



SAN FRANCISCO PLANNING DEPARTMENT

Memo to the Planning Commission

HEARING DATE: FEBRUARY 16, 2012
Continued from the January 26, 2012 Hearing
Continued from the November 17, 2011 Hearing

Date: February 9, 2012
Case No.: **2010.0468 DD**
Project Address: **5234 MISSION STREET**
Permit Application: 2010.06.16.4643
Zoning: NC-2 (Neighborhood Commercial, Small-scale) District
40-X Height and Bulk District
Block/Lot: 7031 / 002C
Project Sponsor: Inna G. Yakubov
5525 Geary Boulevard
San Francisco, CA 94121
Staff Contact: Adrian C. Putra – (415) 575-9079
adrian.putra@sfgov.org
Recommendation: **Do Not Take Discretionary Review and Approve**

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

BACKGROUND

The proposal is to establish a new Medical Cannabis Dispensary (d.b.a. TreeMed) at a vacant ground floor commercial unit containing approximately 1,570 square-feet. This project was initially scheduled for the November 17, 2011, Planning Commission hearing and was continued to the January 29, 2012 and again to the February 16, 2012 hearing without a hearing, as per the City Attorney's recommendation. There have been no changes made to the proposal since it was originally continued from the November 17, 2011 Planning Commission Hearing.

PUBLIC COMMENT

Since the issuance of the initial Planning Commission packet on November 10, 2011, additional public comments have been received and a copy is available at the Planning Department office:

- One letter in opposition to the proposed MCD use at 5234 and 5258 Mission Street.
- 437 additional signatures in opposition to the proposed MCD uses at the 4218, 5234 and 5258 Mission Street.

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| RECOMMENDATION: Approve with Conditions |
|---|

Attachments:

Planning Commission Packet, dated November 10, 2011



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Analysis

Medical Cannabis Dispensary

HEARING DATE NOVEMBER 17, 2011

Date: November 10, 2011
Case No.: **2010.0468 DD**
Project Address: **5234 MISSION STREET**
Permit Application: 2010.06.16.4643
Zoning: NC-2 (Neighborhood Commercial, Small-scale) District
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PROJECT DESCRIPTION

The proposal is to establish a new Medical Cannabis Dispensary (d.b.a. TreeMed) at a vacant ground floor commercial unit containing approximately 1,570 square-feet. 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, vaporizing, consumption, or growing of cannabis on site. It would offer a delivery service to accommodate those who, due to mobility issues, cannot physically access the MCD. Modifications will be made in connection with this property to comply with Mayor's Office of Disability requirements. The proposed hours of operation are 10:00 AM to 7:00 PM, Monday through Sunday.

The proposed MCD would be owned and operated by a San Francisco resident who does not have previous experience running an MCD, but does own and operate other businesses within San Francisco.

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.

SITE DESCRIPTION AND PRESENT USE

The project site is an approximately 2,238 square foot lot with approximately 26 feet of frontage on Mission Street which is owned by the project sponsor and contains a two-story commercial building. The ground floor commercial unit is vacant and was previously a retail lighting store (d.b.a. "Bulb Lighting & Elec Inc."). The second floor commercial unit is also vacant.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The subject site is near the middle of the west side of the 5200 block of Mission Street and between Niagara and Mount Vernon Avenues. This block of Mission Street is located within a NC-2 (Neighborhood Commercial, Small-scale) District corridor that runs along lots fronting on both sides of Mission Street from Niagara Avenue to the Daly City borders. The NC-2 District is intended to serve as the City's Small-Scale Neighborhood Commercial District. These districts are linear shopping streets which provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. NC-2 Districts are commonly located along both collector and arterial streets which have transit routes.

The 5200 blocks of Mission Street are predominately developed with two- to three-story mixed use buildings with ground floor retail and residences above. Adjacent to the site is a professional service (d.b.a. Harrison Benavente Tax Services) and a full-service restaurant (d.b.a. Venice Pizza Italian Restaurant). Commercial uses found on this block include a variety of retail stores, professional offices, personal service uses, and eating and drinking establishments. This NC-2 District corridor is well-served by transit with major buses running along Mission Street, and Geneva Avenue which is one block north from the subject site.

There are no existing MCDs within this immediate NC-2 District. The nearest existing MCD is at 1545 Ocean Avenue (d.b.a. Waterfall Wellness Health Center) which is approximately 1.2 miles away from the project site. The department also has applications to establish an MCD at 5258 Mission Street located three storefronts south of the project site, and at 4218 Mission Street which is approximately 1.2 miles away from the project site. Additionally, an application has been filed with the Department of Public Health to operate an MCD at 100 Sickles Avenue, which is approximately 0.8 miles away from the project site. However, to date the department has yet to receive a Mandatory Discretionary Review application to establish an MCD at 100 Sickles Avenue.

ISSUES AND OTHER CONSIDERATIONS

It has been brought to the attention of the Department that a number of Child Development Center/Child Care Centers are within the 1,000 foot radius of the project site. However, Planning Code Section 790.141 excludes day care facilities and other like uses that are not primary or secondary educational institutions from those uses to which an MCD is prohibited from locating within 1,000 feet. This distinction is in accord with the original Board of Supervisor legislation (Ordinance 275-05) amending the Planning Code to regulate MCDs. Additionally, Planning Code Section 790.141 does not place restrictions on the distance between separate MCDs.

On another note, the Project Sponsor is implementing a safety & security plan to the operation of the proposed MCD. According to the Project Sponsor the security plan includes installing at least 20 security cameras within the premises and four or more cameras at the front of building. The Project Sponsor will also contract at least one unarmed security personal from a licensed and insured security company to provide protection of employees, clients, and property during normal business hours. The security personal will be positioned near the main entrance. Adequate lighting will also be provided to ensure that the front of the business is well illuminated and visible during business hours, and an alarm system shall be installed to protect the property during non-business hours. The Project Sponsor will establish

check-in and verification procedures for its members, and plans to track the frequency and amount of medical cannabis purchased by members to prevent its resale to non-qualified patients. Additionally, the Project Sponsor will hire a professional security consultant and a business, operations, and community outreach consultant to aid in the operation of the proposed MCD.

Reference the Project Sponsor's *Business and Safety & Security Plans* for additional information, which are attached documents.

HEARING NOTIFICATION

| TYPE | REQUIRED PERIOD | REQUIRED NOTICE DATE | ACTUAL NOTICE DATE | ACTUAL PERIOD |
|-------------------|-----------------|----------------------|--------------------|---------------|
| 312 Posted Notice | 30 days | August 31, 2011 | September 12, 2011 | 30 days* |
| 312 Mailed Notice | 30 days | August 31, 2011 | August 31, 2011 | 42 days |
| DR Posted Notice | 10 days | November 7, 2011 | November 7, 2011 | 10 days |
| DR Mailed Notice | 10 days | November 7, 2011 | November 7, 2011 | 10 days |

*The expiration date for the 312 Posted and Mailed Notices were extended until 10/12/11 to make up for the 312 Posted Notice being posted 12 days late.

PUBLIC COMMENT

| | SUPPORT | OPPOSED | NO POSITION |
|--|---------|---------|-------------|
| Adjacent neighbor(s) | | | |
| Other neighbors on the block or directly across the street | | | |
| Neighborhood groups or others | | 234 | |

To date, the Department has received six telephone calls and/or letters from the public in opposition to the project. Those in opposition to the project are concerned about the proximity of the project site to schools, parks, community centers. In addition, neighbors are concerned that the project would increase the potential for criminal activity around the neighborhood.

The Department also received an Opposition Petition from the DR Requestor containing 226 signatures.

DR REQUESTOR

Steven R. Currier, President of the Outer Mission Merchants and Residents Association (OMMRA) filed an outside Discretionary Review Application against the project on September 27, 2011.

DR REQUESTOR'S CONCERNS AND PROPOSED ALTERNATIVES

Issue #1: The DR Requestor is opposed to the project being within 1,000 feet of several child care facilities, an adult health day care center, and several nursing homes and residential facilities, and is concerned that the project would bring illegal and/or criminal activity to the 5000 through 5300 blocks of Mission Street.

Issue #2: As a project alternative the DR Requestor would prefer to see a commercial use that would better complement the neighborhood and commercial residential district at this location.

Reference the *Discretionary Review Application* for additional information. The *Discretionary Review Application* is an attached document.

PROJECT SPONSOR'S RESPONSE

The Project Sponsor's response states the proposed MCD will address the community's concern for public safety by hiring a professional security consultant who specializes in MCD security and by contracting with the San Francisco Patrol Special to Mission Street from Geneva Avenue south two blocks to Ottawa or as needed by the community. The Project Sponsor also believes that the proposed MCD will not increase crime or risk to the immediate neighborhood.

Reference the *Response to Discretionary Review Application* for additional information. The *Response to Discretionary Review Application* is an attached document.

PROJECT ANALYSIS

MEDICAL CANNABIS DISPENSARY CRITERIA

Below are the five criteria to be considered by the Planning Commission in evaluating Medical Cannabis Dispensaries, per Planning Code Section 790.141:

1. The parcel containing the MCD cannot be located within 1,000 feet from 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.

Project Meets Criteria

The project site 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. Child care facilities do not qualify as elementary or secondary schools and therefore an MCD is not restricted from being located less than 1000' from such uses.

2. 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.

Project Meets Criteria

The project site 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.

3. 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.

4. If medical cannabis is smoked on the premises, the dispensary shall provide adequate ventilation within the structure such that the doors and windows are not left open for such purposes, resulting in odor emission from the premises;

Criteria not Applicable

The proposed MCD would not include an on-site smoking area.

5. A Medical Cannabis Dispensary must meet all of the requirements in Article 33 of the San Francisco Health Code.

Project Meets Criteria

The project sponsor has applied for a permit from the Department of Public Health, and therefore the project must be designed to meet the requirements of the San Francisco Health Code, where applicable.

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 ailments.

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 will occupy a vacant ground floor commercial space and adhere with all signage regulations defined in Article 33 of the Health Code to help preserve the existing neighborhood character. The project would enhance the economic diversity of the neighborhood by establishing a use not currently available in the immediate area.

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

The proposed MCD will occupy a vacant ground floor storefront so it will not displace any affordable housing.

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

The project 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 project 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 proposed 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 project does not involve façade alterations, and the existing structure is not an architecturally rated building, nor is it included on any architectural survey. Therefore, no historic buildings will be adversely affected by the proposed change of use.

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

BACKGROUND

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.

BASIS FOR RECOMMENDATION

The Planning Department's review is generally limited to the location (in relation to elementary or secondary school, public or private, or recreation buildings) and the physical characteristics of a proposed MCD which is evaluated under six criteria, per Planning Code Section 790.141. Department staff's recommendation for approval is based on the project meeting these criteria as described in the analysis on Page 4.

In addition, the project has the following benefits:

- The project complies with all standards and requirements of the Planning Code and advance the objectives and policies of the General Plan
- 5200 block of Mission is well served by transit as it is served by major MUNI lines that run along Mission Street and Geneva Avenue.
- The project site will be fully renovated to provide a safe, well-lit environment for California Medical Marijuana Patients with proper identification cards.
- The project will eliminate a vacant storefront in a Neighborhood Commercial corridor.
- The project will provide local employment opportunities as the project sponsor estimates employment levels to be between 10 and 20 full and part time employees.

Another MCD application for a location in the same block is being heard at the same time. Department staff acknowledges that it is unusual to have proposal in such close proximity. However, there are no other MCDs within a mile of the subject block. Also, the attached *Map of Licensed and Pending MCDs* shows no existing MCDs in this part of the city. Although both proposals meet all of the required criteria, if the Planning Commission has a concern about overconcentration, the Planning Commission may find that there are exceptional or extraordinary circumstances concerning the project, and may choose to use their discretionary powers over the building permit application.

RECOMMENDATION: Do Not Take Discretionary Review and Approve the MCD

Attachments:

Parcel Map

Sanborn Map

Zoning Map

Aerial Photographs

Site Photographs

Map of Potential Eligible Locations for MCDs

Arc View GIS MCD Proximity Map

1000 Foot Arc View GIS Map

Context Photo of 5200 block of Mission Street (West side)

Project Sponsor's MCD Application

Submittal by Project Sponsor which includes a Business Plan, Statement from Inna Yakubov, Safety & Security Plan, Letter from Operations/Business Consultant, Raudel Wilson of Redfield Consulting, and Community Outreach Meeting Notice

Section 312 Notice

DR Application filed by OMMRA on September 27, 2011

Submittal by OMMRA which includes an Opposition Petition

Project Sponsor submittal: Response to DR Application received November 9, 2011

Letters in Opposition

Reduced Plans

Sanborn Map*

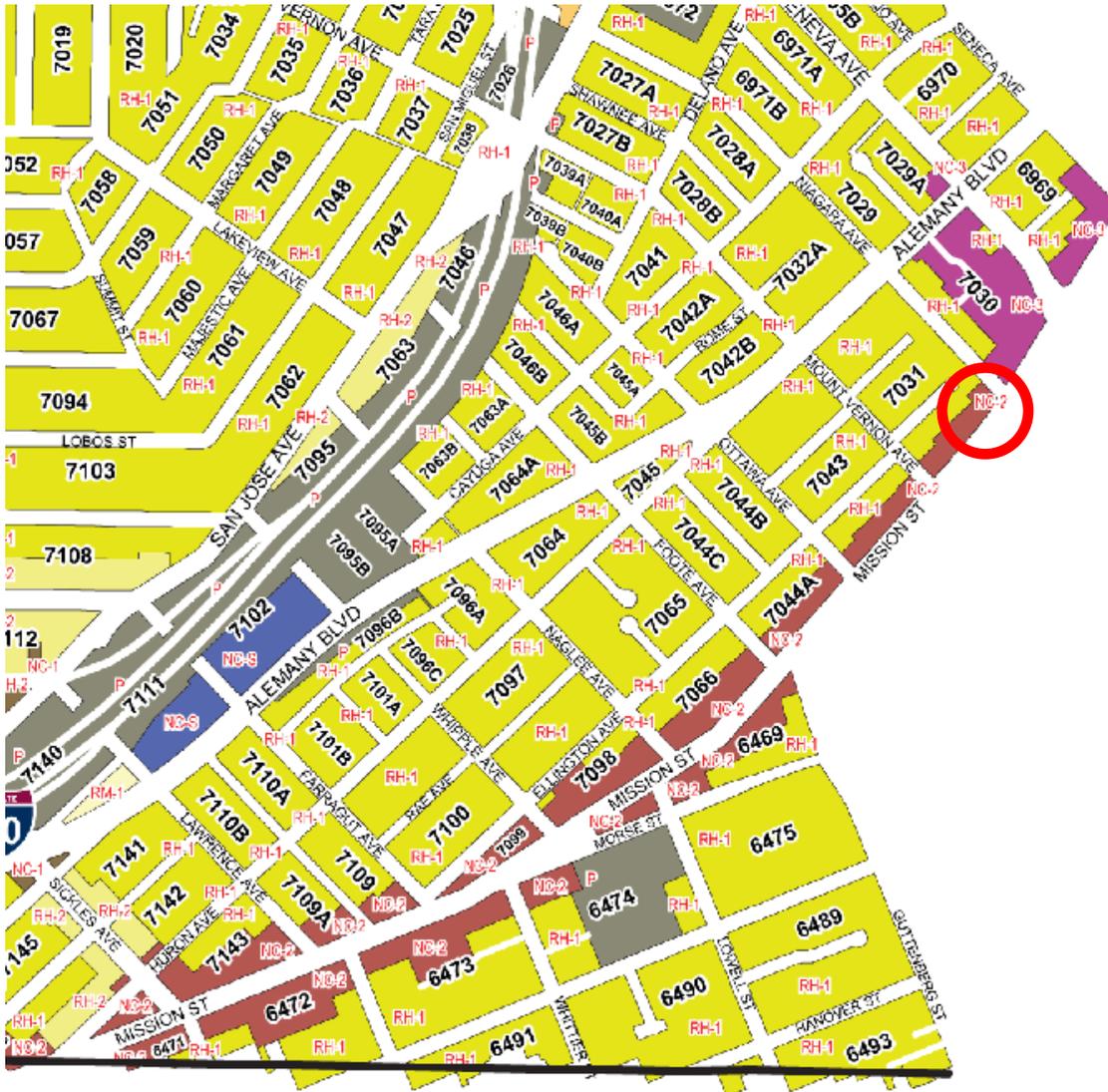


*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Mandatory Discretionary Review Hearing
Case Number 2010.0468DD
Medical Cannabis Dispensary
5234 Mission Street

