



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

June 7, 2016

Kyndra Miller
506 Boardway
San Francisco, CA 94133

Site Address: 1251 Folsom Street
Assessor's Block/Lot: 3756/024
Zoning District: NCT (Folsom Street Neighborhood Commercial Transit)
RED-MX (Residential Enclave – Mixed)
Staff Contact: Jeff Speirs, (415) 575-9106 or jeffrey.speirs@sfgov.org
Record No.: 2016-003865ZAD

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear Ms. Miller:

This letter is in response to your request for a Letter of Determination regarding the property at 1251 Folsom Street. This parcel is located in both the NCT (Folsom Street Neighborhood Commercial Transit) and RED-MX (Residential Enclave – Mixed) Zoning Districts, the Western SoMa Special Use District, and both the 45-X and 65-X Height and Bulk Districts. The request is to determine if the subject property may be used as a Medical Cannabis Dispensary (MCD). In addition, the request seeks a determination if an MCD located at 1251 Folsom Street would be subject to the restrictions outlined in Board of Supervisors Resolution No. 179-15 (May 15, 2015).

Planning Code Section 790.141(a)(1)(B) requires that a parcel containing a proposed MCD may not be located within 1,000 feet of 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.

Planning Department staff has reviewed available data, and conducted a review of properties within 1,000 feet of the property. The subject parcel is within 1000' from the parcel containing AltSchool - SOMA, which is a private middle school operating at 1245 Folsom Street. The subject parcel is also within 1,000 feet from the parcel containing Presidio Knolls School, which currently offers elementary classes up to 3rd grade at 250 10th Street. Based upon this information, the subject property has been found to not be in compliance with the proximity requirements of Planning Code Section 790.141. As such, the subject property cannot be used as an MCD.

Regarding Resolution No. 179-15, the requirements outlined in this resolution apply only to MCDs within the Irving, Judah, Noriega and Taraval Neighborhood Commercial Districts. The subject property is not located in any of the above mentioned districts. As such, Resolution No. 179-15 does not apply to the subject property.

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.

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

Sincerely,



Scott F. Sanchez
Zoning Administrator

cc: Property Owner
Neighborhood Groups
Jeff Speirs, Planner

CANNABUSINESS LAW, INC.

A PROFESSIONAL LAW CORPORATION

March 15, 2016

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

R # 2016 - 003865 ZAD
CK # 1006 \$ 645 -
J. BANALES (SE)

(3756/024)

Re: Request for a Letter of Determination for ~~1250~~ 1251 Folsom Street, San Francisco, CA 94103

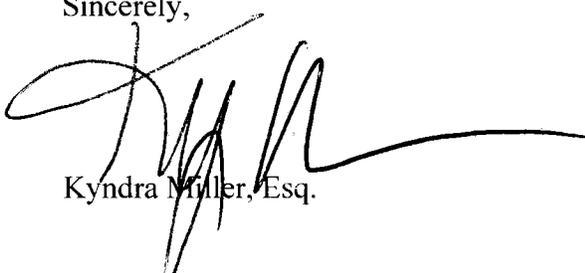
Dear Mr. Sanchez:

I am writing this letter for the purpose of obtaining a written determination as to whether or not a Medical Cannabis Dispensary ("MCD") may be established at the address identified herein. To that end, please confirm that the address located at ~~1250~~ 1251 Folsom Street, San Francisco, CA 94103 ("Property") is eligible for an MCD permit pursuant to the regulation(s) in San Francisco county governing medical marijuana collectives and cooperatives.

Please confirm that the Property is the required distance from any childcare facility, recreational service for children, public park, or any public or private elementary or secondary school serving persons under the age of eighteen (18). Additionally, please confirm that the Location meets the required changes made by Resolution No. 179-15 on May 15, 2015 by the San Francisco Board of Supervisors. Please confirm that this location is eligible to be permitted pursuant to the MCD regulations in San Francisco county.

Please find enclosed a check in the amount of six hundred forty five dollars (\$645) in connection with the fee associated with this request. Feel free to contact my office at (415) 986-5591 or 877-420-4660 if you have any questions.

Sincerely,


Kyndra Miller, Esq.

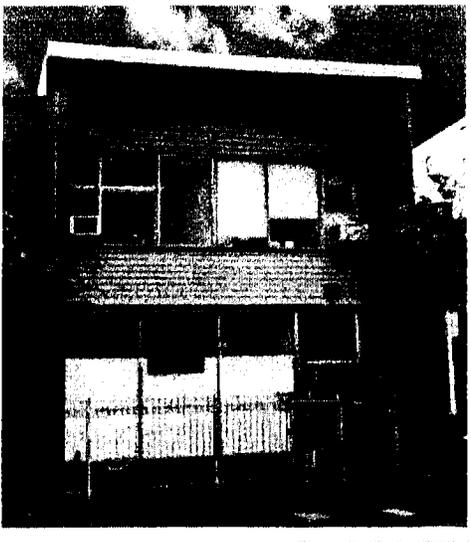
506 BROADWAY, SAN FRANCISCO, CALIFORNIA 94133

PHONE/FAX 877-420-4660

WWW.CANNABUSINESSLAW.COM

1251 Folsom Street

1251 Folsom Street, San Francisco, CA 94103



Price:	N/A
Building Size:	7,950 SF
Property Type:	Industrial
Property Sub-type:	Flex Space
Property Use Type:	Vacant/Owner-User
Commission Split:	2.5%
Clear Ceiling Height:	16 ft.
Lot Size:	4,120 SF
Listing ID	18132634
Last Updated	over 1 year ago

Description

We are proud to present to the commercial market , 1251 Folsom Street, a 7,950 square foot warehouse zoned SLR (SOMA SERVICE- LIGHT INDUSTRIAL RESIDENTIAL). This flexible use, multi-tenant building currently has a high-end fitness tenant in the ground floor space, with the top floor delivered vacant. This street-to-street property features a small rear set back with roll-up door dock-high loading, beautiful retail facade with highly functional, high ceiling flexible use space on the ground floor. On the second level, the space features 4 private offices, a bathroom with shower and completely clear span open floor plan space. The property will be delivered 51% vacant.

An excellent owner-user opportunity, 1251 Folsom Street is located in the South of Market submarket, just a 2 minute drive to the Mission, the Financial District and Hayes Valley.

