

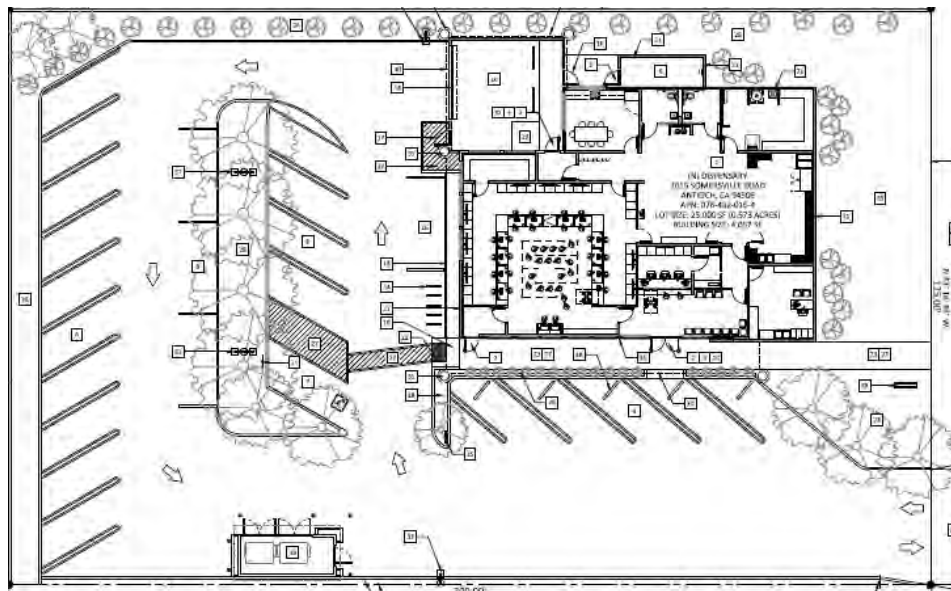
# PLANNING COMMISSION STAFF REPORT



## Cannabis Dispensary

August 17, 2022

2615 Somersville Rd.  
UP-22-09



### Quick Facts

**Applicant:** 2615  
Somersville LLC

**APN:** 076-432-016

**Zoning:** C-3

**GP Land Use:** Regional  
Commercial/CB 3  
Somersville Overlay District

**Land Area:** 25,000 sq. ft.

**Building Area:** 4,057 sq. ft.

**State License:** Type 10

### Project Description

The applicant is seeking Use Permit approval to operate a new retail cannabis dispensary at 2615 Somersville Rd. The subject site is a 25,000 sq. ft. lot with an existing 4,057 sq. ft. commercial building built in 1975. Tenant improvements include a new lobby, a large retail showroom, secure storage, order processing area, and office space. The business is proposed to operate from 9am-8pm, seven (7) days a week. The business will employ up to thirty-five (35) employees including management, security personnel, and delivery drivers. A Type 10 license through the California Department of Cannabis Control is required for the business operation.

### Requested Approvals

**USE PERMIT FOR A NEW CANNABIS DISPENSARY**

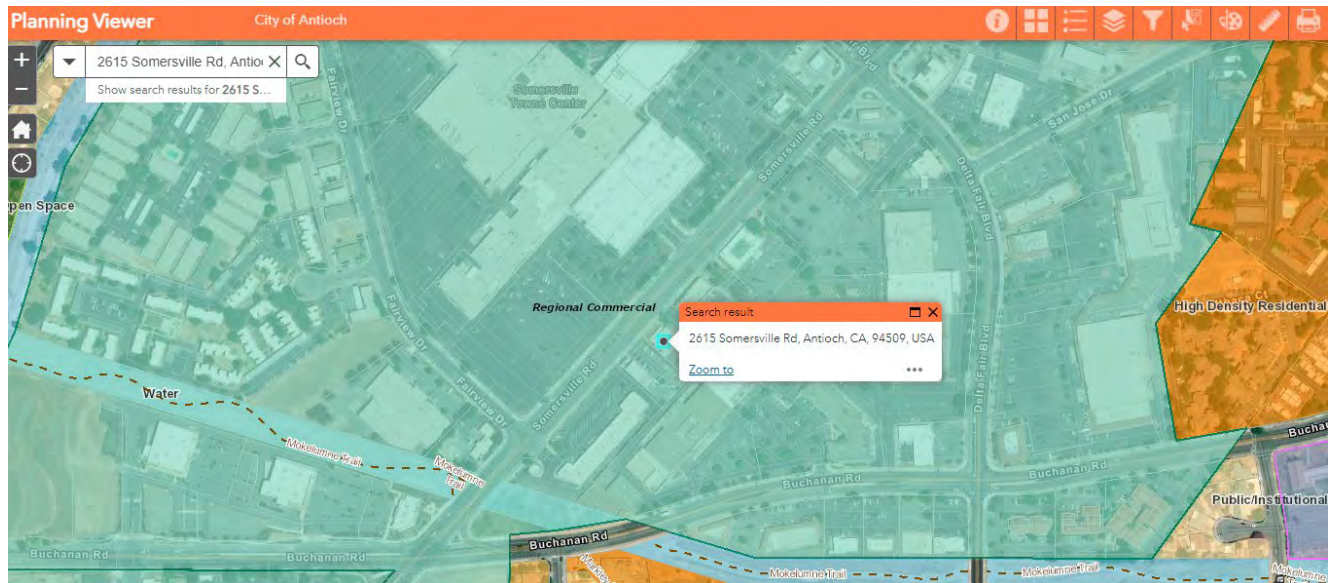
**STAFF RECOMMENDATION: APPROVE**

Project Planner: Anne Hersch

## BACKGROUND

### Subject Site

The subject site is a 25,000 sq. ft. lot with an existing 4,057 sq. ft. commercial building built in 1975. City records show that the building was originally constructed and occupied by AAA in 1974 and used as a district office. The building was expanded in 1984 by 800 sq. ft. to accommodate insurance offices. In 2015, "Fast Auto & Payday Loans" occupied the building and ceased operation in 2020 and the building has been vacant.



Comparison of Adjacent Properties			
Vicinity	GP Land Use	Zoning	Current Use
North	Regional Commercial	C-3	Wells Fargo Bank
South	Regional Commercial	C-3	Double Dragon Restaurant
East	Regional Commercial	C-3	Orchard Square Shopping Center
West	Regional Commercial	C-3	Somersville Towne Center

### Project Timeline

- Pre-Application Review: April 28, 2022
- Project Submitted to City: May 16, 2022
- Project Deemed complete: June 24, 2022
- Planning Commission review: August 17, 2022

## Analysis

### Overview

The applicant is seeking Use Permit approval to operate a retail cannabis dispensary at 2615 Somersville Rd. A retail dispensary also requires a Type 10 "Storefront Retailer" license through the State Department of Cannabis Control. A Type 10 license is defined as:

*"A storefront retailer has a physical location where cannabis goods are sold. Storefront retailers can also deliver cannabis goods."*

Tenant improvements include a new lobby, a large retail showroom, secure storage, order processing area, and office space.



### Zoning and Land Use

#### 2021 Cannabis Ordinance Amendment

On October 26, 2021 the Antioch City Council adopted Ordinance No. 2199-C-S which established new cannabis overlay districts and modified Section 9-5.3845 "Cannabis Businesses." Section 9-5.3801 "Summary of Zoning Districts" was amended to include the "CB3 Somersville District" cannabis overlay district which allows retail cannabis dispensaries. If approved, this Use Permit will be the first dispensary in the CB3 Overlay District.

#### **Section 9-5.3801 "Summary of Zoning Districts"**

*CB 3 Somersville District—the area bounded by Buchanan Road, Delta Fair Boulevard, and Fairview Drive.*

*CB 3 allows storefront retail only.*

### Separation of Sensitive Uses

Pursuant to Section 9-5.3845, there is a 600 ft. separation requirement between the proposed cannabis retail business and sensitive uses. Section 9-5.203 "Definitions" defines "Sensitive Use."

**SENSITIVE USE:** (a) Any school providing instruction in kindergarten or any grades 1 through 12; (b) a day care center which is a child day care facility other than family day care home and includes infant centers, preschools, extended day care facilities, school age child care centers and child care centers licensed pursuant to Health & Safety Code §1596.951; (c) youth center which is any public or private facility that is primarily used to host recreational or social activities for minors including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities; (d) any public park owned or operated by the City; or (e) any property located within the City's boundaries and occupied by a City residential land use or designated by the City as residential in the City's general plan or zoning ordinance.

There are no existing retail cannabis businesses, schools, day care centers, or youth centers, as defined by the Municipal Code within 600 feet of the proposed location.

### Business Operation

The business is proposed to operate from 9am-8pm, seven (7) days a week. The business will employ up to thirty-five (35) employees including management, security personnel, and delivery drivers. The operating hours are Special Conditions of Approval addressing business operation and site management include:

18. **Hours of Operation.** The hours of operation shall be from 9:00 AM – 8:00 PM. Any changes to the hours of operation shall be subject to the review and approval of the Zoning Administrator.

25. **Nuisance Prevention.** The operator shall take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks and areas surrounding the premises during business hours if directly related to patrons of the business.

### Site Circulation & Parking

The site is accessed through a right turn in and right turn out driveway approach from Somersville Rd. On-site circulation includes a two-way directional driveway which provides ingress/egress access to onsite parking located behind the building.

Pursuant to Section 9-5.1703.1 "Off-Street Parking Requirements By Use" of the Municipal Code, retail sales not specifically listed have an off-street parking requirement of 5 spaces/100 sq. ft. of gross floor area. The building is 4,057 sq. ft. which requires twenty (20) off-street parking spaces. The applicant is proposing to provide twenty-three (23) off-street parking spaces, exceeding the minimum requirements for off-street parking.

### Odor Mitigation

The applicant submitted an odor mitigation plan certified by a registered professional engineer that demonstrates the measures they will take to ensure that cannabis odors will not be detected at or beyond the site. Staff has included a Condition of Approval 33 requiring on-going compliance with odor mitigation.

**33. Odor Control Measures.** The business shall incorporate and maintain adequate on-site odor control measures in such a manner that the odors of cannabis and cannabis-related products shall not be readily detected from outside of the structure in which the business operates or from other non-Cannabis businesses adjacent to the site.

### Security Plan/Police Department Review

The applicant submitted a security plan that addresses the following issues:

- Electronic security such as motion sensors, controlled access areas, and surveillance cameras.
- Compliance and procedures such as inventory management, cash handling, and employee training.
- On site physical security services related to the number of physical security guards present at the site.

A formal security plan was submitted as part of the entitlement application. The security plan was reviewed by the Antioch Police Department and is consistent with the security expectations detailed in the Cannabis Guidelines. Special Conditions of Approval related law enforcement include:

*29. **Security Plan Modifications.** Any changes to the site security plan shall be subject to the review and approval of the Chief of Police or their designee.*

*30. **Armed Security Guards.** No fewer than two uniformed and armed security guards who are employed by a Private Patrol Operator (Security Company) who is currently licensed with the California Department of Consumer Affairs shall be on-site during business operating hours. One security guard shall be on-site when the facility is closed. A copy of the contract with the Security Company shall be provided to the Community Development Director and City Attorney for review and approval prior to issuance of a certificate of occupancy.*

*42. **Police Inspection.** Prior to a certificate of occupancy being issued for the site, the Antioch Police Department shall conduct a site inspection to assess the security of the site. Any changes the Antioch Police Department deems necessary upon site inspection shall be incorporated into a revised site security plan that is then submitted*

*for their review and approval. No certificate of occupancy will be issued without final approval of a site security plan by the Antioch Police Department.*

### Environmental Analysis

This proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) under Article 19, Section 15332 Infill Development. Class 32 consists of projects characterized as in-fill development meeting the following conditions:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value, as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

The subject site is .57 acres, already developed and served by existing utilities and public services. Construction includes tenant improvements and parking lot striping.

### ATTACHMENTS

- A. Resolution recommending City Council Use Permit approval with Exhibit A Conditions of Approval
- B. Planning Application
- C. Project Description
- D. Project Plans
- E. Site Photos
- F. Odor Mitigation Plan

**ATTACHMENT A**

**RESOLUTION OF THE PLANNING COMMISSION  
RECOMMENDING THE CITY COUNCIL APPROVE A USE PERMIT FOR A NEW CANNABIS  
DISPENSARY AT 2615 SOMERSVILLE RD. (APN: 076-432-016)  
(UP-22-09)  
WITH EXHIBIT A CONDITIONS OF APPROVAL  
(SEPARATE PAGE)**

**PLANNING COMMISSION  
RESOLUTION # 2022-xx**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
RECOMMENDING THE CITY COUNCIL APPROVE A USE PERMIT FOR A NEW CANNABIS  
DISPENSARY AT 2615 SOMERSVILLE RD. (APN: 076-432-016)  
(UP-22-09)**

**WHEREAS**, the City of Antioch (“City”) received an application for a new cannabis dispensary at 2615 Somersville Rd. (UP-22-09) date received May 16, 2022; and

**WHEREAS**, the application was deemed complete on June 24, 2022; and

**WHEREAS**, the subject site is located in the CB 3 Somersville Overlay District which allows for retail cannabis dispensaries subject to approval issuance of a Use Permit pursuant to Section 9-5.3845 of the Antioch Municipal Code; and

**WHEREAS**, a Type 10 Cannabis Retailer license is required through the Department of Cannabis Control; and

**WHEREAS**, the project is Categorically Exempt from CEQA pursuant to Section 15332 “Infill Development Projects” of the CEQA Guidelines; and

**WHEREAS**, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on August 5, 2022 for the public hearing held on August 17, 2022; and

**WHEREAS**, the Planning Commission held a public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED**, that the Planning Commission hereby make the following findings for approval of the requested Use Permit pursuant to Section 9-5.2703 “Required Findings” (B) (1) of the Antioch Municipal Code:

- a.** The granting of such use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

**Finding:** The proposed cannabis distribution includes operational Conditions of Approval to minimize impacts including on-site armed security at all times with annual audits of the site security plan. The business shall also maintain on-site odor control so that cannabis related odors are not readily detected outside the structure. Based upon the conditions imposed, the cannabis dispensary use will not create adverse impacts to the surrounding businesses and residents.

- b.** The use applied at the location indicated is properly one for which a use permit is authorized.

**Finding:** The property is zoned CB 3 Somersville Cannabis Overlay District. This district allows cannabis dispensaries with the approval of a use permit from City Council.

- c. The site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required.

**Finding:** The project has been designed to an existing commercial building in the CB 3 Somersville Cannabis Overlay District. On-site parking is provided and the site has a secure area for cannabis deliveries.

- d. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

**Finding:** The subject site is located on Somersville Rd. which is an arterial roadway. The roadway is adequate to support the trip generation and vehicle flow associated with the operation of a cannabis dispensary. The project site is served with right turn and right turn out access and has two-way directional on-site circulation.

- e. The granting of such use permit will not adversely affect the comprehensive General Plan because the proposed uses and design are consistent with the General Plan.

**Finding:** The use will not adversely affect the comprehensive General Plan because the project is consistent with the Regional Commercial General Plan Land Use designation.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Commission hereby makes the following additional finding pursuant to Section 9-5.3845 (D) (1) "Cannabis Businesses" of the Antioch Municipal Code:

- (1) That the location and site characteristics of the proposed cannabis business are consistent with all applicable state laws and city standards or guidelines, that all provisions have been made to ensure that the operation of the cannabis business will not create excessive demands for police service or other public services, and that the cannabis business will benefit the city.

