

**From:** [NormaLee Andres](#)  
**To:** [Gonzalez, Joanna](#)  
**Subject:** Minor Use Permit 1-21 (MUP 1-21) - Brandy Moulton / Sunshine Holistic  
**Date:** Thursday, April 15, 2021 4:37:45 PM

---

To Fort Bragg City Planning Department

I believe this is not appropriate as to it's closeness to the Post Office  
I ask that the city not allow this use

Norma Leah Andres  
Fort Bragg, CA

**From:** [Stump Valerie](#)  
**To:** [Gonzalez, Joanna](#)  
**Subject:** Public Comment for MUP 1-21 Sunshine  
**Date:** Thursday, April 22, 2021 10:40:12 AM

---

Hi Joanna,

Please add this public comment to the record:

“Gene Mertle is opposed to this project.”

Thank you,

**Valerie Stump**

*Assistant Planner*

City of Fort Bragg

416 N. Franklin St.

Fort Bragg, CA 95437

(707) 961-2827 ext. 112

**From:** [Jay Koski](#)  
**To:** [Gonzalez, Joanna](#); [Gurewitz, Heather](#); [Lemos, June](#); [Miller, Tabatha](#); [Norvell, Bernie](#); [Rafanan, Marcia](#); [Peters, Lindy](#); [Albin-Smith, Tess](#); [Morsell-Haye, Jessica](#)  
**Subject:** Please add to the Sunshine holistic agenda packet  
**Date:** Tuesday, April 27, 2021 1:09:53 PM

---

Page 44 of the packet is completely unreadable and should be replaced. Also there is no explanation on what the warehouse is to be used for, or the other building located on the property. The permit clearly states that this is to be only a cannabis dispensary. If there's to be no growing, processing or manufacturing on the property why is there such a big portion of this agenda packet related to disposal of cannabis products and waste. The permits included in the agenda packet on page 29,j 32 and 35 are all expired or will be expired by time of this meeting. The post office obviously is still located too close for a project like this to be permitted according to the States cannabis laws. This project is butted directly right up against residential neighborhoods which is completely unethical. Marijuana is still considered a controlled substance and is illegal to distribute for recreational use according to our federal government who protects us 24 hours a day 365 days a year. My family and I along with the other people of the 100 block of North McPherson Street and the hundreds of of people who signed petitions still stand firmly apposed to this project invading our peaceful neighborhood and our historical central business district. So please consider all of the above reasons and imagine if this was happening in your neighborhood. There's only one way to vote on this project and that is NO. These type of businesses need to be either out of our city limits or in the business districts marked industrial. Thank you for your time.

Jay Koski

**From:** [Jay Koski](#)  
**To:** [Gurewitz, Heather](#); [Gonzalez, Joanna](#); [Miller, Tabatha](#); [Lemos, June](#); [Norvell, Bernie](#); [Peters, Lindy](#); [Rafanan, Marcia](#); [Morsell-Haye, Jessica](#); [Albin-Smith, Tess](#)  
**Subject:** Sunshine holistic meeting  
**Date:** Tuesday, April 27, 2021 7:29:22 AM

---

There's a serious issue with this meeting being held on the 28th of April. Your notices to property owners within 300 ft of this project should have been received at least 10 days before the date of this meeting I believe. They are postdated the 19 and were not received until at least the 21. This is a serious violation and needs to be addressed quickly and this meeting needs to be moved to a different date and these notices need to be sent again ten days before the meeting with an apology and an explanation.

Jay Koski

Dear Joanna Gonzalez and the Fort Bragg Planning Commission:

I am a Fort Bragg resident writing in support of Sunshine Holistic's (DBA Sovereign) proposed plan for a cannabis business at 144 N. Franklin St. in Fort Bragg.

I am a lifetime resident of Fort Bragg.

I am in favor of the project that Sovereign is proposing for the 144 N Franklin St location for several reasons:

- Sovereign is following the City of Fort Bragg's guidelines
- Local jobs
- Revenue stays local
- Improving and occupying a commercial building on Franklin St with security

Sovereign is an established local business that will keep their dollars local.

I am part owner in The Floor Store, a neighboring business only one block away

I would like to see this project approved.

Anson Pyeatt

Dear Joanna Gonzalez and the Fort Bragg Planning Commission:

I am a Fort Bragg resident writing in support of Sunshine Holistic's (DBA Sovereign) proposed plan for a cannabis business at 144 N. Franklin St. in Fort Bragg.

