



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

March 15, 2016

Aaron Johnson
L+G, LLP Attorneys at Law
318 Cayuga Street
Salinas, CA 93901

Site Address: 5252 Mission Street
Assessor's Block/Lot: 7031/002A
Zoning District: Excelsior Outer Mission Street Neighborhood Commercial District
Staff Contact: Natalia Kwiatkowska, (415) 575-9185 or natalia.kwiatkowska@sfgov.org
Record No: 2016-001581ZAD

Dear Mr. Johnson:

This letter is in response to your request for a Letter of Determination regarding the property at 5252 Mission Street. This parcel is located in the Excelsior Outer Mission Street Neighborhood Commercial District and 40-X Height and Bulk District. The request is whether a Medical Cannabis Dispensary (MCD) would be a permitted use at this location.

Pursuant to Planning Code Section 790.141(a), the establishment of a new MCD is prohibited if located within 1,000 feet of a parcel containing a public or private elementary or secondary school, or a community facility and/or recreation center that primarily serves persons under 18 years of age. Based upon available information, it does not appear that the subject property is located within 1,000 feet of any public or private schools, or community facilities and/or recreation centers which primarily serve persons under 18 years of age.

Pursuant to Planning Code Section 745.84, the establishment of a new MCD requires Conditional Use Authorization if located within 500 feet of another MCD. The subject property is located within 500 feet of two existing MCD establishments, including TreeMed SF (5234 Mission Street) and Mission Organic Center (5258 Mission Street). Therefore, a Medical Cannabis Dispensary requires Conditional Use Authorization at the subject property and is subject to the requirements of Planning Code Sections 303 and 745.84.

Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.

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

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415.558.6378

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415.558.6377

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APPEAL: If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,



Scott F. Sanchez
Zoning Administrator

cc: Property Owner
Neighborhood Groups
Natalia Kwiatkowska, Planner



R# 2016-001581 ZAD
CK # 9000 \$ 630 - } \$ 645. -
CASH 15 - }
D. WASHINGTON (SW) January 25, 2016

Mr. Scott Sanchez
Zoning Administrator
Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: **Request for a Letter of Determination**
File No.: 5251.001

7031/002A

Dear Mr. Sanchez:

Jeffery R. Gilles, Partner
Aaron Johnson, Partner
Jason Retterer, Partner
Robert E. Rosenthal, Partner
Paul A. Rovella, Partner
Bradley W. Sullivan, Partner
Patrick S. M. Casey
E. Soren Diaz
Laura L. Franklin
Jeffrey S. Lind
Sergio H. Parra
Ronald A. Parravano
Stephen L. Pessagno
Matthew R. Rankin
James W. Sullivan
David W. Balch, Of Counsel
Doug K. Dusenbury, Of Counsel
Gavin E. Kogan, Of Counsel

This is to request a determination as to whether a Medical Cannabis Dispensary ("MCD") facility may be established at the following address: 5252 Mission Street, San Francisco, CA ("Location"). I am writing to ask for confirmation that the Location is eligible for a MCD permit pursuant to San Francisco's regulations governing medical cannabis collectives and cooperatives.

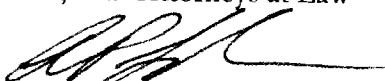
Please confirm the Location is the required distance from any childcare facility, recreational service for children, public park, or any public or private elementary or secondary school serving persons under the age of eighteen (18). Additionally, please confirm the Location meets the required changes under Resolution No. 179-15 on May 15, 2015 by the San Francisco Board of Supervisors. Enclosed you will find:

1. A check for six hundred thirty dollars (\$630.00) in connection with the fee associated with this request; and
2. A map and other information relating to the property.

Please feel free to contact my office by phone at (831)754-2444 or by email at Aaron@lg-attorneys.com if you have any questions.

Very truly yours,

L+G, LLP Attorneys at Law


Aaron Johnson

**SITE DESCRIPTION
FOR
5252 MISSION STREET**

TOTAL SPACE: Approx.. 1,600 sq. ft.

CROSS STREETS: Niagara and Mt. Vernon

- Located on a busy block
- Easy public transportation
- Expansive window line
- High Ceilings
- Good Lighting, great frontage and visibility



Report for: 5252 MISSION STREET

