



EXECUTIVE SUMMARY CONDITIONAL USE

HEARING DATE: December 10, 2020

Date: December 3, 2020
Record No.: 2020-007023CUA
Project Address: 1649 Divisadero Street
Zoning: Neighborhood Commercial, Moderate Scale (NC-3) Zoning District
65-A Height and Bulk District
Block/Lot: 1076/001A
Project Sponsor: Kim Mitchell
Urban Equity Group
133 Gillette Ave.
San Francisco, CA 94134
Property Owner: John TS Hung
309 4th Ave, # 201
San Francisco, CA 94118
Staff Contact: Gabriela Pantoja – (628) 652-7380
Gabriela.Pantoja@sfgov.org

Recommendation: Approval with Conditions

Project Description

The proposal is for the establishment of a Cannabis Retail Use (d.b.a. “Nicer Co.”) at an approximately 1,270 square-foot tenant space located at the ground floor of an existing two-story, mixed-use building. Minor interior alterations of the subject building are proposed. No exterior alterations are proposed to the subject building. The subject building will not be altered beyond its existing building envelope. New business signage will be applied for under a separate Building Permit Application. No on-site consumption of cannabis products via smoking or vaporizing is proposed.

Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization pursuant to Planning Code Sections 202.2(a), 303, and 712 for the establishment of a Cannabis Retail Use (d.b.a. “Nicer Co.”) at an approximately 1,270 square-foot tenant space located at the ground floor of an existing two-story, mixed-use building within the Neighborhood Commercial, Moderate Scale (NC-3) Zoning District and 65-A Height and Bulk District.

Issues and Other Considerations

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

The Project does not propose on-site smoking or vaporizing of cannabis products, and as such this approval is conditioned to prohibit on-site smoking or vaporizing of cannabis products. The Department does not recommend any limits to Type A and B consumption permits.

- **Public Comment & Outreach.**
 - **Public Comment & Outreach.**
 - **Support/Opposition:** To date, the Department has not received any correspondences in opposition of the Project. To date, the Department has received 41 correspondences in support of the Project including correspondence from the Mission Neighborhood Centers and San Francisco Cannabis Retailers Alliance. Members of the public expressing support of the Project state the Project’s ability to fill a vacant storefront and increase safety and pedestrian traffic to the immediate neighborhood.
 - **Outreach:** Additionally, prior to the submittal of the listed Conditional Use Authorization, the Project Sponsor conducted a virtual public outreach meeting on July 21, 2020.
- **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:
 - Wu Yee Children’s Services Center: 2400 Post Street, approximately 545 feet from site
 - Gateway High School/KIPP SF Bay Academy: 1430 Scott Street, approximately 875 feet from site
 - Dr. William Cobb Elementary School: 2725 California Street, approximately 990 feet from the site
 - Drew School: 2901 California Street, approximately 1,110 feet from site

- Hearing and Speech Center of Northern California: 1234 Divisadero Street, approximately 1,355 square feet from the site
 - Jewish Community High School of the Bay: 1835 Ellis Street, approximately 1,490 feet from the site
 - Rosa Parks Elementary School Japanese Bilingual Bicultural Program: 1501 O'Farrell Street, approximately 2,894 feet
- **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 Class 1 and Class 3 Categorical Exemption.

Basis for Recommendation

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

Attachments:

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



PLANNING COMMISSION DRAFT MOTION

HEARING DATE: DECEMBER 10, 2020

Record No.: 2020-007023CUA
Project Address: 1649 Divisadero Street
Zoning: Neighborhood Commercial, Moderate Scale (NC-3) Zoning District
65-A Height and Bulk District
Block/Lot: 1076/001A
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION PURSUANT TO PLANNING CODE SECTION 202.2(A), 303, AND 712 FOR THE ESTABLISHMENT OF A CANNABIS RETAIL USE D.B.A. “NICER CO.”) AT AN APPROXIMATELY 1,270 SQUARE-FOOT TENANT SPACE LOCATED AT THE GROUND FLOOR OF AN EXISTING TWO-STORY, MIXED-USE BUILDING WITHIN THE NEIGHBORHOOD COMMERCIAL, MODERATE SCALE (NC-3) ZONING DISTRICT AND 65-A HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On August 11, 2020, Kim Mitchell of Urban Equity Group (hereinafter "Project Sponsor") filed Application No. 2020-007023CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a Cannabis Retail Use (hereinafter "Project") at 1649 Divisadero Street, Block 1076 Lot 001A (hereinafter "Project Site").

The Project is exempt from the California Environmental Quality Act ("CEQA") under Class 1 and Class 3 Categorical Exemptions.

On December 10, 2020, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2020-007023CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2020-007023CUA 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. 2020-007023CUA, subject to the conditions contained in “EXHIBIT A” of this motion, based on the following findings:

FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The proposal is for the establishment of a Cannabis Retail Use (d.b.a. “Nicer Co.”) at an approximately 1,270 square-foot tenant space located at the ground floor of an existing two-story, mixed-use building. Minor interior alterations of the subject building are proposed. No exterior alterations are proposed to the subject building. The subject building will not be altered beyond its existing building envelope. No on-site smoking or vaporizing of cannabis products is proposed. New business signage will be applied for under a separate permit.
- 3. Site Description and Present Use.** The 2,970 square-foot property is located on the west side of Divisadero Street, between Sutter and Post Streets; Lot 001A of Assessor’s Block 1076. The property is developed with two detached buildings, each fronting along Divisadero Street. The subject building is a two-story, mixed-use building which measures 55 feet in length and 26 feet 7 inches in width and the remaining building is a two-story, mixed-use building measuring 55 in length and 27 feet 5 inches in width. The approximately 2,670 square foot subject building consists of a ground floor commercial tenant space and one dwelling unit. The subject building was constructed in 1875 is considered a “Class B” potential Historical Resource per California Environmental Quality Act (CEQA). The subject tenant space was most recently occupied in 2019 as an office by “Home Care Assistance” and currently sits vacant.
- 4. Surrounding Properties and Neighborhood.** The subject property is located within the Neighborhood Commercial, Moderate Scale (NC-3) Zoning District, the 65-A Height and Bulk District, and Western Addition neighborhood, adjacent to the Pacific Heights and Presidio Heights neighborhoods. The Neighborhood Commercial, Moderate Scale (NC-3) Zoning District is located to the north, south, east, and west of the subject property

The immediate neighborhood includes two-to-six story commercial and mixed-use developments, with

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

5. Public Outreach and Comments. To date, the Department has not received any correspondences in opposition of the Project. To date, the Department has received 41 correspondences in support of the Project including correspondence from the Mission Neighborhood Centers and San Francisco Cannabis Retailers Alliance. Members of the public expressing support of the Project state the Project's ability to fill a vacant storefront and increase safety and pedestrian traffic to the immediate neighborhood. Additionally, prior to the submittal of the listed Conditional Use Authorization, the Project Sponsor conducted a virtual public outreach meeting on July 21, 2020.

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 NC-3 (Neighborhood Commercial, Moderate Scale) requires a Conditional Use Authorization pursuant to Planning Code Section 762.

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

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

The subject parcel is not located within a 600-foot radius of a parcel containing an existing private or public school nor within a 600-foot radius of a parcel with an issued permit from the City's Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer. Therefore, the Project complies with this requirement.

C. **Hours of Operation.** Pursuant to Planning Code Section 712, no limit is listed for business hours.

The business will operate between the hours of 10 A.M. to 10 P.M., Monday through Sunday.

D. **Street Frontage in Neighborhood Commercial Districts.** Section 145.1 of the Planning Code requires that within NC Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal entrance to these spaces. Frontages with active uses that must be fenestrated with transparent windows and doorways for no less than 60 percent of the street frontage at the ground level and allow visibility to the inside of the building. The use of dark or mirrored glass shall not count towards the required transparent area. Any decorative railings or grillwork, other than wire mesh, which is placed in front of

or behind ground floor windows, shall be at least 75 percent open to perpendicular view. Rolling or sliding security gates shall consist of open grillwork rather than solid material, so as to provide visual interest to pedestrians when the gates are closed, and to permit light to pass through mostly unobstructed. Gates, when both open and folded or rolled as well as the gate mechanism, shall be recessed within, or laid flush with, the building facade.

The Project will activate a vacant storefront within an existing two-story, mixed-use building and provide visibility to the interior of the subject tenant space for no less than 60 percent of the property's street frontage. Additionally, the Project will retain the existing building's approximately 15-foot ceiling height. Therefore, the Project will comply with Planning Code Section 145.1.

- E. **Signage.** Any proposed signage will be subject to the review and approval of the Planning Department pursuant to Article 6 of the Planning Code.

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

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

The Project will provide a compatible development that is necessary and desirable for the neighborhood. While not altering the character of the existing building or neighborhood, the Project will reactivate an existing tenant space after more than a year of inactivity and reinforce the existing commercial corridor by providing business and job opportunities for the residents of the neighborhood.

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

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

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

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

The Project is not expected to impede public transportation or overburden the immediate neighborhood's existing on-street parking availability. The subject property is located along Divisadero Street and is well served by public transportation; the 24-bus line runs along Divisadero Street and the 38 and 38R-bus lines run along Geary Boulevard which is located two blocks south of the Project site. Furthermore, no on-street parking spaces will be removed as

part of the Project.

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

The Project will not generate noxious or offensive emissions such as noise, glare, dust, or odor. On-site consumption via smoking or vaporizing will be prohibited at the subject tenant space.

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

The Project does not require any additional landscaping or screening, and no new off-street parking spaces, loading spaces, open spaces, or service areas are proposed at the subject property. Any proposed signage will be subject to the review and approval of the Planning Department in compliance with the Planning Code.

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

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

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

The Project is consistent with the stated purpose of the Neighborhood Commercial, Moderate Scale (NC-3) Zoning District in that the intended use will be a compatible retail use and will be located at the ground floor of an existing two-story, mixed-use building.

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

Cannabis Retail is a newly created land use definition, and as such the distribution of sites that are permitted as Cannabis Retail is limited. However, it is expected that most or all existing Medical Cannabis Dispensaries will convert to Cannabis Retail uses once authorized by the Office of Cannabis to do so, likely in 2021. 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 nearest outlet

is located along Bush Street between Bush Street and Fillmore Street. The distribution of such outlets can be reviewed using the City's [Cannabis Retail Map](#).

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

COMMERCE AND INDUSTRY ELEMENT

Objectives and Policies

OBJECTIVE 2

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

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. The SF City Controller's Report, "[Cannabis in San Francisco: A Review Following Adult-Use Legalization](#)" found that crime rates decreased in the areas surrounding cannabis dispensaries in San Francisco while rates generally increased Citywide.. 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 will provide a neighborhood serving use to the immediate neighborhood and provide an active use that will increase business and job opportunities and reinforce the existing commercial corridor. The existing commercial corridor is characterized by neighborhood serving uses such as retail stores, restaurants, and personal services. Additionally, the proposed Cannabis Retail Use will increase pedestrian traffic to the immediate neighborhood and serve as an anchor to other adjacent businesses.

10. Planning Code Section 101.1(b) establishes eight priority-planning policies and requires review of permits for consistency with said policies. On balance, the project complies with said policies in that:

- A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The proposal will not remove an existing neighborhood serving retail use; the subject tenant space has remained vacant since 2019. Rather, the Project will enhance and provide a neighborhood serving retail use, job opportunities, and business opportunities to the residents of the neighborhood. Furthermore, the Project will introduce new patrons to the area, and therefore strengthen the customer base of existing retail uses and contribute to the demand for new retail uses serving the area.

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

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

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

The Project will not negatively affect the City's supply of affordable housing; no affordable housing units will be removed. The subject tenant space is currently vacant and the Project will not impact the existing residential use at the subject building.

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

The Project is not expected to impede public transportation or overburden the immediate neighborhood's existing on-street parking availability. The subject property is located along Divisadero Street and is well served by public transportation; the 24-bus line runs along Divisadero Street and the 38 and 38R-bus lines run along Geary Boulevard which is located two blocks south of the Project site. Furthermore, no on-street parking spaces will be removed as part of the Project.

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

The Project will not displace any service or industry sectors due to commercial office and will not affect residents' employment and ownership opportunities of industrial and service sector. The subject tenant space has remained vacant since 2019. Instead, the Project will create new business and job opportunities for the residents of the neighborhood.

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

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

- G. That landmarks and historic buildings be preserved.

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

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

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

- 11.** The Project is consistent with and would promote the general and specific purposes of the Code provided under Section 101.1(b) in that, as designed, the Project would contribute to the character and stability of the neighborhood and would constitute a beneficial development.
- 12.** The Commission hereby finds that approval of the Conditional Use Authorization would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties, the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **APPROVES Conditional Use Authorization Application No. 2020-007023CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated November 6, 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 December 10, 2020.

Jonas P. Ionin
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: December 10, 2020

EXHIBIT A

Authorization

This authorization is for a conditional use to allow a Cannabis Retail Use (d.b.a. “Nicer Co.”) located at 1649 Divisadero Street, Block 1076, and Lot 001A, pursuant to Planning Code Sections 202.2, 303, and 712, within the Neighborhood Commercial, Moderate Scale (NC-3) Zoning District and 65-A Height and Bulk District; in general conformance with plans, dated November 6, 2020, and stamped “EXHIBIT B” included in the docket for Record No. 2020-007023CUA and subject to conditions of approval reviewed and approved by the Commission on **December 10, 2020** under Motion No. XXXXX. 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 December 10, 2020 under Motion No. XXXXX.

Printing of Conditions of Approval on Plans

The conditions of approval under the “Exhibit A” of this Planning Commission Motion No. XXXXX 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. 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>

- 13. 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.

