



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Analysis

Medical Cannabis Dispensary

HEARING DATE JUNE 17, 2010

Date: June 10, 2010
Case No.: **2010.0184D**
Project Address: **527 HOWARD STREET**
Zoning: C-3-O, (Downtown Office District)
200-S/350-S Height and Bulk District
Block/Lot: 3736/083
Project Sponsor: Igor Khavin
6334 Porterfield Court
Stockton, CA 95207
Staff Contact: Rick Crawford – (415) 558-6358
rick.crawford@sfgov.org
Recommendation: **Do Not Take Discretionary Review and Approve the Permit**

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

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415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

PROJECT DESCRIPTION

The proposal is to develop a Medical Cannabis Dispensary (dba Igzactly Health Center) on the ground floor of an existing four-story building. The MCD will allow not smoking on site. The project will not alter the exterior of the subject building.

SITE DESCRIPTION AND PRESENT USE

The subject property is a rectangular shaped through lot of 4,125 square feet in area extending between Howard Street and Tehama Street at the rear and is occupied by a four-story commercial building that covers the entire lot. The site is located between 1st and 2nd Streets. The MCD will occupy all of the approximately 1,400 square feet of the ground floor. The upper stories of the building are occupied by offices for tech companies.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The project site is located at the edge of the Financial District, a district consisting of a wide variety of office, retail, hotel, and residential uses. The site is also within the Transbay Redevelopment Area and the Transit Center District Plan Area. And the area is generally developed with office uses over ground-floor retail spaces. High density residential uses are located further to the south along First Street, within the Rincon Hill area. The Transbay Terminal is located one block north of the project site. Older buildings in the area are typically four stories in height, while recent residential and office buildings, such as those in the Foundry Square project at First and Howard Streets are generally mid- to high-rise.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	10 days	June 7, 2010	June 7, 2010	10 days
Mailed Notice	10 days	June 7, 2010	June 7, 2010	10 days

PUBLIC COMMENT

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

The Department has received one call objecting to the use.

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

Project Meets Criteria

The applicant has applied for a permit from the Department of Public Health.

2. That the proposed site is located not less than 1,000 feet from the parcel containing the grounds of an elementary or secondary school, public or private, or recreation buildings as defined by Section 221(e) of the Planning Code.

Project Meets Criteria

No elementary or secondary school, public or private, or recreation buildings as defined by Section 221(e) of the Planning Code are located within 1,000 feet of the proposed facility.

3. 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.

Project Meets Criteria

The subject building will provide adequate ventilation to prevent odor emissions from the premises.

4. 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.

5. 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.

6. A notice shall be sent out to all properties 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 notice was sent to owners and occupants within 300-feet of the subject parcel identifying that a MCD is proposed at the subject property and that the building permit was subject to a Mandatory Discretionary Review Hearing. Separate notice of the hearing was sent 10 days prior to the hearing date.

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 Sections 217(k) 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 was previously used for an office use 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 compliment the existing neighborhood character.

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

The exiting building 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 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 subject building is occupied by office uses and the proposed use 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 subject building was constructed in the early part of the 20th century and is considered an historic resource. The project will not impact the exterior of the building or diminish the building's value as a resource.

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 15061(b) (1) of the State CEQA Guidelines, pursuant to Title 14 of the California Administrative Code.

BASIS FOR RECOMMENDATION

- The MCD complies with all standards and requirements of the Planning Code and advances the objectives and policies of the General Plan.
- 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 operator of the establishment shall maintain the main entrance 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 main entrance and abutting sidewalks at least once every two weeks.
 2. The project sponsor shall maintain appropriate odor control equipment to prevent any significant noxious or offensive odors from escaping the premises.
 3. 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.
 4. Because the subject property is within the Transbay Redevelopment Project Area, any changes to the design of the facade shall be reviewed and approved by staff from the San Francisco Redevelopment Agency to ensure compatibility with the neighborhood.

