will not merge existing storefronts, and will maintain the pattern of small-scale, fine grain storefronts.

8. North Beach Special Use District. Pursuant to Planning Code Section 780.3, to preserve and maintain the District’s small-scale, fine grain storefronts, (A) the consolidation or merger of existing retail or commercial spaces or storefronts is prohibited, and (B) Specialty Groceries shall not exceed a Non-Residential Use Size of 1,000 square feet.

On balance, the Project complies with said criteria in that: The Project proposes to alter the rear of the existing commercial spaces, but these changes will not constitute a consolidation or merger of the existing retail spaces or storefronts. The Project will increase the size of the tenant space at 1335 Grant Avenue (the cannabis retail use) by 225 square feet and will decrease the size of the tenant space at 1331 Grant Avenue (the art gallery) by 351 square feet. Each tenant space will maintain its existing configuration along Grant Avenue including the existing depth and width of the existing retail space for the first 31 feet of depth of the tenant spaces. Beyond that, a portion of the existing space at 1331 Grant Avenue will be added to the space at 1335 Grant Avenue to accommodate storage space for the cannabis retail products. Both tenant spaces will have access to a shared hallway and building circulation area at the rear.

9. 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 North Beach neighborhood and few outlets north of Market street. The nearest outlet is located over .7 miles away at 210 California Street in the Financial District and at 2627 Taylor Street in Fisherman’s Wharf (.8 miles away) and at 1398 California Street in Nob Hill (1.1 miles away). Cedar Street between Polk Street and Larkin Street and two outlets under construction off of Hyde Street. The distribution of such outlets can be reviewed using the City’s Cannabis Retail Map.

The immediate area is characterized by neighborhood serving uses such as small markets, restaurants, bars, personal services, and retail stores. The proposed use will maintain an active retail sales and service 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 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, there are multiple outlets providing services to youth, including college preparatory services. However, 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 front façade to limit the visibility of products. A reception and waiting area are proposed at the front façade to continue to activate the space. With this configuration, the visibility of products and potential impact to youth passing by is minimal.

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

COMMERCIAL 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 marketplace 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 commitments in its Operating Agreement, as well as 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 partner with SFPD, local merchants, and the community to increase safety on the corridor.

Additionally, the City Controller’s Office released a report in December of 2019 after analyzing the City’s permitting process for cannabis businesses as well as the impact of existing cannabis businesses on the City’s neighborhoods. The report found a net decrease in property crimes in the areas surrounding Cannabis Retail and Medical Cannabis Dispensary uses relative to the City overall.
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.

The proposed Cannabis Retail use will provide an active use within an existing storefront. The Project will maintain a small-scale neighborhood-serving retail use in a neighborhood commercial district increasing foot traffic to adjacent neighborhood businesses.

11. **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. This Project will activate a vacant retail space which is desirable for the neighborhood. The addition of this business will enhance foot traffic to the benefit of 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.

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

   Existing residential units on upper floors and 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 Project Site is served by nearby public transportation options. The Project is located along a key walking street (Grant Avenue) and is within ¼ mile of the following MUNI lines: 12, 30, 39, 41, 45 and 8. Future customers would be afforded proximity to bus lines, bike ways, and walking streets. The Project also provides four new Class 2 bicycle parking spaces for customers to use.

E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.
The Project does not include commercial office development and the two existing retail tenant spaces will be maintained.

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 subject property is contributory to a California Register eligible historic district. As exterior work is confined to the replacement of the non-historic storefronts and entry with more compatible versions, the character of the subject building and surrounding district will be retained and even enhanced.

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

The Project will not modify the existing building envelope and will have no impact on parks and open spaces.

12. 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.

13. 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. 2019-004021CUA subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated February 24, 2020, 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 April 30, 2020.

Jonas P. Ionin
Commission Secretary

AYES:
NAYS:
ABSENT:
EXHIBIT A

AUTHORIZATION

This authorization is for a conditional use to allow a Cannabis Retail use (d.b.a. Barbary Coast North Beach) located at [1335 Grant Avenue, Block 0131, and Lot 004] pursuant to Planning Code Section(s) 202.2, 303, and 722 within the North Beach Neighborhood Commercial Zoning District, North Beach Special Use District and a 40-X Height and Bulk District; in general conformance with plans, dated February 24, 2020, and stamped “EXHIBIT B” included in the docket for Record No. 2019-004021CUA and subject to conditions of approval reviewed and approved by the Commission on April 30, 2020 under Motion No XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 30, 2020 under Motion No XXXXXX.

PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

SEVERABILITY

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

CHANGES AND MODIFICATIONS

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

PERFORMANCE

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

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

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

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

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

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

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

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

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

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

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

**PARKING AND TRAFFIC**

8. **Bicycle Parking.** Pursuant to Planning Code Sections 155.1 and 155.4, the Project shall provide no fewer than two Class 1 or Class 2 bicycle parking spaces. SFMTA has final authority on the type, placement, and number of Class 2 bicycle racks within the public ROW. Prior to issuance of first architectural addenda, the project sponsor shall contact SFMTA Bike Parking Program at bikeparking@sfmta.com to coordinate the installation of on-street bicycle racks and ensure that the proposed bicycle racks meet the SFMTA’s bicycle parking guidelines. Depending on local site conditions and anticipated demand, SFMTA may request the project sponsor pay an in-lieu fee for Class II bike racks required by the Planning Code.

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

**MONITORING - AFTER ENTITLEMENT**

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

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

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

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

11. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a 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](http://www.sf-planning.org)*

12. **On-Site Consumption.** Type A or Type B on-site consumption of cannabis products is permitted as an accessory use to the Cannabis Retail use. The operation may seek authorization from the Department of Public Health for either Type A or Type B on-site consumption permits. Type C consumption is not permitted in response to the context of the subject site with residential units above the proposed Project location.

   *For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
### GS4: San Francisco Green Building Submittal Form for Non-Residential Interior-Only Alteration Projects

**INSTRUCTIONS:**
- Complete this form to the best of your ability. Any incomplete or illegible sections will be scored accordingly.
- Submittals must be legible and signed by an architect or engineer.
- Submittals must be accompanied by a statement of compliance with the California Building Code.
- Submittals must be submitted by the due date specified on the project submittal form.
- Submittals must be submitted in a clear and organized manner.

**REFERENCES:**
- [ARCHITECTURE](#)
- [MECHANICAL](#)
- [PLUMBING](#)

**VERIFICATION:**
- [ARCHITECTURE](#)
- [MECHANICAL](#)
- [PLUMBING](#)

#### MATERIALS

<table>
<thead>
<tr>
<th>Material Type</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOW EMITTANCE GLASS</td>
<td>C.O. Glass 3.50</td>
<td>Includes products that comply with the California Building Code 6.5.04-4 for adhesives, sealants, paints, coatings, and other composite materials.</td>
</tr>
<tr>
<td>WATER MISC.</td>
<td>C.O. Glass 3.50</td>
<td>Includes materials that comply with the California Building Code 6.5.04-4 for adhesives, sealants, paints, coatings, and other composite materials.</td>
</tr>
</tbody>
</table>

#### WATER

<table>
<thead>
<tr>
<th>Water Efficiency</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
</table>
| CA Energy Code | Comply with all provisions of the CA Energy Code | [ARCHITECTURE](#)
| COMMISSIONING | All new water efficient equipment must be tested and adjusted | [ARCHITECTURE](#)
| DECHARGE | All new water efficient equipment must be tested and adjusted | [ARCHITECTURE](#)

#### ENERGY

<table>
<thead>
<tr>
<th>Energy Efficiency</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
</table>
| CA Energy Code | Comply with all provisions of the CA Energy Code | [ARCHITECTURE](#)
| COMMISSIONING | All new water efficient equipment must be tested and adjusted | [ARCHITECTURE](#)
| DECHARGE | All new water efficient equipment must be tested and adjusted | [ARCHITECTURE](#)

#### RECYCLING BY OCCUPANTS

<table>
<thead>
<tr>
<th>Recycling by Occupants</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
</table>
| SF Building Code 14.3 | Provide adequate space and equal access for storage, collection, and recycling of combustible and non-combustible materials | [ARCHITECTURE](#)

#### CONSTRUCTION COMMISSIONING AND OPERATIONS MANAGEMENT

<table>
<thead>
<tr>
<th>Construction Commissioning and Operations Management</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
</table>
| SF Building Code 14.3 | All new water efficient equipment must be tested and adjusted | [ARCHITECTURE](#)

#### HVAC

<table>
<thead>
<tr>
<th>HVAC System Type</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
</table>
| ROYAL/YURT | All ROYAL/YURT HVAC systems must be tested and adjusted | [ARCHITECTURE](#)

#### AIR CONDITIONING (CONSTRUCTION)

<table>
<thead>
<tr>
<th>Air Conditioning (Construction)</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
</table>
| C.O. Glass 3.50 | All permanent HVAC equipment must be tested before installation | [ARCHITECTURE](#)

#### AIR FILTRATION (CONSTRUCTION)

<table>
<thead>
<tr>
<th>Air Filtration (Construction)</th>
<th>Description</th>
<th>Notes</th>
</tr>
</thead>
</table>
| C.O. Glass 3.50 | All permanent HVAC equipment must be tested before installation | [ARCHITECTURE](#)

### Indoor Water Efficiency

#### For Your Information

<table>
<thead>
<tr>
<th>Equipment</th>
<th>Flow Rate</th>
<th>Measurement Method</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lavatories</td>
<td>3 gallons</td>
<td>@ 75 psi</td>
<td>For one flush toilet, flow rate is defined as the composite, average flush volume (gallons) divided by the number of flushes. For two or more flushes, the composite, average flush volume (gallons) is defined as the number of flushes times the flush volume (gallons per flush). The composite, average flush volume (gallons) is divided by the number of flushes. For one flush toilet, the flush shall be designed to operate in a flush amount of 1.28 gallons (4.8 liters) or less.</td>
</tr>
</tbody>
</table>

### Water Efficiency of Existing Non-Compliant Fixtures

#### Water Fixtures

- **Lavatories:** 3 gallons @ 75 psi
- **Kitchen Fixtures:** 3 gallons @ 75 psi
- **Wash Fountains:** 3 gallons @ 75 psi (or less)

#### Water Fixtures

- **Lavatories:** 3 gallons @ 75 psi (or less)
- **Kitchen Fixtures:** 3 gallons @ 75 psi (or less)

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- **Lavatories:** 3 gallons @ 75 psi (or less)
- **Kitchen Fixtures:** 3 gallons @ 75 psi (or less)

#### Water Fixtures

- **Lavatories:** 3 gallons @ 75 psi (or less)
- **Kitchen Fixtures:** 3 gallons @ 75 psi (or less)
APPROVAL OF EQUIVALENT FACILITATION REQUEST

For projects that do not have a Traditional Accessible Design, the Building Official may grant an approval of an Equivalent Accessible Design for facilities or project components not required by the Americans with Disabilities Act (ADA) if the applicant provides evidence that an equivalent facility is accessible to people with disabilities.

For the submission of this request, please call 408-480-5532 or email Michael@MavrIkStudio.com

Michael Batryn
5 WHITING WAY, SAN FRANCISCO, CA 94130
COORDINATE AND INSTALL BACKING AS REQUIRED FOR ALL NEW MILLWORK, SHOULD ALIGN FINISHED FACE TO FINISHED FACE. STRUCTURAL ELEMENTS.

6. PATCH AND REPAIR WALLS & CEILINGS AS REQUIRED AND PREPARE TO RECEIVE (N) CONDUCTOR TO VERIFY CONDITIONS IN FIELD. SEE G2.00 FOR TYPICAL MOUNTING HEIGHTS.

5. IN THE PRESENCE OF ASBESTOS, THE CONTRACTOR IS TO ABATE.6. THE CONTRACTOR SHALL COMPLY WITH ALL PERTINENT REQUIREMENTS BY THE CALIFORNIA OCCUPANCY, OR, IF THE BUILDING IS OCCUPIED DURING ALTERATION, AT THE CONCLUSION OF CONSTRUCTION. (CALGREEN 5.504.1.3 AND 5.504.3)

10. SEE G0.00 FOR ABBREVIATIONS AND SYMBOLS USED ON THESE SHEETS.11. FLOOR TOLERANCE: FINISHED FLOOR TO BE LEVELED TO A TOLERANCE OF 1/4" SLOPE IN 10 FROM ABOVE STATED TOLERANCE TO MAVRIK STUDIO. ADDITIONAL COST TO THE OWNER.

