



# SAN FRANCISCO PLANNING DEPARTMENT

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## Memo to the Planning Commission

HEARING DATE: FEBRUARY 16, 2012  
Continued from the January 26, 2012 Hearing; AND  
Continued from the November 17, 2011 Hearing

*Date:* February 9, 2012  
*Case No.:* **2011.0682DD**  
*Project Address:* **4218 MISSION STREET**  
*Zoning:* NC-2 (Neighborhood Commercial, Small-Scale) District  
40-X Height and Bulk District  
*Block/Lot:* 6803/004  
*Project Sponsor:* Kevin Reed  
230 11<sup>th</sup> Street, #1  
San Francisco, CA 94103  
*Staff Contact:* Sharon Lai – (415) 575-9087  
[sharon.w.lai@sfgov.org](mailto:sharon.w.lai@sfgov.org)  
*Recommendation:* **Approve with Conditions**

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**415.558.6378**

Fax:  
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Planning  
Information:  
**415.558.6377**

### BACKGROUND

The proposal is to establish a new Medical Cannabis Dispensary (d.b.a. The Green Cross), located at an approximately 2,160 square-foot vacant ground floor and basement commercial space. This project was initially scheduled for the November 17, 2011, Planning Commission hearing that was continued to January 29, 2012, and again to the February 16, 2012 hearing, without a public hearing, as per the City Attorney's recommendation. There have been no changes made to the proposal since it was originally continued from the November 17, 2011 Planning Commission Hearing.

The purpose of this memo is to provide an update of information submitted to the Department subsequent to the initial issuance of the Commission packets, dated November 10, 2011. A copy of the initial Commission packet as well as new information is enclosed with this memo.

The project sponsor has further refined the security plan for the proposed MCD and a copy of the updated security plan description is enclosed. The updated security plan includes additional detail of the proposed security feature locations.

### PUBLIC COMMENT

Since the issuance of the initial Planning Commission packet on November 10, 2011, additional public comments have been received and a copy is available at the Planning Department office:

- 28 written support of the proposed MCD, at 4218 Mission Street;
- 27 emails and 361 signatures in opposition to the proposed MCD use, at 4218 Mission Street; and
- 437 additional signatures in opposition to the proposed MCD uses at the 4218, 5234 and 5258 Mission Street.

<b>RECOMMENDATION:</b> <b>Approve with Conditions</b>
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**Attachments:**

Updated Security Plan from Project Sponsor, dated February 8, 2012  
Planning Commission Packet, dated November 10, 2011

# The Green Cross Security Plan

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## **Surveillance with Around the Clock Coverage**

The Green Cross will retain ADT Security Services to recommend and outfit the premises with a full range of security services including, but not limited to, intrusion detection, video surveillance, access control, all with round the clock coverage and remote access. We have selected ADT because they are a leader in intrusion protection, video surveillance, and access control.

The Green Cross shall retain and maintain a sophisticated surveillance system on the premises including dozens of full color video cameras to record events inside and outside the facility round the clock, with remote access to this footage. Specifically, we plan to install eleven (11) exterior high-performance cameras, including five (5) in the front and six (6) in the rear. Additionally, there will be twenty-nine (29) interior cameras, including seventeen (17) on the main floor and twelve (12) in the basement. And, nine (9) monitors will be regularly supervised and observed by our onsite Security Manager.

Archive copies of this surveillance will be maintained for at least 21-days. And, full and immediate access to the recordings will be made available to the San Francisco Police Department for the purposes of investigating any serious crime or related criminal activity, real or alleged, on or in proximity to the premises of The Green Cross.

## **Electronic Access Control System**

Access control is a primary feature of our security apparatus. As clearly indicated by our plans, an interior security wall with controlled access door will completely separate the lobby area from the dispensary. We hope this design feature will minimize our visual impact, deter access by individuals not qualified to be there, and enhance the safety of our staff and members inside the dispensary.

Additionally, our plans include electronic access control on each and every door, including reinforced controls at entry and exit points. Electronic access control will help deter, detect, and document access to our facility.

## **Perimeter Security**

In addition to the video surveillance, at least three employees shall be retained and/or trained to ensure the safety of The Green Cross and its neighbors, and compliance with the applicable provisions in all City Codes.

At least one guard will be positioned in close proximity to the entrance to ensure access only by qualified individuals and represent our first line of defense against any unwanted activity. S/he will also be required to “walk-the-block” on a regular basis throughout the day to ensure neighborly and appropriate conduct of our members. This conduct shall include, but not be limited to, double-parking, the playing of loud music, loitering, and any other nuisance issues.

Another guard will be positioned on the inside of the secured access door of the dispensing facility to ensure the safety of our members and their compliance with all applicable laws in addition to our code of conduct. And, at least one more guard will be responsible for monitoring our surveillance systems and resolving issues in a timely and consistent manner.

### **Product Security**

All medical cannabis products not available for immediate dispensation shall be stored in an enclosed and secured room not visible from the main floor of the dispensary and locked in vault or time-locked, burglary-resistant safe that will either weigh 1-ton or be bolted to the structure of the facility.

In addition, this room and the safe in particular will be secured by real-time video viewing and event triggered video to allowing us to view in real time any event that might trigger the video including access to the safe or any other breach of security.

### **Neighborhood Involvement**

During all hours of operation, a single person shall be designated as a community liaison. A designated phone number shall be established exclusively to receive complaints and comments from neighbors and other Excelsior/Outer Mission community members. All reasonable efforts shall be made by The Green Cross to promptly address any complaints. This phone is to be personally answered by the community liaison or his or her designee promptly during all operating hours.

A log shall be kept of the date, time, and nature of each call to our liaison and this log will be made available to any City official upon reasonable request. Should an individual wish to leave his or her name and phone number, that information will also be logged. The phone number and the nature of the community liaison’s responsibilities will be provided to all commercial and residential tenants within 100 feet radius of the The Green Cross.



# SAN FRANCISCO PLANNING DEPARTMENT

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## Discretionary Review Analysis

### Medical Cannabis Dispensary

HEARING DATE NOVEMBER 17, 2011

*Date:* November 10, 2011  
*Case No.:* **2011.0682DD**  
*Project Address:* **4218 MISSION STREET**  
*Permit Application:* 2011.02.23.0782  
*Zoning:* NC-2 (Neighborhood Commercial, Small-scale) District  
40-X Height and Bulk District  
*Block/Lot:* 6803/004  
*Project Sponsor:* Kevin Reed  
23011<sup>th</sup> Street, #1  
San Francisco, CA 94103  
*Staff Contact:* Sharon W. Lai – (415) 575-9087  
[sharon.w.lai@sfgov.org](mailto:sharon.w.lai@sfgov.org)  
*Recommendation:* **Do Not Take Discretionary Review and Approve**

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### PROJECT DESCRIPTION

The proposal is to establish a new Medical Cannabis Dispensary (d.b.a. "The Green Cross") at 4218 Mission Street to replace a vacant ground floor commercial space that was last occupied by a church. No on-site smoking, vaporizing, or consuming of cannabis is proposed. The proposed retail space contains approximately 1,270 square feet at the ground floor and the basement level for storage and one parking space contains approximately 890 square feet. No parking is required and no physical expansion is proposed as part of this project. The proposed Medical Cannabis Dispensary (MCD) will sell cannabis, cannabis seed plant and cannabis foodstuff. Tenant improvements will be made in connection with this property to comply with the Mayor's Office of Disability requirements. The proposed hours of operation are 10:00 AM to 7:00 PM daily. The subject commercial space has approximately 17-feet of frontage on Mission Street with approximately 15 feet devoted to either the entrance or window space. The windows are clear and unobstructed.

Planning Code Section 790.141 states that all MCDs are required to be heard by the Planning Commission, which will consider whether or not to exercise their discretionary review powers over the building permit application.

The proposed MCD would be owned and operated by an individual who currently operates a delivery service only MCD facility in San Francisco. The Green Cross has been incorporated as a California Public Benefit Non-Profit collective since 2004.

## **SITE DESCRIPTION AND PRESENT USE**

The project site is an approximately 2,247 square foot lot that is developed with a two story over basement mixed-use building containing one ground floor commercial storefront and one dwelling unit above. There is a shared easement provided, parallel to Mission Street, bisecting the subject block that provides vehicular access to the back of the lots from Admiral and Castle Manor Avenues. The subject commercial space has been vacant for approximately one year, and was last occupied by an institutional use (d.b.a. Iglesia Espiritu Santo).

## **SURROUNDING PROPERTIES AND NEIGHBORHOOD**

The subject site is a mid-block lot located on the west side of the 4200 block of Mission Street, between Admiral and Castle Manor Avenues. This subject block is shorter than a typical San Francisco block, and is part of the Mission Street NC-2 (Small-Scale, Neighborhood Commercial) District corridor that runs along lots fronting on both sides of Mission Street from Niagara Avenue to the Daly City borders. The NC-2 District is intended to serve as the City's Small-Scale Neighborhood Commercial District. These districts are linear shopping streets which provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. NC-2 Districts are commonly located along both collector and arterial streets which have transit routes.

The surrounding blocks to the subject property are predominately developed with two- to three-story mixed use buildings with ground floor retail spaces and dwelling units above. Adjacent to the site is a small institutional use (d.b.a. "Speed Traffic School") and a retail store (d.b.a. "Rehoboth Signs"). Commercial uses found on this block include a variety of retail stores, professional offices, and personal service uses. Two blocks southwest of the subject block is a clock occupied by a nursing home (d.b.a. "The Jewish Home of San Francisco"), and two blocks north of the subject property is the I-280 freeway. This NC-2 District corridor is well-served by transit with major buses running along Mission Street, including bus lines 14L, 14X, 14, 44, 49, 52, and 391. There are 10 bus stops available within ¼ mile radius from the subject site.

There are no existing MCDs within this immediate NC-2 District. The nearest existing legal MCD is located at 33 29<sup>th</sup> Street (d.b.a. Bernal Heights Dispensary) which is approximately 1.2 miles away from the project site. Additionally, two applications to operate new MCDs were also filed with the Department for 5234 and 5258 Mission Street which are approximately 1.2 miles away from the project site.

## **ISSUES AND OTHER CONSIDERATIONS**

It has been brought to the attention of the Department that a number of Child Care Facilities are within the 1,000 foot radius of the project site. However, Planning Code Section 790.141 excludes day care facilities and other like uses that are not primary or secondary educational institutions from those uses to which an MCD is prohibited from locating within 1,000 feet. This distinction is in accord with the original Board of Supervisor legislation (Ordinance 275-05) amending the Planning Code to regulate MCDs. Additionally, Planning Code Section 790.141 does not place restrictions on the distance between separate MCDs.

The Project Sponsor has developed a security plan for the operation of the proposed MCD. This program includes the following elements: security wall separating the lobby area from the dispensary; dozens of surveillance cameras located both on the exterior and interior of the facility; security systems by ADT Security Services to provide premises with surveillance, intrusion detection, access control coverage and remote access; security guard for the premises and patrols during operation hours around the block; secure storage of products not for immediate dispensation at the basement level in a locked vault or safe; and employee training. Additionally, the Sponsor will continue to consult with Captain Mahoney, Commander of the SFPD, Ingleside Station regarding the security plan for The Green Cross.

This project has been designed to be a Code compliant establishment including day time hours of operation that is permitted as-of-right (Planning Code Section 711) as well as façade design that complies with Neighborhood Commercial District street frontage requirements (Planning Code Section 145.1) for openings and visibility.

**HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
312 Posted Notice	30 days	October 31, 2011	September 29, 2011	32 days*
312 Mailed Notice	30 days	October 31, 2011	September 29, 2011	32 days*
DR Posted Notice	10 days	November 7, 2011	November 7, 2011	10 days
DR Mailed Notice	10 days	November 7, 2011	November 4, 2011	13 days

\* October 29, 2011, is a Saturday; hence the posting date was extended to the following business day.

**PUBLIC COMMENT**

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	0	2	0
Other neighbors on the block or directly across the street	84	6	0
Neighborhood groups or others	0	1	0

To date, the Department has received nine telephone calls and/or letters from the public in opposition to the project. Those in opposition to the project are generally concerned with the proximity of the project site to schools, parks, and community centers. In addition, those in opposition also expressed concern regarding potential increase in criminal activity for the neighborhood as a result of this project.

The neighborhood group in opposition is EDIA (Excelsior District Improvement Association), and the Sponsor has conducted outreach meetings with its members. The two adjacent neighbors opposing the

project are located at 4226 and 4214 Mission Street. Nine of the 84 letters of support are submitted by The Green Cross' employees.

## DR REQUESTOR

Steven R. Currier, President of the Outer Mission Merchants and Residents Association filed an outside Discretionary Review Application against the project on October 27, 2011.

### DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

**Issue #1:** The DR Requestor is opposed to the project being within slightly more than 1,000 feet of several child care facilities, the Mission Street YMCA, schools, and Excelsior Branch Library. The DR Requestor is concerned about the potential for increased criminal activity as a result of the proposed MCD, and also concerned that the subject location is close to Daly City. DR Requestor further explains in a conversation with staff that the proposed location's proximity to Daly City would limit SFPD's ability to capture criminals within San Francisco jurisdiction.

**Issue #2:** As a project alternative the DR Requestor would prefer to see a commercial use that would better complement the neighborhood and commercial residential district at this location.

Please reference the attached *Discretionary Review Application* for additional information.

## PROJECT SPONSOR'S RESPONSE

**Response #1:** The proposed site meets the Planning requirement that MCDs are to be at least 1,000 feet from schools and be located in specific zoning districts that are designated as appropriate for MCDs. The Green Cross' proposed site is not located within 1,000 feet of the YMCA or any other prohibited facilities. This site was selected due to their existing patients in nearby neighborhoods are currently underserved and the proposed site would not contribute to clustering of MCDs. Further, the Sponsor states that there is no evidence to suggest that MCDs generate illegal or criminal activity and have even taken measures to consult with the Ingleside Police Department. The Green Cross has a past record of compliance with the Department of Public Health as well as the San Francisco Police Department.

**Response #2:** The Sponsor does not believe the DR Requestor has proposed any reasonable changes or alternatives. The only suggestion offered was a request to withdraw the subject application. The Green Cross has conveyed and intends to be responsive to EDIA's concerns, be supportive of other local business and be a responsible community partner.

Please reference the attached *Response to Discretionary Review* for additional information.

