



# REPORT TO PLANNING COMMISSION City of Sacramento

# 10

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING  
September 22, 2011

To: Members of the Planning Commission

**Subject: Fruitridge Health and Wellness Collective (P11-053)**

A request to operate a 2,759 square foot medical marijuana dispensary located in the General Commercial (C-2-EA-4) zone, and located in the Executive Airport Overlay area.

- A. Environmental Determination: Exempt (CEQA Guidelines Section 15301, Existing Facilities);
- B. Special Permit to allow a medical marijuana dispensary.

**Location/Council District:**

2831 Fruitridge Rd.

Assessor's Parcel Number's: 019-0212-005-0000 and 019-0221-034-0000

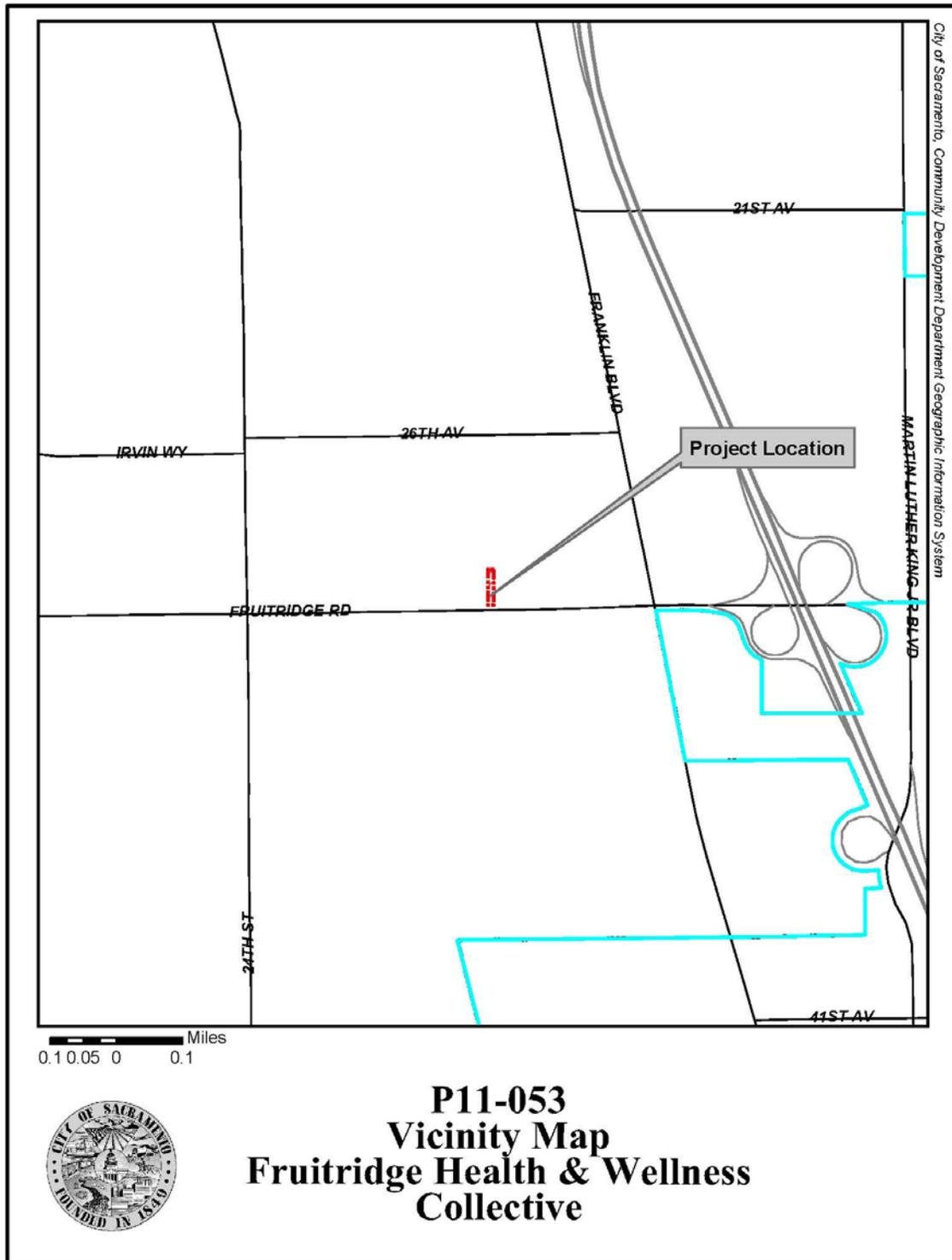
Council District 5

**Recommendation:** Staff recommends the Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. The Commission has final approval authority over items A and B above, and its decision is appealable to City Council.

**Contact:** Remi Mendoza, Associate Planner, (916) 808-5003  
Lindsey Alagozian, Senior Planner, (916) 808-2659

**Applicant:** Caleb Counts, Fruitridge Health and Wellness Collective, (916) 706-3806, 2831 Fruitridge Rd., Suite E, Sacramento, CA 95820

**Owner:** Saephan Jessica Tran/Nobert Le/Aileen , (916) 718-3043, 9581 Haelkulani Dr., Garden Grove, Ca 92841.



**Summary:** The project site is located within the C-2-EA-4, General Commercial Zone. The site is currently developed with a two-story 10,000 square foot building containing multiple tenant spaces which are primarily office uses. The applicant is requesting to operate a 2,759 square foot medical marijuana dispensary. **At the time of writing this report, there were no outstanding issues or concerns regarding the project and the project is considered to be noncontroversial.**

<b>Table 1: Project Information</b>
<b>General Plan designation:</b> Urban Corridor Low (FAR: 0.30-3.00)
<b>Existing zoning of site:</b> C-2-EA-4, General Commercial zone (Executive Airport Overlay)
<b>Existing use of site:</b> Office/Retail
<b>Property area:</b> 28,393 square feet or 0.65 acres

**Entitlement History:** The Fruitridge Health and Wellness Collective project was formally submitted on July 22, 2011. The project site was developed as an office building before it was annexed into the City in 1958. There are no previous planning entitlements associated with this property.

