



Delta Distribution

November 16, 2022

2101 W 10th St. Suite D
UP-22-15



Quick Facts

Applicant: Rick Hoke

APN: 074-051-005

Zoning: Cannabis
Overlay

GP Land Use: PBC-
Planned Business Center

Land Area: 1.95 acres

Prop. Building Area: 2,468
sq. ft.

Project Description

The applicant is seeking Use Permit approval for a new cannabis nursery at 2101 W. 10th Suite D. The subject site is 1.95 acres with an existing 25,380 sq. ft. building built in 2005. There are existing dispensary, cultivation, and manufacturing uses within the building. The applicant is proposing to use Suite D for wholesale and distribution of finished products manufacturer to retailers. The distribution business will serve existing businesses within the building and offer wholesale products to other retailers. Hours of operation are proposed to be 8:00 a.m. until 8:00 p.m., seven (7) days a week. There will be five employees total with two per shift.

Requested Approvals

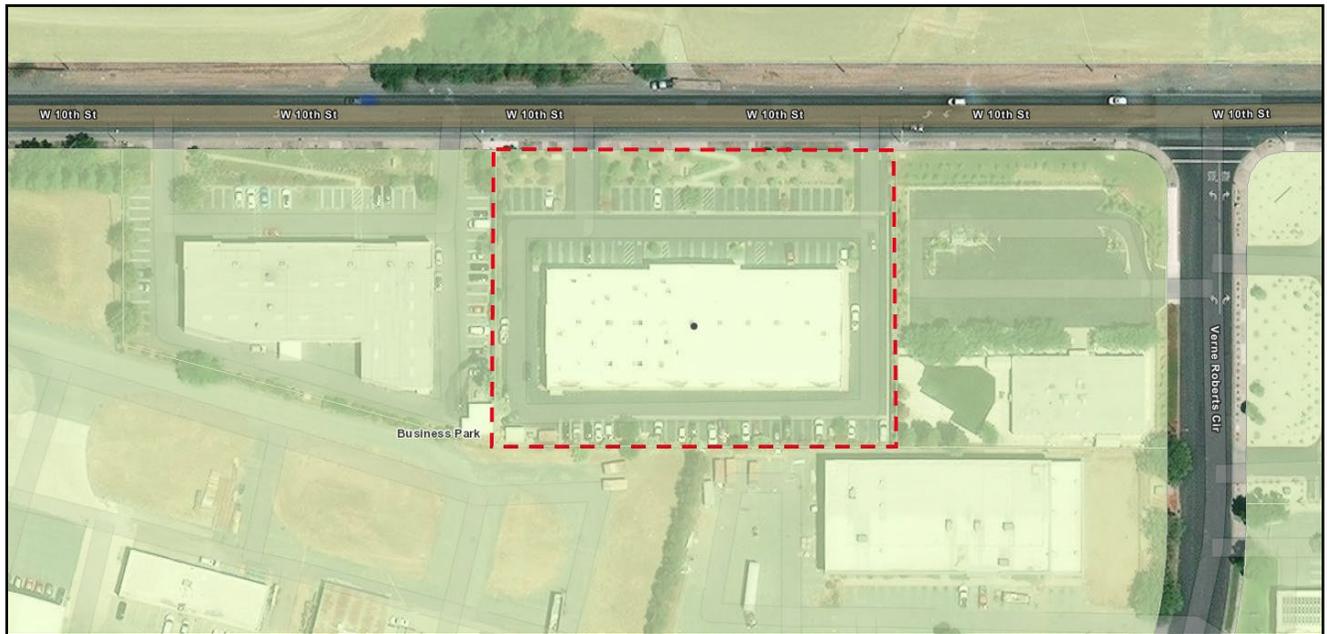
USE PERMIT FOR CANNABIS DISTRIBUTION

STAFF RECOMMENDATION: APPROVE

BACKGROUND

Subject Site

The subject site is a 1.95 acre parcel with an existing 25,000 sq. ft. industrial building constructed in 2005.



Comparison of Adjacent Properties			
Vicinity	GP Land Use	Zoning	Current Use
North	Business Park	PBC-Planned Business Center	Vacant
South	Business Park	PBC-Planned Business Center	Auto Body repair
East	Business Park	PBC-Planned Business Center	Muslim Community Center
West	Business Park	PBC-Planned Business Center	Auto Body Repair

Project Timeline

- Project Submitted to City: August 22, 2022
- Incomplete Letter Sent: August 31, 2022
- Resubmittal: September 26, 2022
- Project Deemed Complete: September 28, 2022
- Planning Commission Review: November 16, 2022

Site History

The subject building is divided into nine (9) suites. There are four (4) existing cannabis businesses located in seven existing suites (7) in the building. Existing on-site uses include a dispensary, manufacturing, and cultivation.

Business	Use	State License Type	Suite	Approved
Delta Labs	Manufacturing	Type 6	A	11/23/2021
Delta Dispensary	Dispensary	Type 10	B	6/25/2019
Delta Nursery	Nursery	Type 4	C	09/27/2022
Delta Distribution	Distribution	Type 11	D	Pending
KWMA	Cultivation	Type 3A	E & F	12/14/2021
Delta Family Pharms	Cultivation	Type 2A	G, H, I	1/12/2021

Table 1. Existing & Pending Cannabis Businesses Located at 2101 W. 10th St.