## PROJECT ANALYSIS

Below are the five criteria to be considered by the Planning Commission in evaluating Medical Cannabis Dispensaries, per Planning Code Section 790.141:

1. The parcel containing the MCD cannot be located within 1,000 feet from a parcel containing:
  - a. a public or private elementary or secondary school; or

- b. a community facility and/or a recreation center that primarily serves persons under 18 years of age;

***Project Meets Criteria***

*The project site is not located within 1000' of an elementary or secondary school, public or private, or active recreation buildings or permitted community centers which primarily serve persons 18 years or less as defined by Section 790.141 of the Planning Code. Child care facilities are not considered as elementary or secondary schools and therefore an MCD is not restricted from being located less than 1000' from such uses. The closest recreational building serving persons 18 years or less (Mission Street YMCA) is located at 4080 Mission Street and is approximately 1,102' away from the subject property. The closest school from the subject property is the San Francisco Alternative School located at 125 Excelsior and is approximately 1,210' away.*

2. The MCD is not located on the same parcel as a facility providing substance abuse services that is licensed or certified by the State of California or funded by the Department of Public Health;

***Project Meets Criteria***

*The subject parcel does not contain a facility providing substance abuse services that is licensed or certified by the State of California or funded by the Department of Public Health.*

3. No alcohol is sold or distributed on the premises for on or off-site consumption.

***Project Meets Criteria***

*No alcohol is sold or distributed on the premises for on or off-site consumption.*

4. If medical cannabis is smoked on the premises, the dispensary shall provide adequate ventilation within the structure such that the doors and windows are not left open for such purposes, resulting in odor emission from the premises.

***Criteria not Applicable***

*The proposed MCD at the project site would not include an on-site smoking area.*

5. In addition to these requirements, an MCD must meet all of the requirements in [Article 33](#) of the San Francisco Health Code.

***Project Meets Criteria***

*The project sponsor has applied for a permit from the Department of Public Health and will be subject to Article 33 review as part of DPH's approval process.*

**GENERAL PLAN COMPLIANCE:**

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

**COMMERCE AND INDUSTRY**

**Objectives and Policies**

**OBJECTIVE 1:**

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

**Policy 1.1:**

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

*The location for the proposed MCD meets all of the requirements in Section 790.141 of the Planning Code.*

**OBJECTIVE 7:**

ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES.

**Policy 7.3:** Promote the provision of adequate health and educational services to all geographical districts and cultural groups in the city.

*The chronically ill patients who would be served by the proposed use are in great need of this type of medical service. By allowing the services provided by the MCD, its patients are assured to safe access to medication for their ailments.*

**SECTION 101.1 PRIORITY POLICIES**

Planning Code Section 101.1 establishes eight priority policies and requires review of permits for consistency, on balance, with these policies. The Project complies with these policies as follows:

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

*The proposed use is a neighborhood serving use. The location for the MCD is currently vacant so the new use will not displace a previous neighborhood serving use.*

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

*The project will occupy a vacant ground floor commercial space and will adhere with all signage regulations defined in Article 33 of the Health Code to help preserve the existing neighborhood character. The proposed use would not adversely affect but would compliment the existing neighborhood character.*

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

*The proposed MCD will occupy a vacant ground floor storefront so it will not displace any affordable housing.*

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

*The site is close to multiple public transit lines and the immediate neighborhood provides sufficient short-term parking so the use will not impede transit operations or impact parking.*

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

*The proposed MCD will occupy a vacant ground floor storefront, and thus will not displace any industrial or service industry establishments.*

6. The City achieves the greatest possible preparedness to protect against injury and loss of life in an earthquake.

*The MCD will follow standard earthquake preparedness procedures and any construction would comply with contemporary building and seismic codes.*

7. Landmarks and historic buildings be preserved.

*The Project does not involve façade alterations, and the existing structure is not an architecturally rated building, nor is it included on any architectural survey. Therefore, no historic buildings will be adversely affected by the proposed change of use.*

8. Parks and open space and their access to sunlight and vistas be protected from development.

*The project will not restrict access to any open space or parks and will not impact any open space or park's access to sunlight or vistas.*

## **ENVIRONMENTAL REVIEW**

The project is categorically exempt from the environmental review process under Section 15301 Class 1(a) of the State CEQA Guidelines, pursuant to Title 14 of the California Administrative Code.

## **BACKGROUND**

In 1996, California voters passed Proposition 215, known as the Compassionate Use Act, by a 56% majority. In San Francisco, Proposition 215 passed by a 78% majority. The legislation established the right of seriously ill Californians, including those suffering from illnesses such as AIDS, cancer and glaucoma, to obtain and use marijuana for medical purposes when prescribed by a physician.

MCDs began to be established in San Francisco shortly after Proposition 215 passed as a means of providing safe access to medical cannabis for those suffering from debilitating illnesses. At that time, San Francisco did not have any regulatory controls in place to restrict the placement and operations of the dispensaries. As a result, over 40 dispensaries were established in the city without any land use controls, often resulting in incompatible uses next to each other.

On December 30, 2005, the Medical Cannabis Act, as approved by the Board of Supervisors and Mayor, became effective. The Act, set forth in Ordinance 275-05 and supported by Ordinances 271-05 and 273-05, amended the Planning, Health, Traffic, and Business and Tax Regulation Codes in order to establish a comprehensive regulatory framework for MCDs in San Francisco.

The Act designates the Department of Public Health (DPH) as the lead agency for permitting MCDs. DPH conducts its own review of all applications and also refers applications to other involved City Agencies, including the Planning Department, in order to verify compliance with relevant requirements. The Planning Department's review is generally limited to the location and physical characteristics of MCDs.

### **BASIS FOR RECOMMENDATION**

The Planning Department's review is generally limited to the location (in relation to elementary or secondary school, public or private, or recreation buildings) and the physical characteristics of a proposed MCD which is evaluated under the five criteria, per Planning Code Section 790.141. Department staff's recommendation for approval is based on the project meeting these criteria as described in the analysis on Page 4.

In addition, the project has the following benefits:

- The MCD complies with all standards and requirements of the Planning Code and advances the objectives and policies of the General Plan.
- The proposed use will provide a service that is not currently available in the neighborhood, as the nearest existing MCD is located approximately 1.2miles away in Bernal Heights.
- 4200 block of Mission is well served by transit as it is served by major MUNI lines that run along Mission Street, Silver Street and Alemany Boulevard.
- The project proposes tenant improvements that will improve the security of the site by providing a safe, well-lit environment for California Medical Marijuana Patients with proper identification cards.
- The project will provide approximately a dozen part time and full time employment opportunities for San Francisco.
- The project will occupy a vacant storefront in a Neighborhood Commercial corridor.

**RECOMMENDATION: Do Not Take Discretionary Review and Approve the MCD**

**Attachments:**

Parcel Map

Sanborn Map

Zoning Map

Existing MCD Facilities Map

Aerial Photographs

Site Photographs

Existing and Pending MCD Location Map

Area Map of Potential MCD Locations

1000' Radius Arc View GIS Map

Reduced Architectural Plans and Context Photographs

Section 312 Notice

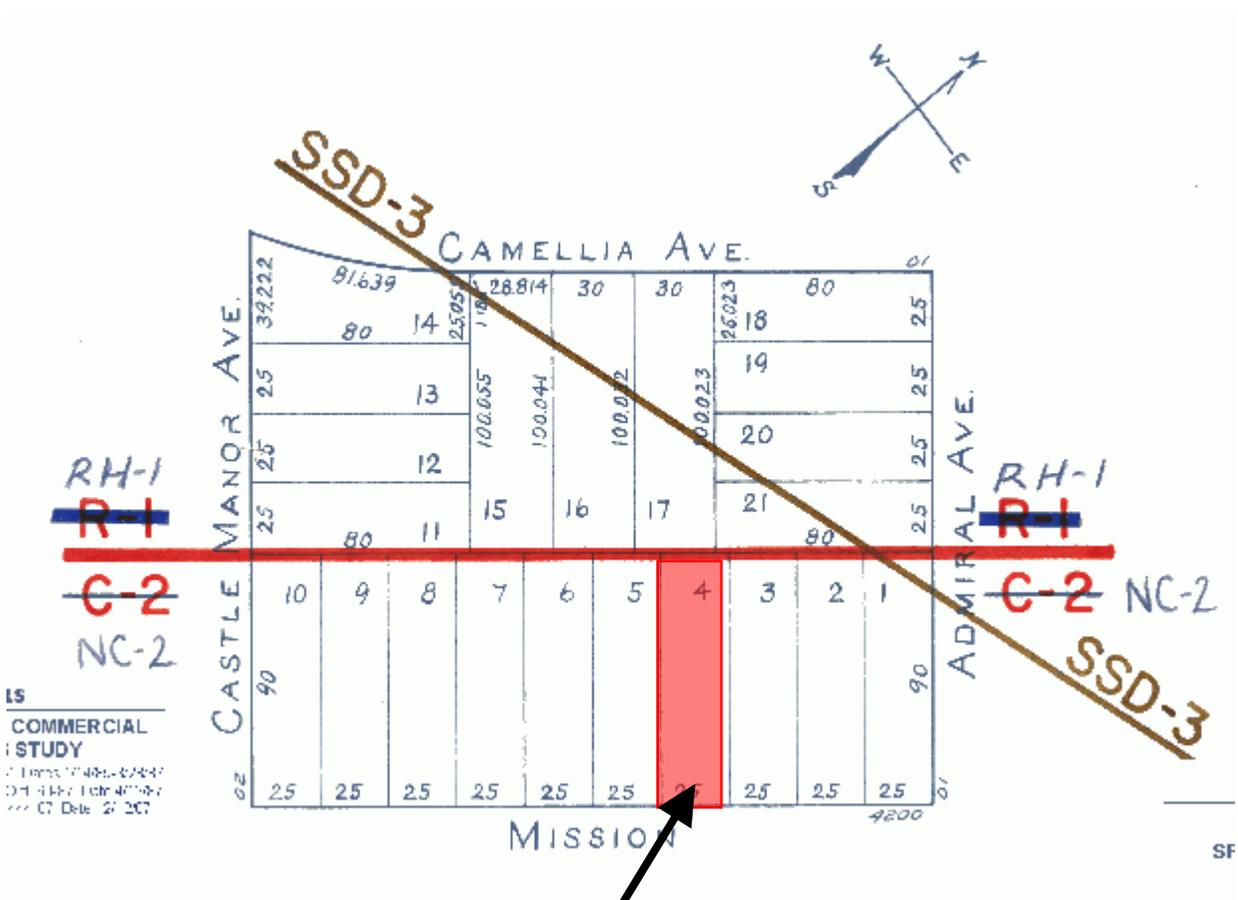
Security Plan

DR Application, dated October 27, 2011 and supplemental documents, dated November 8, 2011

Project sponsor submittal: Response to DR Application, dated November 2, 2011 and supplemental information, dated November 4, 2011

**4218 Mission St**

# Parcel Map



**SUBJECT PROPERTY**



Discretionary Review Hearing  
 Case Number 2011.0682DD  
 4218 Mission Street

# Sanborn Map\*

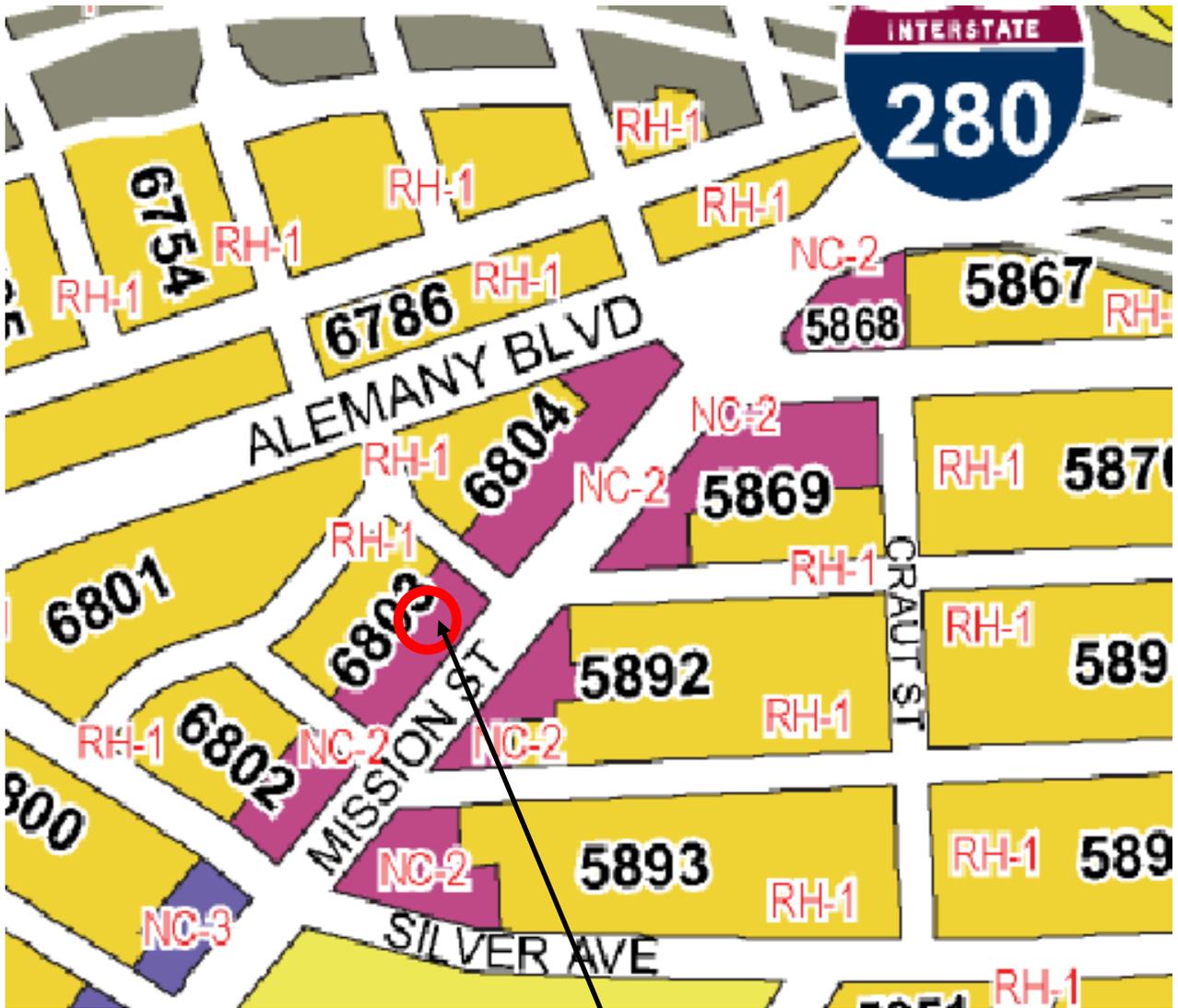


\*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing  
Case Number 2011.0682DD  
4218 Mission Street

