

**Note:** This parcel has a history that is part of the whole picture for this dispensary application that needs to be disclosed and discussed, as throughout this written narrative are references to the Nisstech Auto project. In 2015 a project was approved by the City of Santa Rosa Planning Commission on this vacant parcel (*Nisstech Automotive; File #MNP-14-016 & #DR-14-088*). The project included construction of a new 3,072 square foot metal building, with all the required on and off-site improvements and landscaping. In March of 2018, building and encroachment permits were issued for start of development of the parcel. The proposed dispensary project intends to utilize the approved building, with only minor changes to the front north elevation (removal of the glass roll up doors replacement with like designed windows). All other aspects of the building will remain unchanged. Additionally, this parcel is part of an area Rezone (*from PD Southpark to CG-General Commercial*) which Rezone project is slated for a Planning Commission hearing in May of 2018.

## **7. Project Description Narrative:**

### **R&B Dispensary, Inc. dba Mercy Wellness Santa Rosa (hereinafter Mercy Wellness)**

The proposed operation is to establish and operate a Commercial Cannabis Retail Medicinal and Adult-Use Dispensary with Delivery Services open seven days a week to the public out of a 3,072-square foot building. The retail portion of the building will be approximately 1,504-square feet, with the remaining square footages used for storage, office, reception area, and employee bathrooms (*See Attachment 9c- Floor Plan*).

Per the General Operating Requirements set forth in Section 20-46.050, Mercy Wellness will obtain a State Cannabis Business (Medicinal and Adult-Use) License upon approval from the City of Santa Rosa for a Conditional Use Permit to establish operations. A copy of the State License will be provided to the City of Santa Rosa upon receipt showing diligence in pursuit of the license. No cannabis will be consumed on the premises, as well as any parking areas, sidewalks, driveways or other immediate surroundings and stated within our member agreements. Mercy Wellness will not adversely affect the health, peace, or safety of persons living or working in the surrounding area, overly burden a specific neighborhood with special needs or high impact uses or contribute to a public nuisance. The intent of Mercy Wellness and its Mission Statement is to provide safe-access to affordable, clean, and compassionate cannabis products in a professional facility.

January 1, 2018 was the starting date for an operator to obtain a State License; ten months from that date would be October 1<sup>st</sup>. Mercy Wellness will work diligently to pursue and obtain the State License in order to be considered “operators in good standing” so building occupancy permits to commence operations can be obtained. A copy of the State application filing for the license will be provided to the City upon submittal.

Mercy Wellness is not an existing operator within the City of Santa Rosa; therefore, this code section reference is not applicable to the proposed operations. Mercy Wellness understands the Grounds for Revocation that the City has authority to evoke regarding dual licensing.

Regarding minors, Mercy Wellness will post a sign at the entry clearly stating that no person under the age of 21 shall be allowed in the dispensary, unless they are a Medical Patient with

valid recommendation and over the age of 18. Prior to entry into the dispensary retail sales area, a customer enters the lobby waiting area via a buzz in security system, where they are greeted by security personnel. In addition, and in strict accordance with California Health and Safety Code Section 11362.5 et seq., no person under the age of eighteen (18) shall be allowed on a medical cannabis retail site unless allowed under State law, and no person under the age of twenty-one (21) shall be allowed on a nonmedical cannabis retail site pursuant to California Business and Professions Code section 26140.

The dispensary will maintain records of all medicinal cannabis members and caregivers pursuant to California Health and Safety Code Section 11362.71 et seq., providing protection and confidentiality of the patient, and a copy of the written recommendation from a physical or Doctor of Osteopathy stating the need for medicinal cannabis. In addition, the dispensary will maintain records using only the State of California Medical Marijuana Identification Card numbers issued by the County or the County's designee, pursuant to California Health and Safety Code Section 11362.7 et seq., or a copy of a written doctor's prescription or recommendation, as a protection for the confidentiality of the cardholders.

Mercy Wellness stores member records in a manner to protect confidential information in the records if the records contain information protected by applicable law, including but not limited to the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and Public Law 104-191. All membership records shall be maintained onsite. The dispensary will exclude members who are caught diverting cannabis.

*If Adult-Use*, a valid government issued photo ID whose date of birth is at least 21 years prior to the date of entry is required. A doctor's recommendation is not required for customers of nonmedical cannabis. *If Medicinal*, a valid California photo ID whose date of birth is at least 18 years prior to the date of entry and a valid doctor's recommendation, which must be a formal letter, written on a doctor's letterhead, listing the doctor's medical license information as well as the date the recommendation expires, must be presented. A recommendation containing these elements written by a doctor in the State of California will allow a patient to gain access to the dispensary after they have been approved and buzzed in through the security system.

Mercy Wellness will comply with the established State's inventory track-and-trace program in order to prevent diversion of Cannabis. More is discussed in the Operations Plan regarding recordkeeping practices and chain of custody controls. (*See Attachment 12c*).

Mercy Wellness will comply with the requirements prior to commencing operations to include; obtaining a building permit to confirm the appropriate occupancy classification and compliance with Chapter 18 of the City Code; obtain all annual operating fire permits with inspections prior to operation; comply with all applicable H&SC and California Fire Code requirements (*no hazardous waste or materials will be used or generated with this proposed use*); and provide and allow access with a Fire Department Knox box for keys to gates and doors.

Mercy Wellness understands that no transfer of ownership or operational control of the

Cannabis business or transfer of the permit to operate shall be given to another person unless the transferee obtains a zoning clearance from the Planning Department stating that the transferee is now the permittee.

**7.**

- a.** This application is being made for a Commercial Cannabis Retail Medicinal and Adult-Use Dispensary with Delivery Services.
- b.** Mercy Wellness Dispensary will operate in strict compliance with the State licensing requirements for Medicinal and Adult-Use Cannabis Regulation and Safety Act (M.A.U.C.R.S.A.), and conditions of operational standards. No person under the age of twenty-one (21) years of age will be employed at Mercy Wellness. The dispensary will maintain a current register of the names of all employees employed by the dispensary. In order to hire a good workforce, and comply with State requirements, Mercy Wellness will conduct background checks on every associate/employee conducted by the California Department of Justice and local law enforcement. As a condition of employment, any and all employees must submit fingerprints to an approved Live Scan vendor and pass an electronic background check completed by the DOJ and FBI before they can be hired, which will surface any prior felony convictions. Mercy Wellness anticipates hiring individuals from the surrounding community and will market its hiring campaigns in order to accomplish this. The intent for Mercy Wellness is to obtain one permit; to establish a commercial Retail Cannabis Medicinal and Adult-Use Dispensary. Mercy Wellness intends to apply for a Type 10 license (A&M) from the State upon approval at the local level. The proposed location for the Mercy Wellness Dispensary is in compliance with State and local requirements regarding the 600-foot buffer from grades K-12 school, or advertising or marketing cannabis or cannabis products within 1,000-feet of a day care center, playground or youth center. There are no City licensed dispensaries located within a 600-foot distance of the subject property as of submittal of this application.
- c.** Only one license type will be applied for from the State of California Bureau of Cannabis Control (B.C.C.); a Type 10. No other uses will be located within the building.
- d.** The new building in which the proposed dispensary will be located has gone through the City of Santa Rosa Building Department plan checks for code compliance and is being built to the approved set of plans. The building will be built with an automatic fire sprinkler system designed per NFPA 13, including an FDC within 50-feet of a fire hydrant. A Geotechnical Investigation was submitted to the City with the building permit application. If a re-confirmation with the Building Department on this type of use regarding appropriate occupancy classification is required, Mercy Wellness will comply. All annual operating fire permits along with inspections prior to operation, shall be obtained. No hazardous materials and or generation of hazardous waste are used with the dispensary operation. Building permits for any interior improvements will be obtained if necessary. The requirement for a Fire Department Knox box for keys to gates and doors shall be adhered to.