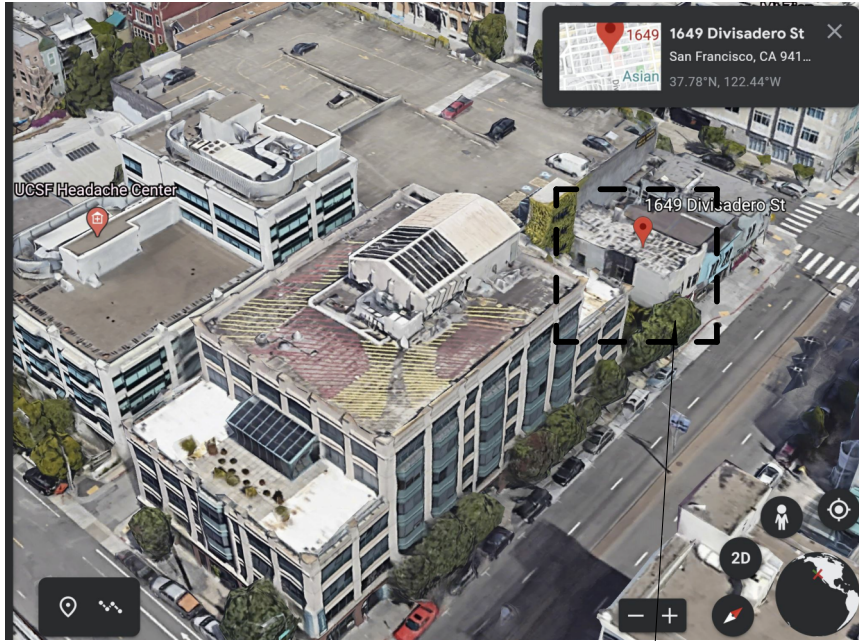
For information about compliance, contact Code Enforcement, Planning Department at 415-575-6863, www.sf-planning.org

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

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

1649 DIVISADERO STREET CANNABIS RETAIL

SUBJECT PROPERTY



CONDITIONAL USE PERMIT APPLICATION PROJECT DESCRIPTION:
CHANGE OF USE FROM RETAIL TO CANNABIS RETAIL
CONDITIONAL USE APPLICATION FOR CANNABIS RETAIL

PROJECT LOCATION PROPOSED:
1649 DIVISADERO STREET, SAN FRANCISCO, CA

BLOCK/LOT:
1076 / 001A

ZONING:
NC-3 NEIGHBORHOOD COMMERCIAL, MODERATE SCALE

OVERALL EXISTING BUILDING OCCUPANCY:
1649-1651 DIVISADERO ST
EXISTING OCCUPANCY: MIXED USE
GROUND FLOOR: RETAIL B-M MERCANTILE APPROX 1,270 SF
UPPER FLOOR: R-3 RESIDENTIAL (1 UNIT) SF AREA APPROX 1,400 SF

PROPOSED OCCUPANCY GROUP FIRST FLOOR:
PROPOSED B + M - BUSINESS + MERCANTILE MEDICAL + ADULT USE STOREFRONT
CANNABIS RETAIL

CONSTRUCTION TYPE:
EXISTING - VB
PROPOSED - VB

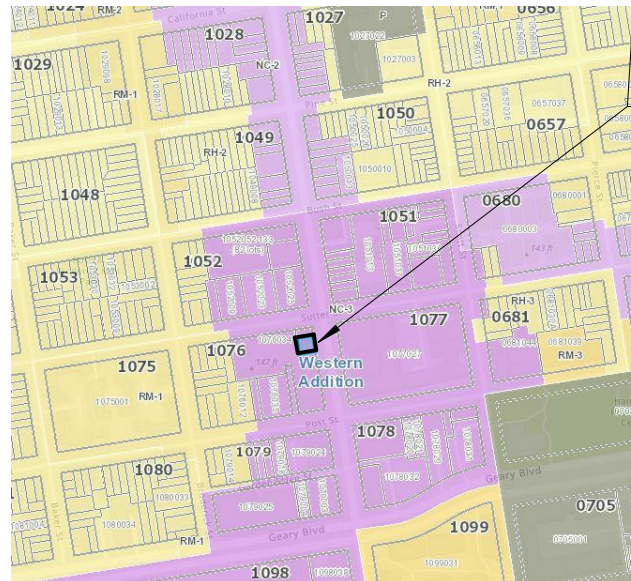
SPRINKLERS:
EXISTING - NO
PROPOSED - NO (NO CHANGE)

AREA OF BUILDING:
+/- 2,670 SF

AREA OF WORK AT FLOOR 1:
+/- 1,270 SF

NUMBER OF FLOORS:
EXISTING - 2
PROPOSED - 2 (NO CHANGE)

VICINITY MAP



1649
DIVISADERO
STREET



TENANT IMPROVEMENT SHEET LIST

- CUA-00 COVER SHEET
- CUA-01 PLOT PLAN
- CUA-01A SANBORN + ASSESSOR'S MAP
- CUA-01B OVERALL BLOCK REFERENCE
- CUA-01C EXISTING BLOCK CONTEXT
- CUA-01D EXISTING L1+L2
- CUA-02 FLOOR PLAN EXISTING
- CUA-03 PREMISES DIAGRAM
- CUA-04 EXTERIOR ELEVATION EXISTING
- CUA-05 EXTERIOR ELEVATION PROPOSED
- CUA-06 INTERIOR ELEVATIONS
- CUA-07 INTERIOR ELEVATIONS
- CUA-08 INTERIOR ELEVATIONS

PROJECT DIRECTORY

BUILDING OWNER:
NAME: JOHN TS HUNG
ADDRESS:
309 4TH AVE #201, SAN FRANCISCO CA 94118
TEL: 415-623-0963

TENANT: JOSEPH REISS
NAME: NICER CO.
ADDRESS: 1649 DIVISADERO STREET
SAN FRANCISCO, CA 94115
TEL: 415-481-1263

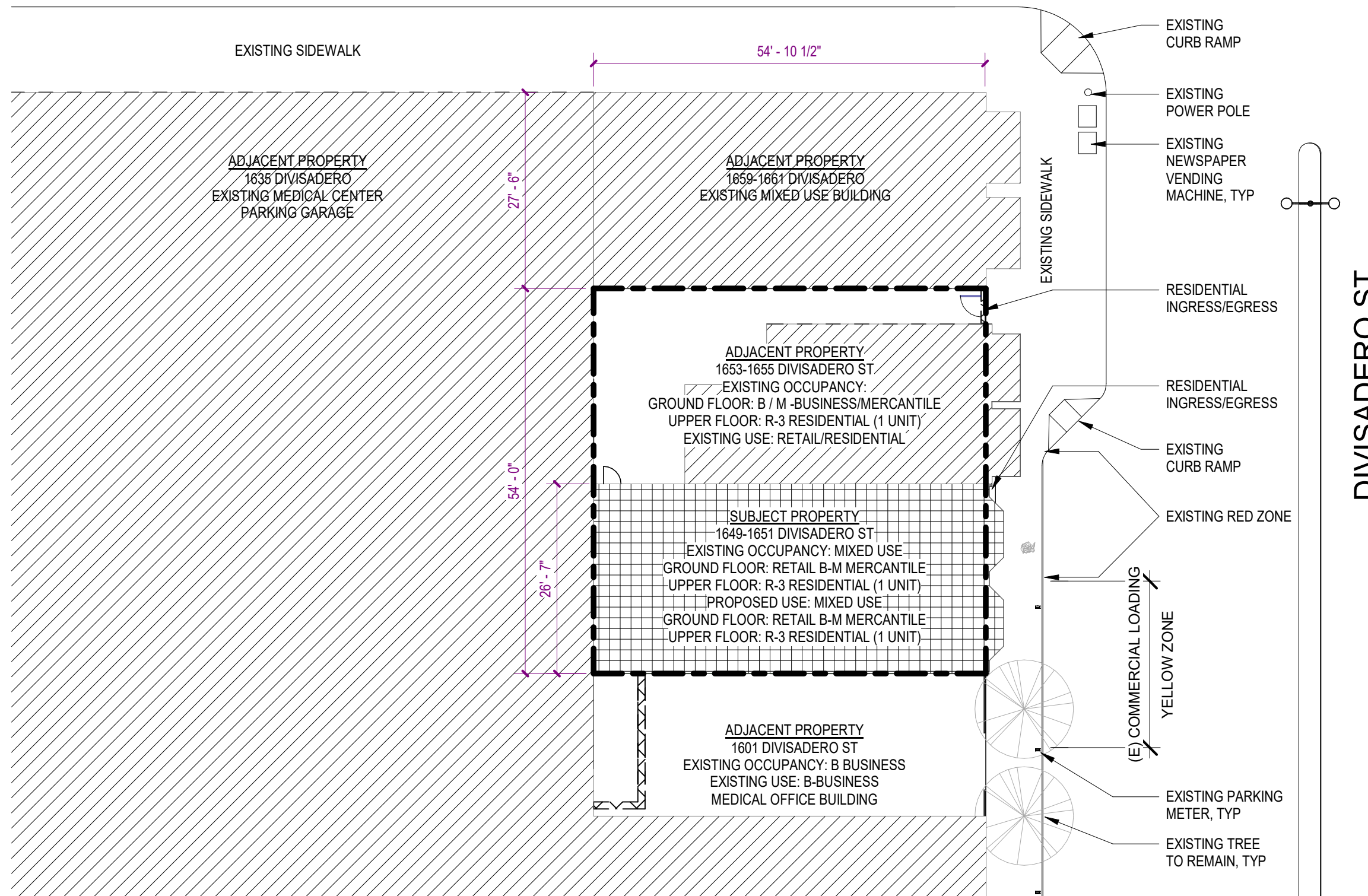
ARCHITECT:
KYLE BRUNEL, AIA
PENCIL BOX ARCHITECTS, INC.
237 CLARA STREET
SAN FRANCISCO, CA 94107
TEL: 415-699-5953

COVER SHEET

1649 DIVISADERO CANNABIS RETAIL
SAN FRANCISCO, CA 94115

CUA-00
11/06/2020

SUTTER ST



NORTH

1/16" = 1'-0"

CUA-01

11/06/2020

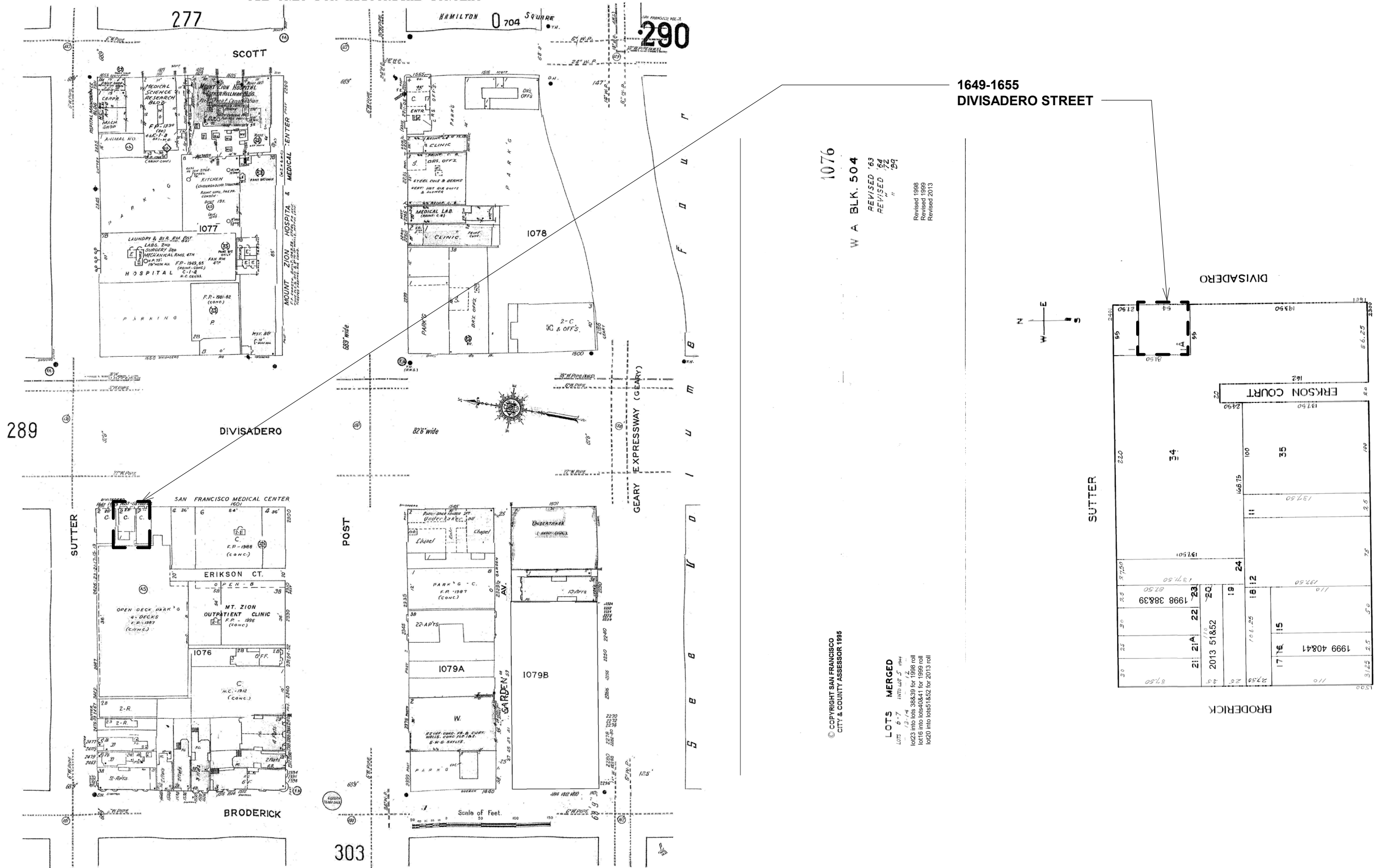
 **PENCIL BOX ARCHITECTS, INC.**

237 CLARA STREET, SAN FRANCISCO, CA 94107
WWW.PENCILBOXARCHITECTS.COM
TELEPHONE: 415.699.5953

PLOT PLAN

1649 DIVISADERO CANNABIS RETAIL
SAN FRANCISCO, CA 94115

THESE SANBORN MAPS ARE DATED TO THE MID 1990'S
USE ONLY FOR HISTORICAL CONTEXT



1076
W A BLK. 504
REVISED '63
REVISED '94
REVISED '99

© COPYRIGHT SAN FRANCISCO
CITY & COUNTY ASSESSOR 1995

LOTS MERGED
LOT 6-7 INTO LOT 5 (1944)
LOT 23 INTO 38&39 FOR 1998 ROLL
LOT 16 INTO 10&40&41 FOR 1999 ROLL
LOT 20 INTO 10&15&52 FOR 2013 ROLL

