

Rec'd at Meeting 12/3/19
Item No. 17.2
From: Applicant

12/3/2019



Expanded Professional Team

Dalene Whitlock
Traffic Engineer
W-Trans

490 Mendocino Avenue,
Suite 201
Santa Rosa, CA 95401

707.542.9500
www.w-trans.com



William Boriolo
Civil Engineer, Annadel
Engineering

335 Tesconi Circle,
Santa Rosa, CA 95401

707.636.4191
www.annadelengineering.com



Mousa Abbasi
Traffic Engineer,
Transpedia

613 Fourth Street, Suite
205, Santa Rosa, CA 95404

707.527.6300
www.transpedia.net



Troy Levva
Architect,
DGA

201 Filbert Street,
San Francisco, CA
94133

415.477.2700
www.dgaonline.com



Project Modifications

1. Reduced square footage of dispensary to 1,500 sq. ft. to create additional space within interior parking area

4. Leased four offsite parking spots for additional employee parking

2. Reversed onsite circulation to improve issues related to the already existing safety conditions

5. Modified site plan to ensure compliance with code requirements

3. Added mirrors to increase visibility of drivers moving through site and entering interior parking area

6. Provided Trail House with one additional parking space to address their existing shortage

Neighborhood Outreach

The Fox Den team has begun the dispensary's Community Outreach program.

This includes onboarding Joanna Cedar, Fox Den's Community Liaison.

Joanna has met with community members, including surrounding businesses and the Oakmont Senior Living Community's Cannabis Club.

Since, Members of the Oakmont Community and other neighbors have pledged support for the project.

Joanna Cedar, Fox Den
Community Liaison

foxdenliaison@gmail.com



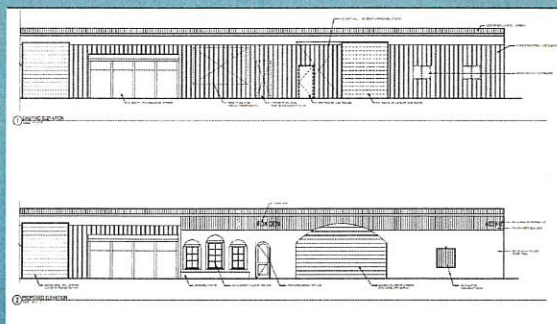
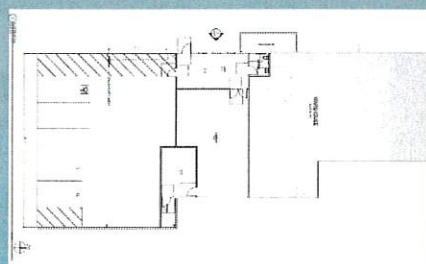
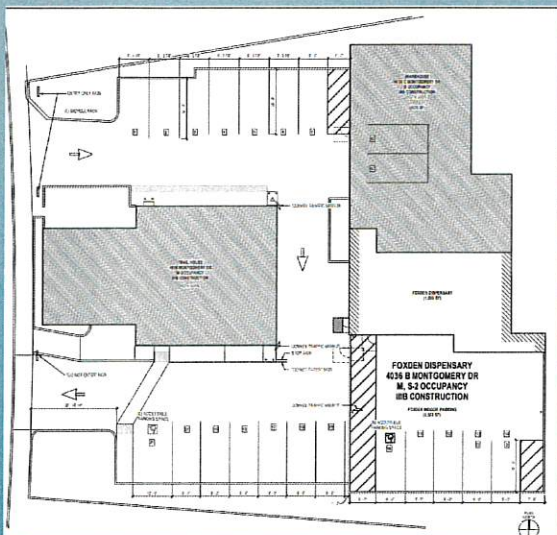
Additional Developments

Completed W-Trans traffic study

Completed third-party review of traffic study by Transpedia Consulting Engineers

Project meeting with City Staff, including Chief Building Officer, to validate Fox Den's ability to comply with building and accessibility requirements

Updates & Material Changes



CIRCULATION

Focused Traffic Study for the Fox Den Dispensary

- Direction travel reversed to enhance sight lines at Montgomery Drive
- Mirrors to be installed to improve sight lines along driveway



TRIP GENERATION

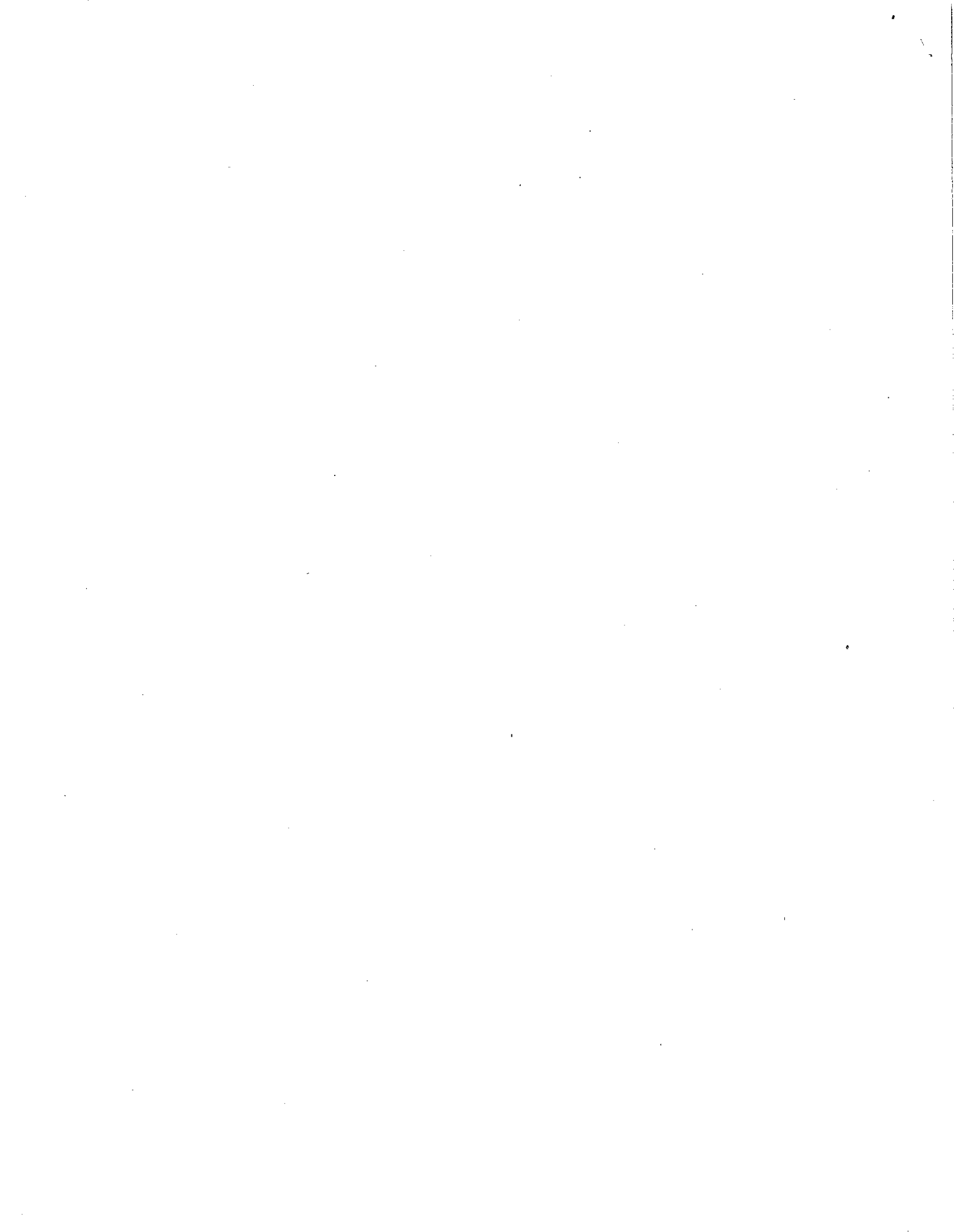
Focused Traffic Study for the Fox Den Dispensary

- Conservatively estimated using standard rates
- Updated to reflect experience in Santa Rosa
- Overstate actual expected numbers due to delivery option

PARKING DEMAND

Focused Traffic Study for the Fox Den Dispensary

- City standards met
- Actual demand expected to be less due to delivery option
- Parking for Trail House to be increased, as well





DISCLOSURE FORM

Please Type or Print

File No.	Quad. 17.2
Related Files	
DEPARTMENT USE ONLY	

www.srcity.org

DISCLOSURE FORM

Project Title: Fox Den, Inc.: 4036 Montgomery Drive, Unit B, Santa Rosa CA, 95404
 (Include site address)

Please provide the name of each individual, partnership, corporation, LLC, or trust who has an interest in the proposed land use action. Include the names of all applicants, developers, property owners, and each person or entity that holds an option on the property.

- Individuals: Identify all individuals
- Partnerships: Identify all general and limited partners
- Corporations: Identify all shareholders owning 10% or more of the stock and all officers and directors (unless the corporation is listed on any major stock exchange, in which case only the identity of the exchange must be listed.
- LLCs: Identify all members, managers, partners, officers and directors.
- Trusts: Identify all trustees and beneficiaries.
- Option Holders: Identify all holders of options on the real property.

Full Name:	Address:
Dennis Hunter	6069 Country Club Drive, Rohnert Park, CA, 94928
Scott Bagala	4036 Montgomery Drive, Unit B, Santa Rosa, CA, 95405
Vinny Bagala	4036 Montgomery Drive, Unit B, Santa Rosa, CA, 95405

In addition, please identify the name of each civil engineer, architect, and consultant for the project.

Full Name:	Address:
Nick Caston	2544 Cleveland Ave, Suite 204, Santa Rosa, CA, 95403
Andy Souza-TEP	880 2nd Street, Santa Rosa, CA, 95404
Troy Leva-DGA	201 Filbert St. 3rd Floor, San Francisco, CA 94133
Bill Boriolo-Annadel Engineering	353 Tesconi Cir, Santa Rosa, CA 95401
Dalene Whitlock- W-Trans	490 Mendocino Ave #201, Santa Rosa, CA 95401
Mousa Abbasi-Transpedia	613 Fourth St, Suite 205, Santa Rosa, CA 95404
Joanna Cedar	225 Dutton Ave, Sebastopol, CA 95472

Additional names and addresses attached: Yes No

The above information shall be promptly updated by the applicant to reflect any change that occurs prior to final action.

I certify that the above information is true and correct: Dennis Hunter Dec 02 2019
 Applicant Date



17.2

November 11, 2019

Mr. Nick Caston
Representative for Fox Den, LLC.
4036 Montgomery Drive, Unit B
Santa Rosa, CA 95405

Updated Focused Traffic Study for the Fox Den Dispensary

Dear Mr. Caston;

W-Trans has revised the *Focused Traffic Study for the Fox Den Dispensary* to reflect the project as currently proposed with a smaller dispensary, as well as to include additional information to address comments from the Use Permit Appeal Hearing held on April 9, 2019. This revised study includes an updated trip generation estimate based on data collected at other similar dispensaries in the City of Santa Rosa, an expanded parking analysis, and a review of on-site circulation based on the revised site plan. This traffic study supersedes the original study dated January 23, 2019, which is enclosed for reference. A response-to-comments letter that was prepared for the appeal hearing is also enclosed.

Executive Summary

Based on trip generation data collected in the City of Santa Rosa, the proposed project would be expected to result in 338 new daily trips, including two fewer trips during the a.m. peak hour and 20 new trips during the p.m. peak hour compared to the existing use of the warehouse space. Because the project would generate fewer than 50 new trips during each peak hour, an operational analysis is not required per City of Santa Rosa traffic study guidelines. Based on the revised site plan, on-site circulation would be expected to continue operating acceptably and the addition of mirrors to the corners of the Trail House building, as proposed, would improve sight lines within the site. Sight distance is currently inadequate for exiting the site at the northeastern driveway when the first street parking space to the southwest is occupied; however, sight distance would be adequate upon reversing the circulation direction, as proposed.

Parking for the project would be provided in accordance with City requirements and additional parking would be provided for dispensary employees at 4325 Montgomery Drive, so all on-site parking allocated to the dispensary would be available for customers. This results in a surplus of four parking spaces compared to the minimum number required by the City. Additionally, the project would increase the existing on-site parking supply for the Trail House by one space which would help to alleviate the existing parking shortfall. To further help alleviate the existing parking shortfall for the Trail House, it is recommended that the applicant install signage on-site informing customers that the parking lot is to be used while on-site only. It is also recommended that the respective parking supplies for the Trail House and Fox Den be delineated with signage so that any excess demand from one use does not impact the other.

Project Description

The proposed project would convert 4,023 square feet of existing warehouse space to a cannabis dispensary and associated parking garage. The project would be located on the same site as the Trail House beer garden, coffee house, and bike shop, which would remain unchanged after a recently approved remodel. The dispensary would occupy approximately 1,500 square feet and the remainder of the warehouse space would be converted to a parking garage. Proposed improvements to the warehouse building include new doors, windows, an aluminum awning, and a 20-foot wide roll-up door to provide access to the parking garage. As part of the project, the direction of on-site circulation would be reversed to improve sight lines at the exit onto Montgomery Drive and mirrors would be placed on the corners of the Trail House building to improve sight lines within the site. The dispensary would be open to the public between the hours of 9:00 a.m. and 9:00 p.m. seven days a week and would require five full-time and five part-time employees.

Trip Generation

The anticipated trip generations for the existing uses were estimated using standard rates published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual, 10th Edition*, 2017. The warehouse is currently occupied by a low voltage construction company, a general contractor, and office space so rates for "Specialty Trade Contractor" (ITE LU 180) were applied to the construction-related uses and rates for "General Office Building" (ITE LU 710) were applied to the office space. Based on application of these rates, the existing uses collectively would be expected to generate an average of 41 trips per day, including six trips during the morning peak hour and seven trips during the evening peak hour.

The trip generation associated with the proposed dispensary was estimated in the original traffic study using standard rates for a new land use introduced in the 10th Edition of the *Trip Generation Manual* called "Marijuana Dispensary" (ITE LU 882). As indicated in the enclosed response-to-comments letter, since the original analysis was prepared we have collected trip generation data at two existing dispensaries in the City of Santa Rosa with similar operational parameters to that of the proposed project, in terms of serving a relatively balanced percentage of recreational and medical users. One of the dispensaries had a delivery service and the other did not. We found that the average trip generation rates of the two dispensaries were approximately 74 percent lower than the ITE rate during the morning peak hour and 16 percent lower during the p.m. peak hour. The substantial disparity in rates during the a.m. peak hour is mostly attributable to the fact that the ITE data was collected at sites that opened for business between 7:00 a.m. and 9:00 a.m. and dispensaries in the City are not allowed to open until 9:00 a.m., meaning that they generate few trips during the morning peak period between 7:00 and 9:00 a.m. A spreadsheet summarizing the data collected and derivation of the applied rates is enclosed.

Based on application of the custom peak hour rates specific to the City of Santa Rosa, the proposed project would be expected to generate an average of four trips during the morning peak hour and 27 trips during the evening peak hour. After deductions due to the existing uses that would cease with operation of the project are considered, the proposed project would result in two fewer trips during the a.m. peak hour and 20 additional trips during the p.m. peak hour; these trips represent the change in traffic associated with the proposed project compared to existing volumes. The existing and proposed trip generation estimates are summarized in Table 1. The daily rates and resulting trips shown in Table 1 are based on standard ITE rates since only peak hour data was collected in Santa Rosa. The custom peak hour rates developed based on data collected in Santa Rosa indicate that the proposed project would be expected to generate 15 fewer a.m. peak hour trips and 12 fewer p.m. peak hour trips than originally estimated using ITE rates.

Table 1 – Trip Generation Summary

Land Use	Units	Daily		AM Peak Hour				PM Peak Hour			
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out
Existing											
Specialty Trade Contractor	3,023 ksf	10.22	31	1.66	5	4	1	1.97	6	2	4
General Office Building	1,000 ksf	9.74	10	1.16	1	1	0	1.15	1	0	1
Total Existing			41		6	5	1		7	2	5
Proposed											
Marijuana Dispensary	1.5 ksf	*252.70	379	**2.74	4	4	0	**18.32	27	13	14
Net New Trips			338		-2	-1	-1		20	11	9

Notes: ksf = 1,000 square feet; * = ITE rate; ** = Rate based on data collected in Santa Rosa

Because the project would be expected to generate fewer than the 50 peak hour trips that represent the City's threshold indicating need for a full traffic study, an operational analysis was not prepared.

Delivery Consideration

Trip generation data collected at an existing comparable dispensary in the City of Santa Rosa with a delivery service indicates that rates applied for this analysis as well as the standard rates presented in the ITE *Trip General Manual* adequately reflect the presence of a delivery option as such a service may reasonably be expected to reduce the trip generation potential of a dispensary, not increase it. Deliveries are intended to serve multiple customers in one trip, so the trips associated with several customers that would otherwise visit the site are replaced by a single round trip made by the delivery vehicle. Rates developed based on data collected at the single location in the City with a delivery service are lower than the average of the two facilities and, further, lower than ITE rates. The location with a delivery service generated trips at a rate of 1.15 trips per 1,000 square feet during the morning peak hour and 14.79 trips per 1,000 square feet during the p.m. peak hour, which rates are about 89 and 32 percent lower than the ITE rates applied in the original analysis during each peak hour, respectively.

The average rates for both dispensaries were applied because the sample size of one site is inadequate and data needs to be collected at additional dispensaries with a delivery service to confirm the rates before routinely using them to estimate the trip generation potential of a proposed project. However, it is worth noting that if rates for the dispensary with a delivery service were applied instead of the average rates, the proposed project would be expected to generate two fewer trips during the a.m. peak hour and five fewer trips during the p.m. peak hour. Further, the data was collected in December, which is the busiest time of the year for retail businesses, so the rates are likely higher than would be experienced in other months. Finally, at the time the data was collected there were only three dispensaries operating within the City of Santa Rosa. As more dispensaries are approved and open for business, customers will have more options and there will be fewer trips made to any one dispensary so rates will likely decrease over time.

Access Analysis

The project site is located on the southeast side of Montgomery Drive, approximately 450 feet southwest of its intersection with Summerfield Road, and would continue to be accessed via two existing driveways, though the direction of on-site circulation would be reversed. An existing two-way left-turn lane (TWLTL) on Montgomery Drive provides a dedicated area for left-turn movements to occur without impacting through traffic.

Sight Distance

At private roads and driveways, a substantially clear line of sight should be maintained between the driver of a vehicle waiting at the driveway and the driver of an approaching vehicle. Sight distance at the northeastern driveway that is currently used for exiting the site was field measured and evaluated based on sight distance criteria contained in the *Highway Design Manual* published by Caltrans. The recommended sight distances for minor street approaches that are driveways are based on stopping sight distance, with approach travel speeds used as the basis for determining the recommended sight distance. Set-back for the driver on the driveway of 15 feet, measured from the edge of the travel lane, was used.

For the posted 35-mph speed limit on Montgomery Drive, the recommended stopping sight distance is 250 feet. Based on a review of field conditions, sight distance at the northeastern driveway extends approximately 300 feet to the northeast, which is more than adequate for the posted speed limit. To the southwest, sight distance can be restricted to as little as 70 feet if a vehicle is parked in the street parking space directly adjacent to the driveway, which is inadequate for the posted speed limit. In this situation, adequate sight lines can be achieved by pulling forward into the bike lane, but this type of operation is not preferred for extended periods of time. Field observations confirmed that drivers exiting the site routinely pull into the bike lane to achieve adequate sight lines. In order for

adequate stopping sight distance to be provided with the current circulation direction, the first street parking space directly southwest of the driveway would need to be removed.

As proposed, the direction of on-site circulation would be reversed so that the northeastern driveway would be used for ingress and the southwestern driveway would be used for egress. Sight lines for this modified circulation pattern were field measured at the southwestern driveway. Based on a review of field conditions, sight distance at the southwestern driveway extends approximately 250 feet to the north and further to the south, which is adequate for the posted speed limit. By reversing on-site circulation stopping sight distance would be adequate and it would not be necessary to prohibit parking for the first 20 feet of curb southwest of the driveway, as originally recommended in the January 23, 2019 traffic study. An exhibit showing the available stopping sight distance when two vehicles are parked between the driveways with both the existing and proposed access conditions is enclosed.

Finding – In its current configuration, sight distance to the southwest is inadequate when the first street parking space adjacent to the northeastern driveway is occupied, but by reversing on-site circulation adequate stopping sight distance would be available.

Recommendation – The direction of on-site circulation should be reversed from its current configuration, as shown on the site plan.

On-site Circulation

Because sight lines are inadequate at the northeastern driveway currently used to exit onto Montgomery Drive, as part of the project the direction of site circulation would be reversed. The northeastern driveway would be used for ingress and would connect to a one-way drive aisle that would loop around the Trail House building in a clockwise direction where it would connect to the southwestern driveway that would be used for egress onto Montgomery Drive. Surface parking would continue to be provided along the edges of the site.

To show that vehicles would be able to navigate the parking lot with relocation of the trash enclosure and be able to access the new parking stalls within the garage, on-site circulation was modeled using the AutoTURN application of AutoCAD. The proposed layout within the garage includes two compact parking stalls near the rear of the garage, two standard stalls in the middle, and an ADA accessible stall closest to the entrance. Travel paths were modeled using a compact vehicle for stalls 13 and 14, a large passenger vehicle (suburban) for stalls 11 and 12, and a wheelchair lift van for stall 10. As shown in the enclosed AutoTURN exhibits, on-site circulation would operate acceptably for compact vehicles, large passenger vehicles, and vans. Additionally, by reversing on-site circulation motorists would be able to see if there are any available parking spaces within the garage before actually driving inside, which would help to prevent back-ups at the garage entrance. The access door to the parking garage would be 20 feet wide, which is adequate for bidirectional traffic and the parking stalls and drive aisle within the garage would comply with City design standards.

At the appeal hearing, concern was expressed for on-site pedestrian safety; however, a parking lot cannot simultaneously be difficult to navigate and lend itself to high speeds. Because of the narrow drive aisle behind the Trail House and the limited sight lines around the building corners motorists were observed to take extra caution and travel at low speeds, which is beneficial to pedestrian safety. This is highlighted by the fact that there have been no vehicle-pedestrian collisions on-site since the Trail House opened for business. To improve sight lines within the site, mirrors would be placed on the corners of the Trail House building so that motorists are better able to see if there are any conflicting vehicles or pedestrians around the corner of the building before making the turn.

Finding – As proposed in the site plan, the parking layout within the garage complies with City of Santa Rosa standards and on-site circulation would be expected to continue operating acceptably with the proposed improvements.

Recommendation – As proposed, mirrors should be placed at the corners of the building to improve visibility for on-site circulation.

Parking

At the time the project site was re-tenanted for the Trail House, a total of 27 parking spaces would have been required based on application of standard City rates, including 23 spaces for Trail House and four spaces for the warehouse area that Fox Den proposes to occupy; however, the City granted a reduction of ten parking spaces resulting in a required supply of 17 spaces between the two uses. A copy of the parking reduction letter from City staff is enclosed. Although only 17 spaces were required, a total of 18 spaces were provided on-site including 14 spaces in the surface lot, two spaces in the Trail House side of the warehouse, and two spaces in the warehouse area that the proposed project would occupy. As part of the lease agreement with Trail House, it was decided that four parking spaces belonged to the warehouse (two inside the building and two in the surface lot) and the rest were to be made available to the Trail House.

Parking was evaluated to determine if the proposed supply for the project would be adequate to satisfy City requirements upon replacement the existing warehouse area with a dispensary. As proposed, the project would provide five parking spaces on-site in a garage and four parking spaces at 4325 Montgomery Drive for use by employees. Additionally, the project would retain one of the surface parking spaces currently allocated to the warehouse and give the other to Trail House resulting a total supply of 10 spaces for Fox Den and 15 spaces for Trail House. One of the new parking stalls in the garage would be signed for "15-minute" parking and would be used by the delivery vehicle when loading products between deliveries. The delivery vehicle would be off-site most of the day and loading between runs would take approximately 5 to 15 minutes, so the delivery vehicle would only occupy a parking space for a short period of time when it is on-site.

Section 20-36.00 of the Santa Rosa City Code requires cannabis retail uses to provide parking at a rate of one space for every 250 square feet of floor area. Based on the total dispensary size of 1,500 square feet, six parking spaces would need to be provided on-site for Fox Den to satisfy City requirements. The 23 spaces required for Trail House would continue to be required resulting in a total requirement of 29 spaces. With the 10-space parking reduction that was approved for the site, 19 parking spaces would be required. As proposed, the on-site parking supply for the site would exceed the reduced requirements by two spaces and the total supply including off-site parking for Fox Den employees would exceed the reduced requirements by six spaces. The parking calculations and proposed supply are summarized in Table 2. While not included as part of the project's supply, it is noted that there is street parking available on Montgomery Drive consisting of once space to the north of the site, two spaces between the site's driveways, and four parking spaces to the south of the site. Because Fox Den employees would park off-site, all parking spaces on-site would be available for use by dispensary customers, and should demand temporarily exceed supply, customers would be able to use any of the seven on-street spaces in the immediate vicinity.

Table 2 – Parking Summary

Land Use	Units	Rate	Parking Spaces
City Required Parking			
Trail House	5,760 sf	1 space/250 sf	23
Cannabis Retail	1,500 sf	1 space/250 sf	6
Total City Requirements			29
Required Supply with Parking Reduction			19
<i>Proposed On-site Supply</i>			21 (6) [15]
<i>Including Off-site Supply</i>			25 (10) [15]

Notes: sf = square feet; * = with approved parking reduction; (x) = Fox Den supply; [x] = Trail House supply

At the appeal hearing numerous comments were made that the existing parking supply for Trail House is inadequate for demand as it was approved with less on-site parking than required based on standard City rates, so field observations were conducted during typical operation on July 11, 2019 between 3:00 and 5:00 p.m. During this two-hour period, the ADA space was unoccupied the entire time and the remaining 13 spaces in the surface lot reached capacity for one 15-minute period at approximately 4:30 p.m. The rest of the time, one or more parking spaces were available; however, numerous Trail House customers were observed to park in the lots at the adjacent properties located at 4000 and 4040 Montgomery Drive and walk to the site without even checking for available spaces in the Trail House parking lot. One vehicle was observed to park in the Trail House lot and unload a bicycle, then ride the bicycle off-site and not return for the duration of the field observations. It was also noted that the garage door to the Trail House side of the warehouse building was closed for the duration of the field observations so two of the parking spaces in their approved supply were not available for use by customers; it is unknown whether or not employee vehicles were parked inside the warehouse.

