

**CITY OF SACRAMENTO  
COMMUNITY DEVELOPMENT DEPARTMENT  
ZONING ADMINISTRATOR**  
300 Richards Boulevard, 3<sup>rd</sup> Floor, Sacramento, CA 95811

**ACTION OF THE ZONING ADMINISTRATOR**

On November 29, 2017, the Zoning Administrator conducted a public hearing for file Z17-081 and took the project under advisement. On December 5, 2017, the Zoning Administrator approved, with conditions, a Conditional Use Permit for marijuana cultivation for the project described below. Findings of Facts and Conditions of Approval for the project begin on page 4 of this document.

**REQUESTED ENTITLEMENTS:**

**Conditional Use Permit** to cultivate marijuana on 0.68 acres in the General Commercial (C-2-R) zone within two existing buildings totaling approximately 7,660 square feet. No exterior changes are proposed.

**PROJECT INFORMATION:**

Location: 6400 Freeport Boulevard

Assessor's Parcel Number: 035-0102-014-0000

Applicant: Margaret Sharkey  
Herbal Velocity  
P.O. Box 4160  
Vallejo, CA 94590

Property Owner: Jose Manuel Treto  
9969 O Street  
Live Oak, CA 95953

Project Planner: Michael Hanebutt, Assistant Planner, (916) 808-7933

General Plan Designation: Suburban Corridor  
Community Plan Area: South Area  
Parking District: Traditional  
Design Review Area: Citywide  
Existing Land Use of Site: Vacant Commercial  
Existing Zone of Site: General Commercial (C-2-R)

Surrounding Zoning and Land Uses:

North: C-2-R	Warehouse/Industrial
South: C-2-R	Commercial
East: C-2-R	Airport
West: C-2-R	Industrial/Storage

Property Area:	±29,454 square feet / ±0.68 acres
Existing Property Dimensions:	222' x ±92' to ±152'
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Existing Buildings:	±7,660 square feet total (2 buildings)
Parking Required:	4-16 spaces
Parking Provided:	6 spaces
Project Plans:	See Exhibits
Previous Files:	N/A

### **Additional Information:**

The project site is a ±29,454-square foot developed parcel in the General Commercial (C-2-R) zone. The two existing buildings on the property total ±7,660-square feet, and are single-story commercial buildings that were last used as a private educational facility in 2012. The larger building was built in 1964 and the smaller accessory building was building in 1986. The site has an existing driveway from Freeport Blvd that will be gated. The site is surrounded by warehouse/industrial and heavy commercial uses, with Sacramento Executive Airport across Freeport Blvd to the east, and a residential neighborhood to the south of Harris Avenue.

The applicant proposes to cultivate marijuana in the entire building. It is proposed as one license business with a maximum cultivation area/canopy size of up to 10,000 square feet, which is a Class B license in the ±7,660-square foot existing area. The applicant proposes interior modifications in order to grow the plants and processing of the plants. Cultivation takes place within the building and is not visible from the public right-of-way.

The main entrance to the project is at the south side of the main building, adjacent to the parking lot. The exterior of the buildings are painted CMU block and stucco, with both have low-pitched roofs. There are no exterior changes proposed to the buildings, and no sign has not been proposed. If a sign is proposed in the future, requirements of the Planning and Development Code and Building Code must be followed and a sign permit obtained from the Building Division.

The proposed project is located in the Traditional Parking District and requires a minimum of 1 space per 2,000 gross square feet of building and a maximum of 500 gross square feet of building. The building requires a minimum of 4 parking spaces and 6 spaces are provided on-site, meeting the parking requirement. There are existing trees and shrubs in the planters. The applicant is not proposing to make changes to the existing site.

### **Neighborhood Context:**

The site is located in an industrial area at the intersection of 47<sup>th</sup> Avenue and Freeport Boulevard. Sacramento Executive Airport is to the east and across Freeport Boulevard, near the intersection of Blair Avenue and Freeport Boulevard. The required 600-foot radius map was submitted and reviewed by staff. The site is not within 600 feet of a K-12 school or a neighborhood or community park. No other marijuana cultivation businesses are within 600 feet of the site, but a medical dispensary is located down the street from the property also located on 47<sup>th</sup> Avenue.

### **Community/Neighborhood Contact:**

Notification for this project was sent to the Pocket Greenhaven Riverfront Association, Preservation Sacramento, and the South Land Park Neighborhood Association. The applicant also reached out to these groups, and also participated in a community meeting discussing the project. The applicant also surveyed neighboring businesses and has provided signed letters in support of the project, which are attached. An additional letter of support was also sent to staff from a nearby neighbor. Two letters of opposition were also sent to staff; the first from the South Land Park Neighborhood Association, and the other from the nearby business known as Kinderworld. These letters are also attached, along with a response letter from the applicant to the Kinderworld letter. All correspondence is ordered from most recent to earliest received. The site was posted for the public hearing and all property owners within 300 feet of the subject site were mailed a notification of the public hearing for the proposed project. Staff received no calls or additional letters about the project after noticing.

### **Neighborhood Responsibility Plan:**

A Neighborhood Responsibility Plan is required to mitigate any ongoing adverse effects of cultivation on the surrounding neighborhood. A requirement of a conditional use permit application submittal is that the property owner of a cultivation site agrees to enter into an agreement with the City Manager to pay money to be used by the City to pay for measures to mitigate the adverse impacts. The City Manager will authorize study to determine the impacts. The property owner for this site has agreed to pay a fee in the amount of 1% of the gross receipts of every marijuana cultivation business on the property. Payment shall be made in accordance with the Neighborhood Responsibility Agreement between the property owner and the City. The submitted Neighborhood Responsibility Agreement has been sent to the City Clerk's Office for execution.

### **Agency Comments:**

The proposed conditional use permit has been reviewed by the City's Utilities, Parks, Fire Department, the Building Divisions and the Department of Engineering Division of the City's Public Works department, as well as SMUD and other utilities agencies. All conditions and comments provided to Planning staff are included in this report.

The Police Department and Fire Department have reviewed the proposal for security and safety concerns. Police and Fire comments are included in the report under Conditions of Approval. A final security plan is required to be submitted and approved by the Revenue Division before a Business Operating Permit is issued.

### **Marijuana Business Operating Permit**

Any marijuana related business, in addition to obtaining all required land use approvals under the Planning and Development Code (Title 17), must also obtain a business permit from the City pursuant to Sacramento City Code Title 5, Chapter 5.150. Among other things, the business permit regulates the final canopy size and requires a final security plan, lighting plan, odor control plan, community relations plan, business plan and information on employees and owners for each business permitted by the city. The marijuana related business is also required to obtain applicable permits from the State of California.

### **Environmental Determination:**

The Community Development Department, Environmental Planning Services Division has reviewed this project and determined that this is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section(s) 15061(b)(3)-No Significant Effect of the CEQA Guidelines. This project qualifies for this exemption and is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be

seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

### **Zoning Administrator Hearing:**

The Zoning Administrator conducted a public hearing November 29, 2017 and heard testimony from the applicant. Three members of the public spoke in favor of the project at the hearing. The Zoning Administrator took the item under advisement to consider the testimony and review all relevant documents and correspondence.

## **CONDITIONS OF APPROVAL**

### **Planning**

1. The project shall conform to the approved plans as shown on the attached exhibits. The interiors of both buildings, totaling 7,670 square-feet, are approved for cultivation. Changes to the interior are permitted to conduct the use.
2. Door changeouts for security are allowed on both buildings.
3. The rebuilt masonry wall along Freeport Boulevard shall be no higher than the walls on either side, and shall have a split-face CMU design.
4. All rooftop mechanical units shall be screened from views and sightlines of public rights of way.
5. Only one non-illuminated sign is permitted for the use. If a sign is proposed in the future the maximum size permitted is six square feet in area. The sign may be attached or detached. If the sign is detached it shall be a monument sign. A sign permit from the Building Division is required.
6. The site shall be inspected and maintained daily to be clear of litter.
7. The cultivation permit holder or property owner shall provide regular landscape maintenance for the site. The cultivation permit holder or property owner shall provide staff a plan that demonstrates meeting this requirement.
8. The applicant shall provide bicycle parking within the building for employees.
9. No outdoor storage is allowed.
10. Any modification to the project proposed in the future shall be subject to review and approval by Planning staff and may require additional entitlement(s).

### **Building Division**

11. A building permit is required to verify occupancy for a marijuana facility, even if no improvements to the property are proposed. The building permit application must meet the City's general building permit submittal requirements.

**Fire**

12. Any modifications to the facility must be done under permit by way of plan review for compliance to the Fire and Building Codes. This will include plans for review to approve a change of occupancy use.
13. Any access or egress controlled doors must be identified on the floor plan that is provided as a part of the security plan. This will aid in a more complete plan review when provided for review to obtain a construction permit.
14. Obtain a Fire Clearance by requesting a fire and life safety inspection from the Sacramento City Fire Prevention Division.
15. Obtain any required operational permits from the Sacramento City Fire Prevention Division.
16. Provide documentation to verify that any fire and life safety systems such as fire suppression and fire alarm systems have been serviced, maintained and certified in accordance with the required maintenance schedules as may be applicable (quarterly, annual and 5-years' service).

**Police**

17. Site plans and floor plans shall be completed to the satisfaction of the Sacramento Police Department CPTED Sergeant prior to pulling building permits, including:
  - Secure lobby for visitors
  - Transportation/shipping area
18. Exterior lighting shall be white light using LED lamps with full cutoff fixtures to limit glare and light trespass. Color temperature shall be between 2700K and 4100K with a color rendering index of 75 or better and a light loss factor of .95 or better. All existing exterior fixtures shall be replaced with fixtures that meet this requirement.
19. Exterior lights shall be mounted no higher than 16'.
20. Broken or damaged exterior lighting shall be repaired or replaced within 48 hours of being noted.
21. Exterior lighting shall be shielded or otherwise designed to avoid spill-over illumination to adjacent streets and properties.
22. All mature landscaping shall follow the two-foot, six-foot rule. All landscaping shall be ground cover, two feet or less and lower tree canopies of mature trees shall be above six feet. This increases natural surveillance and eliminates hiding areas within the landscape.
23. Tree canopies shall not interfere with or block lighting. This creates shadows and areas of concealment. The landscaping plan shall allow for proper illumination and visibility regarding lighting and surveillance cameras through the maturity of trees and shrubs.
24. Fences shall be of decorative tubular steel, no climb type.