- e. A **Security Plan** is included with this packet (*See Attachment 7e*) which incorporates the requirements pursuant to Section 20-46.050(G); including security cameras, alarm system, safe and secure product storage, safe and secure transportation and delivery, use of commercial grade doors and window locks, and an emergency access in compliance with State and Local standards. The Mercy Wellness Dispensary will be equipped with a state-of-the-art security system.
  - f. An **Odor Maintenance Mitigation Plan**, prepared by a licensed engineer, is included with this packet (*See Attachment 7f*). The Plan provides for mitigation controls and efficient systems to effectively mitigate odors from all odor sources, with controls in place to ensure the system is functioning properly. A carbon filtration system, sufficient to mitigate odors and consistent with accepted and best available industry-specific technologies will be installed. Staff training on the Plan will be part of the training that Mercy Wellness will incorporate into their employee instruction.
  - g. **Outdoor Lighting** is one of the most efficient ways to prevent crime in or around a business. There will be sufficient exterior lighting surrounding the entire building and property that will be monitored by Mercy Wellness in order to ensure that all lighting is functioning properly. The lighting provided will be sufficient to provide illumination and clear visibility to all outdoor areas of the premises, including all points of ingress and egress. Exterior lighting will be on 24/7, are energy-efficient fixtures/lamps, fully shielded, directed away from adjacent properties and public rights of way, and of intensity compatible with the neighborhood to meet the current building codes. The interior of the building will have dedicated security lights which after hours of operation lighting will be sufficient for emergency personnel. There are 4 existing street lights within the vicinity of the parcel; one sits at the SE corner of the subject parcel. (*See Attachment 9a-Site Plan; Exhibit F-cut sheets of proposed exterior lighting fixtures, & Exhibit L - Site Analysis Plan*).
- Best management practices of outdoor lighting have been approved for the recently stamped building permits for the site. These lights will include energy efficient LED's and CFL's. Building permits have been stamped and no changes to outdoor lighting will be made. (*See attached cut sheets Exhibit F*).
- h. The project will not conduct any activities that violate the maximum allowed decibels per Chapter 17-16.030 of the Santa Rosa City Code. Any cause of excessive noise, such as faulty HVAC equipment will be addressed immediately. The dispensary business will not cause noise to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. No generators will be used for back up. Instead we are looking into using Tesla Power Walls for short term emergency back-up systems which provide seven plus days of continuous power.

- i. **Accessory uses** for the business are incorporated into the floor plan to include a storage area, an employee break-room and restroom encompassing approximately 928-square feet, and a lobby, office and another restroom area encompassing approximately 640-square feet. (*See Attachment 9c - Floor Plan*)
8. **Vicinity and Neighborhood Context Maps** have been included with this application. The Neighborhood Context Map indicates the types and locations of businesses within 300-feet of the subject property. (*See Attachment 8*)
9. **Site Plans, Elevations and Floor Plans** have been included with this application. All plans provide the required information on them to assist with locating the parking, landscaped area, outdoor waste receptacles, fences, gates and interior layout. (*See Attachments 9a-c*)
10. **Parking** requirements per the City code for the retail business requires 1 parking space for every 250-square feet of retail area. The retail area is approximately 1,504-square feet in area resulting in the need for 6 parking spaces. Eleven parking spaces, including one van accessible handicap space, is being provided and shown on the site plan, as well as bicycle parking. The applicants have met with the City of Santa Rosa Traffic Engineer to discuss the site for the proposed use. The Engineer recommended a Trip Generation Memo to ascertain any traffic impact of the business at this location. A Trip Generation report has been prepared and is included with this packet. (*See Exhibit H*).

At the Neighborhood Meeting which took place on February 12, 2018 street parking was brought up as an issue. Even though the required amount of parking is in place, the applicants wanted to work toward providing parking for the employees of the business. The applicants are working with the property owner of a private lot across Santa Rosa Avenue to provide that parking and lease the space for employee parking use. This is being done so as not to impact the current off-site parking situation. A Use Permit request to allow this off-street parking is being made with this application per Section 20-36.070 which allows for “*an exception with a Conditional Use Permit to have parking located on a parcel in the vicinity of the parcel served subject to a recorded covenant running with the land, recorded by the owner of the parking facility*”. (*See Exhibit L-Site Analysis Map*)

11. The hours of operation for the retail dispensary will be 10:00 am to 7:00 pm daily, seven days a week. Dispensary employees will arrive and leave daily for a work shift from 9:30 am to 7:30 pm, seven days a week. There will be a minimum of seven employees working each day, working four-10-hour shifts, with shifts created to ensure that each employee receives required lunches and breaks. A manager will be on-site seven days per week during work shifts and will be on-call for any after hour emergencies. No employees will be on the premise after close of business for security purposes. During business hours and for product-delivery security purposes, product will be brought to the dispensary by randomized deliveries, and in an unmarked secure transport vehicle(s). These deliveries will be from licensed distributors. The vehicle

will park in the loading zone area and with security personnel present, the product will be brought into the building through a door on the southeast corner of the building which area has video surveillance. (*See Attachment 7a-Site Plan*). This application proposes to install a six-foot high wrought-iron fence around the parcel, connected to the building on both ends. This same type of fencing is already being used less than 1,400-feet away at 1235 Santa Rosa Avenue. (*See Exhibit E – Proposed Fence*)

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**12. (a) Location requirement:** The proposed retail dispensary is on a parcel of land where within 600-feet, there are no other established cannabis retail dispensaries that are/were permitted by the City of Santa Rosa as of 4/16/2018. (*See Exhibit A-600 foot buffer map*). There is no “K-12 school” as defined by the Health and Safety Code Section 11362.768 within 600-feet of the proposed dispensary. (*See Exhibit. B*) The storefront entrance to the proposed retail dispensary has an unobstructed view from the public-right-of-way, as depicted on the enclosed Site Plan. (*See Attachment 9a*).

(b) The proposed use is for a Retail Medicinal and Adult-Use Dispensary with Delivery Service.

