



SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission

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

Date: February 9, 2012
Case No.: **2010.0506 DD**
Project Address: **5258 MISSION STREET**
Permit Application: 2010.05.27.3337
Zoning: NC-2 (Neighborhood Commercial, Small-scale) District
40-X Height and Bulk District
Block/Lot: 7031 / 003B
Project Sponsor: Joram Altman
819 Alvarado Street
San Francisco, CA 94114
Staff Contact: Adrian C. Putra – (415) 575-9079
adrian.putra@sfgov.org
Recommendation: **Do Not Take Discretionary Review and Approve**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

BACKGROUND

The proposal is to establish a new Medical Cannabis Dispensary (d.b.a. "Mission Organic Center") at 5258 Mission Street at a vacant ground floor commercial unit containing approximately 630 square-feet. This project was initially scheduled for the November 17, 2011, Planning Commission hearing and was continued to the January 29, 2012 and again to the February 16, 2012 hearing without a hearing, as per the City Attorney's recommendation. There have been no changes made to the proposal since it was originally continued from the November 17, 2011 Planning Commission Hearing.

PUBLIC COMMENT

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

- One letter in opposition to the proposed MCD use at 5234 and 5258 Mission Street.
- 437 additional signatures in opposition to the proposed MCD uses at the 4218, 5234 and 5258 Mission Street.

RECOMMENDATION: Approve with Conditions

Attachments:

Planning Commission Packet, dated November 10, 2011



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Analysis

Medical Cannabis Dispensary

HEARING DATE NOVEMBER 17, 2011

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Recommendation: **Do Not Take Discretionary Review and Approve**

PROJECT DESCRIPTION

The proposal is to establish a new Medical Cannabis Dispensary (d.b.a. "Mission Organic Center") at 5258 Mission Street at a vacant ground floor commercial unit containing approximately 630 square-feet. No physical expansion is proposed for the structure. The proposed Medical Cannabis Dispensary (MCD) will sell cannabis and cannabis foodstuffs. It would not allow on-site smoking, vaporizing, consumption, or growing of cannabis on site. Modifications will be made in connection with this property to comply with Mayor's Office of Disability requirements. The proposed hours of operation are 9:00 AM to 8:00 PM, Monday through Sunday.

The proposed MCD would be owned and operated by an individual who does not operate any existing MCD facilities in San Francisco, but was previously the manager of an MCD in Los Angeles, CA.

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

SITE DESCRIPTION AND PRESENT USE

The project site is an approximately 2,526 square foot lot that is developed with a two story mixed-use building containing two abutting ground floor commercial storefronts and one dwelling unit above. One commercial storefront is occupied by a retail store (d.b.a. MC Wireless) at 5260 Mission. The second storefront is currently vacant, contains approximately 630 square-feet, and is the location of the proposed MCD to be operated by Mission Organics.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject site is near the middle of the west side of the 5200 block of Mission Street and between Niagara and Mount Vernon Avenues. This block of Mission Street is located within a NC-2 (Neighborhood Commercial, Small-scale) District corridor that runs along lots fronting on both sides of Mission Street from Niagara Avenue to the Daly City borders. The NC-2 District is intended to serve as the City's Small-Scale Neighborhood Commercial District. These districts are linear shopping streets which provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. NC-2 Districts are commonly located along both collector and arterial streets which have transit routes.

The 5200 blocks of Mission Street are predominately developed with two- to three-story mixed use buildings with ground floor retail and residences above. Adjacent to the site is a professional service (d.b.a. Farmers Insurance) and a retail store (d.b.a. Pioneer Club Supply). Commercial uses found on this block include a variety of retail stores, professional offices, personal service uses, and eating and drinking establishments. This NC-2 District corridor is well-served by transit with major buses running along Mission Street, and Geneva Avenue which is one block north from the subject site.

There are no existing MCDs within this immediate NC-2 District. The nearest existing MCD is at 1545 Ocean Avenue (d.b.a. Waterfall Wellness Health Center) which is approximately 1.2 miles away from the project site. The department also has applications to establish an MCD at 5234 Mission Street located three storefronts north of the project site, and at 4218 Mission Street which is approximately 1.2 miles away from the project site. Additionally, an application has been filed with the Department of Public Health to operate an MCD at 100 Sickles Avenue, which is approximately 0.8 miles away from the project site. However, to date the department has yet to receive a Mandatory Discretionary Review application to establish an MCD at 100 Sickles Avenue.

ISSUES AND OTHER CONSIDERATIONS

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

On a separate note, the Project Sponsor has developed a security and lighting plan for the operation of the proposed MCD that involves the following elements: Security cameras located both on the exterior and interior of the facility; Night lighting for the interior and exterior; Security patrols during operation hours; Entry, rear and interior security systems to control access to the facility both during operation and after hours; Intrusion monitoring system and alarm; Secure storage of medicine; and Employee training.

Reference the *Security and Lighting Plan* for additional information, which is an attached document.

HEARING NOTIFICATION

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
312 Posted Notice	30 days	August 26, 2011	August 26, 2011	30 days
312 Mailed Notice	30 days	August 26, 2011	August 26, 2011	30 days
DR Posted Notice	10 days	November 7, 2011	November 7, 2011	10 days
DR Mailed Notice	10 days	November 7, 2011	November 7, 2011	10 days

PUBLIC COMMENT

	SUPPORT	OPPOSED	NO POSITION
Adjacent neighbor(s)			
Other neighbors on the block or directly across the street			
Neighborhood groups or others		234	

To date, the Department has received six telephone calls and/or letters from the public in opposition to the project. Those in opposition to the project are concerned about the proximity of the project site to schools, parks, community centers. In addition, neighbors are concerned that the project would increase the potential for criminal activity around the neighborhood.

The Department also received an Opposition Petition from the DR Requestor containing 226 signatures.

DR REQUESTOR

Steven R. Currier, President of the Outer Mission Merchants and Residents Association filed an outside Discretionary Review Application against the project on September 22, 2011.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

Issue #1: The DR Requestor is opposed to the project being within 1,000 feet of several child care facilities, an adult health day care center, and several nursing homes and residential facilities, and is concerned that the project would bring illegal and/or criminal activity to the 5000 through 5300 blocks of Mission Street.

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

Reference the *Discretionary Review Application* for additional information. The *Discretionary Review Application* is an attached document.

PROJECT SPONSOR'S RESPONSE

The Project Sponsor's response states that only four (4) of the eleven (11) facilities identified by the DR Requestor are actually within 1,000 feet of the project site, and adds that these identified facilities are not referred to the MCD distance requirements per Planning Code Section 790.141. In response to the DR Requestor's concern that the proposed MCD would bring illegal and criminal activity to the immediate area the Project Sponsor states that the MCD operator will have a security team on-site during hours of operation in ensure neighborhood safety.

Reference the *Response to Discretionary Review Application* for additional information. The *Response to Discretionary Review Application* is an attached document.

PROJECT ANALYSIS

MEDICAL CANNABIS DISPENSARY CRITERIA

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

1. The parcel containing the MCD cannot be located within 1,000 feet from a parcel containing: a public or private elementary or secondary school; or a community facility and/or a recreation center that primarily serves persons under 18 years of age.

Project Meets Criteria

The project site is not located within 1000' of an elementary or secondary school, public or private, or active recreation buildings or permitted community centers which primarily serve persons 18 years or less as defined by Section 790.141 of the Planning Code. Child care facilities do not qualify as elementary or secondary schools and therefore an MCD is not restricted from being located less than 1000' from such uses.

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

Project Meets Criteria

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

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

Project Meets Criteria

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

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

Criteria not Applicable

The proposed MCD would not include an on-site smoking area.

Project Meets Criteria

The project site 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. A Medical Cannabis Dispensary must meet all of the requirements in Article 33 of the San Francisco Health Code.

Project Meets Criteria

The project sponsor has applied for a permit from the Department of Public Health, and therefore the project must be designed to meet the requirements of the San Francisco Health Code, where applicable.

GENERAL PLAN COMPLIANCE:

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

COMMERCE AND INDUSTRY

Objectives and Policies

OBJECTIVE 1:

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

Policy 1.1:

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

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

OBJECTIVE 7:

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

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

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

SECTION 101.1 PRIORITY POLICIES

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

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

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

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

The project will occupy a vacant ground floor commercial space and adhere with all signage regulations defined in Article 33 of the Health Code to help preserve the existing neighborhood character. The project would enhance the economic diversity of the neighborhood by establishing a use not currently available in the immediate area.

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

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

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

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

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

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

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

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

7. Landmarks and historic buildings be preserved.

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

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

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

ENVIRONMENTAL REVIEW

The Project is exempt from the California Environmental Quality Act ("CEQA") as a Class 1(a) categorical exemption.

BACKGROUND

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

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

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

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

BASIS FOR RECOMMENDATION

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

In addition, the project has the following benefits:

- The project complies with all standards and requirements of the Planning Code and advance the objectives and policies of the General Plan
- 5200 block of Mission is well served by transit as it is served by major MUNI lines that run along Mission Street and Geneva Avenue.

- The project site will be fully renovated to provide a safe, well-lit environment for California Medical Marijuana Patients with proper identification cards.
- The project will eliminate a vacant storefront in a neighborhood commercial corridor.
- The project will provide local employment opportunities by requiring at least 4 full-time employees on site during hours of operation.

Another MCD application for a location in the same block is being heard at the same time. Department staff acknowledges that it is unusual to have proposal in such close proximity. However, there are no other MCDs within a mile of the subject block. Also, the attached *Map of Licensed and Pending MCDs* shows no existing MCDs in this part of the city. Although both proposals meet all of the required criteria, if the Planning Commission has a concern about overconcentration, the Planning Commission may find that there are exceptional or extraordinary circumstances concerning the project, and may choose to use their discretionary powers over the building permit application.

RECOMMENDATION: Do Not Take Discretionary Review and Approve the MCD

Attachments:

Parcel Map

Sanborn Map

Zoning Map

Aerial Photographs

Site Photographs

Map of Potential Eligible Locations for MCDs

Arc View GIS MCD Proximity Map

1000 Foot Arc View GIS Map

Context Photo of 5200 block of Mission Street (West side)

Project Sponsor's MCD Application

 Submission by Project Sponsor which includes a Business Plan, Security & Lighting Plan, and Business Flyer

Section 312 Notice

DR Application filed by OMMRA on September 22, 2011

 Submission by OMMRA which includes an Opposition Petition

Project Sponsor submittal: Response to DR Application received November 8, 2011

Letters in Opposition

Reduced Plans

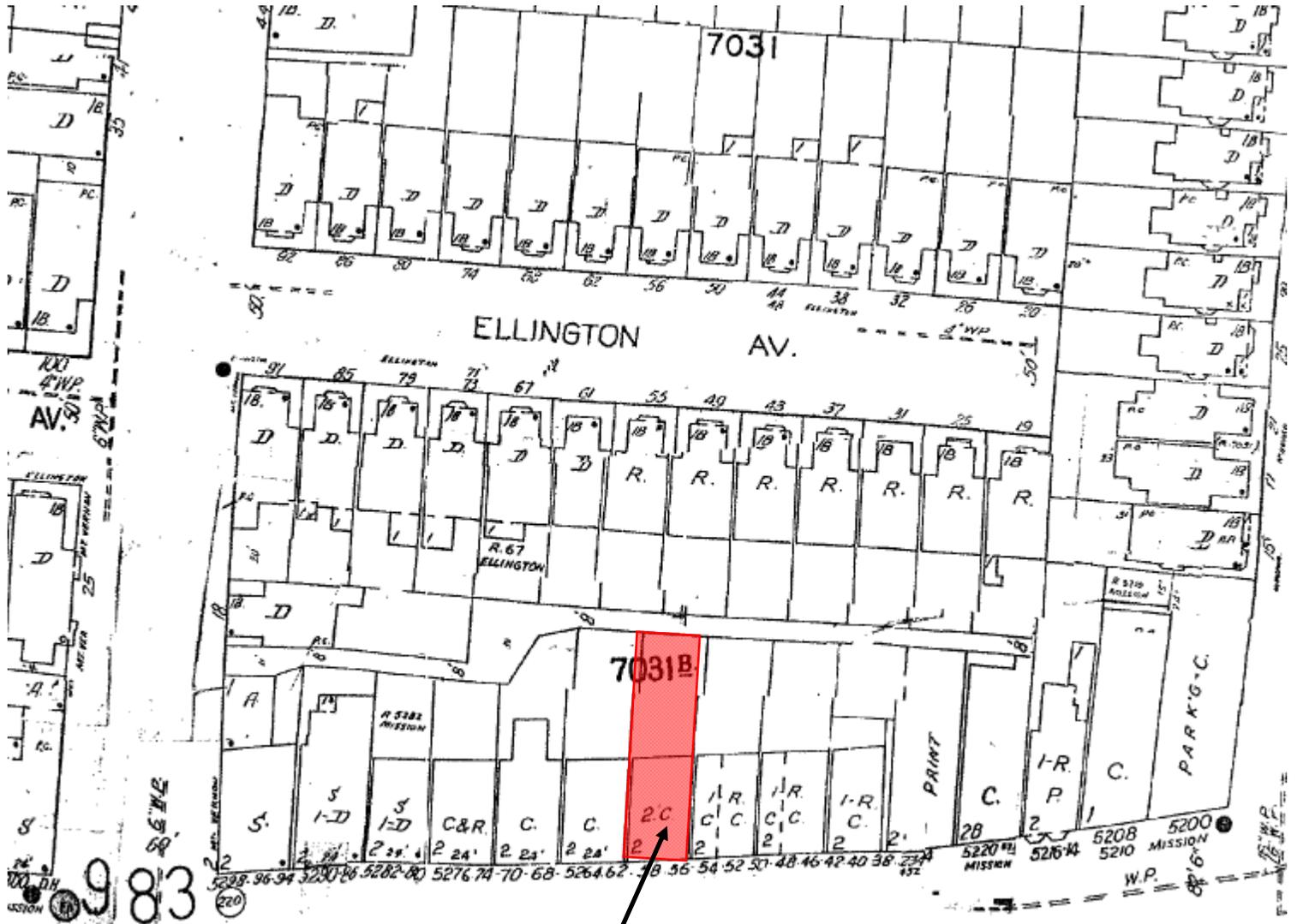
Parcel Map



Mandatory Discretionary Review Hearing
 Case Number 2010.0506DD
 Medical Cannabis Dispensary
 5258 Mission Street



