# Executive Summary Conditional Use Authorization

**HEARING DATE: JUNE 18, 2020** 

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

Reception: 415.558.6378

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415.558.6409

Planning Information: 415.558.6377

Record No.: 2019-017309CUA

Project Address: 1700-1702 Lombard Street

Zoning: NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District

40-X Height and Bulk District

Block/Lot: 0495/002A Project Sponsor: Alexis Bronson

Medicinal Organic Nursery

80 Swan Wy #275 Oakland, CA 94621

Property Owner: Salvatore Latora

PO Box 14634

Santa Rosa, CA 95402

Staff Contact: Laura Ajello – (415) 575-9142

laura.ajello@sfgov.org

Recommendation: Approval with Conditions

## PROJECT DESCRIPTION

The Project includes the establishment of Cannabis Retail use measuring 1,621 square feet at the ground level of a three-story mixed-use building. The proposal will merge two vacant existing storefronts via interior tenant improvements with no expansion of the existing building envelope and no alterations to the façade other than removal of a secondary exterior door on the Octavia Street frontage, new business signage (under a separate permit) and two required security cameras.

#### 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 712 to establish a Cannabis Retail use within an NC-3 Zoning District.

## ISSUES AND OTHER CONSIDERATIONS

- Public Comment & Outreach.
  - o Support/Opposition:
    - The Department has received one letter of support for the Project.
    - The Department has received one email and one voicemail from neighbors opposed to the project based on the proximity to school-age children.

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- Outreach: The Project Sponsors held one community meeting with Cow Hollow Neighbors in Action, Union Street Association, and with owners and occupants within 300 feet of the site.
- 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:
  - Moscone Recreation Center/Softball Fields (overlaps SE corner of the park), 528 feet from the site.
  - Moscone Park Playground, Marina Branch Library and Marina Middle School each approximately, 1,584 feet (.3 mile) from the site.
- On-Site Consumption. The applicant is not currently seeking a permit for on-site consumption.
  However, 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 <a href="Health Code Article 8A">Health Code Article 8A</a>:
  - o A 'Type A' permit authorizes consumption of pre-packaged cannabis products on-site.
  - o 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 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 that a Type C (on-site smoking and vaporizing) permit is not being pursued at this time, but may be pursued in the future, the Department recommends adding a Condition of Approval to prohibit Type C consumption as part of the Project. Any future Project to add Type C consumption would thus require an amendment to this Conditional Use Authorization.

• 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 categorical exemption.

## BASIS FOR RECOMMENDATION

The Department finds that the Project is, on balance, consistent with the NC-3 Zoning District and the Objectives and Policies of the General Plan. The Project fills two vacant storefronts, adds diversity to an 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.

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## **ATTACHMENTS:**

Draft Motion - Conditional Use Authorization with Conditions of Approval

Exhibit B – Plans and Renderings

Exhibit C – Environmental Determination

Exhibit D – Land Use Data

Exhibit E – Maps and Context Photos

Exhibit F – Public Comments

Exhibit G – Project Sponsor Brief

## **Planning Commission Draft Motion**

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Project Address: 1700-1702 LOMBARD STREET

Zoning: NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District

40-X Height and Bulk District

Block/Lot: 0495/002A

Project Sponsor: Alexis Bronson

Medicinal Organic Nursery

80 Swan Wy #275 Oakland, CA 94621

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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 202.2, 303 AND 712 OF THE PLANNING CODE TO ESATBLISH A CANNABIS RETAIL USE MEASURING 1,621 SQUARE FEET IN AN EXISTING THREE-STORY MIXED-USE BUILDING AT 1700-1702 LOMBARD STREET (ASSESSOR'S BLOCK 0495 LOT 002A) WITHIN THE NC-3 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

## **PREAMBLE**

On October 1, 2019, Alexis Bronson of Medicinal Organic Nursery (hereinafter "Project Sponsor") filed Application No. 2019-017309CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a Cannabis Retail use (hereinafter "Project") at 1700-1702 Lombard Street, Block 0495 Lot 00A2 (hereinafter "Project Site").

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

On June 18, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-017309CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-017309CUA 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. 2019-017309CUA, 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 Cannabis Retail use measuring 1,621 square feet at the ground level of a three-story mixed-use building. The proposal will merge two vacant existing storefronts via interior tenant improvements with no expansion of the existing building envelope and no alterations to the façade other than removal of a secondary exterior door on the Octavia Street frontage, new business signage (under a separate permit) and two required security cameras.
- 3. **Site Description and Present Use.** The Project is located on a 2,574 square foot parcel on the northwest corner of Lombard and Octavia Streets. The site is developed with a three-story mixed-use building with two vacant ground floor commercial tenant spaces and two residential units above. The corner subject tenant space was formerly occupied by a local retail clothing store (dba Azadeh Couture); the other tenant space was vacant. The previous tenant, a retail frame store (dba Fast Frame) occupied both tenant spaces until 2015. Two unutilized large box signs remain from this tenant.
- 4. Surrounding Properties and Neighborhood. The subject block is zoned NC-3 along Lombard Street. The NC-3 zoning district is a linear commercial corridor along Lombard Street (US Highway 101) between Van Ness Avenue and Baker Street, which is a heavily trafficked thoroughfare and major connector to and from the Golden Gate Bridge. This NC District offers a wide variety of goods and services to a population greater than the immediate neighborhood, including motels, eating and drinking establishments, auto related uses and other retail stores. The immediate context is comprised of one to four story residential and mixed-use buildings (with ground floor commercial space and residential units above). The surrounding streets are mostly comprised of residential buildings in the RH-2 and RH-3 Zoning Districts.
- Public Outreach and Comments. The Project Sponsors held one community meeting with Cow Hollow Neighbors in Action, Union Street Association, and with owners and occupants within 300 feet of the site. The Department has received one email and one voicemail from neighbors opposed

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- to the project based on the proximity to school-age children. The Department has received one letter of support for the Project.
- 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 NC-3 Neighborhood Commercial Zoning District.
    - The Project Sponsor is requesting Conditional Use Authorization to establish a Cannabis Retail use with no on-site consumption proposed in the NC-3 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. This approval is conditioned to permit Types A and B consumption types and to not permit Type C consumption at the site. Addition of Type C (smoking or vaporizing) will require an amendment to this 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

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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 Project would occupy an existing ground floor commercial space where existing fenestration consists of unobstructed glazing. The storefront window visibility zone for active uses is located between four feet to eight feet above grade. The applicant proposes adding privacy film to the windows below the four-foot level. Exterior modifications are limited to removal of a secondary entrance door, new business signage (under separate permit) and the addition of two security cameras.

E. **Use Size**. Planning Code Section 712 allows a non-residential use size up to 5,999 sq. ft. as-of-right within the NC-3 Zoning District, and any use size 6,000 sq. ft. and above requires Conditional Use Authorization.

The Project will combine two ground floor tenant spaces previously occupied by other retail uses. The combined area is approximately 1,621 gross square feet within a multi-story, mixed-use building with no additional retail spaces and two dwelling units on upper floors.

F. **Signage**. Any proposed signage will be subject to the review and approval of the Planning Department.

The subject corner commercial space has two large box signs leftover from a previous tenant (one on each building frontage), which the applicant intends to re-face. These low-quality, oversized signs appear to be obscuring transom windows. Staff recommends the existing signs be removed and replaced with pedestrian-scaled, high quality signs.

- 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 establishment will not impact traffic or parking in the District as it will occupy an existing retail space. 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 adding a unique retail establishment.

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, it is noted that there is a middle school and youth services within the general neighborhood.

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.

- B. The proposed project will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity. There are no features of the project that could be detrimental to the health, safety or convenience of those residing or working the area, in that:
  - (1) Nature of proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
    - The height and bulk of the existing building will remain the same and will not alter the existing appearance or character of the project vicinity.
  - (2) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
    - The Planning Code does not require parking or loading for a 1,621 square-foot Cannabis Retail Establishment 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. If a permit to authorize on-site smoking or vaporizing is sought in the future, enhanced mechanical ventilation will be required to be installed in compliance with the Department of Health guidelines. 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 Project site has no parking, open spaces or loading area and there will be no addition of parking spaces, loading facilities, open space or service areas. All Project signage and projections will be consistent with the controls of the Planning Code.

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 NC-3 Zoning District in that the intended use is located at the ground floor, will provide diversity to the retail corridor and a compatible retail service to the public in the immediately surrounding neighborhoods and to a larger market area during daytime hours.

8. 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 Project neighborhood and few outlets in the northwest quadrant of the City. The nearest outlet is located along Lombard Street between Scott and Divisadero Streets. The distribution of such outlets can be reviewed using the City's Cannabis Retail Map.

The immediate area is characterized by uses such as small tourist motels, 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 this heavily trafficked thoroughfare which is part of U.S. Route 101.