ANALYSIS

Overview

The applicant is seeking Use Permit approval for a cannabis distribution facility at 2101 W. 10th St. The facility will specialize the wholesale, and movement of finished product from the manufacturer to retailer. In addition to wholesaling and transporting finished product from Delta Labs Inc. and Delta Family Pharms Inc. to Delta Dispensary, Delta Distribution will also wholesale products to other retailers. Hours of operation are proposed to be 8:00 a.m. - 8:00 p.m. seven (7) days a week, with a maximum of five employees with a minimum of two on site during each shift. Delta Distribution will test and store finished cannabis products in secure and compliant areas. This type of cannabis business requires a Type 11 license through the State Department of Cannabis Control.

The existing tenant space will remain essentially the same with minor interior improvements that include lighting, and security upgrades. All rooms will have access through a common hallway.

Zoning and Land Use

2018 Cannabis Ordinance

The City Council adopted Ord 2143-C-S on June 26, 2018 establishing the Cannabis Business (CB) Zoning Overlay District, new definitions, operating standards, and regulatory permitting requirements. Within the CB Zoning Overlay District, an applicant may apply for a Use Permit which subject to a two- step review process. The Planning Commission reviews the request and makes a recommendation to City Council. The City Council reviews and acts on the application request. City Council for the establishment of a Cannabis Business. Unlike the

typical use permit process, a cannabis use permit must be reviewed by the City Council after a recommendation by the Planning Commission.

Circulation and Parking

The subject site is served by two driveway approaches located at the northeast and northwest corners of the property. The site is accessed from W. 10th St. and has right and left turn access onto the street. The site has sixty-seven (67) off-street parking spaces to serve all tenants and customers.

The proposed nursery use will not generate additional trips to the site as it is not open to public and will be accessed by employees only.

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.

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:

27. 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.

29. Surveillance Cameras. 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.

30. Alarm System. 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.

Environmental Analysis

This proposed project is Categorical 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 1.95 acres, already developed and served by existing utilities and public services. Construction includes tenant improvements only.

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 Project Description
- G. Neighborhood Responsibility Plan

ATTACHMENT A
RESOLUTION RECOMMENDING THE CITY COUNCIL APPROVE A USE PERMIT FOR A
CANNABIS DISTRIBUTION FACILITY AT 2101 W. 10th ST. (DELTA DISTRIBUTION) (UP-22-
15)
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
DISTRIBUTION FACILITY AT 2101 W. 10th ST. (APN: 074-051-005)
(UP-22-15)**

WHEREAS, the City of Antioch (“City”) received an application for a new cannabis nursery at 2101 W. 10th St. (UP-22-15) date received September 26, 2022;

WHEREAS, the application was deemed complete on September 28, 2022;

WHEREAS, the subject site is located in the CB 1 Cannabis Overlay District which allows for retail cannabis nurseries subject to approval issuance of a Use Permit pursuant to Section 9-5.3845 of the Antioch Municipal Code;

WHEREAS, a Type 11 Cannabis Nursery license is required through the Department of Cannabis Control;

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

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 November 4, 2022 for the public hearing held on November 16, 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 makes the following findings for approval of the requested Use Permit pursuant to Section 9-5.2703 “Required Findings” (B) (1) (a-e) 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 facility includes operational Conditions of Approval to minimize on-site impacts. 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 distribution facility 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 Cannabis Overlay District. This district allows cannabis distribution facility uses subject to review and approval of a use permit.

- 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 be located in an existing commercial building in the CB Cannabis Overlay District where existing cannabis businesses currently operate without issue. 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 W 10th St. which is an arterial roadway. The roadway is adequate to support the trip generation and vehicle flow associated with the operation of a cannabis nursery. The project site is served by two two-way directional driveways at the northeast and northwest corners of the property. There is right turn/left turn access from the site and 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 findings 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-22-15, a Use Permit for a new cannabis distribution business at 2101 W. 10th St. (APN: 074-051-005), subject to the Conditions of Approval included as 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 16th day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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.	Project Approval. This Use Permit approval is for 2101 W. 10 th St., as substantially shown and described on the project plans, except as required to be modified by conditions herein. Plans date received September 26, 2022, as presented to the Planning Commission on November 16, 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.	Project Approval Expiration. This Use Permit approval expires on November 16, 2024, unless a 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

<p>3.</p>	<p>City Fees. 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</i></p>	<p>City of Antioch</p>	<p>On-Going</p>	<p>Community Development Department</p>	
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EXHIBIT A: CONDITIONS OF APPROVAL

	<i>developer is not current on fees, balances, and reimbursement that are outstanding and owed to the City.</i>				
4.	Pass-Through Fees. The developer shall pay all pass-through fees. Fees include but are not limited to: a. East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance. b. Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance. c. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s). d. Contra Costa County Flood Control District Drainage Area fee. e. School Impact Fees. f. Delta Diablo Sanitation Sewer Fees. g. Contra Costa Water District (CCWD) Fees.	City of Antioch	On-Going	Community Development Department	
5.	Appeals. 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.	City of Antioch	Within 5 Days of Planning Commission Action	Planning Department	
6.	Requirement for Building Permit. 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	

EXHIBIT A: CONDITIONS OF APPROVAL

7.	Modifications to Approved Plans. 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.	Hold Harmless Agreement/Indemnification. 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.	City of Antioch	On-Going	Planning Department	

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 (CCCYPD)	Timing Required	Contra Costa County Fire Protection District (CCCYPD)	