25. All solid core exterior doors shall be equipped with a 180-degree viewing device to screen persons before allowing entry.
26. Business shall be equipped with and maintain a security system with
  - An alarm system with a valid UL Certificate in accordance with ANSI/UL Standard 681-2014 (Standard for Installation and Classification of Burglar and Holdup Alarm), Extent Number 2.
  - a Video Assessment and Surveillance System (VASS)
27. Holdup alarm system shall be employed near the:
  - transport area
  - lobby
  - employee entrance
  - safe(s).
28. Burglar alarms shall cause the dispatch of a properly licensed private patrol.
29. Holdup alarms shall cause the dispatch of the Sacramento Police Department
30. Security system shall be equipped with at least 24 hours of continued operation time in case of power failure.
31. Security system shall be equipped with cellular back-up in case of phone line disruption.
32. Facility shall be staffed at all times that the security system is not fully functional.
33. A log shall be maintained that shows when the alarm system was armed and disarmed, and by whom.
34. VASS storage shall be kept off-site or in a secured area accessible only to management.
35. Manager with access to VASS storage shall be able to respond to any activation within one hour.
36. Cameras shall be day/night capable with a resolution of no less than two (2) megapixels and a minimum frame rate of 12 frames per second.
37. Each driveway entrance and exit and each building entrance and exit shall be covered by a camera set at 100 pixels per foot or higher to capture license plates and faces.
38. VASS shall be capable of exporting footage to common media in a standard viewing format and shall not require proprietary software for third party viewing.
39. VASS shall be capable of storing no less than 30 days' worth of activity.
40. VASS shall provide comprehensive coverage of:
  - safe(s)
  - areas of ingress and egress
  - parking lot
  - loading areas

- areas not clearly visible from public streets
  - coverage of all exterior sides of the property
41. Monitors displaying the employee parking area and property perimeter shall be mounted in a visible location near the door from which employees will arrive and depart so that employees may monitor the outside environment prior to departing the facility.
  42. No more than 33 percent of the square footage of the windows and clear doors shall be blocked by advertising, signs, shelves or anything else. All advertising, signs, and shelving shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises from the exterior public sidewalk or entrance to the premises. All signs shall comply with the City Code.
  43. No public pay phones/telephones shall be allowed on the premises.
  44. No coin operated games or video machines shall be allowed on the premises.
  45. The applicant is responsible for reasonably controlling the conduct of persons on the site and shall immediately disperse loiterers.
  46. All dumpsters shall be kept locked.
  47. Applicant shall install a “Knox Box” for police access to the exterior areas of the property after hours.

### **Public Works**

48. Repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk adjacent to the subject property along Freeport Boulevard and 47<sup>th</sup> Avenue per City standards and to the satisfaction of the Department of Public Works.
49. The site plan shall conform to A.D.A. requirements in all respects. This shall include the replacement of any curb ramp that does not meet current A.D.A. standards at the south—west corner of the intersection of 47<sup>th</sup> Avenue and Freeport Boulevard per City standards and to the satisfaction of the Department of Public Works.
50. The design of walls fences and signage near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The area of exclusion shall be determined by the Department of Public Works.

### **Regional Sanitation**

51. Developing this property may require the payment of Regional San sewer impact fees (connection fees). Regional San sewer impact fees shall be paid prior to the issuance of building permits. For questions pertaining to Regional San sewer impact fees, please contact the Sewer Fee Quote Desk at (916) 876-6100.

## **SMUD**

52. All structural setbacks shall be a minimum of 14-feet from the edge of the roadway right-of-way. Structural setbacks less than 14-feet shall require the Applicant to conduct a pre-engineering meeting with all utilities to ensure proper clearances are maintained.
53. In the event the Applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal.
54. SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.
55. The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.).
56. In the event the City requires an Irrevocable Offer of Dedication (IOD) for future roadway improvements, the Applicant shall dedicate a 12.5-foot public utility easement (PUE) for overhead and/or underground facilities and appurtenances adjacent to the City's IOD.

## **Utilities**

57. City record does not indicate that there is an existing backflow preventer at this property. Prior to the issuance of building permit, the applicant will need to install a backflow preventer device to the satisfaction of the Department of Utilities. The applicant is advised to contact the Department of Utilities Development Services staff located at the CDD public counter at 300 Richards Boulevard for assistance. The applicant should be advised that the verification of the device by the field crews involved prior to sign-off of this condition may take a considerable amount of time. Therefore, all requests should be submitted in a timely matter.

## **Advisory Notes:**

1. The City of Sacramento (City) is responsible for providing local sewer service to the proposed project site via their local sanitary sewer collection system. Regional San is responsible for the conveyance of wastewater from the City's collection system to the Sacramento Regional Wastewater Treatment Plant (SRWTP).
2. Any necessary future SMUD facilities located on the Applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant's property.

3. To ensure a timely service connection, SMUD advises that the Applicant submit an anticipated energy load calculation for its review. The Applicant may also direct specific questions regarding their service connection to: [IndoorCultivation@smud.org](mailto:IndoorCultivation@smud.org).
4. There is an existing 6" sewer main along the west property line of the subject site. Per City Code 13.04.230, no permanent structure (including without limitation garages, patios, concrete slabs, tool shed and similar structures) shall be constructed on top of sewer pipelines or anywhere within the associated utility easements, unless approved by the director upon execution of a hold harmless agreement approved by the city attorney.

## **FINDINGS OF FACT**

### **Findings of Fact – Conditional Use Permit:**

1. The proposed development is consistent with the City's Industrial and Business Park Design Guidelines and the General Plan, which designates the site for Industrial use. There is no applicable specific plan or transit village plan for this site.
2. The proposed use and its operating characteristics, as conditioned, are consistent with the applicable standards, requirements, and regulations of the General Commercial (C-2-R) zoning district in which it is located, and of all other provisions of this title and this code in that:
  - a. the use involves the warehousing and tending of plants inside a building which are appropriate uses in the industrial zone; and
  - b. Adequate on-site parking is provided.
3. The proposed use, as conditioned, is situated on a parcel that is physically suitable for the cultivation of marijuana in terms of location, size, topography, and access, and is adequately served by public services and utilities.
4. The proposed use and its operating characteristics are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance, in that:
  - a. The property owner for this site has agreed to pay a fee in the amount of 1% of the gross receipts of every marijuana cultivation business on the property to pay for measures to mitigate the adverse impacts the business may cause.
  - b. The applicant is required to submit a final detailed odor control plan describing methods that will be implemented to prevent marijuana-related odors generated by the project from being detected outside the building on the site to the City Revenue Division prior to issuance of a Business Operating Permit.
5. The proposed marijuana cultivation will not adversely affect the peace or general welfare of the surrounding neighborhood in that:
  - a. All cultivation takes place within the building and is not visible from the public right of way;

and

- b. A security plan, to be reviewed and approved by the Police Department, Fire Department, and City Revenue Division, is required prior to issuance of a Business Operating Permit.
6. The proposed cultivation will not result in an undue concentration of marijuana cultivation establishments. Second sentence with more detail depending on the situation.

Joy D. Patterson

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Joy D. Patterson  
Zoning Administrator  
Design Director

12-5-17

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Date of Action

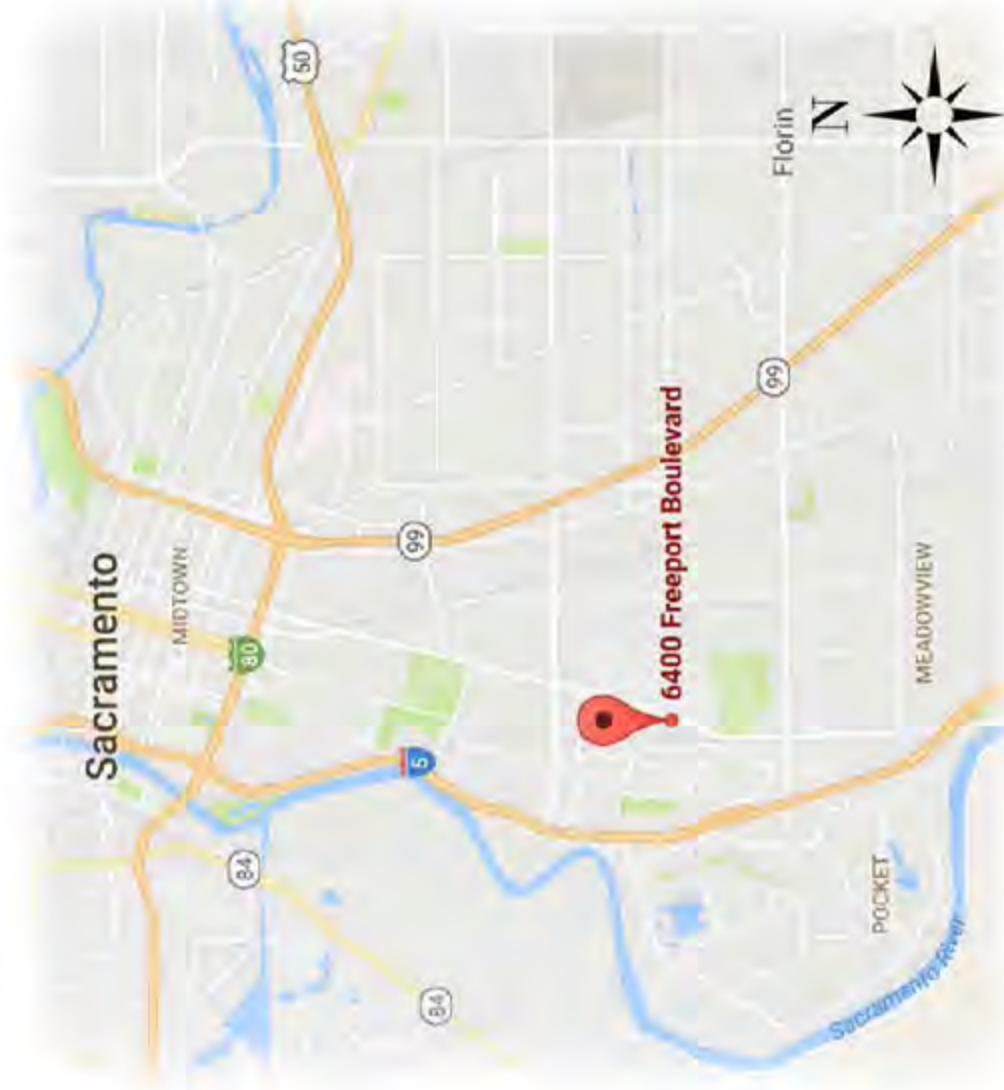
The decision of the Zoning Administrator and Design Director may be appealed to the Planning and Design Commission. An appeal must be filed within 10 days of the date of the action by the Zoning Administrator/Design Director. If an appeal is not filed, the action of the Zoning Administrator and Design Director is final.

The appeal period for this action ends on Monday, December 15, 2017 at 4:00 p.m.



