



STAFF REPORT
11/18/2020

TO: Planning Commission Chair and Commissioners

FROM: Luis Lopez, Development Services Director

SUBJECT: Bejarano Cannabis Cultivation Facility

SPECIFICS:

- a) Environmental Assessment (EA 20-02) adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the Bejarano Project located at 48-100 Harrison Street.
- b) Conditional Use Permit (CUP 327) and Architectural Review (AR 20-06) to allow the construction of a new 225,705 square foot cannabis cultivation facility with two-story head house and industrial greenhouse structures, perimeter fencing, landscaping, retention basin, and parking lot improvements on 10.01 acres of partially-developed land located in the M-W (Wrecking Yard) zone at 48-100 Harrison Street. David E. Argudo (Applicant)

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve the proposed project with the findings contained in the attached resolutions.

- 1) Resolution No. PC2020-11 adopting a Mitigated Negative Declaration and Mitigation Monitoring Program (EA 20-02) for the Bejarano Project located at 48-100 Harrison Street.
- 2) Resolution No. PC2020-12 approving Conditional Use Permit (CUP 327) and Architectural Review (AR 20-06) to allow the construction of a new 225,705 square foot cannabis cultivation facility with perimeter fencing, landscaping, retention basin, parking lot and greenhouse structure in the M-W (Wrecking Yard) zoning district, on 10.01 acres of partially-developed land located at 48-100 Harrison Street.

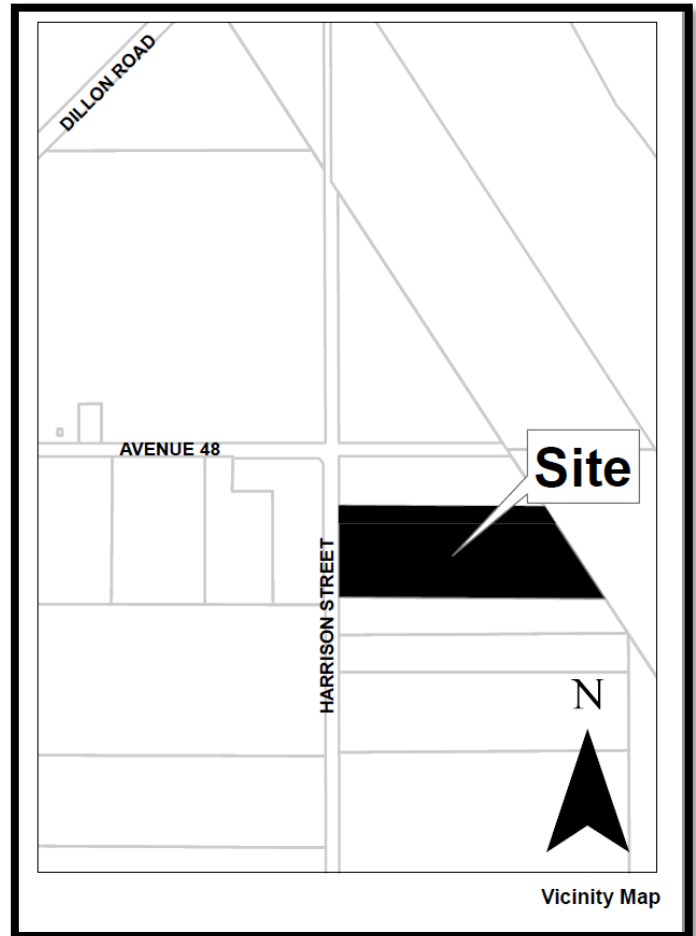
BACKGROUND:

The applicant, David E. Argudo, has applied for the above-referenced applications in order to develop a vacant 10.01-acre site that is currently undeveloped and partially disturbed, into a 225,705 square foot cannabis cultivation facility. Historically the property has been used for auto

wrecking, auto repair, and outdoor storage uses. In 2016 the applicant entitled a very similar project on property located approximately 330 feet to the south of the subject site, known as the “High Hampton” cannabis cultivation facility and the Bejarano Cannabis Cultivation Facility Project has been modeled in a very similar layout with a two-story head house building in the front and a large single-story industrial greenhouse behind the head house.

