

### SAN FRANCISCO PLANNING DEPARTMENT

### **Discretionary Review Analysis**

### Medical Cannabis Dispensary

HEARING DATE DECEMBER 16, 2010

Date:	December 9, 2010
Case No.:	2010.0570 D
Project Address:	2441 MISSION STREET
Zoning:	Mission NCT District
	55-X Height and Bulk District
	The Mission Alcoholic Beverage SUD
Block/Lot:	3645 / 026
Project Sponsor:	Krissy Keefer & Al Shawa
	2441 Mission Street
	San Francisco, CA 94103
Staff Contact:	Edgar Oropeza – (415) 558-6381
	edgar.oropeza@sfgov.org
Recommendation:	Take Discretionary Review and Approve with Conditions

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

### PROJECT DESCRIPTION

The proposal is to establish a new Medical Cannabis Dispensary (dba "Shambala Healing Arts Center") at 2441 Mission Street. 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 or vaporizing. The MCD will grow minor amounts of cannabis on site. Modifications will be made in connection with this property to comply with Mayor's Office of Disability requirements.

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

The Shambala Healing Arts Center has been formed with the purpose of providing safe access to medical cannabis for those suffering from debilitating illnesses. The executive officers of this center bring over fifty years of commercial and cultural service to the community. Their experience includes several years of business activity at the subject site. They intend to fully comply with the comprehensive regulatory framework for MCDs in San Francisco. The site has already been fully renovated to meet Department of Public Health, Department of Building Inspection and the requirements of other pertinent agencies. To further protect the health of the Shambala Healing Arts Center patients and employees this will be a non-smoking environment.

### SITE DESCRIPTION AND PRESENT USE

The project site is improved with a one-story and mezzanine commercial building of approximately 3,800 square feet. It is currently vacant and was last use as a retail clothing store dba Privilege. The building

has two individual store fronts. The proposed MCD would occupy the northern store front. The proposed MCD would occupy approximately 1,875 square feet.

### SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject property is near the middle of the east side of the 2400 block of Mission Street (between 20<sup>th</sup> and 21<sup>st</sup> Streets.) This corridor was rezoned during the Eastern Neighborhoods planning process as Neighborhood-Commercial Transit (NC-T) in recognition of the availability of transit and high commercial vitality of this portion of Mission Street. The site is located within four blocks of two BART stations, one block from MUNI stops and one block from two public parking garages. The 2400 block of contains a number of medical uses including Los Portales and Mission Medical Centers, Farmacia Remedicos, several dental offices and several optometrists. Other uses within the subject block include dwellings, a sizeable amount of retail clothing shops with outdoor activity areas in front as outdoor displays areas, a pawn shop, some food uses, a photo studio, and a large abandoned theater (Tower Theater).

The site is also located one block north of the "Mission Miracle Mile" business improvement district (BID). This BID district is located on the east and west sides of Mission Street from 21st Street to 22nd Street. The BID spans approximately 1,500 linear feet of sidewalk frontage and contains 20 parcels within its district.

The Mission Street Commercial Transit District is located near the center of San Francisco in the Mission District. It lies along Mission Street between 15th and Cesar Chavez (Army) Street, and includes adjacent portions of 17th Street, 21st Street, 22nd Street, and Cesar Chavez Street. The commercial area of this District provides a selection of goods serving the day-to-day needs of the residents of the Mission District. Additionally, this District serves a wider trade area with its specialized retail outlets. Eating and drinking establishments contribute to the street's mixed-use character and activity in the evening hours.

The District is extremely well-served by transit, including regional-serving BART stations at 16th Street and 24th Street, major buses running along Mission Street, and both cross-town and local-serving buses intersecting Mission along the length of this district. Given the area's central location and accessibility to the City's transit network, accessory parking for residential uses is not required.

This District has a mixed pattern of larger and smaller lots and businesses, as well as a sizable number of upper-story residential units. Continuous retail frontage is promoted by requiring ground floor commercial uses in new developments and prohibiting curb cuts. Housing development in new buildings is encouraged above the ground story.

### ISSUES AND OTHER CONSIDERATIONS

Two sites within 1,000 feet of the project site require further discussion. One is the vacant recreation building located at Jose Coronado Playground at the corner of 21<sup>st</sup> and Folsom Street. The second is a non-profit, "New Door Ventures" located at 3075 21<sup>st</sup> Street.

Jose Coronado Playground, a small urban park in the Mission District of San Francisco, provides a clubhouse, soccer playing field, tennis court, and a tot-lot to the neighborhood that surrounds it. The clubhouse was constructed and opened in the year 2000.

Jose Coronado's Recreation building is currently vacant and is not expected to receive any City funding for the next three to five years due to the lasting economic crisis. Recognizing that a recreation building was located within 1,000 feet of the subject site, staff began researching for evidence that would identify the said recreation building as a recreation building that primarily serves persons 18 years and younger. The most recent information from Rec and Park is that the site is closed. "Rec Connect" was the last known tenant to briefly occupy the site.

New Door Ventures, located at 3075 21<sup>st</sup> Street, was not identified by staff as a community center or a recreation building during its review of existing buildings within 1,000 feet of the project site. 3075 21<sup>st</sup> Street is a two-story nonconforming industrial building located within a residential district, one block west from Jose Coronado Playground. It was previously used as a food processing center dating from the early 1930's. Staff was made aware of the site after receiving a public inquiry. The caller questioned whether it was located within 1,000 feet of the subject site and identified it as a "community center" which met the definition of prohibited uses. Ensuing research confirmed that the property located at 3075 21<sup>st</sup> Street does not have the appropriate land use entitlements and required building permits to establish either a social service use, assembly or recreation use designation.

### **HEARING NOTIFICATION**

ТҮРЕ	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Posted Notice	30 days	November 15, 2010	November 8, 2010	39 days
Mailed Notice	30 days	November 15, 2010	November 8, 2010	39 days

### PUBLIC COMMENT

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

Project Sponsor has been meeting on a one-on-one basis with as many neighbors as possible and has held outreach meetings with the Mission Merchants Association, with members of the Mission Miracle Mile Business Improvement District and with the Board of Mission Housing Development Corporation. The Department has received 18 letters in support of the proposed use including a letter from the Office of Supervisor David Campos (all attached).

Project sponsor has provided 38 signed form letters in support of the proposal (1 copy attached).

The Department has received 4 letters in opposition from small businesses located on the subject block (all attached).

The Department has received a petition with the names 86 persons opposing the proposed MCD use (attached).

The Department has received four phone calls objecting to the use. Callers have stated that there are numerous MCDs already existing in close proximity to the subject site.

### **PROJECT ANALYSIS**

#### MEDICAL CANNABIS DISPENSARY CRITERIA

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

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

### **Project Meets Criteria**

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

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

#### **Project Meets Criteria**

The subject parcel 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. An MCD on this block would therefore be a highly compatible use.

3. If Medical Cannabis is smoked on the premises the dispensary shall provide adequate ventilation within the structure such that doors and/or windows are not left open for such purposes resulting in odor emission from the premises.

#### Criteria not Applicable

The establishment of a new MCD at the subject site would not include an on-site smoking area.

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

### Project Meets Criteria

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

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

### **Project Meets Criteria**

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

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

### Project Meets Criteria

A 30-day notice was sent to owners and occupants within 300-feet of the subject parcel identifying that a MCD is proposed at the subject property and that the building permit was subject to a Mandatory Discretionary Review Hearing.

### 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 aliments.

### SECTION 101.1 PRIORITY POLICIES

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

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

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

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

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

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

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

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

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

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

The subject building is vacant and will not displace any industrial or service industry establishments.