**Finding:** The conditions of approval on the project are consistent with the cannabis guidelines. The security plan has been reviewed by the Antioch Police Department and security conditions have been included per their direction. The revenue generated through the required operating agreement will provide a financial benefit to the City of Antioch.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Commission hereby recommends the City Council **APPROVE** UP-22-09, a Use Permit for a new cannabis dispensary at 2615 Somersville Rd. (APN: 076-432-016) subject to the Conditions of Approval attached hereto in Exhibit A.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 17th day of August 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**FORREST EBBS**  
**Secretary to the Planning Commission**

**EXHIBIT A**  
**CONDITIONS OF APPROVAL**  
**(SEPARATE PAGE)**

EXHIBIT A: CONDITIONS OF APPROVAL

General Conditions		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
1.	<b>Project Approval.</b> This Use Permit approval is for a cannabis retail business 2615 Somersville Rd., as substantially shown and described on the project plans, except as required to be modified by conditions herein or in the Development Agreement. Plans date received June 24, 2022, as presented to the Planning Commission on August 17, 2022. For any condition herein that requires preparation of a Final Plan where the project applicant has submitted a conceptual plan, the project applicant shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City.	City of Antioch	On-Going	Planning Department	
2.	<b>Project Approval Expiration.</b> This Use Permit recommendation for approval expires on August 17, 2024 unless City Council takes action on the project and new expiration date is granted. An extension may be granted by the Zoning Administrator for a period up to one (1) year, provided that, at least ten (10) days before expiration of one (1) year from the date when the approval becomes effective, an application for renewal of the approval is filed with the Community Development Department.	City of Antioch	On-Going	Planning Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

3.	<p><b>City Fees.</b> The applicant shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project applicant shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and applicant. <i>Discretionary or ministerial permits/approvals will not be considered if the developer is not current on fees, balances, and reimbursement that are outstanding and owed to the City.</i></p>	City of Antioch	On-Going	Community Development Department	
4.	<p><b>Pass-Through Fees.</b> The developer shall pay all pass-through fees. Fees include but are not limited to:</p> <ul style="list-style-type: none"> <li>a. East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.</li> <li>b. Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.</li> <li>c. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s).</li> <li>d. Contra Costa County Flood Control District Drainage Area fee.</li> <li>e. School Impact Fees.</li> <li>f. Delta Diablo Sanitation Sewer Fees.</li> <li>g. Contra Costa Water District (CCWD) Fees.</li> </ul>	City of Antioch	On-Going	Community Development Department	
5.	<p><b>Appeals.</b> Pursuant to Section 9-5.2509 of the Antioch Municipal Code, any decision made by the Planning Commission which would otherwise constitute final approval or denial may be appealed to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk within five (5) working days after the decision. All appeals to the City Council from the Planning Commission shall be accompanied by a filing fee established by a resolution of the City Clerk.</p>	City of Antioch	Within 5 Days of Planning Commission Action	Planning Department	

EXHIBIT A: CONDITIONS OF APPROVAL

6.	<b>Requirement for Building Permit.</b> Approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure. An appropriate permit issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the City.	City of Antioch	On-Going	Building Department	
7.	<b>Modifications to Approved Plans.</b> The project shall be constructed as approved and with any additional changes required pursuant to the Zoning Administrator or Planning Commission Conditions of Approval. Planning staff may approve minor modifications in the project design, but not the permitted land uses. A change requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning Commission approval through the discretionary review process.	City of Antioch	On-Going	Planning Department	
8.	<b>Hold Harmless Agreement/Indemnification.</b> The applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Antioch and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application. The City will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense.		On-Going	Planning Department	

EXHIBIT A: CONDITIONS OF APPROVAL

Fire Standards		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
9.	All requirements of the Contra Costa County Fire Protection District shall be met.	Contra Costa County Fire Protection District (CCCFPD)	Timing Required	Contra Costa County Fire Protection District (CCCFPD)	

At the Time of Building Permit Issuance		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
10.	<b>Encroachment Permit.</b> The applicant shall obtain an encroachment permit from the Engineering Division before commencing any construction activities within any public right- of-way or easement.	City of Antioch	At the Time of Building Permit Issuance	Public Works Department	

At the Time of Construction		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
11.	<b>Collection of Construction Debris.</b> Gather all construction debris on a regular basis and place them in a Waste Management dumpster or other container that is emptied or removed on a weekly basis consistent with the Construction and Demolition Debris Ordinance. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater pollution.	City of Antioch	On-Going	Building Department	

EXHIBIT A: CONDITIONS OF APPROVAL

12.	<b>Construction Hours.</b> Construction activity shall be as outlined in in the Antioch Municipal Code. Construction activity is limited to 8:00 AM to 5:00 PM Monday-Friday or as approved in writing by the City Manager. Requests for alternative construction hours shall be submitted in writing to the City Engineer. days/times restricted to the hours of 8:00 a.m. to 6:00 p.m.	City of Antioch	On-Going	Building Department / Public Works	
13.	<b>Demolition, Debris, Recycling.</b> The project shall be in compliance with and supply all the necessary documentation for Antioch Municipal Code § 6-3.2: Construction and Demolition Debris Recycling.	City of Antioch	On-Going	Building Department / Public Works	

Prior to Issuance of Occupancy Permit		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
14.	<b>Planning Inspection.</b> Planning staff shall conduct a site visit to review exterior building elevations for architectural consistency with the approved plans and landscape installation (if required). All exterior finishing details including window trim, paint, gutters, downspouts, decking, guardrails, and driveway installation shall be in place prior to scheduling the final inspection.	City of Antioch	Prior to Occupancy Permit	Planning Department	
15.	<b>Debris Removal.</b> All mud, dirt or construction debris carried off the construction site and shall be removed prior to scheduling the final Planning inspection. No materials shall be discharged onto a sidewalk, street, gutter, storm drain or creek.	City of Antioch	Prior to Occupancy Permit	Building Department	
16.	<b>Fire Prevention.</b> A final Fire inspection shall occur to inspect all fire prevention systems constructed as part of the project. <b>Inspections shall occur prior to final occupancy permit issuance.</b>	City of Antioch	Prior to Occupancy Permit	Fire Dept (CCCFPD)	

EXHIBIT A: CONDITIONS OF APPROVAL

Project Specific Conditions		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
17.	<b>Type 10 License.</b> This use permit approval applies to the operation of a cannabis dispensary depicted on the project plans and application materials submitted to the Community Development Department date stamped received May 16, 2022. Any forthcoming plans submitted for any purpose shall be entirely consistent with these received plans and application materials and conditions of approval herein.	City of Antioch	On-Going	Community Development Department	
18.	<b>Hours of Operation.</b> The hours of operation shall be from 9:00 AM – 8:00 PM. Any changes to the hours of operation shall be subject to the review and approval of the Zoning Administrator.	City of Antioch	On-Going	Community Development Department	
19.	<b>State Licensing.</b> All necessary licenses from the State of California shall be obtained prior to opening.	City of Antioch	Prior to Occupancy Permit	Community Development Department	
20.	<b>Age Restrictions.</b> All persons entering the business must be at least 21 years of age with a valid identification card. An electronic reader shall be used to read and validate identification cards.	City of Antioch	On-Going	Community Development Department	
21.	<b>Smoking Prohibited.</b> Smoking or ingestion of cannabis products on-site is prohibited.	City of Antioch	On-Going	Community Development Department	
22.	<b>Samples Prohibited.</b> Free samples of cannabis products are strictly prohibited.	City of Antioch	On-Going	Community Development Department	
23.	<b>Secure Storage.</b> Cannabis products that are not used for display purposes or immediate sale shall be stored in a secured and locked room, safe, or vault, and in a manner reasonably designed to prevent diversion, theft, and loss.	City of Antioch	On-Going	Community Development Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

24.	<b>Waste Disposal.</b> Cannabis related waste shall be stored and secured in a manner that prevents diversion, theft, loss, hazards and nuisance.	City of Antioch	On-Going	Community Development Department	
25.	<b>Nuisance Prevention.</b> The operator shall take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks and areas surrounding the premises during business hours if directly related to patrons of the business.	City of Antioch	On-Going	Community Development Department	
26.	<b>Business License/ Use Permit On-Site.</b> A copy of this use permit and City of Antioch business license, as well as any other State licenses, shall be on display during business hours and in a conspicuous place so that they may be readily seen by all persons entering the facility.	City of Antioch	On-Going	Community Development Department	
27.	<b>Window Visibility.</b> No signs, tinting, or other graphic material may be used to obscure the storefront windows.	City of Antioch	On-Going	Community Development Department	
28.	<b>Sale Location Area.</b> Transactions and sales of cannabis are limited to the interior building area only. No drive-through, drive-up, or walk-up window services or sales are permitted.	City of Antioch	On-Going	Community Development Department	
29.	<b>Security Plan Modifications.</b> Any changes to the site security plan shall be subject to the review and approval of the Chief of Police or their designee.	City of Antioch	On-Going	Police Department	
30.	<b>Armed Security Guards.</b> No fewer than two uniformed and armed security guards who are employed by a Private Patrol Operator (Security Company) who is currently licensed with the California Department of Consumer Affairs shall be on-site during business operating hours. One security guard shall be on-site when the facility is closed. A copy of the contract with the Security Company shall be provided to the Community Development Director and City Attorney for review and approval prior to issuance of a certificate of occupancy.	City of Antioch	On-Going	Police Department	

EXHIBIT A: CONDITIONS OF APPROVAL

31.	<p><b>Registered Security.</b> The name of the Security Company, proof of liability insurance including a copy of all exceptions, their State license number, and the guard registration numbers for the employed guards shall be provided to the Community Development Department and City Attorney. Should there be a change in the security private patrol operator or in the liability insurance of the applicant, the Community Development Director and City Attorney shall be notified within 5 business days.</p>	City of Antioch	On-Going	Community Development Department	
32.	<p><b>Revocation.</b> The City Council may require modification, discontinuance or revocation of this use permit if it finds that the use is operated or maintained in a manner that it:</p> <ul style="list-style-type: none"> <li>• Adversely affects the health, peace or safety of persons living or working in the surrounding area; or</li> <li>• Contributes to a public nuisance; or</li> <li>• Has resulted in excessive nuisance activities including disturbances of the peace, illegal drug activity, diversion of Cannabis or Cannabis Products, public intoxication, smoking in public, harassment of passersby, littering, or obstruction of any street, sidewalk or public way; or</li> <li>• Has resulted in or has been the target of criminal activity requiring undue attention and dedication of the Antioch Police Department resources; or</li> <li>• Violates any provision of Antioch Municipal Code or condition imposed by a City issued permit, or violates any provision of any other local, state, regulation, or order including those of state law or violates any condition imposed by permits or licenses issued in compliance with those laws.</li> <li>• Results in more than three distinct unresolved odor complaints in a twelve (12) month period.</li> </ul>	City of Antioch	On-Going	Community Development Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

33.	<b>Odor Control Measures.</b> The business shall incorporate and maintain adequate on-site odor control measures in such a manner that the odors of cannabis and cannabis-related products shall not be readily detected from outside of the structure in which the business operates or from other non-Cannabis businesses adjacent to the site.	City of Antioch	On-Going	Community Development Department	
34.	<b>Operating Inspections.</b> During regular business hours all cannabis business premises shall be accessible, upon request, to an authorized City of Antioch employee or representative for random and/or unannounced inspections. An inspection fee maybe charged to the business for cost recovery of staff time.	City of Antioch	On-Going	Community Development Department	
35.	<b>Annual Audit.</b> An annual audit of the site's security plan shall be submitted to the Antioch Police Department. The audit shall be conducted by City staff or a third-party company subject to the approval of the Antioch Police Department.	City of Antioch	On-Going	Community Development Department	
36.	<b>Building Security.</b> All points of ingress and egress to the business shall be secured with Building Code compliant commercial-grade, non-residential door locks and/or window locks. Entry and exit doors to restricted cannabis areas shall be made of reinforced metal with metal frames and have a security lock system.	City of Antioch	On-Going	Community Development Department	
37.	<b>Signage.</b> Building signage shall not state that cannabis or cannabis products are stored, sold or handled on the site. Images of cannabis leaves, green crosses, or similar commonly-identifiable graphics are not allowed. All building signage shall be subject to staff review and approval.	City of Antioch	On-Going	Community Development Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

38.	<b>Exterior Modifications.</b> Any proposed exterior changes to the site shall be shown on the building permit plan submittal. Exterior changes may be subject to administrative design review approval.	City of Antioch	On-Going	Community Development Department	
39.	<b>Paraphernalia.</b> The only cannabis paraphernalia allowed to be sold at the site are pipes, rolling papers, vape pens, vape pen batteries, and chargers unless approved in writing by the Zoning Administrator.	City of Antioch	On-Going	Community Development Department	
40.	<b>Delivery to the Site.</b> All delivery of cannabis to the site shall take place in a caged/gated delivery area with a dedicated armed security guard to be present during all deliveries. Any changes to this requirement shall be subject to the review and approval of Chief of Police or their designee.	City of Antioch	On-Going	Community Development Department	
41.	<b>Surveillance Signage.</b> Visible signage shall be placed at the entrance of the facility notifying the public of surveillance on site.	City of Antioch	Prior to Occupancy Permit	Community Development Department	
42.	<b>Police Inspection.</b> Prior to a certificate of occupancy being issued for the site, the Antioch Police Department shall conduct a site inspection to assess the security of the site. Any changes the Antioch Police Department deems necessary upon site inspection shall be incorporated into a revised site security plan that is then submitted for their review and approval. No certificate of occupancy will be issued without final approval of a site security plan by the Antioch Police Department.	City of Antioch	Prior to Occupancy Permit	Police Department	
43.	<b>Emergency Access.</b> Security measures shall be designed to ensure emergency access is provided to the Antioch Police Department and the Contra Costa Fire Department for all areas on the premises in case of an emergency.	City of Antioch	On-Going	Police Department	

**EXHIBIT A: CONDITIONS OF APPROVAL**

44.	<b>Surveillance Cameras.</b> Security surveillance cameras shall be installed and maintained in good working order to provide coverage on a twenty-four (24) hour real-time basis of all internal and external areas of the site where cannabis is stored, transferred and dispensed, where any money is handled, and all parking areas. The cameras shall be oriented in a manner that provides clear and certain identification of all individuals within those areas. Cameras shall remain active at all times and be capable of operating under any lighting condition. Security video must use standard industry format to support criminal investigations and shall be maintained for a minimum of sixty (60) days.	City of Antioch	On-Going	Police Department	
45.	<b>Alarm System.</b> A professionally monitored security alarm system shall be installed and maintained in good working condition. The alarm system shall include sensors to detect entry exit from all secure areas and all windows. The name and contact information of the alarm system installation and monitoring company shall be kept as part of the onsite books and records.	City of Antioch	On-Going	Police Department	
46.	<b>Security Contact.</b> A local contact responsible for addressing security and safety issues shall be provided to, and kept current with, the Antioch Police Department.	City of Antioch	On-Going	Police Department	
47.	<b>Operating Agreement.</b> The applicant shall enter into an operating agreement with the City of Antioch prior to issuance of a certificate of occupancy. No business license shall be issued without an approved operating agreement.	City of Antioch	Prior to Occupancy Permit	City Attorney	

**ATTACHMENT B  
PLANNING APPLICATION  
(SEPARATE PAGE)**

# CITY OF ANTIOCH

## CANNABIS BUSINESS USE PERMIT APPLICATION



### ATTACHMENT A – APPLICATION FORM

<b>PROPERTY LOCATION</b>		
Address: 2615 Somersville Road, Antioch, CA 94509		Assessor's Parcel No.: 076-432-016
Zoning Designation: C-3: Service/Regional Commercial District		General Plan Land Use Designation: Western Antioch Commercial Focus Area Boundary
<b>PROJECT DESCRIPTION</b> - Provide a basic description of the project below.		
Applicant wishes to open a storefront retail cannabis business including retail storefront and retail delivery.		
<b>APPLICANT</b>		
Name: 2615 Somersville Rd LLC		
Address: 1940 Embarcadero		
City: Oakland	State: CA	Zip: 94606
Telephone: (925) 513-7336		
Email: smccauley@mccauleyinv.com		
<b>PROPERTY OWNER</b>		<input type="checkbox"/> Same as applicant
Name: The Ranch in Oakley LLC		
Address: 112 Sandy Lane		
City: Oakley	State: CA	Zip: 94561
Telephone:		
Email:		

<b>FOR OFFICE USE ONLY</b>	
DATE RECEIVED:	FILE NO:
PLANNER:	
<input type="checkbox"/>	<input type="checkbox"/>

# CITY OF ANTIOCH

## CANNABIS BUSINESS USE PERMIT APPLICATION



### REQUIRED SIGNATURES

As part of this application, applicant and real party in interest, if different, agrees to defend, indemnify, hold harmless, and release the City of Antioch, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of the above, the purpose of which is to attack, set aside, void, or annul the approval of this application and/or the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney's fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the City of Antioch, its agents, officers, attorneys, or employees.

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this application to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

**I understand that charges for materials and staff time spent processing this application will be billed monthly and is based on an hourly rate as identified in the current fiscal year fee schedule.** Application processing includes but is not limited to plan checking and processing, meetings, phone calls, research, e-mail, and staff report preparation. Further, I understand that my initial deposit is not a fee and actual charges may be in excess of the deposit. The deposit will be returned to me at the conclusion of the process after all invoices have been paid. If invoices are not paid on a monthly basis, processing will be terminated until all past due amounts have been paid. Failure to pay invoices on a monthly basis may also result in an application being deemed incomplete; postponement of hearings or meetings; and/or inability to obtain a building permit. Failure to pay invoices on a monthly invoice may also result in the placement of a lien on the subject property. I assume full responsibility for all costs incurred by the City in processing this application. Further, I understand that approval of my project is NOT guaranteed and may be denied. In the case of a denial, I understand that I am still responsible for all costs incurred by the City in processing this application. I hereby authorize employees, officials and agents of the City of Antioch to enter upon the subject property, as necessary, to inspect the premises and process this application.

Executed at:  
(City/State)

Dated:

2615 Somersville Rd LLC

5/16/2022

The Ranch in Oakley LLC

Applicant's Name

Date

Property Owner's Name\*

Date

**X** DocuSigned by:  


**X**  5/16/22

Applicant's Signature

Property Owner's Signature

\* Real Party in Interest may be different than a listed property owner. If property is held by a trust, the real party in interest would be one or more individuals who benefit from the trust. In such a case, the actual beneficiary or real party in interest must sign instead of property trustee.

**ATTACHMENT C  
PROJECT DESCRIPTION  
(SEPARATE PAGE)**

**2615 Somersville Rd LLC**  
**CANNABIS DISPENSARY FACILITY**  
**2615 SOMERSVILLE ROAD**  
**ANTIOCH, CALIFORNIA 94509**  
**PROJECT DESCRIPTION**

2615 Somersville Rd LLC (“2615 Somersville Rd LLC”) proposes the operation of a storefront retail cannabis facility, including delivery operations, at the premises located at 2615 Somersville Road in Antioch. The operator will meet all the requirements and commitments discussed herein and all conditions of the Conditional Use Permit, as well as all applicable state and local laws and regulations.

### Characteristics of the Proposed Cannabis Business

The proposed site is in the commercial area around Somersville Road, across the street from the Somersville Towne Center. The site hosts an existing building approximately 4,057 square feet in size. The size of the building will allow for a significant lobby, a large retail showroom, as well as secure storage, order processing area, and office space.



The location meets all of the site requirements applicable to cannabis retail businesses i approved by the City Council. There are no existing retail cannabis businesses, schools, day care centers, or youth centers, as defined by applicable law, within 600 feet of the proposed location.

2615 Somersville Rd LLC would bring valuable retail customers to the Somersville commercial area, and further the City’s goals of expanding its employment base and continuing revitalization and economic development. By bringing more shoppers, 2615 Somersville Rd LLC would also help drive business to the other shops and restaurants in the area. This increase in business would encourage other businesses to fill other vacant storefronts.

The proposed property is in need of revitalization. The proposed cannabis retail business would work to bring residents, businesses, and shoppers to this area of Antioch, and the jobs and tax revenue that follow.

#### Hours of Operation

We anticipate store operating hours will be seven (7) days per week, from 9:00am to 8:00pm, unless additional hours of operation are approved by the City and applicable regulations.

