

REPORT TO THE ARCHITECTURE AND LANDSCAPE REVIEW COMMITTEE



DATE: July 14, 2016

TITLE: Conditional Use Permit (CUP 12-16) to establish a new medical marijuana cultivation complex located on the east side of Little Morongo Road, approximately one-half mile north of Dillon Road (northeast corner of Little Morongo Road and 16th Avenue, unimproved) within the General Plan Light Industrial (I-L) Zone. Applicant: Ryan Csaftis / MERJ, LLC

Prepared by: Craig A. Ewing, Consulting Planner
Reviewed and approved by: Nathan Bouvet, Community Development Director

RECOMMENDATION

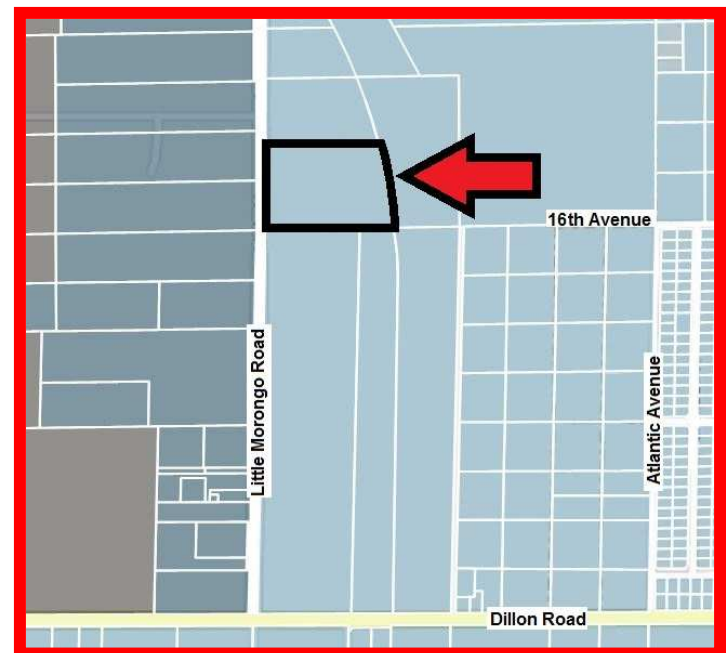
Staff recommends that the Architectural and Landscape Review Committee (ALRC) recommend that the Planning Commission make a positive recommendation to the City Council

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, MERJ, LLC (Ryan Csaftis), has filed application to construct a complex for the indoor cultivation of medical marijuana.

The site is located at northeast corner of Little Morongo Road and 16th Avenue (unimproved), about one-half mile north of Dillon Road. The site is irregular in shape as it abuts the curve of the Mission Creek Wash (Riverside County Flood Control and Water Conservation District) to the east. The gross area of the subject property is 423,170 square feet (9.71 acres); after dedication of public right-of-way along Little Morongo Road (12,950 sq. ft.), the net lot size will be 410,220 square feet (9.42 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 Little Morongo Road will be required.