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

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

7. Landmarks and historic buildings be preserved.

The subject building was constructed in 1991 is not considered an historic resource.

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

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

### ENVIRONMENTAL REVIEW

The project is categorically exempt from the environmental review process under Section 15061(b) (1) of the State CEQA Guidelines, pursuant to Title 14 of the California Administrative Code.

### **RECOMMENDATION:** Take Discretionary Review and Approve the MCD with Conditions

### BASIS FOR RECOMMENDATION

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

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

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

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

- The MCD complies with all standards and requirements of the Planning Code and advances the objectives and policies of the General Plan.
- 2400 block of Mission has a concentration of medical services for the inner Mission (Los Portales, Mission Medical, Farmacia Remedicos, opticians, dentists...)

- 2400 block of Mission is well served by transit (2 public parking garages within a block, major MUNI lines, located between two BART stations)
- 2400 block of Mission is more than 1,000' from primary and secondary schools.
- 2400 block of Mission is more than 1,000' from any active permitted youth-services facility.
- Project sponsors have a combined half century of direct involvement with the Mission community on both commercial and cultural levels.
- The project site has been fully renovated to provide a safe, well-lit environment for California Medical Marijuana Patients with proper identification cards.
- Employment levels are estimated to be between 10 to 15 full- and part-time employees.
- Patients will not be permitted to smoke or inhale product via vaporizers on site.
- Non-profit activities in the Mission will be supported with profits from the dispensary.
- To minimize the potential impact of the proposed use on the surrounding commercial area the following conditions are recommended for imposition on the project:
  - 1. The operator of the establishment shall maintain the main entrance and all sidewalks abutting the subject property in a clean condition. Such maintenance shall include, at minimum, daily sweeping and litter pickup and disposal and washing or steam/pressure cleaning of the main entrance and abutting sidewalks at least once every month.
  - 2. The project sponsor shall maintain appropriate odor control equipment to prevent any significant noxious or offensive odors from escaping the premises.
  - 3. An enclosed garbage area shall be provided within the establishment. All garbage containers shall be kept within the building until pick-up by the disposal company.

### Attachments:

Applicant's MCD Application Parcel Map Sanborn Map Zoning Map 1000 Foot Arc View GIS Map Arc View GIS MCD Proximity Map Aerial Photographs **Context Photographs** Site Photographs Section 312 Notice **Reduced Plans** Security Camera Plan Letters of Support Support Form Letter Letters in Opposition **Opposition Petition** 



### SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

### NOTICE OF BUILDING PERMIT APPLICATION (SECTION 312)

On June 16, 2010, the Applicant named below filed Building Permit Application No. 2010.0616.4621 (Change of Use) with the City and County of San Francisco.

c	ONTACT INFORMATION	PROJECT	SITE INFORMATION
Applicant:	Al Shawa	Project Address:	2441 Mission Street
Address:	2441 Mission Street.	Cross Streets:	20th and 21 <sup>st</sup> Streets
City, State:	San Francisco, CA 94110	Assessor's Block /Lot No.:	3610 / 026
Telephone:	(415) 509-8664	Zoning Districts:	Mission Street NCT

Under San Francisco Planning Code Sections 312 and 790.141, you, as a property owner or resident within 300 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		
] NEW CONSTRUCTION	or [2	X] ALTERATION
[ X ]CHANGE OF USE	I	] FACADE ALTERATION(S)
[] HORIZ. EXTENSION (SIDE)	I	] HORIZ. EXTENSION (REAR)
EXISTING CON	DITION	PROPOSED CONDITION
Retail		
1,875		No Charige
1		No Charige
ACES 0		No Change
	[ ] NEW CONSTRUCTION [X]CHANGE OF USE [] HORIZ. EXTENSION (SIDE) EXISTING CON Retail 1,875	[] NEW CONSTRUCTION       or       []         [X]CHANGE OF USE       [

### PROJECT DESCRIPTION

The project proposal is to establish a new Medical Cannabis Dispensary, (d.b.a. "Shambala Healing Center") located at 2441 Mission Street. This application is the subject of a Staff-Initiated Discretionary Review action for establishing a medical cannabis dispensary per Planning Code Section 790.141. The Discretionary Review, Case No. 2010.0570D, is tentatively scheduled to be heard before the Planning Commission on December 16, 2010. Any interested party with concerns about the project has the opportunity to file a separate Discretionary Review before the 30-day expiration date noted on this Section 312 notice. The hearing date will remain the same.

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. Please refer to the project by the property address.

PLANNER'S NAME: PHONE NUMBER: EMAIL:

Edgar Oropeza (415) 558-6381

edgar.oropeza@sfgov.org

DATE OF THIS NOTICE:

11-8-10 12-8-10



Date: November 8, 2010

The attached notice is provided under the Planning Code. It concerns property located **2441 Mission Street, Case No. 2010.06.16.4621.** A hearing may occur, a right to request review may expire or a development approval may become final unless appealed by **December 8, 2010**.

To obtain information about this notice in Spanish, please call (415) 558-6378, or in Chinese, please call (415) 558-6378. Please be advised that the Planning Department will require at least one business day to respond to any call.

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

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

附上的是三藩市城市規劃局的通告。

此通告是與位於 2441 Mission Street, Case No.

2010.06.16.4621的建築計劃有關。如果在 December 8, 2010.

之前沒有人申請聽證會來檢討這一個建築計劃,這計劃可會被核准。

如果你需要用華語獲得關於這通告的細節,請電415-558-6378. 規劃部門將需要至少一個工作天回應。華語資料提供只是城市規劃局的一 項服務,此項服務不會提供額外的權利或延伸任何要求檢討的期限。

El documento adjunto es referente a la siguiente dirección: **2441 Mission Street, Case No. 2010.06.16.4621.** Es un requisito del Codigo de Planeación (Planning Code). La posibilidad de una audiencia puede occurrir. El derecho para revisar el archivo de este projecto puede expirar o una decisión puede ser final si usted no presenta un documento de apelación antes de **Diciembre 8, 2010.** 

Para obtener más información en Español acerca de este projecto, llame al siguiente telefono (415) 558-6378. Por favor tome en cuenta que le contestaremos su llamada en un periodo de 24 horas. El servicio en Español es proporcionado por el Departamento de Planeación (Planning Department) de la ciudad de San Francisco. Eso no garantiza ningun derecho adicional o extensión del tiempo requerido por la ley.



### SAN FRANCISCO PLANNING DEPARTMENT

PLANNING COMMISSION DISCRETIONARY REVIEW HEARING ON 12/16/2010 2441 MISSION STREET CASE NO.2010.0570D 1650 Mission St. Suite 400 San Francisco, CA 94103-2479

Reception: 415.558.6378

Fax: 415.558.6409

Planning Information: 415.558.6377

REVIEWED BY JULIAN BANALES\_\_\_\_\_\_ (415) 558-6393

DEPARTMENT CONTACT EDGAR OROPEZA\_\_\_\_\_ (415) 558-6381

### OCTOBER 25, 2010

### FROM: SCOTT F. SANCHEZ, ACTING ZONING ADMINISTRATOR

TO: INTERESTED PARTIES

We wish to confirm the **Mandatory Discretionary Review** of:

Case No. 2010.0570D, for the property at 2441 Mission Street-between 20th and 21st Streets; Lot 026 in Assessor's Block 3645---Request for Discretionary Review of Building Permit Application No. 2010.0616.4621, proposing to establish a Medical Cannabis Dispensary dba, "Shambala Healing Center" as defined per Planning Code Section 790.141, within the Mission Street NCT District, the Mission Alcoholic Beverage Special Use Subdistrict, and a 55-X Height and Bulk District.