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 within 1,600 feet. 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.

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

## COMMERCE AND INDUSTRY ELEMENT

## **Objectives and Policies**

#### **OBJECTIVE 2:**

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

#### **OBJECTIVE 3:**

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

## Policy 3.1:

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

## Policy 3.2:

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

## **OBJECTIVE 4**:

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

#### Policy 4.8:

Provide for the adequate security of employees and property.

## **OBJECTIVE 6:**

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

#### Policy 6.2:

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

Cannabis is one of the fastest growing job categories in the country and one of the few retail uses that is burgeoning even in the face of e-commerce. The proposed business is entirely owned by local residents and will hire directly from the community. The business has 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 and active a retail corner, increasing foot traffic to adjacent neighborhood businesses.

- 10. 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 maintain an active retail space which is desirable for the neighborhood. The addition of this business will enhance foot traffic to the benefit of neighboring

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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. If on-site consumption is added in the future, the Department of Public Health will review the proposed plans to ensure that other site uses, and the general neighborhood are not impacted by odors, vapors, or smoke from the site. Additionally, this approval is conditioned to prohibit Type C consumption, thus requiring an amendment to this authorization to add Type C consumption in the future.

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 and is located along a key walking and transit preferential street, Lombard Street. The Project is located within a quarter of a mile of the following Muni lines: 28, 30, 30X. 41, 43, 45, and 76X. These transit lines provide a variety of options for transportation for employees and patrons of the proposed cannabis retail use. Additionally, public parking facilities are located at 1450, 1501 and 1940 Lombard Street.

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

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

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

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

G. That landmarks and historic buildings be preserved.

The Project site is a potential historic resource. No exterior changes are proposed to the building other than business signage and two security cameras (added for compliance with the Office of Cannabis requirements). The camera locations and mountings have been reviewed by historic preservation planning staff.

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

The Project will have no negative impact on existing parks and open spaces.

- 11. 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.
- 12. The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

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#### **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. 2019-017309CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated June 1, 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 June 18, 2020.

Jonas P. Ionin	
Commission Secre	etary
AYES:	
NAYS:	
ABSENT:	
ADOPTED: Ju	ıne 18, 2020

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## **EXHIBIT A**

## **AUTHORIZATION**

This authorization is for a conditional use to allow a Cannabis Retail use (d.b.a. Johnny Love's) located at [1700-1702 Lombard Street, Block 0495, and Lot 002A] pursuant to Planning Code Section(s) 202.2, 303, and 712 within the NC-3 Neighborhood Commercial Zoning District and a 40-X Height and Bulk District; in general conformance with plans, dated June 1, 2020, and stamped "EXHIBIT B" included in the docket for Record No. 2019-017309CUA and subject to conditions of approval reviewed and approved by the Commission on June 18, 2020 under Motion No XXXXXXX. 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 **June 18, 2020** under Motion No **XXXXXXX**.

#### 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, <a href="https://www.sf-planning.org">www.sf-planning.org</a>

- 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, <a href="https://www.sf-planning.org">www.sf-planning.org</a>

- 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, <a href="https://www.sf-planning.org">www.sf-planning.org</a>
- 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, <a href="https://www.sf-planning.org">www.sf-planning.org</a>

## **MONITORING - AFTER ENTITLEMENT**

- 8. **Enforcement.** Violation of any of the Planning Department conditions of approval contained in this Motion or of any other provisions of Planning Code applicable to this Project shall be subject to the enforcement procedures and administrative penalties set forth under Planning Code Section 176 or Section 176.1. The Planning Department may also refer the violation complaints to other city departments and agencies for appropriate enforcement action under their jurisdiction. For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org
- 9. **Revocation due to Violation of Conditions.** Should implementation of this Project result in complaints from interested property owners, residents, or commercial lessees which are not resolved by the Project Sponsor and found to be in violation of the Planning Code and/or the specific conditions of approval for the Project as set forth in Exhibit A of this Motion, the Zoning Administrator shall refer such complaints to the Commission, after which it may hold a public hearing on the matter to consider revocation of this authorization.
  - For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <a href="https://www.sf-planning.org">www.sf-planning.org</a>

## **OPERATION**

10. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the

SAN FRANCISCO
PLANNING DEPARTMENT

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

11. **On-Site Consumption**. On-site consumption of packaged or prepared cannabis products is permitted as an accessory use to this Cannabis Retail use. On-site smoking or vaporizing of cannabis products is not permitted.

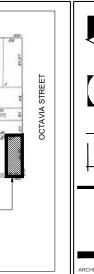
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, <a href="https://www.sf-planning.org">www.sf-planning.org</a>



# **JOHNNY LOVE'S CANNABIS RETAILER** 1700-1702 LOMBARD STREET SAN FRANCISCO, CA 94611

**EXHIBIT** B

CHESTNUT STREET Ν LOMBARD STREET PROJECT SITE NORTH SITE MAP



## **GENERAL NOTES**

- PROVIDE ALL MATERIAL, EQUIPMENT AND LABOR TO COMPLETE THE WORK

NORTH

VICINITY MAR

- IN GENERAL THE WORK INCLUDES BUT IS NOT LIMITED TO INTERIOR ALTERATION THE CONTRACTOR SHALL SUBMIT PROPOSED CONSTRUCTION SCHEDULE. SEE SPECIAL CONDITIONS TO CONTRACT BASED ON THE WORK TIME REQUIREMENTS.
- DEMOLISH EXISTING STRUCTURES AS SHOWN OR NOTED.
- ALTERATION TO ELECTRICAL, MECHANICAL AND PLUMBING AS NOTED.
- PATCH TO MATCH FINISHES AFFECTED BY THE NEW CONSTRUCTION.
- CONTRACTOR SHALL VISIT THE SITE. CAREFULLY EXAMINE THE AREAS AFFECTED BY THE WORK AND FAMILIARIZE THEMSELVES OF THE CONDITIONS AND SHALL REPORT TO ARCHITECT AND CONSTRUCTION MANAGER, ANY DISCREPANCIES OR OMISSIONS WHICH WOULD INTERFERE WITH SATISFACTORY COMPLETION OF THE WORK PRIOR TO SUBMITTING
- THE CONTRACTOR SHALL MAKE SURE THAT ALL TRADES WORK CONFORMS TO THE LATEST FEDERAL, STATE AND CITY CODES AND ORDINANCES. THE CONTRACTOR SHALL OBTAIN PERMITS BEFORE STARTING WORK AND
- OBTAIN APPROVALS OF ALL REGULATORY AGENCIES UPON COMPLETION. WHEN "APPROVED EQUAL", "EQUAL TO," OR OTHER GENERAL QUALIFYING TERMS ARE USED, IT SHALL BE BASED UPON THE REVIEW AND APPROVAL BY THE ARCHITECT AND CONSTRUCTION MANAGER PRIOR TO ANY PURCHASE
- THE WORD "PROVIDE" SHALL MEAN TO FURNISH AND INSTALL ALL MATERIALS NECESSARY TO COMPLETE WORK IN ACCORDANCE WITH ACCEPTED CONSTRUCTION STANDARDS AND MANUFACTURER'S RECOMMENDATIONS.
- ALL ITEMS SPECIFIED ARE TO ESTABLISH QUALITY OF WORK, PRODUCTS OF OTHER MANUFACTURERS EQUAL IN DESIGN, COLOR AND QUALITY MAY BE SUBSTITUTED IF APPROVED BY THE ARCHITECT AS MEETING ESTABLISHED DESIGN AND FUNCTION CRITERIA. ANY PROPOSED SUBSTITUTIONS MUST BE QUALIFIED AT BID SUBMISSION
- ALL WORK SHALL BE EXECUTED IN ACCORDANCE WITH THE BEST ACCEPTED TRADE PRACTICES AND AS PER MANUFACTURERS RECOMMENDATIONS.
- A COPY OF THE LATEST SET OF CONSTRUCTION DRAWINGS, SPECIFICATIONS AND SHOP DRAWINGS SHALL BE KEPT AT THE JOB SITE FOR REVIEW BY THE ARCHITECT. THESE DRAWINGS SHALL BE UPDATED WITH THE LATEST REVISIONS
- 10. THE CONTRACTOR SHALL PREPARE AND UPDATE CONSTRUCTION SCHEDULE. COMPLETION DATE MAY NOT BE EXTENDED WITHOUT WRITTEN
- 11. IF THE LOCATION OF THE WORK IS IN AN AREA THAT MUST CONTINUE IN OPERATION DURING THE PROGRESS OF THE WORK, THE CONTRACTOR IS TO PROVIDE MINIMUM INTERFERENCE WITH OPERATION.
- 12. SPECIAL PRECAUTIONS AND TEMPORARY PARTITIONS SATISFACTORY TO THE OWNER AND ARCHITECT MUST BE PROVIDED TO PROTECT THE OCCUPANTS OF THE BUILDING AND THE PUBLIC FROM ACCIDENTS IN CONNECTION WITH THE WORK.
- 13 CONTRACTOR SHALL MAINTAIN FREE AND UNORSTRUCTED ACCESS FROM ALL FLOOR AND ADJACENT SPACES TO OUTSIDE OF THE BUILDING AT ALL TIMES DURING CONSTRUCTION.
- 14. CONTRACTOR SHALL FURNISH AND INSTALL ALL MATERIAL AND EQUIPMENT AS SHOWN UNLESS OTHERWISE NOTED BY ARCHITECT. ALL MATERIAL SHALL BE NEW AND OF THE BEST QUALITY.
- 15. CONTRACTOR SHALL INCLUDE ALL CUTTING, DRILLING AND PATCHING REQUIRED TO PERMIT THE INSTALLATION OF HIS WORK AND HIS SUB-CONTRACTORS