Zoning Map



Mandatory Discretionary Review Hearing
Case Number 2010.0468DD
Medical Cannabis Dispensary
5234 Mission Street

Aerial Photo 1



SUBJECT PROPERTY



Aerial Photo 2



SUBJECT PROPERTY



Mandatory Discretionary Review Hearing
Case Number 2010.0468DD
Medical Cannabis Dispensary
5234 Mission Street

Aerial Photo 3



SUBJECT PROPERTY



Mandatory Discretionary Review Hearing
Case Number 2010.0468DD
Medical Cannabis Dispensary
5234 Mission Street

Aerial Photo 4



SUBJECT PROPERTY



Mandatory Discretionary Review Hearing
Case Number 2010.0468DD
Medical Cannabis Dispensary
5234 Mission Street

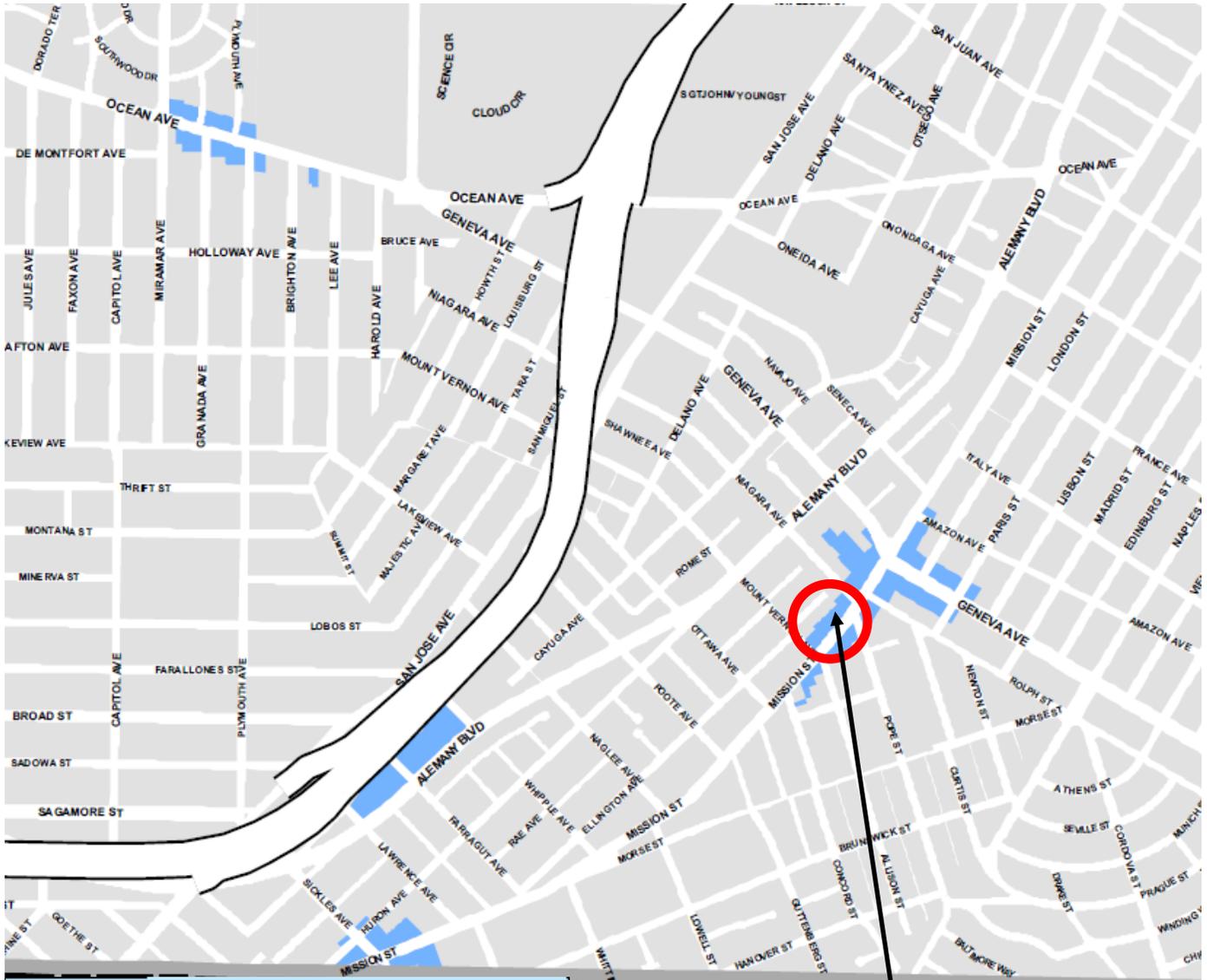
Site Photo from the front



SUBJECT PROPERTY

Mandatory Discretionary Review Hearing
Case Number 2010.0468DD
Medical Cannabis Dispensary
5234 Mission Street

Map of Potential Eligible Locations for MCDs



NOTES

This map should be used as an initial guide for investigating possible Medical Cannabis Dispensary (MCD) locations. It is not intended to supersede or be used in-lieu of applicable requirements found in the Planning Code.

This map indicates areas which are (1) zoned to allow new MCD's and (2) not located within 1,000' of a school.

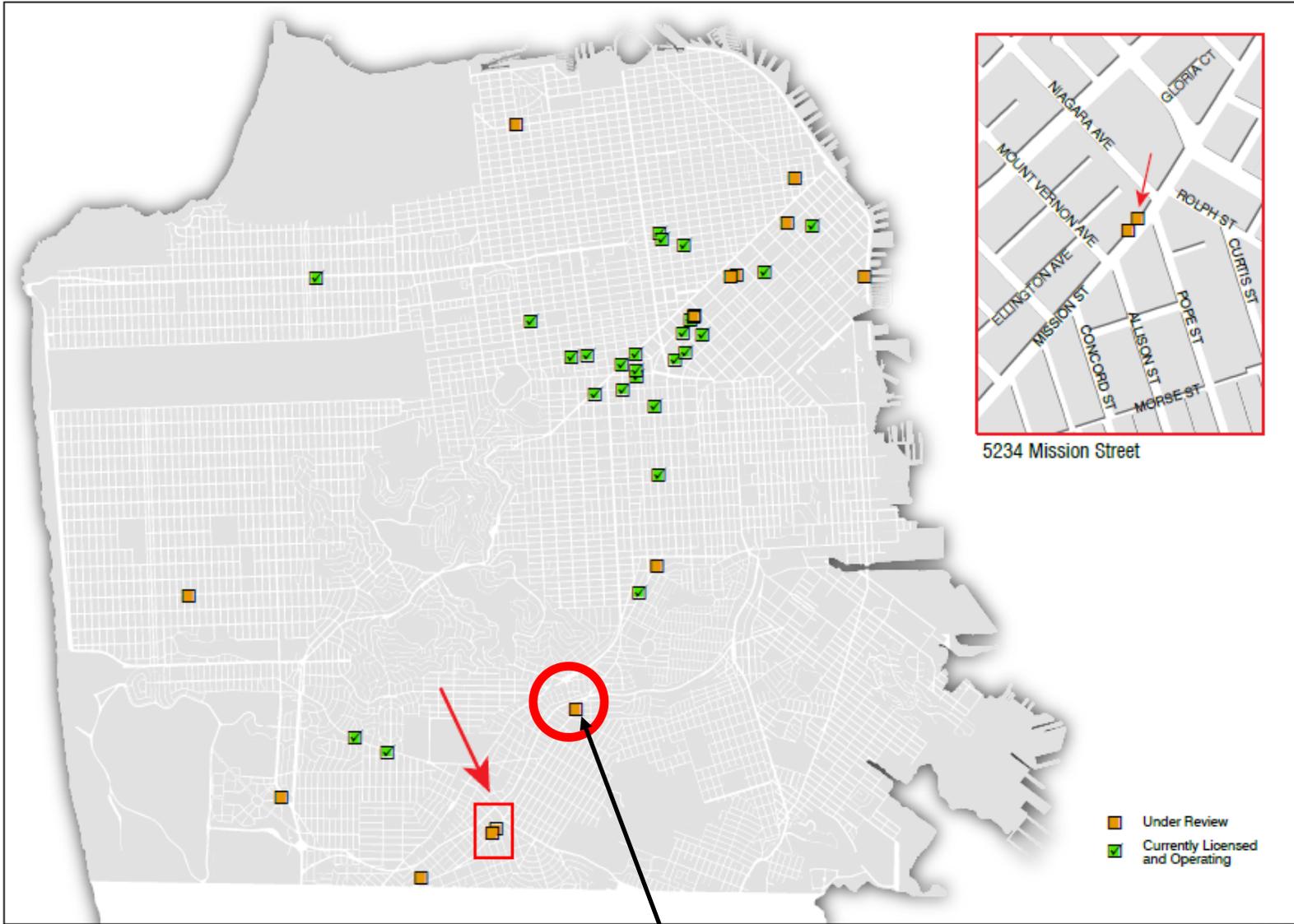
This map does not indicate uses which further restrict MCD locations including: (1) community facilities, (2) recreation buildings and (3) substance abuse treatment centers.

This map is based on the best information available at the time of publication. The City and County of San Francisco (CCSF) does not guarantee the accuracy, adequacy, completeness, or usefulness of any information. CCSF provides this information on an "as is" basis without warranty of any kind, including but not limited to warranties of merchantability or fitness for a particular purpose, and assumes no responsibility for anyone's use of the information.

**SUBJECT
PROPERTY**

Mandatory Discretionary Review Hearing
Case Number 2010.0468DD
 Medical Cannabis Dispensary
 5234 Mission Street

Map of Licensed and Pending MCDs

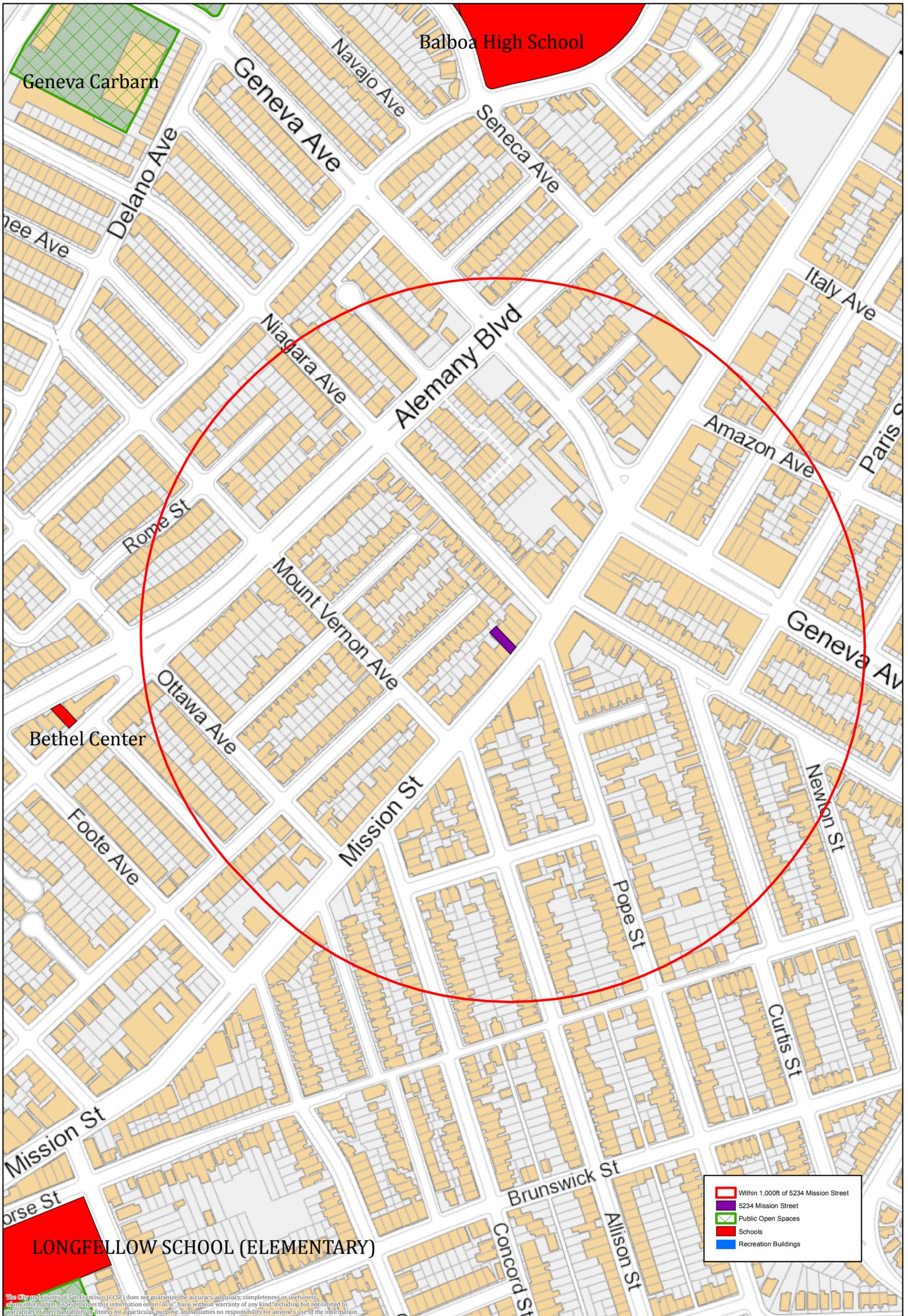


MEDICAL CANNABIS DISPENSARIES
November 2011

4218 Mission Street

Mandatory Discretionary Review Hearing
Case Number 2010.0468DD
Medical Cannabis Dispensary
5234 Mission Street

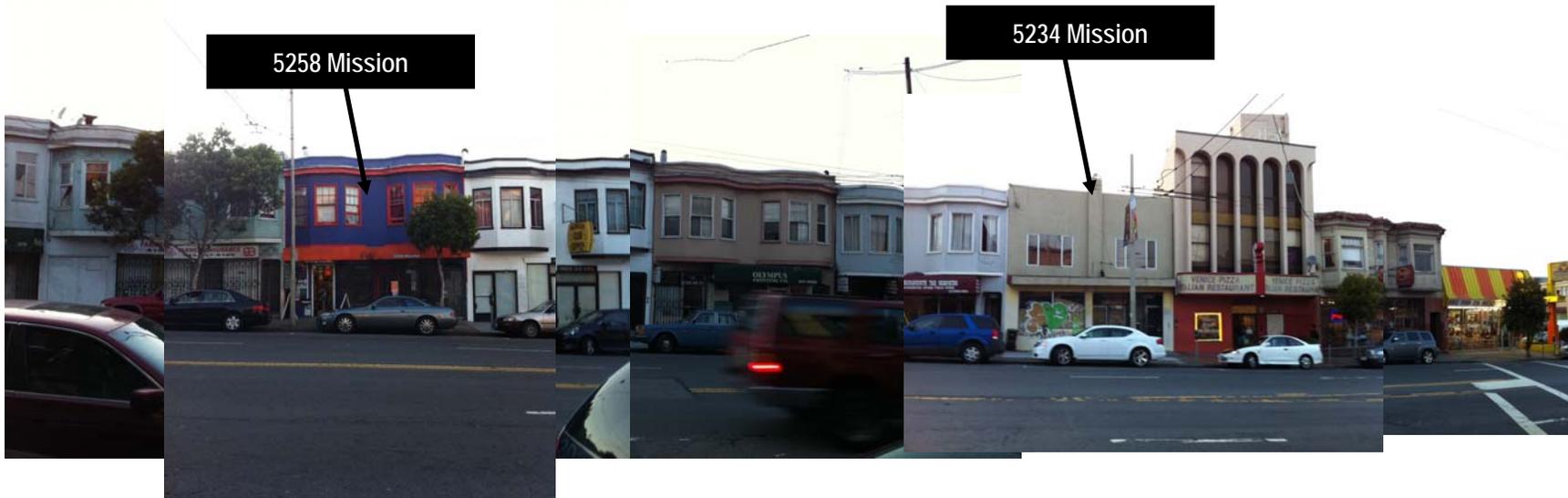
Proposed Medical Cannabis Dispensary
Parcel 7031/002C - 5234 Mission Street dba "Tree-Med"



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0 500 1,000 Feet

5200 Block of Mission (West side)



2010.04680



PLANNING DEPARTMENT

City and County of San Francisco 1660 Mission Street, Suite 500 San Francisco, CA 94103-2414

(415) 558-6378 PLANNING COMMISSION ADMINISTRATION CURRENT PLANNING/ZONING LONG RANGE PLANNING
 FAX: 558-6409 FAX: 558-6426 FAX: 558-6409 FAX: 558-6426

PLANNING DEPARTMENT APPLICATION TO OPERATE A MEDICAL CANNABIS DISPENSARY

THESE MATERIALS REQUIRED IN ADDITION TO DPH APPLICATION

APPLICATION INSTRUCTIONS

All applications must be filed in person by the owner of the property or authorized agent of the owner at 1660 Mission Street. We are located between Duboce and South Van Ness Avenues and are open during regular weekday business hours. Upon arrival at our building, proceed first to the Department of Building Inspection's Commercial Plancheck Division on the 2nd floor. You will present your plans and Building Permit Application form for preliminary review and routing instructions. You will then be directed to the Planning Information Counter (PIC) on the 1st floor. Do not visit the PIC until directed to do so by DBI staff. After reviewing your application with Planning Staff at the PIC, you will be directed to other stations including the Central Permit Bureau (CPB) where a fee and all remaining application materials will be collected. You can expect to be contacted by phone or mail by your assigned Staff Planner in two to six weeks.