The fact that customers parked at other businesses in the vicinity without first checking the Trail House lot appears to indicate that they are accustomed to the Trail House lot being full. Although the supply for Trail House may be insufficient for demand at certain times of the day, Fox Den would provide parking in accordance with City requirements, and additional off-site parking for employees, so the proposed project's supply is expected to be more than adequate for their demand. Additionally, as mentioned previously, Fox Den would give one of the surface parking spaces that the warehouse currently uses to the Trail House, increasing their on-site supply from 14 to 15 spaces; this would be a benefit to the Trail House. To further help alleviate the parking shortfall for the Trail House, it is recommended that the project be responsible for installing signage on-site stating that parking is for customers while on-site only; those that want to ride bikes on the surrounding trails should be instructed to park in the trail parking lots so that the on-site supply is available to customers while patronizing the Trail House. Further, it is recommended that the respective parking supplies for Trail House and Fox Den be delineated with signage. Referencing the enclosed site plan, spaces 1-9 and 16-21 should be signed for Trail House and spaces 10-15 should be signed for Fox Den.

Finding – The proposed dispensary would provide on-site parking that is adequate to meet City requirements and, while not necessary to achieve an adequate supply, additional off-site parking has been secured for employees. The project would also increase the parking supply for Trail House by one space.

Recommendation – The applicant should install signage on-site informing customers that the parking lot is to be used while on-site only and the respective parking supplies for Fox Den and Trail House should be signed accordingly.

Conclusions and Recommendations

- The proposed project would result in 338 new daily trips, including two fewer trips during the a.m. peak hour and 20 additional trips during the p.m. peak hour compared to the existing use of the space. Because the project would generate fewer than 50 new trips during each peak hour, an operational analysis is not required.
- Based on the proposed site plan, on-site circulation would be expected to continue operating acceptably. The addition of mirrors to the corners of the Trail House building, as proposed, would improve sight lines within the site.
- Sight distance is currently inadequate for exiting the site at the northeastern driveway when a vehicle is parked on Montgomery Drive to the southwest; however, sight distance would be adequate upon reversing the circulation direction, as proposed, and no on-street spaces would need to be removed.


- Parking for the project would be provided in accordance with City requirements and additional parking would be provided for employees at 4325 Montgomery Drive, so all on-site parking allocated to the dispensary would be available for customers. This results in a surplus of four parking spaces compared to the minimum number required by the City.
- The project would increase the existing on-site parking supply for the Trail House by one space.
- The applicant should install signage on-site informing customers that the parking lot is to be used while on-site only.
- The parking spaces for Trail House and Fox Den should be marked with signage.

We hope this information is adequate to address the potential traffic impacts associated with the proposed project. Please contact us if you have any further questions. Thank you for giving us the opportunity to provide these services.

Sincerely,



Cameron Nye, EIT
Associate Engineer



Dalene J. Whitlock, PE, PTOE
Senior Principal



DJW/cn/SRO464.L2

- Enclosures: *Focused Traffic Study for the Fox Den Dispensary, January 23, 2019*
Response to Comments on the "Focused Traffic Study for the Fox Den Dispensary," April 9, 2019
City of Santa Rosa Dispensary Rates
Stopping Sight Distance Exhibit
AutoTURN Exhibits
Parking Reduction Letter, May 20, 2016



January 23, 2019

Ms. Scarlet Ravin
Fox Den, LLC.
4036 Montgomery Drive Unit B
Santa Rosa, CA 95405

Focused Traffic Study for the Fox Den Dispensary

Dear Ms. Ravin;

W-Trans has completed a focused traffic study that addresses the potential change in trip generation and access conditions associated with the proposed change in land use for 4036 Montgomery Drive in the City of Santa Rosa.

Project Description

The proposed project would convert approximately 4,000 square feet of existing warehouse space to a cannabis dispensary and associated parking garage. The project would be located on the same site as the Trail House beer garden, coffee house, and bike shop, which would remain unchanged after a recently approved remodel. The dispensary would occupy approximately 1,773 square feet and the remainder of the warehouse space would be used as a parking garage. Proposed improvements to the building include new doors, windows, an aluminum awning, and a 20-foot wide roll-up door to provide access to the parking garage. The facility would be open to the public between the hours of 9:00 a.m. and 9:00 p.m. seven days a week and would require five full-time and five part-time employees.

Trip Generation

The anticipated trip generations for the existing and proposed uses were estimated using standard rates published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual, 10th Edition, 2017*. The warehouse is currently occupied by a low voltage construction company, a general contractor, and office space so rates for "Specialty Trade Contractor" (ITE LU 180) were applied to the construction-related uses and rates for "General Office Building" (ITE LU 710) were applied to the office space. Based on application of these rates, the existing uses collectively would be expected to generate an average of 41 trips per day, including six trips during the morning peak hour and seven trips during the evening peak hour.

To estimate the trip generation associated with the proposed dispensary, standard rates for a new land use introduced in the 10th Edition of the *Trip Generation Manual, "Marijuana Dispensary" (ITE LU 882)* were applied. Based on application of these rates and the total dispensary size of 1,773 square feet, the proposed project would be expected to generate an average of 448 trips per day with 19 trips during the morning peak hour and 39 trips during the evening peak hour. After deductions due to the existing uses that would cease with operation of the project are considered, the proposed project would result in 407 new daily trips, including 13 trips during the a.m. peak hour and 32 trips during the p.m. peak hour; these trips represent the increase in traffic associated with the proposed project compared to existing volumes. These results are summarized in Table 1. Because the project would be expected to generate fewer than the 50 peak hour trips that represent the City's threshold indicating need for a full traffic study, an operational analysis was not prepared.

Table 1 – Trip Generation Summary											
Land Use	Units	Daily		AM Peak Hour				PM Peak Hour			
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out
Existing											
Specialty Trade Contractor	3,000 ksf	10.22	31	1.66	5	4	1	1.97	6	2	4
General Office Building	1,000 ksf	9.74	10	1.16	1	1	0	1.15	1	0	1
Total Existing			41		6	5	1		7	2	5
Proposed											
Marijuana Dispensary	1,773 ksf	252.70	448	10.44	19	10	9	21.83	39	19	20
Net New Trips			407		13	5	8		32	17	25

Notes: ksf = 1,000 square feet

Access Analysis

The project site is located on the southeast side of Montgomery Drive, approximately 450 feet southwest of its intersection with Summerfield Road, and would continue to be accessed via two existing driveways. The southwestern driveway is used for ingress and connects to a one-way drive aisle that loops around the Trail House building in a counterclockwise direction where it connects to the northeastern driveway that is used for exiting the site onto Montgomery Drive. Surface parking is provided along the edges of the site.

On-site Circulation

To determine if standard passenger vehicles could navigate the site as intended, site circulation was modeled using the AutoTURN application of AutoCAD. Based on the proposed site plan, circulation within the garage would be expected to operate acceptably and vehicles exiting the parking garage could make a right turn to the one-way loop drive aisle. An exhibit showing the expected travel paths is enclosed. It should be noted that delivery truck circulation was not evaluated as it is understood that deliveries would be made by standard passenger vehicles.

Finding – As proposed in the site plan, the parking layout within the garage complies with City of Santa Rosa standards and circulation would be expected to operate acceptably.

Recommendation – To minimize potential conflicts between vehicles pulling into and out of the parking stalls in the garage, the first employees to arrive at the site should be instructed to park in the stalls near the rear of the garage, as these will be the most difficult to navigate. Additionally, it is recommended that the stall against the back wall of the garage be reserved for use by compact vehicles.

Sight Distance

At private roads and driveways, a substantially clear line of sight should be maintained between the driver of a vehicle waiting at the driveway and the driver of an approaching vehicle. Adequate time should be provided for the waiting vehicle to either cross, turn left, or turn right, without requiring through traffic to radically alter their speed. Sight distance at the northeastern driveway location used for exiting the site was field measured and evaluated based on sight distance criteria contained in the *Highway Design Manual* published by Caltrans. The recommended sight distances for minor street approaches that are driveways are based on stopping sight distance, with approach travel speeds used as the basis for determining the recommended sight distance. Set-back for the driver on the driveway of 15 feet, measured from the edge of the traveled way, was used.

For the posted 35-mph speed limit on Montgomery Drive, the recommended stopping sight distance is 250 feet. Based on a review of field conditions, sight distance at the northeastern driveway extends more than 300 feet to the northeast, which is more than adequate for the posted speed limit. To the southwest, sight distance extends approximately 300 feet without the presence of a parked vehicle in the street parking slot directly adjacent to the driveway; however, when this area is occupied, sight distance can be restricted to as little as 100 feet if the vehicle is parked at the beginning of the curb cut, which is inadequate for the posted speed limit. In this situation, adequate sight lines can be achieved by pulling forward to the edge of the bike lane, but this type of operation is not preferred for extended periods of time. Field observations confirmed that drivers exiting the site routinely pull up to the bike lane to achieve adequate sight lines.

Finding – At the northeastern driveway, sight distance is more than adequate for the posted speed limit when looking northeast, but sight distance to the southwest is inadequate when the first street parking space adjacent to the driveway is occupied.

Recommendation –The first 20 feet of curb southwest of the driveway should be painted red or signed for no parking.

Conclusions and Recommendations

- The proposed project would result in 407 new daily trips, including 13 trips during the a.m. peak hour and 32 trips during the p.m. peak hour. Based on the minimal number of peak hour trips expected to be generated by the proposed project, it is reasonable to conclude that the change in land use would have a *less-than-significant* impact on traffic operation.
- Based on the proposed site plan, on-site circulation would be expected to continue operating acceptably.
- Sight distance at the northeastern driveway is adequate to the northeast, but inadequate to the southwest when the street parking space directly adjacent to the driveway is occupied.
- The first employees to arrive at the site in the morning should be instructed to park in the spaces at the rear of the parking garage and the space along the back wall of the garage should be marked for use by compact vehicles.
- Parking should be prohibited for the first 20 feet southwest of the driveway by red paint or signing.

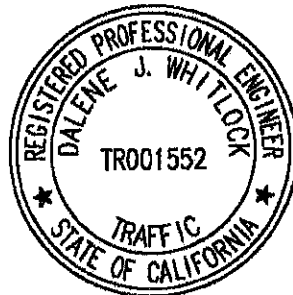
We hope this information is adequate to address the potential traffic impacts associated with the proposed project. Please contact us if you have any further questions. Thank you for giving us the opportunity to provide these services.

Sincerely,

Cameron Nye, EIT
Assistant Engineer

Dalene J. Whitlock, PE, PTOE
Principal

DJW/eh/SRO464.L1



Enclosure: AutoTURN Exhibit



April 9, 2019

Mr. Nick Caston
Representative for Fox Den, LLC.
4036 Montgomery Drive Unit B
Santa Rosa, CA 95405

Response to Comments on the "Focused Traffic Study for the Fox Den Dispensary"

Dear Mr. Caston;

This letter serves as a response to the comments contained in "Transportation Peer Review of Proposed Cannabis Dispensary and Delivery Business at 4036 Montgomery Drive," prepared by TJKM and dated March 25, 2019, that was included as Exhibit B of the Kiwi Preschool and Childcare appeal packet, as well as information contained the "Facts and Law in Support" section of the appeal packet.

Response to Peer Review Comments

The following responses are organized to correlate to each of the numbered comments contained in the technical memorandum, which are shown in *italics* for ease of reference.

1. *The forecast of vehicle trip generation provided in the April 17, 2018 Focused Traffic Study was based on standalone Marijuana Dispensaries that do not include delivery operations – therefore underestimating the volume of traffic that would be generated.*

Trip generation data collected at an existing comparable dispensary in the City of Santa Rosa with a delivery service indicates that the standard rates presented in the Institute of Transportation Engineers (ITE) *Trip General Manual* adequately reflect the presence of a delivery option as such a service may reasonably be expected to reduce the trip generation potential of a dispensary, not increase it. Deliveries are intended to serve multiple customers in one trip, so the trips associated with several customers that would otherwise visit the site are replaced by a single round trip made by the delivery vehicle. The trip generation data collected at a comparable dispensary in Santa Rosa with a delivery service indicated that the site generates 14.79 trips per 1,000 square feet during the weekday p.m. peak hour, compared to the standard ITE rate of 21.89 trips per 1,000 square feet. Standard ITE rates were used in the focused traffic study for Fox Den as we had not yet collected data specific to the City of Santa Rosa, so the trip generation estimates presented in the traffic study are likely higher than what would actually occur based on the data collected.

2. *In addition to not including delivery trips (as stated in #1 above): the use of the ITE trip generation rates for "Marijuana Dispensaries" should be carefully considered, given the limited number of data sources available to ITE.*

In December 2018, W-Trans collected trip generation data at two existing dispensaries in the City of Santa Rosa with similar operational parameters to that of the proposed project, in terms of serving a relatively balanced percentage of recreational and medical users. One of the dispensaries had a delivery service and the other did not. We found that the average trip generation rates of the two dispensaries were approximately 74 percent lower than the ITE rate during the morning peak hour and 16 percent lower during the p.m. peak hour. The substantial disparity in rates during the a.m. peak hour is mostly attributable to the fact that the ITE data was collected at sites that open for business at 8:00 a.m. and dispensaries in the City are not allowed to open until 9:00 a.m., meaning that they generate few trips during the morning peak period between 7:00 and 9:00 a.m.

Rates developed based on the data collected at the single location with a delivery service are lower than the average of the two facilities and, further lower than ITE rates. The location with a delivery service generated trips at a rate of 1.15 trips per 1,000 square feet during the morning peak hour and 14.79 trips per 1,000 square feet

during the p.m. peak hour, which are about 89 and 32 percent lower than ITE rates applied in the analysis during each peak hour, respectively. A spreadsheet summarizing the derivation of the rates is enclosed.

It should be noted that the data was collected in December, which is the busiest time of the year for retail businesses, so the rates are likely higher than would be experienced in other months. Further, at the time the data was collected, there were only three dispensaries operating within the City of Santa Rosa. As more dispensaries are approved and open for business, customers will have more options and there will be fewer trips made to any one dispensary. The estimated trip generation potential for the proposed project as developed using standard ITE rates as well as the rates specific to the City of Santa Rosa are shown in Table 1. If rates for the dispensary with a delivery service were applied instead of ITE rates, the proposed project would be expected to generate 17 fewer trips during the morning peak hour and 13 fewer trips during the p.m. peak hour.

Table 1 – Trip Generation Summary

Land Use	Units	AM Peak Hour				PM Peak Hour			
		Rate	Trips	In	Out	Rate	Trips	In	Out
Standard ITE Rates	1.773 ksf	10.44	19	10	9	21.83	39	19	20
Average of Two Similar Dispensaries	1.773 ksf	2.74	5	4	1	18.32	32	16	16
One Dispensary with Delivery Service	1.773 ksf	1.15	2	2	0	14.79	26	14	12

Notes: ksf = 1,000 square feet

The peer review states that based on ITE rates, the busiest hours of operation for a dispensary are between 12:45 and 1:45 p.m. and between 5:45 and 6:45 p.m. For compliance with City traffic guidelines, the analysis need only address conditions when peak volumes exist on the surrounding street network. If the peak hour for the use is offset from commute peak hours this would be considered in a positive light as there is more capacity for those trips during off-peak hours. Further, the peak hours for drop-off at Kiwi Preschool are between 7:30 and 9:30 a.m. and pick-up is between 4:00 and 6:00 p.m. so the proposed project and the preschool would experience their busiest hours for traffic at times of the day that are generally offset from one another.

3. *The proposed supply of just seven motor vehicle parking spaces does not appear adequate to serve the number of vehicles associated with the proposed dispensary and delivery option, taking into account both the volume of predicted traffic and ITE parking demand data.*

Based on City code, a total of 22 parking spaces would need to be provided on-site, including 12 for Trail House, three for the warehouse space, and seven for the proposed project. As proposed, the project would provide 22 spaces on-site, which would satisfy City requirements. It is noted that the commenter indicated the need to serve 19 customers that would arrive in an hour, assuming a 15-minute stay. This would translate to a demand for approximately five spaces, not ten as indicated by the peer reviewer. Since the 20 outbound trips during an hour are the same 19 vehicles that entered, the parking demand should be based on either inbound or outbound trips, but not the sum of the two. Similarly, 50 trips during the peak hour of the generator, if split evenly between inbound and outbound and still assuming a 15-minute stay by each customer, would translate to the need for six to seven parking spaces, not 13.

While not included as part of the project supply, it is noted that there is street parking available on Montgomery Drive consisting of once space to the north, one space between driveways (assuming implementation of our recommendation to restrict parking for 20 feet to the south of the northern driveway), and four parking spaces to the south of the site.

4. *The turning movement analysis provided in the Focused Traffic Study is based on typical passenger car sizes (not trucks, SUVs or delivery vehicles), and therefore does not provided a full analysis of the potential range of vehicle movements that would be required to access the seven parking spaces to be provided.*

On-site circulation was modeled in the focused traffic study for Fox Den using a standard passenger vehicle as deliveries would be made by a Toyota Prius, or another similar vehicle. To show that larger vehicles such as SUVs, trucks, or vans would be able to navigate the site as intended, circulation was also modeled for a 20-foot shuttle van. As shown in the enclosed AutoTURN exhibits, on-site circulation would operate acceptably for standard passenger vehicles as well as shuttle vans. One of the parking stalls would be signed for "15-minute" parking and would be used by the delivery vehicle when loading products between deliveries. The delivery vehicle would be off-site most of the day and loading between runs would take approximately 5 to 15 minutes, so the delivery vehicle would only occupy a parking space for a short period of time when it is on-site.

Response to Facts and Law in Support

Some of the comments contained in the appeal packet were relevant to traffic. These are shown below in *italics* and our responses follow.

- *Per the traffic study these trips represent the increase associated with the Proposed Project compared to the existing volumes which are estimated 41 trips per day, including six trips during the morning peak hour and seven trips during the evening peak hour. This equates to an increase of 992.68% in an already inadequate parking scenario!*

It is important to note that the nearly 993 percent increase in daily trips indicated in the comment refers to the space that the project would occupy, not to the entire site, including the Trail House. A review of standard ITE rates indicates that the most similar land use available for application to Trail House is "Fast Casual Restaurant" (ITE LU #930). Application of these rates to the total 3,008 square foot floor area of Trail House results in 948 existing daily trips on average. When considering the site as a whole, the proposed project would increase the daily trip generation by approximately 41 percent over current levels, from 989 trips (Trail House and the existing construction and office uses) to 1,396 trips (Trail House and the dispensary).

However, it is noted that the zoning district for the site is Neighborhood Commercial (CN) and the General Plan land uses indicated for the zoning district are mixed use and neighborhood shopping center, so, for example, a drug store/pharmacy is a permitted use that could occupy the site without a Conditional Use Permit (CUP). Application of standard ITE rates for a drug store to the space that the proposed dispensary would occupy indicates that, for planning purposes, the space could reasonably have been expected to generate an average of 360 trips per day. Again, when considering the entire site and assuming a permitted use such as a drug store, the project would result in only seven percent more daily trips than would have been expected based on the site's zoning and permitted uses.

- *The additional traffic will spill over into Kiwi's parking area which is already extremely busy due to children drop-offs and pick-ups. The risk to the children's safety will increase with higher intensity traffic. More cars, more risk.*

While the two sites are adjacent, their access and parking supplies are completely separated. The project site is accessed from Montgomery Drive and Kiwi Pre-school is accessed from Summerfield Road so there is no reason for project traffic to impact drop-off and pick-up activities at the pre-school. Dispensary customers parking in the pre-school's supply would have to walk approximately 600 feet to the north and west around the building at 440 Montgomery Drive and then southwest down the sidewalk to get to the project site. If the project's parking supply is full, it is far more likely that customers would use the street parking on Montgomery Drive, or even the parking stalls of the businesses that are located closer to the dispensary than those for the Kiwi Pre-school. The potential for the project to impact operation of the pre-school in any way is therefore extremely limited and would certainly not affect the safety of children in the parking lot. The only possible impact is that the project could result in a

Mr. Nick Caston

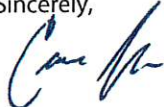
Page 4

April 9, 2019

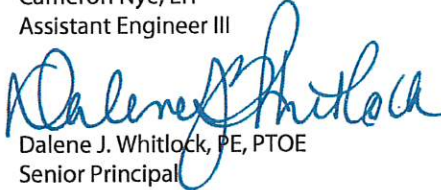
slight increase in delay to drivers exiting the pre-school site to Summerfield Road if any of the patrons of the Fox Den project travel along that roadway.

Please feel free to contact us if there are any questions regarding this information. Thank you for giving us the opportunity to provide these services.

Sincerely,



Cameron Nye, EIT
Assistant Engineer III



Dalene J. Whitlock, PE, PTOE
Senior Principal



DJW/cn/SRO464.R2C

Enclosures: City of Santa Rosa Dispensary Rates
AutoTURN Exhibits

City of Santa Rosa Dispensary Rates

LOCATION	No. of Units	Land Use Number	Land Use No./Type	DATE	Setting/Location	AM PEAK HOUR (8-9)						PM PEAK HOUR (4-6)									
						Trip Rate per Unit	Number of Trips	In (%)	In (Rate)	In (Trips)	Out (%)	Out (Rate)	Out (Trips)	Trip Rate per Unit	Number of Trips	In (%)	In (Rate)	In (Trips)	Out (%)	Out (Rate)	Out (Trips)
LOCATION 1	3.8	ksf	882 Marijuana Dispensary	12/18/2018	General Urban/Suburban	4.47	17	88%	3.95	15	12%	0.53	2	20.00	76	42%	8.42	32	58%	11.58	44
	3.8	ksf	882 Marijuana Dispensary	12/19/2018	General Urban/Suburban	4.21	16	94%	3.95	15	6%	0.26	1	23.68	90	44%	10.53	40	56%	13.16	50
AVERAGE						4.34		91%	3.95		9%	0.39		21.84		43%	9.47		57%	12.37	
LOCATION 2 (has delivery service)	4.8	ksf	882 Marijuana Dispensary	12/18/2018	General Urban/Suburban	1.46	7	86%	1.25	6	14%	0.21	1	14.58	70	54%	7.92	38	46%	6.67	32
	4.8	ksf	882 Marijuana Dispensary	12/19/2018	General Urban/Suburban	0.83	4	100%	0.83	4	0%	0.00	0	15.00	72	56%	8.33	40	44%	6.67	32
AVERAGE						1.15		93%	1.04		7%	0.10		14.79		55%	8.13		45%	6.67	

SANTA ROSA AVERAGE 2.74 92% 2.49 8% 0.25 18.32 49% 8.80 51% 9.52
ITE RATES 10.44 56% 5.85 44% 4.59 21.83 50% 10.92 50% 10.92

Notes: Both locations service adult and medical users



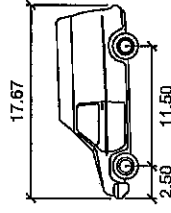
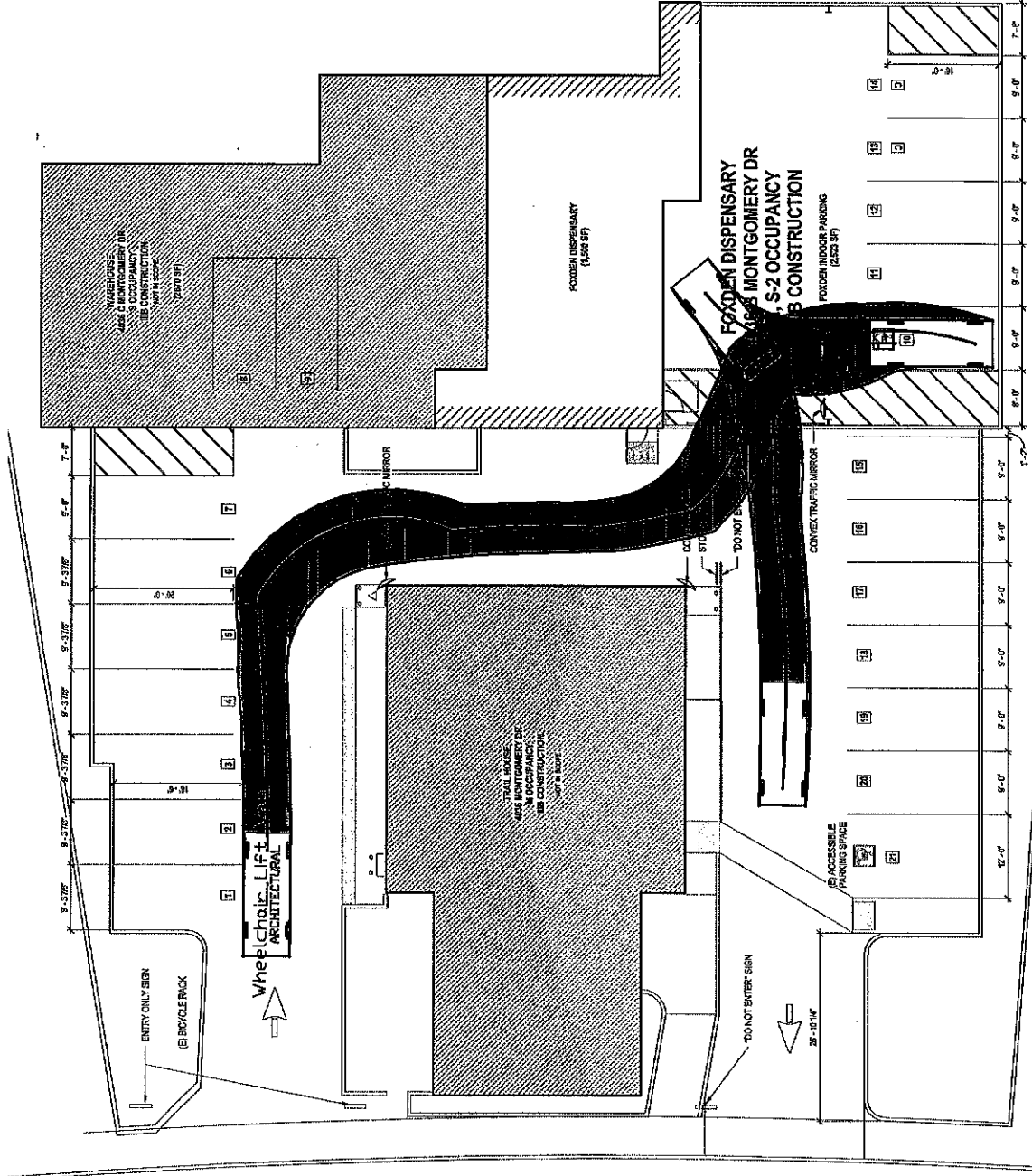
Stopping Sight Distance Exhibit