RECOMMENDATION: Take Discretionary Review and Approve the MCD with Conditions

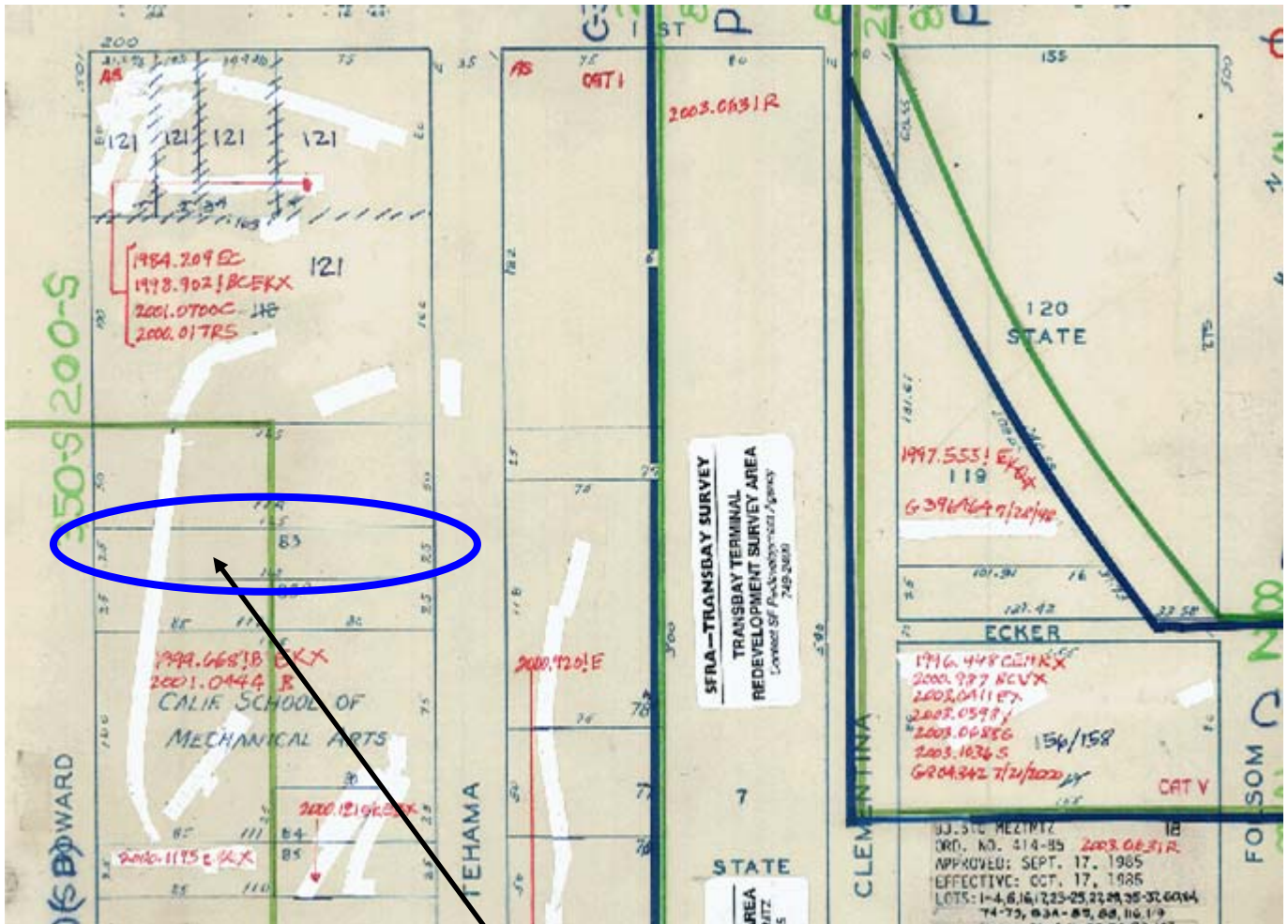
Attachments:

