



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Action DRA-0288

HEARING DATE: AUGUST 16, 2012

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

Date: August 29, 2012
Case No.: 2012.0668D
Project Address: 2520 MISSION STREET
Building Permit: 2012.04.25.9059
Zoning: Mission Street Neighborhood Commercial Transit District
55-X / 65-B Height and Bulk District
Block/Lot: 3616/061
Project Sponsor: Victor Marquez
731 Market Street
San Francisco, CA 94103
Staff Contact: Diego R Sánchez – (415) 575-9082
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ADOPTING FINDINGS RELATED TO NOT TAKING DISCRETIONARY REVIEW OF CASE NO. 2012.0668D AND THE APPROVAL OF BUILDING PERMIT 2012.04.25.9059 PROPOSING ESTABLISHMENT OF A MEDICAL CANNABIS DISPENSARY (D.B.A. MORADO COLLECTIVE) WITHIN THE MISSION STREET NEIGHBORHOOD COMMERCIAL TRANSIT DISTRICT AND A 55-X / 65-B HEIGHT AND BULK DISTRICT.

PREAMBLE

On April 25, 2012, Victor Marquez filed for Building Permit Application No. 2012.04.25.9059 proposing establishment of a Medical Cannabis Dispensary (d.b.a. Morado Collective) within the Mission Street Neighborhood Commercial Transit District and a 55-X / 65-B Height and Bulk District..

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

On August 16, 2012, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting on Mandatory Discretionary Review Application 2012.0668D.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

ACTION

The Commission hereby does not take Discretionary Review requested in Application No. 2012.0668D and approves the Building Permit Application 2012.04.25.9059 subject to the following conditions:

1. No on-site smoking or vaporizing is allowed on site.
2. The operator of the establishment maintain entrances and all sidewalks abutting the subject property in clean condition.
3. The operator of the establishment maintain appropriate odor control equipment to prevent any significant noxious or offensive odors from escaping the premises.

BASIS FOR RECOMMENDATION

The reasons that the Commission took the action described above include:

1. There are no extraordinary or exceptional circumstances in the case.
2. Multiple community members expressed great support for the services the proposed Medical Cannabis Dispensary will provide to those suffering from chronic illness and those within the LGBT community.
3. The proposed MCD has established partnering relationships with various health and social service organizations that cater to individuals with debilitating and chronic illnesses such as HIV/AIDS, cerebral palsy and cancer.
4. The proposal complies with the Planning Code and the General Plan.

APPEAL AND EFFECTIVE DATE OF ACTION: Any aggrieved person may appeal this Building Permit Application to the Board of Appeals within fifteen (15) days after the date the permit is issued. For further information, please contact the Board of Appeals at (415) 575-6881, 1650 Mission Street # 304, San Francisco, CA, 94103-2481.

I hereby certify that the Planning Commission did not take Discretionary Review and approved the building permit as reference in this action memo on August 29, 2012.

Linda D. Avery
Commission Secretary

AYES: Commissioners Fong, Wu, Antonini, Hillis, Moore and Sugaya

NAYS: None

ABSENT: Commissioner Borden

ADOPTED: