



# EXECUTIVE SUMMARY CONDITIONAL USE AUTHORIZATION

**HEARING DATE: NOVEMBER 18, 2021**

**Record No.:** 2021-007109CUA  
**Project Address:** 1881-1885 Lombard Street  
**Zoning:** NC-3 (Neighborhood Commercial) Zoning District  
40-X Height and Bulk District  
Scenic Streets Special Sign District  
**Block/Lot:** 0507/024  
**Project Sponsor:** Hector Gonzalez  
Marina Equity Partners, Inc.  
130 Robinhood Drive  
San Francisco, CA 94127  
**Property Owner:** David R. John  
PO Box 2172  
Walnut Creek, CA 94595  
**Staff Contact:** Laura Ajello – (628) 652-7353  
[laura.ajello@sfgov.org](mailto:laura.ajello@sfgov.org)

**Recommendation:** Approval with Conditions

## Project Description

The Project would establish a Cannabis Retail Use (d.b.a. Marina Greens) measuring approximately 840 square feet on the ground floor and 840 square feet of associated office space on the second level in a vacant commercial space within a two-story, commercial building. The Project includes a request for authorization of on-site cannabis consumption, including the smoking and vaporizing of cannabis. Sales and consumption are proposed for the ground floor. The project will involve removal of a one-car garage, front façade changes and interior tenant improvements. No expansion to the building envelope is proposed. New business signage will be applied for under a separate permit.

## Required Commission Action

In order for the Project to proceed, the Commission must grant a Conditional Use Authorization, pursuant to Planning Code Sections 202.2, 303, and 712 to allow the establishment of a Cannabis Retail use within the NC-3 Zoning District.

## Issues and Other Considerations

- **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 conducting an online outreach meeting on August 31, 2021. There were nineteen attendees; the sole item of concern was access to cannabis by minors.

As of writing this report, staff has not received public comment on the requested Conditional Use Authorization.

- **On-Site Consumption.** Cannabis may be consumed or smoked on site pursuant to authorization by the Department of Public Health. The project sponsor has proposed a consumption lounge on-site as part of this requested authorization. The Department has recommended that onsite consumption be authorized for this project. This recommendation is based on bars being a permitted use in the NC-3 zoning district, equity considerations regarding consumption of cannabis products, and the absence of public and neighborhood group comment on the matter.
- **Geographic Balance.** The Project proposes a new Cannabis Retail use on the City's westside. In the vicinity, the Planning Commission did approve a new Cannabis Retailer located at 1700 Lombard Street (dba Johnny Love's, distance of approximately 1,056 feet). However, the entitlement for the site has not been vested with a building permit. The closest open and/or approved cannabis retail storefront is the Apothecarium located at 2414 Lombard Street, approximately 2,640 feet from the subject site. As such, the Project provides a necessary and desirable retail service that is not currently available within the broader neighborhood. It also contributes to the geographic balance of Cannabis Retail uses in the City.
- **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.
  - The closest approved Cannabis Retail location to this site is 1700 Lombard Street, dba Johnny Love's, approximately 1,056 feet from 1885 Lombard Street. Johnny Love's does not have authorization for on-site cannabis consumption.
  - 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:
    - Marina Middle School (6<sup>th</sup>-8<sup>th</sup> grade): 3510 Fillmore Street; 1,584 feet from site;
    - Hergl School (K-12): 250 23<sup>rd</sup> Avenue; 2,112 feet from site;
    - The Hamlin School (K-8): 2120 Broadway; 2,640 feet from site;

- Convent & Stuart Hall (K-12): 2222 Broadway; 2,640 feet from site;
  - Saint Brigid School (K-8); 3741 Buchanan Street; 2,640 feet from site;
  - ATI High School (8-12): 2250 Franklin Street; 2,640 feet from site; and
  - Sherman Elementary (K-5): 1651 Union Street; 3,168 feet from site.
- **Equity Program.** The licensing application to the City’s Office of Cannabis was submitted by Mitchell Salazar, 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 not listed on any other applications in San Francisco.**

## Environmental Review

The Project is exempt from the California Environmental Quality Act (“CEQA”) under 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 building and brings a new type of retail business to the area. 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 B – Plans and Renderings
- Exhibit C – Environmental Determination
- Exhibit D – Land Use Data
- Exhibit E – Maps and Context Photos
- Exhibit F – Project Sponsor Brief

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# PLANNING COMMISSION DRAFT MOTION

**HEARING DATE: NOVEMBER 18, 2021**

**Record No.:** 2021-007109CUA  
**Project Address:** 1881-1885 LOMBARD STREET  
**Zoning:** NC-3 (Neighborhood Commercial) Zoning District  
40-X Height and Bulk District  
Scenic Streets Special Sign District  
**Block/Lot:** 0507/024  
**Project Sponsor:** Hector Gonzalez  
Marina Equity Partners, Inc.  
130 Robinhood Drive  
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ADOPTING FINDINGS RELATING TO THE APPROVAL OF CONDITIONAL USE AUTHORIZATION PURSUANT TO SECTIONS 202.2, 303, AND 712 OF THE PLANNING CODE TO ALLOW A CANNABIS RETAIL USE MEASURING APPROXIMATELY 840 SQUARE FEET ON THE GROUND FLOOR AND 840 SQUARE FEET OF ASSOCIATED OFFICE SPACE ON THE SECOND LEVEL, WITH ON-SITE SMOKING OR VAPORIZING OF CANNABIS PRODUCTS, WITHIN AN EXISTING TWO-STORY COMMERCIAL BUILDING AT 1881-1885 LOMBARD STREET (ASSESSOR'S BLOCK 0507 LOT 024) WITHIN THE NC-3 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, THE SCENIC STREETS SPECIAL SIGN DISTRICT, AND A 40-X HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

## PREAMBLE

On July 21, 2021, Hector Gonzalez of Marina Equity Partners, Inc. (hereinafter "Project Sponsor") filed Application No. 2021-007109CUA (hereinafter "Application") with the Planning Department (hereinafter "Department") for a Conditional Use Authorization to establish a Cannabis Retail use (hereinafter "Project") at 1881-1885 Lombard Street, Block 0507 Lot 024 (hereinafter "Project Site").

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

On November 18, 2021, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Authorization Application No. 2021-007109CUA.

The Planning Department Commission Secretary is the Custodian of Records; the File for Record No. 2021-007109CUA 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. 2021-007109CUA, 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 approximately 840 square feet on the ground floor (retail) and 840 square feet (office) on the second floor within a two-story, commercial building. The Project does include a request for authorization of on-site smoking or vaporizing of cannabis products. The Project includes use, without merger, of two existing storefronts (a vacant 840 square foot ground floor former retail space and a vacant 840 square foot office) to create the total 1,680 square foot space. Nonconforming unscreened parking and a driveway curb cut will be removed, and a 1-car garage converted to retail space. No expansion to the building envelope is proposed. New business signage will be applied for under a separate permit.
- 3. Site Description and Present Use.** The Project is located on a 1,719 square foot parcel on the south side of Lombard Street between Buchanan and Laguna Streets. The site is developed with a two-story commercial building with two vacant tenant spaces and attached one-car garage. The ground floor-level tenant space was formerly occupied by a retail store from January 2014 to May 2021 (dba Frisco Vapor). The upper-level tenant space was formerly occupied by an office use from January 2011 to December 2013 (dba Doorman Property Management). Two freestanding signs remain from former tenants; the sign on the east side will remain and the other shall be removed.
- 4. Surrounding Properties and Neighborhood.** The subject block is zoned NC-3 along Lombard Street and residential on surrounding streets (RM-2 and RH-2). The NC-3 zoning district is a linear commercial corridor along Lombard Street (US Highway 101) between Van Ness Avenue and Baker Street, which is a heavily trafficked thoroughfare and major connector to and from the Golden Gate Bridge. This NC District offers a wide variety of goods and services to a population greater than the immediate neighborhood, including motels, eating, and drinking establishments, auto related uses, and other retail stores. The immediate context is comprised of two to four story residential and mixed-use buildings (with ground floor commercial space and residential units above). The surrounding streets are mostly comprised of residential buildings in the RH-2 and RM-2 Zoning Districts. Moscone Softball Fields are located two blocks to the north.
- 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 conducting an online outreach meeting on August 31, 2021. There were nineteen attendees; the sole item of concern was access to cannabis by minors. The Department has received no letters of opposition or 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 within an NC-3 Neighborhood Commercial Zoning District requires a Conditional Use Authorization pursuant to Planning Code Section 712.

*The Project Sponsor is requesting a Conditional Use Authorization to establish a Cannabis Retail use within an NC-3 Neighborhood Commercial Zoning District.*

- B. **Use Size.** The NC-3 Zoning District permits Non-Residential uses at up to 5,999 square feet per use and requires a Conditional Use Authorization for individual uses above 6,000 square feet in size.

*The proposed Cannabis Retail use is compliant with this requirement. The Project will utilize both tenant spaces without internally merging the units. The combined area is approximately 1,680 gross square feet within the two-story, commercial building.*

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

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

- D. **On-Site Consumption.** Planning Code Section 202.2 allows for on-site consumption of cannabis as an accessory use, if approved by the Department of Public Health.

*The Project Sponsor has proposed an on-site consumption area as part of this request. On-site consumption of cannabis products will not occur unless a permit has been obtained from the Department of Public Health pursuant to Health Code Article 8A.*

- E. **Hours of Operation.** There are no limits on hours of operation in the NC-3 Zoning District. State law limits hours of operation for Cannabis Retailers to between 6 am and 10 pm.

*No limit on hours of operation is set at the local level. However, the Project is required under State law to cease operation between 10 pm and 6 am. The applicant proposes daily hours of operation from 9 am to 9 pm.*

- F. **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 would occupy an existing ground floor commercial space where existing fenestration consists of unobstructed glazing, stairs to the upper level, and one off-street parking space. The existing enclosed and unenclosed parking will be removed. The applicant proposes replacing the garage door with an accessible glazed entry door and window to match the existing windows. The storefront window visibility zone for active uses is located between four feet to eight feet above grade.*

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

*The subject commercial space has one wall sign and two freestanding signs leftover from previous tenants. No replacement signage is proposed currently but the applicant intends to utilize the orange-colored freestanding sign on the east side of the lot (installed under building permit number 8511859); the second nonconforming freestanding sign shall be removed.*

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, bringing additional goods and services to the local area. By activating a currently vacant commercial building, 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;

*While on-site consumption of cannabis is proposed, the San Francisco Health Code requires installation of HVAC systems to prevent odors and emissions from the space from impacting persons or property in the vicinity. The Department of Public Health will not issue a permit for on-site consumption if such odors and emissions are not controlled. As such, the project has safeguards to prevent noxious or offensive emissions such as noise, glare, dust and odor.*

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

*The Project site does not currently contain any landscaping. Per the project plans, existing unscreened parking shall be removed and replaced with open space that includes bicycle parking and planter boxes for landscaping. Signage was not proposed with these plans, but any future signage proposed must be consistent with the controls of the Planning Code and the second nonconforming freestanding sign shall be removed completely. The Department shall review signs proposed for the new business in accordance with Condition 9 of Exhibit A.*

- 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 use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District.

*The proposed project is consistent with the stated purposes of NC-3 Districts in that the intended use is located at the ground floor, will provide a compatible convenience service for the immediately surrounding neighborhoods and to a larger market during daytime hours.*

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

*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. The proposed Project would add a new Cannabis Retailer to the City's western neighborhoods, contributing to the geographic balance of the use in the City.*

*The closest approved Cannabis Retail location to this site is 1700 Lombard Street, dba Johnny Love's, approximately 1,056 feet from 1885 Lombard Street.*

*Within the general proximity of 1885 Lombard Street, there is a mix of residential and commercial 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 Marina Middle School and the Hergl School, both of which are at least 1,000 feet from the proposed facility. Other facilities Convent & Stuart Hall, Saint Brigid School, ATI High School, and Sherman Elementary, which are all at least 2,500 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). 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 marketplace 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 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 or use the available off-street parking spot at the rear 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 industrial or service businesses in the area.*

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

*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.

*Currently, the Project Site does not contain any City Landmarks. The proposal will remove a one-car garage and replace the existing garage door with an accessible entry door and new storefront window. Additional exterior modifications include installation of new security cameras, sconce lighting and ADA compliant lift on the front façade.*

- 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. 2021-007109CUA** subject to the following conditions attached hereto as “EXHIBIT A” in general conformance with plans on file, dated August 31, 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 November 18, 2021.