Parcel Map
Sanborn Map
Zoning Map
Aerial Photograph
Context Photograph

Site Photograph
Section 312Notice
Reduced Plans

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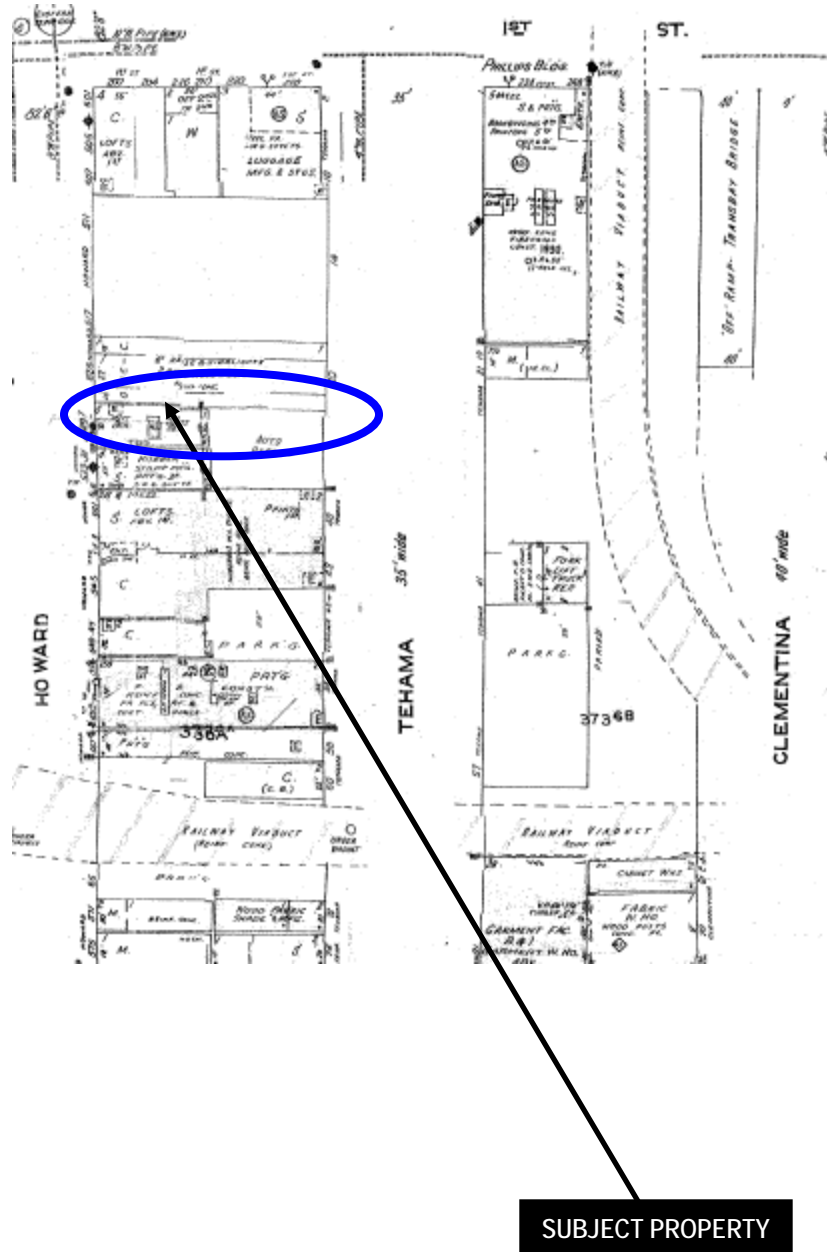
Parcel Map