Sanborn Map*



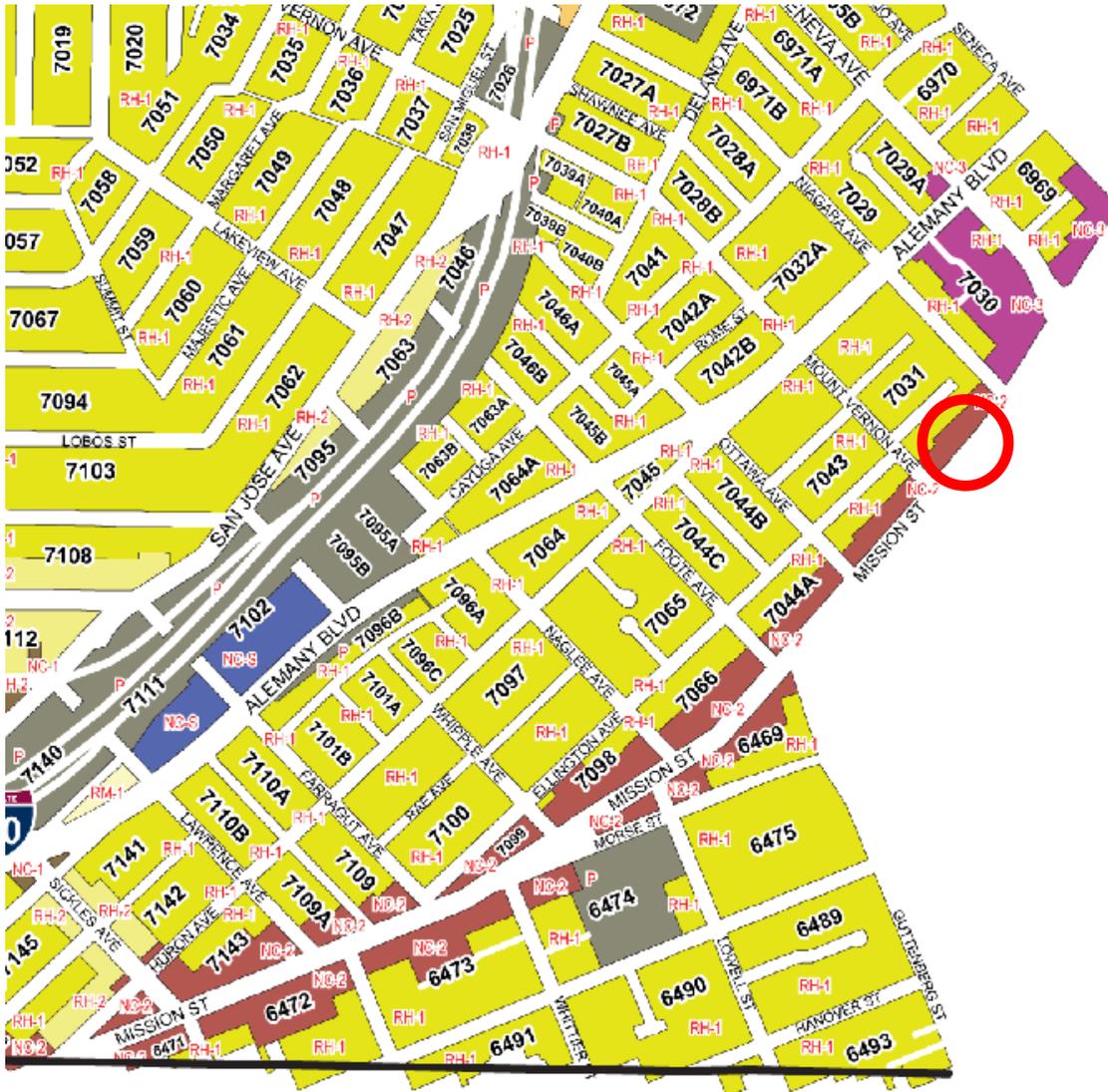
SUBJECT PROPERTY

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



Mandatory Discretionary Review Hearing
Case Number 2010.0506DD
Medical Cannabis Dispensary
5258 Mission Street

Zoning Map



Mandatory Discretionary Review Hearing
Case Number 2010.0506DD
Medical Cannabis Dispensary
5258 Mission Street

Aerial Photo 1



SUBJECT PROPERTY



Mandatory Discretionary Review Hearing
Case Number 2010.0506DD
Medical Cannabis Dispensary
5258 Mission Street

Aerial Photo 2

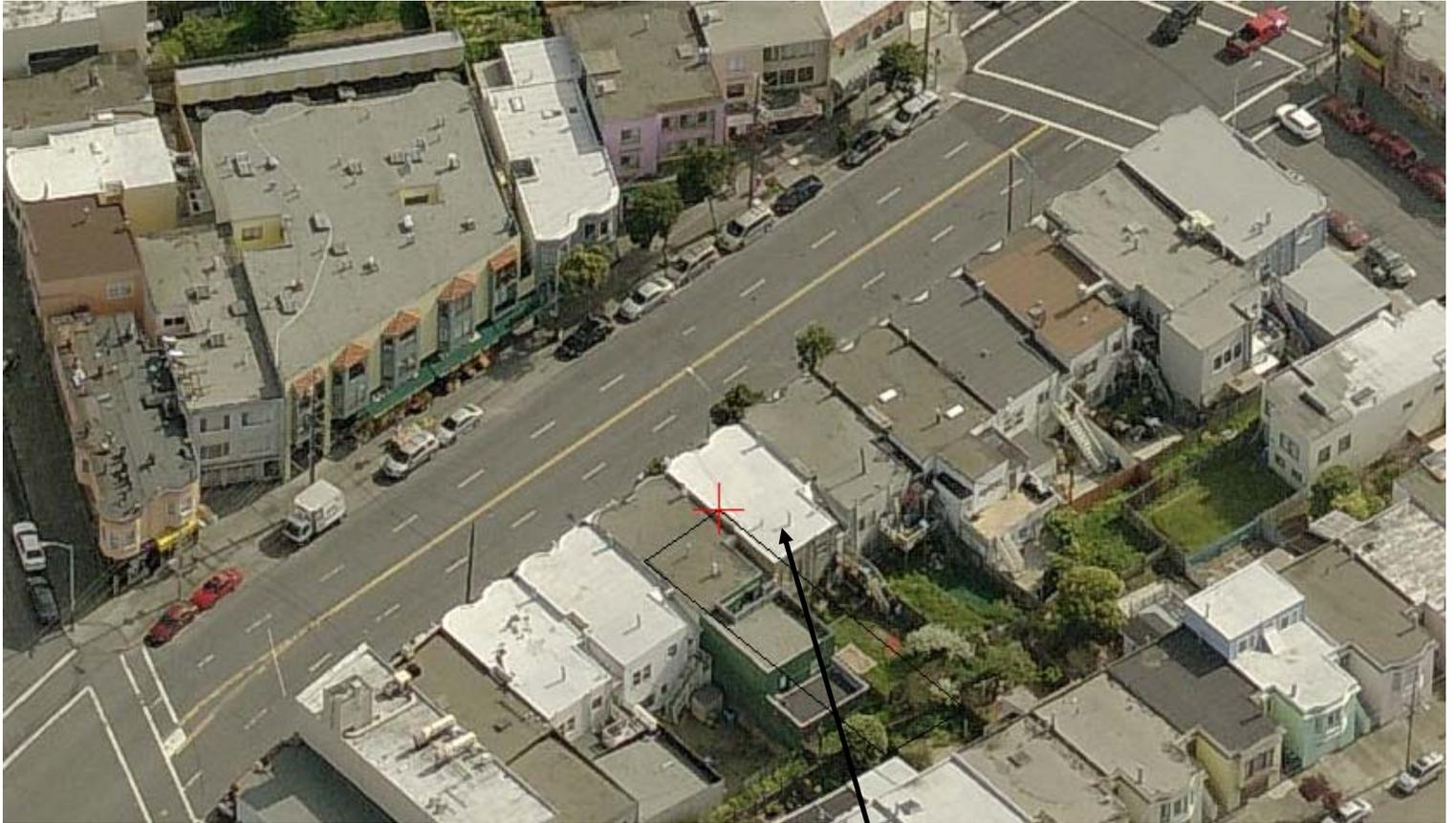


SUBJECT PROPERTY



Mandatory Discretionary Review Hearing
Case Number 2010.0506DD
Medical Cannabis Dispensary
5258 Mission Street

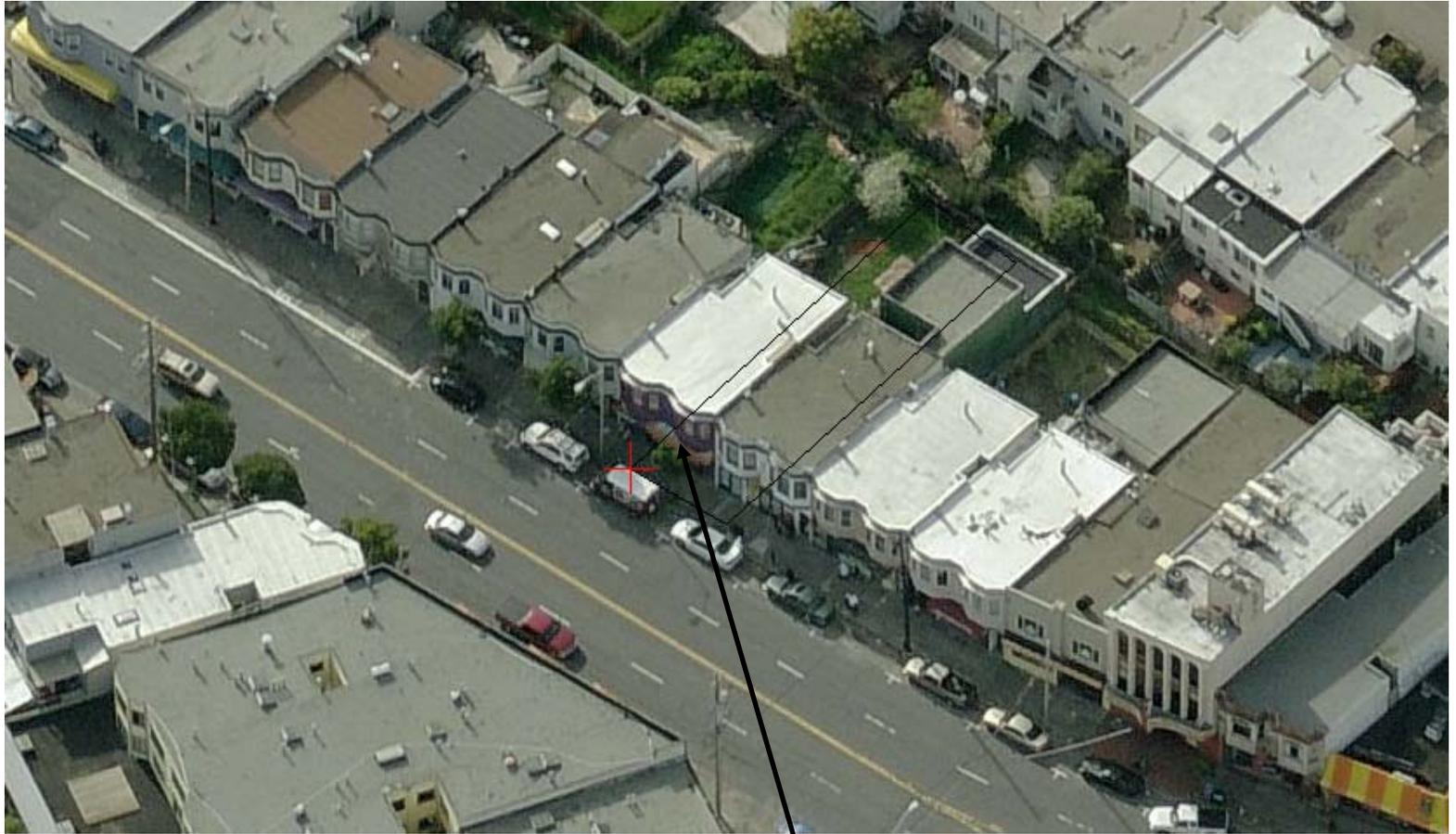
Aerial Photo 3



SUBJECT PROPERTY



Aerial Photo 4



SUBJECT PROPERTY



Mandatory Discretionary Review Hearing
Case Number 2010.0506DD
Medical Cannabis Dispensary
5258 Mission Street

Site Photo

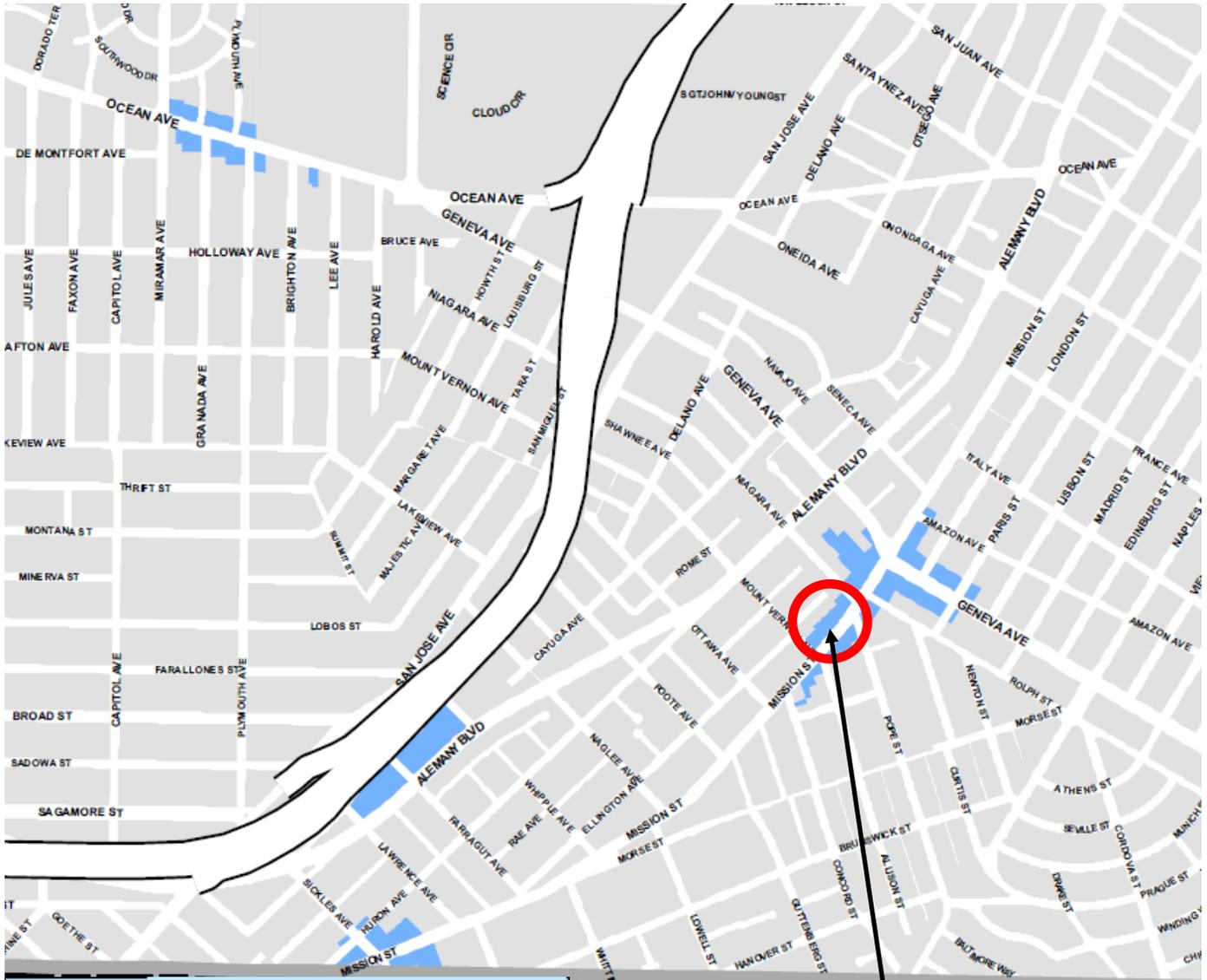
from the front



SUBJECT PROPERTY

Mandatory Discretionary Review Hearing
Case Number 2010.0506DD
Medical Cannabis Dispensary
5258 Mission Street