PROJECT SITE 3D AERIAL VIEW

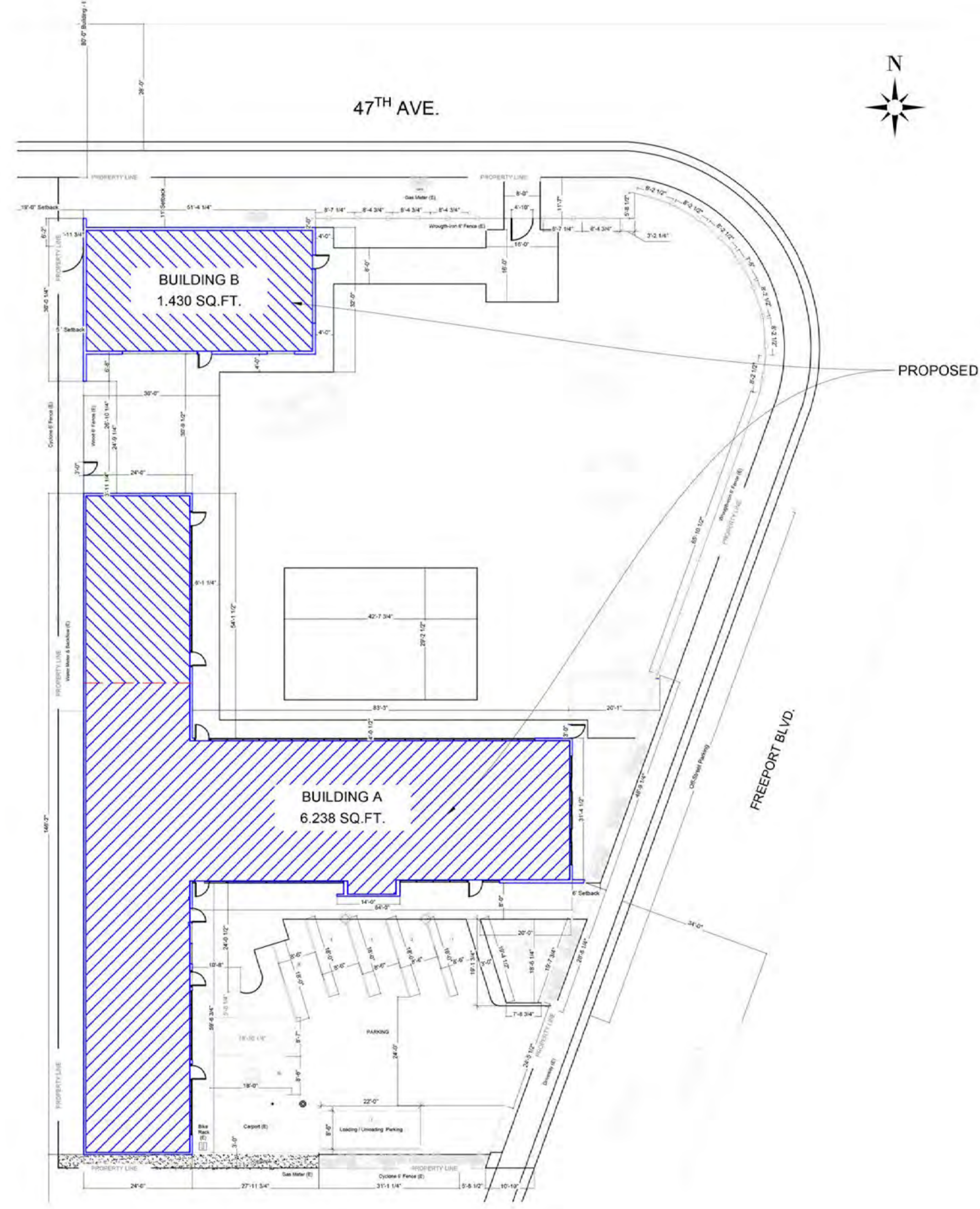
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LOCATION MAP

**DRAWING INDEX**

- 1 SITE PLAN - BUILDING DATA
- 2 SITE PLAN
- 3 FLOOR PLAN
- 4 FLOOR PLAN - BUILDING AREA
- 5 LANDSCAPE PLAN
- 6 ELEVATIONS - BUILDING A
- 7 ELEVATIONS - BUILDING B
- 8 ROOF PLAN



SITE PLAN

**SQ. FT. PER AREA**

Area	Sq. Ft.
Assembly	367 ft <sup>2</sup>
Break Room	421 ft <sup>2</sup>
Cultivation	5,465 ft <sup>2</sup>
Reception	80 ft <sup>2</sup>
Dry Room	256 ft <sup>2</sup>
Hallways	357 ft <sup>2</sup>
Main Restroom	90 ft <sup>2</sup>
Office / Security	250 ft <sup>2</sup>
Storage	288 ft <sup>2</sup>
Utilities	94 ft <sup>2</sup>
<b>Total:</b>	<b>7,668 ft<sup>2</sup></b>

**SCOPE OF WORK**

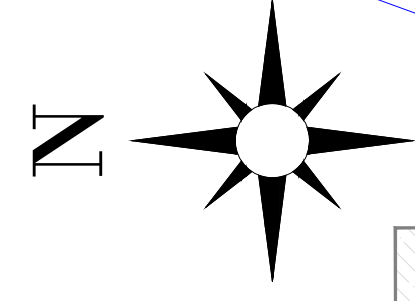
- 1) PROPOSED OCCUPANCY CHANGE FROM PRIVATE SCHOOL TO CULTIVATION FACILITY
- 2) MODIFY EXTERIOR SECURITY LIGHTS TO LED
- 3) REPLACE GLASS ENTRY DOORS WITH STEEL COMMERCIAL DOORS
- 4) REPLACE EXISTING HVAC UNITS AS NEEDED
- 5) REMOVAL OF SELECTIVE T-BAR AND CEILING TILES
- 6) PREMISES TO REMAIN IN "AS-IS" CONDITION WITH ADDITION OF EQUIPMENT SPECIFIC TO CULTIVATION

**APPLICABLE CODES**

- 2016 CALIFORNIA BUILDING CODE
- 2016 CALIFORNIA ELECTRICAL CODE
- 2016 CALIFORNIA PLUMBING CODE
- 2016 CALIFORNIA MECHANICAL CODE
- 2016 BUILDING ENERGY EFFICIENCY STANDARDS
- ALL APPLICABLE CITY OF SACRAMENTO CODE AND ORDINANCES
- SACRAMENTO NEIGHBORHOOD COMMERCIAL CORRIDOR DESIGN PRINCIPLES

**PLANNING / BUILDING INFO.**

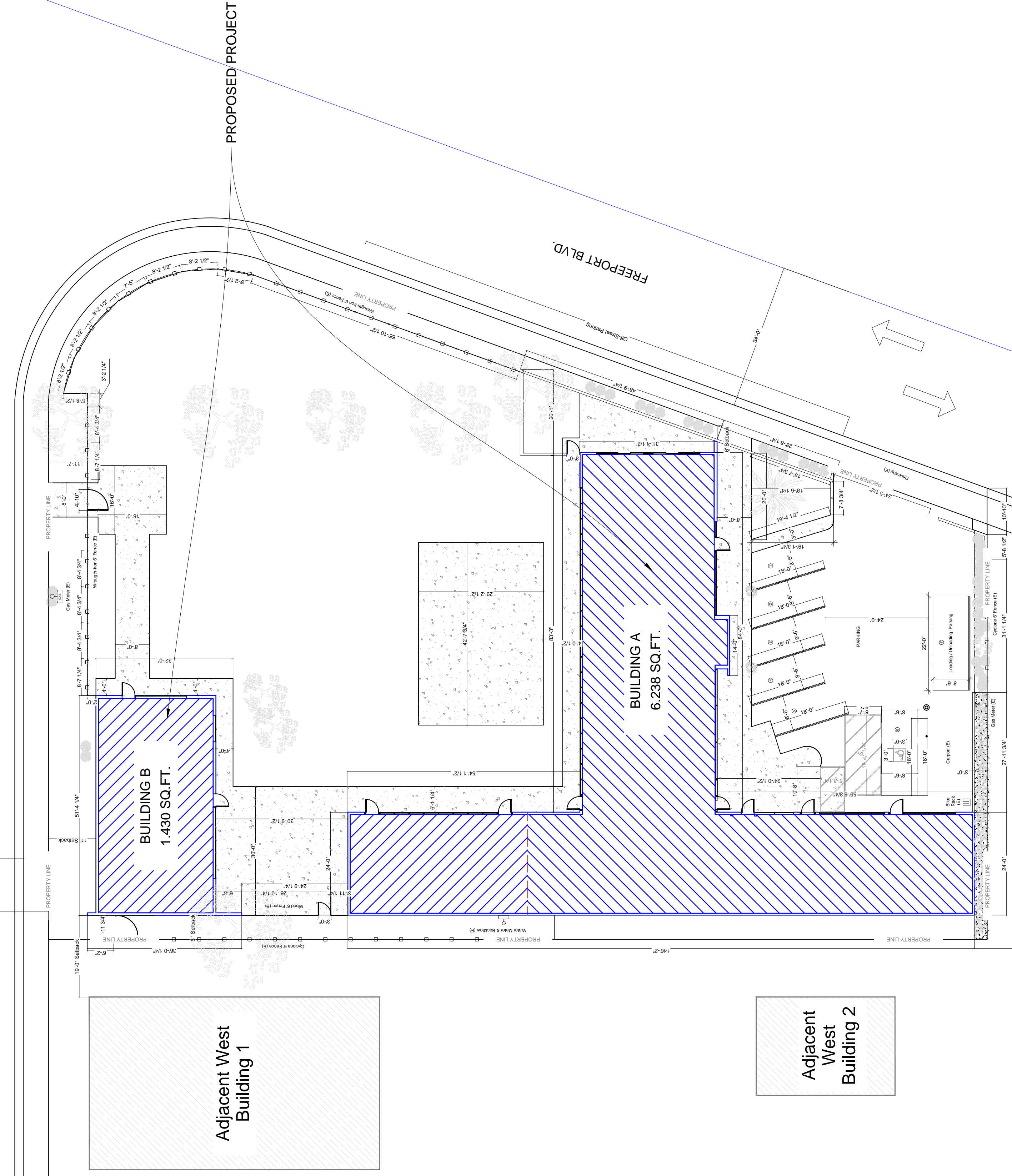
APN: 035-0102-014-0000  
 Zoning: C - 2 R  
 Lot Size: 0.68 Acres  
 Building Size: 7,668 Sq. Ft.  
 No. of Stories : 1  
 Year Built: 1964 and 1986  
 Existing Occupancy Class: (E)  
 Proposed Occupancy Class: (B)  
 Existing Building Type: non-sprinkled



