



CITY OF OAKLAND
Office of the City Administrator

NUISANCE ABATEMENT • SPECIAL ACTIVITY PERMIT
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November 16, 2020

FINDINGS AND RECOMMENDATION OF HEARING OFFICER ON APPLICATION OF AUTHENTIC 510 LLC FOR A PERMIT TO OPERATE A CANNABIS DISPENSARY AT 2040 TELEGRAPH AVENUE, OAKLAND, CA 94610

A public hearing on the above application was held on October 21, 2020 via Zoom. Presented below are the findings and recommendation of the Hearing Officer:

FINDINGS

1. Authentic 510 LLC filed a cannabis dispensary permit application in February 2020 in response to the Office of the City Administrator's Request for Permit Applications (RFPAs) that sought candidates to operate eight new dispensary permits.
2. Authentic 510 LLC submitted a scored dispensary permit application. City staff reviewed and scored its application and determined Authentic 510 LLC qualified as an equity owned business as defined by OMC 5.80 and ranked in the top four of all scored applications.
3. City staff then informed Authentic 510 LLC that it was eligible to proceed to RFPAs Phase Three: Site Identification, in which applicants have up to one-hundred and twenty (120) days to identify a location for their cannabis dispensary that complies with the location restrictions under OMC 5.80.
4. Within the Phase Three 120-day period, Authentic 510 LLC provided the Special Activity Permits Division in the Office of the City Administrator with a letter of intent to lease 2040 Telegraph Avenue for operation of a cannabis dispensary.
5. A mapping of this addresses revealed no sensitive uses as defined by OMC 5.80 within 600 feet path of travel.
6. Due to COVID-19 Shelter in Place Restrictions prohibiting in-person gatherings, a public hearing on this matter was scheduled via Zoom.


7. Notice of the public hearing was timely provided to neighboring property owners within 300 feet, the applicant, and posted on the premises.
8. Jose Pecho and Tak Sato spoke at the public hearing on behalf of Authentic 510 LLC. Their presentation included an overview of their good neighbor policy and community outreach practices at other dispensary locations operated by the Shryne Group.
9. No speakers spoke in opposition to the proposal before or during the public hearing. The manager of the restaurant next to the proposed location expressed support for the proposal due to the increased security and customers that the dispensary would bring to the area.

DISCUSSION

The purpose of the hearing was to determine if the property at 2040 Telegraph Avenue is a suitable location to operate a cannabis dispensary. 2040 Telegraph Avenue is situated in a commercial zone and no sensitive uses are within 600 feet path of travel. Considering our office only received support for the proposal during the public hearing process, there appears to be no reason to prevent this dispensary permit application from moving forward in the permitting process.

RECOMMENDATION

For the reasons stated above, the hearing officer recommends that the City Administrator conditionally approve Authentic 510 LLC to operate a cannabis dispensary at 2040 Telegraph Avenue with final approval contingent upon approvals of the building, fire, revenue and police departments.



GREG MINOR, HEARING OFFICER

November 16, 2020

DATE

cc via email:
City Administrator Edward Reiskin
Councilmember McElhaney
Captain Bolton, OPD
Officer Romero, OPD
CAO File