SUBJECT PROPERTY

Discretionary Review Hearing
Case Number 2010.0184D
567 Howard Street MCD

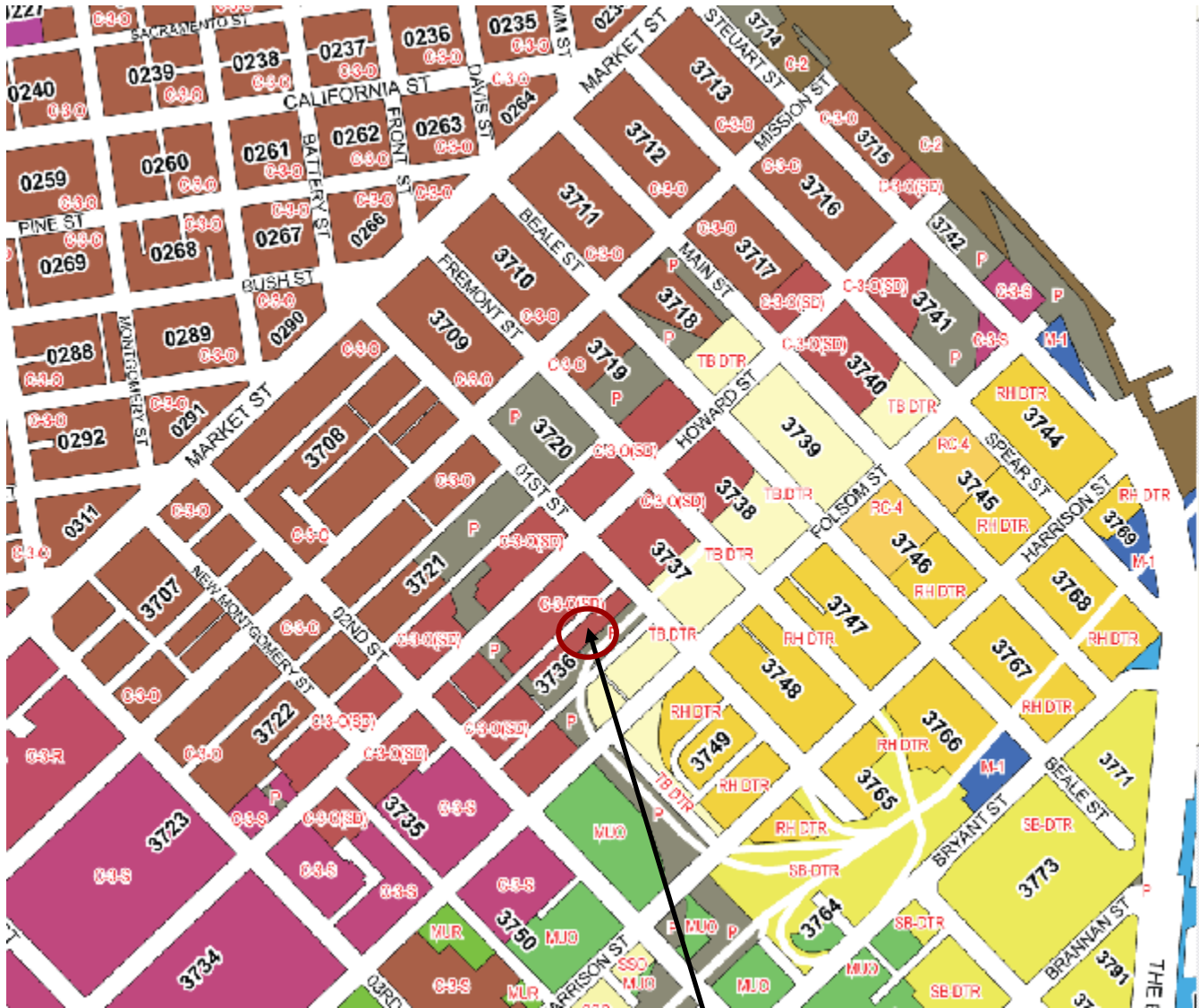
Sanborn Map*



*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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567 Howard Street MCD