**Background Information:** In 1996, California voters passed Proposition 215 (The Compassionate Use Act of 1996) which decriminalized the cultivation and use of marijuana by seriously ill people. The possession, sale, cultivation, or transportation of marijuana is ordinarily a crime under California law, however, Proposition 215 made it possible for seriously ill people to cultivate and use marijuana for medical purposes when recommended by a physician who has determined that the person's health would benefit from the use of marijuana. The Act allows patients and their caregivers to possess and cultivate marijuana upon physician approval.

The Medical Marijuana Program, enacted by the State Legislature in 2003, allows medical marijuana patients ("qualified patients") and their primary caregivers to associate with one another in order to collectively or cooperatively cultivate marijuana for medical use by qualified patients. The co-ops and collectives must require membership applications, verify status as a caregiver or qualified patient and refuse membership to those who divert marijuana for non-medical use. They are to acquire marijuana from and allocate it only to members of the co-op or cooperative. State law allows cities and counties to regulate and tax these co-ops and cooperatives, which are also known as medical marijuana dispensaries.

On November 9, 2010, the Sacramento City Council approved two ordinances which permit "medical marijuana dispensaries", under certain conditions, in the City of Sacramento. A medical marijuana dispensary is defined as a cooperative or collective of four or more qualified patients and their primary caregivers, who collectively or cooperatively cultivate and distribute marijuana exclusively for use by the qualified patient members for medical purposes.

Ordinance 2010-037 enacted the City's regulatory permit requirement for medical marijuana dispensaries (administrated by the Revenue Division) and is found in Chapter 5.150 of the Sacramento City Code. One of the conditions is that only the dispensaries that registered with the City of Sacramento by July 14, 2009 are permitted to apply for dispensary permits with the Revenue Division. These dispensaries were required to apply for their Phase I permit by February 7, 2011. Thirty-five of the 39 eligible dispensaries applied by the deadline and of those, 33 have currently met the Phase I requirements and were invited to continue in the application process. These dispensaries are eligible and must apply for a Phase II application with the Revenue Division by October 11, 2011. One of the requirements of the Phase II application is a copy of a valid special permit (City Code 5.150.070). All dispensary permits must be approved by the Revenue Division by January 7, 2012 or the dispensary must cease operation.

Ordinance 2010-038 amended the Zoning Code (Title 17) to allow dispensaries in specified zones subject to special permit review and approval. The Zoning Code requires a Planning Commission special permit in the C-2 zone and a Zoning Administrator's special permit in the C-4, M-1, M-1S, M-2 and M-2S zones. When the dispensaries were notified in writing that they had completed their Phase I requirements (for the most part in April and May 2011), they were also notified of a planner assigned to their dispensary and encouraged to apply for the special permit. In June a second letter was sent to all dispensaries reminding them of the Phase II deadline and encouraging them to apply for a special permit by July 15, 2011.

The Zoning Code also requires a dispensary to be located a minimum of: 300 feet from a residential zone or use; 600 feet from a park, K-12 school, child care center, child care-family day care home, youth-oriented facility, church/faith congregation, substance abuse center, movie theater/cinema, tobacco store; and 1000 feet from another dispensary; HOWEVER, the location requirements do not apply to a dispensary that registered with the city as of July 27, 2009, is operating and has operated continuously at the location for which the special permit is requested since at least October 26, 2010, is organized as a cooperative or collective, and has not been cited or convicted of maintaining a public nuisance or of a public safety violation relating to the operation of a medical marijuana dispensary. If the registered dispensary location does not meet the location requirements a Planning Commission special permit is required, whether the site is located in the C-2, C-4, M-1, M-1S, M-2, or M-2S zone. In evaluating the special permit staff and the Planning Commission can take into consideration all surrounding land uses and the proposed dispensary's impact on those land uses whether they are residential, non-residential, one of the land uses listed above or another dispensary.

Fruitridge Health and Wellness Collective is located in the C-2-EA-4 zone which requires a Planning Commission special permit. Fruitridge Health and Wellness is also within 300 feet of residential uses and within 600 feet of two faith congregation uses.

Fruitridge Health and Wellness has been operating at the site since February 2009 and submitted their special permit application on July 22, 2011.

**Public/Neighborhood Outreach and Comments:** An early notification letter was sent to property owners within 500 feet of the subject site. In response, the City has received one e-mail expressing opposition and two letters of support. The e-mail in opposition is from a resident on Fruitridge Road whose property is approximately 370 linear feet from the dispensary (Attachment 5). The concern was not associated with any incident that occurred at this dispensary since it opened in February of 2009. The chief concern was about the overall impact of marijuana within their community.

Staff also received a letter of support from Kathy Tescher, the Executive Director for the North Franklin District Business Association (Attachment 6). Additionally, a second letter of support was received from Jessica LePhan who is a property owner of the building on site (Attachment 7).

The applicant has also made a concerted effort to reach out to the community since they submitted their application to city staff. In August of this year the applicant sent a mailer to everyone within 500 feet of the subject site. The mailer was an invitation for neighbors to meet and greet the dispensary staff on August 14, 2011 and to take a tour of the facility on August 16, 2011.

The site was also posted more than ten days in advance of the public hearing.

**Environmental Considerations:** The Environmental Services Manager has determined the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines (Section 15301). Section 15301 consists of existing facilities involving no expansion of use.

**Policy Considerations:** The subject site is designated as Urban Corridor Low on the General Plan Land Use and Urban Form Diagram. The Urban Corridor Low designation includes street corridors that have multistory structures and more-intense uses at major intersections, lower-intensity uses adjacent to neighborhoods, and access to transit service throughout. At major intersections, nodes of intense mixed-use development are bordered by lower-intensity single-use residential, retail service, and office uses. Street-level frontage of mixed-use projects is developed with pedestrian-oriented uses. The streetscape is appointed with landscaping, lighting, public art, and other pedestrian amenities.