Scale: 1" = 50'

FOX DEN DISPENSARY

4036 Montgomery Drive

172

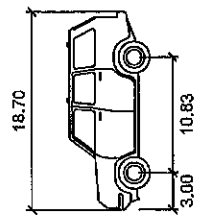
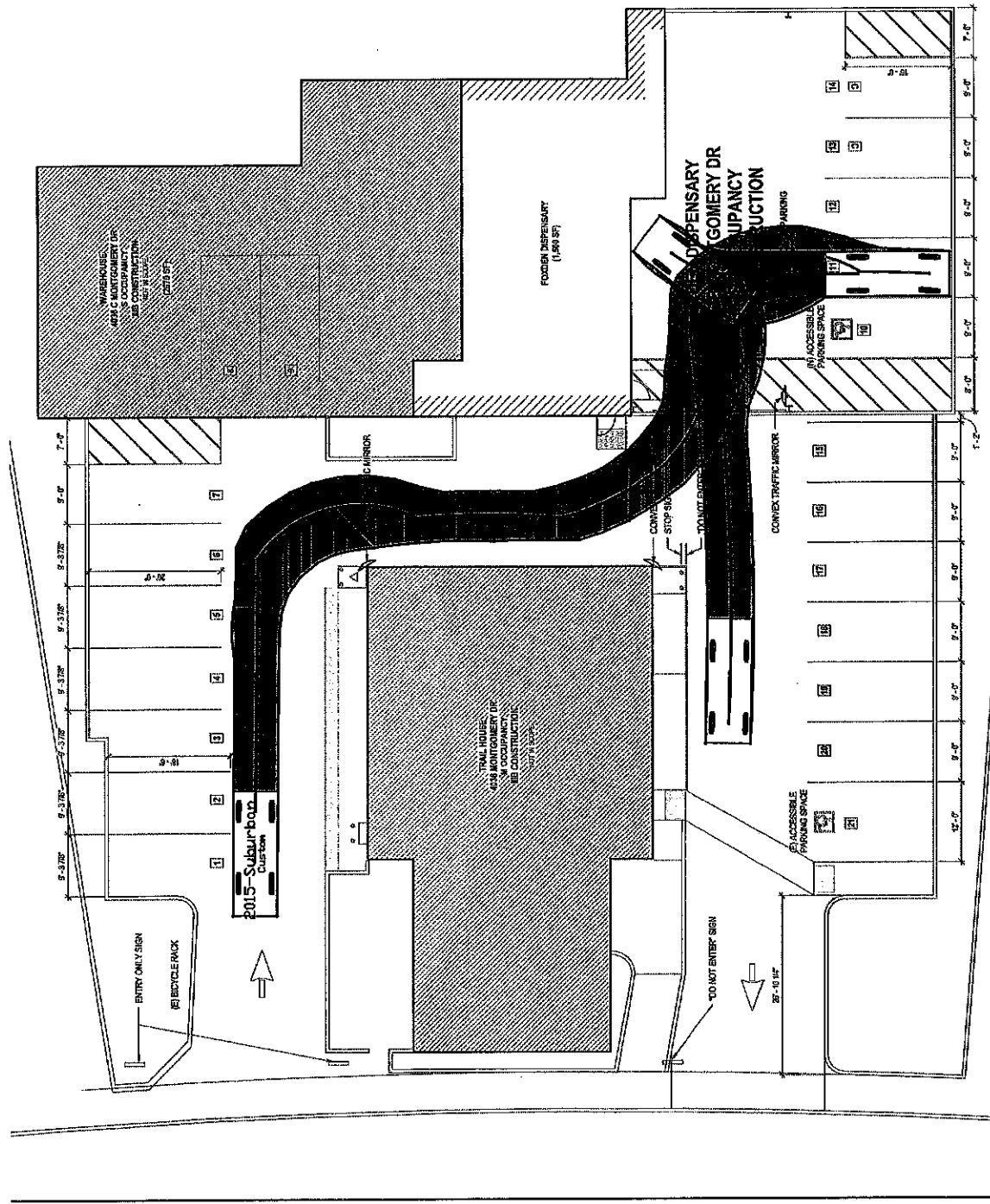


Wheelchair Lift Van

	feet
Width	: 6.67
Track	: 6.67
Lock to Lock Time	: 6.0
Steering Angle	: 31.7

FOX DEN DISPENSARY
4036 Montgomery Drive

AutoTURN Exhibit
Wheelchair Lift Van - Space 10

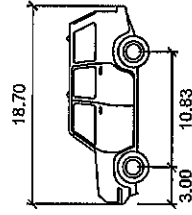
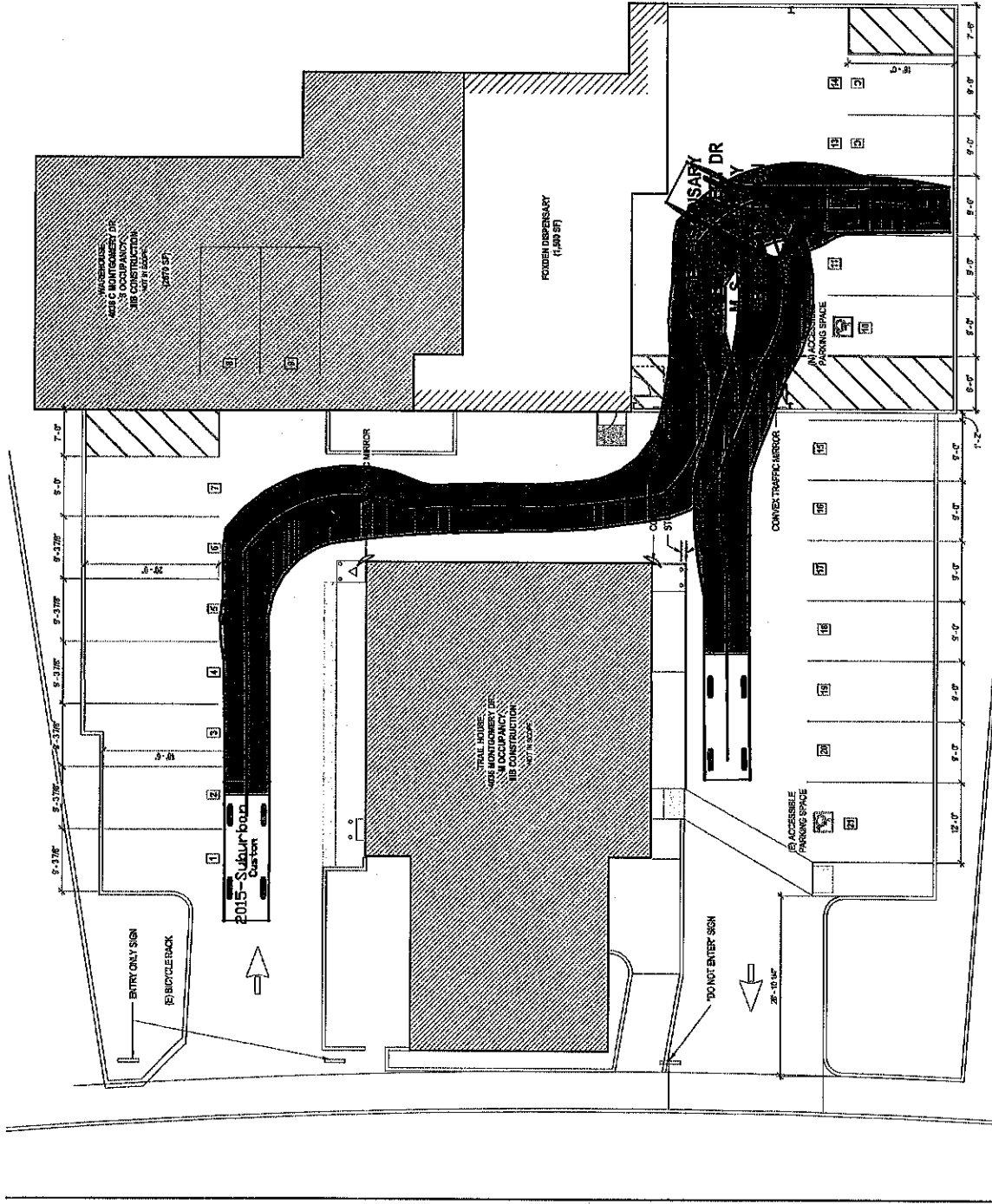


Suburban

	feet
Width	: 6.71
Track	: 5.72
Lock to Lock Time	: 3.4
Steering Angle	: 34.6

AutoTURN Exhibit
Large Passenger Vehicle - Space 11

FOX DEN DISPENSARY
4036 Montgomery Drive

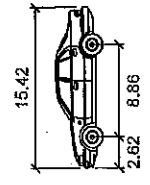
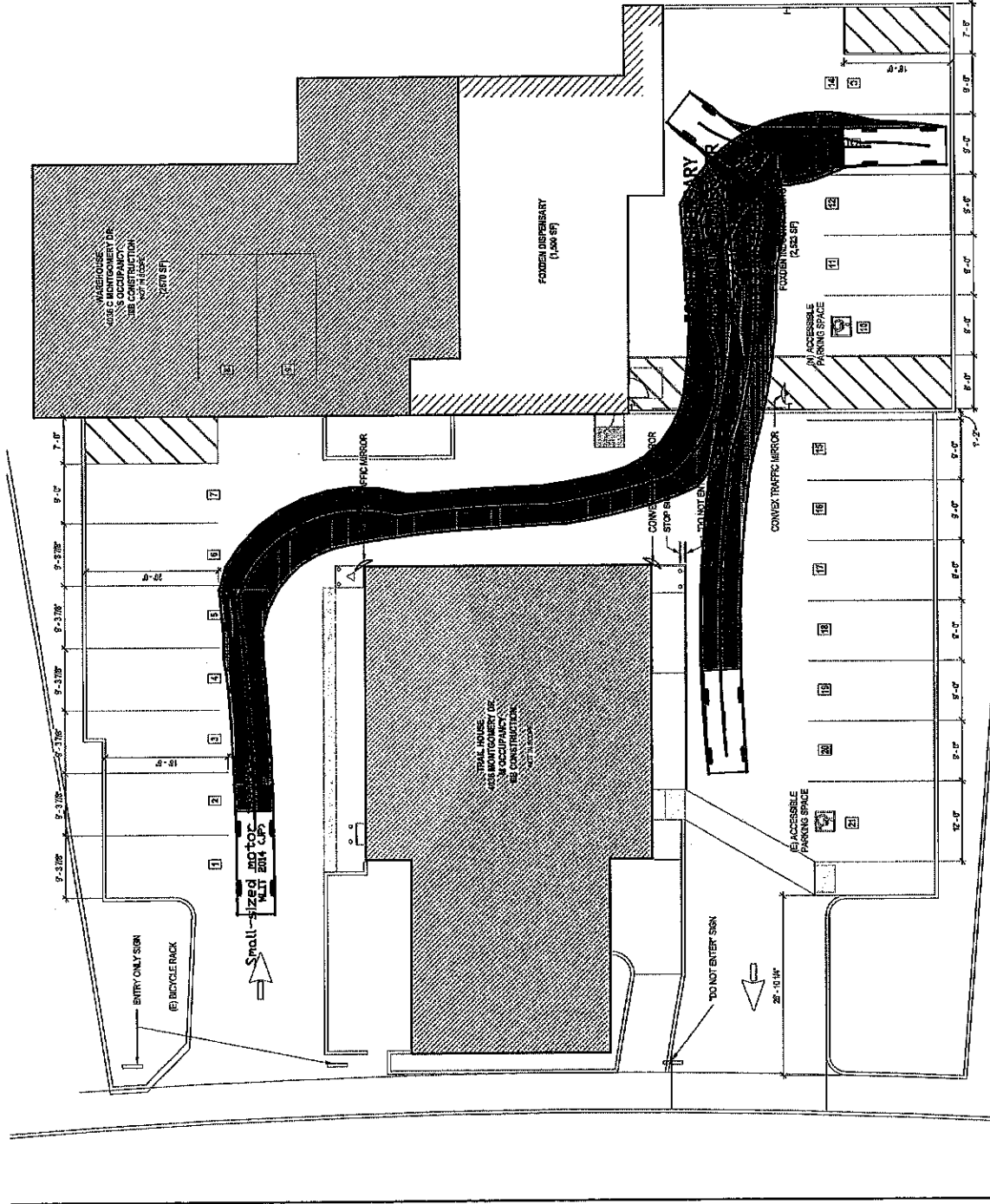


Suburban

feet
 Width : 6.71
 Track : 5.72
 Lock to Lock Time : 3.4
 Steering Angle : 34.6

AutoTURN Exhibit
 Large Passenger Vehicle - Space 12

FOX DEN DISPENSARY
 4036 Montgomery Drive



Compact Vehicle

	feet
Width	: 2.62
Track	: 8.86
Lock to Lock Time	: 6.0
Steering Angle	: 26.7

AutoTURN Exhibit

Compact Vehicle - Space 13

FOX DEN DISPENSARY

4036 Montgomery Drive



May 20, 2016

Richard Kirby
Kirby Construction
3262 Airway Dr.
Santa Rosa, CA 95403

Re: NorCal Bike Sport Trail House – 4036 Montgomery Dr.

Dear Richard:

The purpose of this letter is to confirm that the proposed use of 4036 Montgomery Drive as NorCal Bike Sport Trail House is permitted under City of Santa Rosa Zoning Code and that a Zoning Clearance may be issued.

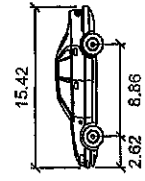
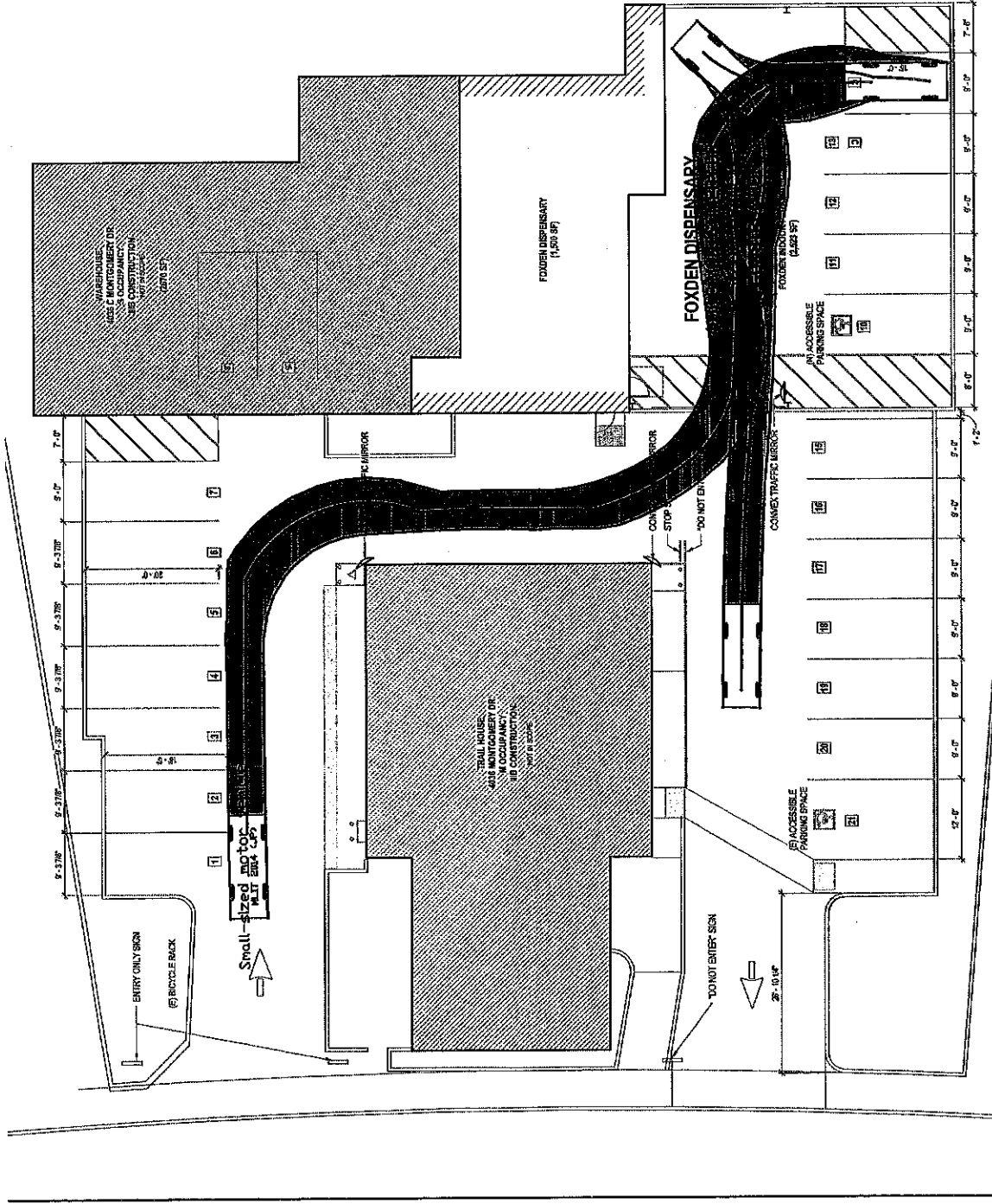
Review of the proposed project has determined that the appropriate Land Use Types are *Retail Trade: Shopping Center* with a parking ratio of 1:250 and *Industry, Manufacturing and Processing, Wholesaling: Warehouse and storage* with a parking ratio of 1:1000. The Gross Square Footage of built space included in the *Retail Trade: Shopping Center* use is 5,780 sf with a parking requirement of 23 spaces. The Gross Square Footage of built space included in the *Industry, Manufacturing and Processing, Wholesaling: Warehouse and storage* use is 4,023 sf with a parking requirement of 4 spaces. The Total Parking Requirement is 27 spaces; however, the current Zoning Code permits a deficiency of 10 spaces when a Change in Use occurs. The revised Total Parking Requirement for NorCal Bike Sport Trail House is 17 spaces. A total of 18 spaces are provided; therefore, a Zoning Clearance may be issued.

Determination of Land Use Type(s)

NorCal Bike Sport – Trail House various proposed business activities include:

- Retail trade (bicycle and bicycle accessories with detached Warehouse and storage);
- Restaurant, café, coffee shop – Counter ordering; and
- Industry, Manufacturing and Processing, Wholesaling.

The current Land Use Type is Distribution Center (ZC10-0492). A majority of the proposed business activities for this location are new activities. The uses are distinct and interdependent of one another but taking place within more than one building on the same parcel and sharing



Compact Vehicle

	feet
Width	: 5.58
Track	: 5.58
Lock to Lock Time	: 6.0
Steering Angle	: 28.7

AutoTURN Exhibit
Compact Vehicle - Space 14

FOX DEN DISPENSARY
4036 Montgomery Drive

the same automobile and bicycle parking, drive aisles, and pedestrian walkways. For this reason, it has been determined that the uses more closely reflect a "Shopping Center."

"Shopping Center" is defined by the Code as "A primarily retail commercial site with three or more separate businesses sharing common pedestrian and parking areas."¹ Those businesses included in the Shopping Center designation for the purpose of calculating the minimum parking requirement include Retail trade, Restaurant, café, coffee shop – Counter ordering, and Industrial and Manufacturing less than 50,000 sf. The Warehouse and storage square footage (4,023 SF) of Retail trade was removed from the Shopping Center designation and assigned to the category Industry, Manufacturing and Processing, Wholesaling because there is no quantifiable employment activity occurring in this space.

The Shopping Center required parking ratio of spaces to gross square feet is 1:250. The Gross Square Footages included are:

- Retail trade less Warehouse and storage (1,751 SF);
- Restaurant, café, coffee shop – Counter ordering (1,257 SF); and
- Industrial and Manufacturing less than 50,000 sf (2,772 SF).

The total gross square footage of the Shopping Center designation is 5,780 SF. Using the parking ratio 1:250, the minimum number of automobile parking spaces required is 23.

The Warehouse and storage required parking ration of automobile spaces to gross square feet is 1:1,000. The Gross Square Footage of the building assigned to Warehouse and storage is 4,023 SF. The minimum number of automobile parking spaces required is 4. Combined, the minimum number of automobile parking spaces required for the proposed NorCal Bike Sport – Trail House at 4036 Montgomery Drive is 27.

Zoning Code Section 20-36.040: Change in Use

It is noted that a majority of the area classified as "Shopping Center" required a change of use from its previous designation. Section 20-36.040 of the City Code describes parking adjustments allowable when change in use occurs without enlarging the space in which the use is located and states that "When a building's use changes to a new use, for example a retail use to a restaurant, 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 10 spaces, or a 25 percent overall reduction from standard parking requirements, whichever is greater."²

A review of proposed site plan indicates that there is no intent to enlarge current space(s) with the re-tenanting of current space(s); therefore, it is determined that no new parking should be

¹ Santa Rosa, California, Municipal Code - Division 7, § 20-70.020, S (2006)

² Santa Rosa, California, Municipal Code - Division 7, § 20-36.040, C2 (2006)

required. The re-tenanting requires 27 parking spaces, and the Parking Plan includes 18 spaces. Because this falls within the 10-space deficiency permitted when a re-tenanting occurs, it is determined that the Parking Plan for the re-tenanting of 4036 Montgomery Drive is approved.

Business Activity	Gross Square Footage	Parking Ratio (minimum parking spaces required)
Shopping Center		1:250
Retail trade	1,852	(07)
Restaurant, café, coffee shop – Counter ordering	1,136	(05)
Industrial and Manufacturing less than 50,000 sf	2,772	(11)
Warehouse and storage	4,023	1:1000 (04)
Total Parking Requirement per Code		27
Less Change in Use Deficiency		10
Total Parking Spaces Required		17

Please bring a copy of this letter with you when seeking a Zoning Clearance for this project. If you have any questions, please feel free to contact me at (707) 543-3185, or by email at chartman@srcity.org.

Sincerely,



CLARE HARTMAN
Deputy Director - Planning



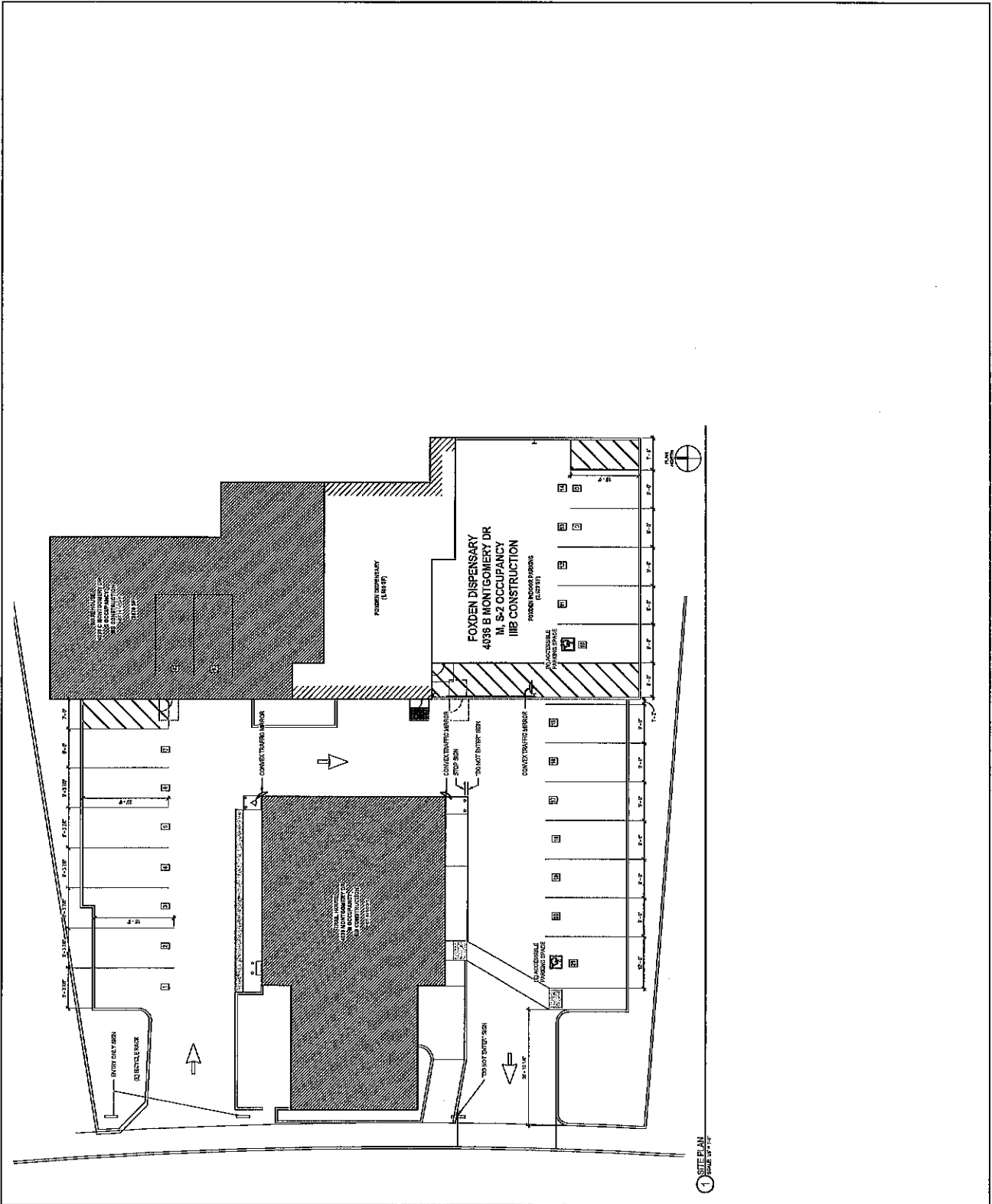
DGA planning | architecture | interiors

250 The Strand, Newport Beach, CA 92660
311 Alton Street, Suite 300, Newport Beach, CA 92660
714.251.0300
714.251.0300
714.251.0300

CUSTOMER: HYPERION
PROJECT: FOXDEN DISPENSARY
ADDRESS: 4038 B MONTGOMERY DRIVE
SANTA ANA, CA 92705
PROJECT NO.: 18115
SCALE: 1/8" = 1'-0"
TITLE: SITE PLAN

ASI01
DGA planning architecture interiors 2017 ©

Revision table with columns NO., DESCRIPTION, and DATE.



