



EXECUTIVE SUMMARY CONDITIONAL USE

HEARING DATE: November 5, 2020

Record No.: 2020-006148CUA
Project Address: 2843-2845 Geary Boulevard
Zoning: Geary Boulevard Neighborhood Commercial District (NCD)
40-X Height and Bulk District
Block/Lot: 1091/025
Project Sponsor: John Muraco (Equity Applicant)
197 Warren Street
San Francisco, CA 94131
Property Owner: Njbhp, LLC
2 West Clay Street
San Francisco, CA 94121
Staff Contact: Laura Ajello – (628) 652-7353
laura.ajello@sfgov.org

Recommendation: Approval with Conditions

Project Description

The Project would establish a Cannabis Retail Use measuring 1,425 square feet in a vacant commercial space (formerly Assab Eritrean Restaurant) within a two-unit mixed-use building. The proposal will involve interior tenant improvements on the ground floor and a one-story 164 square foot horizontal addition at the rear of the commercial space with a deck above for use by the residential unit. Exterior modifications at the front of the building include modification of the front entryway, installation of security cameras and storefront window replacement using metal-framed windows with security glass. New business signage will be applied for under a separate permit.

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, 303, and 739, to allow the establishment of a Cannabis Retail use in the Geary Boulevard NCD Zoning District.

Issues and Other Considerations

- **Project Scope.** The initial application requested to establish a Cannabis Retail location and additionally for authorization of an outdoor activity area within the rear yard (occupying the full rear yard). Staff discussed the request with the Project Sponsor and indicated that it was unlikely to be supported, given that it would remove a housing service from the residential unit and is not able to be utilized effectively by the Cannabis Retail use (given that sales and consumption cannot occur outdoors, unlike other commercial outdoor activity areas such as Restaurants). The sponsor had indicated that the rear yard would be a break area for staff, and that periodically community groups could utilize it for meetings (though any person attending would have to be over the age of 21 due to the need to transit through the Cannabis Retail space to access it). Staff reiterated that the Department would not support the request, and it was removed from the scope. Revised plans show restoration of the rear stair to maintain access to the rear yard from the residential unit.
- **Public Comment & Outreach.**
 - **Support/Opposition:** The Department has received one letter in support and five letters in opposition to the Project, including one from the residential tenant that resides in the subject building.
 - The letter in support cited support for the specific operator, as well as support for activating a currently vacant storefront in an area with a significant amount of vacancies.
 - The letters in opposition cited an existing Cannabis Retail location eight blocks from the proposed site, stating that the neighborhood was not in need of any additional locations and that other uses like a pharmacy would be more desirable. Additionally, a letter of opposition was received by the tenant of the residential unit above the proposed retailer. The letter states that as part of the project, there was an attempt to terminate their residential tenancy, which has not been successful. Additionally, the letter cites concern with the nature of work that was proposed, specifically removal of access to the rear yard. This element of the Project was removed from the proposed scope such that access to the rear yard is maintained from the residential unit; however, the sponsor has indicated that the rear yard was never within the residential unit's tenancy agreement. The sponsor has indicated that they are no longer pursuing an eviction of the tenant. Staff has attempted to contact the tenant directly on multiple occasions to follow up, but no response has been received.
 - **Outreach:** The Sponsor has hosted one meeting within the community, on October 24, 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:

- Laurel Hill Playground: 251 Euclid Street, 1,056 feet from site.
- 150 Parker Avenue (pre) School: 150 Parker Avenue, 1,584 feet from site.
- Raoul Wallenberg Traditional High School: 40 Vega Street, 2,112 feet from site.
- **On-Site Consumption.** Cannabis may be consumed or smoked on site pursuant to authorization by the Department of Public Health. The project sponsor has not proposed a consumption lounge onsite as part of this requested authorization. The draft motion contains a standard condition of approval restricting future on-site smoking or vaporizing at the subject property.
- **Equity Program.** The Project Sponsor has been verified by the City's Office of Cannabis as an Equity Applicant.

Environmental Review

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

Basis for Recommendation

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

Attachments:

- Draft Motion – Conditional Use Authorization with Conditions of Approval (Exhibit A)
- Exhibit B – Plans and Renderings
- Exhibit C – Environmental Determination
- Exhibit D – Land Use Data
- Exhibit E – Maps and Context Photos
- Exhibit F – Residential Tenant Correspondence
- Exhibit G – Project Application



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: November 5, 2020

Record No.: 2020-006148CUA
Project Address: 2843-2845 GEARY BOULEVARD
Zoning: Geary Boulevard Neighborhood Commercial District (NCD)
40-X Height and Bulk District
Block/Lot: 1091/025
Project Sponsor: John Muraco (Equity Applicant)
197 Warren Street
San Francisco, CA 94131
Property Owner: Njbhp, LLC
2 West Clay Street
San Francisco, CA 94121
Staff Contact: Laura Ajello – (628) 652-7353
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 202.2, 303, AND 739 OF THE PLANNING CODE TO ALLOW A CANNABIS RETAIL USE MEASURING APPROXIMATELY 1,425 SQUARE FEET IN AN EXISTING COMMERCIAL SPACE IN A TWO-STORY-OVER-BASEMENT MIXED-USE BUILDING AT 2843-2845 GEARY BOULEVARD (ASSESSOR'S BLOCK 1091 LOT 025) WITHIN THE GEARY BOULEVARD NEIGHBORHOOD COMMERCIAL DISTRICT AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On July 6, 2020, John Muraco (hereinafter "Project Sponsor") filed Application No. 2020-006148CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a Cannabis Retail use (hereinafter "Project") at 2843-2845 Geary Boulevard, Block 1091 Lot 025 (hereinafter "Project Site").

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

On September 10, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2020-006148CUA and continued the hearing to October 15, 2020.

On October 15, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2020-006148CUA and continued the hearing to November 5, 2020.

On November 5, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2020-006148CUA.

The Planning Department Commission Secretary is the custodian of records; the File for Record No. 2020-006148CUA is located at 49 South Van Ness Avenue, Suite 1400, 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. 2020-006148CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The project includes the establishment a Cannabis Retail Use measuring approximately 1,425 square feet in an existing ground floor tenant space in an existing two-story mixed-use building. The proposal involves interior tenant improvements on the ground levels with a 164 square foot expansion of the existing tenant space at the rear of the building. Exterior modifications on the front of the building are limited to modification of the front entryway, installation of security cameras and new business signage (under separate permit).
- 3. Site Description and Present Use.** The Project is located on a 3,125 square foot lot on the south side of Geary Boulevard between Collins and Wood Streets. The site is developed with a two-story mixed-use building with one ground floor commercial unit and one residential unit above. The subject commercial tenant space is currently vacant and was formerly occupied by a restaurant. According to the applicant, the residential unit previously the building owner and is currently rented on a short-term lease to a tenant. Use of the dwelling unit will resume by the building owner.
- 4. Surrounding Properties and Neighborhood.** The Geary Boulevard NCD Zoning District is located in the Inner Richmond neighborhood and Western Addition Planning District. Adjacent parcels on Geary Boulevard are located within the same zoning district. UC San Francisco is located one block south of the project site. Surrounding residential districts are zoned RH-1, RH-2, and RH-3.
- 5. Public Outreach and Comments.** The project sponsors held a community meeting on October 24, 2019;

no attendees are listed on the documentation forms provided by the applicant. The Planning Department has received one letter in support and five letters in opposition to the Project.

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

- A. **Use.** The establishment of a Cannabis Retail use in the Geary Boulevard NCD requires a Conditional Use Authorization pursuant to Planning Code Section 739.

The Project Sponsor is requesting a Conditional Use Authorization to establish a Cannabis Retail use in the Geary Boulevard NCD Zoning District. No on-site consumption proposed.

- B. **Use Size.** Within the Geary Boulevard Neighborhood Commercial Zoning District, the Planning Code principally permits non-residential uses up to 5,999 square feet and requires Conditional Use Authorization for uses 6,000 square feet and above.

The Project would utilize the entirety of the existing 1,425 square-foot ground floor retail space, which, is within the use size limits established by the Planning Code. The Project proposes to add a 164 square foot one-story horizontal addition at the rear of the building.

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

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

- D. **Hours of Operation.** Planning Code Section 739 states that there is no limit to the permitted hours of operation.

The Project sponsors have proposed hours of operation from 9 AM until 9 PM, which fall within the permitted hours of operation as defined by Planning Code Section 739.

- 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 subject commercial space complies with this requirement and shall be maintained in compliance with this Section. The subject commercial space has approximately 20 feet of frontage on Geary Boulevard. The storefront consists of two large windows with clear, unobstructed glass devoted to the business storefront. Minor changes proposed to the building façade, which include modification of the front entryway, installation of security cameras and storefront window replacement using metal-framed windows with security glass. Business signage will be installed under a separate permit.

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

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

The size of the proposed use is in keeping with other storefronts in the neighborhood. The subject block is unusual in that it is dominated by one wide lot and a self-serve car wash. The proposed Cannabis Retail establishment will not impact traffic or parking in the District as it will occupy an existing commercial tenant space. The use will complement the mix of goods and services currently available in the district and contribute to the economic vitality of the neighborhood by maintaining an active storefront. This project will provide a desirable and compatible service to the community.

The impact of increased access and visibility of cannabis to youth is a paramount concern for the City. There are no sensitive uses (as defined in Planning Code Section 202.2) within 600 feet of the proposed site. The retail storefront has been specifically designed to have a security check in at the main entryway to prevent the entrance of minors. Additionally, display cases and sales areas are setback from the front façade to limit the visibility of products. A reception and waiting area are proposed at the front façade to continue to activate the space. With this configuration, the visibility of products and potential impact to youth passing by is minimal.

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

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

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

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

The Planning Code does not require parking or loading for an approximately 1,425 square-foot Cannabis Retail establishment. The Project site is located within a neighborhood commercial district with metered on-street parking. The proposed use is designed to meet the needs of the immediate neighborhood and should not generate significant amounts of vehicular trips from the immediate neighborhood or citywide.

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

The Project does not propose any on-site consumption and therefore no additional requirements from the San Francisco Health Code apply.

- (4) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; *The Project site has no parking, open spaces or loading area and there will be no addition of parking spaces, loading facilities, open space or service areas. All Project signage, lighting and projections will be consistent with the controls of the Planning Code.*

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

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

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

The Project site has no parking or loading area and there will be no addition of parking spaces, loading facilities, or service areas. All Project signage, lighting and projections will be consistent with the controls of the Planning Codes.

Additional Conditional Use Findings for Cannabis Retail. Planning Code Section 303(w) outlines additional findings for the Commission when reviewing proposals for new Cannabis Retail establishments. The Commission shall consider “the geographic distribution of Cannabis Retail Uses throughout the City, the concentration of Cannabis Retail and Medical Cannabis Dispensary Uses within the general proximity of the proposed Cannabis Retail Use, the balance of other goods and services available within the general proximity of the proposed Cannabis Retail Use, any increase in youth access and exposure to cannabis at nearby facilities that primarily serve youth, and any proposed measures to counterbalance any such increase.”

Cannabis Retail is a newly created land use definition, and as such the distribution of sites that are permitted as Cannabis Retail is limited. However, it is expected that most or all existing Medical Cannabis Dispensaries will convert to Cannabis Retail uses once authorized by the Office of Cannabis to do so, likely in 2020.

Currently, most sites are operating as Medical Cannabis Dispensaries with temporary authorization from the Department of Public Health to sell cannabis products to adult-use consumers.

Currently, such dispensaries and retailers (collectively outlets) are extremely concentrated in the eastern neighborhoods of the City, particularly in the South of Market and Mission neighborhoods. The distribution of such outlets can be reviewed using the City's [Cannabis Retail Map](#).

The proposed project would add a Cannabis Retail use to the Inner Richmond neighborhood which will also serve the Presidio Heights and Western Addition neighborhoods. The nearest operating cannabis storefront is located 1.1 miles away on Grove Street in the Haight-Ashbury neighborhood. This Project will provide a desirable service to the northwest side of the City which is currently underserved by Cannabis Retail establishments.

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2

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

Policy 2.1:

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

OBJECTIVE 3:

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

Policy 3.1:

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

Policy 3.2:

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

OBJECTIVE 4

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

Policy 4.8:

Provide for the adequate security of employees and property.

OBJECTIVE 6

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

Policy 6.2

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

Cannabis is one of the fastest growing job categories in the country and one of the few retail uses that is burgeoning even in the face of e-commerce. The project sponsor is a qualified equity applicant Article 16 of the Police Code requires local sourcing of products and services. 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.

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. The Project is not a Formula Retail use.

The Project would activate an existing, vacant storefront with a new Cannabis Retail use (also a Retail Sales and Service Use), providing goods that are desirable for the neighborhood, attracting new customers to the vicinity. As such, the proposed use is supportive of creating a thriving business community within the neighborhood. Overall, there exists a diversity and balance of goods and services within the general vicinity and the proposed Project would help maintain that balance.

9. **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 Project site will provide a new retail tenant and new use for the neighborhood. The addition of this business will enhance foot traffic to the benefit neighboring businesses. Cannabis is one of the fastest growing job categories in the country and one of the few retail uses that is burgeoning even in the face of e-commerce.

