



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Conditional Use Authorization

HEARING DATE: APRIL 23, 2020  
CONTINUED FROM: MARCH 19, 2020, MARCH 26, 2020, & APRIL 9, 2020

*Date:* April 16, 2020  
*Record No.:* 2019-021215CUA  
*Project Address:* 3751 24<sup>th</sup> Street  
*Zoning:* 24<sup>th</sup> St. – Noe Valley Neighborhood Commercial District (NCD)  
Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 6510/023A  
*Project Sponsor:* Sharon M. Cassidy  
3751 24<sup>th</sup> Street  
San Francisco, CA 94114  
*Property Owner:* Sharon M. Cassidy  
San Francisco, CA 94123  
*Staff Contact:* Gabriela Pantoja – (415) 575- 8741  
[Gabriela.Pantoja@sfgov.org](mailto:Gabriela.Pantoja@sfgov.org)  
*Recommendation:* **Approval with Conditions**

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### PROJECT DESCRIPTION

The proposal is for the establishment of a Cannabis Retail Use (d.b.a. “The Mill”) at an approximately 932 square-foot tenant space located at the ground floor of an existing two-story, mixed-use building. Minor interior and exterior alterations of the subject building are proposed. The subject building will not be altered beyond its existing building envelope.

### REQUIRED COMMISSION ACTION

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization pursuant to Planning Code Sections 202.2(a), 303, and 728 for the establishment of a Cannabis Retail Use (d.b.a. “The Mill”) at an approximately 932 square-foot tenant space located at the ground floor of an existing two-story, mixed-use building within the 24th Street- Noe Valley Neighborhood Commercial (NCD) Zoning District and 40-X Height and Bulk District.

### ISSUES AND OTHER CONSIDERATIONS

- **Public Comment & Outreach.** To date, the Department has received three correspondences in opposition of the Project. Members of the public expressing opposition of the Project state concerns with regards to the proximity of the Cannabis Retail Use to schools and increase in vehicle and pedestrian traffic. To date, the Department has received 18 correspondences in support of the Project. Members of the public expressing support of the Project state the Project’s ability to fill a vacant storefront and increase pedestrian traffic to the immediate neighborhood. Additionally, prior to the submittal of the listed Conditional Use Authorization, the Project Sponsor conducted two separate public outreach meetings in September and October of 2019.

- **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:
  - St. James School: 321 Fair Oaks Street, 750 feet from site
  - Valle De Ninos Preschool: 984 Dolores Street, 770 feet from site
  - Immaculate Conception Academy (ICA): 3625 24<sup>th</sup> Street, 800 feet from site
  - Adda Clevenger School: 180 Fair Oaks Street, 870 feet from site
  - Thomas Edison Charter Academy: 3531 22<sup>nd</sup> Street, 890 feet from site
  - Katherine Michiels School: 1335 Guerrero Street, 1,285 feet from site
  - James Lick Middle School: 1220 Noe Street, 1,700 feet from site
  - Synergy School: 1387 Valencia Street, 1,750 feet from site
- **On-Site Consumption.** Cannabis may be consumed or smoked on site subject to accessory use limits. Additionally, a project sponsor must obtain a permit from the Department of Public Health (DPH) for the consumption type requested, pursuant to the requirements of [Health Code Article 8A](#):
  - A 'Type A' permit authorizes consumption of pre-packaged cannabis products on-site.
  - A 'Type B' permit authorizes consumption of pre-packed cannabis products on-site and limited preparation of cannabis products for consumption on-site.
  - A 'Type C' permit authorizes on-site smoking and vaporizing of cannabis products.

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

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

Based on the criteria described above, the Department does not recommend a limitation on Type A or Type B permits given that the types of on-site consumption authorized under these permit types has low potential for impact and may easily be conducted off-site in unauthorized locations. Given 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 require neighborhood notification for any building permit to establish a smoking or vaporizing room at the site.

- **Equity Program.** The Project Sponsor has been verified by the City’s Office of Cannabis to meet the Cannabis Equity Program Requirements of [Police Code Section 1604](#).

## **ENVIRONMENTAL REVIEW**

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

## **BASIS FOR RECOMMENDATION**

The Department finds that the Project is, on balance, consistent with the Objectives and Policies of the General Plan and meets all applicable requirements of the Planning Code. The Project will not displace an existing neighborhood serving retail use rather provide a new business and job opportunities to the neighborhood. Additionally, the Project will support the City’s Equity Program which is administered by the Office of Cannabis. The Department also finds the Project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

## **ATTACHMENTS:**

- Draft Motion – Conditional Use Authorization
- Exhibit A – Conditions of Approval
- Exhibit B – Plans and Renderings
- Exhibit C – Environmental Determination
- Exhibit D – Maps and Context Photos
- Exhibit E – Project Sponsor Brief



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Motion

HEARING DATE: APRIL 23, 2020

CONTINUED FROM: MARCH 19, 2020, MARCH 26, 2020, & APRIL 9, 2020

*Record No.:* 2019-021215CUA  
*Project Address:* 3751 24<sup>th</sup> STREET  
*Zoning:* 24<sup>th</sup> St. – Noe Valley Neighborhood Commercial District (NCD)  
Zoning District  
40-X Height and Bulk District  
*Block/Lot:* 6510/023A  
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**ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 202.2(A), 303, AND 728 FOR THE ESTABLISHMENT OF A CANNABIS RETAIL USE (D.B.A. "THE MILL") AT AN APPROXIMATELY 932 SQUARE-FOOT TENANT SPACE LOCATED AT THE GROUND FLOOR OF AN EXISTING TWO-STORY, MIXED-USE BUILDING WITHIN THE 24TH STREET- NOE VALLEY NEIGHBORHOOD COMMERCIAL (NCD) ZONING DISTRICT AND 40-X HEIGHT AND BULK DISTRICT.**

### PREAMBLE

On November 11, 2019, Sharon M. Cassidy (hereinafter "Project Sponsor") filed Application No. 2019-021215CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a Cannabis Retail Use (d.b.a. "The Mill") at an approximately 932 square-foot tenant space at the ground floor of an existing two-story, mixed-use building (hereinafter "Project") at 3751 24<sup>th</sup> Street, Block 6510 Lot 023A (hereinafter "Project Site").

Without hearing the item on March 19, 2020, the Planning Commission (hereinafter "Commission") continued the item to the March 26, 2020 public hearing. Thereafter, the Commission continued the item to the April 9, 2020 public hearing and then to the April 23, 2020 public hearing.

On April 23, 2020, the San Francisco Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2019-021215CUA.

The Project is exempt from California Environmental Quality Act ("CEQA") as a Class 1 and Class 3 Categorical Exemption.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2019-021215CUA 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. 2019-021215CUA, 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 proposal is for the establishment of a Cannabis Retail Use (d.b.a. "The Mill") at an approximately 932 square-foot tenant space located at the ground floor of an existing two-story, mixed-use building. Minor interior and exterior alterations of the subject building are proposed. The subject building will not be altered beyond its existing building envelope.
3. **Site Description and Present Use.** The 2,460 square-foot property is located on the south side of 24<sup>th</sup> Street, between Church and Chattanooga Streets; Lot 023A of Assessor's Block 6510. The property is developed with a two-story, mixed-use building which measures 64 feet in length and 40 feet in width. The approximately 5,120 square foot building consists of a ground floor commercial tenant space and a total of four dwelling units. The subject building was constructed in 1900 is considered a "Class B" potential Historical Resource per California Environmental Quality Act (CEQA). The subject tenant space was most recently occupied in 2018 by a retail store (previously d.b.a. "The Mill") and currently sits vacant.
4. **Surrounding Properties and Neighborhood.** The subject property is located within the 24<sup>th</sup> Street-Noe Valley Neighborhood Commercial (NCD) Zoning District, the 40-X Height and Bulk District, and Noe Valley neighborhood, adjacent to the Mission and Castro/Upper Market neighborhoods. The 24<sup>th</sup> Street-Noe Valley Neighborhood Commercial (NCD) Zoning District is located to the north and east of the subject property, and the Residential-House, Two Family (RH-2) Zoning District is located to the south and west of the property.

The immediate neighborhood includes single-to-four story commercial 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, personal service, and restaurants.

5. **Public Outreach and Comments.** To date, the Department has received three correspondences in opposition of the Project. Members of the public expressing opposition of the Project state concerns with regards to the proximity of the Cannabis Retail Use to schools and increase in vehicle and pedestrian traffic. To date, the Department has received 18 correspondences in support of the

Project. Members of the public expressing support of the Project state the Project's ability to fill a vacant storefront and increase pedestrian traffic to the immediate neighborhood. Additionally, prior to the submittal of the listed Conditional Use Authorization, the Project Sponsor conducted two separate public outreach meetings in September and October of 2019.

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.** Planning Code Section 728 requires the issuance of a Conditional Use Authorization for the establishment of a Cannabis Retail Use within the 24<sup>th</sup> Street-Noe Valley Neighborhood Commercial (NCD) Zoning District.

*The Project will establish a Cannabis Retail Use at an existing ground floor tenant space, and therefore requires the issuance of a Conditional Use Authorization.*

- 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 nor within a 600-foot radius of a parcel with an issued permit from the City's Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer. Therefore, the Project complies with this requirement.*

- C. **On-Site Consumption.** Pursuant to Planning Code Section 202.2, Cannabis may be consumed or smoked on-site pursuant to authorization by the Department of Public Health.

*The Project Sponsor has not identified or proposed a designated on-site consumption area as part of the Project, and therefore the Project complies with this requirement. However, any future proposal for on-site consumption at the subject tenant space will require authorization by the Department of Public Health and compliance with Planning Code Section 703(d) as an Accessory Use to the proposed Cannabis Retail Use.*

- D. **Hours of Operation.** Planning Code Section 728 principally permits business hours between 6 A.M. and 2 A.M. Operation outside of the listed business hours requires the issuance of a Conditional Use Authorization.

