
Appeal of Cannabis Policy Subcommittee Decision to Select Friends & Farmers to Move Forward in the Conditional Use Permit Entitlement Process

Concentration Area – Santa Rosa/Yolanda Avenue

City Council
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- The City's Cannabis Retail Application Period for dispensaries and microbusinesses with retail closed on April 20, 2018.
- Applications deemed complete within the prescribed time period were also evaluated for potential overconcentration.
- If a proposed location is within 600 feet of another proposed or existing retail location, then the project(s) entered a competitive merit point based review process.
- Planning staff identified a total of 21 applications, representing 7 areas of overconcentration, for this track.

Project Locations Aerial Overview



One of the areas of overconcentration included two proposed cannabis retail facilities:

- CN Santa Rosa (Applicant A), located at 2612 Santa Rosa Ave.
- Friends & Farmers (Applicant C), located at 330 & 358 Yolanda Ave.



- A City review team independently reviewed and scored both applications individually against four criteria that were identified in the *City's Cannabis Use Application Retail Use Requirements*, resulting in a staff recommendation to select the application with the highest-ranked average score.
- Points were awarded based on the quality and extent that an application addressed the merit criteria.
- Staff findings and applicant proposals were presented to the City Council's Cannabis Policy Subcommittee, who then selected which applications move forward with the Conditional Use Permit review process.

Reviewers' Average Points

CN Santa Rosa – 85 average points

Cannabis Retail Merit Based Review Criteria	A			
	CN Santa Rosa CUP18-053 2612 Santa Rosa Ave			
STAFF REVIEWER	REVIEWER 1	REVIEWER 2	REVIEWER 3	AVG
Local & State Compliance (20 points)	17	19	20	18.7
Site Management (20 points)	18	16	18	17.3
Neighborhood Compatibility (30 points)	25	21	27	24.3
Neighborhood Enhancement (30 points)	23	24	27	24.7
TOTAL SCORE (Out of 100)	83	80	92	85

Friends & Farmers– 81.7 average points

Cannabis Retail Merit Based Review Criteria	B			
	Friends & Farmers (formerly Green Trove Wellness) CUP18-070 330 & 358 Yolanda Ave			
STAFF REVIEWER	REVIEWER 1	REVIEWER 2	REVIEWER 3	AVG
Local & State Compliance (20 points)	18	19	19	18.7
Site Management (20 points)	18	18	18	18
Neighborhood Compatibility (30 points)	18	26	27	23.7
Neighborhood Enhancement (30 points)	20	19	25	21.3
TOTAL SCORE (Out of 100)	74	82	86.5	81.7

- On November 26, 2018, staff recommended to the Cannabis Policy Subcommittee that the highest scoring applicant, CN Santa Rosa, move forward.
- After hearing presentations from staff, both applicants, and the public, the Cannabis Policy Subcommittee, by motion, selected Friends & Farmers to move forward in the Conditional Use Permit entitlement process, voiding CN Santa Rosa.