Map of Potential Eligible Locations for MCDs



NOTES

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

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

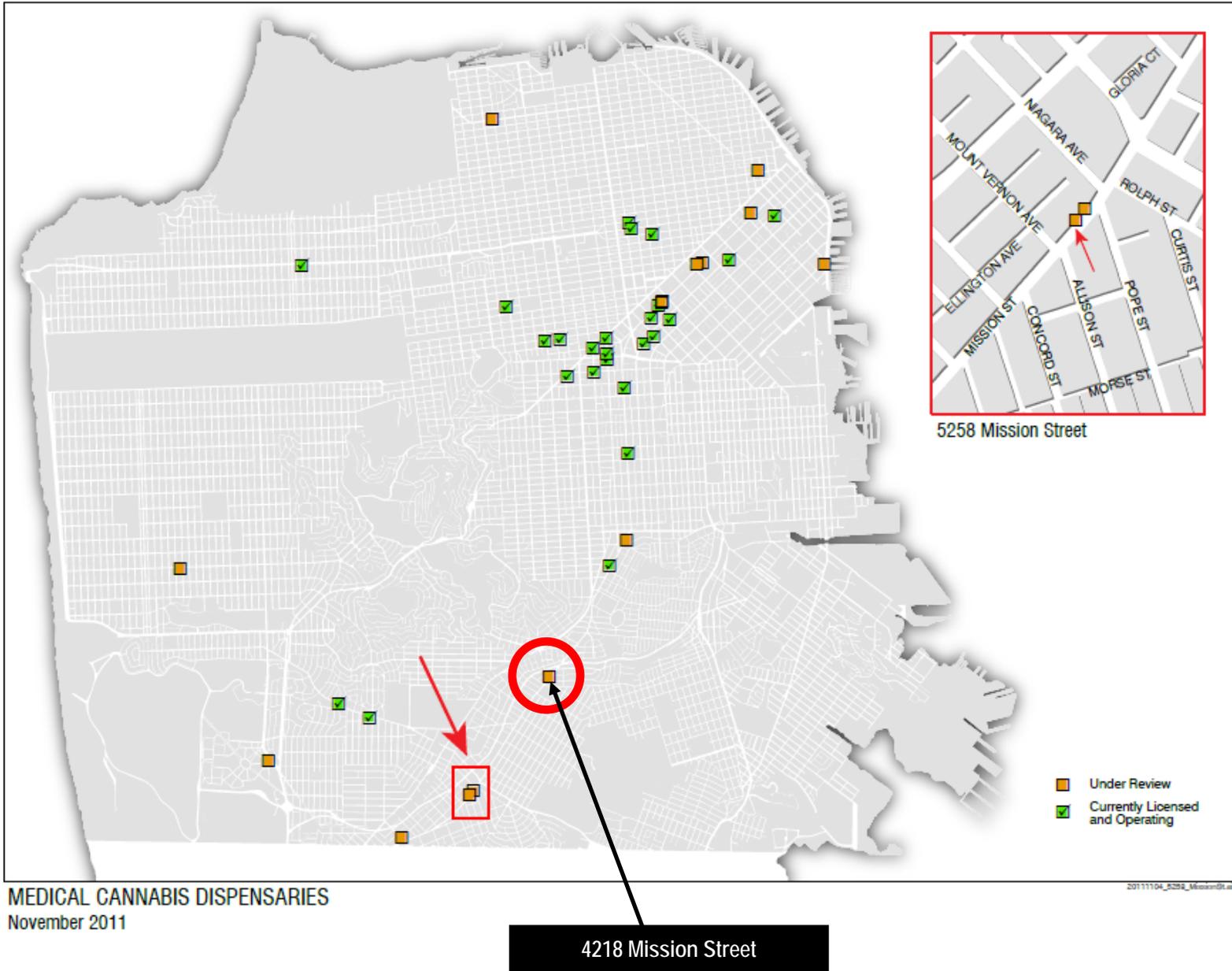
This map does not indicate uses which further restrict MCD locations including: (1) community facilities, (2) recreation buildings and (3) substance abuse treatment centers.

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

**SUBJECT
PROPERTY**

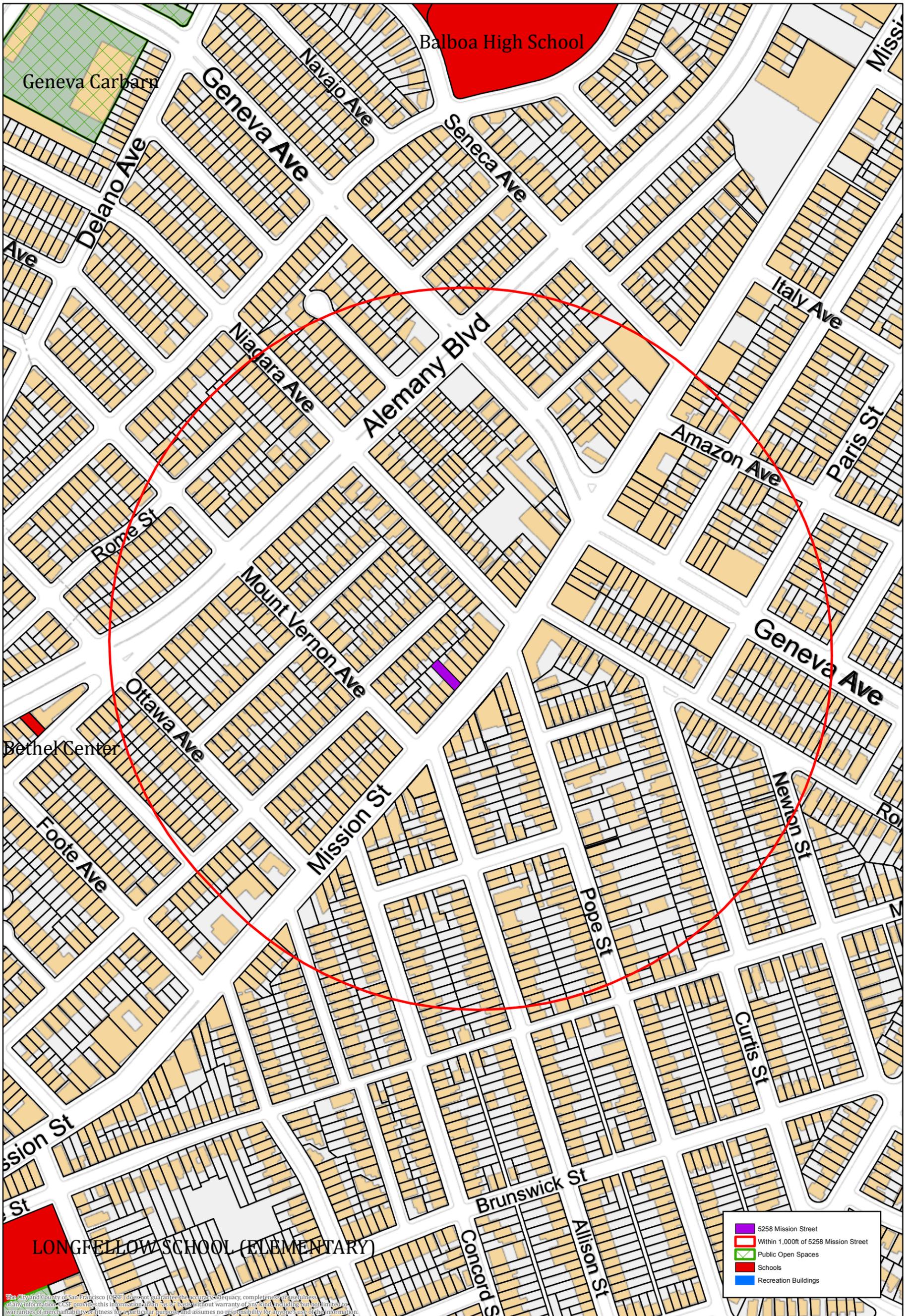
Mandatory Discretionary Review Hearing
Case Number 2010.0506DD
 Medical Cannabis Dispensary
 5258 Mission Street

Map of Licensed and Pending MCDs



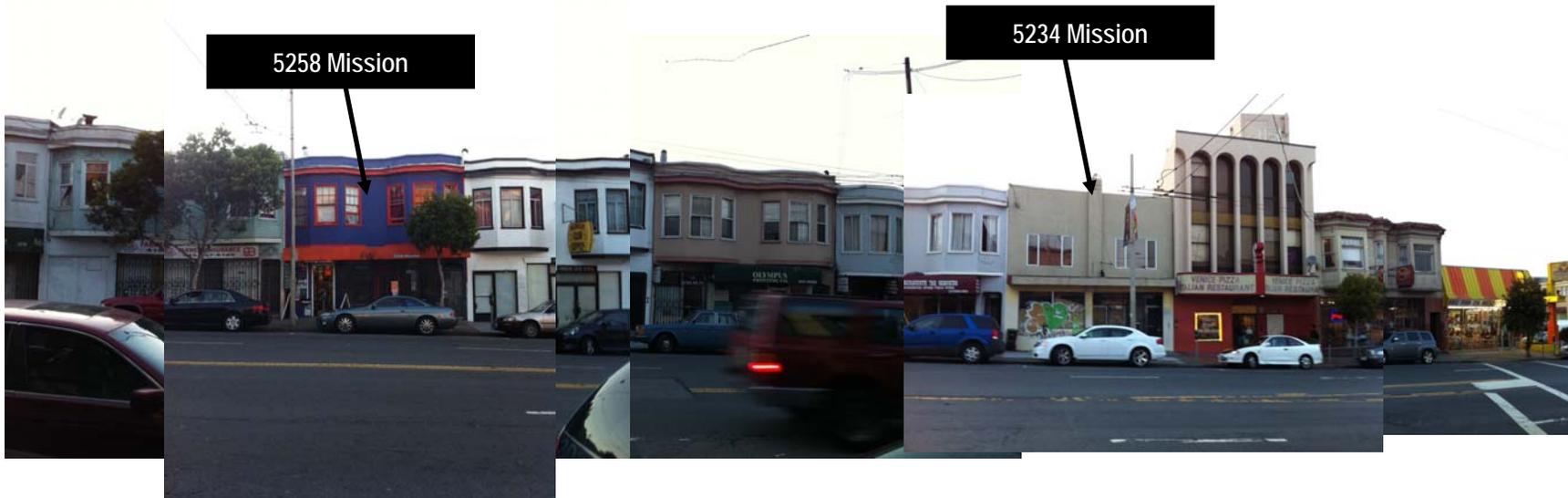
Mandatory Discretionary Review Hearing
Case Number 2010.0506DD
Medical Cannabis Dispensary
5258 Mission Street

Proposed Medical Cannabis Dispensary
Parcel 7031/003B - 5258 Mission Street dba "Mission Organics"



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5200 Block of Mission (West side)



TYPE OF APPLICATION [CHECK ONE]

<input type="checkbox"/>	EXISTING MEDICAL CANNABIS DISPENSARY This application is made in order to seek a permit for a Medical Cannabis Dispensary which was in operation as of April 1, 2005 and has remained in continuous operation since then. [Note that reported existing dispensaries will be verified for consistency with Department surveys and other criteria.]
<input checked="" type="checkbox"/>	NEW MEDICAL CANNABIS DISPENSARY This application is made in order to seek a permit for a Medical Cannabis Dispensary which (a) was not in operation as of April 1, 2005, (b) was in operation as of April 1, 2005 but has not remained in continuous operation since then, or (c) has or has had a suspended or revoked permit.

PROPOSED LOCATION

Street Address	5258 Mission Street
Zip Code	94112
Cross Streets	Pope / Allison Streets
Assessor's Information	BLOCK: 7031 LOT: 03B
Zoning District	NC-2

APPLICANT INFORMATION

Name (must be an individual)	Eugene Popok
Daytime Telephone	(951) 332 6273 OR (818) 317 1505
Mailing Address	2460 Gail Drive, Riverside, CA 92509

PROPERTY OWNER'S INFORMATION

Name	Philip Lee
Daytime Telephone	(415) 828 1688
Mailing Address	2700 San Bruno Ave, SF, CA 94134

DISPENSARY INFORMATION

Present or Previous Use	Vacant, previous use unknown
Proposed Business Name (if known)	Mission Organic Center
Gross square footage	630 SF
Square footage of establishment accessible to patrons	407 SF
Linear feet of street frontage	15'
Level on which dispensary is located (e.g. ground, 2 nd story)	ground Floor
Number of on-site parking spaces available for exclusive use of MCD employees and patrons	0
Number of off-site parking spaces available for exclusive use of MCD employees and patrons	0

DISPENSARY SERVICES

<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	ON-SITE SMOKING Will you allow patrons or employees to smoke or vaporize medical cannabis on the premises? Note that [1] existing dispensaries that are located within 1,000' of a school or recreation building may NOT offer on-site smoking and [2] other dispensaries which choose to provide on-site smoking must provide adequate ventilation.
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	CANNABIS FOODSTUFFS Will you offer medical cannabis in the form of food or drink? Note that additional permits will be required from the Department of Public Health.
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CANNABIS GROWING Will any live marijuana plants be kept on the premises for purposes of harvesting medical product? Note that additional mechanical systems may be required and that Planning Code standards for accessory uses may preclude the dedication of more than 1/4 of the total floor area of the dispensary for such use. If yes, indicate proposed square footage devoted to growing activities: _____

ACCESSIBILITY COMPLIANCE

All dispensaries must provide full wheelchair accessibility to the same level required of new construction (Chapter 11B of the California Building Code; Title 24 of the California Code of Regulations). In the space below, please indicate the existing and/or proposed features of the proposed dispensary which afford or will afford this access.

See Attached

PRIORITY GENERAL PLAN POLICIES FINDINGS

Proposition M was adopted by the voters on November 4, 1986. It requires that the City find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the 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;
	<p style="text-align: center;"><i>See Attached</i></p>
2.	That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;
3.	That the City's supply of affordable housing be preserved and enhanced;
4.	That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;
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;
6.	That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

7.	<p>That landmarks and historic buildings be preserved; and</p> <p style="text-align: center;">See Attached</p>
8.	<p>That our parks and open space and their access to sunlight and vistas be protected from development.</p>

DECLARATION OF RELEVANT PROXIMITIES

Under penalty of perjury the following declarations are made:

<p><u>EP</u> (initial here)</p>	<p>PROXIMITY TO SCHOOLS I have used all reasonable resources available to me, including (1) maps and zoning information made available by the Planning Department and (2) 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.</p>
<p><u>EP</u> (initial here)</p>	<p>PROXIMITY TO RECREATION BUILDINGS I have used all reasonable resources available to me, including (1) maps and zoning information made available by the Planning Department and (2) 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.</p>
<p><u>EP</u> (initial here)</p>	<p>PROXIMITY TO SUBSTANCE ABUSE TREATMENT FACILITIES 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.</p>

APPLICANT'S STATEMENT

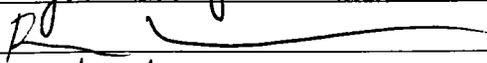
Use this space to discuss why you feel that an MCD is appropriate from a land use and urban planning perspective at the proposed location. Your discussion may include, but is not limited to, (1) specific factors which contribute to the compatibility and appropriateness of the MCD use with the immediate neighborhood and broader City environment, (2) neighborhood outreach efforts you have made and the results of those efforts [Have you talked to neighbors about the project? Do neighbors support the project?], and (3) any other circumstances applying to the property involved which you feel support your application.