I am a business owner of The Floor Store which is located only one block from the proposed new location for Sovereign (Sunshine Holistic)

The security that will be installed and the well lit building will be a positive addition to the neighborhood. It will scale down on the loitering and hanging out that often occurs on that block. With many of the commercial down town buildings empty it would be a shame to add another one to the list, especially when there is a viable business willing to invest in renovating and upgrading the space.

The city has guidelines that have been approved for dispensaries to relocate into the city limits.

Sovereign contributes to and supports local businesses, keeping the revenue local.

I have welcomed them by leasing them the building, just as I would any other retail business.

Thank you,

Lyndia Pyeatt

**From:** [Pat Bell](#)  
**To:** [Gonzalez, Joanna](#)  
**Subject:** Minor Use Permit 1-21  
**Date:** Tuesday, April 27, 2021 4:20:35 PM

---

I remain opposed to a permit allowing a cannabis dispensary at 144 N Franklin Street. I live less than 30' from this property. I simply do not want a cannabis business in my neighborhood. Increased traffic and noise will have a negative impact on the quality of life for everyone in this neighborhood. The presence of a cannabis dispensary will have a negative impact on our property values. Parking is already difficult for some residents due to the population density of this area. An additional concern is the ultimate goals of the applicants. They want to use this facility as a grow site, something the neighborhood adamantly opposes. How many cannabis dispensaries does this small town need? It's a huge mistake for Ft Bragg to become known as a weed town when it has so much more to offer tourists. Please continue to prevent Sovereign from destroying this neighborhood and deny this minor use permit.

Patricia M. Bell

Sent from my iPad

**From:** [Jacob Patterson](#)  
**To:** [Gonzalez, Joanna](#); [CDD User](#)  
**Subject:** Public Comment -- 4/28/21 PC Meeting, Item No. 6A (MUP 1-21)  
**Date:** Tuesday, April 27, 2021 10:22:30 AM  
**Attachments:** [Sunshine Holistic Site Plan from Denied Application.pdf](#)

---

Planning Commission,

Please include the attached floor plans from Sunshine-Holistic's first MUP application for the project that was denied because the accessory uses were determined to be inconsistent with the ILUDC and General Plan and compare it to the site plans in the application materials. Please note that it is functionally identical to the first proposal but with the only changes being the removal or absence of a description of what the proposed uses are for the building areas that were formerly identified for the processing, manufacturing, and cultivation uses and their associated office space, and the addition of a new "mystery area" as a second floor interior space along the north side of the warehouse/garage building along with some exterior changes.

Although it is premature to do so, if this project is approved, I recommend that the Planning Commission include a special condition that none of the prior-requested additional uses (i.e., manufacturing, processing, or cultivation) are permitted at this location without an application and public hearing before the Planning Commission (not a staff-level administrative review) requesting an amendment to the Minor Use Permit to specifically allow those additional uses. Otherwise, the neighborhood may be subjected to the detrimental and incompatible accessory uses that were explicitly rejected for the prior Minor Use Permit application because those spaces are identical to the prior site plan without any indication of what the applicant might use those spaces for other than potential accessory uses for the proposed retail use. The applicant should have no objection to such a special condition since this application does not include an explicit request for the City to approve such uses but it ensures that the neighbors and other interested persons would have the opportunity to share their opinions and concerns about such uses should the business desire to expand at this location. I am specifically concerned about staff permitting future-requested accessory uses similar to their original application but without a public hearing, hence the need for an additional special condition. This is justified because the project plans do have a significant change from the first hand-drawn version: the addition of a space to the warehouse/garage building that has no clear connection to the proposed retail use. However, none of the spaces in Building #2 have any clear connection to the retail use that is proposed for Building #1 and the use permit should probably exclude any cannabis-related uses from Building #2 through a special condition.

Interestingly, that building has a separate address from Building #1 but this minor use permit application only identifies the address for Building #1 as the relevant address for the use permit. This and other inconsistencies in the application materials should be addressed because the applicant appears to intend to use Building #2 but has not identified any spaces for uses related to the retail in Building #1. The only identification is for the two offices they previously proposed to use as the manufacturing office and the distribution office. What is the proposed use now that they claim they are not intending to do any manufacturing or distribution under this new use permit? And why are they proposing uses in Building #2 when the permit address only includes Building #1? This seems a little odd and leaves open the distinct possibility of undesirable unpermitted uses that are incompatible with the surrounding land uses.