EXHIBIT A: CONDITIONS OF APPROVAL

At the Time of Building Permit Issuance		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
10.	Encroachment Permit. 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.	Collection of Construction Debris. 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	
12.	Construction Hours. 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.	Demolition, Debris, Recycling. 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	

EXHIBIT A: CONDITIONS OF APPROVAL

Prior to Issuance of Occupancy Permit		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
14.	Planning Inspection. 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.	Debris Removal. 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.	Fire Prevention. A final Fire inspection shall occur to inspect all fire prevention systems constructed as part of the project. Inspections shall occur prior to final occupancy permit issuance.	City of Antioch	Prior to Occupancy Permit	Fire Dept (CCCFPD)	

Project Specific Conditions		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
17.	Type 11 Distributor Permit. This use permit approval applies to the operation of a Type-11 distribution cannabis permit as shown on the project plans and application materials submitted to the Community Development Department date stamped received September 26, 2022. Any forthcoming plans submitted for any purpose shall be entirely	City of Antioch	On-Going	Community Development Department	

EXHIBIT A: CONDITIONS OF APPROVAL

	consistent with these received plans and application materials and conditions of approval herein.				
19.	Hours of Operation. The hours of operation shall be from 8:00 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	
20.	State Licensing. All necessary licenses from the State of California shall be obtained prior to opening.	City of Antioch	Prior to Occupancy Permit	Community Development Department	
21.	Waste Disposal. 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	
22.	Delivery to the Site. 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	
23.	Operating Inspections. 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	
24.	Annual Audit. 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	

EXHIBIT A: CONDITIONS OF APPROVAL

25.	Building Security. 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	
26.	Security Contact. 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	
27.	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.	City of Antioch	On-Going	Police Department	
28.	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.	City of Antioch	Prior to Occupancy Permit	Police Department	
29.	Surveillance Cameras. 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	City of Antioch	On-Going	Police Department	

EXHIBIT A: CONDITIONS OF APPROVAL

	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.				
30.	Alarm System. 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	
31.	Surveillance Signage. 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	
32.	Exterior Modifications. 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	
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.	City of Antioch	On-Going	Community Development Department	
34.	Revocation. 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: <ul style="list-style-type: none"> Adversely affects the health, peace or safety of persons living or working in the surrounding area; or 	City of Antioch	On-Going	Community Development Department	

EXHIBIT A: CONDITIONS OF APPROVAL

	<ul style="list-style-type: none"> • Contributes to a public nuisance; or • 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 • Has resulted in or has been the target of criminal activity requiring undue attention and dedication of the Antioch Police Department resources; or • 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. • Results in more than three distinct unresolved odor complaints in a twelve (12) month period. 				
<p>35.</p>	<p>Operating Agreement. The applicant shall enter into a revised or new operating agreement with the City of Antioch reflecting the new distribution use prior to a certificate of occupancy being issued for the site. No business license shall be issued without an approved operating agreement.</p>	<p>City of Antioch</p>	<p>Prior to Occupancy Permit</p>	<p>City Attorney</p>	

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

Signatures

Development Application

**CITY OF ANTIOCH
CANNABIS BUSINESS USE PERMIT APPLICATION**



ATTACHMENT A – APPLICATION FORM

PROPERTY LOCATION		
Address: 2101 W 10th St, Suite D Antioch, CA 94509		Assessor's Parcel No.: 074-051-005-2
Zoning Designation: Cannabis Overlay		General Plan Land Use Designation: PBC: Planned Business Center
PROJECT DESCRIPTION - Provide a basic description of the project below.		
See attached application package		
APPLICANT		
Name: Richard Hoke		
Address: 1636 Lillian Street		
City: Brentwood	State: CA	Zip: 94513
Telephone: 925-303-2072		
Email: rick@deltadispensary.net		
PROPERTY OWNER		<input checked="" type="checkbox"/> Same as applicant
Name: Gateway Construction Development LLC		
Address: 2101 West Tenth Street, Suite J		
City: Antioch	State: Ca	Zip: 94509
Telephone: 925-382-9528		
Email: rick@therichardscompany.net		

FOR OFFICE USE ONLY	
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) Antioch, Ca		Dated:	
Rick Hoke	08/17/2022	Gateway Construction Development LLC	
Applicant's Name	Date	Property Owner's Name*	Date
X <i>Rick Hoke</i>		X <i>Rick Hoke</i>	
Applicant's Signature		Property Owner's Signature	
<small>* 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.</small>			

Statement of Understanding

PLEASE SIGN AND RETURN WITH YOUR APPLICATION

STATEMENT OF UNDERSTANDING

In signing this Statement of Understanding in conjunction with the attached application to the City of Antioch, Department of Community Development for Project:

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.

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.

DATE: 08/17/2022

NAME: Rick Hoke

SIGNATURE: *Rick Hoke*

Property owner signature for authorization to enter property and process the application. This is required only if the applicant is not the property owner.

DATE: 08/17/2022

NAME: Rick Hoke

SIGNATURE: *Rick Hoke*

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

Project Description

Characteristics of Proposed Business

Delta Distribution is a cannabis distribution facility specializing in the wholesale and movement of finished product from manufacturer to retailer. In addition to wholesaling and transporting finished products from Delta Labs Inc. and Delta Family Pharms Inc. to Delta Dispensary, Delta Distribution will also wholesale products to other retailers.

Hours of Operation

Delta Distribution will be open from 8:00 a.m. until 8:00 p.m. seven days a week. The Location will be closed in observance of Thanksgiving, Christmas Day, New Year's Day, and other dates to be determined.