# Zoning Map



SUBJECT PROPERTY



Discretionary Review Hearing  
Case Number 2011.0682DD  
4218 Mission Street

# Aerial Photo

## View from East

SUBJECT  
PROPERTY

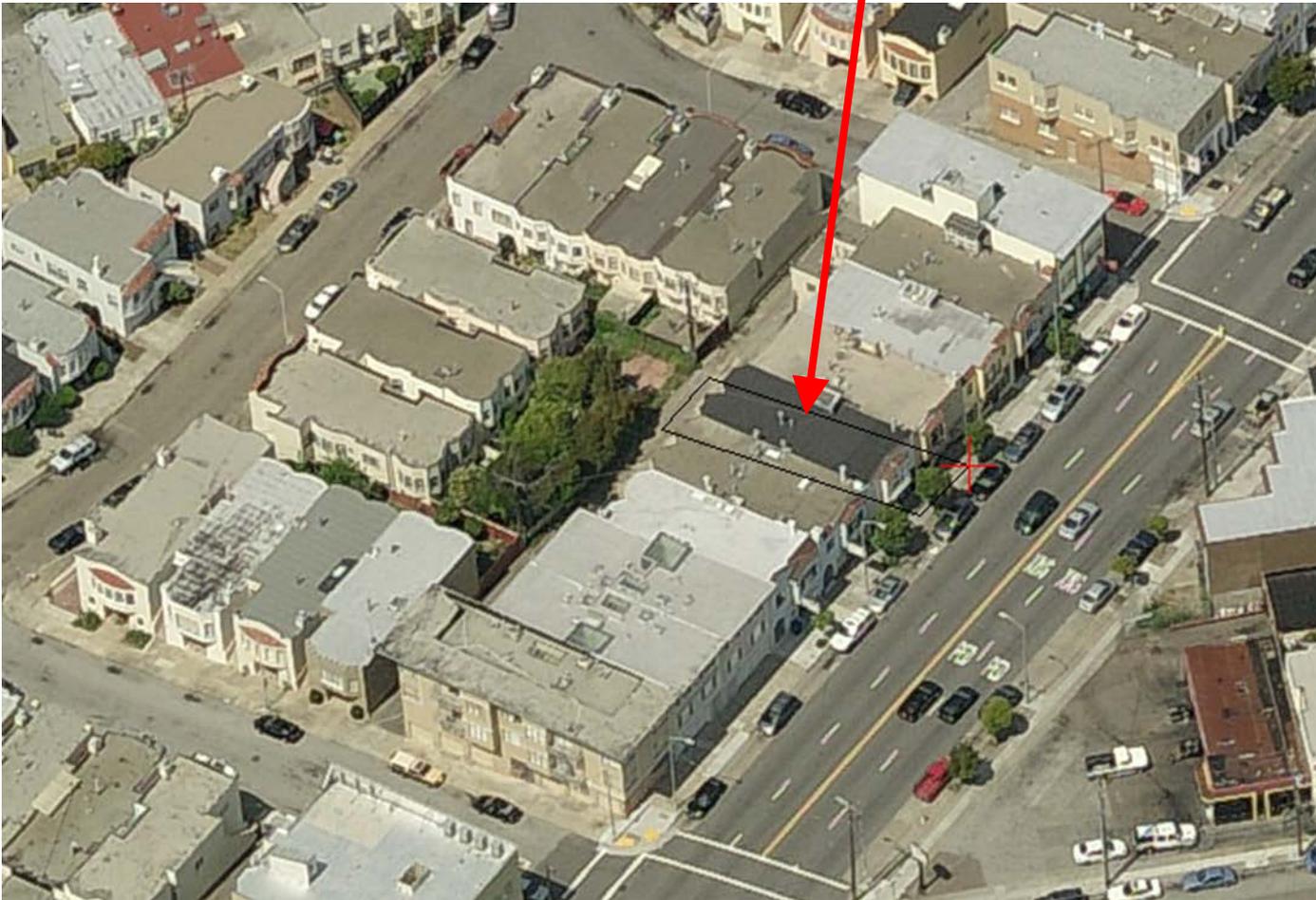


Discretionary Review Hearing  
Case Number 2011.0682DD  
4218 Mission Street

# Aerial Photo

## View from South

SUBJECT  
PROPERTY



Discretionary Review Hearing  
Case Number 2011.0682DD  
4218 Mission Street

# Aerial Photo

## View from North

SUBJECT  
PROPERTY

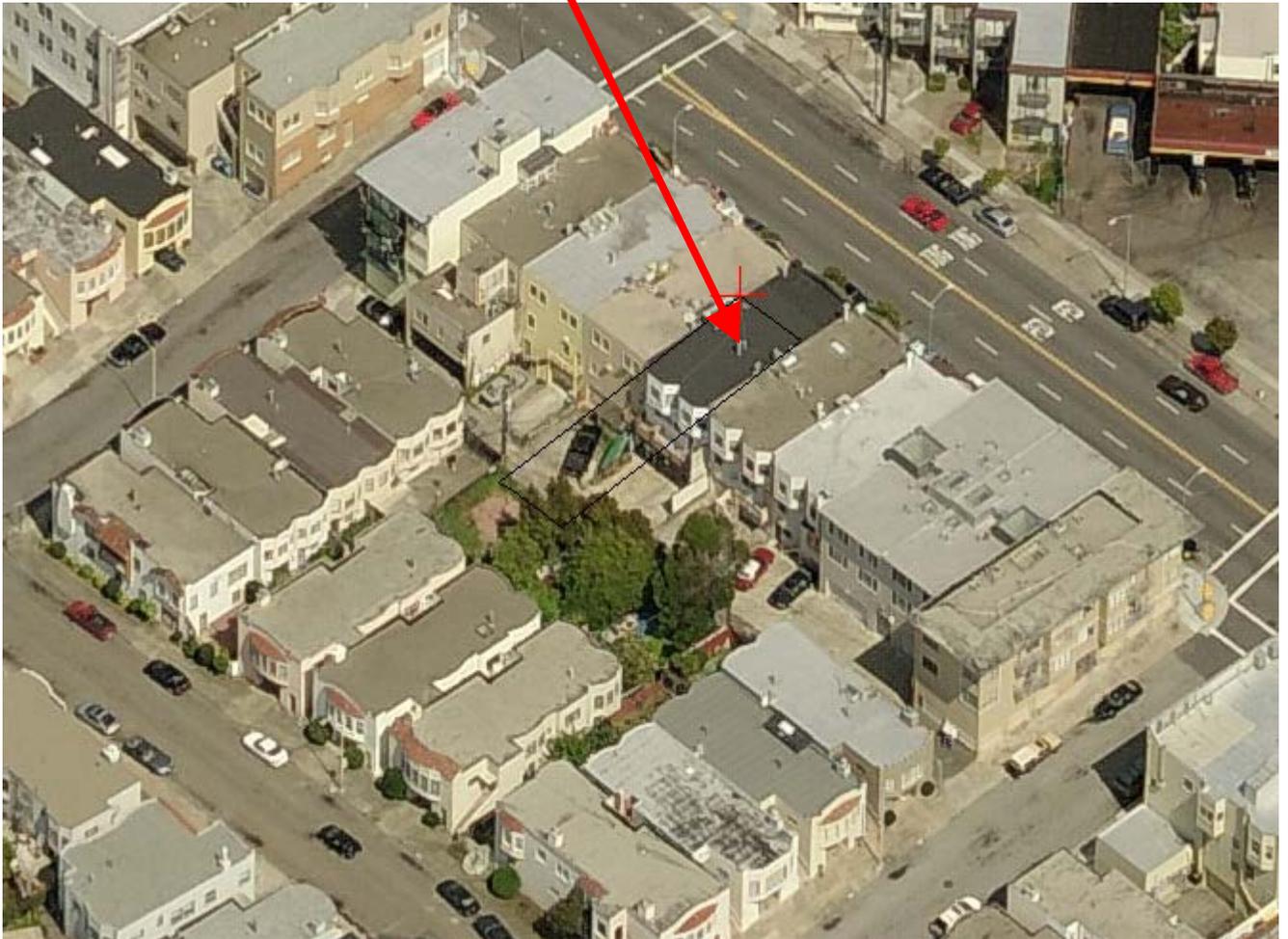


Discretionary Review Hearing  
Case Number 2011.0682DD  
4218 Mission Street

# Aerial Photo

## View from West

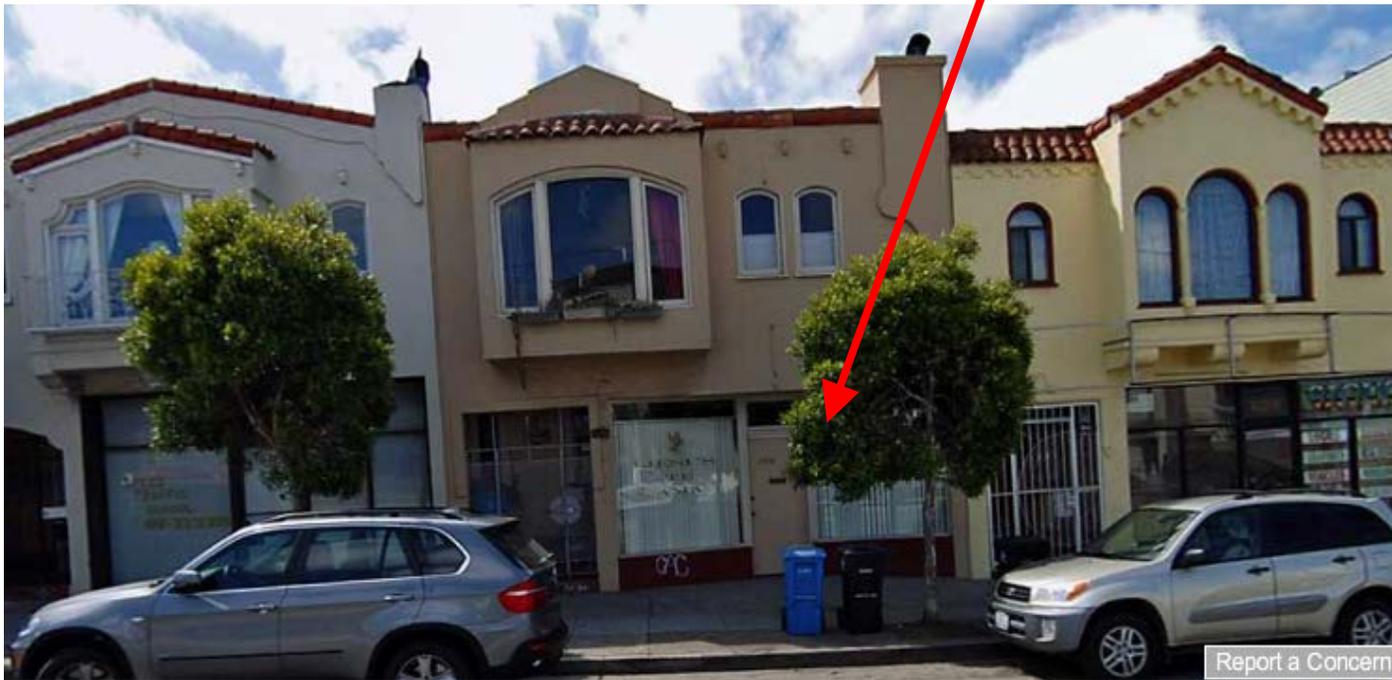
SUBJECT  
PROPERTY



Discretionary Review Hearing  
Case Number 2011.0682DD  
4218 Mission Street

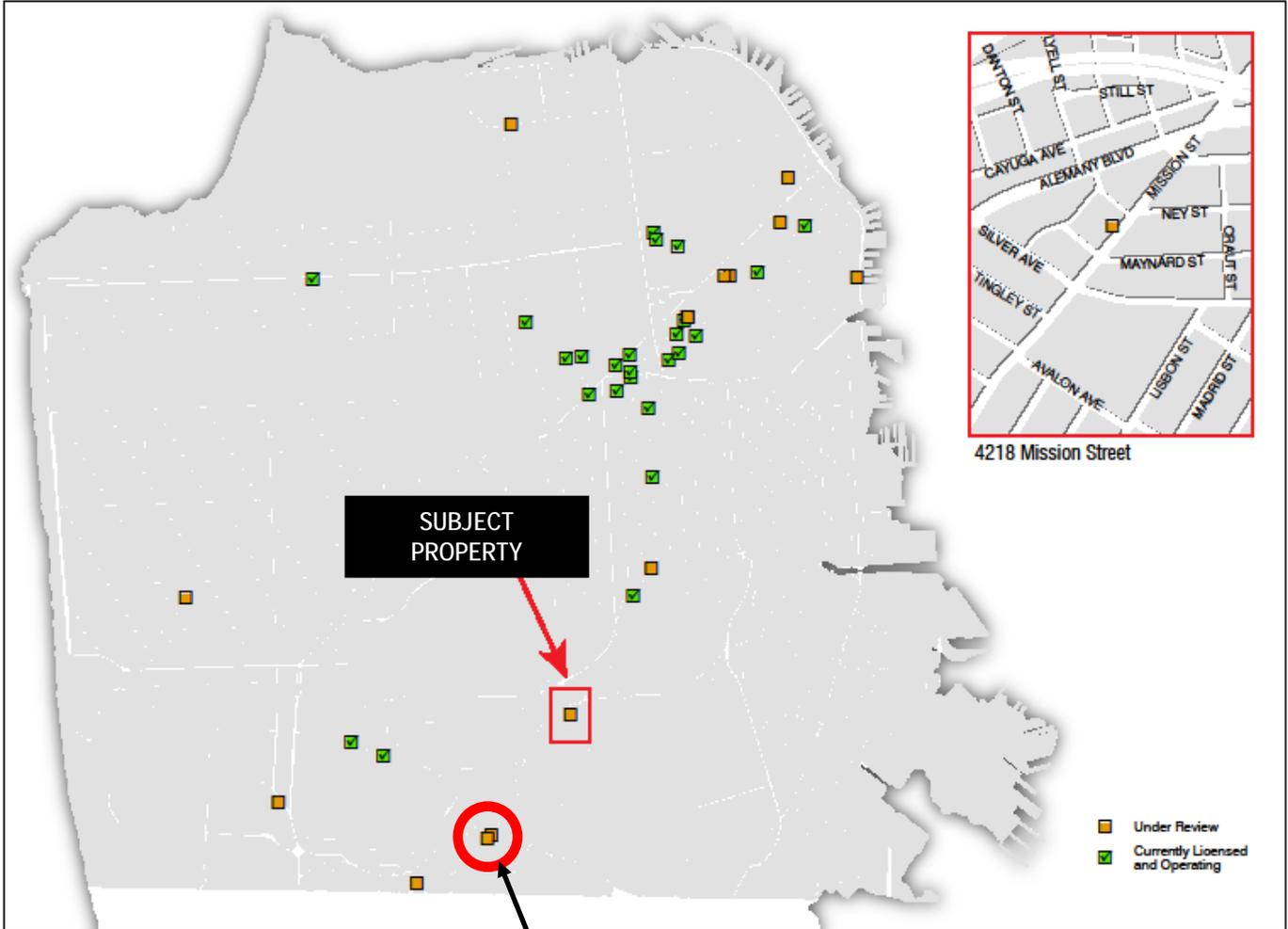
# Site Photo

SUBJECT  
PROPERTY



Discretionary Review Hearing  
Case Number 2011.0682DD  
4218 Mission Street

# Existing and Pending MCD Location Map

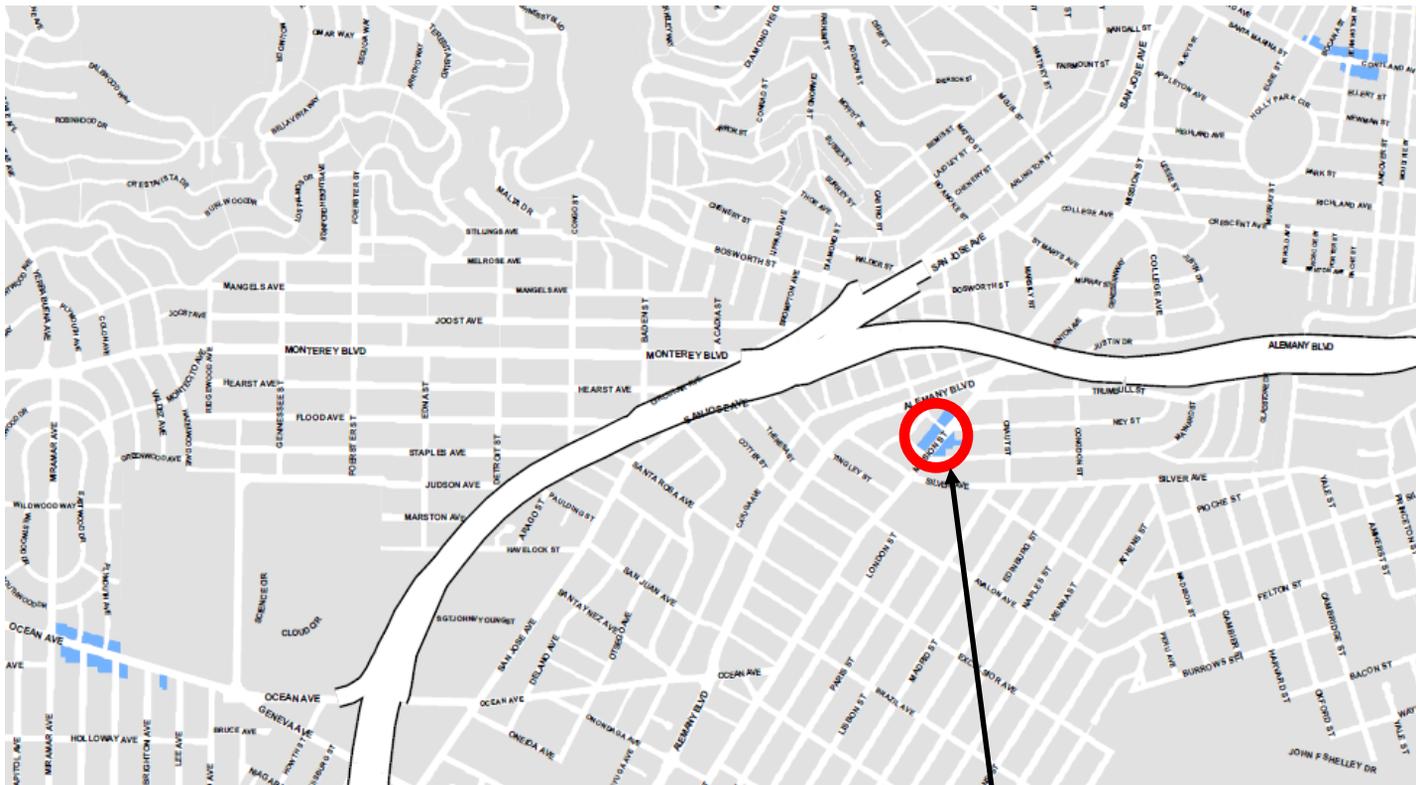


MEDICAL CANNABIS DISPENSARIES  
November 2011

2011104\_4010\_Maps/MSA

Discretionary Review Hearing  
Case Number 2011.0682DD  
4218 Mission Street

# Area Map of Potential MCD Locations



## NOTES

This map should be used as an initial guide for investigating possible Medical Cannabis Dispensary (MCD) locations. It is not intended to supersede or be used in-lieu of applicable requirements found in the Planning Code.

This map indicates areas which are (1) zoned to allow new MCD's and (2) not located within 1,000' of a school.

This map does not indicate uses which further restrict MCD locations including: (1) community facilities, (2) recreation buildings and (3) substance abuse treatment centers.

This map is based on the best information available at the time of publication. The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness, or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

**SUBJECT  
PROPERTY**

Discretionary Review Hearing  
Case Number 2011.0682DD  
4218 Mission Street

# 4218 Mission Street - Proposed MCD Location Map



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# The Green Cross

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ARCHITECTURE & INTERIORS

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Architect Consultants

Consultants

Key Plan

Project

The Green Cross  
4218 Mission Street  
San Francisco, CA  
94112

Title Sheet

A0

PL0T DATE:

## GENERAL NOTES

- ALL DIMENSIONS SHOWN ARE TO FACE OF STUD, FACE OF CONCRETE, OR FACE OF FLOOR, U.O.M. VERTICAL DIMENSIONS ARE SHOWN TO TOP OF SLAB, FLOOR JOISTS OR FLOOR FRAMING.
- ALL DIMENSIONS, ELEVATIONS AND EXISTING CONDITIONS SHALL BE CHECKED AND VERIFIED ON THE PROJECT SITE BY THE CONTRACTOR AND EACH TRADE BEFORE THE WORK BEGINS. DISCREPANCIES WITH THE CONDITIONS SHOWN IN THE CONTRACT DOCUMENTS SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION BEFORE CONSTRUCTION BEGINS.
- IF NEEDED, STREET AND SIDEWALK IMPROVEMENTS SHALL BE CONDUCTED UNDER SEPARATE PERMITS.
- GEMMILL DESIGN INC. HAS PREPARED THESE DOCUMENTS ONLY FOR THE IMPROVEMENTS SPECIFIED, DETAILED, INDICATED, OR SHOWN AS NEW WORK, AND ASSUMES NO RESPONSIBILITY FOR OTHER CONSTRUCTION MATERIAL OR EQUIPMENT NOTED, INDICATED, OR SHOWN AS 'EXISTING' OR AS 'PROVIDED BY OTHERS'.
- GEMMILL DESIGN INC. HAS NEITHER CHECKED NOR VERIFIED THE STRUCTURAL INTEGRITY, QUALITY OF CONSTRUCTION, DESIGN OF THE EXISTING CONSTRUCTION.
- ALL WORK SHALL MEET OR EXCEED THE REQUIREMENTS OF APPLICABLE EDITIONS OF ALL LOCAL, STATE, AND FEDERAL CODES AND ORDINANCES INCLUDING BUT NOT LIMITED TO BUILDING CODES, ELECTRICAL CODES, PLUMBING CODES, MECHANICAL CODES, ENERGY CODES, FIRE CODES, SAFETY CODES AND DISABLED ACCESS CODES.
- CONTRACTOR SHALL SUBMIT TO THE BUILDING DEPT. EVIDENCE OF CURRENT WORKMANS COMPENSATION INSURANCE CONFORMING TO SECTION 9009 OF THE CALIFORNIA LABOR CODE.
- IN THE EVENT CERTAIN FEATURES OF THE (N) CONSTRUCTION ARE NOT FULLY SHOWN IN THE CONSTRUCTION DOCUMENTS, THEIR CONSTRUCTION SHALL BE OF THE SAME CHARACTER AS SIMILAR CONDITIONS THAT ARE SHOWN.
- PROTECTION OF EXISTING IMPROVEMENTS TO REMAIN SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
- EXISTING UTILITIES: THE CONTRACTOR SHALL VERIFY ON SITE THE LOCATION AND DEPTH (ELEVATION) OF ALL EXISTING UTILITIES AND SERVICES BEFORE PERFORMING ANY EXCAVATION WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CUTTING AND PATCHING, REGARD FOR PROPER INSTALLATION OF MATERIALS AND EQUIPMENT, AND FOR PROTECTION OF ADJACENT CONSTRUCTION.