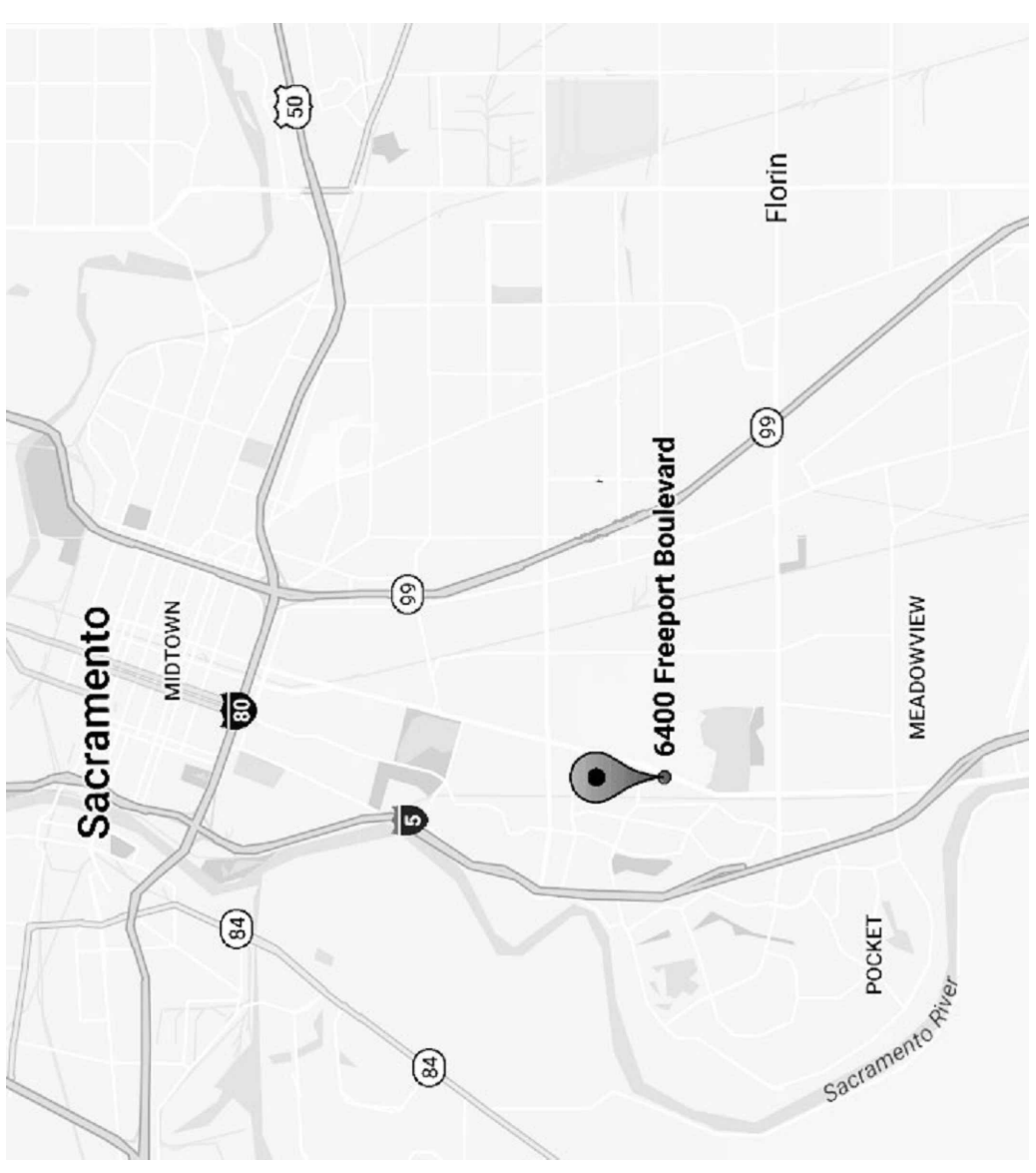
Adjacent North Building 2

Adjacent North Building 1

47<sup>TH</sup> AVE.



LOCATION MAP



Sheet No. <b>2 / 8</b>	Date <b>4/26/2017</b>	Revision/Issue  	No.  
	HERBAL VELOCITY 6400 / 6410 FREEPPOINT BOULEVARD SACRAMENTO CA 95822 Phone: (707) 704-5794	<b>SITE PLAN</b> APN: 035-0102-014-0000 Lot Size: 0.86 Acres	Scale <b>1/16" = 1'</b>
Hossam Nasser, PHD, PE ICG Engineering, Inc. 1786 Margarita Ct, Concord, CA 94521 Tel: 925.330.0622 hgnasser@icg.com www.icgengineering.us.com			

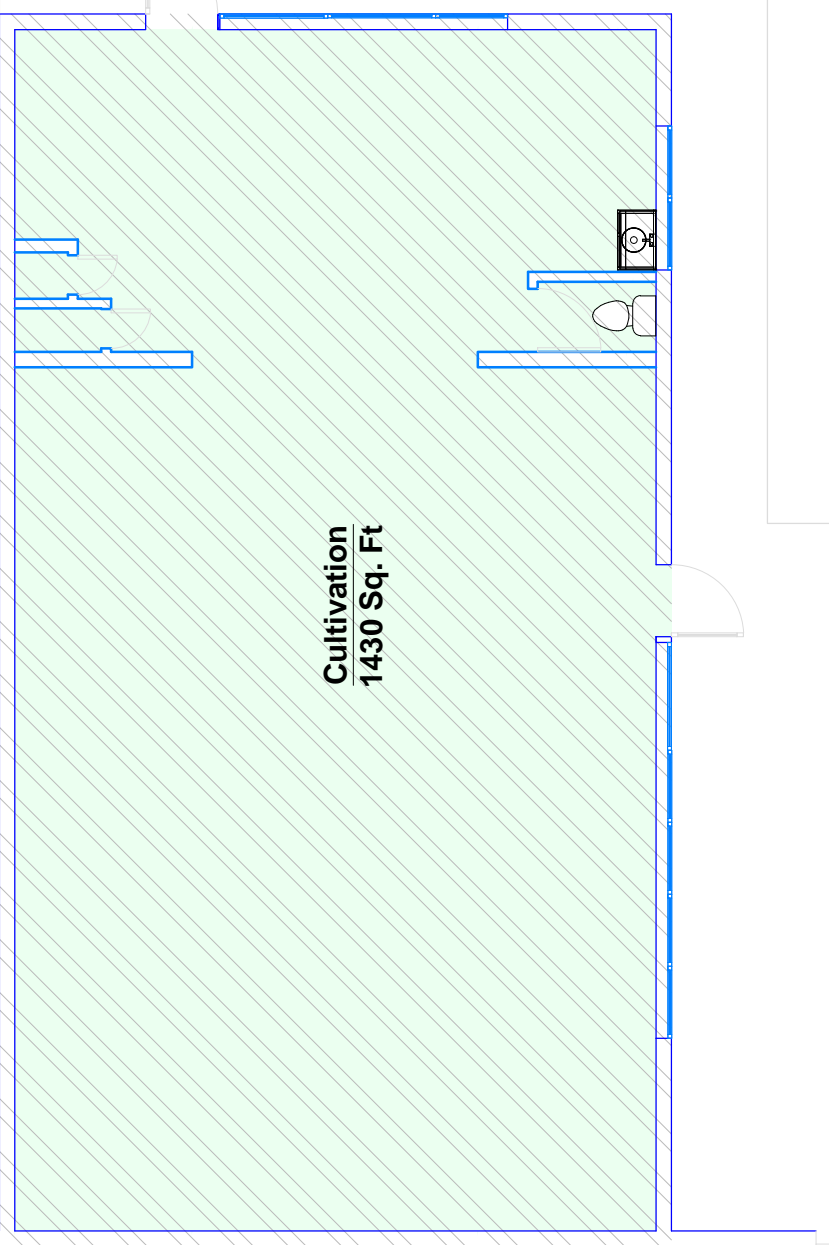


47<sup>TH</sup> AVE.

FREEPORT BLVD.

