



# EXECUTIVE SUMMARY CONDITIONAL USE

**HEARING DATE:** February 18, 2021

**Record No.:** 2020-008388CUA  
**Project Address:** 235 Clement Street  
**Zoning:** Inner Clement Street Neighborhood Commercial District (NCD) Zoning District  
40-X Height and Bulk District  
**Block/Lot:** 1435/040  
**Project Sponsor:** Drakari Donaldson  
Gnarly Narwhal LLC  
1398 California Street  
San Francisco, CA 94103  
**Property Owner:** 233-235 Clement Street Assoc  
165 Lomita Ave  
San Francisco, CA 94122  
**Staff Contact:** Kalyani Agnihotri – (628) 652-7454  
[kalyani.agnihotri@sfgov.org](mailto:kalyani.agnihotri@sfgov.org)

**Recommendation:** Approval with Conditions

## Project Description

The Project would establish a Cannabis Retail Use measuring 1,404 square feet in a vacant commercial space (formerly an ophthalmologist's office) on the ground floor within a two-story mixed-use building at 235 Clement St. The Project does not include a request for authorization of on-site smoking or vaporizing of cannabis products. The project proposes minor interior tenant improvements, and no changes to the building exterior or envelope are proposed. New business signage will be applied for under a separate permit.

## Required Commission Action

For the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 202.2, 303, and 716, to allow the establishment of a Cannabis Retail use in the Inner Clement Street Neighborhood Commercial Zoning District.

## Issues and Other Considerations

- **On-Site Consumption.** The project does not include a request for Type C consumption (smoking or vaporizing of cannabis products). The draft motion for approval of the Project is conditioned to prohibit smoking or vaporizing of cannabis products at the site, such that any future addition of a smoking or vaporizing room would require a subsequent Conditional Use Authorization.
- **Public Comment & Outreach.** The Sponsor conducted outreach under the Office of Cannabis Good Neighbor Policy, which includes providing a mailed notice of the Project to all property owners and occupants within 300-feet of the site and conducted an outreach meeting on September 11, 2020. Additionally, the Project conducted a pre-application meeting on September 11, 2020. The Department has received more than 45 letters of support for the application, that include letters from the San Francisco Chapter of the Brownie Mary Democratic Club and merchants doing business in the Richmond neighborhood.
- **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.
  - In the general vicinity, the following locations were identified as potentially sensitive sites that do not disqualify the location from being used as a Cannabis Retailer:
    - Building Kidz of San Francisco (preschool): 143 Clement St; 270 feet from site
    - Color Me French Preschool: 125 Clement St; 380 feet from site
    - George Peabody Elementary School: 251, 6<sup>th</sup> Ave; 1060 feet from site
    - Roosevelt Middle School: 460 Arguello Blvd; 1060 feet from site
    - Rosenberg Early Childhood Center: 325 Arguello Blvd; 1500 feet from site
- **Equity Program.** The licensing application to the City's Office of Cannabis was submitted by Drakari Donaldson, who was determined to meet the criteria of an Equity Applicant. Under Police Code Section 1613, "no permit to operate as a Storefront Cannabis Retailer shall be granted if any individual holding a legal or beneficial interest in the proposed Storefront Cannabis Retailer already holds a legal or beneficial interest in four or more existing Storefront Cannabis Retailers..." The applicant is the listed equity applicant on one approved Cannabis Retail license, located at 1398 California Street (dba California Street Cannabis Company) and approved by the Planning Commission on June 13, 2019 under Case No. 2019-001048CUA.

## Environmental Review

The Project is exempt from the California Environmental Quality Act ("CEQA") as Class 1 and Class 3 categorical exemptions.

## **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 activates an existing vacant commercial space, brings a new type of retail business to the area, and supports the City's equity program, administered by the Office of Cannabis. The Department also finds the project to be necessary, desirable, and compatible with the surrounding neighborhood, and not to be detrimental to persons or adjacent properties in the vicinity.

## **Attachments:**

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



# PLANNING COMMISSION DRAFT MOTION

**HEARING DATE: FEBRUARY 18, 2021**

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40-X Height and Bulk District  
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 202.2, 303, AND 716 OF THE PLANNING CODE TO ALLOW A CANNABIS RETAIL USE MEASURING APPROXIMATELY 1,404 SQUARE FEET, WITH NO ON-SITE SMOKING OR VAPORIZING OF CANNABIS PRODUCTS, ON THE GROUND FLOOR, IN AN EXISTING TWO-STORY MIXED USE BUILDING AT 235 CLEMENT STREET (ASSESSOR'S BLOCK 1435 LOT 040) WITHIN THE INNER CLEMENT STREET NEIGHBORHOOD COMMERCIAL DISTRICT (NCD) ZONING DISTRICT, AND 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

## PREAMBLE

On September 21, 2020, Drakari Donaldson (hereinafter "Project Sponsor") filed Application No. 2020-008388CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a Cannabis Retail use (hereinafter "Project") at 235 Clement Street, Block 1435 Lot 040 (hereinafter "Project Site").

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

On February 18, 2021, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2020-008388CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2020-008388CUA 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. 2020-008388CUA, subject to the conditions contained in "EXHIBIT A" of this motion, based on the following findings:

## FINDINGS

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

- 1. The above recitals are accurate and constitute findings of this Commission.**
- 2. Project Description.** The Project would establish a Cannabis Retail Use measuring 1,404 square feet in a vacant commercial space on the ground floor within a two-story, mixed-use building. The Project does not include a request for authorization of on-site smoking or vaporizing of cannabis products. The Project proposes minor interior tenant improvements and no changes to the building exterior or envelope are proposed. New business signage will be applied for under a separate permit.
- 3. Site Description and Present Use.** The Project is located on a 2,800 square foot rectangular parcel fronting Clement Street on the south side between 3rd and 4th Avenues. The site is developed with a two-story building containing one commercial space at the ground floor and a residential unit above. The commercial space was last occupied by an ophthalmologist's office.
- 4. Surrounding Properties and Neighborhood.** The surrounding neighborhood is comprised of a broad mix of uses and buildings have active retail frontage with residential uses above the ground floor. Clement Street has a great concentration of restaurants along with significant number of professional, realty, and business offices as well as financial institutions. The two directly adjacent properties are mixed-use

buildings with ground floor commercial use.

5. **Public Outreach and Comments.** The Sponsor conducted outreach under the Office of Cannabis Good Neighbor Policy, which includes providing a mailed notice of the Project to all property owners and occupants within 300-feet of the site and conducted an outreach meeting on September 11, 2020. Additionally, the Project conducted a pre-application meeting. The Department has received 45 letters of support for the application.

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 Inner Clement Street Neighborhood Commercial District (NCD) Zoning District requires a Conditional Use Authorization pursuant to Planning Code Section 716.

*The Project Sponsor is requesting a Conditional Use Authorization to establish a Cannabis Retail use in the Inner Clement Street Neighborhood Commercial Zoning District.*

- B. **Use Size.** Within the Inner Clement Street NCD Zoning District, the Planning Code principally permits Retail Sales and Service Uses (including Cannabis Retail) at up to 2,499 sq ft per lot.

*The Project would provide a 1,404 sq ft Cannabis Retail use which is compliant with this requirement.*

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

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

- D. **Hours of Operation.** The hours of operation in the Inner Clement Street NCD Zoning District are 6:00am – 2:00am. State law limits hours of operation for Cannabis Retailers to between 6:00am and 10:00pm.

*The Project proposes to operate between the hours of 9:00am to 10:00pm. The Project is required under State law to cease operation between 10:00pm and 6:00am.*

- E. **Street Frontage in Mixed Use Districts.** Section 145.1 of the Planning Code requires that within Neighborhood Commercial Districts space for active uses shall be provided within the first 25 feet of building depth on the ground floor and 15 feet on floors above from any facade facing a street at least 30 feet in width. In addition, the floors of street-fronting interior spaces housing non-residential active uses and lobbies shall be as close as possible to the level of the adjacent sidewalk at the principal

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

*The subject commercial space complies with this requirement and shall be maintained in compliance with this Section. No significant modification to the front façade is proposed, and the interior changes do not impact compliance with this Section.*

- 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 provides a use that is necessary and desirable, and compatible with the surrounding neighborhood and community, in that it activates an existing retail space at the same size of the existing space, bringing additional goods and services to the local area. By activating a currently vacant commercial space, the Project will provide jobs and street level activation to the neighborhood. The proposed business places ID check and waiting areas at the front of the businesses, limiting the visibility of cannabis products and sales from the street while maintaining street level activation. In doing so, it is contextually appropriate and compatible with the surrounding neighborhood and community.*

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

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

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

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

*The Planning Code does not require parking or loading for any uses, and the site is very well served by transit services.*

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

*The Project proposes a Cannabis Retail use which does not include an on-site smoking or vaporizing space, and this approval is conditioned to prohibit smoking or vaporizing of cannabis products. As such, there are safeguards to prevent noxious or offensive emission from the site.*

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

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

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

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

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

*The Inner Clement Street District controls are designed to promote development that is consistent with its existing land use patterns and to maintain a harmony of uses that supports the district's vitality. The building standards allow small-scale buildings and uses, protecting rear yards above the ground story and at residential levels. Special controls are necessary to preserve the equilibrium of neighborhood-serving convenience and comparison shopping businesses and protect adjacent residential livability. These controls prohibit additional financial service and limit additional eating and drinking establishments, late-night commercial uses, and ground-story entertainment uses. By providing a new neighborhood serving retail activity within an existing, unutilized space, the Project furthers the stated purpose of the Zoning District.*

- 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.”

*In the December 2019 report titled “[Cannabis in San Francisco: A Review Following Adult Use Legalization](#),” the City Controller’s Office identified the Mission and South of Market Neighborhoods as more concentrated with Cannabis Retail uses in comparison to the balance of San Francisco. The report recommended no*

*numeric or geographic limits to existing or in-process cannabis business permits and recommended that potential future legislation to address the imbalance be applied to new applicants rather than the existing applicant pipeline. Since the legalization of adult-use cannabis, the Planning Department has approved a total of thirty-six (36) new Cannabis Retail locations. Of that total, six (6) were in the broader South of Market neighborhood and three (3) were in the Mission District. Since legalization and the adoption of adult-use cannabis rules, the vast majority (82%) of new locations approved have been outside of the Mission and South of Market neighborhoods, furthering the City's goal of a fair and even geographic distribution of these uses. The approval of this Project would continue this trend of reducing overall concentration of Cannabis Retail establishments in the Mission and South of Market Districts by providing outlets in other areas of the City, reducing the need for persons to transit to these areas to purchase cannabis products.*

*Within the general proximity of 235 Clement Street, there is one other Cannabis Retailer located within 1,500 feet of the site, located at 3407 Geary Blvd, dba CannaClub, approximately 2,000 feet from 235 Clement St. That location was approved via a Conditional Use Authorization on December 10, 2020, as Cannabis Retail is a conditionally permitted use of the property and no DR was received during the notice period.*

*The Richmond District, more specifically Supervisorial District 1, is one of the most underserved Districts in the City with only one active dispensary serving a District of close to 70,000 people. Within the general proximity of 235 Clement Street, there is a mix of commercial and residential uses. Cannabis Retail is one of the few businesses that is continuing to expand during the pandemic induced economic crisis (though many existing sites, particularly existing Medical Cannabis Dispensaries, are closing permanently). By creating a new retail use, the Project can serve to support the development of other retail and service uses in the general vicinity.*

*Key facilities in the surrounding neighborhood that serve youth are the Building Kidz of San Francisco (preschool), Color Me French Preschool, both are located directly east of 235 Clement Street, at least 270 feet from the proposed facility. Other facilities include George Peabody Elementary School, Roosevelt Middle School and Rosenberg Early Childhood Center, which are all at least 1,000 feet from the proposed facility. Cannabis facilities are highly regulated, and it is more likely that youth would gain easy access to cannabis products through the unregulated market, which remains a large and dominant force in the market of San Francisco (partially due to the ease of cultivating cannabis products within a home and partially due to the slow rate of permitting of licensed locations in the City). While this area is traversed by a diverse population with many different age groups, any potential exposure to cannabis to youth that pass by will be mitigated by the strong security presence at the storefront, no visible product from the windows and a staff that is not only monitoring the storefront but also 50 feet in either direction of the store. No one under the age of 21 is allowed in the store, with the exception of persons aged 18 and above possessing a valid doctor's recommendation. The store will only cater to adults who intend to consume cannabis responsibly either medically or recreationally. By providing a regulated, legal market within the neighborhood, the proposed business would further discourage unregulated sales, making youth access to cannabis products more restricted.*

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.