- THE DESIGN, ADEQUACY AND SAFETY OF ERECTION BRACING, SHORING, TEMPORARY SUPPORTS, ETC. IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR, AND HAS NOT BEEN CONSIDERED BY THE ARCHITECT OR STRUCTURAL ENGINEER. THE CONTRACTOR IS RESPONSIBLE FOR STABILITY OF THE STRUCTURE DURING CONSTRUCTION.
- LEAD AND ASBESTOS MATERIALS MAY BE PRESENT ON SITE. ALL WORK RELATING TO LEAD & ASBESTOS IS TO BE DONE IN ACCORDANCE WITH APPLICABLE HAZARDOUS MATERIAL REGULATIONS. CONTRACTOR SHALL NOTIFY OWNER UPON DISCOVERY OF LEAD OR ASBESTOS.
- DO NOT SCALE DRAWINGS. USE WRITTEN DIMENSIONS. CONSULT THE ARCHITECT FOR CLARIFICATION BEFORE PROCEEDING WHERE NO DIMENSIONS ARE PROVIDED. THE CONTRACTOR IS RESPONSIBLE FOR ALL DIMENSIONS, UNLESS OTHERWISE NOTED. ALL DIMENSIONS ARE TAKEN FROM THE FACE OF FINISH (F.O.F.).
- NO DEVIATION FROM THE APPROVED DRAWINGS AND SPECIFICATIONS ARE PERMITTED WITHOUT THE PRIOR WRITTEN CONSENT OF THE ARCHITECT.
- OMISSIONS OR CONFLICTS BETWEEN VARIOUS ELEMENTS OF THE DRAWINGS, NOTES, SPECIFICATIONS, AND THE DETAILS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND RESOLVED BEFORE PROCEEDING WITH THE WORK.
- CONTRACTOR SHALL OBTAIN AND MAINTAIN A TRASH BIN IN AN AREA DESIGNATED BY THE OWNER FOR THE RETENTION OF ALL CONSTRUCTION DEBRIS AND ITS PERIODIC REMOVAL AS REQUIRED.

## SCOPE OF WORK

- THE WORK INCLUDES, BUT IS NOT LIMITED TO:**
- INTERIOR RENOVATION:**  
1. REMOVAL OF EXISTING NON BEARING PARTITIONS, STAIR, DOORS AND FIXTURES AS INDICATED.  
2. PROVISION OF NEW NON-BEARING PARTITIONS, CODE COMPLIANT STAIR, DOORS AND FIXTURES AS INDICATED.
- EXTERIOR IMPROVEMENTS:**  
1. REPLACEMENT OF EXISTING DOOR AT NON-HISTORIC STOREFRONT - GROUND FLOOR SOUTH FACADE.  
2. PAINTING OF PORTION OF SOUTH FACADE  
3. MECHANICAL SYSTEM & ELECTRICAL SCOPE OF WORKS UNDER SEPARATE PERMIT.  
4. RAISE EXISTING SIDEWALK FOR LEVEL LANDING

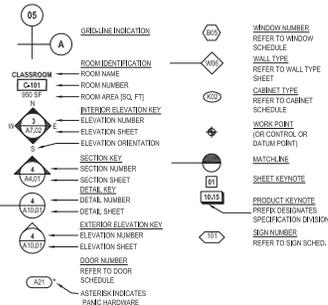
## SHEET INDEX

- A0 TITLE SHEET  
CODE INFORMATION, SCOPE OF WORK
- A0.1 PLOT PLAN & EXISTING STREET VIEWS
- A1.1 GROUND FLOOR PLAN OF TRAVEL & ADA DIAGRAMS
- A2.1 GROUND FLOOR PLANS EXISTING & PROPOSED
- A2.2 BASEMENT FLOOR PLANS EXISTING & PROPOSED
- A3.1 ENLARGED RESTROOM PLANS, ELEVATIONS & MISC. DETAILS
- A4.1 EXTERIOR ELEVATIONS EXISTING & PROPOSED
- A5.1 DOOR SCHEDULE & MISC. DETAILS

## PROJECT DATA

BLOCK #: 6803 NUMBER OF FLOORS: 2  
LOT#: 004 BUILDING FOOTPRINT: 1,387 SQ. FT. (55'-1" x 24'-0")  
ZONING: NC-2 STREET LEVEL GROSS AREA: 1,268 SQ. FT.  
CONSTRUCTION TYPE: V-A LOWER LEVEL GROSS AREA: 951 SQ. FT.  
OCCUPANCY: M TOTAL PROJECT GROSS AREA: 2,219 SQ. FT.

## SYMBOLS



## AGENCY APPROVALS

Mayor's Office on Disability  
DISABILITY ACCESS COMPLIANCE APPROVAL



Gavin Newsom Mayor  
Susan Mizer Director

PROJECT: THE GREEN CROSS  
Number: FY 2009: \_\_\_\_\_  
Project Address: 4218 MISSION STREET, SAN FRANCISCO, CA 94112

THE MAYOR'S OFFICE ON DISABILITY HAS REVIEWED AND APPROVED:

- Site Permit Plans
- Final Construction Plans

ACCESSIBILITY COMPLIANCE AT THE SITE HAS BEEN APPROVED IN THE FOLLOWING FORM:

- Temporary Certificate of Occupancy (TCO)
- Final Signoff
- Certificate of Final Completion (CFC)

By: Jim Whipple

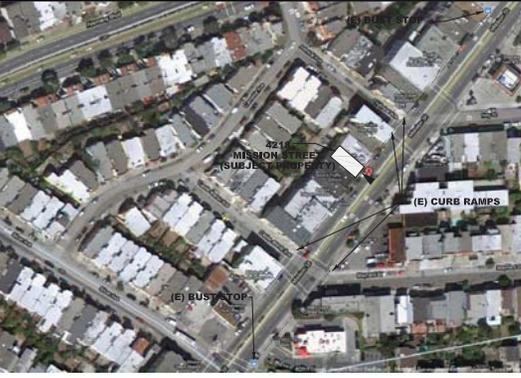
Date:

401 Van Ness Avenue, Suite 300, San Francisco, CA 94102 415.554.6789 415.554.6799 TTY 415.554.6159 Fax MOD@sfgov.org

## APPLICABLE CODES

- 2010 ADA Accessibility Guidelines for Buildings and Facilities  
2010 San Francisco Building Code  
2010 CA BUILDING STANDARDS TITLE 24  
2010 CA ELECTRICAL CODE TITLE 24  
2010 CA MECHANICAL CODE TITLE 24  
2010 CA PLUMBING CODE TITLE 24  
2010 CA ENERGY CODE TITLE 24  
2010 CA HISTORICAL BUILDING CODE TITLE 24  
2010 CA FIRE CODE TITLE 24
- 2010 CA EXISTING BUILDING CODE TITLE 24  
PART 2 VOLUME #1 AND #2  
PART 3 - with San Francisco Amendments  
PART 4 - with San Francisco Amendments  
PART 5 - with San Francisco Amendments  
PART 6 - with San Francisco Amendments  
PART 8  
PART 9  
PART 10 - with San Francisco Amendments

## SITE PLAN



## D.A. CHECKLIST

D.A. CHECKLIST (p. 1 of 2): The address of the project is 4218 MISSION STREET, SAN FRANCISCO, CA 94112

For ALL tenant improvement projects in commercial use spaces, this checklist is required to be reproduced on the plan set and signed.

