



REPORT TO PLANNING COMMISSION City of Sacramento

6

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
October 13, 2011

To: Members of the Planning Commission

Subject: The Green Door (P11-049)

A request to operate a 500 square foot medical marijuana dispensary located in the General Commercial (C-2 NC) zone and located in the Neighborhood Corridor Overlay.

- A. Environmental Determination: Exempt (CEQA Guidelines Section 15301, Existing Facilities);
- B. Special Permit to allow a medical marijuana dispensary on .07± acres in the General Commercial (C-2 NC) zone and located in the Neighborhood Corridor Overlay.

Location/Council District:

908 21st Street

Assessor's Parcel Number 007-0016-009-0000

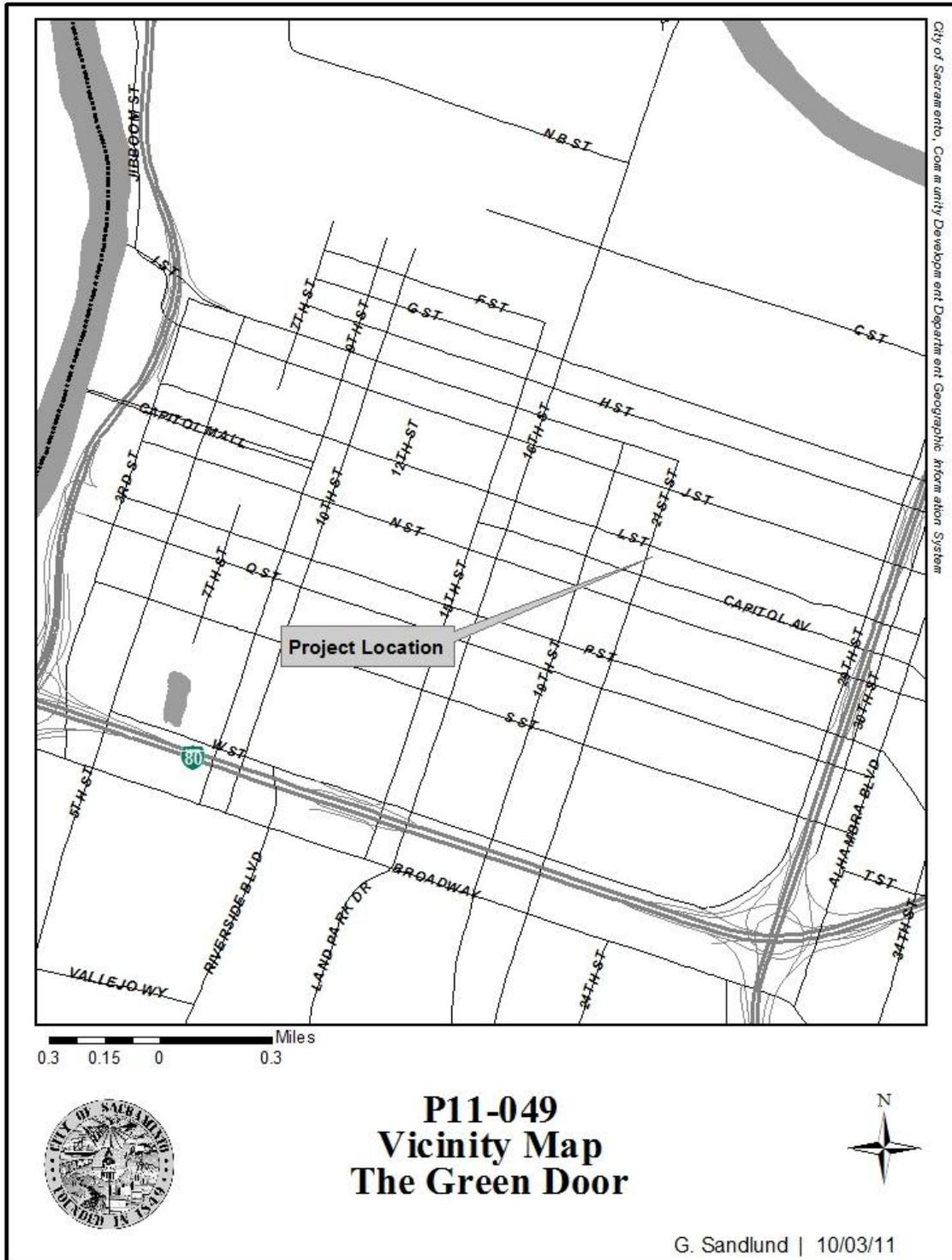
Council District 4

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: Greg Sandlund, Associate Planner, (916) 808-8931
Stacia Cosgrove, Senior Planner, (916) 808-7110

