



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Analysis

Medical Cannabis Dispensary

HEARING DATE: SEPTEMBER 12, 2013

Date: September 5, 2013
Case No.: 2012.0193D
Project Address: 212-214 California Street
Zoning: C-3-O District (Downtown Office)
75-X Height and Bulk District
Block/Lot: 0237/007
Project Sponsor: Brendan Hallinan
Hallinan & Hallinan, PC
345 Franklin Street
San Francisco, CA 94102
Staff Contact: Elizabeth Watty – (415) 558-6620
Elizabeth.Watty@sfgov.org
Recommendation: **Take Discretionary Review and Approve with Conditions**

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

Reception:
415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The proposal is to establish a new Medical Cannabis Dispensary (dba “CBD Wellness Solutions”) at 212-214 California Street within the rear half of the ground floor of a commercial tenant space that is currently occupied by a Financial Institution (dba “WestAmerica Bank”). The proposed Medical Cannabis Dispensary (MCD) will be accessed from California Street, but will have no “street presence”. In order to preserve the active character of California Street, the front portion of the tenant space that directly fronts California Street will be converted to a separate retail use. There will be no exterior alterations to the building as part of this Project.

The proposed MCD will sell cannabis and cannabis foodstuffs, but will not allow on-site cultivation or consumption (including eating, smoking, or vaporizing cannabis). This is a change from the original application, which proposed on-site cultivation of medical cannabis.

Planning Code Section 217(k) states that all MCDs are required to be heard by the Planning Commission, which will consider whether or not to exercise its discretionary review powers over the building permit application.

SITE DESCRIPTION AND PRESENT USE

The Site is an 4,142 sq. ft. through-lot developed with a two-story-over-basement commercial building located on the north side of California Street, between Front and Battery Streets in the Financial District. Since this parcel is a through-lot, the building’s secondary frontage is on Halleck Street, which functions primarily as the back-of-house access for the many of the block’s restaurants. The ground floor of the building is currently occupied by WestAmerica Bank, which will be vacating the building before the

MCD begins operating at this site. The second floor is currently vacant. The building contains approximately 32'-6" of frontage, with a 5'-8" wide entrance dedicated to access for the MCD, which is located at the rear of the ground floor.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The Site is located on the north side of California Street, between Front and Battery Streets in the Financial District, and is zoned C-3-O (Downtown Office). The property is located within the Front-California Conservation District, classified as a Category V-Unrated Building. To the east of the Site at the ground floor is Charles Schwab (located at the corner of California and Front Streets), and to the west is the Hind Building, which includes Barbacco and Perbacco restaurants. This block of California Street also includes Tadich Grill and Michael Mina restaurants at the ground floor. It is across the street from large office buildings with ground floor retail. The Site is located in the heart of the local and regional transportation network, including close proximity to local bus, lightrail, and cable car lines, BART, Golden Gate Transit, and the Ferry.

The Subject Property is located within the C-3-O District. This district, playing a leading national role in finance, corporate headquarters and service industries, and serving as an employment center for the region, consists primarily of high-quality office development. The intensity of building development is the greatest in the City, resulting in a notable skyline symbolizing the area's strength and vitality. The district is served by City and regional transit reaching its central portions and by automobile parking at peripheral locations. Intensity and compactness permit face-to-face business contacts to be made conveniently by travel on foot. Office development is supported by some related retail and service uses within the area, with inappropriate uses excluded in order to conserve the supply of land in the core and its expansion areas for further development of major office buildings.

The Financial District does not currently contain an existing MCD, leaving this community without convenient access to medical cannabis. The proposed MCD will serve chronically ill patients who live or work in this neighborhood and provide them with safe and convenient access to medication for their ailments.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	30 days	August 13, 2013	August 13, 2013	30 days
Mailed Notice	30 days	August 13, 2013	August 12, 2013	31 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)	--	2	--
Other neighbors on the block or directly across	--	1	--

the street			
Neighborhood groups or others	--	--	--

The Project Sponsor has held informational meetings with nearby property owners, tenants, and neighborhood organizations (Barbary Coast Neighborhood Association).

The Department has not received any written support for the proposed MCD, but has received phone calls in opposition from two neighbors. The Department has also received three letters of opposition to the proposed MCD, including two from neighboring restaurants (Perbacco and Tadich Grill).

PROJECT ANALYSIS

MEDICAL CANNABIS DISPENSARY CRITERIA

Below are the six criteria to be considered by the Planning Commission in evaluating Medical Cannabis Dispensaries, per Planning Code Section 217(k):

1. That the proposed site is located not less than 1,000 feet from the parcel containing the grounds of a public or private elementary or secondary school, or a community facility and/or recreation center that primarily serves persons less than 18 years of age, as defined by Section 221(e) of the Planning Code.

Project Meets Criteria

The subject parcel is not located within 1000' of an elementary or secondary school, public or private, or active recreation buildings or community centers which primarily serve persons 18 years or less as defined by Section 221(e) of the Planning Code. An MCD on this block would therefore be a highly compatible use.

2. The parcel containing the MCD cannot be 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 doors and/or windows are not left open for such purposes resulting in odor emission from the premises.

Criteria not Applicable

The establishment of a new MCD at the subject property would not include on-site smoking or vaporizing, and thus does not require any related ventilation.

5. The Medical Cannabis Dispensary has applied for a permit from the Department of Public Health pursuant to Sections 3304 and 3305 of the San Francisco Health Code.

Project Meets Criteria

The Project Sponsor has applied for a permit from the Department of Public Health. The Department of Public Health will ensure that the MCD meets all of the requirements in Article 33 of the San Francisco Health Code.

6. A notice shall be sent out to all properties (owners and tenants) within 300-feet of the subject lot and individuals or groups that have made a written request for notice or regarding specific properties, areas or Medical Cannabis Dispensaries. Such notice shall be held for 30 days.

Project Meets Criteria

A 30-day notice was sent to owners and occupants within 300-feet of the subject property, as well as the neighborhood organizations for the Financial District, identifying that a MCD is proposed at the subject property and that the building permit was subject to a Mandatory Discretionary Review hearing.

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

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

The Project will provide access to safe, convenient access to medical cannabis.

Policy 1.2:

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 217(k) of the Planning Code.

OBJECTIVE 2:

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

Policy 2.1

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

The Project introduces a new business into the Financial District, increasing the diversity of job and activity types within this District.

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 Project will service chronically ill patients who are in great need of this type of medical service. By allowing the services provided by the MCD, its patients are provided with convenient, 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 occupies a 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 rather, complement the existing neighborhood character.

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

The exiting tenant space is occupied by non-residential uses so the proposed use will not displace any affordable housing.

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

The subject property is close to multiple public transit lines and is near the employment center of the City. It is not expected that many patients of this facility will use private automobiles.

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 subject building is currently occupied by a Financial Institution, which is neither an industrial use nor service sector use. The project 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.

Although the subject building was constructed circa 1910 and is located within the Front-California Street Conservation District, there Project scope is for a change of use only.

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

On June 26, 2013, the Project was determined to be exempt from the California Environmental Quality Act ("CEQA") as a Class 1 categorical exemption under CEQA Guidelines Section 15301 as described in the determination contained in the Planning Department files for this Project.

BASIS FOR RECOMMENDATION

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.

- The MCD complies with all standards and requirements of the Planning Code and advances the Objectives and Policies of the General Plan.
- There are no other MCDs located within the Financial District.
- This Site is well served by public transit (including MUNI service, Golden Gate Transit, BART, Ferry, etc.)
- The Site is more than 1,000' from any primary and secondary school.
- The Site is more than 1,000' from any active youth-services facility.
- The project site will be been renovated to provide a safe, well-lit environment for California Medical Marijuana Patients with proper identification cards.
- Employment levels are estimated to be between 6-8 employees, per shift, including two security guards.
- Patients will not be permitted to consume any cannabis on-site.
- Marijuana cultivation will not be permitted on-site.

To minimize the potential impact of the proposed use on the surrounding commercial area the following conditions are recommended for imposition on the project:

1. The business hours will be limited to 8am until 8pm, daily.
2. Access from the Medical Cannabis Dispensary to Halleck Street will be designated as an emergency exit only. Customers and staff must enter and exit the building from the California Street entrance only.
3. The operator of the establishment shall maintain the entrances and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at minimum, daily sweeping and litter pickup and disposal and washing or steam/pressure cleaning of the entrances and abutting sidewalks at least once every month.
4. The operator shall maintain appropriate odor control equipment to prevent any significant noxious or offensive odors from escaping the premises.
5. An enclosed garbage area shall be provided within the establishment. All garbage containers shall be kept within the building until pick-up by the disposal company.