(c) An **Operational Plan** has been included with this package for review (*See Attachment 12c*). The Plan includes a descriptive narrative of how Mercy Wellness Dispensary will comply with State and local regulations regarding; maintaining an employee register, keeping property records in compliance; publish, provide and implement a protocol and requirements for patients and persons entering the site; identifying a secured access and secured product locations; and the displaying of a State issued license for use. All areas used for commercial cannabis activities will have locking doors, with commercial-grade non-residential locks, to prevent free access. Steel framed security doors will be installed in all non-public areas.

(d) **Deliveries** associated with the Mercy Wellness Dispensary will include delivery of Cannabis and Cannabis products to patients located outside the Cannabis Retail Facility. The delivery business will comply with the requirements of Section 20-46.080(B) and all State regulations pertaining to cannabis delivery businesses. Delivery hours by Mercy Wellness Delivery Service will occur during business hours of 10 am to 7 pm. Deliveries will operate out of an eco-friendly unmarked secure transport vehicle registered with the California Department of Motor Vehicles which will be outfitted to a dedicated GPS device. While making deliveries, the applicant’s delivery employee will not carry cannabis goods worth more than \$3,000 at any time. Deliveries will be preformed by a Mercy Wellness employee (over the age of 21) who will carry at all times a physical copy of the City’s Retail Commercial Cannabis Use Permit, the City Business Licenses (if required), the State License(s) and the employee’s government issued identification.

Delivery will only be offered to a physical address, not to an address located on publicly owned land or any address on land or in a building leased by a public agency. All deliveries will be documented. The delivery service will have a menu available on the business website so customers can place orders over the phone or online. The customer will send over all necessary information and will have a profile created within the point-of-sale system. The order will go into the system and be pulled by an employee at the retail facility. Once the order is filled it will be placed in an exit bag with a receipt affixed to the bag. The receipt will include, the name of the customer, their assigned ID number, delivery address, description of the cannabis items, total amount paid by the customer including all taxes, name and address of the facility making the delivery, the name and ID number of the employee making the delivery, and the name and ID number of the employee who prepared the delivery. The driver will retain an additional copy of the receipt to be signed by the

customer upon receipt of the delivery. There will be space provided to have the date and time written in as to when the delivery was made.

While making deliveries of cannabis goods, the applicant's employee will only travel from the licensed premises to the delivery address; from one delivery address to another delivery address; or from a delivery address back to the applicant's licensed premises. No deviations from the delivery paths described except for necessary rest, fuel, vehicle repair stops, or road conditions.

(e) No Special Events are proposed with this Use Permit application request. There are no plans for on-site consumption.

(f) The dispensary **storefront** is visible from Santa Rosa Avenue and Bennett Valley Road. The building entrance to the dispensary is clear and legible. There are five windows facing north on the building which all will have a frosted vinyl coating application on the interior of the windows. The west end window will have similar treatment. The lower 3 feet area of the windows will incorporate a window treatment design (*See Exhibit H*). All **signage** posted will comply with state and local requirements. Signs on the premises do not obstruct the entrance or windows. No exterior signage or symbols are displayed which advertises the availability of cannabis using drug-related symbols which may attract minors or which is carried out in a manner intended to encourage persons under twenty-one (21) years of age to consume cannabis or cannabis products. In addition, no such signage or symbols are displayed in the interior of the facility in such a way as to be visible from the exterior.

Business signage will be only the name of the dispensary which sign will comply with City Ordinances and will not contain any logos or information that identifies, advertises or lists the services offered. A sign permit will be obtained for any business signage.

Per State regulations, 8x10" clear and legible signs will be displayed in a conspicuous location inside the dispensary where they will be visible to customers in the normal course of a transaction, stating: a) "The dispensing of cannabis without a state license is illegal." b) "Use or consumption of cannabis on this premises or property is prohibited." c) "All visitors to this premise must be at least 21 years of age, or, at least 18 years of age and able to show a government issued medical cannabis ID card in accordance with HSC 11362.7(c) through (g)." A notice that will be posted will state upon entry indicating that: smoking, ingesting, vaporizing or consuming cannabis on the premises or within 1,000 feet of the dispensary is prohibited. Mercy Wellness will also comply with any California Prop 65 standardized warning that states, with the required symbol: "WARNING: Marijuana products can expose you to chemicals including marijuana smoke, which is known to the State of California to cause cancer. For more information, go to [www.prop65warnings.gov](http://www.prop65warnings.gov)". Business advertising will be minimal with only the name of the dispensary. The applicant if required will obtain a sign permit prior to installation.

(g) A Site Management Plan has been incorporated into the Operational Plan and addresses the merit-based review criteria. (*See Attachment 12c*)



## **OPERATING PLAN**

**R&B Dispensary Inc. dba Mercy Wellness Santa Rosa (hereinafter Mercy Wellness)**  
**Site: 900 Santa Rosa Avenue**

The proposed operation is to establish and operate a Commercial Cannabis Retail Medicinal and Adult-Use Dispensary, with Delivery Services, open to the public seven days a week. The building is 3,072 square foot total with the retail portion of the business located in approximately 1,504 square feet. The remaining building square footages will be used for storage, office, reception area, and employee bathrooms.

**1. Maintain an employee register:**

No person under the age of twenty-one (21) will be employed at Mercy Wellness. The dispensary will maintain a current register of the names of all employees employed by the dispensary, and shall disclose such register for inspection by any City officer and official for purposes of determining compliance with the code requirements. Mercy Wellness will ensure that each person engaged in the operations has the education, training and experience or any combination thereof, to enable that person to perform all assigned functions. In order to hire a good workforce, Mercy Wellness will conduct background checks on every associate/employee. These background searches will be conducted by the California Department of Justice and local law enforcement. This is a condition of employment, and mandatory that all employees must submit fingerprints to an approved Live Scan vendor and pass an electronic background check completed by the DOJ and FBI before they can be hired, which will surface any prior felony or misdemeanor convictions.

**2. Keep proper records in compliance with State law:**

Mercy Wellness shall maintain patient and sales records in accordance with State law. Mercy Wellness will have strict quality control standards, from the intake of product where there is secured sign-in from the licensed vendor, where the controls are adhered to, and lastly to the product purchase orders for the complete sign off. All products will already have been verified by the Distributor that meets the State labeling and packaging requirements. Daily and monthly monitoring checks and balances include: physical inventory counts; defective product returns; cleaning, restocking and organizing the product vault and addressing any issues that may arise.

The dispensary will maintain records using only the State of California Medical Marijuana Identification Card numbers issued by the County or the County's designee, pursuant to California Health and Safety Code Section 11362.7 et seq., **or** a copy of a written doctor's prescription or recommendation, as a protection for the confidentiality of the cardholders. Mercy Wellness will track when members' medical cannabis recommendations and/or identification cards expire and enforce conditions of membership by excluding those whose identification cards or recommendations are invalid or expired.

