

REPORT TO THE ARCHITECTURAL AND LANDSCAPE REVIEW COMMITTEE



DATE: May 5, 2016

TITLE: Conditional Use Permit No. 04-16. A recommendation to the Planning Commission and City Council for the approval of the design elements of a Conditional Use Permit to establish a medical marijuana cultivation facility within a new 40,440 square foot one-story building (max. height 24 feet) on a vacant 2.52 acre parcel. Other proposed improvements include on-site parking and circulation, trash enclosure, retention basin and landscaping. The project is located at southwest corner of San Jacinto Lane and Cabot Road within the General Plan Light Industrial (I-L) Zone. Applicant: Black Pepper Ventures / Chris Jones

Prepared by: Craig Ewing, Contract Planner

Reviewed by: Nathan Bouvet, MPA Community Development Director

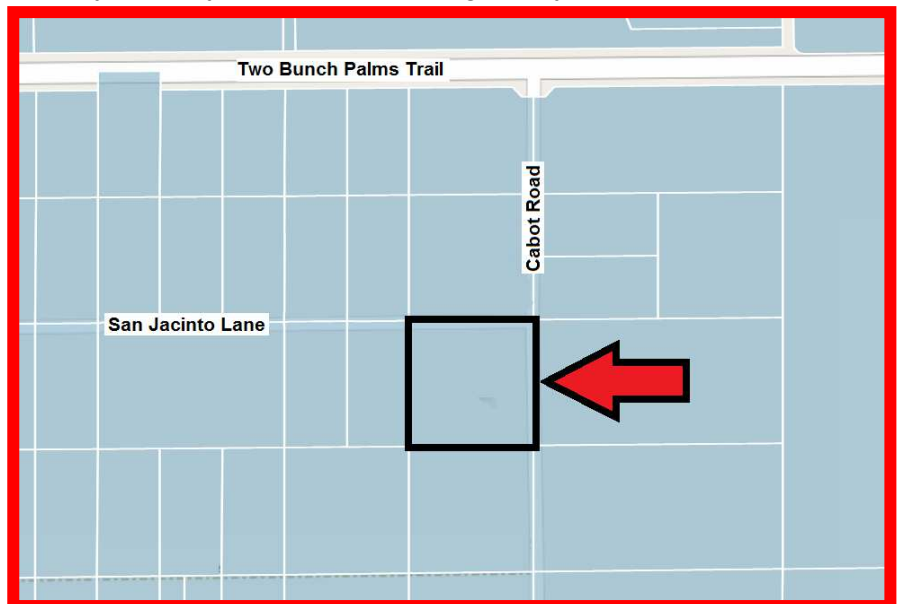
RECOMMENDATION

Staff recommends that the Architectural and Landscape Review Committee (ALRC) recommend that the Planning Commission make a positive recommendation to City Council.

BACKGROUND

Sections 5.50 and 17.180 of the Desert Hot Springs Municipal Code (DHSMC), allow medical marijuana cultivation facilities in Industrial Districts subject to a Conditional Use Permit (CUP) and Development Agreement approved by the City Council and a Regulatory Permit approved by the City Manager. The applicant, Black Pepper Ventures (Chris Jones), has filed application to construct a facility for the indoor cultivation of medical marijuana.

The site is located at southwest corner of San Jacinto Lane and Cabot Road (unimproved) and is nearly square in shape (329 ft x 333 ft). Its gross area is 109,714 square feet (2.52 acres); after dedication of public rights of way along San Jacinto Lane and Cabot Road, the net lot size will be 90,413 square feet (2.08 acres). The site is relatively flat and has a very slight downward slope from north to south. The site does not appear to have been developed in the past and is presently covered with scrub brush, cobbles and debris. The site is zoned Light Industrial (I-L) District where the proposed use may be developed, subject to approval of a conditional use permit. Public street improvements for San Jacinto Road and Cabot Road will be required.



Surrounding properties consist of:

	<u>Zoning & General Plan Designations</u>	<u>Current Land Use</u>
North, East and South	IL (Light Industrial) District	Vacant
West	IL (Light Industrial) District	Vacant and Industrial Development

PROJECT SUMMARY

The applicant, Black Pepper Ventures (Chris Jones), has filed a Conditional Use Permit (CUP) application to construct a new building for the indoor cultivation of medical marijuana located on Assessor Parcel Number (APN) 665-030-037. The 2.52 acre site is presently vacant, flat and generally undisturbed. The proposed one-story building will have a total floor area of 40,440 square feet. Uses within the building will consist of approximately 31,100 square feet of cultivation area, about 6,260 square feet for processing and approximately 1,900 square feet for office/staff support space.

Paved vehicular circulation is proposed to surround the building on three sides (north, west and south) with parking for 21 vehicles, including 2 for disabled access, fronting San Jacinto Lane. Access to public streets is provided with a two-way driveway on San Jacinto lane and a two-way driveway on Cabot Road; Cabot Road is to be improved as part of the project. A third driveway limited to emergency vehicle access only is provided on Cabot Road near the San Jacinto Lane intersection. The southerly (rear) 50 feet of the property will be reserved for the septic system and retention basin, and a trash enclosure and chiller unit are proposed in the west side yard. Six-foot high tube steel fencing is proposed around the site's perimeter with controlled gates at the driveways. Landscaping is proposed around the entire perimeter of the site; no phasing is proposed.