RECOMMENDATION

RECOMMENDATION: Take Discretionary Review and Approve the MCD with Conditions

Attachments:

Applicant's MCD Application
Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
1000 Foot Radius Arc View GIS Map
Reduced Architectural Plans
Sponsor's Brief (includes security plan)
Public Comment

APPLICATION TO OPERATE A Medical Cannabis Dispensary

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:
 212-214 California, LLC

PROPERTY OWNER'S ADDRESS:
 1016 Howard Street San Francisco, CA 94103

TELEPHONE:
 (415) 518-7771

EMAIL:

APPLICANT'S NAME:
 CBD Solutions, Inc. / Tara McKnight Same as Above

APPLICANT'S ADDRESS:
 C/O Hallinan & Hallinan, 345 Franklin Street, SF CA 94102

TELEPHONE:
 (415) 863-1520

EMAIL:

CONTACT FOR PROJECT INFORMATION:
 Brendan Hallinan Same as Above

ADDRESS:
 345 Franklin Street, SF CA 94102

TELEPHONE:
 (415) 863-1520

EMAIL:
 Brendan@Hallinan-Law.com

2. Location and Dispensary Information

STREET ADDRESS OF PROJECT:
 212 California Street

ZIP CODE:
 94111

CROSS STREETS:
 Front & Battery

ASSESSORS BLOCK/LOT:
 3707 / 009

ZONING DISTRICT:
 C-3-O

DISPENSARY SQ. FT.:
 2000

SQ. FT. ACCESSIBLE TO PATRONS:
 1500

FLOOR ON WHICH DISPENSARY IS LOCATED:
 Ground floor

PROPOSED BUSINESS NAME (IF KNOWN):
 CBD Wellness Solutions

PRESENT OR PREVIOUS USE:
 Bank

3. Dispensary Proximity

PROXIMITY TO SCHOOLS	(Initial Below)
I have used all reasonable resources available to me, including maps and zoning information made available by the Planning Department and a personal and thorough inspection of the broader vicinity of the subject property and have found that, to the best of my knowledge, the property is not within 1,000 feet of an elementary or secondary school, public or private.	BH
PROXIMITY TO RECREATION BUILDINGS	(Initial Below)
I have used all reasonable resources available to me, including maps and zoning information made available by the Planning Department and a personal and thorough inspection of the broader vicinity of the subject property and have found that, to the best of my knowledge, the property is not within 1,000 feet of a recreation building, as defined in the Planning Code.	BH
PROXIMITY TO SUBSTANCE ABUSE TREATMENT FACILITIES	(Initial Below)
I have used all reasonable resources available to me, including a personal inspection of the subject property and have found that, to the best of my knowledge, the property does not contain a substance abuse treatment facility.	BH

4. Dispensary Services

ON SITE MEDICATING	
Will you allow patrons or employees to smoke or vaporize medical cannabis, or otherwise medicate with medical cannabis, on the premises?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
MEDICAL CANNABIS EDIBLES	
Will you offer medical cannabis in the form of food or drink or will medical cannabis edibles be produced on-site? If so, please check the appropriate boxes and, if applicable, declare the proposed square footage to be dedicated to on-site production of edibles.	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> Dispensing <input type="checkbox"/> Production SQ FT <input type="text"/>
<small>(Note that Planning Code standards may prohibit [1] the dedication of more than 1/4 of the total floor area of the dispensary for the production of food and/or [2] the off-site dispensing of any products that are made on-site. Also please note that if food is provided or produced, additional permits will be required from the Department of Public Health.)</small>	
ON-SITE MEDICAL CANNABIS CULTIVATION	
Will any live marijuana plants be kept on the premises for purposes of harvesting medical product? If so, please declare the proposed square footage to be dedicated to growing activities.	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES SQ FT <input type="text"/>
<small>(Note that additional safety measures may be required. Consult with the Department of Public Health regarding the use and storage of chemicals associated with the growing process and with the Department of Building Inspection regarding associated building safety issues. Also note that the Planning Code may prohibit the use of more than 1/4 of the total area of the dispensary for such purpose)</small>	
OFF-SITE MEDICAL CANNABIS CULTIVATION	
Will any medical cannabis distributed on the premises have been grown elsewhere than on the premises? If so, please declare whether medical cannabis cultivation will occur within or outside the City and County of San Francisco.	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <input type="checkbox"/> Within San Francisco <input checked="" type="checkbox"/> Outside San Francisco
<small>(Note that any off-site growing facility located in San Francisco must be properly permitted under applicable state and local law.)</small>	

5. Applicant's Statement

Please discuss:

1. The business plan for the proposed Medical Cannabis Dispensary;

CBD Wellness Solutions is contemplated to significantly depart from the traditional medical cannabis dispensary business model, instead operate as a cutting edge pain relief and wellness center that offers rare and highly effective medical applications to its patient members. This center will not be offering a wide array of medical cannabis strains, but rather, will have limited types that are utilized specifically for pain relief and wellness rather than those strains that have stronger psychoactive effects. Most significantly, this center will be the only one that will offers highly concentrated CBD compound topical pain relief cream. CBD (Cannabidiol) is the most widely recognized medically-effective compound in the cannabis plant. CBD has powerful medical effects but does not make people feel "stoned" and can actually counter the psychoactive effects of THC. Scientific and clinical studies have shown that CBD has a wide scope of medical applications including chronic pain, diabetes, cancer, cardiovascular disease, fibromyalgia, alcoholism, PTSD, schizophrenia, antibiotic-resistant infections, rheumatoid arthritis, multiple sclerosis, epilepsy, anxiety disorders and other neurological disorders. The team that has been assembled to operate this center is made up of experts in developing CBD products and operating clean, safe, professional and discrete centers for patients to access these rare and highly effective medicines. The targeted clientele for this clinic are the current residents and workers in downtown San Francisco.

2. Specific factors which contribute to the compatibility and appropriateness of the Medical Cannabis Dispensary with the immediate neighborhood and broader City environment;

The proposed MCD is within a C-3-0 zoning district. The would be compatible and appropriate at the proposed location as it would be the only MCD north of Market Street in the downtown and the surrounding area and will be available to serve the communities in the North East Quadrant of San Francisco. The location is in a extremely dense area and is a supportive service, accessible by foot and public transportation for neighbors in the immediate and general area.

The MCD would occupy the rear half of the ground floor of the subject building with direct access from California Street. In order to maintain and preserve the character of California Street the front retail space, with California Street frontage, will be converted to an eating and/or drinking establishment.

The proposed MCD is designed to be very discreet in order to protect patient privacy and mitigate any perceived impact on the neighborhood.

3. Neighborhood outreach efforts made and the results/input from those efforts;

The project sponsor held an informational meeting on August 19, 2013 at Perbacco Restaurant. Invitations to the meeting were mailed to all adjacent property owners, occupants, and neighborhood associations according to the DR mailing list.

The project sponsor's representative made an informational presentation and answered questions about the project. Four members of the public attended the meeting, they had general questions associated with the proposed use and the subject property. They expressed concerns about pre-existing problems at nearby parks and public spaces. There were specific questions about hours of operation, signage, and the operator's qualifications. Supervisor David Chu's office was informed of the project.

Community Liaison: Applicant will provide for a community liaison that will serve as a single point of contact to address any current and/or future concerns or issues that may arise. We envision that this community liaison will also serve as a coordinator to address any problems.

4. Any other circumstances applying to the property involved which you feel support your application.

This will be the only MCD within walking distance in the immediate and general area north of Market Street. The project as proposed has no physical alterations and therefore maintains the character of the Front/ California Street conservation district. The location is accessible to multiple public transit lines, including MUNI, BART, Golden Gate Transit, and the California Street Cable Car line. There are numerous parking garages which offer short term parking located in the immediate area.

Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

1. That 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 retail use, and will provide an opportunity for resident employment. The MCD is projected to employ 15-20 residents.

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

The proposed MCD use has no impact on housing and the project was designed to make physical alteration to the exterior facade of the building and will have no impact on the cultural and economic diversity of the neighborhood.

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

The project will not affect the City's supply of 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 including but not limited to BART and multiple MUNI lines in the financial district, making it one of the City's most accessible locations. The site is a densely populated area making it accessible by foot to its residents and nearby occupants.

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

The proposed use is on the ground floor and will enhance future opportunity for resident employment and ownership. The use is a diverse economic use which protects service sectors employment.

6. That the City achieve 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 will comply with current building and seismic codes.

7. That landmarks and historic buildings be preserved; and

There are no exterior alterations as a part of this project. There will be no impact on the Front/California Street conservation district.

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

The proposed project has no effect on this policy as there is no new construction or expansion of the subject property.

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: Brendan Hallinan Date: 8/27/2013

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

Brendan Hallinan, Agent

Owner / Authorized Agent (circle one)

For Department Use Only

Application received by Planning Department:

By:

Date:



**SAN FRANCISCO
PLANNING
DEPARTMENT**

FOR MORE INFORMATION:
Call or visit the San Francisco Planning Department

Central Reception
1650 Mission Street, Suite 400
San Francisco CA 94103-2479

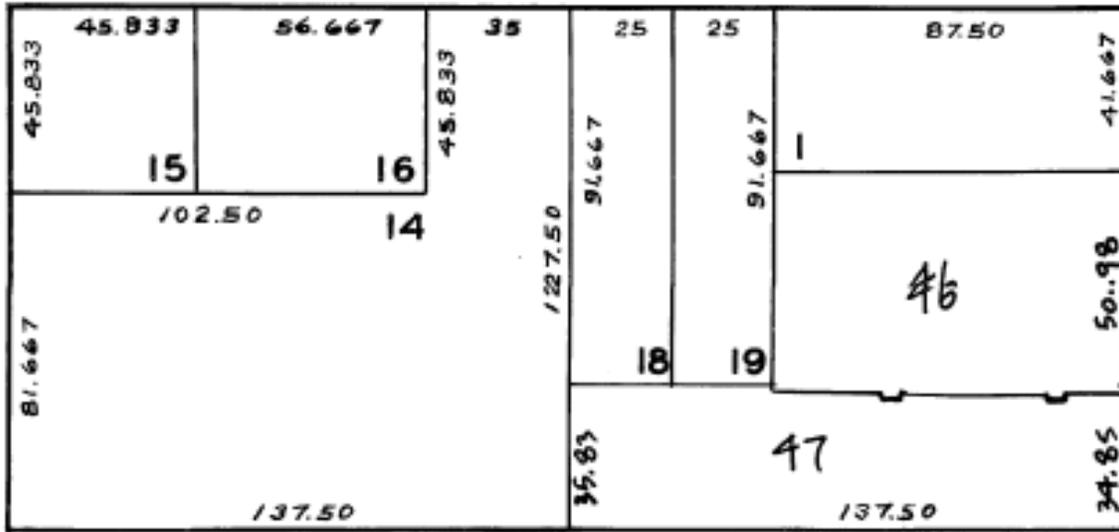
TEL: **415.558.6378**
FAX: **415 558-6409**
WEB: **<http://www.sfplanning.org>**