Contrary to the assertions in the staff report that the project does not involve any exterior



modifications, the project plans show exterior modifications that should be subjected to Design Review, which was improperly excluded from this application, including the closing in of existing roll-up doors to accommodate new construction on the interior for space that does not have an identified use as well as new fences, although fences are exempt from Design Review. This new space could be a location for future indoor cultivation space (or possibly unpermitted cultivation activities) and with no permitted uses proposed as part of this project, the City must determine what uses are proposed for these locations or disallow any use of these locations within the buildings under the MUP. Without such information, this project cannot be determined to be compatible with the surrounding neighborhood and the required findings cannot be made. This incomplete application should be rejected and a new, complete application, be brought forward for public review. The public has a right to full project information at the time of the permit review and decision and no significant details should be deferred into the future or delegated to staff even if you trust staff to take care of them on their own because this permit is being processed through a public hearing process and that is required prior to permit decisions. Items can only be delegated and deferred if, at the time of decision, the specific standards and requirements necessary to evaluate the adequacy of the deferred items are established such that the Planning Commission can determine that the findings can be made if those standards will be met by whatever will be submitted or determined.

Further, this project is not exempt from CEQA review under the Class 1 categorical exemption for existing facilities, because the unusual circumstances exception applies based on the uniquely sensitive nature of the project location at a very prominent intersection within the City's historic downtown Central Business District and there are potentially significant impacts, like traffic flow and safety concerns. This was briefly discussed by Councilmember Tess Albin-Smith in the context of the applicant's unsuccessful appeal of the Planning Commission's denial of their earlier use permit application. Why did all of the proposed special conditions of that use permit review get dropped from then staff recommendations of this subsequent very similar proposal? None of the special conditions addressed something specific to the then-requested allegedly accessory uses so the same conditions apply for this proposed permit and those special conditions should still be included. In particular, the traffic flow special condition concerning the alley to the east of the project site and Alder Street to the north.

This project involves significant neighborhood impacts not just from the dispensary but from the reasonably foreseeable additional accessory uses that will likely occupy the "mystery space" in the two buildings that was formerly proposed for manufacturing, processing, and cultivation activity. Just like last time, this MUP should be denied because of incomplete information in the application and agenda materials and incompatibility with the surrounding neighborhood and adjacent and nearby land uses. The incompatibility arises from the site layout and relationship of the existing buildings with the adjacent parcels and single-family residential homes to the east of the project and the civic institutions to the west, north and south of the project. Unlike the main commercial block of the CBD (Franklin and Main between Redwood and Laurel) where the buildings frontages are all oriented toward the adjacent street with connected or nearly connected facades that screen the commercial activity away from the adjacent residential uses, this parcel involves free-standing buildings that are oriented both toward the adjacent street frontages but also toward the alley and residential properties to the east. If this dispensary were proposed one or two blocks to the north where it would not be adjacent to the post office and not directing incompatible uses toward the residential uses to the east, none of these concerns would exist. As such, it is the building

orientations on this particular site, at this particular location within the CBD that is the issue with the proposal, which present the unusual circumstances that prevent reliance on the Class 1 categorical exemption that would otherwise apply. Cannabis retail business are fundamentally different from other retail uses, including remaining illegal under federal law, and their proximity to sensitive civic uses where families and children are present raises concerns that would not apply to other types of retail, like all of the prior uses at this location listed in the staff report.

Without proper CEQA analysis and a lack of substantial evidence in the record to support all of the findings that the Planning Commission is required to make before you approve the requested minor use permit, the Planning Commission would be abusing its discretion if it votes to approve this project without first clearly establishing the basis to make the findings. Please do not do that and create yet another Planning Commission agenda item that will have to go through an appeal process because the first-level review authority fail to establish all requirements for approval have been met.

Finally, the issues regarding this project's eligibility for a cannabis business license remain and the Planning Commission probably should not have even been presented with this item for review, let alone with a recommendation for approval. In this case, the responsibility for that apparent oversight is not within the Community Development Department because the Police Department is responsible for that review. However, the fact remains that the Municipal Code is clear that these applications shall be rejected and not even reviewed by CDD for processing when there is evidence that one of the enumerated reasons for mandatory denial are present, which appears might be the case for this application and as was discussed at the Planning Commission hearing for the denied Minor Use Permit last December. This permit should be denied or a special condition added to condition the approval (or automatically revoking the Minor Use Permit) if all people exercising management authority or serving as an agent of the applicant or its affiliated companies cannot pass the necessary background check that the applicant herself was able to clear. Please recall that the applicant testified last time that their intent was not to open a new retail location in Fort Bragg and maintain their existing retail store in unincorporated Mendocino County but to close their other location and consolidate their operations at this location in the City where they intend to operate. In fact, I have been informed that they have already been conducting interviews of prospective employees on the proposed site in the City prior to securing any permits.

