

SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis HEARING DATE: DECEMBER 5, 2019

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: **415.558.6377**

Case No.:	2019-013201DRP
Project Address:	500 JONES STREET
Permit Application:	2019.0621.4145
Zoning:	RC-4 (Residential-Commercial, High Density)
	80-T-130-T Height and Bulk District
Block/Lot:	0307/010A
Project Sponsor:	Hakeem Mashal
	Infinity Wellness
	260 King Street #756
	San Francisco, CA 94110
Staff Contact:	Michael Christensen – (415) 575-8742
	Michael.Christensen@sfgov.org
Recommendation:	Do not take DR and approve as proposed

PROJECT DESCRIPTION

The Project proposes the change of use of an approximately 3,222 square-foot ground-floor tenant space at an existing seven-story mixed-use building from an existing retail market into a Cannabis Retail establishment (d.b.a. Infinity Wellness). Minior interior alterations are proposed of the subject tenant space. However, no exterior alterations are proposed of the subject tenant space. On-site smoking or vaporizing is not proposed at this time but may be added in the future as an accessory use.

SITE DESCRIPTION AND PRESENT USE

The 4,500 square-foot property is located at the northeast corner of Jones and O'Farrell Streets; Lot 010A of Assessor's Block 0307. The property is developed with a seven-story, mixed-use building which contains a ground floor retail market and residential units above. The subject buildig, constructed in 1908, is considered a Historical Resource "Class A" per California Environmental Quality Act (CEQA).

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is located within the RC-4 (Residential-Commercial, High Density) Zoning District, the 80-T-130-T Height and Bulk District, and Tenderloin neighborhood. All surrounding properties are also zoned RC-4.

The immediate neighborhood includes residential and mixed-use developments, with mixed-use developments consisting of commercial tenant spaces located at the ground-floor and residential units located at the remainder floors. The neighborhood includes a mix of land-uses including residential, retail, professional service, restaurants, and bars.

BUILDING PERMIT NOTIFICATION

TYPE	REQUIRED PERIOD	NOTIFICATION DATES	DR FILE DATE	DR HEARING DATE	FILING TO HEARING TIME
311 Notice	30 days	August 19, 2019 – September 18, 2019	September 18, 2019	December 5, 2019	78 days

HEARING NOTIFICATION

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	20 days	August 19, 2019	August 19, 2019	20 days
Mailed Notice	20 days	August 19, 2019	August 19, 2019	20 days
Online Notice	20 days	August 19, 2019	August 19, 2019	20 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)		2	
Other neighbors on			
the block or directly			
across the street			
Neighborhood		5	
Groups			

DISCTRETIONARY REVIEW REQUESTOR

The request for Discretionary Review was filed by the Fifth Church of Christ Scientist, which is located directly adjacent to the Project at 450 O'Farrell Street.

DISCRETIONARY REVIEW REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

See attached Discretionary Review Application, dated July 22, 2019.

PROJECT SPONSOR'S RESPONSE TO DISCRETIONARY REVIEW APPLICATION

See attached Response to Discretionary Review, dated September 19, 2019.

ENVIRONMENTAL REVIEW

The Project is exempt from California Environmental Quality Act ("CEQA") as a Class 1 Categorical Exemption.

DEPARTMENT REVIEW

The request for Discretionary Review focuses on general opposition to the sale of cannabis products and does not raise any issues with the proposed design of the facility. Adjacent uses, such as the Sunday School identified at the neighboring religious institution, are intermittent activities and do not disqualify the site from being used as a Cannabis Retail establishment. The Department does not find any exceptional or extraordinary circumstance with the proposed Project.

RECOMMENDATION: Do not take DR and approve

Attachments:

Zoning Map Aerial Photographs Context Photographs Section 311 Notice CEQA Determination DR Application Response to DR Application dated September 19, 2019 Reduced Plans

Zoning Map





Discretionary Review Hearing **Case Number 2019-013201DRP** Cannabis Retail 500 Jones Street

Aerial Photo







Discretionary Review Hearing **Case Number 2019-013201DRP** Cannabis Retail 500 Jones Street

Site Photo



Discretionary Review Hearing **Case Number 2019-013201DRP** Cannabis Retail 500 Jones Street



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco. CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On June 21, 2019, Building Permit Application No. 201906214145 was filed for work at the Project Address below.

