

Meeting Date: 11/18/2014

Report Type: Public Hearing

Report ID: 2014-00821

Title: 3600 Power Inn Road Rezone and Conditional Use Permit (P14-044) [Passed for Publication 11/06/2014; Noticed 11/07/2014; Published 11/12/2014]

Location: 3600 Power Inn Road, District 6

Recommendation: Conduct a public hearing and upon conclusion, 1) pass a Resolution determining the project exempt from review under the California Environmental Quality Act; 2) pass an Ordinance to rezone 1.27 acres from Manufacturing, Research and Development (MRD-SWR) zone to General Commercial (C-2-SWR) zone within the Solid Waste Restricted Overlay; and 3) pass a Resolution approving a conditional use permit to operate a medical marijuana dispensary in the proposed General Commercial (C-2-SWR) zone within the Solid Waste Restricted Overlay.

Contact: Arwen Wacht, Associate Planner, (916) 808-1964; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department; Lindsey Alagozian, Senior Planner, (916) 808-2659

Presenter: Arwen Wacht, Associate Planner, (916) 808-1964, Community Development Department

Department: Community Development Dept

Division: Planning

Dept ID: 21001221

Attachments:

- 01-Description/Analysis
- 02-Background
- 03-Land Use Map
- 04-Planning and Design Commission Record of Decision
- 05-CEQA Resolution
- 06-Ordinance - Rezone
- 07-Exhibit A - Rezone
- 08-Project Resolution
- 09-Exhibit B - Site Plan
- 10-Exhibit C - First and Second Floor Plan
- 11-Exhibit D - Existing Dispensary Floor Plan
- 12-Exhibit E - Future Dispensary Floor Plan
- 13-Exhibit F - Existing Elevations - North and East
- 14-Exhibit G - Existing Elevations - South and West
- 15-Public Comment Support and Opposition Letters
- 16-Phase 2 Application Locations
- 17-Sacramento Center for Innovation Specific Plan Area

City Attorney Review

Approved as to Form
Jeffrey Heeren
11/7/2014 8:47:50 AM

Approvals/Acknowledgements

Department Director or Designee: Ryan Devore - 10/29/2014 2:10:36 PM

Description/Analysis

Issue Detail: The applicant is seeking approval of a rezone of 1.27 acres from a Manufacturing, Research and Development (MRD-SWR) zone to General Commercial (C-2-SWR) zone within the Solid Waste Restricted Overlay, and a Conditional Use Permit to operate a Medical Marijuana Dispensary in the proposed C-2-SWR zone. Horizon Collective is currently located in the MRD-SWR zone, which is a restrictive zone that is focused towards innovative technology businesses and only allows for limited commercial uses and support services. A medical marijuana dispensary and several other general commercial uses are not allowed in the MRD-SWR zone. The applicant is requesting to rezone the property to C-2-SWR zoning, which requires a medical marijuana dispensary to obtain a conditional use permit at the Planning and Design Commission. As the project includes a rezoning request, final action is required by the City Council.

On October 9, 2014, the requested entitlements were heard by the Planning and Design Commission. The Planning and Design Commission voted to forward the requested entitlements to City Council with a recommendation for approval.

Policy Considerations:

2030 General Plan. The subject site is designated as Employment Center Mid Rise in the General Plan Land Use and Urban Form Diagram. The Employment Center Mid Rise designation areas play a critical role in accommodating new businesses and creating new jobs. The combination of high-density buildings and low site coverage in existing employment centers provides the opportunity for new infill development in these areas with complementary uses that transforms the existing single-use areas into more self-sufficient mixed-use areas with reduced dependence on automobile transportation. Building heights for Employment Center Mid Rise are between three to twelve stories. The existing two-story building was constructed in 1981, well before the 2030 General Plan development standards and FAR requirements existed. The applicant is not proposing to make any changes to the footprint of the existing building with this proposal. The following General Plan Policies support the project:

Public Health and Safety (PHS) 5.1.7 Healthy Communities. The City shall encourage the planning of new communities and revitalization of existing urban areas to achieve improvements in overall public health by encouraging a healthier living environment that includes walkable neighborhoods, access to recreation and open space, healthy foods, medical services, and public transit.

PHS 6.1.12 Safe and Fair Practices. The City shall maintain safe and fair business operations and ensure the health and safety of the general public through enforcement of State and local health and safety statutes and codes.

PHS 1.1.7 Development Review. The City shall continue to include the Police Department in the review of development projects to adequately address crime and safety, and promote the implementation of Crime Prevention through Environmental Design principles.

Sacramento Center for Innovation (SCI) Specific Plan: The Sacramento Center for Innovation (SCI) Specific Plan implements the City of Sacramento's General Plan and serves as a tool to guide the orderly development of land in the plan area. The area is envisioned as a hub for innovative business and clean technology industries, and the specific plan

establishes planning and development standards to realize this vision. The following SCI plan policies support the project:

Policy Land Use (LU) 3.1.6. Encourage business-serving retail and commercial uses within walking distance of the University, businesses and transit stops.

Policy Public Safety (PS) 6.1.1. Encourage property owners and businesses to implement Crime Prevention Through Environmental Design (CPTED) standards.

This area is a mixture of industrial, office, and commercial uses. It is appropriate to rezone the property to C-2-SWR in that it is consistent with and will support goals of the Sacramento Center for Innovation (SCI) Specific Plan with a wider range of supportive commercial uses. The C-2-SWR zone is compatible with the Employment Center Mid Rise designation. Overall, the proposal is consistent with the intent of the Sacramento Center for Innovation (SCI) Specific Plan and the Employment Center Mid Rise designation and policies.

Environmental Considerations: The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that it is exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 1, Section 15301, Existing Facilities. The project consists of the operation of an existing facility, involving no expansion of use beyond that which is existing. There would be no additional significant cumulative effect that was not evaluated in the Master EIR for the 2030 General Plan. The project would have no significant effect on the environment.

Commission/Committee Action: On October 9, 2014, the requested entitlements were heard by the Planning and Design Commission. One member of the public spoke in opposition of the proposal primarily regarding the concentration of dispensaries in this district. Staff also included two public comments from this speaker as attachments to the staff report (Exhibit H). With a majority vote (9:0:3), the Planning and Design Commission voted to forward the requested entitlements to the City Council with a recommendation for approval.

Rationale for Recommendation: The 3600 Power Inn Road Rezone project has been reviewed objectively with consideration for General Plan and Specific Plan policies, Zoning and Development Code standards, comments received from the public, and the proposed conditions of approval. The rezone is appropriate as the site is in a predominately industrial and office area with support commercial at the corners and there are no residential uses in the immediate area. Staff's recommendation to approve the project was supported by the Planning and Design Commission with a majority vote to forward the project to the City Council with a positive recommendation. Staff continues to support the project request based on the Findings of Fact and subject to the Conditions of Approval as found in the proposed resolutions and ordinance.

Financial Considerations: Not applicable.

Local Business Enterprise (LBE): Not applicable.

Background Information

Required Project Entitlements: On November 9, 2010, the Sacramento City Council adopted ordinances developing operating regulations in the Revenue Code (Title 5) and a conditional use permit requirement in the Planning and Development Code (Title 17) for medical marijuana dispensaries in the City. The Title 5 regulations allowed only existing dispensaries operating in the City to file an application with the Revenue Division for a medical marijuana dispensary. Horizon Collective is one of the 31 dispensaries permitted to continue in the Revenue permitting process. In addition, Title 5 and Title 17 regulations require that medical marijuana dispensaries file for conditional use permits. Title 17 lists distance requirements from sensitive uses; however, they do not apply if the dispensary qualifies as a registered medical marijuana dispensary as defined by Title 17. A registered medical marijuana dispensary is required to obtain a conditional use permit (CUP). Horizon Collective meets the qualifications of a Title 17 registered medical marijuana dispensary, therefore the distance requirements do not apply. Dispensaries are permitted with a CUP in the General Commercial (C-2-SPD) zone but not in the Manufacturing, Research and Development (MRD-SWR) zone; therefore the applicant is requesting a rezone to allow the dispensary to continue operating at the site.

Public/Neighborhood Outreach and Comments: City staff has sent out several routings, early notifications, and public hearing notices for this project to nearby property owners and affected neighborhood associations from September of 2011 to recently. In September of 2011, staff received one e-mail (see attached public comments) from the Power Inn Alliance (PIA) in opposition to the project. Specific concerns identified were related to the following: proximity to another dispensary in the area; the behavior of dispensary clientele; inaccurate information in their application; the property will be located within the proposed Sacramento Center for Innovation (SCI) Specific Plan area and this is not the type of business intended for this plan area; and concerns with people waving signs in the area. In July 2014, city staff received a letter from Jerry Vorpahl of the Power Inn Alliance (PIA) which expressed opposition to marijuana dispensaries in the Power Inn Area (see attached public comments) and he also spoke to these same concerns at the October 9, 2014 Planning and Design Commission hearing. The applicant provided a statement of support, signed by all of their fellow tenants within the building (see attached public comments).

Rezone: The Horizon Collective began operating at this site in August 2008 and the project application for a Conditional Use Permit was formally submitted on August 1, 2011. At the time the application was submitted to the city the property was zoned Heavy Industrial (M-2S-SWR). In December 2013, the City Council approved the Sacramento Center for Innovation (SCI) Specific Plan, which included this property site, as part of the redevelopment of this area (LR13-009). The SCI Specific Plan included a number of rezones within the specific plan area. The rezone associated with the SCI plan affected this particular parcel. The subject parcel was rezoned from Heavy Industrial zone (M-2S-SWR) to Manufacturing, Research and Development zone (MRD-SWR) within the Solid Waste Restricted overlay (SWR). This proposal includes a

request to rezone a 1.27 acre developed parcel from Manufacturing, Research and Development zone within the Solid Waste Restricted overlay (MRD-SWR) to General Commercial zone within the Solid Waste Restricted overlay (C-2-SWR). The MRD zone is intended for manufacturing, assembly, research and development type land uses. The C-2 zone is a general commercial zone which provides for the sale of commodities, or performance of services, including repair facilities, offices, small wholesale stores or distributors, and limited processing and packaging.

Medical marijuana dispensaries are permitted with a conditional use permit in the C-2 zone but are prohibited in the MRD zone; therefore, the applicant is requesting a rezone of the property to the General Commercial zone (C-2-SWR) to allow the dispensary to continue to operate at the site. The applicant and property owner are also requesting this rezone to accommodate the existing office and commercial uses operating within the existing building. The property is currently surrounded by MRD zoning to the north, south, and east (industrial uses) and C-2 and OB zoning to the northeast, southeast, and east (commercial and office uses). The existing tenants within the building at 3600 Power Inn Road are all office and retail uses, which is more consistent with the C-2 zoning and uses at the northeast and southeast corners of the intersection of Power Inn Road and Ramona Avenue, than it is with the existing MRD zoning and the industrial uses to the north, south and west. The existing building began as a warehouse use, but has eventually become an office/commercial use through the years and has an improved parking lot at the rear of the building. The proposed General Commercial (C-2-SWR) zoning will be compatible with the existing use of the site and will continue to be compatible with the adjacent Manufacturing, Research and Development (MRD) zoning and the existing General Commercial (C-2) and Office Building (OB) zoning in the immediate area. Furthermore, the proposed General Commercial (C-2-SWR) zone is compatible with the SCI Specific Plan and is consistent with the Employment Center Mid Rise land use designation and the applicable General Plan policies for healthy communities, safe and fair practices, and development review. As reviewed and conditioned by Police, the proposal will promote the public health, safety, convenience, and welfare of the city. For these reasons, staff supports the requested rezone.

