

REPORT TO THE ARCHITECTURE AND LANDSCAPE REVIEW COMMITTEE



DATE: July 14, 2016

TITLE: Conditional Use Permit No. 11-16. A recommendation to the Planning Commission and City Council for the approval of the design elements of a proposed Conditional Use Permit to establish a medical marijuana cultivation facility located on the south side of Two Bunch Palms Trail, approximately 1400 feet east of Little Morongo Road. Applicant: Wendy Block / DHS Properties Investments LLC

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Approved by:

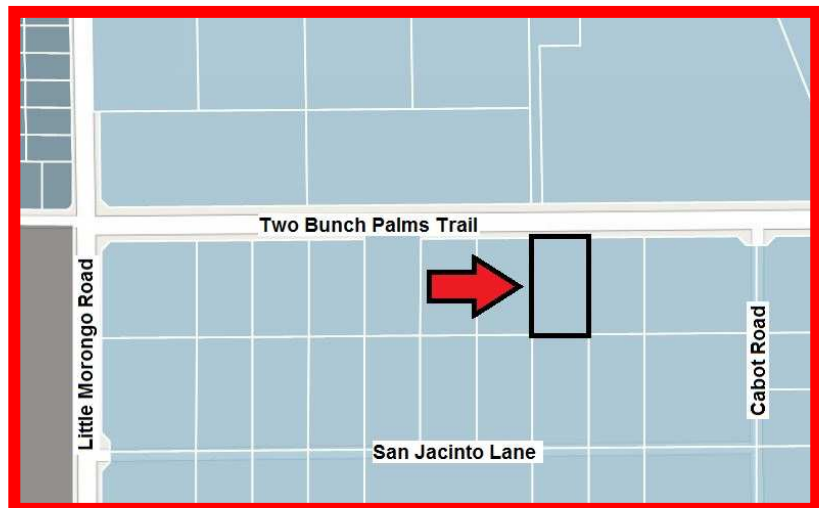
RECOMMENDATION

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

DISCUSSION

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, DHS Properties / Wendy Block, has filed application to construct a facility for the indoor cultivation of medical marijuana.



The site is located on the south side of Two Bunch Palms Trail, approximately 1400 feet east of Little Morongo Road and is rectangular in shape (165 ft x 283 ft). Its gross is 46,684 square feet (1.07 acres); a five-foot dedication for public rights of way along Two Bunch Palms Trail is required and yields a net area of 45,860 square feet, or 1.05 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 Two Bunch Palms Trail will be required.

Surrounding properties consist of:

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

PROJECT SUMMARY

The applicant, DHS Properties / Wendy Block, 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) 665-030-062. The 1.07acre site is presently vacant, flat and generally undisturbed. The proposed two-story building will have a total floor area of 30,550 square feet (lot coverage is 15,275 sf). Uses within the building will consist of approximately 28,878 square feet of cultivation area, about 1,672 square feet for office / staff support space.

On-site vehicular circulation is proposed via a paved two-way drive aisle on three sides of the building (east, south and west). Parking for nineteen (19) vehicles, including 2 for disabled access, is located along the east-side drive aisle. Access to public streets is provided with two two-way driveway aprons on Two Bunch Palms Trail. An underground retention basin is proposed beneath the southerly (rear) drive aisle, and a trash enclosure and underground propane take are proposed in the southeast corner of the site. 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 building of metal frame and panel construction. The elevations begin with basic surface panels with horizontal ridges in beige; several cinnamon-colored vertical architectural elements – many of which are outwardly-canted or sloped – provide visual relief to the otherwise simple building. Other architectural elements include framed windows on the lower and upper floors, and a curved metal canopy above the main entrance facing Two Bunch Palms Trail (north elevation). A loading door is located at the rear of the east elevation.

[illegible]

General Plan and Zoning Consistency: The project proposes to establish a Medical Marijuana Cultivation Facility in accordance with Section 17.180 of the DHSMC, which allows this use with approval of a CUP and Regulatory Permit.

Building Height: The highest point on all proposed buildings will be no more than 35 feet above adjacent grade. This is below the maximum height of 50 feet allowed in the IL District.