APPLICATION CHECKLIST

Please every page of this application along with all required materials identified below. While no appointment is necessary to file your application, we recommend that you allow several hours to complete the filing process. Please either (a) complete all forms in neat, legible handwriting or (b) attach printed pages providing all required information.

| | CHECK WHEN COMPLETE | REQUIREMENT | DESCRIPTION |
|---|--|---|--|
| STEP ONE Visit DBI Commercial Plancheck on the 2 nd floor for preliminary review and routing instructions. Retain all materials. | A | DBI Building Permit Application Form 3 | This document (a pink, legal-sized form) must indicate the proposed Medical Cannabis Dispensary use along with all physical improvements to the property. Should significant construction activities be proposed, DBI may require additional information. We strongly recommend that you contact DBI in advance of your filing to verify requirements, including accessibility and ventilation requirements. Please note that only original copies of this form will be accepted. Forms are available only on the ground level of our building at 1660 Mission Street. |
| | B | Architectural Drawings | Provide TWO sets of professionally drawn, full-size architectural plans which demonstrate your compliance with all relevant Planning and Building Code provisions. |
| | C | Letter of Authorization | If the applicant is the authorized agent of the property owner, rather than the owner, a letter signed by the owner and creating or acknowledging that agency must be attached. If the applicant is the owner of the property, you may disregard this requirement. |
| STEP TWO Visit the Planning Department Information Counter on the 1 st Floor for preliminary review. Retain all materials. | D | Planning Department Application Form | This form must be completed in full and signed by the applicant. |
| | E | Photographs | Color photographs mounted on 8.5"x11" paper which depict the subject block face and opposite block face. Applicants often choose to submit digital panoramic photos printed on desktop color printers. |
| | F | Notification Materials [discussed in greater detail on opposite side] | map list labels |
| STEP THREE While at the Planning Counter, submit these materials and obtain a receipt. | G | Photocopy of DPH filing receipt | Before lodging your Supplemental Planning Department Application Form, you must provide evidence of the successful lodging of your primary DPH application. |
| | H | CEQA Review Materials | Under state law, all applications must be checked for compliance with the California Environmental Quality Act (CEQA). An application for CEQA review must be completed in full and is available under the "Applications" section of our web page at www.sfgov.org/planning . Please note that for MCD applications, additional plans or photos are NOT required. Planning Department CEQA review fee [\$65 payable by check only] |
| STEP FOUR Additional review requirement: | Depending on the nature of your application, you may be required to visit other City Agencies, such as the Fire Department or the Department of Public Works (DPW) at this point. This will be established as part of the application's routing in STEP ONE. | | |
| STEP FIVE Visit the Central Permit Bureau (CPB) on the 1 st Floor. | I | Building Permit Application Fee | This fee is based on the total cost of construction and is payable by check or credit card. Once the required fee is paid, all application materials will be accepted by CPB, concluding the filing process. |

ADDITIONAL INFORMATION ON NEIGHBORHOOD NOTIFICATION

The Act requires that all properties within 300' of the subject property receive notice of your intent to open an MCD. This involves a mailed notice as well as a notice posted on the subject property. Accordingly, the Department requires a map, list, and labels of all property occupants within 300' of the parcel containing the proposed MCD. Applicants oftentimes choose to have a third party prepare notification materials on their behalf. A list of businesses who have identified themselves to the Planning Department as offering these services appears below. [Please note that, should you wish to use one of these services, we recommend that you advise the business that the requested materials are for a Medical Cannabis Dispensary application. The notification materials required for this application are unique to MCD's. Some service providers may not be familiar with these requirements.]

| | |
|---|--|
| Build CADD | 3515 Santiago St., SF CA 94116, (415) 759-8710 |
| Carol Cosseboom, Maps & Mailings | 584 Castro St. #840, SF CA 94114, (415) 391-9900 |
| Radius Services | 445 Grant Ave. #400, SF CA 94108, (415) 391-4775 |
| Gerard Gibbons, Architectural Drafting | 2268 15 th St., SF CA 94114 (415) 255-6388 |
| Notice This | (800) 677-0694, www.noticethis.com |
| Small Buildings | (415) 285-8826 |
| Harvey Wong & Associates Architecture and Planning | 543 38 th Ave., SF CA 94121 (415) 752-5847 |
| Jerry Brown Designs | 2596 Post St., SF CA 94115, (415) 210.0355, jbdsgn@aol.com |

Please be aware that you are not required to use one of the above services; should you choose to prepare these materials yourself note that Assessor's Block and Lot information is available at the Assessor's Office, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 190.

As part of the application process, you or your agent must provide the Planning Department with the following:

1. NOTIFICATION MAP

This map shall be drawn at 1" = 50 scale and show:

- a) Street names and property addresses
- b) Assessor's Block and Lot numbers
- c) Number of dwelling units per lot
- d) Number of commercial tenants per lot
- e) Any vacant lots labeled with a "V"
- f) Any condominiums with all Lot Numbers included

2. NOTIFICATION LIST

Prepare a list of all properties within the notification area described above. For each property, list the Assessor's Block and Lot Number. Note that some lots may have multiple tenants. One can often identify the number of dwellings or businesses on a lot from (a) the property owner or building manager or (b) by counting mail-boxes, doorbells, or business signs. Use addresses shown on the door, mailbox, or doorbell and include any letter suffixes (123a) or fractions (249½). Be sure to include an entry for yourself and anyone else you wish notified.

3. NOTIFICATION LABELS

Submit self-adhesive mailing labels with the information described above. Use one label per address. Place the word 'occupant' on the first line of each label.

TYPE OF APPLICATION [CHECK ONE]

| | |
|-------------------------------------|---|
| <input type="checkbox"/> | 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.] |
| <input checked="" type="checkbox"/> | NEW MEDICAL CANNABIS DISPENSARY 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 | 5234 MISSION ST. | |
| Zip Code | 94112 | |
| Cross Streets | NIAGARA & MT. VERNON AVES | |
| Assessor's Information | BLOCK: 7031 | LOT: 002C |
| Zoning District | NC-2 Neighborhood Commercial - small | |

APPLICANT INFORMATION

| | |
|---------------------------------|---|
| Name (must be an individual) | EVA G. YAKUBOV |
| Daytime Telephone | 415-845-2227 |
| Mailing Address | 534 15 TH AVE., SF, CA 94118 |

PROPERTY OWNER'S INFORMATION

| | |
|-------------------|--------------------------------|
| Name | INNA YAKUBOVA |
| Daytime Telephone | 415-407-5455 |
| Mailing Address | 5525 GEARY BLVD., SF, CA 94121 |

DISPENSARY INFORMATION

| | |
|--|----------------|
| Present or Previous Use | LIGHTING STORE |
| Proposed Business Name (if known) | TEEMED |
| Gross square footage | 1645 |
| Square footage of establishment accessible to patrons | 450 |
| Linear feet of street frontage | 22' |
| Level on which dispensary is located (e.g. ground, 2 nd story) | GROUND |
| Number of on-site parking spaces available for exclusive use of MCD employees and patrons | ZERO |
| Number of off-site parking spaces available for exclusive use of MCD employees and patrons | ZERO |

DISPENSARY SERVICES

| | |
|--|--|
| <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | <p>ON-SITE SMOKING 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.</p> |
| <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | <p>CANNABIS FOODSTUFFS Will you offer medical cannabis in the form of food or drink? Note that additional permits will be required from the Department of Public Health.</p> |
| <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | <p>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 ¼ of the total floor area of the dispensary for such use. If yes, indicate proposed square footage devoted to growing activities: _____</p> |

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.

TREE-MED dispensary will be fully wheelchair accessible per Calif. Bldg. Code Chapt. 11 B; Title 24 Calif. Code of Regulations. Dispensary will be at ground level. Entrance door is wide and there will be unobstructed path of travel to open lobby area, counter and restroom. Restroom will be fully wheelchair accessible; all fixtures, counter/sink height and dimensions, grab-bars and space to maneuver per CBC and recommendations of Mayor's Office on Disability. Wheelchair access to dispensary staff areas behind counter will also comply with CBC, Title 24 and Mayor's Office on Disability requirements. Please refer to plans and drawings submitted with this application.

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.

| | |
|----|---|
| 1. | <p>That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;</p> <p>The site is currently vacant and no existing neighborhood-serving retail use will be displaced by the dispensary. The dispensary will be available to and serve qualified patients who join the MCD collective, many of whom will reside within the neighborhood. Employment opportunities at the dispensary will also be available to neighborhood residents.</p> |
| 2. | <p>That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;</p> <p>No changes to building envelope are requested or anticipated, and there will be no loss of existing housing or change in neighborhood character. The dispensary will accept qualified patients as members and make employment opportunities and vendor selection without regard to race, religion, ethnicity, sexual orientation or any other improper basis.</p> |
| 3. | <p>That the City's supply of affordable housing be preserved and enhanced;</p> <p>The dispensary will have zero negative impact on the City's supply of affordable housing.</p> |
| 4. | <p>That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;</p> <p>The dispensary intends to apply to DPT/MTA for one vehicle green zone parking space in front of the location. In addition, patient contracts and rules of the dispensary will prohibit double parking and passenger offloading/pickup in the traffic lane. Professional security guard and dispensary staff instructed to remind patients, and sign</p> |
| 5. | <p>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;</p> <p>The dispensary will not displace any industrial or service use, and is not an office development. Residents will be given no less opportunity for employment at the dispensary, and absent significant differences in qualifications costs and quality, employment and purchasing decisions by the dispensary will favor local employees and vendors.</p> |
| 6. | <p>That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;</p> <p>All tenant improvements will meet or exceed CBC and SFBC seismic standards. The dispensary will encourage all employees to participate in NERT training and will accommodate work schedules for NERT training classes.</p> |

| | |
|----|--|
| 7. | <p>That landmarks and historic buildings be preserved; and</p> <p>The dispensary will have zero negative impact on the preservation of landmarks and historic buildings. There will be no building demolition or change in building envelope.</p> |
| 8. | <p>That our parks and open space and their access to sunlight and vistas be protected from development.</p> <p>There will be zero negative impact on parks, open space, sunlight or vistas.</p> |

DECLARATION OF RELEVANT PROXIMITIES

Under penalty of perjury the following declarations are made:

| | |
|--------------------------------------|--|
| <p><u>E.Y</u> (initial here)</p> | <p>PROXIMITY TO SCHOOLS 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.</p> |
| <p><u>E.Y</u> (initial here)</p> | <p>PROXIMITY TO RECREATION BUILDINGS 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.</p> |
| <p><u>E.Y</u> (initial here)</p> | <p>PROXIMITY TO SUBSTANCE ABUSE TREATMENT FACILITIES 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.</p> |

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.

Tree-Med's proposed medical Cannabis dispensary is an appropriate land use for the location. MCDs are a permitted principal use within the neighborhood Commercial (NC-2) zone where Tree-Med proposes to operate (subject to discretionary review by the Planning Commission). There are no dispensaries in the immediate neighborhood serving the needs of medical cannabis patients living or working in the neighborhood. The location is vacant, and allowing the MCD use will create jobs, bring economic activity, business tax, sales tax and other revenue to the City, and lower the number of vacant commercial buildings in the area that contribute to urban blight. The Management of Tree-Med is committed to improving the appearance of the location, keeping the sidewalk area clean and free of litter, caring for street trees and enhancing public safety by hiring security to monitor activities outside and inside the MCD.

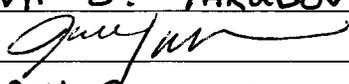
Tree-Med's president, Eva Yakubov, and it's design professional have personally canvassed the neighborhood to talk with the neighbors about the proposed MCD. Outreach efforts are on-going, and include further canvassing of the neighborhood, an open-house, letters, presentations to merchant groups, a request to meet with the SFPD district station captain and attend the District Sta. Community Forum meeting to answer questions about the proposed MCD). Based upon outreach efforts to date, the neighbors support the project, and only one person expressed concerns about possible loitering and smoking marijuana in front of his business. Tree-Med will not allow smoking on-site or in front of the location. This prohibition is included in our patient contracts and will be strictly enforced. Any patient violating this rule will be expelled, and the rules will be posted. Loitering is similarly prohibited, and the security guard and other staff will enforce the no-smoking and no-loitering rules.

The Applicant will supplement this statement as more information and additional feedback is received as a result of continued outreach efforts.

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] | <input checked="" type="checkbox"/> AUTHORIZED AGENT <input type="checkbox"/> OWNER |
| Printed Full Name | EVA G. YAKUBOV |
| Signed |  |
| Dated | MARCH 31, 2010 |

TreeMed Business Plan

The Company

TreeMed is a peer counseling and Medical Cannabis Dispensary (MCD) collective providing peer counseling and medicinal cannabis to qualified patients who hold a current Patient Identification Card from bonafide medical doctor. The business is a Mutual Benefit Not for Profit Corporation.

TreeMed plans to operate as a Compassionate Care Facility MCD, providing peer counseling and social services. The use of cannabis medicine is rooted in very physically and mentally ill patients whose only relief comes from cannabis. Our facility aims to further bring aid and relief to our patients by providing peer counseling and educating our patients on the many social services that are available to them.

California State Law - Proposition 215 has backed the use of cannabis for medical purposes. With the recent political change in Washington, the conflict between the State and Federal laws has diminished substantially. District 5 Supervisor in San Francisco, Ross Mirkarimi just proposed legislation for San Francisco City Clinics to be the first in the Nation to sell medicinal cannabis and on February 23, 2009 - S.F. Assemblyman Tom Ammiano proposed Bill #390 for Marijuana Control, Regulation and Education.

The goal of TreeMed is to provide a mainstream dispensary for medicinal cannabis at a convenient location in San Francisco's South Western Districts. Currently, Patients must travel to the Oceanview or Richmond Districts to fill their prescriptions, but with most patients suffering severe physical and mental illnesses, this becomes very difficult. The Citizens of San Francisco need a local source for Compassionate Relief. With these serious issues pending, a new approach should be taken to insure that the retail sale of medicinal cannabis is done in a safe and secure manner.

The directors of TreeMed have extensive business experience and are well qualified to plan, open and securely maintain a business of this type that can meet the needs of their patient members, while addressing the concerns of the local community. As civic minded citizens and long standing members of the community, the Business directors and management are committed to working with Local and County offices in meeting all legal requirements for operating this business. In addition, a close working relationship will be developed with local police to insure security through the use of effective security systems.

This business endeavor is health related, green for the environment, organic and natural, and stimulates the local economy so much that jobs are created and taxes are generated. According to leading medicinal cannabis think tank Cal NORML and America for Safe Access (ASA), this is a positive situation for the Community, Customers, Economy and Environment.