See Attached

APPLICANT'S AFFIDAVITS

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.

Nature of Applicant: [CHECK ONE]	<input type="checkbox"/> AUTHORIZED AGENT <input checked="" type="checkbox"/> OWNER
Printed Full Name	Eugene Popok
Signed	
Dated	2/23/10

Attachment to MCD Supplemental Application

5258 Mission Street

ACCESSIBILITY COMPLIANCE

The dispensary will be located on the ground floor of 5258 Mission Street and will be fully compliant for accessibility as follows:

1. The front entry door will have a level exterior landing and will be in-swing, with a lever latch only and no door closer. The threshold will have a max ½" rise. It will be locked at all times from the exterior to maintain the security of the space and will be opened by the on-staff security guard.
2. The waiting area will have an opening in the seating area for a wheel chair and the walk up registration window sill will be set at 34" above the floor. Space for wheel chair maneuverability will also be provided.
3. An accessible door will lead from the waiting area into the dispensary space.
4. The display counters at the dispensary will be set at 34" high and will have a 19" knee space to accommodate wheel chair staff.
5. An accessible door will lead from the dispensary space into the rear storage and toilet area.
6. The existing toilet facility will be upgraded to include all new fixtures, grab bars and door in compliant with a single accommodating toilet. The existing floor rise into the toilet space will be removed for a flush entry.
7. Identification signage will be provided at the entry and rear toilet.

PRIORITY GENERAL PLAN POLICIES FINDINGS

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

This project will preserve an existing retail space and upgrade it to current accessibility standards and full Title 24 energy compliance. This facility will serve the local neighborhood's medical cannabis clientele.

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

Not applicable: this project has no impact on exiting housing. The existing one unit dwelling on the second floor will remain as is.

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

Not applicable: the project will have no impact on housing.

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

This project will serve the local neighbors, most of whom are in close proximity to the site and will be able to walk to the facility or take a short ride on Muni.

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;

This project provides a needed service to the neighborhood and will provide opportunity for local employment to work in the facility. It will not affect the industrial sectors.

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

The project scope is a tenant improvement and is too small to provide funding for upgrading the structural system of the existing building.

7. That landmarks and historic buildings be preserved; and

The existing building is not a landmark building and no modifications to the exterior are included in the project.

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

This project will not have an impact on parks or open space.

APPLICANT'S STATEMENT

Our research shows that this Mission Street location will provide a much-needed service to the local community that is currently not served by a conveniently located cannabis dispensary. The nearest facility is on Ocean Avenue near Westwood Park (approximately 1 ¼ mile away). The Mission Street location is in the center of the Excelsior district, near existing shops that are frequented by the local residents. Its also well served by public transportation. Many of the patients who will frequent this facility live in the neighborhood.

This facility will also provide organically grown cannabis products that are lab tested to meet strict standards. Discount pricing will be offered to veterans and terminally ill patients. This unique type of MCD facility is currently not available anywhere in San Francisco.

The outreach efforts are currently on going. We distributed outreach letters to the local merchants and residents on Mission Street describing the project and offering to meet. We began meetings with the local police station and the Excelsior Merchants Association: On May 13, 2010 we met with officer William McAllister, SFPD, and Steven Currier, president of merchant association. We talked for over 2hours and answered all of their concerns. Mr. Currier did not want us meeting the neighbors and merchants and said that in his meeting with them they decided that they don't need an MCD in the neighborhood. Officer McCarthy, however, is pushing Currier to give us an opportunity to meet the neighbors, which we anticipate will occur sometime in June. In this presentation we will reassure the neighbors and merchants that our operation will be safe, and it will, in fact, contribute to a reduction in crime, as has already occurred in our LA location. The increased presence of security guards and police patrol and the security cameras installed on the exterior of the dispensary will be a major factor in reducing crime.

We also are gathering letters of support and signatures from our future clients and neighbors who plan to join our Mission Organic dispensary.

The storefront space at this location is also well suited for an MCD facility. Very little work will need to be done to bring it to full ADA compliance and it's an ideal size and configuration for this use.



Eugene Popok
<gene@missionorganics.org>

05/26/2011 11:24 AM

To adrian.putra@sfgov.org

cc

bcc

Subject Responses to questions regarding proposed MCD at 5258
Mission St

Dear Mr. Putra,

Below, please find responses to the questions posed. We look forward to any comments or further questions, to which we are more than pleased to respond.

Proposed hours of operation:

Mission Organic Center, Inc. ("Mission Organic") plans to operate from 9 a.m. to 8 p.m. Monday through Sunday. Hours may be reduced in order to suit the needs and patterns of qualified medical cannabis patients and their caregivers and employees.

Do you own and/or operate any other MCDs within or outside of San Francisco:

Yes. We are the managing member team for Sunset Organic Center, Inc., A California Non-Profit Corporation ("Sunset Organic"), located in Los Angeles, California. Sunset Organic has been in operation for three (3) years.

Does your proposed MCD offer a delivery program:

At this time, Mission Organic does not plan to offer a delivery program to its members. If, over the course of its operation, it becomes clear that there is a significant need for a delivery service in order to meet the needs of severely ill or immobile members, Mission Organic will work with the City of San Francisco to develop such a program to better serve the needs of its severely ill or immobile members. However, as delivery services currently operate in the City of San Francisco, the need for a delivery program is currently not anticipated.

Your experience/qualification/training as an MCD operator:

The team behind Mission Organic has successfully run a lawful medical cannabis dispensary in Los Angeles, California for the past three (3) years. The team has extensive experience operating a member-run, democratically organized, and closed-loop collective of qualified medical cannabis patients and their caregivers, as set forth in the Compassionate Use Act, the Medical Marijuana Program Act, and the Attorney General Guidelines on medical marijuana.

The Mission Organic team is highly trained in operating a medical cannabis dispensary that provides safe and affordable access to high-quality, tested medical cannabis and prioritizes patient-care. The Mission Organic team is experienced in ensuring safety within the dispensary and its surroundings. The team is highly professional in every aspect of the medical cannabis dispensing process, making visits safe, educational, and easy to understand.

Additionally, the well trained staff at Mission Organic will provide recommendations of specific strains and preparations of medical cannabis to patients based on their individual illnesses, needs, and preferences.

The Mission Organic team is very experienced in operating a wholly transparent, not-for-profit medical cannabis dispensary, wherein the cost of the medicine is only a reimbursement of actual and overhead costs, and all records as to the reimbursement costs are kept in a fastidious manner and available for review.

As the operation of a lawful medical cannabis dispensary requires a high level of knowledge and training as to state and local compliance, the Mission Organic team is diligent to remain always informed of the evolving legal landscape. The Mission Organic team works closely with, among other professionals in the area of medical cannabis, CPAs familiar with federal tax law as relates to medical cannabis dispensaries and attorneys who specialize in medical cannabis law, as well as business, corporate and tax attorneys familiar with laws as relate to medical cannabis dispensaries.

The Mission Organic team focuses on community development through charitable giving and volunteer opportunities in order to benefit its members, as well as the community at large. Being a good neighbor and valued member of the community is of utmost importance to the operators of Mission Organic, who are always available to listen and address concerns or questions. Indeed, the team has received numerous letters of support and appreciation from local businesses, community organizations, and neighbors.

Types of MCD products offered:

Mission Organic will provide high-quality, tested medical cannabis in the following forms: cannabis flowers, edibles, concentrates, tinctures and drinks, in order to serve a wide variety of patient medical needs. Mission Organic will follow all labeling, packaging, and ingredient guidelines in conformance with rules and guidelines provided in the San Francisco Medical Cannabis Dispensary Regulations for Preparation of Edible Cannabis Products, the Sherman Food & Drug Act, and other laws and guidelines regarding the above-identified products. To that end, the products will, among other requirements, have clear warning labels, an exhaustive ingredient list, recommended dosage amount, and follow all preparation requirements.

Staffing Plan:

Employment levels are projected to be between ten (10) and twenty (20) full and part time personnel. However, our staffing plan is based on anticipated need and is quickly and easily scalable to adjust to actual demand.

Staffing plan includes:

- Precise definition of responsibility;
- Clearly understood chains of authority;
- Well-paid, well-qualified, well-trained personnel;
- Professional recruiting practices that focus first on members of the local community; and
- Thorough training of all new hires.

Mission Organic will focus recruitment of candidates with the following qualifications:

- Health-related, educational and professional backgrounds;
- Interest and aptitude for the healing arts;
- Spotless criminal records;
- Experience in restricted-access retail venues; and
- Valid medical cannabis patient status.

Qualified candidates shall be hired on a three (3) month probationary basis. During this probationary period, candidates will undergo a rigorous training program and will also be evaluated for suitability in a restricted-access medical environment. Training will be hands-on and shall include a detailed review of the employee handbook and relevant reading materials, quizzes to ensure comprehension, and lectures by qualified professionals.

The training will focus on three main areas as follows:

- **Legal** – Legal training will cover all applicable local, state and federal laws and regulations. It will also cover the medical cannabis dispensary’s rules, sexual harassment training, effective interaction with law enforcement personnel, and the rights and responsibilities of medical cannabis patients. An attorney who specializes in medical cannabis law and is a member, in good standing, of the California State Bar, shall oversee the legal training.
- **Medical** – Medical training will cover disabled rights and sensitivity, how to identify and interact with a patient having a medical emergency, and the proper uses and benefits of medical cannabis.
- **Safety & Security** – Safety and security training will focus on counterfeit currency detection, warning signs of possible diversion to the illegal market, security system and perimeter control, robbery response techniques, and conflict resolution techniques.

As the above-responses illuminate, the Mission Organic team brings extensive experience, knowledge, training, and compassion in order to create a safe, transparent, not-for-profit, and community and health oriented medical cannabis dispensary, wherein members contribute, and associate together, in order to access medical cannabis.

Very Truly Yours,



Eugene Popok Security and Lighting Plan.pdf

Security and Lighting Plan
Mission Organic Center (MCD)
5258 Mission Street

The safe operation of the Mission Organic Center is of utmost importance to the Project Sponsors. Their experience with the other facilities currently in operation in the LA area help guide them in the design of the proposed security system for the Mission Street dispensary. The system will be comprehensive and will include the following elements working in tandem:

1. Security cameras located both on the exterior and interior of the facility;
2. Night lighting, interior and exterior;
3. Security patrols during operation hours.
4. Entry, rear and interior security systems to control access to the facility both during operation and after hours;
5. Intrusion monitoring system and alarm.
6. Secure storage of medicine
7. Employee training.

1. **Security Cameras:** The security cameras will operate on a 24 hour basis and the information recorded will be stored on a hard drive server for later review if required. Back-up files will be stored off site. Stored files will be maintained for a period of six months. The cameras will be located on the exterior to provide views of the storefront and front door as well as the sidewalk, north and south directions. One camera will also be located at the rear yard. Interior cameras will provide views of the waiting room, dispensary area and rear vestibule and safe vault containing the medicine. High-resolution color cameras will be used to provide clear, definable view of the premises.
2. **Night Lighting:** Exterior lighting set into the canopy soffit and controlled by photo sensors will illuminate the storefront and front door of the facility. Exterior photo sensors will automatically energize these lights when exterior ambient light level reaches a specific low level. The exterior photo sensors will also be energize specified interior lights selected to enhance views of the security cameras.
3. **Security Patrols:** The Project Sponsors will contract with the San Francisco Patrol Special Police who will provide two officers posted outside the premises. The officers will patrol the neighborhood and immediate sidewalk area and will help deter potential problems. They will be on duty from 10:00 AM to 8:00 PM during normal business hours.
4. **Entry Security System:**
 - a. During business hours, the front entry door will be locked from the exterior at all times. (Exit from the interior will not be locked per fire code.) Customers will present their identity and a doctor's recommendation prior to being allowed entry. Inside the waiting lobby they will be greeted by the receptionist who will review the doctor's recommendation and contact the customer's doctor to confirm its validity. The door to the dispensary will also be locked from the lobby side and customers will only be allowed past this door after their doctor's recommendation has been validated. Customers will only be allowed to purchase the products per their prescription. Consumption on the premises will not be allowed.
 - b. After hours, the front security gate that covers the entire width of the 14'-3" storefront will be closed and locked.
 - c. The rear of the facility includes one, none-operating window that provides natural light to the bathroom. The window will be secured by exterior, fixed metal bars. No doors will be provided to the rear yard, as they are not required.
5. **Intrusion Monitoring:** A monitored intrusion system will include front door and glass breakage sensors on the building storefront, motion sensors that cover all the interior spaces and glass sensors on the rear bathroom window. As a further deterrent, signage on the building front and rear yard will warn that the premises is monitored for security.

The sensors will be monitored 24 hours a day by an outside monitoring service. An activation of any of these sensors will trigger an audible alarm and a phone call to the facility's manager and then to the local police for a drive by check. The security camera's recording will also be reviewed to identify cause of any security breach.

- 6. Secure Storage of Medicine:** The dispensary will include a large safe vault, located at the rear vestibule storage closet, where all medicine will be stored, both during normal operating hours and after hours. Only the dispensary owner and manager will have access to the safe.
- 7. Employee Training:** Employees working in the dispensary will receive training manuals describing the security system and the procedures, protocol and guidelines for implementing the security measures. They will receive initial training in implementing these procedures as well as refresher training on quarterly basis.

Who Are We?

Mission Organic Center is a non-profit collective that strives to provide qualified patients a safe and secure place where they can obtain clean, quality medical marijuana that is organically grown, and free from contaminants.

Our distinct *Pharmacy Model* dispensary works closely with *healthcare professionals* to find new and *alternative ways* to treat those who have serious illnesses without the potential harmful side effects medications can cause.

Mission Organic Center, MOC, is the sister location to veteran Sunset Organic Center which has been open since 2007 in Los Angeles. Sunset Organic Center, SOC, is a trusted and well-respected Medical Cannabis Dispensary that serves the Silver Lake and Echo Park communities.

Giving Back

30% off to all AIDS, Cancer and seriously ill patients
20% off to all Veterans, disabled* and SSI patients

*The clinic is 100% handicap-accessible.

COMING SOON!

Mission Organic Center

www.missionorganiccenter.com

5258 Mission St.
San Francisco, CA 94112

Sunset Organic Center

www.sunsetorganiccenter.com

2210 W. Sunset Blvd.
Los Angeles, CA 90026
Phone: 213-908-7442
Fax: 213-908-7443

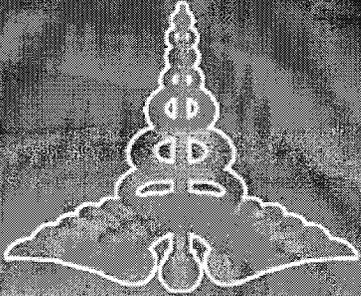
Open Everyday from 10am-11pm

Compassionate, alternative healing for the community.

www.missionorganiccenter.com

Mission Organic Center

CO-OP BY PATIENTS
FOR PATIENTS



Through our Pharmacy Model we can help those who suffer from any of the following:

- HIV/AIDS • Cancer • Multiple Sclerosis
- Arthritis • Gastro-Intestinal Disorders
- Nausea • Loss of Appetite • Epilepsy
- Type1 Diabetes • Neuropathy Pain
- Migraine • Sleep and Mood Disorders
- Panic & Anxiety • Chronic Pain

Community Outreach:

Community Outreach is an important part of the success of any neighborhood establishment.