## 16. THE CONTRACTOR IS RESPONSIBLE FOR THE COORDINATION OF WORK OF ALL

- 17. ALL MATERIAL AND EQUIPMENT SHALL MEET APPLICABLE STANDARDS AS PUBLISHED BY ANSI AND NEMA AND SHALL BE LISTED BY U.L., WHERE REQUIRED MEA NUMBERS MUST BE PROVIDED.
- 18. ANY DAMAGES TO EXISTING PARTITIONS, FLOORS, CEILINGS OR ANY PART OF THE BUILDING OR EQUIPMENT CAUSED BY THE WORK OF THE CONTRACTOR SHALL BE MADE GOOD AT NO ADDITIONAL EXPENSE TO THE OWNER.
- 19. THE CONTRACTOR SHALL REMOVE ALL RUBBISH AND WASTE FROM THE JOB SI AND BROOM CLEAN DAILY.
- 20. THE CONTRACTOR IS TO CONTROL CLEANING TO PREVENT DIRT OR DUST FROM LEAVING THE JOB SITE AND INFILTRATING AREAS NOT INVOLVED IN THE
- WHEN REMOVING AN EXISTING OUTLET, CABLES ARE TO BE REMOVED FROM ORIGINATING POINT AND A COVER PLATE TO BE INSTALLED AT THE WALL.IN CASE OF ELECTRIC OUTLETS, WIRES ARE TO BE REMOVED TO THE JUNCTION BOX, AND CAPPED. COVER PLATE TO BE INSTALLED AT WALL. REMOVE ALL ABANDONED CONDUIT
- ALL NEW, MODIFIED OR EXISTING OUTLETS ARE TO BE CIRCUITED TO CONFORM TO APPLICABLE ELECTRICAL BUILDING CODES.
- THE CONTRACTOR SHALL GUARANTEE THAT ALL WORK OF THIS CONTRACT IS FREE FROM ALL DEFECTS, AND IS AS SPECIFIED. SHOULD ANY DEFECTS, WHICH CANNOT BE PROVEN TO HAVE BEEN CAUSED BY IMPROPER USE. DEVELOP WITHIN THE PERIOD OF ONE (1) YEAR FROM THE DATE OF FINAL ACCEPTANCE OF WORK, SUCH DEFECTS SHALL BE MADE GOOD BY THE CONTRACTOR, WITHOUT COST TO THE OWNER.
- 24. ALL EQUIPMENTS PROVIDED SHALL HAVE A MINIMUM OF ONE (1) YEAR WARRANTY FROM DATE OF ACCEPTANCE OF WORK.

#### T1.0 TITLE SHEET D1.0 DEMOLITION/EXISTING FLOOR PLAN

LIST OF DRAWINGS

- A0 0 EXISTING BUILDING PHOTOGRAPHS A1.0 EXISTING SITE PLAN
- A2.1 PROPOSED RETAIL FLOOR PLAN A3.0 EXISTING EXTERIOR ELEVATIONS A3.1 PROPOSED EXTERIOR ELEVATION
- A3.5 EXISTING BUILDING SECTIONS A3.6 PROPOSED BUILDING SECTIONS

## SCOPE OF WORK NEW RETAIL CANNABIS DISPENSARY LOCATED

FIRST FLOOR RETAIL: JOHNNY LOVE'S CANNABIS RETAILER 700-1702 LOMBARD ST. SAN FRANCISCO, CA 94611

SECOND FLOOR & THIRD FLOOR RESIDENTIAL 3105-3111 OCTAVIA ST. SAN FRANCISCO, CA 94611

APN. # BLOCK/LOT: 0495/2A

**PROJECT DATA** 

ZONING DISTRCT: NC-3 NEIGHBORHOOD COMMERCIAL, MODERATE SCALE

HEIGHT AND BULK DISTRICT: 40-X

SPECIAL USE DISTRICT: NONE

CONST TYPE: V-B

FIRST FLOOR-

EXISTING-GROUP M (MERCANTILE) PROPOSED-GROUP M (MERCANTILE) NO CHANGE IN OCCUPANCY SECOND/THIRD FLOOR-

EXISTING RESIDENTIAL-GROUP R-2 (RESIDENTIAL) NO CHANGE: NOT PART OF WORK

AREA OF WORK: FIRST FLOOR OF MERGED OF 1700 & 1702 LOMBARD ST. NO WORK PERFORMED ON THE SECOND AND THIRD LOORS.

EXISTING: MERCANTILE (RETAIL)-UNOCCUPIED ROPOSED: MERCANTILE (RETAIL)-CANNABIS DISPENSAR'

EXISTING 1700 LOMBARD ST: 823 SF EXISTING 1702 LOMBARD ST: 848 SF NO CHANGE IN GROSS FLOOR AREA

PLANNING DEPARTMENT HISTORIC RESOURCE STATUS: E

## CODES: 2019 CALIFORNIA BUILDING CODE

ON THE MERGED FIRST FLOOR OF 1700 & 1702 LOMBARD

TREET. NO WORK ON THE SECOND AND THIRD FLOORS.

2019 CALIFORNIA MECHANICAL CODE MECHANICAL 2019 CALIFORNIA ELECTRICAL CODE PLUMBING: 2019 CALIFORNIA PLUMBING CODE 2019 CALIFORNIA FIRE CODE 2019 CALIFORNIA ENERGY CODE 2019 CALIFORNIA BUILDING CODE, ENERGY

USINESS SIGNAGE UNDER SEPARATE PERMIT

## NOTES:

## **CONTACTS**

ARCHITECTS: TECTA ASSOCIATES 2747 19TH STREET SAN FRANCISCO, CA 94110 CONTACT: AHMAD MOHAZA TEL: 415.362.5857

PERMIT CONSULTANTS: QUICKDRAW PERMIT CONSULTING GOIGNARM PERMIT CONSU 584 CASTRO STREET SAN FRANCISCO, CA 94114 CONTACT: JEREMY PAUL TEL: 415.552.1888