Vision and Mission Statement

- To assist Patients who require a local source for filling their prescriptions for medicinal cannabis in a compassionate and humane manner according to California State Guidelines SB420
- To provide value add services such as Peer Counseling, and Social Service Education.
- To cooperate with Law Enforcement (Police, Sheriff, Patrol Special Police), Legislation (City Council, Planning Dept., Health Dept.) and the Community (Outer Mission Merchants and Residents Association) in order to reduce Crime, Generate Community Support, Create Jobs, Pay Taxes, and Help Patients who are suffering and are in Pain.
- To maintain a Collective-Dispensary that is located in a safe and convenient location that will be a safe, clean, welcoming, and well-lighted environment staffed by professionals that will treat members in a respectable professional manner.

TreeMed Business Plan

Objectives

Before considering the opening of a Medical Cannabis Collective-Dispensary, research was conducted by interviewing Owners and Operators of dispensaries in San Francisco, Oakland and Santa Cruz. Licensed growers were also contacted and identified as sources for obtaining medicinal cannabis for compassionate relief. The following is a list of our objectives:

1. Develop Business Plan.
2. Identify problems and issues that have caused conflicts between other Medical Cannabis providers, law enforcement and the communities they served in order to insure that that they are not repeated in San Francisco
3. Research local zoning, permit and licensing processes.
4. Identify and resolve legal requirement and local issues.
5. Complete business registration process.
6. Obtain required licenses and resale licenses from the Franchise Tax Board.
7. Identify, design and record business name and logo.
8. Determine logical locations for the Medical Cannabis Collective-Dispensary.
9. Identify resources for obtaining appropriate display cases, security systems, and retail transactions recording, accounting systems, insurance providers and general furnishings.
12. Identify and register name for Medical Cannabis Collective-Dispensary website.
13. Determine and plan for an appropriate advertising campaign.
14. Develop employee policy and procedure handbook.
15. Develop Approved Customer Doctor Recommendation verification process.
16. Obtain approval from Health and Safety as well as Fire and Police as required.
17. Purchase/obtain retail fixtures and furnishing.
18. Install security systems.
19. Outfit Medical Cannabis Collective-Dispensary for opening.
20. Recruit, identify and train employees
21. Initiate and develop process for identifying and notifying Patients of the availability of a local resource of Medical Cannabis.
22. Implement marketing campaign for maintaining Community support.
23. Complete required inspections for Medical Cannabis -Dispensary opening.
24. Confirm a grand opening date.
25. Obtain inventory.
26. Community Outreach
27. Complete dry run before opening.
28. Open Dispensary.

Ownership

Eva Yakubov will be the managing director with an active participation in the planning, opening and operation of TreeMed to establish Security and Legal Provisions and safe and secure.

Location and Facilities

Given the unique nature of a Medical Cannabis Collective-Dispensary, cooperation with the San Francisco Planning Department is required, moreover; TreeMed has been in constant contact with case workers, community leaders, and legal counsel.

Facility

The directors of TreeMed are also **Owner and Operators** of the building. This is an important fact because it insures that the directors have a vested interest in not only keeping the area safe, but also up-keeping and appearance of the building. Without ownership, most lessees would not have prioritized maintaining a professional appearance of the building and good relationships with the community.

Upon approval, TreeMed will be working with architects and designers to ensure that our building exterior and facility will have a safe, inviting and professional atmosphere. Moreover, we want to ensure our patients that they can feel safe within our facility, by having a waiting area where they can consult staff and discuss their medicine. Our 2000 square foot facility will have a waiting area large enough to stage multiple patients that will keep members safe and prevent patients waiting or loitering outside. Our security plan ensures that there is constant clearing of our entrance and areas around the facility.

TreeMed Business Plan

Community Support

To also show our commitment to the community, TreeMed plans to lead, and financially support, graffiti removal in our neighborhood. We believe beautification of our local business area and removal of gang sign graffiti will add safety, add comfort to our local residents and businesses, and uplift our community. We are committed to contribute and participate in ongoing neighborhood beautification projects, community greening projects, and community arts projects.

Security

To increase safety within our community we have implemented a number of safety policies.

Prevent Resale

TreeMed wants to prevent resale of medicinal cannabis to non-qualified patients by tracking the frequency and purchase amounts of the medicine by members. Any purchases that are out of normal will be investigated, identified and restricted.

Security Plan

The purpose of our security plan is to ensure TreeMed provides a safe and secure environment in which to do business for our clients and our community. It's our goal to be a good neighbor and responsible a business.

Security Monitoring

TreeMed shall have 20 or more security cameras located within the premises to monitor business activities, and four or more cameras located outside monitoring the front of the property and the adjacent buildings. A secured location will be provided to house the video equipment and all video recordings will be saved for a minimum of 2 weeks.

Lighting

Adequate lighting shall be provided to ensure that the front of the business is well illuminated and visible during business hours. Lighting inside of the business will also be adequate enough to illuminate the interior.

Security Personal

TreeMed shall hire a minimum of one unarmed security personal to provide protection of the employees, clients, and property during normal business hours with the security personal positioned near the main entrance. The security personal shall be contracted from a licensed and insured security company that will ensure the security personal are properly trained and certified in accordance with California's Department of Consumer Affairs Bureau of Security and Investigative services.

San Francisco Patrol Special

For added security, a San Francisco Patrol Special officer shall be hired to provide extra security of the property and the community.

Emergency Exits

Each exit will be clearly marked and visible with the words "EXIT" for emergency purposes and accessible and unlocked during normal business hours.

Emergency Procedures

In the event that the establishment shall be evacuated for safety reasons than an employee or the security personal, if safety permits, shall direct personal to the nearest emergency exit and verify that the establishment has been cleared. Also, In case of any emergency staff will call "911."

Alarm System

TreeMed shall install an alarm system to protect the property during non-business hours which will be monitored by a private alarm company. During business hours the front door shall remain locked from outside access and alarmed but accessible for access from the inside in case of an emergency.

TreeMed Business Plan

Management and Staffing

Management Team

The number of managers and staff will increase as needed. The business Directors will be active participants in the overall management of the business. TreeMed onsite management may be done by a Director or by hired staff that has successfully completed background and other checks as may be required by law.

Staffing

In addition to on site management, at least four full-time staff will be needed to maintain the TreeMed's Medical Cannabis Collective-Dispensary during hours of operation: (1) Security, (1) Medical Identification Verifier, and (2) Retail counter salespersons. TreeMed Medical management may be done by Director or by hired staff that have successfully passed background checks and other checks as may be required by law.

Employees will be educated to follow policies and procedures in dealing with the Patients and California D State and San Francisco law. TreeMed will implement policies and procedures for Employees as well as Patients.

Creating Local Jobs

TreeMed will hire Local Residents after background checks are completed and approved. All Local, State and Federal Laws regarding Employees and Employment will be adhered to in the strictest regard. Payroll Taxes will be paid quarterly as required by Law. Unemployment Insurance will be obtained as required and needed as well.

Products and Services

Description of Products and Services

TreeMed will provide medicinal cannabis for legal use by Patients holding a valid and verified Doctor's Recommendation and/or California Patient ID Card. Medicinal cannabis products come in a variety of forms, but sold mostly in its natural raw form. TreeMed has consulted with medical cannabis doctors, conducted proprietary research, and reviewed lab testing to not only identify specific cannabis strains and their effects for treatment on various conditions, but also provide the safest medicinal cannabis to our patients

Peer Counseling will be available onsite and by appointment only on a complimentary basis. Educational resources may be provided for health care providers, qualified patients, and the community.

Through educational outreach to local Medical Doctors, it is hoped that Doctors will understand the benefits of medicinal cannabis for Patients, and be assured that there is a safe, reliable, local source where their Patients can fill their prescriptions.

TreeMed also has a broader responsibility to their patients –to discourage drug abuse. TreeMed would provide additional information and counseling to identify signs of potential abuse. In addition, financial and other support will be made by TreeMed to the local community to support programs that provide help and assistance to those seeking to overcome substance abuse.

Key Features of Products and Services

There are currently no other sources within the South Western District of San Francisco for Patients to safely and securely fill their prescription for medicinal cannabis. As experienced business people, the Directors of TreeMed wish to provide relief for patients, while maintaining the same high standards of retail distribution as might be expected of a bakery or high end retail store. With the availability of a local dispensary, Patients will no longer have to drive long distances to fill their needs for medicinal cannabis prescriptions, or look for peer counseling. It is hoped that the professionalism and welcoming environment of the dispensary will provide an additional reason why Patients and the community will want to support a more convenient location.

TreeMed Business Plan

Future Products and Services

When it becomes legally permissible, items that aide in the preparation or consumption of Medicinal cannabis may be provided. To maintain the upscale professional climate of the business, items typically available at "smoke shops" that are designed to appeal to the drug culture will **NOT BE PROVIDED.** Providing other alternative health care products that are scientifically sound and offer benefits to customers may be considered. Herbal remedies and other non-invasive products may be offered.

Under consideration are holding seminars and clinics to discuss alternative treatments and therapies, conducted in cooperation with other health care providers including Medical Doctors, Chiropractors, and Acupuncturists.

As the technology advances, we are also investigating plans to develop a testing facility on our premises for medicinal cannabis. We believe this is important in order to ensure the safety of our medicine and protect our patients from harmful mold and insects. This plan includes creating a scientific process for the safety of Medicinal cannabis. Because of the health risk of most of our patients, TreeMed wants our members to have the safest product possible. The possible plan requires hiring a lab scientist to scientifically examine that our medicinal cannabis free from mold and insects. This scientific process will allow for safe use of each product, and also protect our members from harm.

Products and Services - Comparative Advantage in Production

TreeMed's goal is to bring and maintain a level of professionalism that will establish a high bar of service and appearance for others to strive for. By establishing a cooperative and mutually beneficial relationship with the community, TreeMed Medical Cannabis Collective Dispensary will be seen as the provider of choice and active member of the community.

MARKET CONSIDERATION

Market Overview

Providing medicinal cannabis to meet patient needs is an emerging market. Though the benefits of medicinal cannabis have been know for centuries, and by the Medical Community, Patients who have a legal as well as legitimate need for obtaining medicinal cannabis find it difficult to find a safe, convenient and respectful location.

The Directors of TreeMed are committed to establishing a model and standard for a medicinal cannabis Collective-Dispensary within the South Western District of San Francisco. By forming strong supportive partnerships with local community and law enforcement agencies, the concerns of all citizens can be considered and incorporated into the planning, implementation and legal compliance for the retail distribution of medicinal cannabis.

Market Research

Visits and interviews have been conducted of other medicinal cannabis providers as well as licensed growers, and there is a legitimate need for a dispensary for medicinal cannabis within South Western District of San Francisco. Given the legal complexities of the business, extensive research of Federal, State and Local laws have been conducted, and are perpetually in process. Legal counsel will be retained to maintain the continuity of the business, and provide sound legal advice relating to appropriate products and services for patients that depend on TreeMed. Forming a cooperative relationship with law enforcement and the community is vital to the success of the business.

It is understood that the local community is concerned regarding the impact a medicinal cannabis dispensary would have upon the community. TreeMed's business goal is to apply the experience and professionalism of the directors and staff to create a business environment that is sensitive to community concerns. Our model of success is based on communication with community government agencies, elected officials, the Outer Mission Merchants and Residents Association, and local residents.

TreeMed Business Plan

Size of the Marketplace

The use of medicinal cannabis was approved by California Voters and is used by a number of Patients with serious and life threatening illnesses. To our knowledge, the total number of Doctor Recommendation and Referrals that have been written for medicinal cannabis within South Western District of San Francisco and the Bay Area have not been tracked. Our goal is to be the first long term successful dispensary providing medicinal cannabis within South Western District of San Francisco.

Key Market Trends

Much of this information has been included in previous sections. It should be noted that TreeMed will also host a website that will provide visitors with information concerning the use and benefits of medicinal cannabis. The website will be focused on providing news, information, and educational information that will be useful for TreeMed's Clients as well as community resources. Sections will also provide news, information and resources that will be especially useful to Medical providers who may recommend medicinal cannabis to their Patients.

Brendan V. Hallinan

Attorney at Law



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September 12, 2011

Mr. Adrian Putra
San Francisco Planning Dept.
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Tree Med MCD, 5234 Mission Street San Francisco

Mr. Putra,

Please be advised that Tree Med MCD will not be providing any substance abuse counseling at 5234 Mission Street as stated on page 4 of our draft business plan.

Sincerely,

A handwritten signature in black ink that reads "Brendan Hallinan". The signature is written in a cursive, flowing style.

Brendan V. Hallinan

Tree Med Mission Street

Hours of Operation: 10am - 7pm Monday through Sunday (Everyday)

The applicant does not own or operate other MCDs outside of San Francisco

Delivery would be limited to special circumstances wherein a member patient cannot travel to the MCD due to their health condition, and does not have a primary caregiver to provide them their medicine. Otherwise no delivery planned.

Experience and Qualification as an MCD operator is summarized in the attached bio.

Types of MCD products offered include Cannabis, Edibles, and 3rd party licensed counseling services.

Security and Lighting plan includes illumination and cameras positioned in the front of the building. Camera system inside the MCD, patrol special officer, and trained door security. Tree Med is working with an MCD security consultant (Nate Bradley, Executive Director of Law Men Protecting Patients/Prop.215Cop) on the implementation of the security plan and the training of staff.

Honorable Supervisors, Planning Commissioners, and San Francisco County Officials:

Thank you for your time and allowing me to introduce myself. My name is Inna Yakubov, and I have been a resident of and local business owner in San Francisco for over 20 years. Like many residents of San Francisco, I am also an immigrant and have made San Francisco my home. When I first arrived in the U.S., I received a heartfelt welcome by the residents of San Francisco's Richmond District. I knew then to make the Richmond District my home. As a local community leader and business women, I have helped in the growth and the development of San Francisco for 20 years.

Living in and raising my children and grandchildren in San Francisco, I have embraced the value of diversity and opportunity. Our primary business for 20 years has been a full service travel agency, bus charters and tours. My current, and former offices, were always staffed with people from different backgrounds and cultures, such as Chinese, Spanish, and Filipino. At different points in time, I had multiple offices in the City, which were all staffed by local residents, and created jobs in our city.

Because San Francisco is where I live and work, my company believes in a clean and safe environment. My company is committed to lowering its carbon footprint by investing in new energy efficient buses each year. This not only increased our customer satisfaction, but also equipped our company with the most eco-friendly fleet of passenger buses.

As a resident, business owner, and active community member in San Francisco, I am humbly seeking your permission and approval to diversify my current business. I have submitted applications and forms to open a Medicinal Cannabis Dispensary in San Francisco. As a long time local business owner, I believe I am the most qualified to effectively manage and operate this business, which will be safe for our patients and our neighborhoods. As a business woman, I know how to effectively work with local government, agencies, and communities to do business in our city. Our current business pays \$120,000 annually in payroll taxes.

As a long time local resident, I believe I understand the needs of our community and the need for safety in our neighborhoods. I believe there are many underserved patients in the community who need relief. They suffer from various conditions such as arthritis, cancer, and other serious conditions where other medical treatments have not been effective.

As a local resident, business owner, and tax payer, who has San Francisco and its communities as a priority, I humbly request that the Honorable Supervisors, Planning Commissioners, and San Francisco County Officials favorably review and approve our application to open a Medicinal Cannabis Dispensary in San Francisco.

Tree Med Collective
5234 Mission Street
San Francisco, CA

San Francisco Planning Commission Hearing
Scheduled for November 17, 2011

Intake Process for New Patients- Only individuals with a valid Personal Identification card, proof of California residency, and a valid verifiable written Physician Recommendation for the use of medical cannabis or a valid MPP County issued State Card can join the Tree Med Collective. When a new patient enters Tree Med, they must show the Doorperson a valid identification card and physician recommendation or State MMP card. The patient then enters into the registration/holding area (a completely separate and secure room from the dispensary area, see floor plans for detail) where they are greeted by the Collective registration employee. The patient must then furnish the Tree Med Collective with a valid identification card, proof of California residency, and a verifiable Physician Recommendation for the use of medical cannabis or a County issued State MMP card. The Registration Employee will then attempt to verify the authenticity of the recommendation either by directly telephoning the Physician's office or by using an online verification system. Both the patient and the status of the Physician and the Physicians license must be verified (Physician's license status available through Medical Board of California). If the Physician Recommendation and Physician's license status is verified, Tree Med Collective will provide the patient with a copy of its Collective Membership Form and make a scanned copy of the patient's Recommendation, identification, and executed membership agreement. The patient's name, physician, and Recommendation issuance date and expiration date will be entered into the secure, confidential, and restricted Tree Med Collective member database.