#### 2030 General Plan Development Standards

The minimum Floor Area Ratio (FAR) for the Urban Corridor Low designation is 0.30. The dispensary is currently utilizing three tenant spaces totaling 2,759 square feet within a 10,000 square foot building on a 28,393 square foot parcel. Therefore, the FAR is 0.35 which meets the standards of the General Plan .

#### 2030 General Plan Policies:

The following General Plan Policies support the project:

**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.*

## **Land Use**

The applicant proposes to operate a 2,759 square foot medical marijuana dispensary within the General Commercial (C-2 –EA-4) zone. The Executive Airport Overlay (EA-4) designation is one of four safety zones generally delineated within the vicinity of the Sacramento Executive Airport. The four safety areas are: the clear zone (EA-1) near the end of the runway; the approach-departure zones 1 and 2 (EA-2, EA-3); and the overflight zone (EA- 4). The overflight zone is the area under the traffic pattern and is the least restrictive. The proposed project is consistent with the EA-4 designation.

This building was developed across two separate parcels and the applicant must therefore complete a lot merger before any building permits can be issued. Staff has included a condition of approval regarding the lot merger. Fruitridge Health and Wellness has been established at this location since February of 2009. This dispensary was properly registered with the city manager pursuant to Ordinance No. 2009-033, and is applying for a special permit for the location from which they have operated continuously since at least October 26, 2010. Fruitridge Health and Wellness is organized as a cooperative or collective, and has not been cited or convicted of maintaining a public nuisance or of a public safety violation relating to the operation of a medical marijuana dispensary. Therefore, this dispensary is exempt from the proximity restrictions that would otherwise apply (Section 17.24.050(85)(d)).

Staff has evaluated the site and determined that there are 34 residential homes within 300 linear feet of the medical marijuana dispensary. There are also two Church/faith congregations that are within 600 linear feet of the proposed medical marijuana dispensary. First Japanese Baptist Church, abuts to the rear of the dispensary property and is a faith congregation facility that is utilized primarily for religious related activities. Century Chapel Christian Methodist Episcopal Church is located approximately 370

linear feet north from the dispensary and is also a faith congregation facility that is utilized primarily for religious related activities.

The patrons for both First Baptist Church and Century Chapel Christian Methodist Episcopal (CME) Church would generally not come into contact with any of the members of Fruitridge Health and Wellness during their business operations. The two church/faith congregation sensitive uses noted above also received the public hearing notice for this medical marijuana dispensary and staff has not received any calls or concerns from these uses.

Table 2 below provides specific information regarding sensitive uses in the vicinity of the subject site.

<b>Table 2: Surrounding Uses</b>		
<b>Land Use</b>	<b>Location</b>	<b>Distance from Site</b>
First Japanese Baptist Church	2900 29 <sup>th</sup> Avenue	Abuts the rear of the property
Century Chapel CME Church	2801 29 <sup>th</sup> Avenue	370 feet
34 Single Family Homes	There are six single family homes on Fruitridge Road. Three of these homes are directly across the dispensary and three homes are on the same street side as the dispensary. There are four single family homes further south of the dispensary along 32nd avenue. Five homes are north of the dispensary along 29 <sup>th</sup> avenue. Eighteen homes west of the dispensary and along 28 <sup>th</sup> Street.	Within 300 linear feet

Fruitridge Health and Wellness operates a medical marijuana dispensary within a 2,759 square foot commercial space. The hours of operation are Monday through Saturday from 9:00 a.m. to 8:00 p.m. and on Sunday from 10:00 a.m. to 7:00 p.m. Fruitridge Health and Wellness currently has approximately 8,500 members registered with their dispensary. Members tend to patronize the dispensary on average about 150 per day. Up to 25 members an hour will patronize the dispensary during peak times. Peak hours throughout the week day are from 12:00-2:00 p.m. and 4:30-8:00 p.m. Peak hours on Saturday are all day and on Sunday from 10:00 am-2:00 p.m.

The floor plan of the dispensary includes the following: a lobby off the patient entrance on the south end of the space; a reception area separated by a floor-to-roof wall and a bullet proof glass window; a security door opens into the sales area; there is employee access to a meeting room behind the sales area. Access to a 486 square foot employee break room is located off the meeting room; a 587 square foot administrative office space for the dispensary is located up stairs in a separate tenant space within the same building.

Staff visited the site on several occasions and has observed that the dispensary's operations do not extend beyond the site in which they are located. The dispensary operates such that members (qualified patients and caregivers), as well as prospective members, arrive at the parking lot and they are allowed entry by a security guard. Patients are then screened by a receptionist for their status as a holder of valid medical marijuana identification, and the required physician recommendation. Once this information has been verified then the receptionist buzzes the patient into the sales area. Staff has observed that members do not remain in the parking lot after utilizing the dispensary. The main entrance to the dispensary is located on the south side of the building that they occupy, near Fruitridge Road. Member parking is located both in front and behind the building.

The Police Department has reviewed the security plan for Fruitridge Health and Wellness and finds that they have implemented appropriate security measures for this use. On September 6<sup>th</sup> staff revisited the site with Police. As a result of this site visit the dispensary staff will be implementing additional security advisory recommendations that have been provided by the Police Department. As an added security measure, Fruitridge Health and Wellness staff handles their trash with consideration as well. For example, all sensitive materials left over from processing is handled off site by one of Fruitridge Health and Wellness staff members ensuring that no marijuana remnants are placed into a public trash facility located behind the dispensary. All of their member's information is kept confidential and secure. The lighting within the building and outside of the building provides an added security measure.