Conditional Use Permit:

Land Use: Medical marijuana dispensaries are permitted with the approval of a Planning and Design Commission level conditional use permit in the General Commercial (C-2-SWR) zone. As noted above, the applicant is requesting a conditional use permit for an 8,000 square foot medical marijuana dispensary in the General Commercial (C-2-SWR) zone. The applicant is currently occupying 1,240 square feet of the first floor of the building (see Exhibit D) and is intending to potentially expand to 8,000 square feet (see Exhibit E) in 2015. The applicant has stated that they are proposing to use the additional 6,700+ square footage to provide for a larger sales area for the dispensary. This area is not currently under lease/contract and the applicant has indicated that the property owner would allow them to lease this area for the dispensary. This proposal does not include any request to modify the exterior of the building. The hours of operation are currently 10:00 a.m. to 7:00 p.m. Monday through Saturday and

12:00 p.m. to 7:00 p.m. on Sunday. Horizon Collective currently has approximately 11,000 members registered with their collective. The facility serves approximately 50-70 patients a day and peak customer times tend to be between 4:00 p.m. and 7:00 p.m. Before occupancy by the dispensary, this suite (1A) was previously used for commercial office / retail uses.

The Police Department has reviewed the security plan for Horizon Collective and has conditioned the implementation of appropriate security measures for this use. The Police Department has evaluated the number of calls for police service at the proposed address and there is no indication that the dispensary has generated an excessive number of calls for police service. The lighting conditioned within the building and outside of the building provides added security measures.

A City Zoning Investigator has made numerous visits to the dispensary. During his visits, the Zoning Investigator has found the dispensary to be in compliance with Title 5 regulations and no evidence of loitering by patients around the facility.

Staff visited the site on several occasions and has observed that the dispensary's operations do not extend beyond the specific location in which they are located. The dispensary operates such that customers come to the front door and they are escorted in by dispensary staff. The customer provides their recommendation to staff and will then fill out a membership agreement. Dispensary staff then verifies the customer's recommendation. Once verified, the customer will proceed through another locked door into the sales area of the dispensary, where the client then makes their purchases.

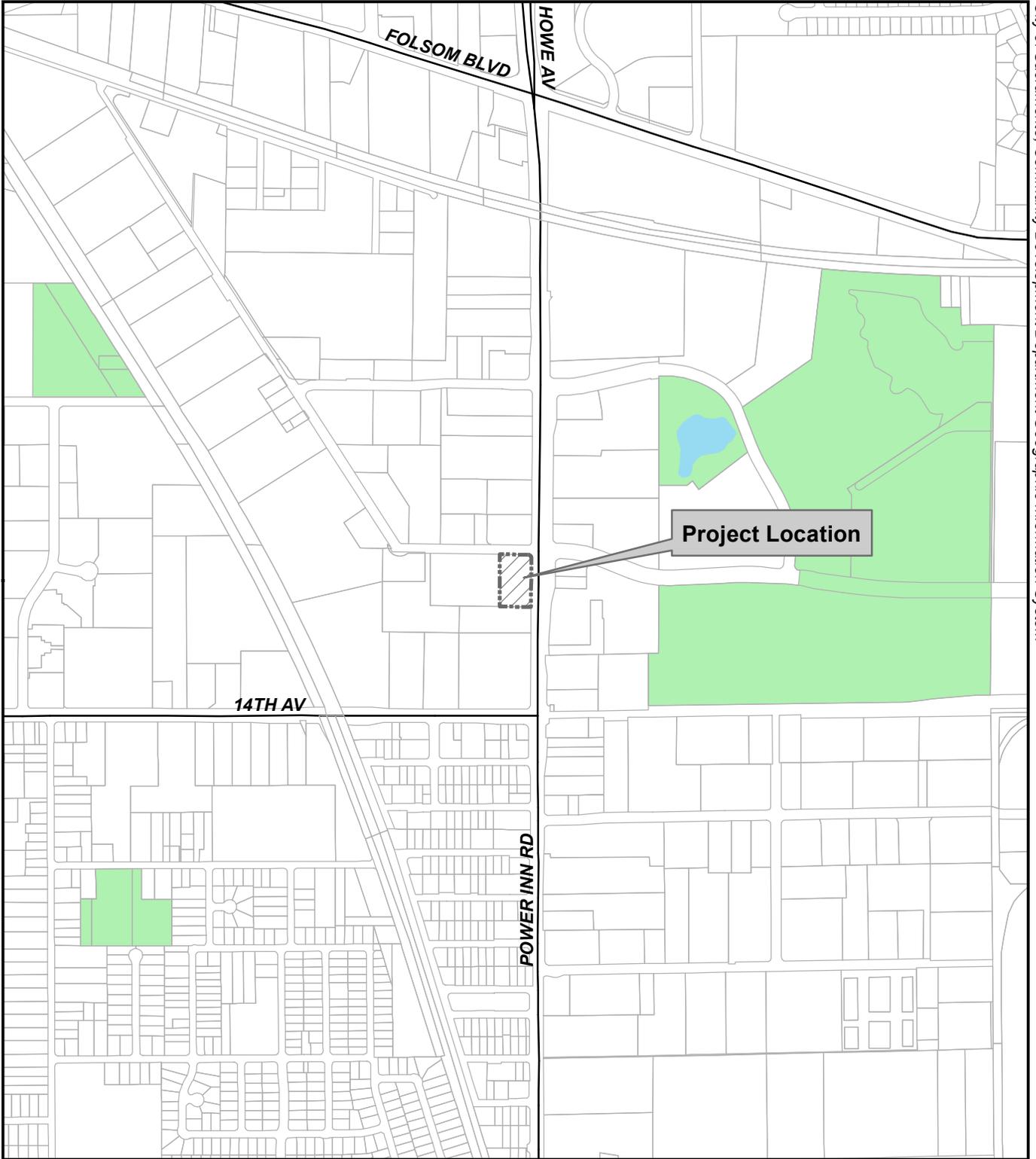
Access, Circulation and Parking: The dispensary is located within an existing office/commercial building. The main entrance of the dispensary is located on Ramona Avenue (facing north). There is parking in front of the building along Power Inn Road and parking on a portion of an adjacent parcel to the west of the building which is under the same ownership (Z97-116). The parking areas are accessible from Power Inn Road and Ramona Avenue. There is also public on-street parallel parking on Ramona Avenue.

The parking ratio for a medical marijuana dispensary is the same as for a retail store. In the Urban Parking District, retail stores and office uses require 1 space per 2,000 square feet of building. The existing office / commercial building is approximately 40,975 square feet and currently requires a total of 21 parking spaces. The project site contains approximately 32 parking spaces and the adjacent property houses approximately 84 parking spaces, which is well over the minimum parking spaces required for the existing building.

Building Design and Signage: The existing building is comprised of a concrete two-story structure with storefront windows with built-up roofing. Except for lighting and security cameras, no exterior modifications or site improvements are proposed as part of this project. The applicant is required to obtain building permits to install and

complete any improvements. Signage shall meet City Sign Ordinance requirements and requires a sign permit.

Recommendation: With a majority vote, the Planning and Design Commission voted (9:0:3) to forward a recommendation of approval to the City Council for the requested entitlements based on the findings in Attachment 4 (Planning and Design Commission Record of Decision). Staff believes the rezone is appropriate as the site is in a predominately industrial area with existing commercial uses and zoning. Furthermore, the proposed C-2-SWR zoning is more consistent with the existing uses at this location than the MRD-SWR zone. Staff received concerns from the local business alliance; however, staff feels that the measures and rules put into place by the operators, in addition to the security provided will minimize these issues. Horizon Collective has been in operation at this location for over five years, complies with state law, SCC Chapter 2.150, and the Planning and Development Code. Furthermore, Horizon Collective is not known to be a nuisance within the immediate area. Staff believes that the project, as conditioned, meets the necessary findings of fact and has prepared the appropriate documents for approval (Attachments 5 through 14).



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P14-044 Vicinity Map Horizon Collective





**CITY OF SACRAMENTO PLANNING AND DESIGN COMMISSION
RECORD OF DECISION**

300 Richards Boulevard, Sacramento, CA 95811

Project Name: Horizon Collective
 Project Number: P14-044
 Project Location: 3600 Power Inn Road, Suite 1A, Sacramento, CA 95826
 Assessor's Parcel No.: 079-0300-023-0000
 Applicant: John Hudson Swanston, Horizon Nonprofit Collective, (916) 870-8067, 3600 Power Inn Road, Suite 1A, Sacramento, CA 95826
 Action Status: Approved with conditions. Action Date: 10/09/2014

- REQUESTED ENTITLEMENT(S):**
- A. Environmental Determination: Exempt** (per CEQA Guidelines Section 15301 – Existing Facilities);
 - B. Rezone** of 1.27± acres from Manufacturing, Research and Development (MRD-SWR) zone to General Commercial (C-2-SWR) zone within the Solid Waste Restricted overlay; and
 - C. Conditional Use Permit** for a medical marijuana dispensary in the proposed General Commercial zone within the Solid Waste Restricted overlay (C-2-SWR).

ACTIONS TAKEN: On 10/09/2014, the Planning and Design Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:
 Recommends approval and forwards to City Council entitlements (A), (B) and (C) with conditions

Action certified by: Stacia Cosgrove
 Stacia Cosgrove, Principal Planner

Sent to Applicant: By: Awacht
 Staff Signature

NOTICE OF PROTEST RIGHTS

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90

days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

APPEALS

Appeals of the Planning and Design Commission decision of this item to the City Council must be filed at 300 Richards Boulevard, 3rd Floor, within 10 calendar days of this meeting, on or before 10/20/2014. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

Findings Of Fact

- A. The Planning and Design Commission has reviewed and considered the information contained in the **CEQA Exemption** in making the recommendations set forth in Attachment 1.
- B. The Planning and Design Commission recommends approval and forwards to the City Council the **Rezone** of the site as set forth in Attachment 2, based upon the following findings of fact:
 1. The rezoning is consistent with the applicable general plan land use designation, use, and development standards; the goals, policies, and other provisions of the general plan; and any applicable specific plan; and
 2. The amendment promotes the public health, safety, convenience, and welfare of the city.
- C. The Planning and Design Commission recommends approval and forwards to the City Council the **Conditional Use Permit** to operate a Medical Marijuana Dispensary in the proposed General Commercial (C-2-SWR) zone, as set forth in Attachment 3, based upon the following findings of fact:
 1. The proposed use and its operating characteristics are consistent with the general plan and any applicable specific plan or transit village plan. The operation of a dispensary (retail) is consistent with the types of uses located in Employment Center Mid Rise General Plan designation and

with general plan policies. The proposal is also consistent with uses anticipated by the Sacramento Center for Innovation (SCI) Specific Plan.