Planning Information Center (PIC)
1660 Mission Street, First Floor
San Francisco CA 94103-2479

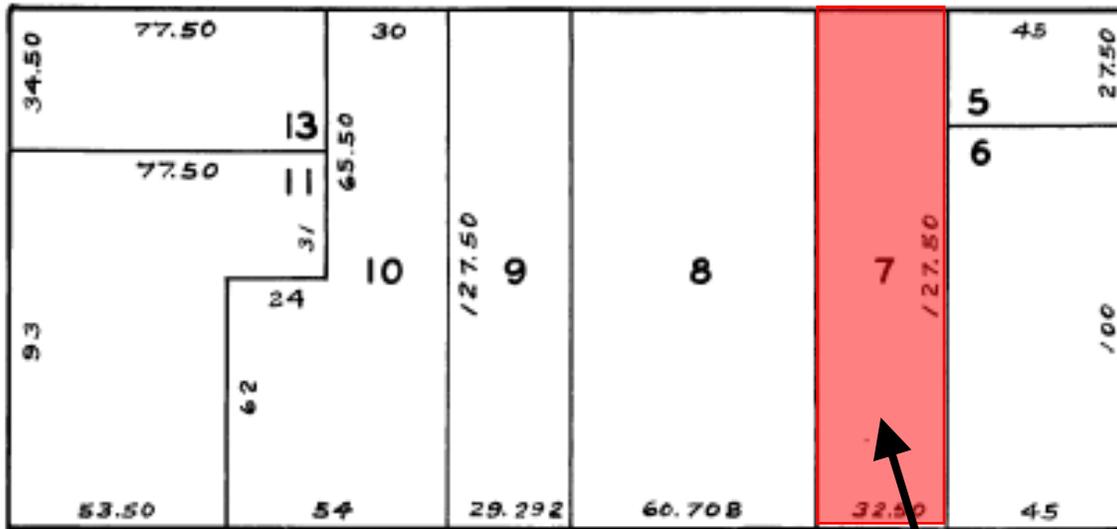
TEL: **415.558.6377**
*Planning staff are available by phone and at the PIC counter.
No appointment is necessary.*

Parcel Map

SACRAMENTO



HALLECK



CALIFORNIA

SUBJECT PROPERTY

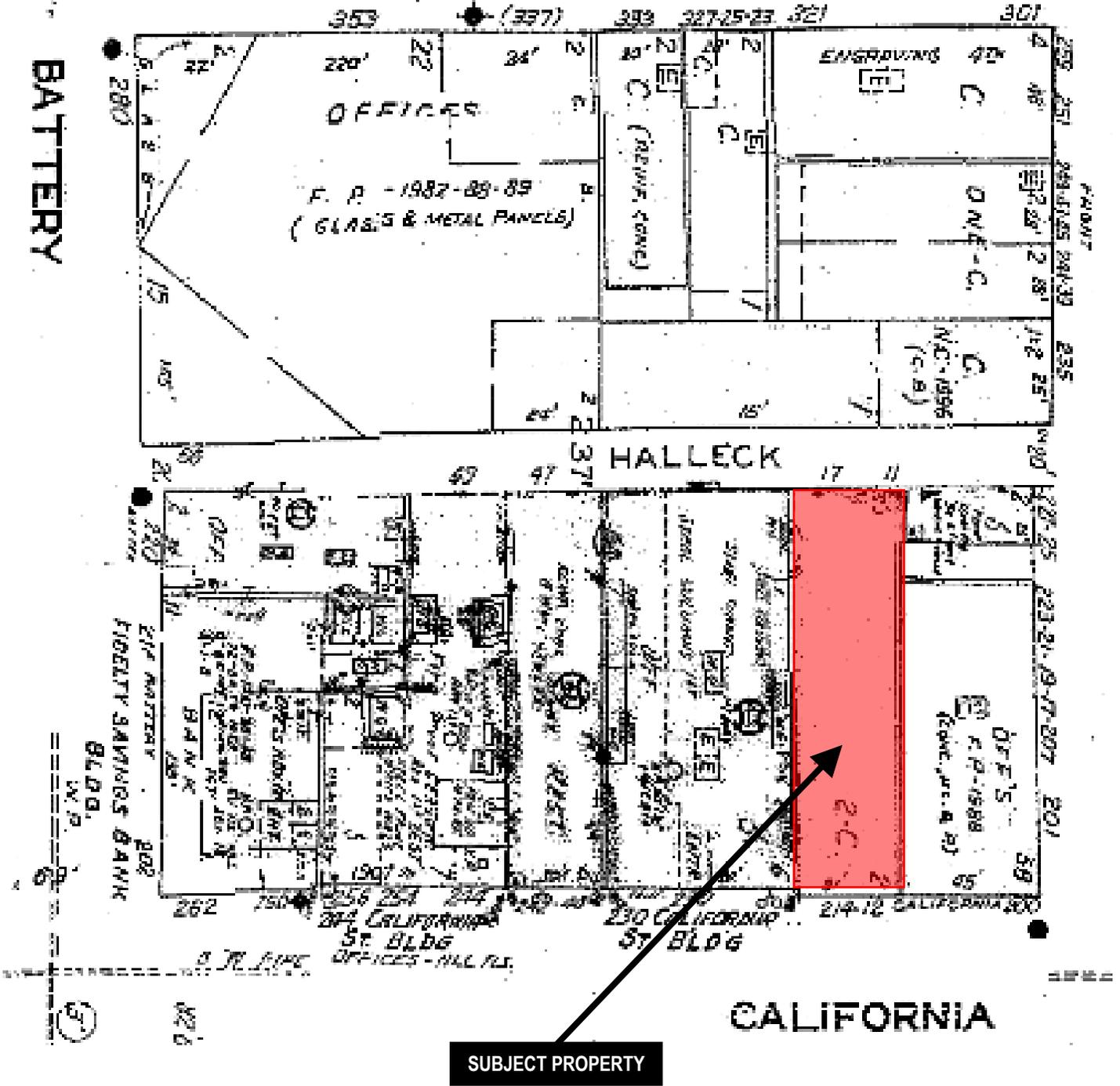
BATTERY

FRONT



Discretionary Review Hearing
Case Number 2013.0193D
MCD – CBD Wellness Solutions
212 California Street

Sanborn Map*

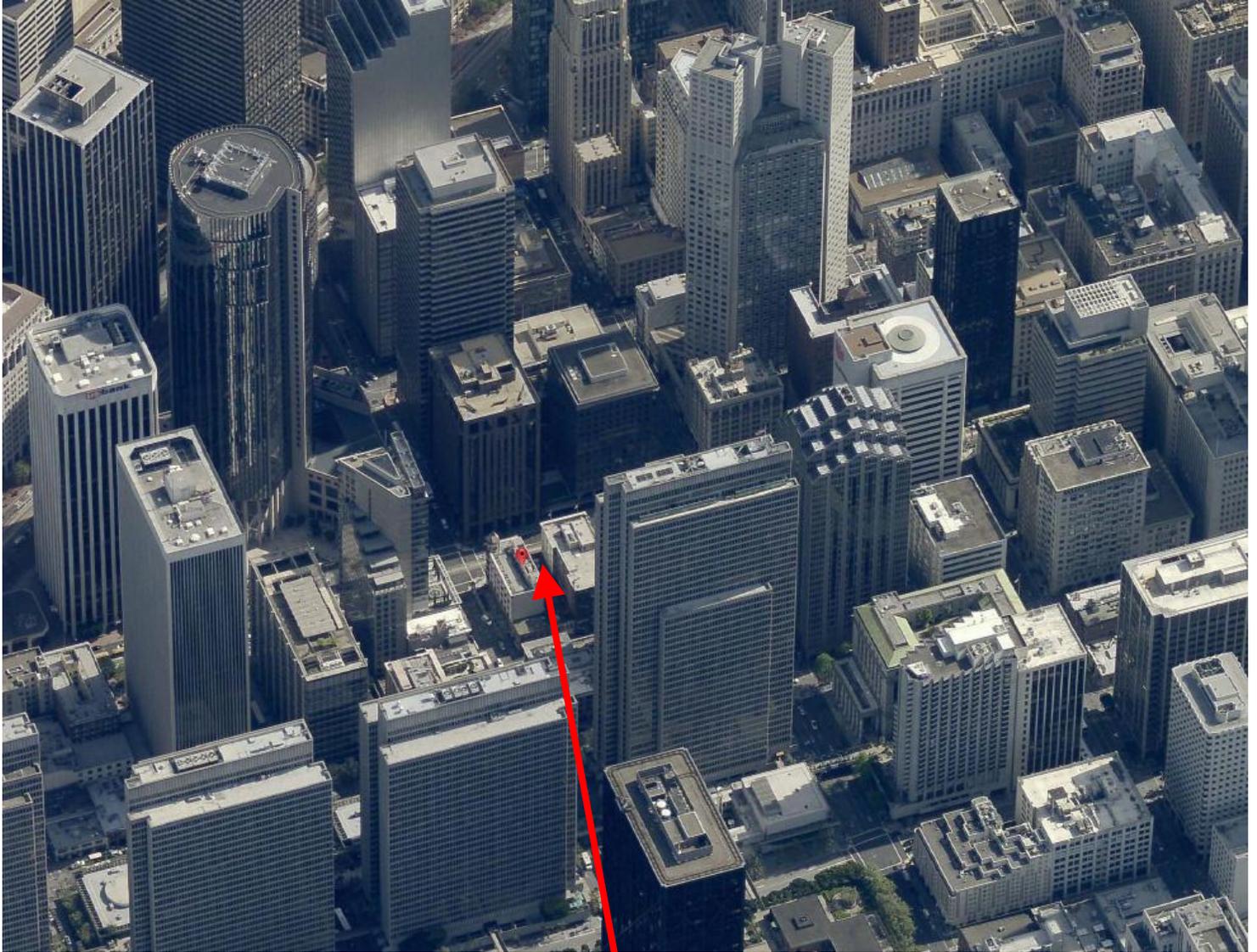


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.