13. NEW WALLS TO ALIGN WITH CENTER OF (E) WINDOW MULLIONS U.O.N.14. AT LEAST ONE FIRE EXTINGUISHER WITH A MINIMUM RATING OF 2-A-10B:C SHALL BE

21. HINGE SIDE OF DOORS TO BE LOCATED PER DETAILS FROM THE FACE OF ADJACENT SUPPORT SURFACES.

23. THE GENERAL CONTRACTOR SHALL COORDINATE AND PROVIDE APPROPRIATE STRUCTURAL

34. FOR TYPICAL PARTITIONS, AND PARTITION DETAILS REFER TO SHEET A9.20.

36. WHERE A GYPSUM BOARD PARTITION MEETS FLUSH WITH THE FACE OF AN EXISTING

43. DOORS SHOWN IN DRAWINGS ARE TO BE INFILLED WITH A FR < 0.65 (FIRE RESISTIVE) MATERIAL EXCEPT WHERE NOTED WITH OTHER MATERIAL.

49. LIGHTING FIXTURES TO BE INSTALLED IN COMPLIANCE WITH THE VENDOR’S INSTALLATION INSTRUCTIONS. LIGHTING FIXTURES TO BE ADJUSTED FOR COMPLETION OF ROOM IN A COMPLETELY LIGHTED ROOM. ROOMS TO HAVE AT LEAST 150 LUX (16.7FOT) OF SERVICEABLE LIGHT AT THE WALK LINE. EXPLODED LIGHT Fixtures TO BE TAPERED AND SMOOTHED TO SMOOTHER WITHOUT ANY VISIBLE JOINTS.

51. ELECTRICAL PANELS TO BE INSTALLED IN ACCORDANCE WITH THE ARCHITECT’S ENSURE PANELS ARE ACCESSIBLE, AND THAT ALL REQUIRED CLEARANCES FOR INSTALLATION AND MAINTENANCE OF ABOVE EQUIPMENT ARE PROVIDED.

54. PROVIDE PORTABLE FIRE EXTINGUISHERS IN ACCORDANCE WITH SFBC 906; TYPE, SIZE AND LOCATION OF FIRE EXTINGUISHERS TO BE DETERMINED BY THE ARCHITECT.

55. PROVIDE FLOOR AND CEILING FINISHES IN ACCORDANCE WITH THE ARCHITECT’S REQUIREMENTS.

58. PROVIDE SUPPLEMENTAL AIR AND WATER SEALS AROUND ALL EXISTING MILLWORK TO BE FULLY CONFORM TO THE DESIGN AND NOT EXCEED THE EXISTING MILLWORK.

59. PROVIDE SUFFICIENT SPACE TO ALLOW SORRY AIR ON EXISTING MILLWORK TO BE FULLY CONFORM TO THE DESIGN AND NOT EXCEED THE EXISTING MILLWORK.

60. PROVIDE SUFFICIENT SPACE TO ALLOW SORRY AIR ON EXISTING MILLWORK TO BE FULLY CONFORM TO THE DESIGN AND NOT EXCEED THE EXISTING MILLWORK.

61. PROVIDE SUFFICIENT SPACE TO ALLOW SORRY AIR ON EXISTING MILLWORK TO BE FULLY CONFORM TO THE DESIGN AND NOT EXCEED THE EXISTING MILLWORK.

62. PROVIDE SUFFICIENT SPACE TO ALLOW SORRY AIR ON EXISTING MILLWORK TO BE FULLY CONFORM TO THE DESIGN AND NOT EXCEED THE EXISTING MILLWORK.
RCP SHEET NOTES

1. NO AIR INTAKE/EXHAUST DEVICES WILL BE ALLOWED IN THE MAIN CIRCULATION SPACE.

2. LIGHT SWITCHES TO BE LOCATED IN rooms as indicated, U.O.N.

3. WHERE MORE THAN ONE SWITCH IS REQUIRED, GANG SWITCHES WITH ONE COVERPLATE.

4. REFER TO SHEET G2.01 FOR DEVICE PLATE MOUNTING STANDARDS.

5. THE OPERATING VOLTAGE OF ALL FIXTURES SHALL BE COORDINATED IN THE FIELD BY THE ELECTRICAL CONTRACTOR. FIXTURE VOLTAGE SHALL MATCH THE OPERATING VOLTAGE OF THE ELECTRICAL PANEL.

6. CENTER FIXTURES IN SPACE OR ABOVE DOORS AND WINDOWS AS APPLICABLE, U.O.N.

7. THE DIRECTION OF THE FIRE MARSHAL. LIGHTED EXIT SIGNS SHALL BE INSTALLED PER THE DIRECTION OF THE FIRE MARSHAL.

8. SPRINKLER HEADS, LIGHT FIXTURES AND OTHER CEILING ELEMENTS SHALL BE LOCATED IN CENTER OF INDIVIDUAL TILE, 1/2 TILE OR CEILING TILE GRID (WHEN ITEM IS LARGER THAN A SINGLE TILE) U.O.N. CEILING FIXTURE AND ELEMENT LOCATIONS THAT CONFLICT WITH CEILING GRID LOCATIONS SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION.