The applicant has stated that none of Fruitridge Health and Wellness staff, owners and volunteers have been convicted of felonies nor are they minors. Fruitridge Health and Wellness does not allow on-site consumption of marijuana, which is prohibited under SCC Chapter 5.150. There are clearly posted signs located inside the dispensary that informs the members that they assume the risk of injury or harm if they consume any marijuana product.

In evaluating special permit proposals of this type, the Planning Commission is required to make the following findings:

- a. Sound Principles of Land Use. The special permit for the dispensary shall be granted upon sound principles of land use. The dispensary is located in the C-2-

EA-4 zone and is allowed to apply for a special permit because it has been properly registered with the City prior to the moratorium ordinance adopted on July 14, 2009, and has operated continuously at the subject location since at least October 26, 2010;

- b. Not injurious. The special permit for the dispensary shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance. The dispensary is located in an area surrounded by a mix of light industrial, commercial, and residential uses and operates with a security and business operation plan that takes into consideration the business neighbors;
- c. Must Relate to a Plan. The special permit for the dispensary must comply with the objectives of the general or specific plan for the area in which the dispensary is to be located. The operation of a dispensary (general commercial) is consistent with the types of uses located in Urban Corridor Low General Plan designation;
- d. The 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.
- e. 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; and,
- f. The proposed location, size and other development standards of the medical marijuana dispensary are consistent with state law, SCC Chapter 5.150, and the Zoning Code. Fruitridge Health and Wellness operates in compliance with the Medical Marijuana Program, and the 2008 Attorney General Guidelines, in addition to the C-2-EA-4 requirements.

Staff believes that the Planning Commission can make adequate findings as required to approve the project. Staff does not have any objections to the requested entitlements.

### **Access, Circulation and Parking**

The proposed project site is located within an existing multi-tenant office building. The site includes two driveway access points along Fruitridge Road. The parking ratio for a medical marijuana facility is the same as for a retail use. Since the project is located within the C-2-EA-4 zone and the tenant space is located on a lot that is 5,200 square feet or greater, the parking ratio is 1 space per 400 square feet for the first 9,600 square feet, and 1 space per 250 gross square feet for the area in excess of 9,600 square feet of gross floor area. This use within 2,759 square feet, requires 7 parking spaces. The

total parking spaces for the 10,000 square foot building within the 28,393 square foot parcel is 28 spaces. The combined parking spaces for the parcel is sufficient for what is required for a C-2 zone. With this application there are no changes to zoning of the site, existing access, circulation, and parking area. As such, the project site is consistent with the required parking requirements.

**Building design and signage**

The existing building is comprised of a one to two story structure with a stucco and masonry block finish in neutral tones. The roof is a flat metal roof. No exterior modifications or site improvements are proposed as a part of this project. Any new exterior signage is required to meet the City of Sacramento Sign Guidelines. The General Commercial (C-2) zone allows up to two attached signs with a combined maximum size of 3 square feet per front foot of building occupancy. The site plan indicates the tenant space has 33 front feet of building occupancy therefore signage may not exceed 99 square feet. No signage has been proposed at this time. Any future signage will require a sign permit.

Respectfully submitted by: Remi Mendoza  
REMI MENDOZA  
Associate Planner

Approved by:  
Lindsey Alagozian  
LINDSEY ALAGOZIAN  
Senior Planner

Recommendation Approved:

Joy Patterson  
for Gregory Bitter, AICP  
Principal Planner

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**Attachment 1**  
**Proposed Findings of Fact and Conditions of Approval**  
**Fruitridge Health and Wellness Collective (P11-053)**  
**2831 Fruitridge Road**

**Findings Of Fact**

- A. Environmental Determination:** 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 Planning Commission finds that the Project is exempt from review under **Section 15301 Existing Facilities** of the California Environmental Quality Act because it involves the use of existing facilities without the expansion of use.
- B. The Special Permit** to allow a medical marijuana dispensary is approved subject to the following Findings of Fact:
1. Sound Principals of Land Use. The special permit for the dispensary shall be granted upon sound principals of land use. The dispensary is located in the C-2 zone and is allowed to apply for a special permit because it has been properly registered with the City prior to the moratorium ordinance adopted on July 14, 2009, and has operated continuously at the subject locations since at least October 26, 2010;
  2. Not injurious. The special permit for the dispensary shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a nuisance. The dispensary is located in an area surrounded by a mix of light industrial, residential, and commercial uses and operates with a security and business operation plan that takes into consideration the business neighbors;
  3. Must Relate to a Plan. The special permit for the dispensary must comply with the objectives of the general or specific plan for the area in which the dispensary is to be located. The operation of a dispensary is consistent with the types of uses located in Urban Center Low General Plan designation;
  4. 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; and,
  5. The proposed location, size and other development standards of the medical marijuana dispensary are consistent with state law, SCC Chapter 5.150, and the Zoning Code. Fruitridge Health and Wellness operates in compliance with

the Medical Marijuana Program, and the 2008 Attorney General Guidelines, in addition to the C-2-EA-4 requirements.

### **Conditions Of Approval**

The **Special Permit** to allow a medical marijuana dispensary is **approved** subject to the following conditions of approval:

#### Planning

1. Any modification to the attached plans shall be subject to review and approval by Planning Division staff prior to the issuance of building permits.
2. The applicant/operator of the dispensary shall comply with the security plan on file with the Revenue Division.
3. The applicant shall complete a lot merger for parcels: 019-0212-005-0000 and 019-0221-034-0000 prior to the issuance of any building permits.

#### Building

4. After reviewing the floor plan and researching City records, it appears that there was work within this space that was performed without a building permit. All work that has been performed will require a building permit and will be required to comply with the 2010 California Code of Regulations, Title 24.

#### Transportation

5. The applicant shall repair/reconstruct any deteriorated portions of the existing sidewalk fronting the property along Fruitridge Road per city standards and to the satisfaction of the Department of Transportation.

