

5801 MISSION STREET RELEAF HERBAL

1st District 11 Social Equity Dispensary Project

San Francisco BOS APPEAL
September 21, 2021 1pm

2020-007152-CUA

Social Equity Applicant

Local Owner/Cannabis Pioneer

- ▶ Heidi Hanley, Mother, Wife
- ▶ Native San Franciscan, born and raised in **D11**
- ▶ Attended K-12 in D11
- ▶ Army Veteran
- ▶ 2nd San Francisco Woman dispensary owner, 1st Latina
- ▶ Over 14 years experience - Medical Cannabis Operator
- ▶ Documented track record of good operator with no violations
- ▶ Verified Equity Applicant in 2019



MATT HANEY

June 1, 2021

To Whom It May Concern:

I would like to acknowledge medicinal cannabis dispensary Releaf Herbal, for their 11 years of operation and service to the District 6 community at 1284 Mission Street.

Releaf Herbal has been a model cannabis dispensary, providing safe access to affordable cannabis for medical and recreational patients. Releaf Herbal has been a good steward in District 6, maintaining compliance with all regulations, providing a vital service to the public, and successfully doing this without any complaints from the public.

I also want to commend the owner and operator of Releaf herbal, Heidi Hanley, who is a San Francisco native and a cannabis pioneer who established the second woman-owned - and first Latina-run - dispensary in San Francisco. To help other people from a variety of backgrounds also build successful cannabis businesses, Heidi has lent her support to fireside chats giving advice to those hoping to break into the cannabis industry. In addition to all this, Heidi has been committed to hiring locally with more than 75% of her staff residing in San Francisco.

Heidi has helped numerous medical patients over the years, and has earned the support of several key community partners including, Operation EVAC, Axis of Love, and Brownie Mary Democratic Club.

With the forced closure of Releaf in December of 2019, our district lost a valuable merchant and member of our community. Fortunately, Releaf is in the process of relocating to 5801 Mission Street. I would like to offer my most sincere best wishes with her relocation efforts.

Sincerely,



Matt Haney



To whom it may concern,

This is a letter of acknowledgement for Heidi Hanley regarding her operation of the legacy Medical Cannabis Dispensary (MCD) "ReLeaf Herbal" that was located at 1284 Mission Street in San Francisco. Heidi initially applied with the Environmental Health Branch for an MCD Permit to Operate in January of 2007. The official Permit to Operate was issued in July of 2008, making ReLeaf Herbal only the third MCD location to officially be permitted with the City. This location was permitted with Environmental Health until the business was evicted by their landlord and closed operations in December of 2019.

During their time as a City permitted MCD, ReLeaf Herbal operated within the bounds of their permit, operating with minimal issues and remained in overall good standings with the Environmental Health Branch of the SF Health Department. The business was closed through no wrongdoing of their own and remained in compliance with SF Health Code Article 33 until the time of their closure.

If you have any question contact Senior Inspector Douglas Obana at 415-252-3993 or douglas.obana@sfdph.org.

Very truly yours,

Douglas Obana, MPH, REHS
Senior Environmental Health Inspector
Environmental Health Branch
San Francisco Department of Public Health
Douglas.Obana@sfdph.org
415-252-3993