Number of Employees

The Distribution will employ five individuals with a minimum of two on site during each shift.

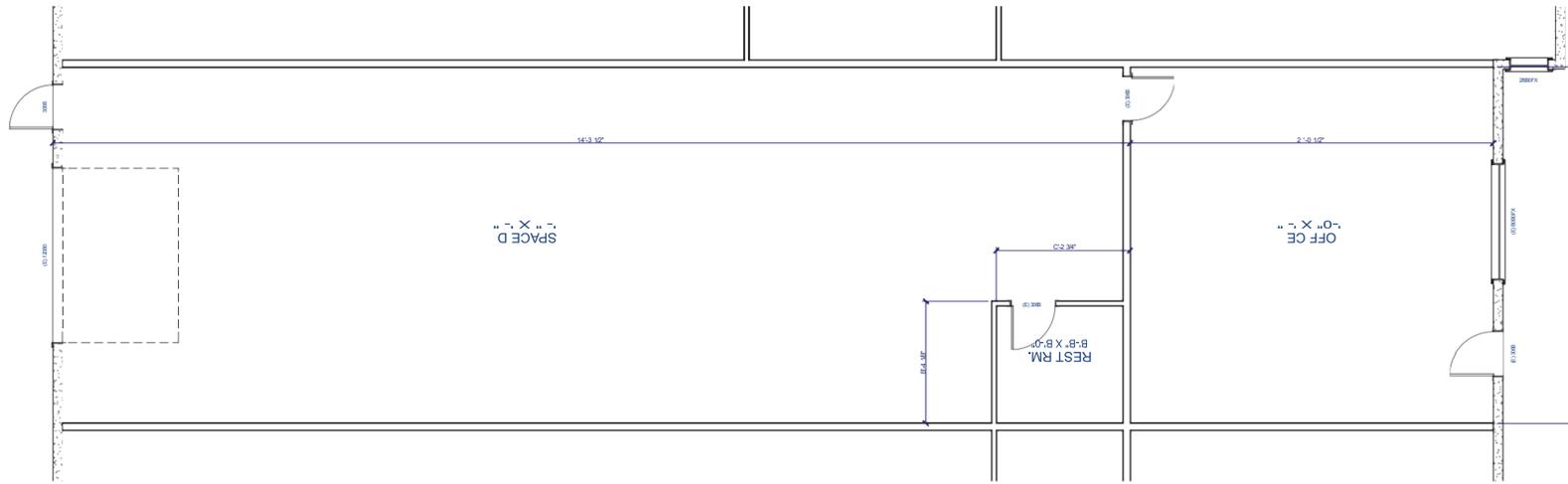
Nature of Products

Delta Distribution will test and store finished cannabis products in secure and compliant areas.

Architecture

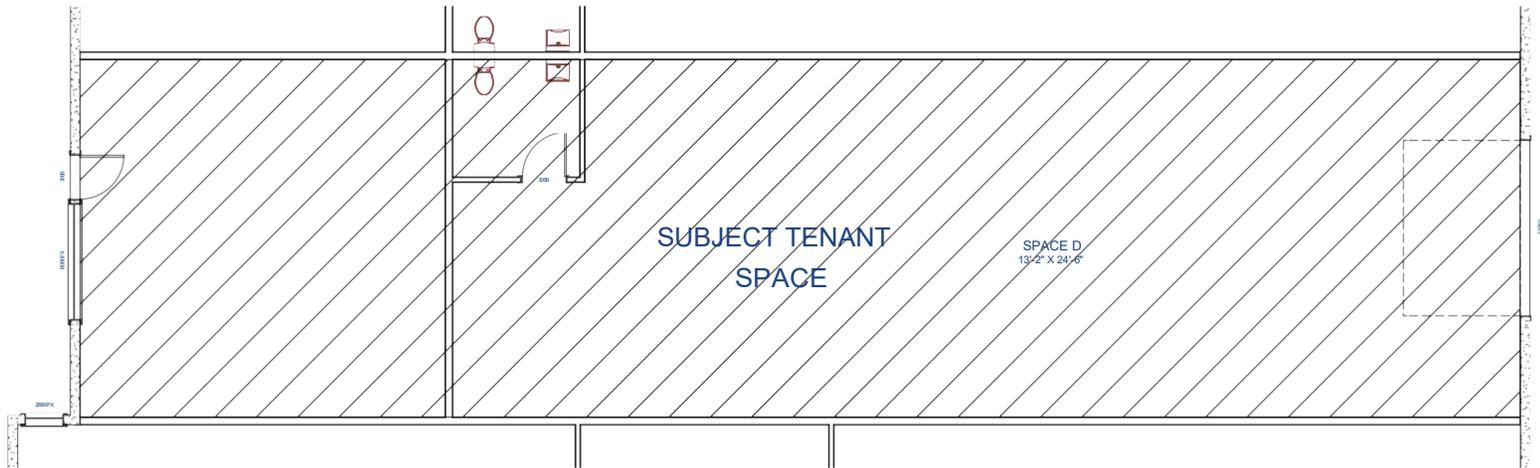
Delta Distribution will be housed in a current commercial building that already contains several cannabis businesses.

