

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR THE PLANNING COMMISSION
MARCH 25, 2021

(Continued from February 25, 2021)

PROJECT TITLE

Alternatives East (Dispensary)

APPLICANT

Karen Kissler

ADDRESS/LOCATION

2300 Bethards Drive

PROPERTY OWNER

2300 Bethards LLC

ASSESSOR'S PARCEL NUMBER

147-061-015

FILE NUMBER

CUP19-117

APPLICATION DATE

December 5, 2019

APPLICATION COMPLETION DATE

March 26, 2020

REQUESTED ENTITLEMENTS

Conditional Use Permit

FURTHER ACTIONS REQUIRED

None

PROJECT SITE ZONING

Commercial Office

GENERAL PLAN DESIGNATION

Office

PROJECT PLANNER

Adam Ross

RECOMMENDATION

Approval

Agenda Item #9.2
For Planning Commission Meeting of March 25, 2021

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR WEEKS AND MEMBERS OF THE COMMISSION
FROM: ADAM ROSS, SENIOR PLANNER
SUBJECT: PLANNING AND ECONOMIC DEVELOPMENT
ALTERNATIVES EAST

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Planning Commission, by resolution, approve Alternatives East, a Cannabis Retail facility providing both medical and adult use products, with delivery, at 2300 Bethards Drive, Suite A.

PROJECT DESCRIPTION

Alternatives East (Project) is a proposal to operate an approximately 2,249-square foot Cannabis Retail facility, providing both medical and adult use products, with delivery service from an existing commercial building. No onsite consumption area is proposed. The Project site is located in Santa Rosa's southeast quadrant, at 2300 Bethards Drive, and the facility will be operated entirely from Suite A. The Planning Commission is being asked to act on a Conditional Use Permit.

Image 1: View looking northeast



Source: Applicant

BACKGROUND

1. Surrounding Land Uses

North: Retail & Business Services; currently occupied by commercial/office uses.

South: Office; currently occupied by commercial/office uses.

East: Office and Medium Density Residential (8-18 units per acre); currently occupied with commercial/office uses and multifamily residential.

West: Retail & Busing Services, also identified as a Neighborhood Center; currently occupied by a gas station and commercial/retail center.

2. Existing Land Use – Project Site

The site is currently developed with a multi-tenant commercial building.

3. Project History

On January 22, 2020, a Neighborhood Meeting was held to introduce the Project to neighbors.

On December 5, 2019, an application was submitted requesting the approval of a Conditional Use Permit for a dispensary, providing delivery service and an onsite consumption area.

On January 20, 2021, the scope of the Project was changed eliminating the onsite consumption area, leaving only the retail store with delivery service.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

1. General Plan

The Project site is designated Office on the [General Plan Land Use Diagram](#). This land use is intended for administrative, financial, business, professional, medical and public offices.

The project implements several goals and policies throughout the [General Plan](#), examples of which are shown below:

- It provides a new use in the area, Cannabis Retail, that will satisfy the needs of people in nearby neighborhoods (Land Use and Livability);
- It maintains an adequate supply of employment centers throughout the City to ensure continued economic vitality (Land Use and Livability);
- It places a new retail use within walking and cycling distance of residential uses, therefore reducing the traffic volumes in residential neighborhoods (Transportation); and
- It places a new retail use along the City's regional/arterial corridors (Economic Vitality).

2. Other Applicable Plans

Not applicable.

3. Zoning

The Project site is within the Commercial Office (CO) zoning district, which is consistent with the General Plan land use designation. Surrounding properties are with the following zoning districts:

North: General Commercial

South: Commercial Office

East: Commercial Office, R-3-18 (multifamily residential), and a residential Planned Development

West: General Commercial

Applicable sections of the Zoning Code include:

[Chapter 20-46](#) provides regulations for all cannabis-related uses. Section 20-46.050 provides general operating requirements. As conditioned, the proposed dispensary shall remain in compliance with these regulations at all times, including maintaining a security system with surveillance videos in compliance with State and local regulations and containing cannabis odors within the building.

Section 20-46.080 provides regulations specific to dispensaries and delivery service. The Project Narrative, attached, reflects the applicant's clear understanding of the regulations. To summarize:

- Delivery service will be conducted from vehicles owned and insured by

Alternatives East. Delivery service will be available only while the dispensary is open, between 9:00 a.m. and 9:00 p.m., seven days a week.

- The site is not within an area of overconcentration and is not within 600 feet of a school.
- There is no onsite consumption proposed as part of the Project.

[Chapter 20-36](#) provides parking requirements. According to the City's Geographical Information System (GIS), the existing structure is 17,990 square feet. Cannabis Retail facilities are required to provide one space for every 250 square feet, as are most commercial office uses. Assuming full occupancy of the 17,990-square foot building, 72 parking spaces are required. The site plan includes 63 parking spaces, a deficit of nine.

Pursuant to Zoning Code Section 20-36.040(C), when a building's use changes to a new use, without enlarging the space in which the use is located, there shall be no additional parking required for the new use, except that the new use shall comply with current ADA standards for parking, provided that any deficiency in parking is no more than ten spaces, or a 25 percent overall reduction from standard parking requirements, whichever is greater.