#### Number of Employees

2615 Somersville Rd LLC takes pride in their thorough recruiting and training strategy that will help them retain a full-time team of up to 35 individuals, including management, security personnel, and delivery drivers. 2615 Somersville Rd LLC will make it a priority to source employees from the local community, emphasizing social equity and marginalized groups.

#### Nature of the Products Produced, Stored, Sold or Handled

As required by state law and the regulations applicable to a cannabis retail store, 2615 Somersville Rd LLC will receive all cannabis products from state-licensed cannabis distributors in final form and ready for retail sale. This includes being fully packaged and tested by a state-licensed lab.

2615 Somersville Rd LLC is committed to offering products that meet medicinal and wellness needs of patients and customers. That means offering a wide range of hard-to-find products with high ratios of CBD to THC, as well as products containing other emerging cannabinoids such as THCV, CBN and CBG. Customers looking to benefit from cannabis without a psychoactive effect will be able to find products in topical or ingestible forms. 2615 Somersville Rd LLC will also carry a broad range of products from emerging entrepreneurs of diverse backgrounds.

2615 Somersville Rd LLC expects to sell the full range of adult-use and medicinal cannabis products available in today's market, including traditional cannabis flower, prerolls, edibles, vaporizer pens and cartridges, dabable products like live resin, shatter, and wax, as well as tinctures, topicals, and medical pill and tablet products. 2615 Somersville Rd LLC anticipates that approximately 50% of sales will be of traditional cannabis flower, 25% will be extracted products such as vaporizer cartridges, 20% will be edible products, and 10% will be topicals and capsule-type products.

#### How Other Guidelines Are Met

*Security Plan.* The details of 2615 Somersville Rd LLC's comprehensive security plan are included in a separate attachment to this application. They include a detailed plan prepared by Michael Yoell, retired command officer with the Oakland Police Department, who has successfully overseen security planning at numerous cannabis retail operations around the state. Security measures are designed to ensure emergency access is provided to the Antioch Police

Department and the Antioch Fire Department for all areas on the premises in case of an emergency. An annual audit of the site's security plan will be submitted to the Antioch Police Department. The audit will be conducted by City staff or a third-party company subject to the approval of the Antioch Police Department.

*Security Documentation.* A local contact who will be responsible for addressing security and safety issues will be provided to, and kept current with, the Antioch Police Department. The name of the Security Company, proof of liability insurance including a copy of all exceptions, their State license number, and the guard registration numbers for the employed guards will be provided to the Community Development Department and City Attorney. Should there be a change in the security private patrol operator or in the liability insurance of the applicant, the Community Development Director and City Attorney will be notified within 5 business days.

*Surveillance Signage.* Visible signage will be placed at the entrance of the facility notifying the public of surveillance on site.

*Inspections.* During regular business hours, 2615 Somersville Rd LLC will be accessible upon request for random and/or unannounced inspections by City employees or representatives.

*Odor Control.* The details of 2615 Somersville Rd LLC's comprehensive odor control plan are included as a separate attachment to this application.

*No Manufacturing or Cultivation.* 2615 Somersville Rd LLC will not conduct any manufacturing or cultivation onsite.

*Limited Entry.* 2615 Somersville Rd LLC will use a lobby and waiting area to screen customers prior to entry to the retail floor. 2615 Somersville Rd LLC will only allow access to authorized individuals meeting the minimum age requirements and presenting a valid identification, and will utilize an electronic device to validate identification cards and driver's licenses. The lobby will be secured from the retail area. A customer entering the retail area will be buzzed through a locked door into the retail area by a security guard or employee.

*No Onsite Consumption.* 2615 Somersville Rd LLC will not permit onsite consumption of cannabis by customers or staff.

*No Free Samples.* 2615 Somersville Rd LLC will not provide free samples of products to customers or staff.

*Product Storage.* 2615 Somersville Rd LLC will store all cannabis products not used for display purposes or immediate sale in its secure vault room, identified on its site plan. The full security measures in place are more thoroughly discussed in the security plan.

*Cannabis Accessories.* 2615 Somersville Rd LLC will only sell cannabis accessories, such as pipes and rolling papers, that are allowed by state law and regulations and approved by the Conditional Use Permit. No such accessories will be visible from the exterior of the store.

*Cannabis Waste.* Cannabis related waste will be stored and secured in a manner that prevents diversion, theft, loss, hazards and nuisance.

*Site Management.* 2615 Somersville Rd LLC will discourage and promptly correct any problematic conditions in and around its premises. This includes requesting anyone engaging in nuisance activities to cease those activities, unless personal safety of the security staff would be threatened in making the request. Security staff will be trained to prevent loitering and to call the police promptly as needed. 2615 Somersville Rd LLC's team will also pick up trash at least daily and coordinate immediate removal of any graffiti. The site will be kept clean of all debris (boxes, junk, garbage, etc.) at all times. No illegal signs, pennants, banners, balloons, flags, or streamers will be used on this site at any time.

*Permits.* All necessary licenses from the State of California will be obtained prior to opening. 2615 Somersville Rd LLC will maintain and display a copy of its Cannabis Business Use Permit, City of Antioch Business License, Department of Cannabis Control License, Seller's Permit, and any other required State and/or County licenses. The permits will be displayed in a conspicuous place in the lobby/waiting area so that they may be readily seen by all persons entering the facility.

*Storefront Windows and Signs.* No signs, tinting, or other graphic material will be used to obscure the storefront windows. Building signage will not state that cannabis or cannabis products are stored, sold or handled on the site. Images of cannabis leaves, green crosses, or similar commonly identifiable graphics are not allowed. All building signage will be subject to staff review and approval.

*Storefront Entrance & Accessibility.* As shown in the site plan, the storefront entrance to 2615 Somersville Rd LLC will be off of Somersville Road, which is a visible location that provides an unobstructed view from the public right-of-way. The store entrance is in a flat and level location, and will be ADA accessible.

*No Drive-Through, Drive-Up or Walk-Up Window.* No window or pass-through to the exterior of the street will be used to make sales or deliveries.

*Delivery Vehicles.* Delivery vehicles will not contain identifiable markings that associate the delivery service with the cannabis business.

*Architecture, Materials, Colors, Landscaping.* The proposed facility is a preexisting building. The exterior of the building is beige stucco with a red accent along the roof. The building hosts a window wall along the front, side and back. 2615 Somersville Rd LLC intends to maintain this existing architecture and color, which fits well into the surrounding neighborhood. Bushes that are low in height align the sidewalk along the front of the building, and tree planters are spread around and within the parking lot. Photos of the site and building, as it exists, are included in the application package.

## NEIGHBORHOOD RESPONSIBILITY PLAN

*Provide a detailed written plan describing all efforts that will be made to mitigate or eliminate any impacts on the immediate neighborhood*

As set out below, 2615 Somersville Rd LLC strives to have a positive impact on its immediate neighborhood. It will do so by developing relationships with City representatives, neighboring businesses and community members, and by implementing the measures detailed below to address any negative impacts.

### **1. Establishing Relationships**

2615 Somersville Rd LLC intends to inspire people and communities to discover the holistic potential of cannabis. Our goal is to create a unique cannabis retail store that compliments Antioch's community and atmosphere. We feel cannabis has a role to play in active, happy, and engaged lives, and we want to ensure that people can make decisions about it in a safe, well-informed, and responsibly-tended environment. We understand that our success depends on our ability to meaningfully engage with the Antioch community and all of its unique and diverse stakeholders.

We maintain a list of non-emergency police department contacts for all facilities and, facilitated by our Facility Ambassador, will maintain regular communication with each law enforcement contact, advising of any changes in security policies or procedures. The company will maintain strong partnerships with local, state and federal law enforcement agencies engaging these agencies to support the security mission through:

- Proactive meetings. We will schedule regular check-ins with local law enforcement to ensure open lines of communication and known points of contact, inform on new processes, personnel, and procedures, and receive regulatory/compliance updates.
- Observation patrols. We invite law enforcement to participate in scheduled patrols of the interior and anytime patrols of the exterior facility to review/audit security processes and maintenance and management of the facility.
- Rapid response to incidents. We can furnish a copy of our incident response plan to law enforcement for review. All personnel are trained that rapid communication with law enforcement and first responders is a critical first step in the event of any incident.
- Collaborative training and exercises. We host training and exercises with security and law enforcement / first responders to foster good relationships, share best practices, and ensure familiarity with our security processes and retail facilities.

We will ensure channels of communication with the store are readily accessible and responsive, making it easy for citizens, customers and other businesses to provide feedback and notify us of any complaints. During operating hours, a manager will always be onsite to handle any complaints and address any immediate concerns. Complaints and other questions or feedback can also be provided via email, phone and via our innovative technology platform. Store contact information will be readily available on the 2615 Somersville Rd LLC's store website. When a complaint is made via phone, that message will be either transferred directly to the manager on-site or to the Facility Ambassador. Voicemails, emails, any complaints received through our software system will be responded to within 24 hours.

All complaints will be reviewed and recorded by 2615 Somersville Rd LLC's managers on a daily basis. Complaint records will include the time and date of the complaint, the nature of the complaint, the contact information of the individual making the complaint, and actions taken by 2615 Somersville Rd LLC personnel to address the complaint, including further review and investigation if necessary. If the city, a business or an individual brings a complaint that cannot be resolved immediately, 2615 Somersville Rd LLC management team will respond to that contact with a timeline for resolution. Certain complaints will trigger 2615 Somersville Rd LLC to contact local police or to work with city staff in order to address appropriately. Product complaints that concern product safety will trigger immediate action and recall procedures including notification to the distributor, notification to purchasers utilizing our technology platform and other means, and removal of the product from the sales floor.

We won't wait until operations start to listen to the concerns of the community. If approved for the next application phase, our Facility Ambassador will also be tasked with reaching out to neighboring businesses and other stakeholders to introduce ourselves, solicit feedback, and address any concerns proactively.

## **2. Environmental Nuisance Mitigation and Abatement**

We are dedicated to mitigating any negative impacts of our business on the surrounding community, and will anticipate and quickly respond to objectionable conditions that might occur. We will take thoughtful steps to eliminate, minimize, and mitigate any negative impacts as a result of our operations.

As detailed below, nuisance mitigation techniques will also be incorporated into building design elements and infrastructure. We will work diligently with city staff to make a design plan that meets ours and the city's vision.

### **A. General Safety**

The premises and surrounding area will be kept in a clean and safe condition. All trash and debris on the premises will be removed and properly disposed of at the end of each business day. All sidewalks and the alley behind the building will be kept clear and clean. Any graffiti placed upon the premises will be removed within forty-eight (48) hours of its occurrence.

## **B. Light**

Adequate exterior lighting will provide visibility around the facility, which will help ensure the safety of our vendors, employees, and customers. During off-hours, motion detector lighting will help to deter burglary or robbery and enable security cameras to capture any illicit activity occurring on the property. To prevent any negative impacts associated with additional lighting, all outdoor lighting will be shielded and downward facing to minimize disturbance to surrounding businesses.

## **C. Noise**

The design of the facility will minimize any additional noise created by its operations by taking noise into consideration as a part of the building design process, including avoiding noisy generators and selecting quiet filtration systems used for odor mitigation. 2615 Somersville Rd LLC will also address noise concerns by anticipating and mitigating the greatest potential sources of noise—loitering and pedestrian traffic, which are discussed in more detail below.

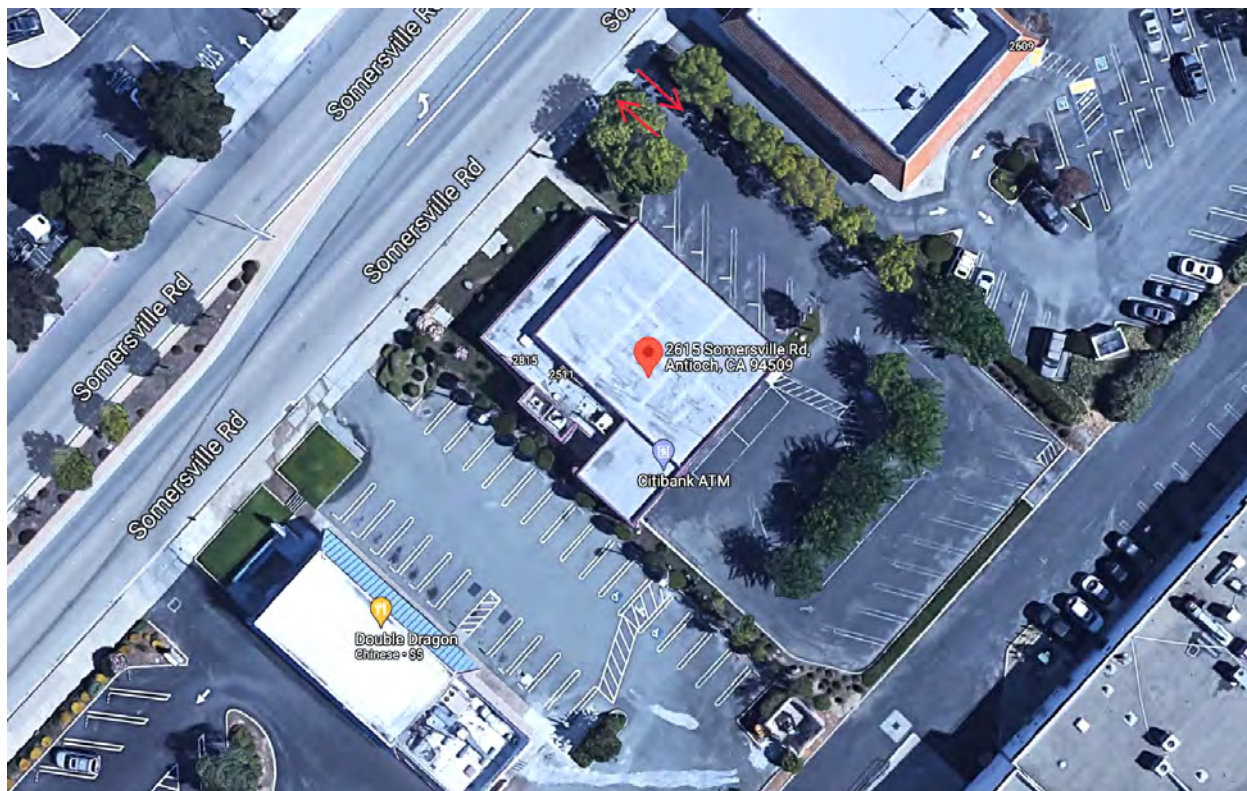
## **D. Odor and Air Quality**

Our team realizes air quality control is integral to the health and well-being of the retail space, its occupants, and the surrounding community as a whole. We understand the sale of cannabis can impact air quality, produce odorous emissions, and cause potential off-site nuisance impacts due to odor. That is why we will have a robust odor control plan to ensure that our facilities operate at the highest level of best practices and meet Antioch's requirements that odors are not detectable outside the facility. Should concerns ever arise with odor rising to the level of a public nuisance, our team will work diligently with the community and city staff to promptly address the issue.

Our air quality concerns are not solely for the comfort of neighboring individuals; we are committed to the health and well-being of employees and customers inside the facility as well. Maintaining a stable, controlled environment that is safe, clean, and respectful is our primary concern. Further details on odor management are addressed below.

## **E. Vehicles and Parking**

Our proposed store is conveniently located in the Somersville Towne Center area, is well-served by bus lines. There is a designated parking lot for the store, which provides ample parking accessible from Somerville Road, with a total of 23 spaces, in excess of applicable guidelines.



#### **F. Litter**

2615 Somersville Rd LLC staff will conduct daily sweeps to remove litter and trash from the parking lot, sidewalks and public areas surrounding the proposed site, including around adjacent businesses within 100-ft of the premise. These sweeps will be conducted by staff as a part of daily opening and closing procedures.

#### **G. Preventing Loitering, Illegal Consumption Activity, and Other Crimes**

To ensure maximum levels of safety, 2615 Somersville Rd LLC has retained Michael Yoell, retired command officer with the Oakland Police Department, the former Managing Partner of Core Security Solutions, Inc., and the Qualified Manager of Michael Glenn Investigations, to assess security at the facility and prepare a detailed security plan. Mr. Yoell has overseen the security measures at numerous cannabis businesses and has developed comprehensive security plans for a multitude of cannabis retail locations.

Many of the safety measures outlined in the Preliminary Security Plan, including lighting, sophisticated monitoring and alarm systems, and on-site security personnel will also deter any illicit nuisance activity.

2615 Somersville Rd LLC also has a zero tolerance policy against illegal consumption activity and unlawful loitering in the parking lot and areas adjacent to the store. This policy will be enforced by the third-party security officer on duty. 2615 Somersville Rd LLC will ensure there is adequate security on-site during operating hours to discourage congregation. On-site security guards will monitor all activity within 150 feet of the store entrance. Security personnel will be trained to effectively remind any patrons and other members of the public of the policies, request they cease any nuisance activity, and to call Antioch police in a timely manner if necessary, so long as personal safety is not threatened. Security personnel will also be trained to de-escalate any encounters that become confrontational.

As a preventative measure, 2615 Somersville Rd LLC's exterior design limits loitering by not utilizing furnishings or features that create space for people to congregate. Additionally, 2615 Somersville Rd LLC will utilize appropriate "no loitering" signage and post informational notices about its zero tolerance policy.

## **H. Preventing Youth Access**

2615 Somersville Rd LLC will take every necessary precaution to prevent youth access to cannabis. Only adults over the age of 21, or over the age of 18 with a physician's recommendation, or a primary caregiver as defined in California Health and Safety Code § 11362.7 will be allowed to enter 2615 Somersville Rd LLC's store. An electronic reader will be used to read and validate identification cards. Only adults over the age of 21 are authorized to work at our store.