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



2 PROPOSED FLOOR PLAN
SCALE: 1/4" = 1'-0"

2D SYMBOL	WALL SCHEDULE	WALL TYPE
	8" CONCRETE WALL - EXISTING	
	INTERIOR-4	
	INTERIOR-4, EXISTING	
	INTERIOR-6	
	INTERIOR-6, EXISTING	



1 EXISTING FLOOR PLAN
SCALE: 1/4" = 1'-0"



THIS PLAN, SPECIFICATION, SCHEDULE AND LIST MAY NOT BE REPLICATED, PUBLISHED, OR OTHERWISE USED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.

REV	REVISIONS	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

EXISTING FLOOR PLAN AND PROPOSED FLOOR PLAN

DELTA DISTRIBUTION

TENANT IMPROVEMENT UNIT D

2101 W. 10th STREET
ANTIOCH, CA 94509
APN: 074-051-005

DRAWN BY: GJ DATE: 7-22-2024
SCALE: 1/4" = 1'-0" JOB NUM: 2500

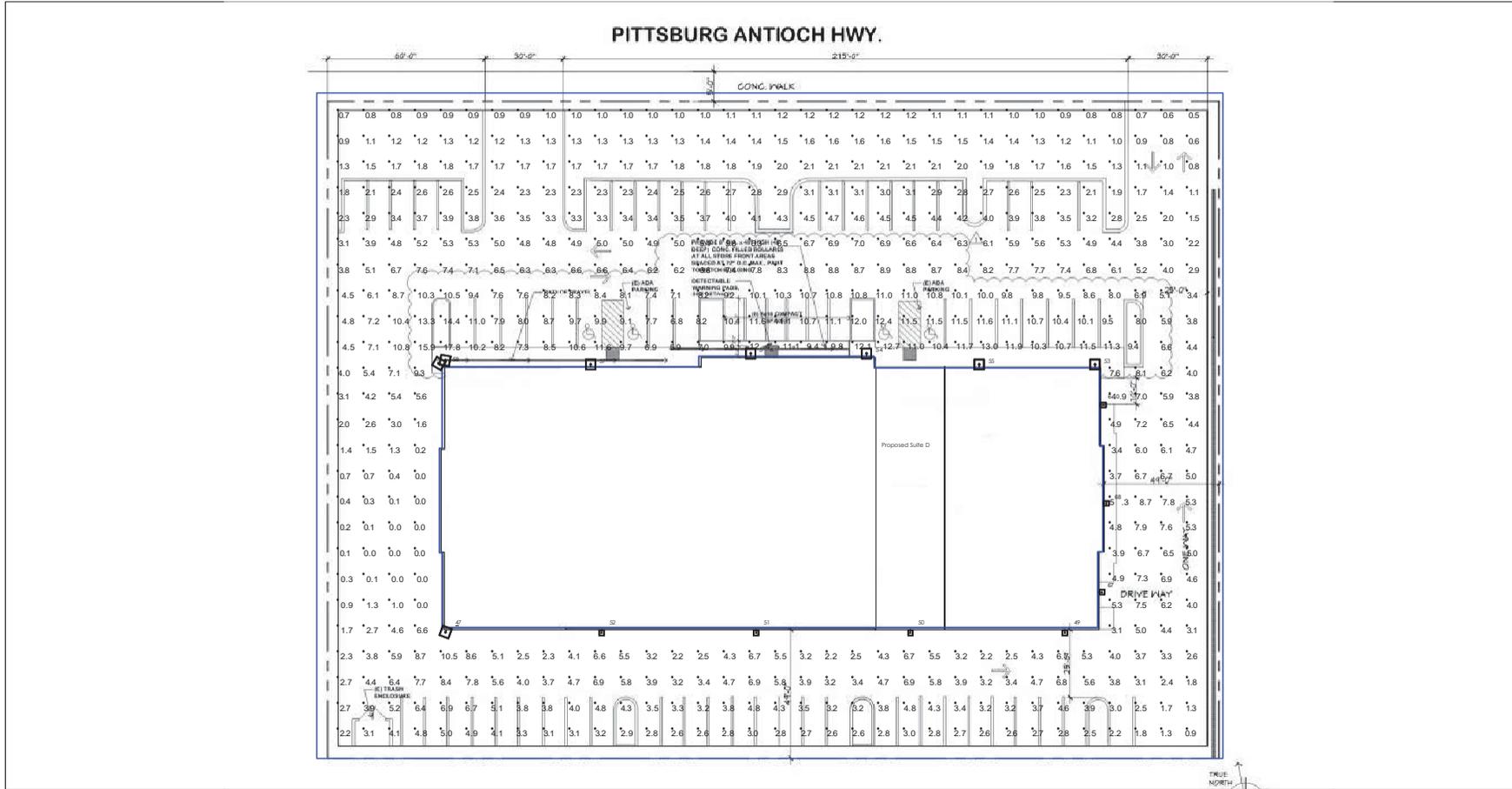
SHEET

A1.0

OF

Luminaire Schedule						
Symbol	Qty	Model Number	Arrangement	Lumens	LLF	Description
☐	6	ALED4 260SF-D10	SIN*LE	31249	1.000	260 :off LED :off Mount Z/ 5000. Color emp. Mounted at 25'-0
☐	7	ALED4 110SF-D10	SIN*LE	13680	1.000	110 :off LED :off Mount Z/ 5000. Color emp. Mounted at 25'-0
☐	1	ALED4 260SF-70	:IN 70 DE* EE	31249	1.000	2 260 :off LED :off Mount Z/ 5000. Color emp. Mounted at 25'-0