The Planning Commission will hold a public hearing to determine whether to exercise its discretionary powers in this case on **Thursday**, **December 16**, **2010**, beginning at 1:30 p.m. or later (call 558-6422 after Monday, **December 13**, **2010** for a more specific time) in City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place.

If you wish to review the permit application and case file, or you require additional information regarding this case, please call **Edgar Oropeza** of my staff at **(415) 558-6381**. If leaving a phone message, please refer to the project by the property address.

## **Parcel Map**



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



## **Aerial Photo**



SUBJECT PROPERTY



# Aerial Photo Opposite Block Face



SUBJECT PROPRTY



## **Zoning Map**



R

## **Site Photos**

## Year 2000 & 2009



## **Site Photos**

## **Opposite Block Face**





## **Site Photos**

## **Subject Block Face**



## Jose Coronado Playground & Clubhouse



SAN FRANCISCO PLANNING DEPARTMENT

2441 Mission Street

### 3075 21<sup>st</sup> Street

### **New Door Ventures**





SAN FRANCISCO

Discretionary Review Hearing **Case Number 2010.0570D** MCD – Shambala Healing Arts Center 2441 Mission Street



SAN FRANCISCO PLANNING DEPARTMENT

### Proposed Medical Canabis Dispensary at Parcel 3610/026





SAN FRANCISCO PLANNING DEPARTMENT

Proposed Medical Canabis Dispensary at Parcel 3610/026



 Feet
 Seet
 Seet
 Pina

 0
 200
 400
 600
 800
 1,000
 Pina



### **Proposed Medical Canabis Dispensaries Near Parcel 3610/026**



MCD - at DCP

Parcel 3610/026

 $\times$ 



Within 1,000ft of Parcel 3610/026



### SAN FRANCISCO PLANNING DEPARTMENT

### **Environmental Evaluation Application**

The California Environmental Quality Act (CEQA) requires public agencies to review the environmental impacts of proposed projects. In San Francisco, environmental review under CEQA is administered by the Major Environmental Analysis (MEA) division of the Planning Department. The environmental review process begins with the submittal of a completed Environmental Evaluation (EE) Application to the Planning Department. Only the current EE Application form will be accepted. No appointment is required but staff is available to meet with applicants upon request.

The EE Application will not be processed unless it is completely filled out and the appropriate fees are paid in full. Checks should be made payable to the San Francisco Planning Department. See the current *Schedule of Application Fees* and contact the staff person listed below for verification of the appropriate fees. Fees are generally non-refundable. Documents in italics are available online at sfgov.org/planning.

The EE Application is comprised of four parts. Part 1 is a checklist to ensure that the EE Application is complete; Part 2 requests basic information about the site and the project; Part 3 is a series of questions to help determine if additional information is needed for the EE Application; and Part 4 is a project summary table.

The complete EE Application should be submitted to the Planning Department staff as follows: For projects greater than 10,000 square feet in size and where Part 3 Questions #3, #8, #10, or #11 are answered in the affirmative, or for projects that require mitigation measures, please send the application materials to the attention of Ms. Fordham or Ms. Pereira. For all other projects, please send the application materials to the attention of Mr. Bollinger.

Brett Bollinger 1650 Mission Street, Suite 400 San Francisco, CA 94103 (415) 575-9024, brett.bollinger@sfgov.org Chelsea Fordham, or Monica Pereira 1650 Mission Street, Suite 400 San Francisco, CA 94103 (415) 575-9071, chelsea.fordham @sfgov.org (415) 575-9107, monica.pereira@sfgov.org

PART 1 – EE Application Checklist	Provided	Not Applicable
Two copies of this application with all blanks filled in		
Two sets of project drawings (see "Additional Information" at the end of page 4,)		
Photos of the project site and its immediate vicinity, with viewpoints labeled		
Fee		
Supplemental Information Form for Historical Resource Evaluation and/or Historic Resource Evaluation Report, as indicated in Part 3 Questions 1 and 2		ď
Geotechnical Report, as indicated in Part 3 Questions 3a and 3b		
Tree Disclosure Statement, as indicated in Part 3 Question 4		ব
Phase I Environmental Site Assessment, as indicated in Part 3 Question 8		L I I
Additional studies (list)		e

Applicant's Affidavit. I certify the accuracy of the following declarations:

a. The undersigned is the owner or authorized agent of the owner(s) of this property.

b. The information presented is true and correct to the best of my knowledge.

c. I understand that other applications and information may be required.

(For Staff Use Only) Case No. 2010.0570

Address:	2491	71	155-101	S	
Block/Lot:	36	10	24	p	·

Signed (owner or agent): Kinkert Date: 7/13/2010

PART 2 – Projec	T INFO	ORMATION					
Owner/Agent Inf	ormal	ion				+50	
Property Owner	EŁ	rahim K	) oura	,	Telephon No		0.271.5898
Address	Pa	Box 3:	321		Fax. No	. 310	- 553 5036
	Be	verly Hill	s, C.	<u>H 90212</u>			
Project Contact	K	rissy Ke	eler		Telephon No		.595.0973
Company	5	hambala	Heal	ing Ctr	Fax No	•	
Address	24	41 miss	ind	<u>\$7.</u>	Emai	Kry	ssy Keefer 840 gmail.com
		SF CA	94/10	)			/ 0 0
Site Information							
Site Address(es):		2441	mis	sion	Stree	<i>+</i>	
Nearest Cross Street(s)		2014 -	2/3	* Stre	ets		
Block(s)/Lot(s)		3610	02	6	Zoning Di		ZNO7
Site Square Foota	age	3,67	Z		Height/B District	ulk	HT 07
Present or previoe Community Plan any)			ous	Cloth Vaca	ing St	ne	
Project Description	on - pl	ease check all th	at apply	6			
□ Addition	X	Change of use	🗆 Za	oning chang	ge	C	] New construction
□ Alteration		Demolition	🗆 Lo	otsplit/sub	odivision or	lot line a	djustment
□ Other (descr	ibe)				Estimated	Cost	
Describe propose	d use	MEDIC	AL (	ANNI	BIS a	DESPE	NSARY

Narrative project description. Please summarize and describe the purpose of the project.

The purpose of the project is to make interior changes to the building to open a Medical Cannebis Dispendary

rA	RT 3 – Additional Project Information	Yes	No
1.	Would the project involve a major alteration of a structure constructed 50 or more years ago or a structure in an historic district?		ø
	If yes, submit a Supplemental Information Form for Historical Resource Evaluation. Instructions on how to fill out the form are outlined in the San Francisco Preservation Bulletin No. 16 (see pages 28-34 in Appendix B).		
2.	Would the project involve demolition of a structure constructed 50 or more years ago or a structure located in an historic district?		ø
	If yes, a Historic Resource Evaluation Report (HRER)* will be required. The scope of the HRER will be determined in consultation with the Department's Preservation Coordinator.		
3a.	Would the project result in excavation or soil disturbance/modification greater than 10 feet below grade?		ø
	If yes, how many feet below grade would be excavated?		
	What type of foundation would be used (if known)?		
3b.	Is the project site located in an area of potential geotechnical hazard as identified in the San Francisco General Plan or on a steep slope or would the project be located on a site with an average slope of 20% or more?		Ŕ
	If yes to either Question 3a or 3b, please submit a Geotechnical Report.*		
4.	Would the project involve expansion of an existing building envelope, or new construction, or grading, or new curb cuts, or demolition?		Ø
_	If yes, please submit a Tree Disclosure Statement.		
5.	Would the project result in ground disturbance of 5,000 gross square feet or more?		প্র
6.	Would the project result in any construction over 40 feet in height?		Ø
	If yes, apply for a Section 295 (Proposition K) Shadow Study. This application is available on the Planning Department's website and <b>should be submitted at the</b> <b>Planning Information Center</b> , 1660 Mission Street, First Floor.		
7.	Would the project result in a construction of a structure 80 feet or higher?		Ø
	If yes, an initial review by a wind expert, including a recommendation as to whether a wind analysis* is needed, may be required, as determined by Department staff.		
8.	Would the project involve work on a site with an existing or former gas station, auto repair, dry cleaners, or heavy manufacturing use, or a site with underground storage tanks?		Ø
	If yes, please submit a Phase I Environmental Site Assessment (ESA).* A Phase II ESA (for example, soil testing) may be required, as determined by Department staff.		
9.	Would the project require any variances, special authorizations, or changes to the Planning Code or Zoning Maps?		X
	If yes, please describe.		
10.	Is the project related to a larger project, series of projects, or program?		Ø
	If yes, please describe.		
11.	Is the project in Eastern Neighborhoods or Market & Octavia Community Plan Area?		Ø
	If yes, and the project would be over 55 feet tall or 10 feet taller than an adjacent building built before 1963, please submit an elevation or renderings showing the project with the adjacent buildings.		

