



REPORT TO PLANNING COMMISSION **10** City of Sacramento

915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
October 13, 2011

To: Members of the Planning Commission

Subject: Capitol Wellness Incorporated (P11-060)

A request to operate a 1,250 square foot medical marijuana dispensary on approximately 0.10 acres in the General Commercial (C-2) zone.

- A. Environmental Determination: Exempt (CEQA Guidelines Section 15301, Existing Facilities);
- B. Special Permit to operate a medical marijuana dispensary on .10± acres in the General Commercial (C-2) zone.

Location/Council District:

2400 14th Street

Assessor's Parcel Number 009-0253-006

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 may be appealed to City Council.

Contact: Heather Forest, Associate Planner, (916) 808-5008
Stacia Cosgrove, Senior Planner, (916) 808-7110

Applicant: Aundre Speciale, Pearl Martin, Jim Zaun, Capitol Wellness Inc., 2400 14th Street, Sacramento, CA 95818 (916) 325-9000

Owner: Maher Nabor, 3002 Larintol Drive, August, GA 30909 (916) 325-9000



Summary: The applicant is requesting to operate a 1,250 square foot medical marijuana dispensary. The project site is located at the southwest corner of 14th and X Streets, and the area is composed of residential and commercial uses. The site is currently developed with an existing converted single family residence/detached corner duplex. **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.**

Table 1: Project Information
General Plan designation: Urban Corridor Low (FAR: 0.30-3.00)
Existing zoning: C-2, General Commercial
Existing use of site: Converted Single Family Residence/Detached Duplex
Property area: 4,356 square feet or approximately .10 acres

Entitlement History: The building at 2400 14th Street was previously a single family residence (part of a corner lot legal detached duplex) and was converted to a medical marijuana dispensary in June of 2004. The Capitol Wellness Incorporated project was formally submitted on August 11, 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.

Capitol Wellness Incorporated is located in the C-2 zone which requires a Planning Commission Special Permit. Capitol Wellness Incorporated has been operating at the site since May 2006 and submitted their Special Permit application on August 11, 2011.

Public/Neighborhood Outreach and Comments: An early notice was sent on August 19, 2011 to property owners within 500 feet of the subject site. The project was also routed to the Land Park Community Association and the Greater Broadway Partnership.

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.

As of the date that this staff report was written, the City has not received any written correspondence or phone calls regarding the proposed project.

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 the subject building, a one-story converted single family residence of 1,250 square feet, and a two story residence of approximately 1,100 square feet. Therefore, the FAR is .53 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 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 establish a 1,250 square foot medical marijuana dispensary in the General Commercial (C-2) zone. Capitol Wellness Incorporated has been established at this location since May of 2006. 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. Capitol Wellness Incorporated 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 a few residential uses within 300 feet of the proposed medical marijuana dispensary including the second residence on the subject site as well as a single family residence directly to the south of the subject site. The Buddhist Church of Sacramento, various commercial uses, many large parking lots, and a few residential uses are within 600 feet of the subject site. Within 1000 feet of the subject site are numerous residential and commercial uses. (See Table 2 on page 7) It is also important to note that the Business 80 Freeway is directly north of the site.

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 screened at the front door 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. Additionally, the exterior of the building is manned by a security guard at all times. The main entrance to the dispensary is located on X Street. Parking for the dispensary is on-street, which is discussed later in the report.

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	West & South of Site	Within 300 feet
Buddhist Church of Sacramento	Riverside & X Streets	Within 600 feet

Capitol Wellness Incorporated operates a medical marijuana dispensary within a 1,250 square foot converted single family residence. The current hours of operation are 10 am to 5:30 pm, Tuesday through Saturday (hours subject to change). Capitol Wellness Incorporated currently has approximately 2036 members registered with their dispensary. The facility serves about 20-25 patients each day and the peak patient visiting hours are late morning and late afternoon (4pm to 5pm). Capitol Wellness Incorporated 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 reception/office area; a waiting/allocation area, a kitchen, office, staff room, and restroom facilities.

The Police Department has reviewed the security plan for Capitol Wellness Incorporated 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 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 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 is very discrete;

- 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;
- 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. Capitol Wellness Incorporated operates in compliance with the Medical Marijuana Program, and the 2008 Attorney General Guidelines, in addition to the C-2 requirements.