Calculation Summary						
Label	Calc type	Units	AVG	Max	Min	AVG/Min
Parking	Illuminance	fc	7.09	17.8	2.1	8.48
near Parking	Illuminance	fc	4.21	10.5	2.2	4.77



PROJECT: Delta Business Park
 LOCATION: Antioch, CA
 CONTACT: Stephen C.
 DATE: 6/4/2021

Page Number: 1

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OR P R C ASIN IN OR ATION O APPRO ED
 E IP ENT SPECI IED ON T IS PLAN CONTACT:

LED Spot
 8850 armel oad, Ste. 170A
 ouston,exas 77040
 Email: info@ledspot.com
 Voice Number: 713-863-1184
 Fax Number: 713-979-1429

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

Photos

Exterior Front



Exterior Back



Interior



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

Neighborhood Responsibility Plan

Delta Distribution, Inc., is committed to strong public engagement and outreach to the community. Our strategy is to combine our efforts with neighboring Delta Dispensary in order to accomplish the following three goals:

1. To establish a process by which the community can express itself regarding the project
2. To inform the community about medical cannabis issues
3. To ensure that our approach genuinely reflects the community's needs

To reach our goals, we anticipate doing one or more of the following, depending on input at various stages of the project:

- Identifying and visiting civic, senior, veteran organizations, health care support groups, and community meetings in the City of Antioch to introduce our mission and our vision for supporting the local industry.
- Holding or participating in a community meeting to introduce Delta Distribution and present the project to any parties with similar goals. Again, our purpose would be to listen and find ways to be responsive. Completing our outreach efforts with a follow up letter to community stakeholders, letting them know we hear their concerns and what procedures we will follow in responding to such concerns.

We are committed to engaging our patient and residential communities on an ongoing basis. We will partner with local community organizations to solicit volunteers for these positions.

Outreach Strategies

Delta Distribution will create public awareness in several ways:

Public Education. We can create public awareness of our business and educate interested parties through our community outreach and education programs. Although this facility will not be open to the general public, we still wish to understand consumer expectations. We plan on participating in workshops and seminars to our community partners on topics related to medical and adult use cannabis and the conditions for which it is typically recommended as well as on legal issues surrounding regulated cannabis.

Developing Provider Alliances. An important element of Delta Distribution's approach is the help we will offer our fellow neighbors in understanding the purpose of our business. To be able to do this, we must first build alliances with local residents, local businesses, and organizations. A key part of this outreach initiative will be educating community partners on the benefits and legalities of regulated commercial cannabis, and on the process involved in the cultivation, manufacturing, distribution, and sale of commercially regulated cannabis. Participating in educational forums will therefore be a critical element in our business approach.

Building strong alliances with the community ensures clear and coherent communication about our business. At the same time, it will give us multiple primary contacts to immediately address community concerns.

Community and Economic Development. The City of Antioch has shown great interest in revitalization and community development plans that correct systemic inequities and benefit blighted areas and disadvantaged populations. Delta Distribution is committed to working with the city on addressing those needs.

Commitment to Local Hiring and Spending. We are committed to making our project a source of economic stimulus for Antioch. From initial build-out of the facility to the implementation of our community development initiatives, we intend to contract, buy, and hire locally, taking advantage of local recruitment sources to offer employment to displaced local workers who are willing to be retrained.

We believe our day-to-day operations will add up to five full time employment opportunities to the local Antioch economy. As part of our community development mission, we are committed to maximizing the benefits our facility will have on the City of Antioch. In making ongoing capital investments in new technologies and green energy sources we will create a stream of new stimulus effects. To the extent possible, we will invest in the development of these technologies locally so that we can also purchase them locally. In implementing our community benefits programs, we also attempt to ensure that Antioch reaps the benefits of direct expenditures and their multiplied effect. Whenever possible, we will use our local human resources and local vendors to implement our charitable programs.

Community Benefits Plan

Delta Distribution believes that it can and should have a critical role in the tax revenue generation formula for the benefit of the City of Antioch. As a company we also believe we have an important obligation to be a good neighbor and provide benefits to our community as part of our mission. Therefore, we view our Community Benefits Plan as a blueprint for how we plan to accomplish our Mission. In developing our Community Benefits Plan the following core principles will guide us:

- Delta Distribution’s Board of Directors commits to make a Community Benefits Mission Statement, putting forth our formal commitment to provide resources to and support the implementation of a regular Community Benefits Plan.
- Delta Distribution will support its Community Benefits Plan at the highest level of our organization. Our Board and senior management will be responsible for overseeing the development and implementation of the Community Benefits Plan, including designating the programs or activities to be included in the plan, allocating the resources, and ensuring its regular evaluation.
- We will ensure regular involvement of the community, including that of the representatives of the targeted underserved populations, in the planning and implementation of the Community Benefits Plan.
- We will include in our Community Benefits Plan the micro communities we wish to support, specific programs or activities that attend to the needs identified in a community health needs assessment, and measurable short and long term goals for each program activity.

Good Neighbor Policy

Delta Distribution seeks to be an asset and a beneficial resource for the surrounding community. As a good neighbor we will seek neighborhood and other necessary input through every phase of our operation beginning with the build out and construction phase. We will meet with representatives from the Building Department, Fire Marshal's Office, Parking and Traffic Enforcement, Public Works Agency, and the Police Department to evaluate and abate any potential public safety/nuisance violations.

