

# R & B Dispensary & South Park Rezoning

900 Santa Rosa Avenue

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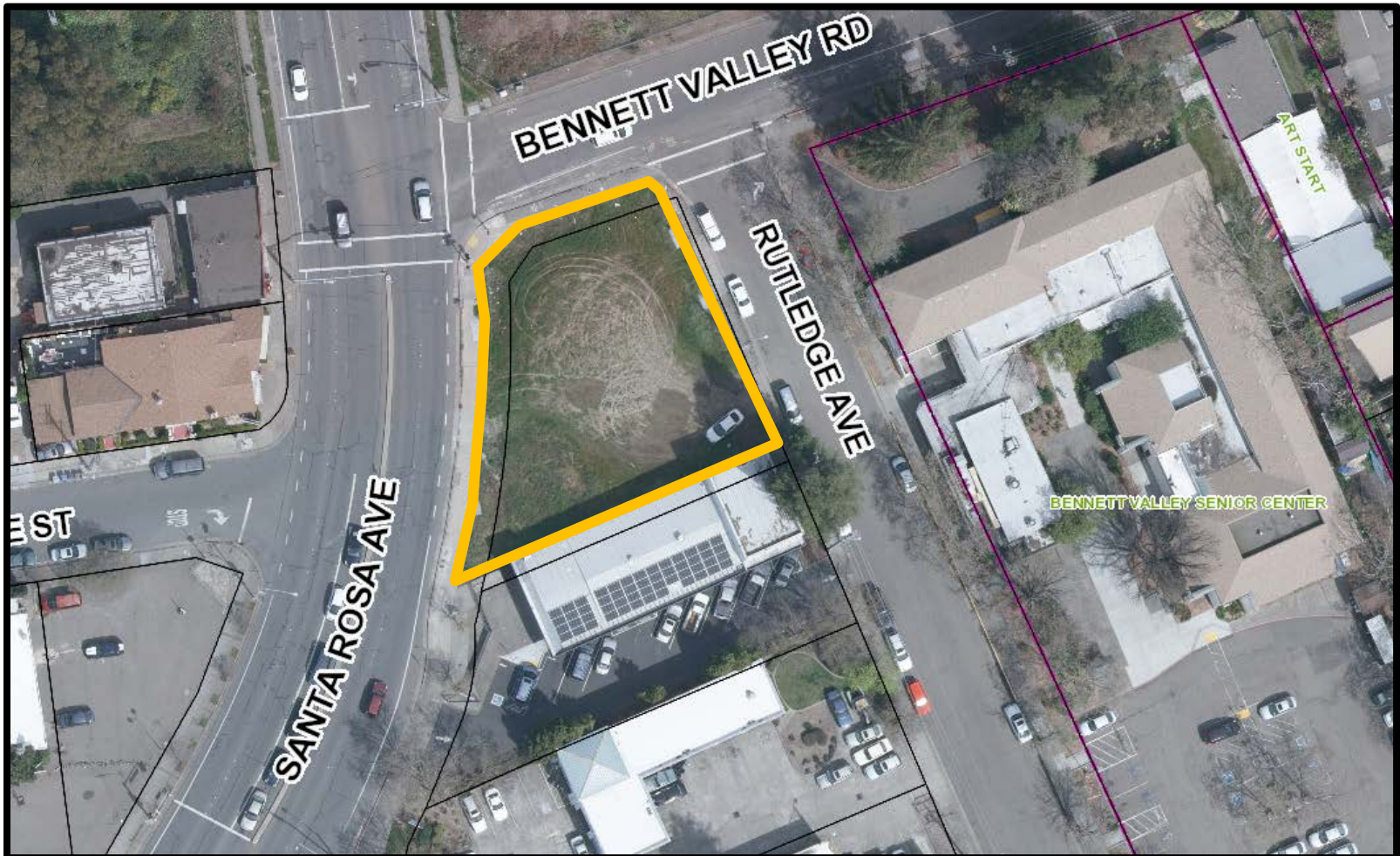
## Conditional Use Permit