Procedure for Check in and Verification of Members- Current patient-members will check in with the Registration Person upon entering the registration/holding area. Patients must have physical possession of proof of their Physician Recommendation for the use of medical cannabis and a valid State issued identification card. Patient members with expired identifications or expired Physician recommendations will not be allowed to enter the Tree Med Collective until they renew their Recommendation and/or identification.

1. Security Plan

Security Philosophy- The Tree Med Collective is aware that providing effective security is essential to the success of the Dispensary/Collective. To be effective, security must provide for the protection of the patients, its employees, the physical property, and the community surrounding the property. The level, quality, and consistency of the Security provided by the Tree Med Collective will dictate the success of our community relations and patient experience. Tree Med Collective staff and management will consistently take action to ensure that neighboring businesses and the surrounding

community experience an improvement not only to the security and energy of their community but also in the communication and cooperation between neighbors.

Security Consultants- Tree Med Collective has hired a security consultant from Northern California who specializes in Medical Cannabis Dispensary and Collective security. Nate Bradley is a former Sacramento County Sheriff and now operates Prop 215 Law Enforcement Consulting. Mr. Bradley also runs a non-profit organization called Lawmen Protecting Patients. Mr. Bradley has an extensive and unrivaled experience in managing and designing the security of Medical Cannabis Collectives. His security philosophy is to not only protect the facility, but to protect the patients that use the facility and the community in which the facility is located. More information about Mr. Bradley's experience and background is available at www.prop215cop.com & www.lawmenpro.org.

In addition to working with security consultant Nate Bradley, Tree Med Collective is working with the San Francisco Patrol Special to develop an effective patrol schedule for immediate area surrounding the Tree Med Collective facility.

Front and Rear Entrances- The front door will have a secure, locked door with a Door Person monitoring the front of the premises. Patients will show identification prior to being allowed into the registration holding area. The front entrance will be well lit for the Door Person and any public safety officers in the area to be able to see clearly what is happening in the front of and around the Dispensary. A dedicated San Francisco Patrol Special guard will be employed by Tree Med. There is no rear or side entrance to the Dispensary. Employees and Patients must enter and exit only through the front door.

Alarm and Cameras- The premises will be alarmed and there will be a panic button maintained on site by the Manager on duty. Security cameras will be placed in the front facing directly in front of the entrance and onto Mission Street as well as cameras facing both directions (north & south) on Mission Street. Cameras on the street have been shown to strongly deter loitering and criminal behavior. There will be an interior camera placed in the holding area and cameras placed at the dispensing area. Cameras will be run to a screen visible in the Dispensary's office and on a screen visible by the registration employee.

Additions and Modifications- This security plan will be supplemented by the security consultant and Tree Med Collective management based on law enforcement, community, and patient input as well as physical observation and operating protocol that develops when the facility is constructed and begins operations.

2. **Emergency Planning**

Tree Med Collective will have a call tree established listing all workers and emergency contact numbers for each. This tree will also dictate the order or communications and responsibilities for contacting managers, attorneys, public safety

officers, etc. in the case of an emergency. The employees will be instructed to assist patients and to meet at a designated predetermined location.

3. Community Relations Programs

Tree Med Collective is organized as a California Non Profit Corporation and will support community programs related to basic human services such as health, housing, education and poverty reduction and environmental improvement. Tree Med Collective also intends to be very active in community development, both social and economic.

November 8, 2011

Hallinan & Hallinan
Professional Law Corporation
345 Franklin Street
San Francisco CA 94102

RE: Tree Med

Dear Brendan Hallinan,

This letter is to confirm my participation in helping Tree Med obtain a Medical Marijuana Dispensary Permit from the City of San Francisco. Specifically I will be helping the Yakubov Family create, design, and implement an operations plan to run a safe, compliant, and patient friendly dispensary.

I have over 15 years of hands on experience of advising small business owners in all aspects of their business operations. I have extensive knowledge of inventory management, human resources policy, business development, customer retention, community outreach, government relations, cost control, and finance management. My 13 years as a Regional Vice President of a local community bank has given me the opportunity to help thousands of small businesses create successful strategies that have allowed their businesses to flourish and grow. I have over 15 years of non-profit experience during which time I served on the Board of Directors for 6 different non-profit organizations. I have also served as a Council Member appointed commissioner for the Zoning Adjustments Board and Planning Commission for the City of Berkeley.

For the past 2 years I have served as the Community Liaison Director for Americans For Safe Access (ASA). Americans for Safe Access is the largest national member-based organization of patients, medical professionals, scientists and concerned citizens promoting safe and legal access to cannabis for therapeutic use and research. During that time I have visited nearly 1000 medical marijuana dispensaries all across the United States. I have the advantage of witnessing many different models and business practices. I have also served on the Medical Marijuana Commission for the City of Berkeley.

I am looking forward to working closely with the Yakubov family. I plan on using my years of experience in business, medical cannabis dispensary operations, community outreach, and nonprofit work to help Tree Med become a well-respected and valuable member of the San Francisco community.

Sincerely,

Raudel Wilson
President
Redfield Consulting

**Treemed:
Medicinal Cannabis Dispensary
Compassionate Care for Patients**



**Community
Meeting**



6:00PM - 7:00PM

Wednesday, November 9, 2011

Venice Pizza

5228 Mission Street

San Francisco, CA 94112



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. 2010.06.16.4643 (Alteration) with the City and County of San Francisco.

| CONTACT INFORMATION | | PROJECT SITE INFORMATION | |
|---------------------|-------------------------|--------------------------|--------------------------------|
| Applicant: | Inna Yakubov | Project Address: | 5234 Mission Street |
| Address: | 5525 Geary Boulevard | Cross Streets: | Niagara & Mount Vernon Avenues |
| City, State: | San Francisco, CA 94121 | Assessor's Block /Lot #: | 7031/002C |
| Telephone: | 415-407-5455 | Zoning Districts: | NC-2 / 40-X |

Under San Francisco Planning Code Section 312, you, as a property owner or resident within 150 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 | | |
|---|--------------------|---|
| <input type="checkbox"/> DEMOLITION | and/or | <input type="checkbox"/> NEW CONSTRUCTION or <input checked="" type="checkbox"/> ALTERATION |
| <input type="checkbox"/> VERTICAL EXTENSION | | <input checked="" type="checkbox"/> CHANGE OF USE <input type="checkbox"/> FACADE ALTERATION(S) |
| <input type="checkbox"/> HORIZ. EXTENSION (FRONT) | | <input type="checkbox"/> HORIZ. EXTENSION (SIDE) <input type="checkbox"/> HORIZ. EXTENSION (REAR) |
| PROJECT FEATURES | EXISTING CONDITION | PROPOSED CONDITION |
| COMMERCIAL USE TYPE | Vacant Retail..... | Medical Cannabis Dispensary |
| COMMERCIAL SQUARE-FOOTAGE OF USE | ±1,570 | No Change |
| NUMBER OF STORIES | 2 | No Change |
| NUMBER OF DWELLING UNITS | 1 | No Change |
| PROJECT DESCRIPTION | | |

The project is to establish a new Medical Cannabis Dispensary (d.b.a. Tree-Med) at a vacant ground floor commercial storefront located at 5234 Mission Street. This application is subject to a Staff-Initiated Discretionary Review action for establishing a medical cannabis dispensary per Planning Code Section 790.141. Discretionary Review Case No. 2010.0468D will be publicly noticed at a later date under a separate notice. Any interested party with concerns about the project has the opportunity to file a separate Discretionary Review application before the 30-day expiration date noted on this Section 312 notice. Notification for the related Mandatory Discretionary Review case shall be issued at a later date under a separate notice under Case No. 2010.0468D.

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.

PLANNER'S NAME: Adrian C. Putra
 PHONE NUMBER: (415) 575-9079
 EMAIL: adrian.putra@sfgov.org

DATE OF ORIG. NOTICE: 8/31/2011
 EXPIRATION DATE: 9/30/2011

NOTICE OF BUILDING PERMIT APPLICATION GENERAL INFORMATION ABOUT PROCEDURES

Reduced copies of the site plan and elevations (exterior walls) of the proposed project, including the position of any adjacent buildings, exterior dimensions, and finishes, and a graphic reference scale, have been included in this mailing for your information. Please discuss any questions with the project Applicant listed on the reverse. You may wish to discuss the plans with your neighbors and neighborhood association or improvement club, as they may already be aware of the project. Immediate neighbors to the project, in particular, are likely to be familiar with it.

Any general questions concerning this application review process may be answered by the Planning Information Center at 1660 Mission Street, 1st Floor (415/ 558-6377) between 8:00 a.m. - 5:00 p.m. Please phone the Planner listed on the reverse of this sheet with questions specific to this project.

If you determine that the impact on you from this proposed development is significant and you wish to seek to change the proposed project, there are several procedures you may use. We strongly urge that steps 1 and 2 be taken.

1. Seek a meeting with the project sponsor and the architect to get more information, and to explain the project's impact on you and to seek changes in the plans.
2. Call the local Community Board at (415) 920-3820 for assistance in conflict resolution/mediation. They may be helpful in negotiations where parties are in substantial disagreement. On many occasions both sides have agreed to their suggestions and no further action has been necessary.
3. Where you have attempted, through the use of the above steps, or other means, to address potential problems without success, call the assigned project planner whose name and phone number are shown at the lower left corner on the reverse side of this notice, to review your concerns.

If, after exhausting the procedures outlined above, you still believe that exceptional and extraordinary circumstances exist, you have the option to request that the Planning Commission exercise its discretionary powers to review the project. These powers are reserved for use in exceptional and extraordinary circumstances for projects, which generally conflict with the City's General Plan and the Priority Policies of the Planning Code; therefore the Commission exercises its discretion with utmost restraint. This procedure is called Discretionary Review. If you believe the project warrants Discretionary Review by the Planning Commission over the permit application, you must make such request **within 30 days of this notice, prior to the Expiration Date shown on the reverse side**, by completing an application (available at the Planning Department, 1660 Mission Street, 1st Floor, or on-line at www.sfgov.org/planning). You must submit the application to the Planning Information Center during the hours between 8:00 a.m. and 5:00 p.m., with all required materials, and a check for \$500.00, for each Discretionary Review request payable to the Planning Department. If the project includes multi building permits, i.e. demolition and new construction, a **separate request for Discretionary Review must be submitted, with all required materials and fee, for each permit that you feel will have an impact on you. Incomplete applications will not be accepted.**

If no Discretionary Review Applications have been filed within the Notification Period, the Planning Department will approve the application and forward it to the Department of Building Inspection for its review.

BOARD OF APPEALS

An appeal of the approval (or denial) of the permit application by the Planning Department or Planning Commission may be made to the **Board of Appeals within 15 days** after the permit is issued (or denied) by the Superintendent of the Department of Building Inspection. Submit an application form in person at the **Board's office at 1660 Mission Street, 3rd Floor, Room 3036**. For further information about appeals to the Board of Appeals, including their current fees, **contact the Board of Appeals at (415) 575-6880.**

APPLICATION FOR Discretionary Review

1. Owner/Applicant Information

| | | |
|--|--------------------|-------------------------------|
| DR APPLICANT'S NAME: STEVEN R. CURRIER, President - Outer Mission Merchants and Residents Association | | |
| DR APPLICANT'S ADDRESS: P.O. BOX 34099, SAN FRANCISCO | ZIP CODE: 94134 | TELEPHONE: (415)587-9150 |
| PROPERTY OWNER WHO IS DOING THE PROJECT ON WHICH YOU ARE REQUESTING DISCRETIONARY REVIEW NAME: INNA YAKUBOV | | |
| ADDRESS: 5234 MISSION STREET, SAN FRANCISCO | ZIP CODE: 94112 | TELEPHONE: (415) 407-5455 |
| CONTACT FOR DR APPLICATION: Same as Above <input checked="" type="checkbox"/> | | |
| ADDRESS: | ZIP CODE: | TELEPHONE: () |
| E-MAIL ADDRESS: STEVEN.CURRIER@SFDISTRICTS.ORG | | |

2. Location and Classification

| | | |
|--|-----------------|-------------------------------|
| STREET ADDRESS OF PROJECT: 5234 MISSION STREET, SAN FRANCISCO, CA | | ZIP CODE: 94112 |
| CROSS STREETS: MT. VERNON/NIAGRA | | |
| ASSESSORS BLOCK/LOT: 7031 /002C | LOT DIMENSIONS: | LOT AREA (SQ FT): |
| | | ZONING DISTRICT: NC-2 |
| | | HEIGHT/BULK DISTRICT: 40-X |

3. Project Description

Please check all that apply

Change of Use Change of Hours New Construction Alterations Demolition Other

Additions to Building: Rear Front Height Side Yard
UNKNOWN

Present or Previous Use:

Proposed Use: MEDICAL CANNABIS DISPENSARY

Building Permit Application No. 2010.06.16.4643 (ALTERATION)

Date Filed: AUGUST 31, 2011

4. Actions Prior to a Discretionary Review Request

| Prior Action | YES | NO |
|---|-------------------------------------|-------------------------------------|
| Have you discussed this project with the permit applicant? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Did you discuss the project with the Planning Department permit review planner? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Did you participate in outside mediation on this case? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

PLEASE SEE ATTACHMENT

Discretionary Review Request

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.

PLEASE SEE ATTACHMENT

2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:

PLEASE SEE ATTACHMENT

3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

PLEASE SEE ATTACHEMENT

Applicant's Affidavit

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.
- c: The other information or applications may be required.

Signature:  _____

Date: 9/27/11 _____

Print name, and indicate whether owner, or authorized agent:

STEVEN R. CURRIER, Authorized Agent

Owner / Authorized Agent (circle one)

Building Permit Application Number (Section 312): 2010.06.16.4643
5258 Mission Street, San Francisco, CA 94112

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5. Changes Made to the Project as a Result of Mediation

If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes there were made to the proposed project.

The Outer Mission Merchants and Residents Association (OMMRA) engaged in several conversations with the applicant(s), their agents, employees of another MCD, and their attorneys. The applicants, their agents, employees of an unrelated MCD, and their attorneys have also made presentations to the OMMRA general membership meetings. The applicants et al. have heard complaints, concerns, and issues regarding this kind of business in the Outer Mission neighborhoods. OMMRA's general membership overwhelmingly voted to oppose this cannabis dispensary along with a second MCD proposed on the same block at 5258 Mission Street. The major oppositions come from the many merchants in the 5100, 5200, 5300 blocks of Mission Street and the fear of their safety.

OMMRA has also conducted several conversations and, in writing to the Planner, Adrian C. Putra.

No mediation hearing has taken place and no changes have been made.

- 1. What are the reasons for requesting Discretionary Review? The project meets the minimum standards of the Planning Code. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and site specific sections of the Residential Design Guidelines.**

This project at 5258 Mission Street falls within 1,000 feet of several California Accredited child care facilities and other facilities that fall within Section 790.50(a)(b)(d)(e) of Article 7 of the San Francisco Planning Code. There are at least ten day care centers and one adult health day care center. They are: Annie's Family Childcare at 90 Curtis Street, Bethel Center at 2557 Alemany Boulevard, Mission Childcare Consortium, 4750 Mission Street, which in part is funded by the City and County of San Francisco and the State of California, Mi Casita Daycare at 249 Allison Street, Lisa's Little Garden at 932 Madrid Street, Happy Feet Daycare at 231 Amazon Street, Children's Day Care, 107 Ellington Street, Family Day Care – Mayala at 875 Geneva Avenue, Aguada's Day Care at 383 Hanover Street, St. Mary's Adult Health Day

Building Permit Application Number (Section 312): 2010.06.16.4643

5234 Mission Street, San Francisco, CA 94112

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Care Center at 35 Onondaga Street, and Crocker Amazon Senior Apartments at 5199 Mission Street.

Along with the stated above CA Childcare facilities, these are the California accredited nursing homes and residential facilities: Golden Residential Care Home at 166 Foote Avenue, Convalescent Center Mission at 5767 Mission Street, Gobatina Residential Care Home at 2393 Alemany Boulevard, Apexcare/Residential Care Home at 888 Paris Street, #203, Tabernaculo Biblico Bautista at 5016 Mission Street, and the church of Christ the Living Savior at 5162 Mission Street.

Although OMMRA does not specifically oppose cannabis dispensaries on the whole, OMMRA does oppose this MCD at this location in light of the above.