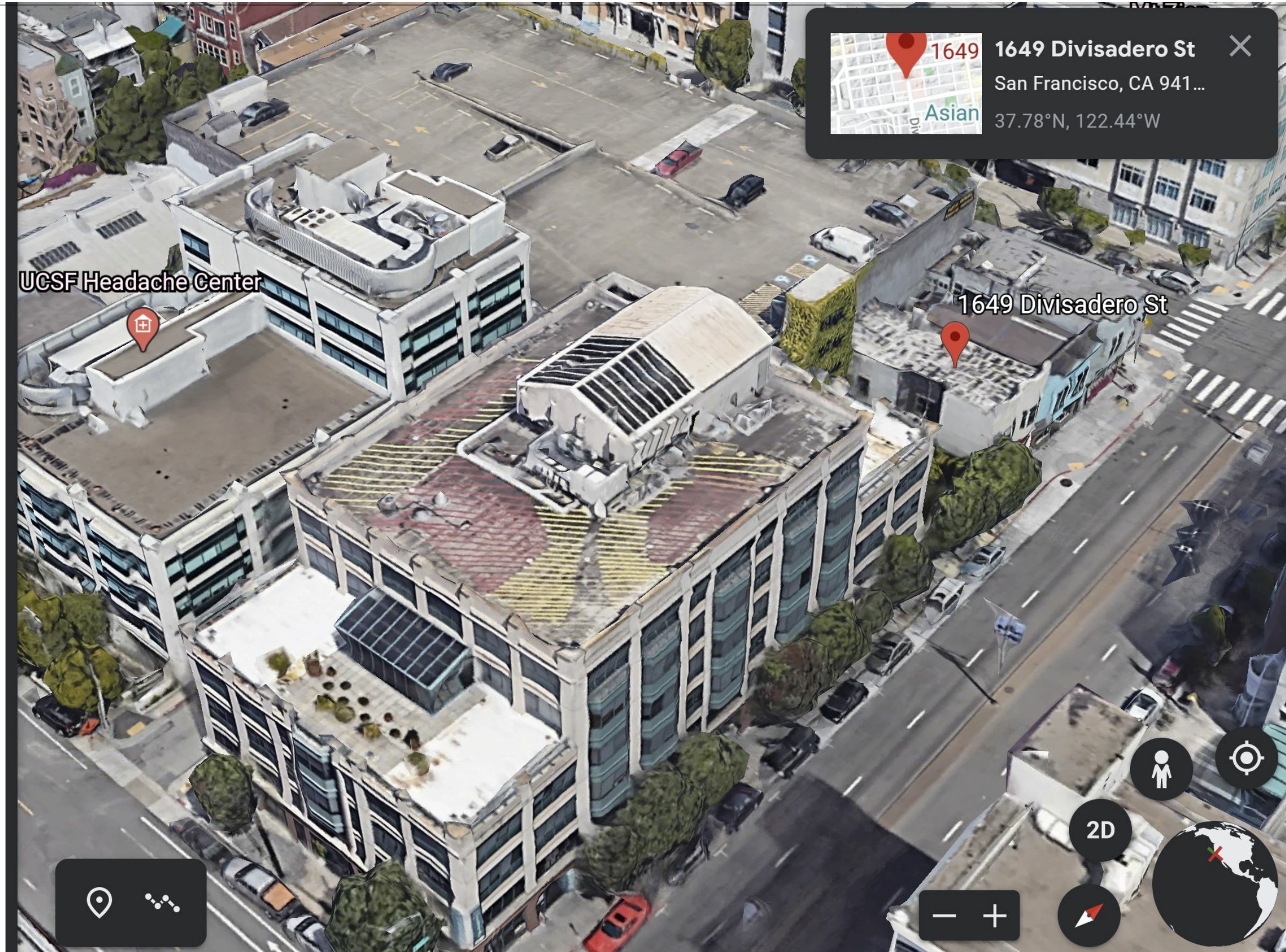
1649-1655
DIVISADERO STREET



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237 CLARA STREET, SAN FRANCISCO, CA 94107
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TELEPHONE: 415.699.5953

SANBORN + ASSESSOR'S MAP
1649 DIVISADERO CANNABIS RETAIL
SAN FRANCISCO, CA 94115

CUA-01A
11/06/2020



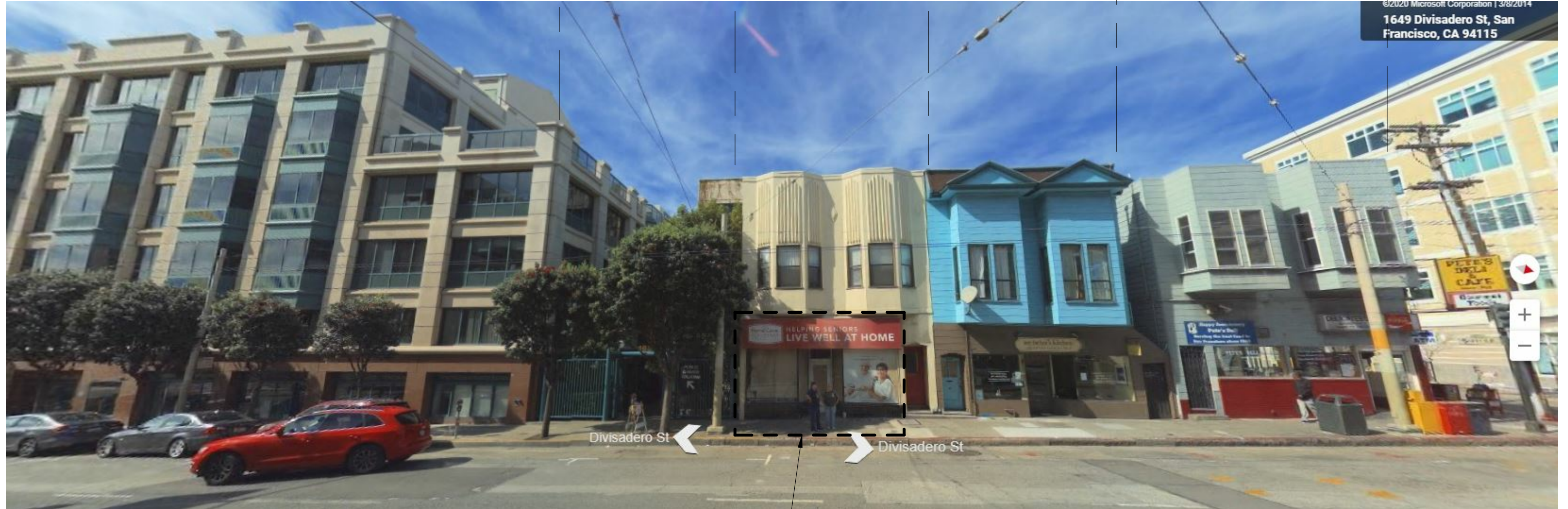
1601 DIVISADERO

NEIGHBOR COURTYARD

1645-1651 DIVISADERO

1653-1657 DIVISADERO

1659-1661 DIVISADERO



Divisadero St

Divisadero St

LOCATION OF PROJECT - EXISTING CLEAR GLAZING TO REMAIN -
 EXISTING SIGNAGE TO BE CHANGED UNDER SEPARATE PERMIT -
 EXISTING STOREFRONT DOOR TO REMAIN - EXISTING WALL FINISH TO
 REMAIN



PENCIL BOX
ARCHITECTS, INC.

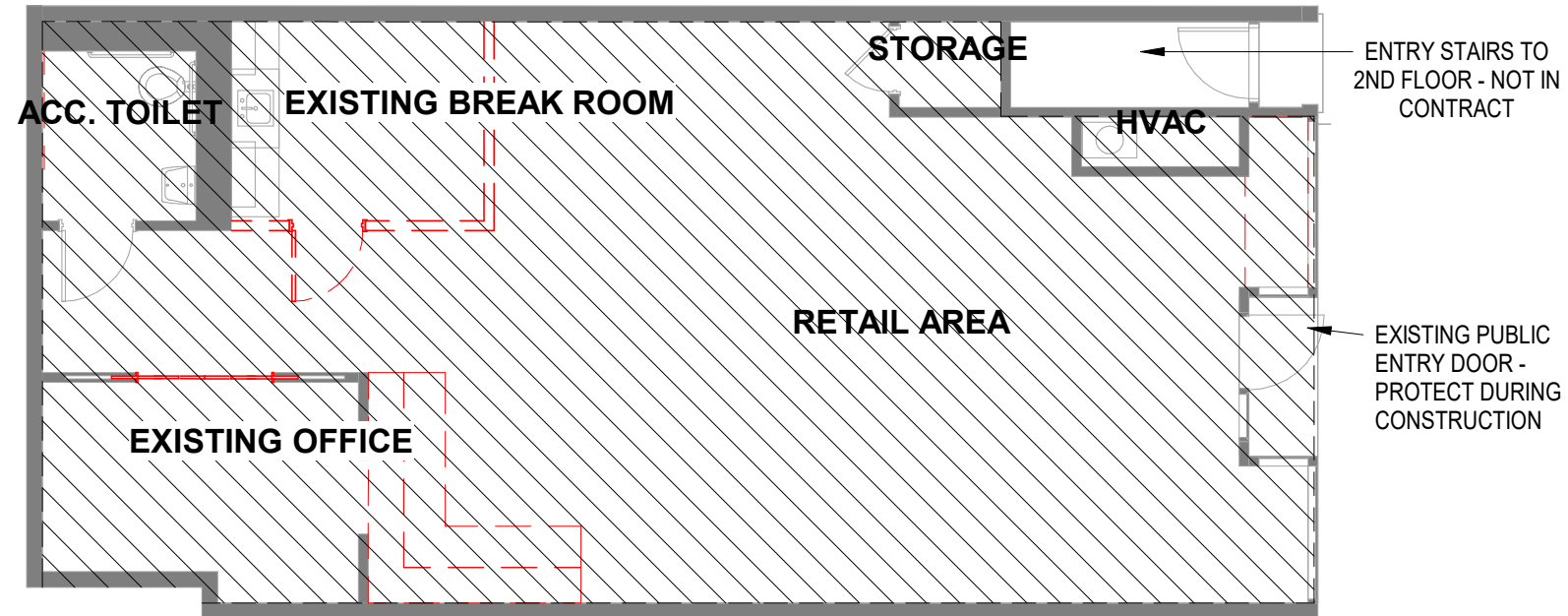
237 CLARA STREET, SAN FRANCISCO, CA 94107
 WWW.PENCILBOXARCHITECTS.COM
 TELEPHONE: 415.699.5953