Our strategies to prevent youth access to cannabis include:

- Strict age-verification requirements for hiring, store entry, purchases, and deliveries;
- Responsible advertising and marketing practices that do not appeal to children and only target viewers over the age of 21;
- Requiring age verification on the landing page of our website;
- Ensuring all products meet child-resistant packaging requirements; and
- Providing educational materials to our customers, including best practices for preventing youth access to cannabis goods after those goods have left the retail facility and are in the hands of the consumer.

6085 State Farm Drive #130  
Rohnert Park, CA 94928  
phone: 707.577.0363  
fax: 707.577.0364

May 12, 2022

To Whom It May Concern:

We have reviewed the attached odor mitigation plan, dated May 12, 2022, for 2615 Somersville RD LLC. of Antioch, CA.

It is our understanding that the attached plan meets, or exceeds, the requirements of the City of Antioch for cannabis odor mitigation.



Sincerely,  
Matthew Torre, Registered Professional Engineer  
15000 Inc

**ATTACHMENT D  
PROJECT PLANS  
(SEPARATE PAGE)**

These drawings are instruments of service and are the property of Sean Freitas, Architect. All design information contained in these drawings are for use only on this specified project and shall not be used otherwise without the expressed written permission by Sean Freitas, Architect.

PROJECT: 2021102904

CLIENT:  
NICK PERRY  
2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

DESIGN REVIEW FOR:

NEW DISPENSARY AT

2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

TITLES:  
PROJECT - SITE PLAN

DATE: 5/05/2022

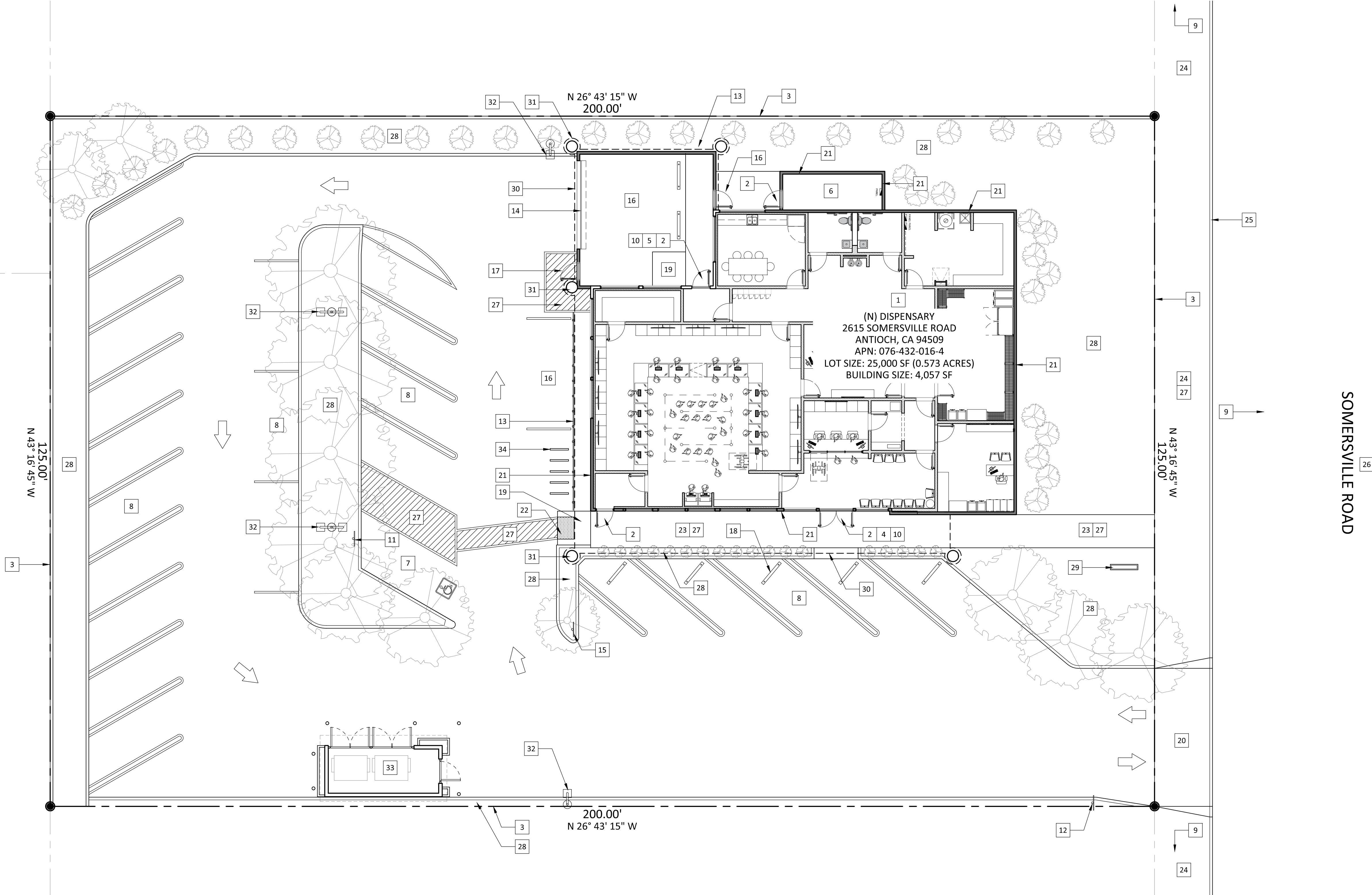
ARCHITECT'S APPROVAL:

THIS PROJECT IS NOT APPROVED FOR CONSTRUCTION UNLESS THE DRAWINGS ARE STAMPED AND WET SIGNED BY THE ARCHITECT AND THE BUILDING AUTHORITY HAVING JURISDICTION.

SHEET:

A2.11

SHEET: OF SHEETS



PROJECT - SITE PLAN



1

SITE PARKING COUNT			KEYNOTES	
	REQUIRED PARKING	PARKING PROVIDED		
STANDARD PARKING ON-SITE:	19 SPACES	19 SPACES	1	NEW CANNABIS DISPENSARY.
ACCESSIBLE PARKING ON-SITE:	1 SPACES	1 SPACES	2	EXTERIOR DOOR. ALL EXTERIOR DOORS SHALL BE EQUIPPED WITH 180 DEGREE VIEWING DEVICE TO SCREEN PERSONS BEFORE ALLOWING ENTRY.
VENDOR & DELIVERY PARKING ON-SITE:	0 SPACES	3 SPACES	3	EXISTING PROPERTY LINE.
TOTAL PARKING ON-SITE (5 PER 1,000 SF @ 4,057 SF):	21 SPACES	23 SPACES	4	EXISTING MAIN BUILDING ENTRY.
			5	EXISTING VENDOR AND DELIVERY ACCESS DOOR.
BICYCLE PARKING ON-SITE (1 PER 25 PARKING STALLS):	1 SPACES	5 SPACES	6	EXISTING ELECTRICAL ROOM (GAS AND WATER FEED THROUGH THIS ROOM).
			7	EXISTING ACCESSIBLE PARKING STALL (RE-STRIPE AS NEEDED).
			8	EXISTING PARKING STALLS (RE-STRIPE AS NEEDED).
			9	NEAREST FIRE HYDRANTS: DIRECTLY ACROSS SOMERSVILLE ROAD, ONE ON OPPOSITE SIDE OF BOTH ADJACENT NEIGHBORING BUILDINGS
			10	NEW KNOX BOX TO BE INSTALLED AT FRONT AND REAR (VENDOR DOOR).
			11	NEW ACCESSIBLE PARKING SIGN.
			12	EXISTING ACCESSIBLE SITE SIGN.
			13	NEW METAL SECURITY FENCING.
			14	NEW VEHICLE BAY VEHICLE DOOR.
			15	EXISTING NO UNAUTHORIZED PARKING SIGN.
			16	DELIVERY AND VENDOR PARKING STALLS.
			17	NEW VEHICLE BAY MAN DOOR (W/ PANIC HARDWARE).
			18	EXISTING PARKING STALL WHEEL STOPS.
			19	NEW 1:12 SLOPE CONCRETE RAMP.

20	EXISTING DRIVEWAY (INGRESS/EGRESS).
21	EXISTING EXTERIOR WALL.
22	NEW DETECTABLE WARNING.
23	EXISTING CONCRETE WALK.
24	EXISTING CONCRETE SIDEWALK.
25	EXISTING CURB AND GUTTER.
26	EXISTING ADJACENT ROADWAYS.
27	EXISTING ACCESSIBLE PATH OF TRAVEL.
28	EXISTING LANDSCAPE AREA.
29	EXISTING MONUMENT SIGN - TO BE REVISED FOR BUSINESS.
30	EXISTING ROOF OVERHANG.
31	EXISTING COLUMN.
32	EXISTING SITE LIGHTING - TO BE REPLACED.
33	NEW TRASH ENCLOSURE W/ MAN GATE, BOLLARDS & LANDSCAPE PLANTERS (FOR SCREENING)
34	NEW BIKE RACKS.

These drawings are instruments of service and are the property of Sean Freitas, Architect. All design information contained in these drawings are for use only on this specified project and shall not be used otherwise without the expressed written permission by Sean Freitas, Architect.

PROJECT: 2021102904

CLIENT:  
NICK PERRY  
2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

DESIGN REVIEW FOR:

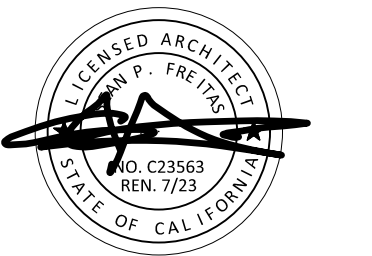
## NEW DISPENSARY AT

2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

TITLES:  
PROJECT DEMOLITION FLOOR PLAN

DATE: 5/05/2022

ARCHITECT'S APPROVAL:



THIS PROJECT IS NOT APPROVED FOR CONSTRUCTION UNLESS THE DRAWINGS ARE STAMPED AND WET SIGNED BY THE ARCHITECT AND THE BUILDING AUTHORITY HAVING JURISDICTION.

SHEET:

# A3.01

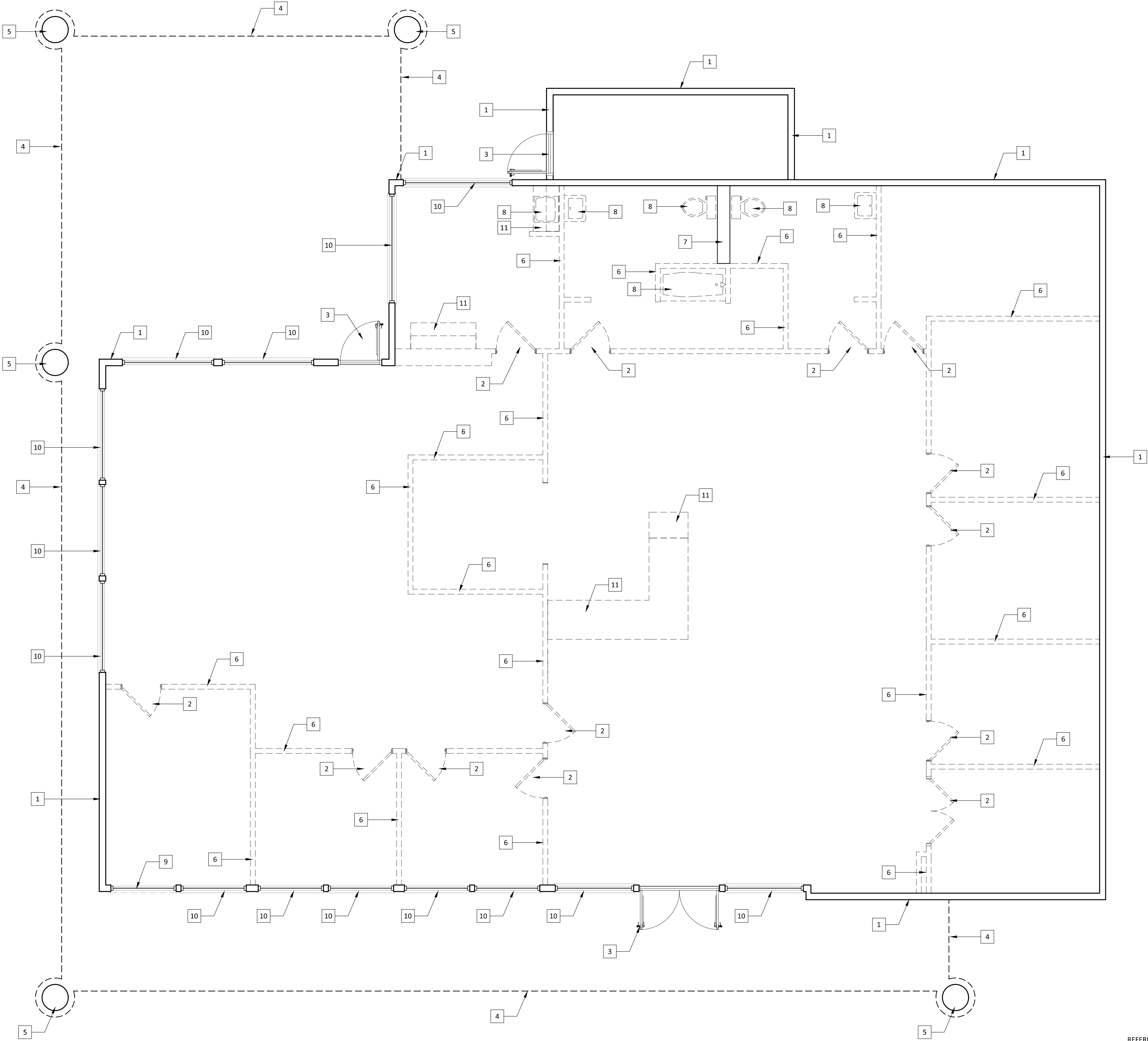
SHEET: OF SHEETS

## WALL LEGEND

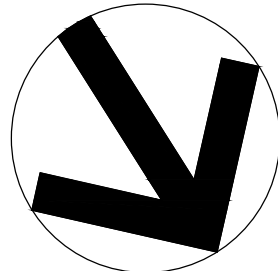
	EXISTING WALL. WALLS SHALL BE REFINISHED, TAPED, AND PAINTED TO MATCH EXISTING.
	REMOVE FRAMING AND FINISH BACK TO CLEAN SUBSTRATE. COMPLETELY REMOVE ELECTRICAL AND DATA LINES BACK TO ANY MAIN SERVICE/CONNECTIONS. REMOVE AND SPOT FILL OR GRIND ANCHORS FLUSH WITH CONCRETE.

## KEYNOTES

1	EXTERIOR WALL - TO REMAIN.
2	REMOVE INTERIOR DOOR.
3	EXTERIOR DOOR - TO REMAIN.
4	EXISTING ROOF OVERHANG - TO REMAIN.
5	EXISTING COLUMNS - TO REMAIN.
6	REMOVE INTERIOR WALL. GRIND HOLD DOWNS/ANCHORS FLUSH WITH CONCRETE SURFACE. REMOVE WIRING RUN BACK TO ORIGIN AS NEEDED.
7	INTERIOR WALL - TO REMAIN.
8	REMOVE RESTROOM FIXTURES. CAP AND ABANDON OR REPLUMB FEEDS AND DRAINS AS NEEDED PER PLUMBING DRAWINGS.
9	REMOVE EXTERIOR WINDOW - TO BE REPLACED W/ SMALLER WINDOW AND EXIT DOOR.
10	EXISTING WINDOW - TO REMAIN.
11	REMOVE EXISTING CABINETRY & COUNTERTOPS.