*The Cannabis industry provides great potential for the City in that it is a rapidly expanding industry, with very highly developed equity ownership, hiring, and procurement requirements, that employs blue-collar*

*workers with wages and benefits typically far higher than other types of retail services. The City Controller's Office December 2019 report titled, "[Cannabis in San Francisco: A Review Following Adult Use Legalization](#)," found that crime rates, particularly property crimes, generally decreased in the areas immediately surrounding Cannabis storefronts and dispensaries, compared to an overall increase Citywide. The uses are extremely regulated both at the State and local level, and following any Planning Department approval of a site, additional outreach still occurs to develop a Good Neighbor Policy, Security Plans (with review by SFPD), and Odor Mitigation Plans. By activating existing retail spaces in the City (which suffer from high vacancy rates), employing many blue-collar workers, furthering the City's equity goals, and providing alternative medicines that are recognized as helping many residents suffering through pain, Cannabis Retail projects further many of the goals of the City's General Plan and area plans.*

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

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

*No housing is impacted by the Project. The building exterior is maintained, preserving neighborhood character.*

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

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

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

*The Project site is extremely well-served by transit. It is presumable that the employees would commute by transit thereby mitigating possible effects on street parking. Providing access to cannabis products broadly in the City reduces the need for medical or adult use customers to transit across neighborhoods to purchase products.*

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

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

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

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

- G. That landmarks and historic buildings be preserved.

*No impact to the Historic Resource status is caused by the Project, which proposes only minor interior tenant improvements and replacement of the exterior safety grill in kind.*

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

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

- 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. 2020-008388CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated January 5, 2021, 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 February 18, 2021.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

ADOPTED: February 18, 2021

## EXHIBIT A

### Authorization

This authorization is for a conditional use to allow a Cannabis Retail Use located at 235 Clement Street, Block 1435, and Lot 040, pursuant to Planning Code Sections 202.2, 303, and 716, within the Inner Clement Street Neighborhood Commercial District (NCD) Zoning District, and a 40-X Height and Bulk District; in general conformance with plans, dated January 5, 2021, and stamped "EXHIBIT B" included in the docket for Record No. 2020-008388CUA and subject to conditions of approval reviewed and approved by the Commission on February 18, 2021 under Motion No. XXXXXX. This authorization and the conditions contained herein run with the property and not with a particular Project Sponsor, business, or operator.

### Recordation of Conditions of Approval

Prior to the issuance of the building permit or commencement of use for the Project the Zoning Administrator shall approve and order the recordation of a Notice in the Official Records of the Recorder of the City and County of San Francisco for the subject property. This Notice shall state that the project is subject to the conditions of approval contained herein and reviewed and approved by the Planning Commission on February 18, 2021 under Motion No. XXXXXX.

### Printing of Conditions of Approval on Plans

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

### Severability

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

### Changes and Modifications

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

# CONDITIONS OF APPROVAL, COMPLIANCE, MONITORING, AND REPORTING

## Performance

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

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

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

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

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

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

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

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

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

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

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

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

### **Design – Compliance at Plan Stage**

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

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

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 628-652-7454, [www.sf-planning.org](http://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 628-652-7454, [www.sf-planning.org](http://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](http://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](http://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](http://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](http://www.sf-planning.org)*

GENERAL CONSTRUCTION NOTES

- 1 SCOPE  
All work on this project provided by the general contractor (GC) shall conform to the contract documents which include the drawings, specifications, all addenda and modifications issued by the architect.
- These contract documents intend to describe a finished project ready for legal use. the GC shall furnish and install all required elements for a complete operating system.
- 2 STANDARDS  
The project shall be constructed according to the locally adopted edition of the uniform building code, the State of California, local municipality amendments and all other applicable codes. Governing authorities and codes take precedence over drawings and specifications. The GC shall report all discrepancies to the architect immediately.
- The GC shall maintain a current copy of the 2019 CBC on site at all times.
- The GC shall install all materials and products in strict accordance with manufacturers' recommendations, all manufacturers' articles, materials and equipment shall be applied installed, connected, erected, cleaned, and conditioned as per the manufacturers' instructions and applicable icbo reports.
- All materials shall be new unless otherwise noted and like materials shall be consistent in appearance unless specified otherwise
- The GC and all subcontractors shall provide a one-year guarantee after project completion for all materials and workmanship.
- Mechanics, craftsmen, and workers skilled and experienced in the fabrication and installation of the work involved shall perform shop and fieldwork. all work on this project shall be performed in accordance with the best-accepted practices of the respective trades involved and in accordance with the drawings, submitted shop drawings, and these specifications.
- 3 DIMENSIONS  
Written dimensions on drawings shall take precedence over scaled drawings. Do not scale drawings at any time. Walls and partitions shown in plan or section are to face of finish material unless otherwise. Interior elevation and cabinet dimensions are to face of finish material.
- 4 FIELD CONDITIONS  
The GC shall verify dimensions against field conditions, construction documents are based on observation and documentation of existing conditions by the architect and from documents provided by the owner. The architect makes no claim to the accuracy of hidden conditions or conditions inaccessible from direct observation, should the GC encounter field conditions that vary from these construction documents and that effect the intent of these drawings or the contract/ subcontract sum, the architect shall be notified immediately.
- Exterior dimensions are to face of CMU or plywood where applicable, u.o.n. Interior dimensions are to face of stud u.o.n.
- 5 CONFLICTS  
The GC shall become familiar with the existing conditions of the site and project prior to commencing work and in the case of conflict with the documents, shall notify the architect immediately for clarification.
- The architect shall be notified immediately in the case of conflict between project documents and consultants', manufacturers' or other documents or recommendations.
- Should conflicts occur between drawings and specifications, drawings shall govern in matters of dimension or quantity. Specifications shall govern in matters of materials or finishes.
- 6 SCHEDULE  
All work shall be performed during regular business hours, as permitted by local agencies. work involving excessive noise or dust, or which would otherwise interfere with the normal operation of the building, site or neighboring sites shall be coordinated with the owner.
- The GC shall coordinate all work, including scheduling times and locations for deliveries, building access, etc...
- The commencement of work shall be deemed as an acknowledgement by the GC that all work of the project shall be completed in conformance with the contract documents and schedule.
- 7 REVISIONS AND CHANGES  
Revisions, and changes must be submitted to the architect for review in the form of a change order, prior to the purchase, fabrication, or installation of the work in question.
- Any change, modification, or interpretation of the scope or requirements of these documents undertaken without consultation of the architect shall be the responsibility of the GC.
- The owner may order extra work or make changes by altering, adding to, or deducting from the work. the contract sum shall be adjusted accordingly.
- 8 UTILITIES  
The architect does not assume responsibility for underground utilities or the existence of other buried objects. The locations of existing underground utilities and/or facilities as shown on the drawings are approximate only; the gc shall contact the respective utility company and provide utility location services as required to obtain the exact depth of burial and horizontal location of utility lines, conduits, piping, etc... prior to performing underground construction the gc shall make necessary probes and explorations to identify areas of possible
- The GC shall inspect, test, and disconnect utility services at the main source or main branch. The GC shall securely cap and/or valve-off utility service behind final finished surfaces of intended construction or, when noted, at finished face of exist. construction prior to demolition. utility service shall be defined as plumbing, hvac, electric, and fire protection.
- Adhesives, sealants and caulks shall be complaint with VOC and other toxic compound limits.
- 9 PERMITS  
The GC shall arrange for all inspections and permits necessary to obtain a certificate of occupancy and or final permit signoff & inspection.
- 10 EXISTING CONDITIONS  
Access panels, clean outs, and the like shall be maintained for existing building systems.the GC shall verify that existing walls and floors to remain are within expected tolerances. The GC shall report to the architect any variations in floor levels greater than 1/4" in 10'-0". The GC shall inform the architect of any existing threshold elevation variations greater than 1/2".
- 11 DEFINITIONS  
"Align" shall be defined as the accurate location of finish faces in the same plane. "typical" or "typ." shall be defined as conditions which are representative of similar conditions throughout. unless otherwise noted, details are usually keyed and noted. "typ." only once, when they first occur. "similar" or "sim." shall be defined as conditions which are comparable in characteristics for the conditions noted. verify dimensions and orientation on plans and elevations. "gc" refers to the general contractor, his agents and subcontractors. "architect" refers to the architect of record or his agent.
- 12 MATERIALS STORAGE AND PROTECTION OF WORK  
Improvements on the site, work in progress, stored materials on property shall be protected by the GC from damage arising during the work. all items damaged due to insufficient protection or otherwise shall be fully restored by the gc to their prior condition at no cost to the owner. no part of the structure shall be overloaded beyond its safe carrying capacity at any time.
- 13 SECURITY  
The GC shall be responsible for securing the site during the course ofthe project. if the site is unattended at any time, it shall be locked.
- 14 TOXIC MATERIALS  
Any materials of unknown constitution uncovered during the course of construction shall be left untouched and immediately brought to the attention of the owner for testing.
- 15 CLEAN UP  
The site shall be kept broom clean and free of debris during the course of construction. At the completion of the work the GC shall clean the project and the surrounding area, remove all waste materials and rubbish from the project as well as tools, construction equipment, machinery and surplus materials. the gc shall remove caulk, putty, and paint from glass and mirrors and wash and polish the same. clean and remove all labels, grease, dirt, stains, etc. from finished surfaces and equipment to the extent required restoring the intended finish.
- Planters and landscape areas shall be cleaned of debris and rough grading shall be completed.
- 16 COMMISSIONING  
Commissioning, Testing and Adjusting, shall be included in the design and by the GC during construction of the project to verify that the building systems and components meet the owner's project requirements.
- 17 PROTECTION OF DUCT OPENINGS AND MECHANICAL EQUIPMENT DURING CONSTRUCTION  
The GC shall provide protection for ducts, duct openings, permanent and construction mechanical equipment at the time of rough installation, storage, and until completion of construction, using materials or methods acceptable to local enforcing agencies in order to reduce dust/ debris that may collect in building systems.
- 18 BUILDING MAINTENANCE AND OPERATION  
At the time of final inspection, the GC shall provide a manual, compact disc, web-based reference or other media acceptable to the enforcing agency which includes an operation and maintenance manual as outlined in CGBC Section 5.410.