EXISTING BLOCK CONTEXT

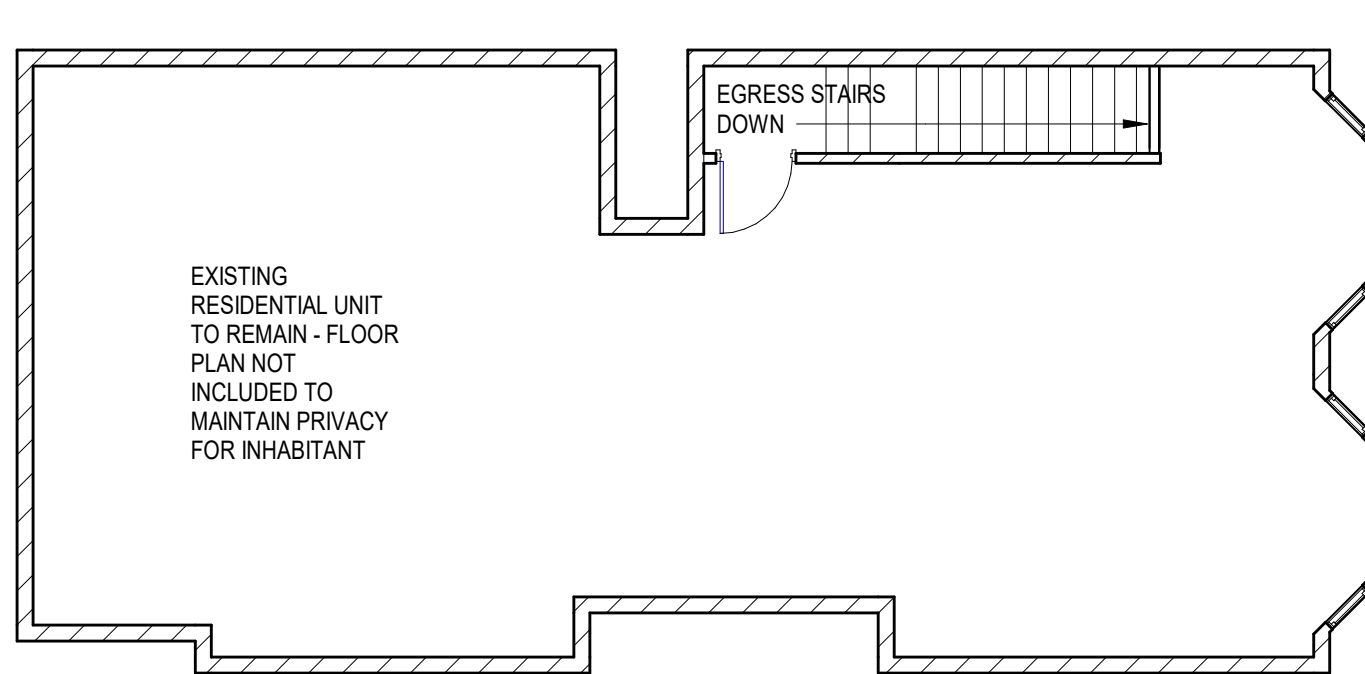
1649 DIVISADERO CANNABIS RETAIL
 SAN FRANCISCO, CA 94115

CUA-01C

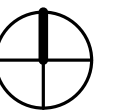
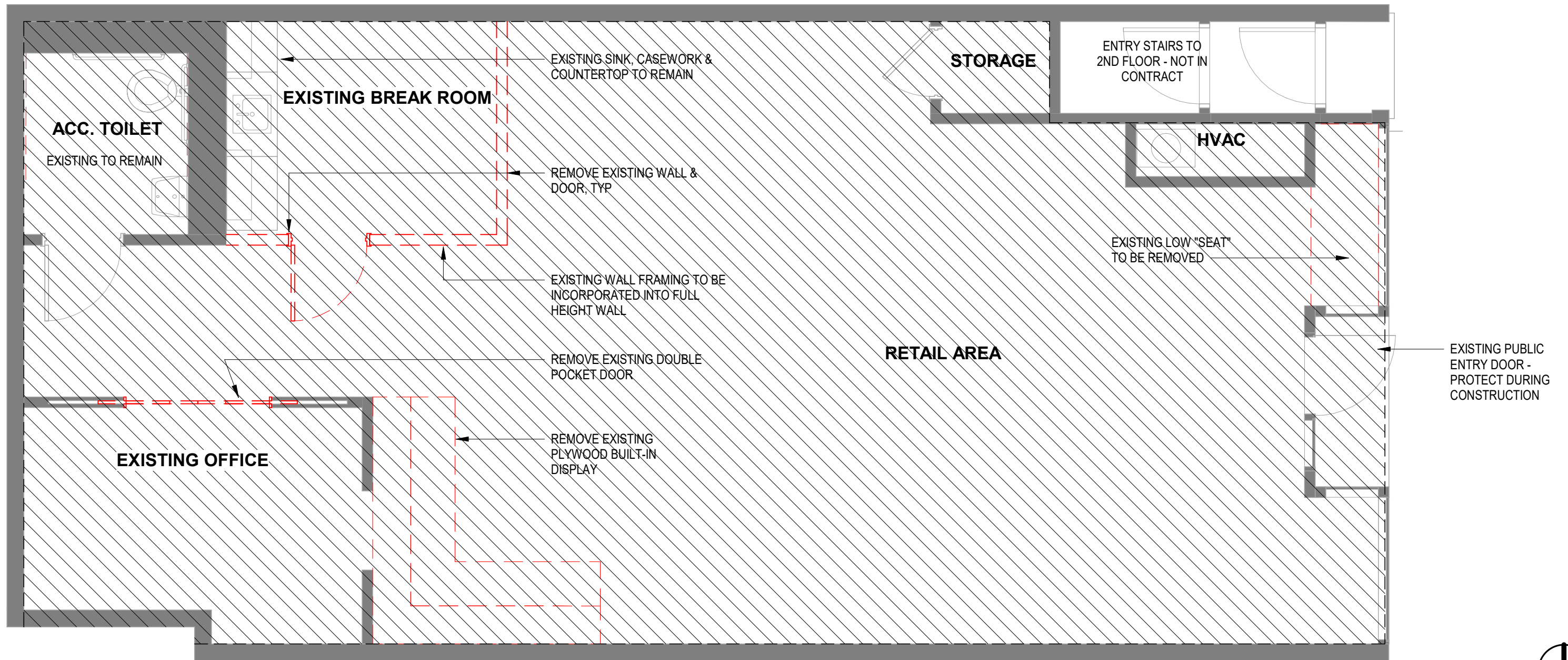
11/06/2020



1 FIRST FLOOR PLAN (E)
1/8" = 1'-0"



2 SECOND FLOOR PLAN (E)
1/8" = 1'-0"



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
FLOOR PLAN EXISTING

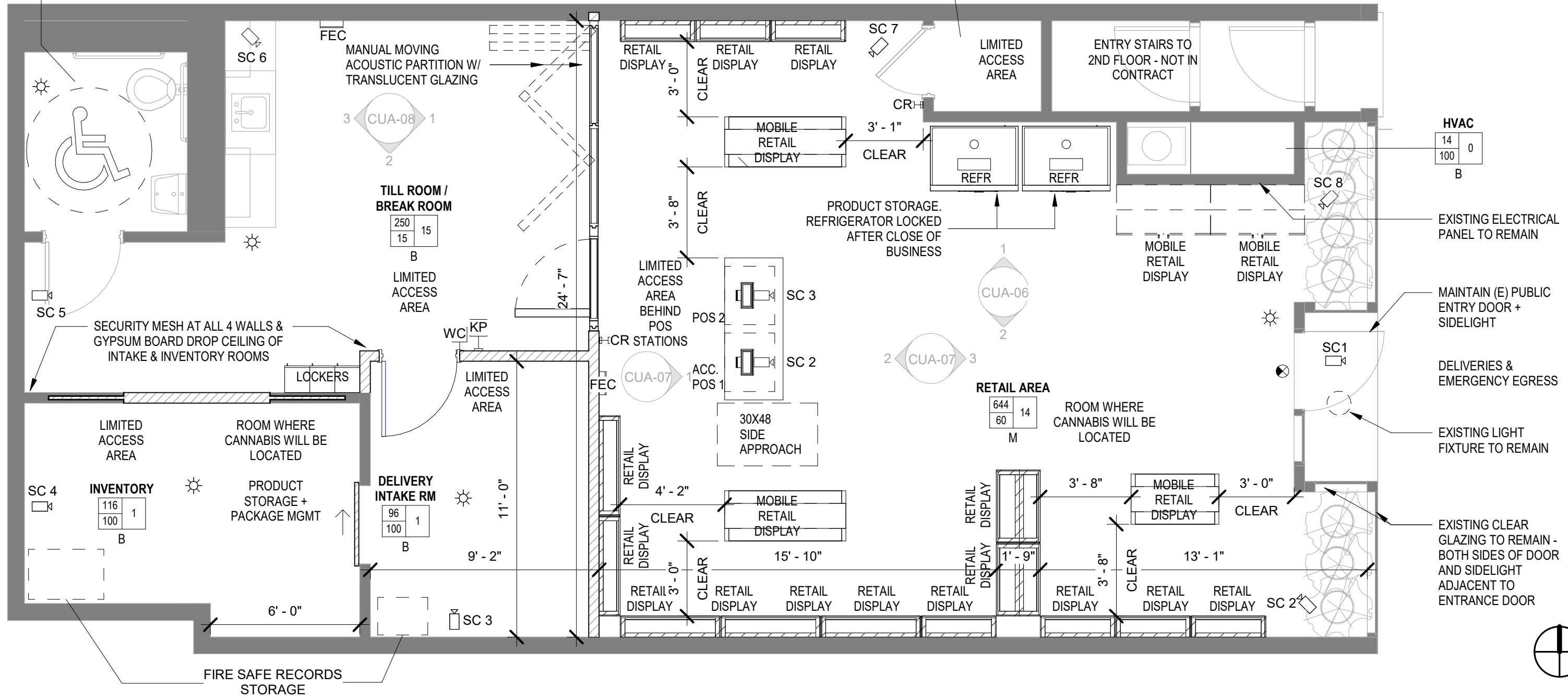
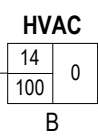
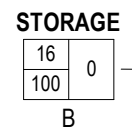
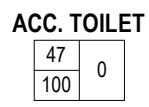
1649 DIVISADERO CANNABIS RETAIL
SAN FRANCISCO, CA 94115

1/4" = 1'-0"

CUA-02

11/06/2020

- SC ##  SECURITY CAMERA
-  MOTION SENSOR
-  CARD READER
-  KEY PAD
-  WIRELESS DOOR CONTACT



1601 DIVISADERO STREET

1649-1651 DIVISADERO STREET

1653-1655 DIVISADERO STREET



ALL EXISTING MATERIALS AND CLEAR GLAZING AS WELL AS STOREFRONT ENTRANCE DOORS TO REMAIN, PROTECT DURING CONSTRUCTION

EXISTING LIGHT FIXTURE TO REMAIN

(E) RESIDENTIAL INGRESS/EGRESS FROM UNITS ABOVE

(E) STUCCO TO REMAIN

AREA OF WORK

 **PENCIL BOX ARCHITECTS, INC.**

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 WWW.PENCILBOXARCHITECTS.COM
 TELEPHONE: 415.699.5953

EXTERIOR ELEVATION EXISTING

1649 DIVISADERO CANNABIS RETAIL
 SAN FRANCISCO, CA 94115

3/16" = 1'-0"

CUA-04

11/06/2020

1601 DIVISADERO STREET

1649-1651 DIVISADERO STREET

1653-1655 DIVISADERO STREET



PARAPET
34' - 0"

ROOF
27' - 0"

SECOND LEVEL
15' - 0"

FIRST LEVEL
0' - 0"



Parameter
Construction
Dimension
Weight

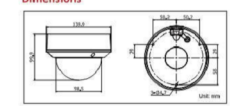
Wall Mount Bracketwith junction Box
Aluminum Alloy
6136x243x290mm (5.4"x9.6"x11.4")
1460g (3.3lbs)

CMP7223-S
2.0MP VF IR Dome Network Camera



CMP7223-S	
Image sensor	1/3" sensor
Min. illumination	0.1Lux with AI, AAGC ON
Shutter time	1/25s - 1/100,000s
Lens	2.8 - 12mm @ F1.4, Angle of view: 113° - 33.8°
Lens mount	ø14
Day & night	ICR
ROI	Yes, up to 4 configurable areas
Digital noise reduction	3D DNR
Wide dynamic range	Digital WDR
Backlight compensation	Yes, zone optional
Angle adjustment	Pan: 0° - 355°, Tilt: 0° - 75°, Rotation: 0° - 355°
Video compression	H.264 / MJPEG
H.264 compression profile	Main profile
Bit rate	32 Kbps - 16 Mbps
Audio compression	G.711/G.726/MPEG2
Audio bit rate	64Kbps(G.711) / 16Kbps(G.726) / 32-128Kbps(MPEG2)
Deal Stream	Yes
Max. image resolution	1920 x 1080
Frame rate	60Hz: 30fps (1920 x 1080) 50Hz: 25fps (1920 x 1080)
Image settings	Saturation, brightness, contrast adjustable through client software or web browser
Network storage	NAS
Alarm trigger	Motion detection, Tampering alarm, Network disconnect, IP address conflict, Storage full, Storage error
Protocols	7SD-IP, XMP, HTTP, HTTPS, FTP, ONVIF, ONVIF, RTSP, RTCP, PPPoE, NTP, UPnP, SFTP, SNMP, ICMP, IGMP, DNS, DHCP, DDNS, Bonjour
System compatibility	ONVIF, PSIA, CGI, EXAPI
General functionalities	User Authentication, Watermark
Network interface	1 RJ45 10M / 100M ethernet port
On-board storage	Built-in Micro SD/SDHC/SDXC card slot, up to 64 GB
Audio Input/Output	1/1
Alarm Input/Output	1/1
Operating conditions	-22° F - 140° F / -5° C - 60° C, humidity 95% or less (non-condensing)
Power supply	DC12V ± 10%, PoE (802.3af)
Power consumption	Max. 5.5W
Impact protection	IEC60668-2-75E1, 50J, EN50102, up to IK10
Ingress protection level	IP66
IR range	Up to 100ft (about 30m)
Dimensions	ø 5.5" x 3.9" (ø 146.0 x 99.3mm)
Weight	2.21lb (1000g)

- Key features**
- 2 megapixel (1920 x 1080) high resolution
 - Full HD 1080p real-time video
 - 2.8-12mm varifocal lens
 - Video Content Analytics (VCA)
 - Region of Interest (ROI)
 - IR LEDs: up to 100ft (about 30m)
 - D-WDR & 3D DNR & BLC
 - 3-Axis
 - On-board storage (up to 64GB)
 - Audio I/O, Alarm I/O
 - IP66
 - Vandal-proof



