

City of Santa Rosa Cannabis Use Application Retail Use Requirements

Requested Cannabis Use: M-type and A-type cannabis retail delivery service
Remodel Interior and increase sales floor

Property: 1061 N. Dutton Ave.
Santa Rosa, CA 95401

Applicant Contact info: Responsible Patient Care, Inc dba SPARC (J. Erich Pearson)
975 Corporate Center Parkway Suite 115
Santa Rosa, CA 95407
(707) 584-6923

Dear Ms. Hartman:

Thank you for allowing Responsible Patient Care dba SPARC, to serve the City of Santa Rosa's medical cannabis patient community for the past eight years. Our organization prides itself on our ability to serve this community with compassion, and provide quality care in full compliance with all state and local laws. In January of 2018, with the approval of the City of Santa Rosa, SPARC's Dutton location became one of the first licensed adult use cannabis retail facilities in Sonoma County. The first year of adult use sales has presented exciting new challenges as we work to meet the needs of a new audience. In order to better serve our community we are seeking approval to remodel our facility and add delivery service.

Pursuant to the provisions outlined in the City's Comprehensive Cannabis Ordinance (ORD-2017-025), this statement is intended to detail our request to remodel the facility and approval to conduct M- and A-type cannabis retail delivery services from the the existing and licensed retail premises. Please find attached to this statement an application from J. Erich Pearson / SPARC and check #8043 for the CUP Amendment fee of \$5,873.00.

Delivery service will allow SPARC to offer a breadth of services for patients with mobility issues or discreet persons who may not yet be comfortable in a retail dispensary. SPARC has been offering delivery services as part of our permitted facility in San Francisco without serious incident and in compliance with local law for years, and in 2018 we added delivery from our Sebastopol location. We aim to provide this same safe, professional and convenient service to the people of Santa Rosa.

City of Santa Rosa

APR 15 2019

Planning & Economic
Development Department

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- b. Compliance
- c. Separation of License Types
- d. Building and Fire Codes
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- i. Accessory Use (Not Applicable)

a. Commercial Cannabis Use

As allowed by CA Prop 64 and the Santa Rosa City's Comprehensive Cannabis Ordinance (ORD-2017-025), SPARC is seeking the addition of delivery to its already permitted and operating cannabis retail facility. Delivery would serve the same customer base as the dispensary, including both adult and medical cannabis sales.

The proposed interior remodel is intended to enhance the customer experience for the SPARC existing member base. Currently the interior of the dispensary is only 491 square feet, which has proven to be too cramped a space for even a few shoppers. The proposed remodel increases the retail sales floor to 1,897 square feet. Additionally, other administrative support areas are also proposed to be remodeled, and in some cases square footages increased. For exact square footages of each room, please see attached room schedule on page 4 of the site plans. We do not expect this remodel to significantly increase our membership numbers, especially in light of the many new retail cannabis dispensaries being permitted in Santa Rosa.

b. Compliance

Medical and Adult Use Cannabis Regulation and Safety Act and associated state regulations

Physical Address: Deliveries of cannabis goods will only occur to a physical address in California, except to an address located on publicly owned land or any address on land or in a building leased by a public agency. This prohibition applies to land held in trust by the United States for a tribe or an individual tribal member unless the delivery is authorized by and consistent with applicable tribal law.

Vehicle Requirements: Cannabis goods for delivery will travel in an enclosed motor vehicle outfitted with a dedicated Global Positioning System (GPS) device for identifying the geographic location of the delivery vehicle, and operated by an employee of the licensee.

Securing Cannabis Goods: Delivery employees will ensure the cannabis goods are not visible to the public, and will not leave cannabis goods unattended in the vehicle unless the vehicle is locked and equipped with an active alarm system. The cannabis goods will remain in a locked box during transport and be removed only when at the destination point

Value of Cannabis Goods: Delivery employees will not carry cannabis goods valued in excess of \$5,000 at any time and will not consume cannabis goods while delivering cannabis goods to customers.