1 SITE PLAN
SCALE 1/8" = 1'-0"



1



Bliss, Sandi

From: Lauren Funaro <lauren@goldenstategr.com>
Sent: Monday, December 2, 2019 4:34 PM
To: _CityCouncilListPublic; Nick Caston
Subject: [EXTERNAL] Oakmont Support Pledge Fox Den Dispensary
Attachments: Fox Den Support Petition.pdf

Hey all,

Attached is a petition signed by members of the Senior Living Community, Oakmont Village and the Oakmont Cannabis Club in support of the Fox Den dispensary project on Montgomery Drive.

Thank you, please feel free to contact me with any questions.

Best,

Lauren Funaro, CTA
Marketing and Event Associate
Golden State Government Relations
lauren@goldenstategr.com
(707) 595-7004 ext. 705

Check out our [website](#) and [blog](#)!

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal. Unless otherwise stated, opinions expressed in this e-mail are those of the author and are not endorsed by the author's employer.

DISCLAIMER: The content of this e-mail and any attachments are for informational purposes only and do not constitute legal advice. Golden State GR is a consulting firm and is not a law firm, CPA or regulatory agency. You should consult with an attorney or CPA concerning legal and tax matters.



PETITION IN SUPPORT OF FOX DEN DISPENSARY
4036 Montgomery Drive, Santa Rosa

We, the members of the Oakmont Village Residential Community, pledge our support for the Fox Den cannabis dispensary proposed at 4036 Montgomery Drive. This location allows our members much-needed access to therapeutic cannabis products that are not currently available in our geographic area. Our members look forward to being patrons of the new facility.

Printed Name	Signature	Address	Date
Sylvan M. Lifschitz		6426 Meadow Creek Santa Rosa	12/2/19
Pat Reynolds		6480 Meadowridge Dr, Santa Rosa	12-2-19
Betty Groce		411 Trail Ridge Ct Santa Rosa 95409	12/2/19
Jeffrey Sheff		6875 Fairfield Dr 95409	12/21/19
Heidi Klyn		6338 Pleasant Vista Pl. Santa Rosa,	12/2/19
Dean Mitchell		409 Deerfield Cir Santa Rosa 95409	12/2/19
George R. McCracken		58 Autumn Leaf Drive Santa Rosa, CA 95009	12/2/19
SUE RIDGWAY		6335 PLEASANT VISTA PL SANTA ROSA, CA 95409	12/2/19
Jeanie Hersh		8941 Acorn Pl Santa Rosa, CA 95409	12/2/19
Marion Fishman		933 Belmore Ct Santa Rosa 95409	12/2/19
Kathy Hammel		9253 Oak Trail Circle Santa Rosa 95409	12/2/19
Leslie Garvin		404 Oak Point Ct 95409	12/2/19
Rita McBride		OAKMONT SANTA ROSA, CA 95409	12/2/19

PETITION IN SUPPORT OF FOX DEN DISPENSARY
 4036 Montgomery Drive, Santa Rosa

We, the members of the Oakmont Village Residential Community, pledge our support for the Fox Den cannabis dispensary proposed at 4036 Montgomery Drive. This location allows our members much-needed access to therapeutic cannabis products that are not currently available in our geographic area. Our members look forward to being patrons of the new facility.

Printed Name	Signature	Address	Date
Donna James	<i>Donna James</i>	476 Hillsdale ^{SR} Dr	12-1-19
Shera Carlton	<i>Shera Carlton</i>	345 Pythian Pl	12-2-19
DEANNA MATTOX BARBARA + JOE BERNAL	<i>Deanna Mattos</i>	65 Aspen Meadows Ct	12-2-19
Helen Selenati	<i>Barbara Bense</i>	7040 Overlook Drive	12/2/19
Bob Whipps	<i>Melvin</i>	46 Oak Island Cir SR, 95409	12/2/19
Wendy Coletta	<i>Wendy Coletta</i>	7284 Oakmont Dr SR S. Rosa	12/2/19
Liane Testella	<i>Liane Testella</i>	4260 Trail Ridge Pl. Oakmont	12.2.19
Bill Dean	<i>Bill Dean</i>	472 Oak Brook Ct ^{SR}	12-2-19
Gandi Black	<i>Sandra Black</i>	209 Bolhaven Circle	12-2-19
Victoria Galis	<i>Victoria Galis</i>	329 Two Lakes Dr	12/2/19
SHARON BERTERMAN	<i>Sharon Berteman</i>	284 Mockingbird Cir.	12/2/19
Pennijean Savage	<i>Bonase</i>	20 Glenview St.	12-2-19

17.2

Bliss, Sandi

From: Ursu, Emmanuel
Sent: Monday, December 2, 2019 5:11 PM
To: Bliss, Sandi; Manis, Dina; Trupiano, Nicole
Cc: Rose, William; Hartman, Clare
Subject: FW: [EXTERNAL] Appellant's supplemental response to re-submission of Fox Den's CUP Application for 4036 Montgomery Drive
Attachments: Transp Peer Review from Colin Burgett_Dispensary Resubmittal for Dec. 3, 2019 Hearing.docx; Letter to Councilmembers from Matt Wolfinger regarding Fox Den Appeal Dec 3rd.docx; Letter from Mike Schwartz ISO Appeal Hearing Dec. 3, 2019.pdf

For the Fox Den appeal on the 12/3/19 City Council agenda...

-----Original Message-----

From: Pamela Stevens <Stevens@smlaw.com>
Sent: Monday, December 2, 2019 4:09 PM
To: Ursu, Emmanuel <eursu@srcity.org>
Cc: Hartman, Clare <CHartman@srcity.org>; Rose, William <WRose@srcity.org>; Jessica Fires <Fires@smlaw.com>
Subject: [EXTERNAL] Appellant's supplemental response to re-submission of Fox Den's CUP Application for 4036 Montgomery Drive

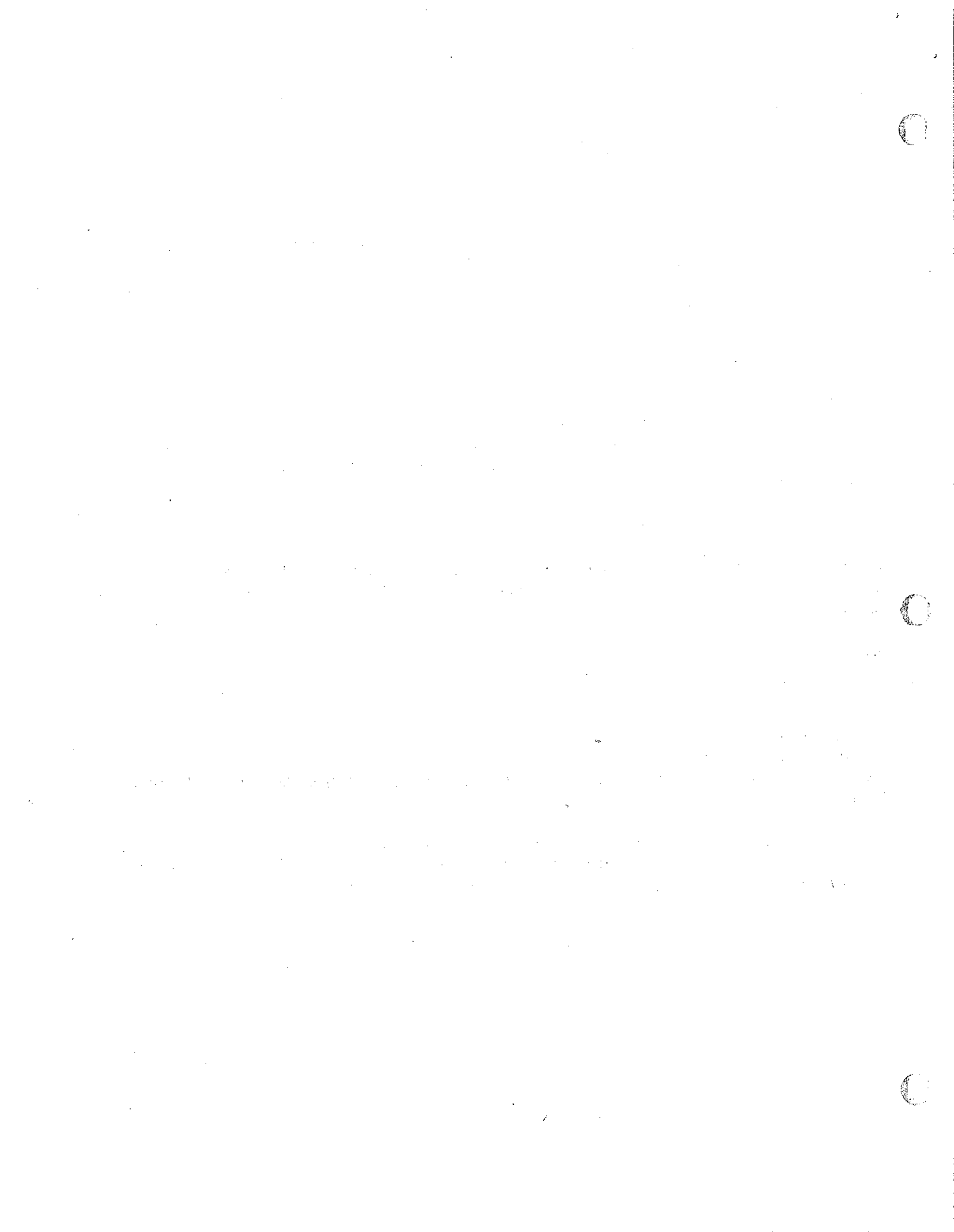
Hello Emmanuel,

Please find attached Appellant's supplemental response to Fox Den's re-submission for the CUP application for 4036 Montgomery Drive, which is scheduled for hearing tomorrow. Please confirm receipt and let me know if you have any questions.

Best,
Pamela

Pamela E. Stevens
Spaulding McCullough & Tansil LLP
90 South E Street, Suite 200 | Santa Rosa, CA 95404 Tel (707) 524-1900 | Fax (707) 524-1906 www.smlaw.com
Stevens@smlaw.com

This email message contains information that may be confidential and privileged. Unless you are the addressee (or authorized to receive messages for the addressee), you may not use, copy, or disclose this message (or any information contained in it) to anyone. If you have received this message in error, please advise the sender by reply email and delete this message.





Technical Memorandum

Date: November 20, 2019

To: Pamela E. Stevens
Spaulding, McCullough & Tansil LLP

From: Colin Burgett
Senior Project Manager

Jurisdiction: City of Santa Rosa

Subject: **Resubmittal of Fox Den, Inc. (Proposed Cannabis Dispensary) Conditional Use**

This memorandum provides parking and traffic comments based on review of the August 2019 resubmittal of the proposed conditional use permit for a Cannabis Dispensary and Delivery business at 4036 Montgomery Drive in Santa Rosa. Based on the information provided:

- The dispensary would occupy approximately 1,500 square feet of an existing building (reduced from 1,773 square feet)
- The dispensary proposes to operate with a supply of six permanent on-site motor vehicle parking spaces (including five indoor garage spaces to be accessed by a dead-end drive aisle) to serve customers and deliveries; and four off-site leased spaces for use by employees
- The dispensary proposes to reverse the directional flow within the existing parking lot aisle that would be shared with the Trail House bicycle-friendly café and ale house
- The resubmittal indicates a combined on-site parking supply of 21 spaces (including the five indoor garage spaces), which the applicant states to be eight spaces fewer than the Santa Rosa City Code requirement of 29 spaces for the overall site

KEY FINDINGS AND RECOMMENDATIONS

Based on our review of the resubmittal and accompanying traffic study, our key findings are as follows:

1. **The Fox Den traffic study (dated August 1, 2019) does not include the busiest hours of operation for the dispensary, that are most relevant for evaluating on-site circulation, parking access and turnover, peak volumes entering & exiting the driveways and parking spaces, and the effect on Trail House.** The applicant's traffic study focuses only on the work-commute periods that occur on weekdays between 7:00 and 9:00 a.m. and 4:00 to 6:00 pm, with a predicted p.m. peak hour volume of 27 vehicle trips generated by the dispensary. However, ITE data indicates that dispensaries generate much higher rates of traffic at other times of day, from 12:45 to 1:45 pm., and

www.TJKM.com

PLEASANTON ♦ SAN JOSE ♦ SANTA ROSA ♦ OAKLAND ♦ SACRAMENTO ♦ FRESNO

Corporate Office: 4305 Hacienda Drive, Suite 550, Pleasanton, CA 94588

Phone: 925.463.0611 Fax: 925.463.3690 Email: tjkm@TJKM.com

DBE #40772 ♦ SBE #38780

from 5:45 pm to 6:45 pm on weekdays, while the highest volume of traffic generated by dispensaries was found to occur on weekends.

- a. Based on the weekend and mid-day/late evening data collected by ITE (and reducing by 16 percent based on the Santa Rosa dispensary data cited in the applicant's traffic study): **the dispensary would generate 46 vehicle trips during the busiest one-hour period on Saturday, and 38 vehicle trips during the business one-hour period on weekday afternoons. Given this level of hourly traffic during peak business hours: up to 23 vehicles would be competing for use of the six on-site parking spaces during peak business hours. Even if customers limit their visits to less than 15 minutes: overlap will occur between arriving and departing customers, while customer arrival patterns within an hour is unlikely to be evenly distributed, but will vary between 15-minute increments. In addition: it would be unusual for a "dead-end" parking aisle to provide access to customer parking spaces with such a high rate of turnover. (Dead-end parking access aisles are more commonly found in residential or office developments with lower rates of turnover).**
2. **Based on parking demand data for dispensaries surveyed by ITE: the proposed supply of customer parking (six on-site spaces) would be inadequate to accommodate customer vehicles and delivery vehicles during peak business hours.** In addition based on parking data collected at dispensaries by the Institute of Transportation Engineers (ITE): a similarly sized 1,500-square foot dispensary was found to have a daily peak parking demand of 20 vehicles parked, while a 750-square foot dispensary had a peak demand of 15 vehicles parked. All of the dispensaries surveyed by ITE were found to have a daily peak parking demand of at least 13 vehicles parked, with larger dispensaries found to have lower rates of parking demand based on the ITE data.
 - a. **The August 1, 2019 traffic study accompanying the resubmittal provided no estimate of the anticipated daily peak parking demand (i.e., anticipated number of vehicles parked during peak business hours at the dispensary).** Instead, the traffic study simply stated that the dispensary would meet the Santa Rosa Code requirement of one parking space per 250 square feet by providing six on-site parking spaces. However, the Santa Rosa code requirement for cannabis dispensaries is not based on actual demand, since it was adopted prior to the availability of parking demand data for dispensaries (and prior to dispensaries operating in Santa Rosa). Instead, the city code simply requires dispensaries to provide the same amount of parking as generic "retail trade uses" (while some retail uses are required to provide a much larger supply: as much as one space per 50 to 75 square feet, and for some uses: the code specifies that the required provision of parking is to be determined by the CUP process). The applicant's

traffic study should provide an estimate of anticipated parking demand (number of vehicles parked) during peak daily business hours at the dispensary, based on ITE data as well as parking demand data from dispensaries in Santa Rosa. This should include peak business hours on weekends as well as weekdays.

3. **The proposed reversal to the direction of travel within the parking aisles would have minimal benefit while resulting in some new concerns.**
 - a. By reversing the direction of travel, motorists would enter on the left (instead of traveling on the right), and inbound and outbound motorists would thus cross paths (increasing the number of conflicting movements adjacent to the driveways).
 - b. By entering on the left (at the north driveway), inbound motorists would thus approach the outdoor seating area used by Trail House when making a left-turn or right-turn into the parking lot. Since inbound turning movements tend to occur at a higher speed than outbound turning movements: it would be preferable for inbound movements to not occur near the outdoor seating area.
 - c. The reversal would obstruct the view of arriving motorists into the proposed indoor garage parking area, thus making it difficult for arriving motorists to determine if any spaces are vacant until they began turning into the garage.

4. **The Fox Den traffic study (August 1, 2019) cites trip generation data collected at existing Santa Rosa dispensaries in reducing the weekday peak hour vehicle trip generation forecast by 16 percent during the p.m. peak hour, but the traffic study provides no supporting documentation.** The traffic study report should specify the locations surveyed, and the count data should be provided in the appendix. In addition: it would also be relevant to document parking demand (peak number of vehicles parked, and the corresponding rate of vehicles per square feet) at the existing Santa Rosa dispensaries.

- Does the business at 4325 Montgomery Drive have 4 parking spaces to lease? 4325 Montgomery is a smog shop named Empire Sport West and has 5 total parking spaces in front of their building; 1 handicap space and 4 standard spaces. Leasing 4 spaces would leave that business with just 1 handicap space and under-parked based on City Code. See attached overhead image of this location.
- These parking spaces are not visible from 4036 Montgomery Drive and are over a quarter mile away. Walking from the offsite parking to Fox Den would require cross two streets, one of them being Montgomery Drive.
- Applicant provides no safety plan for employees making this walk from a cash based business containing a highly sought after black market product. R&B Dispensary, proposed at 900 Santa Rosa Avenue and approved to operate a retail dispensary, includes offsite parking as part of their parking mitigation plan. This parking is directly across the street from their location. In addition to the close proximity, R&B has in place a security plan to keep employees safe while accessing offsite parking.
- There is no plan to manage the Trail House and Fox Den dedicated parking at 4036 Montgomery Drive. No one wants to see "parking wars," as a councilmember put it, happen over customers parking in the incorrect spaces.
- During April's appeal meeting, the Applicant proposed a project with 22 parking spaces. City Council rejected this project and asked the Applicant to find additional parking. The Applicant is now asking City Council to accept a new project that only provides 21 parking spaces with a retail area reduction equal to the amount required to reduce their parking requirement by 1. The Applicant is asking the City to approve the same project parking parameters and has not improved the parcel wide parking condition.
- The parking requirement for the parcel, as listed by the Applicant, is 29. Only by using the parking reduction of 10 spaces acquired by Trail House in 2016, when a specialty trade contractor operated out of the proposed dispensary, does the Applicant's project meet the parking requirement. Does replacing a low intensity specialty trade contractor with a high intensity cannabis retail business fit within the original intent of the parking reduction?

2.) Reversing onsite circulation creates new safety issues while not alleviating the excessive intensity proposed for the site

Fox Den's re-submission attempts to remedy the on-site traffic and safety issues by reversing the direction traffic circulates around the center building, Trail House, from counter-clockwise to clockwise. This proposal creates several new issues.

- Short term, this creates a serious safety issue as existing Trail House customers adjust to the new traffic pattern.
- Inbound and outbound motorists would now cross paths; vehicles entering Trail House now drive past those exiting. This atypical entrance/exit setup increases the number of conflicting vehicle movements, creating additional traffic in the driveway during peak trip generation. The potential for a "gridlock" is highly probable.
- Perhaps the most significant negative impact due to reversing the traffic circulation is from vehicles entering the driveway via a left hand turn off Montgomery Avenue. Vehicle circulation did not exist when Trail House remodeled the main building on the lot and it was a conscious decision, approved by the Planning Department, to have traffic circulate counter-clockwise. This circulation provides the greatest protection to the outdoor seating area and most highly trafficked pedestrian and cyclist entrance for Trail House. Inbound turning movements, particularly those crossing two lanes of traffic, tend to occur at higher speeds than outbound turning movements. In the interest of safety, it would be preferable to maintain the current circulation and avoid these new conflicts.

3.) The Applicant fails to address accessibility issues that could have significant impact on Trail House's business

Fox Den's resubmission does not show solutions to pedestrian accessibility from Montgomery Drive to their main entrance.

- Trail House has requested an accessible path of travel from the public way (Montgomery Drive) to be shown on more than one occasion and as yet have not seen any workable solution.
- Applicant's newest plan includes re-grading about 25% of the parking lot to address the severe slope leading up to their front door, presumably due to accessible path of travel concerns. Several council members were averse to approval if this included re-grading the parking lot. This improvement also shows they're conscious of needing an ADA compliant path of travel from the public way but still fail to show how this would be accomplished.

- I've read or watched the previous 4 Planning Commission meetings with a retail cannabis permit hearing and viewed the site plans for each of these proposed businesses. **All** of the projects that required accessible path of travel from the public way included this in either their first submission or a re-submission. We are only asking for the Applicant to provide information that appears to be standard practice.

Thanks for taking the time to read through these issues and I hope you will keep them in mind when address the Applicant and City Staff during Tuesday's meeting. If you have any questions of me feel free to reach out at matt@norcalcycling.com or by phone at 412-952-0072.

-Matt Wolfinger





S/A

SCHWARTZ ARCHITECTURE
SANTA ROSA, CA
707.478.4949

December 2, 2019

City of Santa Rosa
City Council

Re: Public Hearing – Fox Den, Inc. Conditional Use Permit

Dear City Council Members,

The CUP application appears to be incomplete and does not adequately address findings (c), (d), and (e) from the 4/9 City Council meeting.

(c) The design, location, size and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity

(d) The site is physically suitable for the type, density and intensity of the use being proposed, including access, utilities, and the absence of physical constraints

(e) Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience or welfare; or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located

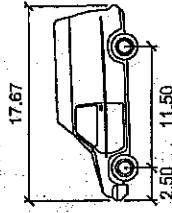
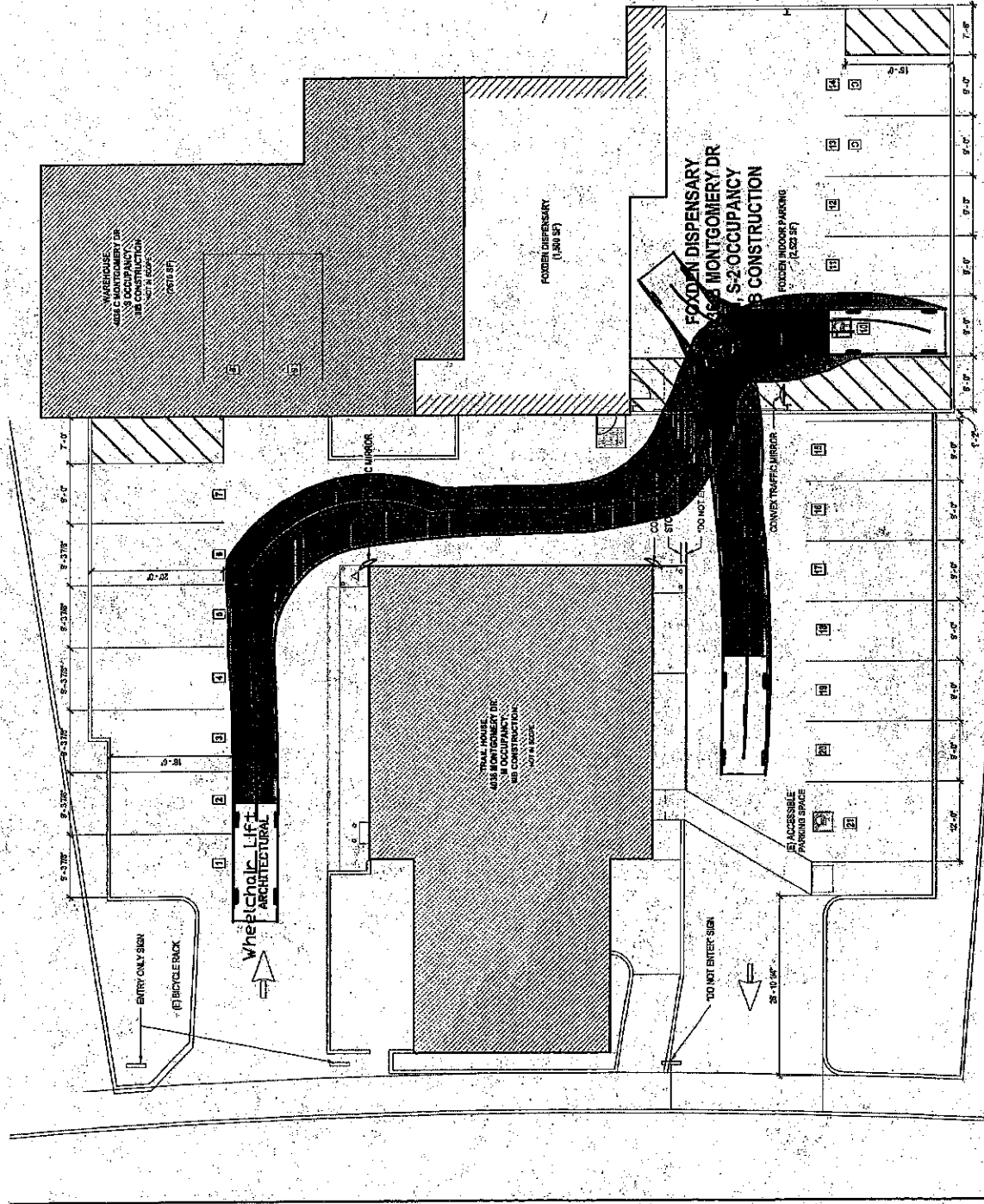
1. Pedestrian access has not been provided to project area from the public way
 - a. This is required both for pedestrian access to the project area and for emergency egress
 - b. Design intent should be indicated on the site plan to indicate path of travel from Montgomery Drive to the Fox Den entry
 - c. Design intent should be indicated on the site plan to show how pedestrians will safely negotiate hazardous vehicular areas
 - d. Design intent should be indicated on site plan to indicate how pedestrians will safely access building entry
2. Traffic Study - Not enough parking
 - a. There are (18) existing parking spaces
 - i. (14) Spaces belong to Trail House
 1. The parking lot at Trail House is generally understood to be at or beyond capacity
 - ii. (4) Spaces belong to the Project Area
 1. The Traffic Study indicates that the existing use generates (41) daily trips which are served by (4) parking spaces
 2. The Traffic Study indicates the proposed use will generate (338) daily trips
 - b. Fox Den - proposed parking changes
 - i. Adds (3) parking spaces onsite for a total of (21) spaces
 1. Includes (2) accessible spaces
 - a. (1) Van Accessible at Trail House
 - b. (1) Accessible at Fox Den garage
 2. (1) space would be dedicated to the Fox Den delivery driver
 3. (1) space would be needed for onsite security as described in the CUP