We also believe that being a good neighbor requires that we work to improve the neighborhood. Some of the public improvements we plan to address area:

- Access improvements
- Drainage improvements
- Sewer improvements
- Sidewalk improvements
- Traffic engineering improvements
- Lighting improvements
- Daily trash cleanup within 100 feet and weekly cleanups within 250 feet
- Graffiti Management within 300 feet

Finally, we will take efforts to mitigate noise, odor, and pollution and will address nuisances, including limiting foot and car traffic. Delta Distribution will participate in agency and public safety bulletins to ensure proper communication channels are established between the business and surrounding stakeholders of the neighborhood. Through those bulletins if there arises a need to speak with a representative of Delta Distribution for any reason there will always be someone with decision making power available.

Delta Distribution guarantees an open-door policy for complaints and is committed to maintaining meaningful and respectable relationships to surrounding businesses and households. Delta Distribution welcomes any individual or group who wishes to be educated on the cannabis industry or the company's business model to attend a community open house meeting. This meeting will be held prior to opening. Fliers and informational packets will be distributed to the surrounding area in advance of the meeting.

We plan to meet with the neighborhood association as well as our neighbors adjacent to us on all sides to gain complete support of this project.

**ATTACHMENT G
NEIGHBORHOOD RESPONSIBILITY PLAN
(SEPARATE PAGE)**

Odor Mitigation Plan

Delta Distribution, Inc. has a three-part plan to ensure that cannabis odors do not disturb neighbors or the community. First Delta Distribution, Inc. staff will keep the facility “sealed” to the best of its ability. This means weather stripping of doors and windows as well as minimizing the amount of time they are open. The largest opening in the facility is the roll up door and staff will intentionally minimize the amount of time the door is open for both odor mitigation and security purposes.

Second, Delta Distribution, Inc. will employ an air filtration system designed to absorb organic components from the air, which cause odors. The system will be mounted in the Packaging and Labeling Room. Although the system will operate 24 hours per day staff will be trained to check on it daily to ensure it is running correctly. Information on the following 2 pieces of hardware which will be paired is attached:

Hydrofarm Active Air 6” Inline Duct Fan 400 CFM (SKU: ACDF6)

Hydrofarm Active Air Carbon Filter 6” x 16” 400 CFM (SKU: ACCF166)

Both the duct-fan and the carbon filter are capable of scrubbing 400 cubic feet per minute within the facility. Both parts are anticipated to have an operational life of approximately two years and will be scheduled for maintenance or replacement at this time.

Third, all purchased products will be held in fully sealed airtight containers. This means that Cannabis inventory will at all times be contained except for actual process of packaging. If at any time a product’s seal is broken in any other area outside of the Packaging and Labeling room staff will be trained to immediately notify a manager and move the product back into the Packaging and Labeling room until it can be resealed. Through a combination of these measures Delta Distribution, Inc. is confident that no significant cannabis odors will be detectable by neighbors and that no nuisance of this variety will be caused by Delta Distribution, Inc.’s operations.

Operations and Maintenance

The air filtration system will operate at all times except when it is undergoing maintenance or a filter change. The company will keep a log of when and who changed the carbon filter on the system and staff will be instructed to replace it once every 60 days. Staff will conduct more complete maintenance on the machine once every 12 months. Maintenance will include the following steps:

1. Ensuring that the motor, impeller, and supporting guards are clean
2. Checking all of the fasteners for tightness and security
3. Rotating all of the machine’s parts
4. Checking for debris on the impeller and cleaning it

Staff Training

A small portion of every staff member’s training will be devoted to understanding the air filtration system. Staff members will be taught during their initial training to change filters, check the machine’s functionality, turn it on and off and to check the fasteners on the inline fan. A ribbon is attached to the outgoing duct; if the ribbon is not floating staff members will know it is not operational. Staff will be instructed to check at the beginning and end of every day to ensure the system is functional.

INSTRUCTION MANUAL

ACTIVE AIR®

INLINE DUCT FANS



ACDF12



ACDF10



ACDF8



ACDF6



ACDF42

(FR)	MODE D'EMPLOI.....	5
(ES)	INSTRUCCIONES.....	8

INSTRUCTION MANUAL

Thank you for purchasing the Active Air Inline Duct Fan. Active Air Inline Duct Fans offer innovation and performance at a great price.

WHAT'S IN THE BOX

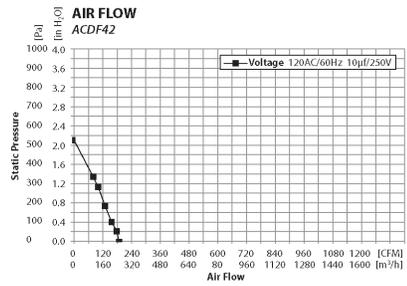
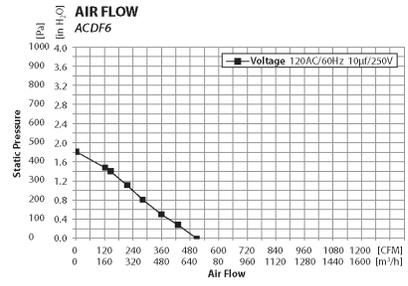
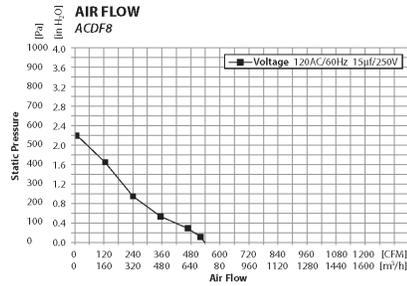
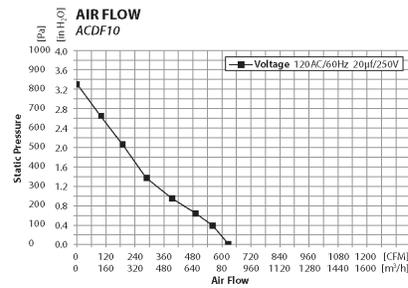
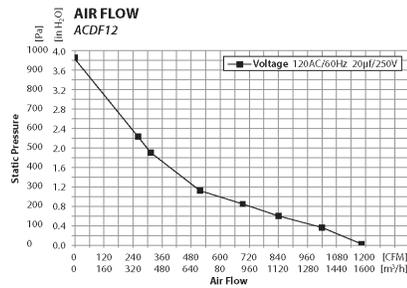
After unpacking the box, please confirm that all of the following parts are included.

