

May 14th, 2021

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

Re: Response to Appeal, 2300 Bethards Drive - File No. PRJ 19-047

Mr. Mayor and Councilmembers:

On March 25, 2021, the Santa Rosa City Council unanimously approved Alternatives East's application for a CUP to open a commercial dispensary at 2300 Bethards Drive. We request the council uphold this approval as the appeal is without merit and does not present any new information not otherwise reviewed by the Planning Commission.

The project is consistent with Santa Rosa's General Plan, Zoning Code, and the Comprehensive Cannabis Ordinance. By retenanting a currently unoccupied unit, the proposal utilizes an existing building in a commercial district. Additionally, the review completed by City staff and the Planning Commission was exhaustive of all planning and code related concerns with no significant impacts being identified.

Only three of the assertions made by the neighbor-appellant tangentially relate to the project's merits. Of these, none present new information or would constitute a significant impact.

First, the appellant asserts that the City Council should overturn the unanimous Planning Commission decision because the traffic consultant, W-Trans, produced two analyses showing different trip generation numbers. As presented to the Planning Commission, the differing numbers were because the first report was based on National data. W-Trans' second, and more relevant report, utilized local data that was unavailable at the time the first report was created. Regardless, both analyses show the project does not increase the anticipated trips during peak commute hours to a level that requires additional review under Santa Rosa's Standard Guidance for the Preparation of Traffic Impact Analysis. A detailed response from W-Trans is attached.

Second, the appellant claims that the project is not exempt from CEQA under Section 15303. The basis for this assertion is that Cannabis is a "hazardous substance." This is untrue. Hazardous materials are defined under California Code and do not include Cannabis. Additionally, even if this CEQA exemption was not applicable to the project, the project would still be exempt under Sections 15301, 15332, and, as it is consistent with the General Plan and Zoning Code which were approved with an EIR, Section 15183. Thus, this point is neither accurate nor would it fundamentally change the fact that the project is exempt from further CEQA review.

Third, the appellant asserts the project would constitute a nuisance and be detrimental to the public health and safety. Again, this assertion is incorrect. This claim is unsupported and flies in

the face of our city's extensive and successful experience approving cannabis retail, manufacturing, cultivation, and distribution projects. Alternatives' Roseland dispensary is in its 12th year of operation with no complaints of nuisance; it has been fully compliant and is a model for other dispensaries. This type of use is safe and supports access for the many patients and adults who rely on cannabis for their health and wellness.

The appellant further asserts the proposed location is adjacent to a residential area. Admirably, Santa Rosa has refused to marginalize dispensaries by zoning them out of sight and mind in economically struggling, urban parts of cities. In allowing retail facilities in commercial districts, such as the proposed district, Santa Rosa made a conscious decision to integrate our neighborhoods so that *all* our citizens can have access to this type of business. This area does not currently have access to a retail cannabis facility in its commercial district. The project is located at the intersection of two streets with Class 2 bike lanes, is on City Bus route #8, and is walkable from the adjacent neighborhoods. In short, it is an ideal location which will provide access to residents who are currently forced to drive out of their neighborhood to find a retail cannabis store.

In summary, Alternatives East meets the goals and requirements of the General Plan, the City's Zoning Code, and the Comprehensive Cannabis Ordinance. The review by City staff and the Planning Commission was thorough and resulted in unanimous approval. Additionally, even if the objections were accurate, the issues raised by the neighbor would not change the fact that the project meets Santa Rosa's policies both in substance and intent.

We respectfully request a swift hearing by the council and rejection of the appeal.

Sincerely,

/S/

Nick Caston
Project Representative