#### Police

6. Any door used to admit employees or deliveries shall be equipped with a 180 degree viewing device to screen persons before allowing entry.
7. All exterior lighting fixtures shall be maintained and operational.
8. No public telephone/pay phone shall be allowed on the premises.
9. The proprietor or his agent is responsible for reasonably controlling the conduct of persons on or immediately adjacent to the site and shall

immediately disperse loiterers in order to prevent nuisance or unreasonable interference with adjacent properties.

10. There shall be no video/arcade machines maintained upon the premises at any time.
11. All dumpsters must be kept locked.
12. The applicant shall be responsible for the daily removal of all litter generated by the business, from the subject site, adjacent properties and streets.
13. Sacramento City Codes prohibit smoking of marijuana in certain locations. All members shall sign a statement showing they understand smoking is illegal in the City of Sacramento:
  - Upon or within 1000 feet of the grounds of any school or park;
  - In or within 100 feet of any building or facility to which the members of the public have access, except in a health facility or clinic; or Within 100 feet of any other person, other than a “primary caregiver” as that term is defined in California Health and Safety Code Section 11362.5(e).
14. Notwithstanding that the Dispensary may be exempt from the City’s entertainment ordinance (i.e., it may be a private club having an established membership where admission is not open to the public) all forms of Entertainment, including but not limited to, Entertainment hosted, promoted, produced or commissioned by the Dispensary or others are prohibited in the “Dispensary building” and “Dispensary area” (as both are defined in SCC section 5.150.020). For purposes of this condition, “Entertainment” means any single event, a series of events, or an ongoing activity or business, occurring alone or as part of another business, to which members of the dispensary or of the public are invited or allowed to watch, listen, or participate or that is conducted for the purposes of holding the attention of, gaining the attention of or diverting or amusing guests, members, or patrons, including, but not limited to:
  - A. Presentations by single or multiple performers, such as hypnotists, mimes, comedians; musical song or dance acts, plays, concerts, any type of contest; sporting events, exhibitions, festivals, carnival, rodeo or circus acts, demonstrations of talent; shows, reviews and any other such activity which may be attended by guests, patrons, members of the dispensary or of the public;
  - B. Dancing to live or recorded music;

- C. The presentation of recorded music played on equipment which is operated by an agent or contractor of the establishment, commonly known as a “DJ” or “disc jockey.” Entertainment does not include ambient music provided through the use of a radio, stereo, juke box, music recording machine or other similar device.

Advisory Notes:

*Planning*

ADV1. The applicant must apply for a Phase II Medical Marijuana Dispensary Permit with the City Revenue Division by October 11, 2011. The Phase II Medical Marijuana Dispensary permit must be obtained by, and the dispensary in operation on, December 21, 2011 (90 days from the date of special permit approval) or the special permit shall be automatically revoked (Section 17.24.050(85)(m)(ii)(E)).

ADV2. This medical marijuana dispensary is subject to Footnote 85 (m)(ii)(D) through and including (H) due to their exemption from the location requirements. The applicable text is included below for the reader’s convenience:

*(D) The special permit shall be deemed automatically revoked if the medical marijuana dispensary ceases operation at any time, voluntarily or involuntarily, for thirty (30) consecutive days.*

*(E) The special permit shall be deemed automatically revoked if the medical marijuana dispensary fails to obtain a medical marijuana dispensary permit under Chapter 5.150 and commence operation within ninety (90) days of the date of approval of the special permit.*

*(F) The special permit shall be deemed automatically revoked upon transfer of ownership or management control of the dispensary to another person.*

*(G) The special permit shall be deemed automatically revoked upon revocation of the medical marijuana dispensary permit issued under Chapter 5.150.*

*(H) A special permit modification may not be approved to allow an expansion of the registered medical marijuana dispensary.*

ADV3. A dispensary shall have a separate and secure area designated for distributing medical marijuana to its members (5.150.130)

*Police*

ADV2. The installation of a metal detector is recommended.