Zoning Map



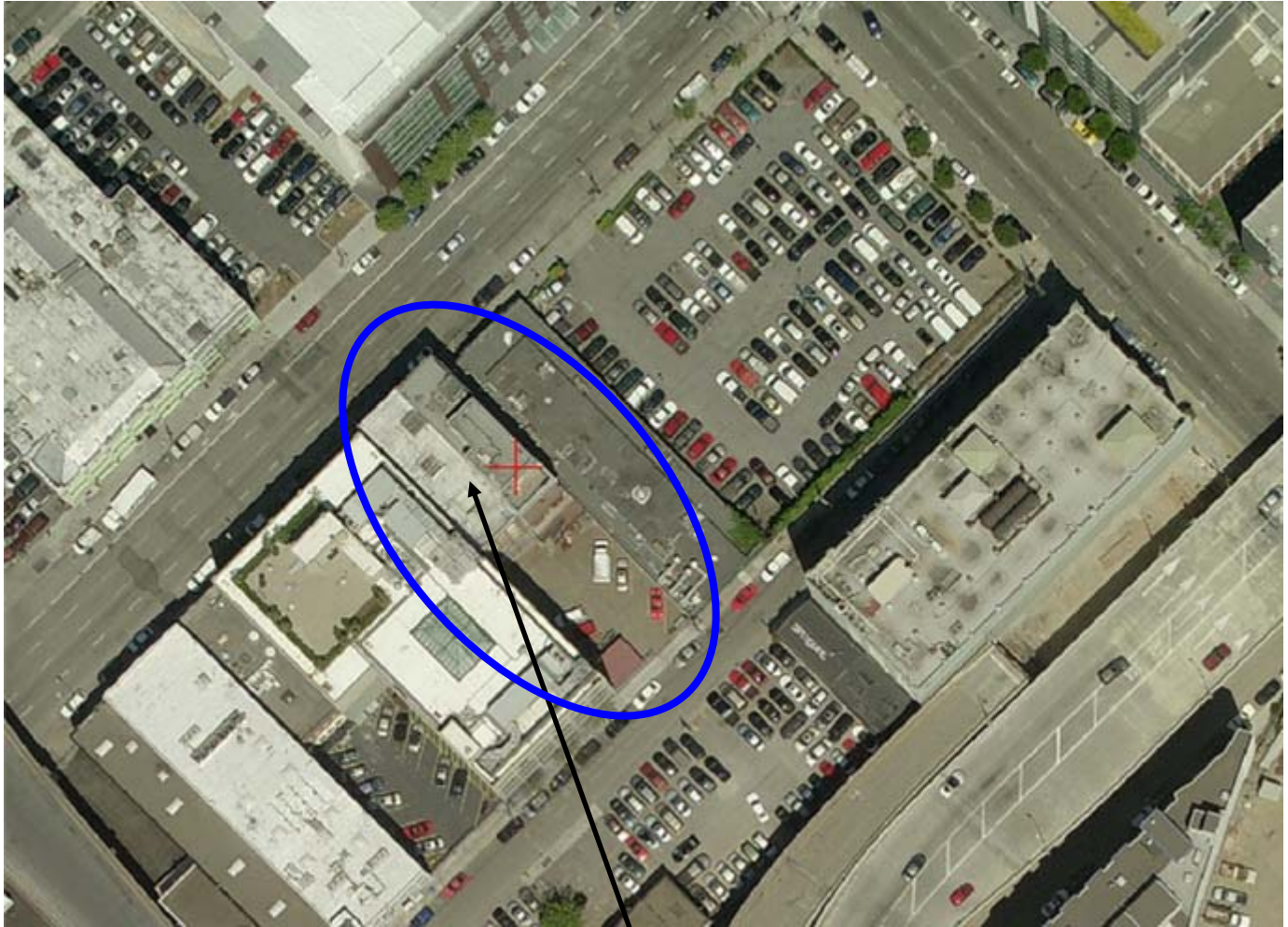
SUBJECT PROPERTY

ZONING USE DISTRICTS

RESIDENTIAL, HOUSE DISTRICTS				
RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3
RESIDENTIAL, MIXED (APARTMENTS & HOUSES) DISTRICTS				
RM-1	RM-2	RM-3	RM-4	
NEIGHBORHOOD COMMERCIAL DISTRICTS				
NC-1	NC-2	NC-3	NCD	NC-S
SOUTH OF MARKET MIXED USE DISTRICTS				
SPD	RED	RSD	SLR	SLI
SSO				
COMMERCIAL DISTRICTS				
C-2	C-3-S	C-3-G	C-3-R	C-3-O
C-3-OSD				
INDUSTRIAL DISTRICTS				
C-M	M-1	M-2		

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Aerial Photo



SUBJECT PROPERTY



Discretionary Review Hearing
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Context Photo



SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2010.0184D
567 Howard Street MCD