On another reason for opposing this project, this address is approximately six blocks from Daly City and the serious possibility of safety to the residents and merchants in this area. Some of these merchants have been in business, on the blocks of 5000, 5100, 5200, 5300, and further blocks of Mission Street, for more than 30 to 40 years and fear illegal activity or criminal activity.

- 2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be adversely affected, please state who would be affected, and how:**

OMMRA, the residents, and the merchants do not feel that they would be affected by construction or remodeling. Actually, most residents and merchants welcome businesses, just not this business.

- 3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?**

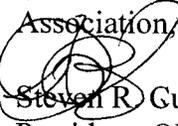
The alternatives or changes would be to attract businesses that would complement the neighborhood and the commercial and residential district at this location. In the area of this proposed project, there are restaurants, beauty and nail salons, churches, a senior housing project at 5199 Mission Street, a nursing home on the 5700 block of Mission Street, title companies, and smaller scale neighborhood food stores and/or fruit and vegetable stands.

Building Permit Application Number (Section 312): 2010.06.16.4643
5234 Mission Street, San Francisco, CA 94112

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Additional documents, petitions with over 1,000 signatures, and public comments will follow this D.R. Application prior or at the time of the Planning Commission hearing.

I, Steven R. Currier, on behalf of the Outer Mission Merchants and Residents Association, declare under penalty of perjury that the above is true and correct.


Steven R. Currier
President, OMMRA
415.587.9150
Steven.currier@sfdistricts.org

For reference: San Francisco Planning Code Article 7: Neighborhood Commercial Districts, Section 790.50 (Institutions, other large) states:

A public or private, nonprofit or profit-making use, excluding hospitals and medical centers, which provides services to the community and meets the applicable provisions of Section 304.5 of this Code concerning institutional master plans, including but not limited to the following:

- (a) **Assembly and Social Service.** A use which provides social, fraternal, counseling or recreational gathering services to the community. It includes a private noncommercial club house, lodge, meeting hall, recreation building, or community facility not publicly owned. It also includes an unenclosed recreation area or non-commercial horticulture area not publicly owned.
- (b) **Child Care.** A use which provides less than 24-hour care for 13 or more children by licensed personnel and which meets the requirements of the State of California and other authorities.
- (d) **Religious Facility.** A use which provides religious services to the community, such as church, temple or synagogue. It may include on the same lot, the housing of person who engage in supportive activity for the institution.
- (e) **Residential Care.** A medical use which provides lodging, board, and care 24 hours or more to seven or more persons in need of specialized aid by personnel licensed by the State of California and which provides no outpatient services; including but not limited to, a board and care home, rest home, or home for the treatment of addictive, contagious, or other diseases or physiological disorders.

Discretionary Review Application Submittal Checklist

Applications submitted to the Planning Department must be accompanied by this checklist and all required materials. The checklist is to be completed and **signed by the applicant or authorized agent.**

| REQUIRED MATERIALS (please check correct column) | DR APPLICATION |
|---|-------------------------------------|
| Application, with all blanks completed | <input checked="" type="checkbox"/> |
| Address labels (original), if applicable | <input checked="" type="checkbox"/> |
| Address labels (copy of the above), if applicable | <input checked="" type="checkbox"/> |
| Photocopy of this completed application | <input checked="" type="checkbox"/> |
| Photographs that illustrate your concerns | <input type="checkbox"/> |
| Covenant or Deed Restrictions | <input type="checkbox"/> |
| Check payable to Planning Dept. | <input checked="" type="checkbox"/> |
| Letter of authorization for agent | <input checked="" type="checkbox"/> |
| Other: Section Plan, Detail drawings (i.e. windows, door entries, trim), Specifications (for cleaning, repair, etc.) and/or Product cut sheets for new elements (i.e. windows, doors) | <input type="checkbox"/> |

NOTES:

Required Material.

Optional Material.

Two sets of original labels and one copy of addresses of adjacent property owners and owners of property across street.

For Department Use Only

Application received by Planning Department:

By: A Putra

Date: Received 9/27/11

**OUTER MISSION MERCHANTS and RESIDENTS ASSOCIATION
POST OFFICE BOX 34099
SAN FRANCISCO, CALIFORNIA 94134-0099**

*Steven R. Currier, President
Alan Mills, 1st Vice President
Joelle Kenealey, 2nd Vice President
Monika Yungert, Secretary
Kenneth Kalani, Treasurer
Alex Murillo, Sergeant-at-Arms
Terri Factora, Member-at-Large
Shashank Dave, Business Member-at-Large
Marleen Norman, Member-at-Large
Joelle Kenealey, Interim Newsletter Editor*

*OMMRA was Established: 1998
Members of Organizations:
Coalition for San Francisco Neighborhoods
District 11 Council
Friends of the Geneva Office Building
San Francisco Police Officers Association*

September 27, 2011

Mr. Adrian C. Putra, Planner
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

**RE: Project Address: 5234 Mission Street, San Francisco, CA 94112
Building Permit Application Number (Section 312): 2010.06.16.4643**

Dear Mr. Putra:

The neighbors, members, and the Executive Board of the Outer Mission Merchants and Residents Association (OMMRA) are hereby filing an Application Requesting a Discretionary Review of the above-mentioned property. OMMRA has approved this DR and looks forward to a hearing at the Planning Commission regarding this issue/project.

Sincerely,


Steven R. Currier
President, OMMRA
415.587.9150

Enclosures

CC: OMMRA Executive Board
Officer W. McCarthy, Ingleside Police Station
Captain Daniel J. Mahoney, Commanding Officer, Ingleside Police Station
Supervisor John Avalos
Jana Clark, Deputy City Attorney, Code Enforcement

**OUTER MISSION MERCHANTS and RESIDENTS ASSOCIATION
POST OFFICE BOX 34099
SAN FRANCISCO, CALIFORNIA 94134-0099**

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*OMMRA was Established: 1998
Members of Organizations:
Coalition for San Francisco Neighborhoods
District 11 Council
Friends of the Geneva Office Building
San Francisco Police Officers Association*

November 9, 2011

Christina Olague, President
Ron Miguel, Vice President
Michael Antonini, Katharin Moore, Hisashi Suyaga, Rodney Fong, Commissioners
San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103

**RE: Project Address: 5234 Mission Street, San Francisco, CA 94112
Building Permit Application Number (Section 312): 2010.06.16.4643
Case Number: 2010.0468 DD Account Number: 20101481
Project Address: 5258 Mission Street
Building Permit Application Number (Section 312): 2010.05.27.0337
Case Number: 2010.0506 D Account Number: 20101598
Hearing Date: Thursday, November 17, 2011**

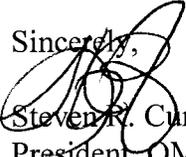
Dear Commissioners:

On behalf of the neighbors, members, merchants, and the Executive Board of the Outer Mission Merchants and Residents Association (OMMRA) are hereby following up on filing the Application Requesting a Discretionary Review of the above-mentioned property. OMMRA forwarded a letter to Planner, Adrian Putra on September 10, 2010. In that letter, OMMRA mentioned 11 day care centers located within 1,000 of these proposed projects. There are also two churches within one block of the 5200 block of Mission Street which is mentioned in the Application Requesting Discretionary Review. Also, Crocker Amazon Senior Housing is located at 5199 Mission Street. These apartments also have senior programs on a daily basis.

Christina Olague, President

Ron Miguel, Vice President
Michael Antonini, Katharin Moore, Hisashi Suyaga, Rodney Fong, Commissioners
San Francisco Planning Commission
November 9, 2011
Page Two

In light of the above and the initial filing of the Application Requesting for Discretionary Review, OMMRA, its members, and neighbors object to the MissionOrganicCenter and Tree-Med, Inc. Medical Cannabis Dispensaries. We ask the Planning Commissioners take Discretionary Review and oppose this project.

Sincerely,

Steven R. Currier
President, OMMRA
Steven.currier@sfdistricts.org
415.587.9150

Enclosures

CC: OMMRA Executive Board
Officer W. McCarthy, Ingleside Police Station
Captain Daniel J. Mahoney, Commanding Officer, Ingleside Police Station
Supervisor John Avalos
Jana Clark, Deputy City Attorney, Code Enforcement
May Wong, President, EDIA

EXCELSIOR DISTRICT IMPROVEMENT ASSOCIATION
P.O. BOX 12005
SAN FRANCISCO, CA 94112-0005
Message Phone: 415-294-0503 FAX: 415-295-3034
edia-info@yahoo.com

October 26, 2011

Ms Sharon Lai
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 4218 Mission Street application – Assessor's Block/lot 6803/004

Dear Ms Lai:

I am writing to you as President of The Excelsior District Improvement Association (EDIA) to voice our opposition to the petition for the proposed cannabis storefront at 4218 Mission Street. At our last general membership meeting held October 25, 2011, we invited representatives of The Green Cross to hear their reasons for wanting this permit to operate in our neighborhood. Their comments were not enough to convince our membership to consider any support of such a business.

Safety issues were raised, for example should clients double park on that block of Mission Street a danger to drivers and bikers is created and would impact the street congestion that would place an unsafe situation at the corner of Silver and Mission which is busy with cars, Muni buses and walkers.

The assurance that The Green Cross clients would not be allowed to use cannabis products within the one block of their storefront gives the neighborhood no assurance that their clients would not go beyond the one block, which brings them to the intersection of Silver and Mission which is heavily used by school children, seniors and would attract more crime to the area.

The proposed building structure, which was presented to the neighborhood as a 'secured' storefront, would not assure that the store would not be targeted by criminal elements due to the type of product sold. Having heavy security (as in cameras) all around the building just screams to the criminal that there is something inside they might want.

As there are two other cannabis stores applying for permits on the 5200 block of Mission Street, south of Geneva Avenue, the additional petition of The Green Cross, then there are three proposed stores within a ten block portion of the neighborhood which in our opinion is excessive and not appropriate for these locations. There are various established childcare facilities, senior facilities and school aged youth traveling this business section of our neighborhood, which do not need to be in such close contact with a cannabis selling business.

We hope that you will take the neighborhood's concerns into consideration. We firmly oppose the granting of any permit to any cannabis selling operation on the Mission Street corridor, especially the aforementioned locations on the 4200 and 5200 blocks of Mission Street.

Regards,

May Wong

President
Excelsior District Improvement Association

(this letter was previously sent to you via email due to notification deadline expiration of October 29, 2011)

***OUTER MISSION MERCHANTS and RESIDENTS ASSOCIATION
POST OFFICE BOX 34099
SAN FRANCISCO, CALIFORNIA 94134-0099***

*Steven R. Carrier, President
Alan Mills, 1st Vice President
Joelle Kenealey, 2nd Vice President
Monika Yungert, Secretary
Kenneth Kalani, Treasurer
Alex Murillo, Sergeant-at-Arms
Vacant, Member-at-Large
Marleen Norman, Member-at-Large
Vacant, Newsletter Editor*

*Members of Organizations:
Coalition for San Francisco Neighborhoods
District 11 Council
Friends of the Geneva Office Building
San Francisco Police Officers Association*

September 10, 2010

Mr. Adrian Putra
San Francisco Planning Department
1660 Mission Street, Fifth Floor
San Francisco, CA 94103

**RE: 5234 Mission Street
Permit Application Number: 201006164630
5258 Mission Street
Permit Application Number: 201005273337**

Dear Mr. Putra:

On behalf of the Executive Board and members of the Outer Mission Merchants and Residents Association (OMMRA), I write to inquire about the two above-referenced properties and proposed permit applications for a medical cannabis club at both locations.

I have had a few conversations with both owners and their respective representatives. OMMRA and the surrounding community, including merchants, do not believe that this is an appropriate location for these establishments. Under Section 790.50(b) of Article 7 of the San Francisco Planning Code, there are several California Accredited child care facilities and other facilities, and one or maybe two elementary schools within 1,000 feet of these two locations.

///

Mr. Adrian Putra
San Francisco Planning Department
September 10, 2010
Page Two

These are ten day care centers and one adult health day care center:

Annie's Family Childcare, 90 Curtis Street, San Francisco
Bethel Center, 2557 Alemany Boulevard, San Francisco
Mission Childcare Consortium, 4750 Mission Street, San Francisco
Mi Casita Daycare, 249 Allison Street, San Francisco
Lisa's Little Garden, 932 Madrid Street, San Francisco
Happy Feet Daycare, 231 Amazon Street
Children's Day Care, 243 Ellington Street
The Sisters' Day Care, 107 Ellington Street
Family Day Care – Mayela, 875 Geneva Avenue
Aguada's Day Care, 383 Hanover Street, San Francisco
St. Mary's Adult Health Day Care Center, 35 Onondaga Street, San Francisco

There are two elementary schools. They are:

George Washington Elementary School, 251 Whittier Street, Daly City
Guadalupe Elementary School, 859 Prague Street, San Francisco

In light of the above, we base our opposition, to these two cannabis clubs, due to the close proximity of these neighboring institutions. We feel that, since the applications (312) notices have not been distributed as of this date, OMMRA feels that we have sufficient evidence to oppose these proposed applications and prevent the SF Planning Department and the owners from continuing their pursuit to follow through with these applications processes.

Sincerely,

Steven R. Currier
President, OMMRA
415.587.9150
Steven.currier@sfdistricts.org

CC: OMMRA Executive Board
Supervisor John Avalos
Captain Louis Cassanego, Ingleside Police Station
Officer W. McCarthy, Permit Officer, Ingleside Police Station
Kate Conner, Code Enforcement Officer, SF Planning Department

April 2010

We the undersigned, members of the Outer Mission Merchants and Residents Association (OMMRA), residents, merchants, and persons doing business in the district, oppose the **proposed** Medical Cannabis Dispensaries (MCD) at 5234 and/or 5258 Mission Street.

Our neighborhood has too many children, youths, seniors, churches, schools, parks, crime, and an extensive transit district. There is already a medical cannabis dispensary on Ocean Avenue and we do not need one here due to the above interest mentioned.

NAME ADDRESS SIGNATURE

| | | |
|---------------------|------------------------------|---------------------|
| Alicia Rendon | 176 Soanita Wy | Alicia Rendon |
| HELEN RODRIGUEZ | 153 Prosser St | Helen Rodriguez |
| Ann Brown | 22 Lapham | Ann Z. Brown |
| Ernie Kushman | 152 Frankfurt St | Ernie Kushman |
| Theresa Sazo | 500 Burrows St | Theresa Sazo |
| Glenn D. Ramsey | 328 Mt Vernon Ave | Glenn D. Ramsey |
| Edith Otto | 458 Brunswick St | Edith Otto |
| 66 Cottenberg St | 415 484 76 47 | |
| Mintala Capistrano | 66 Cottenberg St | |
| Joan Baus | Canyon Dr. 215 Canyon Dr. | Joan Baus |
| BONNIE JARVI | 29300 DIXON ST #01 | Bonnie Jarvi |
| Betty J. Jones | 49 NORDHOFF ST SF | Betty J. Jones |
| JEAN LEONE | 72 LAPHAM WAY, SF | Jean Leone |
| Jeanne Leone | 170 Valleyview S.F. | Jeanne Leone |
| Adella Simoni | 167 Yelder Hill St | Adella Simoni |
| Lisa Carlson | 82 Anoyo Way SF | Lisa Carlson |
| Viera Sisco | 133 Francisco St | Viera Sisco |
| Lillian Buckley | 40 Bellevue Ave City | Lillian Buckley |
| Bertha Cordero | 845 Rutland St S.F. | |
| Joseph Cordero | 845 Rutland St San Francisco | |
| Yvonne Castillo | 35 Market Ave SF | |
| Rosemary Kratermich | 1637-12th ave | Rosemary Kratermich |
| Ida Spadaric | Whiskey St S.F. | IDA SPADARIC IIA. |
| Heidi Salom | 29 Polka St | |
| Mary Lopez | 226 Hanover St | |