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

The existing residential unit on the upper floor and in the surrounding neighborhood would not be adversely affected by the Project. The proposal does not include construction within the existing second level dwelling unit but will replace the rear landing and stair to the rear yard with a large private deck and new stair to the rear yard. The proposal does not affect housing or change the character of the building.

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

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

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

The Project site is well-served by transit. It is presumable that the employees would commute by transit thereby mitigating possible effects on street parking. The subject site has multiple MUNI transit lines located within one quarter mile (31-Balboa, 43-Masonic, 38-Geary, 38R-Geary, and 38 BX-Geary).

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

There is no commercial office development associated with the proposed project and there would be no displacement of any existing industrial or service businesses in the area. The applicant has commitments in its Operating Agreement, as well as obligations under City polity to source products and services from local businesses, particularly those owned by and employing residents who meet Cannabis Equity Criteria. As such, the business aims to increase employment and resident ownership in local cannabis enterprises.

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

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

- G. That landmarks and historic buildings be preserved.

The site is not an identified historic resource and was not surveyed as part of this project given that the proposed scope of work is minor and not impactful to any potential historic features.

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

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

- 10.** 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.
- 11.** 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. 2020-006148CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated October 19, 2020, and stamped “EXHIBIT B”, which is incorporated herein by reference as though fully set forth.

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

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

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

I hereby certify that the Planning Commission ADOPTED the foregoing Motion on November 5, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: November 5, 2020

EXHIBIT A

Authorization

This authorization is for a conditional use to allow a Cannabis Retail Use (d.b.a. **Mary Modern**) located at 2843-2845 Geary Boulevard, Block 1091, and Lot 025 pursuant to Planning Code Sections **202.2, 303, and 739** within the Geary Boulevard Neighborhood Commercial District and a **40-X** Height and Bulk District; in general conformance with plans, dated **October 19, 2020**, and stamped "EXHIBIT B" included in the docket for Record No. **2020-006148CUA** and subject to conditions of approval reviewed and approved by the Commission on September 10, 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 September 10, 2020 under Motion No **XXXXXX**.

Printing of Conditions of Approval on Plans

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

Severability

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

Changes and Modifications

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

CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

Performance

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Design – Compliance at Plan Stage

8. **Garbage, Composting and Recycling Storage.** Space for the collection and storage of garbage, composting, and recycling shall be provided within enclosed areas on the property and clearly labeled and illustrated on the building permit plans. Space for the collection and storage of recyclable and compostable materials that meets the size, location, accessibility and other standards specified by the San Francisco Recycling Program shall be provided at the ground level of the buildings.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

9. **Signage.** Signs and awnings shall be subject to review and approval by Planning Department.

For information about compliance, contact the Case Planner, Planning Department at 415-558-6378, www.sf-planning.org

Monitoring - After Entitlement

10. **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

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

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

Operation

- 12. On-Site Smoking/Vaporizing Not Permitted.** Cannabis may not be smoked or vaporized on site, including within the rear yard.

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

- 13. Outdoor Activity.** This authorization does not include use of the rear yard. The rear yard shall not be utilized for a commercial purpose unless a separate authorization is obtained.

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

- 14. Sidewalk Maintenance.** The Project Sponsor shall maintain the main entrance to the building and all sidewalks abutting the subject property in a clean and sanitary condition in compliance with the Department of Public Works Streets and Sidewalk Maintenance Standards.

For information about compliance, contact Bureau of Street Use and Mapping, Department of Public Works, 415-695-2017, <http://sfdpw.org>

- 15. 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

MARY MODERN CANNABIS DISPENSARY

2845 GEARY BLVD SAN FRANCISCO, CA 94118



EXISTING INTERIOR



PROPOSED DESIGN

Studio BANAA
architecture
planning
interiors

165 11th Street
CA, 94103
[T] 415.314.7386
[T] 510.612.7758
www.studiobanaa.com

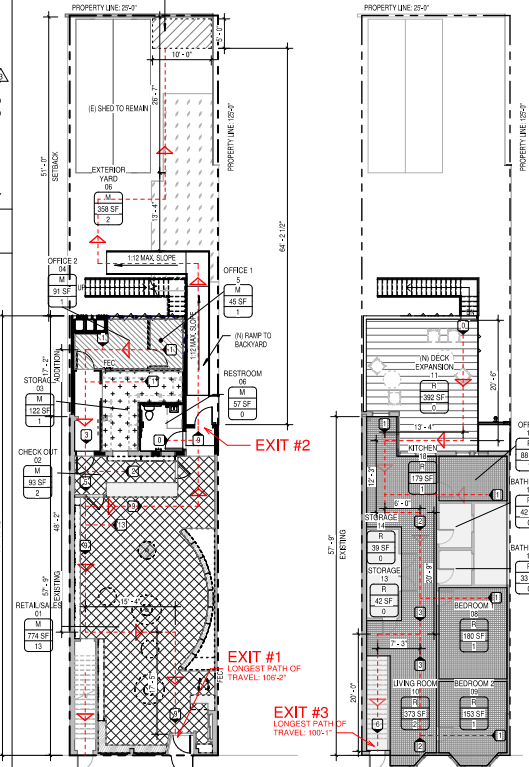
PROJECT DESCRIPTION	PROJECT DIRECTORY	BUILDING DATA	CODE ANALYSIS	GENERAL NOTES
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<p>THE PROJECT CONSISTS OF AN INTERIOR REMODEL AND ADDITION TO AN EXISTING COMMERCIAL LOCATION LOCATED AT 2845 GEARY BLVD. IN SAN FRANCISCO.</p> <p>SCOPE OF WORK</p> <ol style="list-style-type: none"> CONVERSION OF THE EXISTING RESTAURANT FACILITY ON GROUND FLOOR TO A CANNABIS DISPENSARY STORE (NO CONSUMPTION, ONLY SALES) DEMOLITION OF APPROX. 255 SF OF THE EXISTING BUILDING FACING THE BACKYARD AND REPLACING IT WITH A ONE STORY ADDITION TO THE RETAIL SPACE, AS WELL AS EXPANDING THE DECK ABOVE IT FOR THE RESIDENTIAL UNIT USE. MODIFICATIONS AND REMODEL IN THE INTERIOR OF THE GROUND FLOOR TO ACCOMMODATE A CANNABIS DISPENSARY FACILITY. <ul style="list-style-type: none"> STORAGE AREA OFFICE AREA RETAIL AREA <p>FIRST FLOOR OF THE EXISTING BUILDING CONTAINS A RESIDENTIAL UNIT WITH AN ADDRESS OF 2845 GEARY BLVD. THAT IS TO BE UNALTERED WITH THE EXCEPTION OF THE BACKYARD DECK.</p>	<p>TENANT ALPINE SUPPORT PRODUCTION Shig Alden CEO m: (415) 966-9348 e: shig@alpine.com www.alp.com</p> <p>STRUCTURAL ENGINEER BASE DESIGN 552 Market St., Suite 1402 San Francisco, CA 94104 Principal Gokhan Akalan, S.E. Phone: 415-466-2974 Office: 415-466-2997 Gokhan@BASEdesigninc.com</p> <p>ARCHITECT BUNTON MOUSAVI ARCHITECTURE GZA, "Studio BANAA" 165 11TH STREET SAN FRANCISCO, CA 94103</p> <p>HASTAROU MOUSAVI, AIA PRINCIPAL ARCHITECT hastarou@studiobanaa.com 415.610.8100</p> <p>MEP ENGINEER DEREK GLADSTONE, MECHANICAL ENGINEER GMP ENGINEERS 26419 RANCHO PINNACLES, STE. #130 LAKE FOREST, CA 92030 949-267-9595</p>	<p>PROJECT ADDRESS: 2845 GEARY BLVD. SAN FRANCISCO, CA 94118 APN: 1001025 ZONING: NC-3 MODERATE SCALE COMMERCIAL DISTRICT PROJECT DESCRIPTION: "CANNABIS RETAIL" (RETAIL SALES AND SERVICE CATEGORY) OCCUPANCY TYPE (EXISTING): B. RESTAURANT OCCUPANCY TYPE (PROPOSED): B. CANNABIS RETAIL (DISPENSARY) (M. UNDER 50 OCCUPANTS) REMODELED BUILDING AREA: 1,589 SF AREA OF ADDITION: 423 SF (GROUND FLOOR W/ DECK ABOVE) BUILDING AREA (EXISTING): WHOLE: 2,856 SF COMMERCIAL SPACE: 1,425 SF RESIDENTIAL SPACE WITH DECK: 1,431 SF RESIDENTIAL SPACE WITHOUT DECK: 1,185 SF BUILDING AREA (PROPOSED): WHOLE: 3,188 SF COMMERCIAL SPACE: 1,589 SF RESIDENTIAL SPACE WITH DECK: 1,477 SF RESIDENTIAL SPACE WITHOUT DECK: 1,185 SF CONSTRUCTION TYPE: VB SPRINKLER (EXISTING): NO SPRINKLER (PROPOSED): NO. GROUND FLOOR REAR WINDOWS ONLY</p>	<p>10 X 50 FT - 50 X 50 FT SAFE DISPOSAL AREA</p>	<ol style="list-style-type: none"> OCCUPANT LOAD FACTORS ARE ACCORDING TO CBC SECTION 1004, TABLE 1004.5. WHERE OCCUPANT LOAD SIGN IS REQUIRED, THE SIGN SHALL BE POSTED NEAR THE MAIN EXIT FROM THE ROOM. REFER TO A11.0 FOR ACCESSIBILITY DETAILS WALKING SURFACES THAT ARE PART OF AN ACCESSIBLE ROUTE SHALL COMPLY WITH SECTION 11B-403, THE RUNNING SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:50. THE CROSS SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:48.
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CODES AND REGULATIONS	DEFERRED APPROVALS	LIST OF DRAWINGS
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<p>USE THE FOLLOWING CODES AND REGULATIONS WITH LATEST AMENDMENTS AND SUPPLEMENTS:</p> <ol style="list-style-type: none"> CALIFORNIA CODE OF REGULATIONS (CCR) TITLE 24, 1917 A, 2019 BUILDING STANDARDS ADMINISTRATIVE CODE PART 1, TITLE 24 C.C.R. 2019 CALIFORNIA BUILDING CODE (CBC) PART 2, TITLE 24 C.C.R. ASME A17.1-2013/CSA B44-13 SAFETY CODE FOR ELEVATORS AND ESCALATORS 2019 CALIFORNIA REFERENCED STANDARDS CODE, PART 12, TITLE 24 C.C.R. TITLE 19 C.C.R., PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS. STRUCTURAL AND SEISMIC REQUIREMENTS: PART 2, TITLE 24 C.C.R. ACCESSIBILITY GUIDELINES: CCR TITLE 24, PARTS 2, 3 AND 9, (DSA INTERPRETIVE MANUAL) FIRE SAFETY (STATE FIRE MARSHAL): A. 2019 CALIFORNIA FIRE CODE (CFC), PART 9 TITLE 24 C.C.R. B. NFPA 72 NATIONAL FIRE ALARM, 2019 EDITION. C. CCR TITLE 19, CFSM REQUIREMENTS. D. NFPA-13 INSTALLATION OF SPRINKLERS (2019 EDITION) E. NFPA-14 STANDPIPE SYSTEMS (2019 EDITION) F. NFPA-17 DRY CHEMICAL EXTINGUISHING SYSTEMS (2019 EDITION) G. NFPA-17A WET CHEMICAL SYSTEMS (2019 EDITION) H. NFPA 20 STATIONARY FIRE PUMPS (2019 EDITION) I. NFPA-24 PRIVATE FIRE MANS (2019 EDITION) J. NFPA 72 NATIONAL FIRE ALARM CODE (CALIFORNIA AMENDED) (2019 EDITION) (NOTE: SEE UL STANDARD 864 FOR MANUAL DEVICES) K. NFPA 820 CRITICAL RADIANT FLUX OF FLOOR COVERING SYSTEMS (2019 EDITION) L. NFPA 2001 CLEAN AGENT FIRE EXTINGUISHING SYSTEMS (2015 EDITION), REFERENCE CODE SECTION FOR NFPA STANDARDS - 2019 CCR (SPM) CHAPTER 35 ELECTRICAL REQUIREMENTS: 2019 CALIFORNIA ELECTRICAL CODE (CEC), PART 3, TITLE 24 C.C.R. MECHANICAL REQUIREMENTS: 2019 CALIFORNIA MECHANICAL CODE (CMC) PART 4, TITLE 24 C.C.R. PLUMBING REQUIREMENTS: 2019 CALIFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24 C.C.R. 2019 CALIFORNIA ENERGY CODE PART 6, TITLE 24 C.C.R. 2019 CALIFORNIA FIRE CODE, PART 9, TITLE 24 C.C.R. CONSTRUCTION SAFETY (CAL-OSHA), CCR TITLE 8. RULES AND REGULATIONS OF THE LOCAL TELEPHONE COMPANY RULES AND REGULATIONS OF THE LOCAL UTILITY COMPANIES 	<p>1. EXTERIOR SIGNAGE</p> <p>NOTE: DEFERRED SUBMITTALS SHALL BE REVIEWED AND APPROVED BY THE ARCHITECT AND/OR ENGINEER OF RECORD PRIOR TO SUBMITTING TO THE CITY FOR REVIEW AND APPROVAL. THE DEFERRED SUBMITTAL ITEMS SHALL BE REVIEWED AND APPROVED BY THE CITY PRIOR TO FABRICATIONS AND INSTALLATIONS OF THESE ITEMS.</p>	<p>ARCHITECTURAL</p> <p>AD.1 PROJECT INFORMATION AD.0 SITE PLAN - EXISTING & PROPOSED AD.0 FLOOR PLAN - EXISTING AD.1 FLOOR PLAN - PROPOSED AD.0 EXTERIOR ELEVATIONS AD.1 EXTERIOR ELEVATIONS AD.0 SECTIONS</p>
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<p>USE THE FOLLOWING CODES AND REGULATIONS WITH LATEST AMENDMENTS AND SUPPLEMENTS:</p> <ol style="list-style-type: none"> CALIFORNIA CODE OF REGULATIONS (CCR) TITLE 24, 1917 A, 2019 BUILDING STANDARDS ADMINISTRATIVE CODE PART 1, TITLE 24 C.C.R. 2019 CALIFORNIA BUILDING CODE (CBC) PART 2, TITLE 24 C.C.R. ASME A17.1-2013/CSA B44-13 SAFETY CODE FOR ELEVATORS AND ESCALATORS 2019 CALIFORNIA REFERENCED STANDARDS CODE, PART 12, TITLE 24 C.C.R. TITLE 19 C.C.R., PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS. STRUCTURAL AND SEISMIC REQUIREMENTS: PART 2, TITLE 24 C.C.R. ACCESSIBILITY GUIDELINES: CCR TITLE 24, PARTS 2, 3 AND 9, (DSA INTERPRETIVE MANUAL) FIRE SAFETY (STATE FIRE MARSHAL): A. 2019 CALIFORNIA FIRE CODE (CFC), PART 9 TITLE 24 C.C.R. B. NFPA 72 NATIONAL FIRE ALARM, 2019 EDITION. C. CCR TITLE 19, CFSM REQUIREMENTS. D. NFPA-13 INSTALLATION OF SPRINKLERS (2019 EDITION) E. NFPA-14 STANDPIPE SYSTEMS (2019 EDITION) F. NFPA-17 DRY CHEMICAL EXTINGUISHING SYSTEMS (2019 EDITION) G. NFPA-17A WET CHEMICAL SYSTEMS (2019 EDITION) H. NFPA 20 STATIONARY FIRE PUMPS (2019 EDITION) I. NFPA-24 PRIVATE FIRE MANS (2019 EDITION) J. NFPA 72 NATIONAL FIRE ALARM CODE (CALIFORNIA AMENDED) (2019 EDITION) (NOTE: SEE UL STANDARD 864 FOR MANUAL DEVICES) K. NFPA 820 CRITICAL RADIANT FLUX OF FLOOR COVERING SYSTEMS (2019 EDITION) L. NFPA 2001 CLEAN AGENT FIRE EXTINGUISHING SYSTEMS (2015 EDITION), REFERENCE CODE SECTION FOR NFPA STANDARDS - 2019 CCR (SPM) CHAPTER 35 ELECTRICAL REQUIREMENTS: 2019 CALIFORNIA ELECTRICAL CODE (CEC), PART 3, TITLE 24 C.C.R. MECHANICAL REQUIREMENTS: 2019 CALIFORNIA MECHANICAL CODE (CMC) PART 4, TITLE 24 C.C.R. PLUMBING REQUIREMENTS: 2019 CALIFORNIA PLUMBING CODE (CPC), PART 5, TITLE 24 C.C.R. 2019 CALIFORNIA ENERGY CODE PART 6, TITLE 24 C.C.R. 2019 CALIFORNIA FIRE CODE, PART 9, TITLE 24 C.C.R. CONSTRUCTION SAFETY (CAL-OSHA), CCR TITLE 8. RULES AND REGULATIONS OF THE LOCAL TELEPHONE COMPANY RULES AND REGULATIONS OF THE LOCAL UTILITY COMPANIES 	<p>1. EXTERIOR SIGNAGE</p> <p>NOTE: DEFERRED SUBMITTALS SHALL BE REVIEWED AND APPROVED BY THE ARCHITECT AND/OR ENGINEER OF RECORD PRIOR TO SUBMITTING TO THE CITY FOR REVIEW AND APPROVAL. THE DEFERRED SUBMITTAL ITEMS SHALL BE REVIEWED AND APPROVED BY THE CITY PRIOR TO FABRICATIONS AND INSTALLATIONS OF THESE ITEMS.</p>	<p>ARCHITECTURAL</p> <p>AD.1 PROJECT INFORMATION AD.0 SITE PLAN - EXISTING & PROPOSED AD.0 FLOOR PLAN - EXISTING AD.1 FLOOR PLAN - PROPOSED AD.0 EXTERIOR ELEVATIONS AD.1 EXTERIOR ELEVATIONS AD.0 SECTIONS</p>
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PLUMBING FIXTURE CALCULATION		
<p>PER SECTION 422.2 EXCEPTION (2) OF 2019 CALIFORNIA PLUMBING CODE. IN BUSINESSES AND MERCHANDISE OCCUPANCIES WITH A TOTAL OCCUPANT LOAD OF 50 OR LESS INCLUDING CUSTOMERS AND EMPLOYEES, ONE TOILET FACILITY DESIGNED FOR USE BY NO MORE THAN ONE PERSON AT A TIME SHALL BE PERMITTED FOR USE IN BOTH SEXES.</p> <p>2019 CALIFORNIA PLUMBING CODE TABLE 422.2 & TABLE A OCCUPANT LOAD FACTOR:</p> <p>TOTAL SQUARE FOOTAGE: 1,589 SQ. FT.</p> <p>1,589 SQ. FT. (100) OCCUPANT LOAD FACTOR = 16 (TOTAL OCCUPANTS)</p> <p>1 SINGLE OCCUPANCY TOILET FACILITY SHALL BE PERMITTED.</p>		
EXIT PLAN LEGEND		
<p>← EGRESS PATH - ACCESSIBLE PATH - 20' - OCCUPANT LOAD</p>		
EXIT WIDTH CALCULATIONS		
EXIT #1	3' x 2.1-1'8"	30'
EXIT #2	3' x 2.1-1'8"	30'
EXIT #3	3' x 2.1-1'2"	32'
OCCUPANT LOAD SCHEDULE		
PER CBC 2019 TABLE 1004.5		
SPACE USE	OCCUPANT LOAD FACTOR (SF/OCCUPANT)	
MERCHANDISE	60 GROSS	
ACCESSORY STORAGE	300 GROSS	
ASSEMBLY AREA	15 GROSS	
BUSINESS AREA	150 GROSS	
RESIDENTIAL	200 GROSS	
OCCUPANCY CALCULATION		
GROUND FLOOR (COMMERCIAL)		
SPACE USE	LEGEND	OCCUPANT LOAD FACTOR (SF/OCCUPANT)
SERVICE BAR (MERCHANDISE)	[Pattern]	93 SF / 60 = 1.00C.
RETAIL AREA (MERCHANDISE)	[Pattern]	774 SF / 60 = 13.00C.
OFFICE 1 (BUSINESS AREA)	[Pattern]	45 SF / 150 = 1.00C.
OFFICE 2 (BUSINESS AREA)	[Pattern]	93 SF / 150 = 1.00C.
STORAGE (ACCESSORY STORAGE)	[Pattern]	120 SF / 300 = 1.00C.
EXTENSIVE YARD (ACCESSORY STORAGE)	[Pattern]	358 SF / 300 = 2.00C.
TOTAL OCCUPANTS = 31 OCC.		
OCCUPANCY CALCULATION		
SECOND FLOOR (RESIDENTIAL SPACE)		
SPACE USE	LEGEND	OCCUPANT LOAD FACTOR (SF/OCCUPANT)
BEDROOM 1 (RESIDENTIAL)	[Pattern]	180 SF / 200 = 1.00C.
BEDROOM 2 (RESIDENTIAL)	[Pattern]	153 SF / 200 = 1.00C.
OFFICE (RESIDENTIAL)	[Pattern]	170 SF / 200 = 1.00C.
LIVING ROOM (RESIDENTIAL)	[Pattern]	88 SF / 200 = 1.00C.
LIVING ROOM (RESIDENTIAL)	[Pattern]	373 SF / 200 = 2.00C.
TOTAL OCCUPANTS = 6 OCC.		