Applicant: Sarah Stanley, Sara Jane & Co. Cooperative Inc., (916) 833-5561, 908 21st Street, Sacramento, CA 95811

Owner: Frederick Preis, (530) 889-8766, 920 Doe Run Ln., New Castle, CA 95658



Summary: The applicant is requesting to operate a 500 square foot medical marijuana dispensary. The project site is located at the southwest corner of 21st and I Streets, and the area is composed of residential and commercial uses. The site is currently developed with mixed use, commercial and residential building. **The project is considered controversial. Staff has received calls from surrounding neighbors both in support and opposition. The concerns have been about marijuana dispensaries in general. No specific neighborhood impacts have been attributed to The Green Door.**

Table 1: Project Information
General Plan designation: Urban Corridor Low (FAR: 0.30-3.00)
Existing zoning: C-2 NC, General Commercial (Neighborhood Corridor Overlay) zone
Existing use of site: Retail/Office Building
Property area: 3,200 square feet or approximately .07 acres

Entitlement History: The building at 908 I Street has been used as a traditional mixed use building with small commercial units and currently has one unit available for use as residential. The Green Door project was formally submitted on July 12, 2011.

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 location criteria has been verified. 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.

The Green Door is located in the C-2 NC zone which requires a Planning Commission Special Permit. The Green Door has been operating at the site since April 2009 and submitted their Special Permit application on July 12, 2011.

Public/Neighborhood Outreach and Comments: An early notice was sent on July 14, 2011 to property owners within 500 feet of the subject site. The project was also

routed to the following community associations: Midtown Neighborhood Association, Boulevard Park Neighborhood Association, Marshall School New Era Park Neighborhood Association.

A public hearing notice was sent to property owners within 500 feet of the subject site and community associations to notify the date and time of the Planning Commission hearing on October 13, 2011.

The City has received letters from a resident in the Central City, Dale Kooyman who supports the medical marijuana dispensary at this location (See Attachment 6) and the Union Pacific Railroad who has concerns about the medical marijuana dispensary use near the railroad tracks (See Attachment 7). The Union Pacific Railroad requests that a seven foot tall fence be erected as a security measure to prevent customers of the dispensary from walking or driving into the path of an oncoming train. Staff has not conditioned the project to erect fencing because: a) patients of the medical marijuana dispensary cannot use the product at the site; b) the site does not abut the railroad tracks; and c) any fencing erected at the subject site would not further the purpose of safety for railroad tracks located ½ block to the east of the dispensary.

Staff has received three phone calls from surrounding neighbors both in support and opposition. Two callers had concerns about marijuana dispensaries in general. . Another neighbor supports the use. Ordinance 2010-038 amended the Zoning Code (Title 17) to allow dispensaries in specified zones subject to special permit review and approval. As of the writing of this report, the two concerned neighbors have not indicated any specific neighborhood impacts attributed to the Green Door.

Staff has included two conditions of approval that were added by the Planning Commission to recent dispensary projects that are within close proximity to residential uses, related to posting contact information and requiring an onsite security guard during business hours.

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 .30. The site is currently developed with a 4,500 square foot building on a 3,200 square foot parcel. Therefore, the FAR is 1.4 and meets the General Plan Development Standards. The applicant is not proposing to make any changes to the footprint of the existing building with this proposal.

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 statues 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 establish a 500 square foot medical marijuana dispensary in the General Commercial (C-2 NC) zone and located in the Neighborhood Corridor Overlay. The Green Door has been established at this location since April 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. The Green Door 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 has determined that there are residential uses, a speech/occupational therapy facility for children, and a tobacco store within 300 feet of the proposed medical marijuana dispensary. Additionally a child care center, substance abuse center, church are within 600 feet. There is no other dispensary located within 1000-feet of The Green Door. See Table 2 on page 7 for a listing of these sensitive uses. Staff did not observe any other sensitive uses.

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 members (qualified patients and caregivers), as well as prospective members are escorted into the facility by the security guard, and screened for status of valid identification and if a qualified patient member, the required physician recommendation letter, and a medical marijuana ID prior to accessing the sales area. Staff has observed that members do not remain in front of the business after utilizing the dispensary. The main entrance to the dispensary is located on 21th Street. There is only street parking.