Although there are residential uses within 300' and a church within 600' of Capitol Wellness Incorporated, staff believes that the Planning Commission can make adequate findings as required to approve the project. This is due to fact that Capitol Wellness Incorporated has been in operation for approximately five years, complies with state law, SCC Chapter 5.150, and the Zoning Code. Furthermore, Capitol Wellness Incorporated is not known to be a nuisance within the immediate area. Therefore, staff does not have any objections to the requested entitlements.

Access, Circulation and Parking

The proposed project site is located within a converted single family residence, upon a parcel that is 4,356 square feet in size. For retail uses and parcels zoned C-2, which are 5,200 square feet or less and located within the Central City such as the project site, onsite parking is not required. Capitol Wellness Incorporated does not provide onsite parking however, numerous on street parking spaces along both X and 14th Streets exist.

Table 3: Parking			
Use	Required Parking	Provided Parking	Difference
Medical Marijuana Dispensary	0 spaces	0 spaces	No

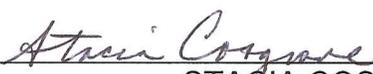
Building Design and Signage

The existing building is comprised of a raised one story converted single family residence with stucco/cement plaster exterior and a hip roof. No exterior modifications or site improvements are proposed as a part of this project. Any future signage 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) zone; b) has been reviewed and conditioned by the Police Department for the implementation of appropriate security measures; and c) will comply with all Title 5.150 requirements.

Respectfully submitted by: 
 HEATHER FOREST
 Associate Planner

Approved by:

 STACIA COSGROVE
 Senior Planner

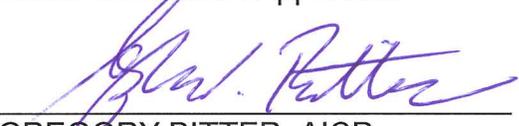
Recommendation Approved:

 GREGORY BITTER, AICP
 Principal Planner

Table of Contents:

Attachment 1	Recommended Findings and Conditions	11
Exhibit A	Site Plan	15
Exhibit B	Floor Plan	16
Exhibit C	Exterior Elevations	17
Exhibit D	Exterior Elevations	18

Exhibit E	Exterior Elevations	19
Attachment 2	Neighborhood Context Map	20
Attachment 3	Project Narrative	21
Attachment 4	Facility/Member Flow	23
Attachment 5	Photographs	24
Attachment 6	Land Use & Zoning Map	28

Attachment 1
Proposed Findings of Fact and Conditions of Approval
Capitol Wellness Incorporated (P11-060)
2400 14th 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 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 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 is very discrete;
 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;
 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. Capitol Wellness Incorporated operates in compliance with the Medical Marijuana Program, and the 2008 Attorney General Guidelines, in addition to the C-2 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.

Building

4. 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.
5. Accessibility improvements will be required as per California Building Code, section 1134B.
6. Exterior walls must meet the fire resistance ratings of California Building Code, Table 602.

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 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)



OWNER
CAPITOL
WELLNESS
INC.