AREA OF WORK

REQUIRED VISIBILITY ZONE

EXISTING LIGHT FIXTURE TO REMAIN

EXISTING STUCCO TO REMAIN

(E) RESIDENTIAL INGRESS/EGRESS

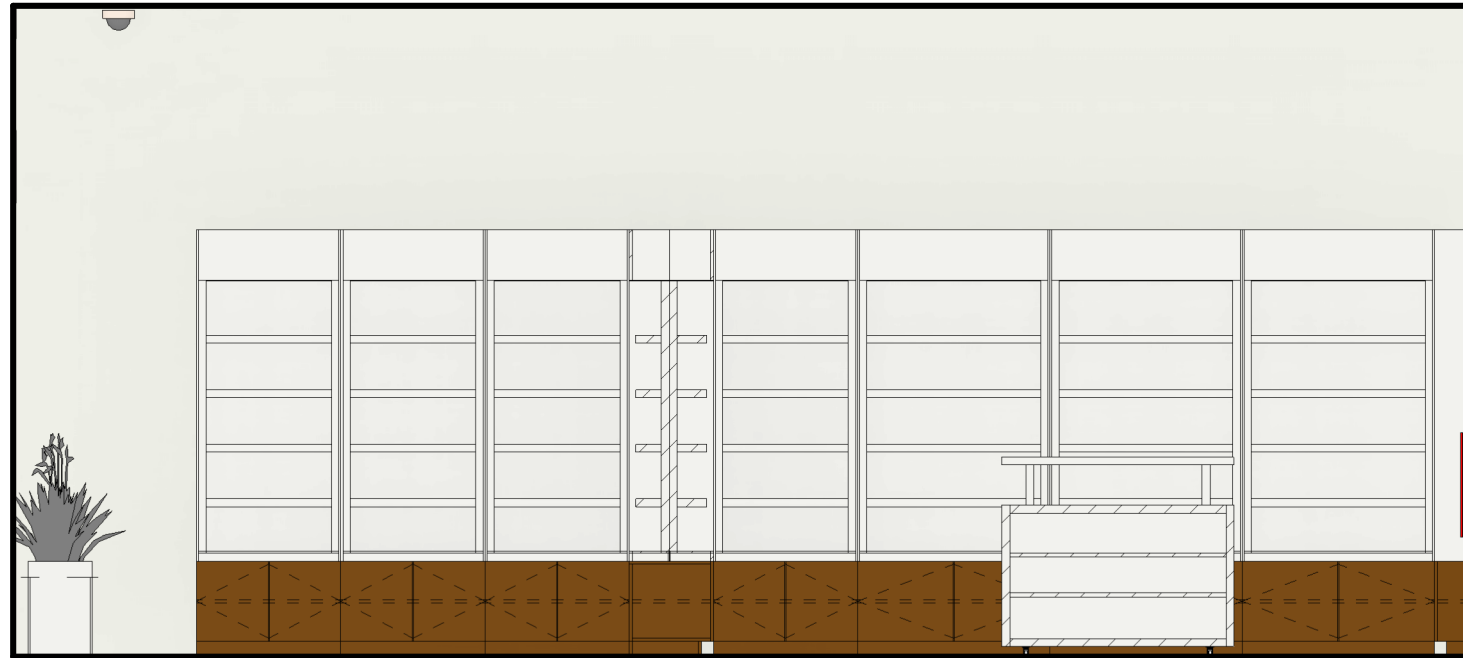
NEW VIDEO CAMERA

(E) CLEAR GLAZING TO BE MAINTAINED AT (E) STOREFRONT ENTRANCE AND SIDELITE, WINDOWS AND CLERESTORY ALL CLEAR GLAZING TO BE MAINTAINED, TYP.

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EXTERIOR ELEVATION PROPOSED
1649 DIVISADERO CANNABIS RETAIL
SAN FRANCISCO, CA 94115

3/16" = 1'-0"
CUA-05
11/06/2020



2 RETAIL AREA - SOUTH
1/4" = 1'-0"



1 RETAIL AREA - NORTH
1/4" = 1'-0"

(E) CLEAR GLAZING TO BE MAINTAINED, TYP



3 RETAIL AREA - EAST 2
1/4" = 1'-0"



2 RETAIL AREA - WEST
1/4" = 1'-0"



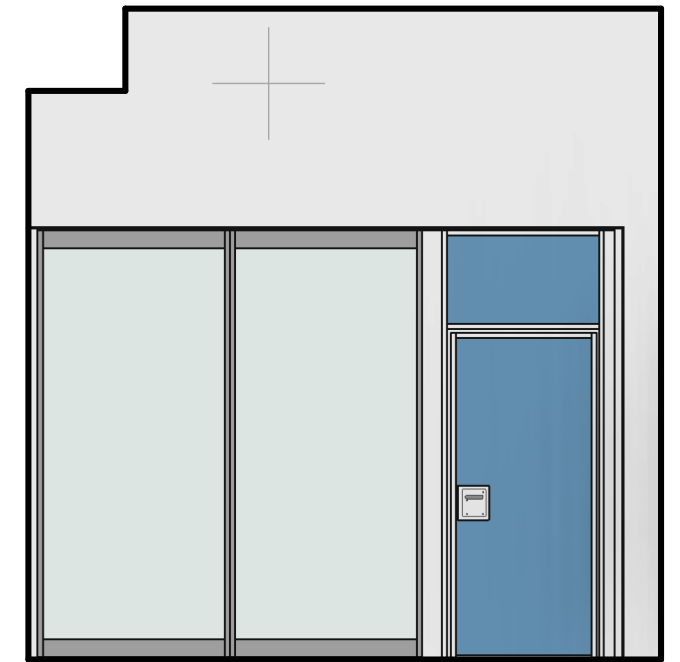
1 RETAIL AREA - EAST 1
1/4" = 1'-0"



3 TILL/BREAK ROOM - WEST
1/4" = 1'-0"



2 TILL/BREAK ROOM - SOUTH
1/4" = 1'-0"



1 TILL/BREAK ROOM - EAST
1/4" = 1'-0"



CEQA Categorical Exemption Determination

PROPERTY INFORMATION/PROJECT DESCRIPTION

Project Address		Block/Lot(s)
1649 DIVISADERO ST		1076001A
Case No.		Permit No.
2020-007023PRJ		
<input checked="" type="checkbox"/> Addition/ Alteration	<input 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 change of use from vacant ground floor tenant space to Cannabis Retail Use.</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 checked="" 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 3: PROPERTY STATUS - HISTORIC RESOURCE
TO BE COMPLETED BY PROJECT PLANNER

PROPERTY IS ONE OF THE FOLLOWING: (refer to <i>Property Information Map</i>)	
<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 checked="" 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 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 <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A a. Per HRER or PTR dated b. Other (specify): </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C (attach HRER or PTR) </div> </div>
Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.	
<input 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):	
Preservation Planner Signature:	

**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: Planning Commission Hearing	Signature: Gabriela Pantoja 12/01/2020
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

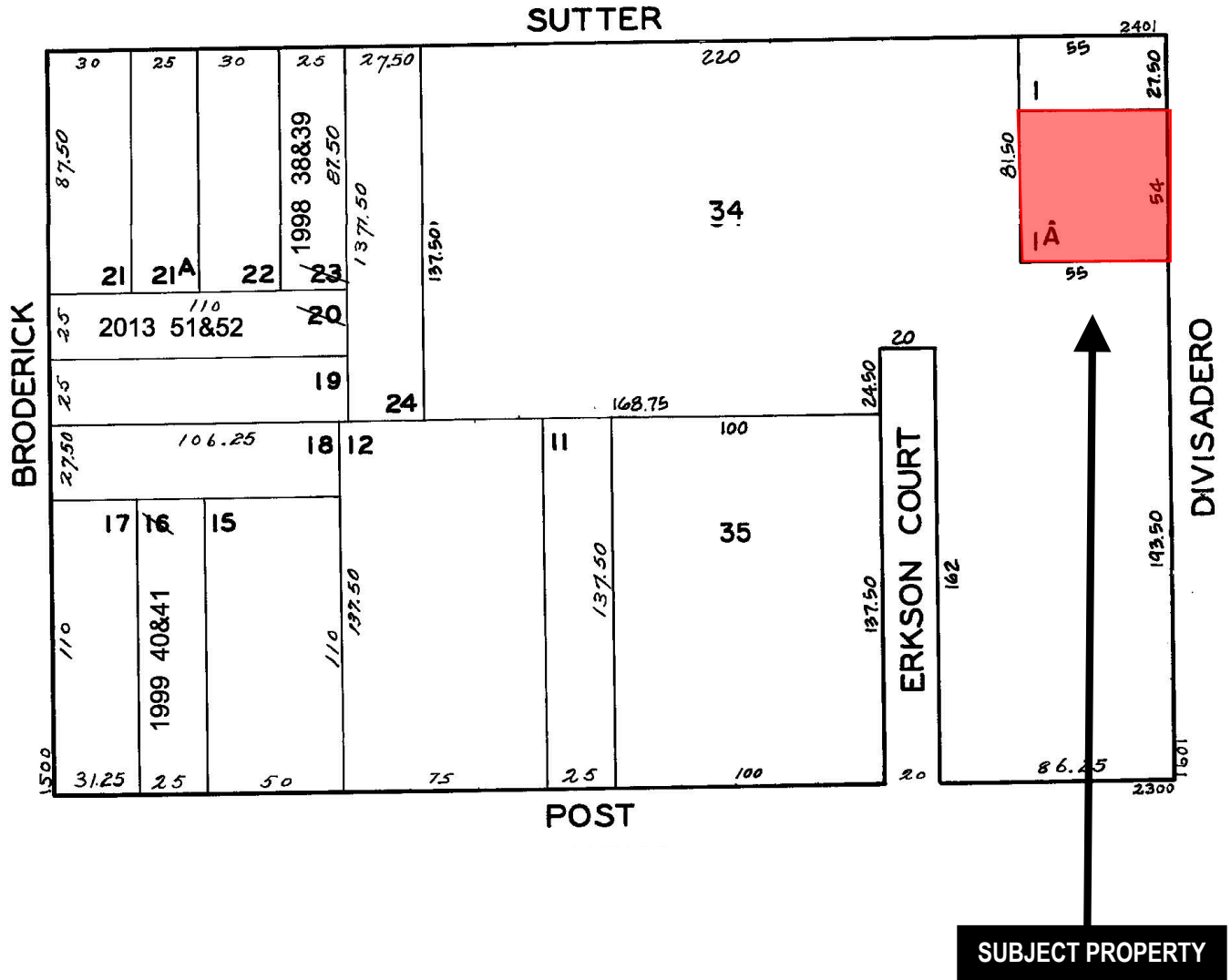
- | | |
|--------------------------|---|
| <input type="checkbox"/> | The proposed modification would not result in any of the above changes. |
|--------------------------|---|

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:

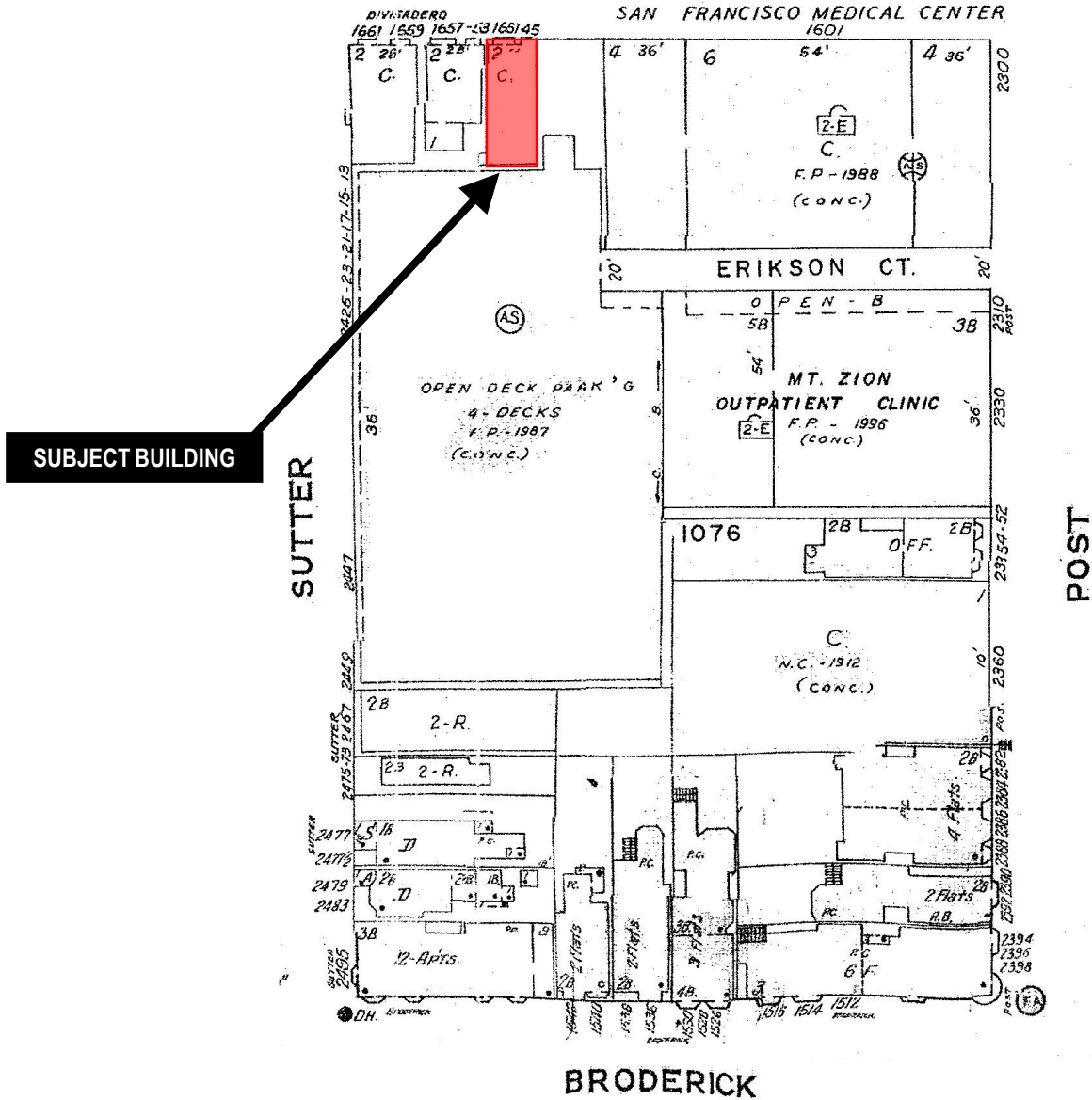
Parcel Map



Conditional Use Authorization
Record No. 2020-007023CUA
1649 Divisadero Street

Sanborn Map*

DIVISADERO

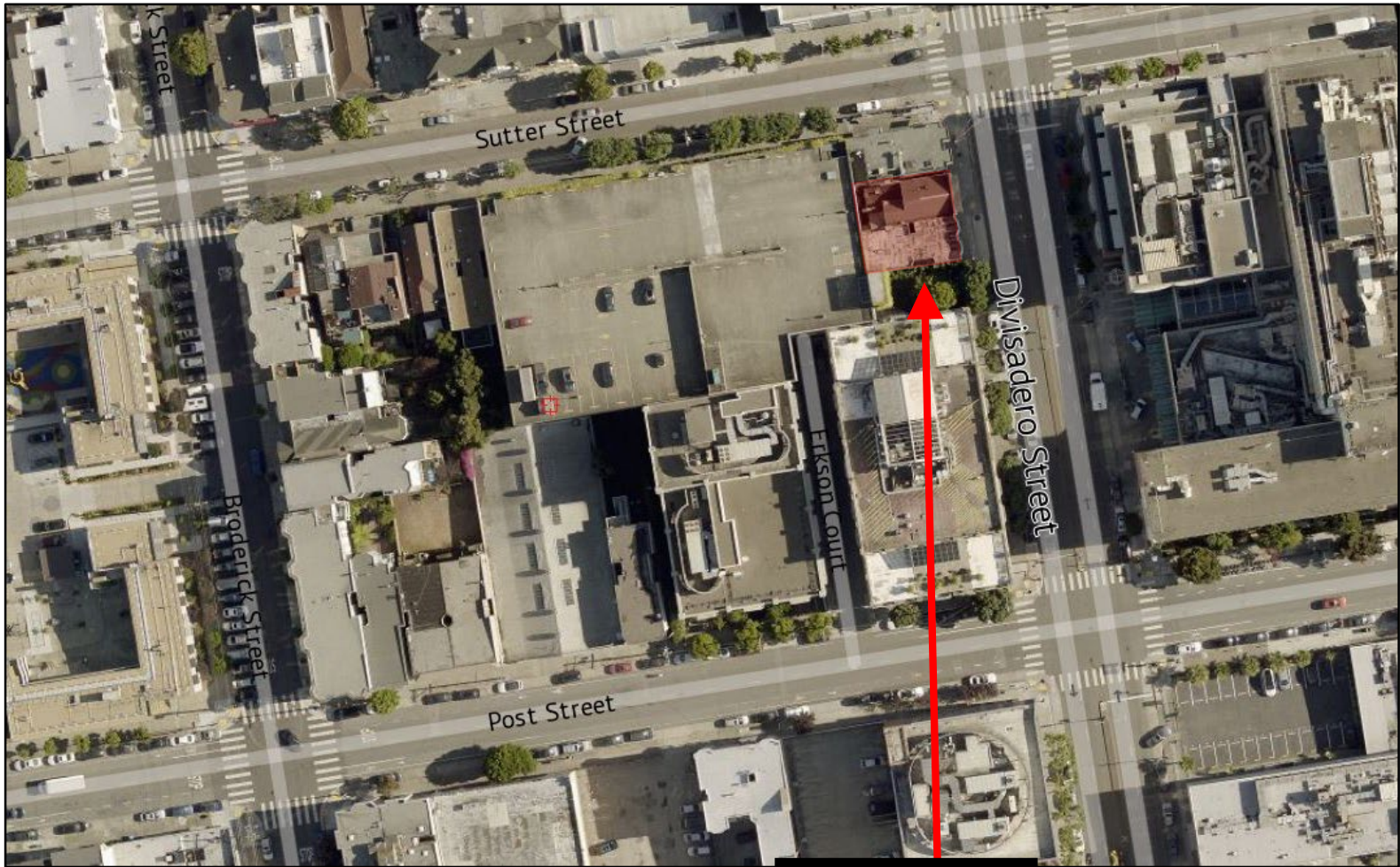


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Conditional Use Authorization
Record No. 2020-007023CUA
1649 Divisadero Street

Aerial Photo

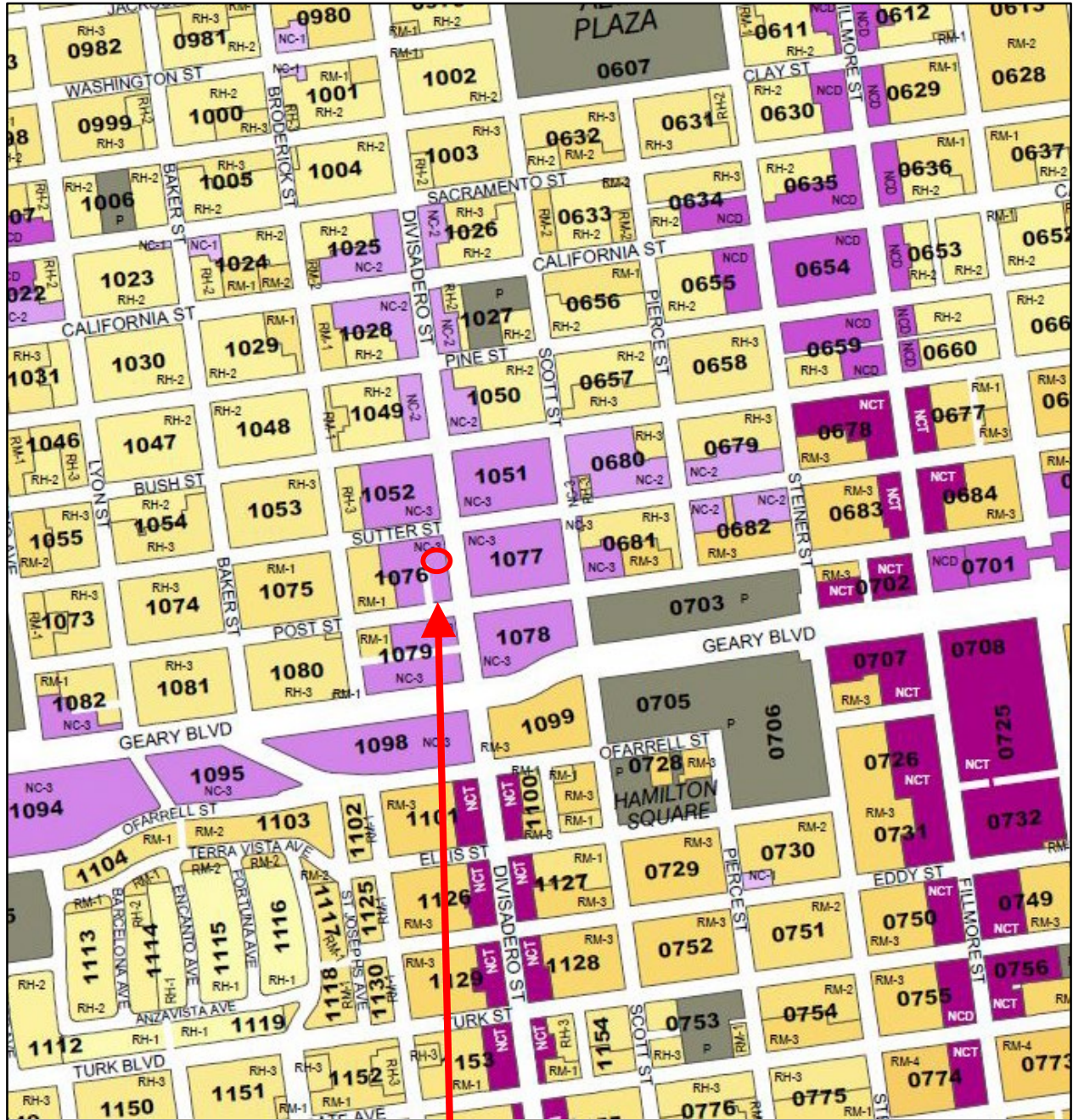


SUBJECT PROPERTY



Conditional Use Authorization
Record No. 2020-007023CUA
1649 Divisadero Street

Zoning Map



SUBJECT PROPERTY



Conditional Use Authorization
Record No. 2020-007023CUA
1649 Divisadero Street

Site Photo



Conditional Use Authorization
Record No. 2020-007023CUA
1649 Divisadero Street



PROJECT APPLICATION (PRJ)

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

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

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

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

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

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

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

BUILDING PERMIT APPLICATIONS

HOW TO SUBMIT:

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

WHAT TO SUBMIT:

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

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

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

ENTITLEMENTS

HOW TO SUBMIT:

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

WHAT TO SUBMIT:

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



PROJECT APPLICATION (PRJ)

GENERAL INFORMATION

Property Information

Project Address: _____

Block/Lot(s): _____

Property Owner's Information

Name: _____

Address: _____

Email Address: _____

Telephone: _____

Applicant Information

Same as above

Name: _____

Company/Organization: _____

Address: _____

Email Address: _____

Telephone: _____

Please Select Billing Contact:

Owner

Applicant

Other (see below for details)

Name: _____ Email: _____ Phone: _____

Please Select Primary Project Contact:

Owner

Applicant

Billing

RELATED APPLICATIONS

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

N/A

Building Permit Application No(s): _____

Related Preliminary Project Assessments (PPA)

N/A

PPA Application No: _____

PPA Letter Date: _____

PROJECT INFORMATION

Project Description:

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

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

Indicate whether a Preliminary Housing Development Application (SB-330) is or has been submitted: Yes No

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

Estimated Construction Cost: _____

PROJECT AND LAND USE TABLES

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


	Existing	Proposed
General Land Use	Parking GSF	
	Residential GSF	
	Retail/Commercial GSF	
	Office GSF	
	Industrial-PDR	
	Medical GSF	
	Visitor GSF	
	CIE (Cultural, Institutional, Educational)	
	Useable Open Space GSF	
	Public Open Space GSF	
Project Features	Dwelling Units - Affordable	
	Dwelling Units - Market Rate	
	Dwelling Units - Total	
	Hotel Rooms	
	Number of Building(s)	
	Number of Stories	
	Parking Spaces	
	Loading Spaces	
	Bicycle Spaces	
	Car Share Spaces	
	Other: _____	
Land Use - Residential	Studio Units	
	One Bedroom Units	
	Two Bedroom Units	
	Three Bedroom (or +) Units	
	Group Housing - Rooms	
	Group Housing - Beds	
	SRO Units	
	Micro Units	
	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.	

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		
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.)	Yes	No	
1c. General	Does the project involve a change of use of 10,000 square feet or greater?	Yes	No	
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?	Yes	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?	Yes	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?	Yes	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?	Yes	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?	Yes	No	If Yes, provide depth of excavation/disturbance below grade (in feet*): <i>*Note this includes foundation work</i>
6a. Geology and Soils 	Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 25% or greater? ----- Area of excavation/disturbance (in square feet): _____ Amount of excavation (in cubic yards): _____	Yes	No	A geotechnical report prepared by a qualified professional must be submitted if one of the following thresholds apply to the project: ● The project involves: ○ excavation of 50 or more cubic yards of soil, or ○ building expansion greater than 500 square feet outside of the existing building footprint. <i>A geotechnical report may also be required for other circumstances as determined by Environmental Planning staff.</i>
6b. Geology and Soils	Does the project involve a lot split located on a slope equal to or greater than 20 percent?	Yes	No	A categorical exemption cannot be issued. Please contact CPC.EPIntake@sfgov.org , once a Project Application has been submitted.
7. Air Quality 	Would the project add new sensitive receptors (residences, schools, child care facilities, hospitals or senior-care facilities) within an Air Pollutant Exposure Zone?	Yes	No	If yes, submit an Article 38 Compliance application with the Department of Public Health.
8a. 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?	Yes	No	If yes, submit a Maher Application Form to the Department of Public Health and submit documentation of Maher enrollment with this Project Application. Certain projects may be eligible for a waiver from the Maher program. For more information, refer to the Department of Public Health's Environmental Health Division . <i>Maher enrollment may also be required for other circumstances as determined by Environmental Planning staff.</i>
8b. 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?	Yes	No	If yes, submit documentation of enrollment in the Maher Program (per above), or a Phase I Environmental Site Assessment prepared by a qualified consultant.

 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

Name (Printed)

Date

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

Phone

Email

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



CONDITIONAL USE AUTHORIZATION

INFORMATIONAL AND SUPPLEMENTAL APPLICATION PACKET

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

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

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

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

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

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WHAT IS A CONDITIONAL USE AUTHORIZATION?

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

WHEN IS A CONDITIONAL USE AUTHORIZATION NECESSARY?

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

Fees

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

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



CONDITIONAL USE AUTHORIZATION

SUPPLEMENTAL APPLICATION

Property Information

Project Address:

Block/Lot(s):

Action(s) Requested

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

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).

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.

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.

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

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

Name (Printed)

Date

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

Phone

Email

For Department Use Only

Application received by Planning Department:

By: _____

Date: _____



AFFIDAVIT FOR FORMULA RETAIL ESTABLISHMENTS

APPLICATION PACKET

Pursuant to Planning Code Section 303.1, certain retail uses must have additional review to determine if they qualify as a Formula Retail Use. The first pages consist of instructions and important information which should be read carefully before the affidavit form is completed.

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

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

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WHAT IS A FORMULA RETAIL USE?

A Formula Retail Use is a type of retail sales activity or retail sales establishment which has 11 other retail sales establishments located globally. In addition, the business maintains two or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, uniform apparel, standardized signage, a trademark or a servicemark.

WHAT TYPES OF BUSINESSES ARE REGULATED AS FORMULA RETAIL USES?

Businesses subject to the formula retail establishment controls include the following 'Retail Sales Activity' or 'Retail Sales Establishment' as defined in Article 1 and Article 8 of the Code:

- Amusement Game Arcade (§§102, 890.4)
- Bar (§§102, 890.22)
- Cannabis Retail (§§102, 890.125)
- Drive-up Facility (§§102, 890.30)
- Eating and Drinking Use (§§102, 890.34)
- General Grocery (§102)
- Gym (§102)
- Jewelry Store (§§102, 890.51)
- Limited-Restaurant (§102)
- Liquor Store (§102)
- Massage Establishment (§§102, 890.60)

- Movie Theater (§§102, 890.64)
- Non-Auto Vehicle Sales or Rental (§§102, 890.69)
- Pharmacy (§102)
- Restaurant (§102)
- Retail Sales and Service, General (§102)
- Sales and Service, Other Retail (§§102, 890.102)
- Sales and Service, Retail (§§102, 890.104)
- Service, Financial (§102)
- Service, Fringe Financial (§§102, 890.113)
- Service, Instructional (§102)
- Service, Limited Financial (§102)
- Service, Personal (§§102, 890.116)
- Specialty Grocery (§102)
- Tobacco Paraphernalia Establishment (§§102, 890.123)
- Tourist Oriented Gift Store (§§102, 890.39)

This affidavit for Formula Retail must accompany any Building Permit Application for any Alterations, New Construction, Commercial Tenant Improvements, Change of Use or Signage which relates to the establishment of that use.

