



# SAN FRANCISCO PLANNING DEPARTMENT

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## Letter of Determination

May 26, 2016

Kyndra Miller  
506 Broadway  
San Francisco, CA 94133

**Site Address:** 481-483 Tehama Street  
**Assessor's Block/Lot:** 3732/080  
**Zoning District:** MUR (Mixed Use - Residential)  
**Staff Contact:** Jeff Speirs, (415) 575-9106 or [jeffrey.speirs@sfgov.org](mailto:jeffrey.speirs@sfgov.org)  
**Record No.:** 2016-003453ZAD

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

Dear Ms. Miller:

This letter is in response to your request for a Letter of Determination regarding the property at 481-483 Tehama Street. This parcel is located in the MUR (Mixed Use - Residential) Zoning District, Youth and Family Zone Special Use District, and 45-X Height and Bulk District. The request is to determine if the subject property may be used as a Medical Cannabis Dispensary (MCD). In addition, the request seeks a determination if an MCD located at 481 Tehama Street is subject to the restrictions outlined in Board of Supervisors Resolution No. 179-15 (May 15, 2015).

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

The subject property is located within 1,000 feet of Bessie Carmichael Elementary School, which lists its address at 375 7<sup>th</sup> Street. The school is located on two parcels (Assessor's Block 3754, Lots 062 & 064. Lot 064 is located on the corner of Cleveland Street and Sherman Street, with a portion of the lot within 1000 feet from the subject property of 481-483 Tehama Street. Based upon this information, the subject property has been found to not be in compliance with the proximity requirements of Planning Code Section 790.141. As such, the subject property cannot be used as an MCD.

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

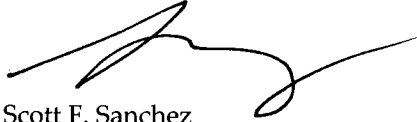
**Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is not a permit to commence any work or change occupancy. Permits from appropriate Departments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

Kyndra Miller  
506 Broadway  
San Francisco, CA 94133

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

Sincerely,



Scott F. Sanchez  
Zoning Administrator

cc: Property Owner  
Neighborhood Groups  
Jeff Speirs, Planner

CANNABUSINESS LAW, INC.  
A PROFESSIONAL LAW CORPORATION

March 7, 2016

R# 2016 - 003453 ZAD

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# 1005 15. - }

J. BANALES (SE)

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

(3732/080)

**Re: Request for a Letter of Determination for 481-483 Tehama Street, San Francisco, CA 94103 ("Property")**

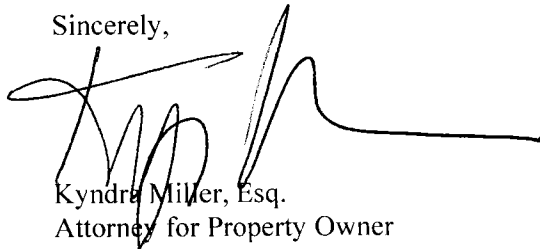
Dear Mr. Sanchez:

I am writing this letter for the purpose of obtaining a written determination as to whether or not a Medical Cannabis Dispensary ("MCD") may be established at the Property identified above. To that end, please confirm that the address located at 481-483 Tehama Street, San Francisco, CA 94110 ("Property") is eligible for an MCD permit pursuant to the regulation(s) in San Francisco County governing medical marijuana collectives and cooperatives.

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

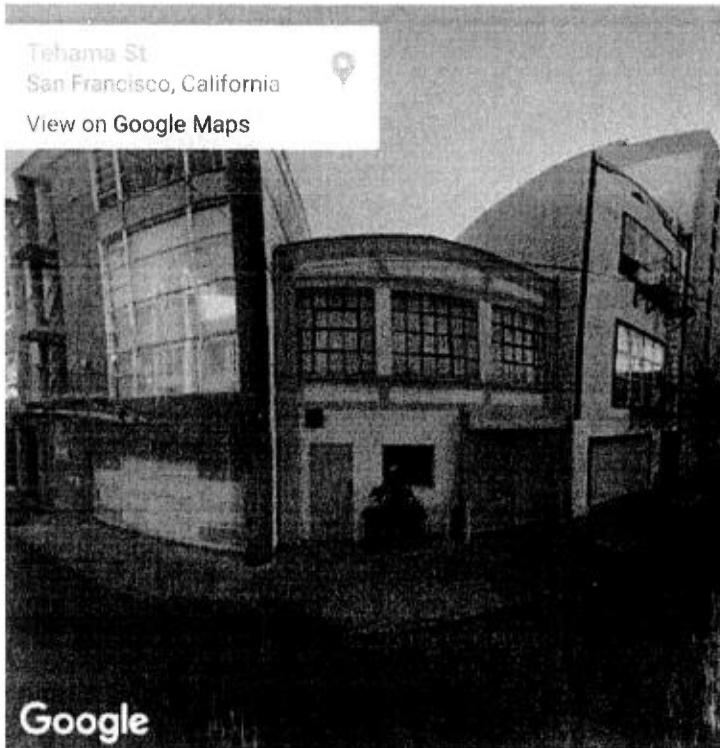
Please find enclosed a check in the amount of six hundred thirty dollars (\$630) in connection with the fee associated with this request. Feel free to contact my office at (415) 986-5591 or 877-420-4660 if you have any questions.

Sincerely,



Kyndra Miller, Esq.  
Attorney for Property Owner

# 481-483 Tehama St, San Francisco, San Francisco County, CA 94103



**\$750,000**

SOLE FOR  
JAN 22, 2015

Beds:	n/a
Baths:	2
Sqft:	1,800
Lot size:	0.046 ac
Year Built:	1926
Property Type:	Industrial
Sub-Property Type:	Industrial
Tax Amount:	\$3,116.57
Stories:	1
Zoning:	MUR
Depth:	80
School district:	San Francisco Unified School District
Zip:	<u>94103</u>
Neighborhood:	<u>South of Market</u>
Sales History:	2 sale history recording(s) <a href="#">(view)</a>