Delivery Route: Delivery employees will only travel from the licensed premises to the physical delivery address; from one delivery address to another delivery address; or, from a delivery address back to the licensed premises. A delivery employee may not deviate from the delivery path except for necessary rest, fuel, or vehicle repair stops, or because road conditions make continued use of the route unsafe, impossible, or impracticable.

Ordinance to Establish Comprehensive Cannabis Regulations In the City of Santa Rosa

Dual licensing: SPARC has obtained temporary state licenses for Medical Cannabis Retail, as well as Adult Use Retail at this facility. A state license is not specifically required for delivery, only local authorization. Upon approval of this Use Permit Amendment, SPARC will request approval from the BCC for a modification of the premises, and will submit all required notifications.

Minors: SPARC maintains secure control processes for age verification and recommendation validation before an individual is permitted to place an order, and again at the point of delivery by the on-site courier. Our hiring process includes verification that employees are at least 21 years of age.

Inventory and Tracking: SPARC maintains an internal tracking system to identify loss and prevent diversion and we will register for and complete the state mandated training for the California Cannabis Track and Trace (CCTT) system within the required time frame. Until then, the information required to be reported to CCTT will be recorded manually per state regulations until such a time as it can be entered into the electronic system.

Transfer of ownership or operator: No change in ownership has occurred, and, if a change should happen, then it shall occur in accordance with state and local laws.

c. Separation of License Types

SPARC was granted a Zoning Clearance from the City of Santa Rosa in January of last year allowing the medical dispensary to begin to also serve the adult use market at 1061 North Dutton Ave. Delivery services are not considered separate uses if conducted from the licensed retail premises. Given that SPARC has been granted the clearance to sell to the adult market, and that there have been no neighbor concerns related to this, we believe it is reasonable to grant SPARC the clearance to begin delivery sales of cannabis to both medical and adult users.

d. Building and Fire Code

SPARC will obtain all building permits and has confirmed the appropriate occupancy for the facility. All construction will be built to code and properly permitted. All appropriate fire permits will be obtained and inspections completed as required.

e. Security Plan

Please see Attachment B. Security Plan.

f. Odor Mitigation Plan

SPARC has developed an Odor Mitigation Plan for this facility and the planned uses. This will ensure that SPARC maintains an effective air treatment system and replaces filters regularly to ensure that off-site odors do not result. It is anticipated that odor concerns will be almost entirely mitigated by state regulations which require all products offered at retail facilities be properly stored in child-proof and tamper-evident packaging and delivered by licensed distributors. Please see Attachment A. Odor Mitigation Plan

g. Outdoor Lighting

No modification to existing exterior lighting is proposed. The exterior of the building was previously remodeled under the appropriate permits and included upgraded exterior lighting. This exterior lighting is provided for security purposes and provides clear visibility to all outdoor areas of the premises, including all points of ingress and egress. Exterior lighting is stationary, fully shielded, directed away from adjacent properties and public rights of way, and is of an intensity that is compatible with the neighborhood. Interior light systems are fully shielded including adequate coverings on windows, confining light and glare to the interior of the structure.

h. Noise

SPARC is in compliance with Municipal Code Chapter 17-16, and has no noise complaints on record in any regard, including no excess noise complaints about the air conditioning system. The upgraded Odor Mitigation system shall be installed in such a way to minimize any noise. Cannabis delivery is not expected to impact noise levels.



6010 Commerce Blvd, Ste 152
Rohnert Park, CA, 94928
707.584.6923

I. Accessory Use

N/A

Table of Contents: Retail (Delivery) Use Specific

- a. Location Requirement
- b. Medicinal/Adult Use
- c. Operational Plan
- d. Deliveries, On-site Consumption (Delivery Only)
- e. Special Events (Not Applicable)
- f. Storefront, Signage, and Window Treatments
- g. Site Management Plan
- h. Merit-Based Review

a. Location Requirement

SPARC's location in Santa Rosa meets all the required zoning for a cannabis business (more than 600 ft from a school/park or another dispensary). 1061 N Dutton is a CG zoned area that abuts a residential zone.