*The listed business will operate between the hours of 10 A.M. to 10 P.M., and therefore the Project complies with this requirement.*

- E. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet

of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

*The Project will activate a vacant storefront within an existing two-story, mixed-use building and provide visibility to the interior of the subject tenant space for no less than 60 percent of the property's street frontage. Additionally, the Project will retain the existing building's approximately 13-foot ceiling height and install a rolling security gate that will be at least 75 percent open to perpendicular view. Therefore, the Project will comply with Planning Code Section 145.1.*

- F. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department pursuant to Article 6 of the Planning Code.
- 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 Project will provide a compatible development that is necessary and desirable for the neighborhood. While not altering the character of the existing building or neighborhood, the Project will reactivate an existing tenant space after more than two years of inactivity and reinforce the existing commercial corridor by providing business and job opportunities for the residents of the neighborhood.*

*The impact of increased access and visibility of cannabis to youth is a paramount concern for the City. While there are no sensitive uses (as defined in Planning Code Section 202.2) within 600 feet of the proposed site, there are multiple outlets providing services to youth, including college preparatory services. However, the subject tenant space and business will make specific tenant space configurations and business operation procedures to minimize impacts to the youth of the immediate neighborhood. In particular, tenant space has been specifically designed to have a security check point at the main entry point to prevent the entrance of minors to the tenant space. Additionally, display cases and sales areas will be setback from the front facade of the subject building to limit the visibility of products to pedestrian onlookers.*

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 Project will not alter the height and bulk of the existing building. Minor interior and exterior alterations of the subject building are proposed, but such alterations will not alter the existing character of the subject building or the immediate neighborhood.*

- (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 Project is not expected to impede public transportation or overburden the immediate neighborhood's existing on-street parking availability. The subject property is located along 24<sup>th</sup> Street and is well served by public transportation; the 48-bus line runs along 24<sup>th</sup> Street and the J-Muni line is located less than one-block west of the Project site. Furthermore, no on-street parking spaces will be removed as part of the Project.*

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

*The Project will not generate noxious or offensive emissions such as noise, glare, dust, or odor. However, if on-site consumption of cannabis is proposed at a later date, the San Francisco Health Code will require installation of HVAC systems to prevent odors and emissions from the tenant space from impacting persons or properties within the vicinity. As such, the Project has safeguards to prevent noxious or offensive emissions such as noise, glare, dust and odor.*

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

*The Project does not require any additional landscaping or screening, and no new off-street parking spaces, loading spaces, open spaces, or service areas are proposed at the subject property. Any proposed signage will be subject to the review and approval of the Planning Department in compliance with 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 the 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 Project is consistent with the stated purpose of the 24<sup>th</sup> Street- Noe Valley Neighborhood Commercial District (NCD) in that the intended use will be a compatible retail use and will be located at the ground floor of an existing two-story, mixed-use building.*

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 concentrated in the eastern neighborhoods of the City, particularly in the South of Market Street and Mission Street neighborhoods. There are currently no operating outlets in the 24<sup>th</sup> Street- Noe Valley neighborhood and few outlets south of Market Street and West of Mission Street. The nearest outlet is located along Mission Street between Cesar Chavez Street and Precita Avenue. The distribution of such outlets can be viewed via the City’s [Cannabis Retail Map](#).*

*The proposed Cannabis Retail Use will provide a neighborhood serving use to the immediate neighborhood and provide an active use that will increase business and job opportunities and reinforce the existing commercial corridor. The existing commercial corridor is characterized by neighborhood serving uses such as retail stores, restaurants, bars, personal services, and grocery stores. Additionally, the proposed Cannabis Retail Use will increase pedestrian traffic to the immediate neighborhood and serve as an anchor to other adjacent businesses.*

*The impact of increased access and visibility of cannabis to youth is a paramount concern for the City. While there are no sensitive uses (as defined in Planning Code Section 202.2) within 600 feet of the proposed site, there are multiple outlets providing services to youth, including college preparatory services. However, the subject tenant space and business will make specific tenant space configurations and business operation procedures to minimize impacts to the youth of the immediate neighborhood. In particular, tenant space has been specifically designed to have a security check point at the main entry point to prevent the entrance of minors to the tenant space. Additionally, display cases and sales areas will be setback from the front façade of the subject building to limit the visibility of products to pedestrian onlookers.*

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 1:**

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT.

#### **Policy 1.1**

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

#### **Policy 1.2**

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

#### **OBJECTIVE 2:**

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

#### **Policy 2.1**

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

#### **OBJECTIVE 6:**

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

#### **Policy 6.1**

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

#### **Policy 6.2**

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

#### **Policy 6.3**

Preserve and promote the mixed commercial-residential character in the neighborhood commercial districts. Strike a balance between the preservation of existing affordable housing and needed expansion of commercial activity.

*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.*

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.

*The proposal will not remove an existing neighborhood serving retail use; the subject tenant space has remained vacant since 2018. Rather, the Project will enhance and provide a neighborhood serving retail use, job opportunities, and business opportunities to the residents of the neighborhood. Furthermore, the Project will introduce new patrons to the area, and therefore strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.*

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

*The Project will conserve and protect the existing housing and neighborhood character, including the cultural and economic diversity of the neighborhood. The proposal will minimally alter the existing building and provide a retail use that is neighborhood serving and desired.*

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

*The Project will not negatively affect the City's supply of affordable housing; no affordable housing units will be removed. The subject tenant space is currently a vacant retail store.*

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

*The Project is not expected to impede public transportation or overburden the immediate neighborhood's existing on-street parking availability. The subject property is located along 24<sup>th</sup> Street and is well served by public transportation; the 48-bus line runs along 24<sup>th</sup> Street and the J-Muni line is located less than one-block west of the Project site. Furthermore, no on-street parking spaces will be removed as part of the Project. On-street metered parking is available for those patrons that do choose to drive to the area.*

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

*The Project will not displace any service or industry sectors due to commercial office and will not affect residents' employment and ownership opportunities of industrial and service sector. The subject tenant space was formerly utilized as a retail store but has remained vacant since 2018. Instead, the Project will create new business and job opportunities for the residents of the neighborhood.*

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

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

- G. That landmarks and historic buildings be preserved.

*Currently, the Project Site does not contain any City Landmarks or historic buildings.*

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

*The Project will not have impacts on existing parks and opens spaces and their access to sunlight and vistas.*

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.

## 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. 2019-021215CUA** subject to the following conditions attached hereto as "EXHIBIT A" in general conformance with plans on file, dated February 20, 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.

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

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

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on April 23, 2020.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: April 23, 2020

## EXHIBIT A

### AUTHORIZATION

This authorization is for a **Conditional Use Authorization** to allow a Cannabis Retail Use (d.b.a. “The Mill”) located at 3751 24<sup>th</sup> Street, Block 6510 Lot 023A, pursuant to Planning Code Sections 202.2(a), 303, and 728 within the 24<sup>th</sup> Street-Noe Valley Neighborhood Commercial (NCD) Zoning District and 40-X Height and Bulk District; in general conformance with plans, dated **February 20, 2020** and stamped “EXHIBIT B” included in the docket for Record No. 2019-021215CUA and subject to conditions of approval reviewed and approved by the Commission on April 23, 2020 under Motion No. **XXXXXX**. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### RECORDATION OF CONDITIONS OF APPROVAL

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on April 23, 2020 under Motion No. **XXXXXX**.

### PRINTING OF CONDITIONS OF APPROVAL ON PLANS

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

### SEVERABILITY

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

### CHANGES AND MODIFICATIONS

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

## Conditions of Approval, Compliance, Monitoring, and Reporting PERFORMANCE

1. **Validity.** The authorization and right vested by virtue of this action is valid for three (3) years from the effective date of the Motion. The Department of Building Inspection shall have issued a Building Permit or Site Permit to construct the project and/or commence the approved use within this three-year period.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
2. **Expiration and Renewal.** Should a Building or Site Permit be sought after the three (3) year period has lapsed, the project sponsor must seek a renewal of this Authorization by filing an application for an amendment to the original Authorization or a new application for Authorization. Should the project sponsor decline to so file, and decline to withdraw the permit application, the Commission shall conduct a public hearing in order to consider the revocation of the Authorization. Should the Commission not revoke the Authorization following the closure of the public hearing, the Commission shall determine the extension of time for the continued validity of the Authorization.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
3. **Diligent Pursuit.** Once a site or Building Permit has been issued, construction must commence within the timeframe required by the Department of Building Inspection and be continued diligently to completion. Failure to do so shall be grounds for the Commission to consider revoking the approval if more than three (3) years have passed since this Authorization was approved.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://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](http://www.sf-planning.org)*
5. **Conformity with Current Law.** No application for Building Permit, Site Permit, or other entitlement shall be approved unless it complies with all applicable provisions of City Codes in effect at the time of such approval.  
*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*
6. **Additional Project Authorization.** The Project Sponsor shall obtain operating licenses from the City's Office of Cannabis and the State of California prior to commencing any cannabis sales or other activities per Planning Code Section 202.2(a)(5).

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## MONITORING - AFTER ENTITLEMENT

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

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

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

## OPERATION

10. **Community Liaison.** Prior to issuance of a building permit to construct the project and implement the approved use, the Project Sponsor shall appoint a community liaison officer to deal with the issues of concern to owners and occupants of nearby properties. The Project Sponsor shall provide the Zoning Administrator and all registered neighborhood groups for the area with written notice of the name, business address, and telephone number of the community liaison. Should the contact information change, the Zoning Administrator and registered neighborhood groups shall be made aware of such change. The community liaison shall report to the Zoning Administrator what issues, if any, are of concern to the community and what issues have not been resolved by the Project Sponsor.



*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*

- 11. On-Site Consumption.** On-site consumption of cannabis products is permitted as an Accessory Use to the Cannabis Retail Use. However, the operation shall seek authorization from the Department of Public Health for any available on-site consumption permits. Any building permit to establish an on-site smoking or vaporizing room at the Project Site shall be subject to the neighborhood notification procedures of Planning Code Section 311.

*For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, [www.sf-planning.org](http://www.sf-planning.org)*



## CURRENT CODES TO COMPLY WITH

ALL CONSTRUCTION AND INSTALLATION SHALL CONFIRM TO THE FOLLOWING CODES:  
 2019 CALIFORNIA BUILDING CODE (CBC) & SAN FRANCISCO AMENDMENTS  
 2019 CALIFORNIA MECHANICAL CODE (CMC) & CALIFORNIA PLUMBING CODE (CPC)  
 2019 CALIFORNIA ELECTRICAL CODE (CED) & CALIFORNIA ENERGY CODE (CEC)  
 2019 CALIFORNIA PLUMBING CODE (CPC) WITH SAN FRANCISCO AMMENDMENTS  
 2019 CALIFORNIA FIRE CODE WITH SAN FRANCISCO AMENDMENTS  
 2019 CALIFORNIA ENERGY CODE  
 2019 CALIFORNIA GREEN BUILDING CODE & SAN FRANCISCO AMENDMENTS  
 2002 MFPA 13 INSTALLATION OF SPRINKLER SYSTEMS, 2002 MFPA13R SPRINKLER SYSTEMS FOR RESIDENTIAL OCCUPANCIES UP TO 4 STORIES IN HEIGHT & 2002 MFPA 72 NATIONAL FIRE ALARM CODE AS APPLICABLE, AND ANY OTHER GOVERNING CODES & ORDINANCES.  
 IN THE EVENT OF CONFLICT, THE MOST STRINGENT REQUIREMENTS SHALL APPLY.