Site Photo



SUBJECT PROPERTY

Discretionary Review Hearing
Case Number 2010.0184D
567 Howard Street MCD

GENERAL NOTES

1. The work included under this contract consists of all labor, materials, transportation, tools and equipment necessary for the construction of the project leaving all work ready for use.
2. All construction shall conform to the 2007 California Building Code, 2007 Uniform Mechanical, Electrical, and Plumbing Codes, Title 24, Fire and Safety Standard and any other local governing codes and ordinances. In the event of conflict, the most stringent requirements shall apply.
3. The Plans indicate the general extent of new construction necessary for the work, but are not intended to be all-inclusive. All demolition and all new work necessary to allow for a finished job in accordance with the drawings shall be shown on the drawings. All work shall be shown on the drawings in the notes. A work new, U.O.N.
4. Any errors, omissions or conflicts found in the various parts of the construction documents shall be brought to the attention of the Architect and the Owner for clarification before proceeding with the work.
5. The General Contractor shall maintain a current and complete set of the construction documents on the job site during all phases of construction for use of all trades and shall provide all the sub-contractors with current construction documents as required.
6. The General Contractor shall verify and assume responsibility for all dimensions and site conditions. The General Contractor shall inspect the existing premises and take note of existing conditions prior to submitting prices. No claim shall be allowed for difficulties encountered which could have reasonably been observed from a careful inspection of the drawings.
7. Withholdings shall be determined in accordance with the specifications.
8. All dimensions to and from new construction when shown in plan are to face of stud, face of masonry, centerline unless otherwise noted.
9. All dimensions on reflected ceiling or electrical plans are from face of finish or center line of column to center line of fixture or group of fixtures.
10. All vertical dimensions are to face of finish, finish floor unless otherwise noted.
11. All dimensions noted "Verify" and "V.I.F." are to be checked by the contractor prior to construction. Immediately report any variances to the Architect for resolution.
12. Interior walls are 2x4 or 2x6 wood studs @ 16" o.c. unless otherwise noted and all exterior walls are 2x6 wood studs @ 16" o.c. unless otherwise noted.
13. Contractor shall provide all seismic bracing and hold-down clips as required by code for all suspended ceiling and soffit forming conditions.
14. Contractor shall coordinate all work with existing conditions, including but not limited to: impingement pipes, electrical conduit, water lines, gas lines, drainage lines, etc.
15. Contractor shall provide adequate temporary support as necessary to assure the structural value or integrity of the building.
16. Contractor shall protect all existing building and site conditions to remain including but not limited to: walls, cabinets, finishes, trees, shrubs, paving, etc.
17. Details shown are typical. Similar details apply in similar conditions.
18. Verify all architectural details with structural and design/build teams before ordering or installing doors and windows. If not dimensioned they shall be centered in the wall or placed two stud widths from adjacent wall as indicated on the drawings.
20. All required exits shall be operable from inside, without the use of key or special knowledge.
21. All changes in floor material occur at centerline of framed opening or centered on the floor in the closed position, unless otherwise indicated on the drawings.
22. Install all fixtures, equipment and materials per manufacturer's recommendations.
23. Verify clearances for lines, vents, chases, soffits, fixtures, etc. before any construction, ordering of, or installation of any items of work.
24. Detail, labeling and tagging, etc. locations shown on drawings are for informational purposes only. The contractor shall verify all recommendations and standard industry and building practices.
25. All roof deck, penetrations and exterior wall openings shall be guaranteed by the contractor to be water tight for a minimum period of one year after substantial completion of all work under this contract.
26. The General Contractor shall remove all rubbish and waste materials of all sub-contractors and trades on a regular basis, and shall exercise a strict control over job cleaning to prevent any direct debris or dust from affecting, in any way, finished areas in or outside the job site.
27. Contractor shall leave the premises and all affected areas clean and orderly, ready for occupancy. This includes cleaning of all glass (inside and outside) and frames, both new and existing.
28. Contractor shall install smoke detectors in accordance with the requirements of the code. All detectors shall be tested and listed for the intended use.
29. All exterior doors and windows are to be weather striped per Title-24 requirements, unless otherwise noted in door/window details.
30. Glass subject to human impact shall be of safety glazing material to meet State and Federal requirements.
31. Any survey monuments within the area of construction shall be preserved or reset by a registered civil engineer or a licensed land surveyor.
32. Provide shop drawings for all mill work, metal work, doors, windows and custom items.
33. Contractor is responsible for reviewing and complying with requirements of 501 Report as prepared by a Geotechnical Engineer.