REFERENCE NORTH



## PROJECT DEMOLITION FLOOR PLAN

SCALE: 0 4' 1

1

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PROJECT: 2021102904

CLIENT:  
NICK PERRY  
2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

DESIGN REVIEW FOR:

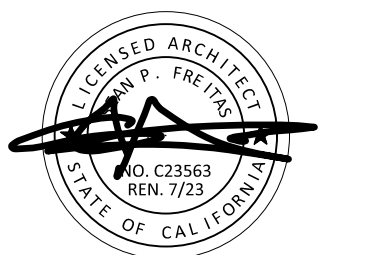
# NEW DISPENSARY AT

2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

TITLES:  
PROJECT FLOOR PLAN

DATE: 5/05/2022

ARCHITECT'S APPROVAL:



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SHEET:

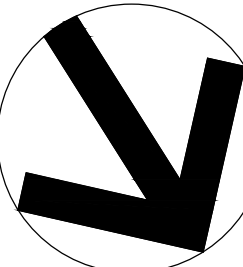
A3.11

SHEET: OF SHEETS

## KEYNOTES

- EXISTING MAIN BUILDING ENTRANCE & EMPLOYEE ACCESS POINT. ALL SOLID CORE EXTERIOR DOORS SHALL BE EQUIPPED WITH 180 DEGREE VIEWING DEVICE TO SCREEN PERSONS BEFORE ALLOWING ENTRY.
- EXTERIOR DOOR. ALL SOLID CORE EXTERIOR DOORS SHALL BE EQUIPPED WITH 180 DEGREE VIEWING DEVICE TO SCREEN PERSONS BEFORE ALLOWING ENTRY.
- NEW ACCESSIBLE RESTROOM - WATER CLOSET, LAVATORY, ACCESSORIES, AND HARDWARE TO COMPLY WITH CURRENT ACCESSIBILITY REQUIREMENTS.
- NEW ACCESSIBLE BUILDING ENTRANCE SIGNAGE.
- NEW HOLD-UP ALARM SYSTEM SHALL BE EMPLOYED NEAR THE LOBBY, EMPLOYEE ENTRANCE AND SAFE(S). HOLDUP ALARMS SHALL CAUSE THE DISPATCH OF THE POLICE DEPARTMENT.
- NEW INTERIOR DOOR - TYP.
- NEW INTERIOR WALL - TYP. WALL TO BE REINFORCED IN SECURITY SENSITIVE AREAS (VAULT AND SECURITY WALLS - INTERIOR SIDE OF WINDOWS).
- EXISTING WATER HEATER - REPLACE IF REQUIRED.
- NEW MOP SINK.
- COUNTERTOP AND CABINERY WITH SINK. PROVIDE SINK 24" OFF WALL TO CENTERLINE OF SINK MIN. RIM OR COUNTER SURFACE NOT TO EXCEED 34" A.F.F. AND PARALLEL APPROACH OF 48"x36" CLEAR OK IF RANGE OR STOVE TOP ARE NOT PROVIDED. UPPER CABINERY SHOWN DASHED WHERE OCCURS - PROVIDED BY TENANT.
- EXISTING VENDOR & DELIVERY ACCESS POINT. ALL SOLID CORE EXTERIOR DOORS SHALL BE EQUIPPED WITH 180 DEGREE VIEWING DEVICE TO SCREEN PERSONS BEFORE ALLOWING ENTRY.
- EXISTING WALL - TO REMAIN.
- EXISTING WINDOWS - TO REMAIN. WINDOWS SHALL BE BE INSTALLED WITH 3M SECURITY FILM. WINDOWS IN SECURITY AREAS TO HAVE A SECURITY WALL BEHIND (PAINTED BLACK).
- EXISTING ELECTRICAL PANELS.
- NEW TELCO BOARD.
- EXISTING ATTIC AND ROOF ACCESS LADDER W/ HATCH.
- NEW STORAGE SHELVING.
- NEW ACCESSIBLE HI-LOW DRINKING FOUNTAIN.
- NEW EMPLOYEE REFRIGERATOR.
- NEW EMPLOYEE LOCKERS.
- NEW VEHICLE BAY FOR VENDOR & DELIVERY ACCESS - EQUIPPED W/ A MAN AND VEHICLE DOORS - CONTROLLED ACCESS.
- NEW FLOOR MOUNTED SAFE - ACTUAL NEEDS TO BE DETERMINED BY OPERATOR.
- NEW REACH-IN COOLER STORAGE.
- NEW WIRE SHELVING UNITS.
- NEW CANNABIS WASTE - SECURE BINS FOR AUTHORIZED PICK-UP.
- NEW STORAGE FURNITURE - ACTUAL NEEDS TO BE DETERMINED BY OPERATOR.
- NEW TV MONITORS (SECURITY, MENU, GRAPHICS).
- NEW FILING CABINETS - ACTUAL NEEDS TO BE DETERMINED BY OPERATOR.
- NEW NVR SERVER RACK.
- NEW ACCESSIBLE HEIGHT (34") CHECK-IN COUNTER.
- NEW FILE AND MISC. STORAGE.
- NEW PRINT STATION.
- NEW WALKIE TALKIE CHARGING STATION.
- NEW PRODUCT STORAGE & DISPLAYS.
- NEW POINT OF SALE MACHINES.
- NEW ACCESSIBLE HEIGHT (34") SALES COUNTER.
- NEW ATMS.
- NEW SERVICE COUNTER W/ FLIP LID FOR FLOOR ACCESS.
- NEW GLASS PRODUCT DISPLAY CASES - SOME TO BE COLD UNITS.
- NEW STANCHIONS - CUSTOMER LINE QUEUE.
- NEW SECURE CUSTOMER EXIT.
- NEW MERCHANDISE DISPLAY.
- NEW VEHICLE BAY OVERHEAD DOOR.

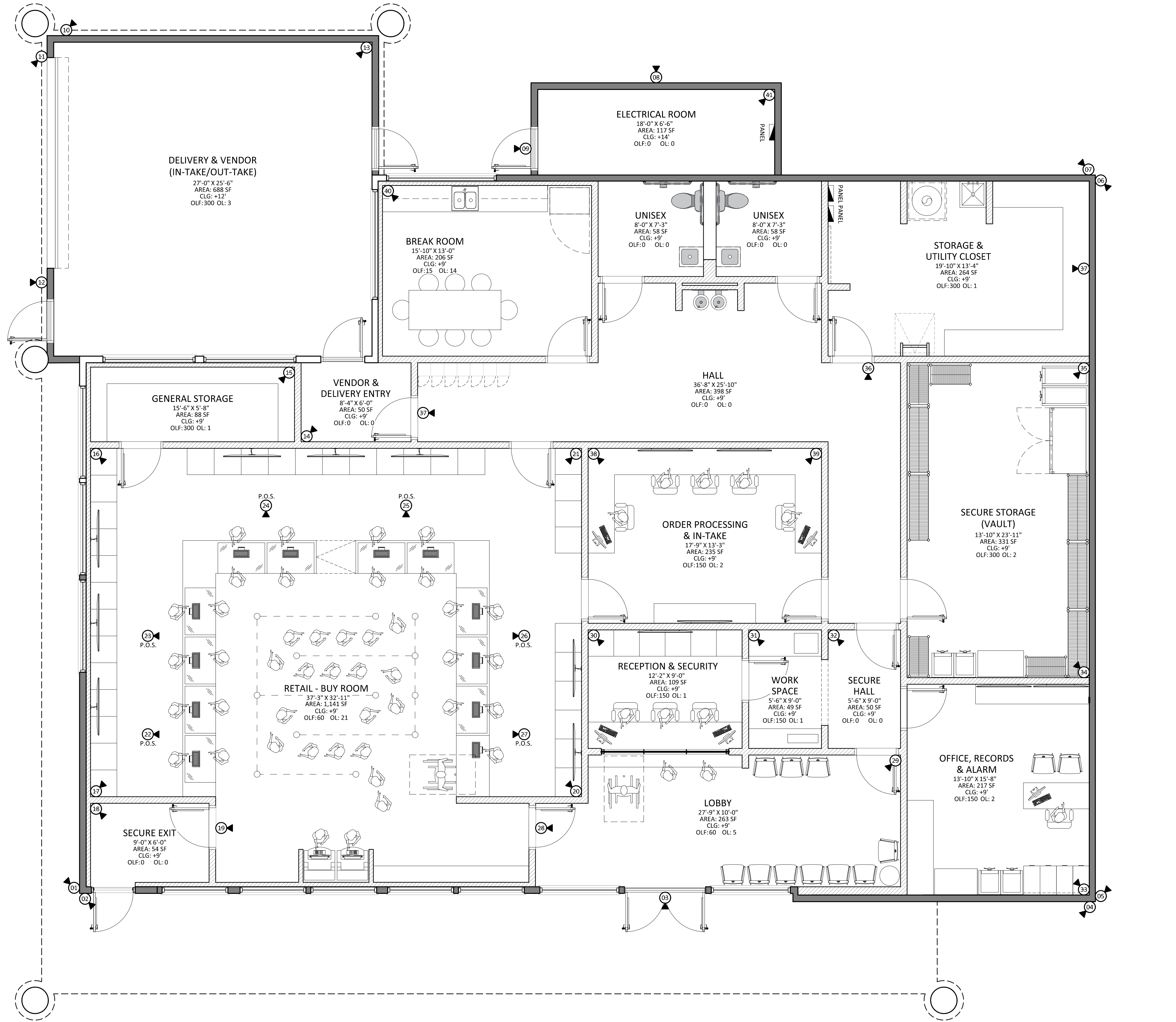
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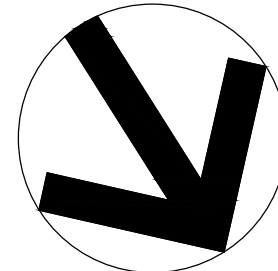
## PROJECT FLOOR PLAN

SCALE: 0 4'

1



REFERENCE NORTH



1

LEGEND

00	FIXED IP CAMERA (WITH UNIQUE CAMERA NUMBER)
00	P.O.S. CAMERA (WITH UNIQUE CAMERA NUMBER)
1	CAMERAS WILL CONTINUOUSLY RECORD 24 HOURS/DAY, 7 DAYS PER WEEK AT A MIN. RESOLUTION OF 1280X1024 (1.3MP), 15 FRAMES/SECOND, & BE INSTALLED ON THE EXTERIOR/INTERIOR OF BUILDING, MOUNTED IN FIXED/PERMANENT MANNER TO PREVENT TAMPERING. CAMERAS WILL BE INSTALLED ANYWHERE THAT CANNABIS PRODUCTS OR CURRENCY ARE PRESENT AT ANY GIVEN TIME, ENTRY/EXIT, AREAS OPEN TO THE PUBLIC, STREET & PERIMETER OF PROPERTY, PARKING LOTS, & ANY POINT OF SALE. CAMERAS WILL BE CAPABLE OF RECORDING IN ANY LIGHT CONDITION, BE OF SUFFICIENT QUALITY TO CAPTURE FACIAL FEATURE ID FOR THE EFFECTIVE PROSECUTION OF ANY CRIME THAT HAPPENS ONSITE, & RECORDINGS WILL BE STORED FOR A MIN. OF 90 DAYS. CAMERA SERVER WILL BE KEPT IN A SECURE LIMITED ACCESS AREA TO PREVENT TAMPERING/THEFT, PROVIDE NOTIFICATION UPON RECORDING FAILURE & HAVE 4 HOURS OF UPS BATTERY BACKUP.

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PROJECT: 2021102904

CLIENT:  
NICK PERRY  
SOMERSVILLE ROAD  
ANTIOCH, CA 94509

DESIGN REVIEW FOR:

NEW DISPENSARY AT

2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

TITLES:

PROJECT FLOOR PLAN  
(CAMERA PLACEMENT)

DATE: 5/05/2022

ARCHITECT'S APPROVAL:



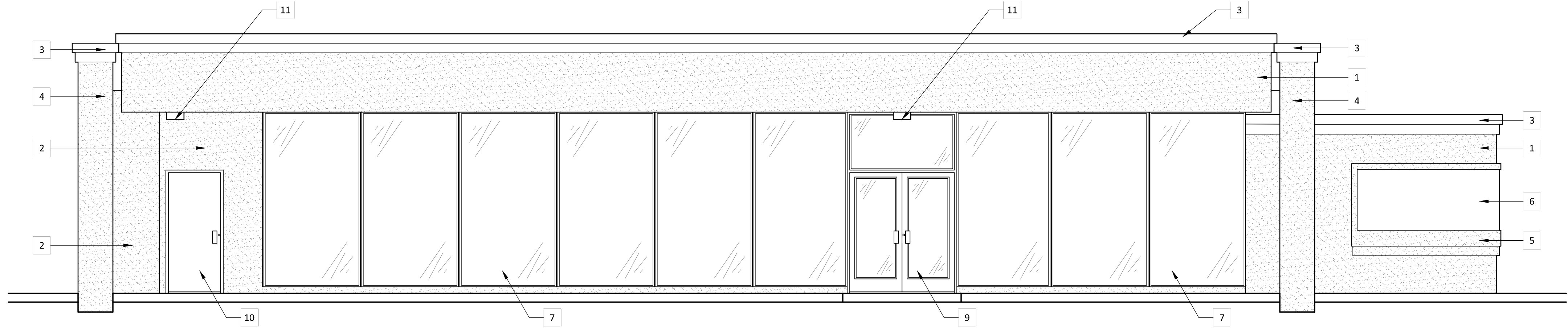
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SHEET:

A3.12

SHEET: OF SHEETS

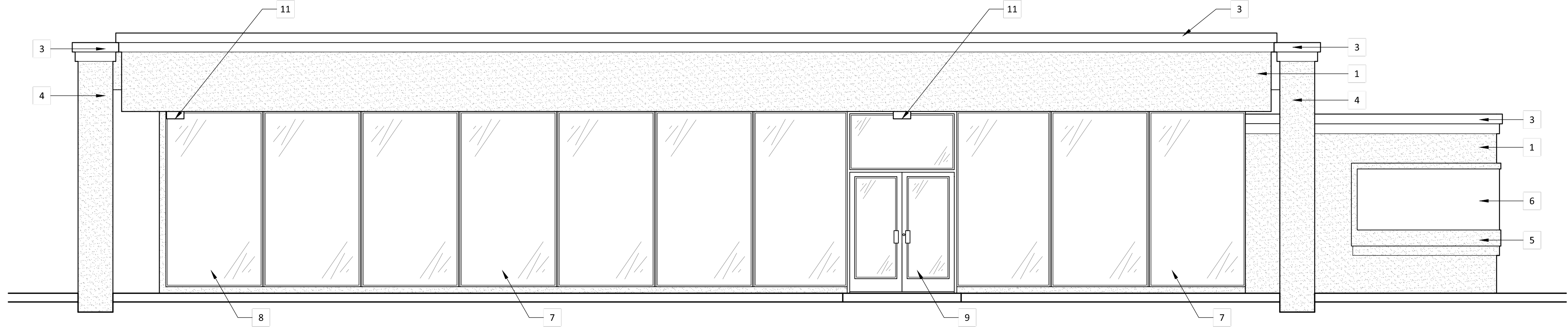
PROJECT FLOOR PLAN (CAMERA PLACEMENT)



PROPOSED BUILDING ELEVATION - NORTH (FRONT)

SCALE: 0 4'

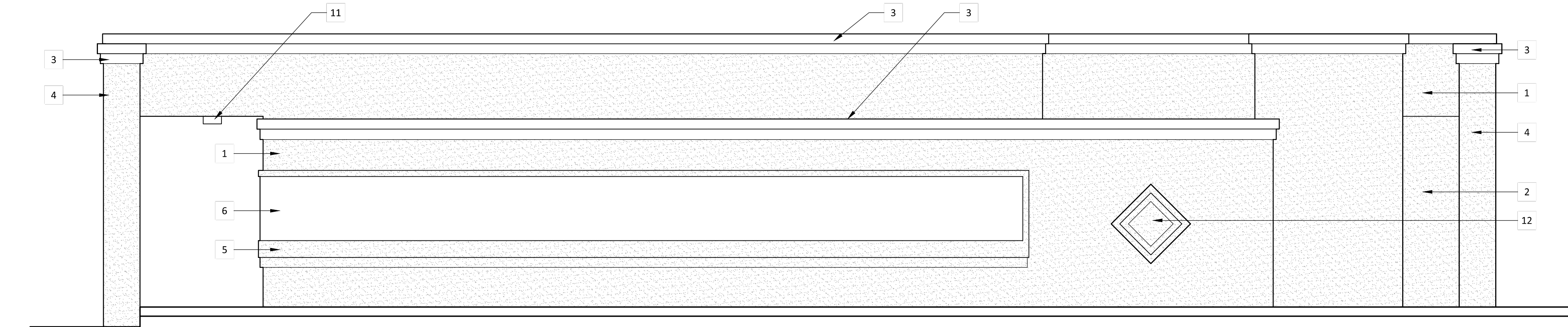
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EXISTING BUILDING ELEVATION - NORTH (FRONT)

SCALE: 0 4'

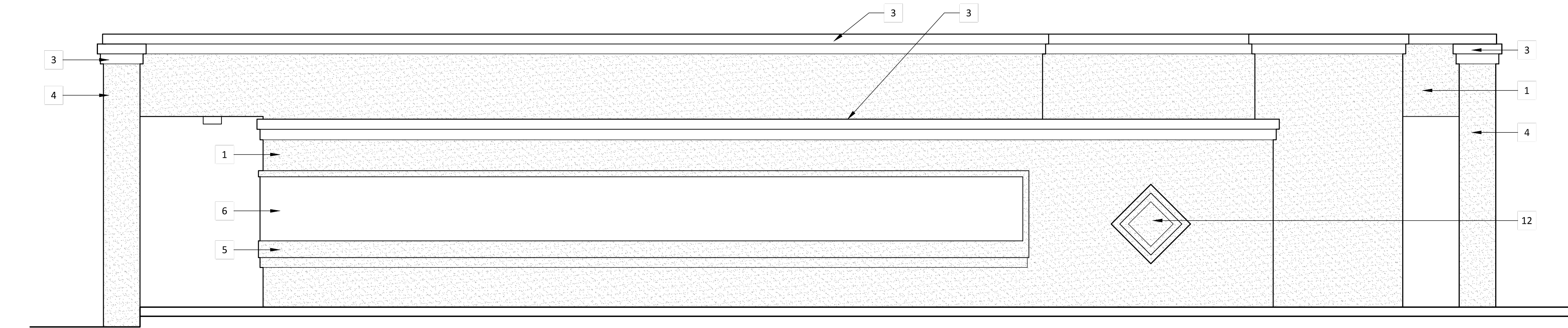
3



PROPOSED BUILDING ELEVATION - WEST (RIGHT)

SCALE: 0 4'

2



EXISTING BUILDING ELEVATION - WEST (RIGHT)

SCALE: 0 4'

1

KEYNOTES

1	EXISTING STUCCO FINISH - TO REMAIN.
2	PROPOSED STUCCO FINISH - TO MATCH EXISTING.
3	EXISTING PAINTED BAND - TO REMAIN.
4	EXISTING STUCCO WRAPPED COLUMN - TO REMAIN.
5	EXISTING STUCCO TRIM - TO REMAIN.
6	EXISTING PANEL INFILL - TO REMAIN.
7	EXISTING WINDOW SYSTEM - TO REMAIN.
8	EXISTING WINDOW - TO BE REMOVED.
9	EXISTING DOOR - TO REMAIN.
10	NEW SOLID CORE DOOR.
11	EXISTING EXTERIOR LIGHTING - TO REMAIN (AND EXPANDED).
12	EXISTING DECORATIVE STUCCO FEATURE - TO REMAIN.