The Project has been found in compliance with the Zoning Code.

4. Design Guidelines

There are no exterior changes proposed to the existing structure.

5. Neighborhood Comments

There has been a lot of correspondence received from neighbors, both opposed to and in favor of the project. Copies of written comments, including petitions, are attached to this report. To summarize the primary concerns:

- The Project, as originally proposed, included an onsite consumption area. The Project scope was revised to eliminate the consumption area. The revised scope is a Cannabis Retail facility with delivery service.
- Proximity of the dispensary to nearby schools. The closest school, Yulupa Elementary, is over 1,800 feet from the Project site, which exceeds the required 600 feet.
- Concerns about traffic impacts. A trip generation estimate was prepared by W-Trans, dated March 9, 2021, attached, finding that there will be fewer than 50 trips during both AM and PM peak hours. Because the proposed project would be expected to generate fewer than 50 new peak

hour trips over existing conditions, an operational analysis is typically not required under the City's *Standard Guidance for the Preparation of Traffic Impact Analysis*. The City Traffic Engineer reviewed the report and did not request any further analysis.

- Increased crime rates associated with the new business. The project will include security services and will comply with all City requirements for cannabis business's found in Zoning Code Section [20-46](#).

6. Public Improvements/On-Site Improvements

Should the project exceed \$200,000 in construction costs, it will be required to repair all damaged sidewalks and driveway aprons surrounding the site. If the project does not exceed \$200,000 in construction costs, the repairs within the public right-of-way are not required, although it is strongly recommended. For further clarification, please refer to the Exhibit A, attached to the Resolution.

FISCAL IMPACT

Approval of the Project will not have an effect on the General Fund.

ENVIRONMENTAL IMPACT

The Project has been found in compliance with the California Environmental Quality Act (CEQA):

Pursuant to CEQA Guidelines Section 15301, the Project is categorically exempt because it involves minor modifications to an existing structure.

Pursuant to CEQA Guidelines Section 15303, the Project is categorically exempt because it involves the conversion of an existing structure from one use to a another where only minor modifications to the structure are made.

Pursuant to CEQA Guidelines Section 15332, the Project is categorically exempt as infill development. The use is consistent with the General Plan land use designation of Office and zoning designation of Commercial Office; it occurs on property that is less than five acres within Santa Rosa City limits; it is completely developed with no habitat for endangered, rare threatened species; the site is currently served by all utilities and services; and re-tenanting the space will not result in any significant effects pertaining to noise, air quality, water quality or traffic. In a Trip Generation Estimate, prepared by W-Trans, dated March 9, 2021, the project will result in less than 50 new vehicle trips during both AM and PM peak hours. Pursuant to the City's *Standard Guidance for the Preparation of Traffic Impact Analysis*, further analysis is not required for projects that generate less than 50 new trip peak hour vehicle trips.

No exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. (CEQA Guidelines section 15300.2);

Pursuant to section 15183, the Project is exempt from further environmental review because it is consistent with the General Plan for which an Environmental Impact Report (EIR) was certified by Council in 2009. In December 2017, Council enacted comprehensive regulations for cannabis. Analysis concluded that cannabis-related uses were similar in terms of environmental impacts to other allowable uses in the Commercial Office zoning district.

No further environmental review is necessary for the Project as analysis has confirmed that there are no new environmental effects, or environmental effects of greater severity, peculiar to the parcel or the project that were not analyzed and addressed in a prior EIR.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

A combined Notice of Neighborhood Meeting and Notice of Application was mailed in January 2020.

In February 2021, the Project was noticed for a public hearing scheduled on February 25, 2021. Due to a deficiency in noticing requirements pursuant to Zoning Code Chapter 20-66, this meeting was continued to March 25, 2021, a date certain.

In March 2021, noticing in preparation for the March 25, 2021, Planning Commission meeting was done including two public hearing signs on the subject property, a mailing Public Hearing Notice sent to owners and occupants of properties within 600 feet of the subject site, and a Public Hearing Notice was published in the Press Democrat. Because the meeting was continued to a date certain, additional noticing was not required. In consideration of public interest, the new hearing date was re-noticed, exceeding the requirements of Zoning Code Chapter 20-66.

ISSUES

There are no unresolved issues

ATTACHMENTS

- Attachment 1: Disclosure Form
- Attachment 2: Location & Neighborhood Context Map
- Attachment 3: Project Narrative, prepared by Karen Kissler, applicant, dated March

ALTERNATIVES EAST

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- 24, 2020 (revised January 20, 2021 and February 4, 2021)
- Attachment 4: Site Plan, provided by applicant
- Attachment 5: Building Floor Plan and Suite A Floor Plan, prepared by Farrell Faber & Associates, dated April 2020
- Attachment 6: Building Photos, provided by applicant
- Attachment 7: Odor Mitigation Feasibility study, prepared by York Engineering, LLC., dated January 20, 2021
- Attachment 8: Trip Generation Estimate, prepared by W-Trans, dated March 9, 2021
- Attachment 9: Delivery Regulations, provided by applicant
- Attachment 10: Distance to Schools, provided by applicant
- Attachments
11 through 16: Public Correspondence
- Resolution: Conditional Use Permit

CONTACT

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