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| NAME | ADDRESS | SIGNATURE |
|--------------------|------------------------------|--------------------|
| Dolores Campbell | 651 Mission St, SF 94112 | Dolores Campbell |
| MARIE CAULLEY | 1951 O'FARRELL ST SAN MATEO | Marie Caulley |
| NORMA BRUNICKARDI | 26 LAPHAM WAY SAN FRANCISCO | Norma Brunickard |
| FLORENCE DEMARIE | 215 ALTA VISTA WAY | Florence Demarie |
| Allyce A. Williams | 741 VERMONT ST. | Allyce A. Williams |
| MICHAEL PROKOPOV | 5392. MISSION ST. SF | Michael Prokopov |
| Stella Etienne | 5370 MISSION ST. SF | Stella Etienne |
| MARY PREVEDELLO | 112 COMORB ST | Mary Prevedello |
| Joan Weiland | 219 Allison St. | S.F. CA |
| J. Weiland | 219 Allison St. | S.F. |
| Julio Moran | 17 Canyon Ct. S.S.F. | Julio Moran |
| Royce Espinoza | 52 Patton St. | Royce Espinoza |
| Eduardo Bents | 5354 Mission St. | Eduardo Bents |
| WALTER NAVARRO | 54 BRITTON ST. | W. Navarro |
| Axel Aguilar | 54 Britton St | Axel Aguilar |
| Edna Castille | 5376 Mission St - SF | Edna Castille |
| Frank Vilesos | 5376 Mission St | Frank Vilesos |
| EDNA GARCIA | 7 Concord St. | SF CA |
| Frank Garcia | 7 Concord St. | SF CA |
| Frank Garcia | 7 Concord St. | SF CA |
| OLGA GARCIA | 5370 MISSION ST. SF 94112 | Olga Garcia |
| Jesus Castro | 5370 MISSION ST SFO CA 94112 | Jesus Castro |
| Ramon M. Garcia | 5370 MISSION ST SFO CA 94112 | Ramon M. Garcia |
| MAGDALENA LINDVAH | 64 Newton St. S.F. | Magdalena Lindvah |
| Deana Hansen | 140 Frankfort St | Deana Hansen |
| Cecily Ruyter | 148 Evelyn Way SF 94127 | Cecily Ruyter |

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| NAME | ADDRESS | SIGNATURE |
|-------------------|---|-------------------|
| Castalia Haynes | Daly City, CA 94014 204 School St #5 | Castalia Haynes |
| Judy Paige | 3468 17th St. SF CA | Judy Paige |
| ROBERT D. HARMON | 425 Monticello | Robert D. Harmon |
| Nanette Melad | 20 Tomaso Ct. SF. 94134 | Nanette Melad |
| JEAN BRODEK | 68 ELLINGTON AVE SF 94112 | Jean Brodek |
| KAY BRODEK | 68 ELLINGTON AVE SF 94112 | Kay Brodek |
| Kolony | 454 Prager St. | Kolony |
| JASON AGUIA | 262 Baltimore Way | Jason Aguiar |
| Howard Bennett | 335 Alond Ave SF Calif | Howard Bennett |
| Pauline Bell | 369 ASHTON AVE 94112 | Pauline Bell |
| SHARON NEALON | 130 CANYON DR | Sharon Nealon |
| Christina Reber | 515 Del Monte Ave SF | Christina Reber |
| WENDY UNG. | 3420 Lawton St. SF CA 94122 | Wendy Ung |
| Neil Rangel | 767 Miller Ave S.S.F Ca. 94108 | Neil Rangel |
| Susan Mah | 60 Watt Avenue SF CA 94112 | Susan Mah |
| Helen E. Cohen | 1771 Geneva Ave SF CA 94134 | Helen E. Cohen |
| ELKI SUSBILA | 405 MACDONALD AVE DAILY CITY, CA. 94014 | Elki Susbila |
| Lidia S. Ahmeda | 16 Knoll Ct. S.F. CA 94112 | Lidia S. Ahmeda |
| Leah Li | 274 San Jose Ave S-F. CA 94112 | Leah Li |
| Muhammad Escomin | 170 Flournoy St SF CA 94112 | Muhammad Escomin |
| Adrian Rodriguez | 1212 35 Mateo Ave DC | Adrian Rodriguez |
| Peggy M. Benjamin | 166 Bellevue Ave Daly City, Ca. | Peggy M. Benjamin |
| Mary McCordick | 757 Sutter St #300 San Francisco Ca | Mary McCordick |
| Frank Bottarini | 757 Pico Ave San Francisco, Ca. | Frank Bottarini |
| JAY RENDON | 1871 ALHAMBRA SF, CA 94112 | Jay Rendon |
| Sylvia Brodek | 68 ELLINGTON AVE SF, CA 94112 | Sylvia Brodek |

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NAME ADDRESS SIGNATURE

| NAME | ADDRESS | SIGNATURE |
|--------------------|-------------------------------------|--------------------|
| SARA PITTAVINO | 321 Ellington | Sara Pittavino |
| VIRGIL | | |
| JOE CIRIMELI | 52 WITTIER | Joe Cirimeli |
| Michele Maas | 1156 Geneva Ave SF | Michele Maas |
| Margaret McPheters | 224 Tuna St. SF | Margaret McPheters |
| Renata Cecchi | 699 Morse St S.E. Ca. 94112 | Renata Cecchi |
| Louise Stagnaro | 82 Pretar Way SF CA 94112 | LOUISE STAGNARO |
| Dina Brasov | 1051 Broadway Millbrae Cal. | |
| Lena Marovich | 161 Frote Ave | |
| Conita Alschin | 4 Alschin Ct SF Ca 94112 | |
| Donna Gorman | 50 Bellmore Av. Daly Cit. Ca. 94014 | |
| Margaret Sousa | 1159 Mission St Crocker Amazon | |
| Kimie S. Williams | 256 Hawth St. S.F. Ca. 94112 | |
| Angela Hauke | 45 Cassandra J. S.F. CA 94112 | |
| Veris Salomon | 71 Lielig St San Francisco CA 94112 | |
| Melissa Murray | Alameda 94112 | |
| MARINA CIABATTARI | DALY CIT 7 94114 | |
| Janis Calhoun | San Bruno CA 94066 | |
| Guido E. Delander | 57 Florentine St CA 94112 | |
| Rosa E. Meloche | 1060 Terra Nova Blvd CA 94044 | |
| Judy Conch | 100 Bybee St SF CA 94132 | |
| Luisa Arivedo | 151 Bellevue Ave Daly City | |
| DORA GRANERA | | |
| MONICA GRANERA | | |
| Juan Weierman | 595 Teresita St SF 94127 | |
| Jane Pat | 595 Teresita St SF 94127 | |

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NAME ADDRESS SIGNATURE

| NAME | ADDRESS | SIGNATURE |
|--------------------|---|-----------------------------|
| SHARLE/ Espino | 231 HANOVER ST | Shirley Espino |
| Carlos Hernandez | 7684 Camino Real | Carlos Hernandez |
| MARTA COLINDRES | COLIMA CA. | Marta Colindres |
| MARTA COLINDRES | 66 ABBOT AVE DALY CITY. | Marta Colindres |
| Marta Lopez | | |
| Sergio Matamoros | 26 Camino Real | Sergio Matamoros |
| Yadi Ferra | 5388 MISSION ST. | Yadi Ferra |
| Julia DeFetello | 80 Mt. Vernon Ave SF 94112 | Julia DeFetello |
| Jayme R. [unclear] | 80 Mt. Vernon Ave S.F. 94112 | Jayme R. [unclear] |
| Loretta Stern | 80 Mt. Vernon Ave S.F. 94112 | Loretta Stern |
| Prima E Esquivel | 5369 MISSION ST SF CA 94112 | Prima E Esquivel |
| MARCELO BAUTISTA | 5365 MISSION BARBER SHOP SF. CA - 94112 | Marcelo Bautista |
| KIM LEE | 5372 MISSION ST SF, CA 94112 | Kim Lee |
| M. Antunez | 5372 MISSION ST SF, CA 94112 | M. Antunez |
| Jorge L. [unclear] | 5372 MISSION ST SF CA 94112 | Jorge L. [unclear] |
| Chette Repetto | 66 Bellvue DC 94014 | Chette Repetto |
| [unclear] | 83 [unclear] 94134 | [unclear] |
| Diana Escobar | 115 Dundee Dr. S.S.F 94080 | Diana Escobar |
| HILBERT ESCOBARTE | 1241 S. GOMA DR MILPITAS CA 95035 | Hilbert Escobarte |
| Laura Schnapp | 50 W 5th St, Daly City | Laura Schnapp |
| EDWIN FORCUM | 405 WILLOW DR, SFE, CA | Edwin Forcum |
| SANDRA SAITZ | 1253 Park Pacific Ave | Sandra Saitz |
| David Torres | 4th Inverness Dr. Pacific | David Torres |
| Auge Conaco | 5388 A Mission | Auge Conaco |
| Mary Jimenez | 5388 A Mission | Mary Jimenez |
| IRMA ANDERSON | 217 Briqg Ranch Gilman, CA | Irma Anderson |

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NAME ADDRESS SIGNATURE

| | | |
|------------------------|-----------------------|------------------------|
| Ruth Morey | 955 Madrid | Ruth D. Morey |
| ELO PATTON | 955 MADRID | Elo Patton |
| Terri Morey | 161 Lowell | Terri Morey |
| KENNY MOREY | 161 LOWELL | Kenny Morey |
| Mark Cvitanich | 241 So. Hill Blvd. | Mark Cvitanich |
| Joan Cvitanich | 241-So. Hill Blvd. | Joan Cvitanich |
| Gemma Bequizar | 175 Lowell St | Gemma Bequizar |
| Jason D. D. D. | 175 LOWELL ST. | Jason D. D. D. |
| Marilyn A. Cereghino | 181 Lowell St | Marilyn A. Cereghino |
| Tzantou Saelee | 155 Lowell St. | Tzantou Saelee |
| Pablo A. Rafum | 168 Lowell St | Pablo A. Rafum |
| CHEN, STEVEN | 180 Lowell st | CHEN, STEVEN |
| DANIEL SABALVARO | 586 BRUNSWICK ST. | DANIEL SABALVARO |
| CATHERINE SABALVARO | 586 BRUNSWICK ST. | CATHERINE SABALVARO |
| Lisa Sabalvaro | 586 BRUNSWICK ST. | Lisa Sabalvaro |
| Elleen Bernaldo | 945 Madrid St | Elleen Bernaldo |

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| NAME | ADDRESS | SIGNATURE |
|-----------------|-----------------------------------|-----------------|
| Steve Rtker | 1403 Chase Street Novato CA | Steve Rtker |
| Corey Adams | P.O. Box 3517 San Rafael CA 94912 | Corey Adams |
| James MROZEK | 868 Alta Loma Dr | James Mrozek |
| Kare Hays | 2018th St. SF CA 94 | Kare Hays |
| Sergio Lopez | 5250 Mission St | Sergio Lopez |
| Alfonso Cesario | 151250 Mission | Alfonso Cesario |
| Jack Annuzzi | 85 Elmira St. SF. | Jack Annuzzi |
| ARMEN ALMAUNZA | 383 Devon St | Armen Almaunza |

10/11/11

TO: ATTORNEY GENERAL HARRIS-SACRAMENTO
ATTORNEY GENERAL ERIC HOLDER, WASHINGTON, D.C.

RE: MEDICAL CANNABIS DISPENSARY
5258 MISSION ST., S.F., CA 94112 &
5225 MISSION ST., S.F., CA 94112

IF YOU WISH TO DESTROY OR DISTURB A NEIGHBORHOOD PLACE TWO
MARIJUANA STORES IN THE SAME BLOCK.

IN THIS AREA THERE ARE;

| | |
|---|----------------------|
| 5199 MISSION 35 SENIOR CITIZEN APT. (CROCKER AMAZON) | |
| 5216 " | BAKERY |
| 5225 " | LARGE PRODUCE MARKET |
| 5226 " | PIZZA PARLOR |
| 5240 " | ACCOUNTANT |
| 5242 " | BARBER |
| 5246 " | PRINTING STORE |
| 5248 " | DENTAL OFFICE |

SEVERAL APT. BUILDINGS IN BETWEEN
CLOSE BY A BANK OF AMERICA-OPTOMETRIST ETC.

WHEN A DOCTOR BELIEVES YOU SHOULD HAVE A PRESCRIPTION FOR
MARIJUANA WHY NOT GO TO A WALGREEN'S, CVS DRUG STORE? THIS WILL ELI-
MINATE THE CRIME THAT WILL ENSUE WITH SUCH DISPENSARY IN OUR
NEIGHBORHOODS. BESIDE, THERE IS NO PARKING BUT THE METERS. WHERE
ALL OUR CUSTOMERS OR SENIOR W/PLACARD BE ABLE TO PARK?

I BEG OF YOU TO DO WHATEVER COULD BE DONE BECAUSE IT'S A
FEDERAL LAW OFFENSE TO BEGIN WITH TO SELL OR DISPENSE MARIJUANA.
THIS TYPE OF BUSINESS DESTROY OR DO NOT BELONG IN A FRIENDLY
NEIGHBORHOOD.

LISE ANDREE LOUKAS
5248 MISSION ST.
SAN FRANCISCO, CA 94112

COPIES ATTACHED (3)



SAN FRANCISCO PLANNING DEPARTMENT

RESPONSE TO DISCRETIONARY REVIEW

Case No.: 10-0468D
Building Permit No.: 2040.06.16.4643
Address: 5234 Mission St.

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Sponsor's Name: Inna Yakubov Tree Med Collective
Telephone No.: (415) 863-1520 (for Planning Department to contact)

1. Given the concerns of the DR requester and other concerned parties, why do you feel your proposed project should be approved? (If you are not aware of the issues of concern to the DR requester, please meet the DR requester in addition to reviewing the attached DR application.)

2. What alternatives or changes to the proposed project are you willing to make in order to address the concerns of the DR requester and other concerned parties? If you have already changed the project to meet neighborhood concerns, please explain those changes. Indicate whether the changes were made before filing your application with the City or after filing the application.

3. If you are not willing to change the proposed project or pursue other alternatives, please state why you feel that your project would not have any adverse effect on the surrounding properties. Please explain your needs for space or other personal requirements that prevent you from making the changes requested by the DR requester.

If you have any additional information that is not covered by this application, please feel free to attach additional sheets to this form.

4. Please supply the following information about the proposed project and the existing improvements on the property.

| <u>Number of</u> | <u>Existing</u> | <u>Proposed</u> |
|---|-----------------|-----------------|
| Dwelling units (only one kitchen per unit –additional kitchens count as additional units) | 0 | 0 |
| Occupied stories (all levels with habitable rooms) ... | _____ | 1 |
| Basement levels (may include garage or windowless storage rooms) | _____ | 0 |
| Parking spaces (Off-Street) | _____ | 0 |
| Bedrooms | _____ | 0 |
| Gross square footage (floor area from exterior wall to exterior wall), not including basement and parking areas.... | _____ | _____ |
| Height | _____ | _____ |
| Building Depth | _____ | _____ |
| Most recent rent received (if any) | _____ | _____ |
| Projected rents after completion of project | _____ | _____ |
| Current value of property | _____ | _____ |
| Projected value (sale price) after completion of project (if known) | _____ | _____ |

I attest that the above information is true to the best of my knowledge.

| | | | |
|-------------------------|-----------|-------------------------|--|
| <u>Brendan Hallinan</u> | 11/9/2011 | <u>Brendan Hallinan</u> | Attorney for Tree Med Collective |
| Signature | Date | Name (please print) | |

RESPONSE TO DISCRETIONARY REVIEW

The concerns of the community are taken very seriously by the Tree Med Collective. In response to the community's concern for public safety, Tree Med Collective has hired a professional security consultant who specializes in Medical Cannabis Dispensary/Collective security. This consultant, Nate Bradley, is a former Sacramento County Sheriff. He is also the founder and executive director of a non-profit organization called Lawmen Protecting Patients. Mr. Bradley will assist Tree Med with identifying and addressing security concerns. Mr. Bradley will work with the local community and law enforcement to educate them about the Collective, its patients, and its place in the community. More information about Mr. Bradley is available at his website: www.prop215com.com & www.lawmenpro.org

Tree Med Collective has also contracted with the San Francisco Patrol Special to patrol and secure Mission Street from Geneva Avenue south two blocks to Ottawa or as needed by the community. The Special Patrol Officer will be accessible to the community members and will be in contact with the local SFPD patrol officers.

In addition, Tree Med has hired Raudel Wilson, Community Liaison Director for Americans for Safe Access. Mr. Wilson will act as business and operations consultant and Community Outreach Director for Tree Med.