9. PROVIDE CEILING ACCESS PANELS AT GYPSUM BOARD CEILINGS AS INDICATED AND/OR

10. LIGHT SWITCH COVER PLATES, AS WELL AS, OTHER DEVICES SHALL BE WHITE U.O.N.

11. SPRINKLER HEADS, LIGHT FIXTURES AND OTHER CEILING ELEMENTS SHALL BE LOCATED IN CENTER OF INDIVIDUAL TILE, 1/2 TILE OR CEILING TILE GRID (WHEN ITEM IS LARGER THAN A SINGLE TILE) U.O.N. CEILING FIXTURE AND ELEMENT LOCATIONS THAT CONFLICT WITH CEILING GRID LOCATIONS SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION.

12. PROVIDE BLOCKING AND/OR BACKING AND REINFORCEMENT ABOVE CEILING FOR SUPPORT OF LIGHT FIXTURES, PROJECTION SCREENS AND ANY OTHER CEILING MOUNTED ITEM.

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14. REFER TO THE REFLECTED CEILING PLAN SHEETS FOR THE FOLLOWING:

A. CIRCUITING AND WIRING OF LIGHT FIXTURES AND SWITCHES.

B. LIFE/SAFETY EQUIPMENT AND/OR FIXTURES.

C. LOCATION OF EMERGENCY LIGHTING.

D. LIGHT FIXTURE TYPES AND SPECIFICATIONS.

E. SWITCH LOCATIONS AND TYPE.

15. REFER TO RECORD ELECTRICAL ENGINEERING DRAWINGS FOR THE FOLLOWING:

A. CIRCUITING AND WIRING OF LIGHT FIXTURES AND SWITCHES.

B. LIFE/SAFETY EQUIPMENT AND/OR FIXTURES.

C. LOCATION OF EMERGENCY LIGHTING.

D. LIGHT FIXTURE TYPES AND SPECIFICATIONS.

E. SWITCH LOCATIONS AND TYPE.

16. REFER TO RECORD MECHANICAL ENGINEERING DRAWINGS FOR THE FOLLOWING:

A. DUCTS, CFM, SIZE OF GRILLES AND REGISTERS.

B. THERMOSTAT LOCATIONS.

C. EXHAUST FANS, AIR SUPPLY, ROOF TOP MECHANICAL EQUIPMENT, OTHER MECHANICAL EQUIPMENT.

17. REFER TO THE REFLECTED CEILING PLAN SHEETS FOR THE FOLLOWING:

A. CIRCUITING AND WIRING OF LIGHT FIXTURES AND SWITCHES.

B. LIFE/SAFETY EQUIPMENT AND/OR FIXTURES.

C. LOCATION OF EMERGENCY LIGHTING.

D. LIGHT FIXTURE TYPES AND SPECIFICATIONS.

E. SWITCH LOCATIONS AND TYPE.

18. REFER TO RECORD MECHANICAL ENGINEERING DRAWINGS FOR THE FOLLOWING:

A. DUCTS, CFM, SIZE OF GRILLES AND REGISTERS.

B. THERMOSTAT LOCATIONS.

C. EXHAUST FANS, AIR SUPPLY, ROOF TOP MECHANICAL EQUIPMENT, OTHER MECHANICAL EQUIPMENT.

19. ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE ORIGINAL AND UNPUBLISHED WORK OF THE ARCHITECT AND MAY NOT BE DUPLICATED, USED, OR DISCLOSED WITHOUT WRITTEN CONSENT OF THE ARCHITECT.

20. ALL COPYRIGHTS TO THIS DOCUMENT FOR THE UNIVERSITY OF CALIFORNIA AND THE ARCHITECT.

21. COORDINATE LOCATION OF ANY AND ALL MECHANICAL, ELECTRICAL, TELEPHONE, LIGHTING, BUILDING AUTOMATION, AND OTHER DEVICES SHALL BE WHITE U.O.N.