IS A CONDITIONAL USE AUTHORIZATION OR NEIGHBORHOOD NOTIFICATION NECESSARY?

If a use does qualify as a Formula Retail establishment, then additional controls may apply depending on the zoning district where the proposed business will be located. Please consult the Public Information Center (PIC) for guidance on whether Conditional Use Authorization or Neighborhood Notification is required.

HOW IS FORMULA RETAIL STATUS DETERMINED?

If the number of worldwide locations is 12 or more, including the proposed location, and if the number of total standardized features of this business is two (2) or more, then the proposed use is a Formula Retail.

Applicants are responsible for providing accurate information about proposed uses. The Planning Department will determine whether an application or permit is for a Formula Retail use. Any permit that has been approved is subject to revocation if it is determined to have been for a Formula Retail use at the time of approval.

ARE PROPOSED LOCATIONS INCLUDED IN MY TOTAL QUANTITY OF RETAIL LOCATIONS?

Yes. Any worldwide location that has been given a land use permit or entitlement counts towards the total number of locations, even if it is not yet operable. If you are unsure about the status of a proposed location, inform Planning Department staff so that the location can be appropriately analyzed.

WHAT ARE STANDARDIZED FEATURES?

Formula Retail uses are identified by having certain standardized features in common throughout their locations. They are defined in Planning Code Section 303(i)(1). The below list is a summary:

- (A) Standardized array of merchandise: Half or more of the products in stock are branded alike.
- (B) Trademark: A word, phrase, symbol or design that identifies products as being offered by them and no others.
- (C) Servicemark: A word, phrase, symbol or design that identifies a service as being offered by them and no others.
- (D) Décor: The style of interior furnishings, (i.e. furniture, wall coverings or permanent fixtures).
- (E) Color Scheme: A selection of colors used throughout the decor and/or used on the facade.
- (F) Façade: The face or front of a building (including awnings) looking onto a street or an open space.
- (G) Uniform Apparel: Standardized items of clothing (i.e. aprons, pants, shirts, smocks, dresses, hats, and pins (other than name tags) including the colors of clothing.
- (H) Signage: A sign which directs attention to a business conducted on the premises. (§602.3).



AFFIDAVIT FOR FORMULA RETAIL ESTABLISHMENTS

1. Location and Classification

Project Address:

Block/Lot(s):

2. Proposed Use Description

Proposed Use (Use Category Per Article 7 or 8):

Proposed Business Name:

Description of Business, Including Products and/or Services:

Building Permit Application No. (if applicable):

Conditional Use Case No. (if applicable):

3. Quantity of Retail Locations

3.A	List the number of existing locations this business has worldwide. Please include any property for which a lease has been executed.	
3.B	List the number of existing locations in San Francisco.	

If the number entered on Line 3.A above is 11 or more, then the proposed use may be a Formula Retail Use. Continue to section 4 below.

If the number entered on Line 3.A above is 10 or fewer, no additional information is required. Proceed to section 5 on the next page and complete the Applicant's Affidavit.

4. Standardized Features

	FEATURES	YES	NO
A	Array of Merchandise		
B	Trademark		
C	Service mark		
D	Décor		
E	Color Scheme		
F	Façade		
G	Uniform Apparel		
H	Signage		
TOTAL			

Enter the total number of Yes/No answers above.

If the total **YES** responses is **two (2) or more**, then the proposed use is a Formula Retail Use.

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

Name (Printed)

Date

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

Phone

Email

PLANNING DEPARTMENT USE ONLY

PLANNING CODE SECTION(S) APPLICABLE:

HOW IS THE PROPOSED USE REGULATED AT THIS LOCATION?

- Principally Permitted
- Principally Permitted, Neighborhood Notice Required (Section 311)
- Not Permitted
- Conditional Use Authorization Required (Please list Case Number below)

CASE NO.	MOTION NO.	EFFECTIVE DATE	NSR RECORDED?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

COMMENTS:

VERIFIED BY:

Signature: _____ Date: _____

Printed Name: _____ Phone: _____

Business Narrative

We built Nicer Co. as a social impact brand that reflects our love for the culture and heritage of San Francisco and strengthens the relationship between cannabis and the community.

Our Mission is to remove obstacles to wellness, open new paths to economic opportunity, and invest in addressing pivotal social needs. We do this because we know cannabis can serve our communities instead of dividing them. We know that community engagement and activation are essential to establishing a new cannabis venture; our CEO Kim Mitchell has spent his working life engaging and organizing the most vulnerable San Francisco communities- it is his guidance and stewardship that drives Nicer Co's community outreach.

Community Outreach

Our Founders have been residents of the neighborhood & district for over 50 years, and have watched as economic forces and gentrification have changed the face and character of the corridor, it is with this firsthand knowledge and vigilance that our CEO has crafted our community outreach strategy and larger business case to truly serve the community, not extract wealth from them.

We have proceeded with a comprehensive outreach plan including a moderated public meeting with comment, and have sourced over 20 Letters of Support in reference to our project. Our proposed location has served many functions to the community in its time, first as a hardware store, and then later as a Senior Living Center; and through the efforts, engagement and vision of our team we intend to bring new life and vitality to the Divisadero Merchant Corridor with a Nicer Co. Cannabis Retail Dispensary.

Hours & Staffing Plan

Our proposed location at 1649 Divisadero St will be a retail cannabis dispensary serving the community Monday through Sunday between the hours of 10am to 10pm. We do not intend to have cannabis smoking or vaping on site. We are anticipating the creation of up to 10-15 new jobs in the community with the following positions:

- Budtender
- Receptionist
- Inventory Control
- Buyer
- Purchase Manager
- Process Labeler
- Security

Business Principles

1. Respect the character, culture & history of the Western Addition Community

- Cannabis retail has transformed to something presentable & mature.
- Reinterpret, don't replace, existing architectural forms and materials.

3. Standard Operating Procedures

- Cannabis Operations are standardized through a track & trace program constantly monitored by the State. (BCC)
- We are developing internal frameworks for training Employees to have the highest level of professionalism and opportunities for continued education & personal growth.

2. Remove barriers to inclusivity

- Call all Community forward
- Design elements that calm, captivate and welcome customers Once inside, help the Community feel they're in an expansive, welcoming space

4. Safety & Security

- Amid Covid we operate within the guidelines of Local and State to follow all Social Distancing protocols.
- Our Security Program includes state of the art security system including HD camera monitoring and on site personnel.

Divisadero Equity Partners
Community Support Letters
November 30th 2020

Section 1 | Community Organizations

- ❖ All Islanders Gathering As One
- ❖ Black Community Equity Group
- ❖ Brownie Mary Democratic Club
- ❖ Fresh Start Janitorial Service
- ❖ Mission Neighborhood Centers
- ❖ San Francisco Cannabis Retailers Alliance
- ❖ San Francisco South Pacific Islanders Services
- ❖ San Francisco Tongans Rise Up
- ❖ San Francisco Equity Group
- ❖ Together United Recommitted Forever
- ❖ Street Violence Intervention Program
- ❖ United Playaz
- ❖ UR Blessings



415.240.6720
13128 Cesar Chavez ST SF, CA 94110

Dear Planning Commissioners,

I support the proposed adult-use cannabis dispensary at 1649 Divisadero St.

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide a powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

Divisadero Equity Partners is a credible team of community leaders, executives and operational experts to build and facilitate a safe and beneficial cannabis business for the Divisadero Community. Divisadero Equity Partners have made it clear they will take responsibility for the cleanliness and safety of the surrounding area of the storefront. They will hire a bonded security team, and focus on local hiring designed to increase neighborhood economic participation.

Divisadero Equity Partners recognizes that its future success is entwined with the success of the entire merchant corridor, and pledges to be a leader in neighborhood civic action. Please vote yes on Divisadero Equity Partners, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Gaynorann Siataga

Director



BLACK COMMUNITY EQUITY GROUP

Dear Planning Commissioners,

I Omorede "Rico" Hamilton support the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes** on Divisadero Equity Partners, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely, Omorede Hamilton

06/05/2020

November 28, 2020



San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA
94103

SUPPORT File Number: 2020-007023CUA: Nicer Co 1649 Divisadero Street

Dear Members of the San Francisco Planning Commission:

We are writing on behalf of the Brownie Mary Democratic Club of San Francisco to voice our strong support for the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

David Goldman, President
Kenneth Michael Koehn, Secretary
Brownie Mary Democratic Club of San Francisco
Brownie.Marysf@gmail.com
www.BrownieMaryDemClub.com
m: 415-728-7631



Fresh Start Janitorial Service, Inc. *1203 Ingalls Street, S.F., CA. 94124*415.368.7215

November 11, 2020

Dear Planning Commissioners,

I support the proposed adult-use cannabis dispensary at 1649 Divisadero Street.

The founders of the Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

The Mitchell family have been close friends with my family for over 65 years. Kim is an energetic and goal-oriented person. He grasps new concepts and his talent is inclusive of developing innovations for new products. I can attest to his integrity for supporting the community. I am certain with confidence that Kim will be a good addition to the Divisadero community and Merchant Association.

Divisadero Equity Partners is comprised of a credible team of community leaders, executives and operational experts to build and facilitate a safe and beneficial cannabis business for the Divisadero Community.

Divisadero Equity Partners have made it clear they will take responsibility for the cleanliness and safety of the surrounding area of the storefront. They will hire a bonded security team and focus on local hiring designed to increase neighborhood economic participation. Divisadero Equity Partners recognizes that its future success is entwined with the success of the entire merchant corridor and pledges to be a leader in neighborhood civic action.

Please vote yes on Divisadero Equity Partners, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration

Sincerely,
Autumn Steele
Owner/Operator
Fresh Start Janitorial Service, Inc.
415.368.7215



Mission Neighborhood Centers, Inc.
Administrative Offices

362 Capp Street, San Francisco, California 94110
Phone (415) 206-7747 Fax (415) 647-6911

November 12, 2020

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Santiago Ruiz". The signature is fluid and cursive, with a large loop at the end.

Santiago Ruiz
Chief Executive Officer

"Mission Neighborhood Centers, Inc. strives to improve the quality of life in the greater Mission Community of San Francisco by providing culturally sensitive human services that both support and empower individuals and families."



SFCRA

530 Divisadero St., Ste. 226
San Francisco, CA 94117

San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA
94103

Dear Planning Commissioners,

The San Francisco Cannabis Retailers Alliance (SFCRA) strongly **supports** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They are locals! They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

The SFCRA has worked side by side over the past few years on cannabis and social equity advocacy. Personally, I have worked directly with several of the members of San Francisco Equity Partners, and I can't think of a better team to open a cannabis store on Divisadero. They understand San Francisco, and all the communities that make up our fair city.

Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "JD" or "Johnny Delaplane". The signature is fluid and cursive, written in a dark ink on a white background.

Johnny Delaplane
President, San Francisco Cannabis Retailers Alliance
SFCRA.org



San Francisco South Pacific Islanders Services

150 Executive Park Blvd. Suite 1180, San Francisco, CA 94134

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide a powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Co-Founder



Dear Planning Commissioners,

I support the proposed adult-use cannabis dispensary at 1649 Divisadero St. The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide a powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change. Divisadero Equity Partners is a credible team of community leaders, executives and operational experts to build and facilitate a safe and beneficial cannabis business for the Divisadero Community.

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Please vote yes on Divisadero Equity Partners, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Anna Mahina

Executive Director



November 12, 2020

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Arturo Carrillo", is written over the word "Sincerely,".

Arturo Carrillo
Director, SFSVIP
150 Executive Park, Suite 1180
San Francisco, Ca 94134
415-762-0216 Office
415-652-3924 cell



UNITED • PLAYAZ

1038 Howard Street • San Francisco, CA 94103

www.unitedplayaz.org

June 15, 2020

Dear San Francisco Planning Commissioners,

My name is Rudy Corpuz Jr. I am the Founder and Director of United Playaz, a violence prevention and leadership development organization committed to providing youth with positive role models and activities to engage in as an alternative to involvement with gangs, drugs and other high risk behaviors. I am writing to express my support for the proposed adult-use cannabis dispensary at 1649 Divisadero St.

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please support Divisadero Equity Partners, they will improve our community and facilitate positive and powerful change for our city. Please feel free to contact me if you have any questions or require additional information at 415-573-6219.

In peace,

A handwritten signature in black ink that reads "Rudy Corpuz Jr." with a stylized flourish at the end.

Rudy Corpuz Jr.
Founder/ Director



Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Ute R. Releford
UR Blessings, Founder

Section 2 | Health and Wellness

- ❖ Maple Tree Cancer Alliance
- ❖ Sunflower Wellness
- ❖ Westside Community Services



November 29, 2020

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Regan Fedric". The signature is fluid and cursive, with the first name "Regan" and last name "Fedric" clearly legible.

