



# SAN FRANCISCO PLANNING DEPARTMENT

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## Letter of Determination

June 13, 2017

Al Shawa  
Shambala Healing Arts Center  
2441 Mission Street  
San Francisco CA 94110

<b>Site Address:</b>	950 Geneva Avenue
<b>Assessor's Block/Lot:</b>	6411/029
<b>Zoning District:</b>	Excelsior Outer Mission Street NCD
<b>Staff Contact:</b>	Nancy Tran, (415) 575-9174 or <a href="mailto:nancy.h.tran@sfgov.org">nancy.h.tran@sfgov.org</a>
<b>Record No.:</b>	2017-006226ZAD

Dear Mr. Shawa:

This letter is in response to your request for a Letter of Determination regarding the property at 950 Geneva Avenue. This parcel is located in the Excelsior Outer Mission Street Neighborhood Commercial District (NCD) and 65-A Height and Bulk District. The request is to determine the proximity of the subject parcel to any public or private elementary or secondary school, or a community facility and/or recreation center that primarily serves persons under 18 years of age for the purpose of establishing a Medical Cannabis Dispensary (MCD) (per Planning Code Section 790.141, an MCD cannot be placed within 1000' of the aforementioned facilities or on the same parcel as a substance abuse treatment facility).

Based upon information provided in your request letter and additional preliminary staff research, it does not appear that any schools, community facilities or recreation center that primarily serves persons under 18 years of age are located within 1000 feet of the proposed MCD location.

Because the proposed location is within 500 feet of an existing MCD at 5234 Mission Street (dba Cookies SF) the project will require Conditional Use Authorization pursuant to Planning Code Sections 790.141 and 745.84. The proposed MCD would be subject to all requirements of Section 790.141 as well as all requirements in Article 33 of the San Francisco Health Code.

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

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Al Shawa  
Shambala Healing Arts Center  
2441 Mission Street  
San Francisco, CA 94110

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950 Geneva Avenue

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

Sincerely,



Scott F. Sanchez  
Zoning Administrator

cc: Property Owner  
Nancy Tran, Planner  
Neighborhood Groups

R# 2017-006226 ZAD  
CK # 004164 \$664. -  
D. WASHINGTON (SW)

RECEIVED

MAY 02 2017

CITY & COUNTY OF S.F.  
DEPT. OF CITY PLANNING  
ADMINISTRATION

May 1, 2017

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

Re: Requested Letter of Determination – Suitability of Utilizing 950 Geneva Avenue as an MCD

(6411/029)

Dear Mr. Sanchez,

Our Medical Cannabis Dispensary at 2441 Mission Street, Shambala Healing Arts Center, was approved by the San Francisco Planning Commission's discretionary review on December 16, 2010.

Subsequently we have operated successfully embracing good-neighbor policies and striving to be a compassionate resource to the community.

As our patient base grew, we applied for and received from the San Francisco Planning Commission on August 11, 2016 conditional approval to have a 135% internal expansion at our Mission Street location.

Even with this expansion, many of our patients who live on the Southside of San Francisco and the Peninsula are requesting that we open another facility providing the same safe and sensitive care in closer proximity to them.

We have identified a vacant commercial space at 950 Geneva Avenue, which we believe is code compliant.

Our research finds this building to be more than 1,000 feet from a school or an institution with organized programs for youth aged five to eighteen.

We are hereby requesting a Letter of Determination as to whether the San Francisco Planning Department concurs that the commercial space at 950 Geneva Avenue (APN 6411-029) is a valid location for a Medical Cannabis Dispensary subject to the San Francisco Planning Commission taking discretionary review under Planning Code Section 790.141.

Respectfully submitted,



Al Shawa  
Executive Director  
Shambala Healing Arts Center  
2441 Mission Street  
San Francisco CA 94110

Attachments: Written Determination Fee Check in the amount of \$664