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

Table 2: Surrounding Uses		
Land Use	Location	Distance from Site
Residential Uses	North and East of Site	Within 300 feet
Capitol Cigarette and Cigar Store	2007 J Street	290 feet
Jabber Gym (Speech and Occupational Therapy for Children)	2115 J Street	295 feet
Sacramento Native American Health Center	2020 J Street	349 feet
First United Methodist Church	21 st and J Street	352 feet
Forever Young Child Care Center	2100 J Street	522 feet

The Green Door operates a medical marijuana dispensary within a 500 square foot commercial building. The current hours of operation are Monday through Sunday from 10 am to 8 pm. The Green Door Collective currently has about 4,000 members registered with their dispensary. The facility serves about 50-70 patients each day and the patient visits are evenly distributed throughout the business operation times with about five to eight patients per hour. The Green Door does not allow on-site consumption of marijuana, which is prohibited under SCC Chapter 5.150. The floor plan of the dispensary includes the following: a front waiting room with an armed security guard; sales area, office, and closet which is not open to the public.

The Police Department has reviewed the security plan for The Green Door and finds that they have implemented appropriate security measures for this use. The measures include items such as security cameras, panic buttons, alarms with motion detectors, and lighting.

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

- a. 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 NC 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. 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. While there are sensitive uses within the 300-foot and 600-foot radius areas, there is not substantive evidence to suggest that the dispensary will be problematic for the community;
- 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 residential and commercial uses, and operates the business to take the neighborhood into consideration. 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;
- 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 (retail) is consistent with the types of uses located in Urban Corridor Low General Plan designation and within the General Commercial, Neighborhood Corridor overlay zone;
- 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. The Green Door operates in compliance with the Medical

Marijuana Program, and the 2008 Attorney General Guidelines, in addition to the C-2 NC 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 commercial building. The site is only accessible from 21st Street.

The parking ratio for a medical marijuana facility is the same as for a retail use. Since the project is located in the Central City, within the C-2 NC zone, no parking is required because the lot is less than 5200 square feet. No onsite parking is provided.

Building Design and Signage

The existing building is comprised of a one story structure made of cement blocks and asphalt shingle roofing. No exterior modifications or site improvements are proposed as a part of this project. The existing awning will require a sign permit.

Conclusion: Staff recommends approval of the project since the proposal: a) is consistent with the General Plan designation of Urban Corridor Low and the General Commercial (C-2 NC) zone; b) has been reviewed and conditioned by the Police Department for the implementation of appropriate security measures; and c) operates in such a manner as to not negatively impact the surrounding neighborhood.

Respectfully submitted by: 
GREG SANDLUND
Associate Planner

Approved By:


STACIA COSGROVE
Senior Planner

Recommendation Approved:


GREGORY BITTER, AICP
Principal Planner

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Attachment 1
Proposed Findings of Fact and Conditions of Approval
The Green Door (P11-049)
908 21st Street

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 NC 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. 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. While there are sensitive uses within the 300-foot and 600-foot radius areas, there is not substantive evidence to suggest that the dispensary will be problematic for the community;
 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 residential and commercial uses, and operates the business to take the neighborhood into consideration. 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;
 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 (retail) is consistent with the types of uses located in Urban Corridor Low General Plan designation and in the General Commercial, Neighborhood Commercial overlay zone;
 4. 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;
5. 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,
 6. 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. The Green Door operates in compliance with the Medical Marijuana Program, and the 2008 Attorney General Guidelines, in addition to the C-2 NC 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. A sign permit shall be required for all signage.
4. A security guard shall be on duty during business hours.
5. Good Neighbor signage 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

Building

6. A building permit shall be required for all work being proposed or work that has been previously done without a permit and all work shall comply with the 2010 California Code of Regulations, Title 24.

Police

7. Any door used to admit employees or deliveries shall be equipped with a 180 degree viewing device to screen persons before allowing entry.

8. All exterior lighting fixtures shall be maintained and operational.
9. No public telephone/pay phone shall be allowed on the premises.
10. 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.
11. There shall be no video/arcade machines maintained upon the premises at any time.
12. All dumpsters shall be kept locked.
13. The applicant shall be responsible for the daily removal of all litter generated by the business, from the subject site, adjacent properties and streets.
14. 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).
15. 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 be in operation on January 7, 2011 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.