Jonas P. Ionin  
Commission Secretary

AYES:

NAYS:

ABSENT:

RECUSE:

ADOPTED: November 18, 2021

## EXHIBIT A

### Authorization

This authorization is for a conditional use to allow Cannabis Retail use (d.b.a. Marina Greens) located at 1881-1885 Lombard Street, Block 0507, and Lot 024 pursuant to Planning Code Sections 202.2, 303, and 712 within the NC-3 District and a 40-X Height and Bulk District; in general conformance with plans, dated August 31, 2021, and stamped “EXHIBIT B” included in the docket for Record No. 2021-007109CUA and subject to conditions of approval reviewed and approved by the Commission on November 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 **November 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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.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 628.652.7463,*

[www.sfplanning.org](http://www.sfplanning.org)

Design – Compliance at Plan Stage

## Design – Compliance at Plan Stage

- 6. 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 628.652.7353, [www.sfplanning.org](http://www.sfplanning.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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 8. Signage.** The applicant will obtain a separate sign permit for all proposed signs and removal of the second freestanding sign and post. The Project Sponsor may utilize the freestanding sign on the east side of the lot (installed under building permit number 8511859); the second nonconforming freestanding sign shall be removed completely.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7353, [www.sfplanning.org](http://www.sfplanning.org)*

- 9. Parking.** All off-street parking and the driveway curb cut shall be removed with the sidewalk to be restored under a valid building permit.

*For information about compliance, contact the Case Planner, Planning Department at 628.652.7353, [www.sfplanning.org](http://www.sfplanning.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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.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, 628.271.2000, [www.sfpublicworks.org](http://www.sfpublicworks.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 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 14. Lighting.** All Project lighting shall be directed onto the Project site and immediately surrounding sidewalk area only and designed and managed so as not to be a nuisance to adjacent residents. Nighttime lighting shall be the minimum necessary to ensure safety but shall in no case be directed so as to constitute a nuisance to any surrounding property.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

## Cannabis Retail

- 15. 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 permitted as an accessory use to this Cannabis Retail use.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 16. On-Site Security.** The checking of identification cards to verify that patrons of the Cannabis Retail establishment meet minimum age requirements shall occur within the licensed premises if possible.

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

- 17. 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 cannabis related activities per Planning Code Section 202.2(a)(5).

*For information about compliance, contact Code Enforcement, Planning Department at 628.652.7463, [www.sfplanning.org](http://www.sfplanning.org)*

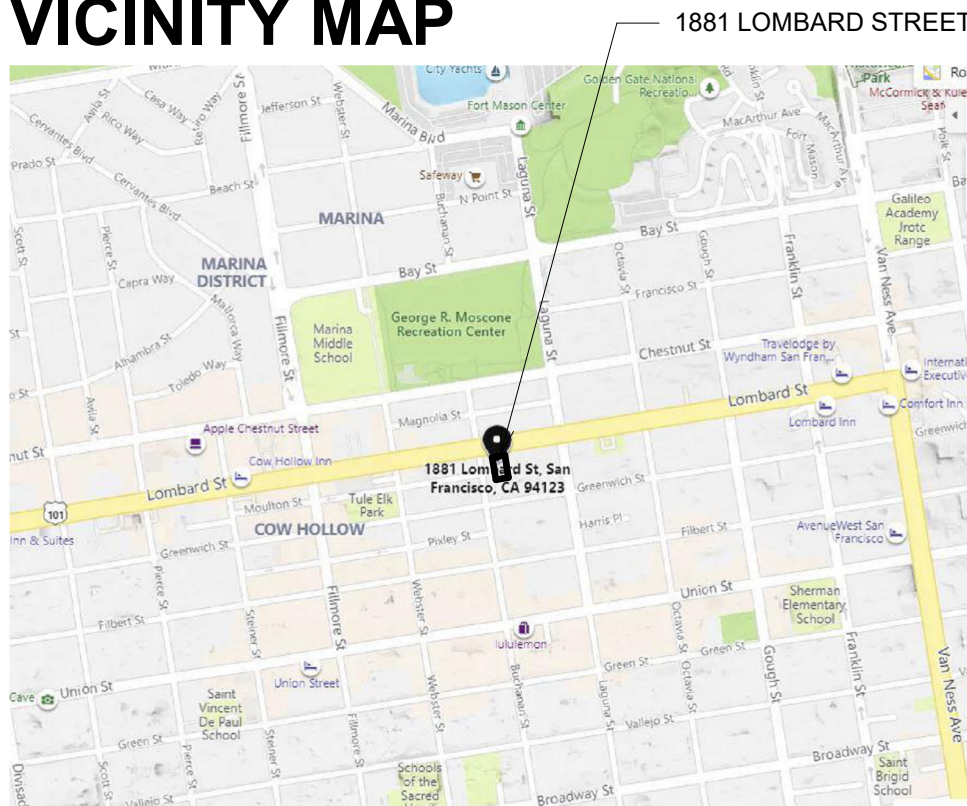
# Exhibit B

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# 1881-1885 LOMBARD STREET CANNABIS RETAIL TI



## VICINITY MAP



### CONDITIONAL USE PERMIT APPLICATION PROJECT

#### DESCRIPTION:

CHANGE OF USE FROM TOBACCO RETAIL TO CANNABIS RETAIL  
CONDITIONAL USE APPLICATION FOR CANNABIS RETAIL WITH  
CONSUMPTION LOUNGE

#### PROJECT LOCATION PROPOSED:

1885 LOMBARD STREET, SAN FRANCISCO, CA

#### BLOCK/LOT:

0507/024

#### ZONING:

NC-3

NEIGHBORHOOD COMMERCIAL, MODERATE SCALE DISTRICT

#### OCCUPANCY GROUP:

EXISTING B + M - BUSINESS AND MERCANTILE TOBACCO RETAIL  
PROPOSED B + M - BUSINESS + MERCANTILE MEDICAL + ADULT  
USE STOREFRONT CANNABIS RETAIL

#### CONSTRUCTION TYPE:

EXISTING - VB  
PROPOSED - VB

#### SPRINKLERS:

EXISTING - NO  
PROPOSED - NO (NO CHANGE)

#### BUILDING AREA:

+/- 1,600 SF

#### PARCEL AREA:

1718.75 SF

#### NUMBER OF FLOORS:

EXISTING - 2  
PROPOSED - 2 (NO CHANGE)

## SHEET LIST

CUA-00	PROJECT DATA COVER SHEET
CUA-01	PLOT PLAN PROPOSED
CUA-01A	SITE PLANS EXISTING + NEW
CUA-01B	ASSESSOR'S MAP
CUA-01C	BLOCK REFERENCE PHOTO
CUA-02	GROUND FLOOR PLAN EXISTING
CUA-02N	GROUND FLOOR PLAN NEW
CUA-03	2ND FLOOR PLAN (E) + NEW
CUA-04	EXTERIOR ELEVATION EXISTING
CUA-05	EXTERIOR ELEVATION PROPOSED
CUA-06	EXTERIOR ELEVATION PROPOSED
CUA-07	INTERIOR ELEVATIONS
CUA-08	BUILDING SECTIONS

