

**FWC Inc.**

**150 Alaska Ave.**

**CRM2020-004**

# CITY OF FAIRFIELD

## COMMERCIAL CANNABIS BUSINESS PERMIT APPLICATION REVIEW SUMMARY

<b>BUSINESS NAME</b>	FWC, Inc.
<b>DBA</b>	Fairfield Cannabis Collective
<b>PERMIT TYPE</b>	Retail
<b>CITY OF FAIRFIELD LOCATION</b>	150 Alaska Ave.
<b>BUSINESS CONTACT INFORMATION</b>	Hayley Andrew, CEO PO BOX 456 Dixon, CA 95620
<b>STATE LICENSES</b>	Current license information is attached.

### OWNER SUMMARY

- FWC, Inc. has 5 owners:
  - Hayley Andrew, CEO
    - Haley Andrew founded Dixon Wellness Collective in 2017.
    - 1 state retail cannabis license
  - Deanna Garcia, CFO
    - Deanna Garcia states an ownership interest in eight cannabis companies.
  - Kimberly Cargile, Secretary
    - Kimberly Cargile is part owner of six cannabis retail businesses.
    - 2 state retail cannabis licenses.
  - David Jones, Board Member
    - David Jones is Product Manager at Dixon Wellness.
  - Brandi Proffitt, Community Liaison/Board Member
    - Brandi Proffitt has 20 years retail management experience.
- No owners live in the City of Fairfield, 3 currently live in Solano County.

### BUSINESS PLAN

FWC, Inc. Projected Sales Figures			
Year 1	Year 2	Year 3	Year 4
\$997,500.00	\$3,793,037.33	\$6,793,153.92	\$8,060,885.61

- Projected number of customers:
  - 39 per hour
  - 468 per day
- FWC, Inc. proposes 3 - 6 point of sale systems.
- The owners of FWC, Inc. state that they operate 6 retail stores with common

ownership located in Sacramento, Dixon, Davis, Riverbank, Modesto, & Napa. California Bureau of Cannabis Control license search results found 2 active retail licenses.

- Two owners, Kimberly Cargile & Deanna Garcia, have an application under consideration in the City of Tracy.

#### **LABOR & LOCAL ENTERPRISE PLAN**

- FWC, Inc. anticipates hiring between 10 - 34 employees.
  - 2 Directors
  - 6 Managers
  - 6 security employees
  - 10 Receptionists
  - 10 Sales Associates
- Employees will be paid between \$15 - \$25 per hour.
- FWC, Inc. will provide health insurance to all employees after 1 year of employment.
- Employees will receive sick leave, maternity/paternity leave, family leave, & information on the CalSavers retirement plan.
- Full-time employees will receive 40 hours of paid time off per year.
- FWC, Inc. does not commit to a specific percentage of local hires.

#### **SAFETY PLAN**

- A safety plan was prepared by Michael E. Gazsi, Fire Protection Specialist, at Innersec Inc.

#### **SECURITY PLAN**

- A security plan was prepared by Rick Winters of Tier-1 Concepts, a California security consulting firm.
- FWC, Inc. will contract with Alert 360 Security, a licensed third-party security monitoring company, to install and maintain the real-time alarm system.
- FWC, Inc. plans to apply to be a Proprietary Private Security Employer (PPSE) to directly employ Proprietary Security Officers. FWC, Inc. will provide 2 uniformed security guards during operating hours and 1 uniformed security guard during off-hours.

#### **LOCATION**

- FWC Inc. proposes to locate their business at 150 Alaska Ave and has secured a lease on the property.
- The current zoning classification for the subject property is CT (Thoroughfare Commercial).
- Commercial cannabis - retail is a permitted use in the CT zone subject to the

requirements of the Fairfield Municipal Code (FMC) Chapter 10E.

- The City has not identified any sensitive uses, as defined in FMC Section 10E.18 (c), within 600 feet of the subject property.
- The subject property is located within 200 feet of the Air Base Parkway and N. Texas St. intersection and less than one mile from Interstate 80.
- The site contains an existing 4,000 square foot single tenant building, 12 on-site parking spaces, and is currently fully fenced and gated.