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 MCD – CBD Wellness Solutions
 212 California Street



Aerial Photo



SUBJECT PROPERTY



Discretionary Review Hearing
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MCD – CBD Wellness Solutions
212 California Street

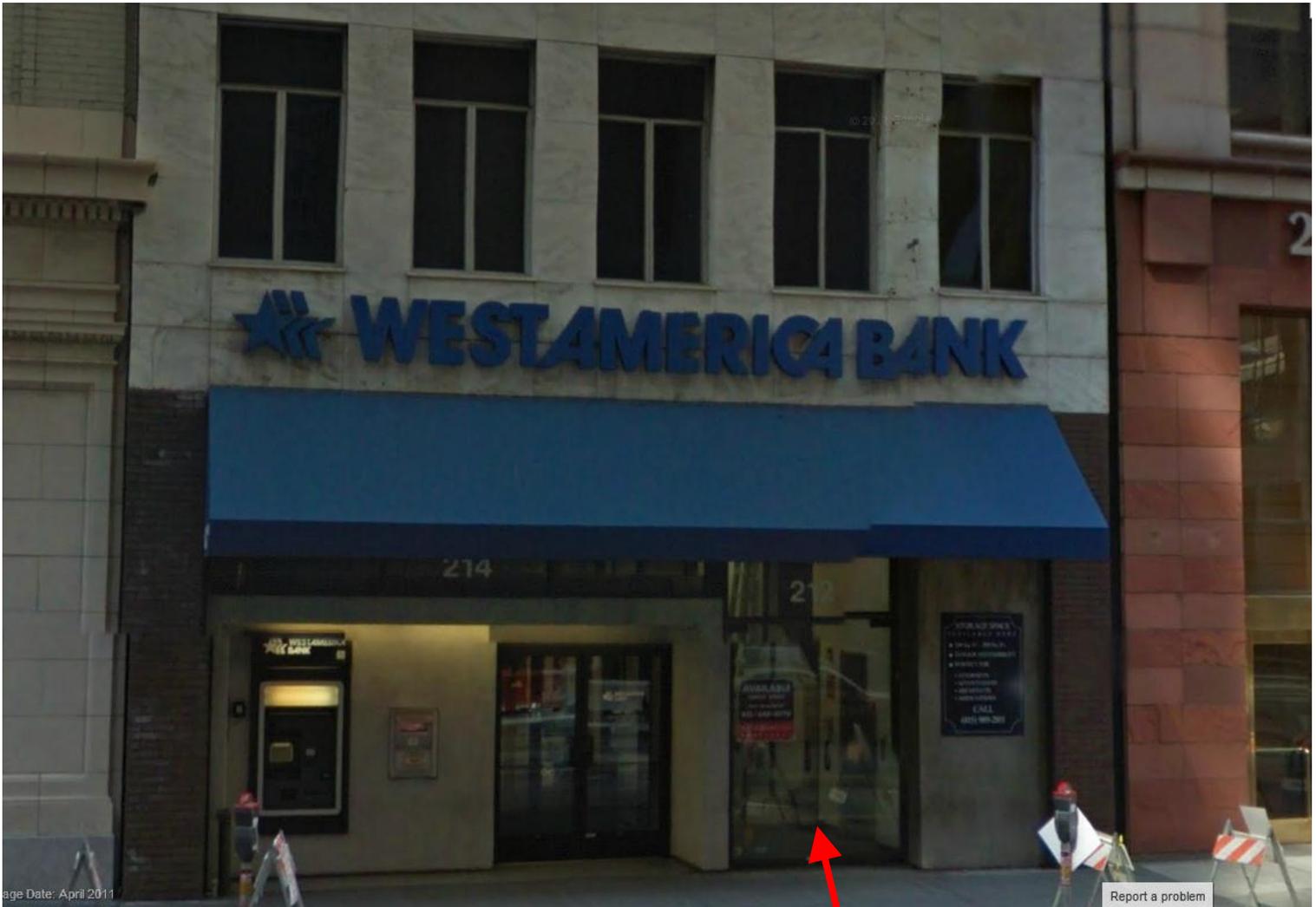
Site Photo



SUBJECT PROPERTY

Discretionary Review Hearing
Case Number 2013.0193D
MCD – CBD Wellness Solutions
212 California Street

Site Photo



SUBJECT PROPERTY

Discretionary Review Hearing
Case Number 2013.0193D
MCD – CBD Wellness Solutions
212 California Street

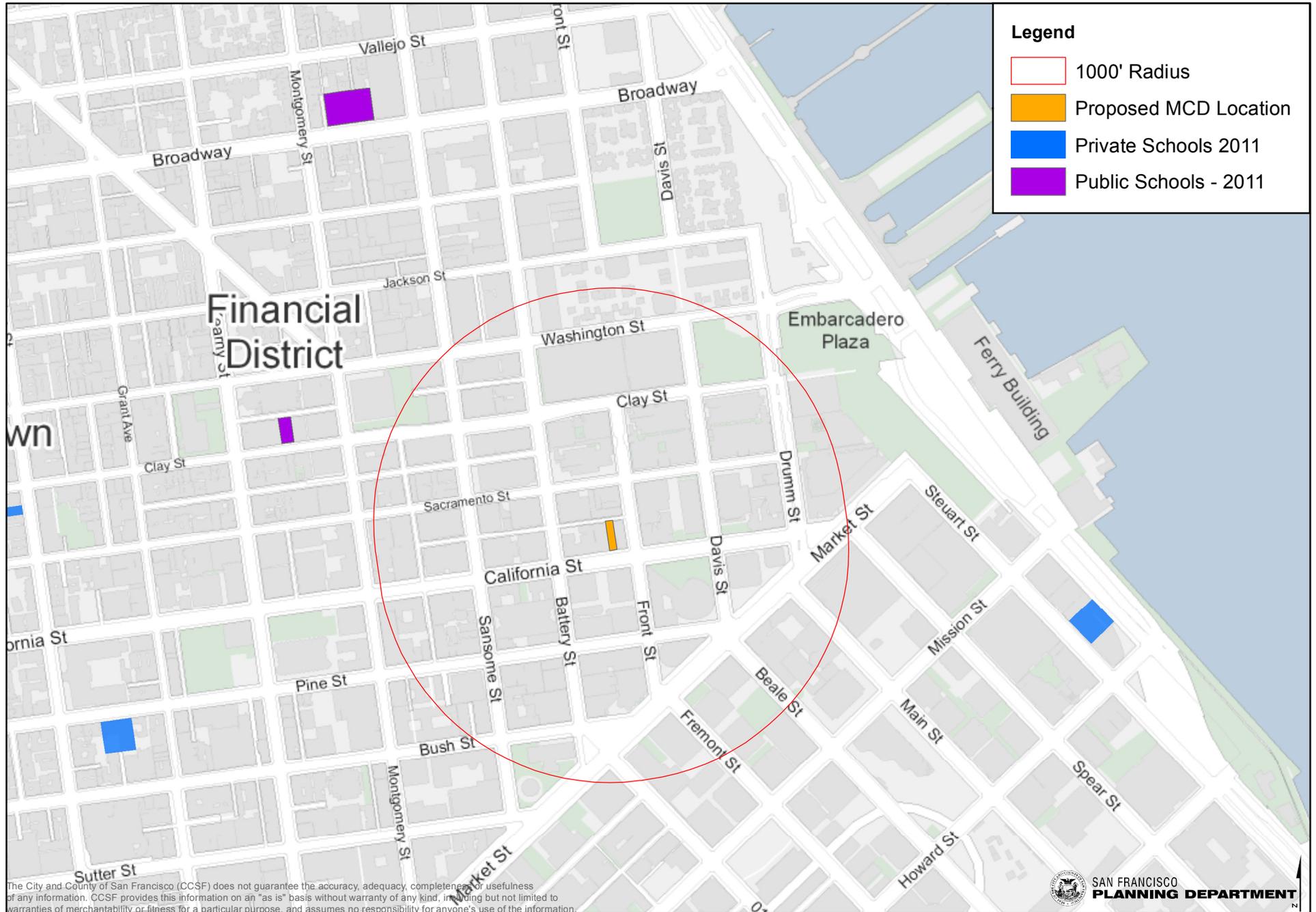
Site Photo



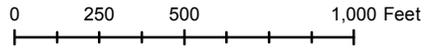
SUBJECT PROPERTY

Discretionary Review Hearing
Case Number 2013.0193D
MCD – CBD Wellness Solutions
212 California Street

MCD Map - 212-214 California Street (Case No. 2012.0193D)



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D.A. CHECKLIST (p. 1 of 2):

The address of the project is 212 California Street + 17 Halleck St

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 Retail-Medical Cannabis Dispensary (e.g. Retail, Office, Restaurant, etc.)
- Describe the area of remodel including which floor: Entry Lobby and 1st Flr Tenant Space
- The construction cost of this project excluding disabled access upgrades is \$ 90,000.00 which is (check one) more than / less than the Accessibility Threshold amount of \$ 136,060.00 based on the 2012 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

- 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 1134B 2.1 Ex. 2. Partial upgrades, including equivalent facilitation will be provided up to 20% 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 Hardship request forms for non-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 Hardship Request (UHR) for the Equivalent Facilitation items.
 - E: Hardship 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 (NOV) 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: _____

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

Check all applicable boxes and specify where on the drawings the details are shown.