Notice Date: 8/19/2019

Expiration Date: 9/18/2019

PROJ	ECT INFORMATION	APPL	ICANT INFORMATION
Project Address:	500 JONES ST	Applicant:	Hakeem Mashal
Cross Street(s):	O'Farrell ST	Address:	260 King Street #756
Block/Lot No.:	0317 / 010A	City, State:	San Francisco, CA 94107
Zoning District(s):	RC-4 /80-T-130-T	Telephone:	
Record Number:	2019-013201PRJ	Email:	mashalh@yahoo.com

You are receiving this notice as an owner or occupant of property within 150 feet of the proposed project. You are not required to take any action. For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request that the Planning Commission review this application at a public hearing for Discretionary Review. Requests for a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown above, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

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

	PROJECT SCOPE	
	New Construction	□ Alteration
X Change of Use	Façade Alteration(s)	Front Addition
Rear Addition	□ Side Addition	Vertical Addition
PROJECT FEATURES	EXISTING	PROPOSED
Building Use	Market / Liquor Store	Cannabis Retail
	PROJECT DESCRIPT	I O N

The project includes a change in use from Market / Liquor Store to Cannabis Retail (dba Infinity Wellness). The project includes interior alterations with minor exterior changes.

Cannabis Retail is only permitted if at least 600' from any school, public or private, and any other Cannabis Retailer or Medical Cannabis Dispensary. Based on City record, the site was found to be compliant with this requirement. If you believe this determination to be incorrect, please contact the planner listed below prior to the expiration date.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code

To view plans or related documents, visit <u>sf-planning.org/notices</u> and search the Project Address listed above. Once the property is located, click on the dot(s) to view details of the record number above, its related documents and/or plans.

For more information, please contact Planning Department staff:

Michael Christensen, 415-575-8742, Michael.Christensen@sfgov.org

GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the proposed project plans have been included in this mailing for your information. If you have questions about the plans, please contact the project Applicant listed on the front of this notice. You may wish to discuss the plans with your neighbors or neighborhood association, as they may already be aware of the project. If you have general questions about the Planning Department's review process, contact the Planning Information Center (PIC) at 1660 Mission Street, 1st Floor (415) 558-6377 or pic@sfgov.org. If you have specific questions about the planner listed on the front of this notice.

If you believe that the impact on you from the proposed project is significant and you wish to seek to change the project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

- 1. Request a meeting with the project Applicant to get more information and to explain the project's impact on you.
- 2. Contact the nonprofit organization Community Boards at (415) 920-3820, or online at <u>www.communityboards.org</u> for a facilitated discussion in a safe and collaborative environment. Community Boards acts as a neutral third party and has, on many occasions, helped reach mutually agreeable solutions.
- 3. Where you have attempted, through the use of the above steps or other means, to address potential problems without success, please contact the planner listed on the front of this notice to discuss your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission, you must file a Discretionary Review application prior to the Expiration Date shown on the front of this notice. Discretionary Review applications are available at the Planning Information Center (PIC), 1660 Mission Street, 1st Floor, or online at www.sfplanning.org). You must submit the application in person at the Planning Information Center (PIC), with all required materials and a check payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at www.sfplanning.org. If the project includes multiple building permits, i.e. demolition and new construction, a <u>separate request</u> for Discretionary Review must be submitted, with all required materials and fee, for <u>each</u> permit that you feel will have an impact on you. Incomplete applications will not be accepted.