\* Report or study to be prepared by a qualified consultant who is contracted directly by the project sponsor. SAN FRANCISCO PLANNING DEPARTMENT

Gross Square Footage (GSF)	Existing Uses	e project, provide the ma Existing Uses to be Retained	Net New Construction and/or Addition	Project Totals
Residential	D	1000	0	0100
Retail	3380	3880	6	3880-0
Office	500	500	0	500
Industrial	0	0	6	0
Parking	0	Ø	0	0
Other (specify use) Total GSF			0	
Dwelling units	0	O	0	$\bigcirc$
Hotel rooms	0	0	0	Ó
Parking spaces	Ö	0	Ô	0
Loading spaces	0	0	Ò	0
Number of buildings			0	
Height of building(s)	20'	20'	0	201
Number of stories	1	1	0	

Please describe any additional project features that are not included in this table:

Additional Information: Project drawings in 11x17 format should include existing and proposed site plans, floor plans, elevations, and sections, as well as all applicable dimensions and calculations for existing and proposed floor area and height. The plans should clearly show existing and proposed off-street parking and loading spaces; driveways and trash loading areas; vehicular and pedestrian access to the site, including access to off-street parking and parking configuration; and bus stops and curbside loading zones within 150 feet of the site. A transportation study may be required, depending on existing traffic conditions in the project area and the potential traffic generation of the proposed project, as determined by the Department's transportation planners. Neighborhood notification may also be required as part of the environmental review processes.

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### TYPE OF APPLICATION [CHECK ONE]

	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.]
	NEW MEDICAL CANNABIS DISPENSARY
$\boxtimes$	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	2441 MISSION STREET
Zip Code	94110
Cross Streets	20th & 21st Streets
Assessor's Information	BLOCK: LOT: 026
Zoning District	07

#### **APPLICANT INFORMATION**

Name (must be an individual)	KRISSY KEEFER		
Daytime Telephone	415-595.0973		
Mailing Address	3140 215+ STREET #107	SF, CA	94110

### **PROPERTY OWNER'S INFORMATION**

Name	EBRAHIM POURA
Daytime Telephone	310 - 271 - 5898
Mailing Address	PO BOX 3321, BEVERLY HILLS, CA 90212

#### **DISPENSARY INFORMATION**

Present or Previous Use	VACANT
Proposed Business Name (if known)	MEDICAL CANNABIS DISPENSARY
Gross square footage	3880 JQ FT
Square footage of establishment accessible to patrons	1872' SOFT
Linear feet of street frontage	30'
Level on which dispensary is located (e.g. ground, 2 <sup>nd</sup> story)	GROUND
Number of on-site parking spaces available for exclusive use of MCD employees and patrons	Ø
Number of off-site parking spaces available for exclusive use of MCD employees and patrons	ØÆ

TRAN CODE INDEX CODE SUB. OBJ. 14024 HCHPBMEDCN&F - 20159 CITY & COUNTY OF SAN FRANCISCO DEPT. OF PUBLIC HEALTH Fil 23 20 10 RECEIVED From Kristine Keefer . 3140 -2155+ \$107 SFCA 94110-2528 Application + zoning fee for 8459 00 a Medical Cannobis Dispensory @ 2441 Mission St. DBA: Shambala Healing (tr Note Application fee is nonrefundable PAID 8459 🗌 CASH DEPARTMENT OF PUBLIC HEALTH В снеск # 732 DISTRICT # PUBLIC HEALTH-RETAIN FILE CUSTOMER BILLING

#### DISPENSARY SERVICES

XNO	<b>ON-SITE SMOKING</b> 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.
⊠YES □NO	<b>CANNABIS FOODSTUFFS</b> Will you offer medical cannabis is the form of food or drink? Note that additional permits will be required from the Department of Public Health.
ØYES □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.

The existing site is ground floor. The entrance and restroom facilities well all be up graded to be wheel chair accessible according to Californi Building Code & the California Code of Regulation lations.

PLEASE SEE ATTACHMENT FOR RESPONSES TO POLICY PRIORITIES

#### MCD Supplemental Application Form Page 5 of 10

#### **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.

That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident 1. employment in and ownership of such businesses enhanced; See attachment That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and 2, economic diversity of our neighborhoods; see attachment That the City's supply of affordable housing be preserved and enhanced; 3. see attachment That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking; 4. see attachment 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: see attachment 6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake; see attachment

#### MCD Supplemental Application Form Page 6 of 10

7. That landmarks and historic buildings be preserved; and see attachment 8. That our parks and open space and their access to sunlight and vistas be protected from development. see attachment

#### **DECLARATION OF RELEVANT PROXIMITIES**

Under penalty of perjury the following declarations are made:

(initial here)	<b>PROXIMITY TO SCHOOLS</b> 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.
(initial here)	<b>PROXIMITY TO RECREATION BUILDINGS</b> 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.
(Initial here)	<b>PROXIMITY TO SUBSTANCE ABUSE TREATMENT FACILITIES</b> 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.

### MCD Supplemental Application Form Priority General Plan Policies Findings Response to Section 101.1 of the Planning Code Policies

Addendern Z Pg 5 + 6

- 1. The Shambala Healing Center will add to the neighborhood by providing employment to Mission Residents, bringing customers to the other retail businesses on the block including the health centers and restaurants. As well we will occupy the building on a block where there are vacancies totaling
- 2. The basic character of the neighborhood is retail. It is a mixture of small shops, and health care practitioners non-profits and restaurants. There is no business within 6 blocks offering MCD services. There is heavy weekend restaurant traffic with both locals and tourists. There is very little housing on Mission Street with the majority of housing on the side streets surrounding.
- 3. No housing will be affected by the MCD. We are aware that affordable housing is to be built on the next block of Mission. As long time residents and business owner in the Mission we are aware that Mission residents will be looking for a a MCD that is welcoming and affordable
- 4. We are 3 blocks from Bart and on the Mission Bus Line. There is a parking lot one block a way. Our neighbor hood has hi density foot traffic and we suspect the increase of traffic for our business will be negligible
- 5. We are occupying one building that is empty and previously a clothing store. We have no impact on industrial or the service sector. We think we will give gainful employment to 10 people.
- 6. We well aware of the fact that an earthquake can and will happen in San Francisco. We expect to put a plan together for all employees' with FEMA standards. We will have earthquake preparedness provisions. The building was built after 1989.
- 7. The character of the building will not be significantly changed and it is not a landmark building
- 8. There are no parks and open spaces near our building.
#### MCD Supplemental Application Form Page 7 of 10

### **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 Adendeer 3

# MCD Supplemental Application Form Page 7 Applicant's Statement Addendum 3

The Mission District of San Francisco, a long time community of immigrants, artists, and forward thinking people is the perfect location for a Medical Cannabis Dispensary. Cannabis has a 2500-year-old history of use as a medicine and yet it is the most maligned and misunderstood medicine on the planet. As a people's medicine, easy to grow, harvest, and dispense, Medical Cannabis is enjoying a renaissance and what better location for such a renaissance than the heart of the Mission.