## **COMMUNITY RELATIONS PLAN**

- FWC Inc. proposes to develop a public education plan utilizing the “Let’s Talk Cannabis Community Toolkit” designed by the California Department of Public Health.
- Application lists numerous potential partner organizations and programs within the City, no specific partner has been identified. It is unclear if these organizations have been contacted by FWC Inc.
- FWC Inc. proposes to host Youth Cannabis Awareness & Prevention Nights for parents and adults, and to provide cannabis education to the community through seminars, educational booths at community events, and guest speaking at community events.
- Will commit 5% of profits to charities within Fairfield and Solano County.
- Will provide 5% of a given days sales to specific charities through “Big days of Giving”.
- Each employee provided 8 hours of paid volunteer time per month.

## **PUBLIC COMMENTS**

The City has received three comment letters in objection to a proposed commercial cannabis business at 150 Alaska Ave, attached. The first letter was sent by the owner of 3445-2425 N. Texas St, located east of the subject site across Air Base Parkway and contains one objection. The objection is:

1. The objection to a commercial cannabis business at the subject site is general in nature, cautioning the City on approving retail cannabis stores in the City without substantial oversight and security requirements. The letter also suggests a sunset provision.
  - **RESPONSE:** The commercial cannabis regulatory program approved by the City Council, Fairfield Municipal Code Chapter 10E, contains substantial operating requirements, security requirements, and City oversight. The program has been designed so that commercial cannabis uses operate at the highest of standards. Approval of a commercial cannabis permit is not permanent and does not run with the land. Permits must be renewed yearly and are subject to review. If a business operator does not comply with City or State requirements, Fairfield Municipal Code Chapter 10E contains numerous provisions in which

an approved commercial cannabis could be revoked or terminated.

The second letter was provided by the owner of the apartment complex at 131 Alaska Ave. and contains one objection. The objection is:

1. The business should not be permitted due to the presence of children in the project vicinity.

- **RESPONSE:** The subject site meets the locational requirements of Fairfield Municipal Code Chapter 10E and is a permitted use in the CR zone. The City has not identified any sensitive uses, as defined in FMC Section 10E.18 (c), within 600 feet of the subject property at the time the project was deemed complete. Fairfield Municipal Code Chapter 10E does prohibit commercial cannabis uses from being located in the vicinity of residential zones.

The third letter was provided by the owners of 2415 and 2445-2475 N. Texas, located east of the subject site across from Air Base Parkway and contains two objections. The objections are:

1. A cannabis business in this area of Fairfield would increase crime, homelessness, loitering, drug deals, and blight, and require an increased police presence.

- **RESPONSE:** Commercial cannabis businesses must comply with extensive security requirements as outlined by the State of California and the City of Fairfield. This includes requirements for security lighting, security cameras, and the presence of security on site 24 hours a day. The business will be required to comply with the security requirements outlined in Fairfield Municipal Code Chapter 10E. These security measures are well in excess of what would be enacted for a typical retail establishment and will deter criminal activity on site and in the project vicinity. The subject site is currently vacant and has become an attractive site for dumping and for the homeless to gather. The commercial cannabis business will enhance the site and make it visually appealing once more. Upgrading the site from its current condition will enhance the value of the site and the surrounding commercial area. Those experiencing homelessness will be deterred once the business is active and operating. Loitering is strictly prohibited under the requirements of the Fairfield Municipal Code and this will be enforced by the presence of 24-hour security.

2. The business should not be permitted because it is located within ½ mile of Fairfield High School.

- **RESPONSE:** The subject site meets the locational requirements of Fairfield Municipal Code Chapter 10E and is a permitted use in the CR zone. The City has not identified any sensitive uses, as defined in FMC Section 10E.18 (c), within 600 feet of the subject property at the time the project was deemed complete. Fairfield Municipal Code Chapter 10E does prohibit commercial

cannabis uses from being located in the vicinity of residential zones.