5801 Mission St -Community Minded



MADE IN THE CITY
PRODUCE

CUSTOMER APPRECIATION DAY

RECEIVE FREE TACOS WITH EVERY PURCHASE

JUNE 5TH 2021 1PM-4PM | 5750 MISSION ST. SFCA 94112

CURRENTLY **THE CITY** **ENACULATE**

TICKETS FOR FOOD AND DRINKS AVAILABLE AT:
LUCKY VANS TATTOO, LYFESTYLE BARBERSHOP, WOODY'S LIQUOR, EMILIO'S BARBERSHOP

FREE LAUNDRY FOR FIRST 20 HOUSEHOLDS
AT MISSION FIESTA LAUNDRY

SPONSORED BY RELEAF HERBAL



5801 Mission

APPROVED ON JUNE 10th 2021 - 4-2

- ▶ Clean and modern retailer for neighborhood. No major construction.
- ▶ Professional and Educational Customer Experience MULTILINGUAL ACCESS
- ▶ Free Compassion products for low income medicinal patients (Compassion Program)
- ▶ Community benefits including donations to nonprofits, haircut donations, laundry days, food collection/feeding, customer appreciation days with local merchants.
- ▶ 1st CANNABIS GOOD NEIGHBORHOOD POLICY in District 11
- ▶ LOCAL HIRING from District 11 with comprehensive job training and education of staff
- ▶ Will provide funds every quarter for community grant funds to be utilized by partnering District 11 neighborhood organizations, merchants' groups, or community members (residents and businesses) for any district-serving benefit.
- ▶ A Dedicated Community Relations Liaison - to support any community concerns

APPEAL BACKGROUND

Dear BOS,

This appeal is nothing more than a shared opinion based on an antiquated “reefer madness” stigma of Cannabis and THC.

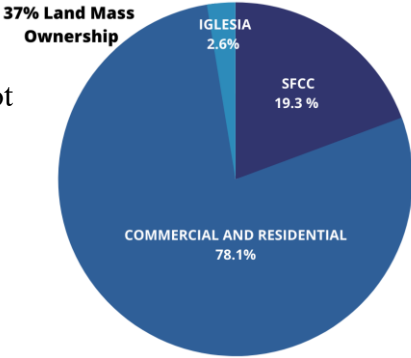
The appeal was made possible because a large land-owner used their combined landmass holdings and got another large land-owner, to join their efforts to stall and sabotage an economic opportunity from a woman-minority-owned cannabis retail store.

The appeal was granted with 37% of the land mass owners within 300 feet signing to the appeal.

Of the 37%, 19.3% of the total represent signatures from properties owned by the Appellant.

Without the land mass owned by the Appellant, the true property owners would have secured 17.7% signatures and would fall short of this appeal.

The organizations that co-signed to this appeal have done nothing to address the commercial vacancy in our area and do not own property in the neighborhood. By their own admission were fully aware of our neighborhood outreach. They did not make their concerns known to the Planning Department during the outreach process requesting additional monligual support and therefore exhausted their opinions/comments to support any appeal.



In addition, Planning Code Section 303(w) outlines additional findings for the Commission when reviewing proposals for new Cannabis Retail establishments.

1. The Commission shall consider “the geographic distribution of Cannabis Retail Uses throughout the City, the concentration of Cannabis Retail and Medical Cannabis Dispensary Uses within the general proximity of the proposed Cannabis Retail Use, the balance of other goods and services available within the general proximity of the proposed Cannabis Retail Use, any increase in youth access and exposure to cannabis at nearby facilities that primarily serve youth, and any proposed measures to counterbalance any such increase.”

APPELLANT ISSUES AND PLANNING DEPARTMENT RESPONSES

ISSUE 1: The Appellant expressed concern with the clustering of cannabis storefronts in District 11.

RESPONSE 1: The Planning Commission found that the project is appropriately distanced from other cannabis storefronts and does not contribute to clustering.

In District 11, there are 3 existing Medical Cannabis Dispensaries, each operating with temporary authorization to conduct adult use sales. The closest Medical Cannabis Dispensary to the Project Site is 5260 Mission Street, dba Mission Organic Services, and is approximately 3,143 feet from the Project. Planning Code Section 202.2(a)(5)(B) states that a new Cannabis Retail Use shall not be located within a 600-foot radius of a parcel for which a valid permit from the City’s Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer has been issued. The Project meets this requirement. This application is the first Cannabis Retail application that has been approved in District 11 since the legalization of adult use cannabis in late 2017.

ISSUE 2: The proposed project is in an area with a high density of children, including a well-used facility for school-age children located at the San Francisco Christian Center.

RESPONSE 2: The Planning Code establishes a buffer between Cannabis Retail locations and schools. The Planning Code does not preclude Cannabis Retailers to be in an area with a high density of children.