- application
4. (4) spaces would be available for Fox Den customers
 - a. (4) spaces previously served (41) daily trips
 - b. (4) spaces will now need to serve (338) daily trips
 - i. Increase in intensity of use by (297) daily trips
 - ii. (1) Space is accessible and these are typically less utilized than standard spaces
 - iii. Each space would need to turn over at least (7) times an hour
 1. Assumes accessible parking is in continuous use and turns over at same rate as other parking
 5. (1) additional space would be assigned to Trail House to increase their total parking to (15) spaces
 - ii. Adds 4 staff parking spaces offsite
 1. 4325 Montgomery Drive as proposed by project application appears to be inadequate for this use (See Attached)
 2. Documentation of Parking Agreement not included in application
3. Vehicular navigation
- a. Traffic Study indicates that traffic flow should be reversed
 - i. This creates a hazardous condition for the outdoor dining area where cars are turning in towards the area
 - ii. Reversing traffic flow creates a restricted right turn to navigate between Trail House and the trash enclosure
 - iii. AutoTURN parking diagrams (See Attached)
 1. Every diagram provided in Traffic Study demonstrates that the proposed garage door is not wide enough for bi-directional vehicular traffic because vehicle paths overlap for inbound and outbound conditions
 2. Proposed reversed traffic flow creates cross-traffic condition at garage entry
4. Secure Storage
- a. Proposed plans indicate 50 sf for Secure Storage.
 - i. When required door clearance is removed, only 27.5 sf remain
 - ii. See attached "Inventory Procedures" from CUP application
 - iii. Size of Secure Storage appears to be inadequate
 - iv. Resupply for dispensary is required to occur during business hours and could necessitate emptying and closure of parking garage at each occurrence

Sincerely,

Mike Schwartz

Mike Schwartz, Architect, NCARB, MBA
707.478.4949
Mschwartz.arch@gmail.com



Wheelchair Lift Van

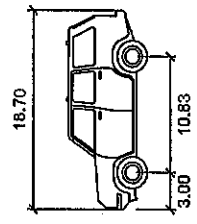
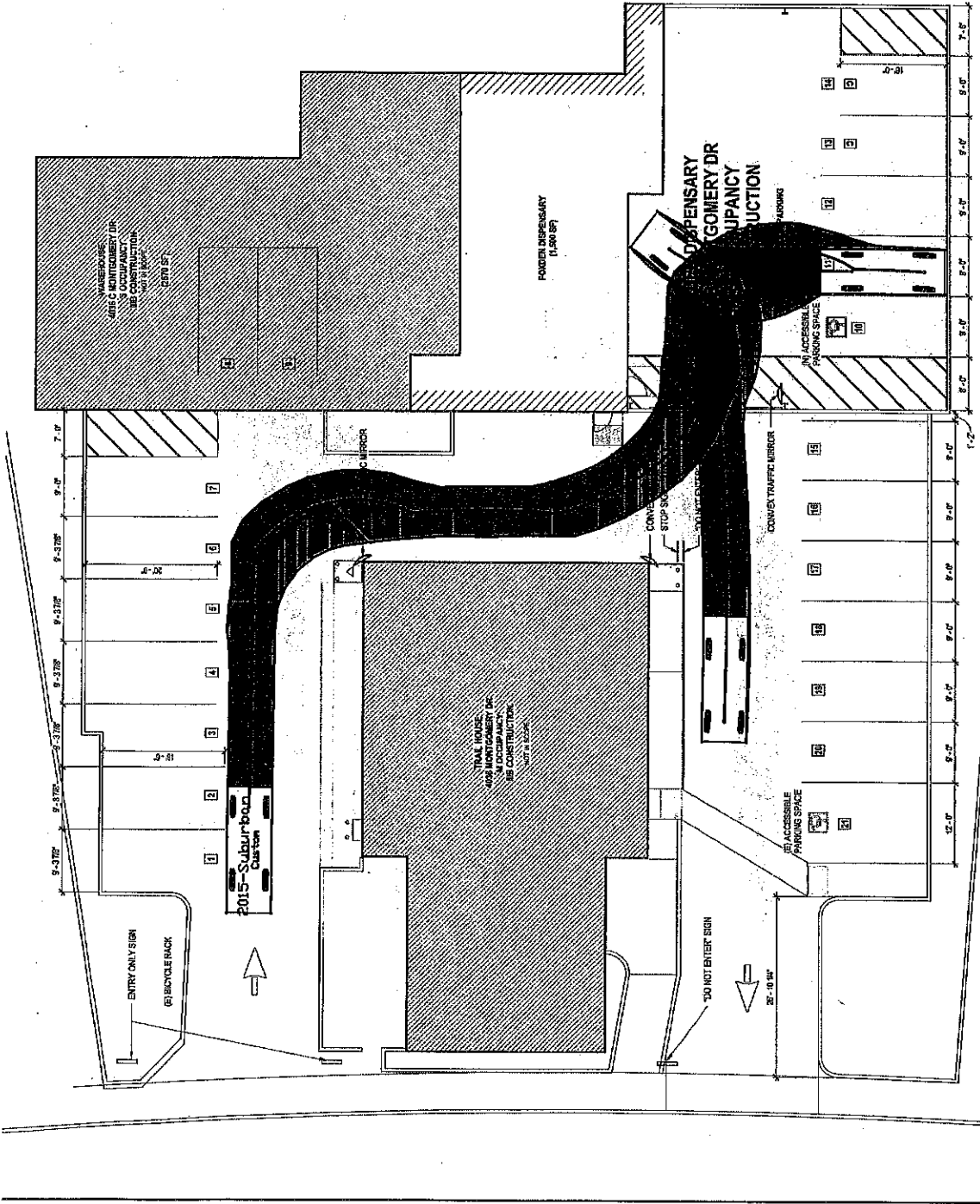
	feet
Width	: 6.67
Track	: 6.67
Look to Lock Time	: 6.0
Steering Angle	: 31.7

FOX DEN DISPENSARY

4036 Montgomery Drive

AutoTURN Exhibit

Wheelchair Lift Van - Space 10



Suburban

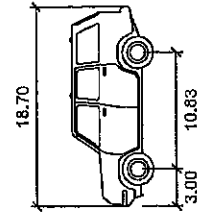
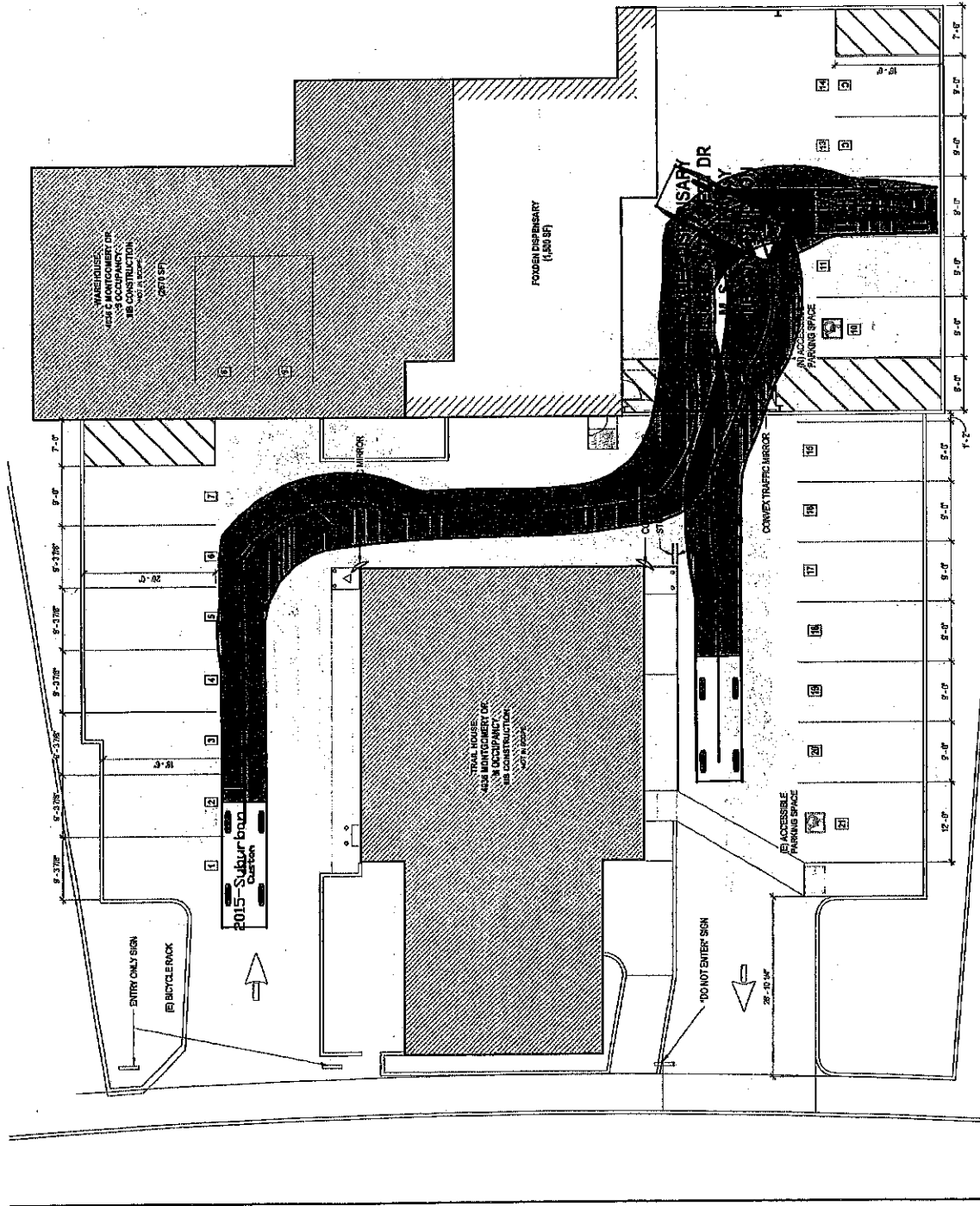
Suburban	feet
Width	: 6.71
Track	: 5.72
Lock to Lock Time	: 3.4
Steering Angle	: 34.6

AutoTURN Exhibit

FOX DEN DISPENSARY

4036 Montgomery Drive

Large Passenger Vehicle - Space 11



Suburban

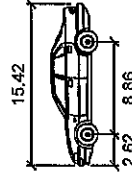
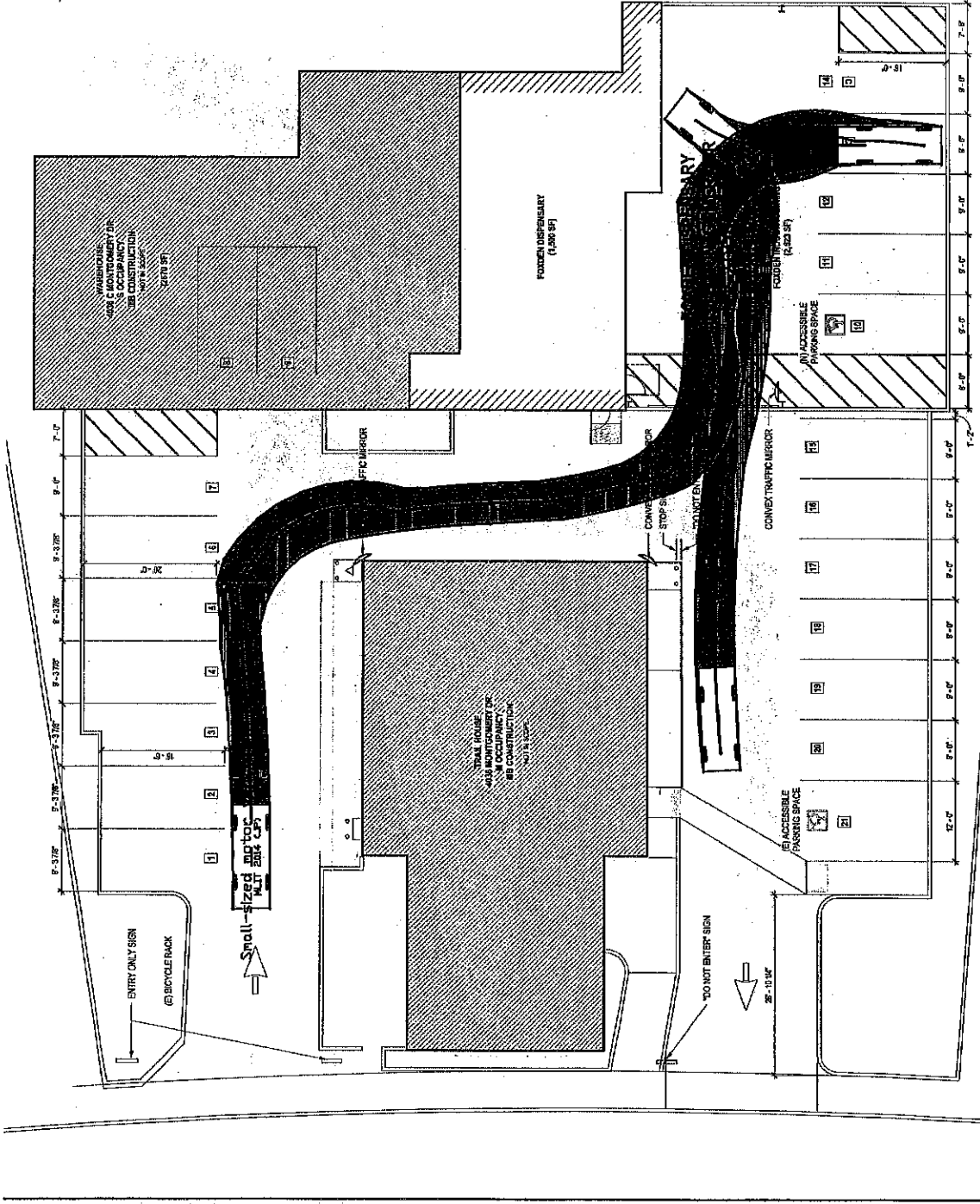
	feet
Width	: 6.71
Track	: 6.72
Lock to Lock Time	: 3.4
Steering Angle	: 34.6

AutoTURN Exhibit

Large Passenger Vehicle - Space 12

FOX DEN DISPENSARY

4036 Montgomery Drive

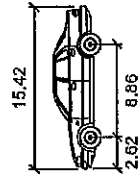
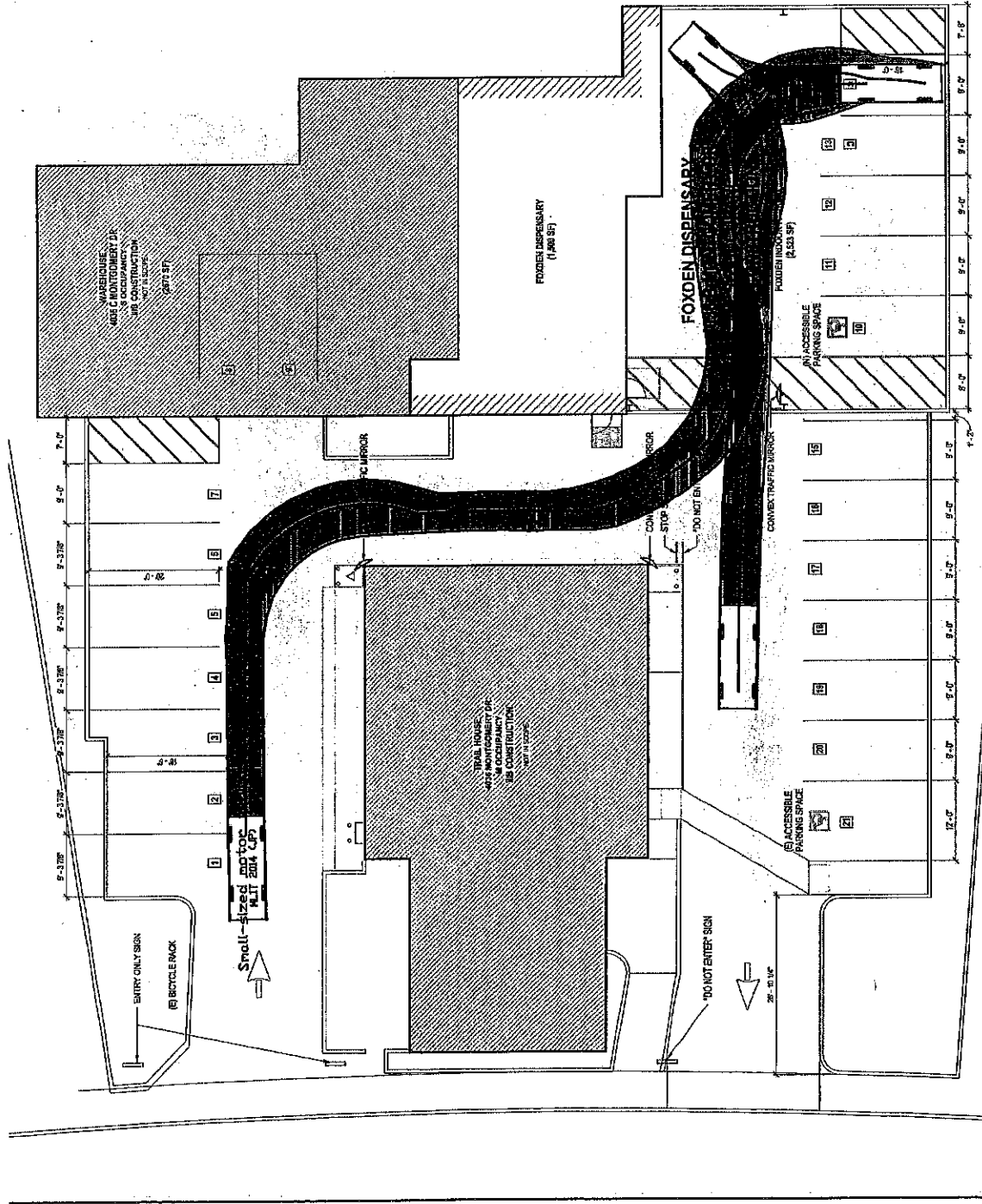


Compact Vehicle

	feet
Width	: 5.58
Track	: 5.58
Lock to Lock Time	: 6.0
Steering Angle	: 26.7

AutoTURN Exhibit
Compact Vehicle - Space 13

FOX DEN DISPENSARY
4036 Montgomery Drive



Compact Vehicle
 feet
 Width : 5.58
 Track : 5.58
 Lock to Lock Time : 6.0
 Steering Angle : 26.7

AutoTURN Exhibit
 Compact Vehicle - Space 14

FOX DEN DISPENSARY
 4036 Montgomery Drive

FoxDen / Standard Operating Procedures Inventory Procedures

Inventory Procedures

Product Intake/Receiving

We only accept products from licensed distributors. All distributors will be reviewed and approved by the Purchasing Manager. The following are Standard Operating Procedures for product intake:

All distributors must first submit their state issued licensed and full menu for review by Purchasing Manager prior to any business agreements.

Upon review by Purchasing Manager, approval will be granted based on inventory needs, compliance with state regulations for products including testing, alignment with current menu, professionalism, and price.

Upon approval, orders will be placed by Purchasing Manager either through an online ordering system, telephone, email, or in person.

Prior to arrival, all deliveries will be scheduled at least 48 hours in advance by Purchasing Manager.

Upon arrival, representative for respective licensed distributor will sign in with security guard and be permitted access to the dispensary through a limited access entrance.

Representative for licensed distributor will meet with Purchasing Manager in limited access zone within the dispensary.

Representative for licensed distributor will provide drivers license to be copied and kept on file with all delivered invoices.

Representative for licensed distributor will verify in person fulfillment order.

Purchasing Manager will verify with representative for licensed distributor that payment including excise tax is furnished upon delivery and is accurate.

Representative for licensed distributor will exit through limited access entrance.

Purchasing Manager then will create and receive a purchase order through point of sales software.

Purchasing manager will issue order to Inventory Manager to verify the order. Inventory Manager will check in order and necessary signage and labels will be created for the product prior to putting it out on the floor, and a sample will be taken for the display case. A portion of the product will be issued to the floor for dispensing, and the remainder will be issued to secure storage.

All products will be added to the menu board once they are made available on the floor.

Products are then ready to be allocated to qualified individuals as per state regulations.

Inventory Storage and Records of Storage

Proper product handling, storage, and recording procedures are necessary to ensure that the products we offer are of the highest quality, not contaminated in any way, and can accurately conform to the standards of track and trace. The following are Standard Operating Procedures for inventory handling, storage, and records of storage:

Inventory Storage

All handling of cannabis product is to be performed by dispensary staff only.

All products are stored in a secure limited access inventory room which is only accessible by approved managers.

All products are stored in environments that are ideal for cannabis preservation.

All back-stock is stored in a secure inventory room that is devoid of direct sunlight and does not exceed temperatures contrary to product preservation.

All cannabis products are stored in opaque and clearly labeled containers for ease of inventory reconciliation purposes.

Before being issued to the floor stock, barcoding will occur if product already does not have an existing barcode.

All floor-stock inventory will be stocked based upon daily needs in secure cabinets and drawers.

Records of Storage

All inventory records are kept digitally in an inventory management system.

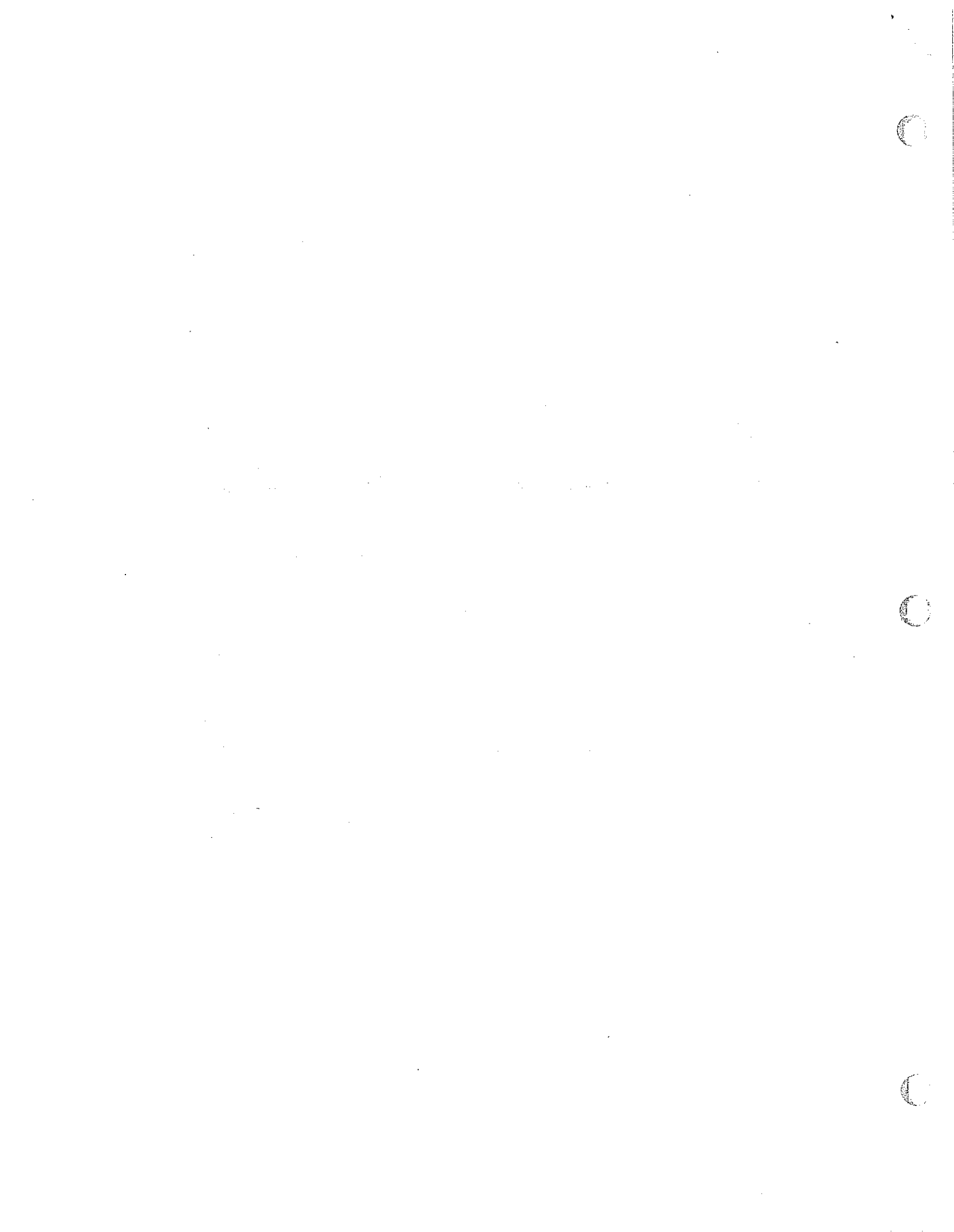
Every 14 days per state guidelines inventory recording is performed by physical hand counting. This every 14-day physical inventory recording is documented digitally as well as in hand copy form.