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

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

ENVIRONMENTAL REVIEW

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

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



SAN FRANCISCO PLANNING DEPARTMENT

CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
500 JONES ST		0317010A
Case No.		Permit No.
2019-013201PRJ		
Addition/ Demolition (requires HRE for Alteration Category B Building)		Construction
Project description for	Planning Department approval.	•
Tenant improvement to furnishings	convert (e) convenience store into a retail cannab	is dispensary w/ (n) fixtures, finishes &

STEP 1: EXEMPTION CLASS

-	project has been determined to be categorically exempt under the California Environmental Quality 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

	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.)? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone</i>)
	Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?
	if 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).
	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?
	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 (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area</i>)
	Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>). If yes, Environmental Planning must issue the exemption.
	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? (<i>refer to EP_ArcMap > CEQA Catex Determination Layers > Topography</i>) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	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? <i>(refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones)</i> If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	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.
Com	ments and Planner Signature (optional): Claudine Asbagh

STEP 3: PROPERTY STATUS - HISTORIC RESOURCE

TO BE COMPLETED BY PROJECT PLANNER

PROP	PROPERTY IS ONE OF THE FOLLOWING: (refer to Property Information Map)	
	Category A: Known Historical Resource. GO TO STEP 5.	
	Category B: Potential Historical Resource (over 45 years of age). GO TO STEP 4.	
	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	Check all that apply to the project.			
	1. Change of use and new construction. Tenant improvements not included.			
	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.			
	3. Window replacement that meets the Department's Window Replacement Standards. Does not include storefront window alterations.			
	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.			
	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.			
	 Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way. 			
	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning</i> Administrator Bulletin No. 3: Dormer Windows.			
	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.				
	Project is not listed. GO TO STEP 5.			
	Project does not conform to the scopes of work. GO TO STEP 5.			
	Project involves four or more work descriptions. GO TO STEP 5.			
	Project involves less than four work descriptions. GO TO STEP 6.			

STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW

TO BE COMPLETED BY PROJECT PLANNER

Chec	k all that apply to the project.
	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.
	2. Interior alterations to publicly accessible spaces.
	3. Window replacement of original/historic windows that are not "in-kind" but are consistent with existing historic character.
	4. Façade/storefront alterations that do not remove, alter, or obscure character-defining features.
	5. Raising the building in a manner that does not remove, alter, or obscure character-defining features.
	6. Restoration based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

	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 Properties (specify or add comments):	Interior Standards for the Treatment of Historic			
		· · · · · · · · · · · · · · · · · · ·			
	9. Other work that would not materially impair a hist	oric district (specify or add comments):			
	(Requires approval by Senior Preservation Planner/	Preservation Coordinator)			
	10. Reclassification of property status . (<i>Requires approval by Senior Preservation</i> <i>Planner/Preservation</i>				
	Reclassify to Category A	Reclassify to Category C			
	a. Per HRER or PTR dated	(attach HRER or PTR)			
	b. Other <i>(specify)</i> :				
	Note: If ANY box in STEP 5 above is chec	ked, 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.				
Comm	Comments (<i>optional</i>):				
Preser	vation Planner Signature:				
STE	P 6: CATEGORICAL EXEMPTION DETERM	ΙΝΑΤΙΟΝ			
	E COMPLETED BY PROJECT PLANNER				

uilding Permit	Claudine Asbagh	
Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	06/28/2019	
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31of the Administrative Code.		



DISCRETIONARY REVIEW PUBLIC (DRP)

Discreti	onary Review Requestor's Information			
Name:	Fifth Church of Christ, Scientist			
Address:		Email Address: ourfifthchurch@gmail.com		
	450 O'Farrell St. San Francisco, CA	Telephone:	415-474-2747	
Informa	ation on the Owner of the Property Being Develope	d		
Name:]	Hakeem Mashal			
Company	//Organization:			
Address:	260 King Street #756 San Francisco, CA 94107	Email Address	mashalh@yahoo.com	
	200 King Steel # 750 San Haneiseo, CA 94107		Telephone:	
Propert	y Information and Related Applications			
Project Ac	ddress: 500 Jones St			
Block/Lot	(s): 0317 / 010A			
Building F	Permit Application No(s): 201906214145			
ACTION	IS PRIOR TO A DISCRETIONARY REVIEW REQUEST			

PRIOR ACTION	YES	NO
Have you discussed this project with the permit applicant?		
Did you discuss the project with the Planning Department permit review planner?]
Did you participate in outside mediation on this case? (including Community Boards)		
Changes Made to the Project as a Result of Mediation. If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize that were made to the proposed project.	e the result, including a	any change:

DISCRETIONARY REVIEW REQUEST

In the space below and on seperate paper, if necessary, please present facts sufficient to answer each question.