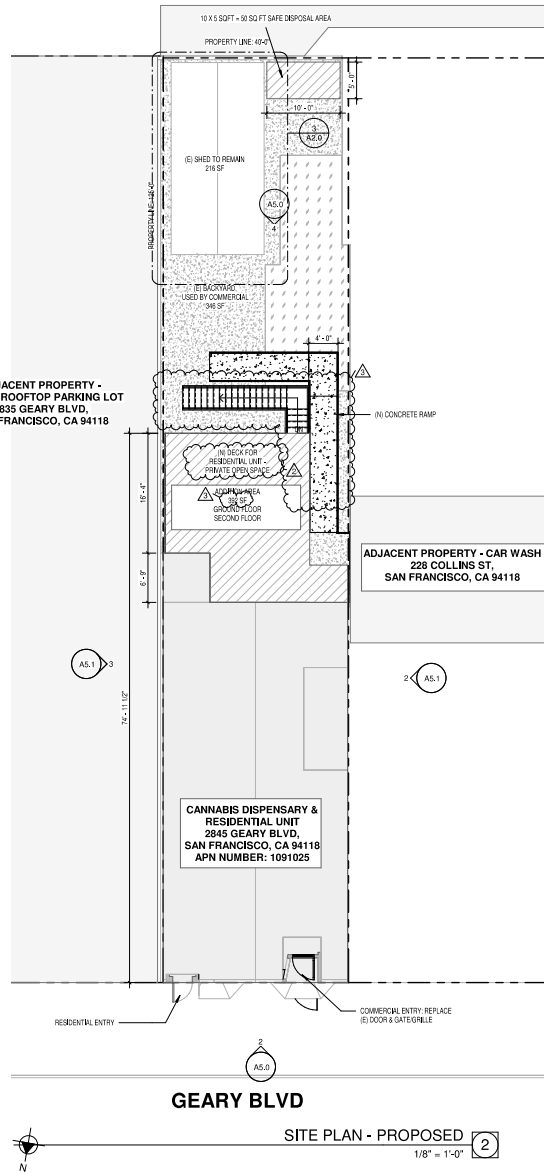
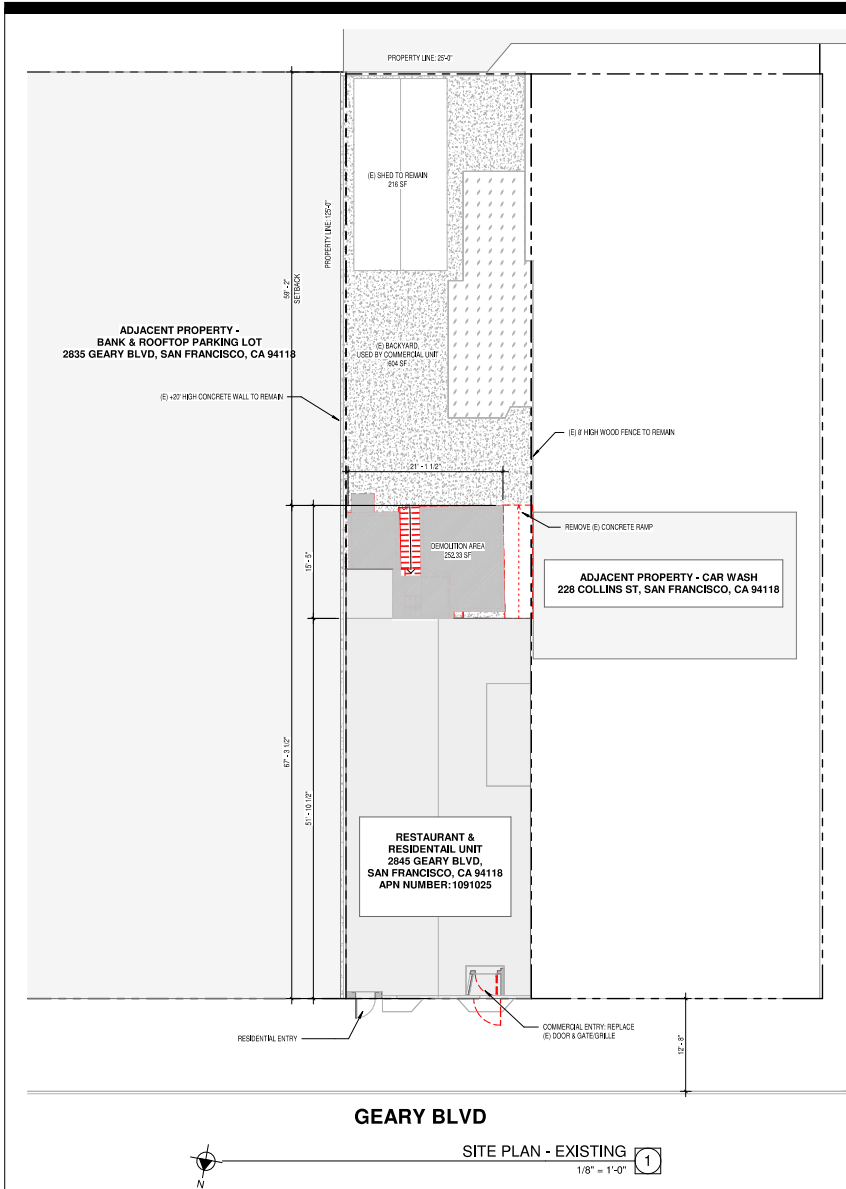
ARCHITECT	ENGINEER	
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NO.	REMARKS	DATE
1	COLLETER BY	07/24/2020
3	PLANNING DEPARTMENT COMMENTS	09/16/2020