- 19 MOISTURE CONTENT OF BUILDING MATERIALS  
Building materials with visible signs of water damage shall not be installed. Wall and floor framing shall not be enclosed when the framing members exceed 19% moisture content. Moisture content shall be measured, verified, and documented in accordance with CGBC Section 5.505.
- 20 ENVIRONMENTAL TOBACCO SMOKE (ETS) CONTROL  
Where outdoor areas are provided for smoking, smoking shall be prohibited 25 feet of building entries, outdoor intakes and operable windows and within the building as prohibited by other laws or regulation per CBC Title 24, Part 11 5.504.7
- 21 GENERAL DOOR NOTES  
Verify Rough Openings w/ Manufacturer.
- Provide Panic Hardware or Use Approved Locking and/or Non-Latching Hardware per Plan.
- Provide Sign Adjacent to Exit Doors That Reads "This door to remain unlocked when building is occupied", as per CBC Section 1008.1.9.3. See 5/A0.05 for Occupancy Load Sign Details.
- Maximum effort to operate doors shall not exceed 5 lbs. For exterior and interior doors, such pull or push effort being applied at right angles to hinged doors and at the center plane of sliding or folding doors. Compensating devices or automatic door operators may be utilized to meet the above standards. When ire doors are required, the maximum allowable by the appropriate administrative authority, not to exceed 15 lbs.
- The bottom 10" of all doors except automatic and sliding shall have a smooth, uninterrupted surface to allow the door to be opened by a wheelchair footrest without creating a trap or hazardous condition. Where narrow frame doors are used, a 10" high smooth panel shall be installed on the push side of the door, which will allow the door to be opened by a wheelchair footrest without creating a trap or hazardous condition.
- Per Section 11B-404.2.10 swinging door and gate surfaces within 10" of finish floor or ground measured vertically shall have smooth surface on the push side extending the full width of the door or gate. Parts that create horizontal or vertical joints in these surfaces shall be within 1/16" of the same plane and be free of sharp or abraasive edges. Cavities created by added kick plates shall be capped.
- Hand-activated door opening hardware shall be installed min. 34" and max. 48" above the floor per Section 1008.9.2 of CBC. Latching and locking doors that are hand-activated and which are in a path of travel shall be operable with a single effort by lever-type hardware, panic bars push-pull activating bars, or other hardware designed to provide passage without requiring the ability to grasp the opening hardware. Locked exit doors shall operate as above in egress direction.
- "C" or "U" Shaped handle on both sides of the door with a clear space between the inside of handle to door surface. Pocket doors must have an internal stop installed to stop the door and provide a min. 1.5" space from handle to trim work around door. 5 lbs max opening force.
- Per CBC Section 2406.4.1 all glazing in fixed and operable panels of swinging, sliding, and bifold doors shall be considered hazardous. Therefore safety glass should be installed in accordance to Section 2406, manufacturer to provide designation specifying who applied the designation and the standard with which it complies as well as information in Section 2403.
- END OF GENERAL NOTES

ABBREVIATIONS

ACOUS.	Acoustical	M.C.	Medicine Cabinet
ADJ.	Area Drain	MECH.	Mechanical
A.F.F.	Adjustable	MIN.	Minimum
AGGR.	Above Finish Floor	MIR.	Mirror
ARCH.	Aggregate	MTL.	Metal
ASPH.	Architectural	M.P.R.	Multi-Purpose Room
AWN.	Asphalt	(N)	New
	Awning	N.I.C.	Not In Contract
		N.T.S.	Not To Scale
BI-FO. DR.	Bi-Fold Door	NO.	Number
BLDG.	Building		
BLK.	Block	OBS.	Obscure
BLKG.	Blocking	O.C.	On Center
BRM.	Beam	O.D.	Outside Diameter
B.O.	Bottom Of	OPNG.	Opening
B.W.	Bottom of Wall		
BYND.	Beyond	PLAM.	Plastic Laminated
		P.L.	Property Line
CPT.	Carpent	PL.	Plaster Plate
CAB.	Cabinet	PLAS.	Plaster
C.B.	Catch Basin	PLYWD.	Plywood
C.E.M.	Cement	PT.	Point
C.J.	Construction Joint		
CL.	Closet	QTY.	Quantity
CL.G.	Ceiling	R.	Riser
CLR.	Clear	R.	Radius
C.O.	Clean Out	RET.	Retaining
COL.	Column	RET.AIR	Return Air
CONC.	Concrete	ROD.	Round
CONT.	Continuous	R.D.	Roof Drain
CSMT.	Casement	REF.	Refrigerator
C.T.	Ceramic Tile	REG.	Register
C.L.	Centerline	REINF.	Reinforced
C.S.	Counter Sink	REQD.	Required
		R.O.	Rough Opening
DEMO.	Demolition	RWD.	Redwood
DET.	Detail	R.W.L.	Rain Water Leader
D.H.	Double Hung		
D.F.	Douglas Fir	S.A.G.	Supply Air Grill
D.O.	Diagonal	S.F.	Square Foot
DIM.	Dimension	S.V.	Sheet Vinyl
DWGS.	Drawings	S.H.	Single Hung
DN.	Down	SHT.	Sheet
(E)	Existing	SHWR.	Shower
E.J.	Expansion Joint	SIM.	Similar
E.L.	Elevation	S.M.	Sheet Metal
ELEC.	Electric	SKY.	Skylight
EQ.	Equal	SL.	Slider
EXT.	Exterior	SLGL.DR.	Sliding Glass Door
		SQ.	Square
F.B.T.	Furnished By Tenant	S.S.D.	See Structural Drawings
F.D.	Floor Drain	S.S.	Stainless Steel
F.F.	Finish Floor	STD.	Standard
FIN.	Finish	STL.	Steel
F.O.C.	Face Of Concrete	STG.	Storage
F.O.S.	Face Of Stud	STRUC.	Structural
F.O.W.	Face Of Wall		
FR. DR.	French Door	T.	Tread
FT.	Footing	TEMP.GL.	Tempered Glass
FX.	Fixed	T.J.	Truss Joist
		T.O.	Top Of
GA.	Gauge	T.O.C.	Top Of Concrete
GALV.	Galvanized	T.C.	Top Of Curb
G.B. or G.W.	Gypsum Board	T.O.F.	Top Of Fence
GLS.	Glass	T.O.R.	Top Of Roof
GLU. LAM.	Glue Laminated	T.P.D.	Toilet Paper Dispenser
G.L.	Ground Level	TYP.	Typical
G.S.F.	Gross Square Footage	TW.	Top Of Wall
G.S.M.	Galvanized Sheet Metal	T.S.	Tube Steel
		U.O.N.	Unless Otherwise Noted
H.B.	Hose Bib	VERT.	Vertical
H.	Height	V.I.F.	Verify In Field
H.M.	Hollowed Metal		
HOR.	Horizontal	W/	With
H.P.	High Point	W.C.	Water Closet
H.W.H.	Hot Water Heater	WD.	Wood
		WDW.	Window
I.D.	Inside Diameter	WP.	Waterproof
INSUL.	Insulation	W.P.	Work Point
INT.	Interior	YD.	Yard
J.BOX	Junction Box		
JT.	Joint		
LAM.	Laminated		
LAV.	Lavatory		
LVR.	Louver		
L.P.	Low Point		

SYMBOL LEGEND

	Elevation Reference
	Section Reference
	Vantage Point Reference
	Grid Line
	Detail Reference
	Datum or Spot Elevation Point
	Elevation or Section Datum Symbol
	Room Number or Space Allocation ID
	Door Symbol
	Window Symbol
	Louver Symbol
	Wall Tag

PROJECT TEAM

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SHEET INDEX

ARCHITECTURAL DRAWINGS	
A0	Cover Sheet
A1	Existing & Proposed Ground Floor Plans
A2	Existing Level 2 Floor Plan
A3	Elevations
A4	Enlarged Plans & Details

PROJECT DESCRIPTION

Project seeks an administrative Change of Use for the ground level retail space from a former optometrist office (currently vacant) to a Retail Adult and Medicinal Cannabis store. This project proposes minor tenant improvements including ADA improvements to the retail bathroom and entry vestibule and removal of some non-bearing partition walls. Electrical and signage under separate permits.

All work shall comply with 2019 versions of California Building Code (CBC), California Residential Code (CRC), California Plumbing Code (CPC), California Mechanical Code (CMC), California Electrical Code (CEC), California Energy Code, California Green Building Standards Code (CGBS), California Fire Code (CFC, if applicable), 2019 California Energy Efficiency Standards (CEES), and San Francisco Building Department regulations.

EXISTING SITE INFORMATION:

Site Address: 233 & 235 Clement Street, San Francisco, CA 94118

Block/Lot: 1435/040

Zoning: NCD - Inner Clement Street Neighborhood Commercial

Use Group / Occ. (E): B & R-3

Use Group / Occ. (N): M & R-3

Building Type: Type V-B, Non Sprinklered

Heigh/Bulk: 40-X

Building Height: Approx. 30'-0"