For new inventory acquisition, once received by purchasing manager, inventory is transferred to inventory manager for verification and appropriate labeling.

Inventory manager will issue what is necessary to be transferred to floor stock, appropriately documenting, and if the level does not exceed overall acquisition the remainder will be kept securely within back stock storage.

Before being issued to the floor stock, barcoding will occur if product does not have an existing barcode.

Daily restocks from back-stock to floor-stock will be performed on an as-needed basis.



Bliss, Sandi

17.2

From: Alexa Wall <alexa@lumacalifornia.com>
Sent: Monday, December 2, 2019 2:28 PM
To: _CityCouncilListPublic
Subject: [EXTERNAL] FULL SUPPORT FOR FOX DEN
Attachments: FoxDen_Support.pdf

Please see my attached letter in support of Fox Den. Thank you!

--

Alexa Rae Wall
CEO, Luma California
Co-Owner, Moonflower Cannabis Delivery
Board Chair, Sonoma County Growers Alliance
(512) 826-0462

Santa Rosa City Council
City Hall, Council Chamber 100
Santa Rosa Avenue
Santa Rosa, CA 95404



To the Santa Rosa City Council,

My name is Alexa Wall and I am owner of Luma California, a cannabis cultivation company in Sonoma County. I am also Chair of the Board for the Sonoma County Growers Alliance. I am writing to support the cannabis dispensary project on 4036 Montgomery Drive. As a future operator & cultivator in Sonoma County, I am in full support of more retail outlets and shelf space for Sonoma County product. Right now our industry is competing with the illicit market and having more shops would provide more opportunity for legal companies to succeed and offer more variety for customers!

Moreover, this area, and East Santa Rosa neighborhoods in general, are in need of better access for cannabis retail outlets. The voters have spoken in support of cannabis but this area lacks any storefronts. If this dispensary was allowed, it would also provide economic benefits and added security to the area. Additionally, the property owner and operator, Dennis Hunter, has been a leader in the cannabis industry for quite some time. He would be a shining example of how to operate a business with professionalism and respect for the community. I fully support him and his project.

Thank you City of Santa Rosa for your work on cannabis policy and pushing the needle forward. I urge you to recognize the potential in the project and support Fox Den!

Warmly,

A handwritten signature in black ink that reads "Alexa Wall".

Alexa Wall
CEO, Luma California
Board Chair, Sonoma County Growers Alliance



17.2

Bliss, Sandi

From: Eliza Hodgson <eliza@goldenstategr.com>
Sent: Tuesday, December 3, 2019 9:16 AM
To: Ursu, Emmanuel; City Clerk
Cc: Hartman, Clare
Subject: [EXTERNAL] Updated Fox Den document
Attachments: Fox Den Cannabis Dispensary Project- Peer Review- Final- 12-2-2019.pdf

Hi Emmanuel,

I have attached a signed and updated copy of the letter from Transpedia Engineer, Mousa Abbassi, for the Fox Den project ahead of tonight's hearing.

The letter was updated with minor changes to reflect recent activity.

Best,

Liza



Eliza Hodgson
Golden State Government Relations
eliza@goldenstategr.com
(707) 595-7004 ext 707

Visit our [website](#) and [blog](#)

DISCLAIMER:

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal. Unless otherwise stated, opinions expressed in this e-mail are those of the author and are not endorsed by the author's employer.

DISCLAIMER: The content of this e-mail and any attachments are for informational purposes only and do not constitute legal advice. Golden State GR is a consulting firm and is not a law firm, CPA or regulatory agency. You should consult with an attorney or CPA concerning legal and tax matters.





December 2, 2019

Mr. Dennis Hunter
Fox Den, Inc.
4036 Montgomery Drive
Santa Rosa, CA 95405
via email only: dennis@cannacraft.com

Subject: Peer Review for Fox Den Cannabis Dispensary Project

Dear Mr. Hunter:

Transpedia Consulting Engineers (TCE) has reviewed the traffic analysis of the proposed Fox Den Cannabis Dispensary Project located at 2450 Montgomery Drive in the City of Santa Rosa. The project is a 1,500 square feet cannabis dispensary.

TCE worked closely with the project team since May 24, 2019 to revise project traffic analysis, site plan, site access and internal circulation, and parking plan to address City and public comments and concerns. TCE work since then included the following tasks:

- Field visit to project site, June 26, 2019.
- Meeting with City Planning and Economic Development Department staff, June 27, 2019.
- Four team conference calls on June 12, Jun 28, July 9, 2019, and November 27, 2019.
- Review of the following documents:
 - Conditional Use Permit, Commercial Cannabis Retail and Delivery, Golden State Government Relations, no date.
 - Review Focused Traffic Study for the Fox Den Dispensary, W-Trans, January 19, 2019.
 - Review Focused Traffic Study for the Fox Den Dispensary, W-Trans, April 17, 2018.
 - Review City of Santa Rosa Planning Commission Staff Report, January 24, 2019.
 - Review Transportation Peer Review of Proposed Cannabis Dispensary and Delivery Business at 4036 Montgomery Drive, TJKM, March 25, 2019.
 - Fox Den- Concept Floor Plan, WIX Architecture, January 22, 2018.
- Peer review of eleven (11) iterations or drafts of project revised traffic study, site plan, parking plan, AutoTurn exhibits and stopping sight distance exhibits.

The peer review provided comments and suggested changes to project plans and traffic analysis in order to enhance project operations and address City and public comments and concerns.


It is our professional judgment and opinion that the latest revisions included in the *Updated Focused Traffic Study for the Fox Den Dispensary, W-Trans, November 11, 2019*, improve site operations and safety in comparison to existing conditions and address City and public comments and concerns.

Mr. Dennis Hunter
December 2, 2019
Page 2 of 2

We appreciate the opportunity to provide peer review services for this traffic study.

Sincerely,

Transpedia Consulting Engineers



Mousa Abbasi, Principal
Ph.D., P.E., T.E., P.T.O.E.
California Professional Civil Engineer No. 67935
California Professional Traffic Engineer No. 2324
Professional Traffic Operations Engineer No. 1297

Bliss, Sandi

17.2

From: Nick Allen <nickhallen@gmail.com>
Sent: Tuesday, December 3, 2019 4:17 PM
To: CityCouncilListPublic
Subject: [EXTERNAL] Oppose "FOXDEN"

I am shocked and surprised to see this issue before the city council a THIRD time since being denied / delayed. Last time the council said they would check on two issues:

1. Police report detailing crime around current dispensaries with the knowledge that a preschool borders the possible "foxden" site.
2. Ask city attorney to look into the exclusion of preschools in current language when they are specifically included in setback zones at the state and former city language.

Have these items been accomplished by the council and are you ready to report on them this evening?

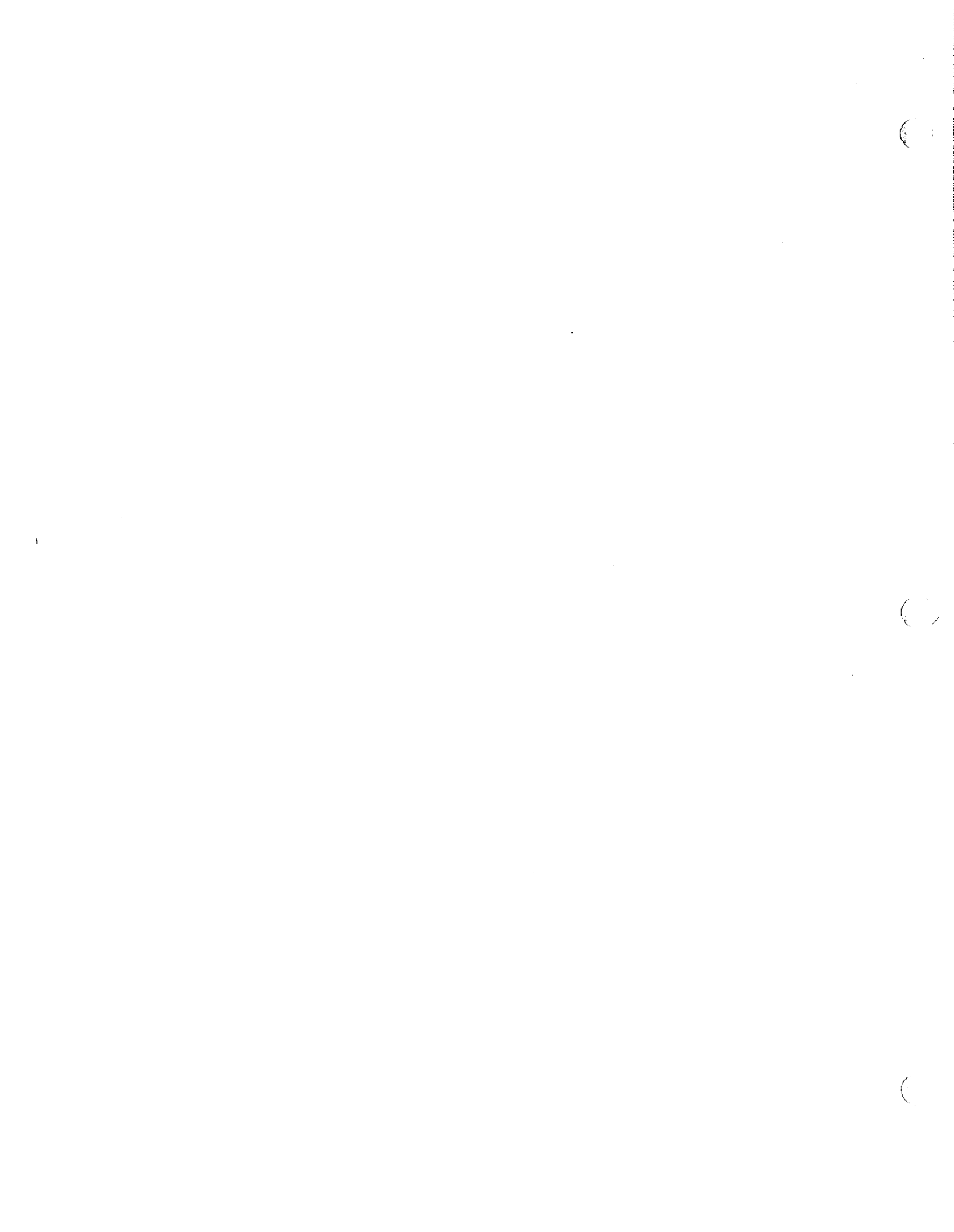
I am writing as a very concerned parent of a four year old Kiwi Preschool student. Kiwi has been operating locally for 24 years and has been a terrific learning environment for my daughter. The planning commission has recently approved a permit for "Fox Den" (4036 Montgomery Drive) cannabis distribution and delivery right next door to the preschool!

This business would share a wall with a zero foot setback, directly adjacent to the children's busy playground facility. This is an unacceptable location for this type of business. With the many local break-ins and statewide armed day-time robberies of cannibals retail locations (specifically delivery services) this is a completely irresponsible and dangerous site. (See related articles below).

The state required **600 foot setback** required has been blatantly ignored in this case due to an interpretation of the local statute. I have also contacted Congressman Mike Thomson's office and they replied that they are very aware of this specific situation and are monitoring the status of this store as is location clearly violates multiple federal laws. I am greatly saddened that this location is even being considered by the "socially responsible owners", Do the right thing for this community and these children and choose an appropriate location for your business.

Nick Allen
Santa Rosa

<https://www.pressdemocrat.com/news/8631161-181/three-men-arrested-for-kidnapping>
<https://www.forbes.com/sites/mikeadams/2018/03/28/california-officials-say-marijuana-legalization-causing-more-violent-crime/#e4e09792c3bc>
<http://www.ktvu.com/news/marijuana-distribution-center-robbed-at-gunpoint-near-santa-rosa>
<https://www.pressdemocrat.com/news/7890065-181/sebastopol-cannabis-dispensary-hit-by>
<http://www.ktvu.com/news/pot-delivery-driver-robbed-at-gunpoint-in-concord>
<https://www.pe.com/2018/06/24/3-people-wounded-during-banning-marijuana-dispensary-robbery-2-suspects-at-large/>
<https://www.latimes.com/socal/daily-pilot/news/tn-dpt-me-kyle-handley-20180104-story.html>
<https://losangeles.cbslocal.com/2018/10/22/marijuana-dispensary-armed-robbery/>





DISCLOSURE FORM

Please Type or Print

17.2

File No.	Quad.
Related Files	
DEPARTMENT USE ONLY	

www.srcity.org

D I S C L O S U R E F O R M	Project Title: <u>Fox Den, Inc.: 4036 Montgomery Drive, Unit B, Santa Rosa CA, 95404</u> (Include site address)
---	--

Please provide the name of each individual, partnership, corporation, LLC, or trust who has an interest in the proposed land use action. Include the names of all applicants, developers, property owners, and each person or entity that holds an option on the property.

Individuals: Identify all individuals
 Partnerships: Identify all general and limited partners
 Corporations: Identify all shareholders owning 10% or more of the stock and all officers and directors (unless the corporation is listed on any major stock exchange, in which case only the identity of the exchange must be listed).
 LLCs: Identify all members, managers, partners, officers and directors.
 Trusts: Identify all trustees and beneficiaries.
 Option Holders: Identify all holders of options on the real property.

Full Name:	Address:
Dennis Hunter	6069 Country Club Drive, Rohnert Park, CA, 94928
Scott Bagala	4036 Montgomery Drive, Unit B, Santa Rosa, CA, 95405
Vinny Bagala	4036 Montgomery Drive, Unit B, Santa Rosa, CA, 95405

In addition, please identify the name of each civil engineer, architect, and consultant for the project.

Full Name:	Address:
Nick Caston	2544 Cleveland Ave, Suite 204, Santa Rosa, CA, 95403
Andy Souza-TEP	880 2nd Street, Santa Rosa, CA, 95404
Troy Leva-DGA	201 Filbert St. 3rd Floor, San Francisco, CA 94133
Bill Boriolo-Annadel Engineering	353 Tesconi Cir, Santa Rosa, CA 95401
Dalene Whitlock- W-Trans	490 Mendocino Ave #201, Santa Rosa, CA 95401
Mousa Abbasi-Transpedia	613 Fourth St, Suite 205, Santa Rosa, CA 95404
Joanna Cedar	225 Dutton Ave, Sebastopol, CA 95472

Additional names and addresses attached: Yes No

The above information shall be promptly updated by the applicant to reflect any change that occurs prior to final action.	
I certify that the above information is true and correct: <u>Dennis Hunter</u>	<u>Dec 02 2019</u>
Applicant	Date

(

(

(

Bliss, Sandi

17.2

From: Joan Kielhofer <grandmoo44@aol.com>
Sent: Tuesday, December 3, 2019 8:45 AM
To: _CityCouncilListPublic
Subject: [EXTERNAL] Fox Den

Please allow the Fox Den project happen on Montgomery Drive..we need something on our side of town!

Sent from my iPhone



Bliss, Sandi

17.2

From: Brian Applegarth <ba@brianapplegarth.com>
Sent: Tuesday, December 3, 2019 9:22 AM
To: _CityCouncilListPublic
Subject: [EXTERNAL] Letter of Support: Fox Den
Attachments: Fox Den_Letter of Support.docx

To the Santa Rosa City Council,

My name is Brian Applegarth and I work in cannabis tourism. I am the founder and executive director of the California Cannabis Tourism Association, and I advise hospitality based businesses on integrating cannabis, CBD and hemp into their business model to mitigate risk and drive incremental revenue. As a homeowner, resident and community member of west Sonoma County, I am passionate about developing a safe and sustainable cannabis tourism model.

Santa Rosa is the business hub of Sonoma County, and I am writing to support establishing more dispensaries throughout Santa Rosa, in particular the Fox Den project on Montgomery Drive. Establishing safe and legal cannabis retail options is important in supporting the development of a safe and robust cannabis tourism ecosystem in Sonoma County. The Cannabis Appellations of California are set to be announced in 2021 by the California Department of Food and Agriculture, which will surely support significant cannabis tourism growth in the near future. Sonoma needs to establish professional retail outlets to welcome and interface with visitors.

Dennis Hunter is a proven leader in the advancement and success of the cannabis tourism industry in Sonoma County, and a cannabis retail outlets under his stewardship would be an absolute benefit to Santa Rosa, economic and otherwise. As this industry continues to develop, please consider me a resource for anything cannabis tourism, travel, and hospitality.

Warm regards,

Brian Applegarth

615.788.3142

Brianapplegarth.com

(

(

(

(

(

(

Santa Rosa City Council City Hall

Council Chamber

100 Santa Rosa Avenue

Santa Rosa, CA 95404

To the Santa Rosa City Council,

My name is Brian Applegarth and I work in cannabis tourism. I am the founder and executive director of the California Cannabis Tourism Association, and I advise hospitality based businesses on integrating cannabis, CBD and hemp into their business model to mitigate risk and drive incremental revenue. As a home owner, resident and community member of west Sonoma County, I am passionate about developing a safe and sustainable cannabis tourism model.

Santa Rosa is the business hub of Sonoma County, and I am writing to support establishing more dispensaries throughout Santa Rosa, in particular the Fox Den project on Montgomery Drive. Establishing safe and legal cannabis retail options is important in supporting the development of a safe and robust cannabis tourism eco-system in Sonoma County. The Cannabis Appellations of California are set to be announced in 2021 by the California Department of Food and Agriculture, which will surely support significant cannabis tourism growth in the near future. Sonoma needs to establish professional retail outlets to welcome and interface with visitors.

Dennis Hunter is a proven leader in the advancement and success of the cannabis tourism industry in Sonoma County, and a cannabis retail outlet under his stewardship would be an absolute benefit to Santa Rosa, economic and otherwise. As this industry continues to develop, please consider me a resource for anything cannabis tourism, travel, and hospitality.

Warm regards,

Brian Applegarth

615.788.3142

Brianapplegarth.com

(

(

(

(

(

(

Bliss, Sandi

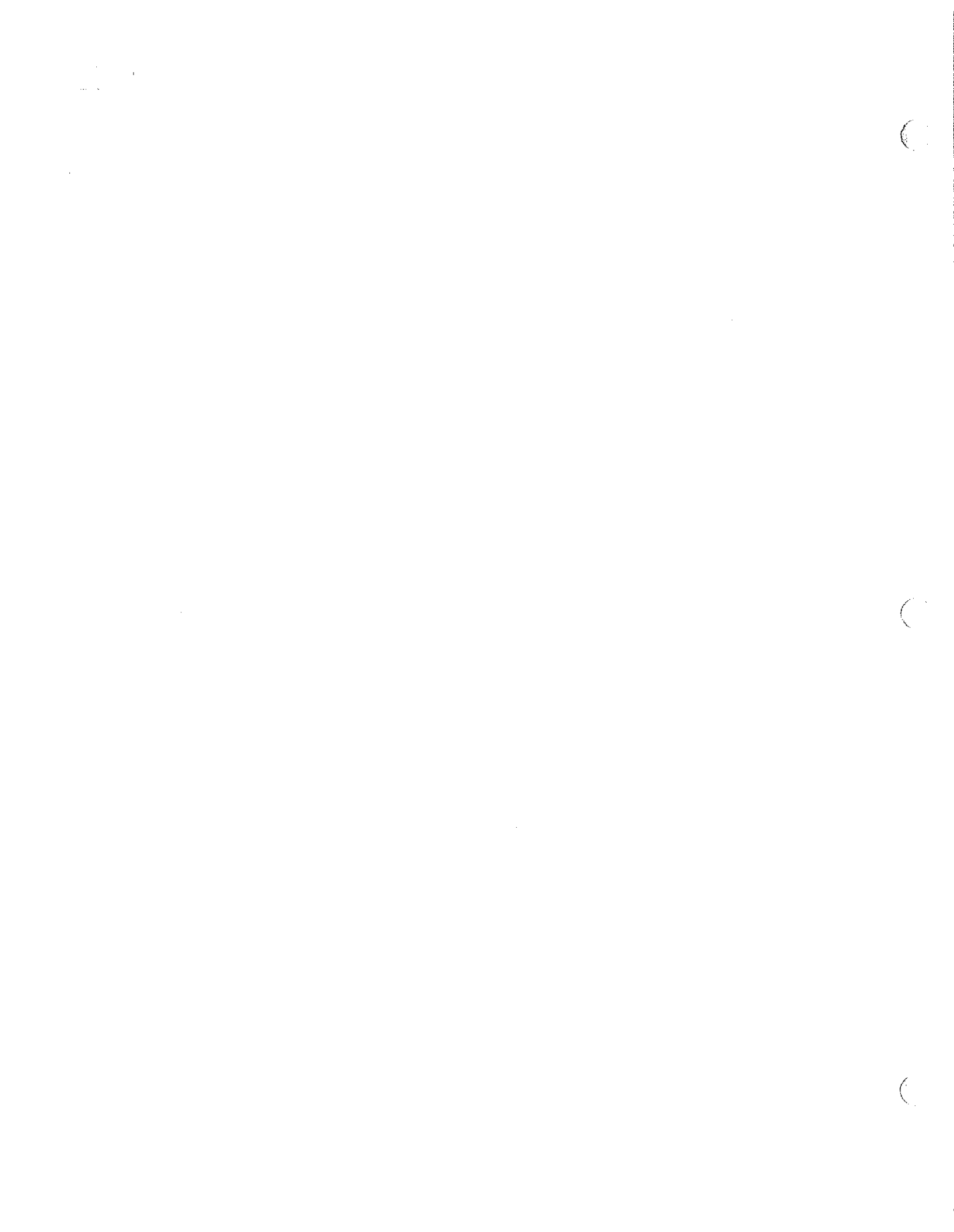
17.2

From: HEIDI KLYN <southmountain38@msn.com>
Sent: Monday, December 2, 2019 10:50 PM
To: CityCouncilListPublic
Subject: [EXTERNAL] Fox Den Cannabis Dispensary Project

Dear Council, I am very much in favor of having Fox Den Cannabis Dispensary at 4036 Montgomery Drive. There is not one close by to Oakmont where I live and head the Oakmont Cannabis Club to teach people not to use opioids and other over the counter drugs but to give Cannabis a try. It has helped so so many of the elderly here the therapeutic benefits have been unbelievably overwhelming. We do not have any dispensaries in the eastern part of Santa Rosa and this would make it more convenient for us all. The company that plans to run the business is very reputable, Cannacraft they are a big asset to the industry and to Santa Rosa. Many of us in Oakmont would love to see this happen. I am happy to talk to you.

Heidi Klyn
707-539-8400
707-889-2561 cell

southmountain38@msn.com



17.2

Bliss, Sandi

From: Joan Kielhofer <grandmoo44@aol.com>
Sent: Tuesday, December 3, 2019 8:45 AM
To: _CityCouncilListPublic
Subject: [EXTERNAL] Fox Den

Please allow the Fox Den project happen on Montgomery Drive..we need something on our side of town!

Sent from my iPhone



17.2

Bliss, Sandi

From: ron charlton <chance5930@mail.com>
Sent: Tuesday, December 3, 2019 10:14 AM
To: _CityCouncilListPublic
Subject: [EXTERNAL] ron charlton

I would like the cannibus despencery to be on Montgomery drive.



Bliss, Sandi

17.2

From: Ursu, Emmanuel
Sent: Monday, December 2, 2019 5:13 PM
To: Bliss, Sandi; Manis, Dina; Trupiano, Nicole
Cc: Rose, William; Hartman, Clare
Subject: FW: [EXTERNAL] 4036 Montgomery Dr. updated disclosure form
Attachments: Fox Den disclosure (1).pdf

For Fox Den appeal item on the 12/3/19 City Council agenda...

From: Shaun Ross <shaun@goldenstategr.com>
Sent: Monday, December 2, 2019 12:59 PM
To: Ursu, Emmanuel <eursu@srcity.org>
Cc: Rose, William <WRose@srcity.org>; Hartman, Clare <CHartman@srcity.org>
Subject: [EXTERNAL] 4036 Montgomery Dr. updated disclosure form

Emmanuel,

Attached is the updated Disclosure form for the Fox Den project at 4036 Montgomery Drive. Please let me know if there is anything else we can provide.

Best Regards,



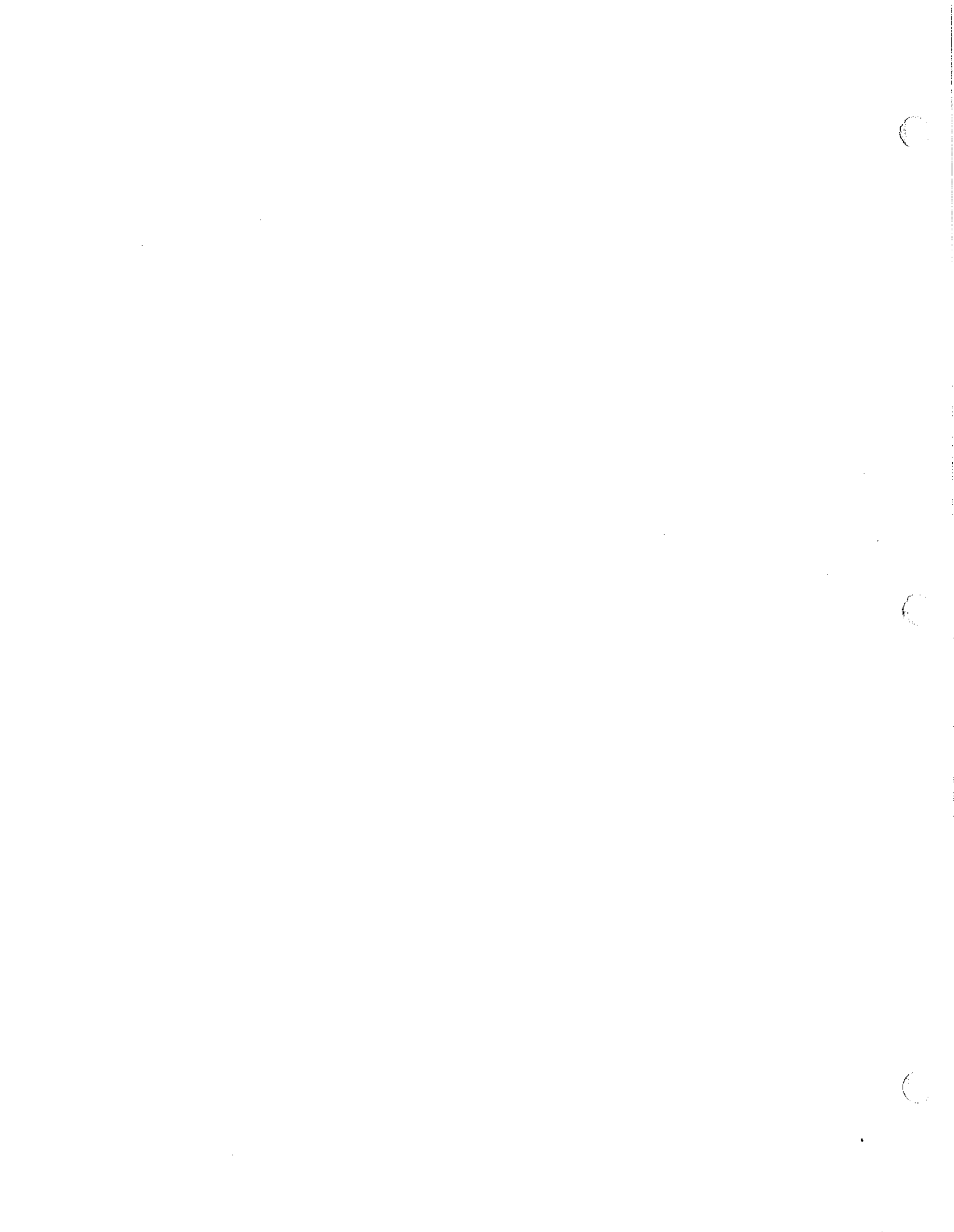
Shaun Ross
Project Manager
Golden State Government Relations
shaun@goldenstategr.com
(707) 595-7004 ext 703

Visit our [website](#) and [blog](#)

DISCLAIMER:

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal. Unless otherwise stated, opinions expressed in this e-mail are those of the author and are not endorsed by the author's employer.