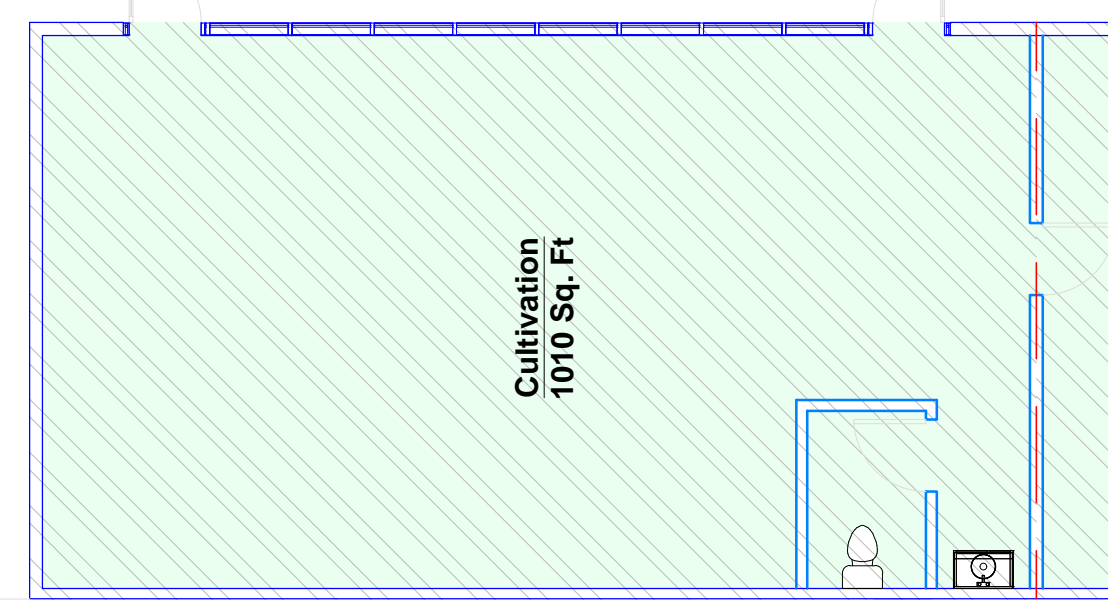
PROPERTY LINE

PROPERTY LINE

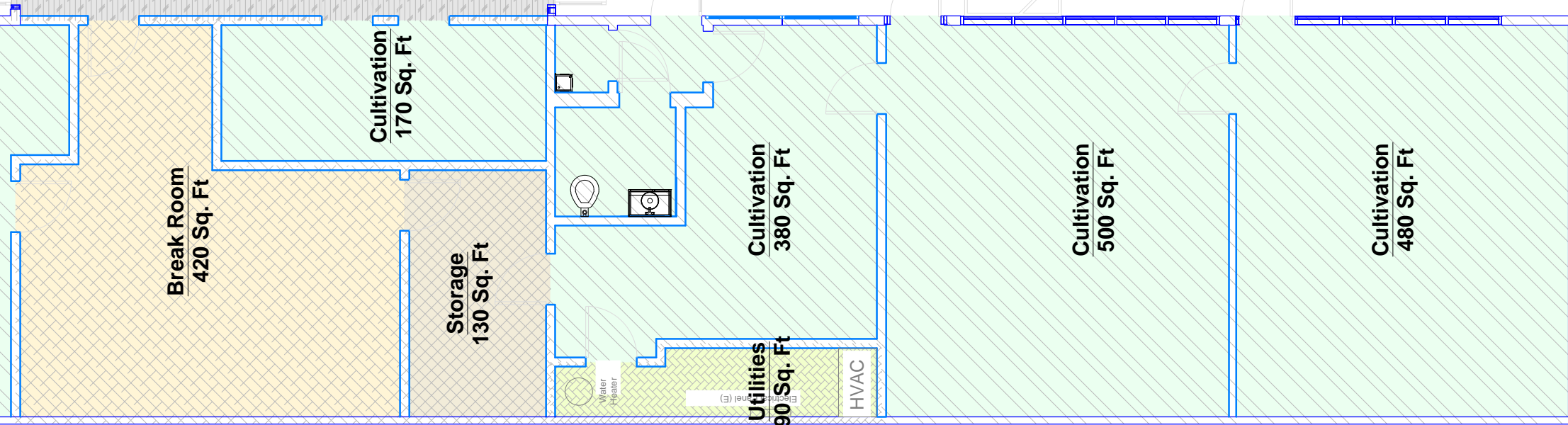


PROPERTY LINE

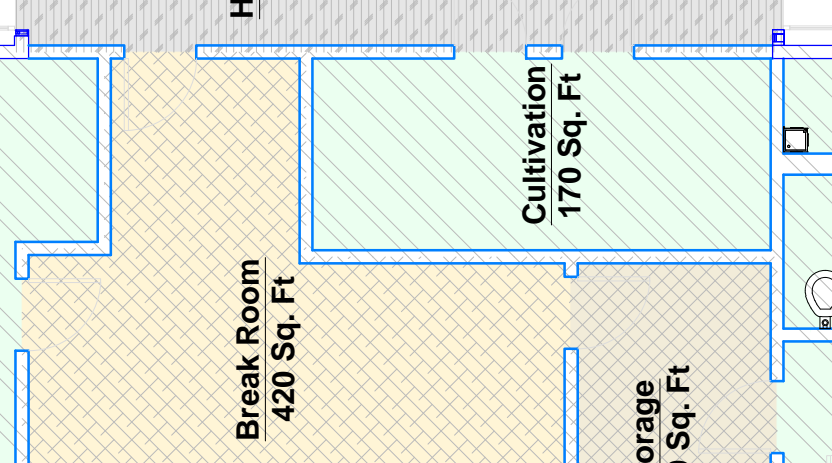
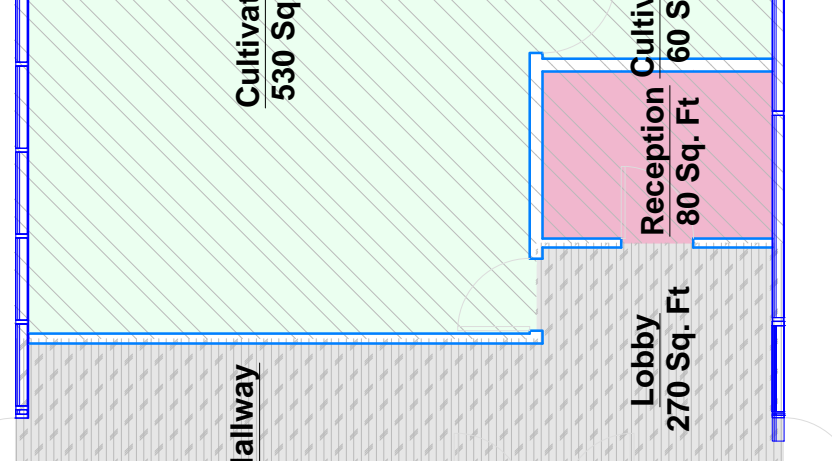
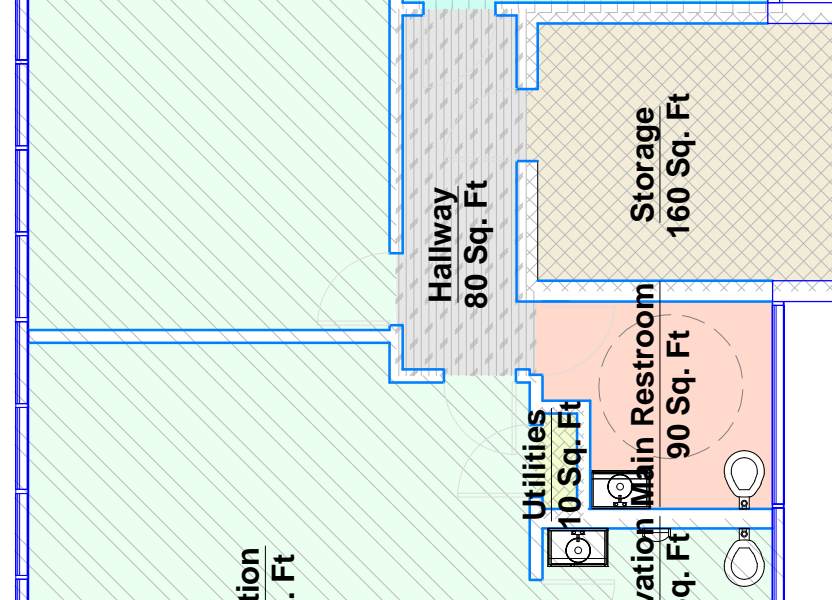
Cyclone 6' Fence (E)



PROPERTY LINE



PROPERTY LINE

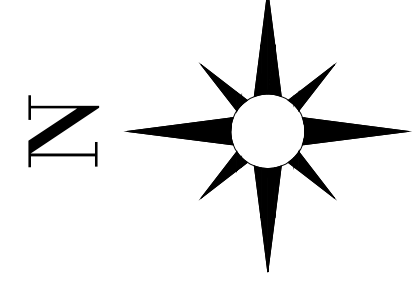


### Building Breakdown

- Break Room
- Assembly
- Cultivation
- Utilities
- Storage
- Office / Security
- Dry Room
- Hallway
- Main Restroom
- Reception

### SQ. FT. PER AREA

Area	Sq. Ft.
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Sheet No.

4 / 8

4/26/2017

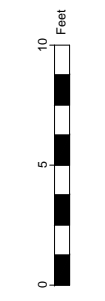
No. \_\_\_\_\_  
Revision/Issue \_\_\_\_\_

Date \_\_\_\_\_

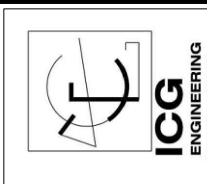
HERBAL VELOCITY  
6400 / 6410 FREEPORT BOULEVARD  
SACRAMENTO CA 95822  
Phone: (707) 704-5794

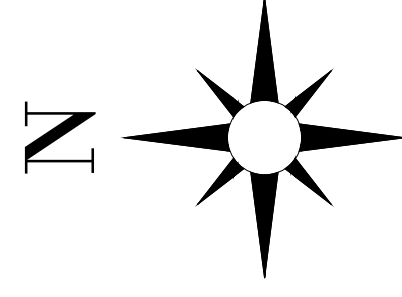
**FLOOR PLAN**  
Building Area  
APN: 035-0102-014-0000  
Lot Size: 0.86 Acres

Scale  
1/8" = 1'



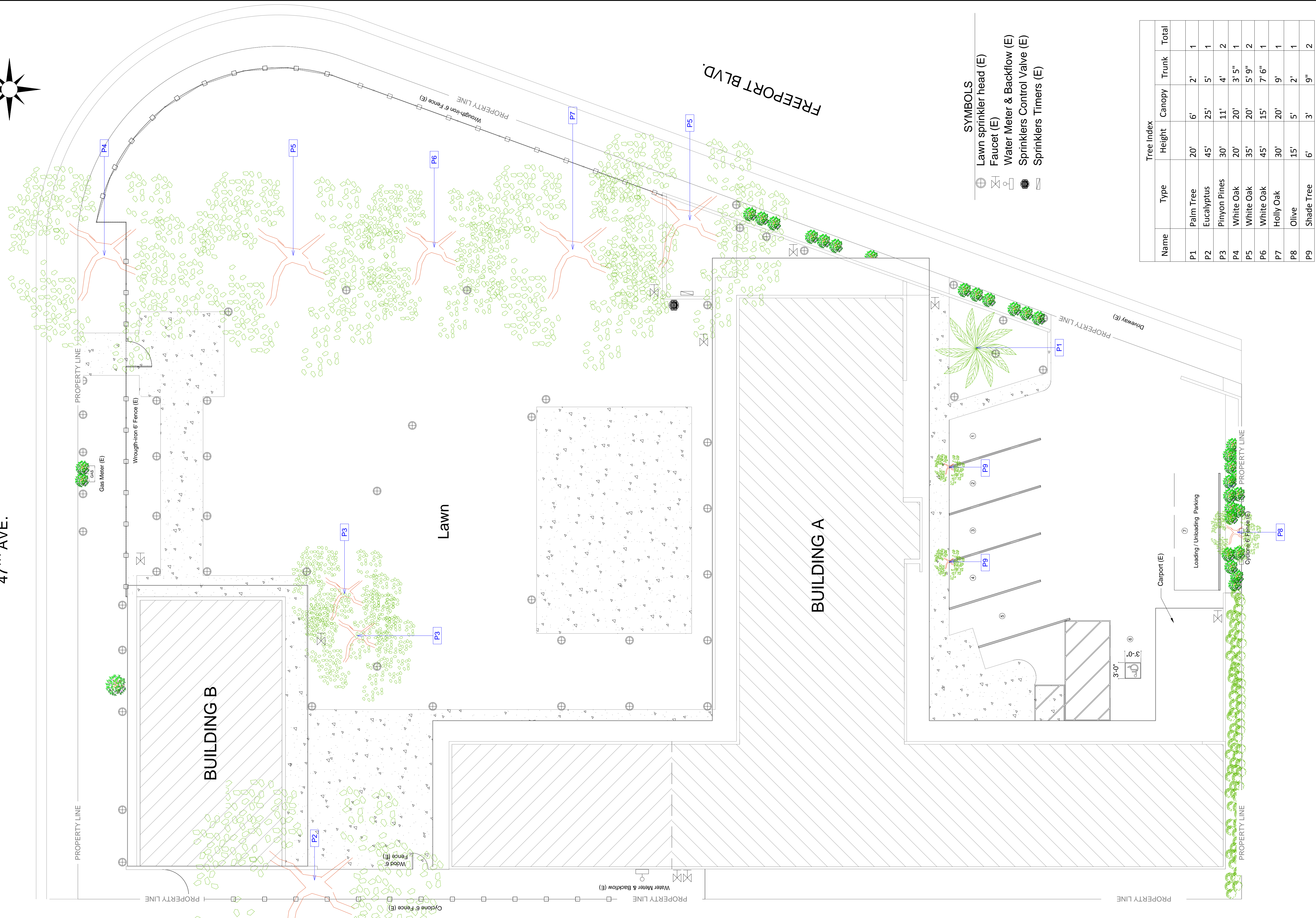
Hossam Nasser, PhD, PE  
ICG Engineering, Inc.  
1786 Margarita Ct. Concord, CA 94521  
Tel: 925.337.0422  
ign@icgenr.com  
www.icgenr.com





47<sup>TH</sup> AVE.

FREEPORT BLVD.



- SYMBOLS**
- ⊕ Lawn sprinkler head (E)
  - ⊗ Faucet (E)
  - ⊕ Water Meter & Backflow (E)
  - ⊕ Sprinklers Control Valve (E)
  - ⊕ Sprinklers Timers (E)

Tree Index					
Name	Type	Height	Canopy	Trunk	Total
P1	Palm Tree	20'	6'	2'	1
P2	Eucalyptus	45'	25'	5'	1
P3	Pinyon Pines	30'	11'	4'	2
P4	White Oak	20'	3' 5"	3' 5"	1
P5	White Oak	35'	20'	5' 9"	2
P6	White Oak	45'	15'	7' 6"	1
P7	Holly Oak	30'	20'	9'	1
P8	Olive	15'	5'	2'	1
P9	Shade Tree	6'	3'	9"	2

Sheet No. **5/8**

Date: **4/26/2017**

Revised/Issue: \_\_\_\_\_

No. \_\_\_\_\_

Scale: **1/8" = 1'**

**LANDSCAPE PLAN**

HERBAL VELOCITY  
6400 / 6410 FREEPORT BOULEVARD  
SACRAMENTO CA 95822  
Phone: (707) 704-5794

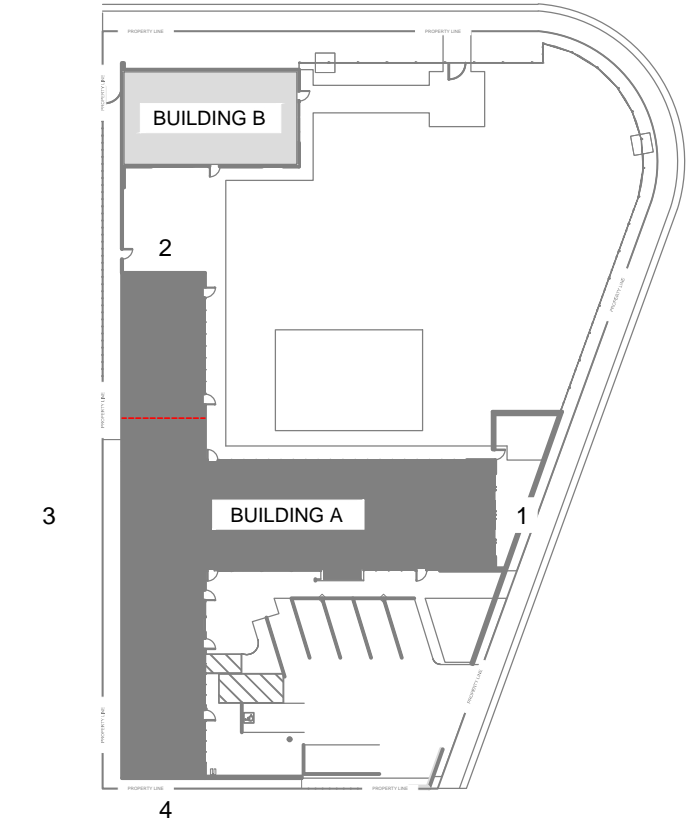
APN: 035-0102-014-0000  
Lot Size: 0.86 Acres