## PROJECT DIRECTORY

#### BUILDING OWNER:

NAME: DAVID R. JOHN  
PO BOX 2172  
WALNUT CREEK, CA 94595  
415-431-5568

#### TENANT: NICER CO.

NAME: JOSEPH REISS  
ADDRESS: 130 ROBINHOOD DRIVE  
SAN FRANCISCO, CA 94127  
415-481-1263

#### ARCHITECT:

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

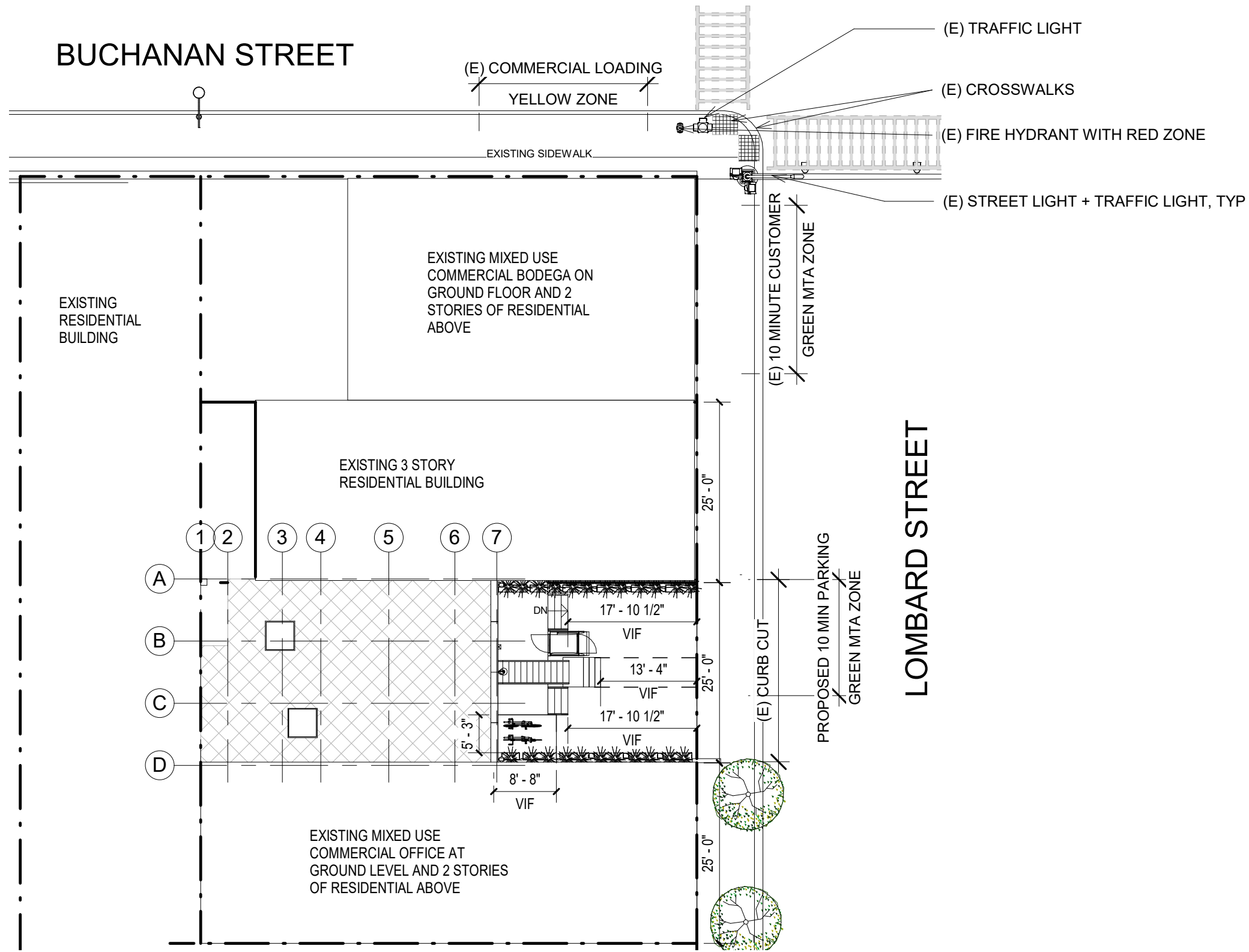


## COVER SHEET

1881-1885 LOMBARD STREET  
SAN FRANCISCO, CA 94123

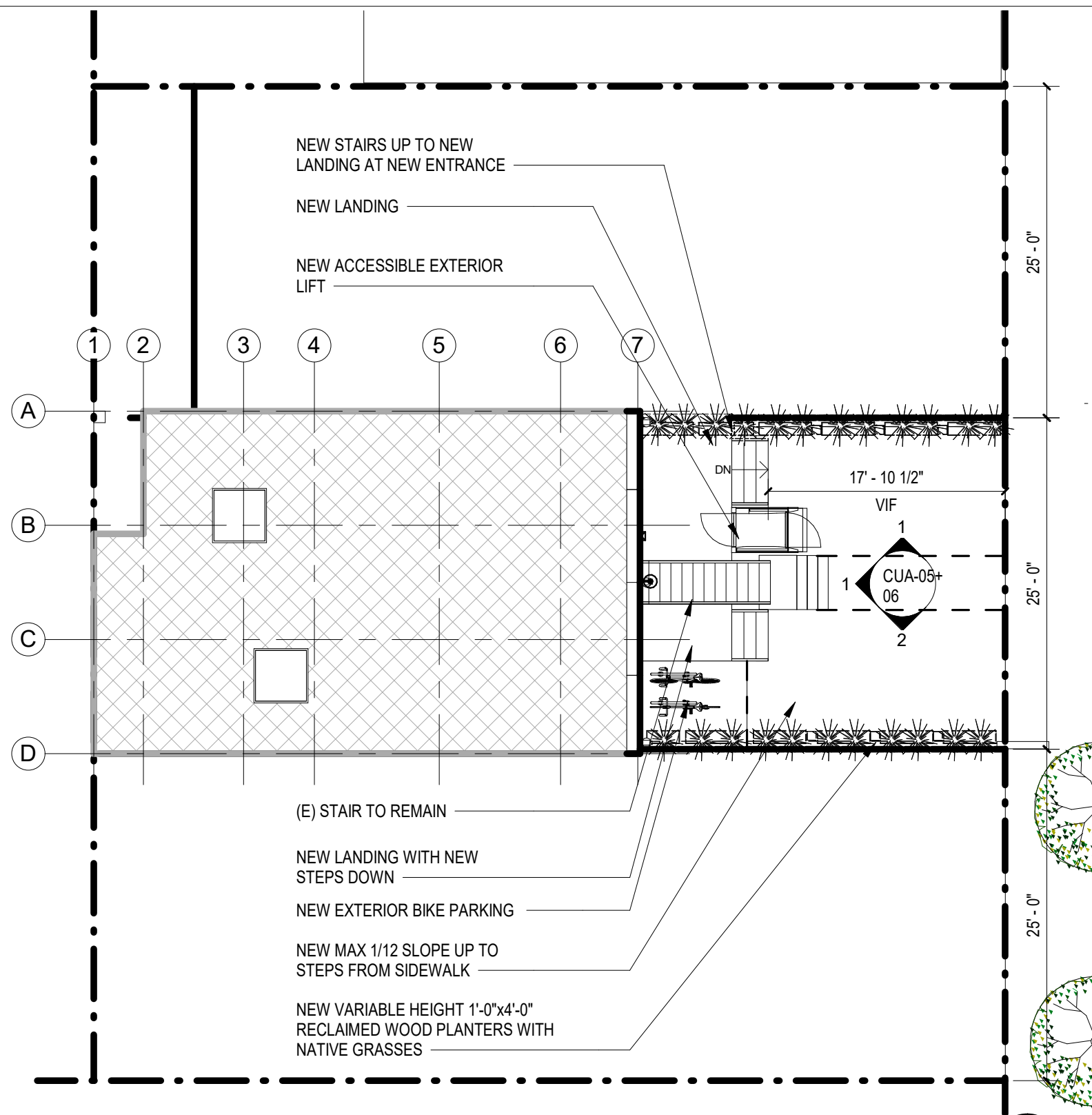
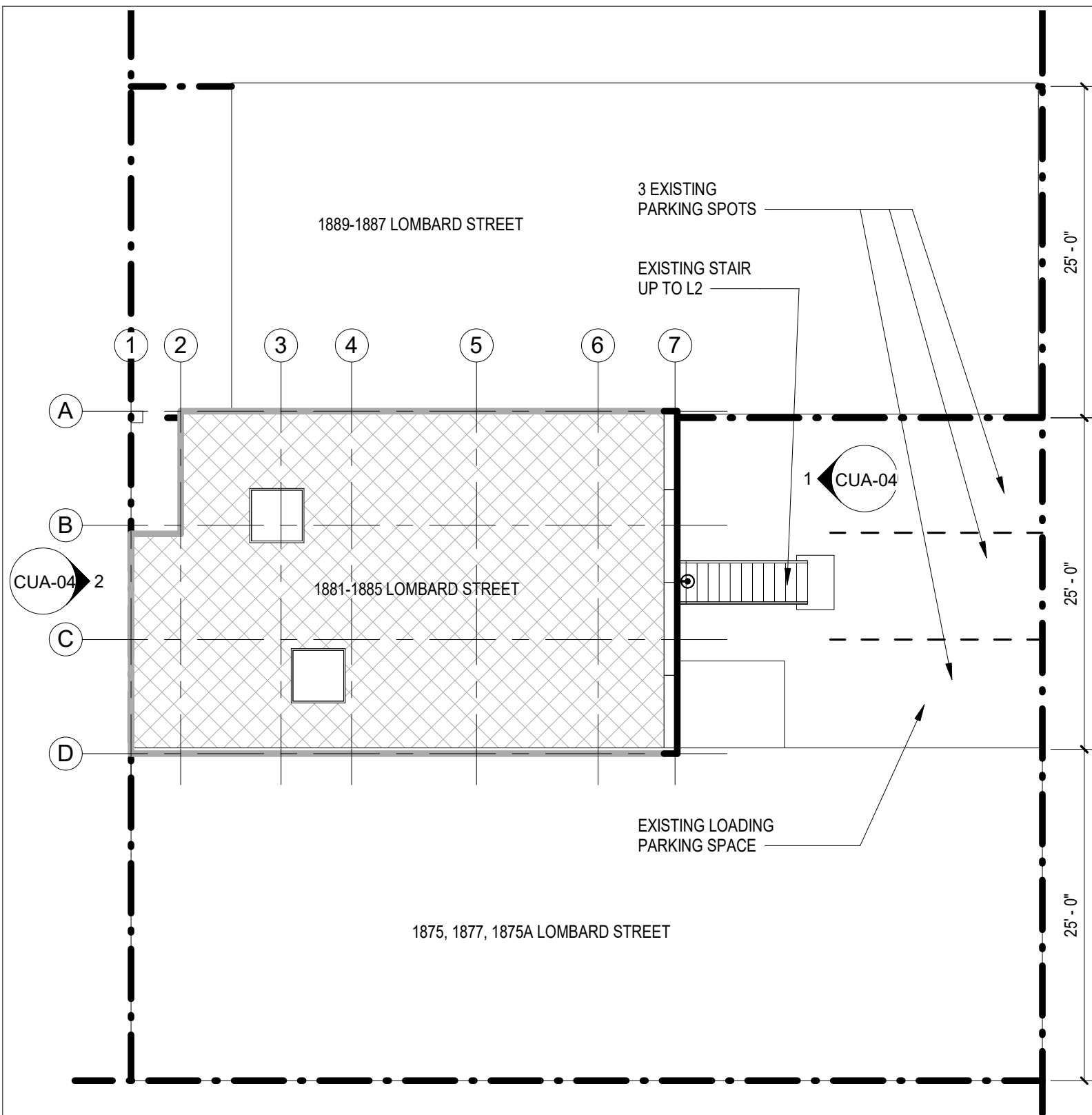
**CUA-00**  
AUGUST 31, 2021

 **PENCIL BOX  
ARCHITECTS, INC.**  
237 CLARA STREET, SAN FRANCISCO, CA 94107  
WWW.PENCILBOXARCHITECTS.COM  
TELEPHONE: 415.699.5953



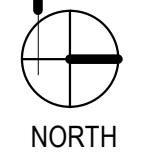
1 PLOT PLAN NEW  
1/16" = 1'-0"





1 SITE PLAN EXISTING  
1" = 10'-0"

2 SITE PLAN NEW  
1" = 10'-0"



**PENCIL BOX ARCHITECTS, INC.**  
237 CLARA STREET, SAN FRANCISCO, CA 94107  
WWW.PENCILBOXARCHITECTS.COM  
TELEPHONE: 415.699.5953

# SITE PLAN EXISTING & NEW

1881-1885 LOMBARD STREET  
SAN FRANCISCO, CA 94123

1" = 10'-0"  
**CUA-01A**  
AUGUST 31, 2021

W A BLK. 247

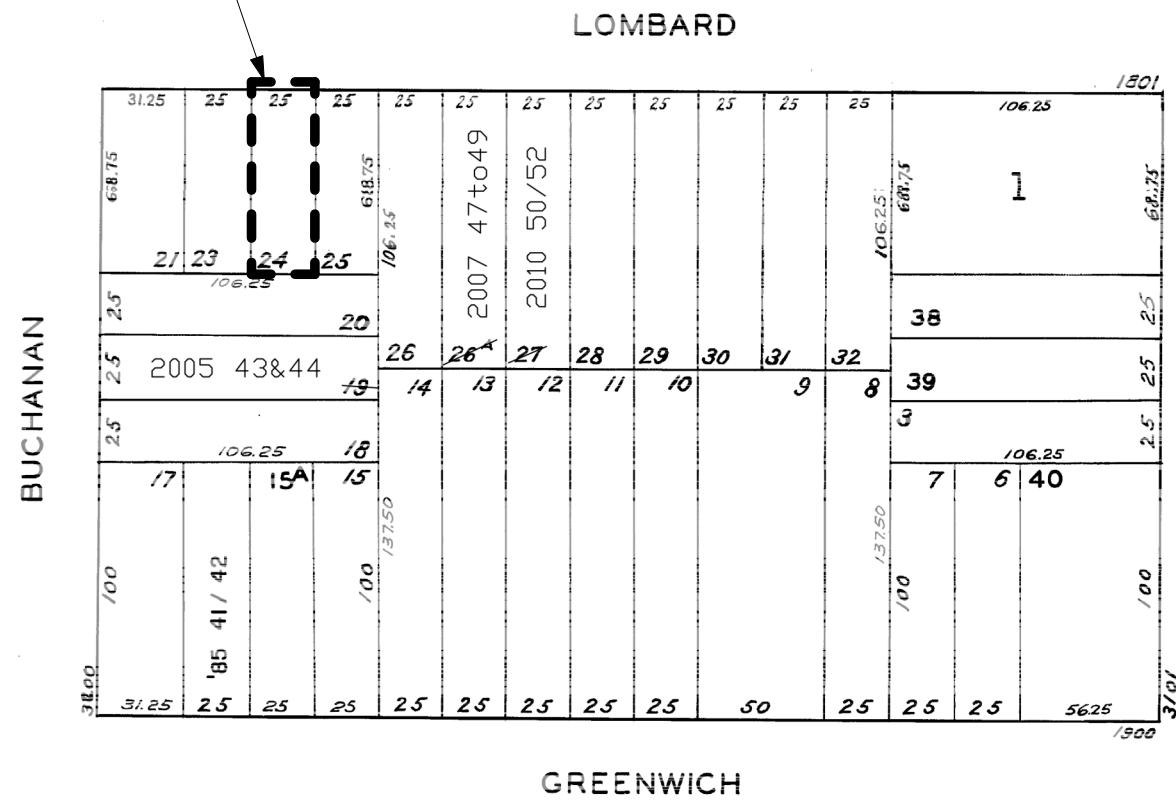
REVISED '60  
REVISED 1964  
" '85  
Revised 2005  
Revised 2007  
Revised 2010

**LOTS MERGED**

LOTS INTO LOT  
22 INTO 21 1942  
15 INTO LOMBARD '43  
33,34,35 INTO 1 '43

lot19 into lots43&44 for 2005 roll  
lot26A into lots47&49 for 2007 roll  
lot27 into lots50/52 for 2010 roll

1881-1885 LOMBARD STREET LOT 024  
68.75' X 25'



3222-3224 BUCHANAN ST.  
A CONDOMINIUM

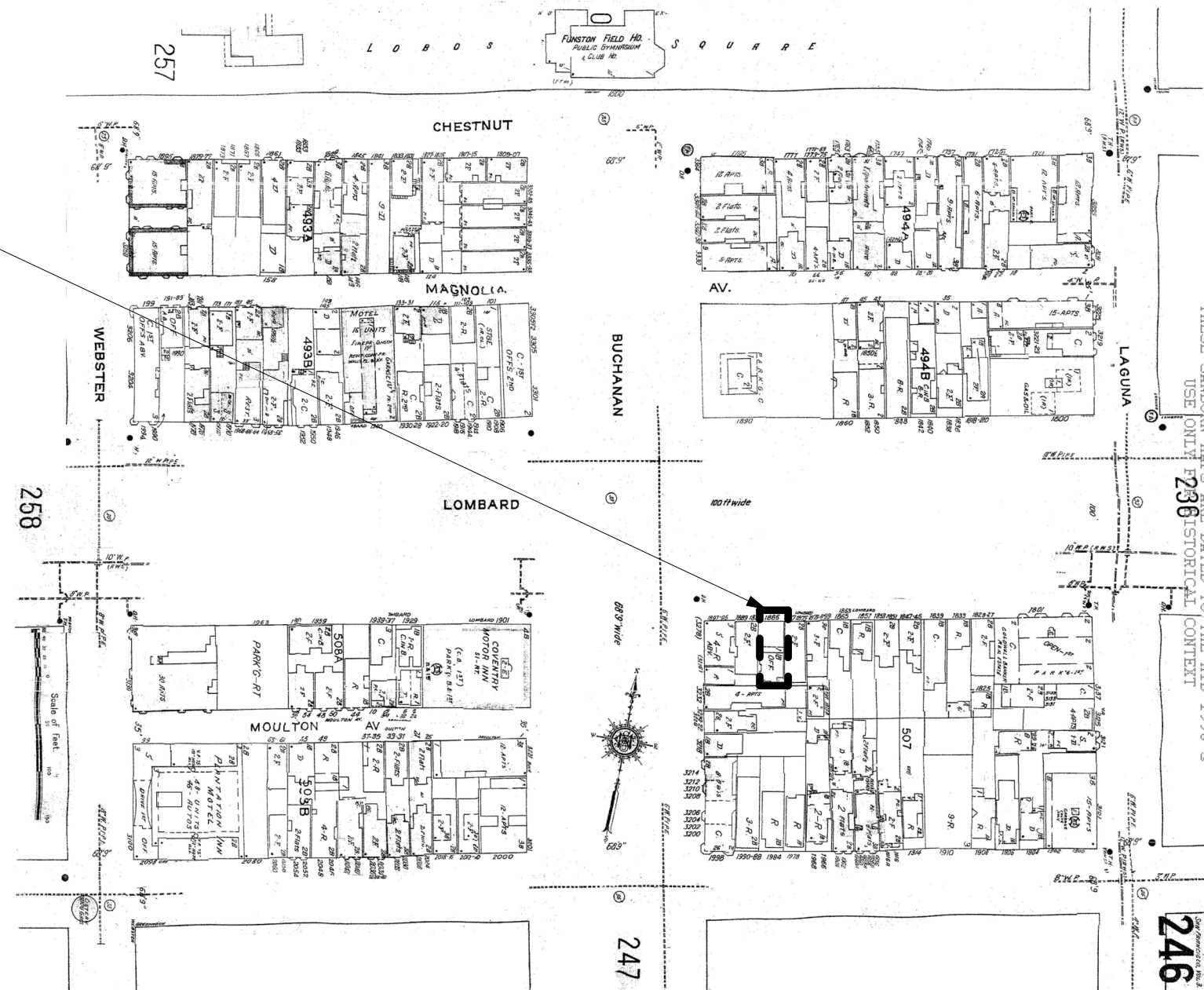
LOT	UNIT	% COMM. AREA
43	3222	53
44	3224	47