Project Locations Aerial Overview



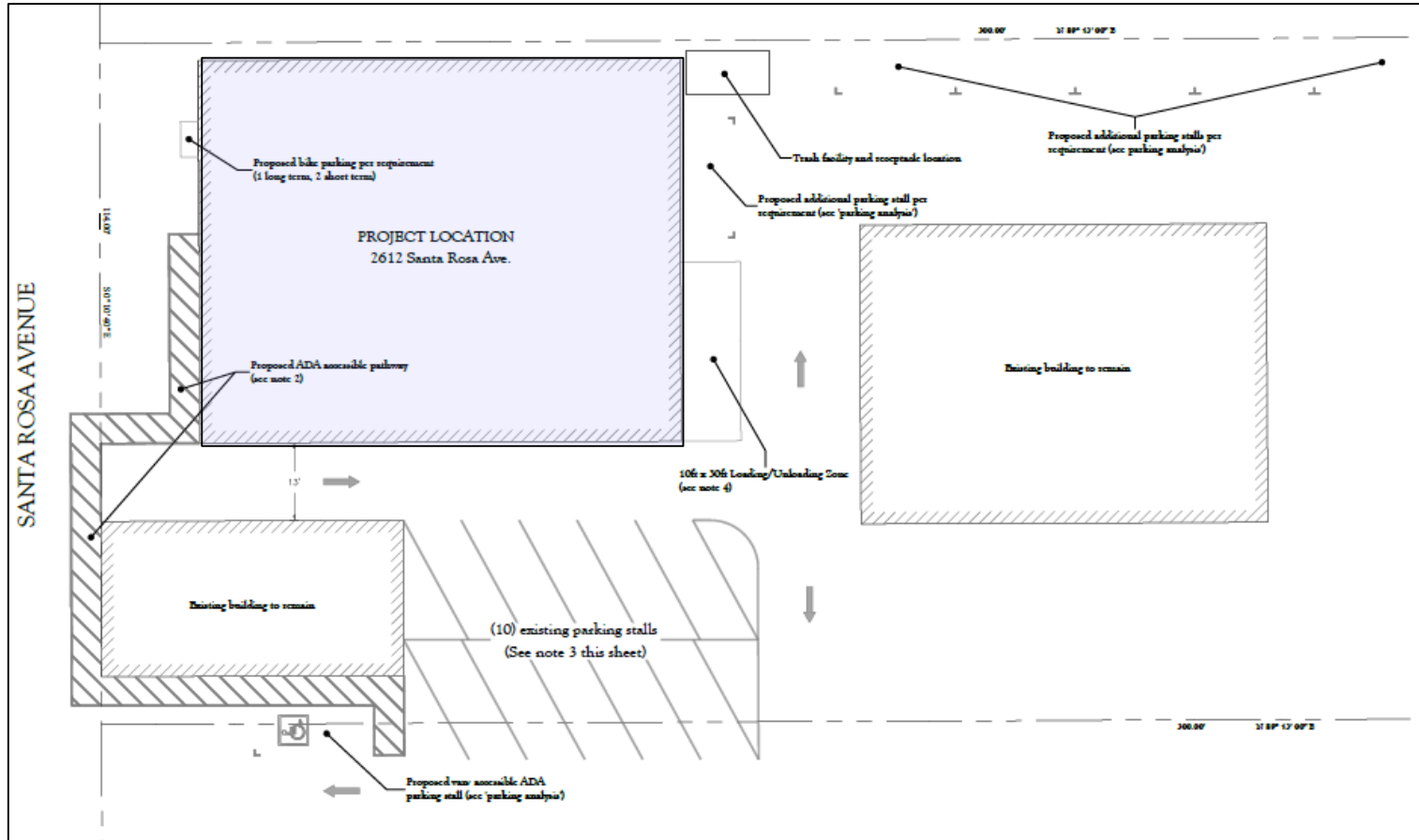
Project Location (Applicant A) 2612 Santa Rosa Ave



Project Location (Applicant A) 2612 Santa Rosa Ave



Project Location (Applicant A) 2612 Santa Rosa Ave



Project Location (Applicant A) 2612 Santa Rosa Ave



Project Location (Applicant C) 330/358 Yolanda Ave



Project Location (Applicant C) 330/358 Yolanda Ave



Project Location (Applicant C) 330/358 Yolanda Ave



- *Applicant C failed to submit a complete application insofar as the application did not contain the building and site improvement plans raised during the November 14, 2018 hearing.*

- *Applicant C failed to comply with the requirements for completing an incomplete application.*

- *In its application, Applicant C misrepresented the site and building improvements and/or materially changed its application after the submission deadline, in contravention of the applicable rules and ordinances governing application approval.*

- *Applicant C submitted late information that was considered by the Subcommittee, in violation of applicable rules and ordinances governing application approval.*

- *The Cannabis Policy Subcommittee permitted and approved a material change to Applicant C's existing application in contravention of the established rules and ordinances governing application approval.*

- *The Cannabis Policy Subcommittee permitted and approved a material change to Applicant C's existing application without a hearing on that change in contravention of the established rules and ordinances governing application approval.*

- *The Cannabis Policy Subcommittee failed to apply the application requirements to Applicant C, which mandates that “providing false or misleading information during the application and/or permitting process **will** result in rejection of the application and/or nullification or revocation of any issued permit.” (Cannabis Use Application Process and General Requirements, updated March 15, 2018) (Emphasis added.)*

- *Applicant C was provided an unfair advantage in the application approval process due to Applicant C's attorney's affiliation with City of Santa Rosa Officials.*

- Planning staff reviewed and scored the applications against the *City's Cannabis Use Application Retail Use Requirements*. Late correspondence and information was not included as part of staffs' review. Planning staff recommended that CN Santa Rosa (Applicant A) move forward because the application achieved the highest average score. However, after hearing presentations from staff, applicants, and the public, the Cannabis Policy Subcommittee, by motion, opted to select Friends & Farmers (Applicant C) to move forward in the Conditional Use Permit entitlement process.

- The City Council's Cannabis Policy Subcommittee recommends that Council, by resolution, deny the appeal of CN Santa Rosa (Applicant A) and affirm the Cannabis Policy Subcommittee's decision to select Friends & Farmers (Applicant C) to move forward in the Conditional Use Permit Process for a proposed commercial cannabis adult use retail facility, located at 330 & 358 Yolanda Ave.

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