Hossam Nasser, PhD, PE  
ICG Engineering, Inc.  
1786 Margarita Ct., Concord, CA 94521  
Tel: 925.330.0622  
h.nasser@icg.com  
www.icgengineering.us.com

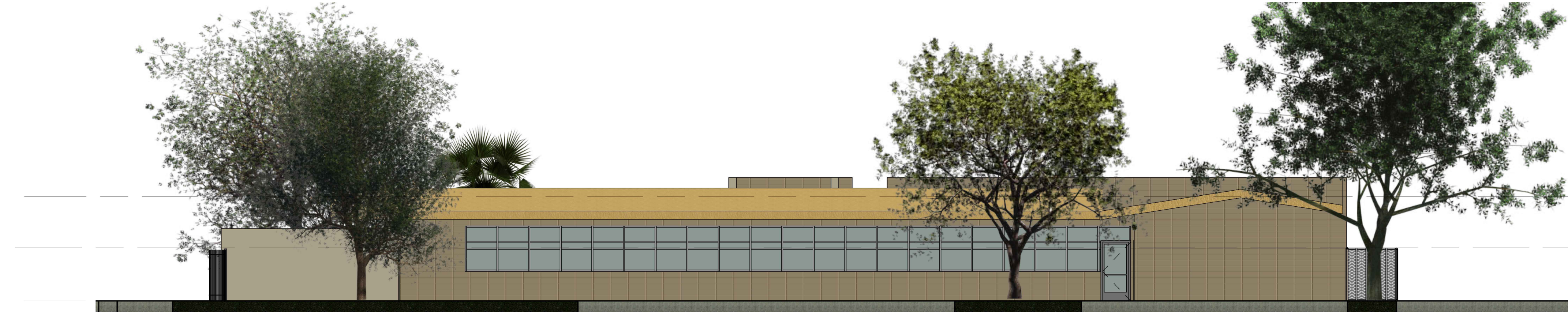
# Elevations - Building A



- Walls 11' - 9 1/2"
- Fence 6' - 0"
- Site 0' - 0"

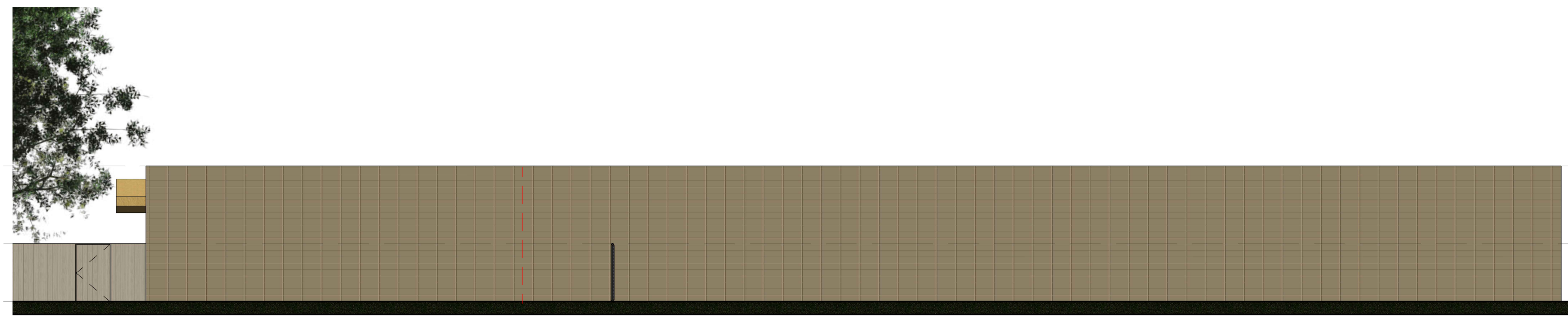


**1** East Elevation - Building A  
1/8" = 1"



- Walls 11' - 9 1/2"
- Fence 6' - 0"
- Site 0' - 0"

**2** North Elevation - Building A  
1/8" = 1"



- Wall Build. A 14' - 0"
- Fence 6' - 0"
- Site 0' - 0"

**3** West Elevation - Building A  
1/8" = 1"



- Wall Build. A 14' - 0"
- Walls 11' - 9 1/2"
- Site 0' - 0"

**4** South Elevation - Building A  
1/8" = 1"

ICG  
Hossam Nasser, PhD, PE  
ICG Engineering, Inc.  
1786 Margarita Ct., Concord, CA 94521  
Tel: 925.330.0628  
ign@icgenr.com  
www.icgenr.com

1/8" = 1'

**ELEVATIONS BUILDING A**  
6410 Freeport Blvd.  
APN: 035-0102-014-000  
Lot Size: 0.88 Acres

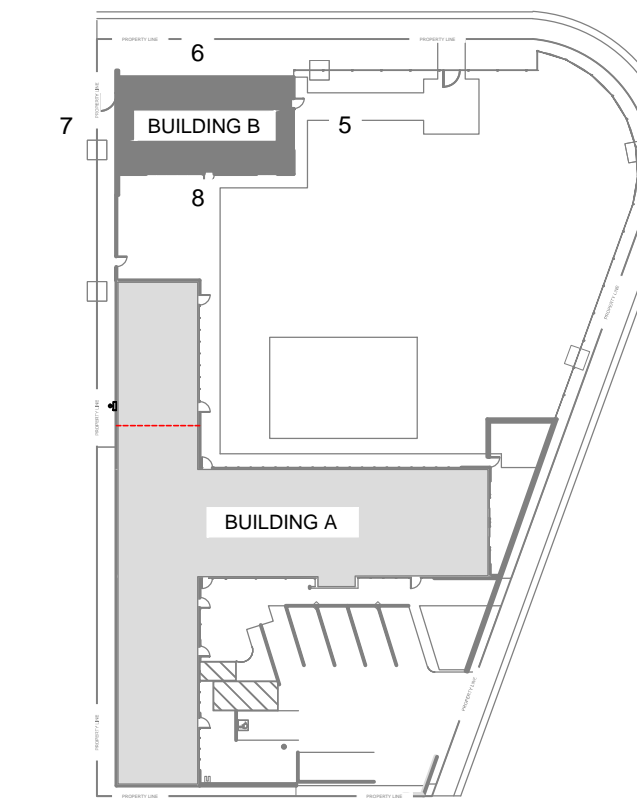
HERBAL VELOCITY  
6400 / 6410 FREEPORT BOULEVARD  
SACRAMENTO CA 95822  
Phone: (707) 704-5794

No.	Revision/Issue	Date

4/26/2017

Sheet No. **6/8**

# Elevations - Building B

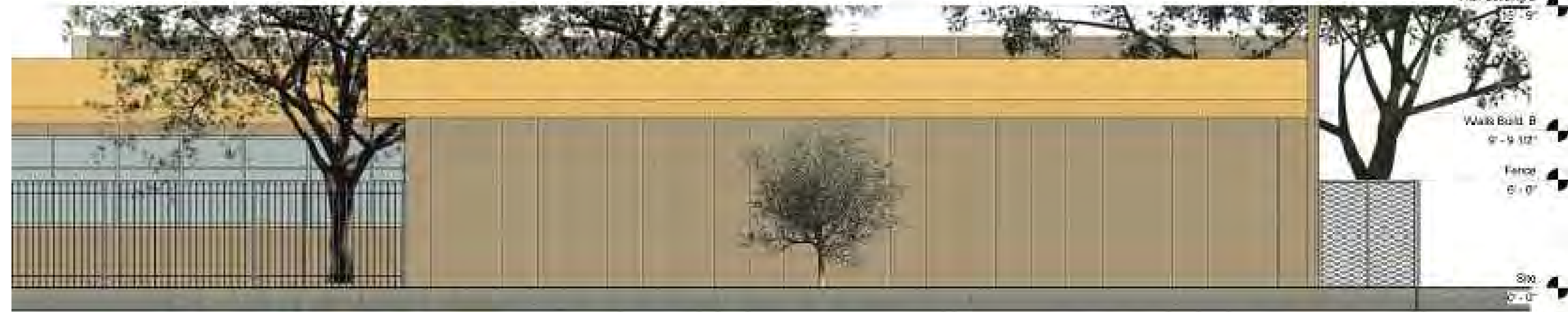


Wall Building B  
15'-1"

Walk Build B  
9'-9 1/2"

Fence  
6'-0"

**5** East Elevation - Building B  
1/4" = 1'



Wall Building B  
15'-6"

Walk Build B  
9'-9 1/2"

Fence  
6'-0"

Sink  
0'-0"

**6** North Elevation - Building B  
1/4" = 1'



Wall Building B  
15'-0"

Walk Build B  
9'-9 1/2"

Fence  
6'-0"

Sink  
0'-0"

**7** West Elevation - Building B  
1/4" = 1'



Wall Building B  
15'-8"

Walk Build B  
9'-8 1/2"

Fence  
6'-0"

Sink  
0'-0"

**8** South Elevation - Building B  
1/4" = 1'

Hossam Nasser, PhD, PE  
ICG Engineering, Inc.  
1786 Margarita Ct., Concord, CA 94521  
Tel: 925.330.0622  
ign@icgenr.com  
www.icgenr.com

Scale  
1/4" = 1'

**ELEVATIONS BUILDING B**  
6410 Freeport Blvd.  
APN: 035-0102-014-0000  
Lot Size: 0.86 Acres

HERBAL VELOCITY  
6400 / 6410 FREEPORT BOULEVARD  
SACRAMENTO CA 95822  
Phone: (707) 704-5794

No.	Revision/Issue	Date



Herbal Velocity  
Margaret Sharkey  
6400 Freeport Blvd.  
Sacramento, CA 95822

August 25, 2017

Michael Hanebutt,  
Assistant Planner City of Sacramento Community Development Department  
300 Richards Boulevard, 3rd Floor  
Sacramento, CA 95811

**RE: CUP Z17-081**

Dear Mr. Hanebutt,

This is in response to the letter dated June 19, 2017, submitted by William Breeding, Kinder World, Inc., to the Sacramento Planning Department in regard to CUP Z17-081 for 6400 Freeport Blvd. Sacramento, CA.