Notes: upgrades below are listed in priority based on CBC 1134B 2.1 Ex. 1	Existing Fully Complying	Upgrade to Full Compliance	Partial Upgrade / Hardship	Equivalent Facilitation / Hardship	Home existing & not req'd by Code	Access Appeals Commission	Barrier Removal / NOV	Location of details (include detail no. & drawing sheet (do not leave this field blank)). Also clarification comments can be written here.
1. One accessible entrance serving the area of remodel. Note: This should be a primary entrance. Add upgrade may be required if it is not.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Details 2,3,4, Sheet A1
2. An accessible route to the area of remodel:								
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"/>	Details 2,3,4, Sheet A1
2b. ramps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	not in scope of permit
2c. elevator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	not in scope of permit
2d. stairs (if no elevator)	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. At least one accessible restroom for each sex 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"/>	Detail 3, Sheet A1 also Restroom Elevations, 4 Sht A3
4. Accessible public pay phones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Accessible drinking fountains (if any)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	Detail 1, Sheet A1
7. Visual Alarm	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building is not sprinklered, no alarms
8. Parking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Others								
path from parking area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Shower	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: _____

INDEX of DRAWINGS

- A1 Disabled Access MOD Forms ADA Details
- A2 Existing Floor Plans + Demo Plan
- A3 Alteration to Entry Lobby & New 1st Floor Plan
- A4 Reflected Ceiling Plan - Lighting



A PLOT PLAN
A1 Scale 1" = 50 ft

SCOPE of WORK

- Upgrade Entry Door & Door hardware
- Upgrade Existing Restrooms (1st floor)
- Install new non-load bearing partitions & retail fixtures as required by new tenants

Existing ADA & Title 24 features Not in Compliance to be upgraded under this Permit:

- Entry Door Threshold
- 1 Existing Restroom
- Signage

CONSTRUCTION TYPE: UMB (upgraded)
Two Story Bldg w/ Basement

B (Office) over M (Retail)

OCCUPANCY CLASSIFICATION: B - M

APPLICABLE CODES:

- ADAAG Americans with Disabilities Act Accessibility Guidelines
- 2010 California Building Code
- 2010 San Francisco Building Code
- 2010 Mechanical Code
- 2010 Plumbing Code
- 2010 Electrical Code, and Amendment to the 2010 California Building Code
- 2010 California Historical Building Code

Mayor's Office on Disability

DISABILITY ACCESS COMPLIANCE APPROVAL



Edwin M. Lee
Mayor
Susan Metzner
Director

PROJECT: Halleck Health Solutions, Inc.
Number: FY 2012
Project Address: 212 CALIFORNIA STREET

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: Ann W. Hopper, Carla Johnson Date: _____

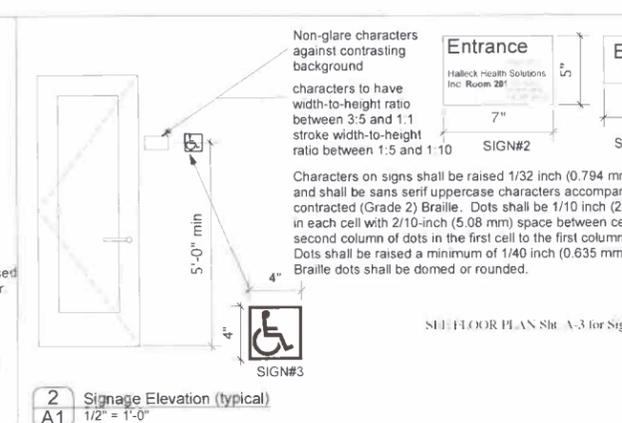
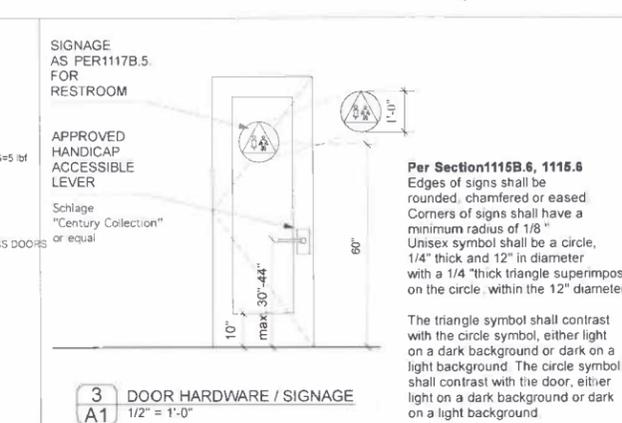
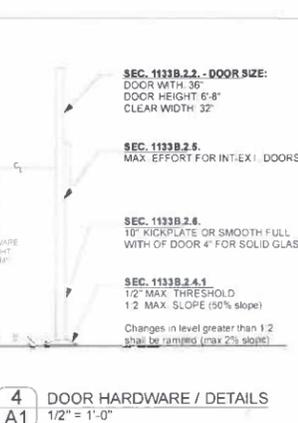
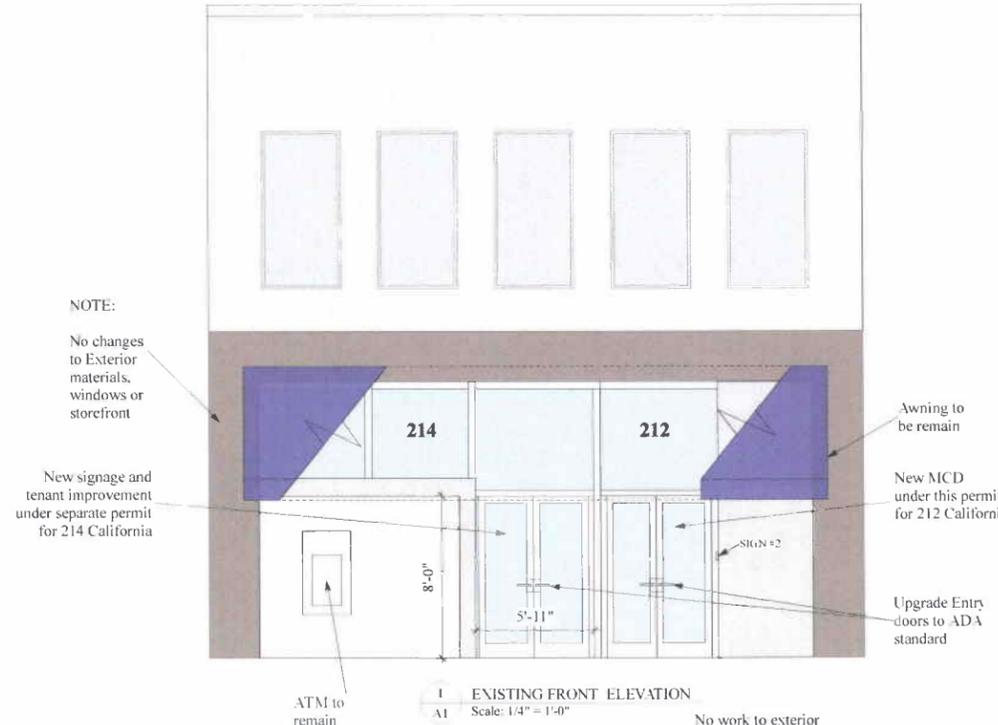
401 Van Ness Avenue, Suite 300, San Francisco, CA 94102