We actively engage the people who live and work in the neighborhood including property owners and tenants, business owners and employees, community groups and leaders, police and city officials.

We hope to learn as much as we can about the views, issues, hopes and concerns of all those involved in the planning and process.

Our goal is to open a direct line of communication with **YOU** so that we can address all areas, and provide you with accurate information about Mission Organic Center.

The Pharmacy Model

We specialize in helping patients new to cannabis learn how to safely and comfortably experience the powerful healing and palliative aspects of this ancient medicine. We work closely with clients to monitor dosages and ingestion techniques to assure the maximum possible benefit.

Through careful follow-up, considerable research and documentation, our specialists have created a detailed matrix for indications and applications in order to pair the medical cannabis strain with the specific ailment for which treatment is sought.

How It Works

A new patient with a particular health concern meets with one of our on-site trained consultants to determine the most beneficial product for success in their use of medical cannabis. For example: a cancer patient who seeks increased appetite from medical cannabis will be shown several options that our research has found to be most effective at nausea suppression, increased sensory response to flavors, and/or hunger inducement. By contrast, a patient seeking pain relief from a muscular injury would be presented a very different set of options for pain management therapy.

Rigorous Testing

It is our hope that in the coming decades federal policy on medical use of cannabis will change. We believe our approach will be adopted and perfected on a broad scale with uniform standards for indication and prescription monitored by the Food and Drug Administration. Until sufficient resources are made available for such important developments, Sunset Organic Center and Mission Organic Center Cooperatives will model our service to patients on the traditional pharmacy, where knowledgeable professionals provide specific medicines prepared for specific applications.

In partnership with
Step Hill Labs

(www.stephilllab.com)

in Oakland,

we thoroughly evaluate each strain for THC, CBN, and CBD content to better serve the patient's health needs. Strains are also tested for: **MOLD, FUNGUS, BACTERIA and HARMFUL PESTICIDES.**

After testing, Step Hill gives their 'SafeCannabis' seal of approval.

We then clearly mark jars with potency, and results of

the test. Patients are **guaranteed** a safe and high-quality product free from contaminants.





SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 312)

On May 27, 2010, the Applicant named below filed Building Permit Application No. 2010.05.27.3337 (Alteration) with the City and County of San Francisco.

CONTACT INFORMATION		PROJECT SITE INFORMATION	
Applicant:	Joram Altman	Project Address:	5258 Mission Street
Address:	819 Alvarado Street	Cross Streets:	Niagara & Mount Vernon Avenues
City, State:	San Francisco, CA 94114	Assessor's Block /Lot #:	7031/003B
Telephone:	415-282-2626	Zoning District:	NC-2
		Height-Bulk District:	40-X

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

PROJECT SCOPE			
<input type="checkbox"/> DEMOLITION	and/or	<input type="checkbox"/> NEW CONSTRUCTION	or <input checked="" type="checkbox"/> ALTERATION
<input type="checkbox"/> VERTICAL EXTENSION		<input checked="" type="checkbox"/> CHANGE OF USE	<input type="checkbox"/> FACADE ALTERATION(S)
<input type="checkbox"/> HORIZ. EXTENSION (FRONT)		<input type="checkbox"/> HORIZ. EXTENSION (SIDE)	<input type="checkbox"/> HORIZ. EXTENSION (REAR)
PROJECT FEATURES	EXISTING CONDITION	PROPOSED CONDITION	
COMMERCIAL USE TYPE	Vacant Retail	Medical Cannabis Dispensary	
COMMERCIAL SQUARE-FOOTAGE OF USE	±630	No Change	
NUMBER OF STORIES	2	No Change	
NUMBER OF DWELLING UNITS	1	No Change	

PROJECT DESCRIPTION

The project is to establish a new Medical Cannabis Dispensary (d.b.a. Mission Organic Center) at a vacant ground floor commercial storefront located at 5258 Mission Street. This application is subject to a Staff-Initiated Discretionary Review action for establishing a medical cannabis dispensary per Planning Code Section 790.141. Discretionary Review Case No. 2010.0506D will be publicly noticed at a later date under a separate notice. Any interested party with concerns about the project has the opportunity to file a separate Discretionary Review application before the 30-day expiration date noted on this Section 312 notice. Notification for the related Mandatory Discretionary Review case shall be issued at a later date under a separate notice under Case No. 2010.0506D.

If you wish to review the permit application, or you require additional information regarding this application, please call the Project Planner at the number listed below.

PLANNER'S NAME: Adrian C. Putra
 PHONE NUMBER: (415) 575-9079
 EMAIL: adrian.putra@sfgov.org

DATE OF ORIG. NOTICE: 8/26/2011
 EXPIRATION DATE: 9/25/2011

NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

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

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

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

1. Seek a meeting with the project sponsor and the architect to get more information, and to explain the project's impact on you and to seek changes in the plans.
2. Call the local Community Board at (415) 920-3820 for assistance in conflict resolution/mediation. They may be helpful in negotiations where parties are in substantial disagreement. On many occasions both sides have agreed to their suggestions and no further action has been necessary.
3. Where you have attempted, through the use of the above steps, or other means, to address potential problems without success, call the assigned project planner whose name and phone number are shown at the lower left corner on the reverse side of this notice, to review your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects, which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission over the permit application, you must make such request **within 30 days of this notice, prior to the Expiration Date shown on the reverse side**, by completing an application (available at the Planning Department, 1660 Mission Street, 1st Floor, or on-line at www.sfgov.org/planning). You must submit the application to the Planning Information Center during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check for \$500.00, for each Discretionary Review request payable to the Planning Department. If the project includes multi building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.**

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

BOARD OF APPEALS

An appeal of the approval (or denial) of the permit application by the Planning Department or Planning Commission may be made to the Board of Appeals within 15 days after the permit is issued (or denied) by the Superintendent of the Department of Building Inspection. Submit an application form in person at the Board's office at 1660 Mission Street, 3rd Floor, Room 3036. For further information about appeals to the Board of Appeals, including their current fees, contact the Board of Appeals at (415) 575-6880.

CASE NUMBER:
For Staff Use only

10.05060

RECEIVED

SEP 22 2011

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
P.I.C.

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

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

PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: JORAM ALTMAN, Project Sponsor		
ADDRESS: 819 ALVARADO STREET, SAN FRANCISCO	ZIP CODE: 94114	TELEPHONE: (415) 282-2626

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

2. Location and Classification

STREET ADDRESS OF PROJECT: 5258 MISSION STREET, SAN FRANCISCO, CA	ZIP CODE: 94112
CROSS STREETS: MT. VERNON / NIAGRA	

ASSESSORS BLOCK/LOT: 7031 /003B	LOT DIMENSIONS:	LOT AREA (SQ FT):	ZONING DISTRICT: NC-2	HEIGHT/BULK DISTRICT: 40-X
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3. Project Description

Please check all that apply

Change of Use Change of Hours New Construction Alterations Demolition Other

Additions to Building: Rear Front Height Side Yard
UNKNOWN

Present or Previous Use:
Proposed Use: MEDICAL CANNABIS DISPE NSARY

Building Permit Application No. 2010.05.27.3337 (ALTERATION)

Date Filed: AUGUST 26, 2011

10.0506D

4. Actions Prior to a Discretionary Review Request

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

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

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

PLEASE SEE ATTACHMENT

Discretionary Review Request

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

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

PLEASE SEE ATTACHMENT

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

PLEASE SEE ATTACHMENT

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

PLEASE SEE ATTACHMENT

10.0506D

Applicant's Affidavit

Under penalty of perjury the following declarations are made:

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

Signature: _____



Date: _____

9/22/11

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

STEVEN R. CURRIER, Authorized Agent

Owner / Authorized Agent (circle one)

Building Permit Application Number (Section 312): 2010.05.27.3337

5258 Mission Street, San Francisco, CA 94112

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

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

The Outer Mission Merchants and Residents Association (OMMRA) engaged in several conversations with the applicant(s), their agents, employees of another MCD, and their attorneys. The applicants, their agents, employees of an unrelated MCD, and their attorneys have also made presentations to the OMMRA general membership meetings. The applicants et al. have heard complaints, concerns, and issues regarding this kind of business in the Outer Mission neighborhoods. OMMRA's general membership overwhelmingly voted to oppose this cannabis dispensary along with a second MCD proposed on the same block at 5234 Mission Street. The major oppositions come from the many merchants in the 5100, 5200, 5300 blocks of Mission Street and the fear of their safety.

OMMRA has also conducted several conversations and, in writing with to the Planner, Adrian C. Putra.

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

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

This project at 5258 Mission Street falls within 1,000 feet of several California Accredited child care facilities and other facilities that fall within Section 790.50(a)(b)(d)(e) of Article 7 of the San Francisco Planning Code. There are at least ten day care centers and one adult health day care center. They are: Annie's Family Childcare at 90 Curtis Street, Bethel Center at 2557 Alemany Boulevard, Mission Childcare Consortium, 4750 Mission Street, which in part is funded by the City and County of San Francisco and the State of California, Mi Casita Daycare at 249 Allison Street, Lisa's Little Garden at 932 Madrid Street, Happy Feet Daycare at 231 Amazon Street, Children's Day Care, 107 Ellington Street, Family Day Care - Mayala at 875 Geneva Avenue, Aguada's Day Care at 383 Hanover Street, St. Mary's Adult Health Day

10.0506D

Building Permit Application Number (Section 312): 2010.05.27.3337
5258 Mission Street, San Francisco, CA 94112

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Care Center at 35 Onondaga Street, and Crocker Amazon Senior Apartments at 5199 Mission Street.

Along with the stated above CA Childcare facilities, these are the California accredited nursing homes and residential facilities: Golden Residential Care Home at 166 Foote Avenue, Convalescent Center Mission at 5767 Mission Street, Gobatina Residential Care Home at 2393 Alemany Boulevard, Apexcare/Residential Care Home at 888 Paris Street, #203, Tabernaculo Biblico Bautista at 5016 Mission Street, and the church of Christ the Living Savior at 5162 Mission Street.

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

On another reason for opposing this project, this address is approximately six blocks from Daly City and the serious possibility of safety to the residents and merchants in this area. Some of these merchants have been in business, on the blocks of 5000, 5100, 5200, 5300, and further blocks of Mission Street, for more than 30 to 40 years and fear illegal activity or criminal activity.

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

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

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

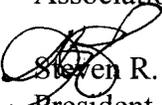
The alternatives or changes would be to attract businesses that would complement the neighborhood and the commercial and residential district at this location. In the area of this proposed project, there are restaurants, beauty and nail salons, churches, a senior housing project at 5199 Mission Street, a nursing home on the 5700 block of Mission Street, title companies, and smaller scale neighborhood food stores and/or fruit and vegetable stands.

Building Permit Application Number (Section 312): 2010.05.27.3337
5258 Mission Street, San Francisco, CA 94112

Page 7

Additional documents, petitions with over 1,000 signatures, and public comments will follow this D.R. Application prior or at the time of the Planning Commission hearing.

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


Steven R. Currier
President, OMMRA
415.587.9150
Steven.currier@sfdistricts.org

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

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

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

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

REQUIRED MATERIALS (please check correct column)	DR APPLICATION
Application, with all blanks completed	<input checked="" type="checkbox"/>
Address labels (original), if applicable	<input type="checkbox"/>
Address labels (copy of the above), if applicable	<input type="checkbox"/>
Photocopy of this completed application	<input checked="" type="checkbox"/>
Photographs that illustrate your concerns	<input type="checkbox"/>
Covenant or Deed Restrictions	<input type="checkbox"/>
Check payable to Planning Dept.	<input checked="" type="checkbox"/>
Letter of authorization for agent	<input checked="" type="checkbox"/>
Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors)	<input type="checkbox"/>

NOTES:

Required Material.

Optional Material.

Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: A. Putra

Date: Received 9/22/11

10.05060

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

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

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

September 22, 2011

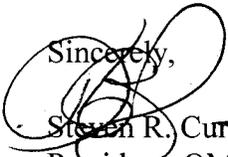
Mr. Adrian C. Putra, Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Project Address: 5258 Mission Street, San Francisco, CA 94112
Building Permit Application Number (Section 312): 2010.05.27.3337

Dear Mr. Putra:

The neighbors, members, and the Executive Board of the Outer Mission Merchants and Residents Association (OMMRA) are hereby filing an Application Requesting a Discretionary Review of the above-mentioned property. OMMRA has approved this DR and looks forward to a hearing at the Planning Commission regarding this issue/project.

Sincerely,


Steven R. Currier
President, OMMRA
415.587.9150

Enclosures

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

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

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

November 9, 2011

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

**RE: Project Address: 5234 Mission Street, San Francisco, CA 94112
Building Permit Application Number (Section 312): 2010.06.16.4643
Case Number: 2010.0468 DD Account Number: 20101481
Project Address: 5258 Mission Street
Building Permit Application Number (Section 312): 2010.05.27.0337
Case Number: 2010.0506 D Account Number: 20101598
Hearing Date: Thursday, November 17, 2011**

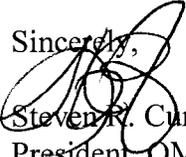
Dear Commissioners:

On behalf of the neighbors, members, merchants, and the Executive Board of the Outer Mission Merchants and Residents Association (OMMRA) are hereby following up on filing the Application Requesting a Discretionary Review of the above-mentioned property. OMMRA forwarded a letter to Planner, Adrian Putra on September 10, 2010. In that letter, OMMRA mentioned 11 day care centers located within 1,000 of these proposed projects. There are also two churches within one block of the 5200 block of Mission Street which is mentioned in the Application Requesting Discretionary Review. Also, Crocker Amazon Senior Housing is located at 5199 Mission Street. These apartments also have senior programs on a daily basis.

Christina Olague, President

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

In light of the above and the initial filing of the Application Requesting for Discretionary Review, OMMRA, its members, and neighbors object to the MissionOrganicCenter and Tree-Med, Inc. Medical Cannabis Dispensaries. We ask the Planning Commissioners take Discretionary Review and oppose this project.

Sincerely,

Steven R. Currier
President, OMMRA
Steven.currier@sfdistricts.org
415.587.9150

Enclosures

CC: OMMRA Executive Board
Officer W. McCarthy, Ingleside Police Station
Captain Daniel J. Mahoney, Commanding Officer, Ingleside Police Station
Supervisor John Avalos
Jana Clark, Deputy City Attorney, Code Enforcement
May Wong, President, EDIA

EXCELSIOR DISTRICT IMPROVEMENT ASSOCIATION

P.O. BOX 12005

SAN FRANCISCO, CA 94112-0005

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

edia-info@yahoo.com

October 26, 2011

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

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

Dear Ms Lai:

I am writing to you as President of The Excelsior District Improvement Association (EDIA) to voice our opposition to the petition for the proposed cannabis storefront at 4218 Mission Street. At our last general membership meeting held October 25, 2011, we invited representatives of The Green Cross to hear their reasons for wanting this permit to operate in our neighborhood. Their comments were not enough to convince our membership to consider any support of such a business.