## GENERAL NOTES

- ALL MATERIALS, WORKMANSHIP, & METHODS SHALL CONFORM TO CURRENTLY ADOPTED UNIFORM BUILDING CODE (UBC), UNIFORM PLUMBING CODE (UPC), UNIFORM MECHANICAL CODE (UMC), AND THE NATIONAL ELECTRIC CODE (NEC) AS ADOPTED AND AMENDED BY THE STATE OF CALIFORNIA TITLE 24, CALIFORNIA ELECTRICAL CODE, CALIFORNIA CODE OF REGULATIONS & OTHER APPLICABLE CODES & ORDINANCES OF THE LOCAL JURISDICTION.
- SHOP AND FIELD WORK SHALL BE PERFORMED BY MECHANICS, CRAFTSMEN, AND WORKERS SKILLED AND EXPERIENCED IN THE FABRICATION AND INSTALLATION OF THE WORK INVOLVED. WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE BEST, ESTABLISHED PRACTICE OF THE INDUSTRY STANDARD FOR THE TRADES INVOLVED UON IN DRAWINGS OR PROJECT MANUAL.
- INSTALL ALL FIXTURES, EQUIPMENT, AND MATERIALS PER MANUFACTURER'S RECOMMENDATIONS AND THE REQUIREMENTS OF THE CODES. ALL APPLIANCES, FIXTURES, AND EQUIPMENT ASSOCIATED WITH PLUMBING, ELECTRICAL, AND MECHANICAL SYSTEMS SHALL BE LISTED BY A NATIONALLY RECOGNIZED AND APPROVED AGENCY.
- WORKMANSHIP SHALL BE EQUAL TO THE BEST STANDARDS OF THE FOLLOWING INSTITUTIONS:  
 -AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM)  
 -AMERICAN INSTITUTE OF STEEL CONTRACTORS  
 -AMERICAN WELDING SOCIETY (AWS)  
 -AMERICAN CONCRETE INSTITUTE (ACI)  
 -AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI)  
 -AMERICAN ALUMINUM MANUFACTURER'S ASSOCIATION (AAMA)  
 -ALUMINUM ASSOCIATION, INC. (AA)  
 -CONCRETE REINFORCING STEEL INSTITUTE (CRSI)  
 -NATIONAL ASSOCIATION OF ARCHITECTURAL METAL MANUFACTURERS (NAAMM)  
 -NATIONAL FIRE PROTECTION ASSOCIATION (NFPA)  
 -NATIONAL WOODWORK MANUFACTURERS ASSOCIATION (NWMA)  
 -SHEET METAL & AIR CONDITIONING CONTRACTORS OF NORTH AMERICA (SMACNA)  
 -WOODWORK INSTITUTE OF CALIFORNIA (WIC)
- REFER TO STRUCTURAL, MECHANICAL, ACOUSTICAL, AND GEOTECHNICAL ENGINEER'S DRAWINGS, SPECIFICATIONS, AND REPORTS (WHERE APPLICABLE) FOR ADDITIONAL REQUIREMENTS.
- CONDITIONS NOT SPECIFICALLY DETAILED SHALL BE BUILT TO CONFORM TO SIMILAR CONSTRUCTION, IN ACCORDANCE WITH THE BEST COMMON PRACTICE AND/OR MANUFACTURER'S SPECIFICATIONS FOR THE INSTALLATION OF THEIR MATERIALS OR ITEMS.
- THERE SHALL BE NO SUBSTITUTIONS OF MATERIALS WHERE A MANUFACTURER IS SPECIFIED. WHERE THE TERM "OR APPROVED EQUAL" IS USED, THE ARCHITECT ALONE SHALL DETERMINE QUALITY BASED UPON COMPLETE INFORMATION SUBMITTED BY THE CONTRACTOR. SUBSTITUTIONS SHALL NOT BE MADE UNLESS DRAWINGS AND / OR CUT SHEETS ARE SUBMITTED TO THE ARCHITECT FOR APPROVAL. USE ARCHITECT'S SUBMITTAL FORMS.
- DO NOT STORE CONSTRUCTION MATERIALS OR OPERATE CONSTRUCTION EQUIPMENT IN SUCH A MANNER THAT DESIGN LIVE LOADS OF THE STRUCTURES ARE EXCEEDED. DO NOT STORE CONSTRUCTION MATERIALS ON OVERHANGING FRAMING.
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSION GOVERN.
- WHEN SHOWN IN PLAN, ALL DIMENSIONS ARE TO FACE OF GYPSUM BOARD, CONCRETE, CENTERLINE OF COLUMNS, OR CENTERLINE OF STUD WITHIN WALL ASSEMBLIES, UNLESS OTHERWISE NOTED.
- WHEN SHOWN IN SECTION OR ELEVATION, ALL DIMENSIONS ARE TO TOP OF PLATE OR TOP OF CONCRETE UNLESS OTHERWISE NOTED.
- DETAILS SHOWN ARE TYPICAL, SIMILAR DETAILS APPLY IN SIMILAR CONDITIONS.
- DETAILS SHALL GOVERN OVER PLANS AND ELEVATIONS. LARGE SCALE DETAILS SHALL GOVERN OVER SMALL SCALE DETAILS. SEE DIMENSIONING NOTES.
- ALL CHANGES IN FLOOR MATERIALS OCCUR AT CENTERLINE OF DOOR OR FRAMED OPENINGS UNLESS OTHERWISE INDICATED ON THE DRAWINGS.
- VERIFY CLEARANCES FOR FLUES, VENTS, CHASES, SOFFITS, FIXTURES, FIREPLACES, ETC., BEFORE ANY CONSTRUCTION, ORDERING OF, OR INSTALLATION OF ANY ITEM OF WORK.
- ALL WORK SHALL PROVIDE FOR MATERIAL EXPANSION AND CONTRACTION, SHRINKAGE, BUILDING MOVEMENTS SUFFICIENT TO PREVENT CRACKS, BUCKLING, WARPING, OR OTHER DEFORMATION DUE TO HUMIDITY AND TEMPERATURE CHANGE AND NORMAL LOADING.
- ATTACHMENTS, CONNECTIONS, OR FASTENINGS OF ANY NATURE ARE TO BE PROPERLY AND PERMANENTLY SECURED IN CONFORMANCE WITH BEST PRACTICE. THE DRAWINGS SHOW ONLY SPECIAL CONDITIONS TO ASSIST THE CONTRACTOR; THEY DO NOT ILLUSTRATE EVERY SUCH DETAIL.
- PLYWOOD SHEATHING AT STUCCO FINISHES TO BE PRESSURE TREATED.
- WINDOW SIZES ON DRAWINGS ARE NOMINAL DIMENSIONS. REFER TO MANUFACTURER FOR ACTUAL ROUGH OPENING SIZES.
- PROVIDE AND INSTALL 2X FLAT WOOD BLOCKING FOR ALL BATH ACCESSORIES, HANDRAILS, CABINETS, TOWEL BARS, WALL MOUNTED FIXTURES AND ANY OTHER ITEMS ATTACHED TO WALLS.
- ALL INSTALLED PLUMBING, MECHANICAL AND ELECTRICAL EQUIPMENT SHALL OPERATE QUIETLY, SMOOTHLY, AND FREE OF VIBRATION. SEE MANUFACTURER'S RECOMMENDATIONS FOR ACOUSTICALLY SOUNDS CONSTRUCTION METHODS.
- MECHANICAL, PLUMBING, ELECTRICAL, AND OTHER PENETRATIONS OF FLOORS, WALLS AND CEILINGS SHALL BE SEALED AIRTIGHT WITH ACOUSTICAL SEALANT AND FIRESAFING AS REQUIRED.
- ALL EXTERIOR DOORS AND WINDOWS ARE TO BE WATHERSTRIPPED PER TITLE 24 REQUIREMENTS.
- INSTALL CERTIFIED INSULATION MATERIALS PER THE TITLE 24 MANDATORY MEASURES CHECKLIST MF-1R. INSULATION INSTALLED SHALL MEET FLAME SPREAD & SMOKE DENSITY REQUIREMENTS OF THE STATE OF CALIFORNIA TITLE 24, CALIFORNIA ELECTRICAL CODE, CALIFORNIA CODE OF REGULATIONS.
- PROVIDE SAFETY GLAZING AT ALL HAZARDOUS LOCATIONS, INCLUDING, BUT NOT LIMITED TO GLAZING WITHIN 18" OF A WALKING SURFACE. GLAZING IN DOORS AND WINDOWS ADJACENT TO DOORS IN ACCORDANCE WITH SECTION 2406.4.
- ALL TEMPERED GLASS SHALL BE AFFIXED WITH A PERMANENT LABEL PER UBC 2406.2.
- ALL SMOKE DETECTORS AND CARBON MONOXIDE DETECTORS TO BE HARD WIRED WITH BATTERY BACKUP.
- ALL CONCEALED SPACES UNDER RAISED SLEEPING PLATFORMS MUST BE SPRINKLERED.
- PROVIDE FIRE-BLOCKING AND DRAFTSTOPPING AT ALL CONCEALED DRAFT OPENINGS (VERTICAL & HORIZONTAL), AS PER 2016 UBC 708, FIREBLOCKING & DRAFTSTOPS SHALL BE PROVIDED IN THE FOLLOWING LOCATIONS:  
 1.) IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS, INCLUDING FURRED SPACES, AT THE CEILING AND FLOOR LEVELS AND AT 10-FOOT INTERVALS BOTH VERTICAL AND HORIZONTAL.  
 2.) IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP AND BOTTOM OF THE RUN AND BETWEEN STUDS ALONG AND IN LINE WITH THE RUN OF STAIRS IF THE WALLS UNDER THE STAIRS ARE UNFINISHED.  
 3.) IN OPENINGS AROUND VENTS, PIPES, DUCTS, CHIMNEYS, FIREPLACES AND SIMILAR OPENINGS WHICH AFFORD A PASSAGE FOR FIRE AT CEILING AND FLOOR LEVELS, WITH NONCOMBUSTIBLE MATERIALS.
- ALL DUCT PENETRATIONS THROUGH RATED WALLS SHOULD BE PROTECTED WITH SMOKE AND FIRE DAMPERS.
- OPENINGS IN 1, 2, OR 3-HOUR RATED ASSEMBLIES SHOULD BE PROTECTED WITH (1), (2), OR (3)-HOUR RATED ASSEMBLIES, RESPECTIVELY.
- ALL WALL, FLOOR, ROOF, AND SHAFT CONSTRUCTION TO BE RATED, U.O.N.
- ALL ASSEMBLIES SHOULD BE APPROVED.
- ALL FURNISHED MATERIALS SHALL BE NEW, UNUSED AND OF THE HIGHEST QUALITY IN EVERY RESPECT FOR THE WORK IN QUESTION, U.O.N.
- TREES LOCATED CLOSE TO THE CONSTRUCTION SITE SHALL BE PROTECTED FROM INADVERTENT DAMAGE FROM CONSTRUCTION EQUIPMENT BY WRAPPING TRUNKS WITH PROTECTIVE MATERIALS, AVOIDING FILL OF ANY TYPE AGAINST THE BASE OF THE TRUNKS AND AVOIDING AN INCREASE IN SOIL DEPTH AT THE FEEDING ZONE OR DRIP LINE OF THE RETAINED TREES.

## SYMBOL LEGEND

	ELEVATION HEIGHTS
	NOTE TAG
	NOTE TAG
	#TAG - PROPOSED NOTE TAG
	#TAG - DEMO PLAN NOTE TAG
	ELEVATION MARKER # ON SHEET - VIEWS - SHEET #
<b>BEDROOM</b>	ROOM TITLE
	WALL TYPE
	WINDOW TYPE
	DOOR TYPE
	GRID X AXIS
	GRID Y AXIS
	CENTER LINE
	DETAIL SECTION MARKER
	SECTION MARKER
	ELEVATION MARKER
	<b>DRAWING TITLE</b> SCALE 1/4" = 1'-0"