## CALIFORNIA BUREAU OF CANNABIS CONTROL

<u>License Number</u>	<u>License Type</u>	<u>Business Owner</u>	<u>Business Contact Information</u>	<u>Business Structure</u>	<u>Premise Address</u>	<u>Status</u>	<u>Status Date</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Activities</u>	<u>Adult-Use/Medicinal</u>
C10-0000249-LIC	Cannabis - Retailer License	Haley Andrew	M.E.H.C., INCORPORATED : Dixon Wellness Collective : Email- dixonwellnesscollective@gmail.com : Phone- 9166789282 : Website- dixonwellnesscollective.com	Corporation	1150 1ST ST DIXON, CA 956203164 County: SOLANO	Active	6/19/2019	6/19/2019	6/18/2021	N/A for this license type	BOTH
C11-0001299-LIC	Cannabis - Distributor License	Melinda Galloway: Melinda Galloway: Kimberly Cargile: Amanda Tingler	C.C.M.C. INC. : Khemia : Email- Kimberly@khemiamfg.com : Phone- 7076167198 : Website- www.khemiamfg.com	Corporation		Active	3/11/2021	3/11/2021	3/11/2022	N/A for this license type	BOTH
C10-0000019-LIC	Cannabis - Retailer License	Kimberly Cargile	A.T.A.C.H.S. INC. : A Therapeutic Alternative : Email- atafontdesk@gmail.com : Phone- 9168224717	Corporation	3015 H ST SACRAMENTO, CA 958164415 County: SACRAMENTO	Active	4/12/2019	4/12/2019	4/11/2022	N/A for this license type	BOTH

\*Cultivation and manufacturing are not licensed by BCC



January 27, 2021

**VIA FEDEX & EMAIL [planning@fairfield.ca.gov](mailto:planning@fairfield.ca.gov)**

City of Fairfield  
Planning Division  
1000 Webster Street  
Fairfield, CA 94533

**RE: Property #3445 - 2425 N. Texas Street, Fairfield, CA ("Property")**

Ladies and Gentlemen:

This office serves as managing agent for Jefan LLC, the owner of the above-referenced Property. In that capacity, we received the enclosed Notice of Public Comment Period Regarding Application to Operate a Commercial Cannabis Retail Center, by FWC INC at 150 Alaska Ave. 150 Alaska Ave. is directly across from our Property. On behalf of the owners of the Property, we strenuously object to the granting of cannabis permits to allow the operations of an adult use cannabis store at 150 Alaska Ave.

In our experience, municipal authorities must be very careful in granting licenses and approving uses for adult use cannabis stores, as these businesses, among other things, often attract and create impermissible gatherings and additional maintenance and repair concerns.

Should any permits be granted to allow such operation, we would hope that it would be subject to substantial and strong compliance oversight and increased security requirements. We also certainly encourage a sunset provision. Then, the situation can be reviewed within a short period of time to determine whether the permits and period of allowed use should be extended. Contingent and temporary permits are effective controls in such situations.

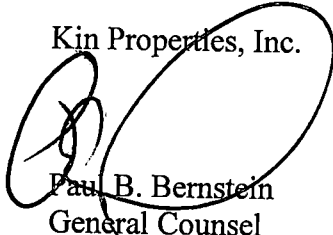
Please share this letter with any and all administrative and elected officials who have responsibility for this matter.

Thank you.



Very truly yours,

Kin Properties, Inc.



Paul B. Bernstein  
General Counsel

*Phone: (561) 620-9200, ext. 175*

PB:wn

Enclosure

cc (via Fedex):  
Dollar Tree Stores, Inc. #2341  
Attn: Real Estate Department  
500 Volvo Parkway  
Chesapeake, VA 23320

Lee Cherney  
Beth Calay  
Paul Ross

**From:** [planning@fairfield.ca.gov](mailto:planning@fairfield.ca.gov)  
**To:** [Kreimeier, Amy](#)  
**Subject:** FW: Public Comment Opposing Retail Lease for FWI, Inc.  
**Date:** Monday, February 8, 2021 11:35:25 AM

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*Cindy Garcia*

Cindy Garcia | Office Specialist  
City of Fairfield | Community Development Department  
Office: 707-428-7452 | Fax: 707-428-7621  
[cgarcia@fairfield.ca.gov](mailto:cgarcia@fairfield.ca.gov)

*Please note: Fairfield City Hall is closed the 1<sup>st</sup> and 3<sup>rd</sup> Fridays of every month*

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**From:** Becky Williamson <becky.williamson@yahoo.com>  
**Sent:** Monday, February 8, 2021 11:30 AM  
**To:** [planning@fairfield.ca.gov](mailto:planning@fairfield.ca.gov)  
**Cc:** Cary Cheng <ccdogg2001@gmail.com>; Andrew Cheng <aycheng@aol.com>; Hung Ying Cheng <hcheng699@yahoo.com>; Marisa Cornejo <marisa@summitprops.com>  
**Subject:** Public Comment Opposing Retail Lease for FWI, Inc.