 What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

It is absolutely outrageous for the City to impose an additional burden on our block of the Tenderloin by allowing more drugs to be brought to an area already overburdened with drug related problems. Allowing cannabis dispensary in this ill suited location is unacceptable to the neighborhood. Right next door to a church with Sunday School for children, across the street from Senior Center, in an area where sidewalks are lined with those struggling with drug dependencies, is not an appropriate place for drug dispensary. Tenderloin has suffered under the continuing impact of drug related abuse and activity. It is offensive to the neighborhood that City would seek to encourage further degradation of our community and our sidewalks / public spaces. If it is the Planning Code that permits such a use then Planning Code needs to change. Cannabis is illegal under Federal Law.

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be unreasonably affected, please state who would be affected, and how.

The objection is on the basis of use, not design.

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

a) The undersigned is the DR requestor or their authorized representation.

Executive Board Preside

Relationship to Requestor (i.e. Attorney, Architect, etc.)

510.579 41 Phone

ELA STRONG Name (Printed) Ourfifthchurch@quail.com Fmail

For Department Use Only Application received by Planning Department:

By: _

Date:

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V. 02.07.2019 SAN FRANCISCO PLANNING DEPARTMENT

FIFTH CHURCH OF CHRIST, SCIENTIST SAN FRANCISCO

August 28, 2019

Mr. Michael Christensen San Francisco Planning Department 1650 Mission Street, Suite 400 San Francisco, CA 94103

Dear Mr. Christensen,

Fifth Church of Christ, Scientist at 450 O'Farrell Street has received a Notice of Building Permit Application for 500 Jones Street to change the current use to cannabis retail. (Building Permit Application #201906214145)

Our members have great concerns regarding this change, and would like to oppose this proposed change of use.

In the project description of the Notice it says "Cannabis retail is only permitted if at least 600' from any school, public or private". We are right next door and the By-Laws of our church, which has been in operation at this current location since 1923, mandate that we have a Sunday School which is open to children and young adults up to the age of 20. Every time we are open, a banner is placed outside our front doors with this information.

The church and our developer have just recently received an approval from the City to build in the same location a new Christian Science Reading Room and a new church, both open to the public. The project also includes a 13-story apartment building with over 176 apartments. Our Christian Science Reading Room - our open door to the community during the week - will be right next door, sharing a wall and being directly adjacent to 500 Jones Street.

We have observed that in similar high-drug-use and high-crime areas, cannabis customers smoke the drugs right outside the dispensary door. This would materially harm/inhibit the operation of our next-door Reading Room and violate the sanctity, also, of the children's Sunday School.

Our concerns are also for the welfare of all of us who are living or will be living nearby, or walking by, including many children and many Seniors, will be subjected to having to breathe putrid air produced by cannabis smoke. There are reportedly 4,000 children in the Tenderloin.

People who buy the product light up upon leaving the store, and the smoke hangs in the air more than even cigarette smoke, makes children (and some adults) gag and sick to their stomachs.

The bus stop nearby, which right now is already a problem for the neighborhood because of the heavy drug use, will become another area where those getting on a bus or getting off a bus will be subjected to this sickening odor.

Senior Center across the street from the proposed location invites elders for their daily meals and every day you can see elders standing in line just outside the Center to get in; they will be subjected to breathing that putrid air.