Dispensary retail operations will record the identity and source of all cannabis products received and sold with sufficient specificity to ensure that it can be traced to its source. All records will be recorded in METRC, the State's track-and-trace program. This retail operation will maintain records that include at a minimum: form of cannabis received (e.g. clone, processed dried flower, concentrate, tincture, topical, edible, etc.); dates of the receiving of the product as well as the sale

that took place; testing and analysis conducted: name of lab conducting the testing, the type of test; analysis or examination used to determine the particular strain or cultivar of each batch of cannabis provided, any test to determine the quantitative levels of contained constituents; and the type of testing used, any tests to determine the absence or presence of specific classes of potential contaminants, yeasts and molds, and other microbiological contaminants if found Cannabis waste that account for, reconcile and evidence all activity related to the generation or disposition of cannabis waste (returns, displays).

Mercy Wellness will record in the State's required track-and-trace system upon an individual receipt and retain each transaction whether or not funds were exchanged during, or are involved in the transaction. Additionally, Mercy Wellness will comply with any track-and-trace program established by the City, County or State agencies. The dispensary will maintain records tracking all cannabis sales and products and will make all records related to commercial cannabis activity available to the City or County upon request. All sales are tracked, both Medicinal and Adult-Use. This allows the dispensary to show compliance with state regulations regarding tracking of sales.

By design, the method that the State has established by M.A.U.R.C.S.A. ensures that the quality of products is supreme. All edible products are non-perishable with a best-by date if applicable. We only accept returns on defective products. Returns are authorized by management only and upon inspection are placed in a locked container where they are securely stored and will be picked up by a state licensed disposal company. All returns are documented and recorded per State regulations.

The proposed location for the Mercy Wellness Dispensary is in compliance with State and local requirements regarding the 600-foot buffer from grades K-12 school, licensed day cares or pre-schools. There are no dispensaries located within a 600-foot distance of the subject property.

### **3. Publish and implement a protocol and requirements for patients and persons entering the site:**

All persons entering the site, including those representing a regulatory agency, shall present photo identification and shall establish proof of doctor's recommendation if customer is a medicinal patient. A doctor's recommendation is not required for customers of nonmedical cannabis. No person shall be allowed onto the premises unless they are an employee, customer, vendor or contractor of the retail facility, a primary caregiver, and/or a qualified patient or an employee of an agency having jurisdiction monitoring or investigating the terms of regulatory compliance. In addition, and in strict accordance with California Health and Safety Code Section 11362.5 et seq., no person under the age of eighteen (18) shall be allowed on a medical cannabis retail site unless allowed under state law, and no person under the age of twenty- one (21) shall be allowed on a nonmedical cannabis retail site pursuant to California Business and Professions Code section 26140.

Prior to entry into the dispensary retail sales area, a customer enters the reception area, after being buzzed in by a security system, where they are greeted by security personnel. The entrance is clearly posted that no person under the age of 21 shall be allowed in the dispensary, unless they are a Medical Patient with valid recommendation and over the age of 18. The dispensary

provides a lobby, “waiting area” at the entrance to receive members. This is the only entrance and is controlled by on-site security personnel by way of a secured locked door, a buzz-in electronic/mechanical entry system, and electronic surveillance cameras. The waiting area is controlled by a qualified security person during all hours of operation.

Depending on the type of customer any and all individuals will have to present: *If Adult-Use:* Valid government issued photo ID whose date of birth is at least 21 years prior to the date of entry. *If Medicinal:* Valid California photo ID whose date of birth is at least 18 years prior to the date of entry and a valid doctor’s recommendation which must be a formal letter, written on a doctor’s letterhead, listing the doctor’s medical license information as well as the date the recommendation expires. A recommendation containing these elements written by a doctor in the State of California will allow a patient to gain access to the dispensary after they have been approved and buzzed in through the security system.

The Front Desk Intake Receptionist contacts every Medicinal Customer’s doctor to verify their recommendation is valid by way of online verifications or by contacting the doctor’s office by telephone. Depending upon the doctor, verifications can happen instantly or may take up to a week. The dispensary, prior to dispensing medical cannabis, obtains verification from the recommended Physician that he or she is a qualified patient. Records are maintained on site digitally and physically secured and are allowed to be verified by the City as needed and at least every 21 months by the qualifying patient’s physical or Doctor of Osteopathy. The dispensary does not have a Physician on site.

Mercy Wellness will provide it’s members with a list of rules and regulations and a contract which must be signed agreeing to the governing cannabis use and consumption within the City and recommendations on sensible cannabis etiquette. Members will sign a contract that no consumption will take place within 1,000-feet of the dispensary entrance or they will lose their right to membership. All customers agree (via their signed contract) not to redistribute cannabis obtained from the dispensary or use in manner that violates local City and State laws. Additionally, all members agree to not openly medicate in public places.

Upon successful verification, the patient is allowed to enter the retail store area and is given a numbered ticket. This is a separate and secure designated area for dispensing cannabis. This is where they are able to view and make selections based upon their needs. Once their number is called, the customer walks up to the corresponding cash register and is greeted by a budtender. Upon customer selection, the budtender will complete the transaction and place the product in an approved child resistant opaque exit bag. Mercy Wellness will record and retain each transaction upon an individual receipt whether or not funds were exchanged during, or were involved in the transaction. Receipts will show the ID number of the person obtaining the cannabis, the date, time and amount of cannabis dispensed. Receipts will also show the amount paid for the cannabis, if any as well as the amount of taxes applicable to the sales.

#### **4. Identify secured access and secured product locations:**

All areas used for commercial cannabis activities have locking doors, with commercial-grade non-residential locks, to prevent free access. Only staff and persons with bona fide business are permitted in the restricted access areas. Only qualified customers, patients and caregivers are

permitted in the designated dispensary unrestricted access area. All other unauthorized visitors remain in the designated waiting area until qualified or turned away.

Mercy Wellness will install a state of the art surveillance system that electronically monitors and records all interior and exterior areas twenty-four hours a day, seven days per week. These recordings are maintained for a minimum of ninety (90) days and can be made available to State and local representatives upon request. These security cameras will record at minimum camera resolution 1280 x 720 and are 5 megapixel. All cannabis products will be stored in a locked display case, cabinet, safe, vault or room within the facility and will be under surveillance.

The premise will be monitored after normal business hours using a state of the art system that detects unauthorized entry onto the exterior property or the interior of the facility and activates an alarm. In the event of a door, window or roof activation, alarm monitoring personnel will observe real-time video feeds of the facility to determine if an actual threat exists. A comprehensive Security Plan is included with this application. (*See Attachment 7e*).

**5. Display a copy of issues State License:** Upon City of Santa Rosa approval for the use, Mercy Wellness will pursue submittal of an application to the State in order to obtain a State Cannabis License Type 10 for a retail Medicinal and an Adult-Use Dispensary with Delivery Service. This license will be adhered to regarding State licensing requirements and conditions. The dispensary at all times during business hours will display the State License issued to Mercy Wellness in a conspicuous place so that it may be readily seen by all persons entering the dispensary.

