

GREEN PEN DISPENSARY CONDITIONAL USE PERMIT

353 College Avenue

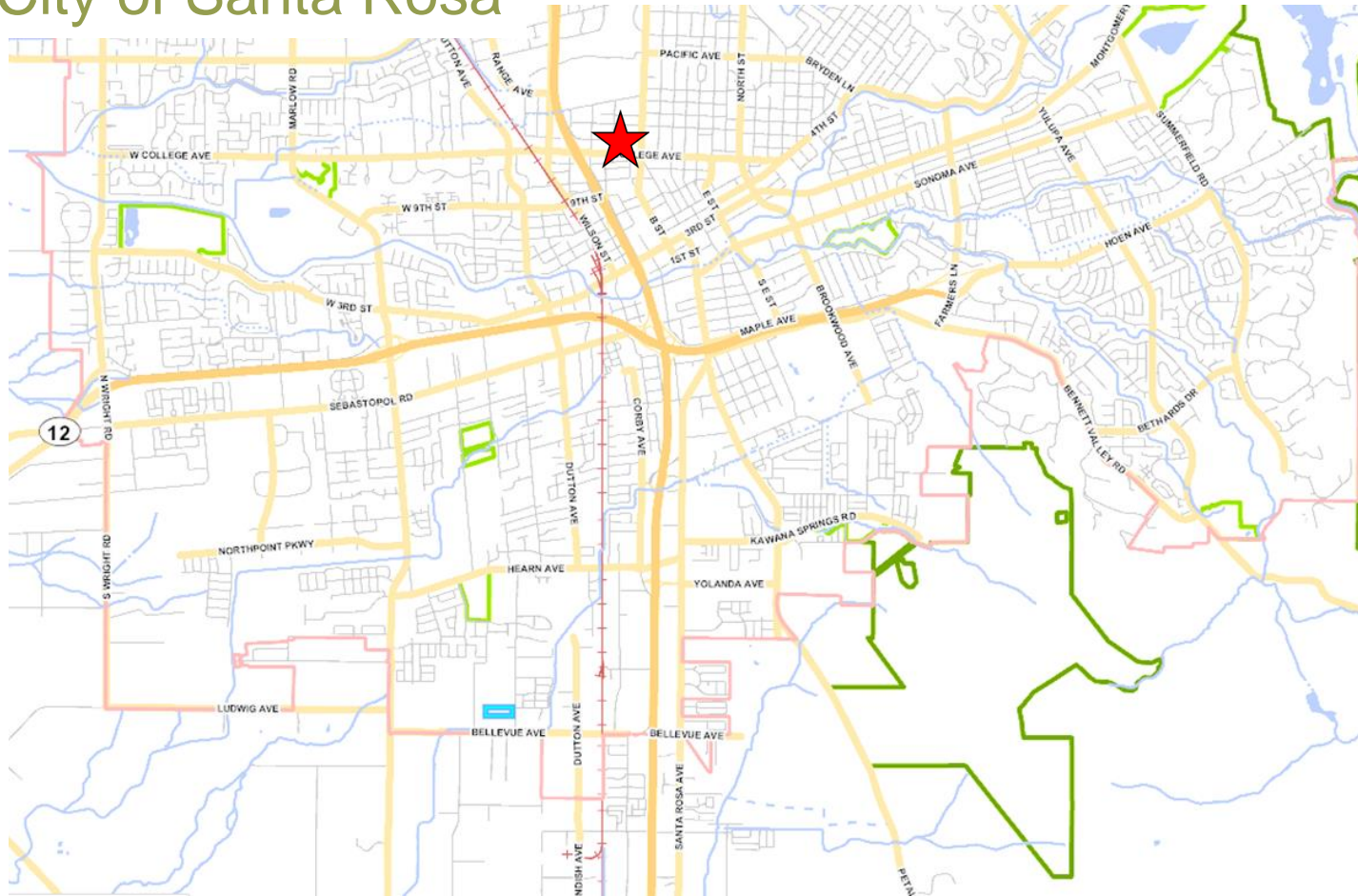
March 14, 2019

Adam Ross
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Planning and Economic Development