1863 LOMBARD ST.  
A CONDOMINIUM

LOT	UNIT	% COMM. AREA
47	1	33.4
48	2	33.3
49	3	33.3

1988-1990 GREENWICH ST.  
A CONDOMINIUM

LOT NO	UNIT NO	% COMMON AREA
41	1988	50
42	1990	50



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



(E) EXTERIOR SIGN TO BE RETAINED, GRAPHICS TO BE UPDATED UNDER SEPARATE PERMIT

(E) EXTERIOR SIGN TO BE REMOVED



**PENCIL BOX**  
ARCHITECTS, INC.

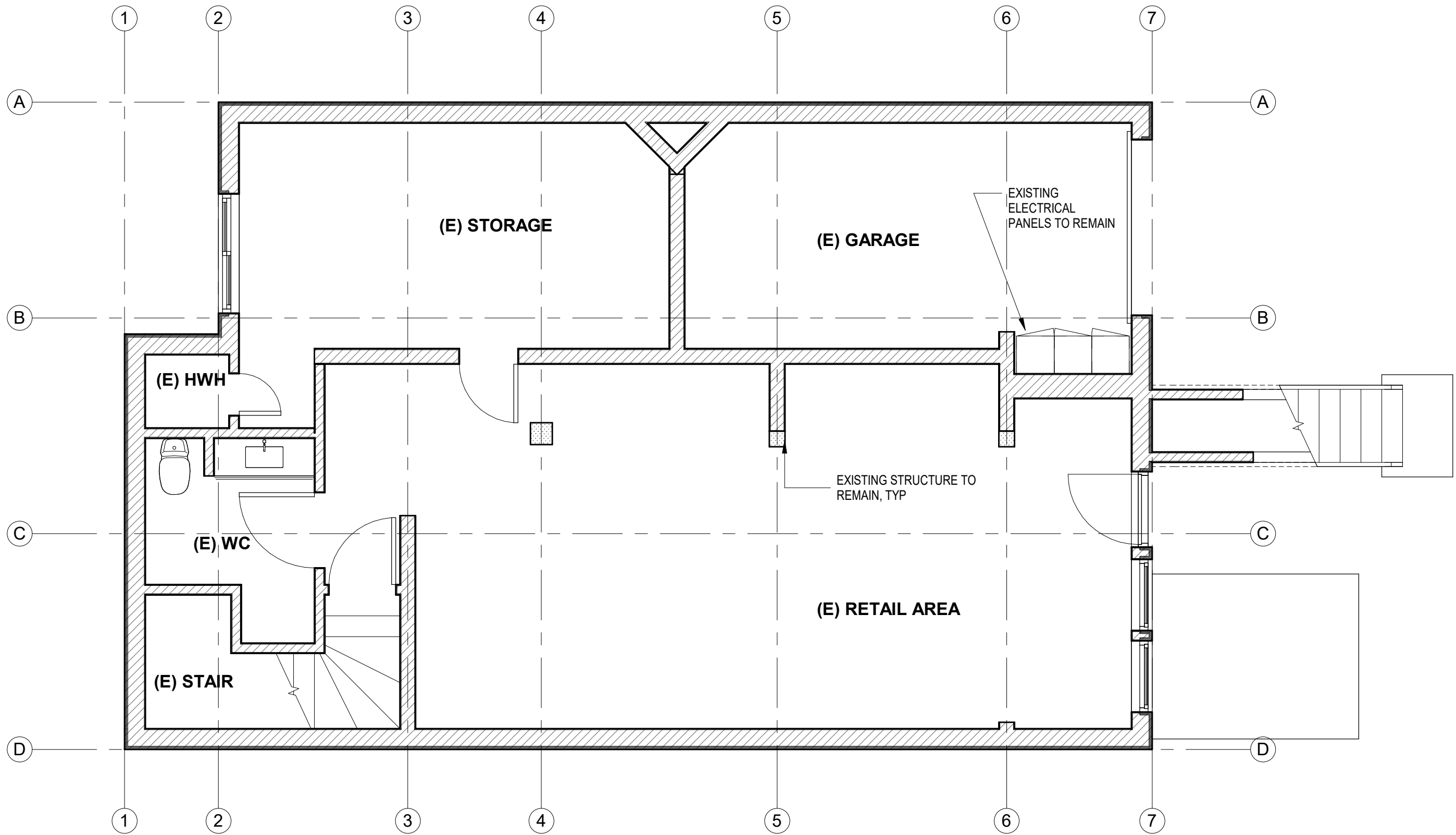
237 CLARA STREET, SAN FRANCISCO, CA 94107  
WWW.PENCILBOXARCHITECTS.COM  
TELEPHONE: 415.699.5953