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REVISION:  
 02.20.2020

3751 24TH STREET  
 SAN FRANCISCO, CA 94114

GENERAL NOTES

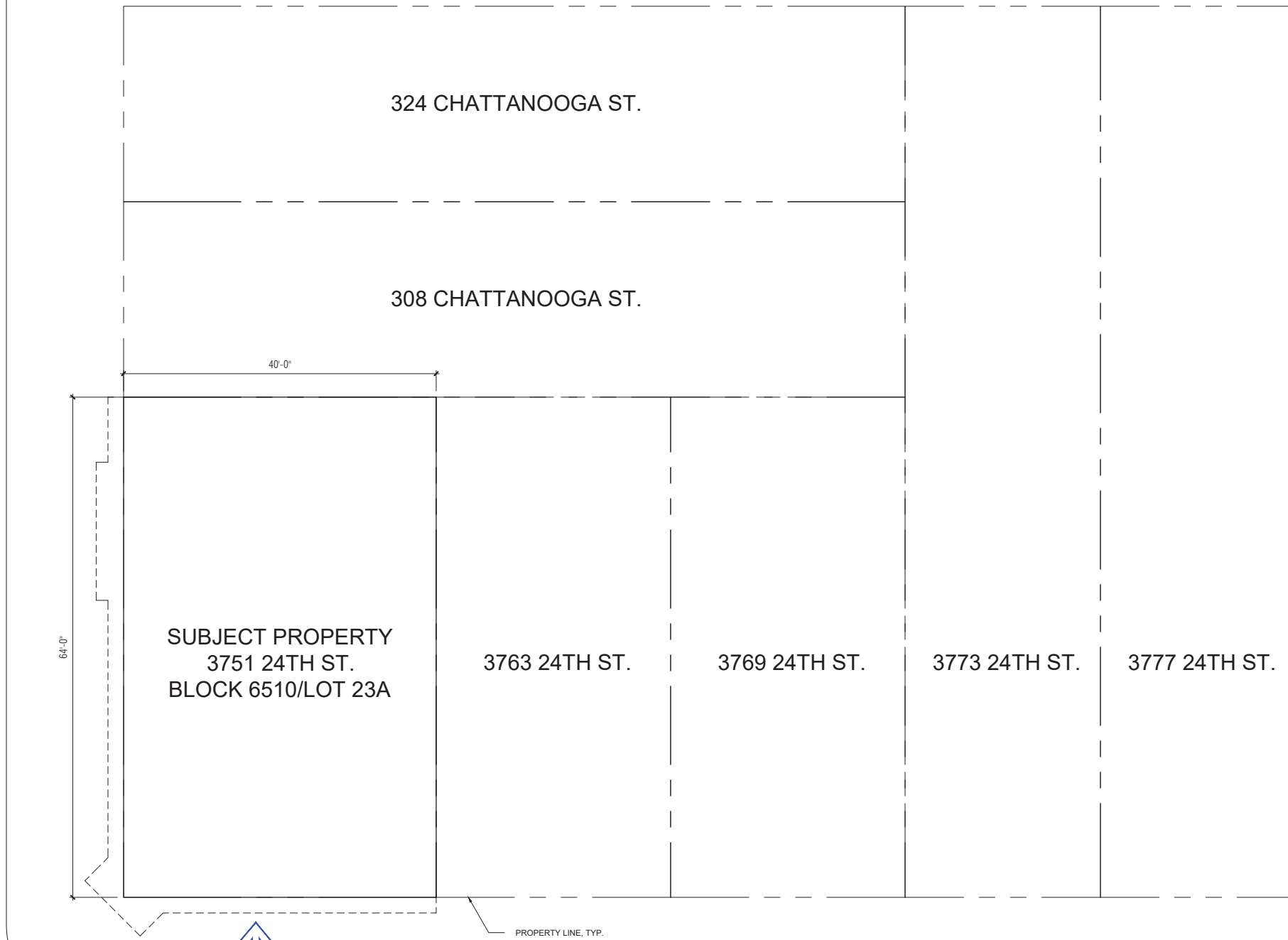
DRAWN BY: EG

PROJECT NO:

ISSUE:  
 INITIAL 09-10-2019  
 PERMIT 10-09-2019

A0.2

CHATTANOOGA



↑  
ENTRY TO  
3751 24TH ST.

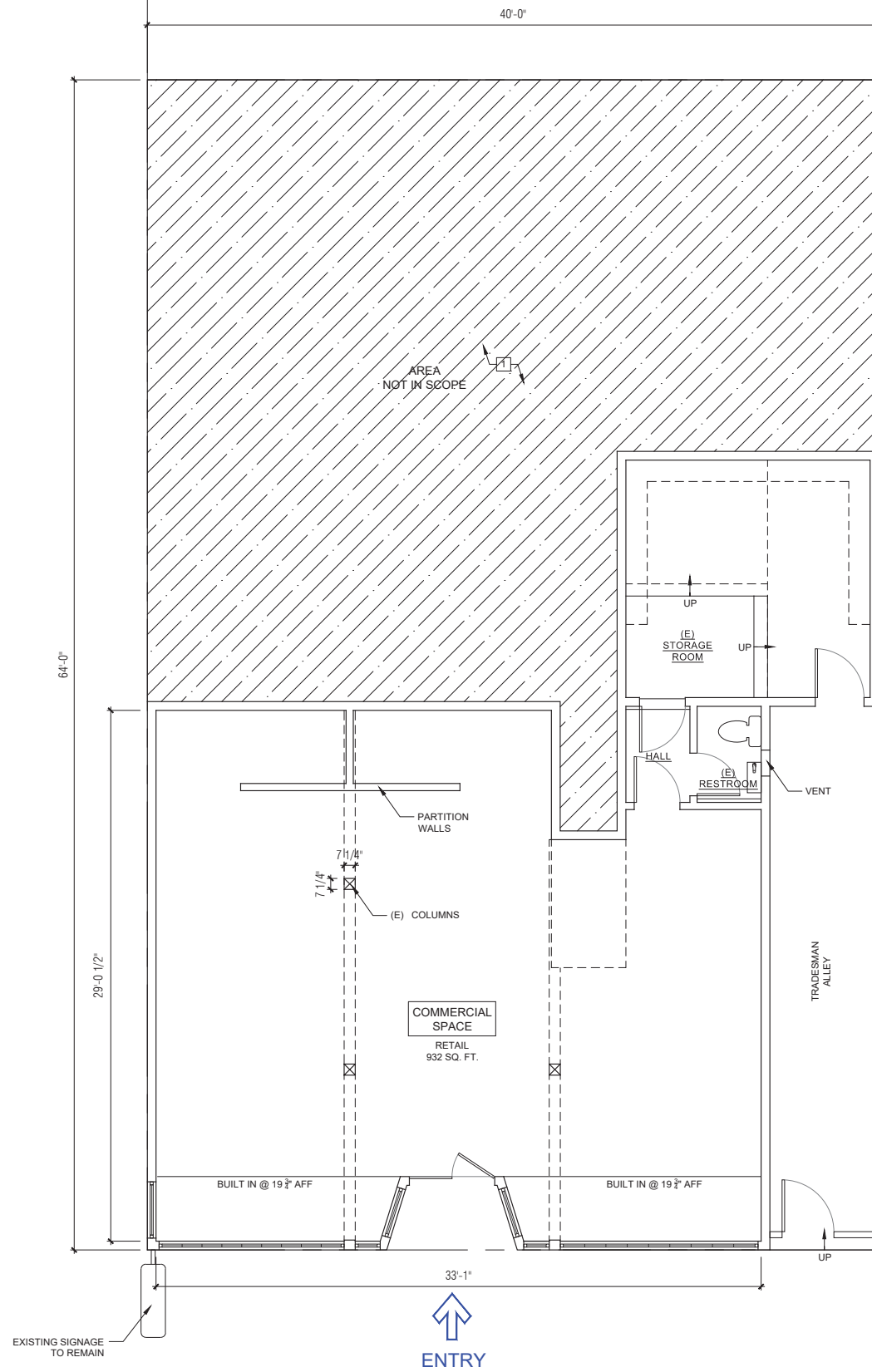
24TH STREET

PROPERTY LINE, TYP.

1  
A1.0

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





GENERAL NOTES:



(E) EXISTING CONSTRUCTION  
(N) NEW CONSTRUCTION

KEY NOTES:

1 REMAINING PORTION OF PROPERTY - RESIDENTIAL

FLOOR PLAN LEGEND

- (E) WALLS
- - - REMOVE
- - - ELEMENTS ABOVE
- - - ELEMENTS BELOW
- ▨ AREA NOT IN SCOPE

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EXISTING  
FLOOR  
PLAN

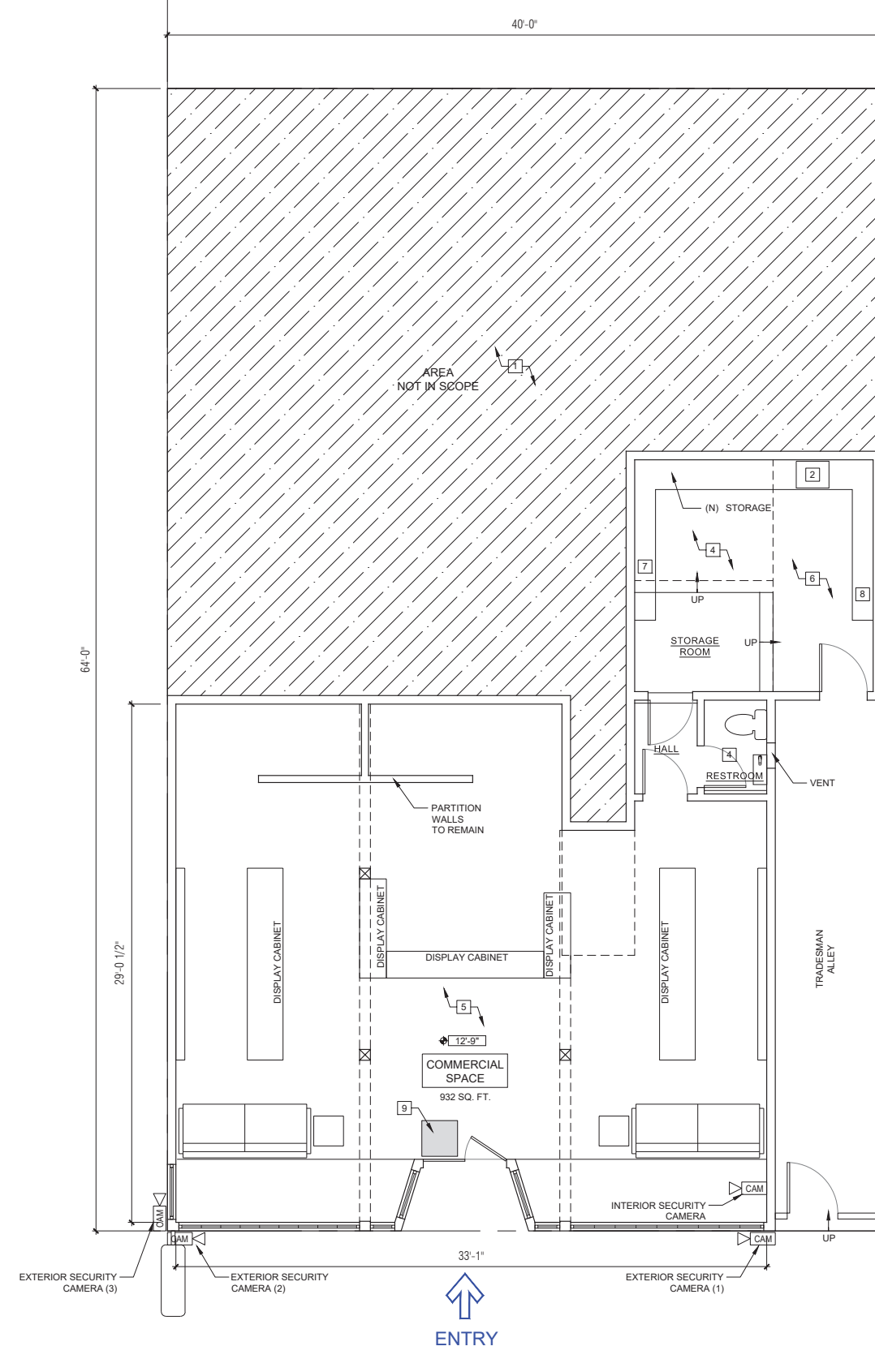
DRAWN BY: EG

PROJECT NO:  
ISSUE:  
INITIAL 09-10-2019  
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A2.0

1 EXISTING FLOOR PLAN  
SCALE 1/4" = 1'-0"





GENERAL NOTES:

1. (N) CANNABIS DISPENSARY
2. NO SMOKING ON PREMISES



- (E) EXISTING CONSTRUCTION
- (N) NEW CONSTRUCTION

KEY NOTES:

- 1 REMAINING PORTION OF PROPERTY - RESIDENTIAL
- 2 DESIGNATED FIREPROOF SAFE
- 3 NOT USED
- 4 STAFF ONLY
- 5 CUSTOMERS & STAFF ALLOWED
- 6 STORAGE AREA FOR CANNABIS AND EQUIPMENT
- 7 DESIGNATED AREA FOR SURVEILLANCE RECORDINGS
- 8 DESIGNATED AREA FOR CANNABIS WASTE
- 9 SECURITY CHECKPOINT

FLOOR PLAN LEGEND

- (E) WALLS
- - - REMOVE
- - - ELEMENTS ABOVE
- - - ELEMENTS BELOW
- ▨ AREA NOT IN SCOPE



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(E) EXISTING CONSTRUCTION  
(N) NEW CONSTRUCTION

3751 24TH STREET  
SAN FRANCISCO, CA 94114

PROPOSED FLOOR PLAN

DRAWN BY: EG

PROJECT NO:

ISSUE:  
INITIAL 09-10-2019  
PERMIT 10-09-2019

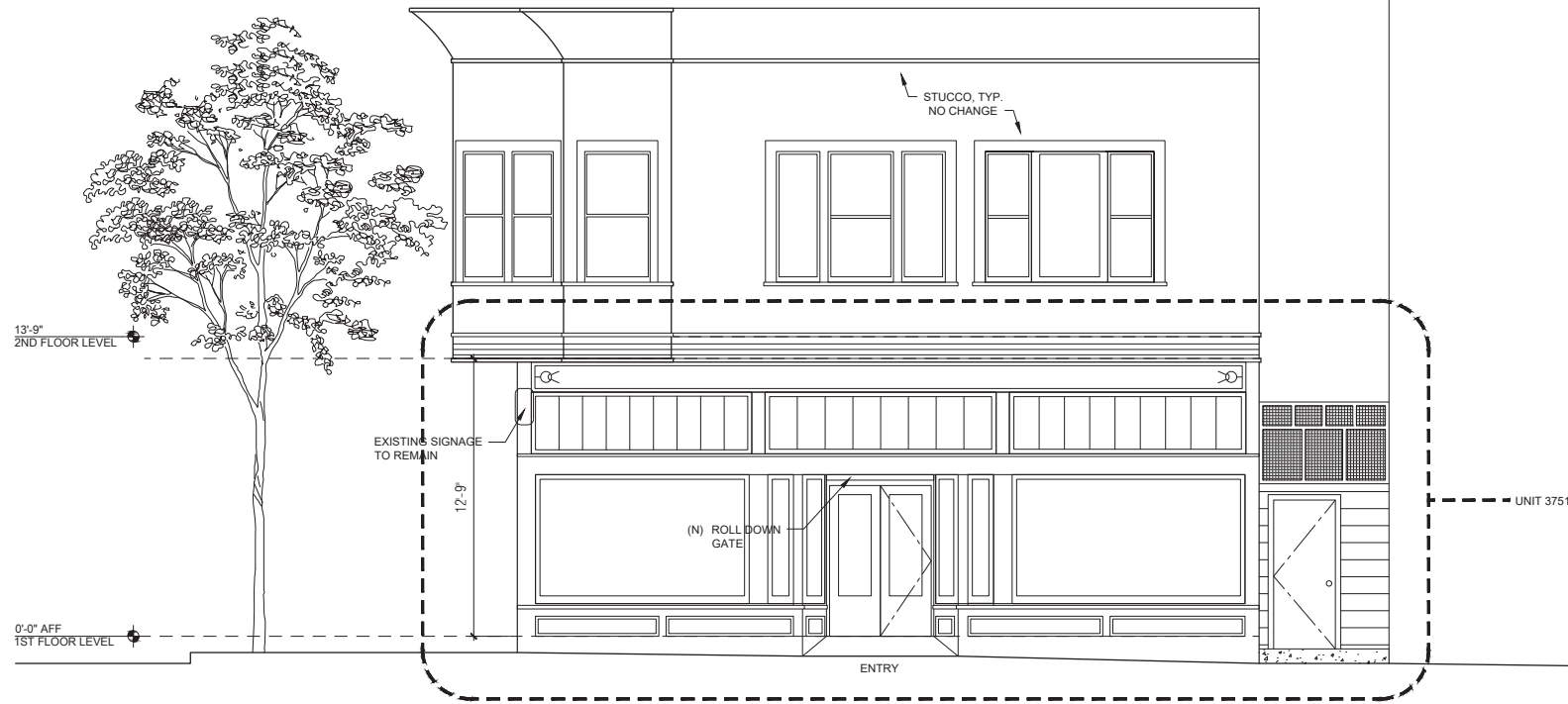
A2.1

1 PROPOSED FLOOR PLAN  
A2.1 SCALE 1/4" = 1'-0"





PHOTOGRAPHS OF EXISTING SIGNAGE  
SIGNAGE TO REMAIN

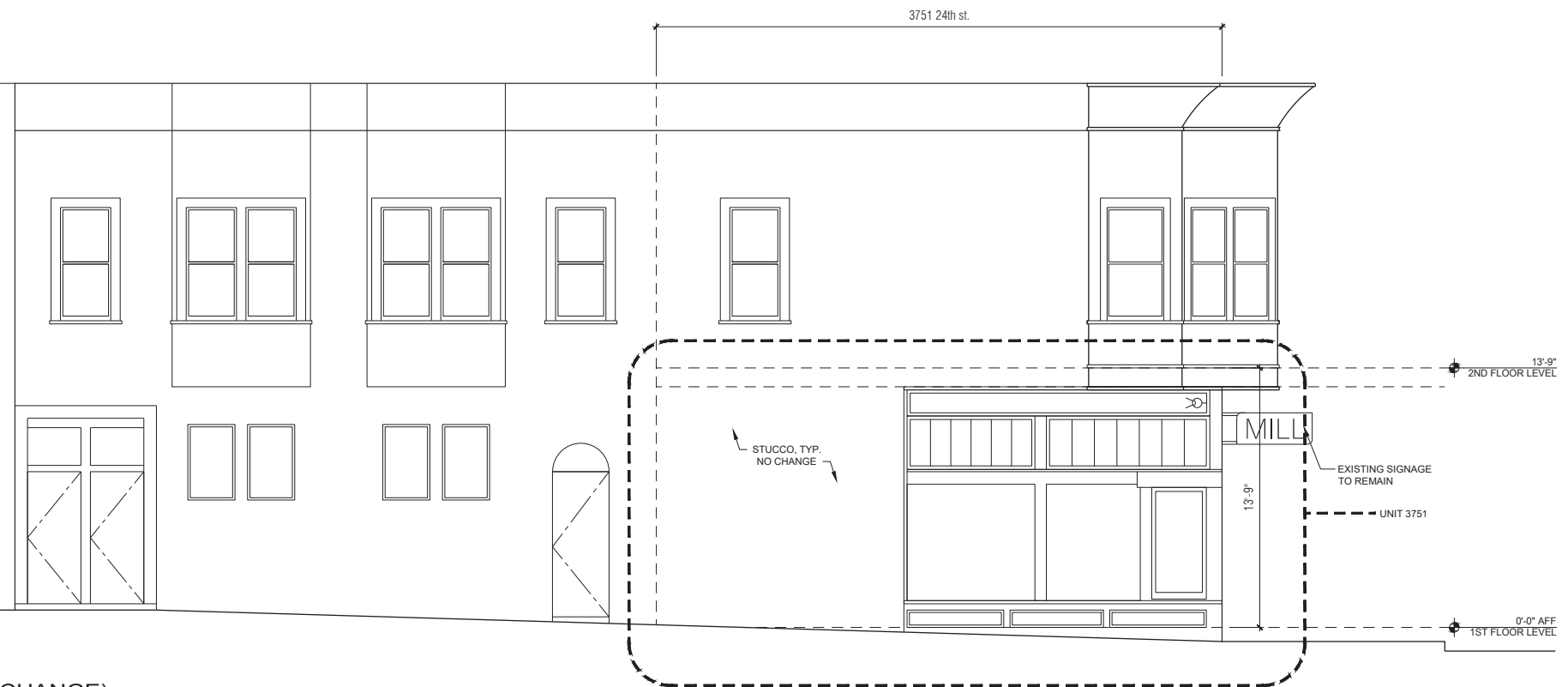


FENESTRATION OF BUSINESS:

- ALL GLAZING CLEAR GLASS
- FRONT ELEVATION AT GROUND LEVEL 462 SQ. FT.
- FRONT ELEVATION GLAZING 269 SQ. FT.
- SIDE ELEVATION AT GROUND LEVEL 387 SQ. FT. OF GLASS
- SIDE ELEVATION GLAZING 50 SQ. FT. OF GLASS

SECTION 145.1(C)(6) OF THE PLANNING CODE REQUIRES THAT "FRONTAGES WITH ACTIVE USES THAT ARE NOT RESIDENTIAL OR PDR 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."

2 FRONT ELEVATION (NO CHANGE)  
A3.0 SCALE 1/4" = 1'-0"



1 SIDE ELEVATION (NO CHANGE)  
A3.0 SCALE 1/4" = 1'-0"

3751 24TH STREET  
SAN FRANCISCO, CA 94114

EXISTING  
FRONT  
ELEVATION

DRAWN BY: EG

PROJECT NO:

ISSUE:  
INITIAL 09-10-2019  
PERMIT 10-09-2019

A3.0



# SAN FRANCISCO PLANNING DEPARTMENT

## CEQA Categorical Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
3751 24TH ST		6510023A
<b>Case No.</b>		<b>Permit No.</b>
2019-021215PRJ		
<input checked="" type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input type="checkbox"/> <b>New Construction</b>
<p><b>Project description for Planning Department approval.</b>                  Conditional Use Authorization request for Cannabis Retail Store.</p>		

### STEP 1: EXEMPTION CLASS

<b>The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).</b>	
<input checked="" type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p><b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(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.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p> <p><b>FOR ENVIRONMENTAL PLANNING USE ONLY</b></p>
<input type="checkbox"/>	<b>Class ____</b>



## STEP 2: CEQA IMPACTS

### TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p><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 &gt; CEQA Catex Determination Layers &gt; Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p><b>Hazardous Materials:</b> 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?</p> <p><i>if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap &gt; Maher layer).</i></p>
<input type="checkbox"/>	<p><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?</p>
<input type="checkbox"/>	<p><b>Archeological Resources:</b> Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? If yes, archeo review is required (refer to EP_ArcMap &gt; CEQA Catex Determination Layers &gt; Archeological Sensitive Area)</p>
<input type="checkbox"/>	<p><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 &gt; CEQA Catex Determination Layers &gt; Topography). If yes, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p><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 &gt; CEQA Catex Determination Layers &gt; Topography) <b>If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</b></p>
<input type="checkbox"/>	<p><b>Seismic: Landslide Zone:</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 &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones) <b>If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</b></p>
<input type="checkbox"/>	<p><b>Seismic: Liquefaction Zone:</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 &gt; CEQA Catex Determination Layers &gt; Seismic Hazard Zones) <b>If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.</b></p>
<p><b>Comments and Planner Signature (optional):</b>                      Gabriela Pantoja</p>	

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

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

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

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

**STEP 5: CEQA IMPACTS - ADVANCED HISTORICAL REVIEW  
TO BE COMPLETED BY PROJECT PLANNER**

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	2. <b>Interior alterations to publicly accessible spaces.</b>
<input type="checkbox"/>	3. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	4. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	5. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	6. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.