As the health care debate rages in this country and health care becomes more and more expensive the Shambala Healing Center hopes to be a port in the storm. Medical Cannabis has many well-documented beneficial effects. Among these are: the amelioration of nausea and vomiting, stimulation of hunger in chemotherapy and AIDS patients, lowered intraocular eye pressure (shown to be effective for treating glaucoma), as well as general analgesic effects (pain reliever). Less confirmed individual studies also have been conducted indicating cannabis is beneficial in a variety of conditions including Multiple Sclerosis and depression. Synthetic cannabinoids are available as prescription drugs in many countries. Examples include Marinol, available in Germany and the United States, and Cesamet, available in Canada, Mexico, the United Kingdom, and also in the United States.

Our collective consists of a 15 year resident of the neighborhood and of 3 of us have worked for many years on or just off Mission Street. Over the years we have seen many changes to the neighborhood. We feel our Dispensary would bring new business to the neighboring businesses and help fill in the high vacancy rate on the blocks between  $19 - 21^{st}$  Streets. We have spoken to most of the neighbors and we received mostly positive feedback. Some neighbors are not sure of the effect on the neighborhood and only 1 or 2 seem to be unsupportive primarily because of the rampant illegal selling and smoking in front of their businesses. We hope our store will change the nature of the block. We will have security outside the Dispensary to keep loiterers moving and not allow double parking. We plan on continuing to speak with the neighboring businesses and residents and gain their trust as an upstanding neighbor that will bring a positive effect to Mission Street.

Strategically located between the 16th Street and the 24th street Bart Stations and on the Mission 14 bus Line, the Shambala Healing Center hopes to provide the Mission residents and surrounding neighborhoods with high quality medicine in an environment of relaxation, respect, and affordability. Our long-term goals and related activities, including a center that provides acupuncture, herbs, massage and other holistic health practices. With the opening of the Shambala Healing Center, we will be able to forge new ground in the understanding of and the benefits of medical cannabis and provide our community with a cannabis club that reflects our multi income cultural neighborhood and its need for a safe, clean, welcoming and professional health center.

There was a time not to long ago that acupuncture, chiropractic, and massage were considered way outside the box, not part of any activities that could be provided for with insurance. Now things are different. Clearly through the work of forward thinking legislators the legalization of Marijuana is on the horizon. We hope to be a model institution and provide the city with an example of a MCD that we all can be proud of.

## **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]	AUTHORIZED AGENT	
Printed Full Name	Krissy Keefer	
Signed	7. KA-	
Dated	4-13-10	

G:\ds\Projects\Special Projects\Cannabis Clubs\Implementation\Public Handout\Info+App\_2006\_01\_17.doc



Proposed Floor Plan

# **MISSION STREET**



Proposed Security Plan

MISSION STREET

N

Edgar Oropeza San Francisco Planning Department 1650 Mission Street Suite 400 San Francisco CA 94103-2479

Re: Letter Supporting a Medical Cannabis Dispensary at 2441 Mission Street

Mr. Oropeza:

In my opinion it seems very appropriate to permit Mr. Al Shawa and Ms. Krissy Keefer to open a cannabis dispensary at 2441 Mission Street for the following reasons:

- The dispensary will meet all San Francisco codes including, building, fire, health • planning and police
- The 2400 block of Mission is already recognized as a "medical service center" ۰ with the Los Portales Medical Building, the Farmacia Remedicos pharmacy and a number of dentists, opticians and other medical personnel
- This location is a highly visible commercial corridor with lots of "eyes on the • street" to assure that people will feel safe entering into or passing by this dispensary
- The 2400 block of Mission Street is readily accessible by public transit being lodged between two BART stations and having a MUNI bus stop (14 Mission) to make it easy for ill people to get medication

Í.

- The 2400 block of Mission Street is also readily accessible to ample public 0 parking garages (21<sup>st</sup> & Bartlett; 20<sup>th</sup> & Mission; and 17<sup>th</sup> & Hoff) for people being driven or driving for their medication
- Mr. Shawa and Ms. Keefer are well respected members of the Mission community. Mr. Shawa has operated clothing stores in the Mission for a quarter of a century. Ms. Keefer has operated the Mission Dance Theater for an equivalent period of time

Therefore please inform the San Francisco Planning Commission that I support the granting of a permit for this proposed use at the building located at 2441 Mission Street.

Signature

11-8-10

JUAN M. GONZALEZ Printed Name 2386 MUSSION St. S/FRANCISCO Address (Optional) 94110

Date

Member, Board of Supervisors District 9



City and County of San Francisco

# DAVID CAMPOS

San Francisco Planning Commission 1650 Mission Street, Suite 400 San Francisco, CA 94103

December 7, 2010

## Re: Shambala Healing Center - 2441 Mission Street

Dear Commissioners:

I am writing in support of the Shambala Healing Center's proposed project at 2441 Mission Street to be heard at the December 16, 2010 Planning Commission meeting, based on what I know of the project. The Shambala Healing Arts Center was formed with the purpose of providing safe access to medical cannabis for those suffering from debilitating illnesses. The site has already been fully renovated to meet requirements of the Department of Public Health, the Department of Building Inspection and other pertinent agencies. If you have any questions, please do not hesitate to contact my office at 415-554-5144.

Sincerely,

David Campos Supervisor, District 9

> City Hall • 1 Dr. Carlton B. Goodlett Place • Room 244 • San Francisco, California 94102-4689 (415) 554-5144 • Fax (415) 554-6255 • TDD (415) 554-5227 • David.Campos@sfgov.org

12/7/10

Members of the Planning Commission 1660 Mission Blvd. San Francisco, CA 94103

Re: Krissy Keefer

Dear Commissioners,

I am writing this letter as a personal reference in support of Krissy Keefer. I have known Ms. Keefer, as a friend and as a fellow artist for over ten years. We have worked together to forward positive planning in the eastern part of town We have also worked together on issues affecting the arts community. Krissy and I served with dozens of arts industry representatives on the Arts Task Force. Her contributions to the Mission, to the arts community, to the Women's community have enriched our community for decades.

Ms. Keefer has run a world renowned dance company, two major dance centers, and has mentored many of the dancers and organizations thriving in San Francisco. She is well respected for her integrity and her commitment to San Francisco and to our neighborhood.

I know that Krissy is starting a new venture for the very purpose of helping folks who are in need of medicinal cannabis. Her own experience with loved ones experiencing extreme and chronic suffering are the basis of this effort. I support her, the neighborhood supports her and I know she will continue to be a positive, contributing great neighbor in the mission.

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41313330594

Jose B. Cuellar, Ph.D 25 Ceres Street San Francisco, CA 94124

December 8, 2010

To the Planning Commission:

I'm writing in support of the Shambala Healing Center opening at 2441 Mission Street as a Medical Cannabis Dispensary. As long time residence of San Francisco, an Anthropologist and a Veteran, I believe that the residents of San Francisco should have access to marijuana, especially veterans, for the relief and healing they need and deserve.

It is important that people have professional, welcoming, convenient and reliable access to MCDs. I believe that the Collective opening the Shambala Healing Center will provide that access to the people who live and work in Mission District. This Collective will not only have compassion for its members, but they will also provide a cultural understanding of the neighborhood and for the community needs.