Circulation and Parking: Ingress and egress to the site will be provided from two driveways accessing Two Bunch Palms Trail on the north side of the property. The driveway on the northwest corner is designated for emergency-access only. 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 determined that a combination of the Office parking ratio (1 space per 250 square feet) and the Plant Nurseries standard (1 space per 2,500 square feet) can be applied to the floor plan to determine an appropriate level of on-site parking. The applicant has applied these standards using a limited amount of administrative space, as follows:

Applicant's Proposed Parking Calculation

<u>Use</u>	<u>Area (Sq. Ft.)</u>	<u>Ratio</u>	<u>Number of Spaces</u>
Administration	1,672	1 per 250 square feet	6.7
Cultivation Activities	28,878	1 per 2,500 square feet	<u>11.6</u>
Total Spaces Required			18.3 or <u>19</u>
Total Spaces Provided			19

Staff believes that the actual administrative area is about 2,024 square feet (office and two bathrooms) and a recalculation would yield a requirement of twenty (20) spaces. Further, a review of the floor plan indicates a number of uses that are not specifically related to cultivation (break room, storage, warehouse / employee room, machine room, etc.) If all the non-cultivation areas were assessed at the Office parking standard, the parking requirement would be much higher:

<u>Use</u>	<u>Area (Sq. Ft.)</u>	<u>Ratio</u>	<u>Number of Spaces</u>
Administration	6,818	1 per 250 square feet	27.3
Cultivation Activities	23,732	1 per 2,500 square feet	<u>9.5</u>
Total Spaces Required			36.8 or <u>37</u>

Staff notes that there is not sufficient experience to know how much parking is needed to support medical marijuana cultivation operations. This applicant believes that nineteen spaces will be adequate for the operation. It should be noted, however, that the building may in time revert to an industrial / warehouse use, which has an overall standard of one space per 750 square feet. Under that standard, this building would require 41 spaces (30,550 sf / 750 sf per space). At the risk that at some time in the future the building may be under-parked, staff is recommending the applicant's calculation for the proposed use.

Elevations, Colors and Materials: The proposed structure is a metal frame and metal panel building with an opaque roof (no greenhouse). The horizontal seams of the base exterior wall panels establish the underlying pattern for the building while the darker vertical elements provide a dynamic, if somewhat top-heavy look to the building. Strong frames surrounding the



windows complement the bold vertical elements and the curved metal awning over the street-facing entry provides a bit of sparkle to emphasize the front door. Colors are warm, desert-oriented beige and cinnamon for the walls, with slightly darker beige used on the window frames; all appear appropriate and well-coordinated. The building's architecture is well-distributed on all four sides. Staff recommends the ALRC consider if the overall design and color palette is appropriate to the building and site.

Landscaping: Landscaping is proposed around the entire perimeter of the site, which includes substantial plantings along the street frontage and the parking area. Low- and moderate-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 (maximum allowed height is 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.

PLANTING LEGEND					
TREES	PLANTING SIZE	SCIENTIFIC NAME	COMMON NAME	WATER NEEDS	PLANT FACTOR
	24"-BOX MULTI TRUNK	CERCIDIUM FLORIDUM	BLUE PALO VERDE	LOW	0.2
	7'-8' HT. SKINNED TRUNK	WASHINGTONIA HYBRID	HYBRID PALM	MODERATE	0.5
SHRUBS	11 5-GAL	SENNA ARTEMISIODES	FEATHERY CASSIA	LOW	0.2
	16 15-GAL	DASYLIRION WHEELERI	DESERT SPOON	LOW	0.2
	8 5-GAL	LANTANA 'NEW GOLD'	YELLOW LANTANA	MODERATE	0.5
	17 5-GAL	DALIA GREGGII	TRAILING INDIGO BUSHLOW	MODERATE	0.2
	6 8' HT. MIN 20 CANNES	FOUQUIERIA SPLENDENS	OCOTILLO	LOW	0.2
	15 5-GAL	ALOE 'BLUE ELF'	BLUE ELF ALOE	LOW	0.2
	15 15-GAL ESP.	PYRACANTHUS COCCINEA	SCARLET FIRETHORN	MODERATE	0.5
3'-4" DIA. DESERT SELECT BOULDERS					
4"-6" DIA. HICKORY CREEK FRACTURED GRANITE					
3/4" SOUTHWEST BROWN CRUSHED ROCK IN ALL PLATERS BY TRI STATE MATERIALS					

Phasing: The applicant proposes to construct 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. A 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 may 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.

RECOMMENDATION

Staff recommends that the Architectural and Landscape Review Committee recommend to the Planning Commission approval of the design elements of Conditional Use Permit No. 11-16, subject to any conditions the Committee deems appropriate.

EXHIBITS:

- 1 – Proposed Site Plan
- 2-3 – Floor Plans, Perspectives and Elevations
- 4 – Landscape Plan
- 5 – Lighting Plan
- 6 – Site Photographs