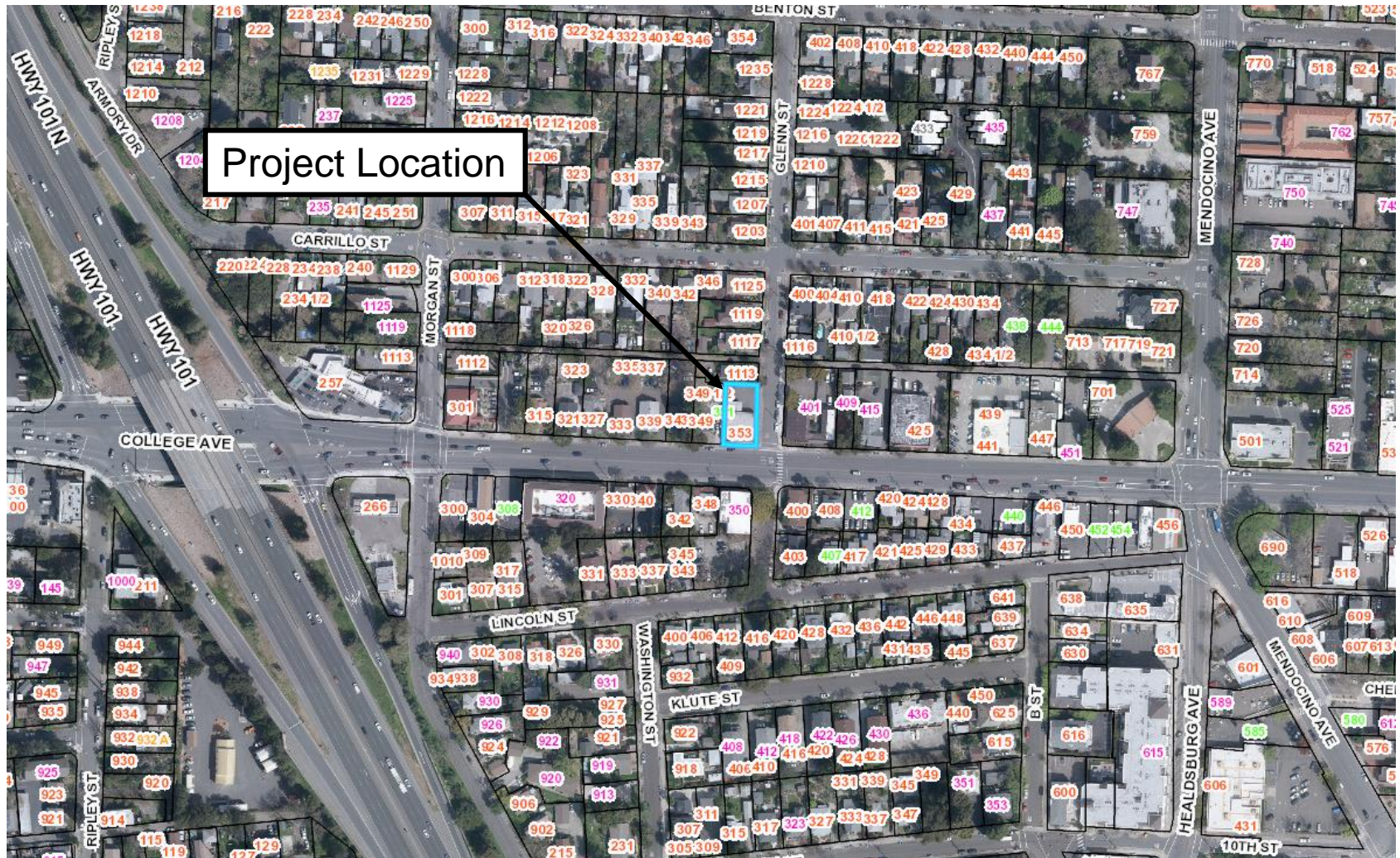
- CUP18-080 to allow Green Pen LLC, to operate Green Pen Dispensary, a medical and adult use cannabis retail dispensary with delivery.
- Reduced on-site parking to allow use of six (6) existing parking spaces
- 2,943 sq. ft. building with 1,772 square feet of retail space, 338 sq. ft. of storage, with the remainder office, employee administration, and delivery operations
- Proposed hours of operation – 9 a.m. to 9 p.m. daily