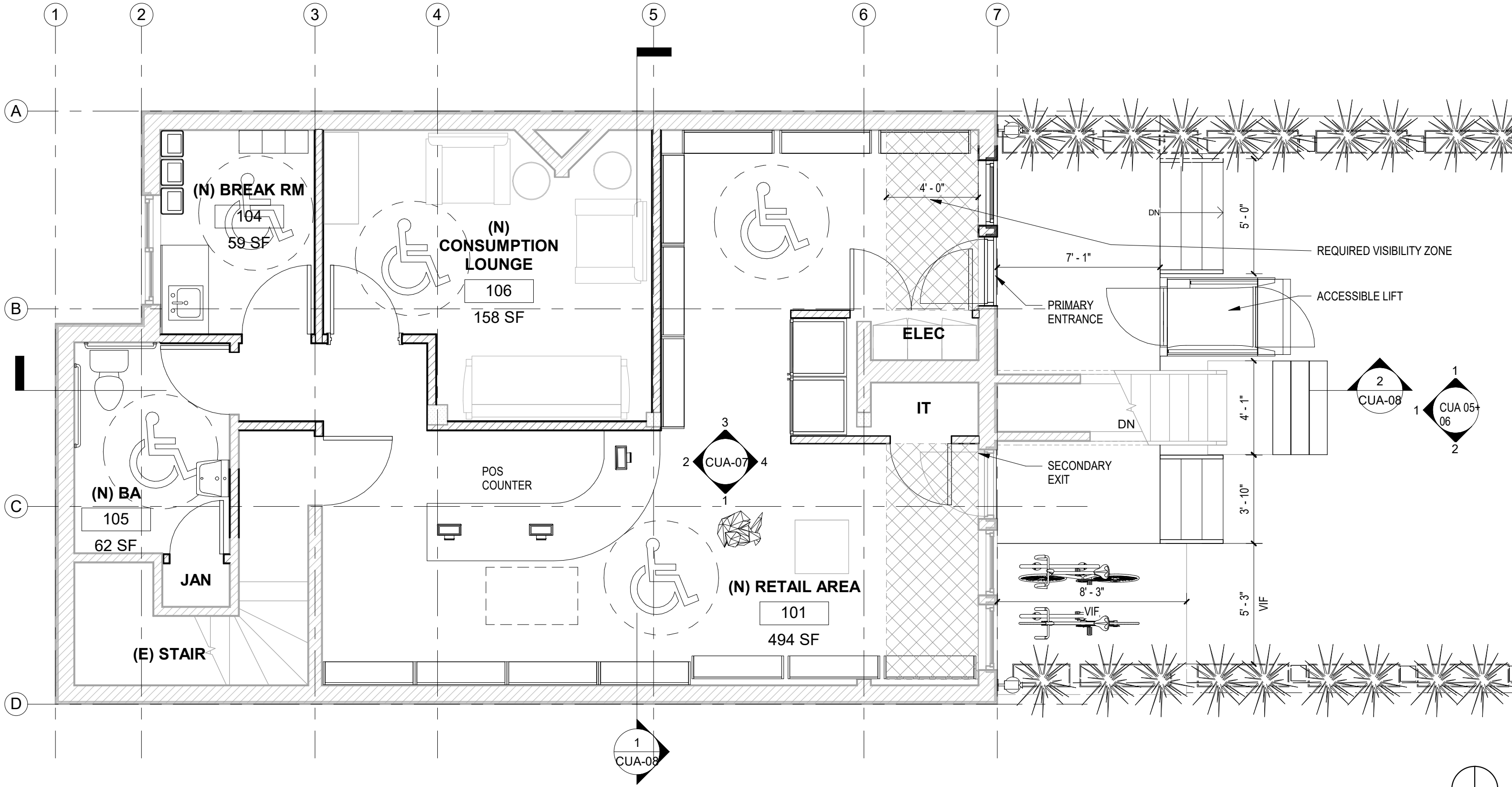
## BLOCK REFERENCE PHOTO

1881-1885 LOMBARD STREET  
SAN FRANCISCO, CA 94123

# CUA-01C

AUGUST 31, 2021

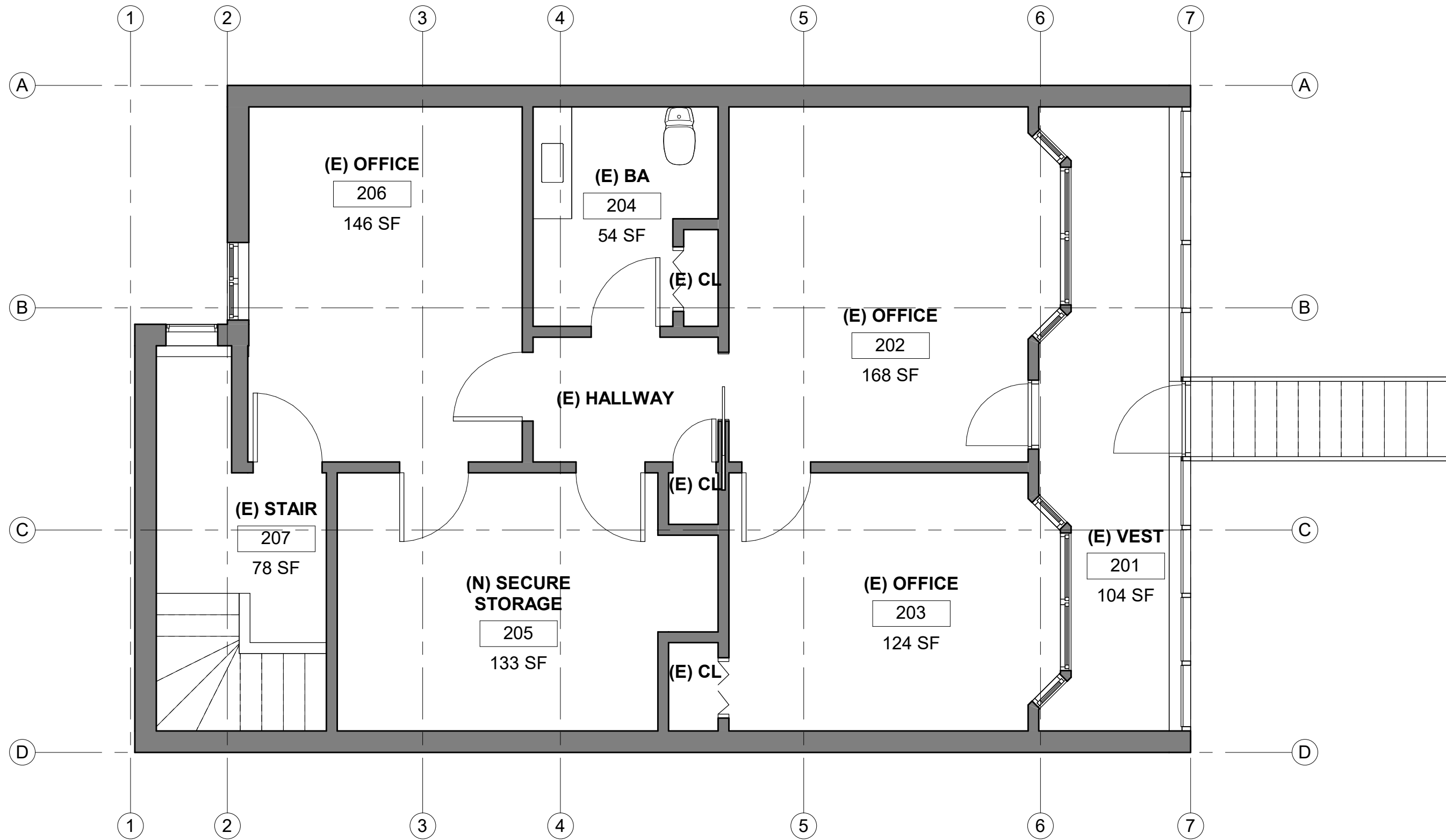


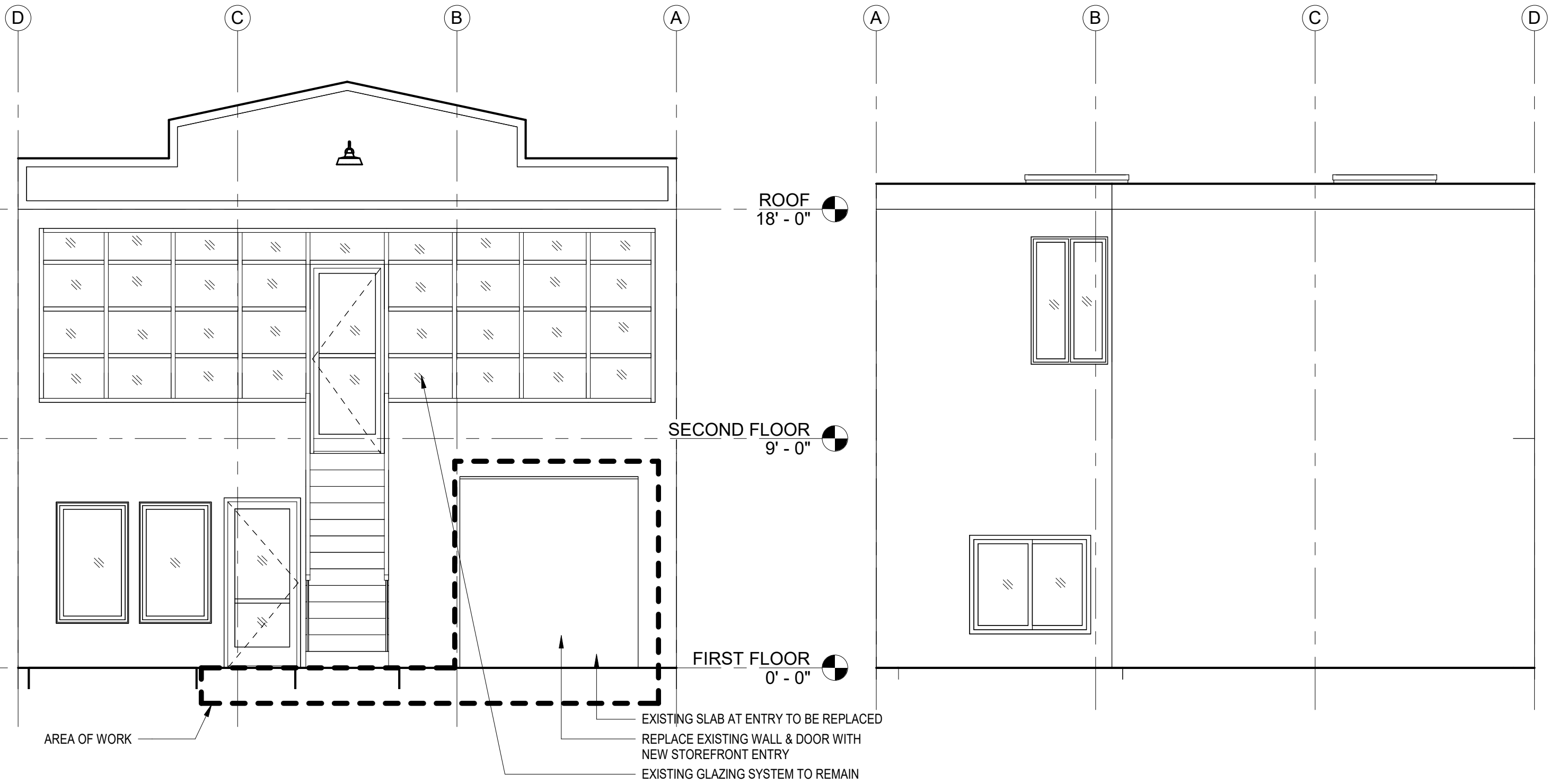


**PENCIL BOX ARCHITECTS, INC.**  
 237 CLARA STREET, SAN FRANCISCO, CA 94107  
 WWW.PENCILBOXARCHITECTS.COM  
 TELEPHONE: 415.699.5953

**GROUND FLOOR NEW**  
 1881-1885 LOMBARD STREET  
 SAN FRANCISCO, CA 94123

1/4" = 1'-0"  
**CUA-02N**  
 AUGUST 31, 2021





1

FRONT ELEVATION (EXISTING)

1/4" = 1'-0"

2

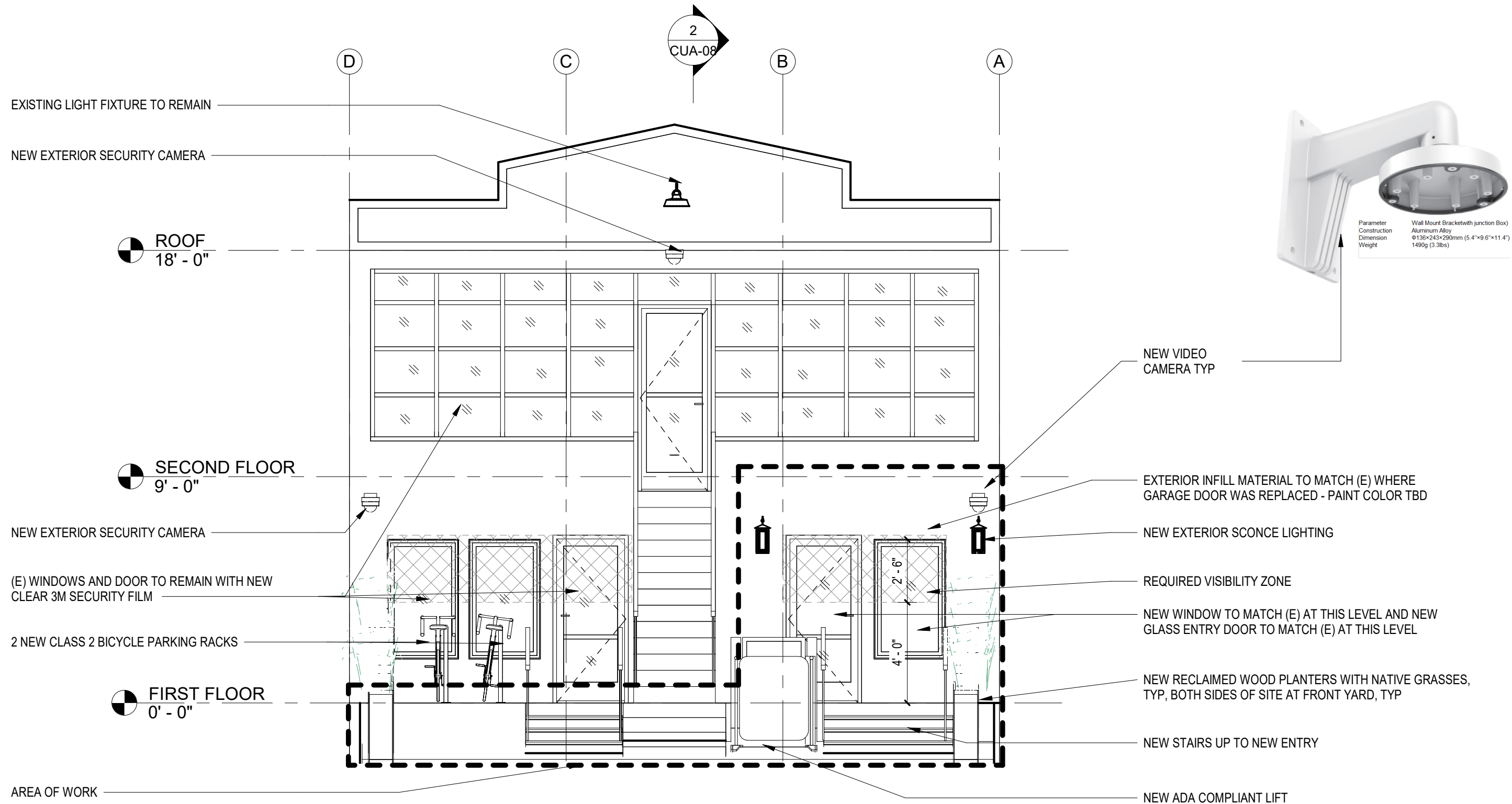
REAR ELEVATION (EXISTING-NO CHANGE)

1/4" = 1'-0"

 **PENCIL BOX ARCHITECTS, INC.**  
 237 CLARA STREET, SAN FRANCISCO, CA 94107  
 WWW.PENCILBOXARCHITECTS.COM  
 TELEPHONE: 415.699.5953

**EXTERIOR ELEV EXISTING**  
 1881-1885 LOMBARD STREET  
 SAN FRANCISCO, CA 94123

1/4" = 1'-0"  
**CUA-04**  
 AUGUST 31, 2021



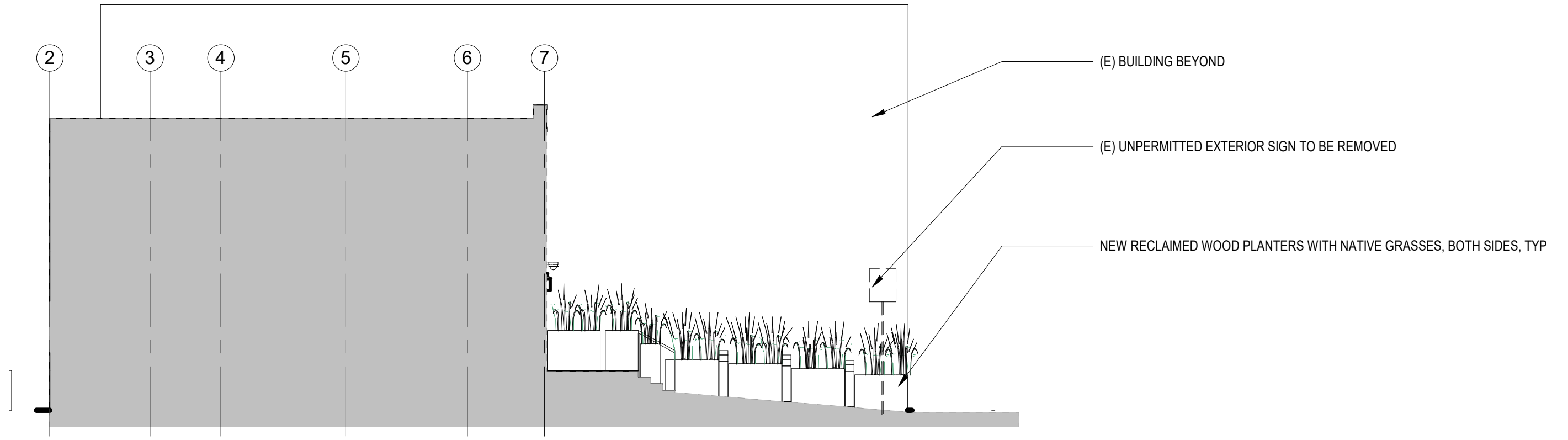
# EXTERIOR ELEV PROPOSED

1881-1885 LOMBARD STREET  
 SAN FRANCISCO, CA 94123

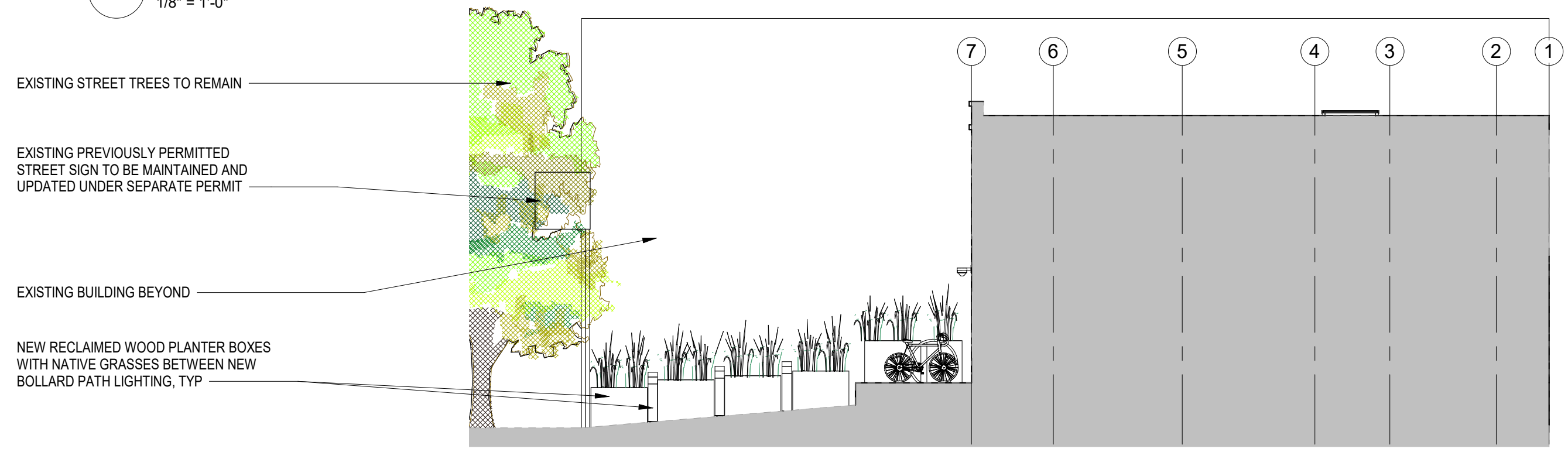
 **PENCIL BOX ARCHITECTS, INC.**  
 237 CLARA STREET, SAN FRANCISCO, CA 94107  
 WWW.PENCILBOXARCHITECTS.COM  
 TELEPHONE: 415.699.5953