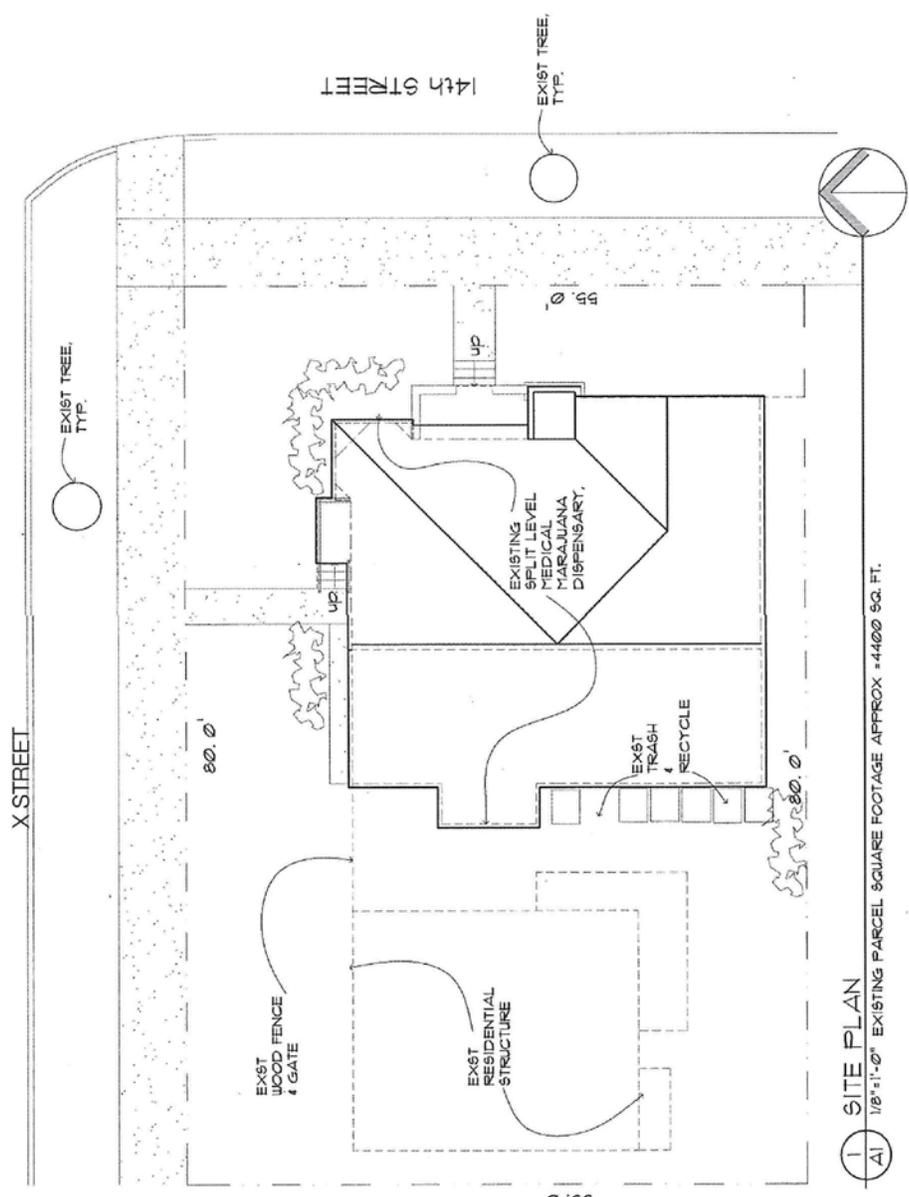
SHEET TITLE
SITE
PLAN

PROJECT TITLE
Capitol Wellness Inc.
2400 14th Street
Sacramento, CA 95818

SCALE / REVISIONS
 AS SHOWN
 AS NOTED
 AS NOTED

DATE: AUGUST 8, 2011
 JOB NO.
 DRAWN BY:
 CHECKED BY: RUSCONI
 DRAWING NO.

A 1
 OF SHEETS



1 SITE PLAN
 A1 1/8"=1'-0" EXISTING PARCEL SQUARE FOOTAGE APPROX +4400 SQ. FT.

P11-060
 AUG 11, 2011

Exhibit B: Floor Plan



OWNER:
CAPITOL
WELLNESS
INC.

SHEET TITLE:
EXISTING AS-BUILT
FLOOR
PLAN

PROJECT TITLE:
Capitol Wellness Inc.
2400 14th Street
Sacramento, CA 95818

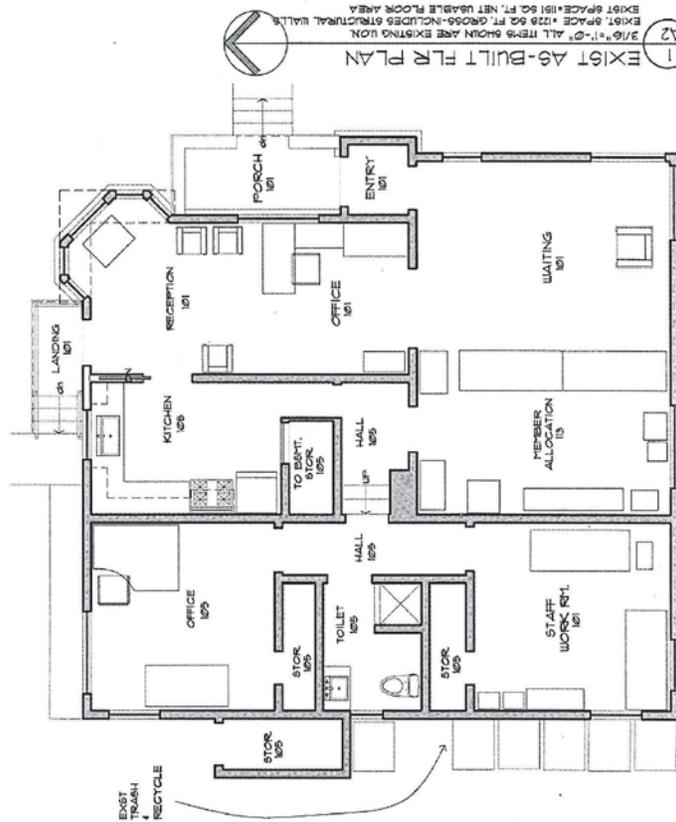
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1" = 12'-0" (AS-BUILT)
DATE: AUGUST 11, 2011