RETAILER

**CANNABIS** 

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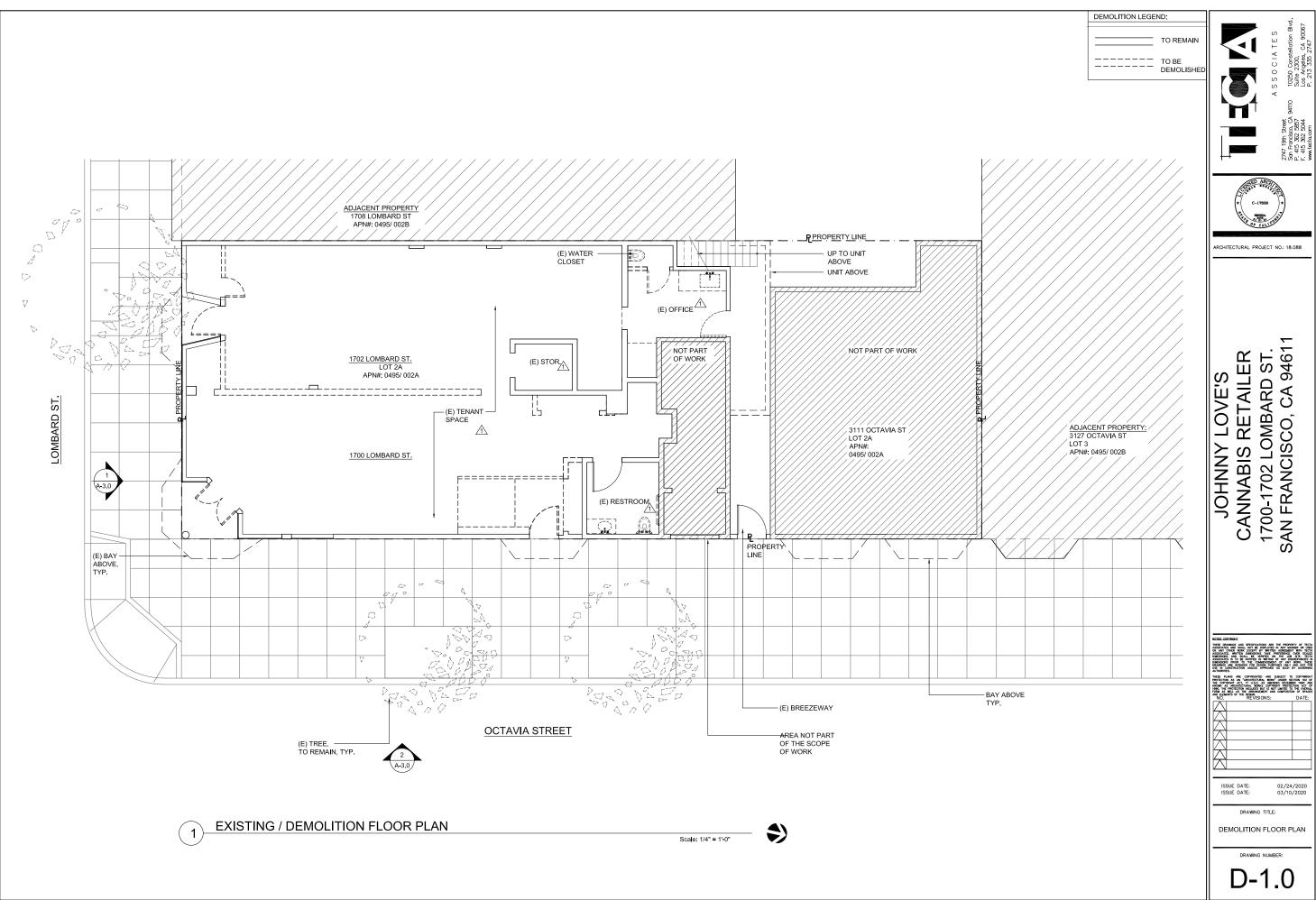
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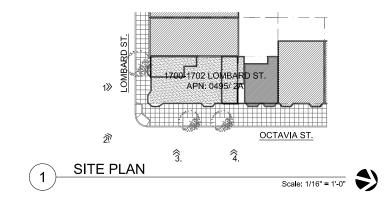
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TITLE SHEET







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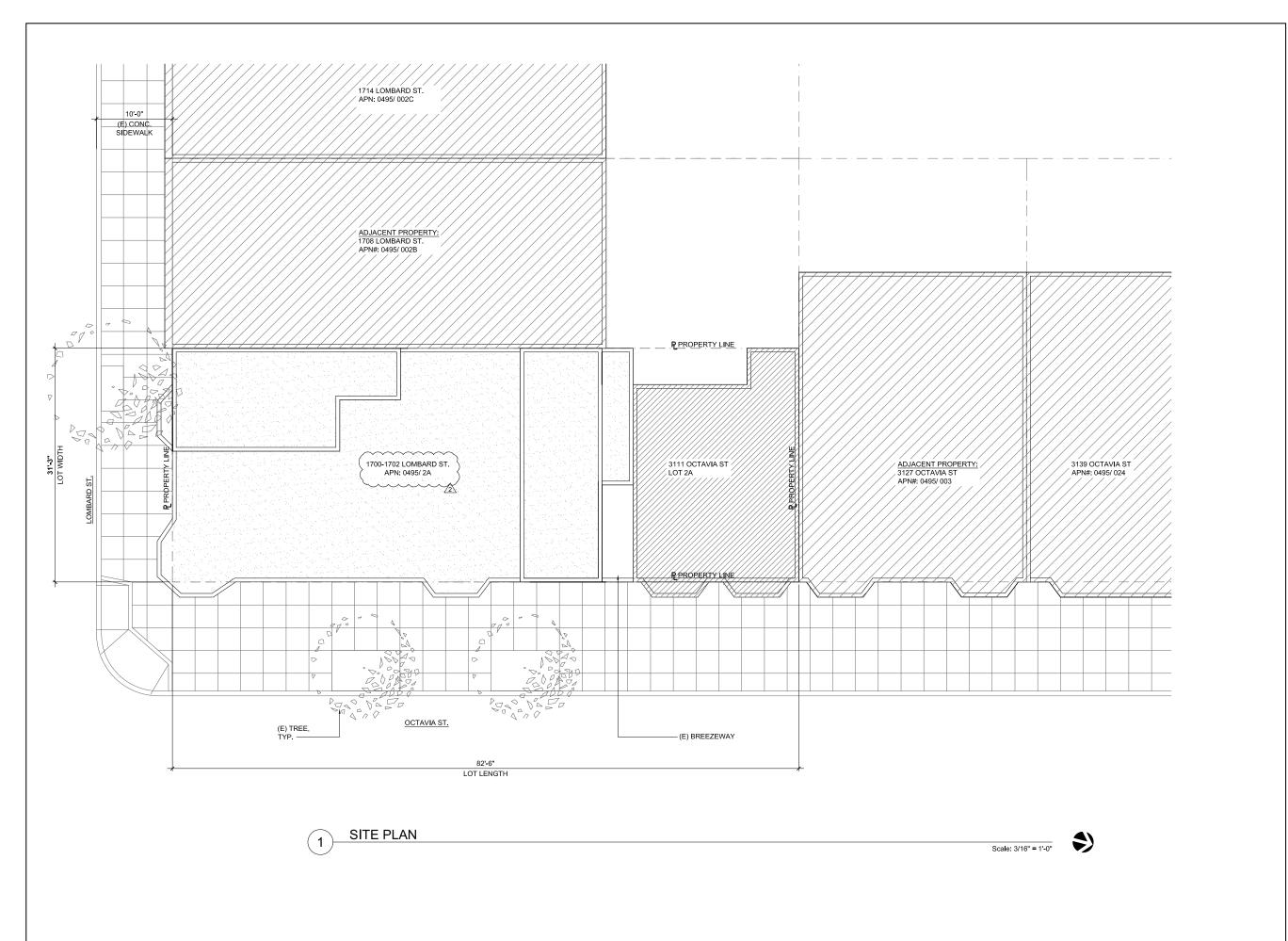


RCHITECTURAL PROJECT NO.: 18.088

STATE DATE: 02/24/2020

ISSUE DATE: 03/10/2020

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JOHNNY LOVE'S CANNABIS RETAILER 1700-1702 LOMBARD ST. SAN FRANCISCO, CA 94611

RCHITECTURAL PROJECT NO.: 18.088

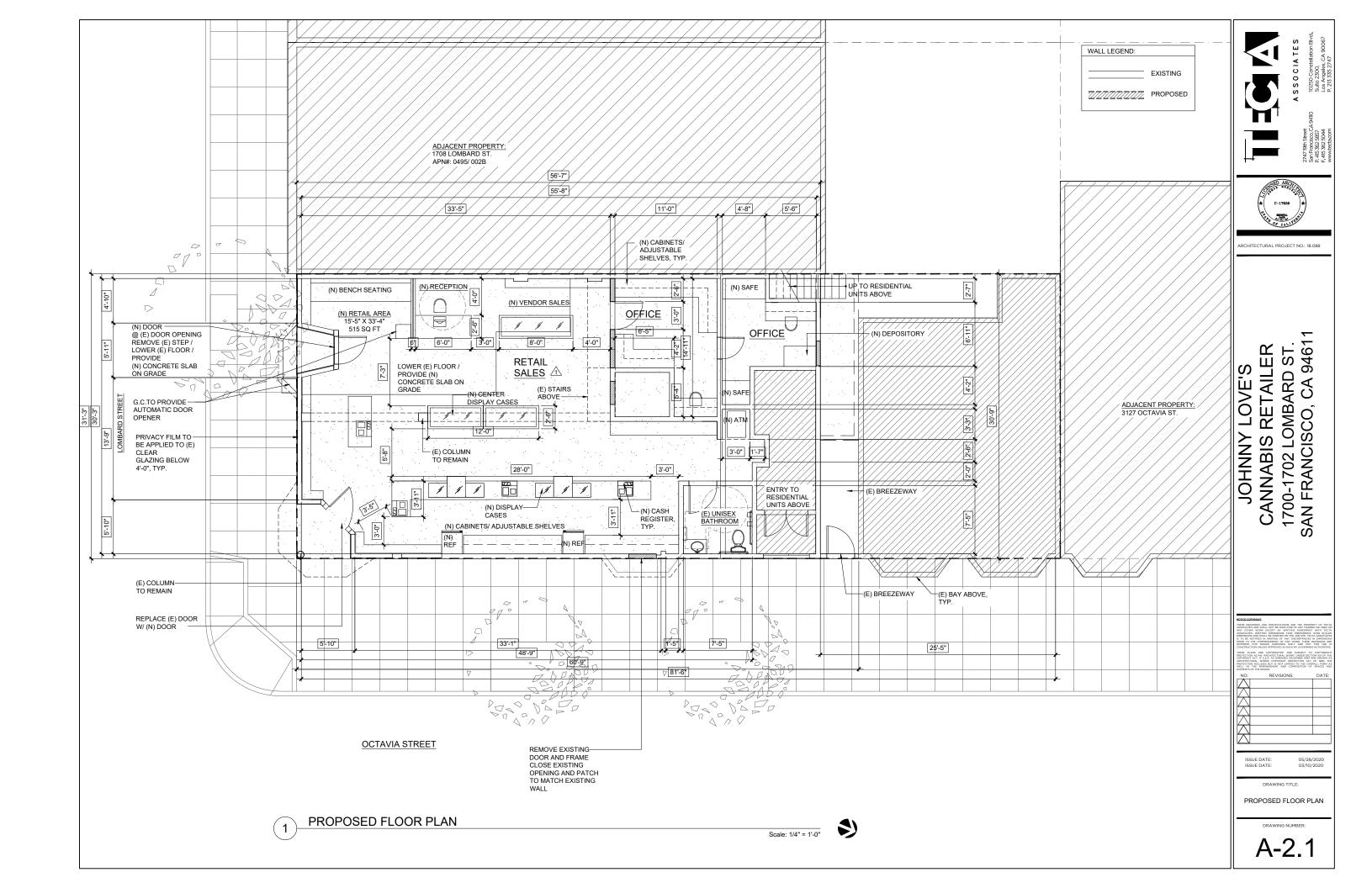
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ISSUE DATE: ISSUE DATE: 02/24/2020 03/10/2020