<input type="checkbox"/>	7. <b>Addition(s)</b> , including mechanical equipment that are minimally visible from a public right-of-way and meet the <i>Secretary of the Interior's Standards for Rehabilitation</i> .
<input type="checkbox"/>	8. <b>Other work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (specify or add comments):
<input type="checkbox"/>	9. <b>Other work</b> that would not materially impair a historic district (specify or add comments):  (Requires approval by Senior Preservation Planner/Preservation Coordinator)
<input type="checkbox"/>	10. <b>Reclassification of property status.</b> (Requires approval by Senior Preservation Planner/Preservation <input type="checkbox"/> Reclassify to Category A a. Per HRER or PTR dated <input type="checkbox"/> Reclassify to Category C (attach HRER or PTR) b. Other (specify):
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.</b>	
<input type="checkbox"/>	<b>Project can proceed with categorical exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with categorical exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b>	
<b>Preservation Planner Signature:</b>	

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

<input checked="" type="checkbox"/>	<b>No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>	
	<b>Project Approval Action:</b> Planning Commission Hearing	<b>Signature:</b> Gabriela Pantoja
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	03/05/2020
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.		

## STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

### TO BE COMPLETED BY PROJECT PLANNER

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

### PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address (If different than front page)		Block/Lot(s) (If different than front page)
3751 24TH ST		6510/023A
Case No.	Previous Building Permit No.	New Building Permit No.
2019-021215PRJ		
Plans Dated	Previous Approval Action	New Approval Action
	Planning Commission Hearing	
Modified Project Description:		

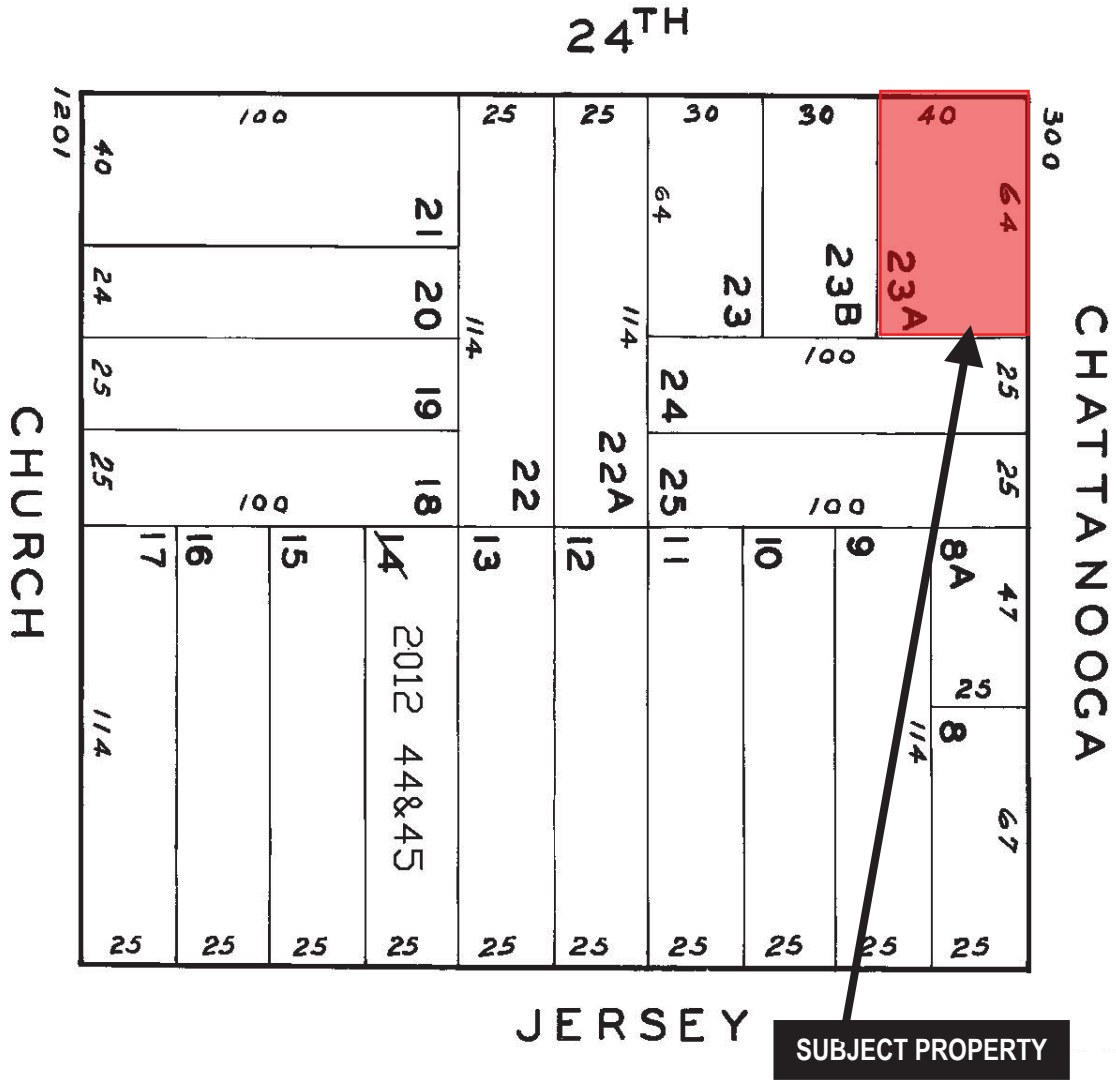
### DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

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

### DETERMINATION OF NO SUBSTANTIAL MODIFICATION

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

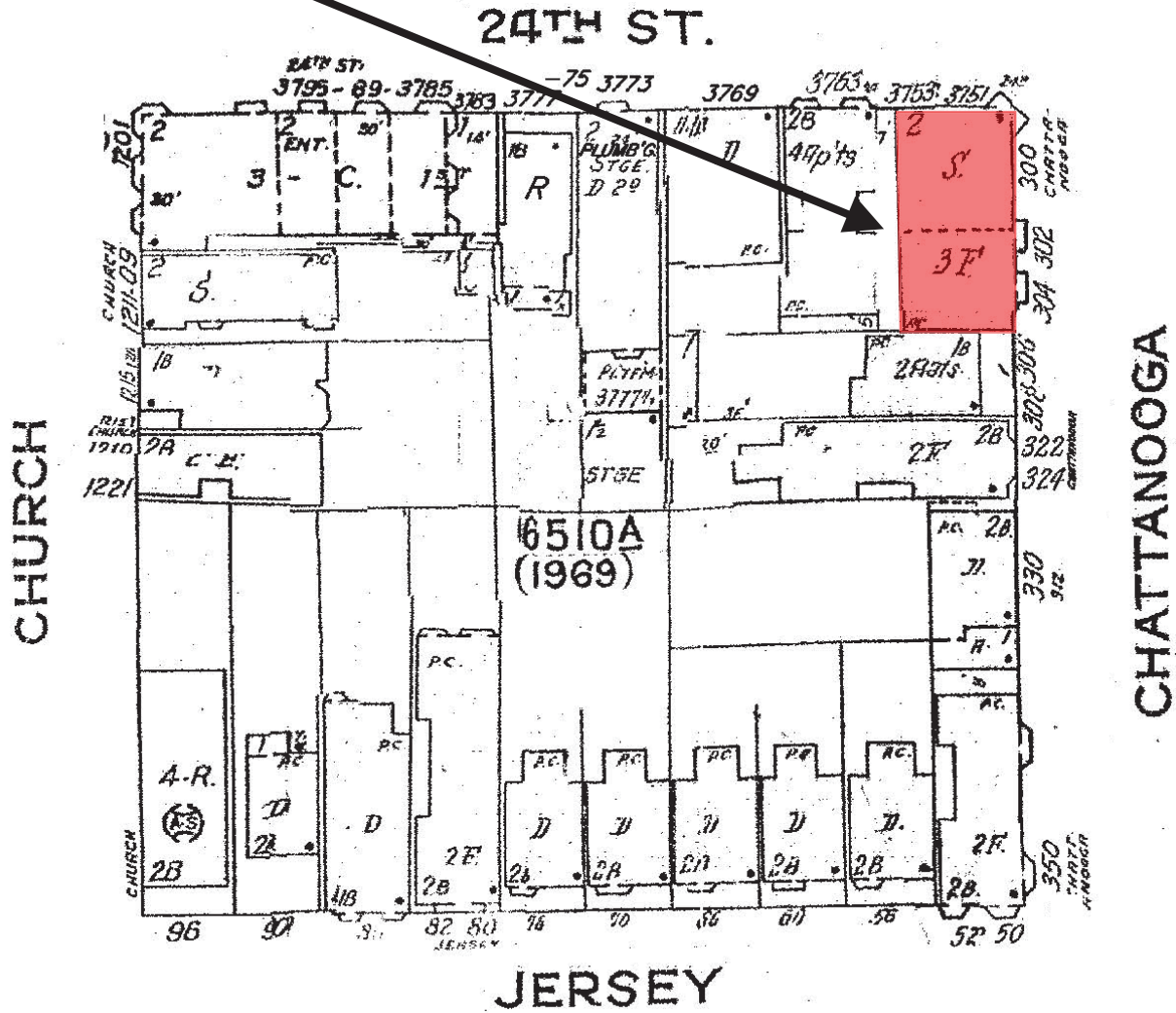
# Parcel Map



Conditional Use Authorization  
Record No. 2019-021215CUA  
3751 24<sup>th</sup> Street