1/4" = 1'-0"  
**CUA-05**  
 AUGUST 31, 2021





**1** EXTERIOR ELEVATION LOOKING WEST  
1/8" = 1'-0"



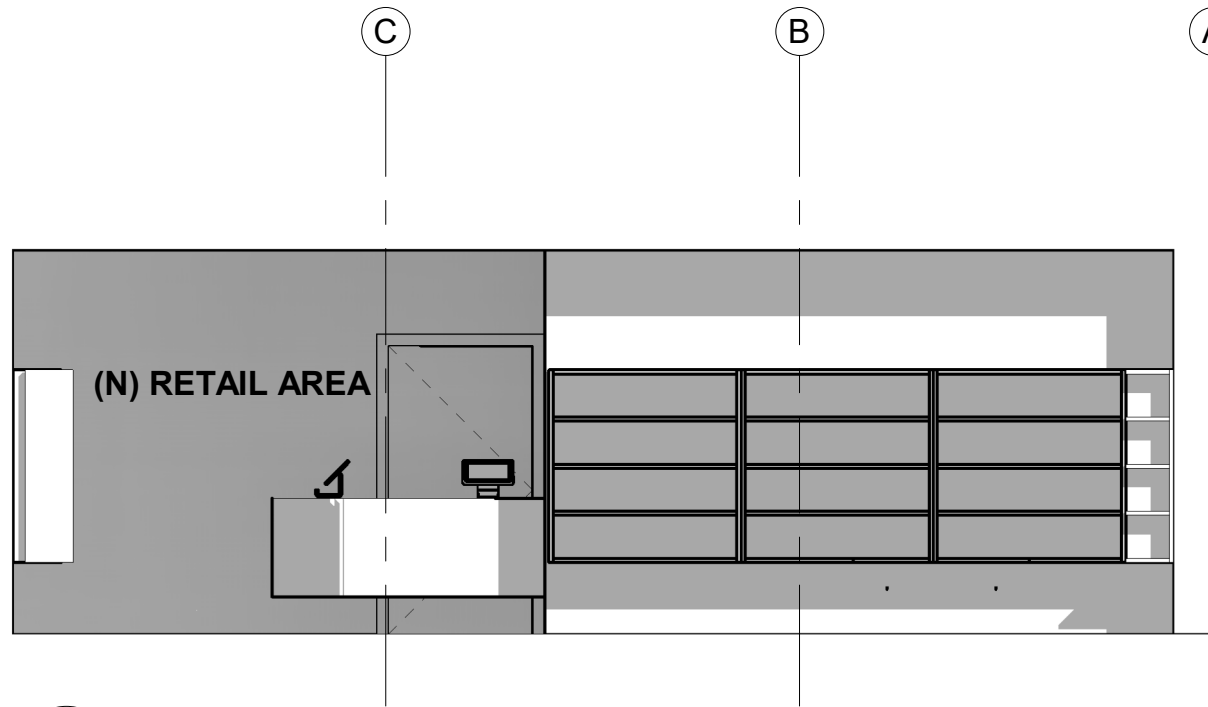
**2** EXTERIOR ELEVATION LOOKING EAST  
1/8" = 1'-0"

# EXTERIOR ELEV PROPOSED

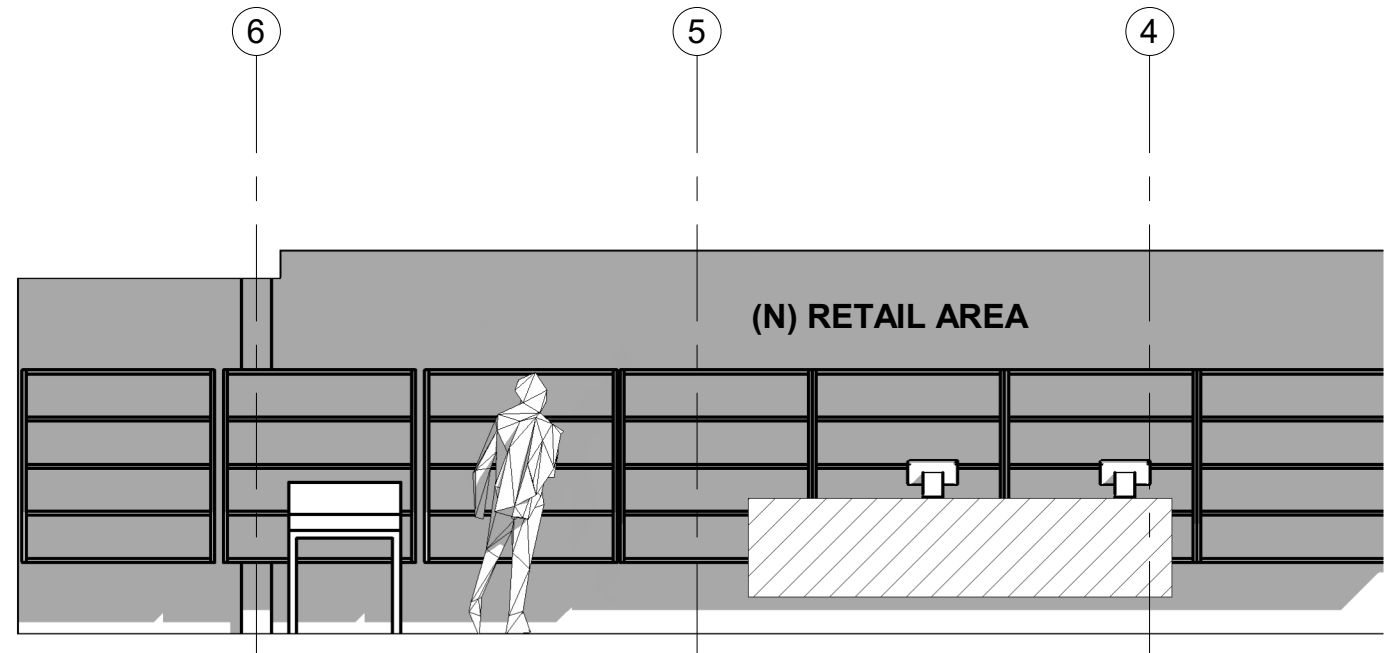
1881-1885 LOMBARD STREET  
SAN FRANCISCO, CA 94123

**PENCIL BOX ARCHITECTS, INC.**  
237 CLARA STREET, SAN FRANCISCO, CA 94107  
WWW.PENCILBOXARCHITECTS.COM  
TELEPHONE: 415.699.5953

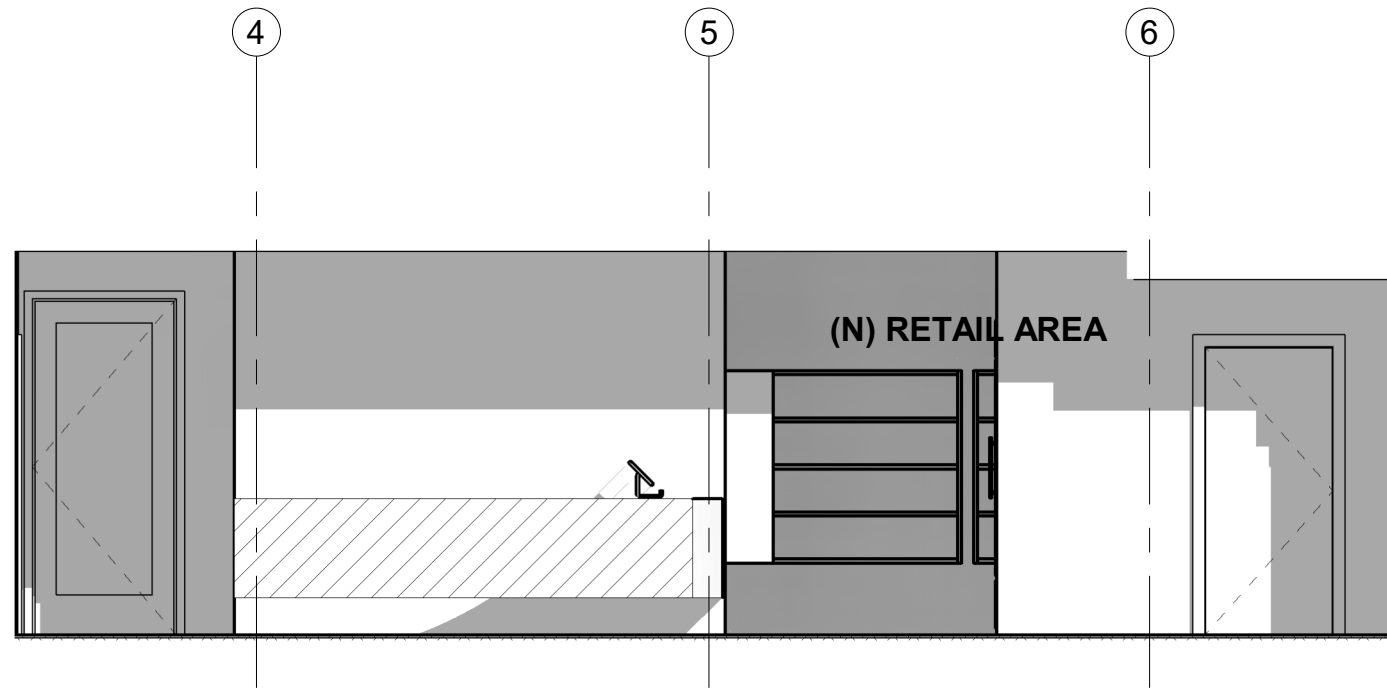
1/8" = 1'-0"  
**CUA-06**  
AUGUST 31, 2021



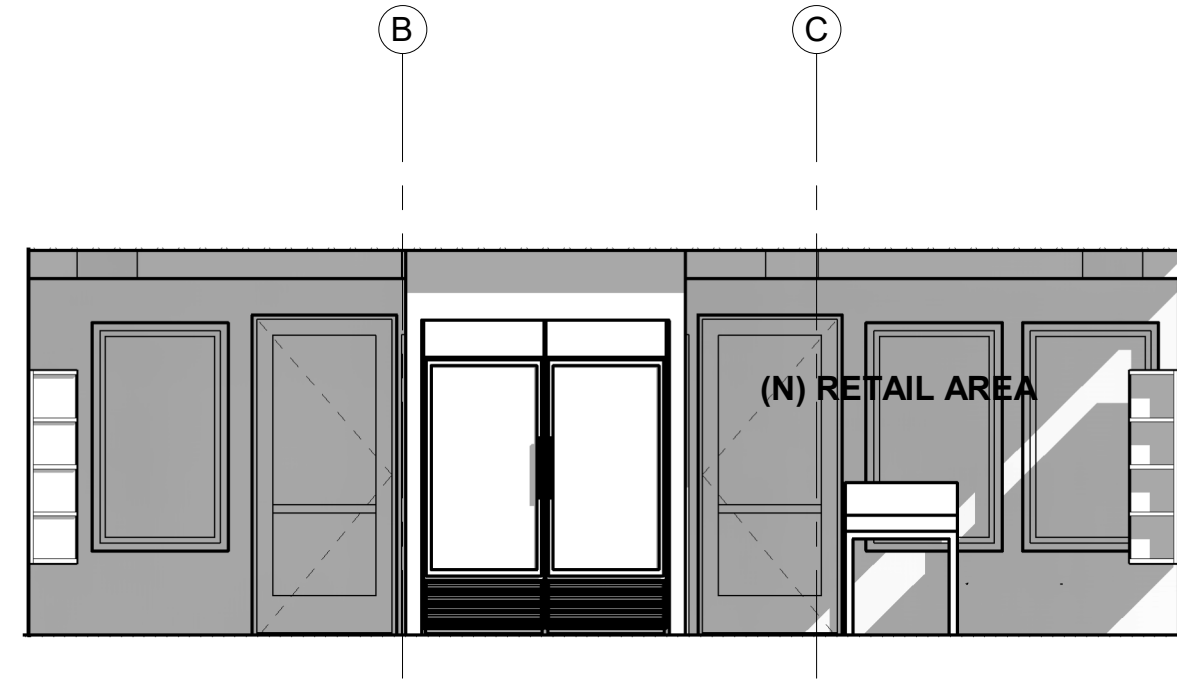
2 INT ELEV SOUTH  
1/4" = 1'-0"