2. The proposed use and its operating characteristics are consistent with the applicable standards, requirements, and regulations of the zoning district in which it will be located, and of all other provisions of this title and this code. The dispensary will be located in the C-2-SWR zone and is allowed to apply for a conditional use permit because it has been properly registered with the City prior to the moratorium ordinance adopted on July 14, 2009, and has operated at the subject location since August 2008. The Title 5 dispensary permit subjects the facility to routine monitoring to assure that it is operating consistent with Title 5 requirements and planning conditions of approval.
3. The proposed use is situated on a parcel that is physically suitable in terms of location, size, topography, and access, and that is adequately served by public services and utilities. The project has been analyzed by City departments and it has been determined that all streets and other public access ways and facilities, and utility infrastructure are adequate to serve the proposed development.
4. The proposed use and its operating characteristics are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance. The dispensary is located in an area surrounded by industrial, commercial and office uses, and operates the business in such a manner as to take into consideration the neighborhood. Rigorous security measures are in place at the dispensary to deter crime and to protect the safety and welfare of patients and the surrounding properties. All exterior signage will be discrete.
5. The medical marijuana dispensary has not generated an excessive number of calls for police service compared to similarly situated businesses of the same size as the dispensary. The Police Department has evaluated the number of calls for police service at the proposed address and the calls do not, currently, indicate that the dispensary has generated an excessive number of calls for police service compared to similarly situated businesses of the same size as the dispensary.
6. The medical marijuana dispensary has not caused secondary criminal or public nuisance impacts in the surrounding area or neighborhood, including, but not limited to, disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passersby, littering, loitering, illegal parking, loud noises, or lewd conduct. The operation of this dispensary has not resulted in an excessive number of calls to law enforcement.

Additionally, the Zoning Investigator has visited this site numerous times in the past two years as part of routine inspections and there have been no major issues raised. The dispensary has not caused secondary criminal or public nuisance impacts in the surrounding area or neighborhood, including, but not limited to, disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passersby, littering, loitering, illegal parking, loud noises, or lewd conduct.

7. The proposed location, size, and other development standards of the medical marijuana dispensary are consistent with state law and this code (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1). The proposed location, size and other development standards of the medical marijuana dispensary are consistent with state law, SCC Chapter 5.150, and the Planning and Development Code.

RESOLUTION NO.

Adopted by the Sacramento City Council

**DETERMINING PROJECT EXEMPT FROM REVIEW UNDER
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT,
FOR THE PROPERTY LOCATED AT
3600 POWER INN ROAD (P14-044)
(APN: 079-0300-023-0000)**

BACKGROUND

A. On October 9, 2014 the City Planning and Design Commission conducted a hearing on, and forwarded to the City Council, a recommendation to approve the Horizon Collective project.

B. On _____, 2014, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.812.030 (b), and received and considered evidence concerning the Horizon Collective project.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

The project consists of an approval of Rezone of the property from Manufacturing, Research and Development zone (MRD-SWR) to General Commercial zone (C-2-SWR) within the Solid Waste Restricted overlay (SWR) and a Conditional Use Permit to operate a Medical Marijuana Dispensary in the proposed General Commercial (C-2-SWR) zone.

Section 1. Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under Section 15301, Existing Facilities of the California Environmental Quality Act Guidelines as follows:

The project consists of the operation of an existing facility, involving no expansion of use beyond that existing. There are no unusual circumstances that would result in a significant effect, and the cumulative effects of the project have been evaluated in the Master EIR prepared for the 2030 General Plan. The project would not have a significant effect on the environment.

ORDINANCE NO.

Adopted by the Sacramento City Council

AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE PLANNING AND DEVELOPMENT CODE) BY REZONING CERTAIN REAL PROPERTY FROM MANUFACTURING, RESEARCH AND DEVELOPMENT ZONE (MRD-SWR) TO GENERAL COMMERCIAL ZONE (C-2-SWR) WITHIN THE SOLID WASTE RESTRICTED OVERLAY

**3600 POWER INN ROAD (P14-044)
(APN: 079-0300-023-0000) COUNCIL DISTRICT 6**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

SECTION 1

Title 17 of the Sacramento City Code (Planning and Development Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known and referred to as Horizon Collective (APN: 079-0300-023-0000) and consisting of approximately 1.27 acres, from Manufacturing, Research and Development zone (MRD-SWR) to General Commercial zone (C-2-SWR) within the Solid Waste Restricted overlay (SWR).

SECTION 2

The rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, is consistent with the applicable general plan land use designation, use, and development standards; the goals, policies, and other provisions of the general plan; and any applicable specific plan; and the amendment promotes the public health, safety, convenience, and welfare of the city.

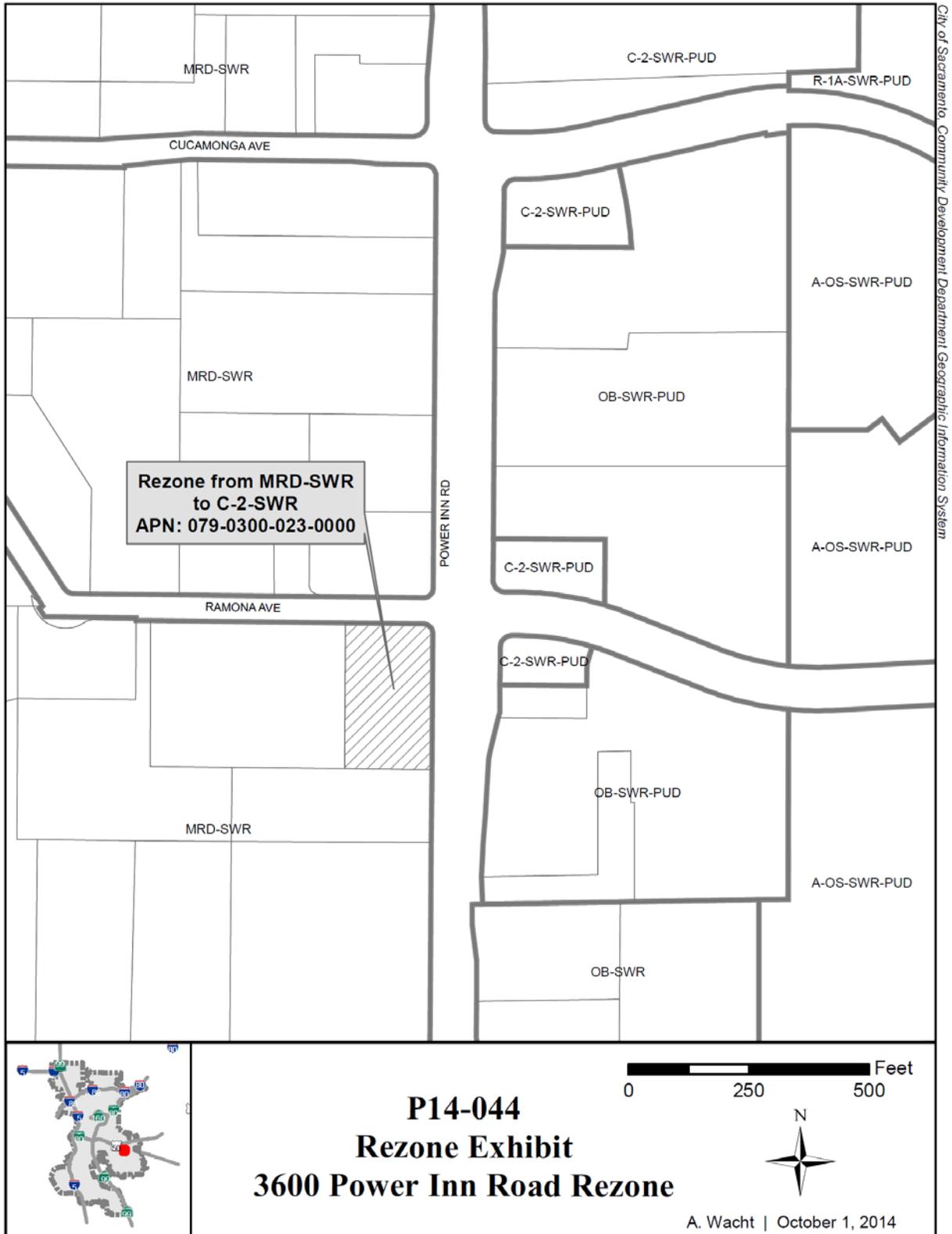
SECTION 3

The City Clerk of the City of Sacramento is hereby directed to amend the official zoning maps to conform to the provisions of this Ordinance.

Table of Contents:

Exhibit A: Rezone Map – 1 Page

Exhibit A - Rezone Map



Attachment 3 - Draft Resolution for Conditional Use Permit

RESOLUTION NO.

Adopted by the Sacramento City Council

ADOPTING FINDINGS OF FACT AND APPROVING THE HORIZON COLLECTIVE CONDITIONAL USE PERMIT (P14-044) (APN: 079-0300-023-0000)

BACKGROUND

A. On October 9, 2014, the Planning and Design Commission conducted a public hearing on, and forwarded the Horizon Collective project (P14-044) to the City Council with a recommendation for approval.

B. On _____, 2014, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.030 (b), and received and considered evidence concerning the Horizon Collective project (P14-044).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the verbal and documentary evidence received at the hearing on the Horizon Collective project, the City Council approves the project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the project entitlements based on the following findings of fact:

A. The Conditional Use Permit to operate a Medical Marijuana Dispensary in the proposed General Commercial (C-2-SWR) zone is approved based on the following Findings of Fact:

1. The proposed use and its operating characteristics are consistent with the general plan and the Sacramento Center for Innovation (SCI) Specific Plan. The operation of a dispensary (retail) is consistent with the types of uses located in Employment Center Mid Rise General Plan designation and with general plan policies. .
2. The proposed use and its operating characteristics are consistent with the applicable standards, requirements, and regulations of the zoning district in which it will be located, and of all other provisions of this title and this code. The dispensary will be located in the C-2-SWR zone and is allowed to apply for a conditional use permit because it has been properly registered with the City prior

to the moratorium ordinance adopted on July 14, 2009, and has operated at the subject location since August 2008. The Title 5 dispensary permit subjects the facility to routine monitoring to assure that it is operating consistent with Title 5 requirements and planning conditions of approval.