## **SITE MANAGEMENT**

**i. Owner Experience:** Operations will be overseen by Brandon Levine as the Executive Director. Brandon has successfully been the Managing Director of Mercy Wellness in Cotati, the City's only licensed retail dispensary for the past seven years. The experience and knowledge of the Commercial Cannabis Community has placed Brandon on the Sonoma County Marijuana Technical Advisory Committee (MTAC) also known as the Marijuana Task Force which was comprised of representatives of nearly every county agency. The MTAC included several working groups such as Agriculture and the Environment, Enforcement and Land Use, Taxation and Revenue, Economic Development and Jobs and Health and Human Services. Together these groups explored many facets of the cannabis industry and its impacts in the community to develop the ordinance that will regulate the industry in Sonoma County. Brandon sat on the Sonoma County Task Force Committee which purpose was to ID economic impacts of the cannabis industry in Sonoma County.

Born in Santa Rosa's Memorial Hospital, Ryan O'Kelly is a lifelong Sonoma County resident. Raised in Windsor, he went on to study viticulture at SRJC, eagerly joining the wine industry at 17. A total science-guy, Ryan studied in France and worked in a handful of Sonoma County laboratories and cellars during harvest seasons. After a number of years on multiple technical projects in the wine industry, he became a patient-provider as a cannabis cultivator and 'extraction specialist' in 2010. In 2014, Ryan was introduced to Mercy Wellness Executive Director Brandon Levine. Ryan joined forces in 2016 and became a part of the licensed

dispensary. Ryan's thirst for knowledge and commitment to being part of the licensed cannabis industry will bring benefit to this dispensary. He looks out for his community as well, giving to local sustainability groups and fire victims—in both Lake County and more recently in Santa Rosa. As a resident of Santa Rosa for 8 years, Ryan is committed to helping those in medical need of cannabis as a part of Hospice and end of life care. In addition, his mindset as an employer is that 'a rising tide raises all ships,' Ryan stands by the belief that 'we all need to make a living but one that makes a difference is better

ii. In addition to MTAC, Brandon is a board member of the California Growers Association (CGA). This statewide cannabis lobbying organization was formed in 2015 to protect and promote growers and independent businesses within California's cannabis industry. CGA works actively on the frontline of monumental policy decisions being made at the State level.

Brandon is also a board member of the Sonoma County Growers Alliance (SCGA) which educates, collaborates and advocates for patient, cultivator and community rights and responsibilities. SCGA works cooperatively with all individuals, businesses and regulatory bodies to ensure that reasonable environmental, social and economic standards are set in place, helping cultivators within the community to participate and thrive responsibly.

Mercy Wellness of Cotati has a reputation as a dispensary known for its consistency and excellence. Mercy Wellness of Cotati was recently voted in the North Bay Bohemian as 2017's "Best HIGH TIME, the Cirque du Soleil of Sonoma County dispensaries, because [they] offer full service knowledgeable budtenders, competitive prices and high CBD products." The article stated the "new patient experience at Mercy is one of the best. This new dispensary will continue to provide the type of service known and expected with its members.

iii. **Quality Control business plan:** Mercy Wellness has strict quality control standards regarding the day-to-day operations. Mercy Wellness will install variety of security devices to ensure that only authorized personnel have access to any location where medical cannabis is stored, so that employees are safe and secure inside. All doors will also be equipped with locks and alarms with an alarm that will sound if they are opened without code and key or if they are damaged. The security system will be running and operated by an outside agency. All areas used for commercial cannabis activities have locking doors, with commercial-grade non-residential locks, to prevent free access. Only staff and persons with bona fide business are permitted in the restricted access areas.

iv. Mercy Wellness will take all reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in the parking lot areas, adjacent sidewalks and areas surrounding the premises and adjacent properties during business hours. These steps include to call the Santa Rosa Police in a timely manner should the need arise; requesting those engaging in nuisance activities to cease those activities, except unless the personal safety is threatened in making the request.

Site management for facility cleanliness will be part of the new dispensary. The general office trash and recycling for the dispensary will be stored inside the building in residential style containers and brought out for weekly trash hauler pick up. Recycling will be removed from the

premise by *Recology's* Waste Zero Program. We have already met with them and will execute contracts once our application for use is approved. The dispensary will clear the trash and litter that is found on sidewalks adjoining the premises plus 10-feet beyond property lines along the street as well as parking lots under the control of Mercy Wellness as needed. Graffiti shall be removed from the premise and parking lots within 72 hours of its' found application. Each employee is assigned daily tasks to keep the business and area clean. A mandatory check-list is signed off every shift by management to ensure that the dispensary and parking lot area are free of debris and litter.

v. The building that the new dispensary will be located in is currently under construction, with an anticipated building completion time frame of five months. Mercy Wellness anticipates clearing any hurdles in order to be operational by October, 2018.

## **12. (h) Merit-based Review**

### **1. Local and State Compliance:**

**State Regulations:** Mercy Wellness is located beyond six hundred feet (600') of another cannabis retail dispensary permitted by the City of Santa Rosa as of 4.16.2018, and beyond any public or private school K-12. Mercy Wellness will operate in strict compliance with the State of California Medicinal and Adult-Use Cannabis Regulation and Safety Act (M.A.U.C.R.S.A.). We are advised by qualified legal counsel and this is an intricate part of our training and Mission Statement of the Dispensary. Strict compliance of the business and the City of Santa Rosa's Chapter 24-46 is paramount. The dispensary at all times during business hours will display the Business License and the State License issued to the dispensary in a conspicuous place so that it may be readily seen by all persons entering the dispensary.

Mercy Wellness will comply with any track-and-trace program established by the State agencies. The dispensary will maintain records tracking all cannabis production and products and will make all records related to commercial cannabis activity available to the City or County upon request. Mercy Wellness, Brandon Levine or Ryan O'Kelly, the owners, hold or maintain a license from the State Department of Alcoholic Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages. In addition, no alcoholic beverages are allowed or consumed on the premise.

**(ii) County/Regional Permit Requirements:** In addition to the above, the dispensary will maintain records using only the State of California Medical Marijuana Identification Card numbers issued by the County or the County's designee, pursuant to California Health and Safety Code Section 11362.7 et seq., **or** a copy of a written doctor's prescription or recommendation, as a protection for the confidentiality of the cardholders. Mercy Wellness will track when members' medical cannabis recommendations and/or identification cards expire and enforce conditions of membership by excluding those whose identification cards or recommendations are invalid or expired. Mercy Wellness will allow inspections by appropriate local and state agencies, including but not limited to, the Departments of Health Services, Agriculture/Weights & Measures, and the City of Santa Rosa.

