

Luis Lopez

April 3, 2021

Development Service Director

City of Coachella

53-990 Enterprise Way

Coachella, CA 92236



Re: Resolution No. 2020-09/CUP 305 and Resolution No. Ordinance 1146/CZ 18-07

Dear Luis,

This letter respectfully requests that the City of Coachella grant a 12-month time extension for the Approved Retail Cannabis Dispensary (Resolution No.2020-09, CUP 305) approved on February 26, 2020 contingent upon the approval of Ordinance 1146 for CZ 18-07 which occurred on March 11, 2020.

As the Planning Commission is aware, there are three buildings with addresses 1639/1645/1647, 1657 and 1667 Sixth St ('Project') which have been under renovation before and after the CUP 305 was approved in 2020. In addition to the seismic retrofitting, new roof diaphragms, roof materials and systems, foundation work, most recent extensive renovation includes new interior walls, all new electrical, plumbing, sewer, innovative insulation, wall surface preparation, waste receptacle preparation, painting, etc. By August 2020, an Imperial Irrigation District (IID) Application for Permanent Service was submitted to IID. More than six (6) months lapsed before IID responded and only after our inquiry in February 2021. We are working with IID and await their electric plan/design for the permanent electric service. Additionally, the general contractor Scott Mabe discovered what appears to be a structural issue in the lack of footing for the wall or walls of the building which houses El Trebol Bar and Billards situated at 1633 Sixth St and is adjacent to one of the three buildings which is part of the Project. The potential structural issue appears to need to be addressed preferably before pavers are installed in the parking lot to avoid future problems and potential damage and or added expense to the Project. As the pavers are to be laid with sufficient drainage incorporated, once damaged or should they have to be unearthed to rectify the apparent issue of the wall or walls lacking footing, additional expense to the Project would be generated to remove and to reinstate said pavers. Mr. Mabe is approaching the property owner about this issue.

Multiple versions of lease agreements have been submitted to the Kismet Organic (Kismet Organic Cultivation Collaborative, Kismet Organic Cannabis Cultivation)/Kismet Coachella Dispensary Project applicant and prospective tenant through representatives Ed Sapigao and Dan Kim. They have remained silent on offering any amendment of the terms and have failed to follow through on signing the latest lease agreement they received. They have not provided any tenant improvement (TI) plans for review by property owner representatives; after which they would submit such mutually agreed to plans to the City for review and City approval. They have not participated financially in renovation they requested and agreed to be with their financial input, and agreed to have done by the property owner's contractor, which enhances their design objective and business. In March 2021, it became understood from the City that Kismet Organic/ Kismet Organic Cultivation Collaborative applied for and received approval to operate a dispensary type business for cannabis from the location which they are developing under CUP 278 with APN 603-290-001, southwest corner of Avenue 48 and Harrison St and current address of 48-050 Harrison St. Kismet Organics made no effort to inform us that they intended to establish competition against the very location it submitted to gain first position approval for distribution of cannabis within the City of Coachella. It appears that Kismet Organics is performing in a deceptive manner with the City and with us.

In an effort to secure tenants in the various spaces in the three buildings, since approximately July 2020, we have spent time and funds negotiating with prospective tenants including aforementioned representatives. As of the writing of this letter, there is one business which desires to open in a portion of one of the buildings and represents that they are awaiting a date assignment for an inspection by a government agency which they represent could take up to three (3) months to secure said inspection date, and must occur prior to signing a lease agreement. We will be speaking with them this month. There are other businesses that desires to open in the balance of aforementioned building a cannabis related business and one of the other buildings a cannabis related restaurant style business to include cannabis edibles. There is another business which has original recipes for marinates for meats and poultry. They desire to rent office space in one of the buildings and operate their business with social distancing outside as a walk-up/drive-up service, initially on a portion of the pavers that are in place between two of the buildings. We ask to be given the opportunity to continue to realize businesses that are in harmony with the CUP and shall benefit the City.

Luis Lopez  
Development Service Director  
City of Coachella  
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The status with IID, the discovery of the apparent structural issue with the adjacent building aforementioned, the lack of forward movement by Kismet Organic, the pandemic crisis slowing responses from business, equipment, supply entities and or government agencies has contributed to the delay on this Project. The onset of the pandemic crisis, entering its second year, has fueled the need for social distancing. We are seriously considering modification of the owner's plans possibly to include a trellis type structure located between the buildings and or behind the buildings and are researching various materials to determine what may be the product to use. If feasible, this trellis will be considered and will be designed to relate aesthetically. This could allow even for a certified open-air market.

Mr. Scott Mabe is agreeable to speak at the Planning Commission meeting.

Your approval of this request for an extension is immensely appreciated.

Sincerely,

  
Cheryl Thomas  
Executor

Genevieve Thomas Estate  
Cheryl Thomas Executor  
Coachella, CA 92236


Date APR 05, 2021 1054  
90-203/1211

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