This Tenderloin location is not an appropriate location for a cannabis store. The Tenderloin has suffered under the continuing impact of drug related abuse and activity. We cannot adequately handle the current situation with drugs and alcohol abuse. It is offensive to the neighborhood on its face that the City would seek to encourage further degradation of our community and our sidewalks/public spaces.

The neighborhood has been struggling with problems that drug use creates and adding more drugs is not consistent with the efforts that many, including Federal law enforcement's recent raids, are working to eliminate.

The police, DPW, TLCBD, Senior Center, St Anthony's Security Services, our Church, many concerned residents and business owners are actively involved in working to improve the area, care for our neighbors, and influence people's lives for the better.

If anything, we need help in this effort.

Burdening our block with more drugs - and more violence that cash-only recreational druguse business inevitably invites - makes all of us less safe, disrupts and imperils our church activities and local businesses, is an offense to the residents of our area and degrades the dignity of the Tenderloin. It is just not right.

Sincerely yours, The Members of Fifth Church of Christ, Scientist

Ela Strong Executive Board President

Secondhand marijuana smoke and kids

Posted By <u>Claire McCarthy, MD</u> On June 5, 2018 @ 10:30 am In <u>Children's Health, Health, Parenting</u> | Comments Disabled

For years, we've talked about <u>the danger to children of secondhand tobacco smoke</u>. It makes asthma worse, increases the risk of respiratory and ear infections — and even increases the risk of sudden death in infants. We've had all sorts of educational campaigns for parents and caregivers, and have made some progress: between 2002 and 2015, <u>smoking among parents</u> of children less than 18 years old dropped from 27.6% to 20.2%. But now there is a new problem: secondhand marijuana smoke.

<u>Studies show</u> that when you are around someone who is smoking marijuana, the smoke gets into your system too. How much of it gets in depends on how close the person is, how many people are smoking and how much, how long you spend near them, and how much ventilation there is in the space. But research is clear that cannabinoids, the chemicals that cause the "high," get into the bodies of people nearby — including children.

During the same time period that cigarette smoking around children came down more than 7%, marijuana smoking around children went up nearly 5%. With more and more states <u>legalizing</u> marijuana for recreational use, that number is likely to continue going up.

This is not good. Besides the fact that we don't want children getting high, or exposed to the dangers of inhaled secondhand marijuana smoke, there is the additional concern about long-term effects on the brain. While <u>research is still ongoing</u>, there is evidence to suggest that when youth and young adults (whose brains are still developing) are exposed to marijuana, it may have permanent effects on <u>executive function</u>, memory, and even IQ.

This is not what we want for our children.

All the advice we give to parents who smoke tobacco applies to parents who smoke marijuana, including:

- The best thing for you and your child is to not smoke at all. Talk to your doctor about ways to quit.
- If you do smoke, don't smoke around your child, ever.
- Even if your child isn't around, don't smoke somewhere they will be, like your home or your car.
 Smoke lingers.
- After you smoke, change your clothes and wash up. Again: smoke lingers.

As legal use of marijuana grows more common, we need to create the same kinds of rules and laws we've created to protect people from secondhand tobacco smoke.

Just because something is legal doesn't mean it's safe. And when we make choices that have risks, it's not fair to impose those risks on other people — especially children, and especially when they could literally be harmed for the rest of their lives.

Follow me on Twitter @drClaire

Article printed from Harvard Health Blog: https://www.health.harvard.edu/blog

URL to article: https://www.health.harvard.edu/blog/secondhand-marijuana-smoke-and-kids-2018060514012

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500 JONES (X-PRESS MARKET) IN RELATION TO 450 D'FARREU PROJECT SITE





450 D'FARRELL PROJECT

5F SENIOR CENTER AT 481 O'FARRU ST. ACROSS THE STREET FROM 500 JOUES ST



57 SENIOR CENTER AT 481 O'FARREU ST. ACLOSS THE STREEF FLON SDO JOUES ST.



RESPONSE TO DISCRETIONARY REVIEW (DRP)



Planning

SAN FRANCISCO PLANNING DEPARTMENT 1650 MISSION STREET, SUITE 400 SAN FRANCISCO, CA 94103-2479 MAIN: (415) 558-6378 SFPLANNING.ORG

Project Information

Property Address: 500 Jones Street

Building Permit Application(s): 201906214145

Record Number: 2019-013201PRJ

Assigned Planner: M. Christensen

Project Sponsor

Name: Hakeem Mashal

Email: mashalh@yahoo.com

Required Questions

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.)