415.554.8788

415.554.8788 TTY

415.554.0150 Fax

MOD@sf.gov

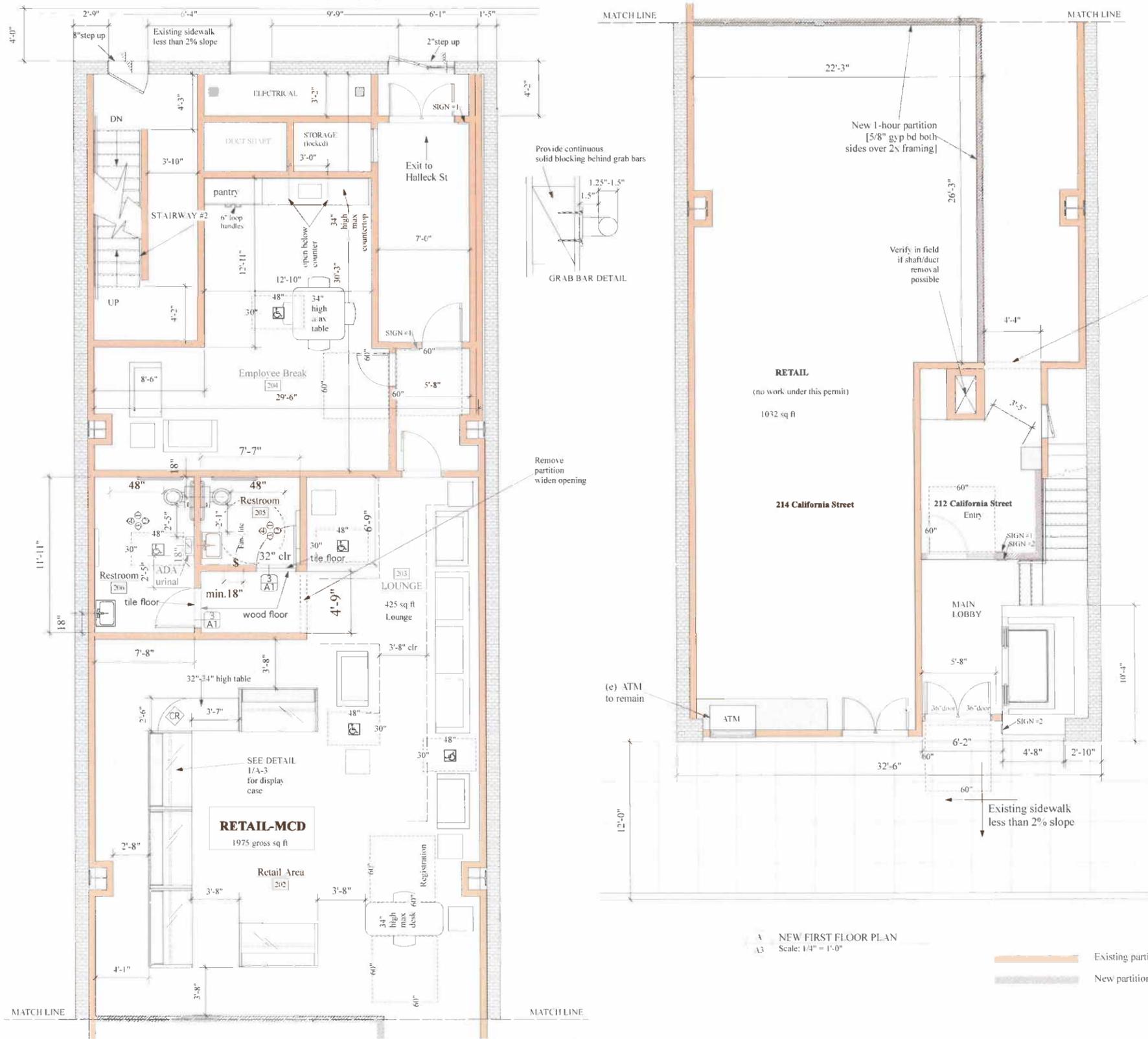
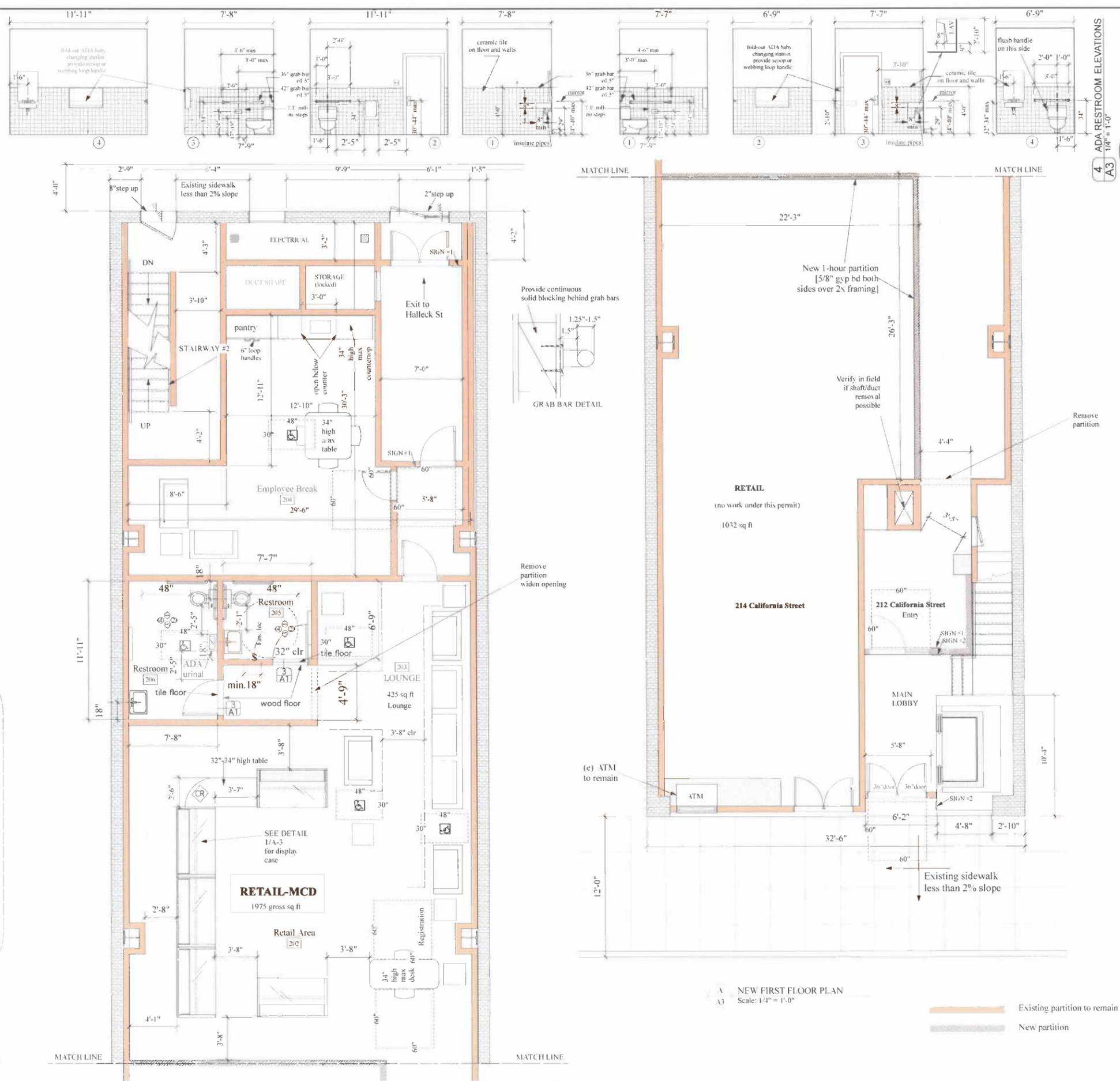
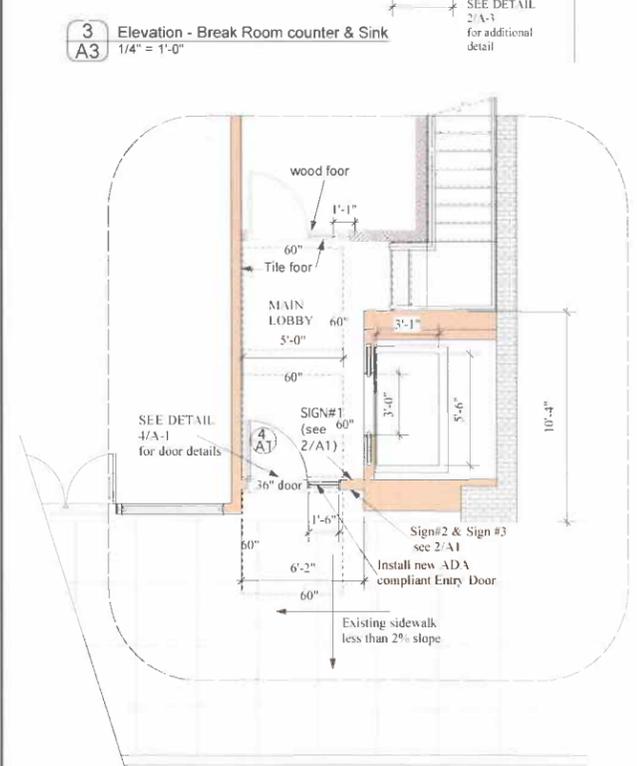
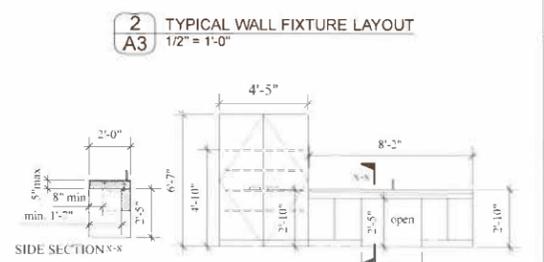
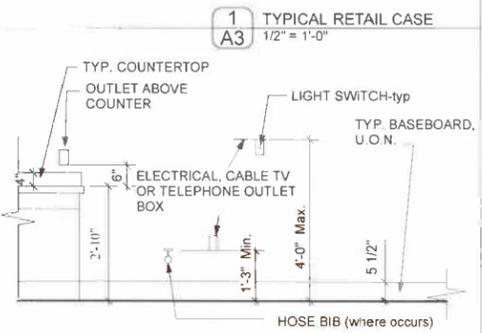
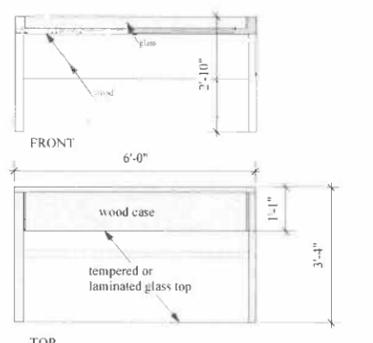


REVISIONS	BY
February 13, 2013	

STEPHEN ANTONAROS
ARCHITECT
2261 Market Street #324
San Francisco, California 94114
www.antonaros.com santonaros@sgk.com
(415) 864 2261

TENANT IMPROVEMENT-MCD
212 California Street & 17 Halleck Street
Block 0237 Lot 007

Date: July 2012
Scale: 1/8" = 1'-0"
Drawn: SA
Job:
Sheet: **A-1**
Of: Sheets



Existing partition to remain
New partition

REVISIONS	BY
February, 13, 2013	



STEPHEN ANTONAROS ARCHITECT
2261 Market Street #324
San Francisco, California 94114
www.stephenantonaros.com
(415) 864-2261

TENANT IMPROVEMENT-MCD
212 California Street & 17 Halleck Street
Block 0237 Lot 007

Date	July 2012
Scale	1/8" = 1'-0" u.o.n.
Drawn	SA
Job	
Sheet	A-3
Of	Sheets

Hearing Date: 09/12/2013
San Francisco Planning Commission

Re: Operating & Security plan for CBD Wellness Solutions, 212 California St.