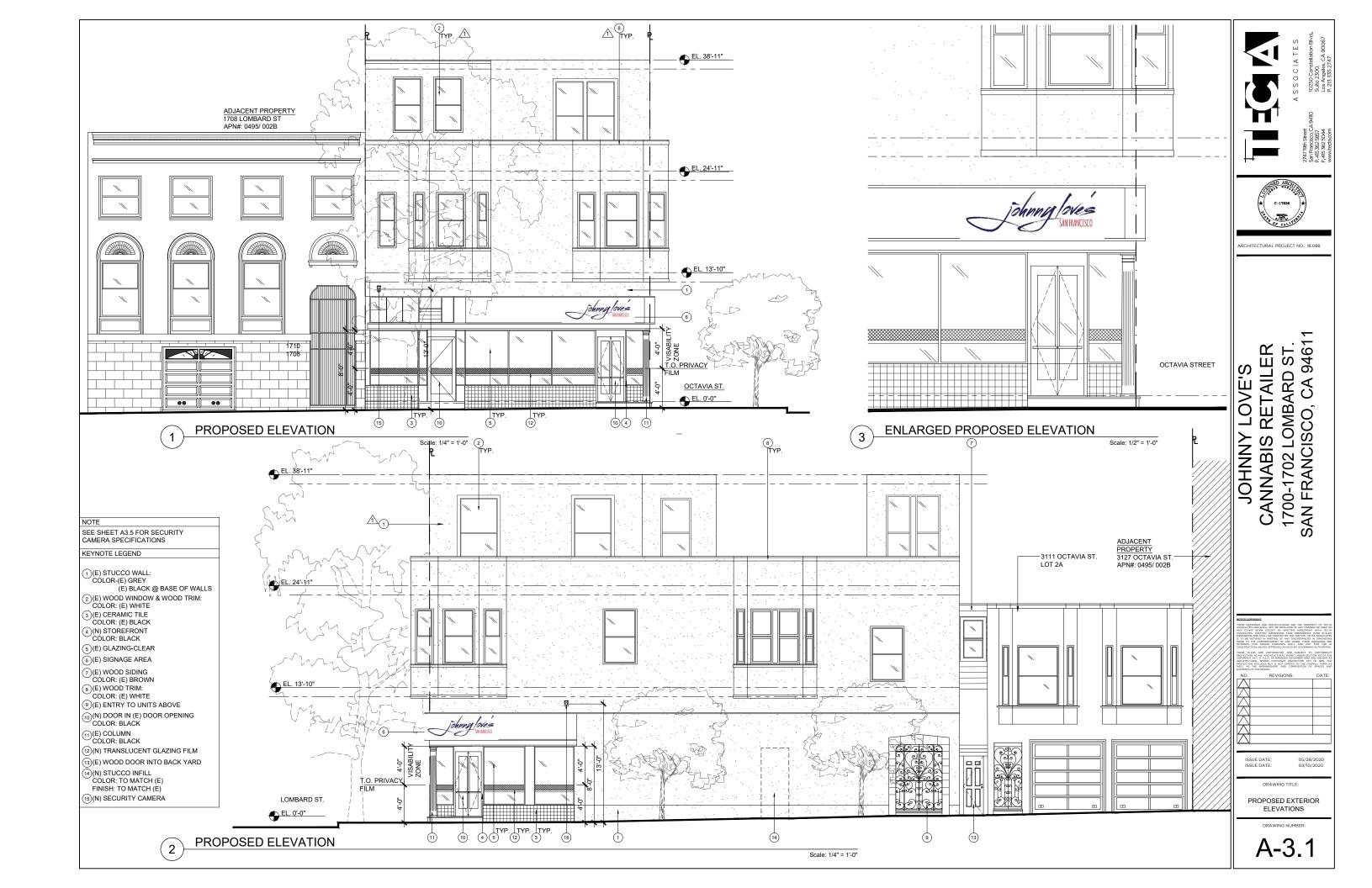
DRAWING TITLE: SITE PLAN

DRAWING NUM

A-1.0









## 2.0MP VF IR Dome Network Camera





#### Key features

\*2 megapixel (1920×1080) high resolution

\*Full HD1080p real-time video \*2.8-12mm varifocal lens

Video Content Analytics(VCA)

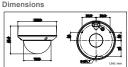
\*Region of Interest(ROI)
\*IR LEDs: up to 100ft(about 30m)

• DWDR & 3D DNR & BLC
• 3-Axis

\*Onboard storage (up to 64GB)

\* Audio I/O, Alarm I/O \*IP66

varidai-prooi



	CMIP7223-S
Image sensor	1/3"sensor
Min. illumination	0.014lux @(F1.4,AGC ON) 0 lux with IR
Shutter time	1/25s ~ 1/100,000s
Lens	2.8 ~ 12mm @ F1.4, Angle of view: 113°-33.8°
Lens mount	Ф14
Day & night	ICR
ROI	Yes, up to 4 configurable areas
Digital noise reduction 3D	<b>DNR</b>
Wide dynamic range	Digital WDR
Backlight compensation	Yes, zone optional
Angle adjustment	Pan: 0° - 355°, Tilt: 0° - 75°, Rotation: 0° - 355°
Compression standard	
Video compression	H.264 / MJPEG
H.264 compression profile	Main profile
Bit rate	32 Kbps ~ 16 Mbps
Audio compression	G.711/G.726/MP2L2
Audio bit rate	64Kbps(G.711) / 16Kbps(G.726)/ 32~128Kbps(MP2L2)
Dual Stream	Yes
Image	
Max. image resolution	1920×1080
Frame rate	60Hz: 30fps (1920×1080) 50Hz: 25fps (1920×1080)
Image settings	Saturation, brightness, contrast adjustable through client software or web browser
Network storage	NAS
Alarm trigger	Motion detection, Tampering alarm, Network disconnect, IP address confict, Storage full , Storage error
Protocols	TCP/IP,ICMP,HTTP,HTTPS,FTP,DHCP,DNS,DDNS,RTP,RTSP,RTCP,PPPoE,NT SMTP,SNMP,IGMP,802.1X,QoS,IPv6,Bonjour
System compatibility	ONVIF, PSIA, CGI, ISAPI
General functionalities	User Authentication, Watermark
Interface	
Communication interface	1 RJ45 10M / 100M ethernet port
On-board storage	Built-in Micro SD/SDHC/SDXC card slot, up to 64 GB
Audio Input/Output	1/1
Alarm Input/Output	1/1
Operating conditions	-22 °F ~ 140 °F(-30 °C ~ 60 °C ), humidity 95% or less (non-condensing)
Power supply	DC12V ± 10%, PoE (802.3af)
Power consumption	Max. 5.5W
Impact protection	IEC60068-2-75Eh, 50J; EN50102, up to IK10
Ingress protection level	IP66
IR range	Up to 100ft(About 30m)
Dimensions	Φ5.5"×3.9"(Φ140.0 x 99.9mm)
	<del> </del>