**(iii) Santa Rosa General Plan Policies:** The Santa Rosa General Plan does not specifically address commercial cannabis; however is allowed by State law and further permitted through the City's adopted ordinances pertaining to cannabis. However, the CG zoning district in which this proposed site lies, is consistent with the Retail and Business Service land use classification. The Mercy Wellness Dispensary will be a benefit to the City of Santa Rosa community by assisting the City in meeting the following General Plan goals and policies:

**LUL-I-1** Provide a range of commercial services that are easily accessible and attractive, that satisfies the needs of people who live and work in Santa Rosa and that also attracts a regional clientele. *Mercy Wellness is easily accessible as the site is located along Santa Rosa Avenue at Bennett Valley Road and near Hwy 12, surrounded by a range of other commercial services and businesses. A bus stop is within a short*

*distance of the site (105-feet to east) with several cross walks in the vicinity of the parcel as well. The location will be easily accessible to provide for the needs of the people of the community.*

**LUL-K** Protect industrial land supply and ensure compatibility between industrial development and surrounding neighborhoods. *The project site is located on a parcel zoned for the proposed cannabis use. Mercy Wellness will be compatible with the other commercial uses and surrounding neighborhoods by keeping the area free and clear of debris and reaching out to the neighboring businesses for any concerns.*

**EV-A** Maintain a positive business climate in the community. *Brandon Levine, applicant, has operated a retail dispensary for seven years in the City of Cotati. The business has operated under the most positive business climate as evidence by the letter from the City Manager-See Exhibit I. The same positive business attitude and climate will be maintained in the dispensary at 900 Santa Rosa Avenue.*

**EV-A-5** Maintain diversity in the types of jobs available in Santa Rosa to lessen the impact of economic cycles. *Mercy Wellness will seek to employ persons within the community, making jobs available to a diverse group of workers, and provide an above -minimum wage thereby helping to lessen some of the economic chain.*

**EV-B-1** Monitor land use and development trends in the city to ensure an adequate supply of land that offers diverse use designations and development intensities. *By the passage and implementation of the City's current Cannabis Ordinance in January 2018, the trend in business development has allowed cannabis retailers to operate. The Mercy Wellness Dispensary at 900 Santa Rosa Avenue will offer a diverse use for the community which shall be monitored by way of conditions of approval for the use adopted by the City of Santa Rosa.*

**EV-C-1** Develop a retail and business services strategy to locate regional and local serving industries, and ensure appropriate location of such uses along major regional/arterial corridors. *Reiterating above, that the passage of the City's current Cannabis Ordinance in January 2018 (a strategy), has permitted retail commercial cannabis uses within the CG zoning district. By permitting new cannabis uses within the City, this has allowed Mercy Wellness to apply for a retail use which has become a regional and local industry. The subject property is located along a major roadway, Santa Rosa Avenue, with Bennett Valley Road being the arterial intersecting the parcel. Additionally a major corridor, Highway 12, is in close proximity to the site. All these elements meet this General Plan goal.*

**EV-D-1** Continue to promote Santa Rosa's role as a regional center. *Sonoma County is very well known for its cannabis community. By allowing this and other proposed dispensaries, you are promoting Santa Rosa as a regional center for retail sales of the product. This produces tax revenue. The surrounding businesses can benefit by the new business as their sales could increase with new users of their services or products.*



**iv. Santa Rosa City Code locational and operational requirements:** Upon City of Santa Rosa approval for the use, Mercy Wellness will pursue submittal of an application to the State in order to obtain an annual cannabis license for a Retail Medicinal and an Adult-Use Dispensary with Delivery Services. This license will be adhered to regarding State licensing requirements and conditions. The license will be displayed for the public viewing. The dispensary's policy will be to conduct background checks and Live Scan finger printing on all employees, surfacing any prior felony convictions.

Our intent is to be in the "operator in good standing" program with the City of Santa Rosa and obtain a Use Permit to operate one use; a retail dispensary. Persons who are 18 years of age or older and who possesses a valid government-issued photo identification card shall be allowed on the premises (for Medicinal). Adult-Users shall be a person who is 21 years of age or older and who possesses a valid government issued photo identification card. The proposed location for the Mercy Wellness Dispensary is in compliance with State and local requirements regarding the 600-foot buffer from public or private K-12 schools. The site is not located near any licensed day-cares or pre-schools (*See Exhibit D*).

Mercy Wellness will comply with any track-and-trace program established by the City, County or State agencies. The dispensary will maintain records tracking all cannabis production and products and will make all records related to commercial cannabis activity available to the City or County upon request.

The building where the proposed dispensary is to occupy is a new structure currently under construction. The City of Santa Rosa has already accepted the building plans which meet the current building and fire codes. A Knox box for Fire Department access will be provided. Minor interior additions will be made and the five proposed roll up doors shown on the plans for the Nisstech Auto building, will be replaced with windows. All annual fire permit inspections will be made and inspections prior to occupancy will be obtained. No hazardous waste will be kept on site or generated from the proposed use.

A Safety and Security Plan has been prepared (*See Attachment 7e*) which incorporates adequate security measures for the premise, to include exterior and interior lighting; a professionally installed and monitored robbery alarm system; security video cameras which will provide coverage on a twenty-four (24) hour basis of all internal and exterior areas where cannabis is weighed, stored, transferred and dispensed; a secure product storage vault to store the cannabis products; a secure vault for currency; ensuring all points of ingress and egress shall be secured with building code compliant commercial-grade, non-residential door locks or window locks; and incorporating security measures designed to ensure emergency access is in compliance with the California Fire Code and the Santa Rosa Fire Department Standards. The dispensary will utilize a 24/7 centrally monitored safety and security system capable of detecting and alerting management and emergency responders of fire, burglary, robbery, and

unsafe CO2 levels. Mercy Wellness will contract with a licensed alarm and surveillance operator to provide a comprehensive security, surveillance, smoke, fire, and robbery alarm system.

A commercial ventilation system odor control device that adequately controls for odor, humidity, and mold will be incorporated into the Operating Plan to ensure that odors from cannabis are not detectable off-site. Mercy Wellness will provide an adequate odor absorbing ventilation and exhaust system so that odor generated inside the facility that is distinctive to its operation is not detected outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways.

Proposed interior lighting will be fully shielded so as to confine light and glare to the interior of the structure. After hours lighting will be sufficient for emergency personnel. Exterior lighting will be code compliant and will provide for security purposes and provide illumination and clear visibility to all outdoor areas of the premises, including ingress and egress. (*See Exhibit F*).

## **2. Site Management:**

### **i. Experience in operating a cannabis retail business in the North Bay area:**

Operations will be overseen by Brandon Levine as the Executive Director and Ryan O’Kelly as Managing Director. Brandon has successfully been a successful Managing Director of Mercy Wellness in Cotati, the City’s only licensed retail dispensary for the past seven years. The experience and knowledge of the Commercial Cannabis Community had placed Brandon on the Sonoma County Marijuana Technical Advisory Committee (MTAC) also known as the Marijuana Task Force which was comprised of representatives of nearly every county agency. The MTAC included several working groups such as Agriculture and the Environment, Enforcement and Land Use, Taxation and Revenue, Economic Development and Jobs and Health and Human Services. Together these groups explored many facets of the cannabis industry and its impacts in the community to develop the ordinance that will regulate the industry in Sonoma County. In 2017, Brandon was granted a Use Permit from the Santa Rosa Planning Commission to establish a commercial cannabis indoor grow operation which plans are currently under building department review.