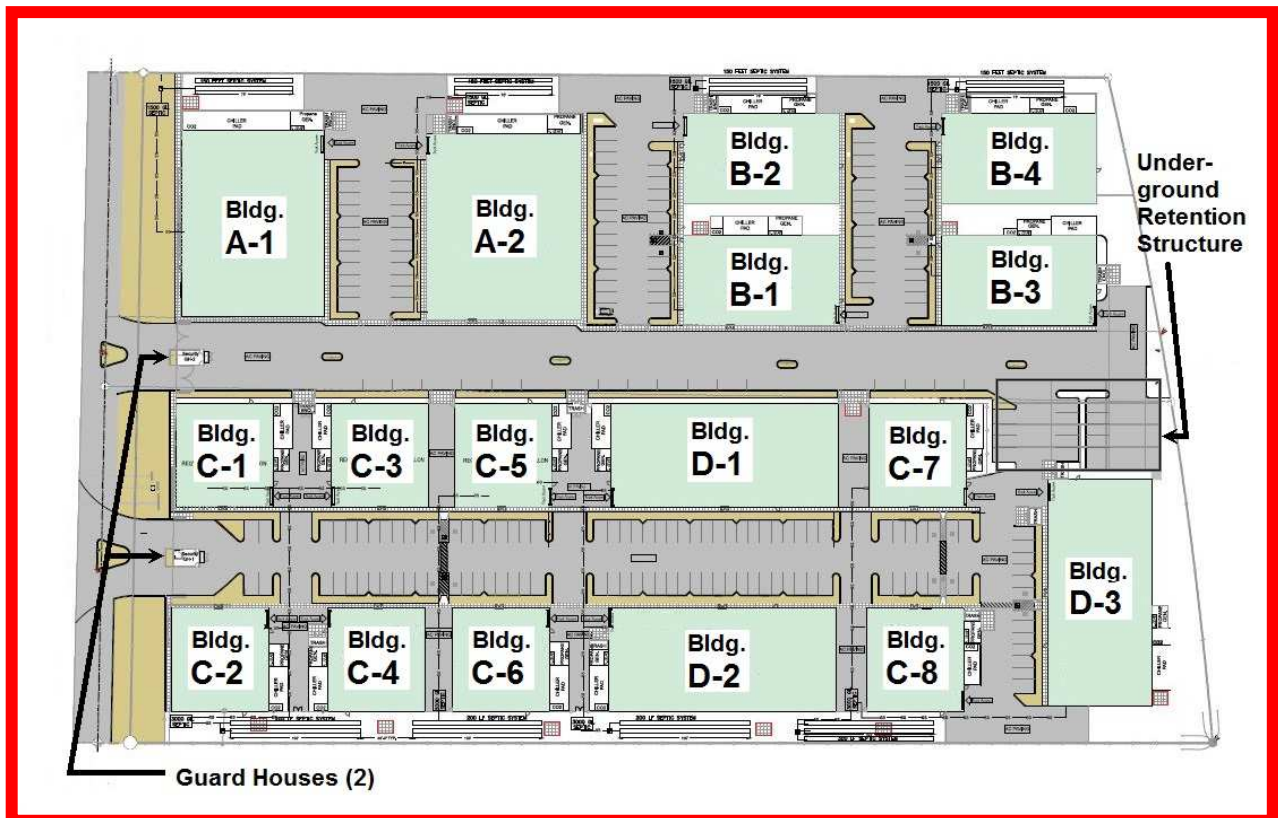
Surrounding properties consist of:

	<u>Zoning & General Plan Designations</u>	<u>Current Land Use</u>
North and South	I-L (Light Industrial) District	Vacant
East	I-L (Light Industrial) District	Flood Control Channel
West	I-M (Medium Industrial) District - unincorporated area	Vacant and Industrial

PROJECT SUMMARY

The applicant, MERJ, LLC (Ryan Csaftis), has filed a Conditional Use Permit (CUP) application to construct a new building complex for the indoor cultivation of medical marijuana located on Assessor Parcel Number (APN) 665-080-004. A recently-approved Parcel Map (TPM 36979) divided the (17.2 acres) into three lots. The southerly lot (Parcel No. 3) occupies the southerly half of the site and has an area of approximately 9.71 acre. This parcel is the subject of the proposed development which includes the following:

1. Seventeen two-story buildings and two guard houses at the most southerly portion of the site, having a total floor area of 309,425 square feet. Uses within the buildings will consist of approximately 290,276 square feet of cultivation area and about 19,149 square feet for office / guard-house space. The project is proposed to be constructed in a single phase.

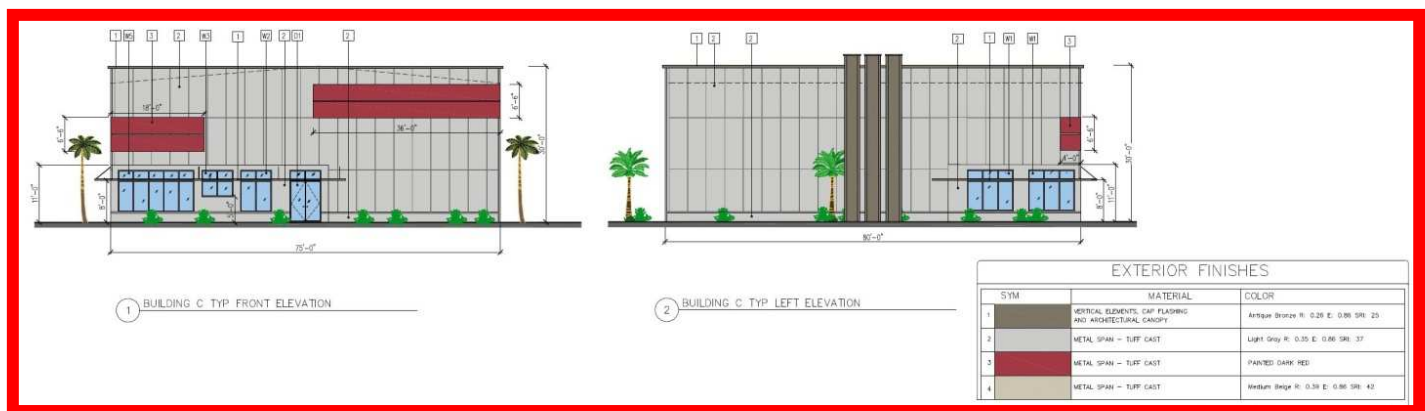


2. Paved vehicular circulation is proposed throughout with two main drive aisles accessing Little Morongo Road and multiple dead-end drive lanes projecting from the main aisles. Among the northerly buildings (A-1, A-2, B-1 thru B-4) the main drive aisle runs along the south edge of the six buildings, with three dead-ends projecting to the north and one loop aisle in the rear (easterly end). Among the southerly