I fully support the opening of the Medical Cannabis Dispensary on Mission Street.

Sincerely\_

Jose B. Cuellar, Ph.D. Professor Emeritus, San Francisco State University



## SHARON K. SASAKI, L.Ac.

870 Market Street, Suite 309 San Francisco, CA 94102

Telephone: (415) 781-7850 Fax: (415) 641-0242 Email: shrbo(@earthlink.net

December 7. 2010

San Francisco Planning Department 1650 Mission Street, First Floor San Francisco, CA 94103-2479

RE: Shambala Healing Center MCD

To Whom It May Concern:

1 am writing this letter in full support of the Shambala Healing Center's application to open an MCD at 2441 Mission Street.

As a licensed acupuncturist in private practice for over 15 years in San Francisco, I have witnessed and been a part of the evolution of alternative health care in our city. When I opened my practice in 1994, there were few, if any, medical insurance plans that covered acupuncture. In fact, the San Francisco City Health Plan was one of the few plans that was forward-thinking enough to provide that benefit. Now dozens of large insurance companies such as Anthem Blue Cross, United Healthcare, Health Net, Blue Shield of California, Cigna and Aetna provide coverage for acupuncture and chiropractic treatments. I believe that the medical cannabis movement is now where acupuncture was 15 years ago.

The Shambala Healing Center is poised to provide high quality holistic, alternative and complementary health care in the heart of the Mission. Its organizers are people who are deeply committed to the well-being of the neighborhood and its residents, and who understand the area's culture and needs. For this reason, I fully support the Shambala Healing Center's application, and urge you to approve this highly worthwhile project.

Please feel free to contact me if you have any questions.

Sincerely,

Sharon K. Sasaki, L.Ac.



12/7/10

Esteemed Commissioners,

I am writing in support of the placement of a new healing center and medical marijuana dispensary in the Mission District.

My name is Ricardo Garcia-Acosta, Program Director for the Northwest Region of the Community Response Network of San Francisco, a 501c(3) nonprofit collaborative program serving the San Francisco Mission District, specializing in gang intervention and crisis response services. The following correspondence is not being submitted on behalf of my agency, but on behalf of my own personal experience working the last ten years for various CBO's in the Mission District community. Through my work, it has been very clear that much of what is at the core of youth violence is the lack of cultural and artistic opportunities that are affordable for low-income families to access.

Over the years, limited and decreased public funding for both arts and non-profit services in general, has led to a slow decrease of community vibrancy. Creating a community benefit fund that grants support to other local community-based organizations (CBOs) and providing subsidized use of Dance Mission space and dance scholarships for children would truly be of benefit to the broader community.

This new healing center will not only provide medicine at a location that is safe and accessible to patients and caregivers by public transportation, it also provides a unique opportunity to support an arts-based service provider in the Mission (Dance Mission). It is for this reason that I hope you will consider the positive effects on the community that will follow the approval of this permit.

Thank you,

Ricardo Garcia-Acosta

From Veteran Artists San Francisco, California

December 7<sup>th</sup> 2010

Veteran Artists is a San Francisco based nonprofit in the Mission that creates artistic opportunities for military veterans. Our programs are designed by and for veterans to encourage art as a catalyst for healing, skill building, storytelling, and reintegration. Veterans are returning from multiple deployments in Iraq and Afghanistan with post-traumatic stress disorder (PTSD) and many use medical marijuana for treatment.

One of our programs at Veteran Artists, Semper Hi, helps veterans through the process of obtaining medical marijuana and finds special discounted rates for our members at local medical marijuana dispensaries. Through artistic projects, Semper Hi highlights the reasons and experiences that are compelling veterans to turn to medical marijuana to treat PTSD.

Veteran Artists applauds all efforts to provide returning veterans with the relief and healing they need and deserve.

Stephen Funk Artistic Director Veteran Artists December 3, 2010

To Whom It May Concern:

I was born and raised in the Mission. I live two blocks from 2441 Mission Street and work in the neighborhood as well. As a long time Mission resident I know that many people use Medical Cannabis. We are a progressive community and we have always supported things that are new and different. It makes sense that we would be the home of Shambala Healing Center and I personally know many people who have been helped by Cannabis. At the same time I know many people and families who have been harmed by the archaic drug laws and clearly this helps normalize marijuana so that people do not have to spend time in prison for using and or possessing marijuana. Mostly the drug laws affect people of color. It is time to change all of that.

Please do your part to change the perception of cannabis. We all need to work hard to get things transformed and in the real interest of humanity. Mission residents and patron need the services of Shambala.

I will be happy to come speak if you need me to.

Sincerely

Stella Adelman 844 Guerrero St San Francisco, Ca. 94110

November 14, 2010

To Edgar Oropeza, Planning Department: 1650 Mission Street San Francisco, California 94103

Thanks for the opportunity to make my feeling known about the Shambala Healing Center at 2441 Mission Street. I am a strong advocate of Medical Cannabis and support the efforts of people who make medical cannabis available to the community. I especially support a legal healing center that provides dignity and well being to its clients.

Although I do not use cannabis myself I know many people that do and I hope that this new center will be able to meet their needs.

I live 3 blocks from the club and work in the Mission. I think the Mission is a perfect place for a club like this. All kinds of people and ideas are part of the Mission and we welcome "difference".

As an Iranian woman and a daughter of immigrant parents I know that people need to deal with differences with tolerance and compassion.

Medical Cannabis is about compassion.

Thanks so much,

Leila Baradaran 3733 20<sup>th</sup> Street San Francisco, California 94110

November 27, 2010

To The Planning Commission of San Francisco,

Thanks so much for considering the Shambala Healing Center.

I support Medical Cannabis, work and live in the Mission and think that it will be an addition to our community. I think that medical cannabis has made an important contribution to the well being of people who suffer from many different illnesses. I am a member of the queer community and I am a dancer/performer. I know first hand how people who suffer from HIV find their symptoms alleviated by the use of medical Cannabis. I think that many people need to have access to medical cannabis and that there are many more people using it then we actually know.

Thanks for your time and attention

Sincerely, I Denioro Nol Simonse

1227 POTRORD AUGA SF. CA. 94110

November 28th, 2010

To San Francisco Department of Planning,

I am a supporter of Cannabis access for the people of San Francisco. It seems to me a crime not to make Cannabis easily available to the many people who live here who have a legitimate need for certifiable, supervised and healthy access to an important medication, which is a very effective option for many individuals dealing with significant health issues. I especially support extensive distribution of Cannabis Dispensaries throughout the city of San Francisco. In my experience many people who need to make use of the Medical Cannabis Network need local, convenient and reliable service close to their homes or places of employment. As a person who works in the Mission District, I know the area of the Mission in the middle of the 'Miracle Mile' really needs and deserves to have the new proposed Shambala Healing Center Medical Cannabis Dispensary in this vital neighborhood.

I wholeheartedly support the proposed Medical Cannabis Dispensary on Mission Street between 19<sup>th</sup> and 20th.

Sincerely, Harry Rubeck

Dear Planning Commissioners,

I live at 844 Guerrero. I support the Shambala Healing Center. I am aware of the people who are setting it up and I think they are very trust worthy and smart.

It will be great to have a place like Shambala in the heart of the Mission.

Thanks so much for working on this and I am sure this is a place that we will all be glad exists.

Medical Cannabis is a real need for many people and I am sure it will be completely available and legal. Many people already have established their relationship to cannabis for their medical needs and this new Club will serve them in a professional and compassionate way.

Thanks so much!