Since receiving our original Medical Cannabis Dispensary permit from the City of Santa Rosa in 2011, SPARC has been a model medical cannabis dispensary, providing a professional and educational environment. SPARC has been able to make this experience available to everyone over the age of 21 since receiving approval for Adult Use sales in 2018.

With each remodel or operations change, SPARC has gone through the appropriate planning process including various neighborhood meetings to address any concern from residents close to the facility. Due to SPARC's professional operations, this application has received no inquiries and no neighbor felt it necessary to attend the neighborhood meeting hosted by the City's planning department on September 19, 2018.

We expect the addition of delivery to this location will have a positive impact on the surrounding area. We expect this remodel to result in no significant increase in traffic, as delivery drivers often carry multiple orders per trip.

The entrance (as shown on the site plan) is situated so as to have an unobstructed view of the entrance from the public right of way.

b. Medicinal/Adult Use

Pursuant to the City Zoning Clearance SPARC was issued on January 19, 2018, adult use cannabis sales was added to the existing medical cannabis dispensary. The proposed delivery function will serve both medicinal and adult cannabis users, reflecting the storefront dispensary.

c. Operational Plan

1. Maintain an employee register: SPARC Santa Rosa will maintain an accurate list of delivery employees and ensure training on matters related to safety and compliance.
2. Keep proper records in compliance with state law: During delivery, the dispatch office shall maintain a copy of the delivery request and shall make it available upon request of the licensing

authority and law enforcement officers. All documentation shall comply with state and federal law regarding the protection of confidential medical information.

3. Publish and implement a protocol and requirements for patients and persons entering the site: SPARC maintains secure control processes for age verification and/or recommendation validation before an individual is permitted to place an order, and again at the point of delivery by the on-site courier. Our hiring process includes verification that employees are at least 21 years of age.

Protocols and requirements for patients and persons entering the site. No person shall be permitted to enter a Cannabis Retail facility without government issued photo identification. Cannabis Businesses shall not provide Cannabis or Cannabis Products to any person, whether by purchase, trade, gift or otherwise, who does not possess a valid government-issued photo identification card and, for medicinal use, a valid physician's recommendation under Section 11362.712 of the Health and Safety Code.

4. Identify secured access and secured product locations: All areas other than the retail floor and restrooms will be limited access areas accessible only to staff and contractors or vendors with appropriate identification and supervision. See Site Plan.
5. Display a copy of issued state license: All employees delivering cannabis or cannabis products will carry a copy of our current state cannabis retail licenses, a valid driver's license, and an employee ID badge. Employees will present that license and identification upon request to state and local law enforcement, employees of regulatory authorities, and other state and local agencies enforcing this division.

d. Deliveries, On-Site Consumption

Delivery operations will require five additional staff consisting of three drivers and two for on-site dispatcher. These individuals will be supervised by on-site dispensary managers/supervisors. We plan to offer the delivery services seven days per week between the hours of 9:00 a.m. and 9:00 p.m.. The operations will run from inside the dispensary common work area located behind the controlled access dispensary and we plan to use product already available at the retail facility. It will truly be an extension of the products and services we offer at the walk-in retail premises.

Security: Delivery will occur from the licensed premises on N. Dutton Ave. All security plans for the premises had been vetted and the organization has been in compliance with all security

f. Storefront, Signage, and Window Treatments

The addition of delivery requires no change to the storefront, signage, or window treatments.

g. Site Management Plan

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

Responsible Patient Care, dba SPARC (formerly Peace in Medicine) was one of the first medical cannabis dispensaries to open in Santa Rosa, over seven years ago. Responsible Patient Care has also operated an award winning dispensary in Sebastopol for more than ten years. Mr. Pearson also operates three dispensaries in San Francisco and has served on advisory boards related to medical cannabis and legalization.

Both Responsible Patient Care locations (Santa Rosa and Sebastopol) are in good standing with local government and in constant communication with the surrounding neighborhood to ensure SPARC is always a positive impact on the Cities it serves.

ii. Qualifications and backgrounds of principals

SPARC is a long standing member of the City of Santa Rosa, having served patients since 2011 and adult-use customers since early 2018. Over the years, SPARC has been actively engaged with the local community, serving as a drop off point for donations to the fire victims of the Sonoma County Fires back in October 2017, and a pick up point for breathing masks and basic necessities. SPARC has also held seasonal food drives in partners with local charities.