- The proposed use of the project is MEDICAL CANNABIS DISPENSARY (e.g. Retail, Office, Restaurant, etc.)
- Describe the area of remodel, including which floor: GROUND AND BASEMENT FLOOR REMODEL
- The construction cost of this project excluding disabled access upgrades is \$ 85,000, which is (check one)  more than /  less than the Accessibility Threshold amount of \$176,764.66, based on the 2009 ENR Construction Cost Index. (The cost index & threshold are updated annually).
- Is this a City project and/or does it receive public funding? Check one:  Yes /  No Note: If Yes, then see Step 3 on the Instructions page for additional forms required.

Conditions below must be fully documented by accompanying drawings

8. Read A through G below carefully and check the most applicable box (one box only):

- A: All existing conditions serving the area of remodel fully comply with access requirements. No further upgrades are required.
- B: All existing conditions serving the area of remodel that do not fully comply with access requirements will be fully upgraded with this project.
- C: Proposed project (check one)  is less than the threshold  is over the threshold & falls under CBC 113415.2.1.1.a.2: Partial upgrades, including Equivalent Facilitation will be provided up to 5% of the project value as itemized on Form C. Priority of upgrades are to be, considered in the order listed on p. 2 of the D.A. Checklist. Fill out Handicap request form(s) for non-fully complying items, including for Equivalent Facilitation items. Checking box C means there are still non-complying items serving the area of remodel.
- D: Access features will either fully comply or be provided with Code defined Equivalent Facilitation. Submit an Unreasonable Handicap Request (UHR) for the Equivalent Facilitation items.
- E: Handicap appeal to be filed with Access Appeals Commission (AAC). Note: Plan check of items not under AAC consideration will continue while resolution of AAC decision is sought.
- F: Consisting only of Barrier Removal, Notice of Accessibility Violation (NOAV) Compliance or Exempted Work. Fill out Form F.
- G: Minor revision to previously approved permit drawings only. (Note: This shall NOT be used for new or additional work) Provide previous approved permit application here: \_\_\_\_\_ Description of revision: \_\_\_\_\_

06/26/2014 2:00

Page 1 of 1

## D.A. CHECKLIST (p. 2 of 2):

Check off applicable boxes and specify where on the drawings the details are shown:

Notes: upgrades below are listed in priority based on CBC 113415.2.1.1.a.1	Existing Fully Complying	Upgrades to Meet Compliance	Partial Upgrades	Equivalent Facilitation	Handicap	None (existing not req'd by Code)	Access Upgrade not req'd by Code	Barrier Removal/NOV	Location of detail(s) (include detail no. & drawing sheet #s) (see also CBC 113415.2.1.1.a.2) Also identification comments can be written here.
1. One accessible entrance serving the area of remodel. Note: This should be a primary entrance. ADA sign upgrade may be required if not.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SHEET: A1.1
2. An accessible route to the area of remodel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SHEET: A1.1
2a. path of travel	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2b. ramps	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2c. elevator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ELEVATOR IS NOT REQUIRED PER CODE.
2d. stairs (if no elevator)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2e. other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. At least one accessible restroom for adults serving the area of remodel.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	ONE ACCESSIBLE UNSEX RESTROOM ALLOWED PER CODE BASED ON OCC. LOAD OF 14. SHEET: A2.1 & A3.1
4. Accessible public pay phone.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Accessible drinking fountains (if req'd).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Signage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SHEETS: A1.1 & A4.1
7. Visual Alarm	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Planning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. cash from parking area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Others	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Shower	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

If details are provided from a set of City approved reference drawings, provide its permit application number here: \_\_\_\_\_

06/26/2014 2:00

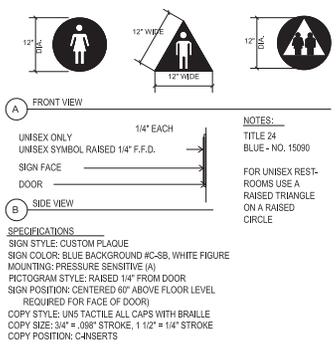
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Date	By
2/18/11	MOD Review
4/11/11	MOD Review - Revision #1
4/28/11	MOD Review - Revision #2
	Planning Department Review

Title Sheet

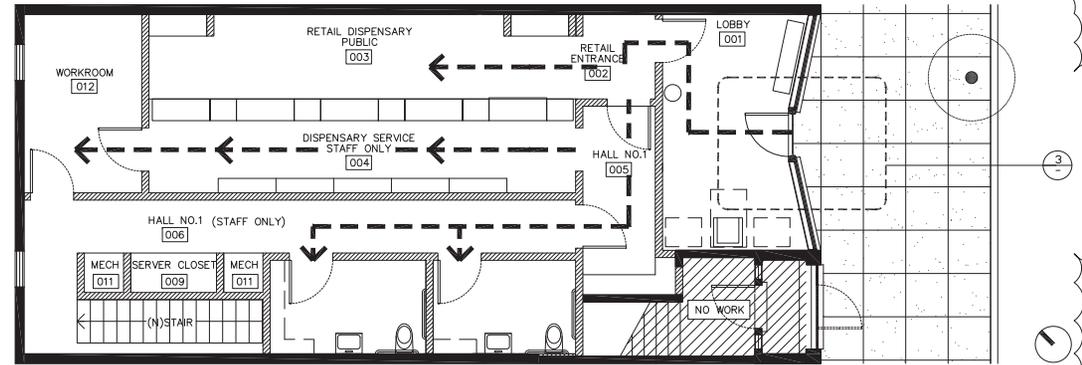
A0

PL0T DATE:

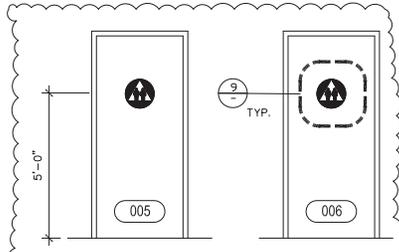




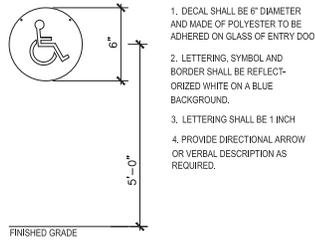
9 Typical Restroom Signs



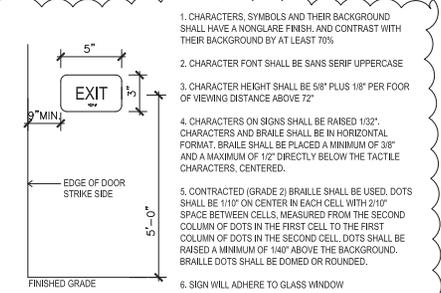
5 Ground Floor - Path of Travel



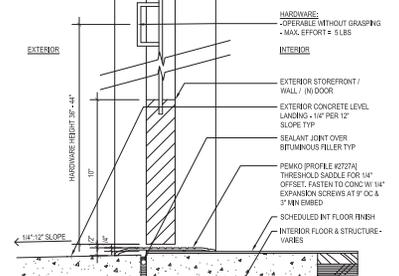
8 Unisex Restroom Door Elevations



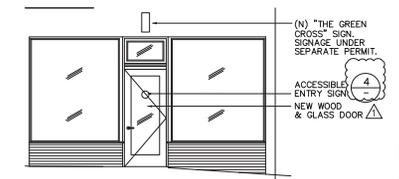
4 Accessible Entry Sign



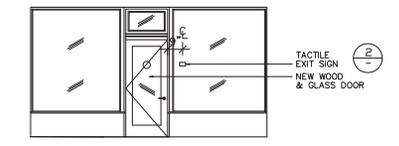
2 Tactile Exit Sign



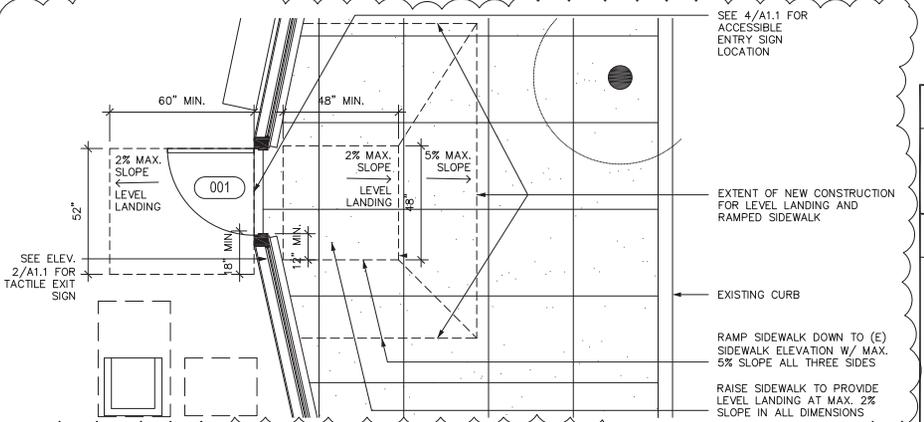
1 ADA Main Entry Threshold



7 ADA Main Entry Exterior Elevation



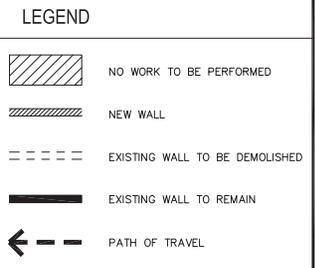
6 ADA Main Entry Interior Elevation



3 ADA Entry Plan

**GENERAL NOTES**

- NEW CONSTRUCTION WILL RE-SLOPE SIDEWALK TO PROVIDE LEVEL LANDING AREA TO ENTRY WITH MAX. 2% SLOPE IN ALL DIRECTIONS.



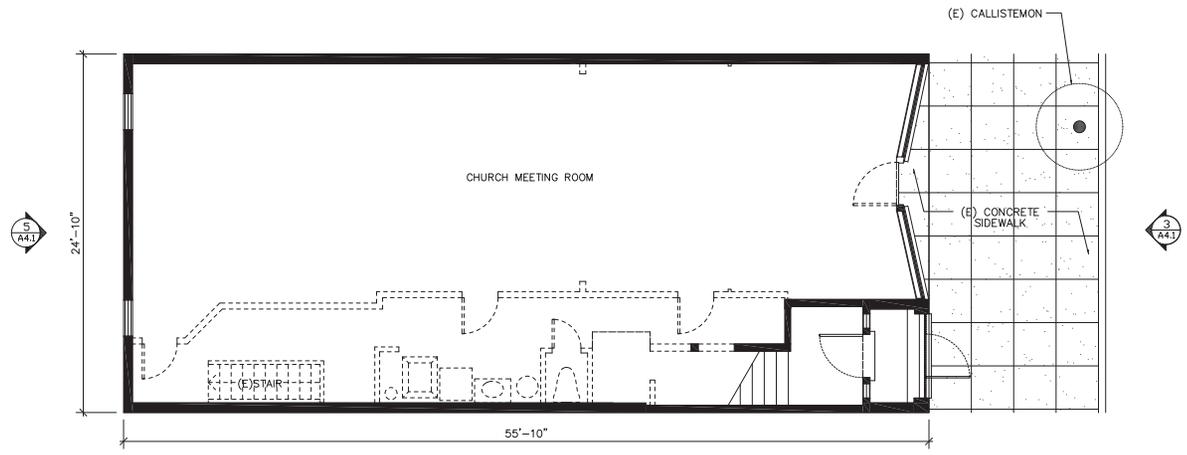
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2/18/11	MOD Revise -
4/11/11	MOD Revise - Resubmittal
4/28/11	MOD Revise - Resubmittal R2
	Planning Department Review

The Green Cross  
4218 Mission Street  
San Francisco, CA  
94112

Ground Floor Path of Travel & ADA Diagrams

A1.1

Architect	Consultants
Consultants	

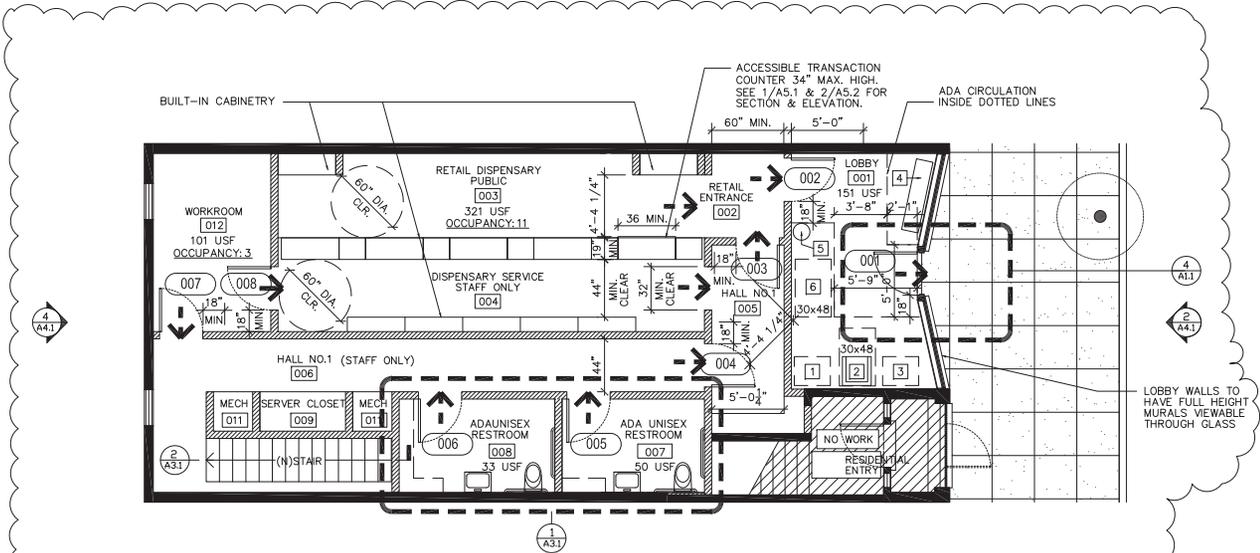


2 Ground Floor - Existing Plan  
SCALE: 1/4" = 1'-0"

### LOBBY FURNITURE KEY

- 1 COFFER
- 2 STAFF CHAIR ( WHEELCHAIR STAFF SHOWN DOTTED)
- 3 SIDE TABLE
- 4 BENCH SEATING
- 5 DOORMAN STOOL
- 6 WHEELCHAIR WAITING AREA

- ### GENERAL NOTES
- ALL NEW DOORS TO MEASURE 3'-0" WIDE.
  - TOTAL OCCUPANCY: 14
  - RESTROOMS ARE TO BE USED BY STAFF ONLY
  - GROUND FLOOR MATERIALS ON ALL GROUND FLOORS (EXCEPT STAIRS AND RESTROOMS) TO BE CONCRETE TOPPING SLAB.
  - GROUND FLOOR RESTROOM FLOOR MATERIAL TO BE CERAMIC TILE.
  - STAIRS TREAD AND RISER MATERIAL TO BE VINYL.
  - MIN. HEADROOM 8'-0", UP TO 8'-4" IN CORRIDORS.
  - NO PROTRUDING OBJECTS GREATER THAN 4" PROJECTION FROM WALL.