DATE: AUGUST 11, 2011

JOB NO.
COMMUNITY
CHECKED BY: RUSCONI
DRAWING NO.

A2

OF SHEETS



P11-060
AUG 11, 2011

Exhibit C: Exterior Elevations



OWNER:
CAPITOL
WELLNESS
INC.

SHEET TITLE:
EXISTING AS-BUILT
EXTERIOR
ELEVATIONS

PROJECT TITLE:
Capitol Wellness Inc.
2400 14th Street
Sacramento, CA 95818

DESIGN / REVISIONS:
DATE: / BY: / DESCRIPTION:
DATE: / BY: / DESCRIPTION:
DATE: / BY: / DESCRIPTION:

DATE: AUGUST 6, 2011

JOB NO.:

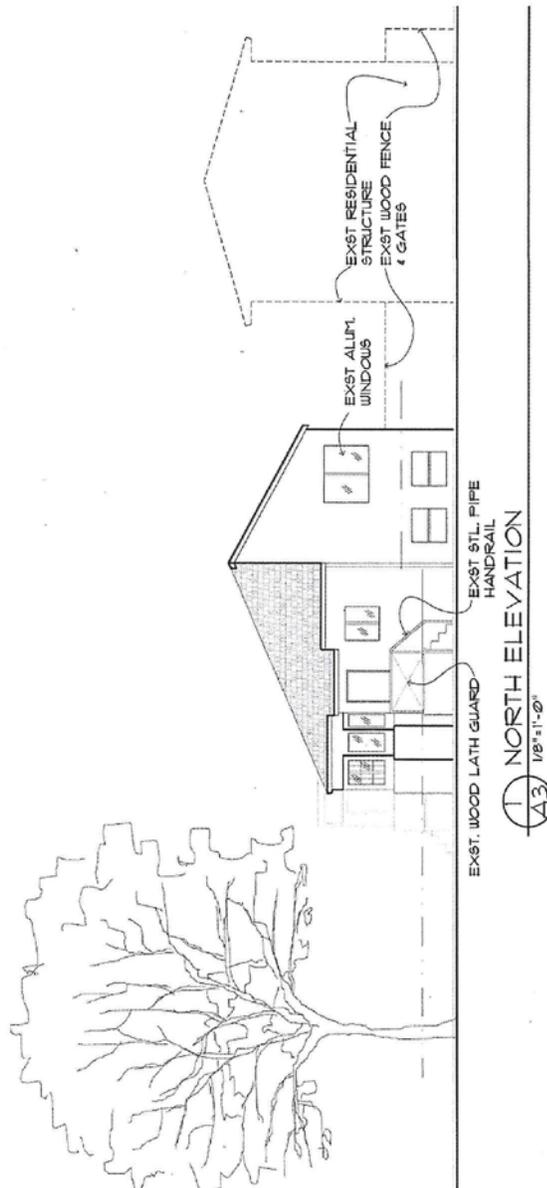
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CHECKED BY: RUSCONI

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OF SHEETS



P11-060
AUG 11, 2011

Exhibit D: Exterior Elevations



OWNER:
CAPITOL
WELLNESS
INC.