22. LIGHT SWITCH COVER PLATES, AS WELL AS, OTHER DEVICES SHALL BE WHITE U.O.N.

23. SPRINKLER HEADS, LIGHT FIXTURES AND OTHER CEILING ELEMENTS SHALL BE LOCATED IN CENTER OF INDIVIDUAL TILE, 1/2 TILE OR CEILING TILE GRID (WHEN ITEM IS LARGER THAN A SINGLE TILE) U.O.N. CEILING FIXTURE AND ELEMENT LOCATIONS THAT CONFLICT WITH CEILING GRID LOCATIONS SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION.

24. PROVIDE CEILING ACCESS PANELS AT GYPSUM BOARD CEILINGS AS INDICATED AND/OR

25. PROVIDE BLOCKING AND/OR BACKING AND REINFORCEMENT ABOVE CEILING FOR SUPPORT OF LIGHT FIXTURES, PROJECTION SCREENS AND ANY OTHER CEILING MOUNTED ITEM.

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27. REFER TO THE REFLECTED CEILING PLAN SHEETS FOR THE FOLLOWING:

A. CIRCUITING AND WIRING OF LIGHT FIXTURES AND SWITCHES.

B. LIFE/SAFETY EQUIPMENT AND/OR FIXTURES.

C. LOCATION OF EMERGENCY LIGHTING.

D. LIGHT FIXTURE TYPES AND SPECIFICATIONS.

E. SWITCH LOCATIONS AND TYPE.

28. REFER TO RECORD ELECTRICAL ENGINEERING DRAWINGS FOR THE FOLLOWING:

A. CIRCUITING AND WIRING OF LIGHT FIXTURES AND SWITCHES.

B. LIFE/SAFETY EQUIPMENT AND/OR FIXTURES.

C. LOCATION OF EMERGENCY LIGHTING.

D. LIGHT FIXTURE TYPES AND SPECIFICATIONS.

E. SWITCH LOCATIONS AND TYPE.

29. REFER TO RECORD MECHANICAL ENGINEERING DRAWINGS FOR THE FOLLOWING:

A. DUCTS, CFM, SIZE OF GRILLES AND REGISTERS.

B. THERMOSTAT LOCATIONS.

C. EXHAUST FANS, AIR SUPPLY, ROOF TOP MECHANICAL EQUIPMENT, OTHER MECHANICAL EQUIPMENT.
### RESTROOM ACCESSORY

<table>
<thead>
<tr>
<th>Type</th>
<th>Mark</th>
<th>Description</th>
<th>Manufacturer</th>
<th>Model</th>
<th>Count</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>PL-1.1</td>
<td>WALL MOUNT SINK AMERICAN STANDARD LUCERNE WALL HUNG LAVATORY</td>
<td>0356 FOR 3 HOLE FAUCET</td>
<td>1</td>
<td>0.5 GPM @ 60 PSI, SEE G2.01/5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PL-1.2</td>
<td>CENTERSET FAUCET AMERICAN STANDARD</td>
<td>TWO-HANDLE 8&quot; WIDESpread LAVATORY FAUCET</td>
<td>6500.175</td>
<td>1</td>
<td>0.5 GPM @ 60 PSI, SEE G2.01/5</td>
<td></td>
</tr>
<tr>
<td>PL-2</td>
<td>TOILET AMERICAN STANDARD YORKVILLE VORMAX RIGHT HEIGHT ELONGATED TOILET</td>
<td></td>
<td>1</td>
<td>1.28 GALLONS/FLUSH, SEE G2.01/2 &amp; 3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RA-1</td>
<td>B-165 2436 CHANNEL FRAME MIRROR BOBRICK WASHROOM EQUIPMENT</td>
<td>B-165 2436</td>
<td>1</td>
<td>SEE G2.01/7 FOR MOUNTING LOCATIONS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RA-2</td>
<td>PAPER TOWEL DISPENSER BOBRICK WASHROOM EQUIPMENT</td>
<td>B-262</td>
<td>1</td>
<td>SEE G2.01/7 FOR MOUNTING LOCATIONS</td>
<td></td>
<td></td>
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<tr>
<td>RA-3</td>
<td>SOAP DISPENSER BOBRICK WASHROOM EQUIPMENT</td>
<td>B-2112</td>
<td>1</td>
<td>SEE G2.01/7 FOR MOUNTING LOCATIONS</td>
<td></td>
<td></td>
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<tr>
<td>RA-4.1</td>
<td>3'-0&quot; GRAB BAR BOBRICK WASHROOM EQUIPMENT</td>
<td>B-5806x36</td>
<td>1</td>
<td>SEE G2.01/2 &amp; 3 FOR MOUNTING LOCATIONS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RA-4.2</td>
<td>3'-6&quot; GRAB BAR BOBRICK WASHROOM EQUIPMENT</td>
<td>B-5806x42</td>
<td>1</td>
<td>SEE G2.01/2 &amp; 3 FOR MOUNTING LOCATIONS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RA-5</td>
<td>TOILET TISSUE DISPENSER BOBRICK WASHROOM EQUIPMENT</td>
<td>B-2740</td>
<td>1</td>
<td>SEE G2.01/7 FOR MOUNTING LOCATIONS</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address: 1331 & 1335 GRANT AVE
Block/Lot(s): 0131004