- buildings (C-1 thru C-8, D-1 thru D-3) the main drive aisle runs through the center of the eleven buildings, with five dead-ends to the south and five to the north. One connection between the two phases is provided toward the rear of the project. On-site parking is proposed at 213 spaces, including fourteen for disabled access.
3. Ancillary improvements include an underground storm retention facility at the rear of the property; twelve trash enclosures throughout the entire project; and outdoor equipment installations for air conditioning, emergency power generators, electrical converters and CO2 storage. Landscaping is proposed on the street frontage and within the site. A ten-foot tall "metal cyclone" fence is proposed around the sides and rear of the property.
 4. A Conditional Use Permit to allow cultivation of medical marijuana in all buildings,
 5. A Development Agreement
 6. A Tentative Tract Map for condominium purposes (allows each building to be on a separate taxable lot).

The project proposes construction of seventeen steel frame buildings with stucco-finish steel wall panels. There are four main building types; all are two stories with a maximum height of about thirty feet:

- Building Type A - Located on the northwest corner of the site, Building A-1 has a total square footage of 31,406 and A-2 has a total square footage of 34,285.
- Building Type B - Located on the northeast corner of the site, four B-type building have a total square footage of 16,460 each.
- Building Type C - Located on the south half of the site, six C-type buildings are at the southwest corner and two are near the southeast corner; they have a total square footage of 11,763 each.
- Building Type D - Located on the south half of the site, two D-type buildings are in the center, and one is at the southeast corner; they have a total square footage of 27,748 each.



Two small guard houses are found at the driveway entrances; they have areas of 294 and 252 square feet. Project architecture and landscaping are discussed below.

CUP ANALYSIS

General Plan and Zoning Consistency: The project proposes to establish a multi-tenant 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.

Site Coverage: The project site consists of one lot totaling 9.71 gross acres (423,170 square feet) in size, which will be reduced by right-of-way dedications to 9.42 net acres (410,220 square feet). Under the Industrial Zoning District standards, the maximum allowable coverage is 75%. The total square footage of proposed buildings' footprint is 157,652 square feet, or 38.4% of the 9.42 acre project site, placing the project within the maximum allowed coverage.

Building Height: The highest point on all proposed buildings will be no more than 32 feet above adjacent grade. This is below the maximum height of 50 feet allowed in the IL District.

Building Setbacks: The minimum setbacks in the City's Industrial Zoning Districts are 20 feet in front, 10 feet on the sides, and 10 feet in the rear, including a street side. Proposed setbacks are 20 feet in the front (northwest corner of Building A-1), 27 feet 9 inches on the north side yard (northeast corner of Building B-4), 24 feet 5 inches on the south side yard (south side of Buildings C-2, C-4, C-6, D-2 and C-8), and 14 feet on the rear (easterly) property line (northeast corner of Building B-4). Therefore, the proposed building meets minimum setback requirements.

Circulation and Parking: Ingress and egress to the site will be provided from two driveways accessing Little Morongo Road. Each driveway leads to a largely self-contained parking and circulation area. The northerly driveway serves Buildings A-1, A-2 and B-1 thru B-4, and the southerly driveway serves Buildings C-1 thru C-8 and D-1 thru D-3. One small drive aisle in the rear of the site connects the two circulation areas (near Building C-7). Each of the two driveways is secured with controlled gates and a guard house.

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>
Admin. / Guard Hse.	19,149	1 space per 250 sq. ft.	76.6
Cultivation Activities	290,276	1 space per 2,500 sq. ft.	<u>116.1</u>
Sub-Total Required			192.7 or 193
Total Spaces Provided			213