SHEET TITLE
EXISTING AS-BUILT
EXTERIOR
ELEVATIONS

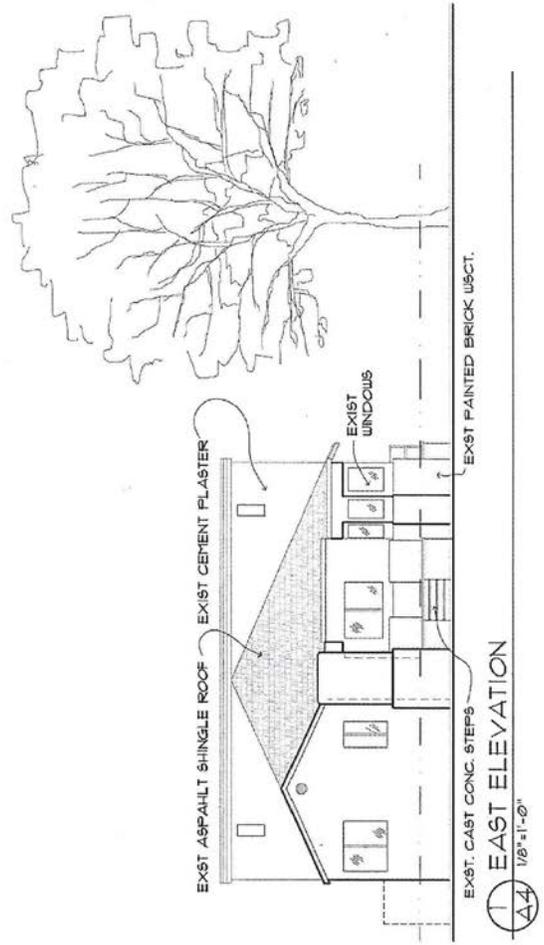
PROJECT TITLE
Capitol Wellness Inc.
400 14th Street, Suite 100
Sacramento, CA 95818

DESIGN / REVISIONS:
 REVISION
 AS-BUILT
 EXIST. CONDITION
 EXIST. PLANNED CONDITION

DATE: AUGUST 8, 2011
 JOB NO.:
 DRAWN BY:
 CHECKED BY: RUSCONI
 DRAWING NO.:

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OF SHEETS



P11-060
 AUG 11, 2011

Exhibit E: Exterior Elevations



OWNER:
CAPITOL
WELLNESS
INC.

SHEET TITLE:
EXISTING AS-BUILT
EXTERIOR
ELEVATIONS

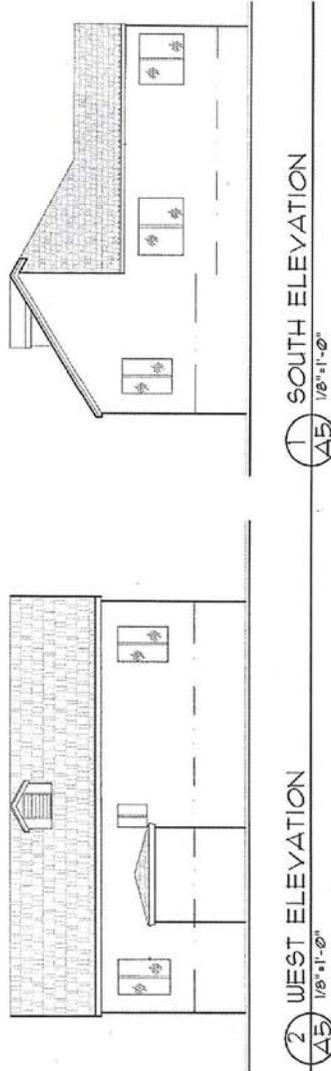
PROJECT TITLE:
Capitol Wellness Inc.
2400 14th Street
Sacramento, CA 95818

SCALE / REVISIONS:
 SCALE REVISIONS
 DATE DESCRIPTION
 BY DATE

DATE: AUGUST 8, 2011
 JOB NO:
 DRAWN BY:
 CHECKED BY: RUSCONI
 DRAWING NO.

A5

OF SHEETS



P11-060
 AUG 11, 2011

Attachment 2: Neighborhood Context Map



mark
rusconi
architects and
planners

1400 14th Street
Sacramento, CA 95816
916.442.1000
WWW.MARKRUSCONI.COM

ARCHITECT & STAMP

OWNER:
CAPITOL
WELLNESS
INC.

