



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

May 16, 2016

Victor Ngyen
Bayshore Group Inc.
2442 Bayshore Boulevard
San Francisco, CA 94134

Site Address: 2442 Bayshore Boulevard
Assessor's Block/Lot: 6249/020
Zoning Districts: NC-3 (NEIGHBORHOOD COMMERCIAL, MODERATE SCALE)
RH-1 (RESIDENTIAL – HOUSE, ONE FAMILY)
Staff Contact: Jeff Speirs, (415) 575-9106 or jeffrey.speirs@sfgov.org
Record No.: 2015-014222ZAD

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

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Dear Mr. Ngyen:

This letter is in response to your request for a Letter of Determination regarding the property at 2442 Bayshore Boulevard. This parcel is irregular in shape, and primarily located in the NC-3 (Neighborhood Commercial, Moderate Scale) Zoning District and 55-X Height and Bulk District. A portion of the lot fronting Visitacion Avenue is located in an RH-1 (Residential – House, One Family) Zoning District and 40-X Height and Bulk District. The existing building is located within the NC-3 Zoning District. The request is to determine if the subject property meets the requirements of Planning Code Section 790.141, if the subject property were proposed to be a Medical Cannabis Dispensary. In particular, the request seeks a determination as to whether the uses at 50 Raymond Avenue (dba Visitacion Valley Strong Families/Mayor's Youth Employment & Education Program (MYEEP)/Asian Pacific American Community Center (APACC)/Cross Cultural Family Center), which is within 1,000 feet of the subject property, would render the subject location ineligible pursuant to the requirements of Planning Code Section 790.141(a).

Planning Code Section 790.141(a)(1)(B) requires that a parcel containing a proposed MCD may not be located within 1,000 feet of a parcel containing a public or private elementary or secondary school; or a community facility and/or a recreation center that primarily serves persons under 18 years of age.

The subject property is located within 1,000 feet of 50 Raymond Avenue, which contains multiple uses provided by the Visitacion Valley Strong Families, the Asian Pacific American Community Center, and the Cross Cultural Family Center.

The Visitacion Valley Strong Families provides case management, counseling, differential response, enhanced visitation, team-decision making, and crisis intervention for higher-need families. This program is primarily adult-focused but does include some youth. Under the management of Visitacion Valley Strong Families is the Mayor's Youth Employment & Education Program (MYEEP). This program provides job readiness training, paid work experience, academic support, and personal development opportunities for San Francisco Youth between 14 and 17 years of age. MYEEP is partnered with several

nonprofits in San Francisco with multiple locations throughout the City. The MYEEP partnership at this location is with the Asian Perinatal Advocates (APA) Family Support Services, focusing on programs for the whole family.

The Asian Pacific American Community Center (APACC) provides health education, finance education, and food distribution to low income families. Although this location does provide a dance and language class for youth, this center is mostly focused on adult and senior programs.

Lastly, the Cross Cultural Family Center provides child care services. Child care is considered a Personal Service Use under the Planning Code; therefore, child care is not a use described in Planning Code Section 790.141(a)(1)(B).

Planning Department staff has reviewed available data, and conducted a review of properties within 1000 feet of the subject property. At this time, the subject property has been found to be in compliance with the proximity requirements of Planning Code Section 790.141 and 712.84. Please note that any proposed MCD would be subject to the Mandatory Discretionary Review Hearing requirements of Section 712.84. Further, MCDs in the NC-3 Zoning Districts may only operate between the hours of 8:00 am and 10:00 pm.

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

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

Sincerely,



Scott F. Sanchez
Zoning Administrator

cc: Property Owner
Neighborhood Groups
Jeff Speirs, Planner
Sue Exline, Planner



BAYSHORE GROUP INC.
2442 BAYSHORE BOULEVARD
SAN FRANCISCO, CA 9134
PHONE 415.933.9727

October 16, 2015

R# 2015-014222ZAD
CK# 232 \$ 645.-
J. BANALES (SE)

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

Re: Request for a Letter of Determination for the Property at 2442 Bayshore Boulevard, Ground Floor Unit (Assessor's Block 6249/Lot 020)

Dear Mr. Sanchez:

As the President of Bayshore Group Inc. and the authorized agent of the property owner, I am requesting a determination that operating a medical cannabis dispensary at this location conforms to the Planning Code (i.e., the Zoning Code). In furtherance of this request, I have submitted a check in the amount of \$645 made payable to the San Francisco Planning Department.

The property is located on Assessor's Block 6249, Lot 020 in a NC-3 Zoning District (Neighborhood Commercial, Moderate Scale), which currently allows for a medical cannabis dispensary. The property includes a two-story mixed-use building with two residential units on the second floor. The ground floor commercial space is currently vacant. Additionally, the parcel does not contain a facility providing substance abuse services.

The results of a just-completed 1000' sensitive use study show that the parcel is not located within a thousand feet of any public or private elementary or secondary schools; however, Visitacion Valley Community Center is located several blocks from our proposed site. I have met with Mr. Jack Siu, Program Director at Visitacion Valley Strong Families, and discussed my plans for opening and operating a delivery-only medical cannabis dispensary. Mr. Siu was quite supportive and encouraged me to move forward with my plans.

If you have any questions, please feel free to contact me at (415) 933-9727.

Very truly yours,

Victor Nguyen
President

CHARLIE SETO
2442 BAYSHORE BOULEVARD
SAN FRANCISCO, CA 94134

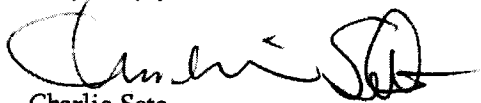
October 5, 2015

To: San Francisco Department of Public Health
San Francisco Planning Department

This letter will serve as written notification that, as of the date written above, I have authorized Victor Nguyen to act as my agent in certain matters pertaining to my property at 2442 Bayshore Boulevard (Assessor's Block 5249/Lot 020). This includes, but is not limited to, his application to operate a Medical Cannabis Dispensary at this location and his request for a Letter of Determination from the San Francisco Planning Department.

If there are any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Charlie Seto', with a stylized flourish at the end.

Charlie Seto

Property Owner, 2442 Bayshore Boulevard