The proposed project entails a conditional use permit (CUP 327) and architectural review (AR 20-06) to allow a new cannabis cultivation facility consisting of one 53,244 square foot two-story office/ head-house building fronting on Harrison Street, and a 172,461 square foot industrial cannabis cultivation building with greenhouse roof structure behind the head-house building. As such, the greenhouse structure will be substantially screened from view to the street. The proposed site improvements include a perimeter masonry wall, off-street parking with gated entry behind the front building line, landscaping and irrigation improvements, and an on-site retention drainage basin in the rear of the site.

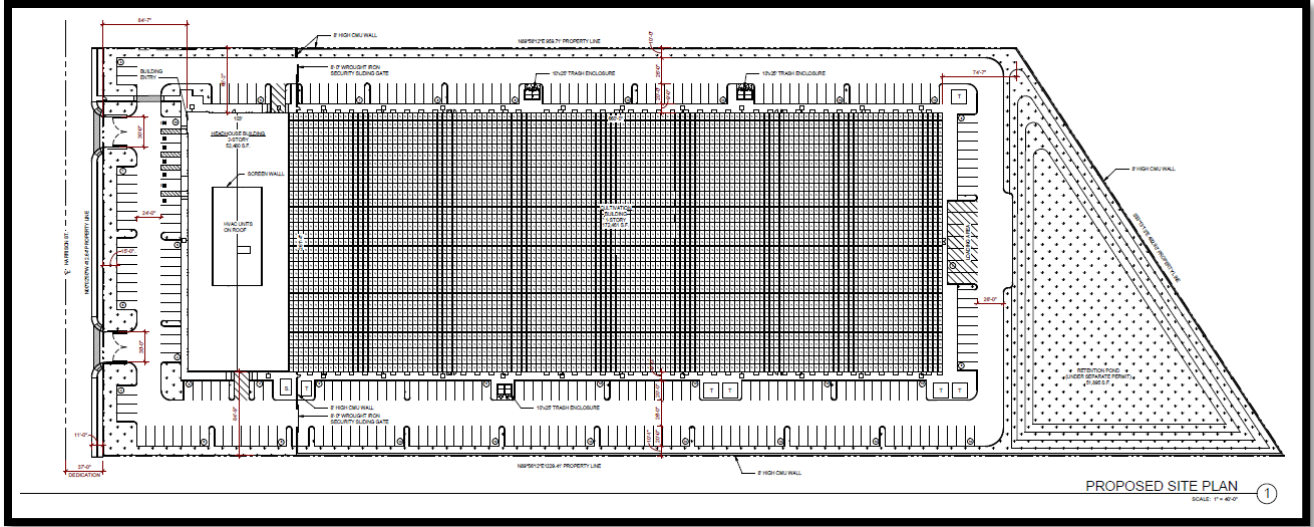
The project site is located in the M-W (Wrecking Yard) zone as shown on the vicinity map to the right. The City’s Utilities Division maintains a 20-foot public utilities easement (PUE) for sewer line purposes that runs along the rear property boundary line, adjacent to the Whitewater Channel levee.



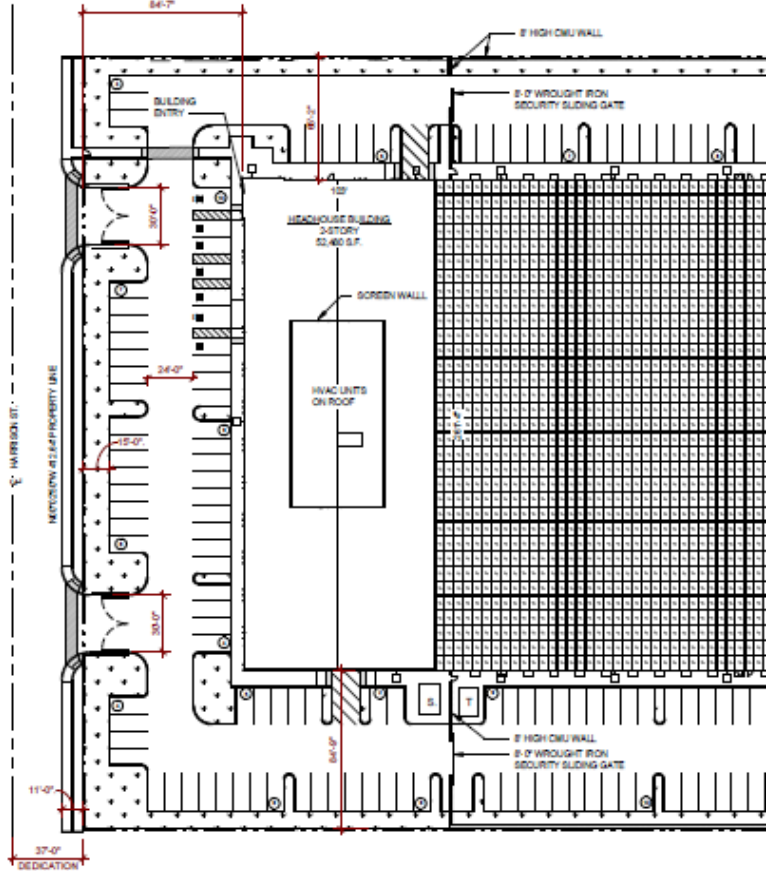
The project is proposed to be developed in two phases. The first phase to be commenced in early 2021 will consist of an “Interim Use Facility” to include 50 temporary cannabis cultivation greenhouse structures at 2,500 square foot each, which will operate for up to 36 months while construction is ongoing. The start date for construction of permanent buildings will be in the second quarter of 2023), with completion anticipated in the second quarter of 2024.