3. The proposed use is situated on a parcel that is physically suitable in terms of location, size, topography, and access, and that is adequately served by public services and utilities. The project has been analyzed by City departments and it has been determined that all streets and other public access ways and facilities, and utility infrastructure are adequate to serve the proposed development.
4. The proposed use and its operating characteristics are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance. The dispensary is located in an area surrounded by industrial, commercial and office uses, and operates the business in such a manner as to take into consideration the neighborhood. Rigorous security measures are in place at the dispensary to deter crime and to protect the safety and welfare of patients and the surrounding properties. All exterior signage will be discrete.
5. The medical marijuana dispensary has not generated an excessive number of calls for police service compared to similarly situated businesses of the same size as the dispensary. The Police Department has evaluated the number of calls for police service at the proposed address and the calls do not, currently, indicate that the dispensary has generated an excessive number of calls for police service compared to similarly situated businesses of the same size as the dispensary.
6. The medical marijuana dispensary has not caused secondary criminal or public nuisance impacts in the surrounding area or neighborhood, including, but not limited to, disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passersby, littering, loitering, illegal parking, loud noises, or lewd conduct. The operation of this dispensary has not resulted in an excessive number of calls to law enforcement. Additionally, the Zoning Investigator has visited this site numerous times in the past two years as part of routine inspections and there have been no major issues raised. The dispensary has not caused secondary criminal or public nuisance impacts in the surrounding area or neighborhood, including, but not limited to, disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passersby, littering, loitering, illegal parking, loud noises, or lewd conduct.
7. The proposed location, size, and other development standards of the medical marijuana dispensary are consistent with state law and this code (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1). The proposed location, size and other

development standards of the medical marijuana dispensary are consistent with state law, SCC Chapter 5.150, and the Planning and Development Code.

Section 3. The City Council approves the project entitlements subject to the following conditions of approval:

A. The **Conditional Use Permit** to operate a Medical Marijuana Dispensary in the proposed General Commercial (C-2-SWR) zone within the Solid Waste Restricted overlay (SWR) **is approved** subject to the following Conditions of Approval:

Planning

1. Development of this site shall be in compliance with the attached exhibits, except as conditioned. Any modifications to the project shall be subject to additional Planning review and may require subsequent entitlements prior to issuance of building permits.
2. The applicant/operator of the dispensary shall comply with the security plan on file with the Revenue Division.
3. Good Neighbor information shall be posted near the front entrance of the dispensary to provide the contact information for the dispensary's Office Manager and the City's Zoning Investigator.
4. Any signs for the dispensary shall be required to obtain the necessary sign permits. All dispensary signs shall be non-illuminated.

Building

5. A building permit is required for all work being proposed or work that has been previously done without a building permit and all work must comply with the 2010 California Code of Regulations, Title 24 and comply with ADA requirements.

Police

6. Exterior lighting shall be white light (e.g. metal halide, LED, fluorescent, or induction) using cut off or full cut off fixtures to limit glare and light trespass. Exterior lighting shall be maintained and operational and shall meet IESNA standards.
7. All landscaping should follow the two foot six foot rule. All landscaping should be ground cover, two feet or less and lower tree canopies should be above six feet. This increases natural surveillance and eliminates hiding areas within the landscape. Tree canopies should not interfere with or block lighting. This creates shadows and areas of concealment.

8. The landscaping plan shall allow for proper illumination and visibility regarding lighting and surveillance cameras through the maturity of trees and shrubs.
9. Business shall be equipped with a monitored burglary alarm system with private security response.
10. UL listed central station silent robbery alarm system shall be employed at all points of sale, the manager's office, and near the safe(s). Cellular back-up is recommended.
11. All solid core exterior doors shall be equipped with a 180 degree viewing device to screen persons before allowing entry, and shall remain locked at all times except for emergencies and deliveries.
12. Height markers are required on the interior doorway.
13. Recorded Video Assessment and Surveillance System (VASS) shall be employed.
14. Cameras and VASS storage shall be digital high definition or better.
15. VASS storage shall be kept off-site or in a secured area accessible only to management.
16. VASS shall support standard MPEG formats.
17. VASS shall be capable of storing no less than 30 days worth of activity.
18. Manager with access to VASS storage shall be able to respond within 30 minutes during business hours.
19. Manager shall have the ability to transfer recorded data to another medium (e.g. DVD, thumb drive, etc.).
20. VASS shall provide comprehensive coverage of:
 - all points of sale
 - safe
 - manager's office
 - areas of ingress and egress
 - marijuana placement areas
 - parking lot
 - loading areas
 - areas not clearly visible from public streets

- coverage of West, East, and North exterior sides of the property
 - adjacent public rights of way
 - at least one camera shall be positioned to get a front face shot (e.g. height strip camera)
21. Cameras shall be equipped with low light capability, auto iris and auto focus.
 22. Television style monitors shall be mounted in a visible location near the entrance so that patrons can clearly see that their activities are being monitored.
 23. An armed and properly permitted security officer shall be on site at all times during operation.
 24. Windows shall remain uncluttered with no advertising to allow for natural surveillance.
 25. The name of the dispensary shall be printed on any receipts.
 26. No public pay phones/telephones shall be allowed on the premises.
 27. No coin operated games or video machines shall be allowed on the premises.
 28. The applicant shall post the property No Trespassing and No Loitering. The applicant shall designate a properly permitted and approved private patrol company as agent for trespass.
 29. The applicant is responsible for reasonably controlling the conduct of persons on the site and shall immediately disperse loiterers.
 30. All dumpsters shall be kept locked.
 31. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the applicant shall be removed or painted over within 72 hours of being applied.
 32. The applicant shall be responsible for the daily removal of all litter from the site and adjacent rights of way.
 33. No manufacturing of Butane Honey Oil (BHO) or other, similar substances on the premises.

ADVISORY NOTES:

- ADV1. Any exterior modifications or site improvements will require site plan and design review approval prior to building permits.

- ADV2. City of Sacramento permits must be obtained for private patrol, alarm, and camera systems.
- ADV3. If problems arise and the City receives excessive complaints or significant negative and/or criminal activity occurs, the City reserves the right to revoke the Conditional Use Permit. This determination shall be subject to section 17.808.450 of the Sacramento City Code (Revocation – Conditional Use Permits and Urban Development Permits).

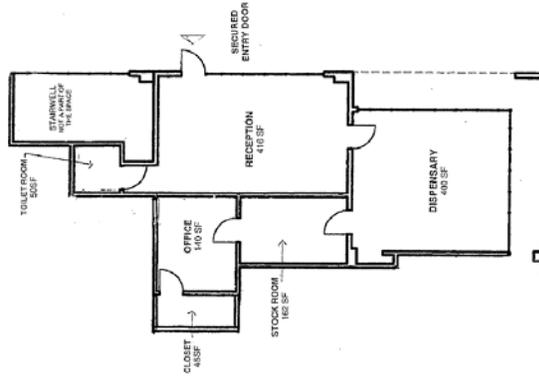
Table of Contents:

Exhibit A	Site Plan (A-1)
Exhibit B	First and Second Floor Plan (A-2)
Exhibit C	Existing Dispensary Floor Plan (1)
Exhibit D	Future Dispensary Floor Plan (1)
Exhibit E	Existing Elevations – North and East (2)
Exhibit F	Existing Elevations – South and West (3)

Exhibit C: Existing Dispensary Floor Plan (1)

FLOOR PLAN

HORIZON NON PROFIT COOPERATIVE



1240 SF TOTAL SPACE

11/14/12



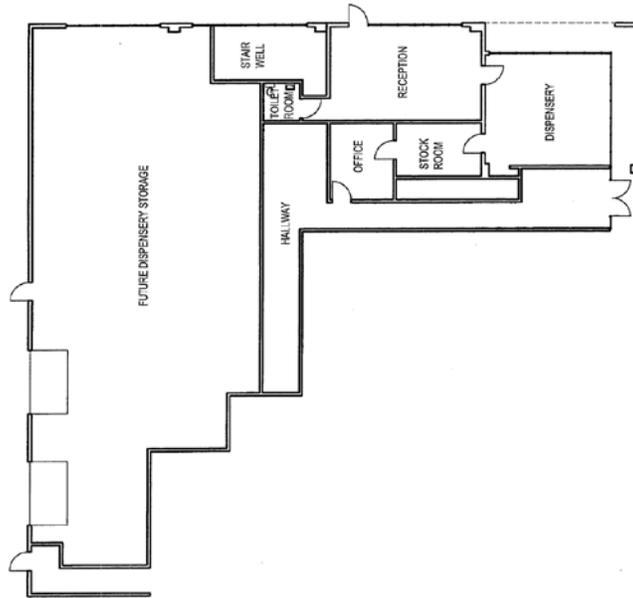
monighandesign
170 North Street | Scarborough, ME 04074
Telephone: 915.646.1800 | Fax: 915.646.1801
www.monighandesign.com



FLOOR PLAN
SCALE 1/8" = 1'-0"

Exhibit D: Future Dispensary Floor Plan (1)

FI OOR PI AN
HORIZON NON-PROFIT COR



SQ. FT. 8,000 TOTAL



1



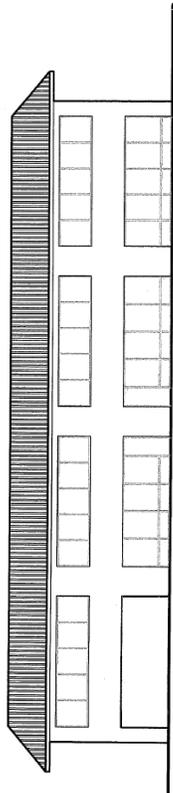
FLOOR PLAN

scale 1/16" = 1'-0"
(when printed at 11 x 17)

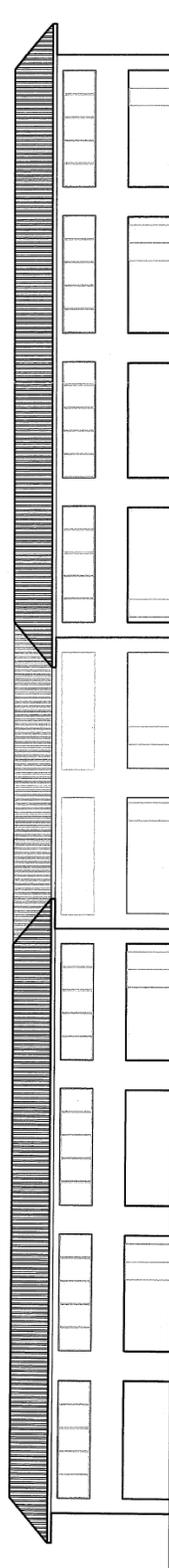
Exhibit E: Existing Elevations – North and East (2)

ELEVATIONS

HORIZON NON-PROFIT CORP



NORTH



EAST

ELEVATIONS

scale: 1/16" = 1'-0"
(when printed at 11 x 17)



monighandesign

2700 North 10th Street, Suite 100
Seattle, WA 98107
www.monighandesign.com

2

Exhibit F: Existing Elevations – South and West (3)

ELEVATIONS
HORIZON NON-PROFIT CORP



ELEVATIONS
scale 1/16" = 1'-0"
(when printed at 11 x 17)

RESOLUTION NO.