The Project presents no exceptional or extraordinary circumstances, and the DR Request identifies none. Instead, the DR Request simply claims that a retail cannabis dispensary is not an appropriate use for the area, which is contrary to Planning Code section 209.3.

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes and indicate whether they were made before or after filing your application with the City.

The Project Sponsor has made repeated attempts to meet with the DR requester to address her concerns, but she has refused. No other person or entity has requested any alternatives or changes to the project. As such, there are no requested changes to address.

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Include an explaination of your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

As noted above, no change (other than cessation) has been requested by the DR requester. Contrary to the DR Request, the site is not within the 600-foot radius of a school; the Sunday school cited by the DR requester does not meet the definition of a "school." The replacement of the former market/liquor store will not adversely affect the community; there are similar establishments (e.g., O'Farell Liquors, Geary Wine & Spirits, Star Market, Deens Market, Right Way Market, Econo Market,Ellis Food Center) located within one-half to two blocks of the subject site. The Project Sponsor's Good Neighbor Policy further supports the compatibility of the use with the surrounding projects. In addition, the Project Sponsor has scheduled a community meeting for November 17 and will advise Staff of the results of that meeting prior to the DR hearing.

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V 5/27/2015 SAN FRANCISCO PLANNING DEPARTMENT

Phone: (415) 202-3965

Zip Code: 94102

Project Features

Please provide the following information about the project for both the existing and proposed features. Please attach an additional sheet with project features that are not included in this table.

Dwelling Units (only one kitchen per unit - additional kitchens count as additional units)	EXISTING	PROPOSED
Occupied Stories (all levels with habitable rooms)	unknown	Contraction of the second seco
	7	ground floor/mezz use only
Basement Levels (may include garage or windowless storage rooms)	0	ground floor/mezz use only
Parking Spaces (Off-Street)	0	• • • • • • • • • • • • • • • • • • •
Bedrooms	0	
Height	7 stories	7 stories
Building Depth	formed and a second sec	and the second s
Rental Value (monthly)	112 ft.	112 ft.
Property Value	Annahou and a state of the second state of the	on an ann an a

I attest that the above information is true to the best of my knowledge.

Signature:	Date	: 11/13/19
Printed Name: Hakeem Mashal		roperty Owner uthorized Agent

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

GENERAL NOTES:

1. CODE COMPLIANCE: All work is to be performed in accordance with all governing Codes, Ordinances and Regulations. The designs herein are based on the 2016 C.B.C., 2016 S.F.B.C., 2016 S.F.M.C., 2016 S.F.E.C, 2016 S.F.P.C., 2016 S.F.F.C., 2016 C. Energy C.

2. JOB COORDINATION & SAFETY: Contractor shall be responsible for the development, coordination and execution of construction methods and procedures. The Contractor shall also be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with his work.

3. JOB CLEANLINESS: Contractor shall on a daily basis leave the construction site "broom clean" at the end of the work day. At substantial completion, the Contractor shall turn to the Owner a spotlessly clean house, including clean mirrors, glass, light bulbs, walls, floors, cabinetry inside and out, bathroom fixtures, tiles and appliances.

4. CONSTRUCTION QUALITY: No guarantee for quality of construction is implied or intended by the architectural documents, and the Contractor shall assume full responsibility for any or all construction deficiencies

5. CONTRACT DOCUMENT REVIEW: Contractor shall review all Contract Documents. If fifteen days elapse from the time the Contractor receives the plans and signs to perform the work, and the Owners have not been notified of any errors, omissions or objections, the Owners will consider the documents approved by the Contractor for the performance of his/her work.