Erich Pearson is a longtime cannabis advocate, cultivator, and dispensary operator who was appointed in 2007 by Supervisor David Campos to sit on San Francisco's Medical Cannabis Working Group. In 2010, he founded SPARC and opened a dispensary in San Francisco focused on serving low-income patients, both directly and through partnerships with local hospices and nonprofits. Mr. Pearson has served as President of Responsible Patient Care since 2015.

iii. Business Plan that includes day-to-day operations and how cannabis will be monitored to prevent diversion

SPARC maintains strict inventory controls including internal tracking and audit procedures to ensure no diversion of cannabis occurs. Security personnel are trained on ID verification and use an electronic record management system to ensure that all customers are identified and tracked. Upon joining SPARC, all members agree to a Code of Conduct and acknowledge that they understand that no reselling or diversion of cannabis is allowed, and that any violation of

this Code of Conduct is grounds for termination of membership. Please see Attachment B. Security Plan for further information on facility security.

iv. Management plan that prevents and responds to potential nuisance impacts (e.g. loitering, trash, local contact) on adjoining properties, public areas, and the surrounding neighborhoods

Onsite security staff have received professional security training and regularly walk the parking lot and neighborhood to ensure no nuisances occur. The applicant provides additional training on observation skills, active listening, de-escalation and non-violent conflict resolution. Physical training is focused on awareness, injury prevention, and reducing the repercussions of a physical confrontation. Should a nuisance situation present itself, security personnel employ non-confrontational counseling techniques they have learned in training. Please see Attachment B. Security Plan for further information on facility security.

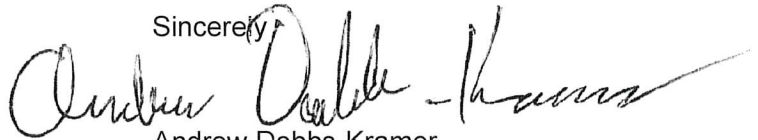
v. Performance timeline from land use approval to plan check and construction to dispensary opening

A complete building permit set will be submitted immediately after Use Permit Amendment approval is granted. Construction will follow after issuance of building permit.

Please do not hesitate to reach out should you need further information on this request for a remodel and operational change. Accompanying this letter is a Conditional Use Permit application signed by our landlord. It has been an honor to serve the City of Santa Rosa and a privilege to operate in a City that values cannabis businesses as vital to economic development.