To: The City of Fairfield Planning Committee and Fairfield City Council

From: Becky C. Williamson, Trustee of the CSC Bypass Trust, Owner of 131 Alaska Ave. Apartments

We received notification from the City of Fairfield that FWI, Inc. has recently applied for a cannabis commercial retail permit to lease the space at 150 Alaska Ave. While we appreciate that the City has determined no youth centers, commercial day care facilities, K-12 schools, etc, as defined by Fairfield Municipal code Section 10E.18(c) are located within 600 feet of the subject property, the numbers of young children living in the residential areas just west of the retail strip mall the area has not been determined.

At least 50% of our tenants have young children living at our apartment complex on 131 Alaska Ave, less than 600 feet away from the proposed retailer. There are also several other multi-family complexes and residential homes just west of our complex, potentially making cannabis easily accessible to children living in the area. Furthermore, for your consideration, Fairfield High School is just a short 3 minute drive away. While we respect adult choices for recreation, as a community, we feel it is our duty to help protect our children from potential harm.

For the reasons above, the owner of 131 Alaska Ave. would like to **OPPOSE** the City's potential lease of 150 Alaska Ave. to commercial cannabis retailer, FWI. Inc. We hope you feel the same, and will consider leasing to a more community-neutral/positive retailer.

Please let me know if you have any questions.

Sincerely,

Becky C. Williamson  
Trustee of The CSC Bypass Trust, Owner of 131 Alaska Ave. Apartments

312.636.6557

CC: Marisa Cornejo, Property Manager, Summit Properties

Hung Y. Cheng, The CSC Bypass Trust, Owner of 131 Alaska Ave. Apartments

Andrew Cheng, The CSC Bypass Trust, Owner of 131 Alaska Ave. Apartments

Cary Cheng, The CSC Bypass Trust, Owner of 131 Alaska Ave. Apartments

SENT VIA EMAIL [planning@fairfield.ca.gov](mailto:planning@fairfield.ca.gov)

February 8, 2021

Community Development Department  
Planning Division  
1000 Webster Street, 2nd Floor  
Fairfield, CA 94533

Re: 150 Alaska Street, Fairfield CA  
Notice of Public Comment

To Whom It Concerns,

This letter responds to the Notice of Public Comment for 150 Alaska Avenue, Fairfield ("Alaska Site").

We are the owners of 2415 N. Texas Street (Parcel 0162-183-190) and 2445 thru 2475 N Texas Street (Parcel 0162-183-170), which properties are located within the Smart and Final shopping center across Airbase Parkway from the Alaska Site.

WE ARE NOT IN FAVOR of the opening of a commercial cannabis business at the Alaska Site for the following reasons:

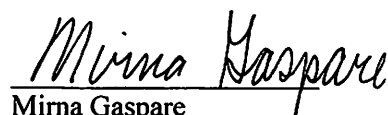
- 1) There are chronic homeless and drug sale problems at the commercial properties along N Texas Street, in particular from Air Base Parkway to Atlantic Avenue. The police are called out multiple times each week to our site to disband and/or arrest the homeless and drug dealers. The addition of a cannabis business nearby will only encourage these groups to hang out and frequent the area. The police work hard and have made great strides in their fight against the blight of this area. Let's continue to support their efforts by not approving a business use that will add problems.
- 2) While the Alaska Site falls outside the 600' minimum distance requirement for a school, Fairfield High School is 1/2 mile from the Alaska Site and easily accessible to the students. Since there are many high school students aged 18 and up, it isn't hard to imagine these adult students purchasing cannabis and then reselling it to under-age users both on and off campus. Do we really need to offer another negative distraction for students and parents in the area?

We have owned our properties more than 25 years and over the last decade the City of Fairfield has dedicated meaningful resources and effort into revitalizing this part of town. The introduction of tenants including Wal-Mart, Smart and Final, Planet Fitness, BurgerIM and Walgreens has not only improved the quality of commercial services available in the area but also the overall safety and quality of life of the surrounding neighborhoods. Let's not risk all the hard-fought progress by permitting a controversial, niche, cannabis store to operate in an area that is revitalizing, already struggling with drug related problems, and a stone's throw from the local high school.

Please feel free to contact us via email ([gasparetrust@msn.com](mailto:gasparetrust@msn.com)) or by phone (858-755-7171) with any questions.

Sincerely,

  
Martin Gaspare  
Trustee of M&M Gaspare Trust

  
Mirna Gaspare  
Trustee of the M&M Trust