KEY

MARY MODERN CANNABIS DISPENSARY
PLANNING SUBMITTAL

2845 GEARY BLVD
SAN FRANCISCO, CA 94118

PROJECT INFORMATION



GENERAL NOTES

LEGEND

	CONCRETE
	LANDSCAPE
	PROPERTY LINE

Studio BANAA
architecture
planning
interiors

165 11th Street
CA, 94103
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[T] 510.612.7758
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NO.	REMARKS	DATE
1	PLANNING REVISIONS BY	06/04/2020
2	PLANNING DEPARTMENT COMMENTS	07/16/2020

KEY

MARY MODERN
CANNABIS DISPENSARY


PLANNING SUBMITTAL

2845 GEARY BLVD
SAN FRANCISCO, CA 94118

SITE PLAN - EXISTING & PROPOSED

Date: 06/17/2020
Scale: As Indicated
Project Number: 19015

Drawing Number: **A1.0**

ARCHITECT	ENGINEER
	

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NO.	REMARKS	DATE
1	COLLEEN #1	07/24/2020
2	PLANNING REVISIONS #1	08/26/2020

KEY

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PLANNING SUBMITTAL

2845 GEARY BLVD
 SAN FRANCISCO, CA 94118








FLOOR PLAN - EXISTING

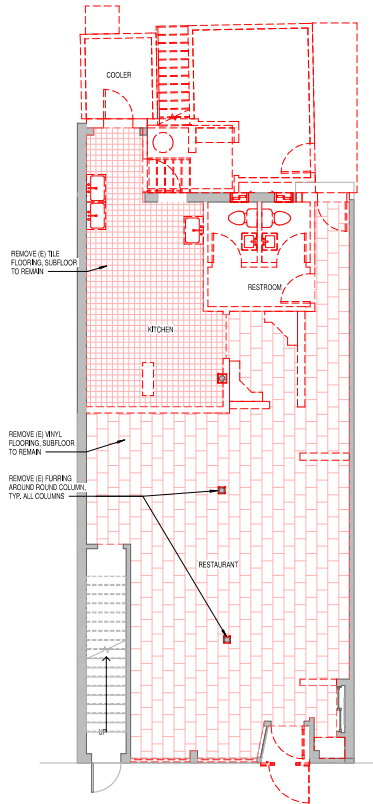
Date: 08/17/2020
 Scale: As Indicated
 Project Number: 19015
 Drawing Number: **A2.0**

GENERAL NOTES

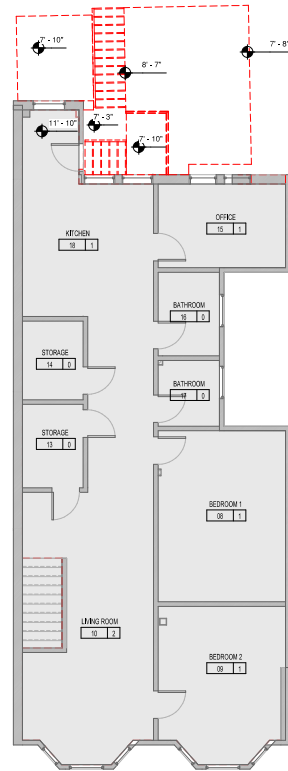
- EXISTING RESIDENTIAL UNIT ON FIRST FLOOR SHOWN FOR REFERENCE ONLY, NOT IN SCOPE.
- REMOVE ALL EXISTING KITCHEN EQUIPMENT INCLUDING HOOD, CAP ALL GAS LINES AND FLOOR DRAINS.

LEGEND

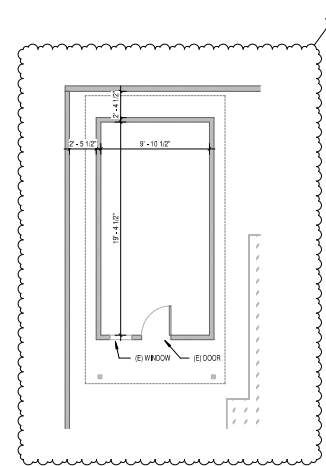
-  DEMOLITION ELEMENTS
-  EXISTING WALL TO REMAIN
-  NEW WALL
-  (C) ELEMENTS TO REMAIN
-  PLUMBING TAG, SEE PLUMBING SCHEDULE
-  EQUIPMENT TAG, SEE EQUIPMENT SCHEDULE
-  LIGHT FIXTURE TAG, SEE LIGHTING SCHEDULE



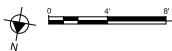
GROUND FLOOR PLAN EXISTING ②
 3/16" = 1'-0"

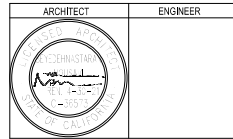


FIRST FLOOR PLAN EXISTING ①
 3/16" = 1'-0"



SHED FLOOR PLAN - EXISTING ③
 3/16" = 1'-0"





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NO.	REMARKS	DATE
1	PLANNING REVISIONS BY	06/04/2020
2	PLANNING DEPARTMENT COMMENTS	10/16/2020

KEY

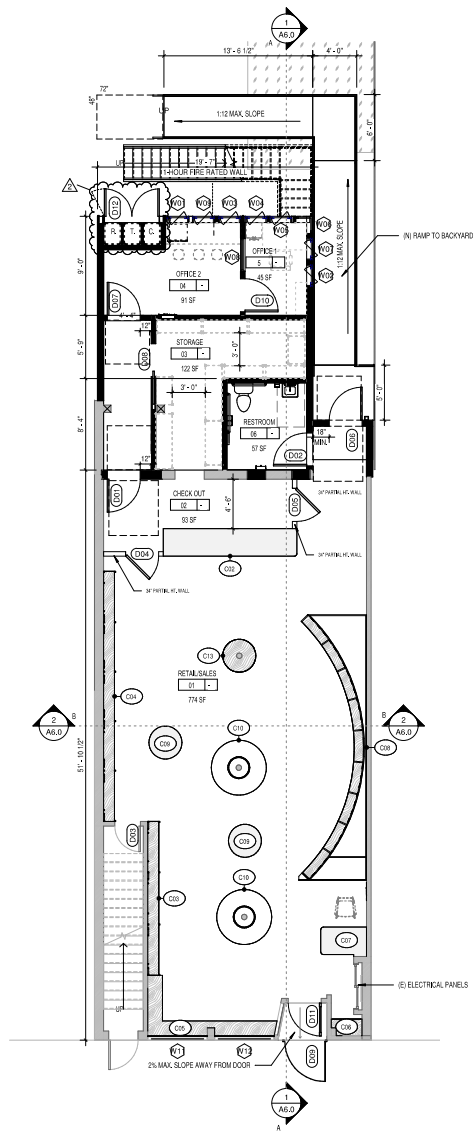
MARY MODERN
 CANNABIS DISPENSARY

PLANNING SUBMITTAL

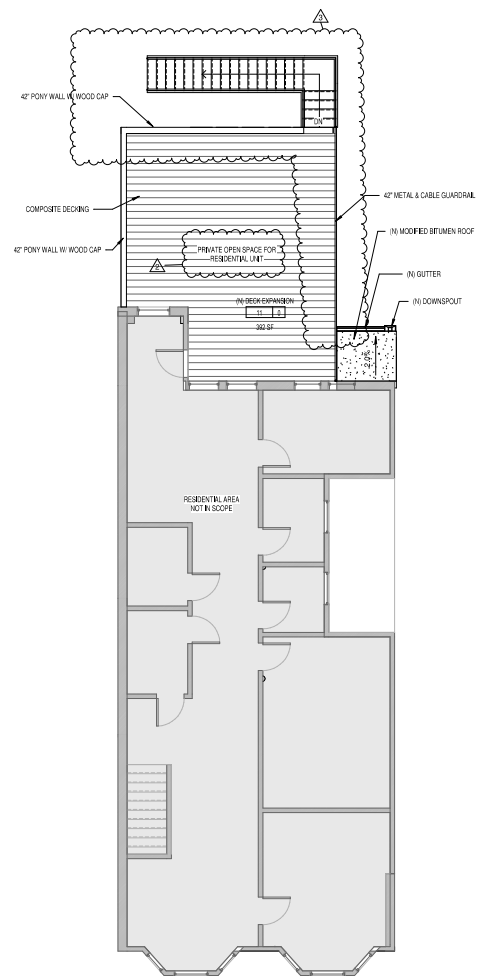
2845 GEARY BLVD
 SAN FRANCISCO, CA 94118

FLOOR PLAN -
 PROPOSED

Date: 06/17/2020
 Scale: As Indicated
 Project Number: 19015
 Drawing Number: A2.1



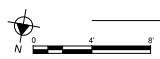
GROUND FLOOR PLAN - PROPOSED
 3/16" = 1'-0" [2]




SECOND FLOOR PLAN - PROPOSED
 3/16" = 1'-0" [1]

LEGEND

	DEMOLITION ELEMENTS
	EXISTING WALL TO REMAIN
	NEW WALL
	(E) SEALED CONCRETE TO REMAIN
	EXISTING ELEMENTS TO REMAIN
	NEW ELEMENTS
	PLUMBING TAG, SEE PLUMBING SCHEDULE
	EQUIPMENT TAG, SEE EQUIPMENT SCHEDULE
	LIGHT FIXTURE TAG, SEE LIGHTING SCHEDULE



ARCHITECT	ENGINEER
	

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NO.	REMARKS	DATE
1	ISSUED BY	07/24/2020
3	PLANNING DEPARTMENT COMMENTS	08/19/2020