1 Ground Floor - Proposed Plan / Egress  
SCALE: 1/4" = 1'-0"

### LEGEND

- NO WORK TO BE PERFORMED
- NEW WALL
- EXISTING WALL TO BE DEMOLISHED
- EXISTING WALL TO REMAIN
- PATH OF EGRESS

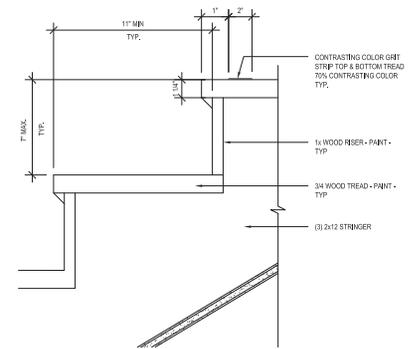
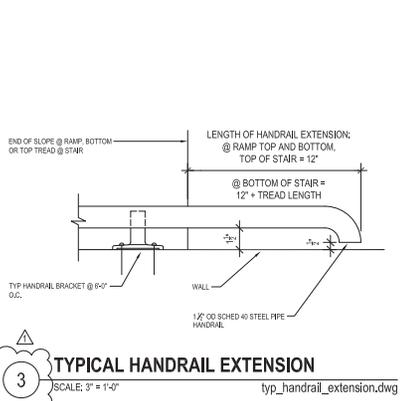
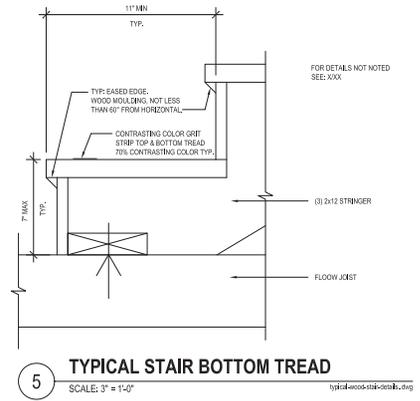
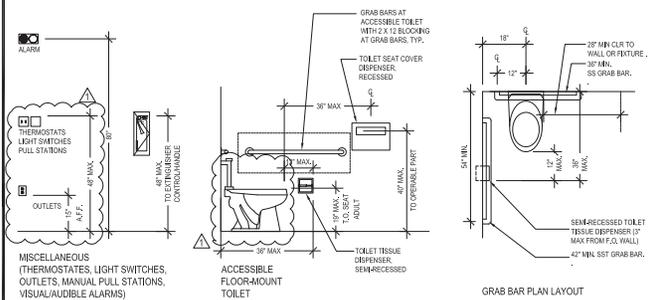
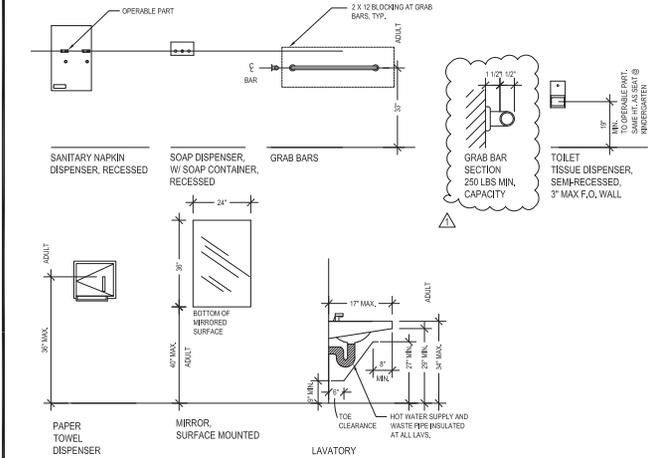
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2/18/11	MOO Render
4/11/11	MOO Review - Revision #1
	Planning Department Review

**The Green Cross**  
4218 Mission Street  
San Francisco, CA  
94112

Sheet  
Ground Floor  
Existing & Proposed  
Plans  
**A2.1**  
Sequence

PLOT DATE:





**GENERAL NOTES**

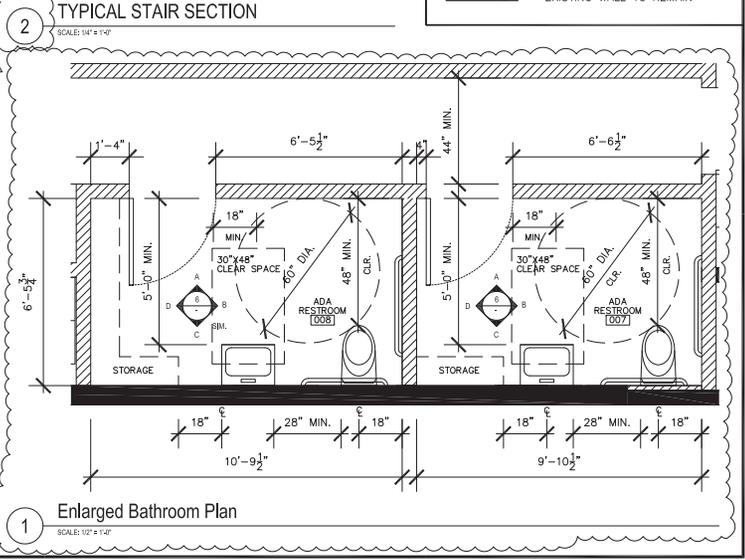
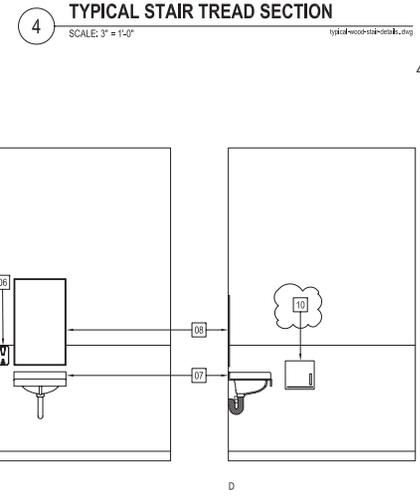
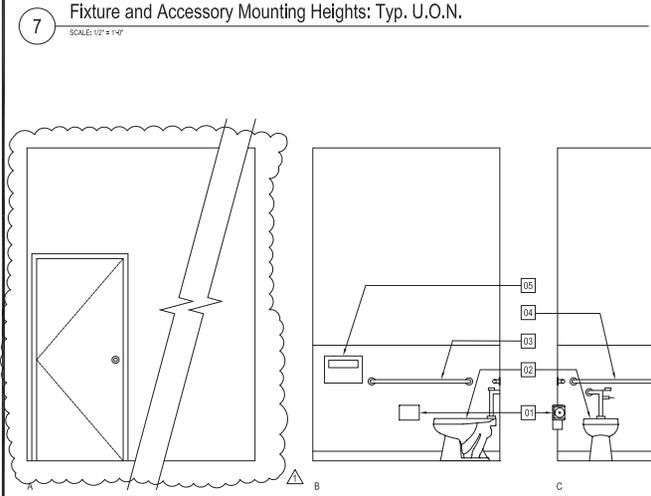
- ALL BATHROOMS TO HAVE 12X12 CERAMIC TILE FLOORS (COEFFICIENT OF FRICTION MAX; 8) + WAINSCOT UP TO 48" A.F.F.
- SEE DETAIL 7 SHEET A3.1 FOR TYPICAL FIXTURE AND ACCESSORY MOUNTING HEIGHTS
- SWITCHES AND AND CONTROL MECHANISM WILL NOT REQUIRE PINCHING OR GRASPING TO OPERATE.

**KEY NOTES**

- TOILET PAPER DISPENSER
- ACCESSIBLE TOILET - FLUSH VALVE ON WIDE SIDE
- 42" GRAB BAR WITH 2 x 10 BLOCKING
- 36" GRAB BAR WITH 2 x 10 BLOCKING
- TOILET SEAT COVER DISPENSER
- SOAP DISPENSER
- ACCESSIBLE SINK W/ INSULATED DRAIN PIPE, HW LINE AND LEVEL HANDLES
- MIRROR
- PAPER TOWEL DISPENSER

**LEGEND**

- NEW WALL
- EXISTING WALL TO REMAIN



**Drawing Record**

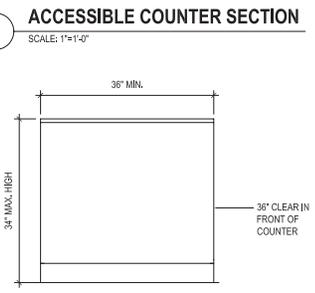
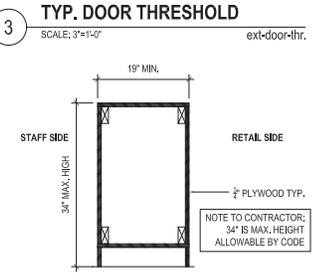
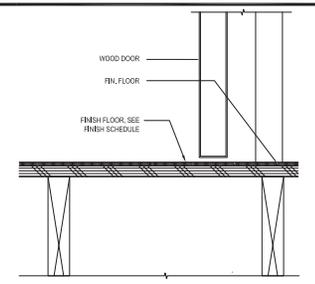
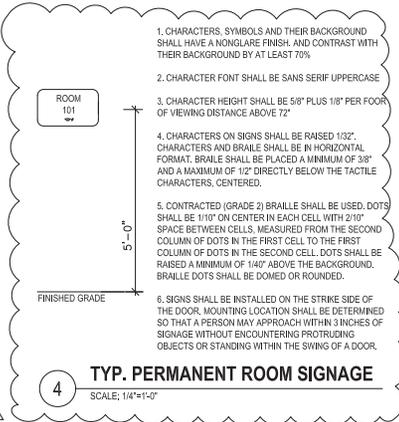
Date	By
2/18/11	MOD/Revise
4/11/11	MOD/Review - Rev/Item #1
4/28/11	MOD/Review - Rev/Item #2
	Planning Department Review

**The Green Cross**  
4215 Mission Street  
San Francisco, CA  
94112

Enlarged Restroom  
Plans, Elevations  
& Misc. Stair Details

**A3.1**

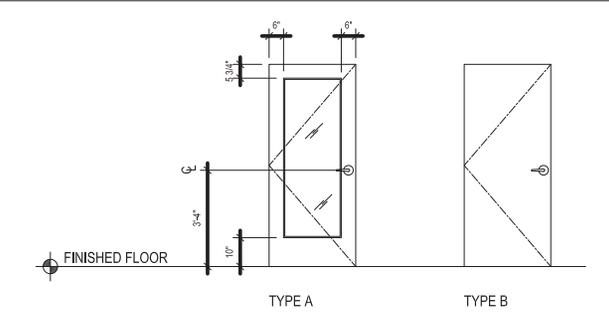




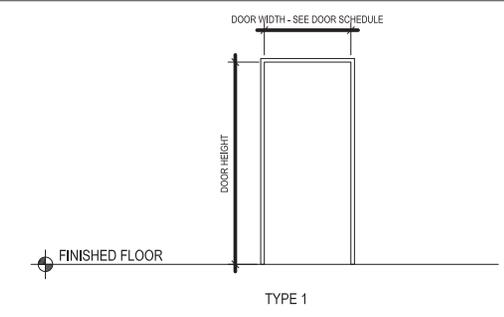
**DOOR SCHEDULE**

LOCATION	ROOM	INT/EXT	FIRE RATING	DOOR TYPE	WIDTH	HEIGHT	MATERIAL	FINISH	SINGLE/PAIR	FRAME TYPE	MATERIAL	FINISH	TYPE	LOCKSET	STOPS	THRESHOLD	PANIC	CLOSER	KICKPLATE	SEAL	HEAD	JAMB	SIGNS	NOTES
B01	BASEMENT ENTRY	EXT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	WD	PTD	---	EXIT	A-FLOOR	7/A1,1	---	NONE	YES	A-WEATH	---	---	---	---
B02	GARAGE	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	PASSAGE	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	---
B03	STORAGE	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	PASSAGE	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	---
B04	STAIR	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	STORAGE	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	---
B05	STORAGE	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	STORAGE	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	---
B06	STORAGE	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	STORAGE	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	---
001	ENTRY LOBBY	EXT	---	A	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	EXIT	A-FLOOR	3/A5,1	---	NONE	YES	A-WEATH	---	---	4/A1,1	---
002	RETAIL	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	PASSAGE	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	4/A5,1
003	HALLWAY	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	PASSAGE	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	4/A5,1
004	HALLWAY	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	PASSAGE	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	4/A5,1
005	RESTROOM	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	PRIVACY LOCKS	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	9/A1,1
006	RESTROOM	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	PRIVACY LOCKS	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	9/A1,1
007	WORKROOM	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	OFFICE	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	4/A5,1
008	WORKROOM	INT	---	B	3'-0"	6'-3"	SC WD	PTD	SINGLE	1	HM	PTD	---	OFFICE	A-FLOOR	3/A5,1	---	NONE	YES	---	---	---	---	4/A5,1

**DOOR TYPES**



**DOOR FRAME TYPES**



**DOOR SCHEDULE ABBREVIATIONS**

- INT - INTERIOR
- EXT - EXTERIOR
- WD - WOOD
- PTD - PAINT OPAQUE
- CLR - PAINT CLEAR

**GENERAL DOOR NOTES**

1. 10" SMOOTH PANEL (KICKPLATE) ON PUSH SIDE OF ALL DOORS.
2. ALL DOOR STOPS SHALL BE LOCATED AT MAXIMUM DOOR SWING @ 4" A.F.F.
3. DOOR PRESSURE 5.0 LB MAX.