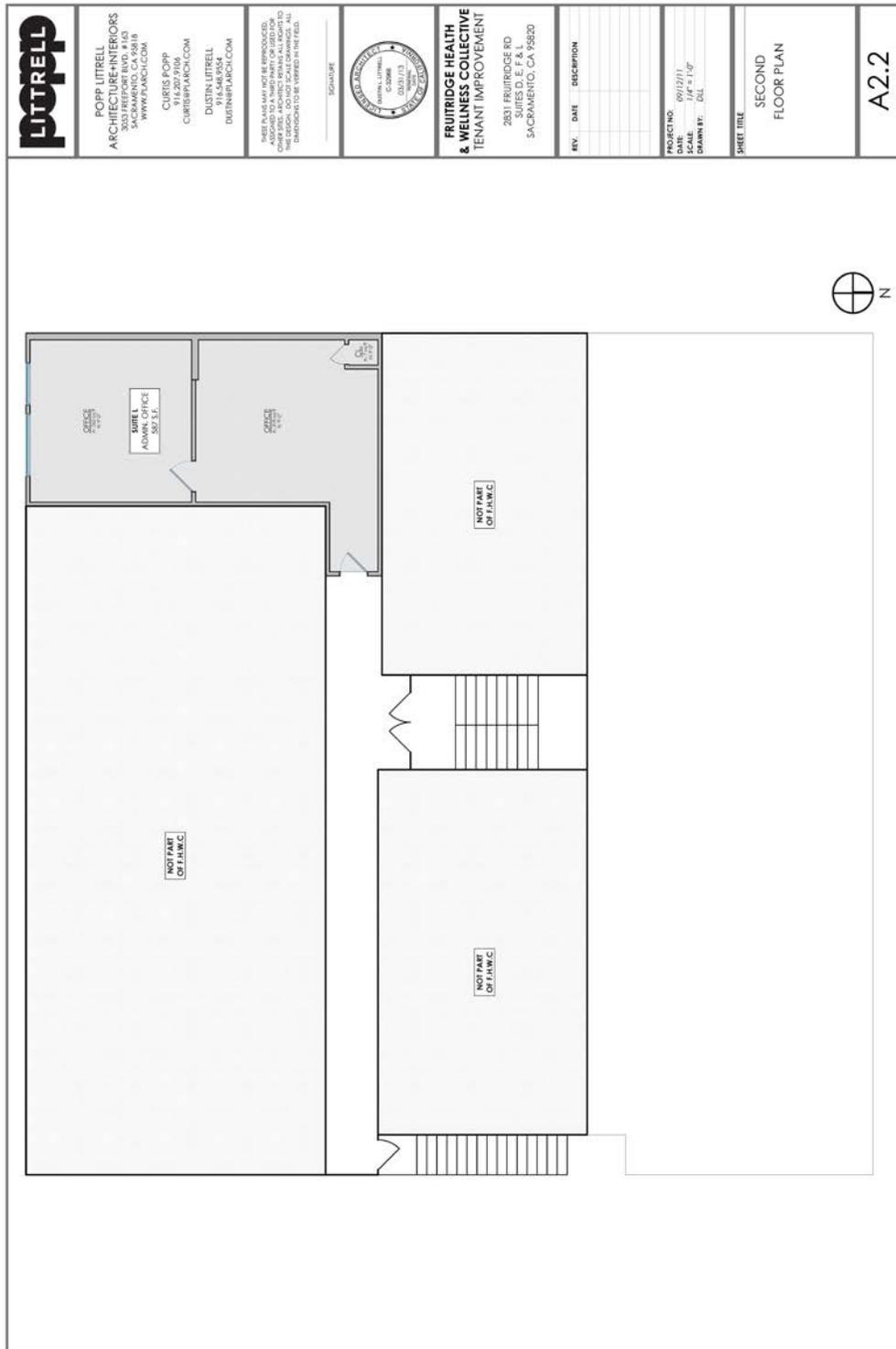
*Building*

ADV3. The above comments are Code requirements and cannot be waived.