Adopted by the Sacramento City Council

**DETERMINING PROJECT EXEMPT FROM REVIEW UNDER
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT,
FOR THE PROPERTY LOCATED AT
3600 POWER INN ROAD (P14-044)
(APN: 079-0300-023-0000)**

BACKGROUND

A. On October 9, 2014 the City Planning and Design Commission conducted a hearing on, and forwarded to the City Council, a recommendation to approve the Horizon Collective project.

B. On _____, 2014, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Section 17.812.030 (b), and received and considered evidence concerning the Horizon Collective project.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

The project consists of an approval of Rezone of the property from Manufacturing, Research and Development zone (MRD-SWR) to General Commercial zone (C-2-SWR) within the Solid Waste Restricted overlay (SWR) and a Conditional Use Permit to operate a Medical Marijuana Dispensary in the proposed General Commercial (C-2-SWR) zone.

Section 1. Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under Section 15301, Existing Facilities of the California Environmental Quality Act Guidelines as follows:

The project consists of the operation of an existing facility, involving no expansion of use beyond that existing. There are no unusual circumstances that would result in a significant effect, and the cumulative effects of the project have been evaluated in the Master EIR prepared for the 2030 General Plan. The project would not have a significant effect on the environment.

ORDINANCE NO.

Adopted by the Sacramento City Council

**AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE PLANNING AND DEVELOPMENT CODE) BY REZONING CERTAIN REAL PROPERTY FROM MANUFACTURING, RESEARCH AND DEVELOPMENT ZONE (MRD-SWR) TO GENERAL COMMERCIAL ZONE (C-2-SWR) WITHIN THE SOLID WASTE RESTRICTED OVERLAY
3600 POWER INN ROAD (P14-044)
(APN: 079-0300-023-0000) COUNCIL DISTRICT 6**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

SECTION 1

Title 17 of the Sacramento City Code (Planning and Development Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known and referred to as Horizon Collective (APN: 079-0300-023-0000) and consisting of approximately 1.27 acres, from Manufacturing, Research and Development zone (MRD-SWR) to General Commercial zone (C-2-SWR) within the Solid Waste Restricted overlay (SWR).

SECTION 2

The rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, is consistent with the applicable general plan land use designation, use, and development standards; the goals, policies, and other provisions of the general plan; and any applicable specific plan; and the amendment promotes the public health, safety, convenience, and welfare of the city.

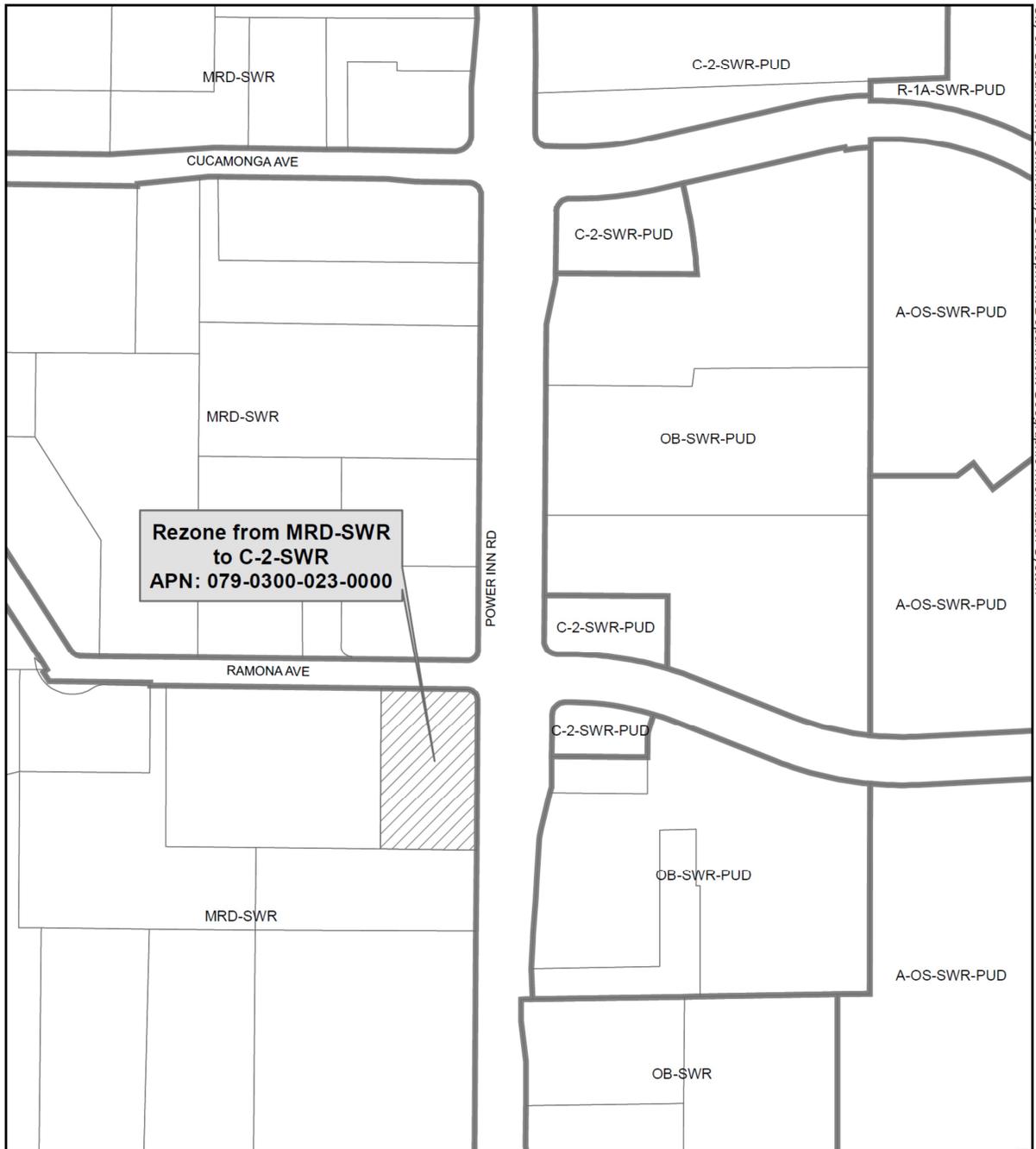
SECTION 3

The City Clerk of the City of Sacramento is hereby directed to amend the official zoning maps to conform to the provisions of this Ordinance.

Table of Contents:

Exhibit A: Rezone Map – 1 Page

Exhibit A – Rezone Map



City of Sacramento, Community Development Department Geographic Information System



P14-044
Rezone Exhibit
3600 Power Inn Road Rezone

0 250 500 Feet

A. Wacht | October 1, 2014

RESOLUTION NO.

Adopted by the Sacramento City Council

ADOPTING FINDINGS OF FACT AND APPROVING THE HORIZON COLLECTIVE CONDITIONAL USE PERMIT (P14-044) (APN: 079-0300-023-0000)

BACKGROUND

A. On October 9, 2014, the Planning and Design Commission conducted a public hearing on, and forwarded the Horizon Collective project (P14-044) to the City Council with a recommendation for approval.

B. On _____, 2014, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.812.030 (b), and received and considered evidence concerning the Horizon Collective project (P14-044).

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the verbal and documentary evidence received at the hearing on the Horizon Collective project, the City Council approves the project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the project entitlements based on the following findings of fact:

A. The **Conditional Use Permit** to operate a Medical Marijuana Dispensary in the proposed General Commercial (C-2-SWR) zone **is approved** based on the following Findings of Fact:

1. The proposed use and its operating characteristics are consistent with the general plan and the Sacramento Center for Innovation (SCI) Specific Plan. The operation of a dispensary (retail) is consistent with the types of uses located in Employment Center Mid Rise General Plan designation and with general plan policies.
2. The proposed use and its operating characteristics are consistent with the applicable standards, requirements, and regulations of the zoning district in which it will be located, and of all other provisions of this title and this code. The dispensary will be located in the C-2-SWR zone and is allowed to apply for a conditional use permit because it has been properly registered with the City prior to the moratorium ordinance adopted on July 14, 2009, and has operated at the subject location since August 2008. The Title 5 dispensary permit subjects the

facility to routine monitoring to assure that it is operating consistent with Title 5 requirements and planning conditions of approval.

3. The proposed use is situated on a parcel that is physically suitable in terms of location, size, topography, and access, and that is adequately served by public services and utilities. The project has been analyzed by City departments and it has been determined that all streets and other public access ways and facilities, and utility infrastructure are adequate to serve the proposed development.
4. The proposed use and its operating characteristics are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance. The dispensary is located in an area surrounded by industrial, commercial and office uses, and operates the business in such a manner as to take into consideration the neighborhood. Rigorous security measures are in place at the dispensary to deter crime and to protect the safety and welfare of patients and the surrounding properties. All exterior signage will be discrete.
5. The medical marijuana dispensary has not generated an excessive number of calls for police service compared to similarly situated businesses of the same size as the dispensary. The Police Department has evaluated the number of calls for police service at the proposed address and the calls do not, currently, indicate that the dispensary has generated an excessive number of calls for police service compared to similarly situated businesses of the same size as the dispensary.
6. The medical marijuana dispensary has not caused secondary criminal or public nuisance impacts in the surrounding area or neighborhood, including, but not limited to, disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passersby, littering, loitering, illegal parking, loud noises, or lewd conduct. The operation of this dispensary has not resulted in an excessive number of calls to law enforcement. Additionally, the Zoning Investigator has visited this site numerous times in the past two years as part of routine inspections and there have been no major issues raised. The dispensary has not caused secondary criminal or public nuisance impacts in the surrounding area or neighborhood, including, but not limited to, disturbances of the peace, illegal drug activity, marijuana use in public, harassment of passersby, littering, loitering, illegal parking, loud noises, or lewd conduct.
7. The proposed location, size, and other development standards of the medical marijuana dispensary are consistent with state law and this code (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1). The proposed location, size and other development standards of the medical marijuana dispensary are consistent with state law, SCC Chapter 5.150, and the Planning and Development Code.