- Active Air Inline Fan with 8' pre-wired 120V cord
- Mounting Brackets
- Screws

SPECIFICATIONS

MODEL	Dia.	CFM	Rated Amperage	Rated Wattage	RPM
ACDF12	12"	969	2.5A	300W	2573
ACDF10	10"	760	2.07A	236W	2480
ACDF8	8"	720	1.76A	210W	2530
ACDF6	6"	400	0.97A	115W	2911
ACDF42	4"	188	0.62A	74W	2850

AIR FLOW RATES



INSTRUCTION MANUAL

SAFETY

Before installing and using the Active Air Inline Duct Fan, please review this manual, including the following safety recommendations.



CAUTION: BEFORE CARRYING OUT ANY MAINTENANCE OR SERVICING, ENSURE THE UNIT IS DISCONNECTED FROM THE MAIN SUPPLY. FOR GENERAL VENTILATION USE ONLY. DO NOT USE TO EXHAUST HAZARDOUS OR EXPLOSIVE VAPOURS.



WARNING: TO REDUCE THE RISK OF FIRE, ELECTRICAL SHOCK, OR INJURY, OBSERVE THE FOLLOWING GUIDELINES:

- Always disconnect this fan from the power supply before installation, cleaning, servicing, and maintenance.
- This fan must be grounded in accordance with local regulations.
- This fan is fitted with an automatic reset type thermal cut out which switches the fan off in the event of a fault condition. Only a qualified and competent person may carry out maintenance after the electrical supply has been isolated.
- Use this unit only in the manner intended by the manufacturer. If you have questions, contact the manufacturer or place of purchase.
- Active Air inline duct fans are designed for use in up to 95% relative humidity. They are not humidifiers or dehumidifiers. This fan is not suitable for corrosive or explosive atmospheres.
- Installation work and electrical wiring must be done by a qualified person(s) in accordance with all applicable codes and standards, including fire-rated construction.
- When cutting or drilling into walls or ceilings, take care not to damage electrical wiring and other hidden utilities.
- Ducted fans should always be vented outside the area occupying the garden for the most efficient operation.
- **NEVER** allow the unit to directly contact moisture or wet environments.
- Take caution when operating. **This unit has an unguarded impeller.** Therefore, **DO NOT** use it in locations readily accessible to people or animals.

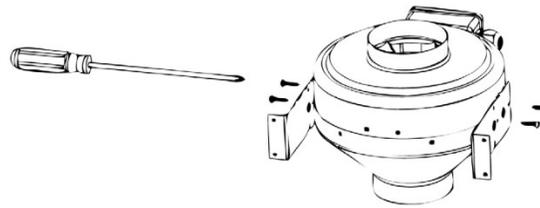
INSTRUCTION MANUAL

INSTRUCTIONS

1. Upon purchase, visually inspect the fan equipment to check for any damage. Ensure that the impeller has free rotation without scraping or catching on any part of the internal housing.
2. If there are any questions concerning the fan equipment, contact Hydrofarm or the retailer prior to the installation.

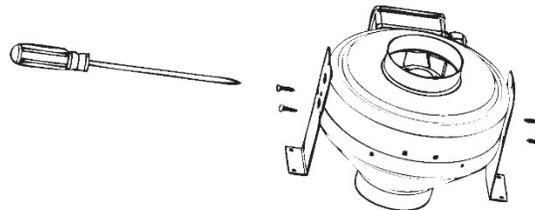
3. Use the mounting brackets included with the fan system to securely fasten the unit in the desired mounting position (refer to FIGURES 1 and 2 for mounting options).

FIGURE 1



4. Check the details on the motor rating plate to ensure that the correct power supply (voltage, frequency and phase) is available. An incorrect power supply may lead to permanent damage to the fan motor.

FIGURE 2



5. Refer to the appropriate wiring diagram, and ensure that all ground connections are made.
6. You must incorporate means for electrical disconnection in the wiring installation, in accordance with the relevant wiring and electrical regulations.

MAINTENANCE

All Active Air inline duct fans incorporate sealed for life bearings and therefore do not require any lubrication. We recommend inspection of the product at least once every 12 months. To inspect the unit, disconnect it from the power supply and any duct work, and then follow the steps below:

1. Ensure that the motor, impeller, and supporting guards are clean.
2. Check all fasteners for tightness and security.
3. Check all rotating parts.
4. If debris is evident on the impeller, clean it with a damp (not wet) cloth. **DO NOT** use detergents or abrasive materials for cleaning.