Case No.: 2019-004021ENV
Permit No.: 201902253751

Addition/Alteration
Demolition (requires HRE for Category B Building)
New Construction

Project description for Planning Department approval.
The proposed project establishes a cannabis dispensary in the 1335 Grant Avenue suite and an art gallery in the 1331 Grant Avenue suite as well as a restoration/improvement of the historic façade. The art gallery would be subsidized by the dispensary as a benefit to the neighborhood and community. The interiors of both suites would rearrange partitions, provide new finishes throughout, new ADA accessible restrooms, and new millwork. Access to the landlord stairwell in the back to both suites would also be provided for service and access.

STEP 1: EXEMPTION CLASS

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).

Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.

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.

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

Class______
# STEP 2: CEQA IMPACTS

**TO BE COMPLETED BY PROJECT PLANNER**

<table>
<thead>
<tr>
<th>Category</th>
<th>Question/Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air Quality:</td>
<td>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 &gt; CEQA Catex Determination Layers &gt; Air Pollution Exposure Zone)</td>
</tr>
<tr>
<td>Hazardous Materials:</td>
<td>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?</td>
</tr>
<tr>
<td>Hazardous Materials:</td>
<td>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 &gt; Maher layer).</td>
</tr>
<tr>
<td>Transportation:</td>
<td>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?</td>
</tr>
<tr>
<td>Archeological Resources:</td>
<td>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 &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area)</td>
</tr>
<tr>
<td>Subdivision/Lot Line Adjustment:</td>
<td>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 &gt; CEQA Catex Determination Layers &gt; Topography). If yes, Environmental Planning must issue the exemption.</td>
</tr>
<tr>
<td>Subdivision/Lot Line Adjustment:</td>
<td>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 &gt; CEQA Catex Determination Layers &gt; Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</td>
</tr>
<tr>
<td>Seismic: Landslide Zone:</td>
<td>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 &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</td>
</tr>
<tr>
<td>Seismic: Liquefaction Zone:</td>
<td>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 &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.</td>
</tr>
</tbody>
</table>

**Comments and Planner Signature (optional):** Don Lewis
### STEP 3: PROPERTY STATUS - HISTORIC RESOURCE

**TO BE COMPLETED BY PROJECT PLANNER**

**PROPERTY IS ONE OF THE FOLLOWING:** *(refer to Property Information Map)*

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Next Step</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Known Historical Resource. GO TO STEP 5.</td>
<td></td>
</tr>
<tr>
<td>B</td>
<td>Potential Historical Resource (over 45 years of age). GO TO STEP 4.</td>
<td></td>
</tr>
<tr>
<td>C</td>
<td>Not a Historical Resource or Not Age Eligible (under 45 years of age). GO TO STEP 6.</td>
<td></td>
</tr>
</tbody>
</table>

### STEP 4: PROPOSED WORK CHECKLIST

**TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Change of use and new construction. Tenant improvements not included.</td>
</tr>
<tr>
<td>2.</td>
<td>Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.</td>
</tr>
<tr>
<td>3.</td>
<td>Window replacement that meets the Department’s Window Replacement Standards. Does not include storefront window alterations.</td>
</tr>
<tr>
<td>4.</td>
<td>Garage work. A new opening that meets the Guidelines for Adding Garages and Curb Cuts, and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.</td>
</tr>
<tr>
<td>5.</td>
<td>Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.</td>
</tr>
<tr>
<td>6.</td>
<td>Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.</td>
</tr>
<tr>
<td>7.</td>
<td>Dormer installation that meets the requirements for exemption from public notification under Zoning Administrator Bulletin No. 3: Dormer Windows.</td>
</tr>
<tr>
<td>8.</td>
<td>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.</td>
</tr>
</tbody>
</table>