The City should investigate all relevant facts necessary for the evaluation of this application for a Minor use Permit and Cannabis Business License and has failed to do so based on errors, omissions, and unresolved discrepancies in the application and project review materials. The Planning Commission should either reject this application due to incomplete, inconsistent, or inaccurate information because the findings cannot be made without accurate and complete information, or it should continue this item to a date uncertain and direct staff to investigate and resolve these issues prior to bringing it back for consideration.

Regards,

--Jacob

alleyway →

PARKING LOT

PROPOSED  
CANNABIS  
BUSINESS  
BUILDING #2

PROPOSED  
CANNABIS  
BUSINESS  
BUILDING 1

UNOCCUPIED  
BUILDING  
NOT TO  
BE USED  
BY APPLICANT

Walkway

property line

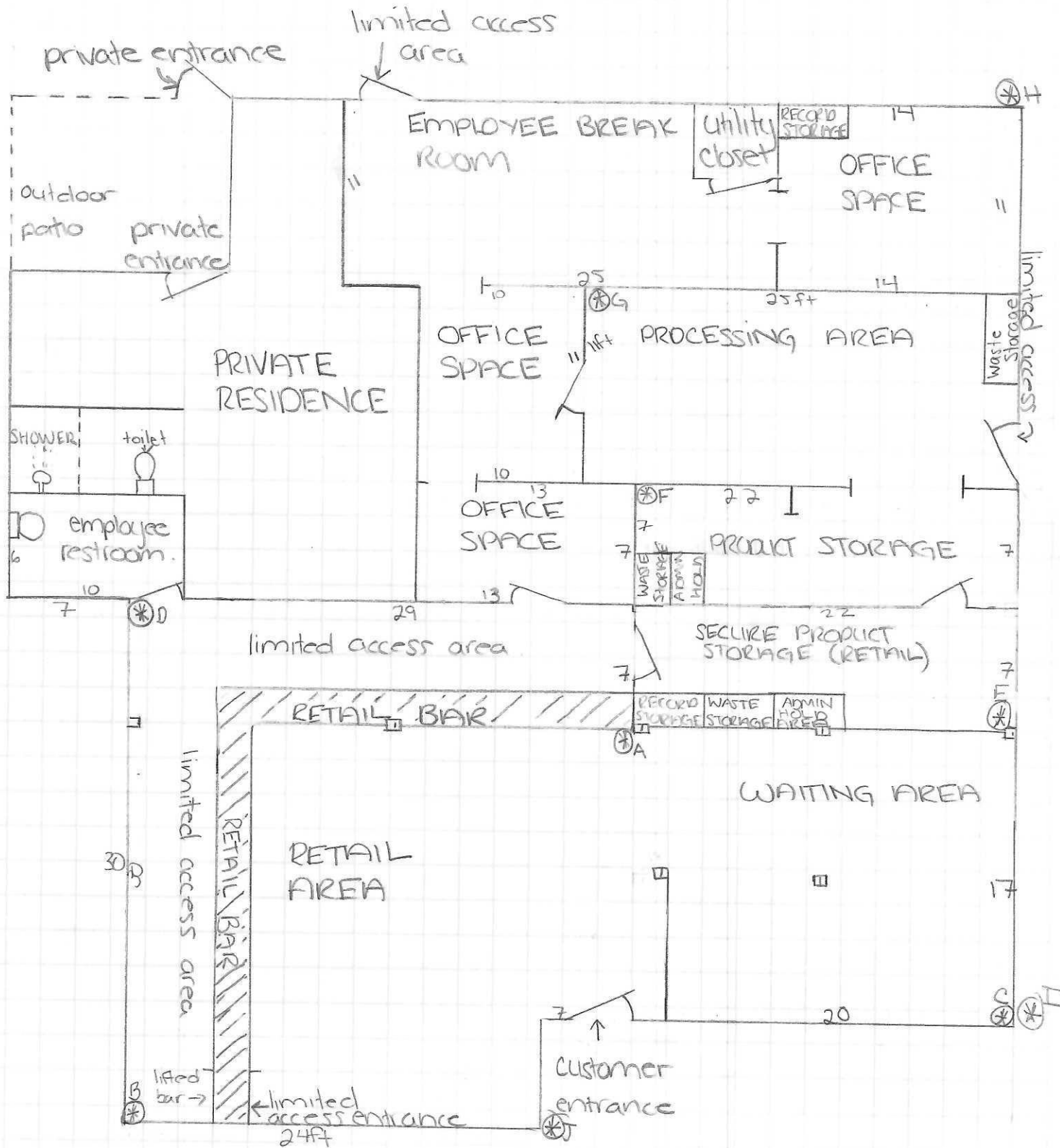
SIDEWALK

SIDEWALK

FRANKLIN ST



# BUILDING 1

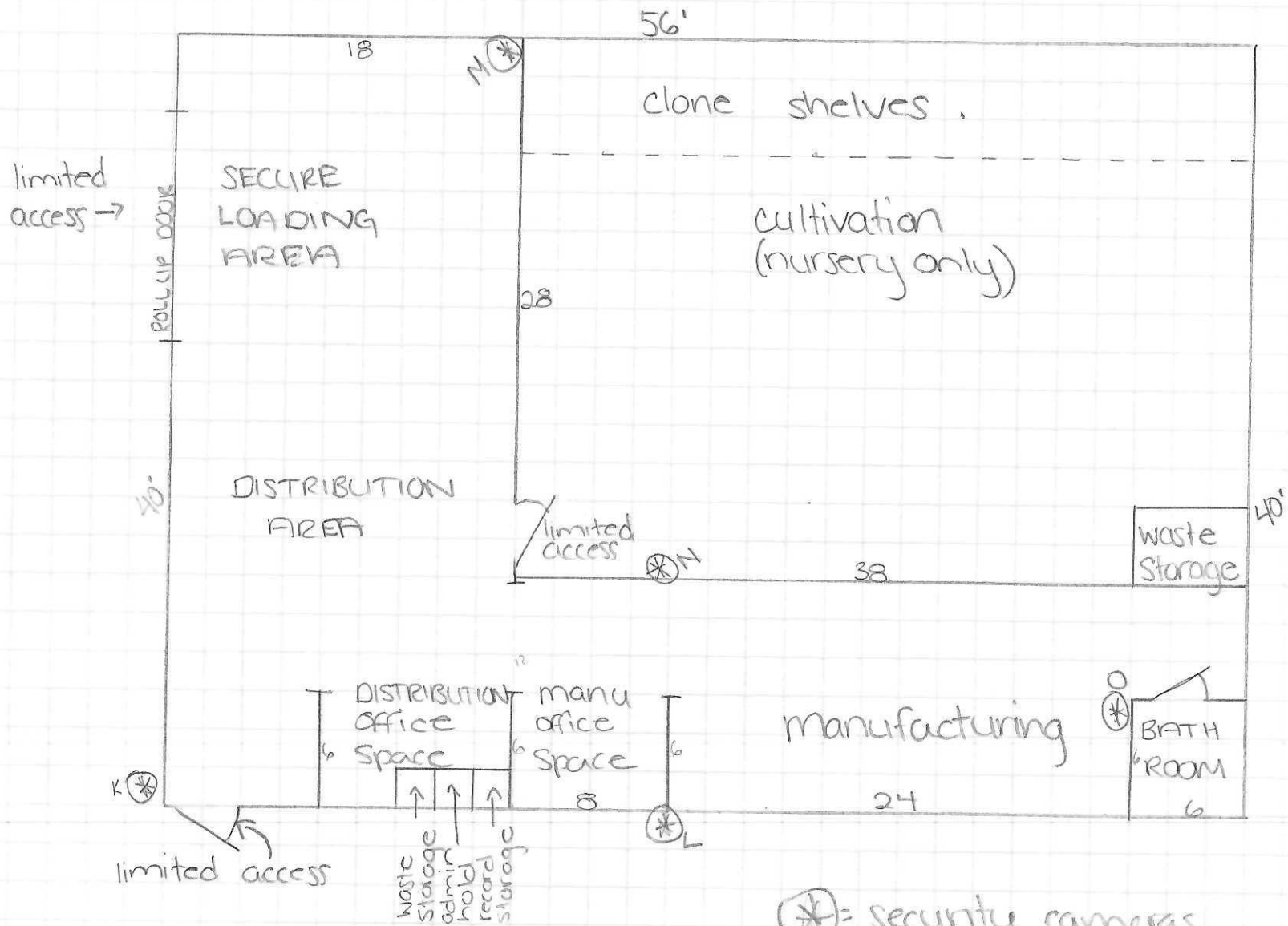


1 square = 2 feet

(\* ) = Security cameras.



# BUILDING 2



1 square = 2 feet