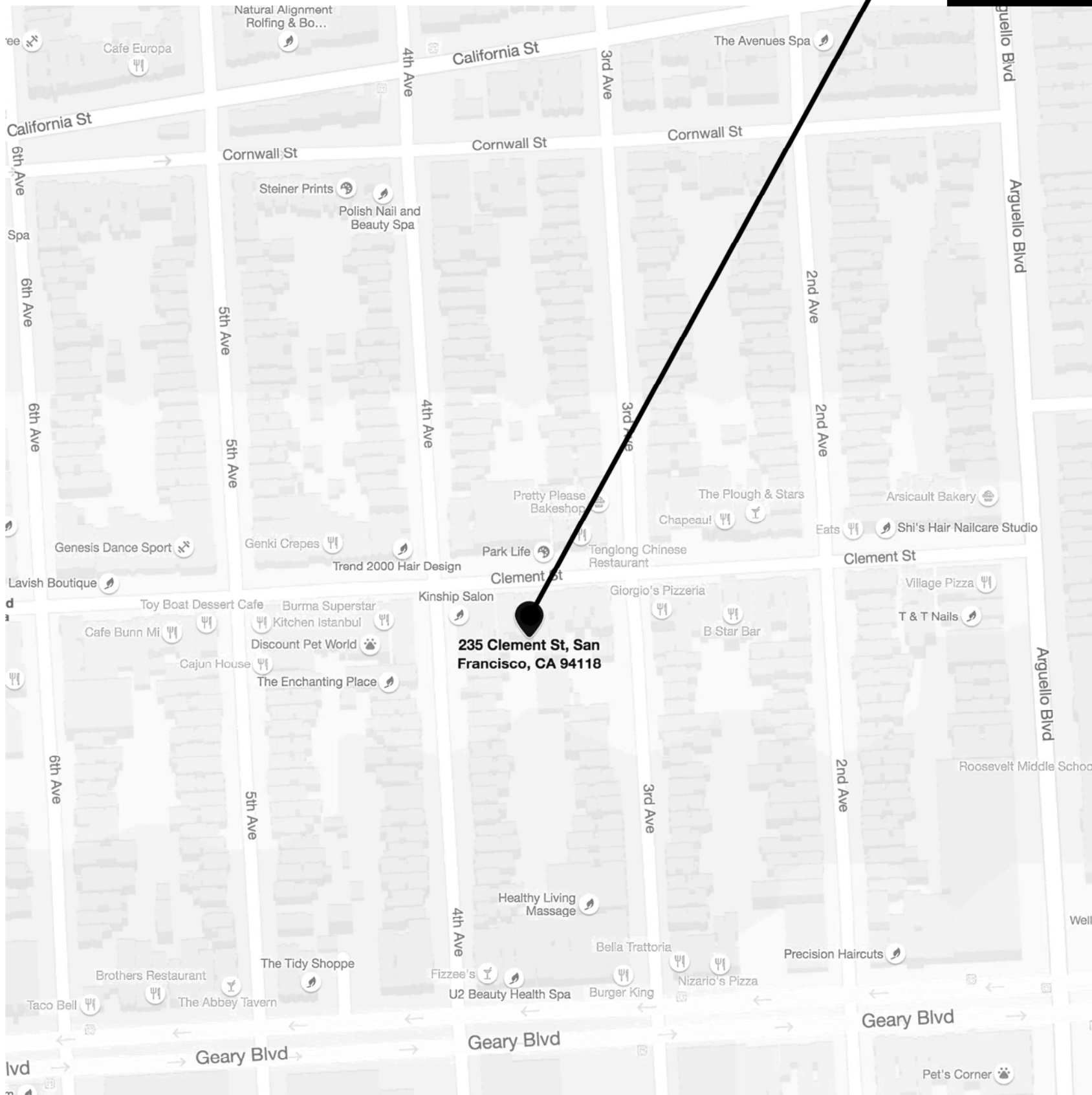
Levels: 2 Levels

Parcel Size: 2,800 sf

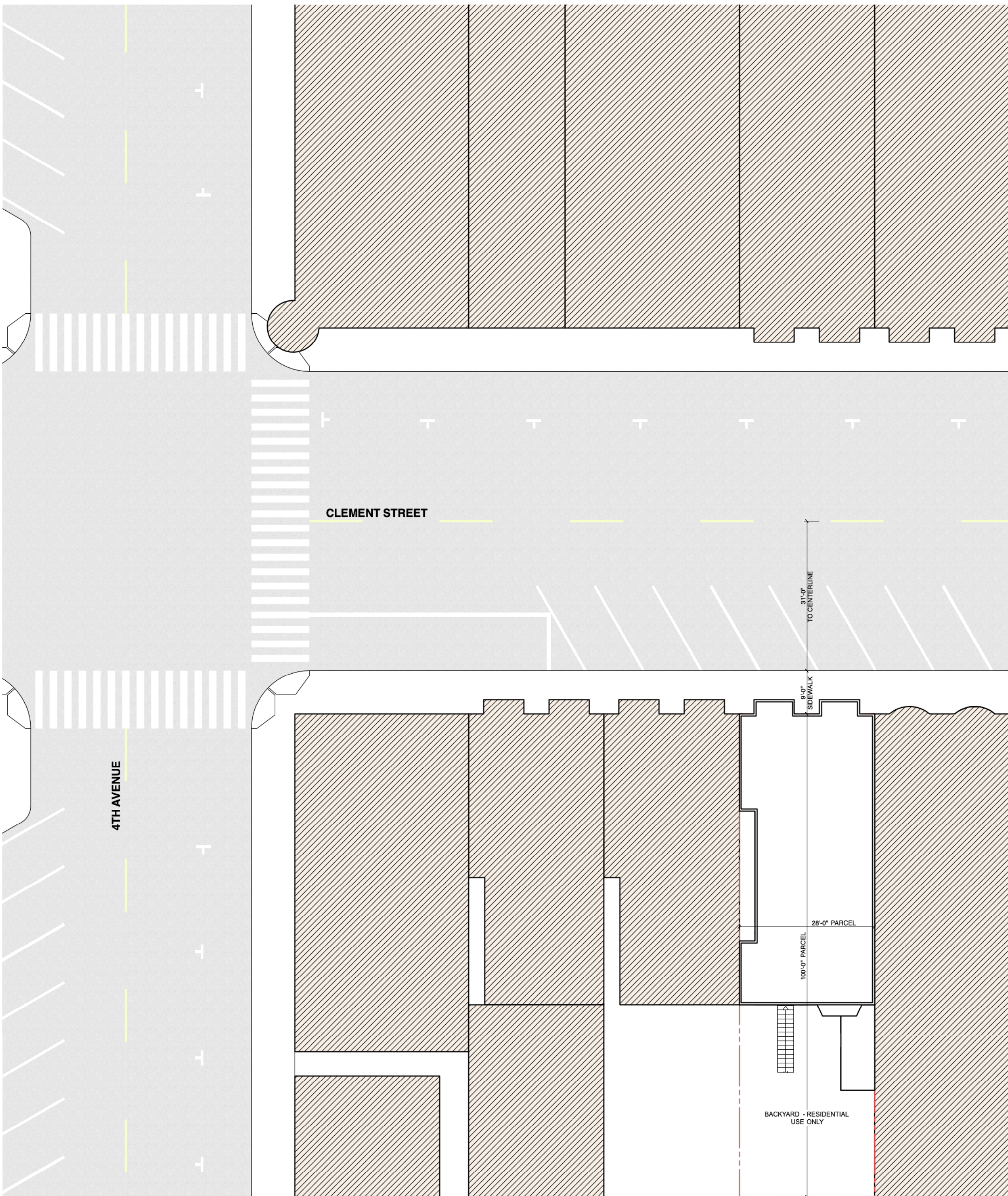
Building Area: Level 1: 1,680 sf  
Level 2: 1,670 sf  
Total: 3,350 sf

(Please see Occupancy Table for square footage breakdown associated with each proposed occupancy classification.)

LOCATION MAP



SITE PLAN



**MH ARCHITECTS**  
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CHANGE OF USE PERMIT  
235 Clement Street, San Francisco, CA 94118  
1435/040

PUBLISH DATE

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Cover Sheet

A0



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## Existing & Proposed Ground Floor Plans

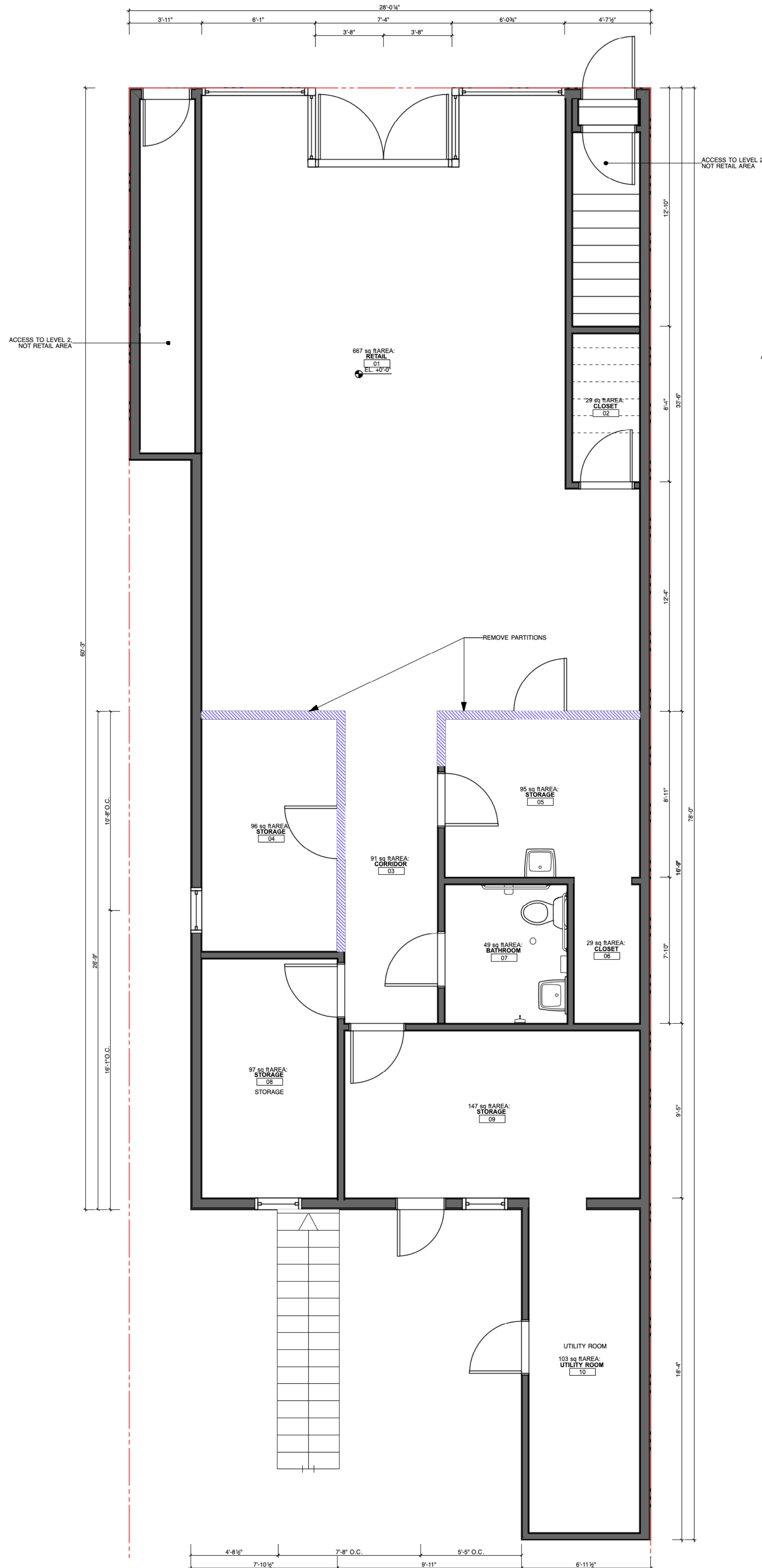
# A1

Plumbing Occ. Load		Men	Women	Water Closets		Urinals		Lavatories		Drinking Fountains	
Per 2018 C.P.C. Table 422.1				Qty:	Male	Qty:	Female	Qty:	Male	Qty:	Female
M	4	2	2	1	1-100	1	1-100	1	1-200	1	1-250
S	1	1	1	1	1-100	1	1-100	-	1-200	1	1-250
U	1	1	1	1	1-100	1	1-100	-	1-200	1	1-250
TOTAL OCC. LOAD MIN. REQUIRED	6	4	4		1 Male	1 Female	1 Male	1 Male	1 Female	1 Req'd	
PROVIDED					1 Male	1 Female	1 All Gender	1 All Gender	1 Provided		