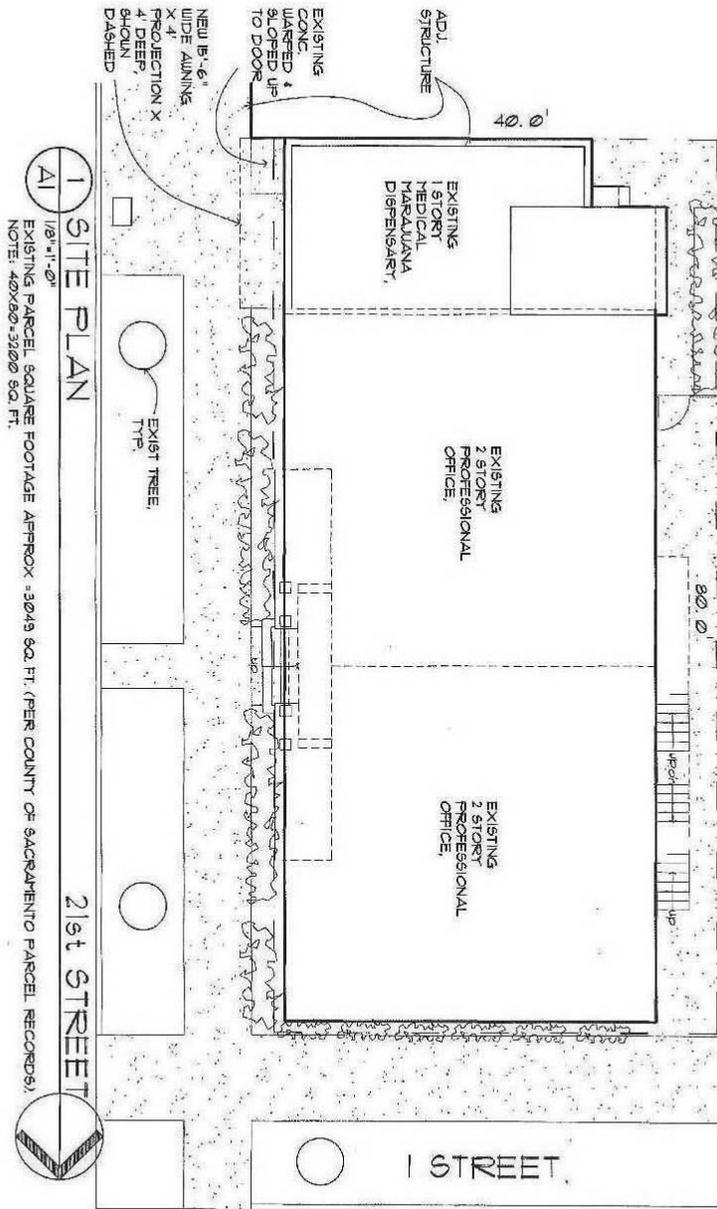
(F) The special permit shall be deemed automatically revoked upon transfer of ownership or management control of the dispensary to another person.

(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)

Exhibit A: Site Plan



mark rusconi
architects and planners

ARCHITECT'S SWAMP

OWNER:
SuanLara & Co
Cooperative, Inc.
dba
The Green Door

PROJECT TITLE:
SITE PLAN

PROJECT TITLE:
THE GREEN DOOR
900 21st Street
Sacramento, CA 95811

SCALE/FINISHES:
 EXISTING
 NEW
 CONSTRUCTION

DATE: JUNE 22, 2011

JOB NO.:

DRAWN BY: RUSCONI

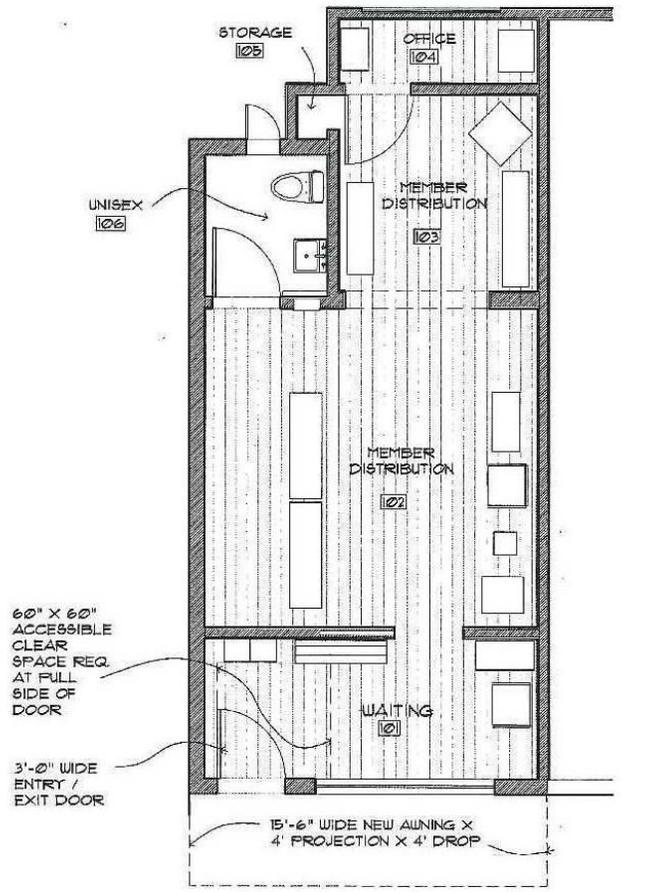
CHECKED BY:

DRAWING NO.:

A1

OF SHEETS

Exhibit B Floor Plan



DISPENSARY BUILDING
EXIST AS-BUILT FLR PLAN

1
A2

1/4" = 1'-0" ALL ITEMS SHOWN ARE EXISTING UNLESS NOTED OTHERWISE.
EXIST. SPACE = 5000 SQ. FT. GROSS - INCLUDES STRUCTURAL WALLS.
EXIST. SPACE = 451 SQ. FT. NET USABLE FLOOR AREA



<p>DATE: JUNE 22, 2011</p> <p>DESIGNED BY: RUSCONI</p> <p>DRAWN BY: RUSCONI</p> <p>CHECKED BY: RUSCONI</p> <p>DRAWING NO.:</p>	<p>PROJECT TITLE: THE GREEN DOOR 908 27th Street Sacramento, CA 95811</p>	<p>CLIENT: Sarah Jane & Co Cooperative, Inc. dba The Green Door</p>	<p>ARCHITECT'S SEAL:</p>
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Attachment 2: Neighborhood Context Map



1
NC
1:3000
NEIGHBORHOOD CONTEXT MAP

LEGEND:

- RESIDENTIAL - includes single family and multi family.
- Commercial - includes general commercial, retail, and professional offices.
- MIXED-USE includes Retail below with residential above.
- PARKING - Property used as parking for adjacent users.
- VACANT - includes unimproved or garden use.
- CHILD CARE - includes child-care centers and child care family day care home.
- CHURCH - Faith - Congregation.
- SUBSTANCE ABUSE CENTER - includes alcohol or drug substance abuse centers.
- DISPENSARIES - medical marijuana dispensaries. Includes applicant and other dispensaries.
- Railroad Right of Way - includes Railroad and Parking within right of way.
- YOUTH ORIENTED FACILITY
- TOBACCO STORE



DATE: Sarahlana & Co
Cooperativa, Inc.
dta
The Green Door

SHEET TITLE
NEIGHBORHOOD
CONTEXT MAP

PROJECT TIME
THE GREEN DOOR
908 21st Street
Sacramento, CA 95811

DESIGN/REVIEWS
DATE: 6/22/2011
DRAWN BY: FLISXONI
CHECKED BY: FLISXONI
DRAWING NO:

NC 1
OF 3 SHEETS

LOCATION COMPLIANCE NOTES:
THIS SURVEY BY MARK RUSCONI ARCHITECTS IS BASED UPON A WALKING SURVEY OF THE AREA, AS SHOWN, IN JULY OF 2011.

1000 FOOT RADIUS NOTES:
NO ADDITIONAL MEDICAL MARIJUANA DISPENSARIES WERE FOUND TO BE LOCATED WITHIN 1000 FEET OF THE SUBJECT SITE.