KEY

MARY MODERN
 CANNABIS DISPENSARY

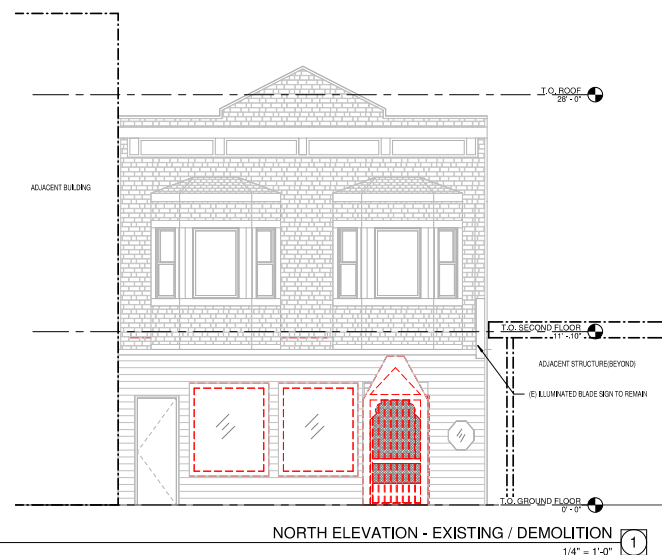
PLANNING SUBMITTAL

2845 GEARY BLVD
 SAN FRANCISCO, CA 94118

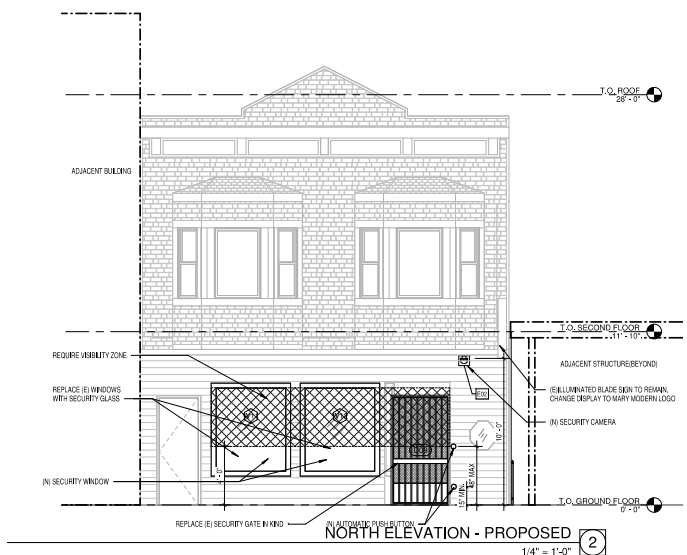
EXTERIOR ELEVATIONS

Date: 06/17/2020
 Scale: 1/4" = 1'-0"
 Project Number: 19015

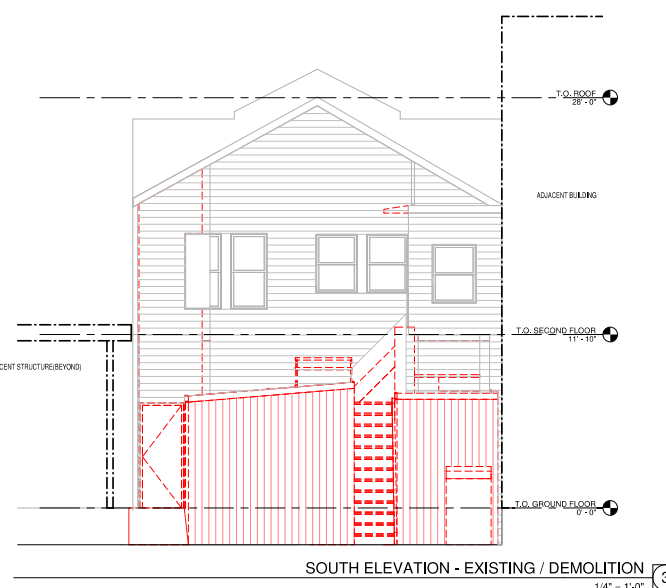
Drawing Number:
A5.0



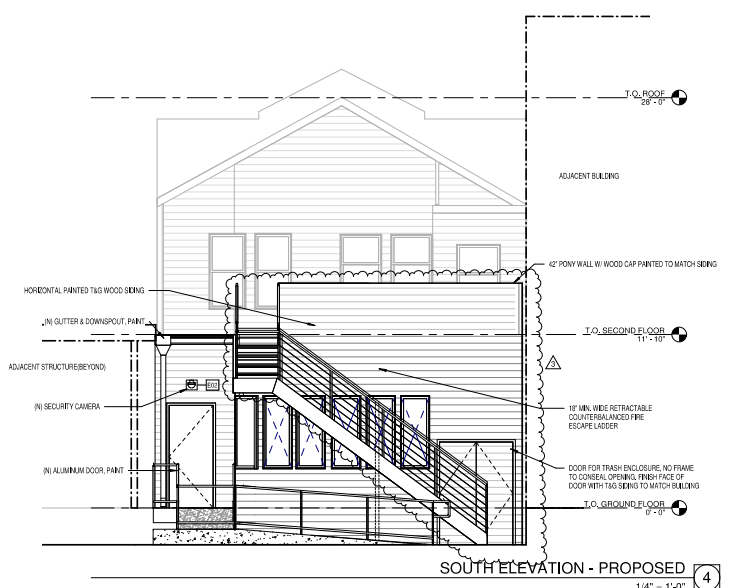
NORTH ELEVATION - EXISTING / DEMOLITION 1
 1/4" = 1'-0"



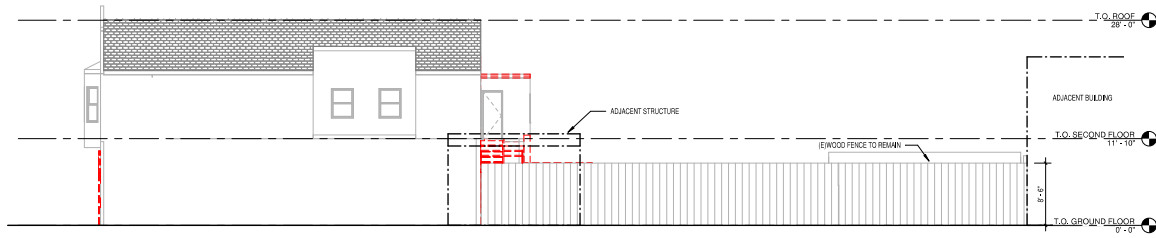
NORTH ELEVATION - PROPOSED 2
 1/4" = 1'-0"



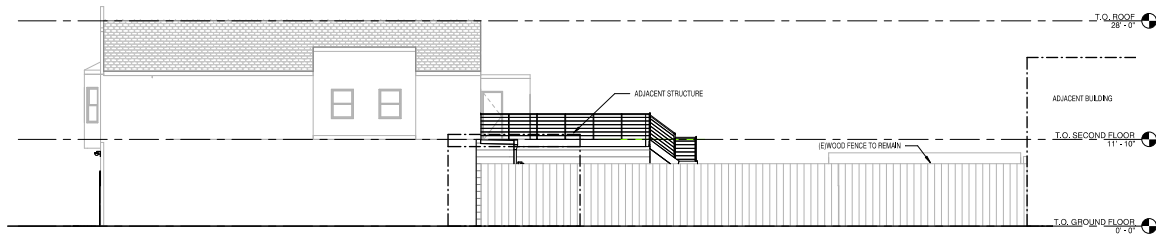
SOUTH ELEVATION - EXISTING / DEMOLITION 3
 1/4" = 1'-0"



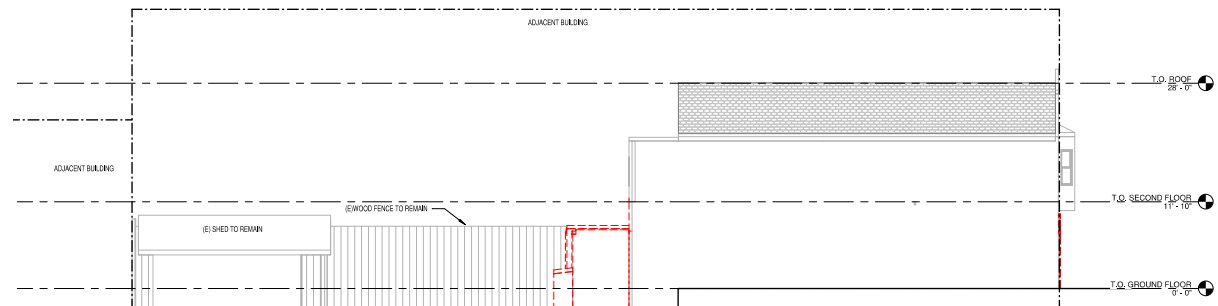
SOUTH ELEVATION - PROPOSED 4
 1/4" = 1'-0"



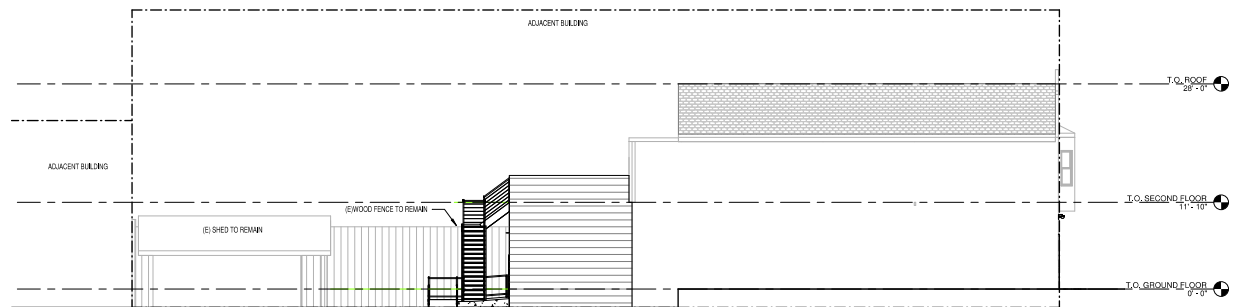
WEST ELEVATION - EXISTING / DEMOLITION 1
 1/8" = 1'-0"



WEST ELEVATION - PROPOSED 2
 1/8" = 1'-0"



EASTERN ELEVATION - EXISTING / DEMOLITION 3
 1/8" = 1'-0"



EASTERN ELEVATION - PROPOSED 4
 1/8" = 1'-0"

ARCHITECT	ENGINEER

1. This sheet is part of a set and is not to be used alone.
 2. This sheet is not to be used for construction unless the architect's stamp and signature appears on the drawings and the status box indicates drawings have been released for construction.
 3. These plans and prints thereof, as instruments of service, are owned by the architect and are for use on this project only. Reproduction and/or distribution without the prior written consent of the architect is forbidden.
 4. Copyright Banar Mousavi Architects Inc. 2020

NO.	BULLETIN #1	REMARKS	DATE
1			07/24/2020

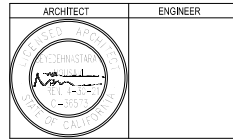
KEY

**MARY MODERN
 CANNABIS DISPENSARY**

PLANNING SUBMITTAL

2845 GEARY BLVD
 SAN FRANCISCO, CA 94118

EXTERIOR ELEVATIONS



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NO.	REMARKS	DATE

KEY

MARY MODERN
 CANNABIS DISPENSARY

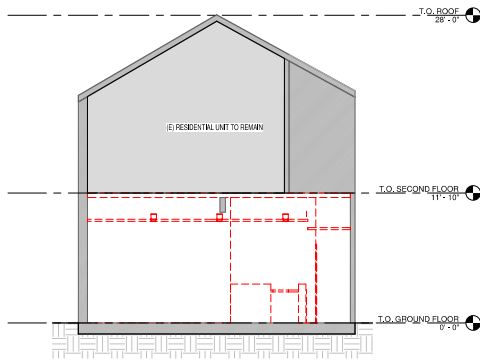
PLANNING SUBMITTAL

2845 GEARY BLVD
 SAN FRANCISCO, CA 94118

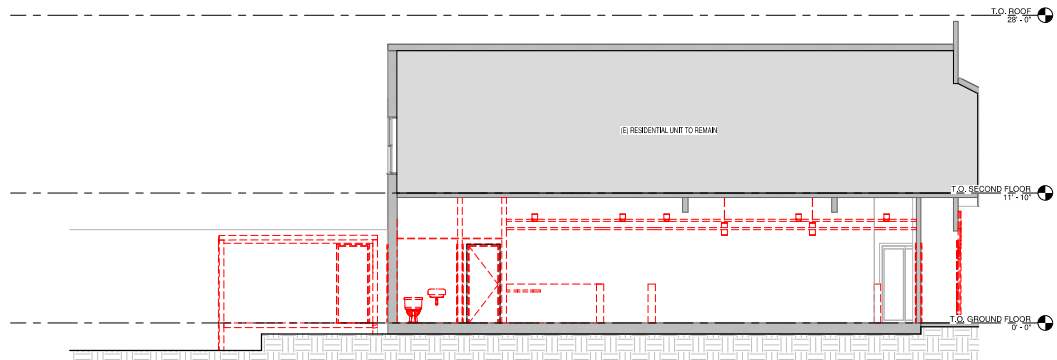
SECTIONS

Date: 06/17/2020
 Scale: 3/16" = 1'-0"
 Project Number: 19015

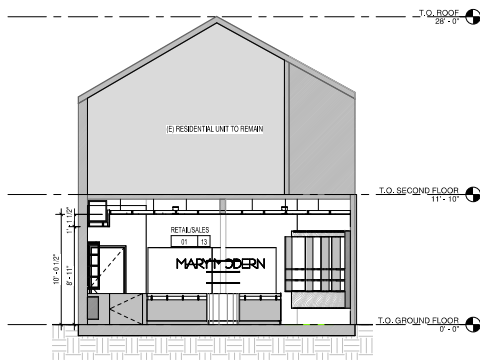
Drawing Number:
A6.0



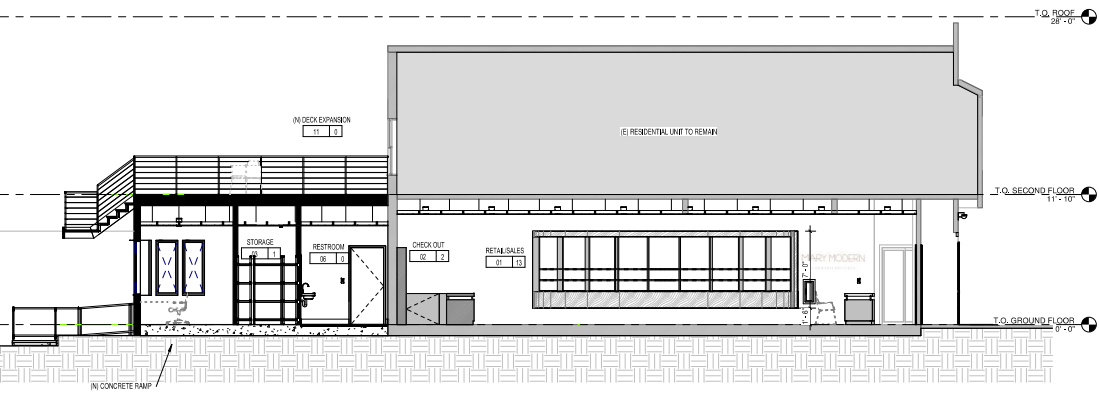
SECTION B-B EXISTING
 3/16" = 1'-0" 4



SECTION A-A EXISTING
 3/16" = 1'-0" 3



SECTION B-B PROPOSED
 3/16" = 1'-0" 2



SECTION A-A PROPOSED
 3/16" = 1'-0" 1



SAN FRANCISCO PLANNING DEPARTMENT



CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
2843 GEARY BLVD		1091025
Case No.		Permit No.
2020-006148PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input checked="" type="checkbox"/> Demolition (requires HRE for Category B Building)	<input type="checkbox"/> New Construction
<p>Project description for Planning Department approval. Conditional Use Authorization request for conversion of the restaurant into a cannabis retail store at ground level. Addition of retail space on the ground level and residential deck space at the upper level. Interior remodel of commercial space to accommodate the cannabis retail facility. Minor facade improvements including replacement of front door gate, the addition of ADA push button, and replacement of signage.</p>		

STEP 1: EXEMPTION CLASS

The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA).	
<input checked="" type="checkbox"/>	Class 1 - Existing Facilities. Interior and exterior alterations; additions under 10,000 sq. ft.
<input type="checkbox"/>	Class 3 - New Construction. Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p>Class 32 - In-Fill Development. New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</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>FOR ENVIRONMENTAL PLANNING USE ONLY</p>
<input type="checkbox"/>	Class ____