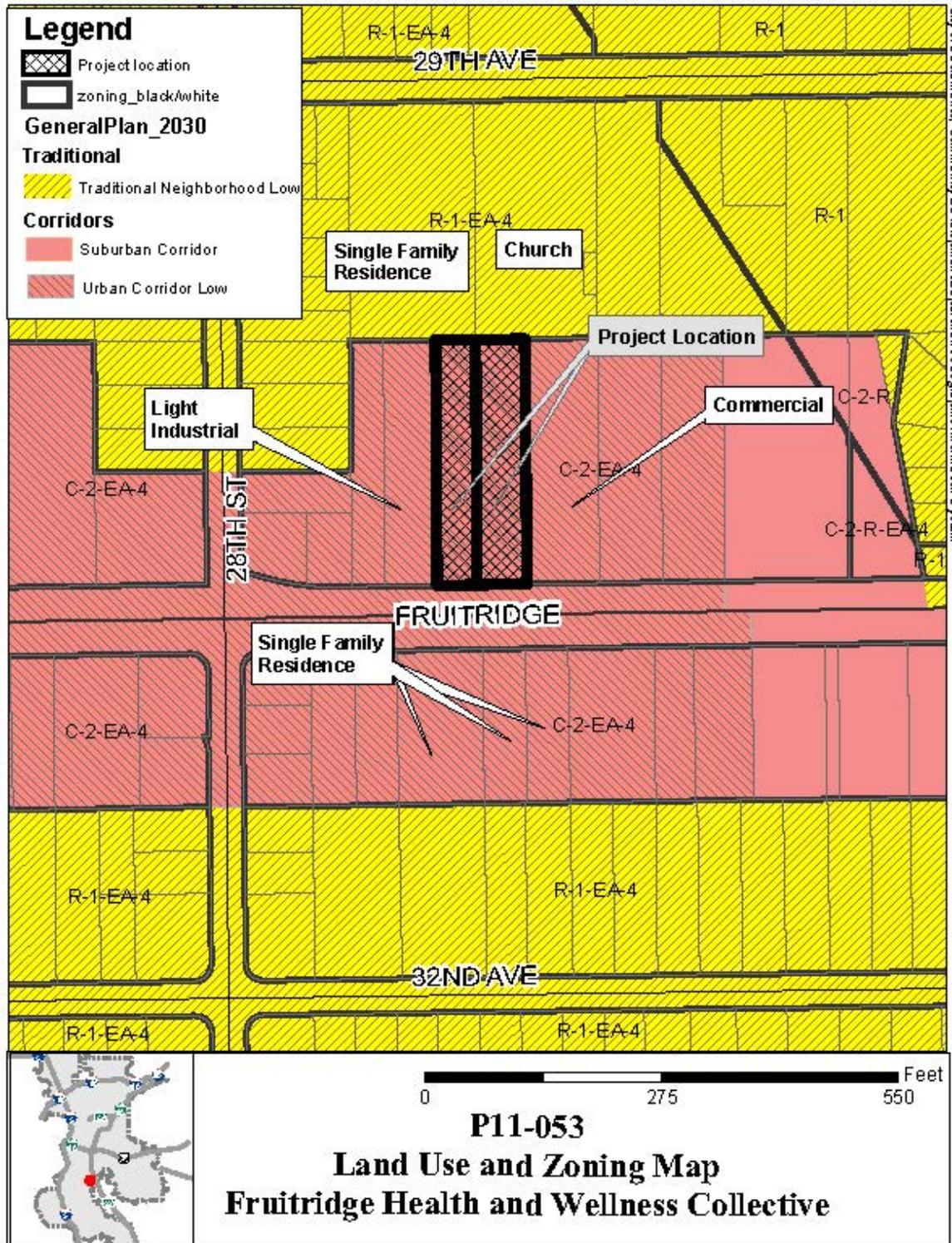


Exhibit B: Floor Plan



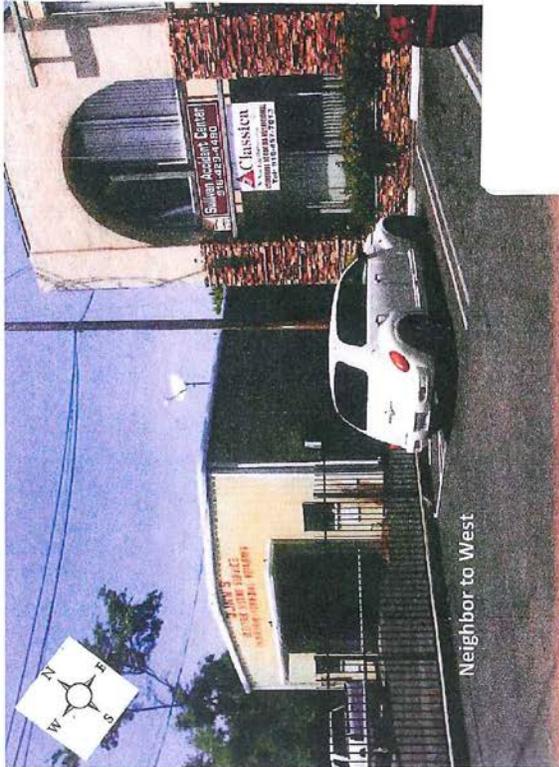
	<b>POPP LITRELL</b> ARCHITECTURE-INTERIORS 300 FRUITRIDGE RD. #103 SACRAMENTO, CA 95820 WWW.PLA.ARCH.COM	<b>CLAUDE POOP</b> 916.207.9704 CPOOP@PLA.ARCH.COM	<b>DUSTIN LITRELL</b> 916.548.7554 DLITRELL@PLA.ARCH.COM	<small>THIS SET AND ANY NOT BE REPRODUCED, ASSIGNED TO A THIRD PARTY OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF POPPREP. ALL RIGHTS RESERVED. THIS DRAWING IS THE PROPERTY OF POPPREP. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION SYSTEMS WITHOUT PERMISSION IN WRITING FROM POPPREP.</small>		<b>FRUITRIDGE HEALTH &amp; WELLNESS COLLECTIVE TENANT IMPROVEMENT</b> 2831 FRUITRIDGE RD SUITE 200 F & I SACRAMENTO, CA 95820	<table border="1"><thead><tr><th>REV.</th><th>DATE</th><th>DESCRIPTION</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>	REV.	DATE	DESCRIPTION										<table border="1"><tr><td>PROJECT NO:</td><td>0912111</td></tr><tr><td>DATE:</td><td>09-11-11</td></tr><tr><td>DRAWN BY:</td><td>DLL</td></tr></table>	PROJECT NO:	0912111	DATE:	09-11-11	DRAWN BY:	DLL	<table border="1"><tr><td>SHEET TITLE</td><td>SECOND FLOOR PLAN</td></tr></table>	SHEET TITLE	SECOND FLOOR PLAN	<b>A2.2</b>
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Attachment 2: Land Use and Zoning Map





Attachment 4: Building Photos and Surrounding Neighborhood Photos

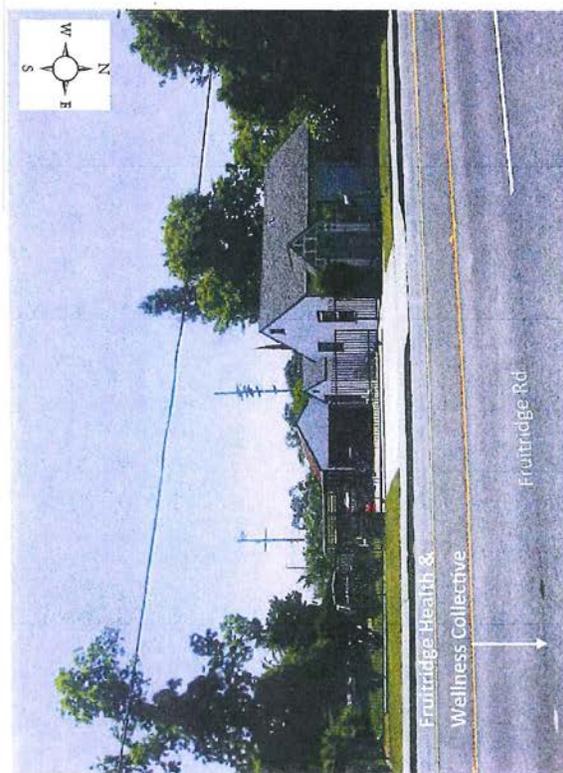
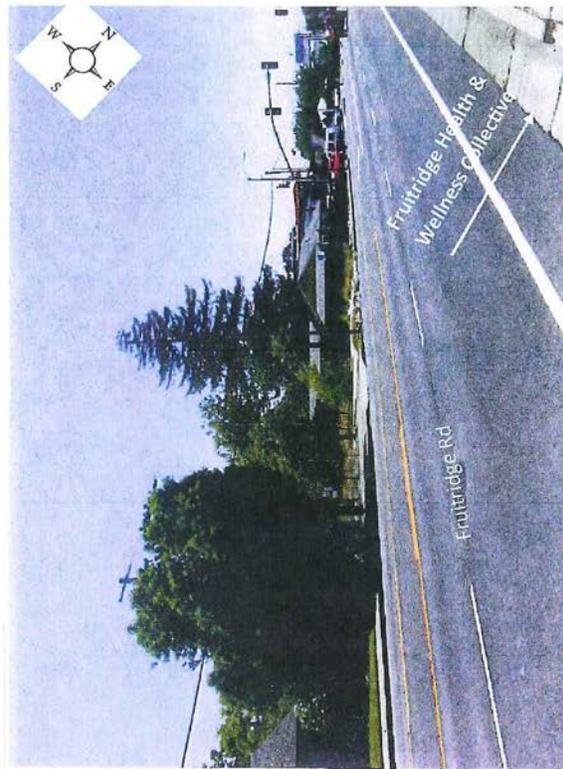
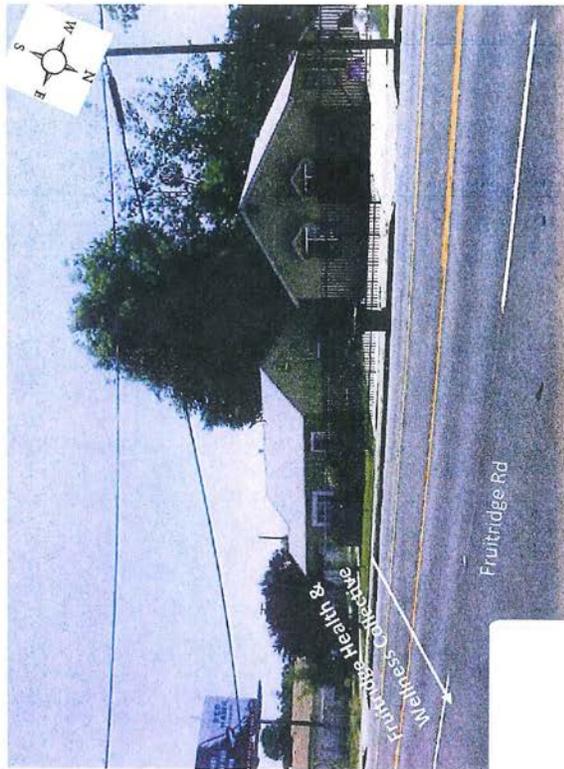