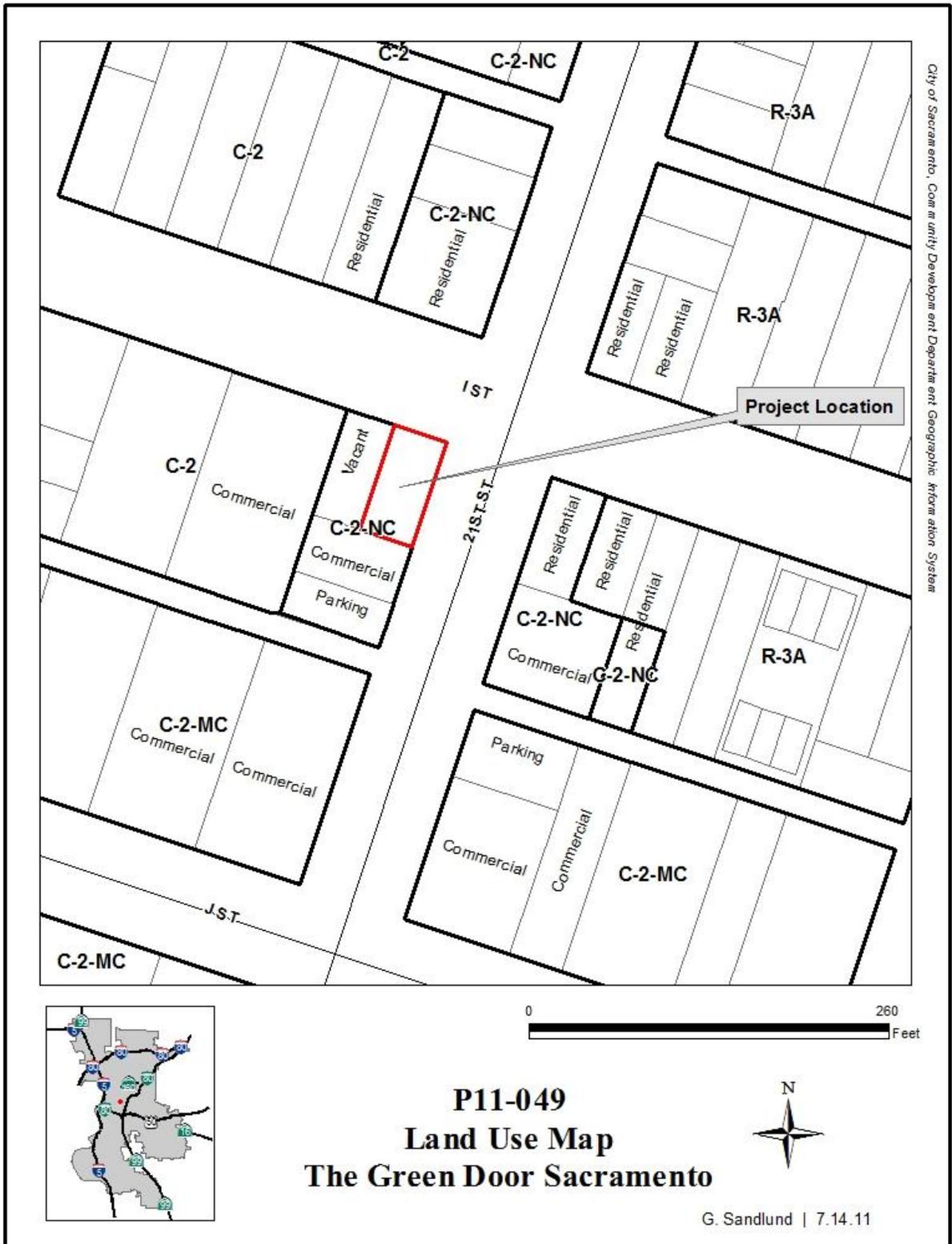
NO PARKS, SCHOOLS, MOVIE THEATRE OR CHURCHES WERE FOUND TO BE LOCATED WITHIN 1000 FEET OF THE SUBJECT SITE.

300 FOOT RADIUS NOTES:
ONE TOBACCO STORE, ONE YOUTH ORIENTED FACILITY AND 20 RESIDENTIAL USE PROPERTIES WERE FOUND TO BE LOCATED WITHIN 300 FEET OF THE SUBJECT SITE. THEY ARE INDICATED BY COLOR ACCORDING TO THE LEGEND.