6. DISCREPANCIES: In case of any discrepancy notify the Owners before proceeding. Contractor shall be responsible for correction of work at his/her own expense for work installed in conflict with the Contract Documents

7. DIMENSIONS: All dimensions shown on plans are to face of stud, unless otherwise noted. All dimensions shown on interior elevations are finish dimensions. No dimensions shall be taken by measuring from the drawings. Details take precedence over general sections or plans. Written dimensions take precedence over scale. All dimensions shall be verified in the field for coordination with existing and new conditions

8. SUBSTITUTIONS: The Contractor will be held to furnish under his Proposal all work described herein. All materials and articles of any kind necessary for this work are subject to the approval of the Owners

9. MANUFACTURED ITEMS: Transport, handle, store, protect and install manufactured items in strict accordance with manufacturer's ons. Should conflict exist between construction documents and manufacturer's instructions, consult with Designer.

10. ASBESTOS: Asbestos removal is not intended to be covered by this contract. If Asbestos is suspected, a testing agency must be hired to verify, and special procedures must be used for removal and disposal. Friable asbestos is the dangerous type and was used extensively for pipe insulation, fireproofing and certain building materials up to 1970.

11. CUTTING AND PATCHING: Cut and fit components as required; patch disturbed areas to match adjacent materials and finishes.

12. ATTIC VENTILATION: Ventilating area shall not be less than 1/150th of the net area of the space ventilated. If at least 50% of required ventilation is provided in the upper portion of the space, then ventilating area may be 1/300th of the attic space per section 3205(c).

13. BLOCKING: Provide solid blocking as necessary for all wall mounted shelves, fixtures and fittings. See interior elevations, where applicable

14.WATER TIGHTNESS: Contractor shall verify that all work on the exterior of the project is watertight. All joints and surfaces exposed to the elements shall be tested for water tightness prior to substantial completion

15.WATERPROOF MEMBRANE: Install a waterproof membrane under the Master Shower floor @ the Master Bath. Wrap the membrane up a minimum of 8" on all surrounding surfaces.

16. GLAZING: Tempered glazing is required as per UBC 2406. Glazing to be tempered includes but is not limited to; glazing that is less than 18" above finish floor; within 24" radius of doors; Glass door and panels of shower and bathtub enclosures and adjacent glazed openings within 60" above a standing surface and drain inlet shall be fully tempered, laminated safety glass as per UBC 2406.3 & 4; skylights; etc...

17. DRYWALL: All drywall to be 5/8" thick. Install metal corner beads at all outside corners. Fasten drywall to framing with drywall screws. All drywall is to be sanded three times to produce a smooth finish for all walls and ceilings. All drywall shall be finished so that it is smooth, with no bumps or craters. All joints to be taped and sanded so that there is no distinguishable transition. Contractor shall deliver all new or repaired walls perfectly even. The owners' and designer's criteria will be the sole measure for approval of the finished work.

18. HANDRAILS AND GUARDRAILS: All handrails at stairs are 34" above tread nosing. All guardrails are 42" minimum to finish floor, U.O.N. See interior elevations or details, as applicable, for guardrail design,

19. SHOWER AND TUB W/ SHOWER : Provide ceramic tile or stone finish at all shower and tub w/ shower areas to a minimum height of 70" above the drain inlet over a moisture resistant underlayment (typical). Verify with interior elevations, if applicable. All showers & shower/tub combinations to have pressure balance mixing valves as per UPC section 410.7

20. PLUMBING: All work is design/build by the Plumbing contractor and is to meet required codes and Title 24 requirements. Low flow plumbing fixtures & fittings will be used in all bathrooms, etc... Toilets to have a max. allowable flush of 1.28 gal. When there are fixtures @ three levels, cast iron or other approved non-plastic materials for drain, waste, & vents is to be used.

21. TITLE 24 RESIDENTIAL LIGHTING REQUIREMENTS

A) All residential lighting to be high efficacy.