In 2016, Brandon produced Elevated Cannabis Compliance Conference to educate individuals involved in the cannabis industry on best practices. This event was located in Sonoma County and had over 700 attendees for the two days from all over the United States. Industry leaders, as well as many State and local officials, participated. The event brought great minds together creating a network of support for the vastly growing cannabis industry.

Born in Santa Rosa’s Memorial Hospital, Ryan O’Kelly is a lifelong Sonoma County resident. Raised in Windsor, he went on to study viticulture at SRJC, eagerly joining the wine industry at 17. A total science-guy, Ryan studied in France and worked in a handful of Sonoma County laboratories and cellars during harvest seasons. After a

number of years on multiple technical projects in the wine industry, he became a patient-provider as a cannabis cultivator and ‘extraction specialist’ in 2010. In 2014, Ryan was introduced to Mercy Wellness Executive Director Brandon Levine. Ryan joined forces in 2016 and became a part of the licensed dispensary. Ryan’s thirst for knowledge and commitment to being part of the licensed cannabis industry will bring benefit to this dispensary. He looks out for his community as well, giving to local sustainability groups and fire victims—in both Lake County and more recently in Santa Rosa. As a resident of Santa Rosa for 8 years, Ryan is committed to helping those in medical need of cannabis as a part of Hospice and end of life care. In addition, his mindset as an employer is that ‘a rising tide raises all ships,’ Ryan stands by the belief that ‘we all need to make a living but one that makes a difference is better.’

**ii. Qualifications and backgrounds of principals:** Brandon Levine’s qualifications include seven years of retail cannabis oversight of employees and staff. Brandon has been part of the Sonoma County cannabis community as a board member of the California Growers Association (CGA). This statewide cannabis lobbying organization was formed in 2015 to protect and promote growers and independent businesses within California’s cannabis industry. CGA works actively on the frontline of monumental policy decisions being made at the state level. Brandon is also a board member of the Sonoma County Growers Alliance (SCGA) which educates, collaborates and advocates for patient, cultivator and community rights and responsibilities. Brandon sat on the Sonoma County Task Force Committee which purpose was to ID economic impacts of the cannabis industry in Sonoma County.

Born in Santa Rosa’s Memorial Hospital, Ryan O’Kelly is a lifelong Sonoma County resident. Raised in Windsor, he went on to study viticulture at SRJC, eagerly joining the wine industry at 17. A total science-guy, Ryan studied in France and worked in a handful of Sonoma County laboratories and cellars during harvest seasons. After a number of years on multiple technical projects in the wine industry, he became a patient-provider as a cannabis cultivator and ‘extraction specialist’ in 2010. In 2014, Ryan was introduced to Mercy Wellness Executive Director Brandon Levine. Ryan joined forces in 2016 and became a part of the licensed dispensary. Ryan’s thirst for knowledge and commitment to being part of the licensed cannabis industry will bring benefit to this dispensary. He looks out for his community as well, giving to local sustainability groups and fire victims—in both Lake County and more recently in Santa Rosa. As a resident of Santa Rosa for 8 years, Ryan is committed to helping those in medical need of cannabis as a part of Hospice and end of life care. In addition, his mindset as an employer is that ‘a rising tide raises all ships,’ Ryan stands by the belief that ‘we all need to make a living but one that makes a difference is better.’

**iii. Business Plan that includes day-to-day operations and how cannabis will be monitored to prevent diversion:** An Operating Business Plan has been included with this application which details the day-to-day operations and checks and balances (See *Attachment 12c*). The dispensary retail operations will record the identity and source of all cannabis products received and sold with sufficient specificity to ensure that it can be traced to its source. All records will be recorded in METRC, the State’s track-and-

trace program. This retail operation will maintain records that include at a minimum: form of cannabis received (e.g. clone, processed dried flower, concentrate, tincture, topical, edible, etc.); dates of the receiving of the product as well as the sale that took place; testing and analysis conducted; name of lab conducting the testing, the type of test; analysis or examination used to determine the particular strain or cultivar of each batch of cannabis provided, any test to determine the quantitative levels of contained constituents and the type of testing used, any tests to determine the absence or presence of specific classes of potential contaminants, yeasts and molds, and other microbiological contaminants if found; Cannabis waste that account for, reconcile and evidence all activity related to the generation or disposition of cannabis waste (returns, displays).

**iv. Management Plan that prevents and responds to potential nuisance impacts (e.g. loitering, trash, local contact):** A Site Management plan has been incorporated into the Operational Plan (*See Attachment 12c*) that responds to potential nuisance impacts (e.g. loitering, trash, local contact) and protects adjoining properties, public areas, and the surrounding neighborhoods. The security cameras which will be installed will be useful for reducing crime in the neighborhood. The facility's cleanliness is a very high priority. The dispensary will clear any trash and litter that is found on sidewalks adjoining the premises plus 10-feet beyond property lines along the street under the control of Mercy Wellness as needed. Graffiti shall be removed from the premise and parking lots within 72 hours of its' found application. Each employee will be assigned daily tasks. A mandatory check-list will be signed off every shift by management to ensure that the dispensary, bathrooms, product intake, break room, security and receptions areas are cleaned and maintained to the highest quality. In addition, a Compliance Director will check weekly that these tasks are signed off daily. General office trash and recycling will be stored inside the building in residential style cans which will be hand moved out on the street for weekly pick by the trash hauler. A 6 ft high wrought-iron fence surrounding the lot is proposed, as well as two gates which will be closed when the dispensary is not open, thereby preventing loitering. (*See Exhibit E*). A local contact number for any after hour emergencies has been included with the application.

**v. Performance timeline from land use approval to plan check and construction to dispensary opening:** The Performance Timeline to gain land use approval to dispensary opening would be approximately four months from application submittal date to a land use hearing. The building is currently under new construction anticipated to be completed in five months (August 2018); with an anticipated dispensary opening of October 2018.

### **3. Neighborhood Compatibility**

**i. Description of how the use will fit into the stability and quality of the surrounding neighborhood:** The ordinances adopted by the City of Santa Rosa provided for and allowed new commercial cannabis businesses in appropriately zoned areas of the city, making them compatible with existing uses. This parcel is zoned commercial appropriately; CG. There are approximately 28 uses within a 300-foot

radius of the project parcel; 46% of them are a mixture of commercial uses, 39% of them are residential uses (SF/MF). Mercy Wellness has met with the neighboring property owners and public via the city's requirement for a Neighborhood Meeting, when proposed dispensaries are within this radius of residential uses. At that meeting we expressed our intent to keep the area as clean as possible from debris, that we would provide fencing to detract from loitering, and were researching additional employee parking off-site. We followed up by researching for locations of licensed day cares in the area and mapping them. We addressed comments and concerns of the public who spoke at that meeting by following up personally with requested information (*See Exhibits D*). Conditioned appropriately, a commercial cannabis retail dispensary can exist and not be detrimental to the public interest, health, safety, convenience, or welfare of the City, but rather fit into the quality and strength of the surrounding neighborhood. We feel that the Mercy Wellness Dispensary will be that kind of dispensary.