PROJECT INFORMATION
 PROJECT ADDRESS: 527 HOWARD STREET, SAN FRANCISCO, CA 94105
 ZONING: CGO (S) (D)
 OCCUPANCY: M-MERCANTILE
 CONSTRUCTION TYPE: V-8
 SPRINKLERED: NOT SPRINKLERED
 AREA OF WORK: 1,443 SQ. FT.
 APPLICABLE CODES:
 2007 CALIFORNIA BUILDING CODE
 2007 CALIFORNIA MECHANICAL CODE
 2007 CALIFORNIA PLUMBING CODE
 2007 CALIFORNIA ELECTRICAL CODE
 2007 CALIFORNIA FIRE CODE
 CITY OF SAN FRANCISCO BUILDING CODE
PROJECT DESCRIPTION:
 MINOR TENANT IMPROVEMENT INCLUDING CONSTRUCTION OF 3 NON-BARRING PARTITIONS WITH DOORS AND PLACING FIRESTANDING RETAIL DISPLAY CASES
 OCCUPANT LOAD: (PER CBC TABLE 1004.1.1) 1,443 SQ. FT. / 20 = 72
 FLOOR AREA: 1,443 SQ. FT. / 20 = 72
 STAIRS: 1,443 SQ. FT. / 20 = 72
 TOTAL: 1,443 SQ. FT. / 300 = 5
 PLUMBING FIXTURES:
 (PER SFGC TABLE A-29A)
 1,443 SQ. FT. / 200 = 7 OCCUPANTS

PROJECT DIRECTORY
 OWNER: ICGZACTLY ENTERPRISES INC., 527 HOWARD STREET, SAN FRANCISCO, CA 94105, IGOR KHAVIN, (415) 516-3976
 ARCHITECT: FRNK Architecture, 531 Howard Street, 2nd Floor, San Francisco, CA 94105, Tel: (415) 978 9823, Contact: Robert Frnk
DRAWING INDEX
 A0.0 TITLE SHEET
 A0.1 AIA REQUIREMENTS
 A0.2 AIA REQUIREMENTS SCHEDULES
 A2.0 EXISTING & PROPOSED FLOOR PLANS / DOOR SCHEDULE
 7 x 10 = (1) UNSEX RESTROOM PROVIDED
 7 x 30 = NO DRINKING FOUNTAIN REQUIRED

ABBREVIATIONS

&	And	CONC.	Concrete	F.B.	Flat Bolt	HDPV	Hardware	MHC	Miscellaneous	REG	Regulator
@	At	CONN.	Connection	F.D.	Fire Drift	HDM	Hardware	MID	Mid	REB	Rebar
0	Diameter or Round	CONSTR.	Construction	F.E.C.	Fire Extinguisher	HGR	Height	MILL	Million	REB	Rebar
#	Found or Number	CONT.	Continuos	F.H.M.S.	Flat Head Machine Screw	HGT	Height	(N)	New	REB	Rebar
A.C.	Acoustical	CONTR.	Contractor	F.H.W.S.	Flat Head Wood Screw	H.M.	Hollow Metal	N.C.	North Contact	RET	Retaining
ACOUS.	Acoustical	CONTR.	Contractor	F.I.	Flange	H.H.	Horizontal	N.C.	North Contact	REV	Revision/Revised/Reversed
AD.	Aero Drian	CTR.	Center	F.L.R.	Flange	H.W.H.	Hot Water Heater	N.O.#	Not to Scale	R.NOVY	Rough Opening
ADD.	Adjustable	C.W.	Cold Water	F.L.S.	Flange	I.D.	Inside Diameter	N.T.S.	Not to Scale	RWD	Redwood
ADJ.	Adjustment	DBL	Double	FLC	Fluorescent	I.N.	Inch	O.A.	Overall	S	Saint
AGGR.	Aggregate	DEL	Detail	FLUC	Fluorescent	I.N.	Inch	O.C.	On Center	S.C.D.	Saint Cast
ALU.	Aluminum	DF	Drift	F.O.	Face of Concrete	INSTR.	Instrument	OPNG.	Opening	S.D.	Saint
ALUM.	Aluminum	DIA.	Diameter	F.O.P.V.	Face of Plywood	INTER	Intermediate	OPP.	Opposite	S.D.	Saint
APPROX.	Approximate	DISP.	Dispenser	F.P.R.F.	Face of Stud	JAN.	Jointer	OPPN.	Opposite	SCHD.	Schedule
ARCH.	Architectural	DN	Down	F.R.	Flange	JST.	Joint	PERIM.	Perimeter	SECT.	Section
ASPH.	Asphalt	DOW	Down	F.R.F.	Flange	JST.	Joint	PBR	Pipe	SECT.	Section
BD.	Board	DWG.	Drawing	F.T.	Flange	JST.	Joint	PIAS.	Pipe	SHR	Shower
BTUM.	Bituminous	DWR	Dweller	F.U.	Flange	KIT.	Kitchen	PLYWD.	Plywood	SHR	Shower
BLDG.	Building	EA.	Each	G.	Gas Outlet	L.M.	Laminore	PNL.	Panel	SHR	Shower
BLK.	Block	EJ	Each	G.A.	Gas	L.V.	Lavatory	PNT.	Point	SHR	Shower
BLKG.	Blocking	EL	Each	G.P.	Gas	L.V.	Lavatory	PNT.	Point	SHR	Shower
B.O.	Bottom of	E.L.S.	Each	G.D.	Gas	L.V.	Lavatory	PNT.	Point	SHR	Shower
BOI	Bottom of	E.N.	Each	G.N.	Gas	L.V.	Lavatory	PNT.	Point		