Planning Code Section 202.2(a)(5)(B) states that a new Cannabis Retail Use shall not be located within a 600-foot radius containing an existing public or private School. The Planning Code’s definition of School does not include facilities such as parks, preschools, or after-school programs. By providing a regulated, legal market within the neighborhood, the proposed business would further discourage unregulated sales, making youth access to cannabis products more restricted. Additionally, the Project has been designed to be responsive to this condition by placing a waiting and check in area at the front of the tenant space, ensuring that cannabis products are never visible from the exterior of the store. The Planning Commission found that the Project will not increase youth access and exposure to cannabis.

ISSUE 3: There was a lack of appropriate outreach to monolingual residents.

RESPONSE 3: The Project Sponsor conducted outreach and noticing as required by the Planning Code and the Office of Cannabis Good Neighbor Policy.

On November 13, 2020, the Project Sponsor held a Pre-Application Meeting and invited all Neighborhood Organizations listed in the Crocker-Amazon and Outer Mission as of August 29, 2020. All immediately adjacent neighbors were also notified by postal mail. On February 12, 2021, the Project Sponsor held an Office of Cannabis Virtual Good Neighbor Meeting. All residents within 300 feet of the proposed site, as well as all neighborhood groups within the Crocker-Amazon Neighborhood were notified by postal mail. The notice was provided in English, Spanish, traditional Chinese, and Filipino. An additional Good Neighbor Policy meeting, with the same groups notified, occurred on April 21, 2021. Finally, the June 10 Planning Commission hearing for the Project was properly noticed per the City’s language access rules, including mailed, posted, and newspaper advertisements.

SUMMARY RESPONSE

The Appellant brings up the issue of cannabis storefront clustering in District 11. The Planning Commission found that the Project meets the necessary buffering provisions from other cannabis uses. The Commission also found that the Project contributes to a more balanced geographic distribution of Cannabis Retailers in the City. The Appellant additionally brings up the issue of the Project’s proximity to youth. The Planning Commission found that the site is not within 600 feet of a School, as defined by the Planning Code. Further, the high regulation of cannabis facilities assuages the concerns of youth access. The final issue from the Appellant deals with the lack of appropriate outreach to monolingual residents. The Project Sponsor conducted all noticing and outreach as required by the Planning Code and the Office of Cannabis Good Neighbor Policy, including mailing of notices for outreach meetings in English, Spanish, traditional Chinese, and Filipino.

CONCLUSION

For the reasons stated in this document, in the attached Motion, and in the Planning Department case file, the Planning Department recommends that the Board uphold the Planning Commission’s decision in approving the Conditional Use Authorization for the Project.

Planning Department Response to Appeal:

The Planning Department defended their initial findings and Planning Commission's decisions to approve.

APPEAL BACKGROUND

ARGUMENT #1 CLUSTERING

There are 3 dispensaries in District 11.

Appellant argues that 3 is serving the community and because there are 5 in a one mile radius, this constitutes clustering.

Our Response: The Planning Dept likely added 600 foot buffers retail cannabis buffers as an anti-clustering measure. Additionally, clustering solely for cannabis retail is not defined in the Planning Code, Police Code or Heath Code.

To be clear, there are only 2 dispensaries operating within a 1 mile radius. The closest dispensary is 3,143 feet from the project location.

Our project would mean that residents would not be forced to walk, drive or be subjected to wait on long delivery times for their cannabis medicine.

We ask the Board to reject the Appellant's personal opinion that 3 dispensaries are enough to serve the neighborhood, without any evidence.

APPEAL BACKGROUND

ARGUMENT #2 HIGH DENSITY OF CHILDREN NEARBY

The Planning Department illustrated that there are many places that serve neighborhood children in District 11, with many being after school programs, located within 600 feet of the project.

Our Response: The after school programs in the neighborhood means that children in the neighborhood are supervised at all times! It is more likely that a child obtain cannabis from the unregulated market.

We would never allow any minor under the age of 21 to enter the establishment and our retail design would prohibit viewing of any and all cannabis/cannabis products.

APPEAL BACKGROUND

ARGUMENT #3 LACK OF APPROPRIATE OUTREACH TO MONOLINGUAL RESIDENTS

The Appellant alleges that our project did not notify the immigrant community.