**ii. Description of odor control measures to prevent odor from being detectable from adjacent properties or businesses:** Odor control measures are an integral part of the cannabis business. The proposed measures and systems outlined in the attached Odor Control Plan will prevent odor from being detectable from adjacent properties or businesses. Engineering controls include carbon filtration via a dedicated environmental exhaust fan; and negatively pressurizing odor sources. Carbon filtration is commonly accepted throughout the cannabis industry as the current best engineering control technology for mitigating odors in facilities generating marijuana odors with exhaust air/filter intake points located in areas of the facility where odor-generating activities take place. As such, this engineering control strategy will effectively mitigate odors for all cannabis odor sources within the facility (*See Attachment 7f*).

**iii. Description of how an enhanced retail experience will be achieved with a well-designed site plan and use of quality materials in interior and exterior finishes:** The subject parcel is approximately 11,370 square feet in size and is located at the intersection of Santa Rosa Avenue and Bennett Valley Road. The property is a triangle shaped piece where a 3,072-SF new metal sided building will be tucked back against the most southern property line adjacent to another commercial building. The steel straight-walled building has superior durability with a traditional, attractive design. The building has gone through the City Design Review approval process and is currently under construction slated for completion in five months. The approved silver metallic colored metal exterior will be enhanced with a roof harbor blue color, and five black trimmed long tinted windows on the north side, similar in look to the approved design, with a graphic design detail window treatment on the lower 3 feet area to enhance the windows. The building variation of massing along the roofline provides a visual interest look that is similar in design to other nearby businesses along Santa Rosa Avenue. The proposed 6-ft high wrought iron fence will be similar if not the same look as an existing business located approximately 1400 feet south on Santa Rosa Avenue (Hertz) (*See Exhibit E – Proposed Fence*). The exterior lighting fixtures will be wall sconces with metal cylinder shades in a black color using energy efficient LED lighting. Additionally, low ground level landscape lighting will be installed to enhance

a nighttime appearance. Interior lighting will be code compliant. (*See Exhibit F – Lighting*). The overall look will be an asset to the surrounding community.

**iv. Demonstrate a clear and attractive entrance, pedestrian orientation, bike parking, and access to transit:** The entrance to the retail facility will be clear to discern as the building sits back against the rear property line, providing a clear view of the entrance from the street or parking lot. Bicycle parking will be made available outside the entrance to the business. Sidewalk improvements will be included with the new construction of the building allowing for safe pedestrian orientation, as well as curb cuts designed and constructed in accordance with the most current version of Caltrans Design Guidelines. There will also be improvements to Rutledge consisting of removal of the existing driveway curb cut and installation of new sidewalk, curb and gutter per City Design Standards. A bus stop is just east of the project site along Bennett Valley Road, allowing for public access to transit.

#### **4. Neighborhood Enhancement**

**i. Quality and extent of improvements to the site, building and surrounding neighborhoods:** The new improvements to be installed to both the vacant infill parcel and to the sidewalks surrounding it, will improve the site and neighborhood tremendously providing a desirable environment for its occupants, visiting public, and its neighbors through appropriate use of materials, texture, and color. The quality construction of the new building with landscaping as approved will enhance the overall appearance to the community. The new building will not interfere with the use and enjoyment of neighboring existing and future developments in that the project is generally buffered from residential uses and consistent with the commercial uses along Santa Rosa Avenue.

**ii. Integration of project through attractive façade, setbacks, quality materials and colors, landscaping, safe circulation and location of driveways, and ease of parking:** The silver metallic colored metal clad building with a harbor-blue metal roof, and five symmetrically placed long windows trimmed with a black accent and scone lighting, will provide an attractive façade to the building. All code required building setbacks have been approved by the city through the design review process. Landscaping will be installed on the parcel, as approved and covering 15% of the lot. Low level landscape lighting will enhance the new landscaping.

Safe circulation has been taken into account for the project. The original plan for the Nisstech Auto project called for three driveway cuts; one two-way on Santa Rosa Avenue, one on Bennett Valley road (ingress only), and one on Rutledge Avenue (ingress only). The applicants met with the City Traffic Engineer, Rob Sprinkle to discuss removing the driveway cut along Bennett Valley Road, as this Road is one way and a short distance from Santa Rosa Avenue. Mr. Sprinkle agreed the closure of that one driveway was safer. Mr. Sprinkle recommended a Trip Generation Memo to analyze the amount of traffic using the site (*See Exhibit G*). Additionally this topic was discussed with the building contractor by the City Building Inspector Lionel Rocha, who confirmed that this driveway does not have to be installed (*See Exhibit M*). Eleven

on-site parking spaces with one van accessible handicap space are being provided, consistent with the required parking for the retail use. Additionally we are in communications with a neighboring land owner to lease an area across Santa Rosa Avenue for our employee parking which can be solidified with a recorded covenant agreement with that property owner. An existing crosswalk is located near this site for safety and ease of getting to the dispensary.

**iii. Environmental benefits e.g. “green” business practices related to energy and/or water conservation:** The project will use energy efficient lighting both interior and exterior for green business practice benefits. Low level maintenance landscaping will be drought resistant to allow for water conservation. The retail use will not generate additional or above average use of water consumption for its business purposes other than the normal water/bathroom usage. Recycling removed will be securely removed from the premise by *Recology’s* Waste Zero Program. We have already met with them and will execute contracts once our application for use is approved.

**iv. Community benefits e.g. employment opportunities, community programs and contributions:** Mercy Wellness Dispensary will market to the local community for job positions needed providing employment opportunities to the residents of Santa Rosa. The dispensary anticipates operating with seven (7) employees who will be hired for FT/PT operations. We will operate a business-friendly environment. Mercy Wellness of Cotati was a contributor to local non-profit groups that were working to alleviate homelessness. These groups included the “Daily Acts” and “The Palms Inn” rehabilitation program. Mercy Wellness of Cotati was a provider of free medicine to fire victims that needed assistance and assisted in fundraising efforts for both Lake and Sonoma Counties as a result of the recent fires. The Mercy Wellness Dispensary of Santa Rosa will be doing whatever it can to contribute to local non-profit groups helping to reduce homelessness. Mercy Wellness will feature locally grown and made products and is already a member of Go Local®. Mercy Wellness Dispensary will work in conjunction with the Senior Center on any community programs that need contributions to stay in operation. Mercy Wellness Dispensary will be a major community benefit to this region of the city. Approve this project and you will see the results.