SYMBOLS

SYMBOLS

1	Interior Elevation Number
2	Building Section Number
3	Detail Number
3	Enlarged Detail Number
4	Door Mark
5	Window Symbol
6	Partition Type
7	Grid Line
8	Room Name
9	Room Number
10	Revision
11	Floor Elevation or Dimension Point

IGZACTLY ENTERPRISES - TENANT IMPROVEMENT

527 HOWARD STREET GROUND FLOOR

SAN FRANCISCO, CA 94105

Mayor's Office on Disability
 DISABILITY ACCESS COMPLIANCE APPROVAL

Project Name: 527 HOWARD STREET
 Project Address: address
 Number: FV208

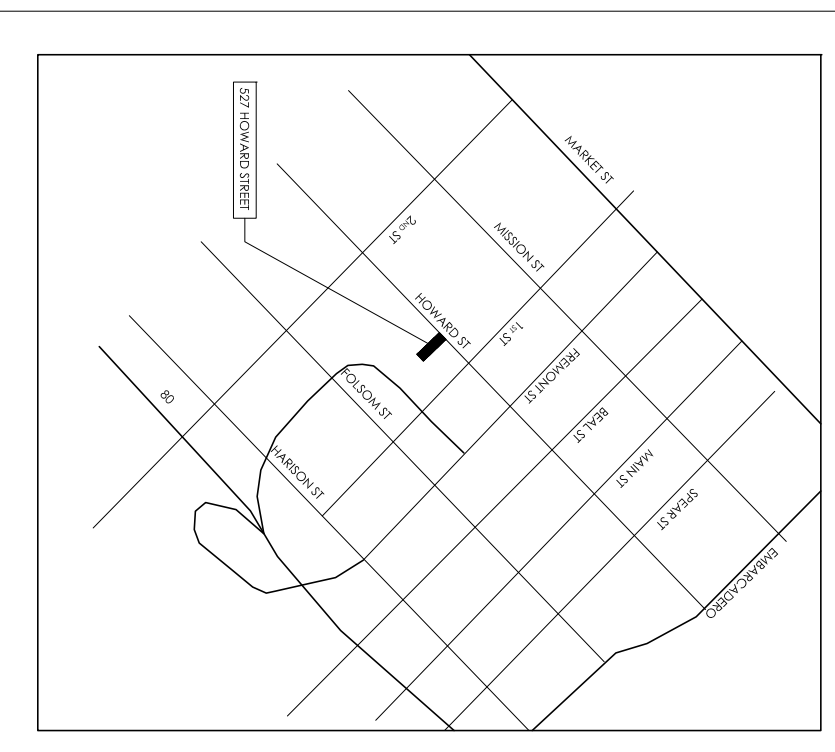
THE MAYOR'S OFFICE ON DISABILITY HAS REVIEWED AND APPROVED:

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

Final Report
 Copy date of Final Certification (C/P)

By: Jan Tranter
 Date: 4/23/08

For: Robert Frnk, 415 978 9823, 531 Howard Street, San Francisco, CA 94105



IGZACTLY ENTERPRISES - TENANT IMPROVEMENT

527 HOWARD STREET - GROUND FLOOR

SAN FRANCISCO, CA 94105

PROJECT INFORMATION

PROJECT NUMBER: 21003

DATE: 06.04.10

SCALE: AS NOTED

TITLE SHEET

DRAWING NO. 527-001

A 0.0