SHEET TITLE:
NEIGHBORHOOD
CONTEXT MAP

PROJECT TITLE:
Capitol Wellness Inc.
2400 14th Street
Sacramento, CA 95816

SERIES / REVISIONS

01	ISSUED
02	REVISION
03	REVISION

DATE: AUGUST 11, 2011

JOB NO.:

DRAWN BY: RUSCONI

CHECKED BY: RUSCONI

DRAWING NO.:

- LEGEND:**
- RESIDENTIAL- Includes single family and multi family.
 - COMMERCIAL- Includes general commercial, retail, professional office & mini storage under freeway.
 - MIXED-USE- Includes Retail below with residential above.
 - PARKING- Property used as parking for adjacent uses.
 - VACANT- Includes un-improved 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.
 - Interstate Business 80 Right of Way
 - YOUTH ORIENTED FACILITY
 - MOVIE THEATRE CINIMA
 - TOWER THEATER PARK
 - TOBACCO STORE



LOCATION COMPLIANCE NOTES:
 1. THIS MAP IS A VISUAL REPRESENTATION OF THE NEIGHBORHOOD CONTEXT MAP ARCHITECT IS BASED UPON A 1000 FOOT WALKING SITE SURVEY OF THE AREA, ON AUGUST 8 OF 2011.

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

1 MEDICAL MARIJUANA DISPENSARY:
 1. MEDICAL MARIJUANA DISPENSARY WAS FOUND TO BE JUST OUTSIDE OF THE 1000 FOOT RADIUS AND IS SHOWN BY COLOR ACCORDING TO THE LEGEND.

NO CITY PARKS, SCHOOLS, MOVIE THEATRE CINEMAS, OR CHILD CARE CENTERS WERE FOUND TO BE THE SUBJECT SITE. TOWER THEATER PARK (GARDEN) WAS FOUND WITHIN 1000 FEET OF THE SITE AND IS LISTED BELOW.

300 FOOT RADIUS NOTES:
 1. RESIDENTIAL PROPERTIES (OR STRUCTURES) WERE FOUND TO BE LOCATED WITHIN 300 FEET OF THE SUBJECT SITE AND ARE INDICATED BY COLOR, ACCORDING TO THE LEGEND.

500 FOOT TO 600 FOOT RADIUS NOTES:
 1. CHURCH / FAITH CONGREGATION, 1. MOVIE THEATER CINIMA, AND 22 RESIDENTIAL PROPERTIES WERE FOUND TO BE LOCATED WITHIN 500 FEET OF THE SUBJECT SITE. THEY ARE INDICATED BY COLOR, ACCORDING TO THE LEGEND.

600 FOOT TO 1000 FOOT RADIUS NOTES:
 1. CHURCH FAITH CONGREGATION, 1. MOVIE THEATER CINIMA, 1 TOBACCO STORE & 171 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.

TOWER THEATRE PARK WAS FOUND TO BE LOCATED BETWEEN 600 FEET AND 1000 FEET OF THE SUBJECT SITE. IT IS INDICATED BY COLOR ACCORDING TO LEGEND.

NEIGHBORHOOD CONTEXT MAP
 11-200-040

P11-060
AUG 11, 2011

NC 1
 SHEETS

Attachment 3: Project Narrative

Project Narrative for 2400 14th St Sacramento, CA 95818

The specific goal of the Capitol Wellness project is to coordinate and facilitate the collective or cooperative cultivation of marijuana for medical purposes by and between members, and only by and between members, in strict compliance with California law, and to perform any and all acts that may be authorized, required or permitted to be done in accordance with California law to further the foregoing or to provide for the health, comfort, wellbeing or welfare of its members.

Stringent regulations on our day to day operations are in place in order to keep positive relations with our neighbors and community at large. Both existing and prospective patients cannot enter the premises without a valid CA ID and a valid physician's recommendation. Verification of these documents as well as the disclosure of our expectations to our members to act in an appropriate and thoughtful manner towards our neighbors when on premises are performed to achieve our neighborhood relation goals. Requirements include that our patients always drive carefully and courteously, to lower volume levels appropriate to an area with some residences, that our patients do not loiter on our or adjoining premises, and that no medicinal cannabis product is consumed in any way within 100 feet of the collective.

We do keep security personnel in the entrance area of the building, for the safety of both patients and staff. Capitol Wellness' security staff are required to maintain a valid, state issued, security guard registration, referred to as a "guard card." The security staff ensures that patients leave the premises safely and promptly, as loitering is not permitted or tolerated on or near the facility.

Capitol Wellness is a closed circuit collective, meaning that cultivation and allocation of medicine occurs only between registered member patients. Diversion of medicine to non-patients is considered a serious violation of membership terms and conditions, with penalties including termination in place to heavily discourage such activity.

