

## REPORT TO THE CITY COUNCIL

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**DATE:** July 5, 2017

**TITLE:** Amendment to Development Agreement 04-16 to Allow for Medical Marijuana Manufacturing / Extraction Activities Within the Previously Approved Facility Located at 65283 San Jacinto lane (Applicant: We Care DHS, Inc. - Ryan Fingerhut)

**Prepared by:** Scott Taschner, Senior Planner

**Reviewed by:** Daniel Porras, Community Development Director

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### RECOMMENDATION

- 1) Staff Report;
- 2) Entertain questions of Staff from the City Council;
- 3) Open the Public Hearing;
- 4) Invite Applicant to speak;
- 5) Questions for the Applicant;
- 6) Take Public Testimony;
- 7) Opportunity for Applicant Rebuttal;
- 8) Close the Public Hearing;
- 9) City Council discussion and questions to Staff; and
- 10) Approve First Reading of an Ordinance approving an amendment to Development Agreement 04-16 to allow for medical marijuana manufacturing and extraction activities within the previously approved We Care DHS cultivation facility located at 65283 San Jacinto Lane.

### DISCUSSION

The Applicant, Ryan Fingerhut, filed an Amendment / Minor Modification to the previously approved Conditional Use Permit CUP No 11-16, requesting changes to the approved floor plan to include manufacturing / extraction activities within the facility. The Minor Modification application is a staff-level approval, and a record of decision was processed with conditions of approval. However, the Development Agreement for the project did not incorporate language about manufacturing and extraction activities and therefore, an amendment to the Development Agreement requires Planning Commission and City Council approval.

Staff has attached the amended Development Agreement (Exhibit 2), the Record of Decision for the Minor Modification (Exhibit 3), and the revised floor plan showing the area within the building that will be used for manufacturing / extraction purposes (Exhibit 4).

### FISCAL IMPACT

None.

### EXHIBIT(S)

- 1) Draft Ordinance
- 2) Amended Development Agreement, DA 04-16
- 3) Record of Decision for Minor Modification MM 01-17
- 4) Revised Floor Plan showing areas that will be used for Manufacturing / Extraction