Section 3. The City Council approves the project entitlements subject to the following conditions of approval:

A. The **Conditional Use Permit** to operate a Medical Marijuana Dispensary in the proposed General Commercial (C-2-SWR) zone within the Solid Waste Restricted overlay (SWR) **is approved** subject to the following Conditions of Approval:

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1. Development of this site shall be in compliance with the attached exhibits, except as conditioned. Any modifications to the project shall be subject to additional Planning review and may require subsequent entitlements prior to issuance of building permits.
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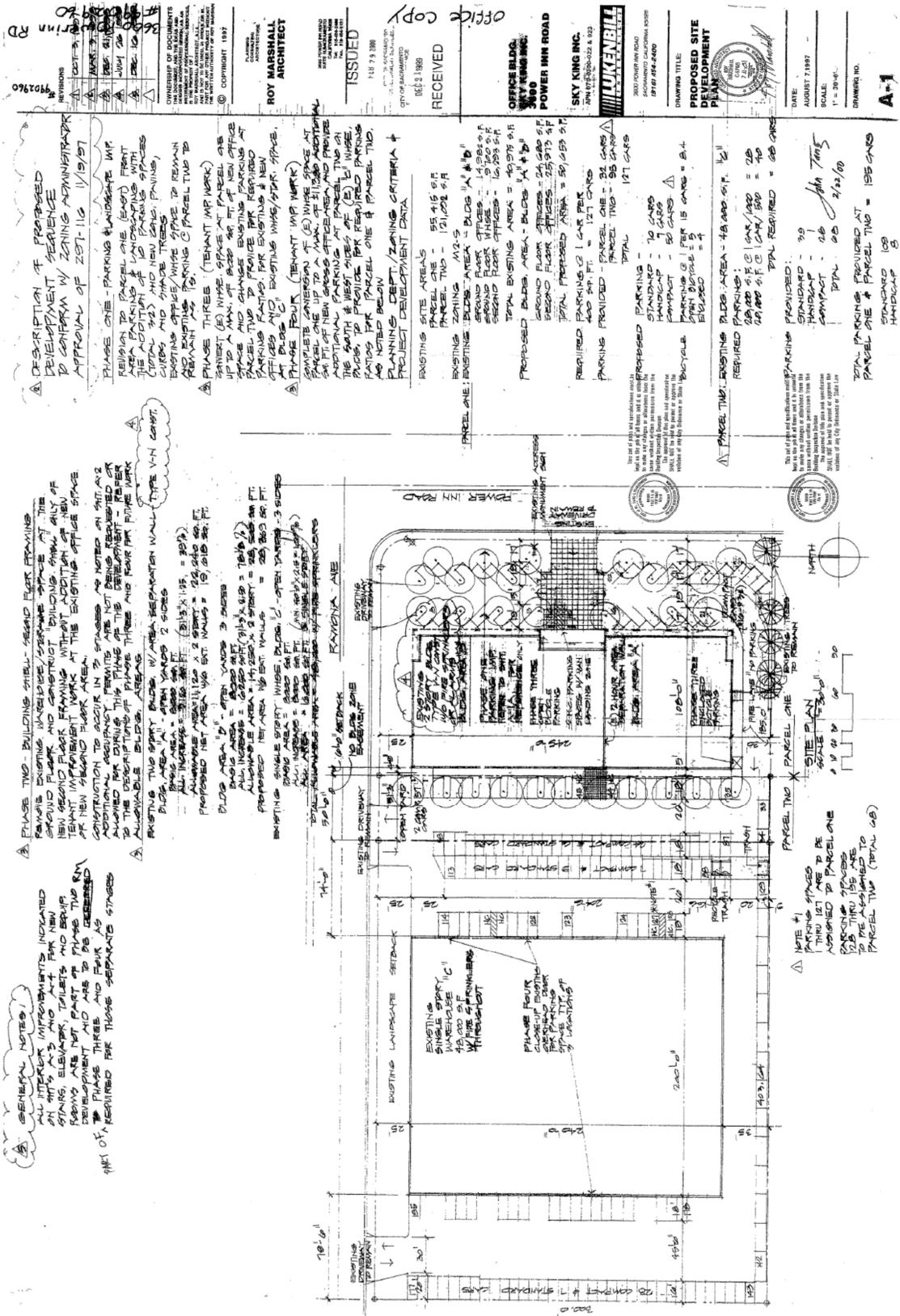
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Exhibit G	Existing Elevations – South and West (3)



REVISIONS

NO.	DATE	DESCRIPTION
1	10/21/10	ISSUED FOR PERMIT
2	11/19/10	APPROVAL OF ZONING ADMINISTRATOR
3	12/10/10	REVISIONS TO PARCEL ONE (LEAD) FRONT
4	12/10/10	REVISIONS TO PARCEL TWO (NEW) FRONT
5	12/10/10	REVISIONS TO PARCEL THREE (PARKING)
6	12/10/10	REVISIONS TO PARCEL FOUR (LANDSCAPING)

COMPILED BY: [Name]

DATE: [Date]

PROJECT NO: [Number]

ROY MARSHALL ARCHITECT

ISSUED

RECEIVED

OFFICE BLDG. 3000 POWER INN ROAD

SKY KING INC.

PROPOSED SITE DEVELOPMENT PLAN

DATE: AUGUST 7, 1987

SCALE: 1" = 20'-0"

DRAWING NO. A-1

DESCRIPTION OF PROPOSED DEVELOPMENT SEQUENCE TO CONFORM W/ ZONING ADMINISTRATION APPROVAL OF 201-116 11/19/10

PHASE ONE - PARKING LANDSCAPE IMPROVEMENT TO PARCEL ONE (LEAD) FRONT. THE LOCATION OF 10 PARKING SPACES (TOTAL 20) AND NEW CANALS, FINISHES, CURBS AND SHADE TREES. EXISTING OFFICE W/IDE SPACE TO REMAIN. REMAINING PARKING ON PARCEL TWO TO REMAIN.

PHASE THREE (TENANT IMPROVEMENT) - TENANT SPACE AT PARCEL ONE AS UP TO A MAX. OF 2000 SQ FT. OF NEW OFFICE SPACE AND CHANGE EXISTING PARKING AT PARCEL TWO TO PROVIDE FOR REQUIRED PARKING AT 1000 SQ FT. OF NEW OFFICE SPACE. AT 1000 SQ FT. OF NEW OFFICE SPACE, 10 EXISTING WIDE SPACES AT PARCEL FOUR (TENANT IMPROVEMENT) COMPLETE CONVERSION AT (E) WHERE SPACE AT PARCEL ONE UP TO A MAX. OF 2000 ADDITIONAL PARKING SPACES AT PARCEL TWO. THE SOUTH & WEST SIDES OF (E) WHERE PARKING TO PROVIDE FOR REQUIRED PARKING SPACES AT PARCEL ONE & PARCEL TWO. AS NOTED BELOW.

PLANNING DEPT. ZONING CRITERIA + PROJECT DEVELOPMENT DATA

EXISTING SITE AREAS

- PARCEL ONE - 55,415 SQ FT
- PARCEL TWO - 121,092 SQ FT

EXISTING ZONING - M12-S

EXISTING ZONING AREA - 110,000 SQ FT

EXISTING FLOOR AREA - 16,250 SQ FT

EXISTING FLOOR OFFICES - 16,250 SQ FT

TOTAL EXISTING AREA = 49,975 SQ FT

PROPOSED BLDG. AREA - BLDGS. A, B, C

GROUND FLOOR OFFICES - 24,000 SQ FT

SECOND FLOOR OFFICES - 25,975 SQ FT

TOTAL PROPOSED AREA = 50,000 SQ FT

REQUIRED PARKING @ 1 CAR PER 400 SQ FT. = 127 CARS

PARKING PROVIDED - PARCEL ONE = 32 CARS

PARKING PROVIDED - PARCEL TWO = 95 CARS

TOTAL = 127 CARS

PROPOSED PARKING

- STANDARD - 10 CARS
- COMPACT - 50 CARS
- PARKING @ 1 PER 15 CARS = 8.4
- MINIMUM @ 1 PER 15 CARS = 8.4
- BLDG. = 4

PARCEL TWO: EXISTING BLDG. AREA = 49,000 SQ FT. 12

REQUIRED PARKING:

- STANDARD @ 1 CAR / 400 SQ FT = 20
- MINIMUM @ 1 CAR / 500 SQ FT = 10
- TOTAL REQUIRED = 30 CARS

PROVIDED:

- STANDARD - 30
- COMPACT - 0
- TOTAL = 30

TOTAL PARKING PROVIDED AT PARCEL ONE & PARCEL TWO = 155 CARS

STANDARD 108 HANDICAP 18

Exhibit C – First and Second Floor Plan

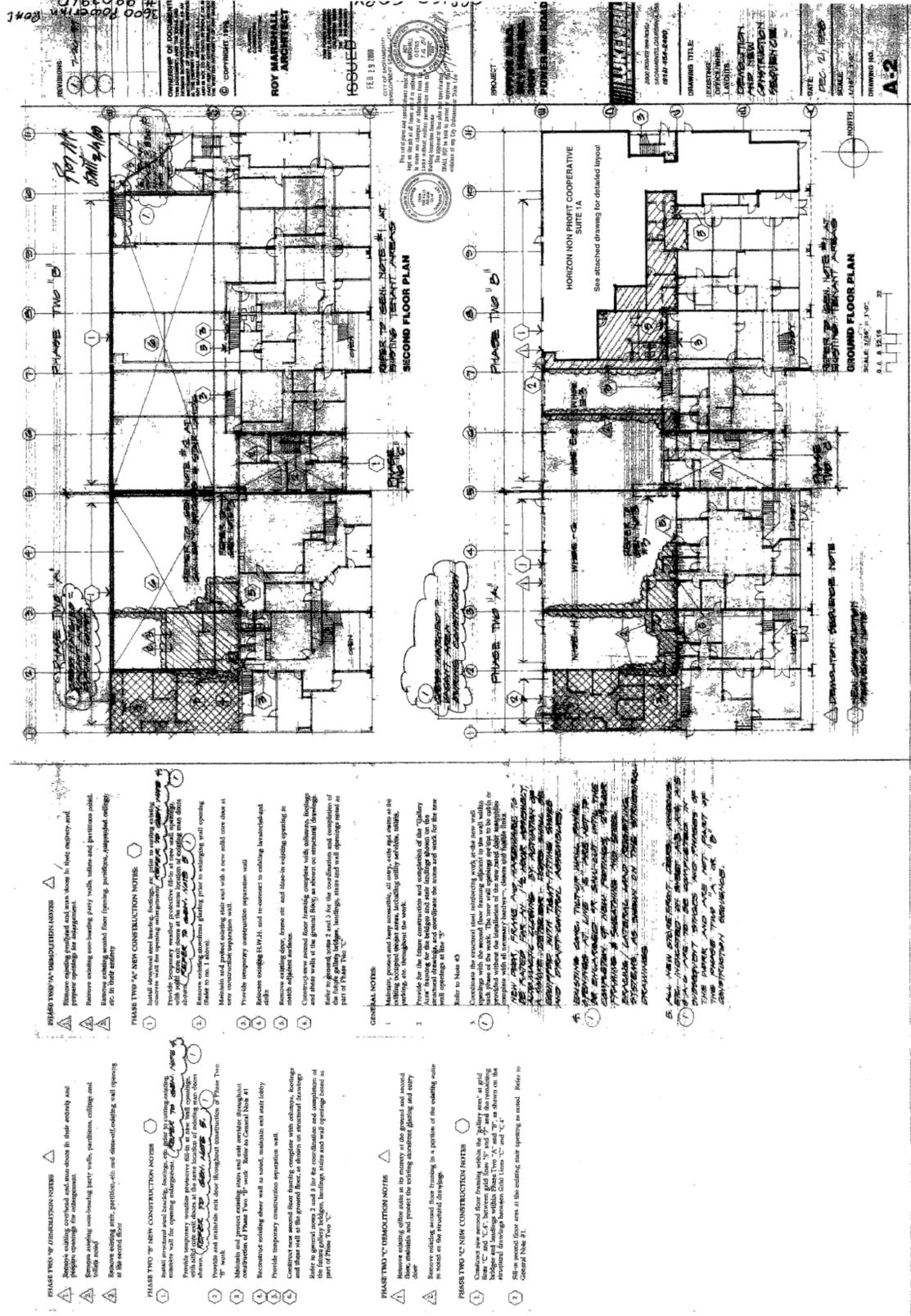
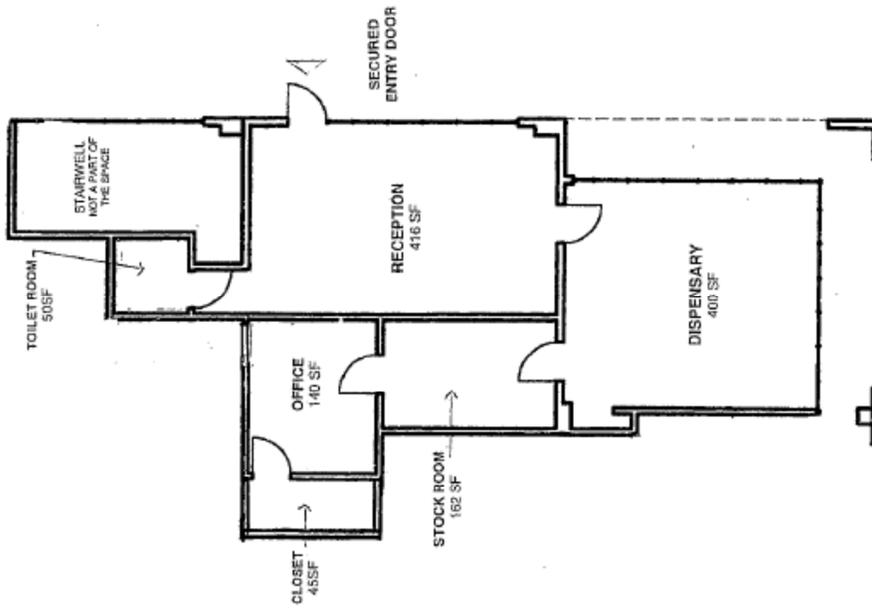