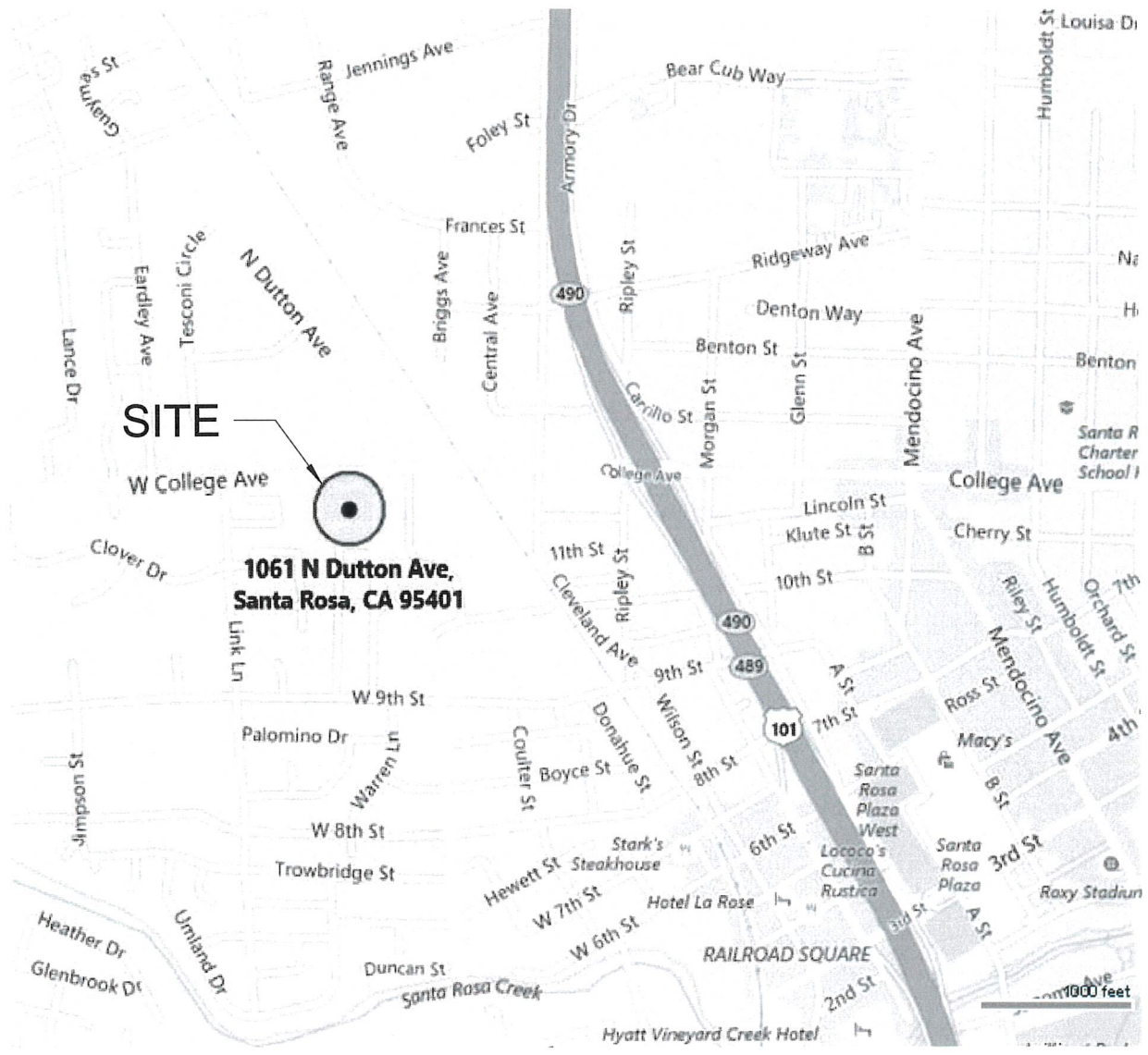
Your review of this request and prompt action is sincerely appreciated. For questions or concerns, please do not hesitate to contact me at 707-584-6923 or by email to Compliance@sparc.co.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Dobbs-Kramer", is written over the word "Sincerely,".

Andrew Dobbs-Kramer

Compliance Manager, SPARC



City of Santa Rosa

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Planning & Economic
Development Department

VICINITY MAP

SPARC / RPC
TENANT IMPROVEMENTS
1061 NORTH DUTTON AVENUE
SANTA ROSA, CA 95401

Project No.: 17-047
PO No.:
Drawn S/A
Issue Date: 3/8/18

Sheet

MAP

3/9/2018 6:49:47 AM

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SHEET KEYNOTES

① PROJECT SITE

② 1/2 MILE RADIUS FROM PROPERTY LINE

S/A
SCHWARTZ
ARCHITECTURE
1055 FINE AVE ST
SAN FRANCISCO, CA 94104
TEL: 415/774-1488

SPARC / RPC
TENANT IMPROVEMENTS
1001 NORTH DUTTON AVENUE
SANTA ROSA, CA 95401



Revisions		
No.	Revisions	Date

CONTEXT MAP

Project No.	17-047
Drawn By	SLK
Issue Date	2-16-2018

CUP2

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City of Santa Rosa

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**Planning & Economic
Development Department**

RPC dba SPARC Retail/Delivery Operations Hours

Retail Activities:

Monday - Sunday Retail Storefront: 9:00am - 9:00pm

Monday - Sunday Retail Delivery Service: 9:00am - 9:00pm

Monday - Sunday Retail Commercial Delivery/Intake: 9:00am - 9:00pm

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