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PROJECT: 2021102904

CLIENT:  
NICK PERRY  
2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

DESIGN REVIEW FOR:

NEW DISPENSARY AT

2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

TITLES:

PROJECT EXTERIOR ELEVATIONS

DATE: 5/05/2022

ARCHITECT'S APPROVAL:

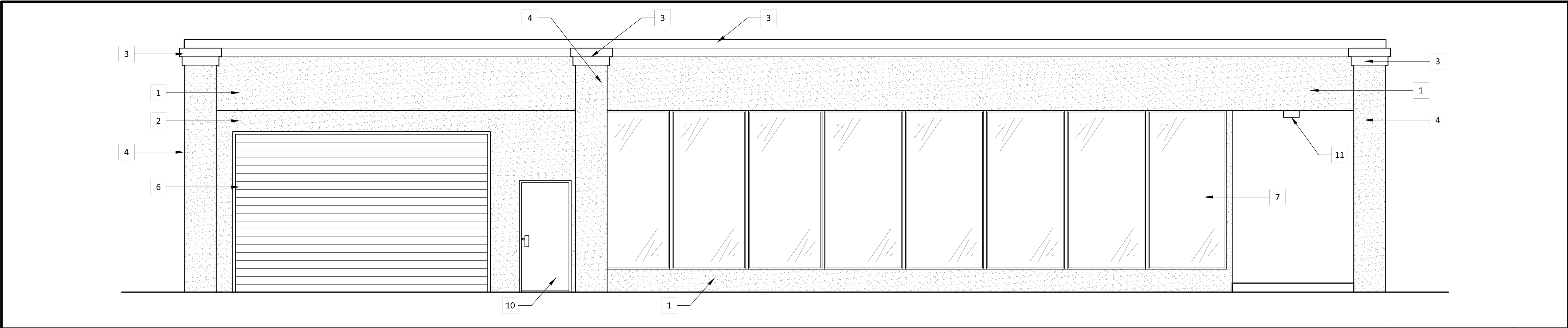


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SHEET:

A7.11

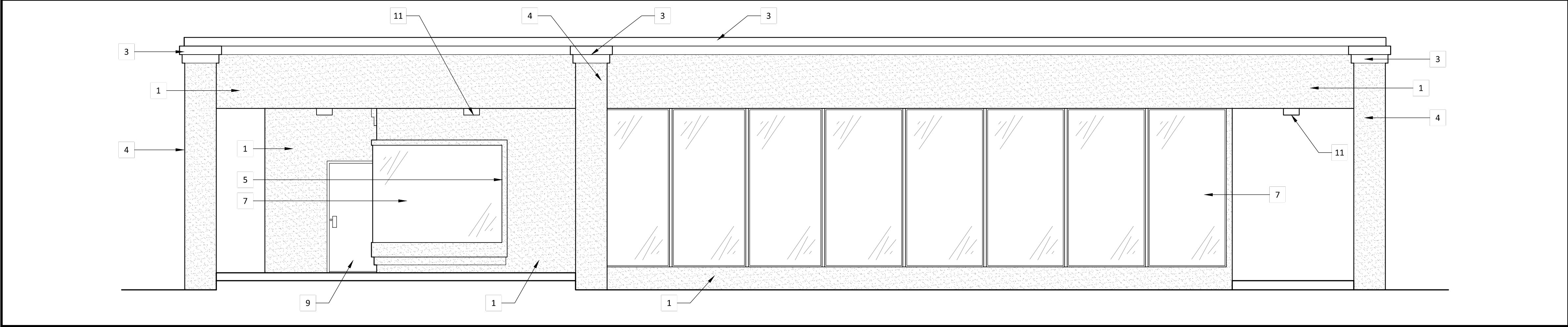
SHEET: OF SHEETS



PROPOSED BUILDING ELEVATION - EAST (LEFT)

SCALE: 0 4'

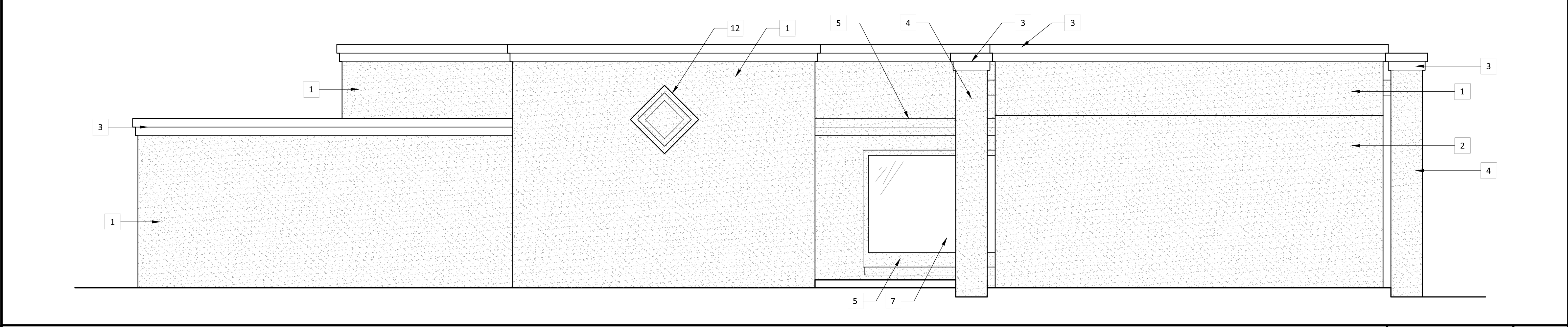
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EXISTING BUILDING ELEVATION - EAST (LEFT)

SCALE: 0 4'

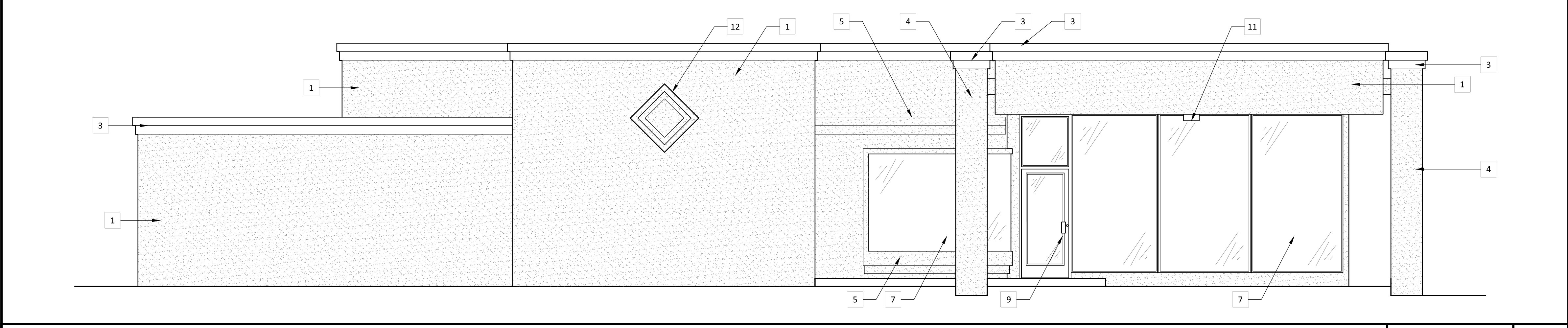
3



PROPOSED BUILDING ELEVATION - SOUTH (REAR)

SCALE: 0 4'

2



EXISTING BUILDING ELEVATION - SOUTH (REAR)

SCALE: 0 4'

1

KEYNOTES

1	EXISTING STUCCO FINISH - TO REMAIN.
2	PROPOSED STUCCO FINISH - TO MATCH EXISTING.
3	EXISTING PAINTED BAND - TO REMAIN.
4	EXISTING STUCCO WRAPPED COLUMN - TO REMAIN.
5	EXISTING STUCCO TRIM - TO REMAIN.
6	PROPOSED VEHICLE OVERHEAD DOOR.
7	EXISTING WINDOW SYSTEM - TO REMAIN.
8	(RESERVED)
9	EXISTING DOOR - TO REMAIN.
10	NEW SOLID CORE DOOR.
11	EXISTING EXTERIOR LIGHTING - TO REMAIN (AND EXPANDED).
12	EXISTING DECORATIVE STUCCO FEATURE - TO REMAIN.

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PROJECT: 2021102904

CLIENT:  
NICK PERRY  
2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

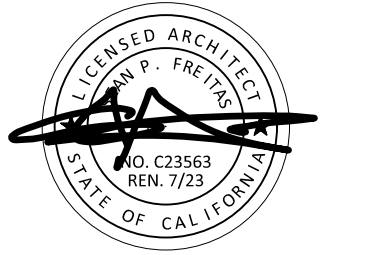
DESIGN REVIEW FOR:

NEW DISPENSARY AT  
2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

TITLES:  
PROJECT EXTERIOR ELEVATIONS

DATE: 5/05/2022

ARCHITECT'S APPROVAL:

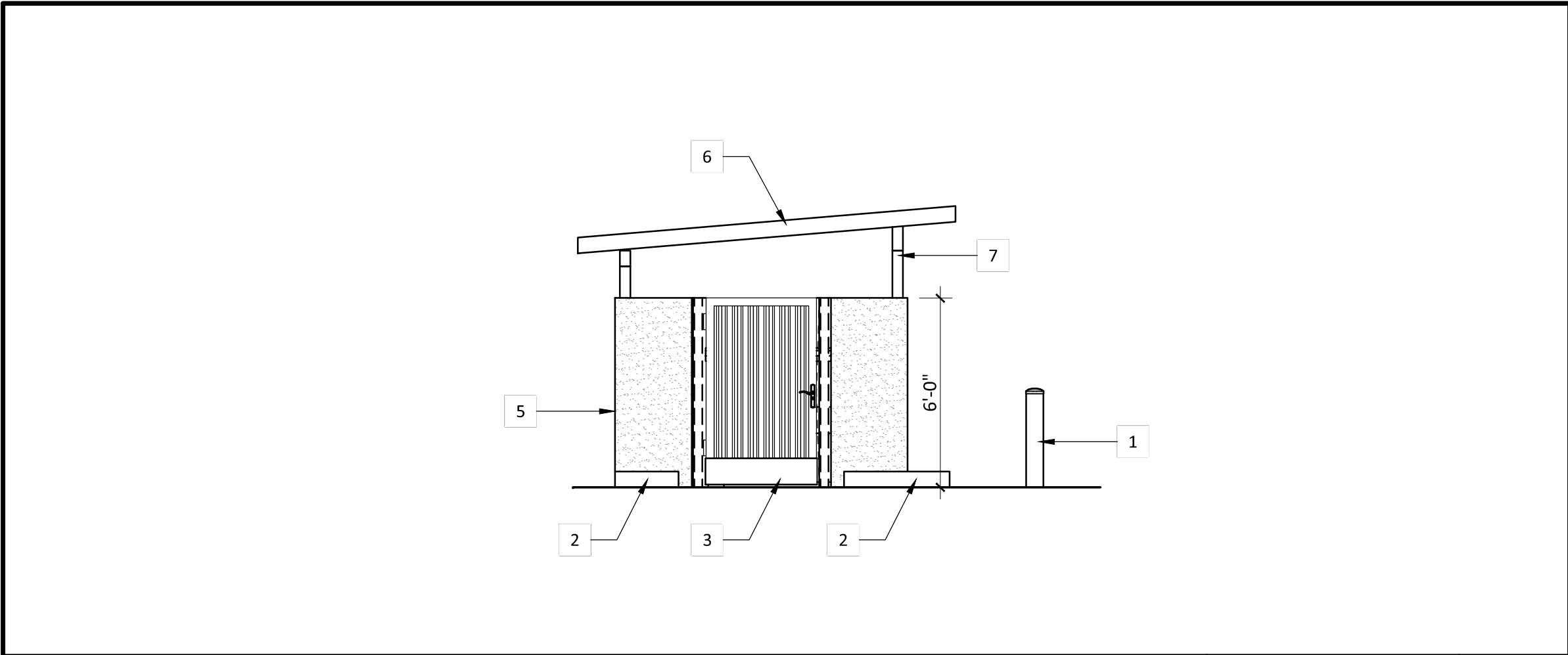


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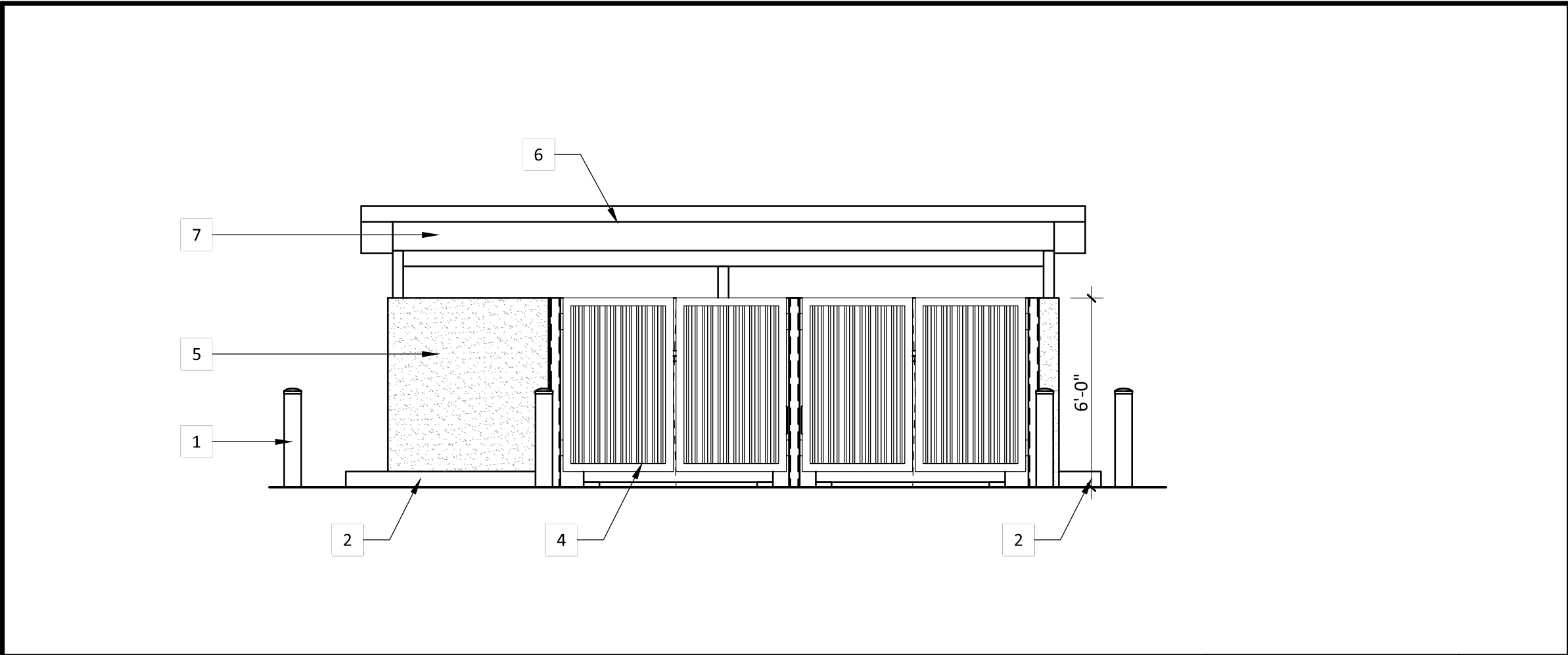
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TRASH ENCLOSURE LEFT ELEVATION

SCALE: 0 4'

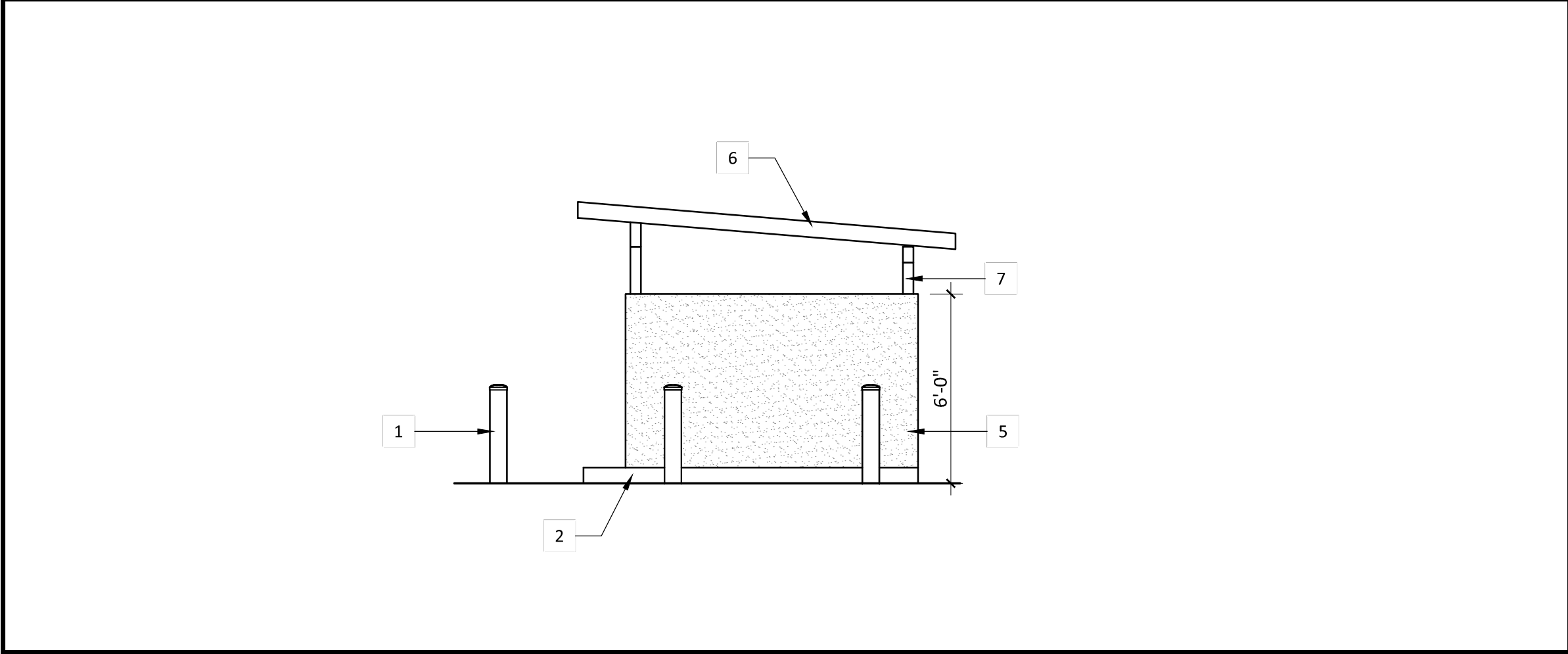
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TRASH ENCLOSURE FRONT ELEVATION