Project Location 353 College Avenue

City of Santa Rosa



Project Location 353 College Avenue



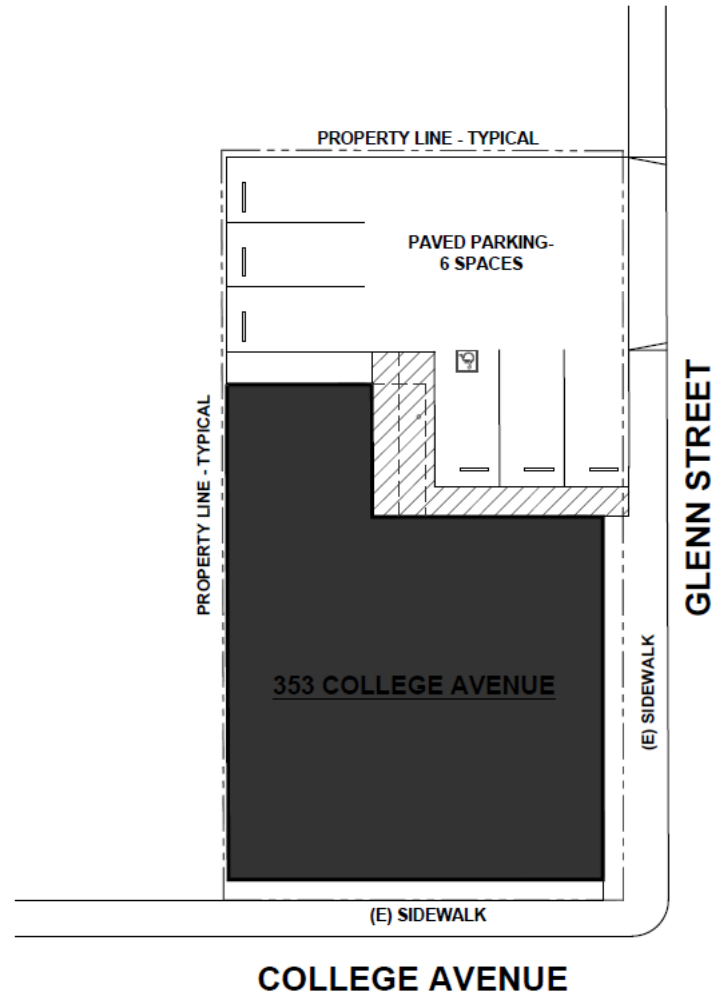
Zoning Map

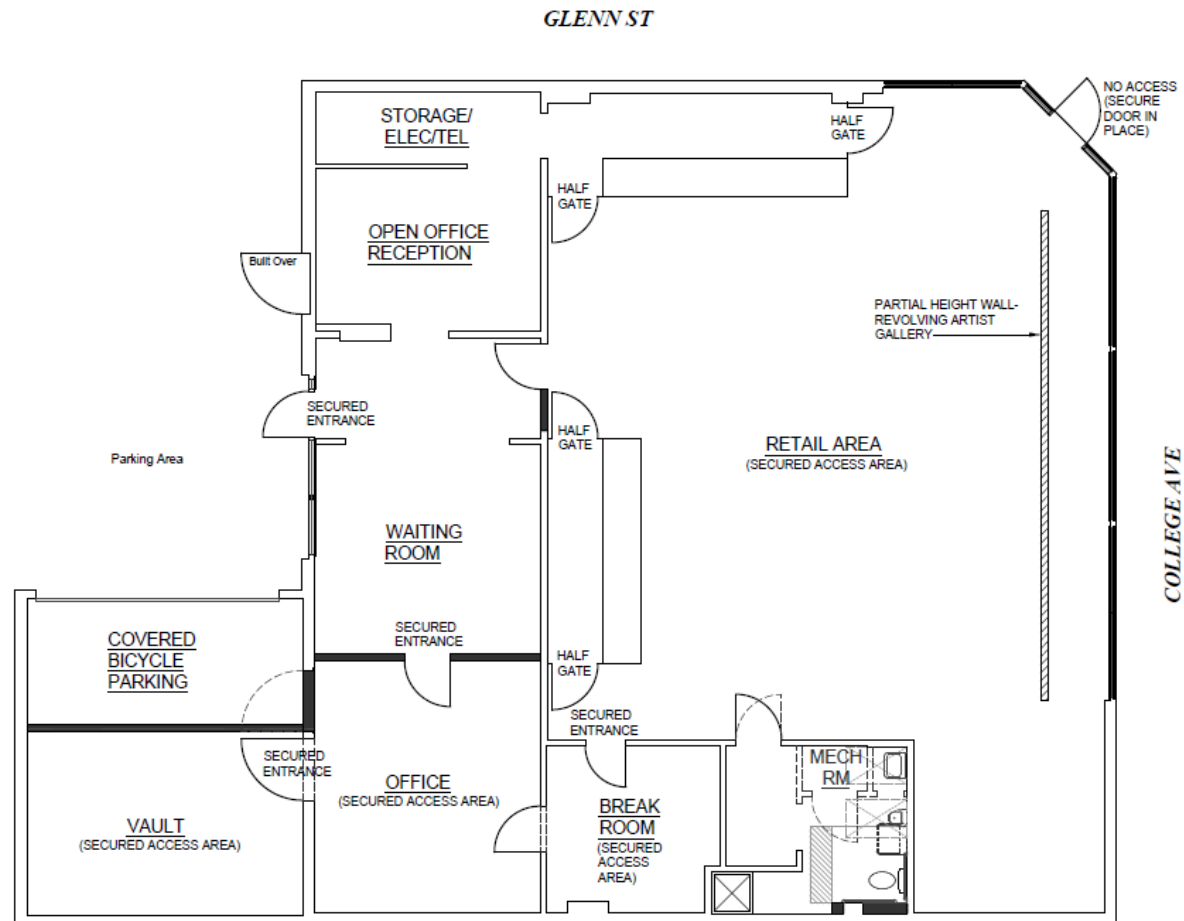
CG-H (General Commercial – Historic)