Regan Fedric

Co-Founder

Maple Tree Cancer Alliance

November 29, 2020

Dear Planning Commissioners,

I support the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

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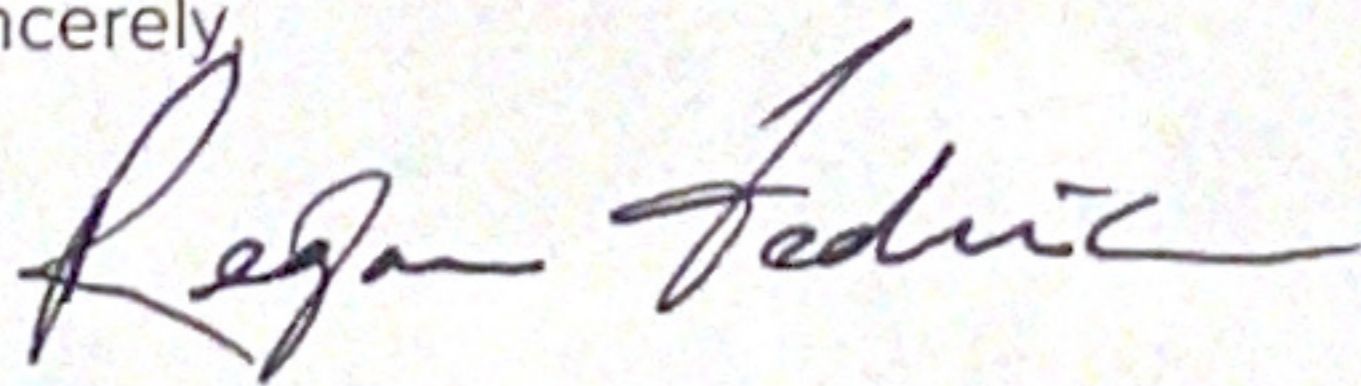
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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,



Regan Fedric
Co-Founder and Program Director
Sunflower Wellness

WESTSIDE



COMMUNITY
SERVICES

1153 OAK STREET
SAN FRANCISCO
CALIFORNIA
94117-2216

TELEPHONE
415.431.9000

FACSIMILE
415.431.1813

www.westside-health.org

June 6, 2020

Dear Planning Commissioners,

I support the proposed adult-use cannabis dispensary at 1649 Divisadero St.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Mary Ann Jones, Ph.D.
CEO

Section 3 | Merchants

- ❖ AMPM
- ❖ Authentic 415
- ❖ Blu Diamond Group
- ❖ DNA Ink
- ❖ Food for Soul
- ❖ Third World Market
- ❖ Denim Culture
- ❖ Empress Extracts
- ❖ HCA & Co.
- ❖ LRM Incorporated
- ❖ UHaul
- ❖ San Francisco Athletic Club
- ❖ State Farm
- ❖ Stizzy
- ❖ SweeTay's
- ❖ The Green Door



Dear Planning Commissioners,

I Robert Bell Sr. fully supports the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide a powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Robert Bell Sr.
CEO/Qualified Manager AMPM Security Specialist
www.AMPMprivatesecurity.com
Robert@ampmprivatesecurity.com
(415)571-5849



Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Cindy De La Vega
CEO

Authentic 415
1620 Visitacion Ave
San Francisco, CA 94134
(415) 889-3322
(415) 859-9245



DNA Ink

914 Divisadero Street
San Francisco, CA 94115
Phone: (415) 409-4004
E-Mail: Deals@DNAink.com
Web: www.dnaink.com

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

San Francisco's cannabis Social Equity program provides a unique opportunity to right the impact that the war on drugs has had on our Western Addition Community. Kim Mitchell, who will be the CEO of the store at 1649 Divisadero Street is deriving of this opportunity. Additionally, the founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Susan Jones
(415) 922-3605

Food For Soul, LLC
1310 Fillmore Street, #706
SF, CA 94115
415.601.4272

June 22, 2020

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Monetta White', with a stylized, cursive script.

Monetta White

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,



Joe Freund

State Farm Insurance
Joe Freund Agency
1734 Divisadero Street
San Francisco, CA 94115
Tel: 415-359-9311
License: #0E78379



June 6, 2020

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Justine", is written over the word "Sincerely,".



SIDDIQ CULTURE

DENIM CULTURE, LLC

601 Van Ness Ave, Suite E308
San Francisco, Ca. 94102
800.328.8457 (O) 510.209.9676 (C)
siddiqmj@denimculturellc.com

November 11, 2020

Dear Planning Commissioners,

I support the proposed adult-use cannabis dispensary at 1649 Divisadero Street.

The founders of the Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

As the owner of Denim Culture, Kim Mitchell and I not only have years within our relationship but have struggles that we obtained victory and success through them. Kim taking on this next mountain, will need all of us within the community to put our arms around him, support and patronize his business.

Divisadero Equity Partners is comprised of a credible team of community leaders, executives and operational experts to build and facilitate a safe and beneficial cannabis business for the Divisadero Community.

Divisadero Equity Partners have made it clear they will take responsibility for the cleanliness and safety of the surrounding area of the storefront. They will hire a bonded security team and focus on local hiring designed to increase neighborhood economic participation. Divisadero Equity Partners recognizes that its future success is entwined with the success of the entire merchant corridor and pledges to be a leader in neighborhood civic action.

Please vote yes on Divisadero Equity Partners, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration

Sincerely,
Siddiq Moody- Jihad
General Manager – Owner
Denim Culture, LLC



Dear Planning Commissioners,

I **SUPPORT** the proposed adult-use cannabis dispensary at **1649 DIVISADERO ST.**

The founders of **Divisadero Equity Partners** have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide a powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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PLEASE VOTE YES ON DIVISADERO EQUITY PARTNERS, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Emily Scarbrough

Emily Scarbrough • Express Extracts • 415.250.7216 • empressextracts@gmail.com

April 17, 2020

Greetings San Francisco Office of Cannabis and California State Cannabis Regulators,

Re: **KIM MITCHELL**

Letter of Support and Recommendation

I am very pleased and comfortable to write this letter of support on behalf of Mr. Kim Mitchell.

I met Mr. Mitchell over 23 years ago and I was very impressed by his commitment, dedication, loyalty and advocacy for the very marginalized and under-resourced members of our community. His ingenuity and creative programs and initiatives towards violence prevention and crime mitigation instantly commanded my respect and captured my imagination.

I was so impressed by his vision and passion to provide voice for the voiceless and hope for the seemingly hopeless segment of the community that I volunteered to assist him in establishing the nonprofit organization known as TURF Community Improvement Association. With his help and Board of Advisors, I helped in securing the tax-exempt status in 1997. As the founding executive director and chief executive officer of TURF, I observed him firsthand as he orchestrated programs where community young leaders provided security and a sense of safety to citizens using public transportation. Through the nonprofit organization, he has helped to secure employment, housing, economic opportunities as well as providing youth recreational and meal services to underserved communities of color.

Mr. Mitchell is a proven community servant leader, an unabashed advocate and problem-solver. He has the respect of his community as he has been providing leadership in resource identification, distribution of said resources and community empowerment.

I unequivocally offer my support and respectfully request that you extend any accommodation and courtesy as he continues to serve his community in various roles. Thank you very kindly.

Very truly,



Hyacinth C. Ahuruonye, CPA
Founder & Managing Principal



Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Linda Frisby
CEO

LRM INC.
837 5th Street
Santa Rosa, CA 95403
(707) 303-7575
(415) 999-2266 cell



CORPORATE SALES OFFICE

500 PAUL AVE. • SAN FRANCISCO, CALIFORNIA 94124 • PHONE: (415) 468-3895

Dear Planning Commissioners,

I support the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Michael Patton". The signature is written in a cursive, flowing style.

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,



Ezra Berman
Managing Member
San Francisco Athletic Club
1750 Divisadero Street
San Francisco, CA 94114



Dear Planning Commissioners,

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Antonio Vasquez



Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

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Thank you for your consideration.

Sincerely,

Ute D. Releford



Dear Planning Commissioners,

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Izzabella Velez

Section 4 | Residents

- ❖ Andrea Casalett and Beth McBride
- ❖ Latrice Manuel
- ❖ Lekesha Howard
- ❖ Lesa Parker
- ❖ Louela Guevarra
- ❖ Mignon
- ❖ Roberto Vargas
- ❖ Shelly Tatum

June 14, 2020

Dear Planning Commissioners,

We **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.** As potential neighbors, we see the value in backing this business!

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Andrea Casalett & Mary E McBride

1729 Pierce Street
SF CA 94115

Jacquelyn B. Wiley
921 Liberty Street
El Cerrito, CA 94530

November 11, 2020

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

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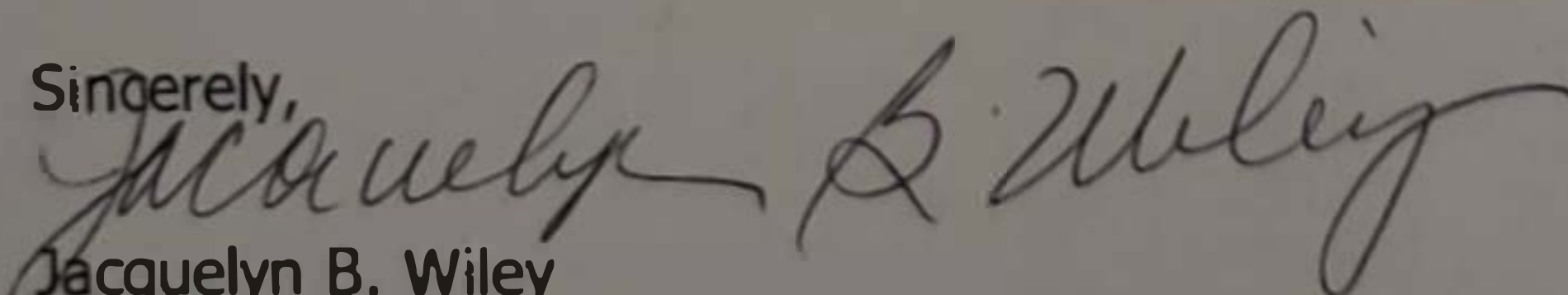
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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,


Jacquelyn B. Wiley

Dear Planning Commissioners,

I **Latrice Manuel** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,
Latrice Manuel
mmstrice@aol.com
415-368-3243

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. They represent the heart and soul of San Francisco and fight every day to maintain the core values that made our city a global icon for progressive change.

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Lekesha Howard

Dear Planning Commissioners,

I **Lesa Parker** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,
Les

June 6, 2020

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

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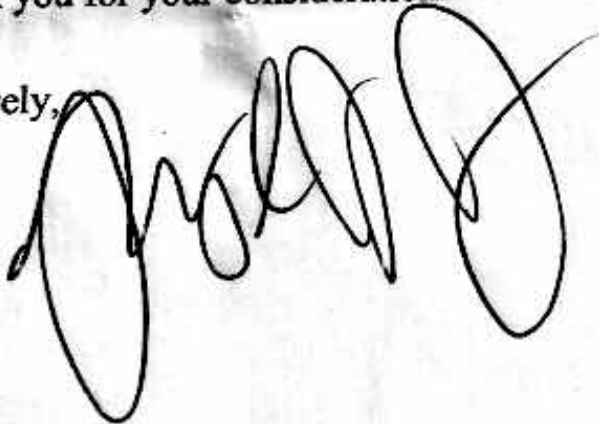
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Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, consisting of several large, overlapping loops and flourishes, positioned to the right of the word "Sincerely,".

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Thank you for your consideration.


Sincerely,

Louela Guevarra
290 Silve Avenue #2
San Francisco, CA 94112

November 13, 2020

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

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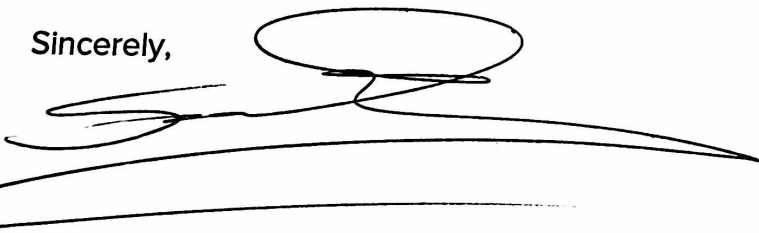
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Thank you for your consideration.

Sincerely,

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

Dear Planning Commissioners,

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Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Dear Planning Commissioners,

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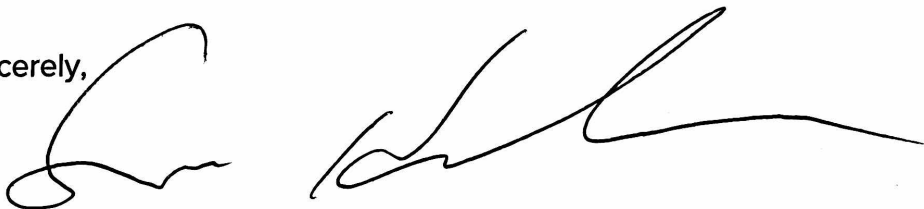
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Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Two handwritten signatures in black ink. The first signature is on the left and the second is on the right, both appearing to be cursive and somewhat stylized.

Dear Planning Commissioners,

I **support** the proposed adult-use cannabis dispensary at **1649 Divisadero St.**

The founders of Divisadero Equity Partners have collectively spent decades in service to communities across San Francisco. They serve as nonprofit leaders, advocates, artists, and activists and have committed their lives to communities across the city. The proposed dispensary at 1649 Divisadero Street will provide powerful economic opportunity to individuals in our city who deserve it most. I have known Kim Mitchell since the late 80's when we worked for the Mayor's Gang Prevention Program, and Kim was working to help young people in the Sunnydale and Visitacion Valley communities. Since then, I have watched Kim serve the community for years, finding ways to create opportunities for children, teens and their families for decades, with love and commitment.

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From experience, I know that the presence of cannabis business actually increases safety in a community by increasing the presence of security and "eyes on the street". Increased lighting and foot traffic are also helpful in promoting street safety.

While I believe nearly every cannabis business can bring increased safety and opportunity to any community, I personally am only supportive of cannabis equity businesses, because there is such a dearth of equity owned business in the cannabis industry. With Kim's involvement, I know this business helps promote economic equity, by supporting an owner of color who has served low-income communities of color for generations, and by bringing that same commitment to hiring and business practices.

Please **vote yes on Divisadero Equity Partners**, they will improve our community and facilitate positive and powerful change for our city.

Thank you for your consideration.

Sincerely,

Roberto Ariel Vargas, MPH