

REPORT TO THE ARCHITECTURE AND LANDSCAPE REVIEW COMMITTEE - **REVISED**



DATE: July 14, 2016

TITLE: Conditional Use Permit No. 06-16. 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 located on the south side of Two Bunch Palms Trail, approximately 500 feet east of Little Morongo Trail within the General Plan Light Industrial (I-L) Zone. Applicant: Domingo Moya (Continued from 9 June 2016)

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Approved by: Director

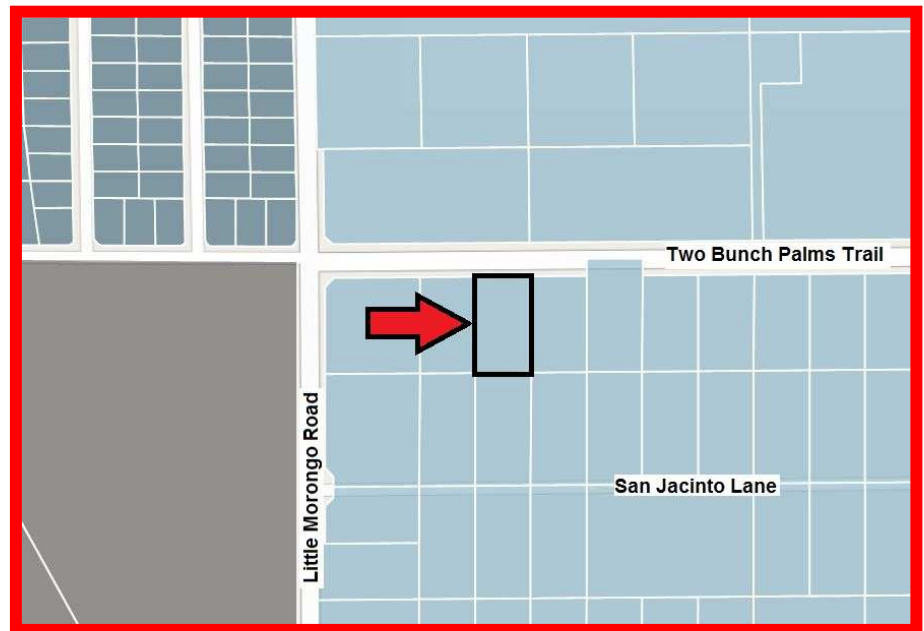
RECOMMENDATION

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, Domingo Moya, has filed application to construct a facility for the indoor cultivation of medical marijuana.



The site is located along the south side of Two Bunch Palms Trail, approximately 500 feet east of Little Morongo Road and is rectangularly-shaped (165 x 284 ft) and unimproved. Gross area is 46,796 square feet (1.07 acres); a dedication of an additional five feet of street right-of-way will reduce the net area to 45,972 sf. The site is relatively flat and has a very slight downward slope from northwest to southeast. 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 Two Bunch Palms Trail will be required.

Surrounding properties consist of:

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

PROJECT SUMMARY

The applicant, Domingo Moya, 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) 665-030-052. The 1.07 acre site is presently vacant, flat and generally undisturbed. The proposed one-story building will have a total floor area of 22,680 square feet. Uses within the building will consist of approximately 22,200 square feet of cultivation area, and approximately 480 square feet for office space and bathroom.

The project mirrors a proposed development abutting the site, immediately to the west (CUP 05-16). Building design, placement and the size and placement of accessory improvements (vehicle parking, retention basins, etc.) are the same for both projects, though each is the reverse of the other. Vehicle access is provided by a driveway along the east side of the site onto Two Bunch Palms Trail.

Paved vehicular circulation includes a turn-around at the south end (rear) of the site, and fifteen parking spaces are provided (two for disabled access). No delivery parking is provided. Two Bunch Palms Trail is to be improved as part of the project, including a five-foot dedication of additional right-of-way and construction of pavement, curb, gutter and sidewalk. The southerly (rear) 49 feet of the property will be reserved for a retention basin, and a trash enclosure is proposed next to the most southerly parking space. 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 metal-frame-and-panel structure with wall surfaces finished in stucco. Architectural elements include five roof gables along the east elevation and one on the north (street-facing) side. The gables are trimmed with roof tile along the top edge and a decorative element is located in the center of each gable. A low parapet runs between the gables on the north and west sides.