- April 20, 2018 – Conditional Use Permit application submitted
- May 29, 2018 – Notice of Incomplete Application sent
- April 16, 2018 – Neighborhood meeting held
- June 21, 2018 – Response to Incomplete Letter received by City staff
- June 27, 2018 – Application deemed complete
- July 23, 2018 – Notice of application mailed to neighbors and interested parties
- Oct 16, 2018 – Notification of Staff Issues
- Feb 14, 2019 – Staff received updated application with all Issues corrected





Front Elevation



East Elevation



- Total 2,943 sq. ft. of building requiring 1 space/250 sq. ft. = 12 total parking spaces
- Total existing parking for use 6 spaces
- W-Trans Focused Traffic Study-on-site parking less than City requirements, but total on- and off-site accommodates the use with the addition of 6 parking passes for City Parking Garage No. 7.
- Zoning Code Section 20-36.040(C)(2) does not require additional parking when a building's use changes, provided deficiency is no more than 10 spaces or 25%, whichever is greater, ADA still required

- Neighborhood meeting held April 16, 2018. Members of the public attended.
- Response to Notice of Application (11 emails, one phone call, written letter signed by 30 residents from 23 homes in Ridgway Preservation District)
 - Neighborhood Compatibility
 - Loitering
 - Increased Crime
 - Proximity to Schools
 - Odors
 - Noise
 - Traffic Parking

- Site is in commercial corridor (College Avenue)
- Use is allowed in CG Zoning with CUP approval
- Complies with General Plan Policies (EV-A-5, EV-D)
- Project includes security plan that includes security guard, nightly patrols
- Zoning Code Section 20-46.080(D)(2) requires 600-foot setback from schools. Closest School is approximately 1,225 feet away
- Certified Odor Mitigation Plan was provided (administrative and engineering controls)

Conditional Use Permit Operational Response

- Focused Traffic Study concludes the site is efficient for the use and provides adequate parking
- No on-site consumption
- Proposed deliveries to the dispensary is limited
 - 9 a.m. to 9 p.m. daily
 - Distributor Delivery 6 a.m. to 10 p.m. daily
 - All others (fedex, office supplies) no earlier than 8:00 a.m. daily

Environmental Review

California Environmental Quality Act (CEQA)

- The project is CEQA Class 1 Categorical Exemption (Section 15301) as an existing private structure involving negligible expansion of use.
- The project is CEQA Class 3 Categorical Exemption (Section 15303) as it involves a change of use, where only minor modifications are made to the exterior of the structure.

- Project is Class 32 Categorical Exemption as infill development.
 - Consistent GP Land Use Designation and Zoning District
 - Less than five acres and within City limits
 - Surrounded by urban uses
 - No value as habitat for endangered, rare or threatened species
 - Served by necessary utilities and public services
 - No foreseeable significant adverse impacts to traffic, noise, air quality or water quality

Conditional Use Permit

Required Findings a - c

- a) The proposed use is allowed within the applicable zoning district and **complies with all other applicable provisions of the Zoning Code** and the City Code;
- b) The proposed use is **consistent with the General Plan** and any applicable specific plan;
- 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;

Conditional Use Permit

Required Findings d - f

- d) The site is physically suitable for the type, density, and intensity of 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; and
- f) The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Planning and Economic Development Department recommends that the Planning Commission:

- Approve resolution for CUP18-080 to allow a medical and adult use retail cannabis dispensary at 353 College Avenue.
- Approve reduced on-site parking of six (6) spaces under Zoning Code section 20-36.05(C)(1)(b.)

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