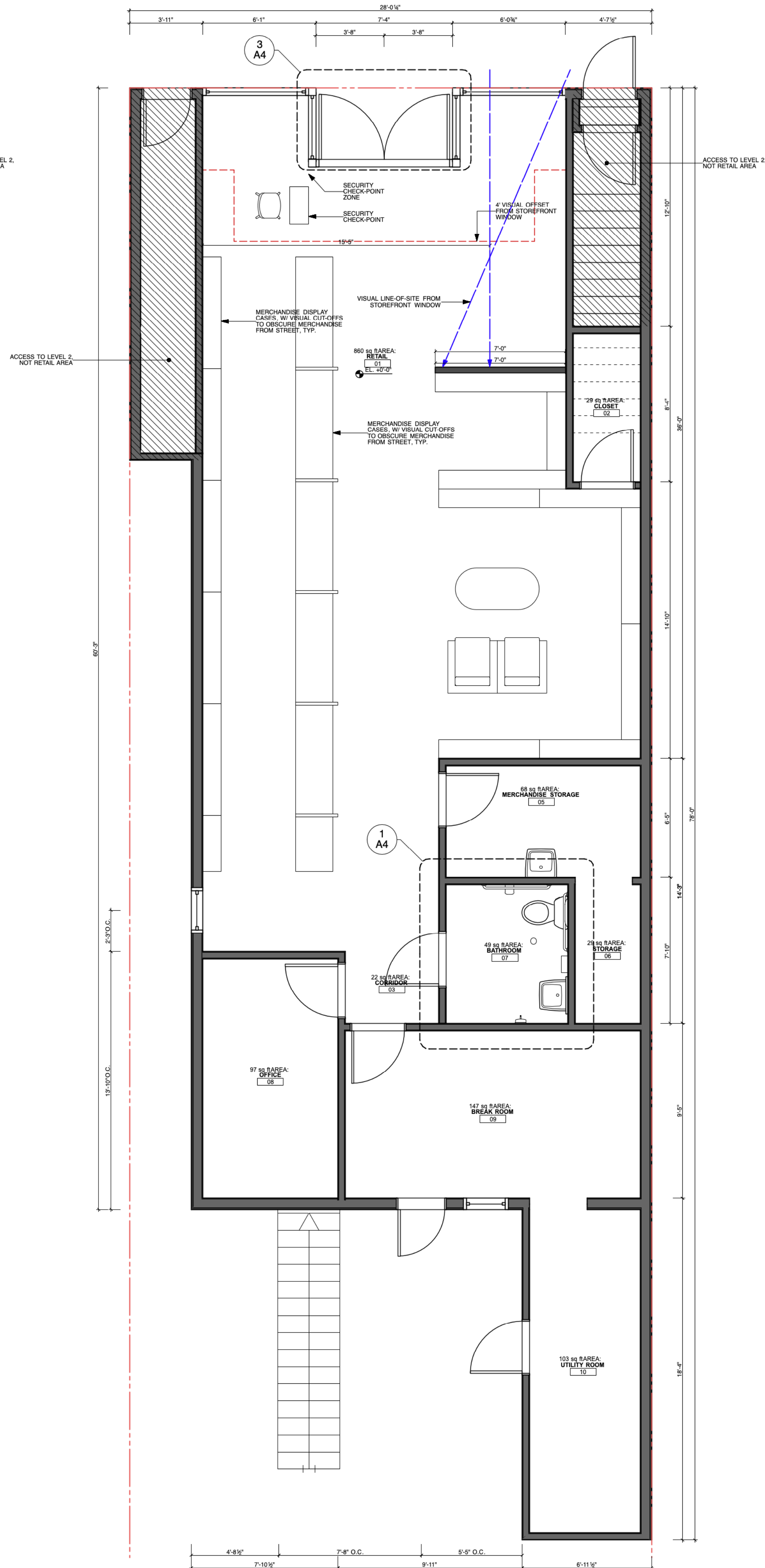
#### 4 PROPOSED PLUMBING CHART

Space No.	Description	Cond / Uncond	Class	Area (sf)	Egress Factor	Plumbing Factor	Egress Occ. Load	Plumbing Occ. Load	
01	Retail	C	M	867	60	200	9.12	12	4
02	Closet	C	S	29	300	5000	1.00	1	1
03	Corridor	C	M	91	60	5000	1.00	2	1
04	Office	C	S	96	100	200	0.96	1	1
05	Office	C	S	95	100	200	0.95	1	1
06	Closet	C	S	29	300	5000	0.95	1	1
07	Bathroom	C	-	49	-	-	-	-	-
08	Office	C	S	97	100	200	0.97	1	1
09	Office	C	S	147	100	200	0.96	2	1
10	Utility Room	C	U	103	300	2000	0.94	1	1
TOTAL EXISTING				1,403			17.52	18	6
Space No.	Description	Cond / Uncond	Class	Area (sf)	Egress Factor	Plumbing Factor	Egress Occ. Load	Plumbing Occ. Load	
01	Retail	C	M	860	60	200	9.00	15	5
02	Closet	C	S	29	300	5000	1.00	1	1
03	Corridor	C	M	22	60	5000	0.91	1	1
04	Storage (Removed)	C	S	-	-	-	-	-	-
05	Merchandise Storage	C	S	68	300	5000	0.92	1	1
06	Closet	C	S	29	300	5000	0.90	1	1
07	Bathroom	C	-	49	-	-	-	-	-
08	Office	C	S	97	100	200	0.97	1	1
09	Break Room	C	S	146	100	200	1.46	2	1
10	Utility Room	C	U	103	300	2000	0.94	1	1
TOTAL PROPOSED				1,403			17.50	18	5.6

### 3 EXISTING & PROPOSED OCCUPANCY CHART



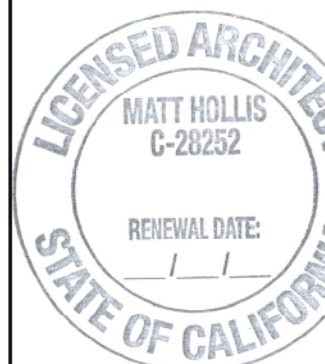
**2 EXISTING FLOOR PLAN, LEVEL 1**  
Scale: 1/4" = 1'-0"



**1 PROPOSED FLOOR PLAN, LEVEL 1**  
Scale: 1/4" = 1'-0"

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**CHANGE OF USE PERMIT**  
**3 Bed 2 Bath Residential Unit (Not in Project Scope)**  
 2333 Clement Street, San Francisco, CA 94118 (Level 2)

1435/040

PUBLISH

DAT

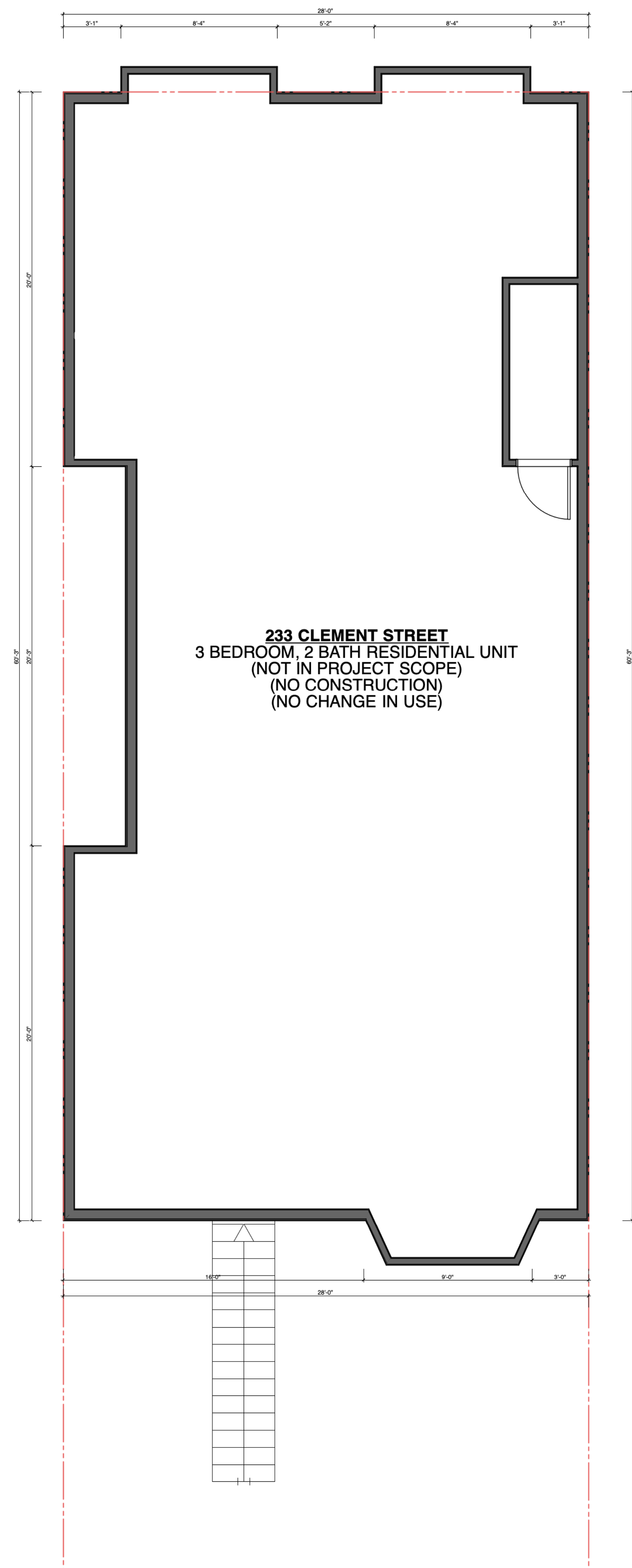


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### Existing Level 2 Floor Plan

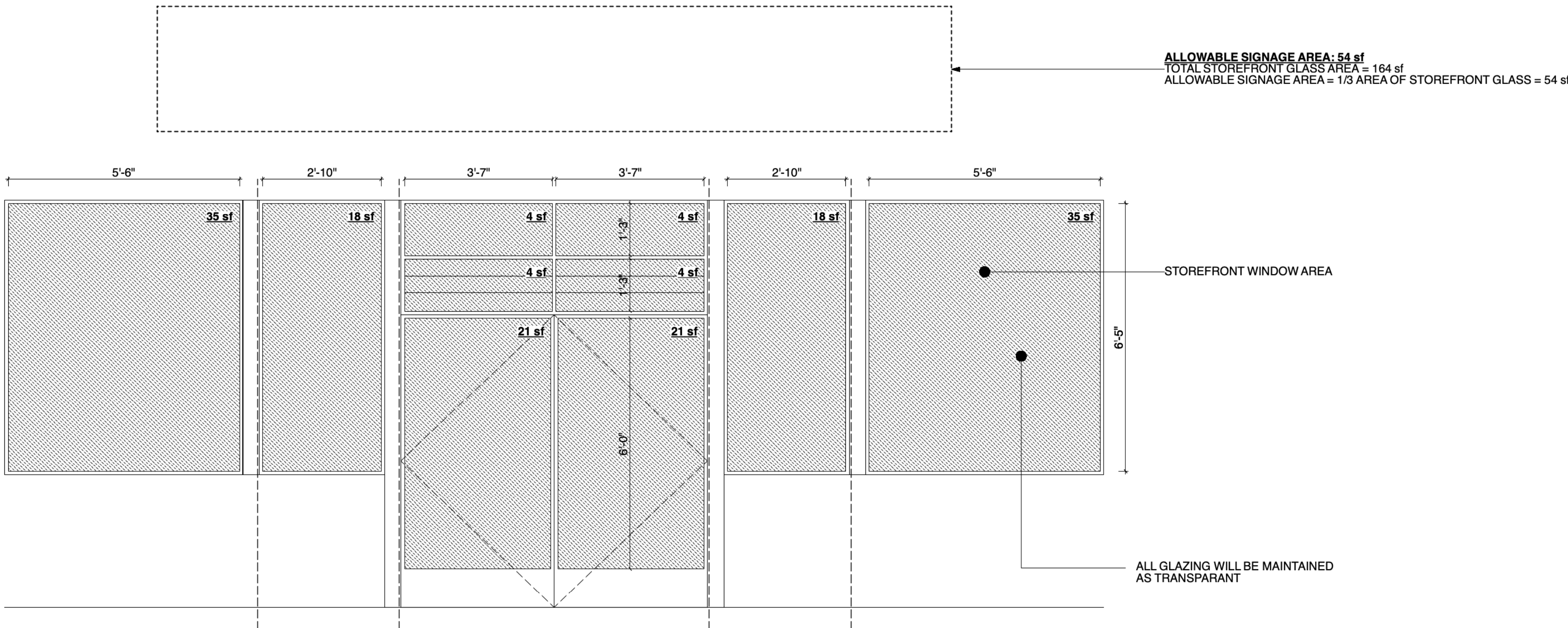
A2



**1 EXISTING FLOOR PLAN, LEVEL 2**  
Scale: 1/4" = 1'-0"



3 STREET VIEW



2 UNFOLDED STOREFRONT ELEVATIONS

Scale: 1/2" = 1'-0"