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

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

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

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

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

Regards,

May Wong

President
Excelsior District Improvement Association

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

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

*Steven R. Carrier, President
Alan Mills, 1st Vice President
Joelle Kenealey, 2nd Vice President
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Kenneth Kalani, Treasurer
Alex Murillo, Sergeant-at-Arms
Vacant, Member-at-Large
Marleen Norman, Member-at-Large
Vacant, Newsletter Editor*

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

September 10, 2010

Mr. Adrian Putra
San Francisco Planning Department
1660 Mission Street, Fifth Floor
San Francisco, CA 94103

**RE: 5234 Mission Street
Permit Application Number: 201006164630
5258 Mission Street
Permit Application Number: 201005273337**

Dear Mr. Putra:

On behalf of the Executive Board and members of the Outer Mission Merchants and Residents Association (OMMRA), I write to inquire about the two above-referenced properties and proposed permit applications for a medical cannabis club at both locations.

I have had a few conversations with both owners and their respective representatives. OMMRA and the surrounding community, including merchants, do not believe that this is an appropriate location for these establishments. Under Section 790.50(b) of Article 7 of the San Francisco Planning Code, there are several California Accredited child care facilities and other facilities, and one or maybe two elementary schools within 1,000 feet of these two locations.

///

Mr. Adrian Putra
San Francisco Planning Department
September 10, 2010
Page Two

These are ten day care centers and one adult health day care center:

Annie's Family Childcare, 90 Curtis Street, San Francisco
Bethel Center, 2557 Alemany Boulevard, San Francisco
Mission Childcare Consortium, 4750 Mission Street, San Francisco
Mi Casita Daycare, 249 Allison Street, San Francisco
Lisa's Little Garden, 932 Madrid Street, San Francisco
Happy Feet Daycare, 231 Amazon Street
Children's Day Care, 243 Ellington Street
The Sisters' Day Care, 107 Ellington Street
Family Day Care – Mayela, 875 Geneva Avenue
Aguada's Day Care, 383 Hanover Street, San Francisco
St. Mary's Adult Health Day Care Center, 35 Onondaga Street, San Francisco

There are two elementary schools. They are:

George Washington Elementary School, 251 Whittier Street, Daly City
Guadalupe Elementary School, 859 Prague Street, San Francisco

In light of the above, we base our opposition, to these two cannabis clubs, due to the close proximity of these neighboring institutions. We feel that, since the applications (312) notices have not been distributed as of this date, OMMRA feels that we have sufficient evidence to oppose these proposed applications and prevent the SF Planning Department and the owners from continuing their pursuit to follow through with these applications processes.

Sincerely,

Steven R. Currier
President, OMMRA
415.587.9150
Steven.currier@sfdistricts.org

CC: OMMRA Executive Board
Supervisor John Avalos
Captain Louis Cassanego, Ingleside Police Station
Officer W. McCarthy, Permit Officer, Ingleside Police Station
Kate Conner, Code Enforcement Officer, SF Planning Department

April 2010

We the undersigned, members of the Outer Mission Merchants and Residents Association (OMMRA), residents, merchants, and persons doing business in the district, oppose the **proposed** Medical Cannabis Dispensaries (MCD) at 5234 and/or 5258 Mission Street.

Our neighborhood has too many children, youths, seniors, churches, schools, parks, crime, and an extensive transit district. There is already a medical cannabis dispensary on Ocean Avenue and we do not need one here due to the above interest mentioned.

NAME ADDRESS SIGNATURE

Alicia Rendon	176 Soanita Wy	Alicia Rendon
HELEN RODRIGUEZ	153 Prosser St	Helen Rodriguez
Ann Brown	22 Lapham	Ann Z. Brown
Ernie Kushman	152 Frankfurt St	Ernie Kushman
Theresa Sazo	500 Burrows St	Theresa Sazo
Glenn D. Ramsey	328 Mt Vernon Ave	Glenn D. Ramsey
Edith Otto	458 Brunswick St	Edith Otto
66 Cottenberg St	415 484 76 47	
Mintala Capistrano	66 Cottenberg St	
Joan Baus	215 Canyon Dr	Joan Baus
BONNIE JARVI	29300 DIXON ST #01	Bonnie Jarvi
Betty J. Jones	49 Northhoff St SF	Betty J. Jones
JEAN LEONE	72 LAPHAM WAY, SF	Jean Leone
Jeanne Leone	170 Valleyview S.F.	Jeanne Leone
Adella Simoni	167 Yelder Hill St	Adella Simoni
Lisa Carlson	82 Anoyo Way SF	Lisa Carlson
Viera Sisco	133 Francisco St	Viera Sisco
Lillian Buckley	40 Bellevue Ave City	Lillian Buckley
Bertha Cordero	845 Rutland St S.F.	
Joseph Cordero	845 Rutland St San Francisco	
Yvonne Castillo	35 Market Ave SF	
Rosemary Kratermich	1637-12th ave	Rosemary Kratermich
Ida Spadaric	Whiskey St S.F.	IDA SPADARIC IIA.
Heidi Salom	29 Polk St SF	
Mary Lopez	226 Hanover St	

April 2010

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NAME	ADDRESS	SIGNATURE
Dolores Campbell	651 Mission St, SF 94112	Dolores Campbell
MARIE CAULLEY	1951 O'FARRELL ST SAN MATEO	Marie Caulley
NORMA BRUNICK	26 LAPHAM WAY SAN FRANCISCO	Norma Brunick
FLORENCE DEMARIE	215 ALTA VISTA WAY	Florence Demarie
Allyce A. Williams	741 VERMONT ST.	Allyce A. Williams
MICHAEL PROKOPOV	5392 MISSION ST. SF	Michael Prokopov
Stella Etienne	5370 MISSION ST. SF	Stella Etienne
MARY PREVEDELLO	112 COMORB ST	Mary Prevedello
Joan Weiland	219 Allison St.	S.F. CA
Joan Weiland	219 Allison St.	S.F.
Julio Moran	17 Canyon Ct. S.S.F.	Julio Moran
Royce Espinoza	52 Patton St.	Royce Espinoza
Eduardo Bents	5354 Mission St.	Eduardo Bents
WALTER NAVARRO	54 BRITTON ST.	W. Navarro
Axel Aguilar	54 Britton St	Axel Aguilar
Edna Castille	5376 Mission St - SF	Edna Castille
Frank Vilesos	5376 Mission St	Frank Vilesos
EDNA GARCIA	7 Concord St	Edna Garcia
Frank Garcia	7 Concord St	Frank Garcia
Frank Garcia	7 Concord St	Frank Garcia
OLGA GARCIA	5370 MISSION ST. SF 94112	Olga Garcia
Jesus Castro	5370 MISSION ST SFO CA 94112	Jesus Castro
Ramon M. Garcia	5370 MISSION ST SFO CA 94112	Ramon M. Garcia
MAGDALENA LINDVAH	64 Newton St. S.F.	Magdalena Lindvah
Joana Hansen	140 Frankfort St	Joana Hansen
Conchita Ruyter	148 Evelyn Way SF 94127	Conchita Ruyter

April 2010

We the undersigned, members of the Outer Mission Merchants and Residents Association (OMMRA), residents, merchants, and persons doing business in the district, oppose the proposed Medical Cannabis Dispensaries (MCD) at 5234 and/or 5258 Mission Street.

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NAME	ADDRESS	SIGNATURE
Castalia Haynes	Daly City, CA 94014 204 School St #5	Castalia Haynes
Judy Paige	3468 17th St. SF CA	Judy Paige
ROBERT D. HARMON	425 Monticello	Robert D. Harmon
Nanette Melad	20 Tomaso Ct. SF. 94134	Nanette Melad
JEAN BRODEK	68 ELLINGTON AVE SF 94112	Jean Brodek
KAY BRODEK	68 ELLINGTON AVE SF 94112	Kay Brodek
Kolby	484 Prager St.	Kolby
JASON AGUIA	262 Baltimore Way	Jason Aguiar
Howard Bennett	335 Alond Ave SF Calif	Howard Bennett
Pauline Bell	369 ASHTON AVE 94112	Pauline Bell
SHARON NEALON	130 CANYON DR	Sharon Nealon
Christina Reber	515 Del Monte Ave SF	Christina Reber
WENDY UNG.	3420 Lawton St. SF CA 94122	Wendy Ung
Neil Rangel	767 Miller Ave S.S.F Ca. 94108	Neil Rangel
Susan Mah	60 Watt Avenue SF CA 94112	Susan Mah
Helen E. Cohen	1771 Geneva Ave SF CA 94134	Helen E. Cohen
ELKI SUBBIA	405 MACDONALD AVE DALY CITY, CA. 94014	Elki Subbia
Lidia S. Ahmeda	16 Knoll Ct. S.F. CA 94112	Lidia S. Ahmeda
Leah Li	274 San Jose Ave S-F. CA 94112	Leah Li
Muhammad Escomin	170 Flournoy St SF CA 94112	Muhammad Escomin
Adrian Rodriguez	1202 35 Mateo Ave DC	Adrian Rodriguez
Peggy M. Benjamin	166 Bellevue Ave Daly City, Ca.	Peggy M. Benjamin
Mary McCordick	757 Sutter St #300 San Francisco Ca	Mary McCordick
Frank Bottarini	757 Pico Ave San Francisco, Ca.	Frank Bottarini
JAY RENDON	1871 ALHAMBRA SF, CA 94112	Jay Rendon
Sylvia Brodek	68 ELLINGTON AVE SF, CA	Sylvia Brodek

April 2010

We the undersigned, members of the Outer Mission Merchants and Residents Association (OMMRA), residents, merchants, and persons doing business in the district, oppose the **proposed** Medical Cannabis Dispensaries (MCD) at 5234 and/or 5258 Mission Street.

Our neighborhood has too many children, youths, seniors, churches, schools, parks, crime, and an extensive transit district. There is already a medical cannabis dispensary on Ocean Avenue and we do not need one here due to the above interest mentioned.

NAME ADDRESS SIGNATURE

NAME	ADDRESS	SIGNATURE
SARA PITTAVINO	321 Ellington	Sara Pittavino
VIRGIL		
JOE CIRIMELI	52 WITTIER	Joe Cirimeli
Michele Maas	1156 Geneva Ave SF	Michele Maas
Margaret McPheters	224 Tuna St. SF	Margaret McPheters
Renata Cecchi	699 Morse St S.E. Ca. 94112	Renata Cecchi
Louise Stagnaro	82 Pretar Way SF CA 94112	LOUISE STAGNARO
Dina Bruno	1051 Broadway Millbrae Cal.	
Lena Marovich	161 Frote Ave	
Conita Alschin	4 Alschin Ct SF Ca 94112	
Donna Gorman	50 Bellvue Av. Daly Cit. Ca. 94014	
Margaret Sousa	1159 Mission St Crocker Amazon	
Kimie S. Williams	256 Hawth St. S.F. Ca. 94112	
Guaria Hauke	45 Cassandra J. S.F. CA 94112	
Veris Salomon	71 Lieling St San Francisco CA 94112	
Mette Murray	Alameda 94112	
MARINA CIABATTARI	DALY CIT 1 94114	
Janis Calhoun	San Bruno CA 94066	
Guido E. Delander	57 Florence St CA 94112	
Rosa E. Meloche	1060 Terra Nova Blvd CA 94044	
Judy Conch	100 Bybee St SF CA 94132	
Luisa Arivedo	151 Bellevue Ave Daly City	
DORA GRANERA		
MONICA GRANERA		
Juan Weierman	595 Teresita St SF 94127	
Jane Pat	595 Teresita St SF 94127	

April 2010

We the undersigned, members of the Outer Mission Merchants and Residents Association (OMMRA), residents, merchants, and persons doing business in the district, oppose the proposed Medical Cannabis Dispensaries (MCD) at 5234 and/or 5258 Mission Street.

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NAME ADDRESS SIGNATURE

NAME	ADDRESS	SIGNATURE
SHARLE/ Espino	231 HANOVER ST	Shirley Espino
Carlos Hernandez	7684 Camino Real	Carlos Hernandez
MARTA COLINDRES	COLINDRES CRT.	Marta Colindres
MARTA COLINDRES	66 ABBOT AVE DALY CITY	Marta Colindres
Marta Lopez		
Sergio Matamoros	26 Camino Real	Sergio Matamoros
Yadi Ferra	5388 MISSION ST.	Yadi Ferra
Julia DeFetello	80 Mt. Vernon Ave SF 94112	Julia DeFetello
Jayme R. [unclear]	80 Mt. Vernon Ave S.F. 94112	Jayme R. [unclear]
Loretta Stern	80 Mt. Vernon Ave S.F. 94112	Loretta Stern
Prima E Esquivel	5369 MISSION ST SF CA 94112	Prima E Esquivel
MARCELO BAUTISTA	5365 MISSION BARBER SHOP SF. CA - 94112	Marcelo Bautista
KIM LEE	5372 MISSION ST SF, CA 94112	Kim Lee
M. Antunez	5372 MISSION ST SF, CA 94112	M. Antunez
Jorge L. [unclear]	5372 MISSION ST SF CA 94112	Jorge L. [unclear]
Cherrie Reynolds	66 Bellvue DC 94014	Cherrie Reynolds
[unclear]	83 [unclear] 94134	[unclear]
Diana Escobar	115 Dundee Dr. S.S.F 94080	Diana Escobar
HILBERT ESCOBARTE	1241 S. GOMA DR MILPITAS CA 95035	Hilbert Escobarte
Laura Schnapp	50 W 5th St, Daly City	Laura Schnapp
EDWIN FORREUM	405 WILLOW DR, S.F. CA	Edwin Forreum
SANDRA SAITZ	1253 Park Pacific Ave	Sandra Saitz
David Torres	4th Inverness Dr. Pacific	David Torres
Auge Conaco	5388 A Mission	Auge Conaco
Mary Jimenez	5388 A Mission	Mary Jimenez
IRMA ANDERSON	217 Briqg Ranch Golden, CA	Irna Anderson

April 2010

We the undersigned, members of the Outer Mission Merchants and Residents Association (OMMRA), residents, merchants, and persons doing business in the district, oppose the **proposed** Medical Cannabis Dispensaries (MCD) at 5234 and/or 5258 Mission Street.

Our neighborhood has too many children, youths, seniors, churches, schools, parks, crime, and an extensive transit district. There is already a medical cannabis dispensary on Ocean Avenue and we do not need one here due to the above interest mentioned.

NAME ADDRESS SIGNATURE

Ruth Morey	955 Madrid	Ruth D. Morey
ELO PATTON	955 MADRID	Elo Patton
Terri Morey	161 Lowell	Terri Morey
KENNY MOREY	161 LOWELL	Kenny Morey
Mark Cvitanich	241 So. Hill Blvd.	Mark Cvitanich
Joan Cvitanich	241-So. Hill Blvd.	Joan Cvitanich
Gemma Pequerman	175 Lowell St	Gemma Pequerman
Jason D. D. D.	175 LOWELL ST.	Jason D. D. D.
Marilyn A. Cereghino	181 Lowell St	Marilyn A. Cereghino
Tzantou Saelee	155 Lowell St.	Tzantou Saelee
Pablo A. Rafum	168 Lowell St	Pablo A. Rafum
CHEN, STEVEN	180 Lowell st	CHEN, STEVEN
DANIEL SABALVARO	586 BRUNSWICK ST.	DANIEL SABALVARO
CATHERINE SABALVARO	586 BRUNSWICK ST.	CATHERINE SABALVARO
Lisa Sabalvaro	586 BRUNSWICK ST.	Lisa Sabalvaro
Elleen Bernaldo	945 Madrid St	Elleen Bernaldo

April 2010

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NAME

ADDRESS

SIGNATURE

x Stephanie Finetti-Wolff
243 Drake St
SF, CA 94112

Stephanie Finetti-Wolff

x Doug Wolff
243 Drake St
SF, CA 94112

Douglas Wolff

10/11/11

TO: ATTORNEY GENERAL HARRIS-SACRAMENTO
ATTORNEY GENERAL ERIC HOLDER, WASHINGTON, D.C.