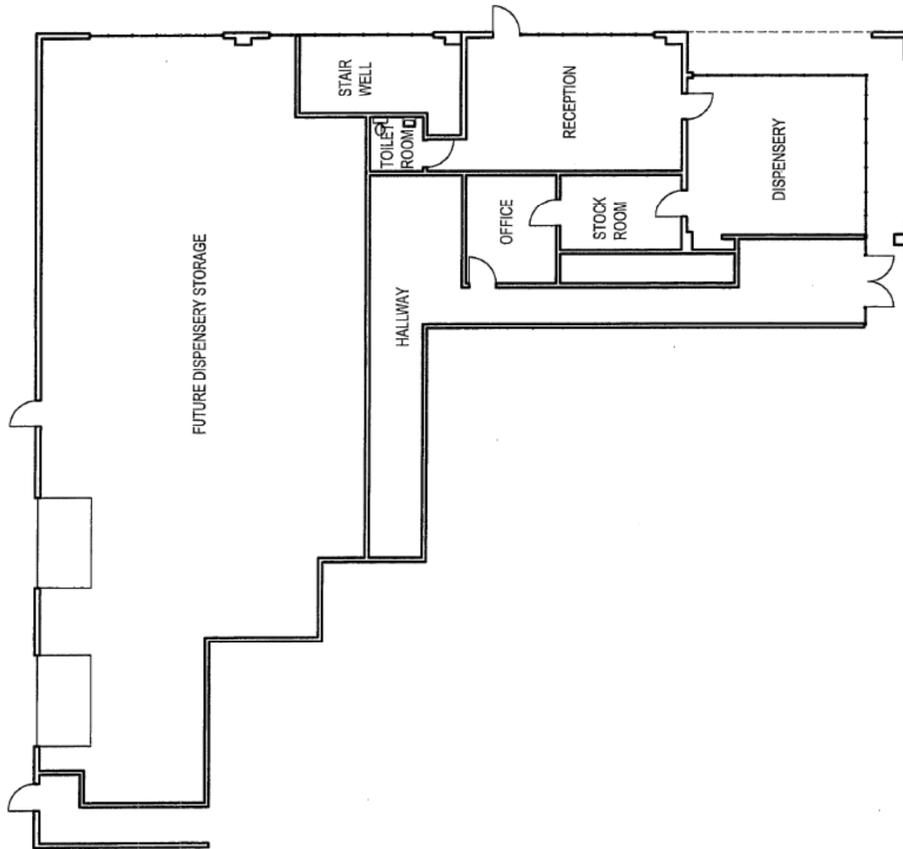
Exhibit D – Existing Dispensary Floor Plan



1240 SF TOTAL SPACE



Exhibit E – Future Dispensary Floor Plan



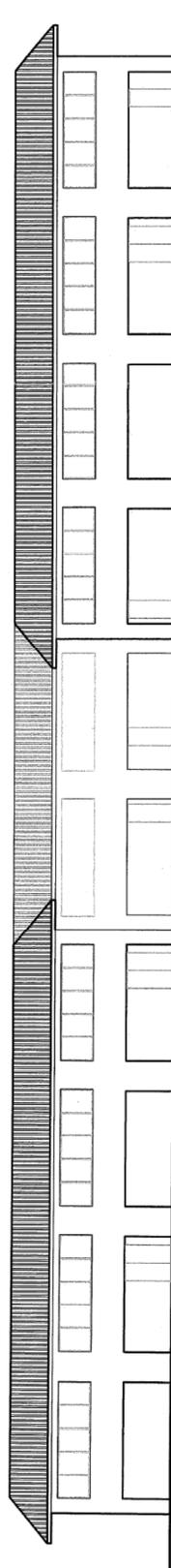
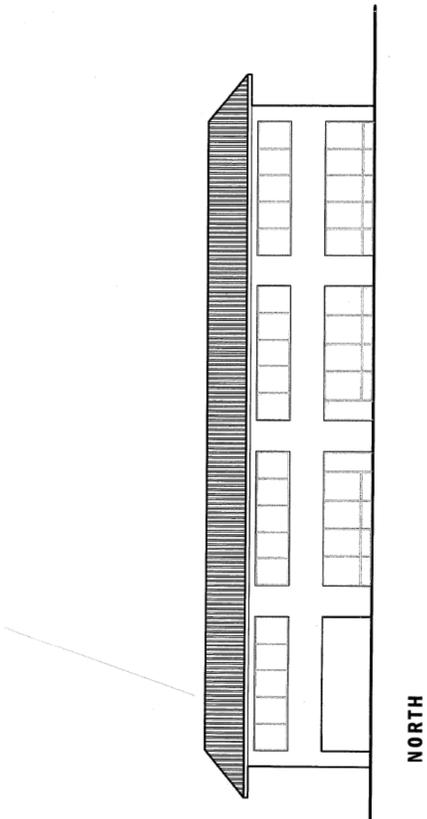
SQ. FT. 8,000 TOTAL

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www.monighan.com

1

Exhibit F – Existing Elevations – North and East

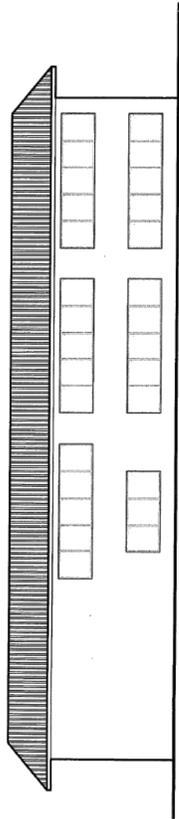
ELEVATIONS
HORIZON NON-PROFIT CORP



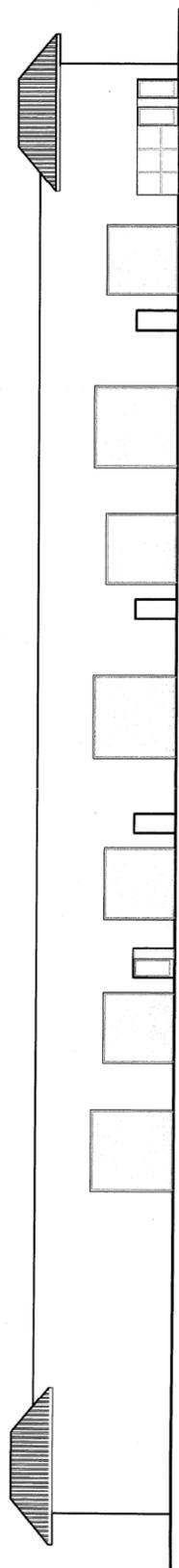
ELEVATIONS
scale 1/16" = 1'-0"
(when printed at 11 x 17)

Exhibit G – Existing Elevations – South and West

ELEVATIONS
HORIZON NON-PROFIT CORP



SOUTH



WEST



ELEVATIONS
scale 1/16" = 1'-0"
(when printed at 11 x 17)

Public Comment Support and Opposition Letters

**Support for Horizon Collective
from Tenants of 3600 Power Inn Rd.**

We the undersigned share the building at 3600 Power Inn Road with Horizon Collective. Some of us have been here for the entire six years that Horizon Collective has been in this building. The operation of the Horizon Collective does not interfere in any way with the operation of our respective businesses. As the Horizon collective's closest neighbors, we have no objection to the completion of Horizon Collective's permit application with the City.

Name	Business	Address	Years in Location
ELIAS HATZAKOS	Common Realty & Loans	Suite H-3	5 Years
JAMES KARRIDA	ALPHA Green	ste H-4	4 Yrs
Susan Ramsden	Comprehensive Medical, Inc	sk G	14 years
Tara Page	Bridges, Inc.	Major tenant Ste.	13 years
VINCE WARD	HELP-U-FILE	STE A	9 yrs
G. CAI STOKES	Law Office	ste D-3	12 years
Elizabeth English	Psychotherapy	St D-3	6 yr
Matthew	HOME	Suite B3	3yr
DALE PETERSON	COUNSELING	SUITE A2	3 YR
Tobias Cowan	Lighthouse Living Services - Social Services -	Suites H1 & H2	6 years
Amina Memitt	The Memitt Law Clinic (Law Office)	Suite B-7	10 years
Fred Dixon	Builder + Thrift Outlet	Suite Warehouse	3 yrs

S 734 9989



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Depot Business Park
Granite Park Partners

Gold Sponsors

County of Sacramento
SACOG
SARTA
Sisler & Sisler Construction
Stonebridge Properties
Waste Management

Silver Sponsors

A&A Concrete Supply, Inc.
Atlas Disposal Industries
Bank of Sacramento
CSU Sacramento
Golden 1 Credit Union
Jackson Properties
L and D Landfill
Republic Services
SMUD
SureWest
The Buzz Oates Group of Companies
Universal Service Recycling, Inc.
WM Sacramento Recycling

Directors Emeritus

Dain Domich
Senator Darrell Steinberg
Trong Nguyen

Executive Director/CEO

Jerry Vorpahl

July 16, 2014

SACRAMENTO PLANNING & DESIGN COMMISSION
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

RE: MEDICAL MARIJUANA DISPENSORIES IN POWER INN AREA

To: Planning & Design Commissioners

Currently, eight of the 31 Medical Marijuana Dispensaries (over 25%) approved for Sacramento are located in the Power Inn Area. While we are not opposed to these facilities, as there have been few reports to date of problems or disturbances, the Power Inn Alliance does not want to become known as the primary medical marijuana dispensary center of Sacramento.