1 FRONT ELEVATION

Scale: 1/4" = 1'-0"



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**CHANGE OF USE PERMIT**  
235 Clement Street, San Francisco, CA 94118

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Elevations

A3



1435/040

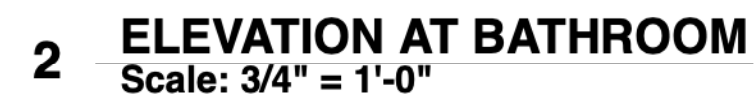
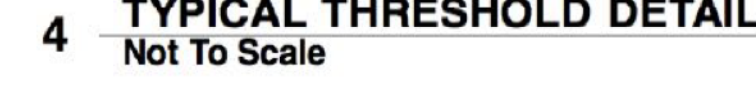
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Drawn by: CS  
Project No: 2014  
Scale: AS SHOWN

## Enlarged Plans & Details

# A4



[illegible]



## CEQA Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>		<b>Block/Lot(s)</b>
235 CLEMENT ST		1435040
<b>Case No.</b>		<b>Permit No.</b>
2020-008388PRJ		
<input type="checkbox"/> <b>Addition/ Alteration</b>	<input type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input type="checkbox"/> <b>New Construction</b>
<b>Project description for Planning Department approval.</b> Conditional Use Authorization request for 1,400 sf ground-level Cannabis Retail Sales. Minor interior-only tenant improvements under same permit. Signage under separate permit.		

### STEP 1: EXEMPTION TYPE

<b>The project has been determined to be exempt under the California Environmental Quality Act (CEQA).</b>	
<input checked="" type="checkbox"/>	<b>Class 1 - Existing Facilities.</b> Interior and exterior alterations; additions under 10,000 sq. ft.
<input checked="" type="checkbox"/>	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. <b>FOR ENVIRONMENTAL PLANNING USE ONLY</b>
<input type="checkbox"/>	<b>Other</b> ____
<input type="checkbox"/>	<b>Common Sense Exemption (CEQA Guidelines section 15061(b)(3)).</b> It can be seen with certainty that there is no possibility of a significant effect on the environment. <b>FOR ENVIRONMENTAL PLANNING USE ONLY</b>

**TO BE COMPLETED BY PROJECT PLANNER**

**Comments and Planner Signature (optional):**

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

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

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


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

**STEP 5: ADVANCED HISTORICAL REVIEW**  
TO BE COMPLETED BY PRESERVATION PLANNER

<b>Check all that apply to the project.</b>	
<input type="checkbox"/>	1. <b>Reclassification of property status.</b> <i>(Attach HRER Part I)</i> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category A  a. Per HRER  b. Other <i>(specify)</i>: </div> <div style="width: 45%;"> <input type="checkbox"/> Reclassify to Category C  <i>(No further historic review)</i> </div> </div>
<input type="checkbox"/>	2. Project involves a <b>known historical resource (CEQA Category A)</b> as determined by Step 3 and conforms entirely to proposed work checklist in Step 4.
<input type="checkbox"/>	3. <b>Interior alterations to publicly accessible spaces that do not</b> remove, alter, or obscure <b>character defining features.</b>
<input type="checkbox"/>	4. <b>Window replacement</b> of original/historic windows that are not "in-kind" but are consistent with existing historic character.
<input type="checkbox"/>	5. <b>Façade/storefront alterations</b> that do not remove, alter, or obscure character-defining features.

<input type="checkbox"/>	6. <b>Raising the building</b> in a manner that does not remove, alter, or obscure character-defining features.
<input type="checkbox"/>	7. <b>Restoration</b> based upon documented evidence of a building's historic condition, such as historic photographs, plans, physical evidence, or similar buildings.
<input type="checkbox"/>	8. <b>Work consistent</b> with the <i>Secretary of the Interior Standards for the Treatment of Historic Properties</i> (Analysis required):
<input type="checkbox"/>	9. <b>Work compatible</b> with a historic district (Analysis required):
<input type="checkbox"/>	10. <b>Work that would not materially impair</b> a historic resource (Attach HRER Part II).
<b>Note: If ANY box in STEP 5 above is checked, a Preservation Planner MUST sign below.</b>	
<input type="checkbox"/>	<b>Project can proceed with exemption review.</b> The project has been reviewed by the Preservation Planner and can proceed with exemption review. <b>GO TO STEP 6.</b>
<b>Comments (optional):</b>	
<b>Preservation Planner Signature:</b>	

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

	<b>No further environmental review is required. The project is exempt under CEQA. There are no unusual circumstances that would result in a reasonable possibility of a significant effect.</b>	
	<b>Project Approval Action:</b>	<b>Signature:</b>
	Planning Commission Hearing	Kalyani Agnihotri
		02/08/2021
<p>Once signed or stamped and dated, this document constitutes an exemption pursuant to CEQA Guidelines and Chapter 31 of the Administrative Code.</p> <p>In accordance with Chapter 31 of the San Francisco Administrative Code, an appeal of an exemption determination to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action.</p> <p>Please note that other approval actions may be required for the project. Please contact the assigned planner for these approvals.</p>		



# LAND USE INFORMATION

PROJECT ADDRESS – 235 CLEMENT ST, (2020-008388PRJ)

## General Land Use

	Existing	Proposed
Parking GSF	0	0
Residential GSF	0	0
Retail/Commercial GSF	1400	1400
Office GSF	0	0
Industrial-PDR	0	0
Medical GSF	0	0
Visitor GSF	0	0
CIE (Cultural, Institutional, Educational)	0	0
Usable Open Space GSF	0	0
Public Open Space GSF	0	0

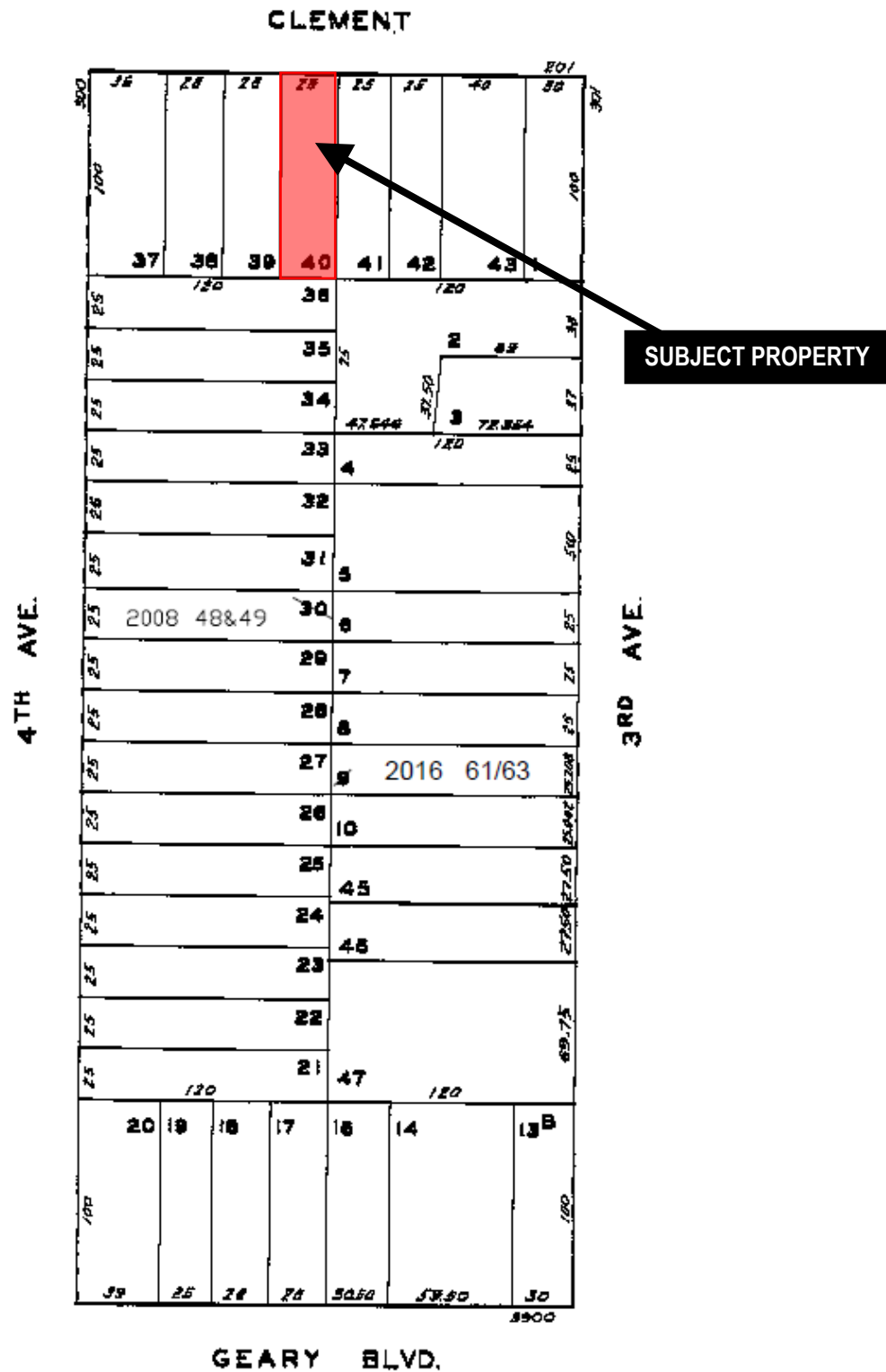
## Project Features

	Existing	Proposed
Dwelling Units - Affordable	0	0
Dwelling Units - Market Rate	0	0
Dwelling Units - Total	0	0
Hotel Rooms	0	0
Number of Buildings	1	1
Number of Stories	2	2
Parking Spaces	0	0
Loading Spaces	0	0
Bicycle Spaces	0	0
Car Share Spaces	0	0
Other:	0	0