Drawing Record

Date	By	Check
2/18/11	MOD/Rev/Rev	
4/11/11	MOD/Rev/Rev	
4/28/11	MOD/Rev/Rev	

Project

**The Green Cross**  
4218 Mission Street  
San Francisco, CA  
94112

Door Schedule and Misc. Details

**A5.1**

Sequence



# SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

## NOTICE OF BUILDING PERMIT APPLICATION (SECTION 312)

On February 23, 2011, the Applicant named below filed Building Permit Application No. 2011.02.23.0782 (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	Kevin Reed	Project Address:	4218 Mission Street
Address:	230 11 <sup>th</sup> street, #1	Cross Streets:	Admiral/Castle Manor Avenues
City, State:	San Francisco, CA 94103	Assessor's Block /Lot No.:	6803/004
Telephone:	(415) 573-8943	Zoning Districts:	NC-2 /40-X

Under San Francisco Planning Code Section 312, you, as a property owner or resident within 150 feet of this proposed project, are being notified of this Building Permit Application. You are not obligated to take any action. For more information regarding the proposed work, or to express concerns about the project, please contact the Applicant above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request the Planning Commission to use its discretionary powers to review this application at a public hearing. Applications requesting a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown below, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

PROJECT SCOPE			
<input type="checkbox"/> DEMOLITION	and/or	<input type="checkbox"/> NEW CONSTRUCTION	or <input checked="" type="checkbox"/> ALTERATION
<input type="checkbox"/> VERTICAL EXTENSION		<input checked="" type="checkbox"/> CHANGE OF USE	<input type="checkbox"/> FACADE ALTERATION(S)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)		<input type="checkbox"/> HORIZ. EXTENSION (SIDE)	<input type="checkbox"/> HORIZ. EXTENSION (REAR)

PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION
BUILDING USE .....	Church.....	Medical Cannabis Dispensary
BUSINESS NAME .....	Iglesia Espiritu Santo Ebenezer ....	The Green Cross
COMMERCIAL SQUARE FOOTAGE .....	1,268 gsf .....	No Change
NUMBER OF DWELLING UNITS .....	1 .....	No Change
NUMBER OF OFF-STREET PARKING SPACES .....	1 .....	No Change

### PROJECT DESCRIPTION

The proposal is to establish a Medical Cannabis Dispensary (d.b.a. "The Green Cross") in a vacant space that was last occupied by a church (d.b.a. "Iglesia Espiritu Santo Ebenezer"). The Green Cross is currently operating solely as a delivery service at a different location. This application is subject to a Mandatory Discretionary Review for establishing a MCD per Planning Code Section 790.141. The Mandatory Discretionary Review application, case no. 2011.0682D, has been tentatively scheduled for the October 27, 2011, Planning Commission hearing. Any individuals interested in opposing this project should file a separate Discretionary Review before the 30-day expiration date noted on this Section 312 notice.

PLANNER'S NAME: Sharon Lai  
PHONE NUMBER: (415) 575-9087  
EMAIL: Sharon.w.lai@sfgov.org

DATE OF THIS NOTICE: 9-29-11  
EXPIRATION DATE: 10-29-11

# NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the site plan and elevations (exterior walls), and floor plans (where applicable) of the proposed project, including the position of any adjacent buildings, exterior dimensions, and finishes, and a graphic reference scale, have been included in this mailing for your information. Please discuss any questions with the project Applicant listed on the reverse. You may wish to discuss the plans with your neighbors and neighborhood association or improvement club, as they may already be aware of the project. Immediate neighbors to the project, in particular, are likely to be familiar with it.

Any general questions concerning this application review process may be answered by the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00 a.m. - 5:00 p.m. Please phone the Planner listed on the reverse of this sheet with questions specific to this project.

If you determine that the impact on you from this proposed development is significant and you wish to seek to change the proposed project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

1. Seek a meeting with the project sponsor and the architect to get more information, and to explain the project's impact on you and to seek changes in the plans.
2. Call the nonprofit organization Community Boards at (415) 920-3820. They are specialists in conflict resolution through mediation and can often help resolve substantial disagreement in the permitting process so that no further action is necessary.
3. Where you have attempted, through the use of the above steps, or other means, to address potential problems without success, call the assigned project planner whose name and phone number are shown at the lower left corner on the reverse side of this notice, to review your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects, which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission over the permit application, you must make such request **within 30 days of this notice, prior to the Expiration Date shown on the reverse side**, by completing an application (available at the Planning Department, 1660 Mission Street, 1st Floor, or on-line at [www.sfplanning.org](http://www.sfplanning.org)). You must submit the application to the Planning Information Center (PIC) during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check, for each Discretionary Review request payable to the Planning Department. To determine the fee for a Discretionary Review, please refer to the Planning Department Fee Schedule available at [www.sfplanning.org](http://www.sfplanning.org) or at the PIC located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at (415) 558-6377. If the project includes multi building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.**

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

## BOARD OF APPEALS

An appeal of the approval (or denial) of the permit application by the Planning Department or Planning Commission may be made to the Board of Appeals within 15 days after the permit is issued (or denied) by the Superintendent of the Department of Building Inspection. Submit an application form in person at the Board's office at 1650 Mission Street, 3rd Floor, Room 304. For further information about appeals to the Board of Appeals, including their current fees, contact the Board of Appeals at (415) 575-6880.

# The Green Cross Security Plan

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## **Surveillance with Around the Clock Coverage**

The Green Cross shall retain and maintain a sophisticated surveillance system on the premises including dozens of full color video cameras to record events inside and outside the facility round the clock, with remote access to this footage. Archive copies of this surveillance will be maintained for at least 60 days. And, full and immediate access to the recordings will be made available to the San Francisco Police Department for the purposes of investigating any crime or related criminal activity, real or alleged, on or in proximity to the premises of The Green Cross.

## **Security Systems**

The Green Cross will retain ADT Security Services to recommend and outfit the premises with a full range of security services including, but not limited to, intrusion detection, video surveillance, access control, all with round the clock coverage and remote access.

Access control is a primary feature of our security apparatus. As clearly indicated by our plans, an interior security wall with controlled access door will completely separate the lobby area from the dispensary. We hope this design feature will minimize our visual impact, deter access by individuals not qualified to be there, and enhance the safety of our staff and members inside the dispensary.

## **Perimeter Security**

At least three employees shall be retained and/or trained by a licensed security-training program to ensure the safety of The Green Cross and compliance with the applicable provisions in all City Codes. At least one guard will be positioned in close proximity to the entrance to ensure access only by qualified individuals and represent our first line of defense against any unwanted activity. S/he will also be required to “walk-the-block” on a regular basis throughout the day to ensure neighborly and appropriate conduct of our members. This conduct shall include, but not be limited to, double-parking, the playing of loud music, loitering, and any other nuisance issues. At least one guard will be positioned on the inside of the secured access door of the dispensing facility to ensure the safety of our members and their compliance with all applicable laws in addition to our code of conduct. And, at least one guard will be responsible for monitoring our surveillance systems and resolving issues in a timely and consistent manner.

### **Product Security**

All medical cannabis products not available for immediate dispensation shall be stored in an enclosed and secured room, in a locked vault or safe that will be bolted to the floor or structure of the facility.

### **Neighborhood Involvement**

During all hours of operation, a single person shall be designated as a community liaison. A designated phone number shall be established exclusively to receive complaints and comments from neighbors and other Excelsior/Outer Mission community members. All reasonable efforts shall be made by The Green Cross to promptly address any complaints. This phone is to be personally answered by the community liaison or his or her designee promptly during all operating hours. A log shall be kept of the date, time, and nature of each call and this log will be made available to any City official upon reasonable request. Should an individual wish to leave his or her name and phone number, that information will also be logged. The phone number and the nature of the community liaison's responsibilities will be provided to all commercial and residential tenants within 100 feet radius of the The Green Cross.

CASE NUMBER:  
For Staff Use only

# APPLICATION FOR Discretionary Review

## 1. Owner/Applicant Information

DR APPLICANT'S NAME: STEVEN R. CURRIER, President - Outer Mission Merchants and Residents Association		
DR APPLICANT'S ADDRESS: P.O. BOX 34099, SAN FRANCISCO	ZIP CODE: 94134	TELEPHONE: ( 415 ) 587-9150

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: KEVIN REED		
ADDRESS: 230 - 11th Street, #1, San Francisco	ZIP CODE: 94103	TELEPHONE: ( 415 ) 573-8943

CONTACT FOR DR APPLICATION: Same as Above <input type="checkbox"/> <input checked="" type="checkbox"/>		
ADDRESS:	ZIP CODE:	TELEPHONE: (   )
E-MAIL ADDRESS: STEVEN.CURRIER@SFDISTRICTS.ORG		

## 2. Location and Classification

STREET ADDRESS OF PROJECT: 4218 MISSION STREET, SAN FRANCISCO	ZIP CODE: 94112
CROSS STREETS: ADMIRAL/CASTLE MANOR AVENUES	

ASSESSORS BLOCK/LOT: 6803 / 004	LOT DIMENSIONS:	LOT AREA (SQ. FT.):	ZONING DISTRICT: NC-2	HEIGHT/BULK DISTRICT: 40-X
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## 3. Project Description

Please check all that apply

Change of Use  Change of Hours  New Construction  Alterations  Demolition  Other Additions to Building: Rear  Front  Height  Side Yard Present or Previous Use:  
CHURCH

Proposed Use: MEDICAL CANNABIS DISPENSARY

Building Permit Application No. 2011.02.23.0782

Date Filed: SEPTEMBER 29, 2011

#### 4. Actions Prior to a Discretionary Review Request

Prior Action	YES	NO
Have you discussed this project with the permit applicant?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you discuss the project with the Planning Department permit review planner?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you participate in outside mediation on this case?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### 5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

**PLEASE SEE ATTACHMENT**

## Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

PLEASE SEE ATTACHMENT

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

PLEASE SEE ATTACHMENT

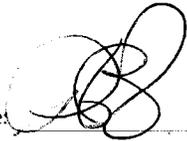
3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

PLEASE SEE ATTACHMENT

# Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature:  \_\_\_\_\_

Date: 10/27/11

Print name, and indicate whether owner, or authorized agent:

STEVEN R. CURRIER, Authorized Agent

Owner / Authorized Agent (circle one)

**Building Permit Application Number (Section 312): 2011.02.23.0782**  
**4218 Mission Street, San Francisco, CA 94112**  
**Page 5**

## **5. Changes Made to the Project as a Result of Mediation**

**If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.**

The Outer Mission Merchants and Residents Association (OMMRA) engaged in two conversations with the applicant(s) and/or their agents. The applicants and/or their agents have not made any presentations to the OMMRA general membership at any of their meetings. The applicants et al. have heard complaints, concerns, and issues regarding this kind of business in the Outer Mission neighborhoods. OMMRA's general membership overwhelmingly voted to oppose this cannabis dispensary along with a first and second MCD proposed on the block at 5258 Mission Street and 5234 Mission Street. The major opposition comes from the merchants in the 4100 and 4200 block of Mission and the fear for their safety.

OMMRA has also had one conversation and email correspondence from the Planner, Sharon Lai.

No mediation hearing has taken place and no changes have been made.

- 1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.**

This project at 4218 Mission Street falls within a little more than 1,000 feet of the Mission YMCA at 4080 Mission Street; a California Accredited child care facility; and other facilities that fall within Section 790.50(a)(b)(d)(e) of Article 7 of the San Francisco Planning Code. The day care facility is: Jeanne Day Care Center located at 29 Castle Manor Avenue. The Excelsior Youth Center at 163 London Street; San Francisco Alternative School located at 125 Excelsior Street; The Jewish Home located at 302 Silver Avenue, Silver Avenue and Mission Street; and the Excelsior Branch Library located at 4400 Mission Street. One more note: I understand that there are several more child care facilities in the vicinity of 4218 Mission Street. When those are ascertained, I will forward them off to the planner and the Planning Commissioners.

**Building Permit Application Number (Section 312): 2011.02.23.0782**  
**4218 Mission Street, San Francisco, CA 94112**  
**Page 6**

Although OMMRA does not specifically oppose cannabis dispensaries on the whole, OMMRA does oppose this MCD at this location in light of the above.

On another reason for opposing this project, this address is approximately sixteen blocks from Daly City and the serious possibility of safety to the residents and merchants in this area. Some of these merchants have been in business, on the blocks of 4100, 4200, and the 4300, and further blocks of Mission Street, for more than 30 to 40 years and fear illegal activity or criminal activity or the unknown.

- 2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:**

OMMRA, the residents, and the merchants do not feel that they would be affected by construction or remodeling. Actually, most residents and merchants welcome businesses, just not this business.

- 3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?**

The alternatives or changes would be to attract businesses that would complement the neighborhood and the commercial and residential district at this location. In the area of this proposed project, there are restaurants, beauty and nail salons, churches, and a senior retirement home at 302 Silver Avenue. We are also dealing with a smoke shop, that has been sued by the City Attorney on the 4400 block of Mission Street.

One further thought, the Excelsior District Improvement Association (EDIA) voted on Tuesday October 25, 2011, at its October General Meeting, to oppose all Medical Cannabis Dispensaries in the application stage and forward at the Planning Commission hearings.

///

**Building Permit Application Number (Section 312): 2011.02.23.0782**  
**5234 Mission Street, San Francisco, CA 94112**  
**Page 7**

I, Steven R. Currier, on behalf of the Outer Mission Merchants and Residents Association, declare under penalty of perjury that the above is true and correct.

Steven R. Currier  
President, OMMRA  
415.587.9150  
[Steven.currier@sfdistricts.org](mailto:Steven.currier@sfdistricts.org)

For reference: San Francisco Planning Code Article 7: Neighborhood Commercial Districts, Section 790.50 (Institutions, other large) states:

A public or private, nonprofit or profit-making use, excluding hospitals and medical centers, which provides services to the community and meets the applicable provisions of Section 304.5 of this Code concerning institutional master plans, including but not limited to the following:

- (a) Assembly and Social Service.** A use which provides social, fraternal, counseling or recreational gathering services to the community. It includes a private noncommercial club house, lodge, meeting hall, recreation building, or community facility not publicly owned. It also includes an unenclosed recreation area or non-commercial horticulture area not publicly owned.
- (b) Child Care.** A use which provides less than 24-hour care for 13 or more children by licensed personnel and which meets the requirements of the State of California and other authorities.
- (d) Religious Facility.** A use which provides religious services to the community, such as church, temple or synagogue. It may include on the same lot, the housing of person who engage in supportive activity for the institution.
- (e) Residential Care.** A medical use which provides lodging, board, and care 24 hours or more to seven or more persons in need of specialized aid by personnel licensed by the State of California and which provides no outpatient services; including but not limited to, a board and care home, rest home, or home for the treatment of addictive, contagious, or other diseases or physiological disorders.

**OUTER MISSION MERCHANTS and RESIDENTS ASSOCIATION  
POST OFFICE BOX 34099  
SAN FRANCISCO, CALIFORNIA 94134-0099**

*Steven R. Carrier, President  
Alan Mills, 1<sup>st</sup> Vice President  
Joelle Kenealey, 2<sup>nd</sup> Vice President  
Monika Yungert, Secretary  
Kenneth Kalani, Treasurer  
Alex Murillo, Sergeant-at-Arms  
Terri Factora, Member-at-Large  
Shashank Dave, Business Member-at-Large  
Marleen Norman, Member-at-Large  
Joelle Kenealey, Interim Newsletter Editor*

*OMMRA was Established: 1998  
Members of Organizations:  
Coalition for San Francisco Neighborhoods  
District 11 Council  
Friends of the Geneva Office Building  
San Francisco Police Officers Association*

November 9, 2011

Christina Olague, President  
Ron Miguel, Vice President  
Michael Antonini, Katharin Moore, Hisashi Suyaga, Rodney Fong, Commissioners  
San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

**RE: Project Address: 4218 Mission Street, San Francisco, CA 94112  
Building Permit Application Number (Section 312): 2011.02.23.0782  
Case Number: 2011.0682 D Account Number: 20111914  
Hearing Date: Thursday, November 17, 2011**

Dear Commissioners:

On behalf of the neighbors, members, merchants, and the Executive Board of the Outer Mission Merchants and Residents Association (OMMRA) are hereby following up on filing the Application Requesting a Discretionary Review of the above-mentioned property. OMMRA has learned of two more California Accredited day care establishments to supplement the opposition to OMMRA's previous filing and a San Francisco Park.