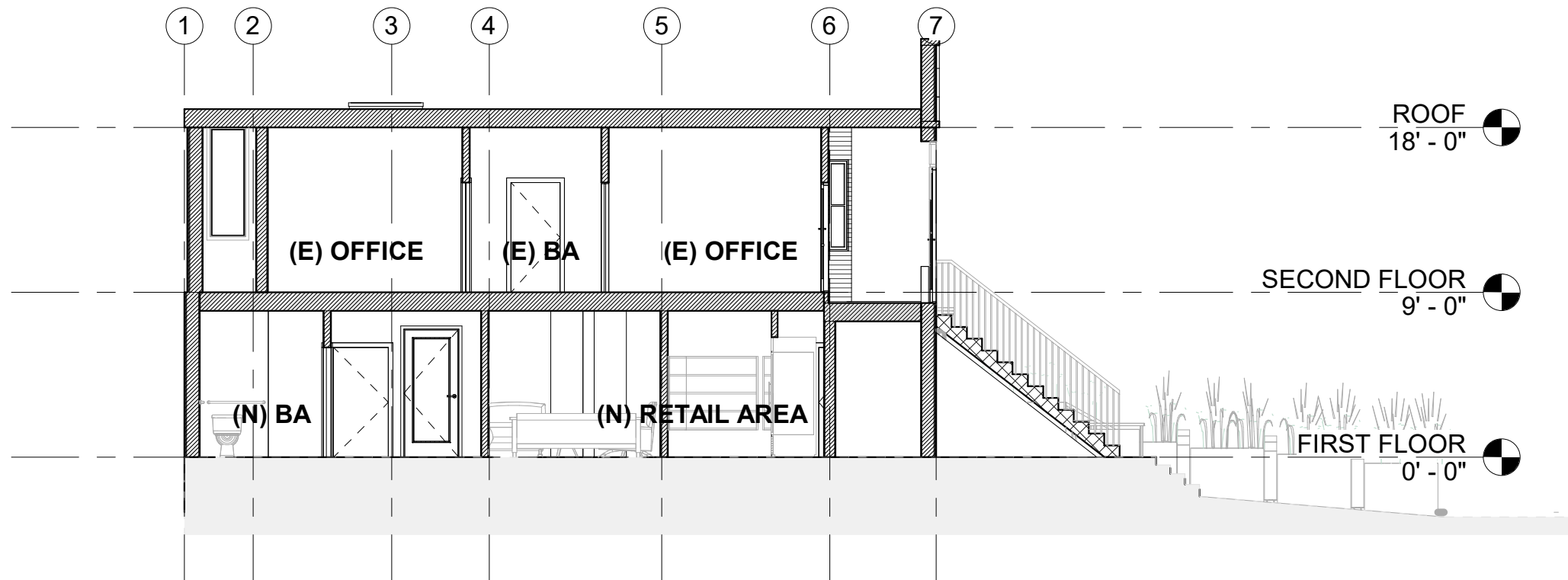
1 INT ELEV EAST  
1/4" = 1'-0"



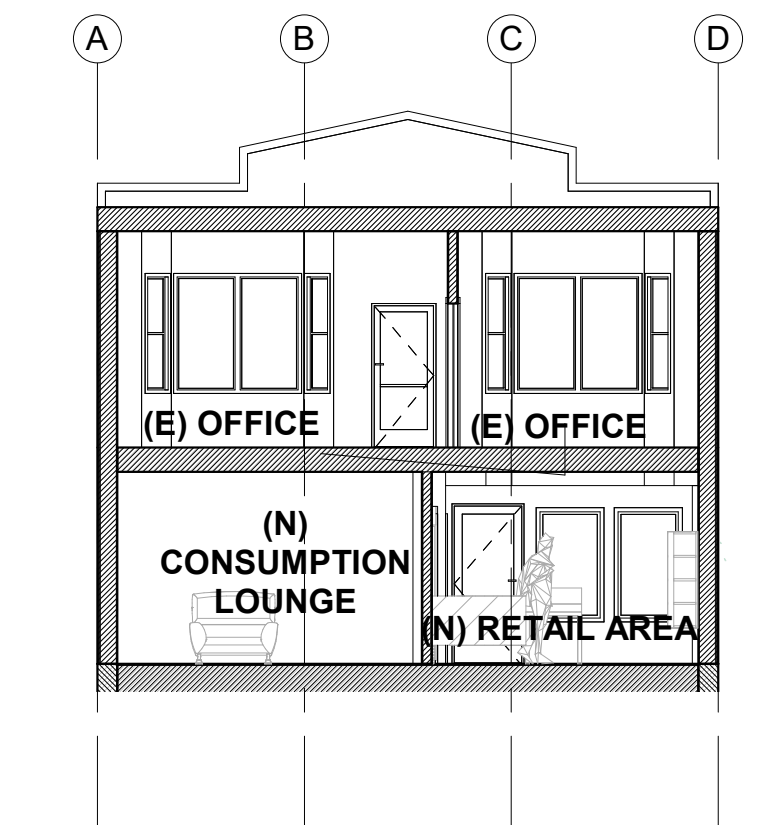
3 INT ELEV WEST  
1/4" = 1'-0"



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



2 SECTION N/S  
1/8" = 1'-0"



1 SECTION E/W  
1/8" = 1'-0"

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# Exhibit C



## CEQA Exemption Determination

### PROPERTY INFORMATION/PROJECT DESCRIPTION

<b>Project Address</b> 1885 LOMBARD ST		<b>Block/Lot(s)</b> 0507024
<b>Case No.</b> 2021-007109PRJ		<b>Permit No.</b>
<input checked="" type="checkbox"/> <b>Addition/ Alteration</b>	<input checked="" type="checkbox"/> <b>Demolition (requires HRE for Category B Building)</b>	<input type="checkbox"/> <b>New Construction</b>
<p><b>Project description for Planning Department approval.</b></p> <p>The proposed project will provide access to cannabis and cannabis products to the Lombard St Merchant corridor. The Retail Cannabis dispensary and cannabis consumption lounge are designed to provide high quality cannabis products to the community, as well as a safe and secure place to consume purchased products. The dispensary project was designed from the ground up with Equity &amp; the Community in mind. [no BPA filed]</p>		

### 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 type="checkbox"/>	<b>Class 3 - New Construction.</b> Up to three new single-family residences or six dwelling units in one building; commercial/office structures; utility extensions; change of use under 10,000 sq. ft. if principally permitted or with a CU.
<input type="checkbox"/>	<p><b>Class 32 - In-Fill Development.</b> New Construction of seven or more units or additions greater than 10,000 sq. ft. and meets the conditions described below:</p> <p>(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.</p> <p>(b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.</p> <p>(c) The project site has no value as habitat for endangered rare or threatened species.</p> <p>(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.</p> <p>(e) The site can be adequately served by all required utilities and public services.</p>
<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.



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

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

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

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

**STEP 5: 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> (Attach HRER Part I)  <input type="checkbox"/> Reclassify to Category A a. Per HRER b. Other (specify):  <input type="checkbox"/> Reclassify to Category C (No further historic review)
<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 remove, alter, or obscure 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 (Analysis required)</i> :
<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 checked="" 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> Partial storefront alteration at the ground floor to an existing, highly altered commercial structure.	
<b>Preservation Planner Signature:</b> Katherine Wilborn	

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

<input checked="" type="checkbox"/>	<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> Building Permit	<b>Signature:</b> Katherine Wilborn
	If Discretionary Review before the Planning Commission is requested, the Discretionary Review hearing is the Approval Action for the	09/02/2021
	Supporting documents are available for review on the San Francisco Property Information Map, which can be accessed at <a href="https://sfplanninggis.org/PIM/">https://sfplanninggis.org/PIM/</a> . Individual files can be viewed by clicking on the Planning Applications link, clicking the "More Details" link under the project's environmental record number (ENV) and then clicking on the "Related Documents" link. Once signed or stamped and dated, this document constitutes an 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 to the Board of Supervisors can only be filed within 30 days of the project receiving the approval action.	



## LAND USE INFORMATION

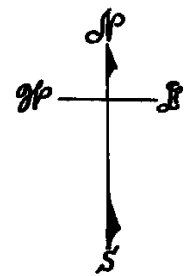
PROJECT ADDRESS: 1885 LOMBARD ST  
RECORD NO.: 2021-007109CUA

	EXISTING	PROPOSED	NET NEW
<b>GROSS SQUARE FOOTAGE (GSF)</b>			
Parking GSF	375 (unenclosed)	0	0
Residential GSF	0	0	0
Retail/Commercial GSF	840	840	0
Office GSF	840	840	0
Industrial/PDR GSF <i>Production, Distribution, &amp; Repair</i>	n/a	n/a	n/a
Medical GSF	n/a	n/a	n/a
Visitor GSF	n/a	n/a	n/a
CIE GSF	n/a	n/a	n/a
Usable Open Space	n/a	n/a	n/a
Public Open Space	n/a	n/a	n/a
TOTAL GSF	1680	1680	0
	<b>EXISTING</b>	<b>NET NEW</b>	<b>TOTALS</b>
<b>PROJECT FEATURES (Units or Amounts)</b>			
Dwelling Units - Affordable	0	0	0
Dwelling Units - Market Rate	0	0	0
Dwelling Units - Total	0	0	0
Hotel Rooms	0	0	0
Number of Buildings	1	0	1
Number of Stories	2	0	2
Parking Spaces	3	0	0
Loading Spaces	0	1	1
Bicycle Spaces	0	2	2
Car Share Spaces	0	0	0