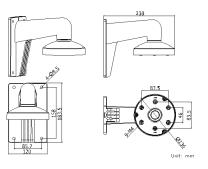
# Wall Mount Bracket LTB342-135

Suitable for CMIP72XX Series



Properties	
Parameter	Wall mount bracket for CMIP72XX series
Construction	Aluminum Alloy
Dimension	Φ136×183.5×230mm(Φ5.4"×7.2"×9.1")
Weight	704g(1.6lbs)

## Dimensions:



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# JOHNNY LOVE'S CANNABIS RETAILER 1700-1702 LOMBARD ST. SAN FRANCISCO, CA 94611

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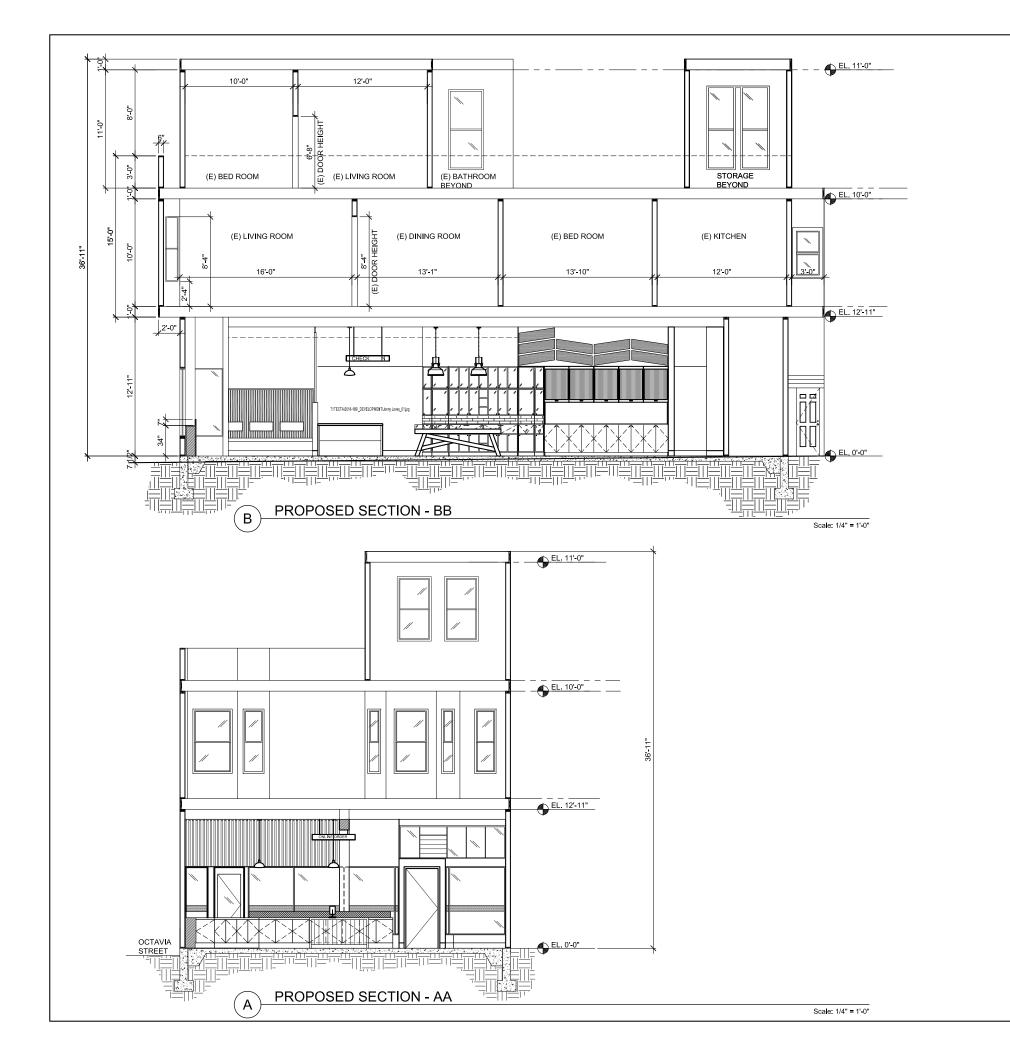
ISSUE DATE: 05/28/2020 ISSUE DATE: 03/10/2020

DRAWING TITLE:

EXISTING BUILDING SECTIONS

DRAWING NUMBER

A-3.5





2747 19th Street Son Froncisco, CA 9 P. 415 362 5857 F. 415 362 5044

JOHNNY LOVE'S CANNABIS RETAILER 1700-1702 LOMBARD ST. SAN FRANCISCO, CA 94611

NOTICE COPYRIGHT	
ASSOCIATES IS TO BE NOTIFIED IN WRITING OF ANY DIMENSIONS PRIOR TO THE COMMENCEMENT OF A DRAWNOS ARE INTENDED FOR DESIGN PURPOSES OF	MANNER OR USED MENT WITH TECTA CE OVER SCALED JOB SITE, TECTA DISCREPANCIES IN NY WORK, THESE
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PROPOSED BUILDING SECTIONS

A-3.6

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Project Address

# SAN FRANCISCO PLANNING DEPARTMENT



## **CEQA Categorical Exemption Determination**

Block/Lot(s)

## PROPERTY INFORMATION/PROJECT DESCRIPTION

1700	LOMBARD ST		0495002A
Case	No.		Permit No.
2019-	017309PRJ		
_	ldition/ teration	☐ Demolition (requires HRE for Category B Building)	New Construction
I -		Planning Department approval.	
		zation per sections 202.2 and 303(w) of the plannion and minor interior alterations and additions.	ng code, to permit establishment of a
STE	P 1: EXEMPTIC	ON CLASS	
-	oroject has been d CEQA).	etermined to be categorically exempt under the	California Environmental Quality
	-	g Facilities. Interior and exterior alterations; additi	ions under 10,000 sq. ft.
		<b>onstruction.</b> Up to three new single-family resider rcial/office structures; utility extensions; change of a CU.	
	10,000 sq. ft. and (a) The project is policies as well at (b) The proposed substantially surt (c) The project stantially surt (d) Approval of the water quality.	Development. New Construction of seven or more difference in the conditions described below: a consistent with the applicable general plan designs with applicable zoning designation and regulation difference in the project rounded by urban uses. The project would not result in any significant effects the adequately served by all required utilities and particularly served by all required utilities and particularly served by all required utilities.	nation and all applicable general plan ons. t site of no more than 5 acres threatened species. s relating to traffic, noise, air quality, or
	Class CUA for Cannab door fronting on	is Retail use. Internally merge two ground floor co Octavia Street.	mmercial spaces. Remove one exterior

## **STEP 2: CEQA IMPACTS**

## TO BE COMPLETED BY PROJECT PLANNER

	<b>Air Quality:</b> Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)
	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?  Note that a categorical exemption shall not be issued for a project located on the Cortese List 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).
	<b>Transportation:</b> 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 (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)
	<b>Subdivision/Lot Line Adjustment:</b> Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.
	<b>Slope = or &gt; 25%:</b> Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.
	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): Laura Ajello

## STEP 3: PROPERTY STATUS - HISTORIC RESOURCE TO BE COMPLETED BY PROJECT PLANNER 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 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 Guidelines for Adding Garages and Curb Cuts, 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. 6. 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 Zoning 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 Check 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

6. Restoration based upon documented evidence of a building's historic condition, such as historic

中文詢問請電: 415.575.9010

Para información en Español llamar al: 415.575.9010 Para sa impormasyon sa Tagalog tumawag sa: 415.575.9121

photographs, plans, physical evidence, or similar buildings.

features.