RE: MEDICAL CANNABIS DISPENSARY
5258 MISSION ST., S.F., CA 94112 &
5225 MISSION ST., S.F., CA 94112

IF YOU WISH TO DESTROY OR DISTURB A NEIGHBORHOOD PLACE TWO
MARIJUANA STORES IN THE SAME BLOCK.

IN THIS AREA THERE ARE;

5199 MISSION 35	SENIOR CITIZEN APT. (CROCKER AMAZON)
5216 "	BAKERY
5225 "	LARGE PRODUCE MARKET
5226 "	PIZZA PARLOR
5240 "	ACCOUNTANT
5242 "	BARBER
5246 "	PRINTING STORE
5248 "	DENTAL OFFICE

SEVERAL APT. BUILDINGS IN BETWEEN
CLOSE BY A BANK OF AMERICA-OPTOMETRIST ETC.

WHEN A DOCTOR BELIEVES YOU SHOULD HAVE A PRESCRIPTION FOR
MARIJUANA WHY NOT GO TO A WALGREEN'S, CVS DRUG STORE? THIS WILL ELI-
MINATE THE CRIME THAT WILL ENSUE WITH SUCH DISPENSARY IN OUR
NEIGHBORHOODS. BESIDE, THERE IS NO PARKING BUT THE METERS. WHERE
ALL OUR CUSTOMERS OR SENIOR W/PLACARD BE ABLE TO PARK?

I BEG OF YOU TO DO WHATEVER COULD BE DONE BECAUSE IT'S A
FEDERAL LAW OFFENSE TO BEGIN WITH TO SELL OR DISPENSE MARIJUANA.
THIS TYPE OF BUSINESS DESTROY OR DO NOT BELONG IN A FRIENDLY
NEIGHBORHOOD.

LISE ANDREE LOUKAS
5248 MISSION ST.
SAN FRANCISCO, CA 94112

COPIES ATTACHED (3)

RESPONSE TO QUESTION 1

The request for discretionary review is based on a claim that the proposed Mission Organics project site is within 1,000 ft of ten (10) daycare centers and one (1) adult health daycare center and purportedly, therefore, runs afoul of the San Francisco Planning Code. This concern is groundless because, among other reasons explained below, the proposed Mission Organic project site does not violate the distance requirements set forth in the San Francisco Planning Code Section 790.141 governing MCD site location relative to certain facilities. Section 790.141 states that an MCD cannot be located within 1,000 ft from "(A) a public or private elementary or secondary school; or (B) a community facility and/or recreation center that primarily serves persons under 18 years of age." None of the facilities identified in the discretionary review application ("DR Application") are public or private elementary or secondary schools, nor community and/or recreation facilities that serve persons under 18 years of age and, in addition, the proposed Mission Organic project site is not within 1,000 feet of the Section 790.141 distance requirements.

Below is a list of each of the facilities cited in the DR Application, along with their respective distances from the proposed Mission Organic project site.

1. Annie's Family Childcare: 957ft
2. Bethel Center: 1,239ft
3. Mission Childcare Consortium: 2,982ft
4. Mi Casita Daycare: 1,192ft
5. Lisa's Little Garden: 1,348ft
6. Happy Feet Daycare: 1,316ft
7. Children's Day Care: 885ft
8. The Sisters' Day Care: 297ft
9. Family Day Care: 832ft
10. Aguada's Day Care: 2,436ft
11. St. Mary's Adult Health Day Care Center: 2,610ft

As is clear, only four (4) of the eleven (11) facilities identified in the DR Application are within 1,000 ft of the proposed Mission Organic project site. Those four (4) facilities are childcare facilities, which are not referred to in the MCD distance requirements codified in San Francisco Municipal Code Section 790.141. (Section 790.50(b) covers child care facilities and is not at all referred to in Section 790.141.) Instead, it provides that MCDs must be located at least 1,000 ft from public or private elementary or secondary schools or a community facility and/or recreation center that primarily serves persons under 18 years of age. The proposed site does not fall within 1,000 ft of any elementary or secondary schools, nor a community facility and/or recreation center that primarily serves persons under 18 years of age.

Licensing by the State is a determining factor when evaluating the MCD distance requirements. The Planning Department gave the following justification in an MCD Discretionary Review Analysis for the project located at 2139 Taraval Street (Case No. 2010.0018D):

"Although the first three businesses listed above are located less than 1,000 feet from the project site, Canaan Tutoring, Ann Healy Irish Dance, and Synergy Sports & Learning, none of these establishments are licensed by the State of California."

In this case, of all of the facilities listed, only Mission Childcare Consortium (located nearly 3,000 ft from the proposed site location) is licensed by the State of California. None of the listed facilities that fall within 1,000 ft of the proposed project site are licensed by the State of California.

The DR Application also mentions that there are several nursing homes and residential facilities located near the proposed project site. Again, the Planning Code does not provide any

restriction for locating an MCD near nursing homes or residential or elder care facilities. Moreover, countless scientific studies show that medical cannabis is highly effective for treating symptoms of many illnesses that disproportionately affect the elderly community, including Alzheimer's Disease, Chronic Pain, Diabetes, Incontinence, Multiple Sclerosis, Osteoporosis and Rheumatoid Arthritis among many others. Indeed, medical cannabis has been shown to be one of the safest treatments for elderly patients who may have increased incidence of severe side effects when taking other prescription medication with much lower safety thresholds. That, coupled with the fact that many elderly patients have limited mobility, makes the proposed Mission Organic project site an ideal location to serve a large, and often overlooked segment of the medical cannabis patient population.

The final complaint leveled against the proposed MCD is a general concern about the safety of merchants and residents in the area immediately surrounding the proposed site location. While this is a concern that the applicant in no way dismisses, prevailing evidence suggests that the presence of an MCD has no negative effect on crime rates in the surrounding community. [See, as example, Kern County Staff Report, Proposed Ordinance Regulating Medical Cannabis Dispensaries, July 11, 2006.] Additionally, the proposed project will include an array of measures designed specifically to deter crime and create a safe environment for staff, patients and the community at large. As shown in the project's security and lighting plan, some of these planned measures include:

- Security cameras located both on the exterior and interior of the facility;
- Night lighting, interior and exterior;
- Hiring professional security firm;
- Security patrols during operation hours;
- Entry, rear and interior security systems to control access to the facility both during operation and after hours;
- Intrusion monitoring system and alarm;
- Secure storage of medicine; and
- Employee training.

In conclusion, contrary to the complaints in the discretionary review, none of the area facilities named qualify as violations of the 1,000 ft rule in the San Francisco Municipal Code 790.141.a.1. Additionally, the majority of the childcare facilities listed in the discretionary review do not fall within 1,000 feet of the proposed project site. Of the ones that do, none are licensed by the State of California. The proposed location complies with all provisions of SFMC 790.141, and the overall effect will be to make the neighborhood safer by lowering crime and discouraging illicit drug sales, as has been well documented by many analytical studies. It will also help countless medical cannabis patients who live in the surrounding area by providing them with a safe, regulated source for the medicine that for many, is key to quality of life.

RESPONSE TO QUESTION 2

Given the fact that the DR applicant is unhappy with the general nature of the proposed business, no changes to the proposed project are being put forth.

RESPONSE TO QUESTION 3

The DR applicant has expressed concerns for the safety of the local community. Among other aspects of the security plan that Mission Organics will employ and as described in Response to Question 1 above, a professional security team will be on-site during all hours of operation. Moreover, while we take any such concerns very seriously, we feel that the concerns expressed by the DR applicant regarding the safety of neighborhoods around medical cannabis

dispensaries are reactionary feelings based on little or no evidence. A 2011 study conducted by the University of California's California Center for Population Research concluded that:

"Density of [Medical Marijuana Dispensaries] MMDs was not associated with violent or property crime rates. Consistent with previous work, variables measuring routine activities at the ecological level were related to crime. There were no observed associations between the density of MMDs and either violent or property crime rates in this study. These results suggest that the density of MMDs may not be associated with increased crime rates or that measures dispensaries take to reduce crime (i.e., doormen, video cameras) may increase guardianship, such that it deters possible motivated offenders."

-- Williams, Nancy J.; Freisthler, Bridget "Crime and Medical Marijuana Dispensaries"
(PWP-CCPR-2011-010) October 2011

Additionally, a research paper from the Regis University College for Professional Studies concluded that:

"Based on this researcher's survey results of residents in the three urban Denver neighborhoods, the resulting data indicated that the presence of medical marijuana centers did not affect resident's perception of crime in their respective neighborhoods. In fact, most stated there had been no changes in crime since the centers were established. Additionally, based upon the 2008 and 2009 statistics obtained from the City and County of Denver that compared reported criminal offenses, both citywide and within 1,000 feet of medical marijuana centers, it appears that crime around the medical marijuana centers is considerably lower than citywide crime rates; a much different depiction than originally perceived."

--Scherrer, Maura L. "Medical Marijuana Centers and Urban Resident's Perception of Crime in Their Neighborhood", June 2011

Based on these and other studies, as well as the professional experience of those involved with well-regulated, well-run and safe MCDs, the proposed project will not have a negative impact on the local community. Furthermore, the proposed MCD will actively and continuously engage in philanthropic and community outreach programs that will help local non-profit organizations, as well as educate the local community about issues related to health, wellness and safety. The proposed project takes the safety and security of the MCD and surrounding neighborhood very seriously and it is, and will remain, a top priority.

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

*Steven R. Currier, President
Alan Mills, 1st Vice President
Joelle Kenealey, 2nd Vice President
Monika Yungert, Secretary
Kenneth Kalani, Treasurer
Alex Murillo, Sergeant-at-Arms
Vacant, Member-at-Large
Marleen Norman, Member-at-Large
Vacant, Newsletter Editor*

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

September 10, 2010

Mr. Adrian Putra
San Francisco Planning Department
1660 Mission Street, Fifth Floor
San Francisco, CA 94103

**RE: 5234 Mission Street
Permit Application Number: 201006164630
5258 Mission Street
Permit Application Number: 201005273337**

Dear Mr. Putra:

On behalf of the Executive Board and members of the Outer Mission Merchants and Residents Association (OMMRA), I write to inquire about the two above-referenced properties and proposed permit applications for a medical cannabis club at both locations.

I have had a few conversations with both owners and their respective representatives. OMMRA and the surrounding community, including merchants, do not believe that this is an appropriate location for these establishments. Under Section 790.50(b) of Article 7 of the San Francisco Planning Code, there are several California Accredited child care facilities and other facilities, and one or maybe two elementary schools within 1,000 feet of these two locations.

///

Mr. Adrian Putra
San Francisco Planning Department
September 10, 2010
Page Two

These are ten day care centers and one adult health day care center:

Annie's Family Childcare, 90 Curtis Street, San Francisco
Bethel Center, 2557 Alemany Boulevard, San Francisco
Mission Childcare Consortium, 4750 Mission Street, San Francisco
Mi Casita Daycare, 249 Allison Street, San Francisco
Lisa's Little Garden, 932 Madrid Street, San Francisco
Happy Feet Daycare, 231 Amazon Street
Children's Day Care, 243 Ellington Street
The Sisters' Day Care, 107 Ellington Street
Family Day Care – Mayela, 875 Geneva Avenue
Aguada's Day Care, 383 Hanover Street, San Francisco
St. Mary's Adult Health Day Care Center, 35 Onondaga Street, San Francisco

There are two elementary schools. They are:

George Washington Elementary School, 251 Whittier Street, Daly City
Guadalupe Elementary School, 859 Prague Street, San Francisco

In light of the above, we base our opposition, to these two cannabis clubs, due to the close proximity of these neighboring institutions. We feel that, since the applications (312) notices have not been distributed as of this date, OMMRA feels that we have sufficient evidence to oppose these proposed applications and prevent the SF Planning Department and the owners from continuing their pursuit to follow through with these applications processes.

Sincerely,

Steven R. Currier
President, OMMRA
415.587.9150
Steven.currier@sfdistricts.org

CC: OMMRA Executive Board
Supervisor John Avalos
Captain Louis Cassanego, Ingleside Police Station
Officer W. McCarthy, Permit Officer, Ingleside Police Station
Kate Conner, Code Enforcement Officer, SF Planning Department



Angela Chin
<angela_chin@peoplepc.com>
>

09/23/2011 08:53 PM

Please respond to
Angela Chin
<angela_chin@peoplepc.com>

To adrian.putra@sfgov.org

cc

bcc

Subject RE: "No on both applications for marijuana dispensary in my community.

Hello mr. Putra,

Thanks for your prompt reply to my voice mail and kindly listened to my concerns when we talked.

I am against the applications of marijuana dispensary business on both locations: 5234 Mission Street (by Inna Yakubov) and 5258 Mission Street (by Joram Altman).

Even though both locations qualify for the current SF City zoning laws, the unwanted risk exposures and long-term negative influences onto our community/neighborhood are of the main concerns of our residents and business owners:

1. Safety of our families, young children and elderly living on and around the premises of both dispensaries: One applicant lists her address in the Outer Richmond District and the other in probably Noe Valley/Vallencia Corridor/Bernal Heights area--if they live in a rather safer and nicer areas of SF, why do they want to open such businesses (with clients who are mostly adults of uncured pains and whose costs may not get picked by normal health or disability insurances)--in our neighborhood/commuity--just because the allowance of current legislations/city zonings??? Have they consider the social consciousness and responsibilities when they apply for such a permit to conduct such kind of business??? If they don't live here nor having their own children and grandchildren attending schools nearby this area, then PLEASE do not open marijuana dispensaries here distracting and hurting someone elses' children and grandchildren. Those kids may not attend schools within your 300ft radius, but they and their families live within your 300ft radius. Have some fundamental value and considerations of others before they conduct this kind of business!

2. Long-term negative influences; who knows if they grow their own plants upstairs or in the backyard after they open their business here. Houses growing marijuana cost tons of electricities and more important, increases the risk of FIRE, then resources of the City's Figher Dept. to send fightmen to rescue if there's a fire. Then the building owners and neighboring houses owners suffer losses in their HOUSE VALUES! In this econ. don't be kidding! Our community and neighborhood do NOT need such a business. Instead of an opportunity, it is an increasing fire hazard!

3. Increasing traffic--another hazard! What do you if your children and elderly parents and grandparents walk by the dispensaries each time and there're people inside and outside smoking the pot--not only it's another second hand smoke danger but also making shoppers harder to find street parking so they can patronize our other businesses such as pizza shops, grocery stores, laundry shops, nail shops, hair salons, cellphone stores, bakeries and ethnic restaurant!