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

# Exhibit E

# Parcel Map



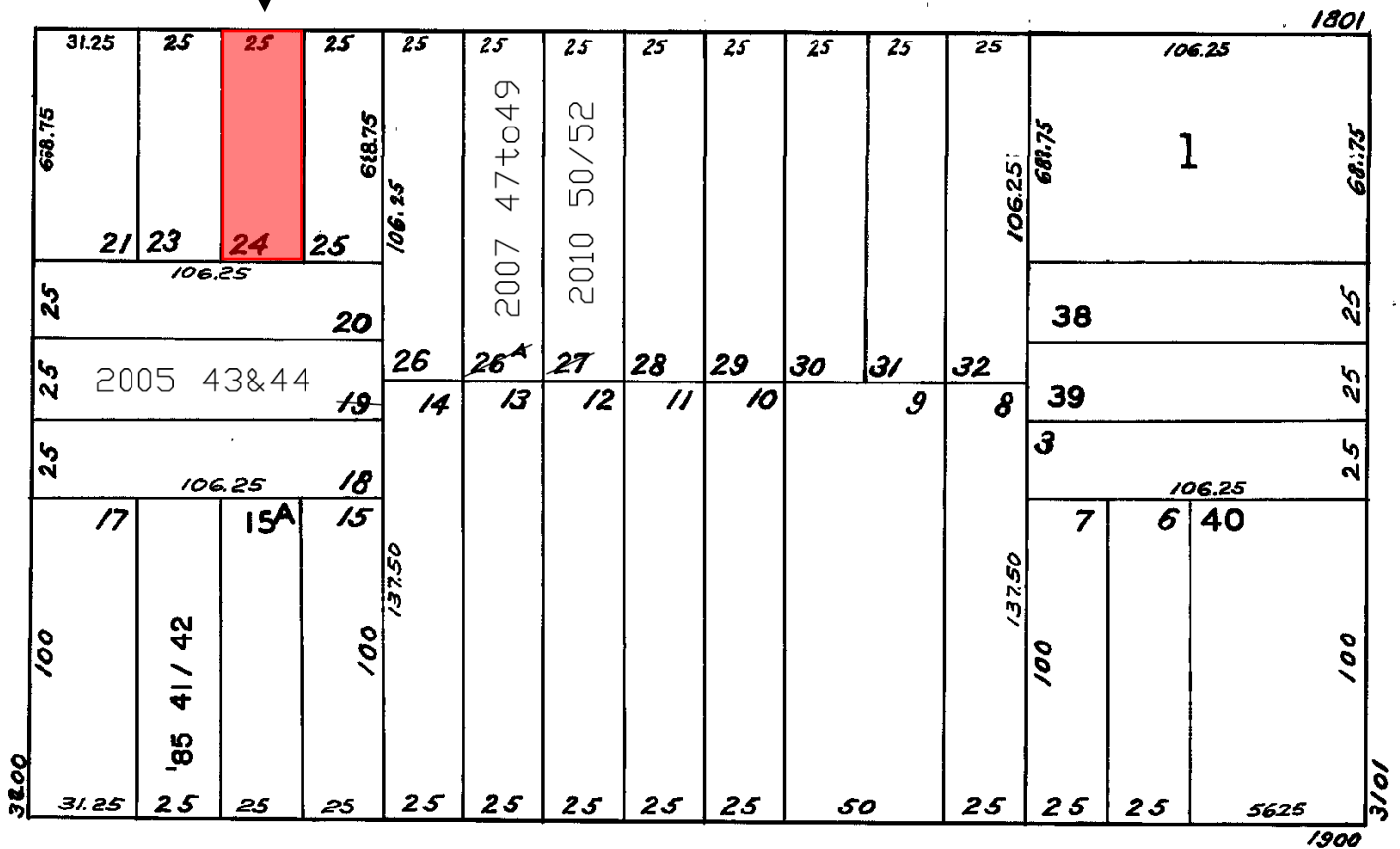
**SUBJECT PROPERTY**



LOMBARD

BUCHANAN

LAGUNA

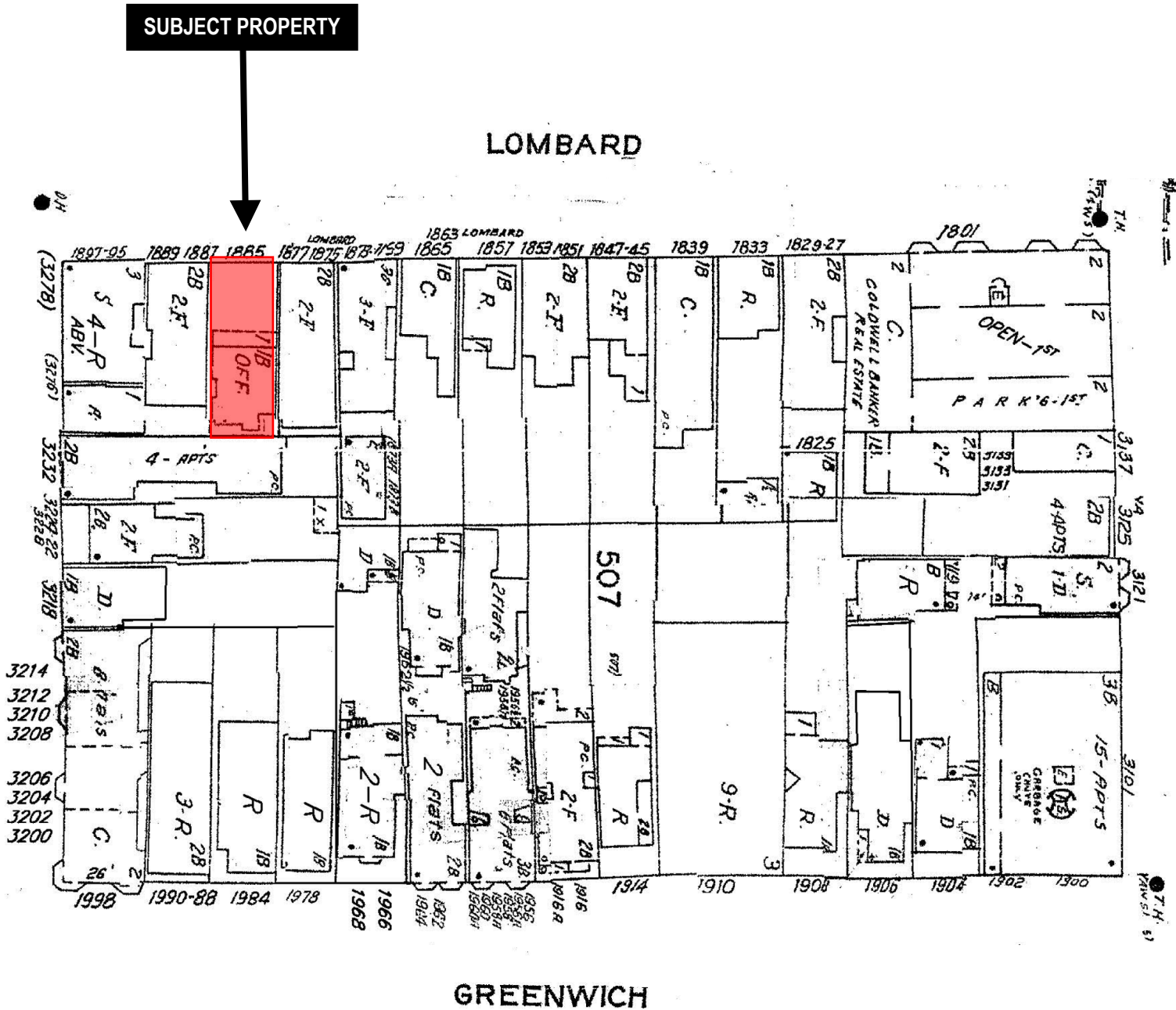


GREENWICH



Conditional Use Authorization  
 Case Number 2021-007109CUA  
 Marina Greens  
 1881-1885 Lombard Street

# Sanborn Map\*



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

Conditional Use Authorization  
 Case Number 2021-007109CUA  
 Marina Greens  
 1881-1885 Lombard Street



# Aerial Photo – View 1



**SUBJECT PROPERTY**



Conditional Use Authorization  
Case Number 2021-007109CUA  
Marina Greens  
1881-1885 Lombard Street

# Aerial Photo – View 2



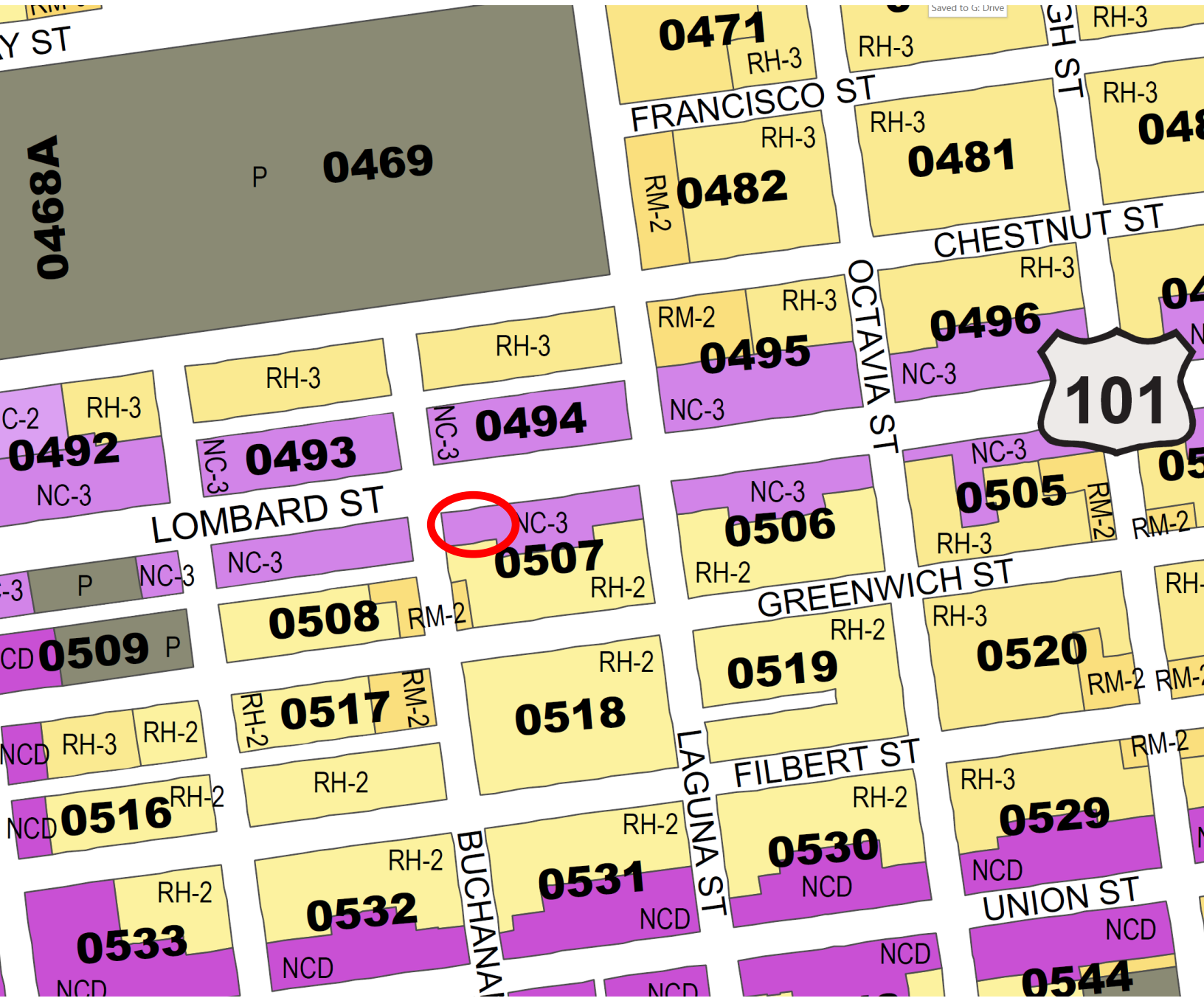
**SUBJECT PROPERTY**



Conditional Use Authorization  
Case Number 2021-007109CUA  
Marina Greens  
1881-1885 Lombard Street



# Zoning Map



Conditional Use Authorization  
Case Number 2021-007109CUA  
Marina Greens  
1881-1885 Lombard Street

# Site Photo



Conditional Use Authorization  
Case Number 2021-007109CUA  
Marina Greens  
1881-1885 Lombard Street

# Exhibit F

## Planning Letter

To: San Francisco Planning Commission

Date: October 26, 2021

RE Marina Equity Partners // 1885 Lombard Street, San Francisco, CA

Please consider this letter as part of the application by Marina Equity Partners for a cannabis retail storefront and consumption permit located at 1885 Lombard Street in San Francisco, CA (the "Project"). We are very excited to present this Project to the Planning Commission on November 18th and hope this letter adds value to its decision making.

### **Project Founder Background**

As a lifelong resident of San Francisco, Mr. Salazar has been an unwavering advocate for social justice, workforce development, and human rights. As early as 1980, Mitchell was recruited as a Youth Organizer for the Real Alternatives Program (RAP), a community based youth organization located in the Mission District of San Francisco, advocating for youth in the areas of social justice, youth empowerment, and institutionalization change for children, youth and families impacted by poverty. During his twenty-year career at RAP, Mitch worked in a variety of positions, including as the Executive Director for fifteen years.

Since then, Mitch has been a Fellow with the Annie E. Casey Foundation, the Director of Community Based Programs for the San Francisco District Attorney's Office, Workforce Development Director for Mission Neighborhood Centers and is currently the Manager of Apprenticeship Programs for the City and County of San Francisco.

In 2017, as San Francisco began to implement its Social Equity cannabis program, Mitchell once again stepped up for social justice, this time as a Founding Member of the San Francisco Equity Group (SFEG). SFEG has a sole mission to help ensure the success of the Equity program in San Francisco, working to broaden access to BIPOC entrants in the Cannabis Industry, and raise up communities formerly targeted by the War on Drugs.

As CEO for Marina Equity Partners, Mr. Salazar looks to continue his goals to promote equity and balance in our society.

### **Project Details**

1885 Lombard Street looks to become a premier cannabis retail business and consumption lounge in the City of San Francisco. Below are details about the Project.

- The site is a two story commercial building, each floor being +/- 800 square feet of space

- The site will have all required security measures including but not limited to security cameras, stored footage, security personnel, and associated training.
- The proposed hours of operation will be 9am to 9pm, Monday thru Sunday
- We look to employ up to 12 unique full time positions as the business scales in volume
- With ample local transportation available on Lombard Street, we look to provide job opportunities for individuals across the City. Onsite bike parking will be available for employees and customers and use of these facilities will be encouraged across the organization

## Community Outreach

On Tuesday, 8/31, a community outreach meeting was held virtually for this Project. Below is a breakdown of items related to this event.

- Date of Meeting: 8/31/21
- Outreach performed prior to event:
  - Letters sent to all merchants, individuals and organizations within 300 feet of the project site inviting them to the community outreach meeting. Detailed instructions for accessing the Virtual Community Meeting, including a means of accessing the Virtual Community Meeting by phone, through a smartphone application, and from a web browser were provided.
  - Provided contact information for Outreach Coordinator Alexander Fabian.
  - Made in person visits to local merchants providing contact information
- Number of participants: 19
- Number of questions emailed prior to meeting: 1
- Item/s of concern: access of cannabis to children
- Support from local San Francisco organizations include United Playaz, Brothers Against Guns, US4US, AIGA, United Cannabis Business Association.

It is good to note that Mr. Salazar will be performing additional outreach to local businesses surrounding the site, in person, to discuss this Project. A summary of those efforts will be made available to the Planning Commission as soon as the outreach is performed.

## Conclusion

Marina Equity Partners, with Mitchell Salazar as its CEO, are committed to bringing high quality products in an inviting way to San Francisco community members. As advocates for Social Equity,

Marina Equity Partners and its ownership also believe in providing access to this amazing and emerging industry to all members of the community, and will work towards that end if the Project is approved.

Thank you,

*Marina Equity Partners*