STEP 2: CEQA IMPACTS

TO BE COMPLETED BY PROJECT PLANNER

<input type="checkbox"/>	<p>Air Quality: Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities within an Air Pollution Exposure Zone? Does the project have the potential to emit substantial pollutant concentrations (e.g., backup diesel generators, heavy industry, diesel trucks, etc.)? (refer to EP_ArcMap > CEQA Catex Determination Layers > Air Pollution Exposure Zone)</p>
<input type="checkbox"/>	<p>Hazardous Materials: If the project site is located on the Maher map or is suspected of containing hazardous materials (based on a previous use such as gas station, auto repair, dry cleaners, or heavy manufacturing, or a site with underground storage tanks): Would the project involve 50 cubic yards or more of soil disturbance - or a change of use from industrial to residential?</p> <p>Note that a categorical exemption shall not be issued for a project located on the Cortese List if the applicant presents documentation of enrollment in the San Francisco Department of Public Health (DPH) Maher program, a DPH waiver from the Maher program, or other documentation from Environmental Planning staff that hazardous material effects would be less than significant (refer to EP_ArcMap > Maher layer).</p>
<input type="checkbox"/>	<p>Transportation: Does the project involve a child care facility or school with 30 or more students, or a location 1,500 sq. ft. or greater? Does the project have the potential to adversely affect transit, pedestrian and/or bicycle safety (hazards) or the adequacy of nearby transit, pedestrian and/or bicycle facilities?</p>
<input type="checkbox"/>	<p>Archeological Resources: Would the project result in soil disturbance/modification greater than two (2) feet below grade in an archeological sensitive area or eight (8) feet in a non -archeological sensitive area? If yes, archeo review is required (refer to EP_ArcMap > CEQA Catex Determination Layers > Archeological Sensitive Area)</p>
<input type="checkbox"/>	<p>Subdivision/Lot Line Adjustment: Does the project site involve a subdivision or lot line adjustment on a lot with a slope average of 20% or more? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography). If yes, Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Slope = or > 25%: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Topography) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Landslide Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report is required and Environmental Planning must issue the exemption.</p>
<input type="checkbox"/>	<p>Seismic: Liquefaction Zone: Does the project involve any of the following: (1) square footage expansion greater than 500 sq. ft. outside of the existing building footprint, (2) excavation of 50 cubic yards or more of soil, (3) new construction? (refer to EP_ArcMap > CEQA Catex Determination Layers > Seismic Hazard Zones) If box is checked, a geotechnical report will likely be required and Environmental Planning must issue the exemption.</p>
<p>Comments and Planner Signature (optional): Laura Ajello</p>	

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

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

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

Check all that apply to the project.	
<input checked="" type="checkbox"/>	1. Change of use and new construction. Tenant improvements not included.
<input type="checkbox"/>	2. Regular maintenance or repair to correct or repair deterioration, decay, or damage to building.
<input type="checkbox"/>	3. Window replacement that meets the Department's <i>Window Replacement Standards</i> . Does not include storefront window alterations.
<input type="checkbox"/>	4. Garage work. A new opening that meets the <i>Guidelines for Adding Garages and Curb Cuts</i> , and/or replacement of a garage door in an existing opening that meets the Residential Design Guidelines.
<input type="checkbox"/>	5. Deck, terrace construction, or fences not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	6. Mechanical equipment installation that is not visible from any immediately adjacent public right-of-way.
<input type="checkbox"/>	7. Dormer installation that meets the requirements for exemption from public notification under <i>Zoning Administrator Bulletin No. 3: Dormer Windows</i> .
<input type="checkbox"/>	8. Addition(s) that are not visible from any immediately adjacent public right-of-way for 150 feet in each direction; does not extend vertically beyond the floor level of the top story of the structure or is only a single story in height; does not have a footprint that is more than 50% larger than that of the original building; and does not cause the removal of architectural significant roofing features.
Note: Project Planner must check box below before proceeding.	
<input type="checkbox"/>	Project is not listed. GO TO STEP 5.
<input type="checkbox"/>	Project does not conform to the scopes of work. GO TO STEP 5.
<input type="checkbox"/>	Project involves four or more work descriptions. GO TO STEP 5.
<input checked="" type="checkbox"/>	Project involves less than four work descriptions. GO TO STEP 6.

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

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

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

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

<input checked="" type="checkbox"/>	No further environmental review is required. The project is categorically exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.	
	Project Approval Action: Building Permit	Signature: Katherine Wilborn
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the project.	08/27/2020
Once signed or stamped and dated, this document constitutes a categorical exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code. In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination can only be filed within 30 days of the project receiving the approval action. Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.		

STEP 7: MODIFICATION OF A CEQA EXEMPT PROJECT

TO BE COMPLETED BY PROJECT PLANNER

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

MODIFIED PROJECT DESCRIPTION

Modified Project Description:

DETERMINATION IF PROJECT CONSTITUTES SUBSTANTIAL MODIFICATION

Compared to the approved project, would the modified project:

- | | |
|--------------------------|--|
| <input type="checkbox"/> | Result in expansion of the building envelope, as defined in the Planning Code; |
| <input type="checkbox"/> | Result in the change of use that would require public notice under Planning Code Sections 311 or 312; |
| <input type="checkbox"/> | Result in demolition as defined under Planning Code Section 317 or 19005(f)? |
| <input type="checkbox"/> | Is any information being presented that was not known and could not have been known at the time of the original determination, that shows the originally approved project may no longer qualify for the exemption? |

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

DETERMINATION OF NO SUBSTANTIAL MODIFICATION

- | | |
|--------------------------|---|
| <input type="checkbox"/> | The proposed modification would not result in any of the above changes. |
|--------------------------|---|

If this box is checked, the proposed modifications are categorically exempt under CEQA, in accordance with prior project approval and no additional environmental review is required. This determination shall be posted on the Planning Department website and office and mailed to the applicant, City approving entities, and anyone requesting written notice. In accordance with Chapter 31, Sec 31.08j of the San Francisco Administrative Code, an appeal of this determination can be filed within 10 days of posting of this determination.

Planner Name:

Date:



SAN FRANCISCO PLANNING DEPARTMENT

Land Use Information

PROJECT ADDRESS: 2843 GEARY BLVD
RECORD NO.: 2020-006148CUA

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

Reception:
415.558.6378

Fax:
415.558.6409

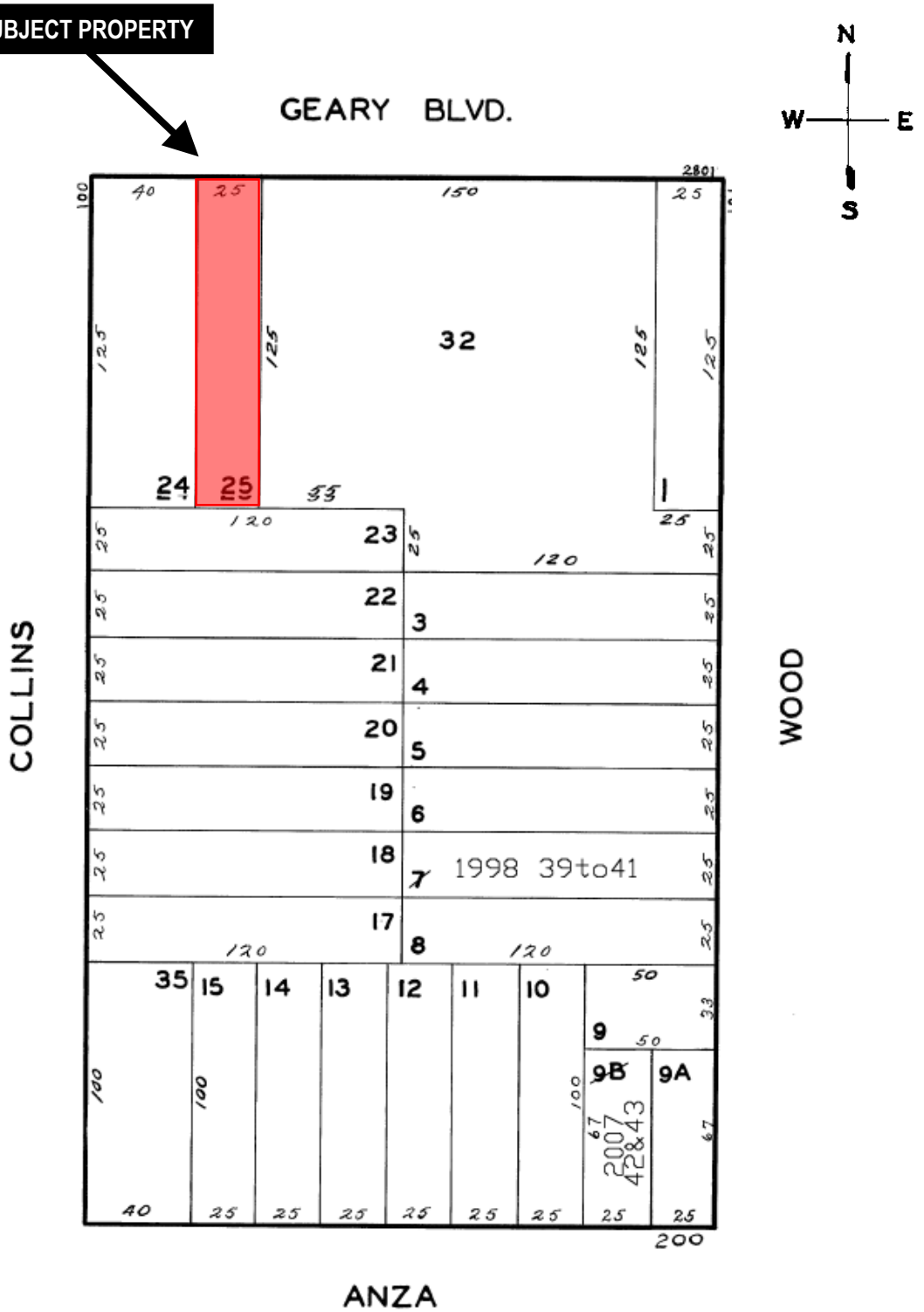
Planning
Information:
415.558.6377

	EXISTING	PROPOSED	NET NEW
GROSS SQUARE FOOTAGE (GSF)			
Parking GSF	0	0	0
Residential GSF	1185	1185	1185
Retail/Commercial GSF	1425	1589	1589
Office GSF	0	0	0
Industrial/PDR GSF <i>Production, Distribution, & Repair</i>	N/A	0	0
Medical GSF	0	0	0
Visitor GSF	0	0	0
CIE GSF	0	0	0
Usable Open Space	246	455	455
Public Open Space	0	0	0
Other ()			
TOTAL GSF	2856	3229	3229
	EXISTING	NET NEW	TOTALS
PROJECT FEATURES (Units or Amounts)			
Dwelling Units - Affordable	0	0	0
Dwelling Units - Market Rate	1	1	1
Dwelling Units - Total	1	1	1
Hotel Rooms	N/A	0	0
Number of Buildings	1	1	1
Number of Stories	2	2	2
Parking Spaces	0	0	0
Loading Spaces	0	0	0
Bicycle Spaces	0	0	0
Car Share Spaces	0	0	0
Other ()			

	EXISTING	PROPOSED	NET NEW
LAND USE - RESIDENTIAL			
Studio Units	0	0	0
One Bedroom Units	0	0	0
Two Bedroom Units	1	1	1
Three Bedroom (or +) Units	0	0	0
Group Housing - Rooms	0	0	0
Group Housing - Beds	N/A	0	0
SRO Units	0	0	0
Micro Units	0	0	0
Accessory Dwelling Units	0	0	0