Site Plan Layout/Street Improvements:

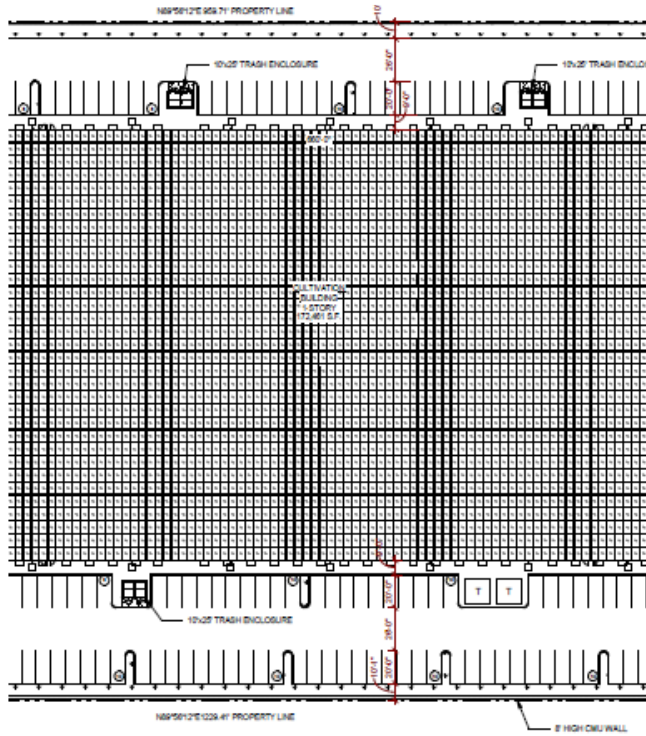
The project went through a Pre-Application Review process, and all City departments, and the Riverside County Fire Marshal’s Office conceptually approved the proposed site layout of the building with the aisle dimensions as shown, and have recommended a finding of adequacy for fire apparatus access for the structures. The proposed site plan for the project, including some close-in exhibits of the same, are illustrated below:



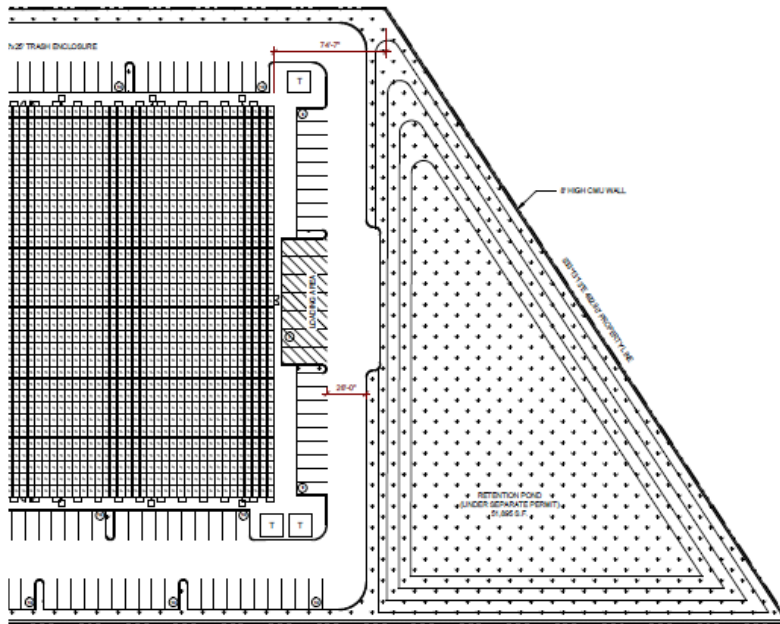
Overall Site Plan



Westerly 1/3 of Site Plan



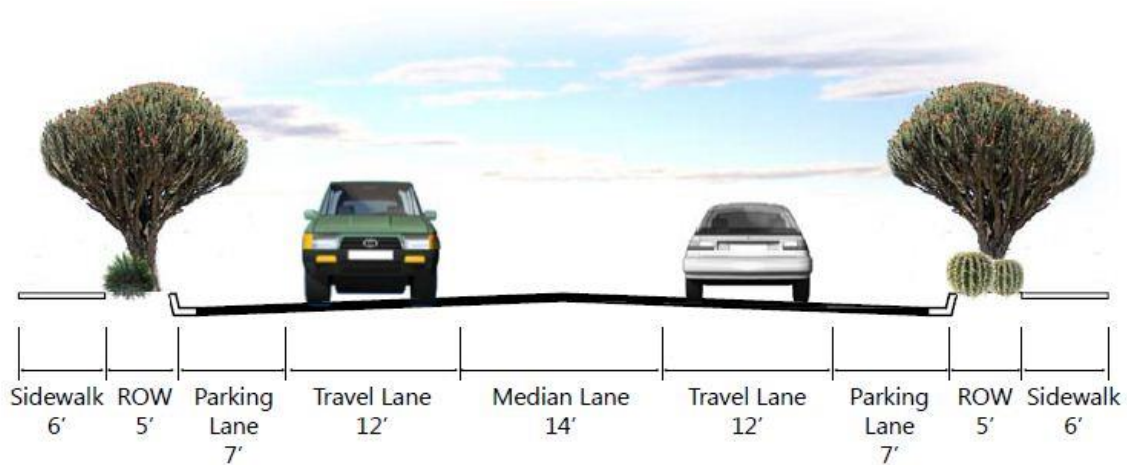
Central 1/3 of Site Plan



Easterly 1/3 of Site Plan

As shown on the proposed site layout, there will be two 30-foot entry drives along Harrison Street and a double-loaded parking aisle in front of the two-story head house / office building with a 26-foot aisle. The single-story cultivation building will be behind the two-story structure and there will be a single row of 90-degree parking along the north side of the buildings. The south side of the buildings will have a double-loaded row of 90-degree parking with a 26-foot drive aisle. The rear side of the building will have a single row of 90-degree parking and a retention basin in the easternmost portion of the site.

The project will require street widening along Harrison Street, pursuant to the “Local Industrial Street” roadway diagram of the City’s General Plan Mobility Element, which calls for a 74-foot street improvement with two lanes, and a median lane with an 11-foot parkway as shown in the cross-section below.