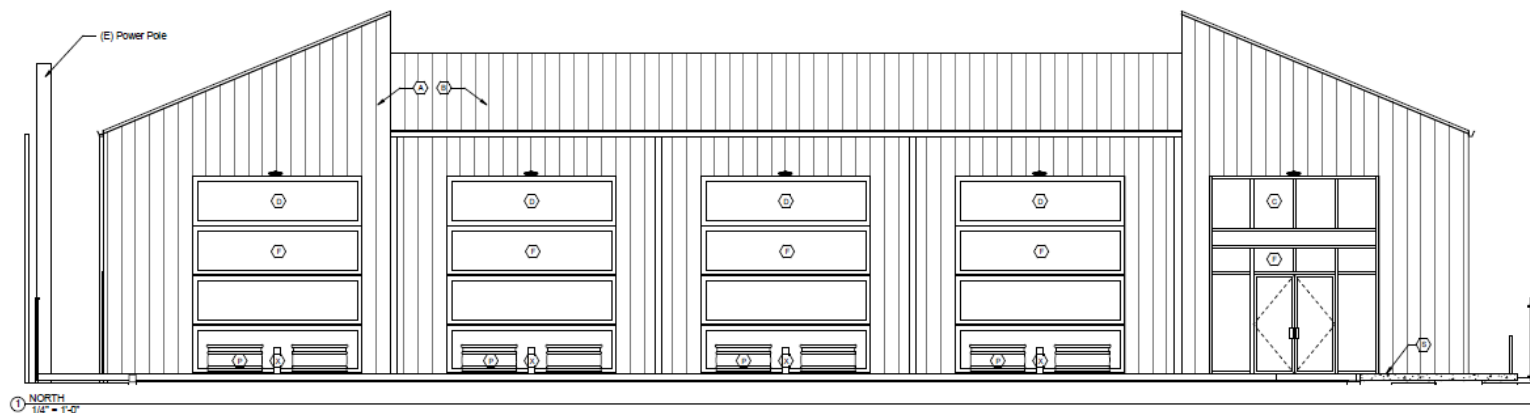
- Allow Cannabis Retail (Dispensary)

## Rezone

- From PD (Planned Development) to CG (General Commercial)
- Inclusion of 33 additional properties

# 900 Santa Rosa Avenue





The site is currently under construction.

## Proposed Rezone Boundary

Staff is recommending the inclusion of 33 additional properties for General Plan Consistency



- July 2, 2015 – Approval of building currently under construction
- September 8, 2017 – Rezoning application submitted Development.
- February 1, 2018 - Building Permit Issued
- February 12, 2018 - Neighborhood Meeting
- April 17, 2018 - Conditional Use Permit application submitted





- No CUP for permitted uses;
- Quicker re-tenanting; and
- Uses consistent with the General Plan.





# Conditional Use Permit

## Required Findings a - c

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- 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

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- 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).

### Found in compliance with CEQA:

- Pursuant to CEQA Guidelines Section 15303 – Involves a change of use
- Pursuant to CEQA Guidelines Section 15301 – Involves minor modifications to an existing facility
- Pursuant to CEQA Guidelines Section 15332 – Infill development
- Pursuant to CEQA Guidelines Section 15183 – Consistent with General Plan





- Related to the Cannabis Retail
  - Will the approval of this business attract more homeless people?
  - Will site security be adequate to protect against crime?
  - Will there be enough parking?
- Related to Rezoning
  - How will it effect existing businesses, specifically the auto repair facilities?
  - What effect will it have on property values?

During staff review, two concerns were raised.

- Parking
- Site Circulation

There are no unresolved issues.

It is recommended by the Planning and Economic Development Department that the Planning Commission approve the R & B Dispensary, located at 900 Santa Rosa Avenue, including:

- A Conditional Use Permit for Cannabis Retail
- A Rezoning for 34 from the PD zoning district to the CG zoning district for General Plan consistency.

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