Parcel Map

SUBJECT PROPERTY

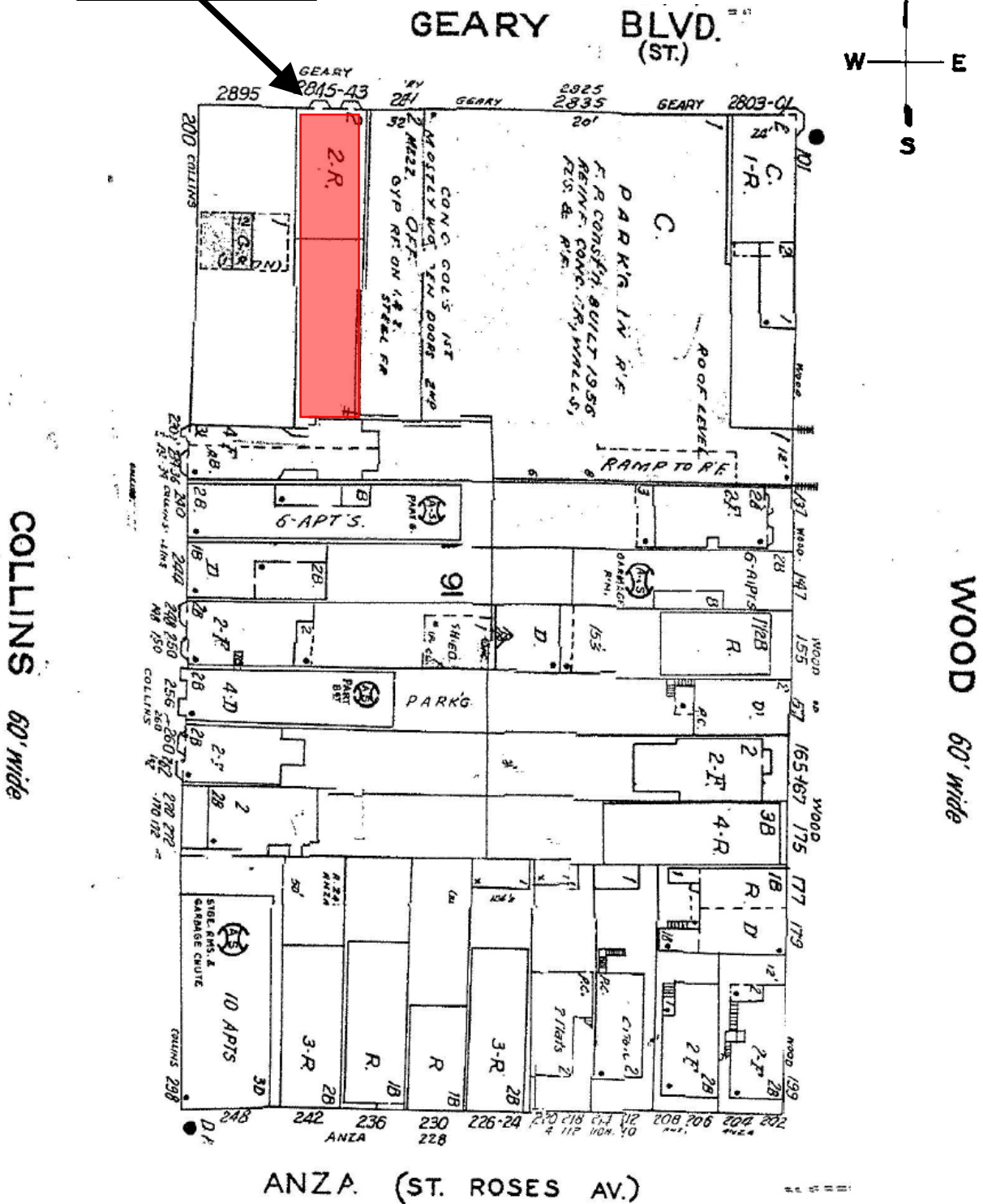
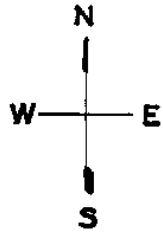


Conditional Use Hearing - Exhibit E
 Case Number 2020-006148CUA
 Cannabis Retail – Mary Modern
 2843-2845 Geary Boulevard



Sanborn Map*

SUBJECT PROPERTY

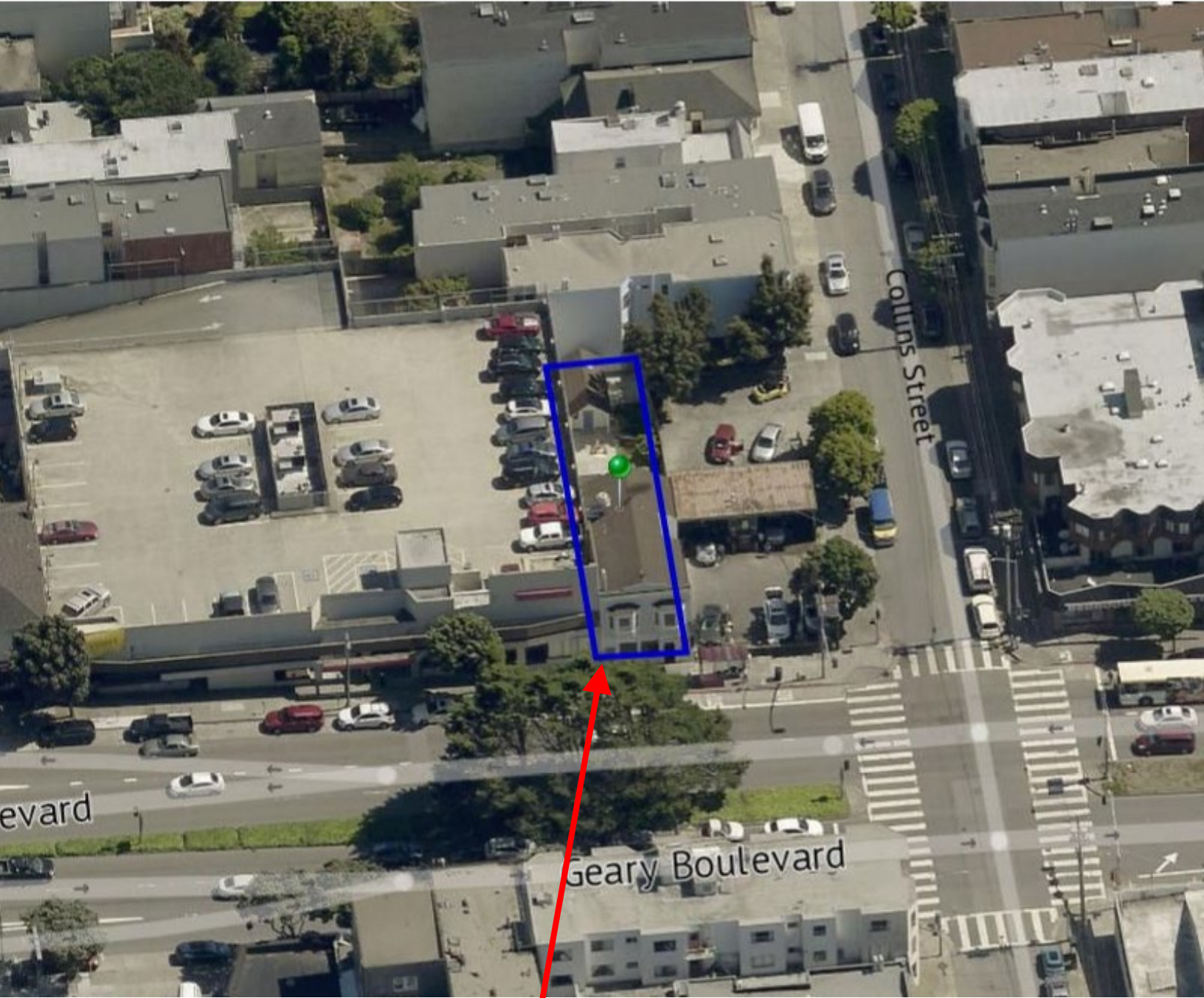


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Hearing
 Case Number 2020-006148CUA
 Cannabis Retail – Mary Modern
 2843-2845 Geary Boulevard

Aerial Photo – View 1

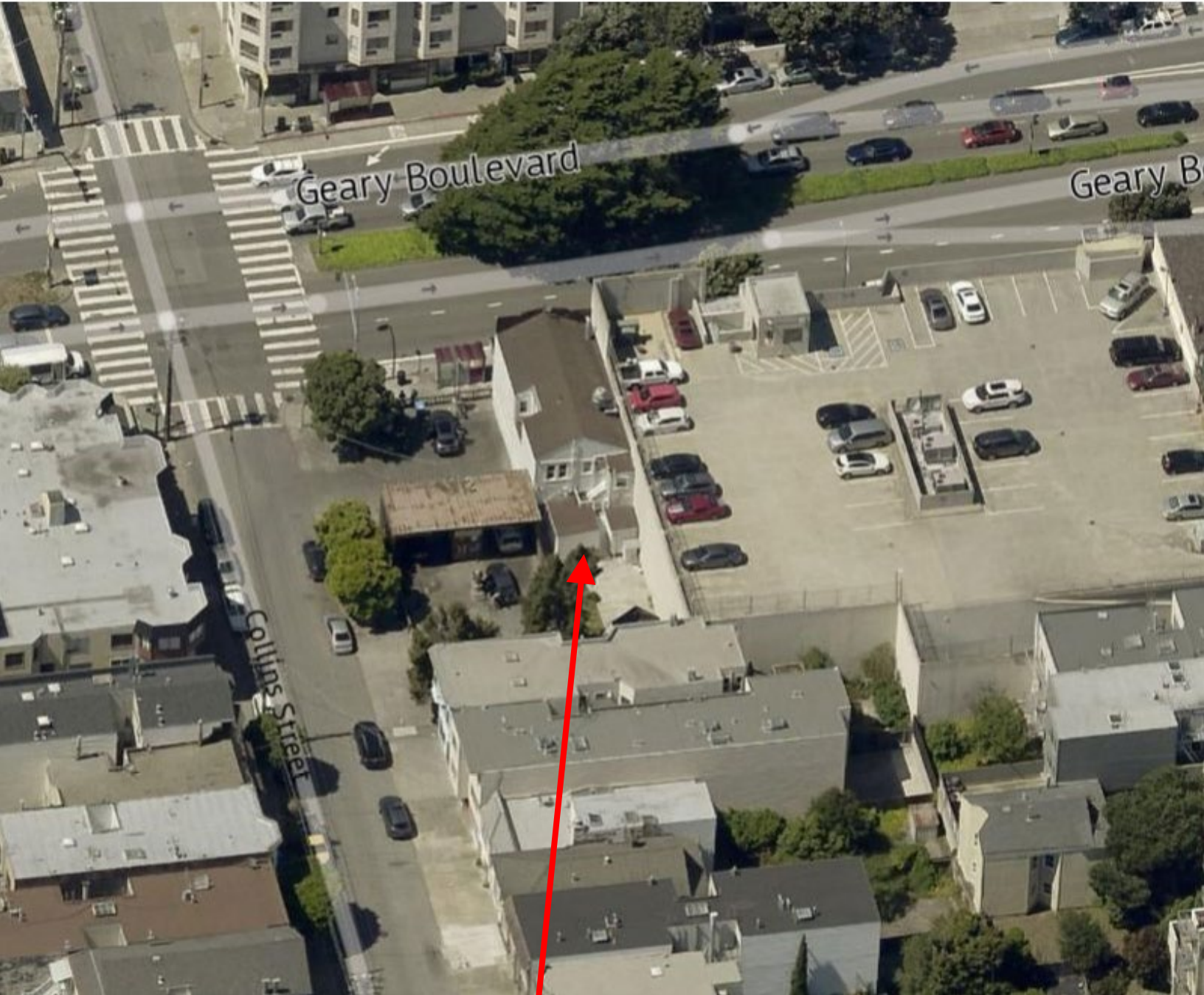


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2020-006148CUA
Cannabis Retail – Mary Modern
2843-2845 Geary Boulevard

Aerial Photo – View 2

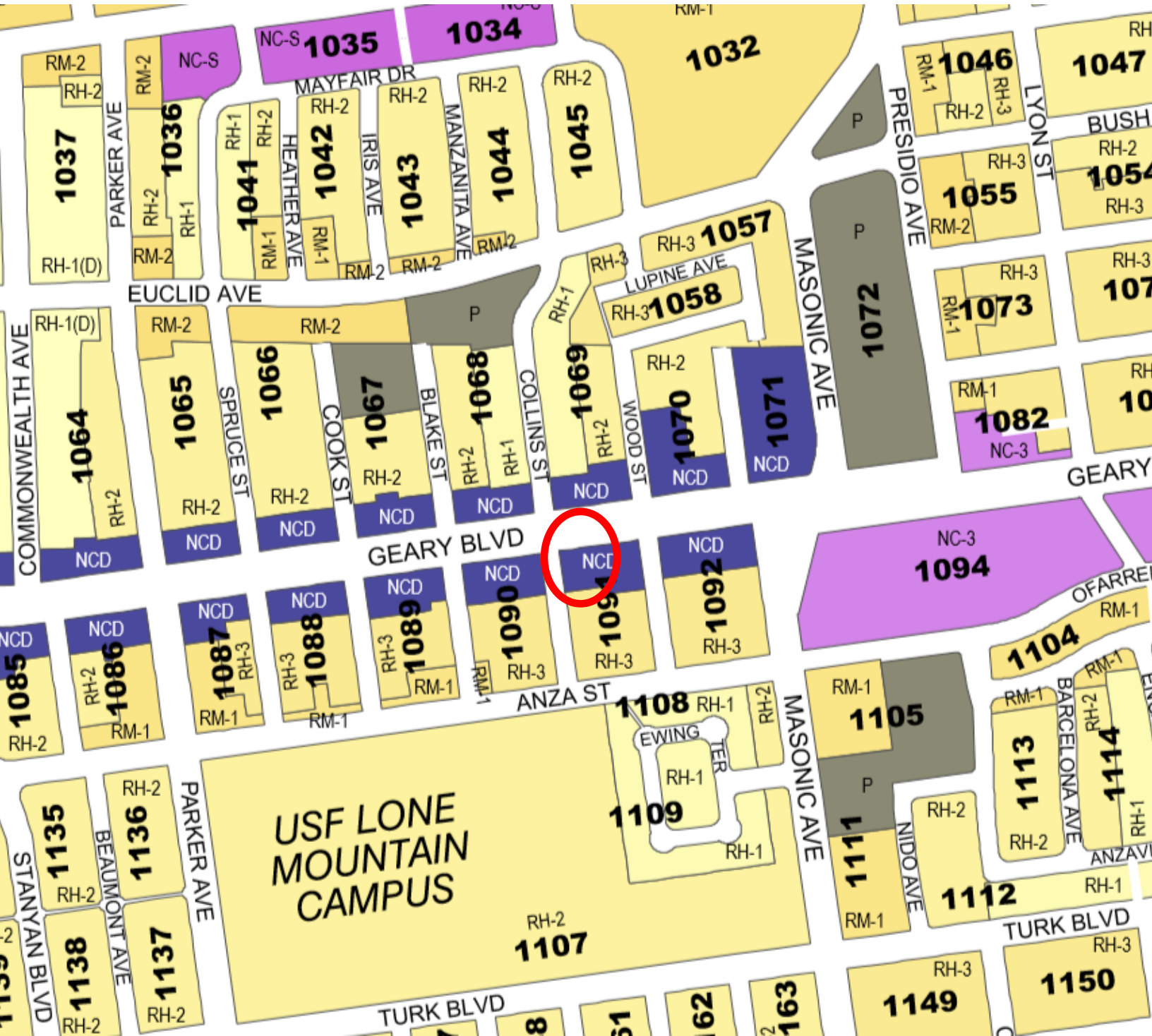


SUBJECT PROPERTY



Conditional Use Hearing
Case Number 2020-006148CUA
Cannabis Retail – Mary Modern
2843-2845 Geary Boulevard