**Note:** Project Planner must check box below before proceeding.

<table>
<thead>
<tr>
<th>Description</th>
<th>Next Step</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project is not listed. GO TO STEP 5.</td>
<td></td>
</tr>
<tr>
<td>Project does not conform to the scopes of work. GO TO STEP 5.</td>
<td></td>
</tr>
<tr>
<td>Project involves four or more work descriptions. GO TO STEP 5.</td>
<td></td>
</tr>
<tr>
<td>Project involves less than four work descriptions. GO TO STEP 6.</td>
<td></td>
</tr>
</tbody>
</table>

### STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW

**TO BE COMPLETED BY PROJECT PLANNER**

Check all that apply to the project.

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Project involves a known historical resource (CEQA Category A) as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.</td>
</tr>
<tr>
<td>2.</td>
<td>Interior alterations to publicly accessible spaces.</td>
</tr>
<tr>
<td>3.</td>
<td>Window replacement of original/historic windows that are not “in-kind” but are consistent with existing historic character.</td>
</tr>
<tr>
<td>4.</td>
<td>Façade/storefront alterations that do not remove, alter, or obscure character-defining features.</td>
</tr>
<tr>
<td>5.</td>
<td>Raising the building in a manner that does not remove, alter, or obscure character-defining features.</td>
</tr>
<tr>
<td>6.</td>
<td>Restoration based upon documented evidence of a building’s historic condition, such as historic photographs, plans, physical evidence, or similar buildings.</td>
</tr>
</tbody>
</table>
7. **Addition(s)**, including mechanical equipment that are minimally visible from a public right-of-way and meet the Secretary of the Interior's Standards for Rehabilitation.

8. **Other work consistent** with the Secretary of the Interior Standards for the Treatment of Historic Properties (specify or add comments):

9. **Other work** that would not materially impair a historic district (specify or add comments):

(Requires approval by Senior Preservation Planner/Preservation Coordinator)

10. **Reclassification of property status.** (Requires approval by Senior Preservation Planner/Preservation Coordinator)

   - Reclassify to Category A
     - a. Per HRER or PTR dated
     - b. Other (specify):
   - Reclassify to Category C

   (attach HRER or PTR)

**Note:** If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.

- **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: | Jonathan Vimr |

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**STEP 6: CATEGORICAL EXEMPTION DETERMINATION**

**TO BE COMPLETED BY PROJECT PLANNER**

- **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: Jonathan Vimr 02/20/2020 |

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.

MODIFIED PROJECT DESCRIPTION

<table>
<thead>
<tr>
<th>Modified Project Description:</th>
</tr>
</thead>
</table>

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

<table>
<thead>
<tr>
<th>Compared to the approved project, would the modified project:</th>
</tr>
</thead>
<tbody>
<tr>
<td>○ Result in expansion of the building envelope, as defined in the Planning Code;</td>
</tr>
<tr>
<td>○ Result in the change of use that would require public notice under Planning Code Sections 311 or 312;</td>
</tr>
<tr>
<td>○ Result in demolition as defined under Planning Code Section 317 or 19005(f)?</td>
</tr>
<tr>
<td>○ 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?</td>
</tr>
</tbody>
</table>

If at least one of the above boxes is checked, further environmental review is required.

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

| 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.

<table>
<thead>
<tr>
<th>Planner Name:</th>
<th>Date:</th>
</tr>
</thead>
</table>
Parcel Map

Conditional Use Authorization Hearing
Case Number 2019-004021CUA
North Beach NCD Zoning
1331 and 1335 Grant Avenue
Sanborn Map*

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

Conditional Use Authorization Hearing
Case Number 2019-004021CUA
North Beach NCD Zoning
1331 and 1335 Grant Avenue
Aerial Photo – View 1

Conditional Use Authorization Hearing
Case Number 2019-004021CUA
North Beach NCD Zoning
1331 and 1335 Grant Avenue
Aerial Photo – View 2

SUBJECT PROPERTY

Conditional Use Authorization Hearing
Case Number 2019-004021CUA
North Beach NCD Zoning
1331 and 1335 Grant Avenue
Conditional Use Authorization Hearing
Case Number 2019-004021CUA
North Beach NCD Zoning
1331 and 1335 Grant Avenue