B) At least one fixture in bathrooms, garages laundry room and utility rooms must be controlled by a vacancy sensor

C) Lighting in areas other than kitchens, bathrooms, garages, laundry room and utility rooms shall be high efficacy or either controlled by a dimmer switch or vacancy sensor

D) Recessed lights in insulated ceilings must be ic and at(air tight) rated. recessed lights within 5'-0" of a common prop. line to have 1hr rated enclosure

E) Exterior building mounted lighting must be high efficacy and must include manual on/off switchand one of the following: photocontrol & motion sensor - photocontrol & automatic time switch control - astronomical time switch control or energy management control system.

F) Common areas of low-rise residential buildings with four or more units must be high efficacy or controlled by a title 24 compliant occupant sensor.

G) Under cabinet lighting (including kitchen must be switched seperatly from other lighting systems





1 LOOKING NORTH EAST



2 LOOKING EAST



3 LOOKING EAST

D.A. CHECKLIST (p. 1 of 2): The address of the project is : 3095 21ST STREET

For ALL tenant improvement projects in commercial use spaces, both pages of this checklist are required to be reproduced on the plan set and signed.

- The proposed use of the project is ______ Restaurant, etc.) (e.g. Retail, Office,
- 2. Describe the area of remodel, including which floor: _____GROUND FLOOR & MEZZ. @ 500 JONES STREET
- 4. Is this a City project and/or does it receive any form of public funding? Check one: ______ / ____ Note: If Yes, then see Step 3 on the Instructions page of the Disabled Access Upgrade Compliance Checklist package for additional forms required.

Conditions below must be fully documented by accompanying drawings

- 5. Read A through D below carefully and check the most applicable boxes. Check one box only: □ A: All existing conditions serving the area of remodel fully comply with access requirements. No further upgrades are required: Fill out page 2 of D.A. Checklist
- B: Project Adjusted cost of construction is greater than the current valuation threshold: Fill out and attach page 2 of D.A. Checklist and any other required forms to plans
- ☑ C: Project adjusted cost of construction is less than or equal to the current valuation threshold: List items that will be upgraded on Form C. All other items shall be checked on page 2 of the D.A. Checklist in the "Not required by code" column.
- D: Proposed project consists entirely of Barrier removal Fill out and attach Barrier removal form to Plans
- E: Proposed project is minor revision to previously approved permit drawings only. (Note: This shall NOT be used for new or additional work) Provide previously approved permit application here: _. Description of revision:

CBC chapter 2 section 202 Definitions:

Technically Infeasible. An alteration of a building or a facility, that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features that are in full and struct compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

Unreasonable Hardship. When the enforcing agency finds that compliance with the building standard would make the specific work of the project affected by the building standard infeasible, based on an overall evaluation of the following factors: 1. The cost of providing access. 2. The cost of all construction contemplated. 3. The impact of proposed improvements on financial fassibility of the project. 4. The nature of the accessibility which would be gained or lost. 5. The nature of the use of the facility under construction and its availability to persons with disabilities

The details of any Technical Infeasibility or Unreasonable Hardship shall be recorded and entered into the files of the Department. All Unreasonable Hardships shall be ratified by the AAC.

D.A. CHECKLIST (p. 2 of 2): The address of the project

Check all applicable boxes and specify where

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-		ST STRE	ET
immediately preceding code	Not required by Code (and/or none existing)	Non-compliant request URH Must be ratified by AAC	Location of detail(s)- include detail no. 8 drawing sheet <u>dat not</u> lawe <u>his not klack</u>). Also clarification comments can be written here.
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			SEE SHT. A2.0 & A2.2 FOR ACCESSIBLE UNISEX RESTROOM
	20		
	X		
	X		
5.	6.	7.	

No additional froms required No additional from required Fill out Request for Approval of Equivalent Facilitation form for each item checked and attach to plan. Fill out Request for Approval of Technical Infeasibility form for each item checked and attach to plan. Forvide details from a set of City approved reference drawings, provide its permit application number here __________ and list reference drawing number on plans.

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