# Sanborn Map\*

SUBJECT PROPERTY

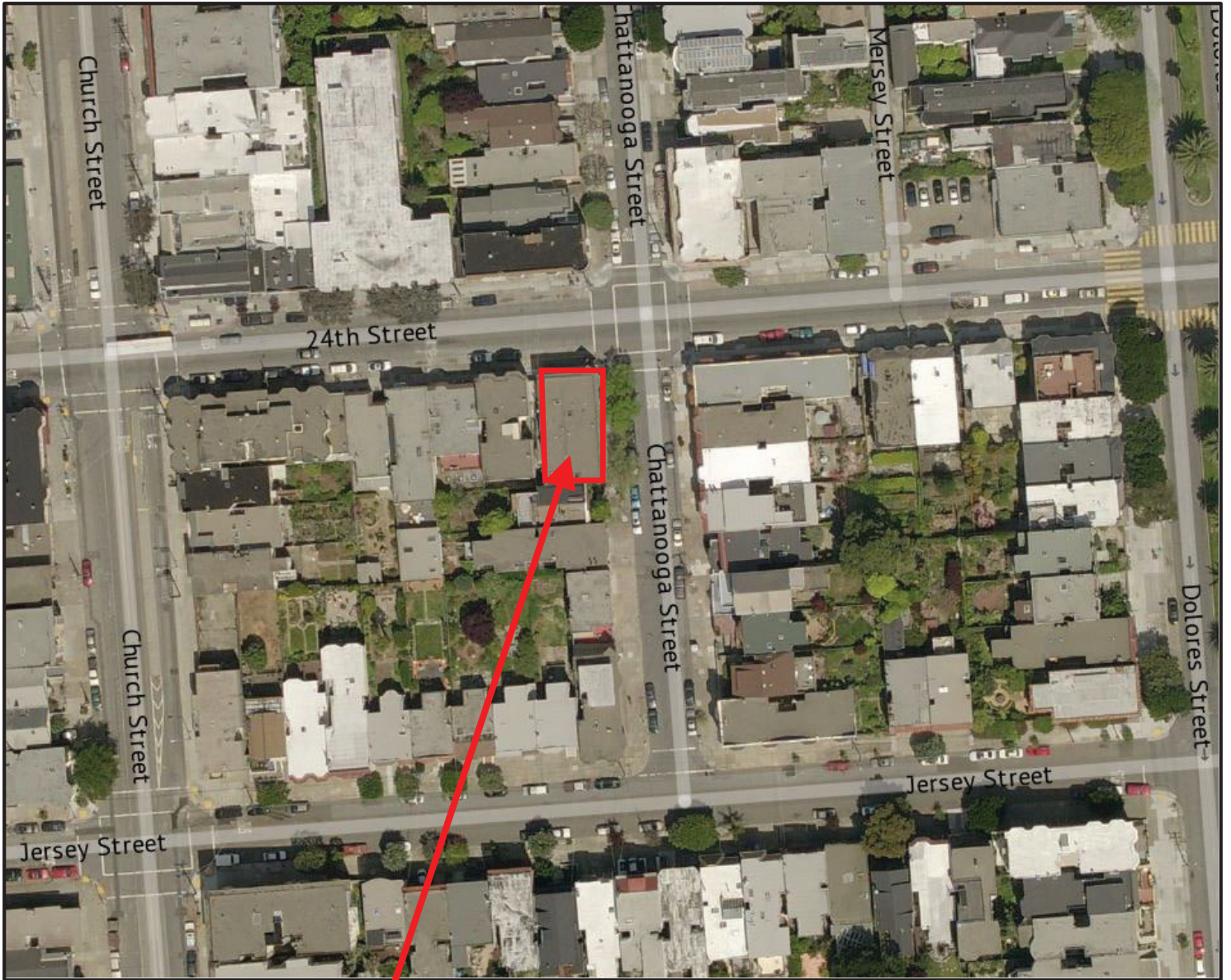


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization  
Record No. 2019-021215CUA  
3751 24<sup>th</sup> Street

# Aerial Photo

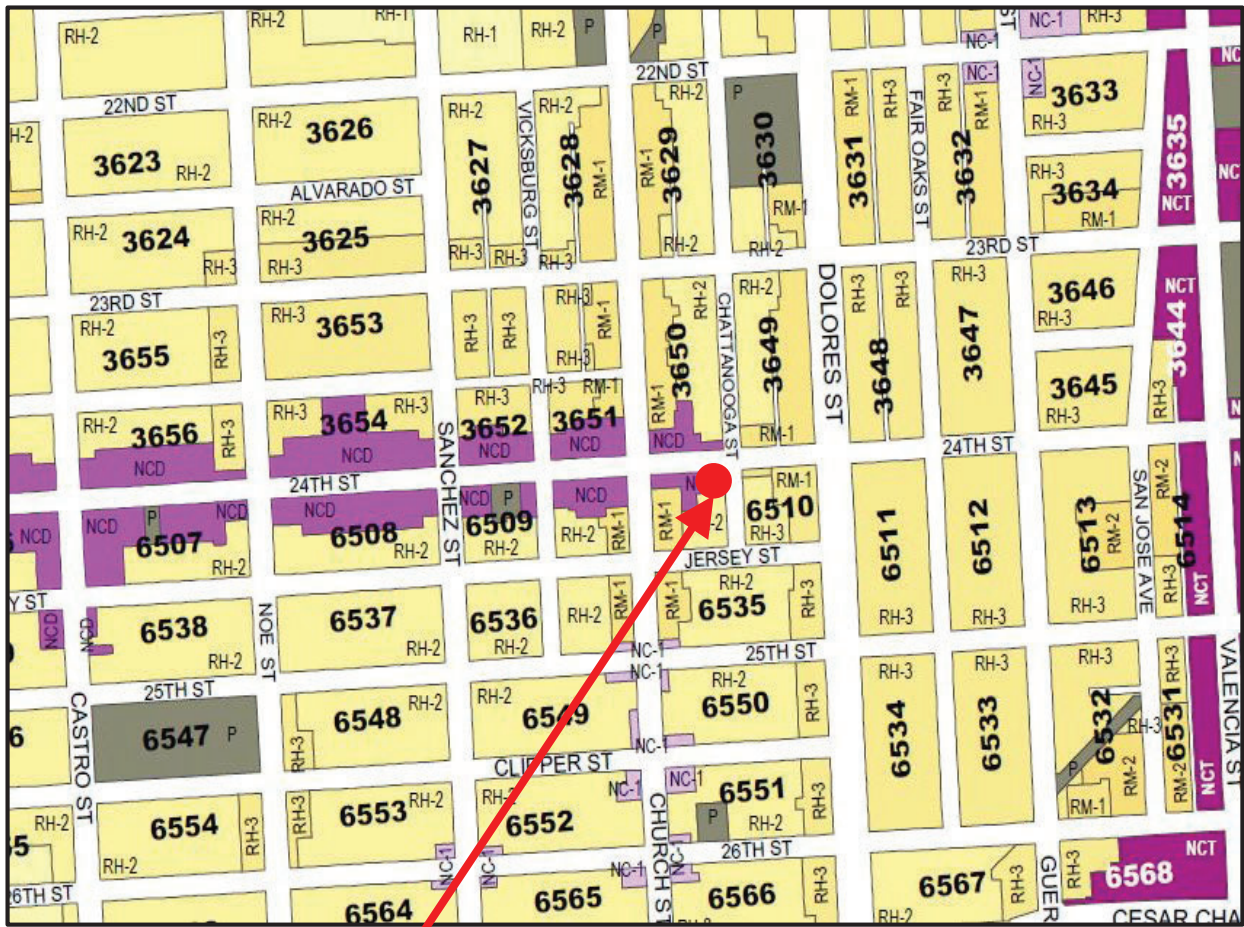


**SUBJECT PROPERTY**



Conditional Use Authorization  
Record No. 2019-021215CUA  
3751 24<sup>th</sup> Street

# Zoning Map



**SUBJECT PROPERTY**



Conditional Use Authorization  
Record No. 2019-021215CUA  
3751 24<sup>th</sup> Street



# Site Photo- View from 24<sup>th</sup> Street



Conditional Use Authorization  
Record No. 2019-021215CUA  
3751 24<sup>th</sup> Street

# Site Photo- View from Chattanooga Street



Conditional Use Authorization  
Record No. 2019-021215CUA  
3751 24<sup>th</sup> Street

**Exhibit E**

# San Francisco Planning

1650 MISSION STREET, #400  
SAN FRANCISCO, CA 94103  
WWW.SFPLANNING.ORG

## PROJECT APPLICATION (PRJ)

A Project Application must be submitted for any Building Permit Application that requires an intake for Planning Department review, including for environmental evaluation or neighborhood notification, or for any project that seeks an entitlement from the Planning Department, such as a Conditional Use Authorization or Variance.

For more, see the [Project Application Informational Packet](#).

**Cost for Time and Materials:** Any time and materials exceeding initial fees charged for services provided are subject to billing.

For more information call 415.558.6377, or email the Planning Information Center (PIC) at [pic@sfgov.org](mailto:pic@sfgov.org).

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

**中文:** 如果您希望獲得使用中文填寫這份申請表的幫助, 請致電415.575.9010。請注意, 規劃部門需要至少一個工作日來回應。

**Tagalog:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9010. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### BUILDING PERMIT APPLICATIONS

#### HOW TO SUBMIT:

For Building Permit Applications that require intake for Planning Department review, present this Project Application together with the Building Permit Application at the Planning Information Center (PIC), 1660 Mission Street, Ground Floor.

#### WHAT TO SUBMIT:

- One (1) complete and signed application.
- Two (2) hard copy sets of plans that meet the Department of Building Inspection's submittal standards. Please see the [Planning Department's Plan Submittal Guidelines](#) for more information.
- A Letter of Authorization from the owner(s) designating an Authorized Agent to communicate with the Planning Department on their behalf.
- Pre-Application Meeting materials, if required. See the [Pre-Application Meeting Informational Packet](#) for more information.

Note: The applicable fee amount for Building Permit Applications will be assessed and collected at intake by the Department of Building Inspection at the Central Permitting Bureau at 1660 Mission St, Ground Floor.

(See [Fee Schedule and/or Calculator](#)).

### ENTITLEMENTS

#### HOW TO SUBMIT:

For projects that require an entitlement from the Planning Department (e.g., Conditional Use, Variance), submit a Project Application with any required supplemental applications online at [sfplanning.org/resource/prj-application](https://sfplanning.org/resource/prj-application), or to submit in person, submit an [Intake Request Form](#) to [CPC.Intake@sfgov.org](mailto:CPC.Intake@sfgov.org).

#### WHAT TO SUBMIT:

- One (1) complete and signed PRJ application, or complete online submittal, including the following:
- An electronic copy (online or USB drive) of plans formatted to print at 11" x 17". Please see the [Department's Plan Submittal Guidelines](#) for more information about the required contents of plan submittals.
- A Letter of Authorization from the owner(s) designating an Authorized Agent to communicate with the Planning Department on their behalf.
- Pre-Application Meeting materials, if required. See the [Pre-Application Meeting Informational Packet](#) for more information.
- Current or historic photograph(s) of the property.
- All supplemental entitlement applications (e.g., Conditional Use, Variance) and information for environmental review, as indicated in this Project Application or in the Preliminary Project Assessment (PPA) letter.
- Payment via check, money order or debit/credit card for the total fee amount for all required supplemental applications. (See [Fee Schedule and/or Calculator](#)).



# San Francisco Planning

## PROJECT APPLICATION (PRJ)

### GENERAL INFORMATION

#### Property Information

Project Address: 3751 24th Street

Block/Lot(s): 6510/023A

#### Property Owner's Information

Name: Sharon Cassidy

Address: 3751 24th Street

Email Address: sharon@cassidyre.com

Telephone: 415-717-4242

#### Applicant Information

Same as above

Name: Sharon Cassidy and Alex Solis

Company/Organization: The Mill 94114 LLC

Address: 3751 24th Street

Email Address: sharon@cassidyre.com

Telephone: 415-717-4242

#### Please Select Billing Contact:

Owner

Applicant

Other (see below for details)

Name: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

#### Please Select Primary Project Contact:

Owner

Applicant

Billing

### RELATED APPLICATIONS

#### Related Building Permit Applications (any active building permits associated with the project)

N/A

Building Permit Application No(s):

#### Related Preliminary Project Assessments (PPA)

N/A

PPA Application No:

PPA Letter Date:

## PROJECT INFORMATION

### Project Description:

Please provide a narrative project description that summarizes the project and its purpose. Please list any required approvals (e.g. Variance) or changes to the Planning Code or Zoning Maps if applicable.

Conditional Use Authorization for a Cannabis Retail Store.

### Project Details:

- Change of Use    
  New Construction    
  Demolition    
  Facade Alterations    
  ROW Improvements  
 Additions    
 Legislative/Zoning Changes    
 Lot Line Adjustment-Subdivision    
 Other \_\_\_\_\_

- Residential:**   
 Senior Housing   
 100% Affordable   
 Student Housing   
 Dwelling Unit Legalization  
 Inclusionary Housing Required   
 State Density Bonus   
 Accessory Dwelling Unit

Indicate whether the project proposes rental or ownership units:   
 Rental Units   
 Ownership Units   
 Don't Know

- Non-Residential:**   
 Formula Retail   
 Medical Cannabis Dispensary   
 Tobacco Paraphernalia Establishment  
 Financial Service   
 Massage Establishment   
 Other: Adult Use

**Estimated Construction Cost:** 50,000

**PROJECT AND LAND USE TABLES**

All fields relevant to the project **must be completed** in order for this application to be accepted.