Pilasters on the northwest, northeast and southeast building corners are matched by two pilasters on the north elevation and four on the east elevation; all project above the top of the parapet and include horizontal trim lines, tile wainscoting and decorative lighting. A mix of horizontal and curved trim lines between the pilasters provides a separation between the walls and gables. One or more exhaust vents are shown on the east elevation wall sections between the pilasters and doors are provided on the three middle bays. The south elevation is unadorned and the west elevation is generally given over to a line of vent fixtures along the wall as well as in the gable ends.

The building will be finished in a single color (peach); the decorative gable elements and the horizontal trim on the parapet and pilasters will be orange; the tiles on the gable trim and wainscoting are terracotta.

Landscaping is provided on all sides except the east, and the plant palette includes palo verde, sumac and fan palm trees, and a variety of shrubs and groundcovers that appear suited to the desert climate. Desert Gold crushed rock (3/4") will cover all landscape areas. The plantings are distributed around the site, with the largest plantings along the street frontage (north) and south (rear) yard area.

CUP ANALYSIS

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.

Site Coverage: The project site consists of one lot totaling 1.07 gross acres (46,796 square feet) in size, which will be reduced by right-of-way dedications to 1.055 net acres (45,972 square feet). Under the Industrial Zoning District standards, the maximum allowable coverage is 75%. The total square footage of the proposed building is 22,680 square feet, or 49% of the 1.055 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 24 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 in the rear, and 10 feet on the side, including a street side. Proposed setbacks are 20 feet in the front (Two Bunch Palms Trail), about 48 feet on the east side, zero feet on the west side and 49 feet on the south (rear) side. A zero side setback is allowed when "attached" buildings are proposed (Desert Hot Springs Zoning Code Section 17.16.030 / Land Use District Development Standards; Table 17.16.01, Note No. 2). This project and the adjacent project to the east (CUP 05-16) may be determined to be attached thereby allowing a zero setback for both projects. On that basis, the proposed building meets minimum setback requirements.

Circulation and Parking: Ingress and egress to the site will be provided from one driveway accessing Two Bunch Palms Trail at the northwest corner of the site (shared with the abutting property to the west). The entry will have controlled gates and be monitored by onsite security personnel.

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	480	1 per 250 square feet	1.9
Cultivation Activities	22,200	1 per 2,500 square feet	<u>8.9</u>
Total Spaces Required			10.8 or <u>11</u>
Total Spaces Provided			15

Based on this calculation, the parking standard is met.

Elevations, Colors and Materials: The proposed structure is a metal frame and metal panel building with stucco wall finish. The overall look on the north and east elevation is a simplified Mission Revival style. The gables and parapets, colors and decorative trim on these elements are generally consistent in look and intensity. The doors and exhaust vents on the east elevation are provided with decorative framing that suits the style; however no awnings over the doors are provided; the east-facing doors will be exposed to sun from morning to mid-day. The

revised north and west elevations show the pilasters projecting above the parapet roof line and some variety has been introduced in the base trim line for the gables. The warm, muted color scheme complements the building materials and proposed architectural style. Staff recommends the ALRC consider:

1. Additional architectural treatments on the south (rear) and west elevations;
2. The addition of awnings over the doors;
3. Meandering sidewalks; and
4. Indication where CO2 storage would be located on site other than in front of the proposed buildings.

Landscaping: Landscaping is proposed on three sides of the site and includes substantial plantings along the street frontage. 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. Staff recommends the ALRC consider:

5. Installation of landscape plantings along the east elevation.

Lighting: Decorative lighting on the walls is to be supplemented with three metal halide fixtures to illuminate the parking lot. Additional lighting may also be required, 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. Staff recommends the ALRC consider:

6. Any additional wall lighting be installed to align with building architectural features.

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. 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.

RECOMMENDATION

Staff recommends that the Architectural and Landscape Review Committee recommend to the Planning Commission approval of the design plans for Conditional Use Permit No. 06-16, subject to any additional conditions deemed appropriate by the ALRC.

EXHIBITS:

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| 1 – Proposed Site Plan | 4 – Section Plan |
| 2 – Elevations | 5 – Roof Plan |
| 3 – Floor Plan | 6 – Landscape Plan |