The following information is an outline of CBD Wellness Solutions' operating plan.

CBD Wellness Solutions will operate in full compliance and conformity with the California Health & Safety Code, The Attorney General's Guidelines on the Non Diversion of Medical Marijuana, and in accordance with Article 33 of the San Francisco Health Code, i.e. The Medical Cannabis Act.

Projected Hours of operation will be 8am – 7pm.

Employees on site per shift will range from 6-8, as follows:

- 4 counterpersons (3 working 1 floating for back up and breaks)
- 2 security persons (1 at front door and 1 in the interior)
- 1 reception
- 1 manager

There will be no on-site consumption of medical cannabis allowed.

Delivery will be limited to extreme cases where patients are physically unable to travel to the Collective for their medicine because of the severity of their medical condition.

Members will be encouraged to make their orders in advance through our on-line system for pick up of their medicine.

Security:

Patrol Special Uniformed Officer: CBD Wellness Solutions has made a significant neighborhood outreach effort for this project to determine what the primary concerns of neighbors are. Initially it is the opinion of the Collective's management and Board of Directors, that the main concern of neighbors and the community will be security, safety, and potential for nuisance. To address these concerns, CBD Wellness Solutions has designed a security and operations plan to provide a safe environment for the Collective's patients and neighbors.

CBD Wellness Solutions will contract with a San Francisco Patrol Special beat officer to be present during peak business hours. Patrol Special presence will be adjusted over time based on need. In addition, a security staff member will remain at the front door with visibility of the Street at all times during business hours. Neighbors will be provided with 24 hour contact information for CBD Wellness Solutions staff. Patrol Special Officer will be instructed to communicate regularly with neighboring businesses.

Security Cameras and Lighting: Cameras and lighting will be installed in the front and rear of the Collective and will be oriented to cover a significant portion of

California Street and Halleck Street in both directions. Cameras will also be positioned throughout the interior of the Collective to ensure patient safety. CBD Wellness Solutions will work with SFPD on determining the exact location of the cameras.

SFPD: The Collective intends to establish a good working relationship with the SFPD and an open line of communication for both sides to address any potential concerns or issues that may arise. Officers from Central Station will be asked to review the Collective's security plan and provide feedback/advice. Any evidence of criminal behavior captured by the cameras will be provided immediately to SFPD.

Verification of Qualified Patient Status:

New Members:

Intake staff is located in the front entry room of the facility. The dispensary area of the facility is located behind the front entry room and is separated by a closed opaque door.

Every new member must join and register with the Collective before entering the dispensary area. In order to join the Collective, the qualified patient must present a valid and verifiable physician's recommendation to use medical cannabis and a valid California Identification Card or Driver's License. The intake staff of the Collective will first verify that the recommending physician's license is current and valid. Staff will then directly contact the recommending physician's office to verify the authenticity of the patient's recommendation. After this initial verification step is completed the patient will be provided with a Membership Agreement to review with the intake staff. This membership agreement contains the Rules of Membership, The Building Guidelines & the Good Neighbor Policy. When the agreement is signed, the new member's Identification Card is scanned into the Collective's verification system for future entry and safeguard against suspicious patterns of entry and use.

New members are then directed to speak with a staff consultant on the different methods for using medical cannabis and the efficacies of the different types of medical cannabis products available.

Existing Members:

During subsequent visits to the Collective, the member will furnish a copy of their physician's recommendation and CA State issued identification Card to the intake staff. The CA State issued identification card is scanned and the patient's membership information is displayed and verified by intake staff. The member will then be allowed into the dispensary area where the member will take a number and sit down until the next available staff member can serve her. Existing members will have access to staff consultants upon request to discuss treatment options.

CBD WELLNESS SOLUTIONS

Membership Code of Conduct

To be a patient or primary caregiver with CBD Wellness Solutions you are required to agree to and comply with the following Membership Code of Conduct.

1. CBD Wellness Solutions reserves the right to terminate membership for any violation of our agreements and code of conduct with no warnings or second chances. Disrespectful behavior will not be tolerated.
2. Only legally qualified patients and caregivers may register as members of CBD Wellness Solutions. To become a caregiver you will need to acquire a "Caregiver Statement" from the patient's licensed physician that issued their "Letter of Recommendation."
3. You must be at least 18 years old and have state-issued identification to access our services. A parent or Court-appointed legal guardian must consent in order for persons who are younger than 18 years old to obtain service. Any person who is not a member or qualified patient, including minor, is not permitted within the collective's area.
4. All members are required to show state-issued identification and have their membership validated by CBD Wellness Solutions personnel prior to accessing our facility and services.
5. No cell phones, pagers, cameras, or any other recording devices are allowed anywhere on the premises. Please leave them in your car or at home.
6. No alcohol, illegal drugs, or weapons are allowed in or around CBD Wellness Solutions.
7. Members agree to the limits on amounts of medical cannabis. Never sell or otherwise distribute medication you have obtained at CBD Wellness Solutions. This will result in membership termination.
8. Only qualified service animals are allowed inside the premises.
9. All sales are final. Please check your transaction before you leave the premises.
10. There is no loitering on the property.
11. For your safety, place all medication and plants out of sight before leaving the building.
12. In the event of an emergency, please follow instructions from the staff. Please be friendly to and support our neighbors with your patronage.
13. All persons and any property brought on premises are subject to search.
14. On site consumption is prohibited.

GOOD NEIGHBOR POLICIES

- PLEASE BE RESPECTFUL OF OUR NEIGHBORS' RIGHTS, PRIVACY, AND PROPERTY. NEVER LITTER (GARBAGE CAN AT FRONT DOOR).
- ALWAYS BE CAREFUL AND COURTEOUS WHEN PARKING & DRIVING, PARTICULARLY WHEN EXITING OR ENTERING NEIGHBORHOOD AND PARKING AREAS.
- DO NOT DOUBLE-PARK, BLOCK/PARK IN DRIVEWAYS, OR IN THE NEIGHBORS' PARKING LOTS. YOU MAY BE INSIDE THE COLLECTIVE LONGER THAN YOU THINK.
- NO LOITERING OR NUISANCE BEHAVIOR AROUND THE COLLECTIVE. NOT EVERYONE SHARES YOUR OPINIONS ABOUT MEDICAL CANNABIS. PLEASE BE DISCREET AND RESPECTFUL OF OUR NEIGHBORS.
- DO NOT UNDER ANY CIRCUMSTANCES CONSUME YOUR CANNABIS INSIDE YOUR CAR OR ON THE STREETS AROUND THE COLLECTIVE.
- IF YOU ARE CAUGHT PURCHASING MEDICAL CANNABIS FOR A NON-PATIENT THIRD PARTY OR RESELLING THE MEDICAL CANNABIS PURCHASED FROM CBD WELLNESS SOLUTIONS, YOU WILL BE PERMANENTLY EXPELLED FROM THE COLLECTIVE AND REPORTED TO THE SAN FRANCISCO POLICE DEPARTMENT.

THANK YOU FOR YOUR COOPERATION AND YOUR CONTINUED PATRONAGE.

*****Violation of these rules may result in the expulsion from CBD Wellness*****

SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH RULES AND REGULATIONS FOR MEDICAL CANNABIS DISPENSARIES (“MCD”)

In order to obtain a permit from the San Francisco Health Department and maintain such a permit, all MCD must comply at all times with the following requirements:

1. Compliance with all State Laws pertaining to medical cannabis dispensaries.
2. Operate as a Not for Profit business.
3. All managers must submit to fingerprint and background check by California Department of Justice.
4. No smoking on-site allowed unless specifically stated in application (Not stated in CBD Wellness Solutions application).
5. Any consumption of medical cannabis within 50 feet of an MCD is an infraction punishable by fine issued by SFPD.
6. No alcohol sales or consumption allowed inside.
7. Twice daily litter removal services required within 100 feet of the MCD.
8. SFPD approved security plan (lighting, cameras, alarms, security guards and protocols).
9. On site community relations staff person with community relations hotline & fax.
10. Signage restrictions (no illuminated signs, limitations on signage size and content).
11. Approvals must be received from the following City of San Francisco Departments: Health Department, Planning Department, Building Inspection, Fire Department, Mayors Office of Disability, and Police Department.