Back Side of Office Complex







Attachment 5: Email of Opposition

**Remi Mendoza**

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**From:** Tom Nguyen [tom.nguyen@elevatorcontrols.com]  
**Sent:** Monday, August 08, 2011 1:32 PM  
**To:** Remi Mendoza  
**Subject:** Legalize Drugs for application # P11-053  
**Attachments:** SCAN13240\_000.pdf

Remi,  
Please do not Marijuanaize our community. Please move it next to Capitol building or Jerry Brown's home.  
We are against this move.  
Thank you,

Residence at:  
2990 Fruitridge Rd.  
Sacramento, CA 95820

**Xom Nguyen**  
Job Engineering Manager

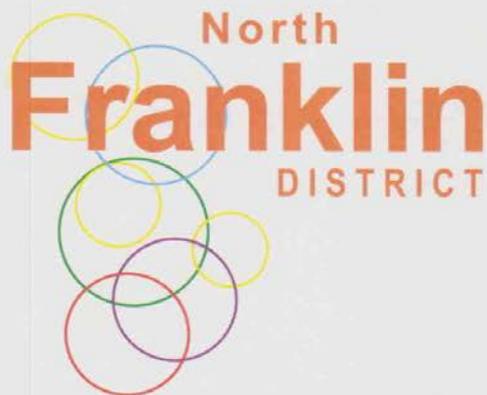
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Attachment 6: Letter of Support



August 19, 2011

Remi Mendoza  
Associate Planner  
City of Sacramento

Re: P11053, Fruitridge Health & Wellness

Dear Remi:

The North Franklin District Business Association has met on numerous occasions with Fruitridge Health & Wellness at our office (regular monthly board meetings) and at their office, since they opened for business in the district in 2009. The board has been impressed with Caleb Counts and Stefanie Gernert and their professionalism at our board meetings. By attending our meetings we feel they have shown their commitment to be part of our Franklin community.

The association was in the exact office that now houses Fruitridge Health & Wellness. They have made significant changes to the office and to the actual building. We have been impressed with the competence of their staff in meetings at their office.

To date, their most significant contribution to this community is the fact they are concerned about the community's safety. Toward that end, there have been several meetings with Commander Dan Schiele of the Rooney Station to explore ideas that have the potential to decrease crime in our community.

Fruitridge Health & Wellness has demonstrated to the association their willingness to be a good neighbor alongside our other 600 businesses.

Sincerely,

Frank Cable  
President

Sincerely,

Kathy Tescher  
Executive Director

5383 Franklin Blvd., Ste. F • Sacramento, CA 95820 • Phone (916) 455-2124 • Fax (916) 455-5712  
e-mail [northfranklindistrict@gmail.com](mailto:northfranklindistrict@gmail.com) • [www.northfranklindistrict.com](http://www.northfranklindistrict.com)

Attachment 7: Letter of support

**Le Properties**  
2831 Fruitridge Rd  
Sacramento, CA 95820

August 16, 2011

To Whom It May Concern:

Fruitridge Health & Wellness Collective, or F.H.W.C., has been a tenant of ours since February 2009. Over the time they have leased from us we've been extremely satisfied with them. They have added value to our complex and are courteous of neighboring tenants.

Prior to F.H.W.C. leasing space from us, our office complex experienced vandalism and break-ins on a regular basis. Additionally, we had a problem with the homeless using our property as a place to set up camp. Since Fruitridge Health & Wellness have become tenants, all three issues have been resolved. We attribute this change to the extensive security system F.H.W.C. put into place. Their security program, including multiple security cameras on the interior and exterior of the building, a burglar alarm, and licensed security guards during business hours, has benefited all of the tenants in our complex.

Aside from adding value to our building, F.H.W.C. has promptly resolved all concerns of neighboring tenants. When they first moved into the building many of our other tenants became concerned because they were uninformed about cannabis as medicine. The staff at F.H.W.C. held an open house at which they took the time to educate their neighbors on the topic. This initial outreach has encouraged an open dialogue between our tenants. It's nice to know that no matter what problems may arise; F.H.W.C. is receptive to our concerns and addresses them immediately.

We are pleased to have Fruitridge Health & Wellness Collective as tenants.

Sincerely,



Jessica LePhan  
Le Properties