	7. <b>Addition(s)</b> , including mechanical equipment that are minimally and meet the <i>Secretary of the Interior's Standards for Rehabilitati</i>	•
	8. <b>Other work consistent</b> with the Secretary of the Interior Stand Properties (specify or add comments):	ards for the Treatment of Historic
	Other work that would not materially impair a historic district (s	pecify or add comments):
	(Requires approval by Senior Preservation Planner/Preservation	Coordinator)
	10. <b>Reclassification of property status</b> . (Requires approval by S Planner/Preservation	Senior Preservation
	Reclassify to Category A	Reclassify to Category C
	a. Per HRER or PTR dated	(attach HRER or PTR)
	b. Other (specify):	
	Note: If ANY box in STEP 5 above is checked, a Preser	vation Planner MUST sign below.
	<b>Project can proceed with categorical exemption review</b> . The preservation Planner and can proceed with categorical exemption	· ·
Comm	ents (optional):	
Preser	vation Planner Signature: Katherine Wilborn	
	P 6: CATEGORICAL EXEMPTION DETERMINATION SE COMPLETED BY PROJECT PLANNER	
	No further environmental review is required. The project is cat There are no unusual circumstances that would result in a rea effect.	- · ·
	Project Approval Action:	Signature:
	Planning Commission Hearing	Katherine Wilborn
		06/05/2020
	Once signed or stamped and dated, this document constitutes a categorical exem 31of the Administrative Code.  In accordance with Chapter 31 of the San Francisco Administrative Code, an appeliate of the San Francisco Administrative Code, an appeliate 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**

Modi	fied Project Description:	
DE	TERMINATION IF PROJECT (	CONSTITUTES SUBSTANTIAL MODIFICATION
Com	pared to the approved project, w	ould the modified project:
	Result in expansion of the buil	ding envelope, as defined in the Planning Code;
	Result in the change of use the Sections 311 or 312;	at would require public notice under Planning Code
	Result in demolition as defined	d under Planning Code Section 317 or 19005(f)?
	•	nted that was not known and could not have been known
	at the time of the original deter no longer qualify for the exemp	mination, that shows the originally approved project may otion?
If at I	east one of the above boxes is	checked, further environmental review is required.
DET	ERMINATION OF NO SUBSTA	NTIAL MODIFICATION
	The proposed modification wo	uld not result in any of the above changes.
		ons are categorically exempt under CEQA, in accordance with prior project
website	e and office and mailed to the applicant	ew is required. This determination shall be posted on the Planning Department , City approving entities, and anyone requesting written notice. In accordance
	napter 31, Sec 31.08j of the San Francis posting of this determination.	sco Administrative Code, an appeal of this determination can be filed within 10
Plan	ner Name:	Date:

## **Land Use Information**

PROJECT ADDRESS: 1700-1702 LOMBARD ST RECORD NO.: 2019-017309CUA

	EXISTING	PROPOSED	NET NEW
	GROSS SQUARE FO	DOTAGE (GSF)	
Parking GSF	160 (residential)	160 (residential)	0
Residential GSF	3,300	3,300	0
Retail/Commercial GSF	823 (1700 Lombard) 848 (1702 Lombard)	1,671 total (merged)	0
Office GSF	N/A	0	0
Industrial/PDR GSF Production, Distribution, & Repair	N/A	0	0
Medical GSF	N/A	0	0
Visitor GSF	N/A	0	0
CIE GSF	N/A	0	0
Usable Open Space	N/A	0	0
Public Open Space	N/A	0	0
Other ( )	N/A	0	0
TOTAL GSF	1,671	1,671	0
	EXISTING	NET NEW	TOTALS
	PROJECT FEATURES (	(Units or Amounts)	
Dwelling Units - Affordable	N/A	0	0
Dwelling Units - Market Rate	2	0	2
Dwelling Units - Total	2	0	2
Hotel Rooms	N/A	0	0
Number of Buildings	1	0	1
Number of Stories	3	0	3
Parking Spaces	N/A	0	0
Loading Spaces	N/A	0	0
Bicycle Spaces	N/A	0	0
Car Share Spaces	N/A	0	0
Other ( )	N/A	0	0

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

Reception: **415.558.6378** 

Fax:

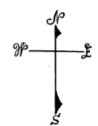
415.558.6409

Planning Information: **415.558.6377** 

	EXISTING	PROPOSED	NET NEW					
	LAND USE - RE	SIDENTIAL						
Studio Units 0 0								
One Bedroom Units	0	0	0					
Two Bedroom Units	2	0	2					
Three Bedroom (or +) Units	0	0	0					
Group Housing - Rooms	N/A	0	0					
Group Housing - Beds	N/A	0	0					
SRO Units	N/A	0	0					
Micro Units	N/A	0	0					
Accessory Dwelling Units	N/A	0	0					