DISCLAIMER: The content of this e-mail and any attachments are for informational purposes only and do not constitute legal advice. Golden State GR is a consulting firm and is not a law firm, CPA or regulatory agency. You should consult with an attorney or CPA concerning legal and tax matters.





DISCLOSURE FORM

Please Type or Print

File No.	Quad.
Related Files	
DEPARTMENT USE ONLY	

www.srcity.org

DISCLOSURE FORM	Project Title: <u>Fox Den, Inc.: 4036 Montgomery Drive, Unit B, Santa Rosa CA, 95404</u> (Include site address)	
	Please provide the name of each individual, partnership, corporation, LLC, or trust who has an interest in the proposed land use action. Include the names of all applicants, developers, property owners, and each person or entity that holds an option on the property.	
	Individuals:	Identify all individuals
	Partnerships:	Identify all general and limited partners
	Corporations:	Identify all shareholders owning 10% or more of the stock and all officers and directors (unless the corporation is listed on any major stock exchange, in which case only the identity of the exchange must be listed.
	LLCs:	Identify all members, managers, partners, officers and directors.
	Trusts:	Identify all trustees and beneficiaries.
	Option Holders:	Identify all holders of options on the real property.
	Full Name:	Address:
	Dennis Hunter	6069 Country Club Drive, Rohnert Park, CA, 94928
Scott Bagala	4036 Montgomery Drive, Unit B, Santa Rosa, CA, 95405	
Vinny Bagala	4036 Montgomery Drive, Unit B, Santa Rosa, CA, 95405	
In addition, please identify the name of each civil engineer, architect, and consultant for the project.		
Full Name:	Address:	
Nick Caston	2544 Cleveland Ave, Suite 204, Santa Rosa, CA, 95403	
Andy Souza-TEP	880 2nd Street, Santa Rosa, CA, 95404	
Troy Leva-DGA	201 Filbert St. 3rd Floor, San Francisco, CA 94133	
Bill Boriolo-Annadel Engineering	353 Tesconi Cir, Santa Rosa, CA 95401	
Dalene Whitlock- W-Trans	490 Mendocino Ave #201, Santa Rosa, CA 95401	
Mousa Abbasi-Transpedia	613 Fourth St, Suite 205, Santa Rosa, CA 95404	
Joanna Cedar		

Additional names and addresses attached: Yes No

The above information shall be promptly updated by the applicant to reflect any change that occurs prior to final action.	
I certify that the above information is true and correct: <u>Dennis Hunter</u>	Dec 02 2019
Applicant	Date



17.2

Bliss, Sandi

From: Ursu, Emmanuel
Sent: Monday, December 2, 2019 5:10 PM
To: Bliss, Sandi; Manis, Dina; Trupiano, Nicole
Cc: Rose, William; Hartman, Clare
Subject: FW: [EXTERNAL] Oakmont Cannabis Club Signatures
Attachments: Oakmont Cannabis Club.pdf

Hi Sandi - Please add the attached to correspondence on the Fox Den appeal for tomorrow's (12/3/19) City Council agenda.

I will forward a few additional emails I received today.

Best,
Emmanuel

-----Original Message-----

From: Scott Bagala <sbagala@gmail.com>
Sent: Monday, December 2, 2019 4:01 PM
To: Ursu, Emmanuel <eursu@srcity.org>
Cc: Nick Caston <nick@goldenstategr.com>
Subject: [EXTERNAL] Oakmont Cannabis Club Signatures

Hi Emmanuel,

Please find the attached document. These signatures, from members of the Oakmont Community and the Oakmont Cannabis Club, are in support of the Fox Den Dispensary. Please distribute to Staff and the City Council.

Thanks,
Scott Bagala



PETITION IN SUPPORT OF FOX DEN DISPENSARY

4036 Montgomery Drive, Santa Rosa

We, the members of the Oakmont Village Residential Community, pledge our support for the Fox Den cannabis dispensary proposed at 4036 Montgomery Drive. This location allows our members much-needed access to therapeutic cannabis products that are not currently available in our geographic area. Our members look forward to being patrons of the new facility.

Printed Name	Signature	Address	Date
Sue Ann M. Hirsch		6426 Meadow Creek Santa Rosa,	12/2/19
Pat Reynolds		6480 Meadowridge Dr, Santa Rosa	12-2-19
Betty Groce		411 Trail Ridge Ct Santa Rosa 95409	12/2/19
Jeffrey Sheff		6875 Fairfield Dr 95409	12/2/19
Heidi Klyn		6338 Pleasant Vista Pl. Santa Rosa,	12/2/19
Dean Mitchell		409 Deerfield Cir Santa Rosa 95409	12/2/19
George R. McCracken		58 Autumn Leaf Drive Santa Rosa, CA 95009	12/2/19
SUE RIDGEWAY		6335 PLEASANT VISTA PL SANTA ROSA, CA 95409	12/2/19
Jeanie Hersh		8941 Acorn Pl Santa Rosa, CA 95409	12/2/19
Marion Fishman		933 Belmaron Ct Santa Rosa 95409	12/2/19
Kathy Hammel		9253 Oak Trail Circle Santa Rosa 95409	12/2/19
Leslie Garvin		404 Oak Point Ct 95409	12/2/19
Rita McBride		OAKMONT SANTA ROSA, CA 95409	12/2/19

PETITION IN SUPPORT OF FOX DEN DISPENSARY
4036 Montgomery Drive, Santa Rosa

We, the members of the Oakmont Village Residential Community, pledge our support for the Fox Den cannabis dispensary proposed at 4036 Montgomery Drive. This location allows our members much-needed access to therapeutic cannabis products that are not currently available in our geographic area. Our members look forward to being patrons of the new facility.

Printed Name	Signature	Address	Date
Donna James	<i>Donna James</i>	476 Hillsdale ^{SR}	12-1-19
Shera Carter	<i>Shera Carter</i>	345 Pythian Pl	12-2-19
DEANNA MATTO	<i>Deanna Mattos</i>	65 Aspen Meadows Cr	12-2-19
BARBARA + JOE BERNAL	<i>Barbara Bernal</i>	7040 SWALLOW DRIVE	12/2/19
Helen Selenati	<i>Melvin</i>	46 Oak Island Cir SR 95409	12/2/19
Bob Whipps		7284 Oakmont Dr. SR 5, ROSA	12/2/19
WENDY COLE	<i>Wendy Cole</i>	8808 Oakmont Dr	12/2/19
Lana Poxela		426 Trail Ridge Pl. Oakmont	12.2.19
Bill Dean	<i>Bill Dean</i>	472 Oak Brook Ct ^{SR}	12-2-19
Gandi Black	<i>Sandra Black</i>	209 Bellman Circle	12-2-19
Victoria Galis	<i>Victoria Galis</i>	329 Twin Lakes Dr.	12/2/19
SHARON BETTERMAN	<i>Sharon Betterman</i>	284 Mockingbird Cir.	12/2/19
Pennijean Savage	<i>Bernese</i>	20 Glengreen St.	12-2-19

17.2

Bliss, Sandi

From: Ursu, Emmanuel
Sent: Monday, December 2, 2019 5:11 PM
To: Bliss, Sandi; Manis, Dina; Trupiano, Nicole
Cc: Rose, William; Hartman, Clare
Subject: FW: [EXTERNAL] Appellant's supplemental response to re-submission of Fox Den's CUP Application for 4036 Montgomery Drive
Attachments: Transp Peer Review from Colin Burgett_Dispensary Resubmittal for Dec. 3, 2019 Hearing.docx; Letter to Councilmembers from Matt Wolfinger regarding Fox Den Appeal Dec 3rd.docx; Letter from Mike Schwartz ISO Appeal Hearing Dec. 3, 2019.pdf

For the Fox Den appeal on the 12/3/19 City Council agenda...

-----Original Message-----

From: Pamela Stevens <Stevens@smlaw.com>
Sent: Monday, December 2, 2019 4:09 PM
To: Ursu, Emmanuel <eursu@srcity.org>
Cc: Hartman, Clare <CHartman@srcity.org>; Rose, William <WRose@srcity.org>; Jessica Fires <Fires@smlaw.com>
Subject: [EXTERNAL] Appellant's supplemental response to re-submission of Fox Den's CUP Application for 4036 Montgomery Drive

Hello Emmanuel,

Please find attached Appellant's supplemental response to Fox Den's re-submission for the CUP application for 4036 Montgomery Drive, which is scheduled for hearing tomorrow. Please confirm receipt and let me know if you have any questions.

Best,
Pamela

Pamela E. Stevens
Spaulding McCullough & Tansil LLP
90 South E Street, Suite 200 | Santa Rosa, CA 95404 Tel (707) 524-1900 | Fax (707) 524-1906 www.smlaw.com
Stevens@smlaw.com

This email message contains information that may be confidential and privileged. Unless you are the addressee (or authorized to receive messages for the addressee), you may not use, copy, or disclose this message (or any information contained in it) to anyone. If you have received this message in error, please advise the sender by reply email and delete this message.





Technical Memorandum

Date: November 20, 2019

To: Pamela E. Stevens
Spaulding, McCullough & Tansil LLP

From: Colin Burgett
Senior Project Manager

Jurisdiction: City of Santa Rosa

Subject: Resubmittal of Fox Den, Inc. (Proposed Cannabis Dispensary) Conditional Use

This memorandum provides parking and traffic comments based on review of the August 2019 resubmittal of the proposed conditional use permit for a Cannabis Dispensary and Delivery business at 4036 Montgomery Drive in Santa Rosa. Based on the information provided:

- The dispensary would occupy approximately 1,500 square feet of an existing building (reduced from 1,773 square feet)
- The dispensary proposes to operate with a supply of six permanent on-site motor vehicle parking spaces (including five indoor garage spaces to be accessed by a dead-end drive aisle) to serve customers and deliveries; and four off-site leased spaces for use by employees
- The dispensary proposes to reverse the directional flow within the existing parking lot aisle that would be shared with the Trail House bicycle-friendly café and ale house
- The resubmittal indicates a combined on-site parking supply of 21 spaces (including the five indoor garage spaces), which the applicant states to be eight spaces fewer than the Santa Rosa City Code requirement of 29 spaces for the overall site

KEY FINDINGS AND RECOMMENDATIONS

Based on our review of the resubmittal and accompanying traffic study, our key findings are as follows:

1. **The Fox Den traffic study (dated August 1, 2019) does not include the busiest hours of operation for the dispensary, that are most relevant for evaluating on-site circulation, parking access and turnover, peak volumes entering & exiting the driveways and parking spaces, and the effect on Trail House.** The applicant's traffic study focuses only on the work-commute periods that occur on weekdays between 7:00 and 9:00 a.m. and 4:00 to 6:00 pm, with a predicted p.m. peak hour volume of 27 vehicle trips generated by the dispensary. However, ITE data indicates that dispensaries generate much higher rates of traffic at other times of day, from 12:45 to 1:45 pm., and

from 5:45 pm to 6:45 pm on weekdays, while the highest volume of traffic generated by dispensaries was found to occur on weekends.

- a. Based on the weekend and mid-day/late evening data collected by ITE (and reducing by 16 percent based on the Santa Rosa dispensary data cited in the applicant's traffic study): **the dispensary would generate 46 vehicle trips during the busiest one-hour period on Saturday, and 38 vehicle trips during the business one-hour period on weekday afternoons. Given this level of hourly traffic during peak business hours: up to 23 vehicles would be competing for use of the six on-site parking spaces during peak business hours. Even if customers limit their visits to less than 15 minutes: overlap will occur between arriving and departing customers, while customer arrival patterns within an hour is unlikely to be evenly distributed, but will vary between 15-minute increments. In addition: it would be unusual for a "dead-end" parking aisle to provide access to customer parking spaces with such a high rate of turnover. (Dead-end parking access aisles are more commonly found in residential or office developments with lower rates of turnover).**
2. **Based on parking demand data for dispensaries surveyed by ITE: the proposed supply of customer parking (six on-site spaces) would be inadequate to accommodate customer vehicles and delivery vehicles during peak business hours.** In addition based on parking data collected at dispensaries by the Institute of Transportation Engineers (ITE): a similarly sized 1,500-square foot dispensary was found to have a daily peak parking demand of 20 vehicles parked, while a 750-square foot dispensary had a peak demand of 15 vehicles parked. All of the dispensaries surveyed by ITE were found to have a daily peak parking demand of at least 13 vehicles parked, with larger dispensaries found to have lower rates of parking demand based on the ITE data.
 - a. **The August 1, 2019 traffic study accompanying the resubmittal provided no estimate of the anticipated daily peak parking demand (i.e., anticipated number of vehicles parked during peak business hours at the dispensary).** Instead, the traffic study simply stated that the dispensary would meet the Santa Rosa Code requirement of one parking space per 250 square feet by providing six on-site parking spaces. However, the Santa Rosa code requirement for cannabis dispensaries is not based on actual demand, since it was adopted prior to the availability of parking demand data for dispensaries (and prior to dispensaries operating in Santa Rosa). Instead, the city code simply requires dispensaries to provide the same amount of parking as generic "retail trade uses" (while some retail uses are required to provide a much larger supply: as much as one space per 50 to 75 square feet, and for some uses: the code specifies that the required provision of parking is to be determined by the CUP process). The applicant's

traffic study should provide an estimate of anticipated parking demand (number of vehicles parked) during peak daily business hours at the dispensary, based on ITE data as well as parking demand data from dispensaries in Santa Rosa. This should include peak business hours on weekends as well as weekdays.

3. **The proposed reversal to the direction of travel within the parking aisles would have minimal benefit while resulting in some new concerns.**
 - a. By reversing the direction of travel, motorists would enter on the left (instead of traveling on the right), and inbound and outbound motorists would thus cross paths (increasing the number of conflicting movements adjacent to the driveways).
 - b. By entering on the left (at the north driveway), inbound motorists would thus approach the outdoor seating area used by Trail House when making a left-turn or right-turn into the parking lot. Since inbound turning movements tend to occur at a higher speed than outbound turning movements: it would be preferable for inbound movements to not occur near the outdoor seating area.
 - c. The reversal would obstruct the view of arriving motorists into the proposed indoor garage parking area, thus making it difficult for arriving motorists to determine if any spaces are vacant until they began turning into the garage.

4. **The Fox Den traffic study (August 1, 2019) cites trip generation data collected at existing Santa Rosa dispensaries in reducing the weekday peak hour vehicle trip generation forecast by 16 percent during the p.m. peak hour, but the traffic study provides no supporting documentation.** The traffic study report should specify the locations surveyed, and the count data should be provided in the appendix. In addition: it would also be relevant to document parking demand (peak number of vehicles parked, and the corresponding rate of vehicles per square feet) at the existing Santa Rosa dispensaries.



Councilmembers,

I'm writing to you in regard to the use permit appeal for Fox Den Dispensary, scheduled to be heard during the December 3rd City Council meeting. We had the chance to speak about my concerns with the project at 4036 Montgomery Drive prior to the first appeal in April and I wanted to follow up on that conversation after evaluating the re-submission by the Applicant.

To obtain approval for a use permit to operate a retail dispensary, the Applicant must demonstrate that they meet the six necessary findings as laid out by the Cannabis Retail Use Application. This project, after multiple re-submissions, still fails to meet three of the six findings:

(c) The design, location, size and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity

(d) The site is physically suitable for the type, density and intensity of the use being proposed, including access, utilities, and the absence of physical constraints

(e) Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience or welfare; or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located

During the April council meeting, the concerns of the council primarily focused on traffic, parking and safety. The meeting ended with a continuance and a strong message to the Applicant that significant changes were expected and there was a "...a really high bar to try to address the traffic flow and parking..." The Applicant has failed to meet this expectation.

- 1.) Offsite parking at 4325 Montgomery drive is not a reasonable solution to 4036 Montgomery Drive's parking scarcity. The Applicant also fails to provide a safety plan for employees walking to and from the proposed offsite parking, as seen in other retail cannabis applications that procure offsite spaces. Additionally, the business at 4325 Montgomery Drive, a smog shop with 5 total parking spaces, doesn't appear to have 4 parking spaces to permanently give to Fox Den.**

Fox Den proposes 4 additional offsite parking spaces at 4325 Montgomery Drive. I have several questions about this proposal, both regarding the validity of the spaces and new safety issues that would arise from employees walking to and from parking a quarter mile away.

- Fox Den did not provide a lease proving these spaces are theirs to use in perpetuity. If council grants them a use permit with these parking spaces as part of the condition, their use permit is only valid as long as these parking spaces remain for the sole use of Fox Den. How is this enforceable?

- Does the business at 4325 Montgomery Drive have 4 parking spaces to lease? 4325 Montgomery is a smog shop named Empire Sport West and has 5 total parking spaces in front of their building; 1 handicap space and 4 standard spaces. Leasing 4 spaces would leave that business with just 1 handicap space and under-parked based on City Code. See attached overhead image of this location.
- These parking spaces are not visible from 4036 Montgomery Drive and are over a quarter mile away. Walking from the offsite parking to Fox Den would require cross two streets, one of them being Montgomery Drive.
- Applicant provides no safety plan for employees making this walk from a cash based business containing a highly sought after black market product. R&B Dispensary, proposed at 900 Santa Rosa Avenue and approved to operate a retail dispensary, includes offsite parking as part of their parking mitigation plan. This parking is directly across the street from their location. In addition to the close proximity, R&B has in place a security plan to keep employees safe while accessing offsite parking.
- There is no plan to manage the Trail House and Fox Den dedicated parking at 4036 Montgomery Drive. No one wants to see "parking wars," as a councilmember put it, happen over customers parking in the incorrect spaces.
- During April's appeal meeting, the Applicant proposed a project with 22 parking spaces. City Council rejected this project and asked the Applicant to find additional parking. The Applicant is now asking City Council to accept a new project that only provides 21 parking spaces with a retail area reduction equal to the amount required to reduce their parking requirement by 1. The Applicant is asking the City to approve the same project parking parameters and has not improved the parcel wide parking condition.
- The parking requirement for the parcel, as listed by the Applicant, is 29. Only by using the parking reduction of 10 spaces acquired by Trail House in 2016, when a specialty trade contractor operated out of the proposed dispensary, does the Applicant's project meet the parking requirement. Does replacing a low intensity specialty trade contractor with a high intensity cannabis retail business fit within the original intent of the parking reduction?

2.) Reversing onsite circulation creates new safety issues while not alleviating the excessive intensity proposed for the site

Fox Den's re-submission attempts to remedy the on-site traffic and safety issues by reversing the direction traffic circulates around the center building, Trail House, from counter-clockwise to clockwise. This proposal creates several new issues.

- Short term, this creates a serious safety issue as existing Trail House customers adjust to the new traffic pattern.
- Inbound and outbound motorists would now cross paths; vehicles entering Trail House now drive past those exiting. This atypical entrance/exit setup increases the number of conflicting vehicle movements, creating additional traffic in the driveway during peak trip generation. The potential for a "gridlock" is highly probable.
- Perhaps the most significant negative impact due to reversing the traffic circulation is from vehicles entering the driveway via a left hand turn off Montgomery Avenue. Vehicle circulation did not exist when Trail House remodeled the main building on the lot and it was a conscious decision, approved by the Planning Department, to have traffic circulate counter-clockwise. This circulation provides the greatest protection to the outdoor seating area and most highly trafficked pedestrian and cyclist entrance for Trail House. Inbound turning movements, particularly those crossing two lanes of traffic, tend to occur at higher speeds than outbound turning movements. In the interest of safety, it would be preferable to maintain the current circulation and avoid these new conflicts.

3.) The Applicant fails to address accessibility issues that could have significant impact on Trail House's business

Fox Den's resubmission does not show solutions to pedestrian accessibility from Montgomery Drive to their main entrance.

- Trail House has requested an accessible path of travel from the public way (Montgomery Drive) to be shown on more than one occasion and as yet have not seen any workable solution.
- Applicant's newest plan includes re-grading about 25% of the parking lot to address the severe slope leading up to their front door, presumably due to accessible path of travel concerns. Several council members were averse to approval if this included re-grading the parking lot. This improvement also shows they're conscious of needing an ADA compliant path of travel from the public way but still fail to show how this would be accomplished.

- I've read or watched the previous 4 Planning Commission meetings with a retail cannabis permit hearing and viewed the site plans for each of these proposed businesses. All of the projects that required accessible path of travel from the public way included this in either their first submission or a re-submission. We are only asking for the Applicant to provide information that appears to be standard practice.

Thanks for taking the time to read through these issues and I hope you will keep them in mind when address the Applicant and City Staff during Tuesday's meeting. If you have any questions of me feel free to reach out at matt@norcalcycling.com or by phone at 412-952-0072.

-Matt Wolfinger



(

(

(

S/A

SCHWARTZ ARCHITECTURE
SANTA ROSA, CA
707.478.4949

December 2, 2019

City of Santa Rosa
City Council

Re: Public Hearing – Fox Den, Inc. Conditional Use Permit

Dear City Council Members,

The CUP application appears to be incomplete and does not adequately address findings (c), (d), and (e) from the 4/9 City Council meeting.

