



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

June 7, 2016

Quentin Platt
Equinox Botanicals
530 Divisadero St., Ste 226
San Francisco, CA 94117

Site Address:	757 Bryant Street
Assessor's Block/Lot:	3778/046F
Zoning District:	SALI - SERVICE/ARTS/LIGHT INDUSTRIAL
Staff Contact:	Jeff Speirs, (415) 575-9106 or jeffrey.speirs@sfgov.org
Record No.:	2016-005281ZAD

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Dear Mr. Platt:

This letter is in response to your request for a Letter of Determination regarding the property at 757 Bryant Street. This parcel is located in the SALI (Service/Arts/Light Industrial) Zoning District, Western SoMa Special Use District and 40/55-X Height and Bulk District. 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 757 Bryant Street can operate on the second floor of the subject building.

Planning Code Section 890.133(a) 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. At this time, the subject property has been found to be in compliance with the proximity requirements of Planning Code Sections 890.133 and 846.36. Please note that any proposed MCD would be subject to the Mandatory Discretionary Review hearing requirements of Section 846.36. Further, MCDs in the SALI Zoning Districts may only operate between the hours of 8:00 am and 10:00 pm.

Regarding your request as to whether an MCD could operate at the second floor of the subject building, the SALI Zoning District does not restrict permitted uses by floor. As such, an MCD may be authorized under the requirements of the Planning Code on any floor in the subject building through the Mandatory Discretionary Review hearing process..

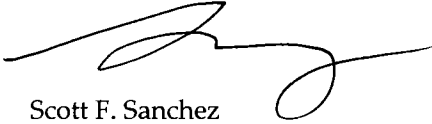
Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is not a permit to commence any work or change occupancy. Permits from appropriate Departments must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

Quentin Platt
530 Divisadero St., Ste 226
San Francisco, CA 94117

June 7, 2016
Letter of Determination

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

Equinox Botanicals
530 Divisadero St. Ste 226
San Francisco, CA 94117

R # 2016 - 005281ZAD
CK # 1089 \$ 645 -
R. SUCRE (SE)

April 18, 2016

BY HAND DELIVERY

Mr. Scott Sanchez, Zoning Administrator
San Francisco Planning Department
1650 Mission St, 4th Floor
San Francisco, CA 94103

Re: Request for Written Determination: 757 Bryant Street (3778/046F)

Dear Mr. Sanchez,

I am writing to explore the possibility of opening a Medical Cannabis Dispensary at 757 Bryant Street (Zoned SALI) in San Francisco.

Section 790.141 of the San Francisco Planning Code states:

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

Section 790.141 of the San Francisco Planning Code also requires:

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.

Our team has performed a thorough search of the surrounding area and have not found any primary or secondary schools, nor community facilities or recreation centers that primarily serve youth under the age of 18 within 1000 feet of the proposed site. Furthermore, the proposed site 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.

Our search did yield the following facilities that we believe do not violate section 790.141 of the SF Planning Code and would therefore not preclude the proposed use of opening a medical cannabis dispensary at 757 Bryant Street:

5 Keys Charter School: This school teaches in the county jail helping incarcerated adults age 17 and older to earn a high school diploma. They also do some work with juvenile offenders but it does not appear they "primarily serve youth" so it is our interpretation that the 5 Keys Charter School does not violate the requirements of Section 790.141 of the SF planning Code.

SF Drug Court Treatment Center: This drug treatment clinic is located at 509 6th Street. This clinic is not located on the same parcel as 757 Bryant St. so it is our interpretation that the SF Drug Court Treatment Center does not violate the requirements of Section 790.141 of the SF planning Code.

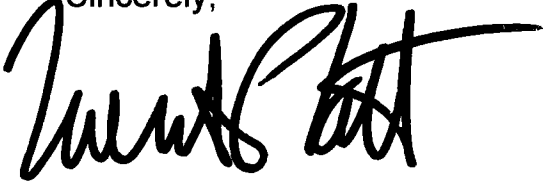
Center on Juvenile and Criminal Justice: These offices are located at 40 Boardman Place. This location serves as the CJCJ's direct service administration office. Most of CJCJ's direct services operate off-site, in their other seven satellite facilities and offices or in the community. It is our interpretation that the CJCJ's administrative office at 40 Boardman Place does not violate the requirements of Section 790.141 of the SF planning Code.

Playworks San Francisco: The administrative offices for Playworks San Francisco are located at 650 5th St #201. Playworks is a non-profit that engages youth at their schools (typically in low income areas) during recess to ensure that every student plays safely, inclusively and with joy. The offices at 650 5th street are administrative and do not provide services directly to children. It is our interpretation that the administrative offices for Playworks San Francisco located at 650 5th street do not violate the requirements of Section 790.141 of the SF planning Code.

I am therefore requesting a written determination as to whether 757 Bryant Street conforms to Planning Code Section 790.141 and would thus be an appropriate site for a new MCD. I am also requesting a written determination as to whether an MCD at 757 Bryant Street could operate on the 2nd floor of the building.

Thank you for your assistance in clarifying this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Quentin Platt". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Quentin Platt

Co-Founder, Equinox Botanicals

Q@access-sf.org

Cell: 415-613-6452