# **Parcel Map**





CHESTNUT

														160
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LOMBARD

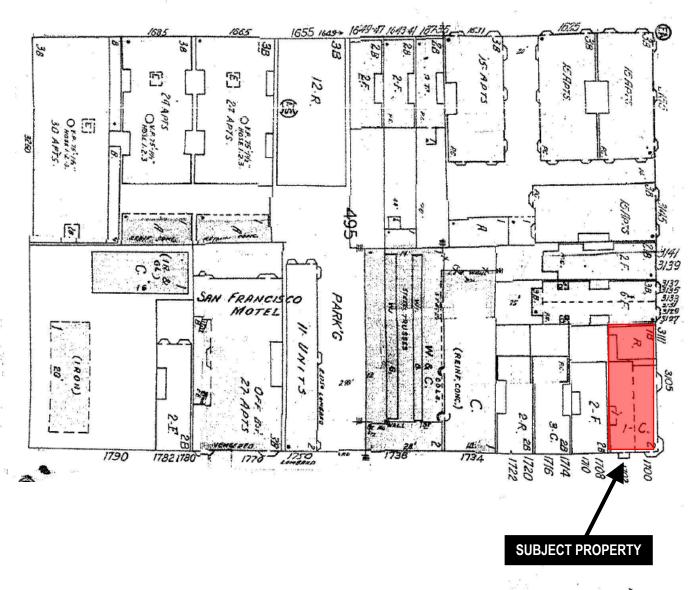




## Sanborn Map\*

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

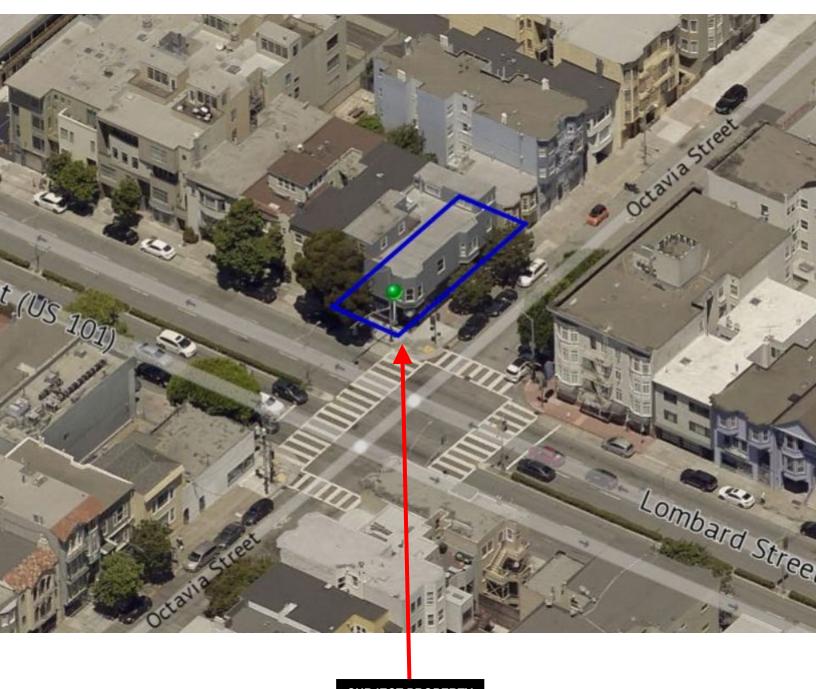
## CHESTNUT



LOMBARD



## **Aerial Photo - View 1**



**SUBJECT PROPERTY** 



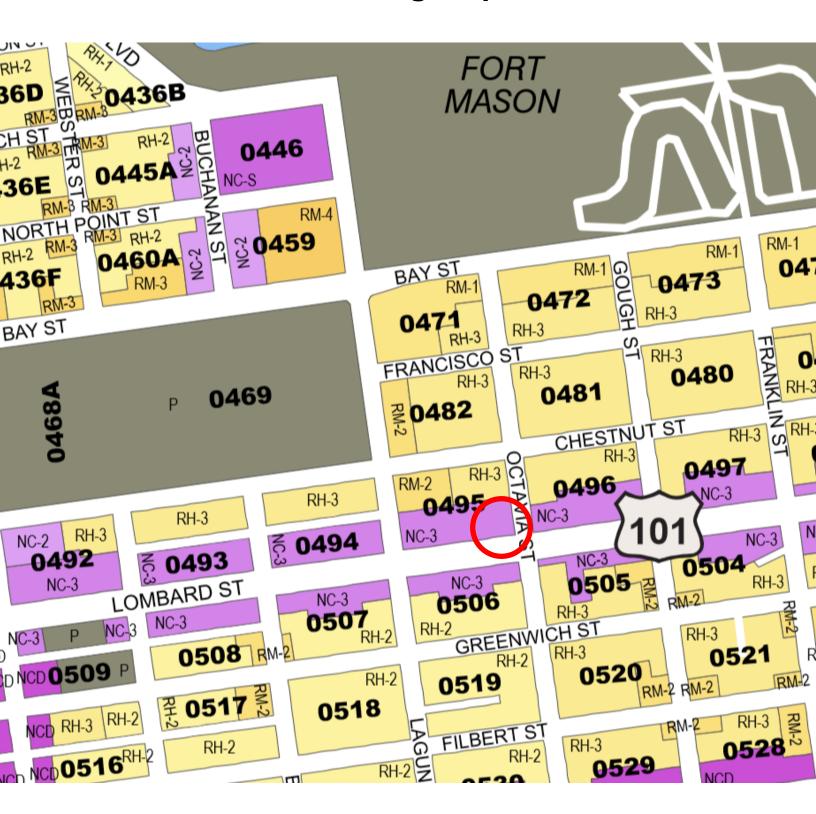
## **Aerial Photo - View 2**



**SUBJECT PROPERTY** 

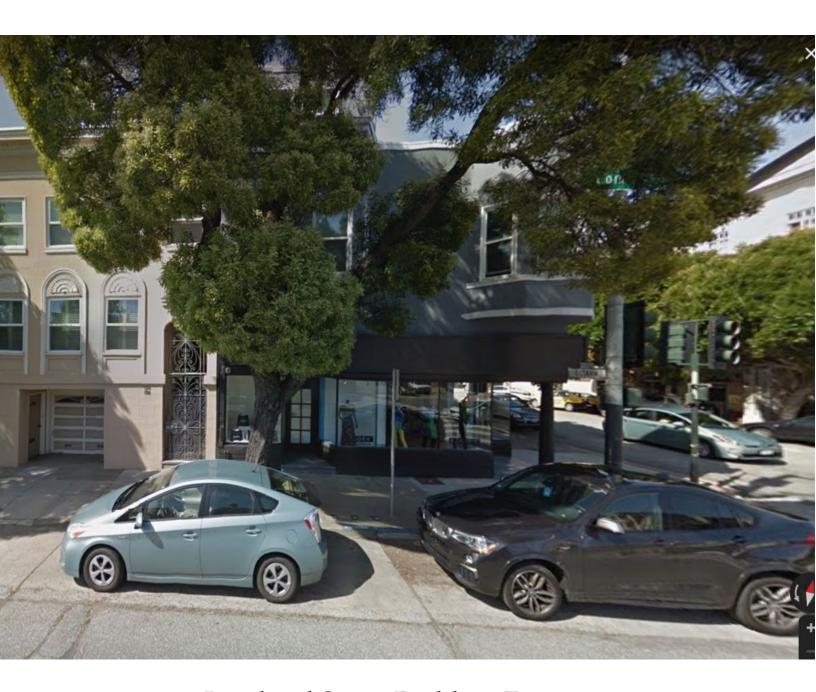


# **Zoning Map**



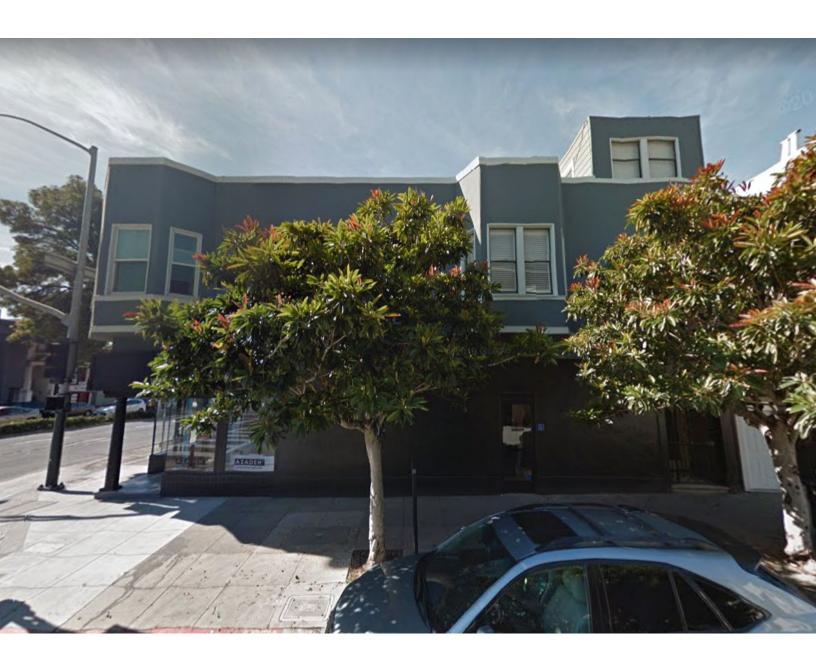


## Site Photo 1



Lombard Street Building Frontage

## Site Photo 2



Octavia Street Building Frontage



From: Andrew kronk
To: Ajello, Laura (CPC)

**Subject:** 2019-017309CUA - record number **Date:** Monday, June 01, 2020 5:53:55 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

## Good Afternoon Laura -

We just received a notice of public hearing for 1700-1702 Lombard Street.

During these uncertain times, this immediate neighborhood has many home-schooled students from public and private schools.

This location is between an elementary, middle and high school in the Marina district along with many other pre-school/day-care establishments.

We kindly request for your consideration not to allow for this location to move forward - Thank you - Andrew

From: Diana Koll

To: Koppel, Joel (CPC); Ajello, Laura (CPC); Info@quickdrawsf.com

**Subject:** 2019-017309CUA, 1700 Lombard & Cannabis retail

**Date:** Sunday, June 07, 2020 8:33:32 AM

## Dear Joel and Laura,

I am a longtime Marina resident who resides on Avila at Chestnut. I have owned my property since 1998. I am writing in support of granting this permit for 1700 Lombard Canabis and retail. 1700 Lombard has been vacant for a while and is likely to be an eyesore for years without this tenant. Security requirements for cannabis retail has been shown to decrease loitering on the subject block and generally keep bad elements away. I am impressed with the management team / and the credentials of the equity applicant as a true cannabis professional.

Thank you for your consideration,
Diana Koll
17 Avila Street
415.793.9325



# QUICKDRAW

## PERMIT CONSULTING 584 CASTRO STREET SF CA 94114

415.552.1888 WWW.PERMITCONSULTING.COM

President Joel Koppel
San Francisco Planning Commission
1650 Mission St.
San Francisco, CA 94103

March 4, 2020

Case # 2019 017309 CUA 1700 Lombard Street
Adult Use Cannabis Retail Application - "Johnny Love's San Francisco"

Dear Pres. Koppel, and Hon. Commissioners:

I am pleased to present an application for a new small retail cannabis shop in the Marina District. The management team brings together "Johnny Love" Metheny, a fixture of Marina District good time culture for the past 30 years, with cannabis expert and renowned horticulturalist Alexis Bronson. *Johnny Love's* will be a uniquely local cannabis boutique crafted for the Marina neighborhood.

The 1000 ft.² vacant space at 1700 Lombard Street, at the corner of Octavia, has been vacant for several years now. The last tenant was a high end women's fashion chain store that closed after less than two years in business; this a tough location for typical retail. But Alexis and Johnny Love will bring the right energy and unique products to make this location a neighborhood favorite.

No on-site consumption is proposed, and we expect most of our business to be foot or bicycle traffic from within the neighborhood. The only other cannabis store in the district is at the Cow Hollow end of Lombard past Scott Street - that corporate retailer is the biggest chain in the city and they are a destination brand. That's very different from the type of corner shop Johnny and Alexis plan to run.

"<u>Johnny Love's</u>" focus will be on local and artisanal products produced by Alexis and his network of old-school drug war survivors. As the qualified Equity Applicant Alexis Bronson

knows the folks who have been doing it right in Northern California, all through the dark times of prohibition, who are now entitled to a slice of this industry. "Johnny Love's" will proudly showcase the fine products from the communities that were hit hardest during California's enforcement frenzy. By patronizing these veterans "Johnny Love's" will literally share the wealth with those who suffered most.

As a responsible San Francisco cannabis retailer this store will be equipped with security cameras and alert on duty personnel. We are committed to ensuring that our products are not consumed on the sidewalk or out in the nearby neighborhood, we will actively enforce these policies.

A community group leader shared her concern about shoppers who might try double parking while they "run in" to pick something up quick; we assured her that this type of behavior would not be permitted. Double parkers will be identified by our security personnel as they approach the store and they will be denied entry. Furthermore, our thorough ID check procedures and product orientation are likely to take some real time, so if someone chooses to double park around the corner or down the block where we can't see a car . . . expectations of a quick two-minute stop in will likely become an expensive parking ticket. "Johnny Love's" is not going to be a "hit it and quit it" kind of place.

This new business is the result of decades of preparation; by the whole Cannabis community who created the law; by the terrific folks at the Office Of Cannabis and the hardworking City Planners who have created this program; as well as by all of us at the <u>Johnny Love's</u> team. With recognition of the great challenges surmounted by our predecessors we are pleased to bring this application before this Commission, and we sincerely ask you to support our Conditional Use Application.

Respectfully Submitted,

Jeremy Paul