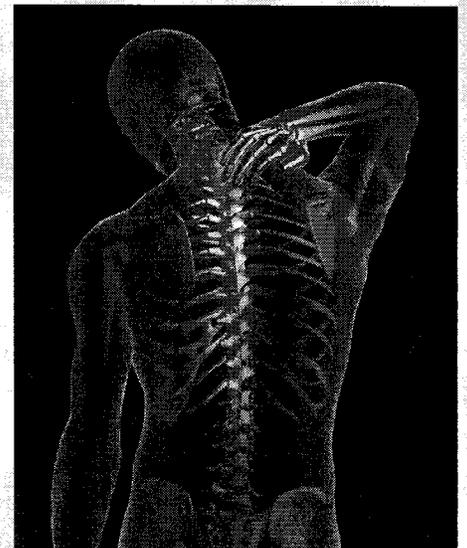
C B D

Wellness Solutions



Solutions

- Medical Cannabis
- Cannabis Pain Cream
- Therapeutic Ointments
- Vitamins
- Acupuncture
- Physical Therapy



C B D

Wellness Solutions

WHAT IS CBD?

CBD (Cannabidiol) is the most widely recognized medically-effective compound in the cannabis plant. CBD has powerful medical effects but does not make people feel “stoned” and can actually counter the psychoactive effects of THC.

WHAT TYPE OF CONDITIONS CAN BE TREATED WITH CBD?

Scientific and clinical studies have shown that CBD has a wide scope of medical applications including chronic pain, diabetes, cancer, cardiovascular disease, fibromyalgia, alcoholism, PTSD, schizophrenia, antibiotic-resistant infections, rheumatoid arthritis, multiple sclerosis, epilepsy, anxiety disorders and other neurological disorders.

WHERE CAN I GET IT?

After decades in which only high-THC Cannabis was available, CBD-rich strains are now being grown by and for medical cannabis users. Non smoke-able CBD products are being developed including salves, tinctures, oils & creams. Because medical cannabis is not recognized under Federal Law, CBD products can only be found in states with medical cannabis laws, and accessed at a licensed medical cannabis dispensary in California.

IS IT DANGEROUS?

The reduced psycho activity of CBD-rich cannabis makes it an appealing treatment option for patients seeking anti-inflammatory, anti-pain, anti-anxiety, and anti-psychotic effects without disconcerting lethargy or dysphoria. CBD is a non lethal compound, according to the National Cancer Institute.

C B D

Wellness Solutions

Neurological and Physical Illness: Dr. Ruth Gallily, an immunology professor at Hebrew University who has researched CBD for 15 years, said the drug offers still unknown potential in treating neurological and physical illnesses. "Where the THC binds to the brain receptor, giving the high feeling, the CBD doesn't bind, making it effective without toxicity," she said. "It can be used for liver inflammation, rheumatoid arthritis, heart disease, and even diabetes type 1, which afflicts millions of people." But the fact that it is a plant, she said, and is therefore harder to control and impossible to patent, makes it an unattractive investment for medical companies.

Smoking Addiction: The inhalation of the non-psychoactive cannabinoid CBD (cannabidiol) significantly mitigates tobacco smokers' desire for cigarettes, according to clinical trial data published online in the journal *Addictive Behaviors*. . . Researchers reported: "Over the treatment week, placebo treated smokers showed no differences in number of cigarettes smoked. In contrast, those treated with CBD significantly reduced the number of cigarettes smoked by [the equivalent of] 40 percent during treatment." Moreover, participants who used CBD did not report experiencing increased cravings for nicotine during the study's duration.

National Cancer Institute Study, USA: An in vitro study of the effect of CBD on programmed cell death in breast cancer cell lines found that CBD induced programmed cell death, independent of the CB1, CB2, or vanilloid receptors. CBD inhibited the survival of both estrogen receptor-positive and estrogen receptor-negative breast cancer cell lines, inducing apoptosis in a concentration-dependent manner while having little effect on nontumorigenic, mammary cells. Another investigation into the antitumor effects of CBD examined the role of intercellular adhesion molecule-1 expression has been reported to be negatively correlated with cancer metastasis. In lung cancer cell lines, CBD upregulated ICAM-1, leading to decreased cancer cell invasiveness.

Cancer Treatment: Researchers at California Pacific Medical Center in San Francisco began focusing their attention on a far tamer compound in the marijuana plant, an ingredient called cannabidiol. "Cannabidiol is a non-toxic agent from cannabis that is not psychoactive," says Sean McAllister, Ph.D., a lead researcher in the group's recent study. McAllister and colleague Pierre Desprez, Ph.D., now believe they are ready for human trials, using the compound to treat metastatic cancer. The pair has produced a synthetic version of cannabidiol, also known as CBD, which they say targets a specific gene in the body related to the spread of cancer. "We found this one compound, CBD, had a specific effect on metastatic cancer cells, very aggressive tumor cells. The bad cancer cells, the ones that spread throughout the body," said Desprez.

Diabetes: A 2006 study published in the journal *Autoimmunity* reported that injections of 5 mg per day of the non-psychoactive cannabinoid CBD significantly reduced the incidence of diabetes in mice. Investigators reported that 86% of untreated control mice in the study developed diabetes. By contrast, only 30% of CBD-treated mice developed the disease. In a separate experiment, investigators reported that control mice all developed diabetes at a median of 17 weeks (range 15-20 weeks), while a majority (60 percent) of CBD-treated mice remained diabetes-free at 26 weeks.

PERBACCO
ristorante + bar

230 California Street
San Francisco, CA 94111
tel 415-955-0663
fax 415-955-0676
www.perbaccosf.com

August 31, 2013

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Case No: 2012.0193D
Building Permit: 2012.08.30.8628

Dear Ms. Watty,

I am writing this letter in response to the Notice of Public Hearing I received regarding the case mention above.

As the owner of Perbacco and Barbacco, two restaurants neighboring with the property on 212-214 California Street, I strongly oppose the proposed opening of Medical Cannabis Dispensary.

The permit says that the entrance of the dispensary is on California Street but the name of the business is "Halleck Health Solutions, Inc.", therefore suggesting that the customers will be directed to Halleck Alley. I am responsible for the safety of my employees coming to work every day by using the Halleck Alley back entrance of the restaurants. On a daily basis I have to fend off intoxicated and belligerent homeless people. There is no doubt that the dispensary will attract dubious clientele it will add drug activities to the already precarious situation.

Over the year there have been many altercations, thefts and other crimes in that alley, mostly stemming from drug use and homeless turf wars. Myself and other property and business owners responsible for the safety of my employees coming to work very day by using the Alley back entrance of the restaurants backing up to the alley do our best to keep it clean and safe on daily basis with little to no assistance from the city.

I strongly believe that the proposed business will add to our difficulties and should therefore be denied.

Thank you for your consideration.

Sincerely yours



Umberto Gibin

Proprietor

Perbacco Ristorante + bar, 230 California Street
Barbacco eno trattoria, 220 California Street

Cc:Breandan@hallinan-law.com

SWIFT REALTY PARTNERS LLC

The Newhall Building
260 California Street, Suite 300
San Francisco, CA 94111
Phone (415) 395-9701

September 5, 2013

VIA ELECTRONIC MAIL

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
Elizabeth.Watty@sfgov.org

Re: **Proposed Medical Cannabis Dispensary at 212-214 California Street**
Case No: 2012.0193D Building Permit: 2012.08.30.8628

Dear Ms. Watty,

This letter is in response to the Notice of Public Hearing I recently received regarding Case No. 2012.0193D.

As a local small business owner, as well as a neighboring property owner, I strongly oppose the proposed opening of a Medical Cannabis Dispensary at 212-214 California Street. The 200 block of California Street in San Francisco's central business district has particular historic quality and appeal exemplified by the Cable Car, Tadich Grille, and buildings like ours (260 California Street, which was built in 1910). There is a unique vitality and character to this area that simply does not suit a marijuana dispensary. Indeed, such a business would be a detriment to an iconic stretch of California Street and I ask you to join me in opposing this proposed use and preserving the historic quality and appeal of our business neighborhood.

Thank you for your consideration.

Sincerely,

Swift Realty Partners LLC



Christopher Peatross, CEO



MICHAEL L. BUICH
PROPRIETOR

August 19, 2013

Ms. Elizabeth Watty
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103 Elizabeth.Watty@sfgov.org

Case No: 2012.0193D Building Permit: 2012.08.30.8628

Dear Ms. Watty –

I am writing this letter in response to the Notice of Public Hearing I received regarding the aforementioned case.

Simply put, as a neighboring property and business owner, I strongly oppose the proposed opening of a Medical Cannabis Dispensary at 212-214 California Street.

My primary concern is the questionable clientele that such a dispensary will no doubt attract. The name "Halleck Health Solutions, Inc." leads one to believe that this clientele may be directed to Halleck Alley, the already drug-polluted alley that several neighboring dining establishments back up to. We must use this alley every morning to accept deliveries, and every night in order to put garbage out.

Over the years there have been many altercations in that alley, mostly stemming from drug use and homeless turf wars. We property and business owners do our best to keep the alley clean and safe on a DAILY/NIGHTLY basis with little-to-no assistance from the City.

I strongly believe the proposed business will add to our difficulties and should therefore be denied.

Thank you for your consideration.

Sincerely,

Michael L. Buich
Owner, Tadich Grill
Owner, Buich Building, 240 California Street

Cc: brendan@hallinan-law.com