MIO Pre-School, located at 4377 Mission Street, which is state and federally funded. This is quite a large establishment on the corner of Avalon and Missions. The second is Chanty's Day Care located at 10 Maynard Street.

Also, there is a San Francisco Park located across Lamartine Street between Cayuga and Alemany Boulevard.

**Christina Olague, President**  
**Ron Miguel, Vice President**  
**Michael Antonini, Katharin Moore, Hisashi Suyaga, Rodney Fong, Commissioners**  
**San Francisco Planning Commission**  
**November 9, 2011**  
**Page Two**

In light of the above and the initial filing of the Application Requesting for Discretionary Review, OMMRA, its members, and neighbors object to the Green Cross Medical Cannabis Dispensary. We ask the Planning Commissioners take Discretionary Review and oppose this project.

Sincerely,



Steven R. Currier

President, OMMRA

[Steven.currier@sfdistricts.org](mailto:Steven.currier@sfdistricts.org)

415.587.9150

Enclosures

CC: OMMRA Executive Board  
Officer W. McCarthy, Ingleside Police Station  
Captain Daniel J. Mahoney, Commanding Officer, Ingleside Police Station  
Supervisor John Avalos  
Jana Clark, Deputy City Attorney, Code Enforcement  
Sandra Simon, Administrator, Jewish Home



**EXCELSIOR DISTRICT IMPROVEMENT ASSOCIATION**

**P.O. BOX 12005**

**SAN FRANCISCO, CA 94112-0005**

**Message Phone: 415-294-0503 FAX: 415-295-3034**

**edia-info@yahoo.com**

October 26, 2011

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

Re: 4218 Mission Street application – Assessor's Block/lot 6803/004

Dear Ms Lai:

I am writing to you as President of The Excelsior District Improvement Association (EDIA) to voice our opposition to the petition for the proposed cannabis storefront at 4218 Mission Street. At our last general membership meeting held October 25, 2011, we invited representatives of The Green Cross to hear their reasons for wanting this permit to operate in our neighborhood.

Their comments were not enough to convince our membership to consider any support of such a business.

Safety issues were raised, for example should clients double park on that block of Mission Street a danger to drivers and bikers is created and would impact the street congestion that would place an unsafe situation at the corner of Silver and Mission which is busy with cars, Muni buses and walkers.

The assurance that The Green Cross clients would not be allowed to use cannabis products within the one block of their storefront gives the neighborhood no assurance that their clients would not go beyond the one block, which brings them to the intersection of Silver and Mission which is heavily used by school children, seniors and would attract more crime to the area.

The proposed building structure, which was presented to the neighborhood as a 'secured' storefront, would not assure that the store would not be targeted by criminal elements due to the type of product sold. Having heavy security (as in cameras) all around the building just screams to the criminal that there is something inside they might want.

As there are two other cannabis stores applying for permits on the 5200 block of Mission Street, south of Geneva Avenue, the additional petition of The Green Cross, then there are three proposed stores within a ten block portion of the neighborhood which in our opinion is excessive and not appropriate for these locations. There are various established childcare facilities, senior facilities and school aged youth traveling this business section of our neighborhood ,which do not need to be in such close contact with a cannabis selling business.

We hope that you will take the neighborhood's concerns into consideration. We firmly oppose the granting of any permit to any cannabis selling operation on the Mission Street corridor, especially the aforementioned locations on the 4200 and 5200 blocks of Mission Street.

Regards,

May Wong  
President  
Excelsior District Improvement Association

(this letter was previously sent to you via email due to notification deadline expiration of October 29, 2011)



# SAN FRANCISCO PLANNING DEPARTMENT

## RESPONSE TO DISCRETIONARY REVIEW

Case No.: \_\_\_\_\_

Building Permit No.: 201.02.23.0782

Address: 428 Mission St. 94112

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

Project Sponsor's Name: KEVIN REED

Telephone No.: 415.846.7671 (for Planning Department to contact)

- Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.

\_\_\_\_\_  
 \_\_\_\_\_  
PLEASE SEE ATTACHMENT  
 \_\_\_\_\_  
 \_\_\_\_\_

- What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes. Indicate whether the changes were made before filing your application with the City or after filing the application.

\_\_\_\_\_  
 \_\_\_\_\_  
PLEASE SEE ATTACHMENT  
 \_\_\_\_\_  
 \_\_\_\_\_

- If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Please explain your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

\_\_\_\_\_  
 \_\_\_\_\_  
PLEASE SEE ATTACHMENT  
 \_\_\_\_\_  
 \_\_\_\_\_

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

4. Please supply the following information about the proposed project and the existing improvements on the property.

<u>Number of</u>	<u>Existing</u>	<u>Proposed</u>
Dwelling units (only one kitchen per unit –additional kitchens count as additional units) .....	<u>NA</u>	<u>NA</u>
Occupied stories (all levels with habitable rooms) ...	<u>1</u>	<u>1</u>
Basement levels (may include garage or windowless storage rooms) .....	<u>1</u>	<u>1</u>
Parking spaces (Off-Street) .....	<u>1</u>	<u>1</u>
Bedrooms .....	<u>NA</u>	<u>NA</u>
Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas....	<u>1268</u>	<u>1268</u>
Height .....	<u>11'0"</u>	<u>11'0"</u>
Building Depth .....	<u>55'10"</u>	<u>55'10"</u>
Most recent rent received (if any) .....	<u>NA</u>	<u>NA</u>
Projected rents after completion of project .....	<u>NA</u>	<u>NA</u>
Current value of property .....	<u>NA</u>	<u>NA</u>
Projected value (sale price) after completion of project (if known) .....	<u>NA</u>	<u>NA</u>

I attest that the above information is true to the best of my knowledge.

SKL                      11/2/2011                      KEVIN REED  
 Signature                      Date                      Name (please print)

RESPONSE TO DISCRETIONARY REVIEW

Case No.:  
Building Permit No.: 2011.02.23.0782  
Address: 4218 Mission St

Project Sponsor's Name: Kevin Reed  
Telephone No.: 415-846-7671

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.

*While The Green Cross understands that Mr. Currier does not desire medical cannabis dispensaries in his neighborhood, Article 33 strikes a purposeful balance between the concerns of neighbors and the needs of medical cannabis patients. To that end, planning regulations require that proposed MCDs be at least 1,000 feet from schools and located in specific uses zones designated as appropriate for MCDs. Our proposed site meets these specifications, and when the proximity of our proposed location to youth facilities was questioned, we had our planner double check to verify that we did meet the proximity restriction. To be clear, to our knowledge as verified by Sharon Lai, The Green Cross' proposed site is not located within 1,000ft of the YMCA or any other prohibited facility.*

*The Green Cross chose this location because we have over 300 patient-members in the 94112-zip code and even more in the adjacent Bernal Heights, Glen Park, and Ingleside neighborhoods. It is important to understand that medical cannabis patients in these neighborhoods are currently underserved by the lack of licensed MCDs to provide safe access. We selected this location only after close examination of our patient database and an exhaustive search for a location to help us better serve our members where they conduct their normal activities and avoid continued clustering of MCDs where access is already saturated.*

*Furthermore, there is no evidence to suggest, as noted in the DR, that MCDs generate "illegal activity," "criminal activity," or "activity of the unknown." In fact, at the EDIA meeting Mr. Currier references in the DR, Captain Mahoney, Commander, SFPD, Ingleside Station, was asked directly about any concerns he/SFPD might have about the presence of an MCD at the 4200 block of Mission, the Captain indicated that so long as MCDs operate in compliance with local laws and regulations and had a sophisticated security apparatus he was not generally concerned about their operation. Following the EDIA meeting, The Green Cross met with Captain Mahoney and agreed to consult him about our security plan if approved for a permit.*

*The fact is The Green Cross has a clear record of compliance and an impeccable record with DPH and SFPD. Our delivery-only stipulation creates an unnecessary burden on our patients and the collective. And, as you'll note in the dozens of letters submitted in support of our application, including from merchants and residents in close proximity to our current operation, the security of our members and neighbors is our top priority.*

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes. Indicate whether the changes were made before filing your application with the City or after filing the application.

*DR requester has not offered any reasonable alternatives or changes, except to withdraw our application. Unfortunately, to the extent the DR requests we simply choose a site outside the Excelsior, that is not possible. However, in our presentation of our project plans to EDIA we promised that if permitted to open, The Green Cross would be responsive to their concerns, supportive of local business and responsible community partners.*

*In the course of our discussion with EDIA and their members we disclosed the following plans in a concerted effort to address their concerns:*

- The Green Cross, in consultation with SFPD, will establish a sophisticated security plan, including dozens of surveillance cameras to monitor activity in close proximity to the MCD, and trained security staff responsible for "walking-the-block" to ensure our members adhere to our code of conduct including strict prohibitions on parking violations, loitering, and smoking in any proximity to the facility.*
- The Green Cross will be a non-smoking facility; our members will not be permitted to use cannabis in any proximity to the facility. We hope this will quell any fears about noxious odors and any concerns about exposing children to cannabis.*
- The Green Cross' architectural designs specify that an interior and secure wall will separate the lobby area from the dispensary. This means that at no time will the dispensary be visible from the street or even within the lobby. To enter the dispensary you must be a member of The Green Cross and in good standing with the organization.*
- The Green Cross has agreed to operate between 10am and 7pm to ensure that our members are not lingering in the neighborhood after reasonable hours.*
- The Green Cross does not engage in advertising, we instead rely on the recommendation of our members. We hope that this will address any concerns about the adverse affects advertising might have on children.*
- The Green Cross will generate at least one-dozen new jobs for local residents with competitive pay and comprehensive benefits. Moreover, The Green Cross encourages women and minorities to apply as indicated by the diversity of our staff.*
- The Green Cross will create business opportunities for nearby shops and neighborhood cafes by increasing foot traffic between BART and our facility.*

*In contrast to the MCDs seeking to open at the other end of Mission St., The Green Cross is a known entity in San Francisco. We have operated for five years without issue and have a history before that to indicate our clear and consistent desire to work with neighbors to address real concerns. If given a chance, The Green Cross will, in time, win the support and admiration of our neighbors and provide safe access where it is not currently available.*

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Please explain your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

*The Green Cross was founded in San Francisco in 2004, and became the first collective permitted following the adoption of Article 33, the law that permits and regulates medical cannabis dispensing collectives. In that time, The Green Cross has earned an impeccable record with the San Francisco Department of Health and the San Francisco Police Department. This outstanding record of compliance coupled with operations standards that incorporate accountability and integrity is underscored by our A+ rating with the Golden Gate Better Business Bureau (BBB).*

*However, The Green Cross' current permit specifies that we must operate strictly as a delivery-only service. This designation creates an unnecessary hardship for our members and results in an unfair burden for our collective. For example, our members are not currently able to see, smell, touch, and compare our products before making their purchase, something they could do in a walk-up facility. We believe the face-to-face interaction will particularly benefit new members who might be unfamiliar with cannabis or the options available within our collective.*

*Our vision has always included (re)opening a storefront location in order to extend the availability of our products and services to our members who prefer to visit a walk-in facility. Building on the expertise we've learned having been in operation for nearly five years, The Green Cross has selected a little storefront at 4218 Mission St. to centrally serve our members where they live and work.*

*Although the EDIA voted to oppose all MCDs, the vote was not unanimous. In fact, there was considerable discussion to support The Green Cross application while opposing the others. We realize medical cannabis dispensaries are controversial and that nobody wants dispensaries in their neighborhood. But, the fact remains that patients in the Excelsior district are underserved by MCDs. And, although we deliver to hundreds of members in the neighborhood our members are disadvantaged compared to other collectives because they are deprived an opportunity to interface with our staff and scrutinize our products prior to purchase.*

*Dozens of letters from current members, our current neighbors, and from residents and merchants in the Excelsior neighborhood indicate a desire for approval of our application and underscore our commitment to safety and professionalism. Moreover, Article 33 and SF Planning Code strikes a deliberate balance to address the legitimate concerns of neighbors and the requisite needs of medical cannabis patients.*

*To the extent The Green Cross' proposed location conforms to all planning requirements and does not pose any specific, credible, or unreasonable impact on the neighborhood, I hope we are extended the benefit of doubt and provided an opportunity to serve our members where they live and work.*

Joseph D. Elford  
Attorney at Law  
600 Fell St. #101  
Tel: (415) 573-7842  
Fax: (510) 251-2036

November 4, 2011

Re: Applicant: The Green Cross  
Department: Planning Department  
Address: 4218 Mission St.  
Lot#: 6803/004  
Building Permit Application #: 2011.02.23.0782

Hearing Date: November 17, 2011

### **APPLICANT'S BRIEF**

#### **STATEMENT OF FACTS**

The Green Cross was the first medical marijuana dispensary to obtain a permit under San Francisco's Medical Marijuana Ordinance in 2008. Based upon the permit directives, The Green Cross operates a medical marijuana delivery service from an apartment, rather than a storefront location. Now, The Green Cross seeks to add a storefront location at 4218 Mission Street for the sake of its hundreds of members who live that neighborhood. This is the subject of the instant permit application. The Green Cross operates as a non-profit medical marijuana delivery service in strict compliance with all state and local laws. It even goes beyond these laws to achieve its humanitarian purpose by delivering medical marijuana to persons who cannot otherwise afford it free-of-charge. In short, The Green Cross has a proven track record as a model dispensary.

#### **ARGUMENT**

This Commission derives its discretionary review authority from San Francisco Business and Tax Regulations Code, Article I Permit Procedure, Section 26, subd. (a), which has historically been interpreted as allowing for discretionary review only in "exceptional cases" and exercised with the "utmost restraint." This case is not appropriate for the exercise of discretionary review because the Planning Department has found that the applicant has met all of the requirements for the permit, which fosters the general purpose of San Francisco's Medical Cannabis Dispensary Ordinance ("Dispensary Ordinance"). The persons requesting discretionary review do not question The Green Cross' track record, but, instead, assert a blanket prohibition of medical cannabis dispensaries in their neighborhood. This is not an "exceptional circumstance" to the general plan embodied by the Dispensary Ordinance. Discretionary review should be denied.

DATED: November 4, 2011

  
Joseph D. Elford  
Attorney for Applicant