We strongly ask that the Planning & Design Commission, and the Zoning Administrator, restrict the proliferation of Medical Marijuana Dispensaries in the Power Inn Area. We do not feel any Council District, or neighborhood within a District, should take on a disproportionate number of dispensaries. While the county disallows all dispensaries, the ideal ratio in Sacramento would be a maximum of four per District.

There are other regulations that we are considering asking the Commission to impose, such as disallowing human sign waivers and late night operations. In the mean time, we appeal to the Commission and Zoning Administrator to seriously consider the number of Dispensaries in the Power Inn Property & Business Improvement District and not add to the disproportionate number we already have.

Thank you for your consideration.

JERRY VORPAHL
cc: Councilman Kevin McCarty
David Kwong
Jov Patterson

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From: Jerry Vorpahl [jerry@powerinn.org]

Sent: Friday, September 02, 2011 9:20 AM

To: Remi Mendoza

Cc: Desmond Parrington; Kimberly Kaufmann-Brisby; Lindsey Alagozian; Tom Pace; Scott Lee; Sally Freedlander; Jim Rinehart

Subject: RE: Horizon Non Profit Collective

Remi,

I think you need to consider the following information before the staff "will likely be supporting their application:"

- While they have been at this location since 2009, they were shut down for several months.
- Another medical marijuana facility already exists within 1,000 feet of this site in violation of zoning regs.
- Their clientele is hardly a nonissue as reported to us by the owner of the neighboring Comprehensive Medical Testing Lab: "...the high level of impairment the individuals frequenting the center exhibit and the lawlessness and entitlement they display when the clients come into my establishment asking for their 'stuff'."
- They have falsified their permit application stating they have met with local Neighborhood Associations and joined the local business association. Unless there is another local business association we don't know about, they have not joined or approached The Power Inn Alliance.
- But perhaps the most compelling reason why we are likely to oppose this permit is that it is located in the middle of the new "Sacramento Center for Innovation" which we and the city have been working diligently to create. The city alone has allocated \$450,000 for the Specific Plan alone. A medical marijuana facility IS NOT the type of technology business we hope to attract and, in fact, is likely to deter innovation and technology companies from locating here. City approval for this facility flies in the face of the effort already put forward.
- Then there is the issue of their sign waver standing daily on the corner of Power Inn Rd. and 14th Ave. wagging his sign in front of on-coming traffic. Surely there is a way the city can regulate these annoying sign wavers just as they regulate taxi cabs and taco trucks.

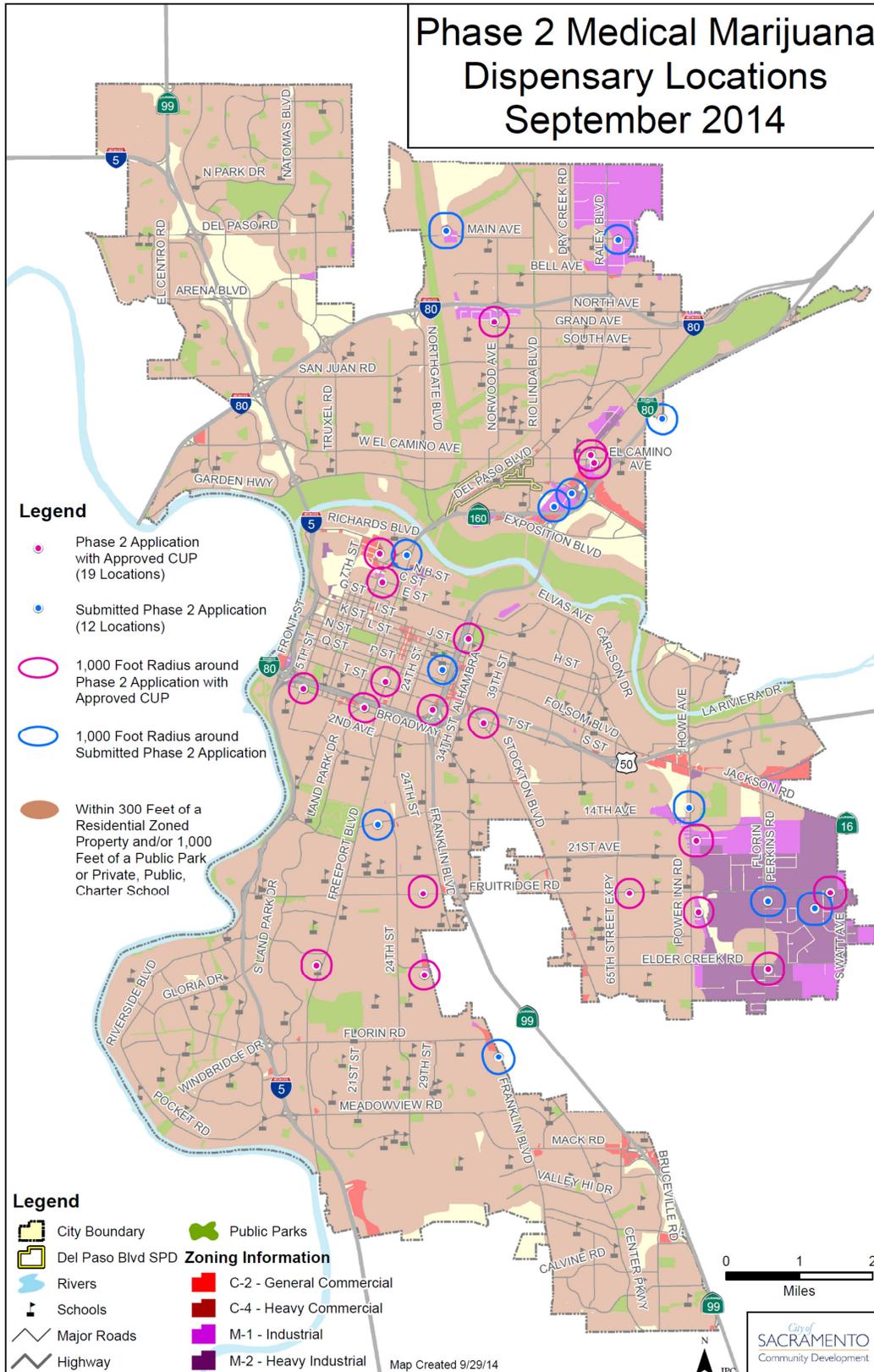
We sincerely hope the city and staff will take a stand in support of business in this Business Improvement District rather than favoring a federally illegal operation at 3600 Power Inn Rd.



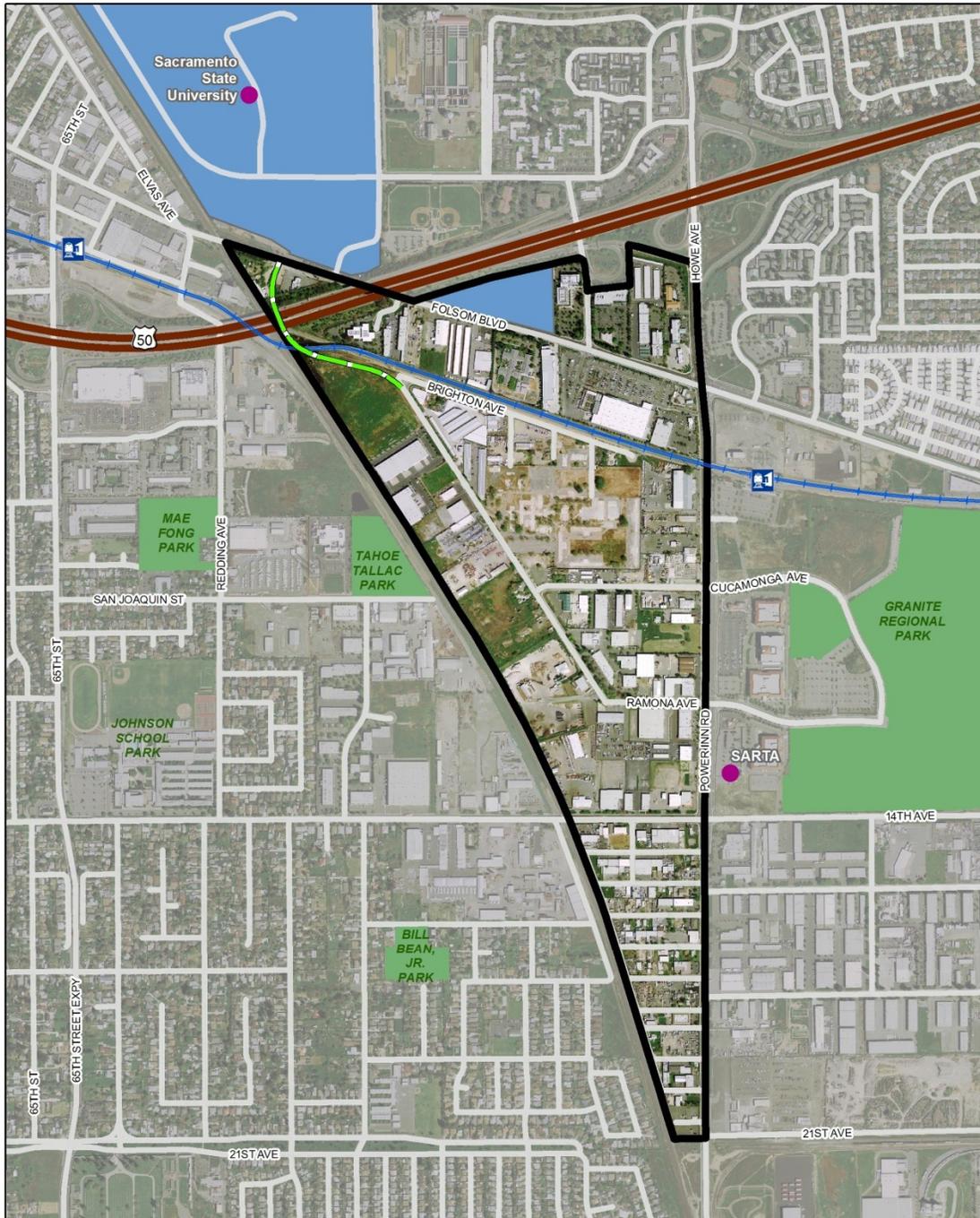
JERRY VORPAHL
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Sacramento Center for Innovation Specific Plan Area



Sacramento Center for Innovation
Specific Plan Area

City of
SACRAMENTO