Our Response: Our first letter of outreach was sent to the Appellant on September 7, 2020 to discuss our neighborhood plans to include the monolingual community. We did not receive a response from them.

All neighborhood communication followed up with mailed invitations/notices, in English and also translated in Tagalog, Mandarin and Spanish to all residents within 300 feet for meetings held on:

November 13, 2021

February 12, 2021

April 20, 2021

As they requested, we held community meetings with two neighborhood groups, Cayuga Improvement Association and OMRA. We also met with the Captain of the Ingleside Police Department.

BOS, our project has respectfully approached the neighborhood in conducting neighborhood outreach and our dispensary plans are inclusive and serving of the monolingual community.

5801 Mission St. Project request for meeting

1 message

Heidi Hanley <heidihanley@yahoo.com>

To: "rgittens@sfchristiancenter.org" <rgittens@sfchristiancenter.org>

Cc: Ed Brown <ed.mat.brown@gmail.com>

Fri, Jul 23, 2021 at 8:28 AM

Hi Pastor Gittens,

I hope this email finds you well. I am reaching out regarding our approved project at 5801 Mission St. for which you have recently filed an appeal to the board of Supervisors. First allow me to say that I respect your opinion on our project and your passion for the surrounding community. The reason for my email is to reach out to arrange a time to speak about exploring an allyship with my business and your church. As previously documented, I have been a responsible and compliant operator for 14 years. Additionally, as being a native of District 11, I am committed to playing an even stronger role in supporting the betterment of our surrounding neighborhood. It is apparent with our histories that we both share a similar goal for the community.

We would love to discuss options for achieving collaborative community objectives beyond our current Good Neighborhood Policy, such as public safety programs around the premises, Pilot Street Furniture, clean up efforts nearby, and other causes that we all can agree will bring a benefit to the community. Please let me know what would be a good day and time to hop on a Zoom call and myself and my team will make ourselves available.

Thank you for your time.

Respectfully,

Heidi Hanley

Additional Correspondence
to Appellant Seeking
Neighborhood Collaboration.

Initial Send July 23rd, 2021

5801 Mission - Follow up

1 message

Heidi Hanley <heidihanley@yahoo.com>

Thu, Sep 16, 2021 at 3:43 PM

To: "rgittens@sfchristiancenter.org" <rgittens@sfchristiancenter.org>

Cc: Ed Brown <ed.mat.brown@gmail.com>

Hi Pastor Gittens,

I hope this email finds you well. I am reaching out regarding our approved project at [5801 Mission St.](#) for which you have recently filed an appeal to the Board of Supervisors. Again, we do respect your opinion regarding our project and your passion for the surrounding community. The reason for my email is to follow-up on our previous communication. In the event that our project receives a favorable outcome at the upcoming BOS appeal hearing, I felt it was important to reach out again, in hopes of initiating open communication and to promote good will between us for the betterment of the neighborhood.

Previously, we listed our plans for improving the neighborhood which we are confident will bring external benefits to merchants and residents alike. We look forward to continuing our history as a good commercial neighbor and we genuinely hope there is room for us to collaborate on future community objectives.

Thank you for your time.

Respectfully,

Heidi Hanley

Additional Correspondence to
Appellant Seeking
Neighborhood Collaboration.

Follow up sent Sep 16th, 2021



BOS Responses to a recent cannabis retail appeal:

“ After researching and visiting and learning more about these businesses, I found that they are among the most regulated and responsible businesses we have in San Francisco.”