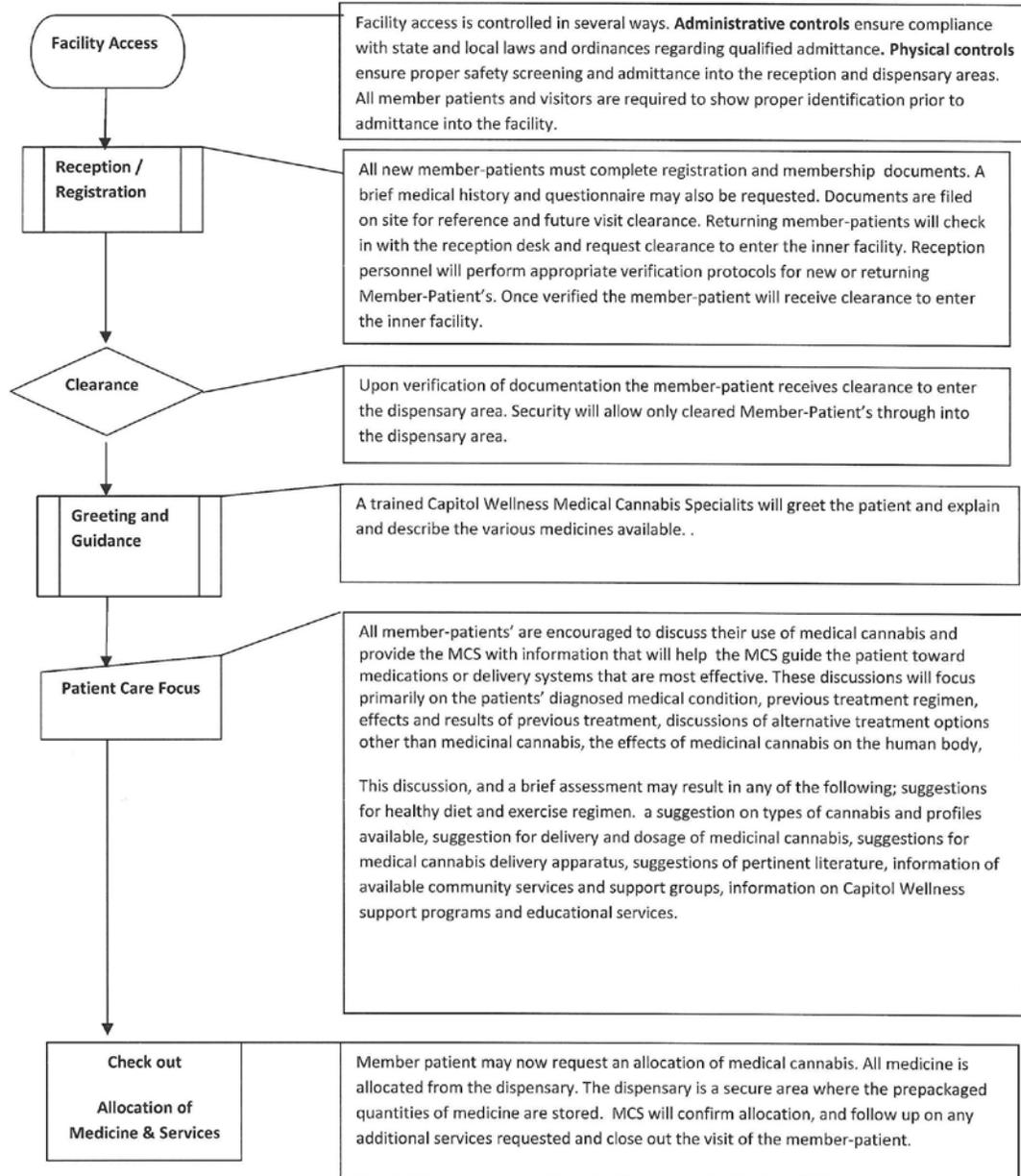
**P11-060
AUG 11, 2011**

This established collective has retained positive relationships with its neighbors over the years and has used communication as a tool with which to prevent and address any neighborhood concerns.

Attachment 4: Facility/Member Flow

Capitol Wellness, Inc.
2400 14th st., Sacramento, CA 95817

FACILITY / MEMBER FLOW



Attachment 5: Photographs



2400 14th street: East side of building.