The Collective facility will not increase crime or risk to the immediate neighborhood. Although there have been no long term studies completed that show the long term impact of Medical Cannabis Dispensaries opening in a neighborhood, there is information we can look to for guidance. San Francisco has approximately 24 Medical Cannabis Dispensaries located in the City. Most of these locations have been operating at their current locations for over 5 years. Although there is a perception that these facilities will negatively impact their communities, there has been no pattern of problems with Dispensaries and no widespread complaints about their existence or impact on their respective communities. This is evidenced by the fact that the Board of Supervisors has not taken action to limit or prohibit these facilities. There have been isolated incidents of mismanagement of certain facilities over the years, but the use itself does not create a public nuisance. Tree Med Collective's stellar team of consultants and management will insure that Tree Med is a benefit and not a detriment to the community.

San Francisco has no Medical Cannabis Dispensaries in the South East section of San Francisco, South of 30th Street. This is a very large community with a tremendous need for medical cannabis access. Due to San Francisco's zoning restrictions, there are so few other locations that are not within 1000 feet of a school or youth recreation facility, that this location is literally a needle in a haystack. By extending the zoning limitations to cover elder care facilities and day care facilities, the City would be imposing a de facto ban on all new Medical Cannabis Dispensaries.

This facility and use is designed to provide an underserved community with access to medical cannabis. Although the facility will not be open to the general public, it will serve such a large area of the City that it will stimulate the surrounding businesses much as other Dispensaries located throughout San Francisco do in their respective communities.

NATE BRADLEY _____
Prop 215 Law Enforcement Consultant



916-671-4045
www.prop215cop.com
nate@prop215cop.com

**OUTER MISSION MERCHANTS and RESIDENTS ASSOCIATION
POST OFFICE BOX 34099
SAN FRANCISCO, CALIFORNIA 94134-0099**

*Steven R. Currier, President
Alan Mills, 1st Vice President
Joelle Kenealey, 2nd Vice President
Monika Yungert, Secretary
Kenneth Kalani, Treasurer
Alex Murillo, Sergeant-at-Arms
Vacant, Member-at-Large
Marleen Norman, Member-at-Large
Vacant, Newsletter Editor*

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September 10, 2010

Mr. Adrian Putra
San Francisco Planning Department
1660 Mission Street, Fifth Floor
San Francisco, CA 94103

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Permit Application Number: 201006164630
5258 Mission Street
Permit Application Number: 201005273337**

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I have had a few conversations with both owners and their respective representatives. OMMRA and the surrounding community, including merchants, do not believe that this is an appropriate location for these establishments. Under Section 790.50(b) of Article 7 of the San Francisco Planning Code, there are several California Accredited child care facilities and other facilities, and one or maybe two elementary schools within 1,000 feet of these two locations.

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San Francisco Planning Department
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Sincerely,

Steven R. Currier
President, OMMRA
415.587.9150
Steven.currier@sfdistricts.org

CC: OMMRA Executive Board
Supervisor John Avalos
Captain Louis Cassanego, Ingleside Police Station
Officer W. McCarthy, Permit Officer, Ingleside Police Station
Kate Conner, Code Enforcement Officer, SF Planning Department



Angela Chin
<angela_chin@peoplepc.com>
>

09/23/2011 08:53 PM

Please respond to
Angela Chin
<angela_chin@peoplepc.com>

To adrian.putra@sfgov.org

cc

bcc

Subject RE: "No on both applications for marijuana dispensary in my community.

Hello mr. Putra,

Thanks for your prompt reply to my voice mail and kindly listened to my concerns when we talked.

I am against the applications of marijuana dispensary business on both locations: 5234 Mission Street (by Inna Yakubov) and 5258 Mission Street (by Joram Altman).

Even though both locations qualify for the current SF City zoning laws, the unwanted risk exposures and long-term negative influences onto our community/neighborhood are of the main concerns of our residents and business owners:

1. Safety of our families, young children and elderly living on and around the premises of both dispensaries: One applicant lists her address in the Outer Richmond District and the other in probably Noe Valley/Vallencia Corridor/Bernal Heights area--if they live in a rather safer and nicer areas of SF, why do they want to open such businesses (with clients who are mostly adults of uncured pains and whose costs may not get picked by normal health or disability insurances)--in our neighborhood/commuity--just because the allowance of current legislations/city zonings??? Have they consider the social consciousness and responsibilities when they apply for such a permit to conduct such kind of business??? If they don't live here nor having their own children and grandchildren attending schools nearby this area, then PLEASE do not open marijuana dispensaries here distracting and hurting someone elses' children and grandchildren. Those kids may not attend schools within your 300ft radius, but they and their families live within your 300ft radius. Have some fundamental value and considerations of others before they conduct this kind of business!

2. Long-term negative influences; who knows if they grow their own plants upstairs or in the backyard after they open their business here. Houses growing marijuana cost tons of electricities and more important, increases the risk of FIRE, then resources of the City's Figher Dept. to send fightmen to rescue if there's a fire. Then the building owners and neighboring houses owners suffer losses in their HOUSE VALUES! In this econ. don't be kidding! Our community and neighborhood do NOT need such a business. Instead of an opportunity, it is an increasing fire hazard!

3. Increasing traffic--another hazard! What do you if your children and elderly parents and grandparents walk by the dispensaries each time and there're people inside and outside smoking the pot--not only it's another second hand smoke danger but also making shoppers harder to find street parking so they can patronize our other businesses such as pizza shops, grocery stores, laundry shops, nail shops, hair salons, cellphone stores, bakeries and ethnic restaurant!

I look forward to hear from your call or email again reg. the progress/procedure of both permit applications. Please inform me ASAP if there's a public hearing schedule if our indivial or collective phone calls or written concerns are not enough to prevent both permits from getting approvals.

At last but not least, please forward or escalate my concerns and complaints to the district 11 supervisor Mr. Avalos and Major Mr. Ed. Lee: All people living in SF need to have the city leaders and public officers to hear our voices and read our minds. The Outer Mission area residents are not rich nor privileged fews in the City. However, this district has many immigrants who work their ass off to secure their homes, bring up their children, and take care of their elderly parents. This is a working community and it deserves equal capital and human resources from the City to improve the neighborhood streets, commercial sites, children's educations and etc. We don't want marijuana shops here, nor exposures to potential crimes and fire hazards. Listen, when one is a public servant, he/she does what he/she preaches, before he/she earns any citizen's vote in November! Thanks.

Sincerely,
Angela Chin
cell (415) 608-5968.

PeoplePC Online
A better way to Internet
<http://www.peoplepc.com>



House of Hope
<aliactivities@yahoo.com>

09/24/2011 10:50 PM

Please respond to
House of Hope
<aliactivities@yahoo.com>

To "adrian.putra@sfgov.org" <adrian.putra@sfgov.org>

cc

bcc

Subject Please keep MCDs away from our children!

September 24, 2011

Dear Mr. Putra:

I am writing to express my strong disapproval of plans to build two medical cannabis dispensaries (MCD) within two blocks of my home: 5234 Mission and 5258 Mission. As a native San Franciscan, born and raised in the Excelsior / Crocker Amazon Districts, I have seen this neighborhood go through many changes. Once a neighborhood that had a slightly negative reputation, the Excelsior / Crocker Amazon District has become a neighborhood that is ideal for families. I implore you to help us maintain this state.

As a child, my parents bought our home in this neighborhood because of its affordable prices. At that time, the neighborhood was comfortable in the residential sections, though some were afraid of walking along Mission Street because of past reported crimes. We rarely shopped in the area and always drove to safer parts of San Francisco for dining and shopping options.

Over the last three decades, more families—as well as family-oriented businesses—have moved into the neighborhood and invested their time and resources to help the area flourish. As a result, my family is now comfortable shopping on foot and dining at any of the local restaurants. Once married, my husband and I decided to move back to this neighborhood since my parents still live in the area and because we felt safe in a community where I knew the names of my neighbors and saw children playing in the streets.

This neighborhood is filled with schools, parks and community centers. Although the MCDs are technically 1000 feet away from these locations, having them so close simply is not desirable. I take my 5-month-old baby in our stroller for walks around the neighborhood and pass by the addresses of the proposed MCDs almost every day on our way to the Crocker Amazon and McLaren Parks. Should the MCDs be allowed to move into those locations, I would have to select new routes.

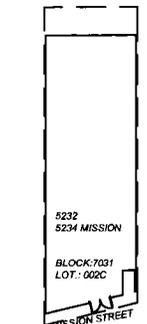
I have spoken with numerous neighbors who also fear the negative consequences of having MCDs in the neighborhood; some have even expressed their concerns to local police, seeking expert opinion. With certainty, the police have agreed that MCDs do absolutely no good for a neighborhood's safety. In fact, shops like these only stand to invite more crime.

I do not see why it is necessary to allow these MCDs at these locations as there are already quite a few within two miles in areas that are not as residential and don't have as many young children. Some of those locations include: 1933 Mission, 1884 Market Street and 2441 Mission Street.

I respectfully request your assistance in stopping these MCDs from opening. I greatly appreciate your service to our city, as well as your time and attention to this matter. Please note that I have also contacted Mayor Ed Lee, Supervisors Eric Mar and John Avalos, as well as Assemblywoman Fiona Ma about this issue.

Sincerely,

Venus (along with my husband, Pira) Tritasavit
Outer Mission Resident



PLOT PLAN
1/16" = 1'-0"
NORTH

BUILDING DATA:
OCCUPANCY CLASS: B / A-3
CONSTRUCTION TYPE: V-B
STORIES: 2
ZONING: MISSION MCT
SPRINKLERS: NO

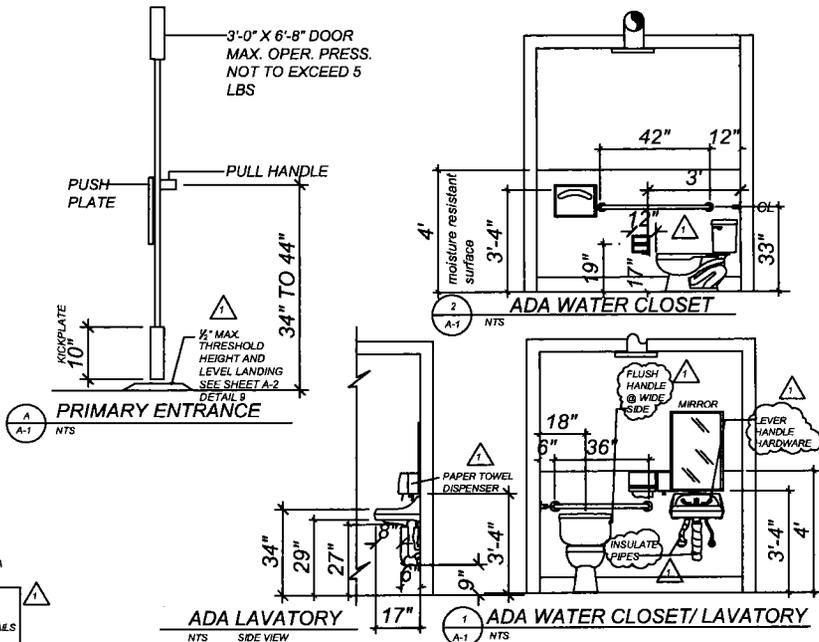
SCOPE OF WORK:
PROPOSED CHANGE OF USE FROM LIGHTING FIXTURE SALES STORE TO A MEDICAL CANNABIS DISPENSARY

SHEET INDEX:
SHEET: A-1 FLOOR PLAN / ADA DETAILS
A-2 ADA DETAILS

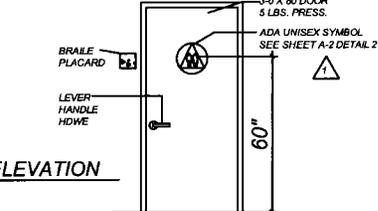
CODE SUMMARY:
CBC 2007
CEC 2007
CPC 2007
CMC 2007
ADAG
SFBC 2007 AND AMENDMENTS

1 DOOR SCHEDULE
36" X 80" - SOLID CORE WOOD - LEVER HANDLE HARDWARE - BUTT HINGES - PRE HUNG - DOOR OPERATING PRESSURE AT 5 POUNDS MAX - NO THRESHOLD

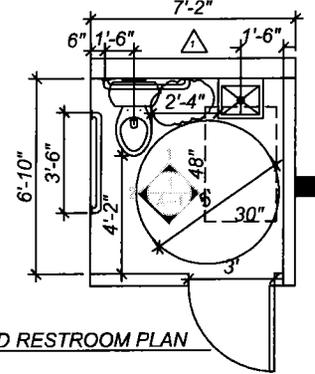
2
34" X 80" - GLASS DOOR WITH ALUMINUM FRAME - PUSH PLATE HARDWARE - DOOR OPERATING PRESSURE AT 5 POUNDS MAX - ALUM. THRESHOLD - HEIGHT NOT EXCEED 1/2" MAX.



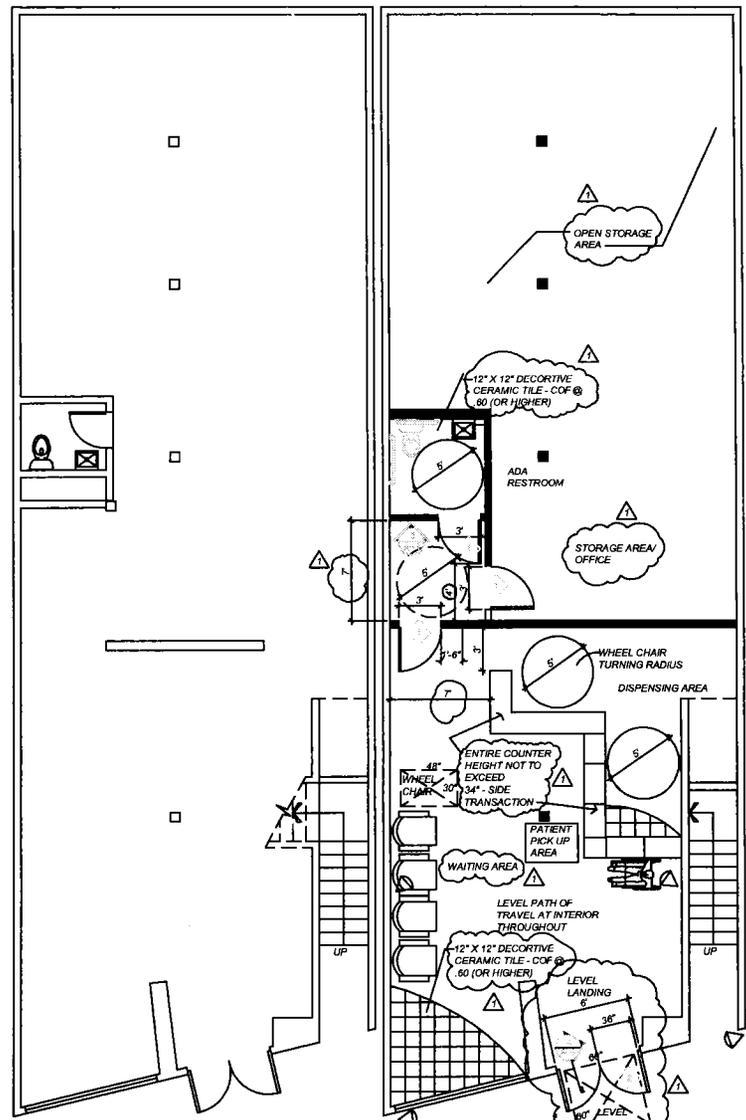
ADA LAVATORY
NTS SIDE VIEW



TOILET ROOM DOOR - ELEVATION
NTS

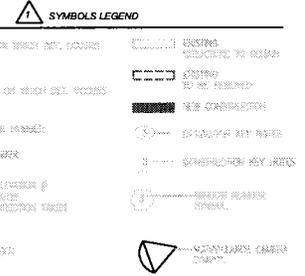


ENLARGED RESTROOM PLAN
1/2" = 1'-0"



EXISTING FLOOR PLAN
1/4" = 1'-0"

PROPOSED FLOOR PLAN
1/4" = 1'-0"



| REVISION |
|-------------------|
| MOD. PG. 05.17.10 |
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| |
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| |

Jerry Brown Design
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email: jbdsgn328@gmail.com

project:

5234 MISSION STREET
PROPOSED MEDICAL CANNABIS DISPENSARY

sheet title:
FLOOR PLANS
ADA DETAILS

Date: 05.17.10

Drawn By: J.B.

SHEET No
A-1
of 1