President, Supervisor of the Board, Shammon Walton



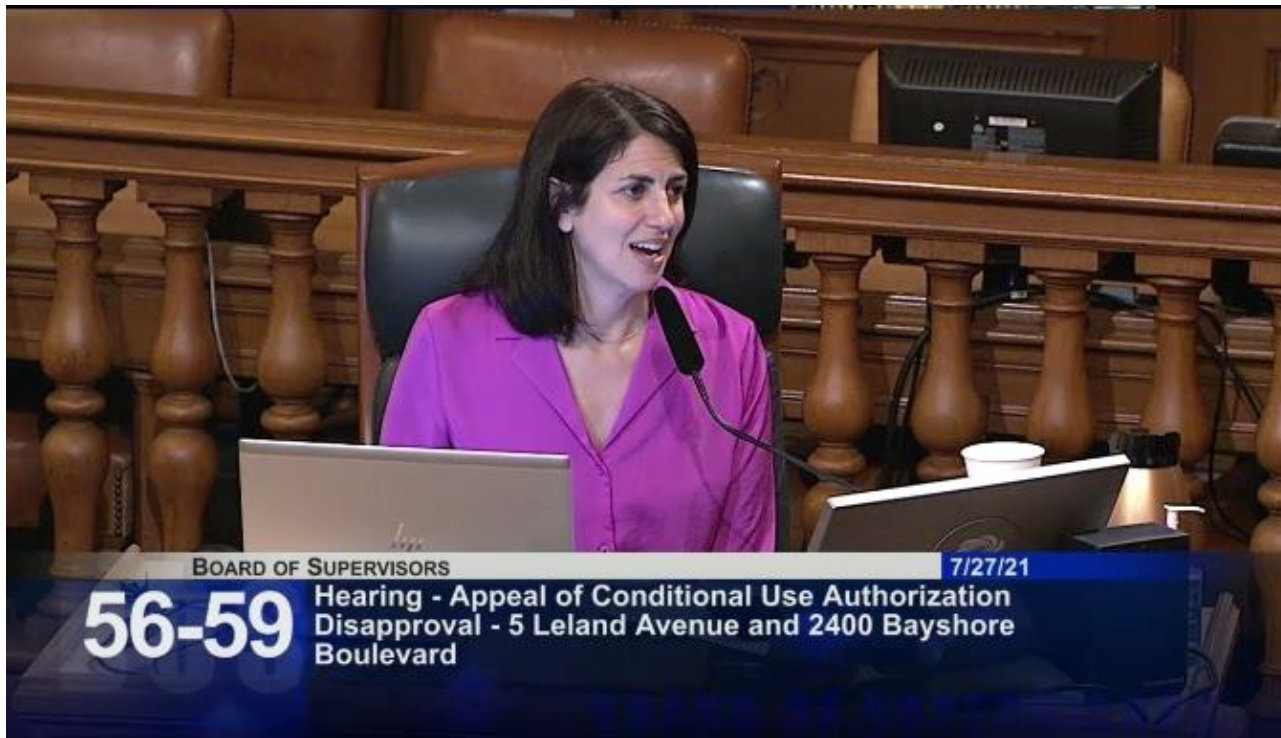
Supervisor, Myrna Melgar

BOS Responses to a recent cannabis retail appeal:

“...this is one of the most regulated industries we have. Compared to alcohol, tobacco, and even sugar, we've created an entire infrastructure of regulation and taxation.”

“We have a long way to go for equity cannabis goals in our city. We struggle to have equality.

If we're going to repair 100 years of criminalization of drug use, we need to really walk the talk of what we do, and approving a code compliant project is the bare minimum that we can do to help folks build this business”



Supervisor, Hilary Ronin,

BOS Responses to a recent cannabis retail appeal:

“I will say right around the block from my house, right near my house, there's four cannabis stores within a very short distance from one another. And I didn't know that that was going to happen, but it turns out those stores have been some of the best in the neighborhood ”

“having grown up with the D.A.R.E program, I remember it being drilled in my head in elementary school that any drugs were bad, and you wouldn't assume that these businesses would be some of the most responsible and -- respectful businesses on the block



BOS Responses to a recent cannabis retail appeal:

“If this is able to move forward and not so, that it will end up being a net benefit for neighbors, even though those who MAY not have been supportive at the outset”

Supervisor, Dean Preston

Supervisors!

The Appellant has not demonstrated a legal argument or alleged any wrongdoing by the Planning Commission's decision.

Therefore we respectfully urge you to Vote with your conscience and uphold the Planning Commission's decision to approve the first social equity project in District 11 and further San Francisco's Equity Goals.

Thank you.