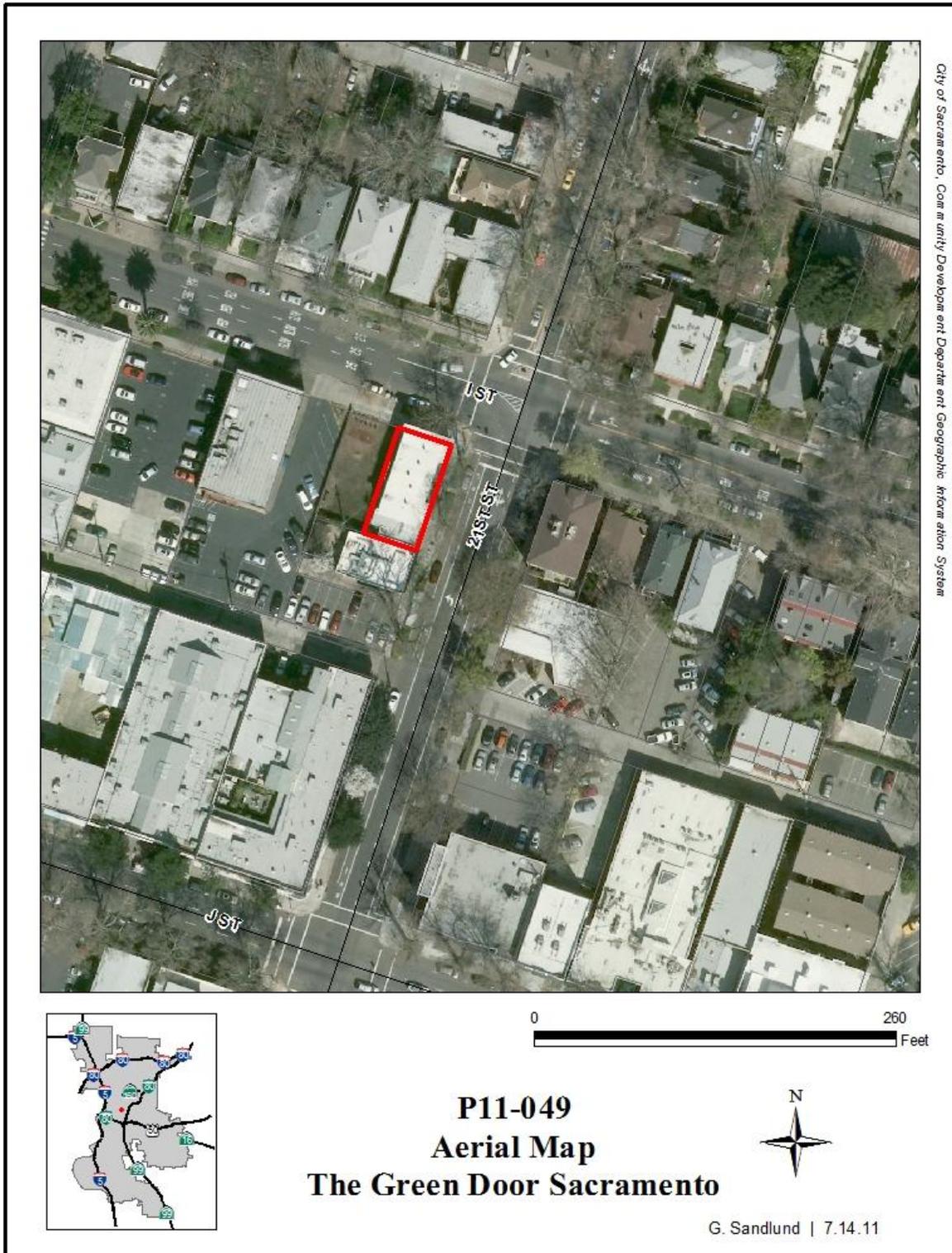
300 FOOT TO 600 FOOT RADIUS NOTES:
ONE SUBSTANCE ABUSE CENTER, 1 CHILD CARE CENTER, 1 TOBACCO STORE, 1 CHURCH / FAITH CENTER, 1 YOUTH ORIENTED FACILITY AND 26 RESIDENTIAL PROPERTIES WERE FOUND TO BE LOCATED BETWEEN 300 FEET AND 600 FEET OF THE SUBJECT SITE. THEY ARE INDICATED BY COLOR ACCORDING TO THE LEGEND. THE YOUTH ORIENTED FACILITY AND 10 RESIDENTIAL PROPERTIES INDICATED ARE THE SAME PROPERTIES AS NOTED ABOVE WITHIN 300 FEET OF THE SUBJECT SITE. THESE SAME SITES & SITES FALL BOTH WITHIN THE 300 FEET MAP AND ALSO WITHIN THE 600 FEET MAP.

600 FOOT TO 1000 FOOT RADIUS NOTES:
ONE SUBSTANCE ABUSE CENTER AND 133 RESIDENTIAL PROPERTIES WERE FOUND TO BE LOCATED BETWEEN 600 FEET AND 1000 FEET OF THE SUBJECT SITE. THEY ARE INDICATED BY COLOR ACCORDING TO THE LEGEND.