P11-060
AUG 11, 2011



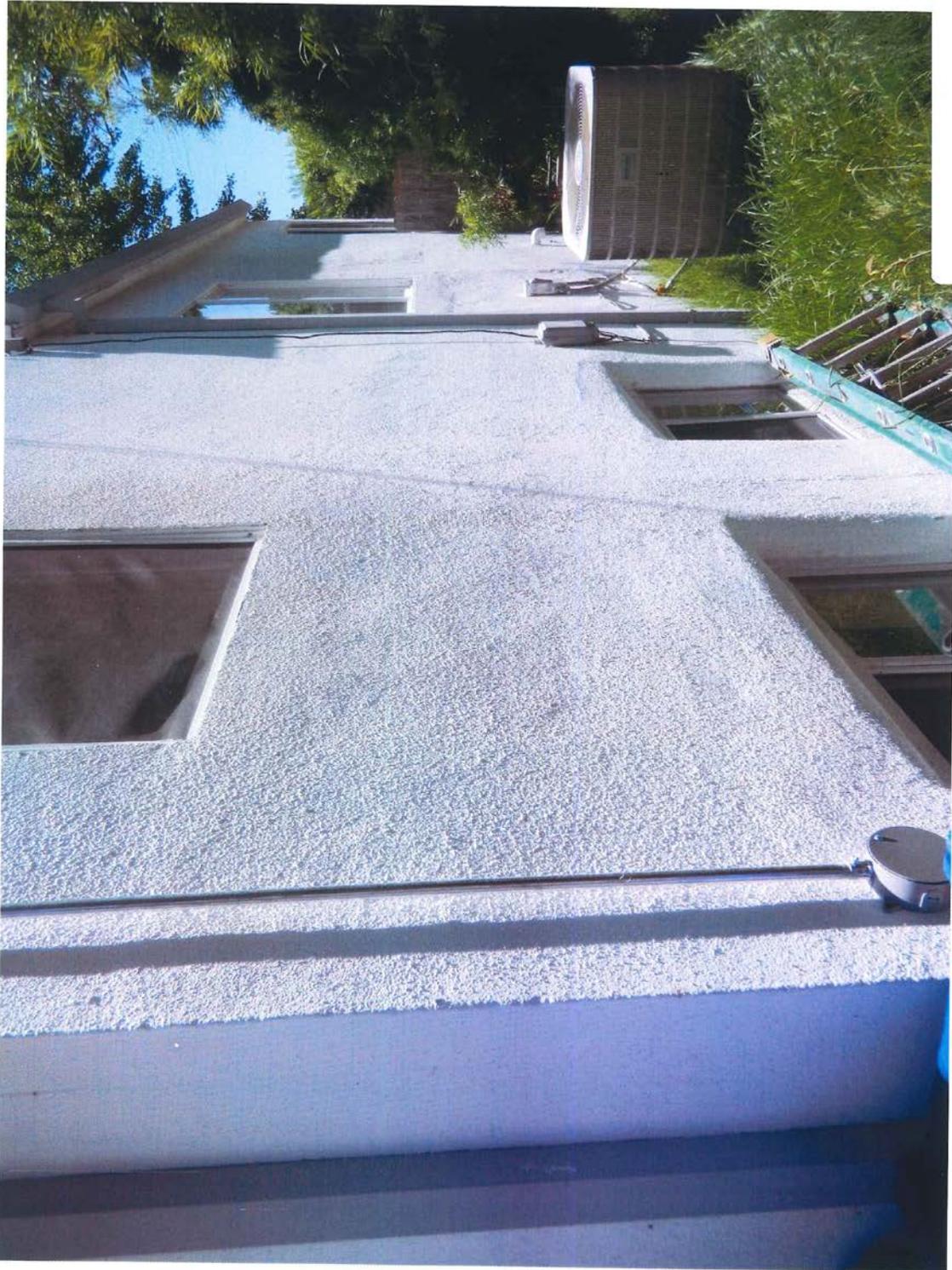
2400 14th street: Exterior of North facing side of building.

P11-060
AUG 11, 2011



2400 14th street: West side of building.

P11-060
AUG 11, 2011



2400 14th Street: South side of building.

P11-060
AUG 11, 2011

Attachment 6: Land Use and Zoning Map