SCALE: 0 4'

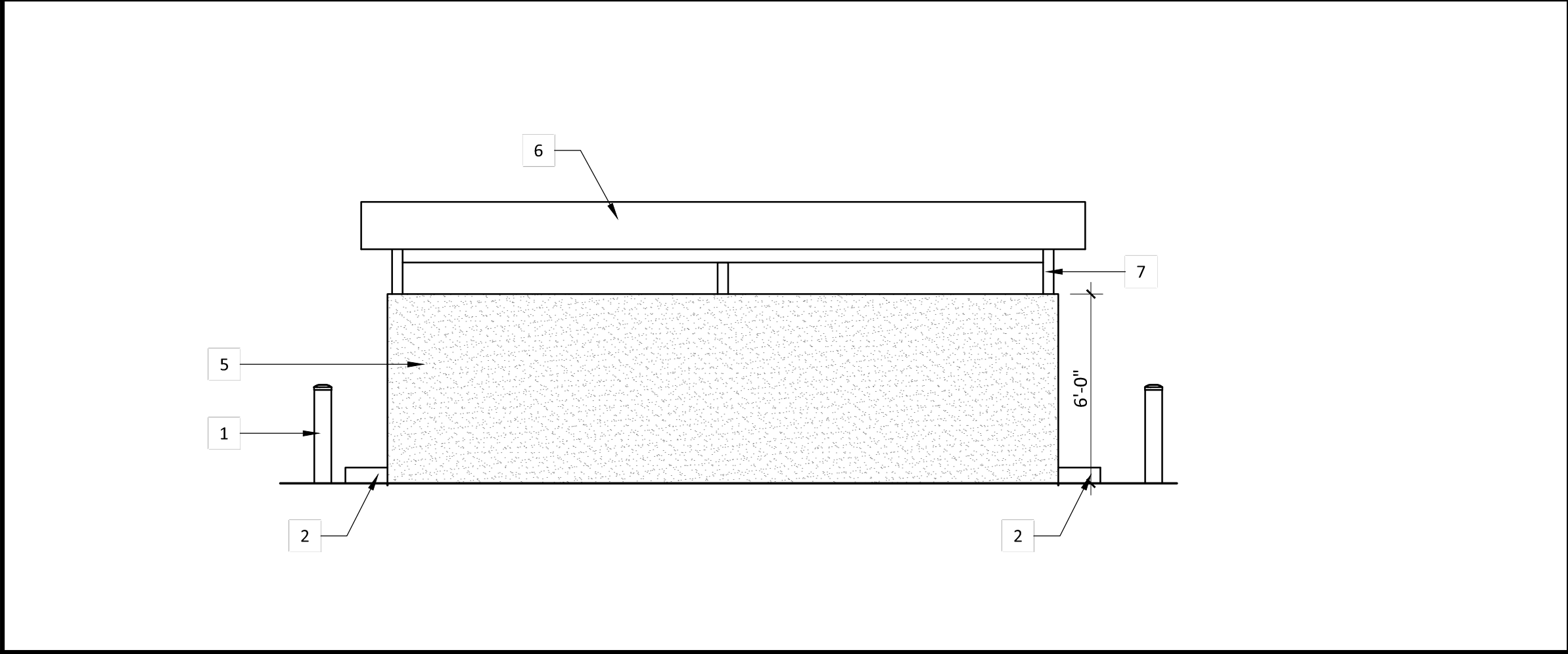
4



TRASH ENCLOSURE RIGHT ELEVATION

SCALE: 0 4'

11



TRASH ENCLOSURE REAR ELEVATION

SCALE: 0 4'

3



PROPOSED TRASH ENCLOSURE

SCALE: 0 4'

1

KEYNOTES	
1	PROPOSED SITE BOLLARDS.
2	PROPOSED PLANTER FOR ENCLOSURE LANDSCAPE SCREENING.
3	PROPOSED METAL MAN DOOR.
4	PROPOSED METAL ENCLOSURE GATES.
5	PROPOSED CONCRETE BLOCK ENCLOSURE WALL W/ STUCCO FINISH (TO MATCH EXISTING BUILDING).
6	PROPOSED METAL ROOFING W/ STEEL FRAME.
7	PROPOSED STEEL POST AND BEAMS.

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PROJECT: 2021102904

CLIENT:

NICK PERRY  
2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

DESIGN REVIEW FOR:

**NEW DISPENSARY AT**

2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

TITLES:

PROJECT TRASH ENCLOSURE

DATE: 5/05/2022

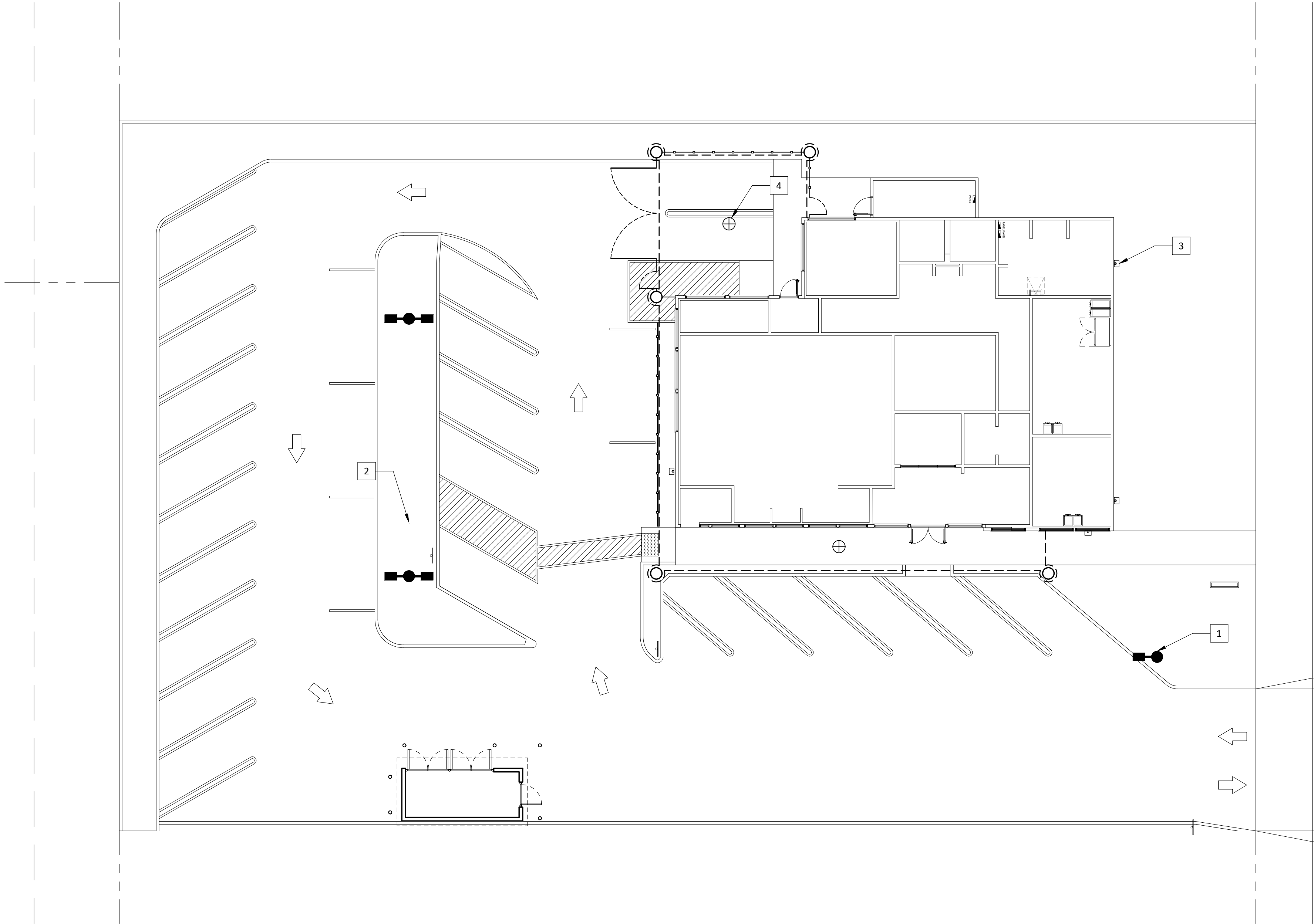
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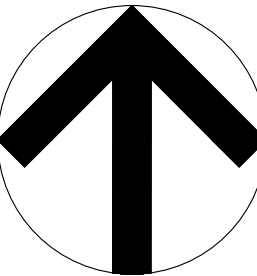
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**A7.13**

SHEET: OF SHEETS



REFERENCE NORTH



# ELECTRICAL SITE PLAN

SCALE: 0 12'-6" 1

## KEYNOTES

1	EXTERIOR POLE MOUNTED LED LIGHTING FIXTURE. GLAN-SA1C-740-U-SL3-PA. SINGLE FIXTURE CONFIGURATION.
2	EXTERIOR POLE MOUNTED LED LIGHTING FIXTURE. GLAN-SA2C-740-U-SL3-PA. DOUBLE FIXTURE CONFIGURATION.
3	EXTERIOR WALL MOUNTED LIGHTING FIXTURE. D-SERIES SIZE 1 LED. DSX1-LED-10C-1000-40K-T35-MVOLT.
4	EXTERIOR RECESSED LED LIGHTING FIXTURE. MCGRAW-EDISON. TT TOPTIER. TT-D1-740-U-MQ.

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PROJECT: 2021102904

CLIENT:  
NICK PERRY  
2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

DESIGN REVIEW FOR:

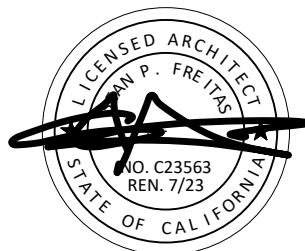
## NEW DISPENSARY AT

2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

TITLES:  
ELECTRICAL SITE PLAN

DATE: 4/12/2022

ARCHITECT'S APPROVAL:

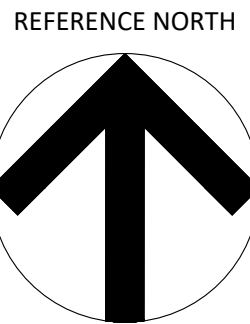
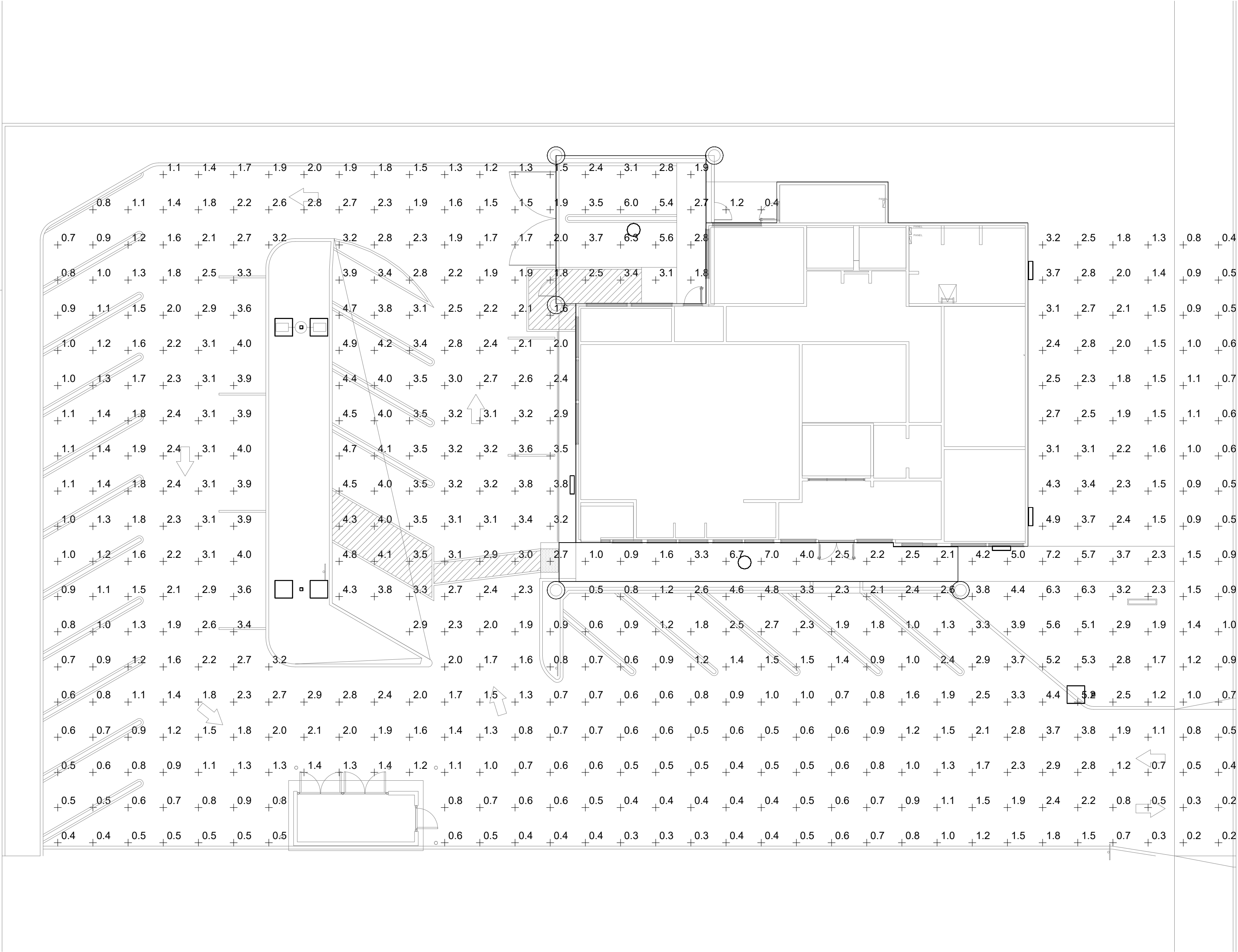


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SHEET:

E2.11

SHEET: OF SHEETS



SITE PLAN - PHOTOMETRY

SCALE: 0 12'-6"

1

LIGHT LEVEL STATISTICS

DESCRIPTION	SYMBOL	AVG	MAX	MIN	MAX/MIN	AVG/MIN
SITE PARKING	+	2.0 fc	7.2 fc	0.2 fc	36.0:1	10.0:1

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PROJECT: 2021102904

CLIENT:  
NICK PERRY  
2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

DESIGN REVIEW FOR:

NEW DISPENSARY AT  
2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

TITLES:  
SITE PLAN - PHOTOMETRY

DATE: 4/12/2022

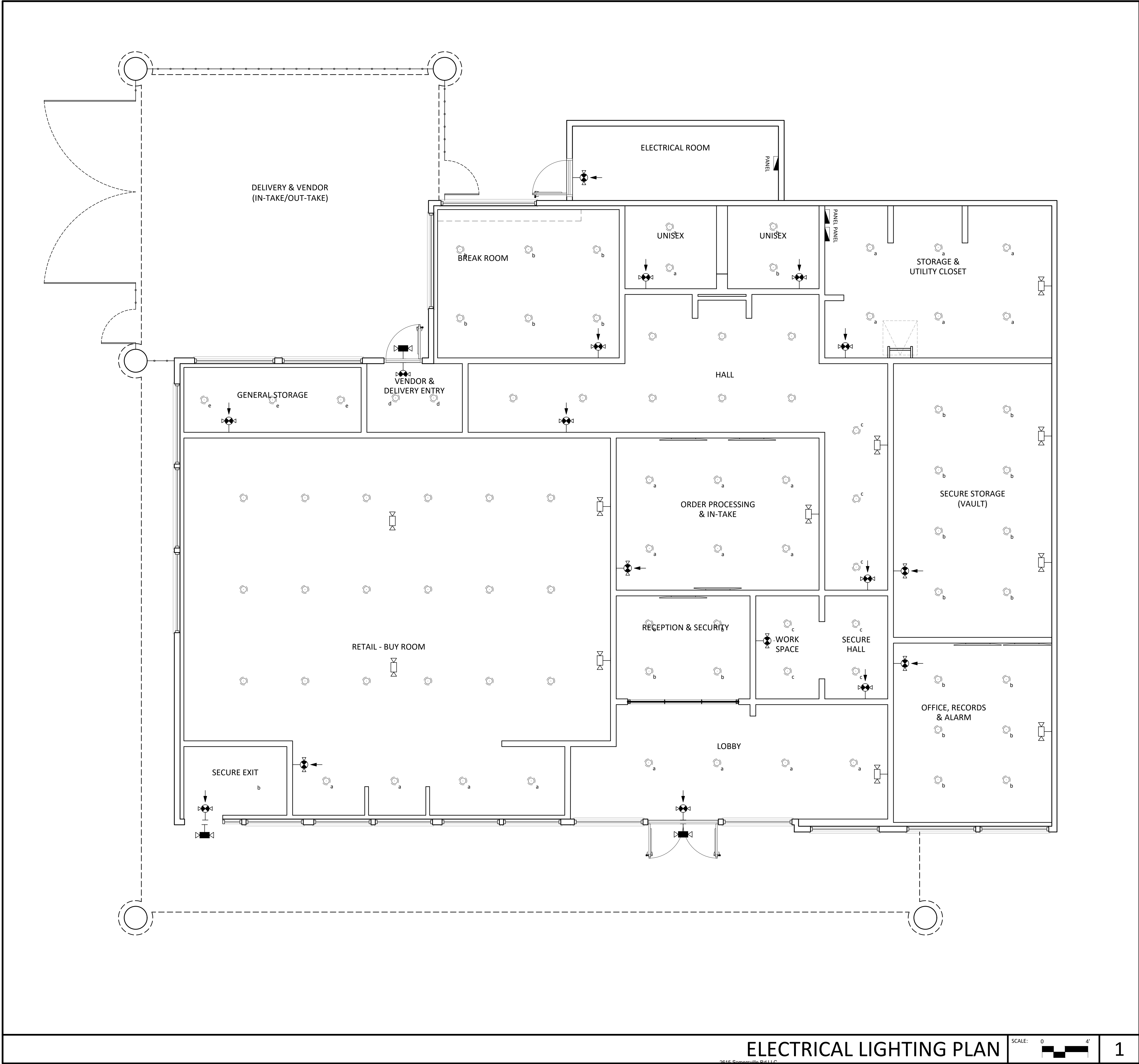
ARCHITECT'S APPROVAL:

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SHEET:

E2.11

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PROJECT: 2021102904

CLIENT:  
NICK PERRY  
2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

DESIGN REVIEW FOR:

**NEW DISPENSARY AT**

2615 SOMERSVILLE ROAD  
ANTIOCH, CA 94509

TITLES:

ELECTRICAL LIGHTING PLAN

DATE: 4/12/2022

ARCHITECT'S APPROVAL:

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SHEET:

**E4.11**

SHEET: OF SHEETS

**ATTACHMENT E  
SITE PHOTOS  
(SEPARATE PAGE)**





***FAST AUTO & PAYDAY LOANS***









FAST AUTO & PAYDAY LOANS

\$2,400  
INSTANT  
PAYDAY LOANS  
OPEN

TITLE LOANS  
\$15,000

PAYDAY  
LOANS

**ATTACHMENT F  
ODOR MITIGATION PLAN  
(SEPARATE PAGE)**

# ODOR CONTROL & MITIGATION PLAN

May 12, 2022

## 2615 Somersville RD LLC

2615 Somersville Road  
Antioch, CA 94509

**Report prepared by**

15000 Inc.

[info@15000inc.com](mailto:info@15000inc.com)

707.577.0363

## **Policy**

---

Document a process to limit objectionable odors from the project area utilizing building system components and adopted odor control plan.