## Land Use - Residential

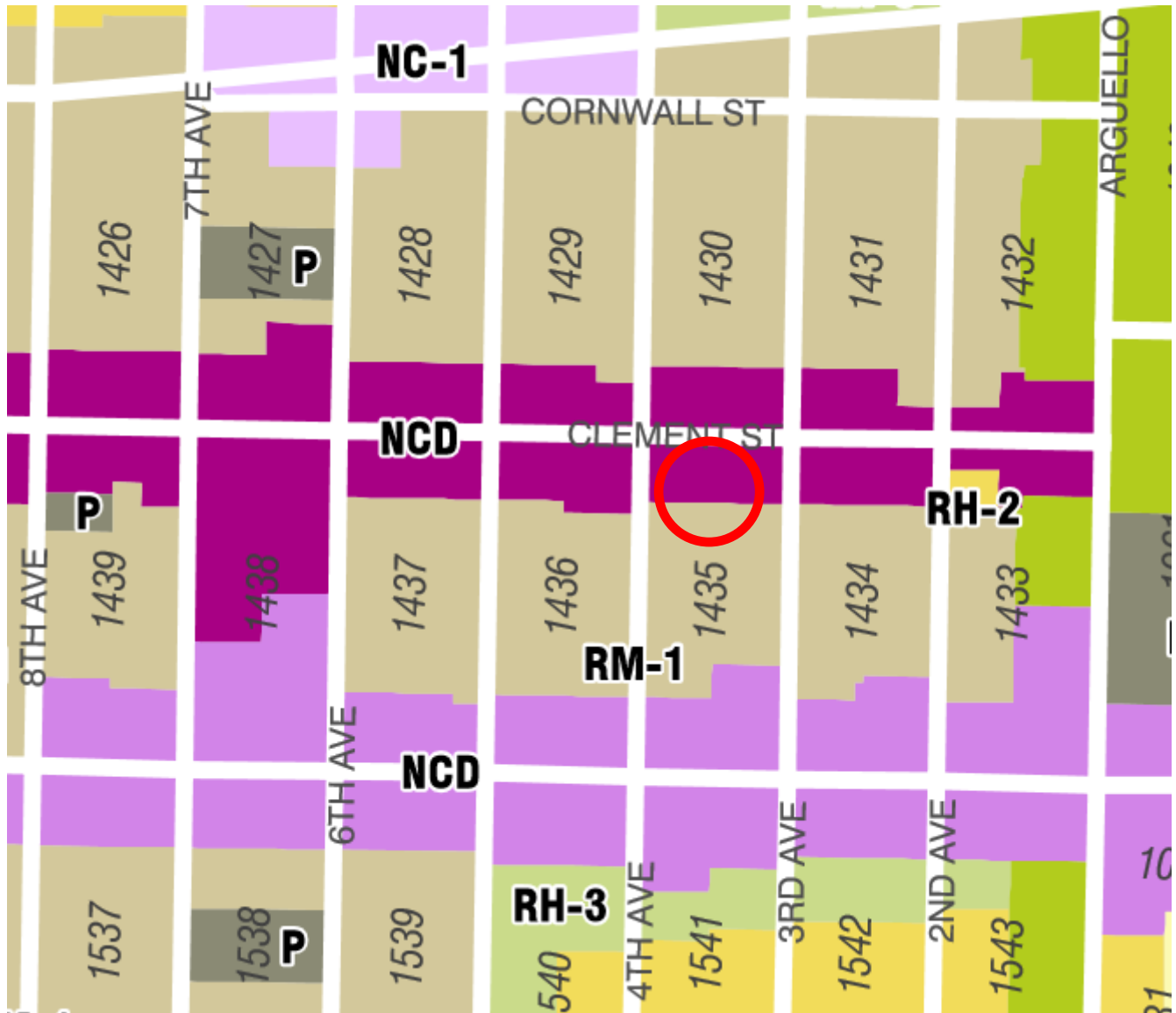
	Existing	Proposed
Studio Units	0	0
One Bedroom Units	0	0
Two Bedroom Units	0	0
Three Bedroom (or +) Units	0	0
Group Housing - Rooms	0	0
Group Housing - Beds	0	0
SRO Units	0	0
Micro Units	0	0

# Parcel Map



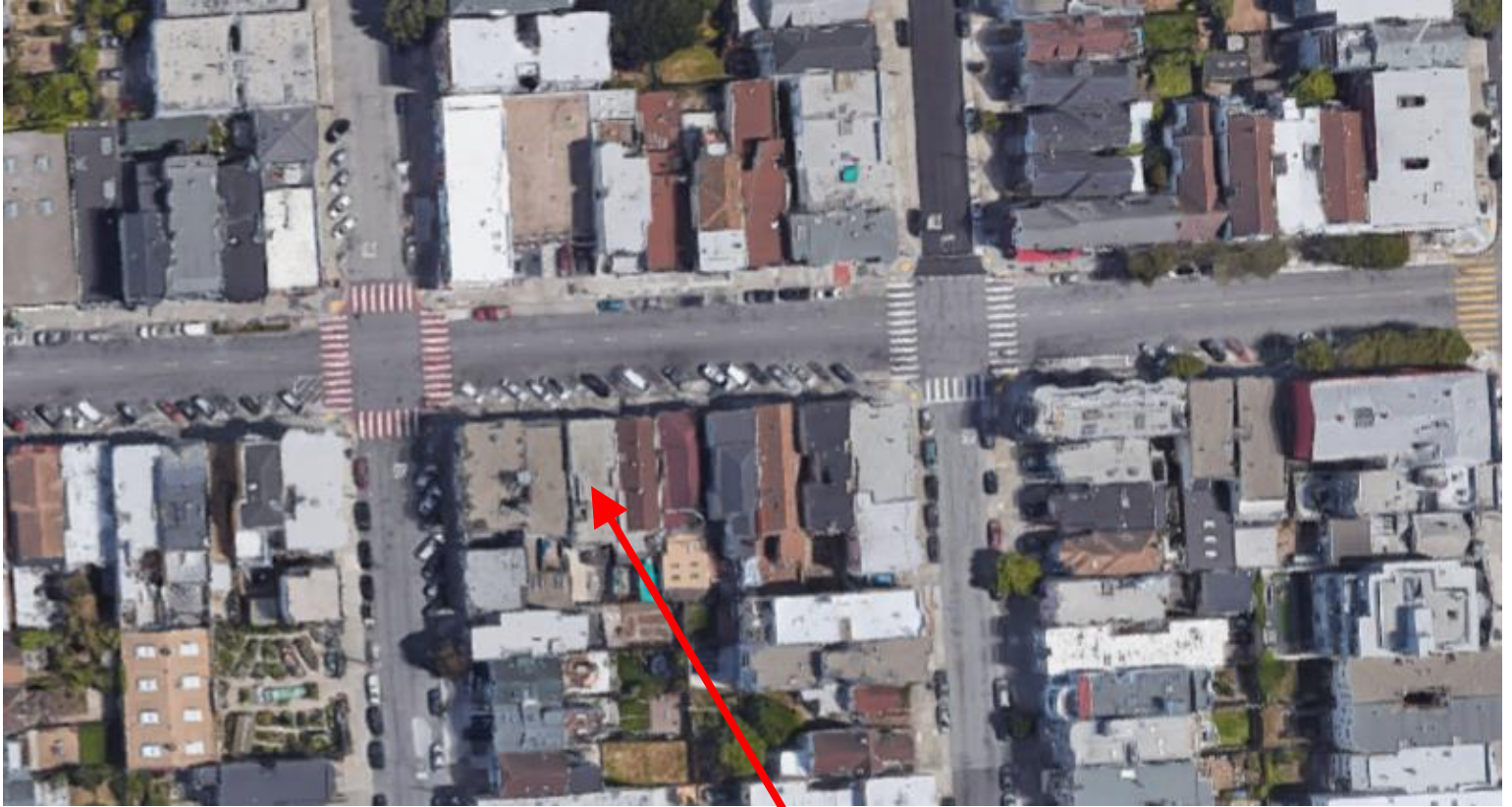
Conditional Use Hearing  
**Case Number 2020-008388CUA**  
 Cannabis Retailer  
 235 Clement Street

# Zoning Map



Conditional Use Hearing  
Case Number 2020-008388CUA  
Cannabis Retailer  
235 Clement Street

# Aerial Photo – View 1



**SUBJECT PROPERTY**



Conditional Use Hearing  
Case Number 2020-008388CUA  
Cannabis Retailer  
235 Clement Street

# Aerial Photo – View 2



**SUBJECT PROPERTY**



Conditional Use Hearing  
Case Number 2020-008388CUA  
Cannabis Retailer  
235 Clement Street

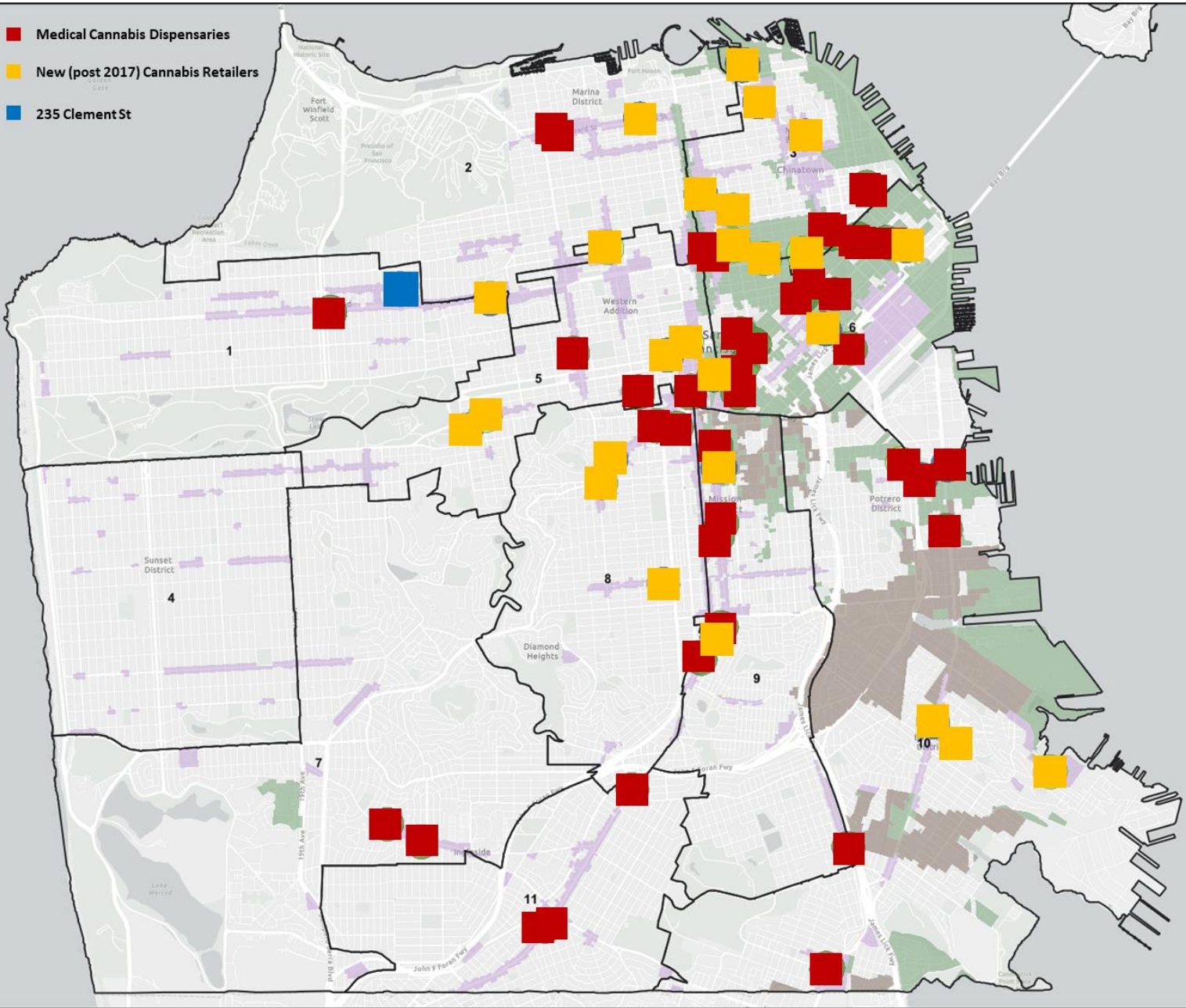
# Site Photo



Conditional Use Hearing  
Case Number 2020-008388CUA  
Cannabis Retailer  
235 Clement Street