	Existing	Proposed	
<b>General Land Use</b>	Parking GSF	0	0
	Residential GSF	0	0
	Retail/Commercial GSF	1000	1000
	Office GSF	0	0
	Industrial-PDR	0	0
	Medical GSF	0	0
	Visitor GSF	0	0
	CIE (Cultural, Institutional, Educational)	0	0
	Useable Open Space GSF	0	0
	Public Open Space GSF	0	0

<b>Project Features</b>	Dwelling Units - Affordable	0	0
	Dwelling Units - Market Rate	0	0
	Dwelling Units - Total	0	0
	Hotel Rooms	0	0
	Number of Building(s)	1	1
	Number of Stories	2	2
	Parking Spaces	0	0
	Loading Spaces	0	0
	Bicycle Spaces	0	0
	Car Share Spaces	0	0
	Other: _____		


<b>Land Use - Residential</b>	Studio Units	1	1
	One Bedroom Units	1	1
	Two Bedroom Units	2	2
	Three Bedroom (or +) Units	0	0
	Group Housing - Rooms	0	0
	Group Housing - Beds	0	0
	SRO Units	0	0
	Micro Units	0	0
	Accessory Dwelling Units For ADUs, list all ADUs and include unit type (e.g. studio, 1 bedroom, 2 bedroom, etc.) and the square footage area for each unit.	0	0


## ENVIRONMENTAL EVALUATION SCREENING FORM





This form will determine if further environmental review is required.

If you are submitting a Building Permit Application only, please respond to the below questions to the best of your knowledge. You do not need to submit any additional materials at this time, and an environmental planner will contact you with further instructions.

If you are submitting an application for entitlement, please submit the required supplemental applications, technical studies, or other information indicated below along with this Project Application.

Environmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
<b>1a. General</b>	Estimated construction duration (months):	N/A	
<b>1b. General</b>	Does the project involve replacement or repair of a building foundation? If yes, please provide the foundation design type (e.g., mat foundation, spread footings, drilled piers, etc.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>1c. General</b>	Does the project involve a change of use of 10,000 square feet or greater?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>2. Transportation</b>	Does the project involve a child care facility or school with 30 or more students, or a location 1,500 square feet or greater?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit an Environmental Supplemental- <a href="#">School and Child Care Drop-Off &amp; Pick-Up Management Plan</a> .
<b>3. Shadow</b>	Would the project result in any construction over 40 feet in height?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, an initial review by a shadow expert, including a recommendation as to whether a shadow analysis is needed, may be required, as determined by Planning staff. (If the project already underwent Preliminary Project Assessment, refer to the shadow discussion in the PPA letter.)  An additional fee for a shadow review may be required.
<b>4a. Historic Preservation</b> 	Would the project involve changes to the front façade or an addition visible from the public right-of-way of a structure built 45 or more years ago or located in a historic district?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit a complete <a href="#">Historic Resource Determination</a> Supplemental Application. Include all materials required in the application, including a complete record (with copies) of all building permits.
<b>4b. Historic Preservation</b>	Would the project involve demolition of a structure constructed 45 or more years ago, or a structure located within a historic district?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, a historic resource evaluation (HRE) report will be required. The scope of the HRE will be determined in consultation with <a href="mailto:CPC-HRE@sfgov.org">CPC-HRE@sfgov.org</a> .

 Please see the [Property Information Map](#) or speak with Planning Information Center (PIC) staff to determine if this applies.

Environmental Topic	Information	Applicable to Proposed Project?	Notes/Requirements
<b>5. Archeology</b> 	Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeologically sensitive area or eight (8) feet below grade in a non-archeologically sensitive area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If Yes, provide depth of excavation/disturbance below grade (in feet*):  <i>*Note this includes foundation work</i>
<b>6a. Geology and Soils</b> 	Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 25% or greater?  -----  Area of excavation/disturbance (in square feet):  _____  Amount of excavation (in cubic yards):  _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project: <ul style="list-style-type: none"> <li>● The project involves:               <ul style="list-style-type: none"> <li>○ excavation of 50 or more cubic yards of soil, or</li> <li>○ building expansion greater than 500 square feet outside of the existing building footprint.</li> </ul> </li> </ul> <i>A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.</i>
<b>6b. Geology and Soils</b>	Does the project involve a lot split located on a slope equal to or greater than 20 percent?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	A categorical exemption cannot be issued. Please contact <a href="mailto:CPC.EPIIntake@sfgov.org">CPC.EPIIntake@sfgov.org</a> , once a Project Application has been submitted.
<b>7. Air Quality</b> 	Would the project add new sensitive receptors (residences, schools, child care facilities, hospitals or senior-care facilities) within an Air Pollutant Exposure Zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit an <a href="#">Article 38 Compliance application</a> with the Department of Public Health.
<b>8a. Hazardous Materials</b> 	Is the project site located within the Maher area and would it involve ground disturbance of at least 50 cubic yards or a change of use from an industrial use to a residential or institutional use?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit a <a href="#">Maher Application Form</a> to the Department of Public Health and submit documentation of Maher enrollment with this Project Application.  Certain projects may be eligible for a waiver from the Maher program. For more information, refer to the Department of Public Health's <a href="#">Environmental Health Division</a> .  <i>Maher enrollment may also be required for other circumstances as determined by Environmental Planning staff.</i>
<b>8b. Hazardous Materials</b>	Would the project involve work on a site with an existing or former gas station, parking lot, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, submit documentation of enrollment in the Maher Program (per above), or a Phase I Environmental Site Assessment prepared by a qualified consultant.



# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a) The undersigned is the owner or authorized agent of the owner of this property.
- b) The information presented is true and correct to the best of my knowledge.
- c) Other information or applications may be required.
- d) I hereby authorize City and County of San Francisco Planning staff to conduct a site visit of this property as part of the City's review of this application, making all portions of the interior and exterior accessible through completion of construction and in response to the monitoring of any condition of approval.
- e) I attest that personally identifiable information (PII) - i.e. social security numbers, driver's license numbers, bank accounts - have not been provided as part of this application. Furthermore, where supplemental information is required by this application, PII has been redacted prior to submittal to the Planning Department. I understand that any information provided to the Planning Department becomes part of the public record and can be made available to the public for review and/or posted to Department websites.

DocuSigned by:

*Sharon Cassidy*

FC0DE12381044FC...

Sharon Cassidy

Name (Printed)

Alexander Solis

DocuSigned by:

*Alexander Solis*

A5969B1B67F047A...

Date 10/31/2019

Owner

415-717-4242

sharon@cassidyre.com

Relationship to Project  
(i.e. Owner, Architect, etc.)

Phone

Email

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_



## CONDITIONAL USE AUTHORIZATION

### INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

**ATTENTION: A Project Application must be completed and/or attached prior to submitting this Supplemental Application. See the [Project Application](#) for instructions.**

Pursuant to Planning Code Section 303, the Planning Commission shall hear and make determinations regarding Conditional Use Authorization applications.

For questions, call 415.558.6377, email [pic@sfgov.org](mailto:pic@sfgov.org), or visit the Planning Information Center (PIC) at 1660 Mission Street, First Floor, San Francisco, where planners are available to assist you.

**Español:** Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

**中文:** 如果您希望獲得使用中文填寫這份申請表的幫助，請致電415.575.9010。請注意，規劃部門需要至少一個工作日來回應。

**Tagalog:** Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9120. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.

### WHAT IS A CONDITIONAL USE AUTHORIZATION?

A Conditional Use refers to a use that is not principally permitted in a particular Zoning District. Conditional Uses require a Planning Commission hearing in order to determine if the proposed use is necessary or desirable to the neighborhood, whether it may potentially have a negative effect on the surrounding neighborhood, and whether the use complies with the San Francisco General Plan. During this public hearing the Planning Commission will “condition” the use by applying operational conditions that may minimize neighborhood concerns as well as other conditions that may be required by the Department and the Planning Code. Conditional Use Authorizations are entitlements that run with the property, not the operator.

### WHEN IS A CONDITIONAL USE AUTHORIZATION NECESSARY?

For each Zoning District, the Planning Code contains use charts that list types of uses and whether each is permitted as of right (P), conditionally permitted (C), or not permitted (NP or blank). In addition to those particular uses, the Conditional Use Authorization process is utilized for various other applications included but not limited to dwelling unit removal, Planned Unit Developments (PUD's), and for off-street parking in certain Zoning Districts. Please consult a planner at the Planning Information Counter (PIC) for additional information regarding these applications.

### Fees

Please refer to the [Planning Department Fee Schedule](#) available at [www.sfplanning.org](http://www.sfplanning.org) or at the Planning Information Center (PIC) located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at 415.558.6377.

Fees will be determined based on the estimated construction costs. Should the cost of staff time exceed the initial fee paid, an additional fee for time and materials may be billed upon completion of the hearing process or permit approval. Additional fees may also be collected for preparation and recordation of any documents with the San Francisco Assessor-Recorder's office and for monitoring compliance with any conditions of approval.



# CONDITIONAL USE AUTHORIZATION

## SUPPLEMENTAL APPLICATION

### Property Information

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Project Address: 3751 24th Street

Block/Lot(s): 6510/023A

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### Action(s) Requested

Action(s) Requested (Including Planning Code Section(s) which authorizes action)

SEC. 728. 24TH STREET – NOE VALLEY NEIGHBORHOOD COMMERCIAL DISTRICT.  
Industrial Use Category - Cannabis Retail (Conditional on 1st Story)

### Conditional Use Findings

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

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community. If the proposed use exceeds the non-residential use size limitations for the zoning district, additional findings must be provided per Planning Code Section 303(c)(1)(A-C).

This location is with in the Noe Valley Beach Neighborhood Commercial District and is extremely well served by public transit. All ground story uses are required to include active commercial space with storefronts facing the street. Providing Retail Cannabis will serve the immediate neighborhood. The addition of a locally owned and operated retail cannabis facility for adults 21 years of age and older will add a new desirable use to the area.

2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
  - a. The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
  - b. The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
  - c. The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;
  - d. Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs.

The existing building will remain intact. The scope of the project is limited to interior improvements. Any delivery and/or loading will occur before normal business hours.

Existing facade signage to be repaired in kind and illuminated as allowed.

3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan.

The dispensary will provide safe and easy access for a huge portion of San Francisco's population which must currently travel across the City to obtain their legal cannabis products. Public transportation is excellent in the neighborhood. A community liaison will also remain in contact with the neighbors to address illegal parking or any other issues that may arise due to the cannabis retail patrons.

4. The use or feature satisfies any criteria specific to the use of features listed in Planning Code Section 303(g), et seq.

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

Currently there are zero Cannabis Retail storefronts in the nearby vicinity. The proposed Cannabis Retail location will be able to service local residents at their convenience.

# APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

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

DocuSigned by:  
*Sharon Cassidy*  
 FC0DE12381044FC...  
 Signature

Sharon Cassidy  
 Name (Printed)

Owner  
 Relationship to Project  
 (i.e. Owner, Architect, etc.)

415-717-4242  
 Phone

Sharon@cassidyre.com  
 Email

# APPLICANT'S SITE VISIT CONSENT FORM

I herby authorize City and County of San Francisco Planning staff to conduct a site visit of this property, making all portions of the interior and exterior accessible.

DocuSigned by:  
*Sharon Cassidy*  
 FC0DE12381044FC...  
 DocuSigned by:  
*Alexander Solis*  
 A5969B1B67F047A...

Sharon Cassidy  
 Name (Printed)  
 Alexander Solis

Date

For Department Use Only

Application received by Planning Department:

By: \_\_\_\_\_

Date: \_\_\_\_\_