The project proposes construction of a single structure made up of a metal frame and panel 'front' portion; and a metal frame, metal panel and glass roof greenhouse in the back. Architectural elements include a 'folded-plate' roof running in a north-south direction and visible from San Jacinto Lane, shed awnings over the windows and doors, vertical seam lines in the metal panel walls and a color pallet of white, sandstone, medium copper and medium bronze.



Building Setbacks: The minimum setbacks in the City's Industrial Zoning Districts are 20 feet in front, 10 feet in the rear, and 10 feet on the side, including a street side. Proposed setbacks are 62 feet in the front (San Jacinto Lane), 18.8 feet on the street side (Cabot Road), 44.1 feet on

the interior (west) side and 69.2 feet in the rear (south). Therefore, the proposed building meets minimum setback requirements.

Circulation and Parking: Ingress and egress to the site will be provided from one driveway accessing San Jacinto Lane at the northwest corner of the site, and one driveway along Cabot Road at the site's southeast corner. An emergency-access only driveway is shown at the northeast corner of the site on Cabot Road. This driveway is too close to the corner intersection for regular vehicle access, but will be available to emergency vehicles. All entries will have controlled gates and be monitored by onsite security personal.

Off-Street parking standards for Medical Marijuana Cultivation uses are not specifically defined in the City Zoning Code. Staff has applied parking ratios for Office (1 space per 250 square feet) to administrative activities and Plant Nurseries (1 space per 2,500 square feet) to all cultivation activities, based on the floor plan provided:

Parking Calculation

<u>Use</u>	<u>Area (Sq. Ft.)</u>	<u>Ratio</u>	<u>Number of Spaces</u>
Administration	1,900	1 per 250 square feet	7.6
Cultivation Activities	37,190	1 per 2,500 square feet	<u>14.9</u>
Total Spaces Required			22.1 or <u>23</u>
Total Spaces Provided			21

Staff believes that two additional spaces may be provided on the site to accommodate all required parking, and a condition has been included to revise the site plan to add two spaces vehicle to assure compliance with the zoning standard.

Elevations, Colors and Materials: The proposed structure is a metal frame and metal panel building with glazing on the roof above the greenhouse section. The vertical seams of the exterior wall panels establish the underlying pattern for the building and meet the zig-zag roof line to create a dynamic and interesting building. Shed awnings over the windows and doors provide help break up the repeated wall pattern, and the greenhouse door locations on the north and south elevations are equidistant from each other to help reinforce a consistent design pattern. An exterior wainscot surrounds the entire building to provide a base or foundation to the look of the structure. Colors include sandstone around the administration / processing building, copper and bronze on the greenhouse elevations and silvery metallic ("galvalume") awnings. Eave edges and other trim pieces appear to be copper, as well. The warm, muted



color scheme includes metallic hues that complement the building materials. Staff recommends the ALRC consider if the base around the administrative / processing portion of the building provides an adequate continuation of the foundation around the entire structure, or if it should be enhance with a contrasting darker color (e.g. light brown).

Landscaping: Landscaping is proposed around the entire perimeter of the site, which includes substantial plantings along both street frontages. Low-water use plants have been selected and the plan appears to provide an attractive and appropriate landscape setting. The project proposes to install a perimeter fence composed of tube steel to a maximum allowed height of six feet, including controlled gates at the driveway entrances.

Lighting: Exterior lighting will be provided at all exterior doors and for the parking area, subject to review by the Police Department. Lighting will be oriented downwards and shielded within the property to contain illumination within the project boundary. Lighting will also be reviewed as part of the City's required Regulatory Permit.

Phasing: The applicant proposes to contrast the project in a single phase.

Security: Security measures have been considered and incorporated into the facility. The site will be enclosed within perimeter fencing. Gated entry/exit drives will control vehicular access to and from the property. Security cameras would be mounted on all exterior doors, perimeter fencing and entry gates. A more detailed, comprehensive security plan will be reviewed by the City Manager during the Regulatory Permit phase. This will include specific locations and areas of coverage by security cameras; location of audible interior and exterior alarms; location of exterior lighting; fencing; background checks; name and contact information of Security Company monitoring the site and any additional information required by the City.

Odor Control: The project will implement best management practices to reduce the effects of plant odors during flowering which include the use of odor masking agents and neutralizers. Carbon filters will also be installed as part of the air conditioning and cooling system.

Hours of Operation: Hours will be consistent with chapter 5.50.100 of the DHSMC. Medical Marijuana Cultivation Facilities may operate between the hours of 8:00 am and 10:00 pm up to seven days per week. This facility is geared to the cultivation of marijuana and will require staff to be present on premises 24 hours per day. Only authorized staff and delivery personnel will be allowed to enter the premises during the off-hours.

Design Issues: Staff wants to ensure that the following design issues are addressed and will include Conditions of Approval (COA) provided to the Planning Commission for the following:

- Consideration of the color of the exterior wainscot around the administration / processing portion of the building.

RECOMMENDATION

The Architectural and Landscape Review Committee recommends that the Planning Commission recommend approval of the architectural and landscape design of Conditional Use Permit No. 04-16 to the City Council.

EXHIBITS:

- Exhibit No. 1 – Proposed Site Plan
- Exhibit No. 2 – Elevations
- Exhibit No. 3 – Material Board
- Exhibit No. 4 – Conceptual Landscape Plan
- Exhibit No. 5 – Photographs