I look forward to hear from your call or email again reg. the progress/procedure of both permit applications. Please inform me ASAP if there's a public hearing schedule if our indivial or collective phone calls or written concerns are not enough to prevent both permits from getting approvals.

At last but not least, please forward or escalate my concerns and complaints to the district 11 supervisor Mr. Avalos and Major Mr. Ed. Lee: All people living in SF need to have the city leaders and public officers to hear our voices and read our minds. The Outer Mission area residents are not rich nor privileged fews in the City. However, this district has many immigrants who work their ass off to secure their homes, bring up their children, and take care of their elderly parents. This is a working community and it deserves equal capital and human resources from the City to improve the neighborhood streets, commercial sites, children's educations and etc. We don't want marijuana shops here, nor exposures to potential crimes and fire hazards. Listen, when one is a public servant, he/she does what he/she preaches, before he/she earns any citizen's vote in November! Thanks.

Sincerely,
Angela Chin
cell (415) 608-5968.

PeoplePC Online
A better way to Internet
<http://www.peoplepc.com>



House of Hope
<aliactivities@yahoo.com>

09/24/2011 10:50 PM

Please respond to
House of Hope
<aliactivities@yahoo.com>

To "adrian.putra@sfgov.org" <adrian.putra@sfgov.org>

cc

bcc

Subject Please keep MCDs away from our children!

September 24, 2011

Dear Mr. Putra:

I am writing to express my strong disapproval of plans to build two medical cannabis dispensaries (MCD) within two blocks of my home: 5234 Mission and 5258 Mission. As a native San Franciscan, born and raised in the Excelsior / Crocker Amazon Districts, I have seen this neighborhood go through many changes. Once a neighborhood that had a slightly negative reputation, the Excelsior / Crocker Amazon District has become a neighborhood that is ideal for families. I implore you to help us maintain this state.

As a child, my parents bought our home in this neighborhood because of its affordable prices. At that time, the neighborhood was comfortable in the residential sections, though some were afraid of walking along Mission Street because of past reported crimes. We rarely shopped in the area and always drove to safer parts of San Francisco for dining and shopping options.

Over the last three decades, more families—as well as family-oriented businesses—have moved into the neighborhood and invested their time and resources to help the area flourish. As a result, my family is now comfortable shopping on foot and dining at any of the local restaurants. Once married, my husband and I decided to move back to this neighborhood since my parents still live in the area and because we felt safe in a community where I knew the names of my neighbors and saw children playing in the streets.

This neighborhood is filled with schools, parks and community centers. Although the MCDs are technically 1000 feet away from these locations, having them so close simply is not desirable. I take my 5-month-old baby in our stroller for walks around the neighborhood and pass by the addresses of the proposed MCDs almost every day on our way to the Crocker Amazon and McLaren Parks. Should the MCDs be allowed to move into those locations, I would have to select new routes.

I have spoken with numerous neighbors who also fear the negative consequences of having MCDs in the neighborhood; some have even expressed their concerns to local police, seeking expert opinion. With certainty, the police have agreed that MCDs do absolutely no good for a neighborhood's safety. In fact, shops like these only stand to invite more crime.

I do not see why it is necessary to allow these MCDs at these locations as there are already quite a few within two miles in areas that are not as residential and don't have as many young children. Some of those locations include: 1933 Mission, 1884 Market Street and 2441 Mission Street.

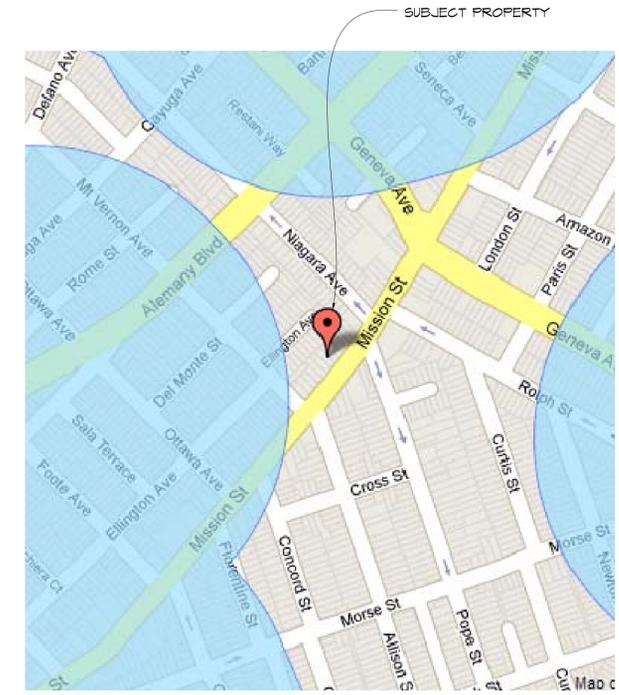
I respectfully request your assistance in stopping these MCDs from opening. I greatly appreciate your service to our city, as well as your time and attention to this matter. Please note that I have also contacted Mayor Ed Lee, Supervisors Eric Mar and John Avalos, as well as Assemblywoman Fiona Ma about this issue.

Sincerely,

Venus (along with my husband, Pira) Tritasavit
Outer Mission Resident



1000' RADIUS MAP
 SCALE: 1" = 100'-0"
 SOURCE: GOOGLE MAPS



NOT TO SCALE
 SOURCE: www.sf-planning.org

MAP OF SCHOOLS WITHIN 1000' RADIUS

SHEET INDEX

- ARCHITECTURAL:
- A0.1 PROJECT DATA, 1000' RADIUS MAP
 - A1.1 SITE PLAN, EXISTING/DEMO PLAN
 - A2.1 REMODELED PLANS, ELEVATIONS

PROJECT SCOPE OF WORK

REMODEL EXISTING GROUND FLOOR COMMERCIAL SPACE INTO A MEDICAL CANNABIS DISPENSARY. NEW SINGLE ACCOMMODATION TOILET, NEW LIGHTING, NEW PLUMBING, NEW MECHANICAL HEAT AND VENTILATION, NEW DISPENSARY COUNTER AND DISPLAY, NEW WAITING AREA, NEW ENTRY DOOR. ADA COMPLIANT FOR ENTIRE SPACE.

PROJECT INFORMATION

- APPLICABLE CODES: 2001 CALIFORNIA CBC W/SAN FRANCISCO AMENDMENTS, CPC, CMC, CEC AND SFBC
- OCCUPANCY GROUP: B
- CONSTRUCTION TYPE: V-N
- STORIES: (E) 2 STORY, REMODELED FIRST FLOOR
 NO WORK ON SECOND FLOOR OR ADJACENT COMMERCIAL SPACE

JORAM S. ALTMAN
 ARCHITECT
 1295 Page Street
 San Francisco CA 94117
 415.282.2626 tel
 joram@jsaarchitect.com



MISSION ORGANIC CENTER (M.C.D.)
 5258 Mission Street, San Francisco, CA 94112

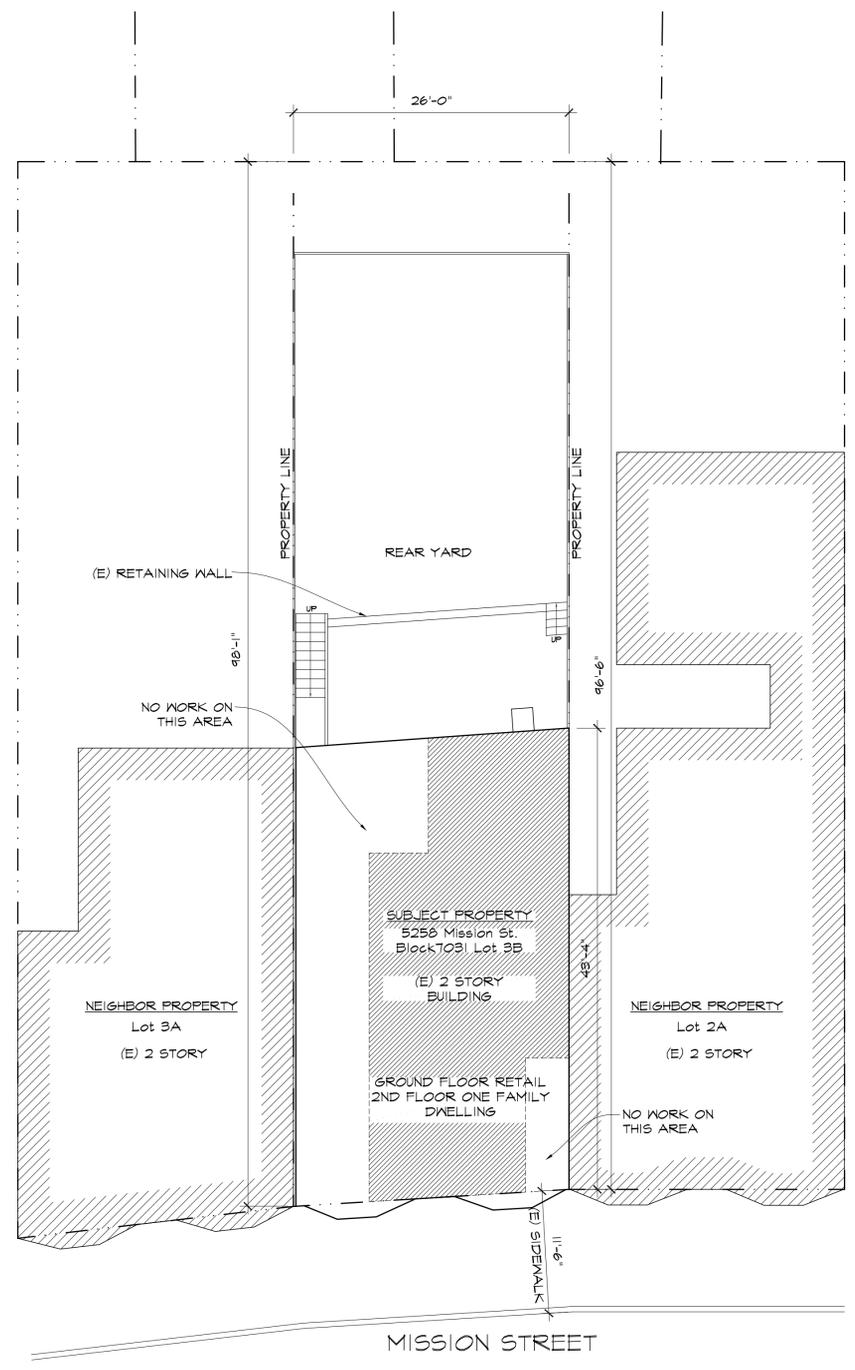
ISSUED FOR:

04/14/10	Existing Plans
04/28/10	Client Meeting
05/11/10	Client Meeting
05/27/10	Permit

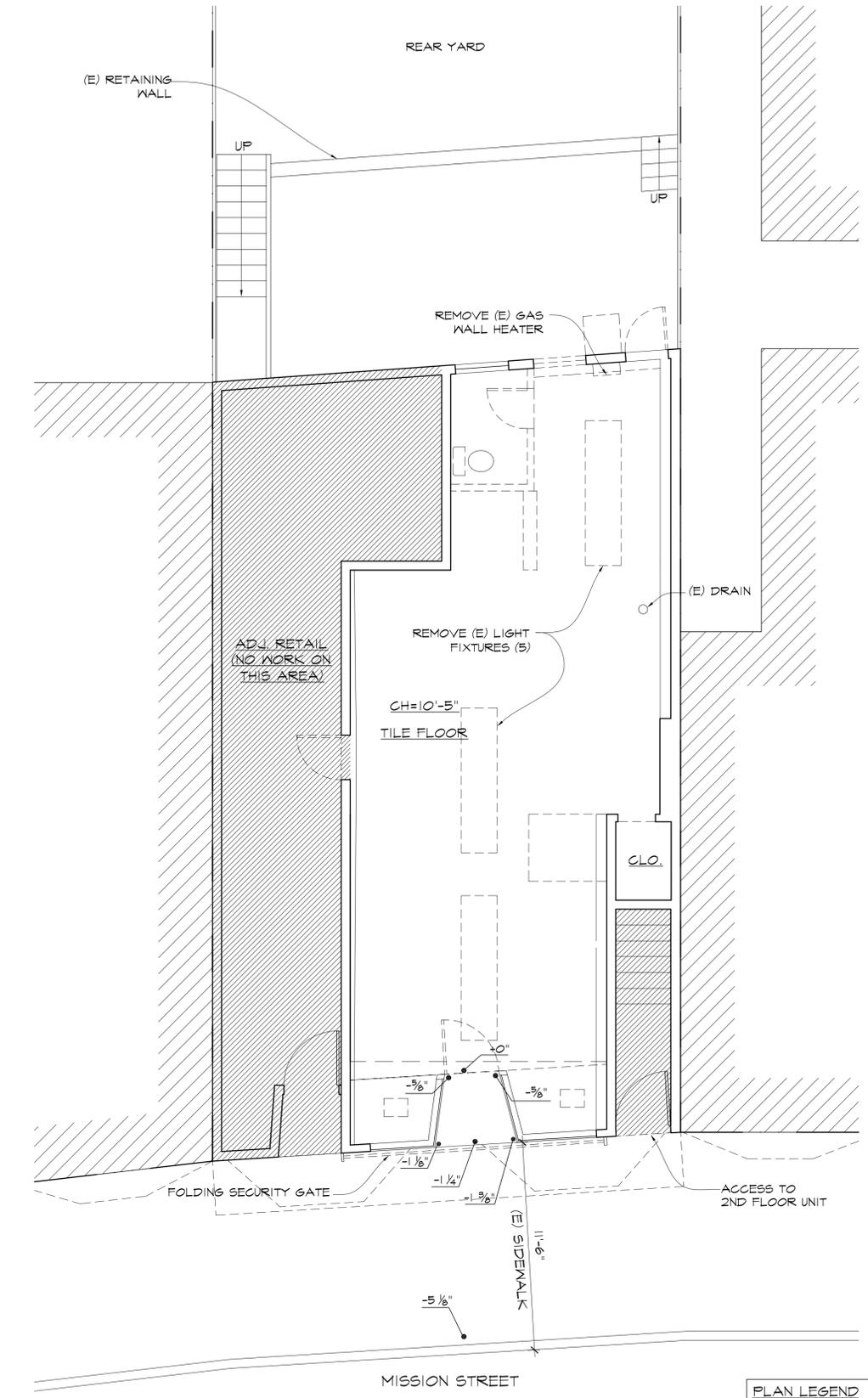
SHEET TITLE
 Project Data, 1000'
 Radius Map

JOB #:	21010
DATE:	AS NOTED
DRAWN BY:	LO, GS
SCALE:	AS NOTED

A0.1



SITE PLAN
 SCALE 1/8"=1'-0"
 REF NORTH
 NORTH



EXISTING/DEMO PLANS
 SCALE 1/4"=1'-0"
 REF NORTH
 NORTH

PLAN LEGEND	
EXISTING WALL TO REMAIN	—————
EXISTING WALL/DOOR/WINDOW TO BE REMOVED	- - - - -

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MISSION ORGANIC CENTER (M.C.D.)
 5258 Mission Street, San Francisco, CA 94112

ISSUED FOR:
04/14/10 Existing Plans
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05/11/10 Client Meeting
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SHEET TITLE
 Site Plan &
 Existing /Demo Plan

JOB #:	21010
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DRAWN BY:	LO, GS
SCALE:	AS NOTED