Zoning Map



Conditional Use Hearing
Case Number 2020-006148CUA
Cannabis Retail – Mary Modern
2843-2845 Geary Boulevard

Site Photo 1



Conditional Use Hearing
Case Number 2020-006148CUA
Cannabis Retail – Mary Modern
2843-2845 Geary Boulevard

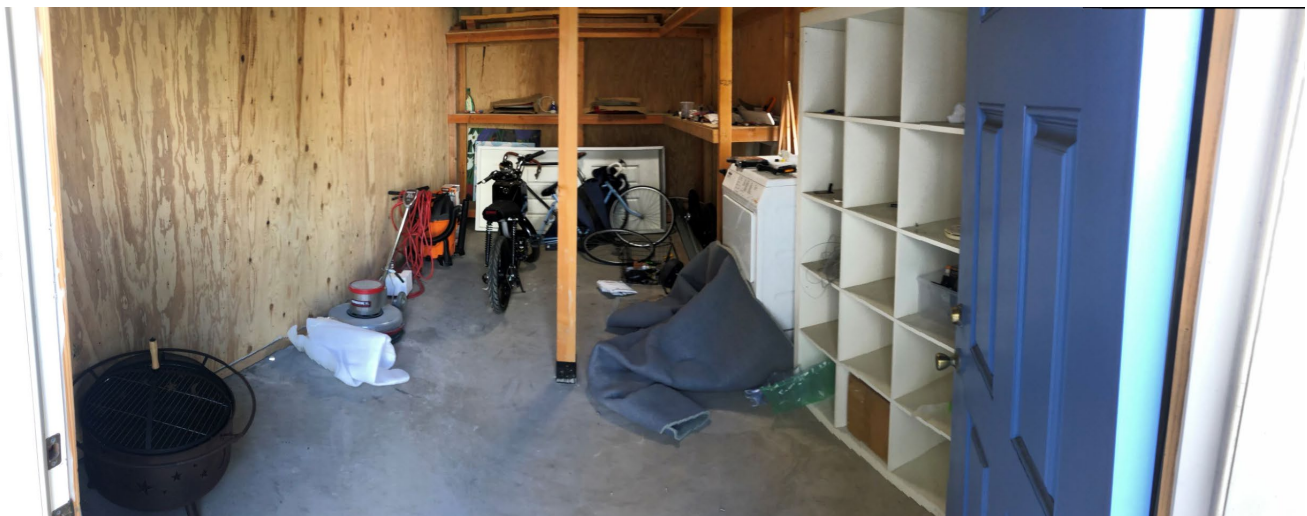
Site Photo 2



Conditional Use Hearing
Case Number 2020-006148CUA
Cannabis Retail – Mary Modern
2843-2845 Geary Boulevard

Site Photo 3

Rear Shed



Conditional Use Hearing
Case Number 2020-006148CUA
Cannabis Retail – Mary Modern
2843-2845 Geary Boulevard

To: Laura Ajello
Planner
laura.ajello@sfgov.org
628.652.7353

Re. Matter Number 2020-006148CUA – 2843 Geary Blvd. SF, CA

Dear Planning Commission,

My husband, daughter, two dogs and I live at 2843 Geary Blvd. On August 27th, we emailed an opposition letter for construction at 2845 Geary Blvd, the shop below our home (Record Number 2020-006148CUA). I would like to take the time to update the commissioners regarding our opposition since our last letter to the commission

Though we were hoping to come to an amicable agreement with our landlords, we have come to no such agreement. They have just informed us that they want access to our apartment to replace a “beam”. We do not have any exposed beams and we have not requested any repairs to any beams, so we are left to assume that they want to do construction exceeding the scope of their permit application permits that will displace us from our home for an indefinite period. This is another move in a long list of attempts to force us out of our home. No information has been provided to us as to how long we would be displaced from our unit upstairs in the middle of a pandemic or any details as to the specific scope of the work as pertaining just to our unit despite our repeated requests. Their lawyer keeps on telling us that we will receive a notice of entry for undisclosed items of work in our unit including to work on a “beam”.

On August 7th, we were told by the landlord via text that we must move out at the expiration of our 1-year lease without disclosing that we were covered by the San Francisco Rent Ordinance. Ten days earlier, on July 28th, Dane Bunton wrote to Laura Ajello incorrectly saying that we had already agreed to move out. Again, we have no intention to move out. On August 7th, we explained to the landlords that in San Francisco we are not required to leave and had no plans to move. At this point, they began harassing us to leave.

They have since cut off access to our breaker box and have no intention to restore access. They have cut off access to our garbage cans. Before we moved in, we were told that landlords pay garbage and the internet. Since the application process has started, they have taken back those amenities and insist that we take over the payment. Over the phone, we were told that if we seek legal action, we will be required to pay for their lawyer fees. We were told they are in many lawsuits and that we “don’t want to mess with them.”

Furthermore, their plans for construction would cut off access to our backyard, limiting our enjoyment of the property. We have two dogs that regularly use the backyard and a deck would be of significantly less use to us. Indeed, it will be detrimental as we very much prefer and need the back yard that we currently have access to. This space has been crucial for providing an outdoor area protected from possible COVID exposure.

Lastly, I would like to note that the landlord and his employees have repeatedly said they offered us an alternative home at a lower price. Though we were open to looking at such listings, the landlords never sent any listings for these alleged properties. However, we know that the location (only one has been offered) is further out (in the Bernal Heights neighborhood) and smaller than our current home, thus the lower price.

Due to the harassment we've experienced, our fears for displacement, and concerns for our family's health during a pandemic, we wholeheartedly oppose construction at 2845 Geary Blvd. Please, include this objection for consideration at the upcoming hearing in these matters.

Thanks, you for your time and considering our opposition letter.

Respectfully submitted,

Charlie and Gabriella Schock
2843 Geary Blvd, San Francisco CA 94118



PROJECT APPLICATION (PRJ)

GENERAL INFORMATION

Property Information

Project Address: 2845 Geary Blvd., San Francisco, CA, 94118

Block/Lot(s): 1091/025

Property Owner's Information

Name: Skip Alden

Address: 2845 Geary Blvd., San Francisco, CA, 94118

Email Address: skip@folimedia.com

Telephone: (619) 985-3948

Applicant Information

Same as above

Name: Dane Bunton

Company/Organization: Studio BANAA (Architect)

Address: 118 Precita Avenue, San Francisco, 94110

Email Address: dane@studiobanaa.com

Telephone: 510-612-7758

Please Select Billing Contact:

Owner Applicant Other (see below for details)

Name: Dane Bunton

Email: dane@studiobanaa.com

Phone: (510) 612-7758

Please Select Primary Project Contact:

Owner Applicant Billing

RELATED APPLICATIONS

Related Building Permit Applications

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 special authorizations or changes to the Planning Code or Zoning Maps if applicable.

Conversion of restaurant into cannabis retail store at ground level. Addition of retail space on ground level and residential deck space at upper level. Interior remodel of commercial space to accommodate cannabis retail facility. Minor facade improvements including replacement of front door gate, addition of ADA push button, and replacement of signage.

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: Retail Cannabis Dispensary

Estimated Construction Cost: \$300,000

PROJECT AND LAND USE TABLES

	Existing	Proposed	
General Land Use	Parking GSF	0	0
	Residential GSF	1185	1185
	Retail/Commercial GSF	1425	1589
	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	385	385
	Public Open Space GSF	0	0

Project Features	Dwelling Units - Affordable	0	0
	Dwelling Units - Market Rate	1	1
	Dwelling Units - Total	1	1
	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: _____		


Land Use - Residential	Studio Units	0	0
	One Bedroom Units	0	0
	Two Bedroom Units	1	1
	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
1a. General	Estimated construction duration (months):	N/A	6 months
1b. General	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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Spread Footings
2. Transportation	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- School and Child Care Drop-Off & Pick-Up Management Plan .
3. Shadow	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.
4a. Historic Preservation 	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 Historic Resource Determination Supplemental Application. Include all materials required in the application, including a complete record (with copies) of all building permits.
4b. Historic Preservation	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 CPC-HRE@sfgov.org .

 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
5. Archeology 	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>
6. Geology and Soils 	Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 20% 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"> ● The project involves: <ul style="list-style-type: none"> ○ excavation of 50 or more cubic yards of soil, or ○ building expansion greater than 1,000 square feet outside of the existing building footprint. ● The project involves a lot split located on a slope equal to or greater than 20 percent. <i>A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.</i>
7. Air Quality 	Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollutant Exposure Zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, the property owner must submit copy of initial filed application with department of public health. More information is found here .
8a. Hazardous Materials	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 a Phase I Environmental Site Assessment prepared by a qualified consultant.
8b. Hazardous Materials 	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 copy of the Maher Application Form to the Department of Public Health. Also submit a receipt of Maher enrollment with the Project Application. For more information about the Maher program and enrollment, refer to the Department of Public Health's Environmental Health Division . <i>Maher enrollment may also be required for other circumstances as determined by Environmental Planning staff.</i>

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

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.



Signature

Dane Bunton

Name (Printed)

06/24/2020

Date

Architect

(510) 612-7758

dane@studiobanaa.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

SUPPLEMENTAL APPLICATION

Property Information

Project Address: 2845 Geary Blvd.

Block/Lot(s): 1091/025

Action(s) Requested

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

Conversion of restaurant into cannabis retail store at ground level. Addition of retail space on ground level and residential deck space at upper level. Interior remodel of commercial space to accommodate cannabis retail facility. Minor facade improvements including replacement of front door gate, addition of ADA push button, and replacement of signage.

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).

The proposed use does not exceed the non-residential use size limitation for the zoning district. In addition, we have held two community outreach meetings with neighbors and members of the community to obtain feedback regarding the design and proposed business have they have all be extremely positive.

2845 Geary Blvd was thoughtfully chosen as the location for Mary Modern as the proposed use does not exceed the non-residential use limitation for the zoning district and in relation to geographic location, will not impede other neighborhood-serving uses in the area. To obtain feedback regarding the design and proposed use of the business, two community outreach meetings were held with neighbors and members of the community within a 500 ft radius exceeding the 300 ft requirement outlined by the San Francisco Office of Cannabis in which positive feedback was received. As part of our mission to advance health and wellness, our goal for Mary Modern is to build San Francisco's first cannabis retail location designed primarily for women. As an inclusive space for women of all definitions, if approved, we will provide safe access to carefully curated cannabis, CBD, and wellness products, customized care, and cannabis education. In addition to offering discounts to seniors and cancer patients, Mary Modern has partnered with the neighboring self car wash to keep it clear of debris to further serve the community outside of cannabis retail.

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 proposed use will not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity and based on community outreach feedback and internal studies completed will benefit the neighborhood greatly as an amenity to the local members of the community.

According to the 2018 San Francisco Controller's Report on cannabis and cannabis retail, their findings note that safety and security typically increases in the immediate area of a cannabis business location due to stringent security protocols that extend beyond the entrance of the proposed storefront. The result of heightened security enforced by the onsite Security Guard is a decrease in violent crimes by 6% and a decrease of 1% in property crime in the proximity of cannabis business also mentioned in the 2018 S.F. Controller's Report. Accessibility and traffic patterns will be managed by advocating use of the MUNI stop located adjacent to the proposed dispensary and prevention of double parking and/or loitering patrolled by the onsite Security Guard. Mary Modern intends on strictly adhering to the regulations outlined by the San Francisco Office of Cannabis which includes but not limited to: a robust Odor Mitigation Plan, security cameras with 24/7 monitoring and ensuring a well lit sidewalk during off hours.

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 use as proposed does comply with applicable provisions of the Code - we've completed a preapplication meeting with the building department to ensure code compliance including addition of fire sprinklers, egress, and other issues. Our proposal does not affect the General Plan.

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

Response to 303(w) Cannabis Retail:

If approved, Mary Modern will be the second retail cannabis business located within District 1 according to the Retail Map listed on the San Francisco Office of Cannabis website; with a distance of 1.2 miles to the nearest dispensary in District 1. Centrally located in the City and situated directly near a MUNI stop, we aim to ease access for seniors and patrons that utilize public transportation. In relation to the sensitivity of cannabis, the storefront facade is designed to be discrete from youth and passersby. Extensive security measures proposed, eliminate youth access and promote increased security for the community within 150ft of the storefront.

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