# Cannabis Storefront Retail Map

- Medical Cannabis Dispensaries
- New (post 2017) Cannabis Retailers
- 235 Clement St



Conditional Use Hearing  
Case Number 2020-008388CUA  
Cannabis Retailer  
235 Clement Street



## PROJECT APPLICATION (PRJ)

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b>	<b>Block/Lot(s)</b>
235 CLEMENT ST	1435040
<b>Record No.</b>	<b>Building Permit No.</b>
2020-008388PRJ	

### Property Owner's Information

**Name:**

**Address:**

### Applicant Information

**Name:**

Donaldson, Drakari

**Company/Organization:**

Gnarly Narwhal, LLC

**Address:**

1398 California Street, San Francisco, CA 94109

**Email:**

drakaridonaldson@gmail.com

**Phone:**

4154380860

### Billing Contact

**Name:**

Drakari Donaldson

**Company/Organization:**

Gnarly Narwhal, LLC

**Address:**

1398 California Street, San Francisco, CA 94109

**Email:**

drakaridonaldson@gmail.com

**Phone:**

4154380860

### Related Building Permit

**Building Permit Application No:**

### Related Preliminary Project Assessment (PPA)

**PPA Application No:**

## Project Information

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### Project Description:

Conditional Use Authorization request for 1,400 sf ground-level Cannabis Retail Sales. Minor interior-only tenant improvements under same permit. Signage under separate permit.

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### Project Details:

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- |   |  |                                     |
|---|--|-------------------------------------|
| <input type="checkbox"/> Change of Use              | <input type="checkbox"/> New Construction                | <input type="checkbox"/> Demolition |
| <input type="checkbox"/> Facade Alterations         | <input type="checkbox"/> ROW Improvements                | <input type="checkbox"/> Additions  |
| <input type="checkbox"/> Legislative/Zoning Changes | <input type="checkbox"/> Lot Line Adjustment-Subdivision | <input type="checkbox"/> Other:     |
- 

Estimated Construction Cost:

0.00

### Residential:

---

- |  |  |  |   |
|--|--|--|---|
| <input type="checkbox"/> Senior Housing                | <input type="checkbox"/> 100% Affordable     | <input type="checkbox"/> Student Housing         | <input type="checkbox"/> Dwelling Unit Legalization |
| <input type="checkbox"/> Inclusionary Housing Required | <input type="checkbox"/> State Density Bonus | <input type="checkbox"/> Accessory Dwelling Unit |   |
| <input type="checkbox"/> Rental Units                  | <input type="checkbox"/> Ownership Units     | <input type="checkbox"/> Unknown Units           |   |

### Non-Residential:

---

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Formula Retail    | <input checked="" type="checkbox"/> Cannabis   | <input type="checkbox"/> Tobacco Paraphernalia Establishment |
| <input type="checkbox"/> Financial Service | <input type="checkbox"/> Massage Establishment | <input type="checkbox"/> Other:                              |

## General Land Use

	Existing	Proposed
Parking GSF	0	0
Residential GSF	0	0
Retail/Commercial GSF	1400	1400
Office GSF	0	0
Industrial-PDR	0	0
Medical GSF	0	0
Visitor GSF	0	0
CIE (Cultural, Institutional, Educational)	0	0
Usable Open Space GSF	0	0
Public Open Space GSF	0	0

## Project Features

	Existing	Proposed
Dwelling Units - Affordable	0	0
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Loading Spaces	0	0
Bicycle Spaces	0	0
Car Share Spaces	0	0
Other:	0	0

## Land Use - Residential

	Existing	Proposed
Studio Units	0	0
One Bedroom Units	0	0
Two Bedroom Units	0	0
Three Bedroom (or +) Units	0	0
Group Housing - Rooms	0	0
Group Housing - Beds	0	0
SRO Units	0	0
Micro Units	0	0

## Environmental Evaluation Screening

1a. Estimated construction duration (months):			
1b. 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	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
Foundation Design Type:			
1c. Does the project involve a change of use of 10,000 sq ft or greater?	Yes	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
2. 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	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
3. Would the project result in any construction over 40 feet in height?	Yes	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
4a. 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	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
4b. Would the project involve demolition of a structure constructed 45 or more years ago, or a structure located within a historic district?	Yes	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
5. 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	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
Depth:			
6a. Is the project located within a Landslide Hazard Zone, Liquefaction Zone or on a lot with an average slope of 25% or greater?	Yes	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
Area:			
Amount:			
6b. Does the project involve a lot split located on a slope equal to or greater than 20 percent?	Yes	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
7. Would the project add new sensitive receptors (specifically, schools, day care facilities, hospitals, residential dwellings, and senior-care facilities) within an Air Pollutant Exposure Zone?	Yes	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
8a. 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	<input type="checkbox"/>	No <input checked="" type="checkbox"/>
8b. 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	Yes	<input type="checkbox"/>	No <input checked="" type="checkbox"/>

Filed By:	File Date:
Philip_Lesser	09/21/2020



# Overview

Clement Street Cannabis Co. is a proposed, full service, retail dispensary offering a robust product selection that aims to support the local Northern California cannabis ecosystem. The business will target regular cannabis consumers with a welcoming, timeless design and only the highest quality products. Located on the 200 block of Clement Street in San Francisco, Clement Street Cannabis Co. is the ideal location in the Inner Richmond for consumers and the community.



# OUR TEAM

Our team consists of Duncan Ley, Ben Bleiman, Drakari Donaldson, and Joe Carouba.

Drakari grew up at the North Beach Place on Bay Street and received his diploma from Thurgood Marshall High in SF. He recently graduated from UC Merced, the first in his family with a college degree. Currently, he is the CEO of California Street Cannabis Company in Nob Hill. With a successful, community driven dispensary under his belt he is excited to bring the same passion to the Clement Street store.

Duncan and Ben are the operating partners at California Street Cannabis Company and will be integral in the day to day operation on Clement Street alongside Drakari. They are also the Managing Partners of Tonic Nightlife Group, which has operated eleven successful bar/restaurants in SF. Ben is the current President of the SF Entertainment Commission and the Chairman of the Board of the Aquarium of the Bay at Pier 39. Duncan has sat on the Board of St. Francis Hospital Foundation and served as President of the Polk Merchants Association for five years.

Joe, also a San Francisco native, has been creating and running businesses that bring people joy for almost 40 years. His first forays into such businesses were opening Happy Donuts in 1976 and then DoughBake Inc. in 1989, which he grew into the largest producer of fresh donuts in Northern California and the largest producer of six ounce muffins in the USA. In 1997 Joe created BSC Management, which provides management and consulting to ten adult nightclubs in San Francisco. Mr. Carouba was a founding member of the Top of Broadway CBD.



**Drakari**



**Ben**



**Duncan**



**Joe**

# Commitment to SF Equity Program

Drakari and Ben met fourteen years ago through the Big Brothers Big Sisters program where they were paired as mentor and mentee. Over the years, Drakari has worked every position for Tonic Nightlife Group from dishwasher to General Manager to CEO of California Street Cannabis Co.!

Drakari will own 40% of Clement Street Cannabis Co. and be the CEO in accordance with SF's equity requirements.



# Differentiators



## **SF Roots**

SF is our home. We live here, do business here, and are raising our families here



## **SF Small Business Experience**

Combined decades of experience operating successful, socially responsible businesses in SF.



## **Community Outreach**

Proven history of working directly with communities for shared success



## **Equity Program Commitment**

True supporters of the SF Equity program both in practice and in the spirit of the law

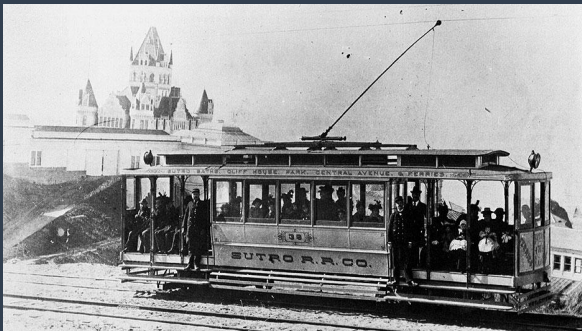
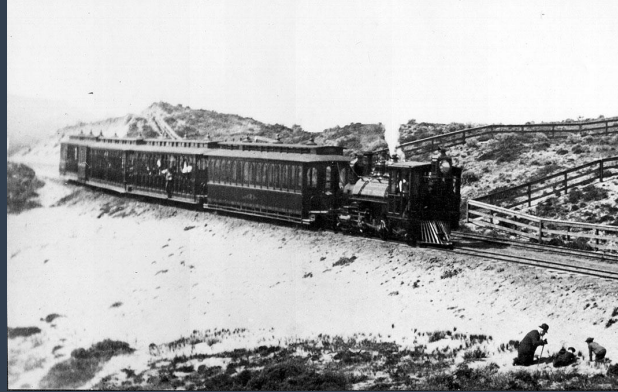


## **Security & Crowd Control**

Experts on selling controlled substances, managing lines, controlling crowds without disrupting neighboring communities

# Design Inspiration

A far cry from the overly “corporatized”, sterile and medical feeling dispensary designs, Clement Street Cannabis Co. will emanate the diverse, sometimes eclectic, but always welcoming charm of the Clement Street neighborhood commercial district and its beloved history.



# Security & Safety



- 16 Page Security Plan provided
- Guard at door
- Cameras inside & Out 24/7
- Alarm System
- Inventory Control connected to Metrc
- All products Tested, Tracked & in child resistant packaging
- Cash & valuables Stored in Safe

# Community Outreach



- Virtual Community Meeting
- Clement Street Merchant Association
- 300 foot radius notification mailer
- Acting Captain William Conley
- Supervisor Fewer's Office
- Supervisor Chan's Office
- Support letters from Giorgio's, Foggy Notion and other Clement Merchants
- 30+ letters of support from Clement neighbors