Amir Hasan

Novemeber 21<sup>st</sup> 2010

To The Planning Commission of San Francisco,

Thanks so much for considering the Shambala Healing Center.

I support Medical Cannabis, work in the neighborhood and think that it will be an addition to our community. Perhaps it will help clean up the illegal drug dealing that plagues Mission Street. I think that medical cannabis has made an important contribution to the well being of people who suffer from many different illnesses. I am in long time Mission resident and was born in this city. San Francisco is a city that brings new ideas To the table and this is one of them. Please support the efforts of these people

Sincerely,

Allan 7 4 - in

December 3, 2010

To Whom It May Concern:

I live in the Mission at 24<sup>th</sup> and Bartlett. I support the new Shambala Healing Center and trust the people who are setting it up. I live close to the Dance Mission and know that this business has helped our neighborhood so much and think that anything that Krissy Keefer is involved in will be a success and for the community.

I also think that Cannabis should definitely be available for people who are sick. I trust that this will be a wonderful place that affords people dignity and respect.

Thanks so much for taking the time to consider this.

Sincerely,

hoelle Durant

December 2, 2010

To the Planning Commission,,

I am aware that there is a proposed Medical Cannabis Dispensary for Mission St. Between d 21<sup>st</sup> and 20<sup>th</sup> street. I work in the Neighborhood and know and trust the people who are setting it up. I am aware that many people use Cannabis for healing purposes. I think what ever people need to take care of themselves is important and should be available. I am a recent immigrant who has become a citizen. English is my second language. I understand from talking to the people who are setting it up that they will have Spanish speaking people at the new club. I think that is really important as many Spanish speaking people want access to Cannabis for their medical needs

Thanks so much for your attention to this.

Sincerely, Ramon Ramos Alayo

December 3, 2010

To Whom It May Concern:

Please consider the proposed cannabis dispensary at 2441 Mission Street. As someone who works in the Mission I think that this would be a perfect place to have a new Club that is accessible by Bart and public transportation.

I have worked in the Mission for the last 12 years and have lived on and off in the Mission as well. There is much illegal drug dealing and this might help put a dent in that as well as be a wonderful place for those who need to get cannabis for medical reasons.

I know many people who use cannabis for health reason and they do not need to be demonized by having to buy it illegally.

Thanks so much for considering this and I appreciate the work that goes into making these kind of decisions.

I also know the people who are setting this new business up and they are long time Mission residents and merchants.

This is the perfect way to get this "right."

Thanks so much!

Peace,

\_\_\_\_\_ 1

Tina Banchero 3316 24<sup>th</sup> Street

12 - 06 - 10

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alst applierend wellome a work as manna dopentary in his Multerhord. Maise approve His healing center because ine unther nersherd Thank you ing Kender

November 23, 2010 Dear Edgar Oropeza, I am a 19 years old and live in the Mission District 1 Field the Idea of a new cannabis club in the Mosion Very important. Since I Was on little girl I have seen endless illegal drug selling on Mission Street and down 24th Street. The Mission has tons of families and schools and HIS MUCH better to sell it & in a controlled environment off the streets have ma also have friends who have Used Medical Cannibus, for AIDS and Cancer and they seem much happier and able to traction and cope Thank you so much for Listening and Hanks, Hiedulan left TREDVIKA NEAV Kever 3140 21St Street SFCA

W C- Locksmith, 3186 21st St. San Francisco, CA 94119 (415) 648-4478

Dec 5, 2010

Mr. Scott Sanchez In in towar of the proposal at the property address at 2441 Mission St. I operate A lock + Ky ship on 213 54. I belim the Medical Connubit Disposing can only help the other business in the Aren, by bringing more people into the Mission.

Kay Kali



November 10, 2010

San Francisco Planning Department 1650 Mission Street #400 San Francisco, Ca 94103-2479

Attn: Edgar Oropeza Re: Cannabis Club Proposal at 2441 Mission Street

Dear Mr. Oropeza,

Please consider our *objection* regarding the proposed Cannabis Club to be located at 2441 Mission Street, to be in the strongest possible terms.

This proposed Cannabis Club will have <u>enormous adverse impact</u> to our business next door at 2449 Mission. As the community "working man's bank", it is imperative that our customers feel it is a safe place to conduct personal financial business without drug seeking traffic right next door.

Further, we believe this to be a highly inappropriate location for this club as the proposed location is only 3 minutes away from both Mission High School as well as the Mission Playground. Surely you don't intend to put a Cannabis Club so close to minors and the park they play in?

Please re-consider this location for this endeavor and deny the permit request.

Respectfully, 1 ValA

Robert Verhoeff President

RV:tl

MANLAI MACK Sealand Trading Co. 2467 Mission St San Francisco, CA 94110 Phone: 415-282-8788 Date: 11/18/2010

City Planning Commission 1650 Mission St, Suite 400 San Francisco, CA 94103

Dear Mr. Edgar Oropeza,

I'm addressing you about my opposition to the location of a new Marijuana Dispensary on 2441 Mission St, San Francisco.

The following are my reasons for my opposition:

- 1. There already exists two dispensaries in the neighborhood
  - a. 1933 Mission Street, San Francisco
  - b. 29th St. (At Mission), San Francisco
  - c. 1884 Market Street, San Francisco

With three dispensaries within 1.6 miles of each others, I do not see a need for another one.

- 2. The fact that the new dispensary is too close to my retail store will make my patrons very uncomfortable and will eventually affect my retail revenues since the majority of my patrons consist of senior citizens, families, and young kids.
- 3. Marijuana Dispensaries have proven to be an attractive target for violent crimes due to the large amount of marijuana and cash maintained on site. The loitering an aggressive panhandling will also make patronizing at local businesses unpleasant and unnerving. Additionally, criminals may target the pedestrian traffic in and around these Marijuana Dispensaries for strong-arm and armed robberies, knowing that it is very likely that these retail customers carry cash.

The current economic downturn has already had a very negative impact on my retail business. The additional presence of a Marijuana Dispensary will certainly deal a deadly blow to my business, which may force me to close out.

I hope that you will take serious consideration to my plight and that of the local businesses in the neighborhood.

Regards.

Mary Wack

Τo,

The City Planning Commission

1650 Mission Street, Ste. 400 San Francisco, CA 94103

Dear Mr. Edgar Oropeza,

We, the businessmen of Mission Street addressing our deep concern and opposition to the new Marijuana Dispensary Located at 2441 Mission Street San Francisco CA 94110.

There are a lot of reasons why we are opposing the dispensary in our neighborhood; however, we would like to focus on some most important concerns below:

- 1. The important fact that the new dispensary is located at too close to our retail stores will make my valued customers very uncomfortable and will eventually affect my retail revenues since the majority of them consists Senior Citizens, families and young children.
- 2. There are four dispensaries in the neighborhood already exists.
  - A. 1933 Mission Street San Francisco CA. (0.6 Miles West)
  - B. 1884 Market Street san Francisco CA. (1.1 miles NW)
  - C. 33 29<sup>th</sup> Street San Francisco CA. (1.0 Miles E)
  - D. 211 12<sup>th</sup> Street San Francisco CA. (1.1 Miles N)

These four dispensaries are Located within 1.1 Miles Range from 2441 Mission Street San Francisco CA 94110, we do not think there is a need of another one in the mission neighborhood.

- 3. Marijuana Dispensaries have proven to be the most attractive target for violent crimes due to the large amount of marijuana and cash transactions on site. The loitering and aggressive panhandling will also make patronizing at local businesses unpleasant and unwelcoming. Additionally, criminals may target the pedestrian traffic in and around these marijuana dispensaries for armed robberies knowing that it is very likely that these retail customers carry cash on them.
- 4. The current economic downturn has already had a very negative impact on our retail businesses. The additional presence of marijuana dispensary will certainly create a tremendous problem to our businesses which may force us to go out of business.