Attachment 3: Land Use and Zoning Map



Attachment 4: Aerial Map



Attachment 5: Building Photos







Attachment 6: Letter of Support

Greg Sandlund

From: dale kooyman [kooyman801@gmail.com]
Sent: Wednesday, August 03, 2011 8:07 AM
To: Greg Sandlund
Subject: Medical Marijuana dispensary applications

The following was forwarded to me by a neighbor. I own property and live within a block of Green Door and walk by J Street Wellness frequently.

I see that the applications for these four business are assigned to three different planners. I believe that I emailed you previously that I supported the city's granting Green Door's application. Please let Ablog and Wacht know that I have no opposition to the others as well. You may forward this email to them.

My support is based on our many months experience that these businesses and their patients are very good neighbors. They are open only for limited hours--closing by 8 p.m.

Personally, based on our past experience with them, I prefer them over than the alcohol clubs, bars and those that call themselves "restaurants" but are open the hours of bars/club. The reason, of course, is that they and their patient customers are far better neighbors

Neither the businesses nor their patient customers have ever caused us neighbors any problems such as loitering near or around the dispensary, noise, vandalism, littering, fighting, arguing, screaming, shouting, cursing, over parking our neighborhoods, stomping on or breaking our lawn sprinkler heads, staggering and falling into our flower, beds and shrubbery, ALL of which the drunken customers of the many alcohol dispensaries in Midtown are guilty of repeatedly, sometimes starting on some evenins as early as 10 p.m and lasting until 3:00 a.m.

If you have any resident objecting to these businesses, I would like to know, so please email me such information.

I have heard that a couple people have stated opposition among neighbors but both these are rabid supporters and customers of the over concentrated number of alcohol clubs and bars in Midtown, so their opposition is hardly objective.

- A Therapeutic Alternative (Project Planner: Arwen Wacht)
- J Street Wellness (Project Planner: Antonio Ablog)
- All About Wellness (Project Planner: Antonio Ablog)
- The Green Door (Project Planner: Greg Sandlund)

Attachment 7: Letter from Union Pacific



Law Department

Gerard Sullivan
Senior General Attorney
(402) 544-4468
(402) 501-0132 (FAX)

August 8, 2011

VIA e-mail to ecompton@cityofsacramento.org;
gsandlund@cityofsacramento.org;
emarshal@cityofsacramento.org;
dallen@cityofsacramento.org
and via facsimile 916-808-7722

City of Sacramento
Community Development Department
300 Richards Blvd., 3rd Floor
Sacramento, CA 95811

Re: Numerous Notices of Applications to Establish Marijuana Dispensaries ("Projects") in the City of Sacramento ("City") at the following locations: (1) 1900 19th Street; (2) 908 21st Street; (3) 515 Broadway; and (4) 1832 Tribute Road, Ste. #, P11-044 ("Sites")

Dear Sir or Madam:

Union Pacific Railroad Company ("UP") has the following objections to the above Projects.

The fact that dispensaries for marijuana are located near UP's right of way increase the likelihood of trespass on the right of way. People with impaired senses on the Sites could possibly create an even greater safety concern of which UP remains vigilantly aware. This could result in trains being forced to proceed more slowly because of the additional people in the area and/or make more frequent emergency stops, which makes rail service less effective and efficient. UP requests that the City analyze and seek to mitigate the impact that the permit for entertainment will have on the UP right of way and rail service by requiring appropriate mitigation measures.

People who consume marijuana could have a greater chance of endangering themselves and others by possibly walking or driving in the path of a train. This creates an unsafe and dangerous condition which could disable or derail a train.

City of Sacramento
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In the event these Projects are approved, at the very least, the requestors should be required to erect and maintain a seven foot or higher security fence to separate the railroad right of way from the dispensaries and parking lot.

Please give notice to UP of all future hearings and other matters with respect to the above Projects as follows:

Mr. Jim Smith
Manager Industry and Public Projects
Union Pacific Railroad Company
9541 Atkinson Street
Roseville, CA 85747

With a copy to:

Ms. Lisa Burnside
Union Pacific Railroad Company
1400 Douglas Street, Stop 1690
Omaha, NE 68179

Please do not hesitate to contact the undersigned if you have any questions or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gerard Sullivan". The signature is fluid and cursive, written over a horizontal line.

Gerard Sullivan
Senior General Attorney