The following are comments regarding this letter:

1. This property meets all City of Sacramento distance and zoning regulations.
2. Per the correspondence, "Item 1"; The age range for enrollment at the Kinderworld facility is from ages 1-5 years; the concern regarding exposure of this business to young children is not pertinent as the 6400 Freeport property will have no signage, marketing or advertising and most children under the age of five do not yet read, nor are aware of extraneous or peripheral issues during that age range.
3. The 6400 Freeport facility is not open to the public nor will it create significant traffic. The main concern addressed to me by many business owners in the area is speeding. It has been stated that parents who utilize the Kinderworld facility are also deserving of blame for speeding in the area. It is one of our goals to discuss with local business owners and Sacramento Public Works conditions to install speed bumps in specific trouble areas along the road.
4. The claim that Mr. Breeding has observed an increase in crime in the area since Florin Wellness Center dispensary moved into the neighborhood is not supported by police crime statistics. During the Neighborhood Community "Question and Answer Forum" presented by Herbal Velocity on June 1st to introduce the project to the residents, Officer Lt. Buckley unequivocally stated, as evidence by law enforcement statistics, that there is less crime in the immediate area around Florin Wellness than in outlying areas.  
*Video of this meeting can be found on our website: [herbalvelocity.com](http://herbalvelocity.com)*

5. In regard to item 3, the value of your business is related to the quality of your business and extent of your enrollment and internal referral systems. Popular business review websites such as “Yelp” are a great resources to help to determine specific corrections to improve business goals. Below are some recent reviews of Kinderworld:

Recent “YELP” reviews Kindworld <https://www.yelp.com/biz/kinder-world-sacramento>



**David D.**  
Elk Grove, CA  
389 friends  
4 reviews

1/5/2017

Worst place I've seen thus far...I pulled up early to my 230 appointment for enrollment and was asked to wait outside the office while the owner and an employee finished lunch. While outside I observed a toothless meth head looking woman screaming at the kids to put there shoes on....no less than 15 kids and her alone outside in the play area with a construction worker sawing metal. This is dangerous, offensive and hard to picture people actually leaving there precious baby's here in the supervision of these un professional hacks. If you care about your kids much find another place is all I can say.

Lynn J. and 3 others voted for this review

Useful 3 Funny 2 Cool



**Mommie03 M.**  
Sacramento, CA  
0 friends  
2 reviews

2/1/2017

Very rude staff from day one , one person says one thing and when you show up its all different . The teachers are underpaid and the classroom is very dirty. I have walked in to see kids sleeping on the floor by the door and if you dont look down you can easily step over them. The bathrooms for the kids are dirty and when I pick up my child she always is hungry and says that she has had crackers for snack. I have stood outside numerous times and observed to only find out that all they do is play or paint . What ever happened to the old fashion learning where the kids all do one thing and a teacher is reading out loud a book and not a tape playing with a story. My child has been sick several times ,and missed school so much due to this. I DO NOT recommend this place .



**Shaniece N.**  
Sacramento, CA  
66 friends  
1 review

6/20/2017

Please do not send your kids here!!! If I could choose zero stars, I would! My daughter has been enrolled here since the end of January and I've had issues ever since. From teachers leaving her in a dirty diaper, not cleaning her nose, etc. My daughter had an incident one day (I dropped her off at 9:30 am) and fell and hit her head on concrete loud enough for staff to hear (their words) yet I wasn't called until 2:15pm!!! If your kids are too young to talk please do not leave them in their hands. The only toddler teacher I like is the new staff Ms. Jennifer. If I wasn't a single parent I would never have had her at this site. It isn't worth the stress of wondering all day if your child is okay please do not send your precious babies to this place!! The staff in the front office gets things mixed up as far as pick up times,etc. They ask for immunization records multiple times( what are they doing with the original copies) . Overall completely unorganized, unprofessional, not worth it! You will regret it . Thank God she is transferring to a Head Start KinderWorld has a bad rep for good reason!!

Ashley F. voted for this review

Useful Funny Cool 1



**Danielle A.**  
Elk Grove, CA  
90 friends  
80 reviews  
85 photos  
Elite '17

7/19/2015

Not such a good experience for me. I was not enrolling my children at this location (thank God) I spoke with Alex and occasionally a woman named Renee. I was told on multiple occasions to fill out ALL documents online twice (because I have two). When I arrived I was told my documents were incorrect and I had to return!?!? WAIT.... Whoever Alex is literally told me word for word what I needed to put down and I did exactly that... It was a joke. They didn't need ANY of the forms that I spent forever filling out (printed off line). Although they told me if I don't have that I can not enroll!?

As far as the facility, from what I can see outside it seems okay. I don't necessarily get good or bad vibes. It's more like idk lol.

All I can say is go inside and bring what you have for enrollment but be prepared to have to come back. I would not trust what the ppl say over the phones because it was all wrong!

6. In regard to the additional items noted in item #5 (air quality and water consumption); these are under the regulation by the City of Sacramento and utility companies with whom we will be working closely to insure compliance.

7. In regard to “aesthetics; the blight referred to in the letter is specific to 6400 Freeport building being vacant for over four years. Our company has already removed significant garbage around the building and currently there is notably less dumping in the area since ownership of the building has changed. One of our goals is to adopt the section of Freeport Blvd. directly across from 6400 Freeport Blvd. to insure the area is maintained free of trash and debris.

I look forward to a continual dialog with local business and residents to insure answers to questions related to this project.

Please feel free to contact me at (707) 704-5794, if you wish to discuss this any further.

Sincerely,

  
Margaret Sharkey

HERBAL VELOCITY

[www.herbalvelocity.com](http://www.herbalvelocity.com)



(916) 393-4256  
Fax (877) 599-9479  
6600 Freeport Blvd.  
Sacramento, CA 95822

**Tom Monson**  
tom@lithoflexinc.com  
www.lithoflexinc.com

---

Business owner NOT opposed to project. Will review letter for submission.

8-25-2017

# J & P Smog

---

**Address:** 6390 Freeport Blvd, Sacramento, CA 95822

**Phone:** [\(916\) 429-4226](tel:9164294226)

Business owner NOT opposed to project. Owner out of town until next week and will

Review letter for submission to planning.

8-25-2017



[www.florinwellnesscenter.com](http://www.florinwellnesscenter.com)

(916) 706-0563

---

Business owner NOT opposed to project, will review letter for submission.

8-25-2017

Carbon Auto Repair & Smog  
6350 Freeport Blvd.  
Sacramento, CA 95822


August 23, 2017

Michael Hanebutt,  
Assistant Planner City of Sacramento Community Development Department  
300 Richards Boulevard, 3rd Floor  
Sacramento, CA 95811

RE: Support for Conditional Use Permit for 6400 Freeport Blvd.

I understand the city of Sacramento has mandated regulatory permits for marijuana cultivation within the city; I have full confidence this will be a responsible business and I support this use. The one percent of gross receipts towards neighborhood responsibility and improvement is a added bonus for our community in addition to occupancy of a long vacant building.

Sincerely,



志成汽車修理廠

**Carbon Auto Repair & Smog**

Expertise in Japanese Cars

Experienced in All Cars

Jack

**(916) 392-8988**

6350 Freeport Blvd.  
Sacramento, CA 95822

Mon.-Fri.: 8AM - 5:30PM  
Sat.: 9AM - 3PM

---

Carson Auto  
1400 Blair Ave  
Sacramento, CA 95822

August 23, 2017

Michael Hanebutt,  
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Sincerely,

 8-24-17



**Carson Automotive  
Repair**

1400 Blair Ave.  
Sacramento, CA 95822  
**916.391.2484**  
**916.340.5928**

Carson Auto  
1400 Blair Ave  
Sacramento, CA 95822

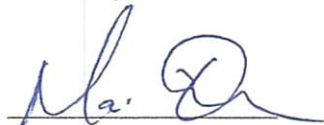
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Sincerely,



**Carson Automotive  
Repair**

1400 Blair Ave.  
Sacramento, CA 95822  
**916.391.2484**  
**916.340.5928**

Future Green  
6235 Belleau Wood Ln Ste 3  
Sacramento, CA 95882

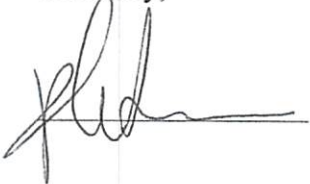
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Sincerely,



Rio City Cross Fit  
6500 Belleau Wood Lane, Suite B  
Sacramento, CA 95882

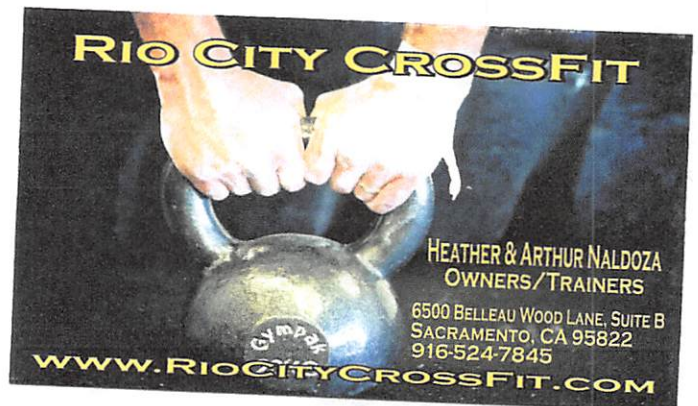
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Sincerely,



U-Haul Neighborhood Dealer  
6340 Freeport Blvd, Sacramento, CA 95822  
Sacramento, CA 95822

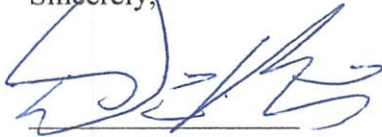
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Sincerely,



Duane's Body & Paint, Inc.  
6546 Belleau Wood Ln,  
Sacramento, CA 95822

August 22, 2017

Michael Hanebutt,  
Assistant Planner City of Sacramento Community Development Department  
300 Richards Boulevard, 3rd Floor  
Sacramento, CA 95811

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Sincerely,



**KERRIE KOHLER**  
6546 Belleau Wood Lane | Sacramento, CA | 95822  
Phone: 916.424.1616 | Fax: 916.424.1641  
www.duanesbodyandpaint.com  
kkohler@duanesbp.com

Quality Work  
Car-O-Liner  
Uni-Body Repair

Franks Quality Meats, Inc.  
6580 Belleau Wood Ln,  
Sacramento, CA 95822

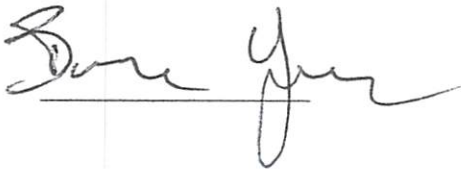
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Sincerely,



Brian Yue



**Frank's Quality Meats, Inc.**

---

Since 1939  
6580 Belleau Wood Lane  
Sacramento, Ca 95822

PHONE: (916) 427-0129  
FAX: (916) 427-0130

---

Kombat Ink  
6220 Belleau Wood Ln #1  
Sacramento, CA 95822

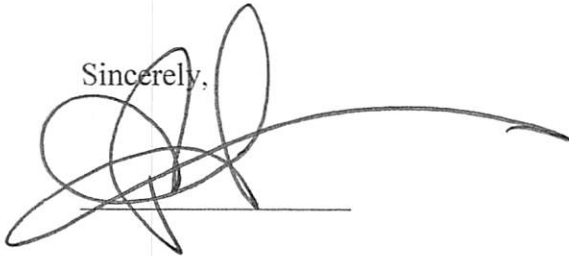
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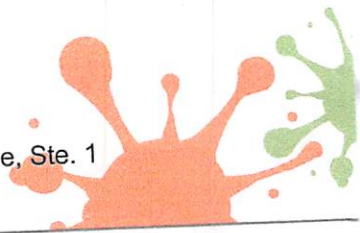
Sincerely,