We hope that you will consider our request very seriously and give us the chance to do business in a problem free environment.

With best regards, The condended of the former of the form

# Look N Buy Trading Co.

2423 Mission Street San Francisco, CA 94100 Tel: (415) 821-9645

2423 Mission Street San Francisco, CA 94110

City Planning Commission 1650 Mission St, Suite 400 San Francisco, CA 94103

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Regards,

PDUO Ki(10 **Name Printed:** 1. Signature: TMA Tel/Email: 2129 Address: 2460 MINU 415 Name Printed: 2. Signature: Address: 2458 Tel/Email: KANDOU (1) Name Printed: 3. Signature: 1512 Tel/Email:\_ -2529 Address: 2 DBERTO TEL Name Printed: 4. Signature Tel/Email: 4/5-64 SSIDN Address: 24 Name Printed: PHILIP 5. Signature: Tel/Email: 82( Address: 271 vor in Name Printed: 6. Signature: Tel/Email:\_ Address: 26 Name Printed: 7. Signature: Address: 2637 Tel/Email:\_ - Name Printed: Hi 8. Signature: lan Tel/Email:\_\_\_ 824 Address: 2591 CSION W Name Printed: 9. Signature: Tel/Email:\_ Address:\_ 7201 Name Printed: 10. Signature: Tel/Email:\_ Address: Name Printed: 11. Signature: Tel/Email:\_ Address: Name Printed: 12. Signature: Tel/Email:\_ Address: Name Printed: 13. Signature: Tel/Email: Address:\_ Name Printed: 14. Signature: Tel/Email: Address:

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2. Signature: Scut 46 Address: AD Mission St	Name Printed: Walter amore Tel/Email: (415) 1011 HH
3. Signature: Malanda Address: 2480 Mussions St	Name Printed: Tanya Subbovetslen Tel/Email: (650) 527-6109
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5. Signature: Entrance Address: 2480 Mission St.	Name Printed: Algundin Gonzalk & Tel/Email: 415-282-6490
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12. Signature:	Tel/Email: ( 415) 821-010
13. Signature: Address: <u>JA &amp; MISSION</u>	_ Name Printed: LINDA B-ORIAL Tel/Email: (415) 641-5600
14. Signatures 16 pmono amoly Address: 2150 Mission St.	Name Printed: <u>Alenda</u> forthers Tel/Email: <u>(415)</u> 205-9440

*PY* Name Printed: 1. Signature: Tel/Email: Address: 2 A  $\cancel{\nu}$  Name Printed: 2. Signature: Address: \3 SF Tel/Email: Na 3. Signature: **Name Printed:** Tel/Email: Address: Z Name Printed: そんのど 4. Signature: W Address: ST Tel/Email: 4'<u>C</u>-DYI AN SIDDIQUI **Name Printed:** 5. Signature: 11 INFO@ CLIVESCAN Tel/Email:\_\_\_ 415-DADD Address: 2417 Miss **JE** Name Printed: 6. Signature: 28-081 Tel/Email: (¥l Address: 2442 whom Name Printed: //ou 7. Signature: Kart - Azito Address: m Tel/Email:\_ VU Pat JATEZ **Name Printed:** 8. Signature: Tel/Email: (415) 282 Mission St Address: 2442 ۲ Name Printed: 9. Signature: Tel/Email: (415)72 sŧ Address: 2442 on Merrell **Name Printed:** 10. Signature: (415 San Carlos Tel/Email:\_ Address: 343 **Name Printed:** 11. Signature: Tel/Email: 4/ Address: 24 PIVICE Name Printed: LObertas 0 12. Signature: 4 Address: 7448 MISSION Tel/Email:\_\_ 415 Name Printed: 13. Signature: Tel/Email:\_ 416 Address:\_ Name Printed: SHAROL 14. Signature: Hotwall Tel/Email:\_ 415-82 Address: 50%

1. Signature:	Name Printed: Alicia Chin
Address: 2415 Mission A	Tel/Email: aliciachin 410@hotmail. com
2. Signature: Mary Alorgen	Name Printed: 415-648623-0802
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We, The undersigned, oppose the proposed Medical Cannabis Dispensary at 2441 Mission Street, San Francisco 94110 and ask the City of San Francisco to deny any permits for that purpose. With the large number of residential, apartment, retails schools, parks, playgrounds, churchsm we strongly oppose the proposed and this is not an appropriate place for this establishment.

والمراجع والمتعاوية والمسور المحاد بمعاقد متحاد

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11. Signature: Theng Cheng Song	Name Printed: <u>7HENG CHENG SONG</u>
Address: 580 capper # 201 3. F. CA. 9410	Tel/Email: (415) 920-0578
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1. Signature : Name Printed : Tel/Email: (415 Address 246 CA. HABIB Name Printed : 2. Signature : 647-5382 Tel/Email : Address : UIS and 120 3. Signature : Name Printed ; Address : 247 Tel/Email: (250) 483 -742. CP 5 Name Printed: NOEMU P120 4. Signature : Nocmi 2⁄0 Tel/Email: (650) 3 Address: 2417 MISOW 401364aal415-401-8302 Hor sahel Tarcio 5. Signature N Name Printed : Tel/Email: 415 Address 242 647 9000 6. Signature :- Min 0 (m) no Name Printed : RAIO Address : 51 Tel/Email : c V MODSAVAV Monammad 7. Signature : Name Printed : Address : Tel/Email: 8. Signature ALELAN Name Printed : 5 Address : Tel/Email: Vinicio VE 9. Signature : Name Printed : MIRGON ST Address : Tel/Email : 915)641-162 Name Printed : R. PATEL 10. Signature : 31 641. Address: 2433 Tel/Email : 1800 . mi 415. NOEL 11. Signature : Name Printed : Tel/Email: Address : 2475 Missing ST. Nomavca 12. Signature : Name Printed : Tel/Email : Address : 2481 Jau 13. Signature : Name Printed : Tel/Email : \_\_\_ Address : STOR (UIIT PAULA M. GONZAEZ P GONZOLEZ 14. Signature : Name Printed : 1008 3440 Address : 3440 Tel/Email: (415) Name Printed : 15. Signature : Utel/Email : Address : 24 San Francisco, CA

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1. Signature: **Name Printed** 155100 Address: 249 Tel/Email: Name Printed; "MM 2. Signature: Address: 2999 Tel/Email: ( 4년 ٢ วห **Name Printed:** 3. Signature:  $\leq$ Address: Mission Tel/Email: (AIS 4. Signature: Name Printed: Tel/Email: (시/스 Address: 74 00 5. Signature: **Name Printed:** Address:2 5 Tel/Email: LECY **Name Printed:** 6. Signature MISSION GA Tel/Email: Address: 1419 Name Printed: A Qrd A 7. Signature Address: Tel/Email: 41 U 8. Signature: **Name Printed:** Tel/Emall: 415 Address: 244 phi t 9. Signature Name Print Mari ST. Address: Tel/Email: ordero moreno. Reno Name Printed 10. Signature: 77,5 オレマ・ Tel/Email: Address: Name Printed: 11. Signature: HERNA Tel/Email: Address: 3 41 <841 a mu Name Printed: / 12. Signature:7 Address: 2173 Misio Tel/Email:\_ EONOR NOGUEZ Name Printed:\_\_\_\_\_ 1 13. Signature: NOGUL conor 7 mission Tel/Email:\_ Address: 24 5 SOWEZ 14. Signature: UZ F. GAMEZ Name Printed: U 510N ST- Tel/Email: (415 MIS Address: 247