Under California Occupational Health and Safety Act (“CalOSHA”) and Bay Area Air Quality Management District (“BAAQMD”) regulations, cannabis businesses do not have a specific set of regulations that govern their operations. However, 2615 Somersville RD LLC (the “Applicant”), will nonetheless maintain a high standard for the air quality plans for all aspects of its proposed Cannabis Dispensary Facility (TYPE-10) at 2615 Somersville Road, Antioch, CA 94509 (“Facility”).

Generally, the Applicant will meet and/or exceed the standards set by the City of Antioch (“City”) Cannabis Ordinance, the Contra Costa (“County”) Code (including amended Title 9, Chapter 5 and Resolution 2018/117), California Labor Code §§6300 et seq., and Title 8, California Code of Regulations §§ 332.2, 332.3, 336, 3203, 3362, 5141 through 5143, 5155, and 14301, as published in the CalOSHA Policy and Procedures Manual C-48, Indoor Air Quality as applicable to other facilities.

Pursuant to State of California (“State”) regulations [California Energy Code, Section 120.1(c)3], mechanical outside air ventilation must meet a minimum code required cubic feet per minute (“CFM”) flow rate. Since existing State air quality regulations do not contain provisions specific to cannabis businesses, the Applicant will comply with these general State standards when designing the ventilation systems and air filtrations systems for the entire Facility. Each separate operation within the Facility building will have its own individual “air-scrubber” systems, as described below.

## **Purpose**

---

To minimize and eliminate the off-site odor of cannabis caused by normal business practices.

## **Scope**

---

Exterior of facility and surrounding areas.

## **Responsibilities**

---

Business Owner/Operator (BO/O) is to provide, implement and supervise an odor mitigation plan.

## **General Procedures**

---

Implementing and maintaining building systems to effectively minimize transmission of odor between building and surrounding areas.

- BO/O shall supervise installment and maintenance of an air treatment system to ensure there is no off-site odor of cannabis overly detectable from adjacent properties or the community. The staff will be responsible for maintaining all systems, so that they remain functioning at all times. Air treatment systems consist of carbon filtration on the exhaust side of the ventilation system and negatively pressurizing the facility in relation to the exterior ambient condition.
- Staff members should immediately report any odor problems to the BO/O, who will take corrective action, implement upgrades to the system, upgrades to the facility or to the internal handling process of product within the facility to further deter odors.
- If such upgrades require the approval of any Agency Having Jurisdiction (AHJ), the BO/O shall seek and gain such approval prior to implementing new systems and/or procedures.

It is critical to the success of our organization that our various plans remain transparent to the community, so all stakeholders are aware of the importance of mitigated cannabis odors.

This mitigation plan and all associated records will be made available to the public for review and documents can be requested at our facility. All requests for documentation shall occur via written request only (email is acceptable).

The facility will have the following onsite functions: Administrative Processing Areas, Dispensary (Retail Sales Area), Secure Storage, Delivery and Vendor Area. In accordance with California State Law, all products brought into the dispensary will be in sealed packages. As such, the possibility for odor issues for adjacent properties is limited. Nevertheless, the handling of product will require a properly engineered odor control system in order to mitigate the release of odors to the surrounding properties and community.

## **Active Measures**

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All cannabis products will be securely stored in the secure storage room (vault). The secure storage room and receiving areas will be provided with an exhaust air system for odor control. The exhaust system shall be provided with a carbon filter that will mitigate any odors which may emanate from the stored product.

## **Air Pressure & Carbon Filter Control**

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The Retail Sales Area and Storage Receiving Area will be kept under negative pressure. The exhaust system shall be electrically interlocked with the space conditioning system serving the area with an exhaust air quantity greater than the outside air quantity to ensure negative pressure is maintained whenever the system is operational. The space conditioning system will be provided with MERV-13 rated carbon filters, to further enhance the overall Indoor Air Quality (IAQ) which are recirculated within the airstream. The Product Storage will be kept under negative pressure with an independent exhaust filtration system similar to that serving the Retail and Receiving areas.

Above all, the facility will be kept under negative pressure to limit exfiltration by means of exhaust systems as described herein with carbon filters for odor mitigation. The exhaust discharge shall be designed to discharge at the roof level and exhaust away from any neighbors or pedestrian traffic.

## **Best Available Technology**

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The combination of activated carbon air filtration and building pressure control represent the current best available technology. For anticipated comfort space conditioning systems, the building shall be provided with MERV-13 filters on the fresh air intake side to limit particulate intake to the space and to enhance the overall quality of the supply air to the occupants.

## **Air System Design**

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The Facility shall have no operable windows or be kept locked and sealed at all times. All doors shall be sealed with proper weather stripping, keeping circulating and filtered air inside the facility.

On site usage of cannabis products is strictly prohibited while on the property. This will assist in mitigating odors to the surrounding neighbors.

## **Monitoring, Detection and Mitigation: Method for Assessing Impact of Odor**

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The importance of cannabis odor mitigation is very well understood, and we shall make decisions that best prevent the issue of odor to the surrounding areas. If odors are detected outside the facility, this plan shall serve as a guideline to provide corrective action.

The manager/supervisor of the Facility shall assess odors on a daily basis (see *Monitoring* for expanded responsibilities).

## **Monitoring**

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The manager/supervisor shall assess the on-site and off-site odors daily for the potential release of objectionable odors. The manager/supervisor on duty shall be responsible for assessing and documenting odor impacts on a daily basis.

The closest adjacent businesses include;

- Double Dragon: 2621 Somersville Road, Antioch, CA 94509
- Wells Fargo Bank: 2601 Somersville Road, Antioch, CA 94509
- Games of Antioch: 2635 Somersville Road, Antioch, CA 94509

## **Mitigation**

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Should objectionable off-site cannabis odors be detected by the public and we are notified in writing, the following protocols will take place immediately:

- Investigate the likely source of the odor.
- Utilize on site management practices to resolve the odor event.
- Take steps to reduce the source of objectionable odors.
- Determine if the odor traveled off-site by surveying the perimeter and making observations of existing wind patterns.
- Document the event for further operational review.

If employees are not able to take steps to reduce the odor-generating source, they are to immediately notify the facility manager, who will then notify the BO/O. All communication shall be documented, and the team shall create a proper solution, if applicable. If necessary, we shall retain our certified engineer to review the problem and make recommendations for corrective action/s.

## **Staff Training**

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All employees shall be trained on how to detect, prevent, and remediate odor outside our facility and all corrective options outlined herein.

## **Odor Detection Documentation**

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The Odor Detection Form (ODF) shall be provided to those who suspect objectionable odors emanating from inside the facility. ODFs are available per request, on-site.

We shall maintain records of all odor detection notifications and/or complaints that will include the remediation measures employed. The records shall be made available to the AHJ or the general public on request. All requests shall be in writing (email is acceptable).

## Odor Detection Form

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Name of Reporting Party:

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Phone Number:

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Email Address:

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Date:

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Time:

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Location of Odor:

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Weather Conditions:

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Date/Time of Notification:

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Notification Method:

☐ Email ☐ Online ☐ In Person

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## Administrative Use Only

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*Mitigation Response Taken:*

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*Date/Time Measures Employed:*

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*Were Mitigation Measures Successful?*

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*Signature/Date/Time:*

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## **POTENTIAL SOURCES OF ODOR**

As 2615 Somersville Rd LLC will operate a retail store in compliance with 16 CCR § 15412(a), we will only receive cannabis products that are already sealed in child-proof, tamper-resistant packaging that are ready for retail sale. As a result, the sources of odor are limited, namely:

1. Cannabis product for sale in sealed packaging. The finished cannabis products received and sold by 2615 Somersville Rd LLC will be pre-packaged and ready for sale in sealed packaging that will reduce any escaping odors. All cannabis and cannabis products not available or required for immediate transactions will be secured in the storage area, far from any door or window. At the end of the workday, all products will be removed from the sales floor and stored in the storage area, after hours. The storage area will be closed except for when employees enter or exit.
2. Cannabis products opened onsite to allow for inspection by customers. 2615 Somersville Rd LLC may have cannabis product displays visible to customers. Displays will be stored in two ways: in sealed containers for visual inspection only, which will have no odor, and containers specific to cannabis samples with small holes so the customer is able to smell the product before purchase. The sealed containers will prevent any odors from escaping. The jars for customers to sample the aroma of cannabis products have specially fit lids that create a seal when closed, limiting the amount of time the product is exposed to open air, and limiting any escaping odor -- and also helping to keep the samples fresh. The number of such aroma samples will be limited at any given time. Such samples will be destroyed as explained in the waste management plan below.
3. Cannabis returned by customers after opening. Pursuant to CCR 16 § 15410(b), retailers may accept returns of goods previously sold to a customer. While such returns are likely to be very small in number, returns could include cannabis products in partial, open, or broken packaging, potentially releasing odors. All returns will be promptly placed into designated waste areas to minimize any exposed product, as explained in detail in the odor management plan below.
4. Cannabis opened for destruction. Product that is not sellable for whatever reason may need to be disposed of. Any such product will only be opened in the interior limited access areas, and the product will be stored in the secure waste area as explained in the waste management plan below.

## **STAFF TRAINING**

All employees will be trained on how to detect, prevent and remediate odor outside the facility and all corrective options outlined herein.

The Operations Manager shall ensure that all employees are trained in odor control procedures before they start working at the facility. The training shall include, but is not limited to, how to install and run carbon filter systems and perform routine inspections and maintenance procedures to ensure filters are operating efficiently and effectively, as well as procedures to log and track all inspections, scheduled maintenance, equipment failures, maintenance performed, and equipment installation dates.

The General Manager, Assistant Manager, and Floor Lead will receive training in the use of any machinery or equipment used on-site, as well as training in proper record keeping. Safety data sheets will be kept on-site in easily accessible areas for reference. The General Manager, in partnership with the Assistant Manager, and Floor Lead, will create and follow a schedule for maintenance of any odor control and waste management systems to ensure they are operating in accordance with manufacturer guidelines.

For the odor control system, this includes checking any filters and air scrubber machines. If repairs or replacements are needed, the managers will record any issues and schedule professional maintenance.

For the waste management system, this includes checking limited access barriers, such as electronic door entries and storage bin locks, and surveillance cameras and records. If repairs are needed, the managers will record any issues and schedule professional maintenance. They will also ensure accurate waste records are kept in accordance with all laws and regulations.

They will be trained by and work with the Facility Ambassador to address and mitigate complaints from citizens, customers, or other businesses related to noticeable odors and the waste management system.

The General Manager and Assistant Managers will train employees in the day to day tasks involved with odor and waste systems. These will include:

- Ensuring all waste is properly sorted, stored, recycled, or removed at the end of the shift.
- Ensuring all disposal containers maintained for excess, unused, or contaminated cannabis products remain securely locked until emptied by a licensed waste-management party.
- Rendering all returned, contaminated, defective, expired, and non-usable cannabis products unusable.
- Recording all cannabis waste information and, for authorized personnel, entering the required information into the track-and-trace system. (Separate employee training provided by the designated Account Manager will be required before using the track-and-trace system.)
- Properly escalating any customer and public complaints related to escaping odors or the waste management system.

Training records will be kept on-site in each employee's personnel file. They will include the content of the training provided and the names of the employees that received the training, and will be retained for seven years and updated as new training is provided.

Staff meetings are opportunities for team members to receive updated training and discuss ideas on how to make processes more effective or efficient. Staff meetings will be held at least once a week during shift overlaps where any new procedures or policies relating to odor and waste management will be communicated. Standard operating procedures will be updated as needed and will be available in an easily accessible area for reference. Refresher training will be decided on and scheduled by the General Manager depending on employee needs.

### **ODOR CONTROL DEVICES AND TECHNIQUES EMPLOYED: SUMMARY**

The facility design team of 2615 Somersville Rd LLC realizes air quality control is integral to the health and well-being of the retail space, its occupants, and the surrounding community as a whole. Our location will not pose an air quality issue to any of its surrounding neighborhood businesses or residents caused by undesirable odors.

The air systems are designed to provide fresh air for occupants by meeting or exceeding ventilation standards and indoor air quality guidelines established by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE), the United States Division of Occupational Health Safety, and the California Air Resources Board. Healthy air changes are induced within the facility throughout the occupied and unoccupied hours of operation to prevent the buildup of odors from any number of potential sources, be it from the plant material itself or any possible volatile organic compounds (VOCs).

As detailed below, 2615 Somersville Rd LLC will address odor by minimizing and controlling odor sources by installing a robust three-stage air filtration system covering its storage areas so no odor of cannabis can be detected by neighbors or passersby. This system will include intake filtration, in-line electronic cleaning, and exhaust filtration.

2615 Somersville Rd LLC is committed to providing state-of-the-art air quality and odor control systems. The Odor Management Plan ("OMP") will eliminate any odor of cannabis outside of the premises, prevent the emission of any odor of cannabis from the premises, maintain clean air within the premises, and provide excellent indoor air quality for the health and wellness of all employees and customers.

### **I. Odor Source Minimization**

Cannabis retailers, unlike cultivators, manufacturers, or distributors, do not create much cannabis odor. Under 16 CCR § 15412(a), all products received by 2615 Somersville Rd LLC in Antioch must be packaged and sealed for retail sale. As a result, there are minimal cannabis odors associated with regular retail inventory. There may be a number of packages opened onsite. As detailed above, these will be (1) sealed inspection visual samples and re-closable aroma samples; (2) product returns, and (3) any inventory that may need to be destroyed. For those opened packages that are not in use on the retail floor, they will be stored in sealed, odor-proof containers in a designated portion of the product storage area. Thus, the extent of odor to manage is, at most, modest.

## **II. Carbon Filters (“Air Scrubbing”)**

Nonetheless, 2615 Somersville Rd LLC will place carbon filters in storage areas requiring odor filtration and elimination with carefully calculated air movement of cubic feet per minute (CFM), pulling the air into the filters through an industrial fan, creating the filtration necessary to mitigate any smell. Carbon filters are designed for the control of VOCs, odors, and other gaseous contaminants. An air scrubber helps prevent these undesirable—and potentially harmful—particles and gases from remaining in the indoor environment or lodging in HVAC equipment. By greatly reducing the types and quantity of airborne particles, an air scrubber also reduces the chances that occupants or technicians will inhale contaminants or gases.

In order to remove airborne particles from the surrounding environment, an air scrubber draws the air through a series of filters. Each filter stage operates with progressively higher efficiency. The net effect is to produce the cleanest air possible at the highest rate of airflow through the entire filter system.

## **III. Odor Control Commitment**

2615 Somersville Rd LLC will be deeply invested in the local community in which the business plans to operate and is committed to the safety of the community and its environment. As such, 2615 Somersville Rd LLC will ensure that the facility operates at the highest level of best practices and quality assurance standards, as well as meet the requirements of the Antioch, California Code of Ordinances. 2615 Somersville Rd LLC is responsible for taking any and all measures necessary to ensure that this standard is met. 2615 Somersville Rd LLC understands that the sale of cannabis can impact air quality, produce odorous emissions, and cause potential off-site nuisance impacts due to odor. Maintaining a stable, controlled environment that is safe, clean, and respectful is a primary concern.

## **IV. Working with Community and Responding to Complaints**

2615 Somersville Rd LLC plans to maintain open channels of communication with the surrounding community so that it can effectively respond to any concerns regarding odor control. Neighboring businesses and the public will have access to the 2615 Somersville Rd LLC 's community relations contact, ensuring that its employees can quickly resolve any issues that arise and maintain a positive relationship with the surrounding community.

The OMP is proven successful and is currently in use in multiple facilities, including cultivation. Neither local authorities nor neighbors have complained about cannabis odors in any other 2615 Somersville Rd LLC facility. If 2615 Somersville Rd LLC receives any odor complaints from the City or any community member, it will immediately investigate the cause of any escaping odor, and rectify the problem.

As new technologies and solutions are constantly evolving, 2615 Somersville Rd LLC will periodically audit the OMP and make any necessary adjustments, including adding additional systems, such as PHI cell purifiers, or upgrading current systems to ensure zero odor emissions and to provide the highest indoor air quality possible for the employees and customers.