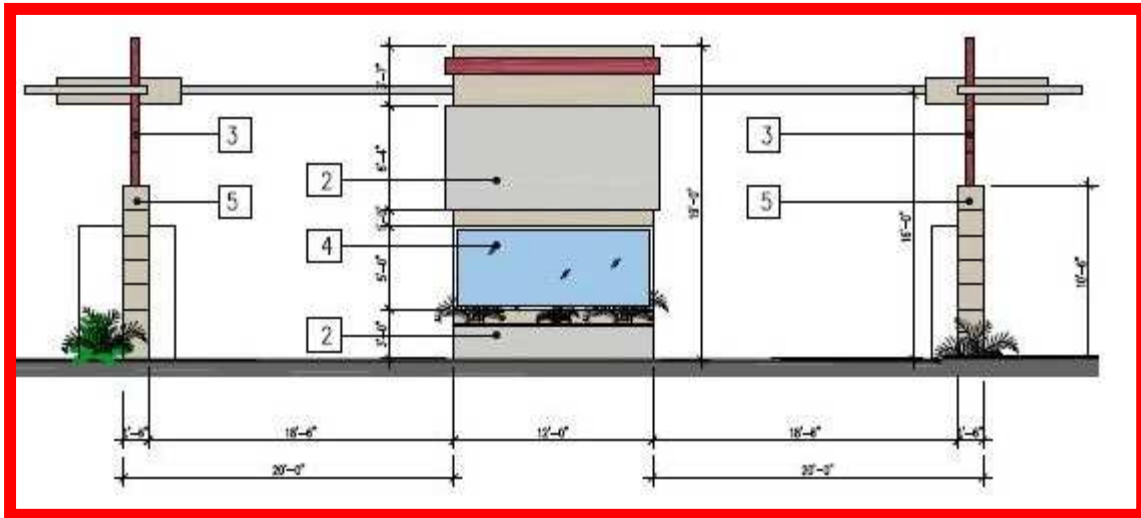
Based on the analysis provided, the applicant is providing twenty spaces more than the minimum required. This will allow for flexibility in the design of future floor plans should additional office / administrative space be needed within the buildings.



Elevations, Colors and Materials: The proposed structure is a metal frame and stucco finished metal panels. The rectangular panels are laid out in a vertically-oriented grid with the panel

seams establishing a strong underlying pattern for the building; the panels are grey in color. Horizontal accent panels in dark red are provided at most of the corners at each building. Several buildings that face the street (A-1, C-2 and C-4) also add vertical trim pieces on the street-facing elevations. These groups of three pilaster-like elements extend above the roof line and are painted dark bronze, matching the trim cap at the roof line.

Horizontal awnings are provided at the main entrances to all buildings, also painted dark bronze. The awnings are placed slightly below the tops of the windows flanking the entry doors, creating a clerestory effect but also leaving these upper window areas exposed to full sun. The guard houses are of similar color, but the grey panels are laid in a horizontal line, with the trim cap in dark red. Canopies extend from each side of the guard houses and are supported by free-standing grey and red walls to provide entry features at the gated driveways. The height to the underside of the canopy is sixteen (16) feet, which meets the minimum vertical clearance for anticipated truck traffic.



Landscaping: Landscaping is proposed in several areas of the site:

1. Within the front setback (facing Little Morongo Road),
2. Along the two main drive aisles
3. Along the dead-end drive aisles between Buildings A and B (north half of site); and
4. In front of Building D-3

The perimeter of the site – sides and rear – are unplanted and will be covered in crushed rock where unpaved. Low-water use plants have been selected and the plan appears to provide an attractive and appropriate landscape setting. The project landscape plan indicates a perimeter “10 foot tall cyclon fence”, including controlled gates at the driveway entrances. The maximum fence height allowed by code is six feet, and staff has confirmed with the landscape designer that the proposed fence material is tube steel or wrought iron.

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 complex. The site will be enclosed within perimeter fencing. Guard houses and 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 complex 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) for the Planning Commission, based on the ALRC's recommendations:

- The triple pilaster elements are only found facing the street and not on any buildings within the project complex;
- The main doors and windows are not distinguished by any contrasting color to establish the importance of the buildings' entries;
- In some cases, the red horizontal trim extends around the building corners, while in other cases the trim ends at the corner (A-1 and A-2);
- The exposed clerestory windows will cause heat gain in the office areas, especially those with south-facing entries (B-1, B-3, C-1, C-5, C-7 and D-1);
- Possible elimination of the twelve parallel parking spaces along the north drive aisle;
- The guard houses' design is not dimensioned or detailed; and
- Absence of plantings along the side and rear perimeter.

RECOMMENDATION

Staff recommends that the Architectural and Landscape Review Committee recommend approval of the architectural and landscape design of Conditional Use Permit No. 12-16, subject to any conditions the Committee considers appropriate.

EXHIBITS:

- 1 – Proposed Site Plan
- 2-6 – Floor Plans
- 7-12 – Elevations
- 13 – Rendering
- 14 – Landscape Plan
- 15 – Lighting Plan