(c) The design, location, size and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity

(d) The site is physically suitable for the type, density and intensity of the use being proposed, including access, utilities, and the absence of physical constraints

(e) Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience or welfare; or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located

1. Pedestrian access has not been provided to project area from the public way
 - a. This is required both for pedestrian access to the project area and for emergency egress
 - b. Design intent should be indicated on the site plan to indicate path of travel from Montgomery Drive to the Fox Den entry
 - c. Design intent should be indicated on the site plan to show how pedestrians will safely negotiate hazardous vehicular areas
 - d. Design intent should be indicated on site plan to indicate how pedestrians will safely access building entry
2. Traffic Study - Not enough parking
 - a. There are (18) existing parking spaces
 - i. (14) Spaces belong to Trail House
 1. The parking lot at Trail House is generally understood to be at or beyond capacity
 - ii. (4) Spaces belong to the Project Area
 1. The Traffic Study indicates that the existing use generates (41) daily trips which are served by (4) parking spaces
 2. The Traffic Study indicates the proposed use will generate (338) daily trips
 - b. Fox Den - proposed parking changes
 - i. Adds (3) parking spaces onsite for a total of (21) spaces
 1. Includes (2) accessible spaces
 - a. (1) Van Accessible at Trail House
 - b. (1) Accessible at Fox Den garage
 2. (1) space would be dedicated to the Fox Den delivery driver
 3. (1) space would be needed for onsite security as described in the CUP

- application
4. (4) spaces would be available for Fox Den customers
 - a. (4) spaces previously served (41) daily trips
 - b. (4) spaces will now need to serve (338) daily trips
 - i. Increase in intensity of use by (297) daily trips
 - ii. (1) Space is accessible and these are typically less utilized than standard spaces
 - iii. Each space would need to turn over at least (7) times an hour
 1. Assumes accessible parking is in continuous use and turns over at same rate as other parking
 5. (1) additional space would be assigned to Trail House to increase their total parking to (15) spaces
 - ii. Adds 4 staff parking spaces offsite
 1. 4325 Montgomery Drive as proposed by project application appears to be inadequate for this use (See Attached)
 2. Documentation of Parking Agreement not included in application
3. Vehicular navigation
- a. Traffic Study indicates that traffic flow should be reversed
 - i. This creates a hazardous condition for the outdoor dining area where cars are turning in towards the area
 - ii. Reversing traffic flow creates a restricted right turn to navigate between Trail House and the trash enclosure
 - iii. AutoTURN parking diagrams (See Attached)
 1. Every diagram provided in Traffic Study demonstrates that the proposed garage door is not wide enough for bi-directional vehicular traffic because vehicle paths overlap for inbound and outbound conditions
 2. Proposed reversed traffic flow creates cross-traffic condition at garage entry
4. Secure Storage
- a. Proposed plans indicate 50 sf for Secure Storage.
 - i. When required door clearance is removed, only 27.5 sf remain
 - ii. See attached "Inventory Procedures" from CUP application
 - iii. Size of Secure Storage appears to be inadequate
 - iv. Resupply for dispensary is required to occur during business hours and could necessitate emptying and closure of parking garage at each occurrence

Sincerely,



Mike Schwartz, Architect, NCARB, MBA
707.478.4949
Mschwartz.arch@gmail.com



Legend
Non-Used Addresses

- Water
- Road
- Highway
- Interchange
- Drainage
- City Boundary
- Line
- Circle
- Point
- Water
- Road
- Highway
- Interchange
- Drainage
- City Boundary
- Line
- Circle
- Point
- Water
- Road
- Highway
- Interchange
- Drainage
- City Boundary
- Line
- Circle
- Point
- Water
- Road
- Highway
- Interchange
- Drainage
- City Boundary
- Line
- Circle
- Point



Scale: 1" = 100 feet

Map Date: 11/15/01

Map Author: City of Phoenix

Map Title: City of Phoenix - City of Phoenix - City of Phoenix

Map Legend: City of Phoenix - City of Phoenix - City of Phoenix

Map Symbols: City of Phoenix - City of Phoenix - City of Phoenix

Map Data: City of Phoenix - City of Phoenix - City of Phoenix

0

100

200

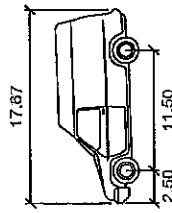
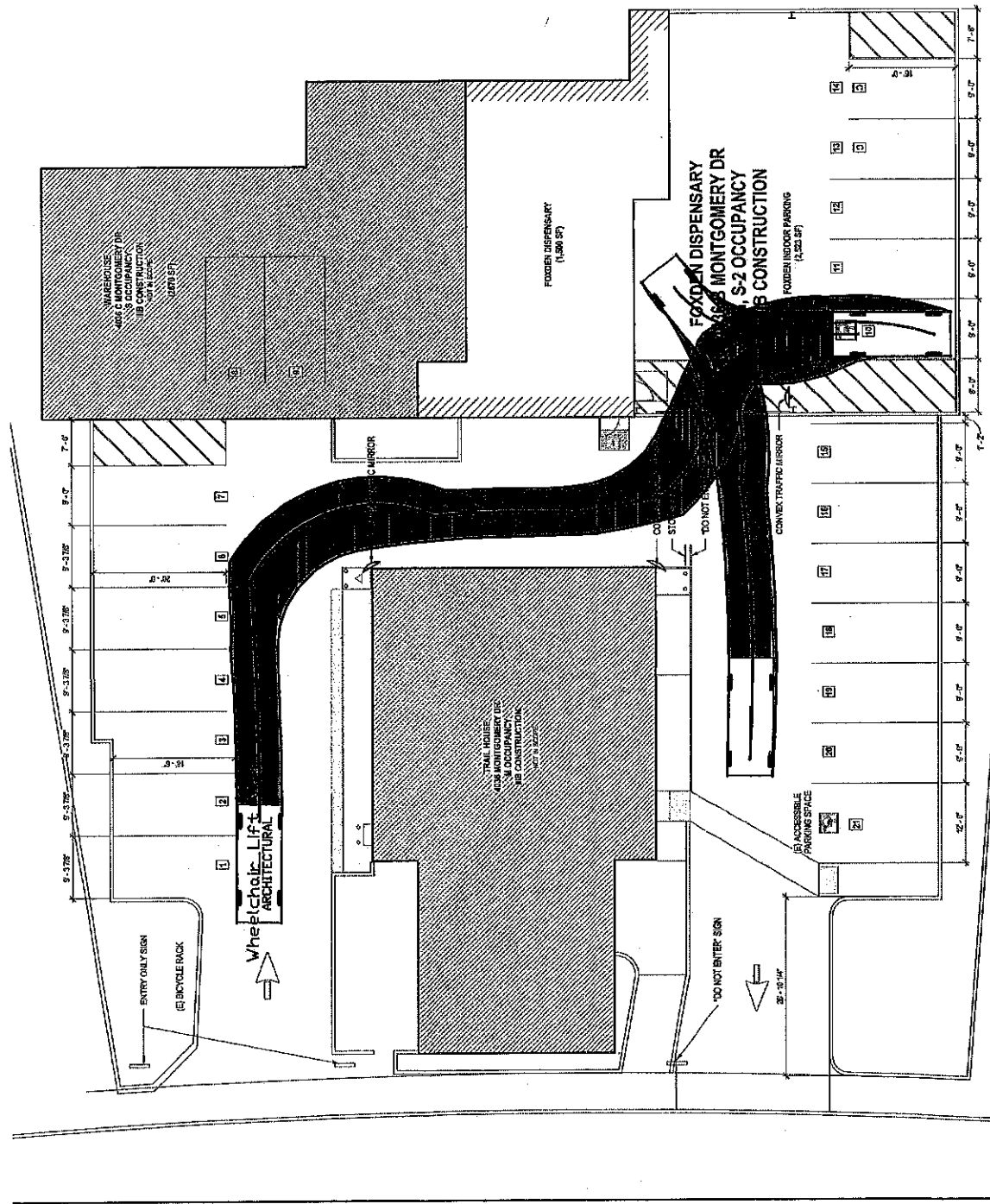
300

400

500

600

THIS MAP IS NOT TO BE USED FOR NAVIGATION. For more information, please contact the City of Phoenix, Department of Transportation, 444 North Central Avenue, Phoenix, AZ 85004. Phone: (602) 257-2600.

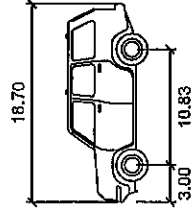
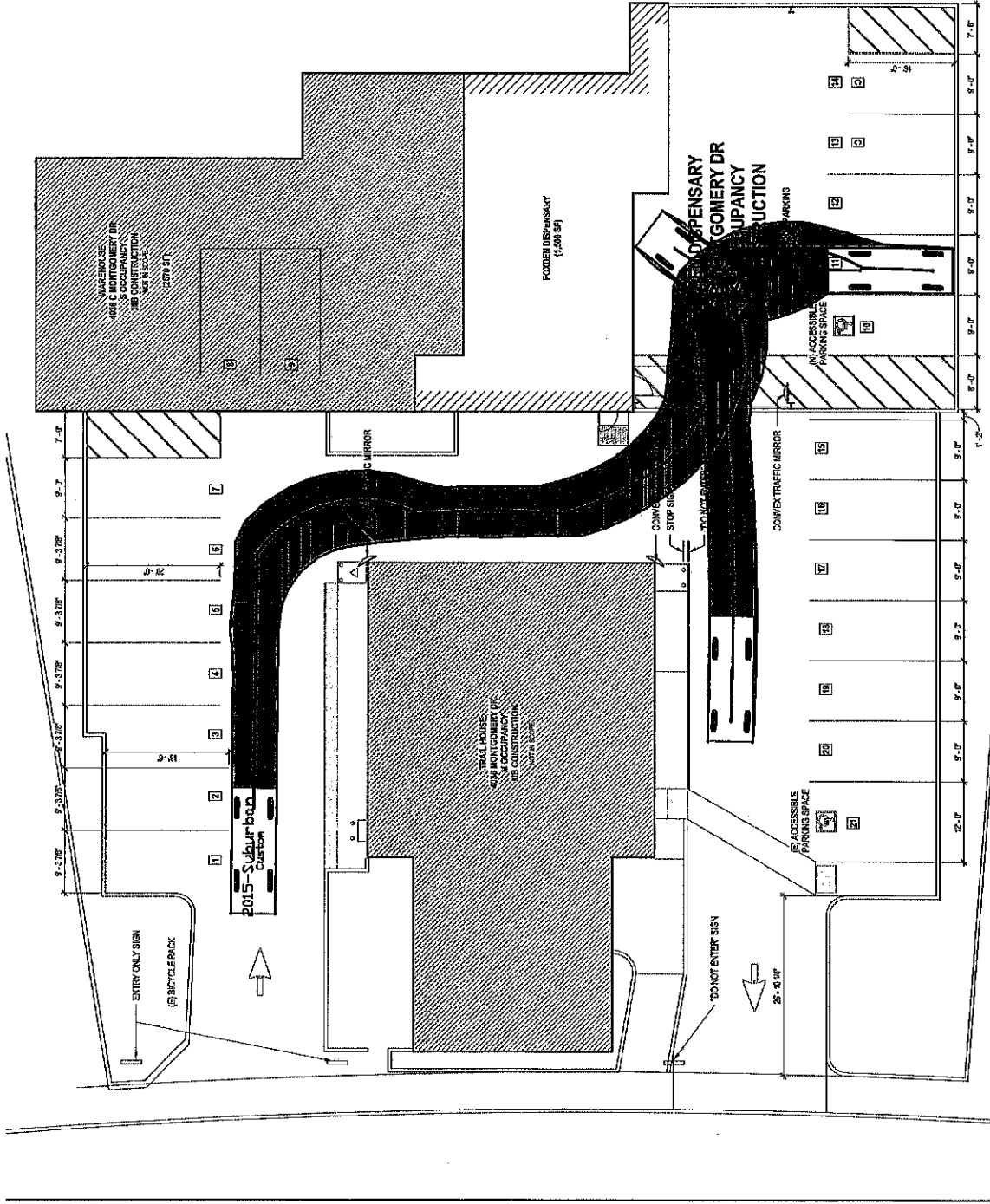


Wheelchair Lift Van

	feet
Width	: 6.67
Track	: 6.67
Lock to Lock Time	: 6.0
Steering Angle	: 31.7

AutoTURN Exhibit
Wheelchair Lift Van - Space 10

FOX DEN DISPENSARY
4036 Montgomery Drive



	feet
Width	: 6.71
Track	: 5.72
Lock to Lock Time	: 3.4
Steering Angle	: 34.6

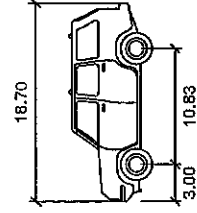
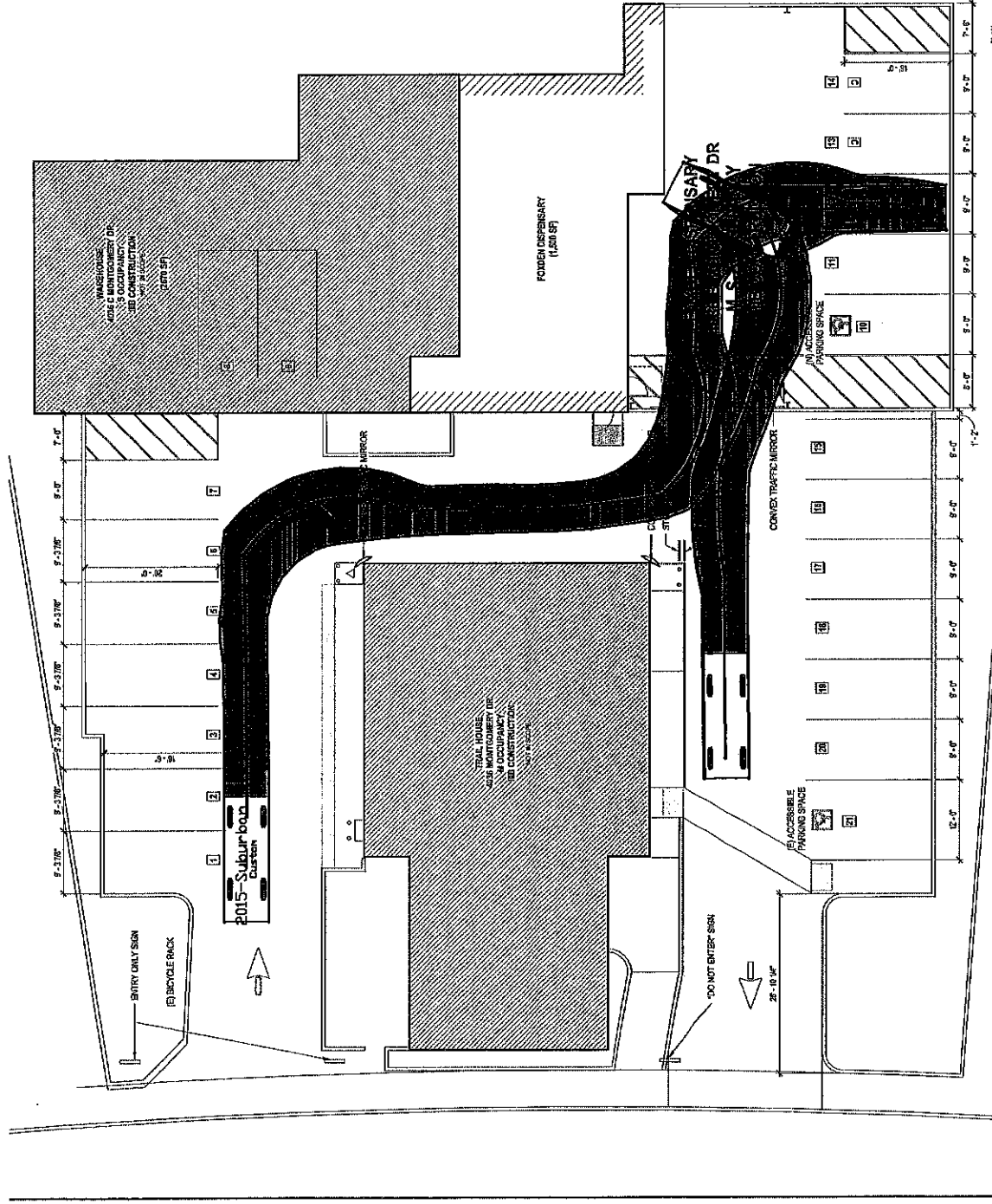
Suburban

AutoTURN Exhibit

Large Passenger Vehicle - Space 11

FOX DEN DISPENSARY

4036 Montgomery Drive



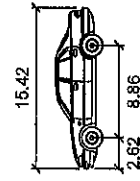
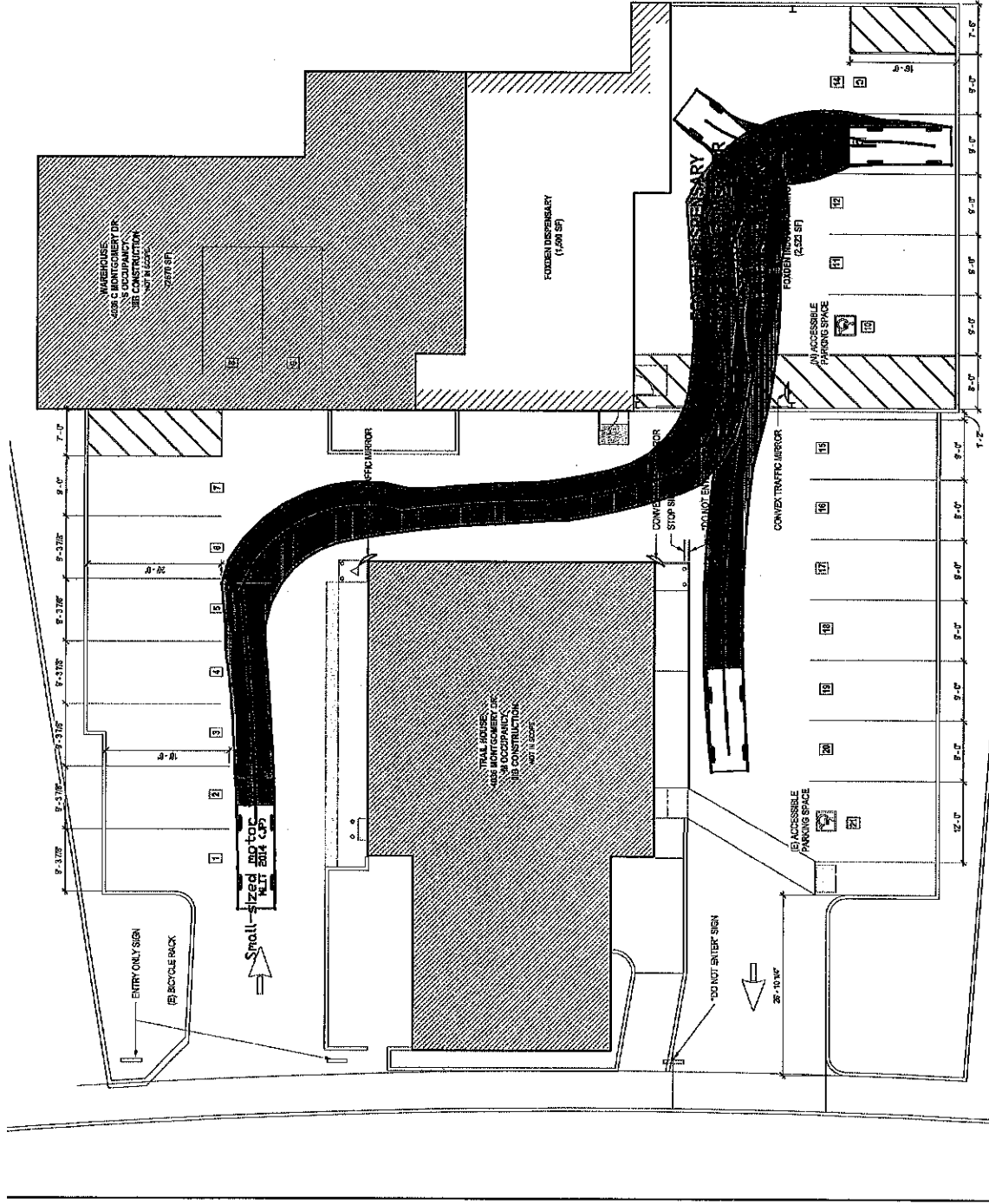
Suburban

Width	: 6.71
Track	: 5.72
Lock to Lock Time	: 3.4
Steering Angle	: 34.6

AutoTURN Exhibit

FOX DEN DISPENSARY

4036 Montgomery Drive

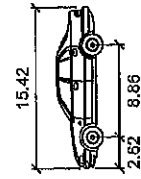
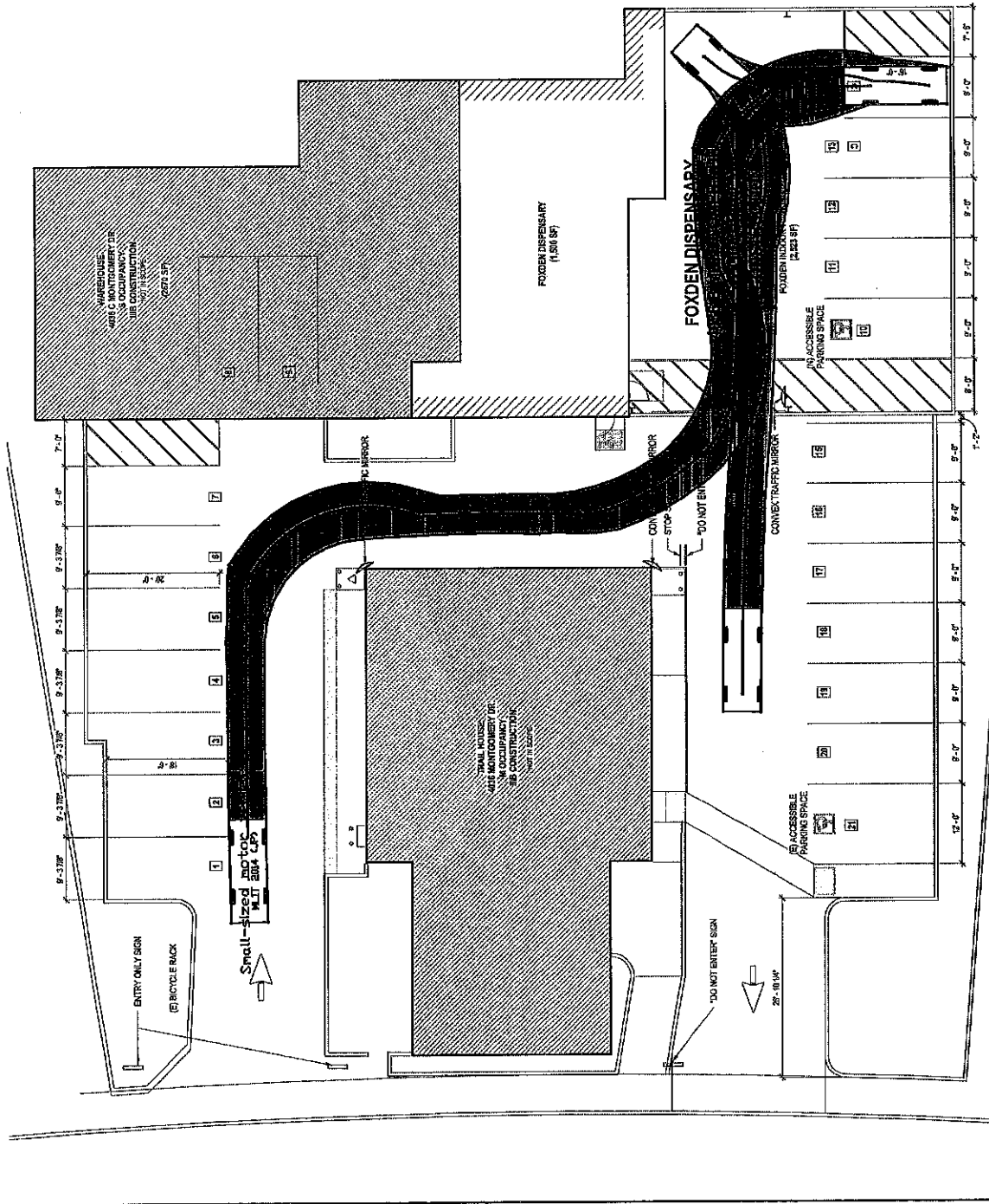


Compact Vehicle

	feet
Width	: 5.88
Track	: 5.88
Lock to Lock Time	: 6.0
Steering Angle	: 26.7

AutoTURN Exhibit
Compact Vehicle - Space 13

FOX DEN DISPENSARY
4036 Montgomery Drive



Compact Vehicle

	feet
Width	: 5.58
Track	: 5.58
Lock to Lock Time	: 6.0
Steering Angle	: 26.7

FOX DEN DISPENSARY
4036 Montgomery Drive

AutoTURN Exhibit
Compact Vehicle - Space 14

FoxDen / Standard Operating Procedures Inventory Procedures

Inventory Procedures

Product Intake/Receiving

We only accept products from licensed distributors. All distributors will be reviewed and approved by the Purchasing Manager. The following are Standard Operating Procedures for product intake:

All distributors must first submit their state issued licensed and full menu for review by Purchasing Manager prior to any business agreements.

Upon review by Purchasing Manager, approval will be granted based on inventory needs, compliance with state regulations for products including testing, alignment with current menu, professionalism, and price.

Upon approval, orders will be placed by Purchasing Manager either through an online ordering system, telephone, email, or in person.

Prior to arrival, all deliveries will be scheduled at least 48 hours in advance by Purchasing Manager.

Upon arrival, representative for respective licensed distributor will sign in with security guard and be permitted access to the dispensary through a limited access entrance.

Representative for licensed distributor will meet with Purchasing Manager in limited access zone within the dispensary.

Representative for licensed distributor will provide drivers license to be copied and kept on file with all delivered invoices.

Representative for licensed distributor will verify in person fulfillment order.

Purchasing Manager will verify with representative for licensed distributor that payment including excise tax is furnished upon delivery and is accurate.

Representative for licensed distributor will exit through limited access entrance.

Purchasing Manager then will create and receive a purchase order through point of sales software.

Purchasing manager will issue order to Inventory Manager to verify the order. Inventory Manager will check in order and necessary signage and labels will be created for the product prior to putting it out on the floor, and a sample will be taken for the display case. A portion of the product will be issued to the floor for dispensing, and the remainder will be issued to secure storage.

All products will be added to the menu board once they are made available on the floor.

Products are then ready to be allocated to qualified individuals as per state regulations.

Inventory Storage and Records of Storage

Proper product handling, storage, and recording procedures are necessary to ensure that the products we offer are of the highest quality, not contaminated in any way, and can accurately conform to the standards of track and trace. The following are Standard Operating Procedures for inventory handling, storage, and records of storage:

Inventory Storage

All handling of cannabis product is to be performed by dispensary staff only.

All products are stored in a secure limited access inventory room which is only accessible by approved managers.

All products are stored in environments that are ideal for cannabis preservation.

All back-stock is stored in a secure inventory room that is devoid of direct sunlight and does not exceed temperatures contrary to product preservation.

All cannabis products are stored in opaque and clearly labeled containers for ease of inventory reconciliation purposes.

Before being issued to the floor stock, barcoding will occur if product already does not have an existing barcode.

All floor-stock inventory will be stocked based upon daily needs in secure cabinets and drawers.

Records of Storage

All inventory records are kept digitally in an inventory management system.

Every 14 days per state guidelines inventory recording is performed by physical hand counting. This every 14-day physical inventory recording is documented digitally as well as in hand copy form.

For new inventory acquisition, once received by purchasing manager, inventory is transferred to inventory manager for verification and appropriate labeling.

Inventory manager will issue what is necessary to be transferred to floor stock, appropriately documenting, and if the level does not exceed overall acquisition the remainder will be kept securely within back stock storage.

Before being issued to the floor stock, barcoding will occur if product does not have an existing barcode.

Daily restocks from back-stock to floor-stock will be performed on an as-needed basis.



Bliss, Sandi

17.2

From: Sue Ridgeway <sue@sonic.net>
Sent: Tuesday, December 3, 2019 12:01 PM
To: _CityCouncilListPublic
Subject: [EXTERNAL] Fox Den Project

To Santa Rosa City Council Members,

It is unfortunate that there is selfish motivation behind the opposition for the Fox Den dispensary on Montgomery Drive. As a senior, living in Oakmont, I have to drive across town to the access a legal dispensary, there are none available to me on this side of town. This is not only time consuming trip, but sometimes, depending on weather and traffic, a daunting one for a senior driver.

I have severe arthritis – I use cannabis for pain relief, and as a sleep aid, not for recreation. It is wrong to assume that everyone is comfortable jumping in their car and driving across town to purchase pain relief.

Please consider the benefits for all population demographics in Santa Rosas when making a decision about a dispensary on the East side. Your decision should not be influenced because of a parking space dispute between a business dedicated to a more mobile, athletic population, and a business providing benefit, and convenience, to a different (and probably larger) population.

Thank you for your consideration,

Sue Ridgeway
6335 Pleasant Vista Pl.
Santa Rosa, CA 95409