Pat Kitt

916.428.4127  
pat@kombatink.com  
www.kombatink.com

Kombat Ink  
6220 Belleau Wood Lane, Ste. 1  
Sacramento, CA 95822



[Katherine Bell](#) from South Land Park · 4d ago

I realize that this is a matter on which reasonable minds may differ. But let's all please take a deep breath, try to avoid knee jerk responses and consider the reality. This is already happening in our neighborhood. We really cannot say "NIMBY" when it is ALREADY happening here in our back yard...in clandestine grow houses rented by growers, who may have criminal records, and who often put some effort into maintaining the front yard, etc. so as to not alert neighbors or passing police to their activities, Usually these completely unregulated, criminal enterprises are discovered when: a. SMUD gets onto the fact electricity is being stolen (really BEST of many bad case scenarios, but given it truly is a PUBLIC utility, NOT a good thing); b. there is a robbery, or worse, a murder at the home; c. someone's kid comes home high or starts hanging out there; d. and/or numerous unknown, unregulated folks of questionable reputation show up at all hours of the day doing God knows what, including things such as breaking into the houses of neighbors on vacations. We are talking here about retired people, licensed in their respective former professions, who understand the need to follow rules; and, who went to the City for permission. The police will know they are there and what they are doing. They will PAY SMUD for their electricity. The growers, police and neighbors will have a common interest in keeping both kids and those who might prey of them or the neighborhood in general away. The City can revoke the permit and kick them out at the first HINT of impropriety. As I said, minds might differ; but, is it really better to pretend this is not happening in our neighborhood when it actually is and when the activity is currently being conducted by various sordid folks unknown to either us, or the City and law enforcement? Sometimes life requires the choice between two unattractive alternatives; but, unattractive alternatives where one is definitely the better choice than the other.

Thank

[John](#) and [Danica](#) thanked [Katherine](#)

## Michael Hanebutt

---

**From:** Brian Ebbert <b.ebbert@comcast.net>  
**Sent:** Wednesday, June 07, 2017 7:54 AM  
**To:** Michael Hanebutt  
**Cc:** Chip O'Neill; jeff\_brown@yahoo.com; Nita Barve; Jess Huang  
**Subject:** 6400 Freeport Blvd: further feedback

Mr. Hanebutt-

This email is a follow-up to the SLPNA letter emailed to you on June 5, 2017. There were several specific concerns expressed by the community and/or nine of the 13 SLPNA board members, including:

- concern that operators are out of town and therefore would not be responsive to the community after they would be approved to do business.
- the perceived "rush" to approve these projects before city and state regulations are developed (impact studies commence next year; state regulatory framework still under development; no process is in place to disburse funding to communities from the 1% impact fee).
- questions of how four full time staff could operate the facility 24 hours/7 days a week.
- many operational questions deflected to the main operator (Omar Crespo) who was never present at any meeting.
- how will city monitor the operations? Surprise inspections? Auditing their books? How will the City handle neighbor complaints should they arise?
- unclear if the property owner, or Mr Crespo, or Mrs Sharkey, have ever been involved in the cannabis industry and their level of expertise in recognizing the security and community risks associated with cultivating a federally classified narcotic product near a preschool and residences.
- proximity to residential area.
- strong opposition from neighboring preschool which has been in operation for decades.
- reports of increasing crime, traffic, and trash in the area since the other marijuana-based business moved in.
- concern re: over-concentration of marijuana businesses in the area.
- unclear how 1% fee would be reinvested in Neighborhood.
- proximity to future trail.
- concerns about drawing invasion-style crimes to this area
- inconsistent information as to whether plants would be processed at facility or simply grown.
- although the application clearly states it is for medicinal cannabis, concern that it would eventually service recreational uses (currently outside the scope of their application), which some community members oppose.

- concerns of odor control (impact to preschool and customers/staff of nearby businesses).
- opposition by architectural preservationists (the plans call for walling-off the windows, giving the structure a fortress like appearance; preservationists want an historical analysis of the building).
- if the area becomes known as a "marijuana corridor", concerns about impact to nearby property values.
- cultivation ordinance was supposed to approve these businesses for industrial warehouse areas, not in a mixed use commercial zone with substantial public foot traffic (neighbors include gyms, dance studio, preschool, insurance office, etc.)

Other myriad concerns have been raised, including some residents' general opposition to licensing of high energy and water consuming businesses, promotion of intoxicating substances, etc.

There was a general uneasiness about approval of the project until these issues can be fully vetted and addressed. A supermajority of the board did not feel comfortable supporting the application, and only 19% of our members expressed support, while 54% were opposed.

The SLPNA Board approached this issue with an open mind and will continue to do so, with the community interest as our first priority.

Sincerely,

Brian Ebbert  
President  
SLPNA

cc: SLPNA Board officers  
Jess Huang, District 5 staff



# South Land Park Neighborhood Association

WWW.SLPNA.ORG

PO BOX 22903 SACRAMENTO, CA 95822

June 4, 2017

Michael Hanebutt, City of Sacramento

Sacramento, CA

Re: **Z17-081 6400 Freeport Blvd CUP**

Dear Mr. Hannebutt:

The South Land Park Neighborhood Association (SLPNA) represents an area comprised of approximately 14,000 residents in a mostly residential area, bounded by Sutterville Road on the north, I-5 to the west; Florin Road to the south; and Freeport Blvd. to the east.

SLPNA has made the following efforts to gather more information about the Conditional Use Permit application to operate a marijuana cultivation facility at 6400 Freeport Boulevard:

- 1) SLPNA communicated directly with applicants via phone and email on numerous occasions;
- 2) Several SLPNA Board members met personally with the property owner and applicant;
- 3) SLPNA canvassed neighboring businesses and found strong opposition from a nearby preschool;
- 4) SLPNA hosted and moderated a community "Q&A" forum with the applicant and their legal counsel. In attendance were approximately 40 residents, plus SLPNA board members, Sacramento Police Department, Councilman Jay Schenirer, and city staff;
- 5) SLPNA gave press interviews to the Sacramento Bee, Fox 40 News, and Channel 13 News;
- 6) SLPNA publicized the application (posted on the slpna.org web site), and advertised the community forum on social media and in emails to our membership;
- 7) After the community outreach, SLPNA conducted a poll of our membership and found **54 % opposition and 19% support** for this application.

SLPNA Letter/ p.2

8) The SLPNA Board considered all of the available facts and information relative to this CUP application and **voted 9-2 to oppose** the proposed cultivation facility.

After this careful review of the application, and receiving thoughtful input from the community, **SLPNA is opposed** to the City issuing a Conditional Use Permit for the cultivation business at 6400 Freeport Boulevard.

Sincerely,



NITA BARVE

Secretary of the Board of Directors

South Land Park Neighborhood Association

SLPNA.org

June 19, 2017

To: Michael Hanebutt, Project Planner  
City of Sacramento Community Development  
300 Richards Blvd., 3<sup>rd</sup> Floor  
Sacramento, California 95811

From: William Breeding  
Kinder World Inc., Preschool (“Kinder World”)  
6565 Belleau Wood Lane  
Sacramento, California 95822

RE: Z17-081; 6400 Freeport Blvd., Sacramento, CA 95882

Dear Mr. Hannebutt,

I write to express our opposition to the location of a marijuana cultivation business at 6400 Freeport Blvd., Sacramento, CA 95822 (“Herbal Velocity”).

Kinder World has been making a positive contribution to the community for over 29 years, helping to educate preschoolers and particularly those preschoolers deemed “at-risk” by the State of California Department of Education and U.S. Department of Education. Kinder World is located at 6565 Belleau Wood Lane, which is very close to Herbal Velocity’s planned site of operations. We oppose Herbal Velocity’s location and the risks it poses to our community and preschool for the following reasons:

1. Kinder World primarily educates “at-risk” children. We have opposed the placement of alcohol, tobacco, and gambling advertisements that would expose these children to those businesses on the basis that they are not appropriate around young children (even though they are legal businesses). We similarly oppose Herbal Velocity because it is an inappropriate business to have near young children.
2. There is currently a marijuana dispensary around the corner from Herbal Velocity (for which we were not given notice when it was approved), and we have observed an increase in crime and trash in the neighborhood.
  - a. We have reported the abandonment of large garbage bags full of what appears to be marijuana plant stems near our preschool.
  - b. We have reported abandoned/stolen cars left on the street.
  - c. Last October, a person who appeared to be under the influence of marijuana crashed into the property across the street—imagine if that person crashed into a preschool!
  - d. Our neighbors, such as In-Line Diesel, Rio City Crossfit, and Bonsai, have experienced numerous first-time robberies since the marijuana dispensary opened.

- e. Our business experiences vehicles exceeding the 25 MPH limit at least 4-5 times a day.
- f. There have been numerous near misses with speeding vehicles with our parents and their children.
- g. On more than one occasion we have witness what appeared to be vehicles racing around the "S" corner in front of In-Line Diesel business.

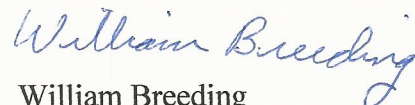
When we have reported these incidences to the police it is hard to determine if these had been recorded as in some cases we ask for the case number and it cannot be located. Crime has increased in our neighborhood, but it is unclear whether the increase is reflected in any officially-kept statistics.

Based on these relevant experiences, we believe the addition of another marijuana-based business would exasperate these conditions, creating a marijuana community around us.

3. Further to point #2, such damaging activity to the neighborhood has increased despite the presence of security guards at the marijuana dispensary. Accordingly, it is the location of the this new business that needs to be addressed—not the number of security guards.
4. Finally, marijuana-based businesses hinder Kinder World's ability to enroll children into the programs and will have significant economic damage to the value of the real estate, which is built-for and zoned-for preschool use. Not only has the presence of the marijuana dispensary added strain to the preschool operations, but the addition of Herbal Velocity will exasperate the operational and economic damage.
5. Pursuant to California Public Resources Code, Section 21000, we believe that the project is not exempt and that the following issues require further study:
  - a. Air Quality: Herbal Velocity has not adequately described how it will mitigate the smell of cannabis grown at the site.
  - b. Water: Herbal Velocity has not adequately addressed how it will address water consumption and treatment of wastewater.
  - c. Traffic Impacts: The applicant has not described the impact that this project will have on the surrounding neighborhood.
  - d. Aesthetics: the current state of the existing building is blight inducing and the proposed project does not go far enough to mitigate that blight created by the site.

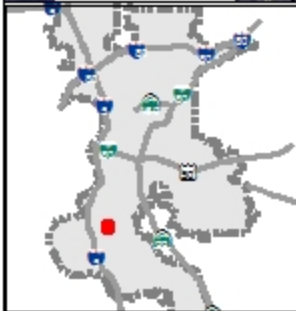
Please feel free to contact me at [billbreeding@sbcglobal.net](mailto:billbreeding@sbcglobal.net), if you have any questions or wish to discuss further.

Sincerely,



William Breeding  
Kinder World, Inc.





0 200 400 Feet

**Z17-081**  
**Aerial Map**  
**6400 Freeport Blvd CUP**