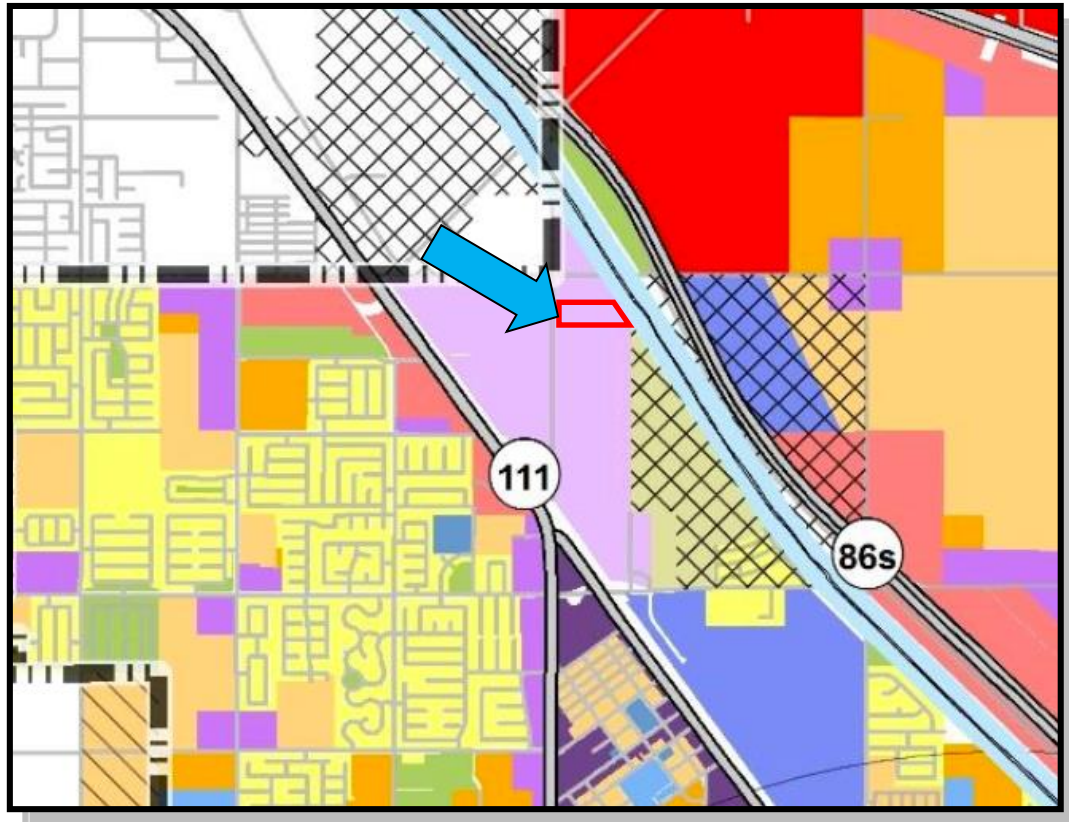
The project is responsible for building its 37-foot half-street of the above roadway cross-section. Additionally, the City has encouraged an enhanced landscaped setback area of 20-25 feet as measured from the face of curb for projects in the M-W zone, to accommodate future electrical infrastructure needs. The project proposes a landscaped area of 15 feet behind the parkway, thus creating a total landscaped perimeter of 26 feet from face of curb to the parking row, at the street.

DISCUSSION/ANALYSIS:

Environmental Setting:

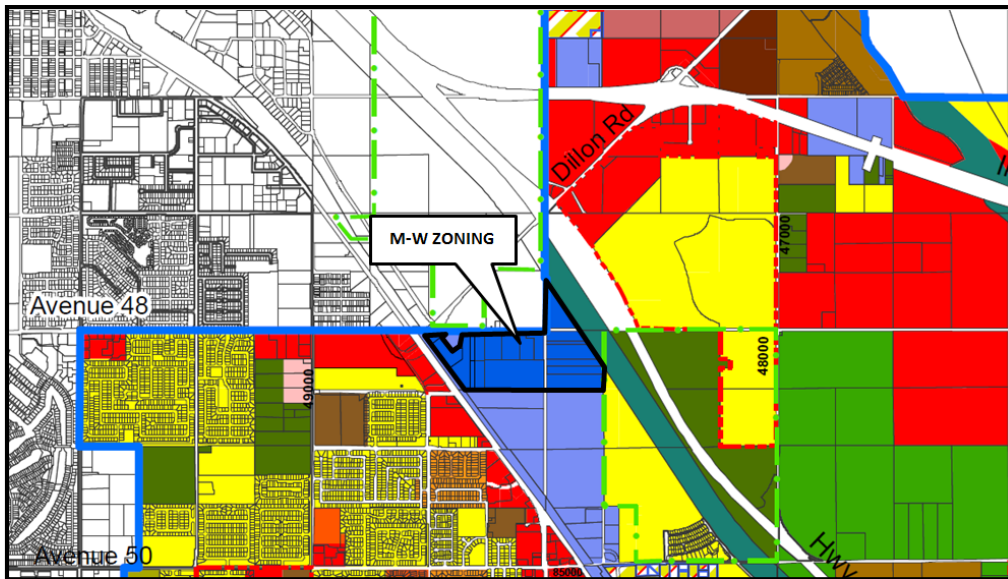
The proposed project is located on 10.01 acres of partially-developed land within the M-W (Wrecking Yard) Zone and has been historically used for auto wrecking and outdoor storage uses. However, the property does not have any civil improvements or permanent buildings. The site adjoins two cannabis cultivation facilities to the north and west, a metal recycling facility to the south, and the Whitewater Channel levee to the east.

The subject site and the adjoining properties in the vicinity are designated “Industrial District” on the 2035 Coachella General as illustrated on the red “highlighted” parcel below:



Surrounding properties to the north, south, and west are also designated “Industrial District” and to the east is the Whitewater Channel and the CA-86 Expressway.

The site is zoned M-W (Wrecking Yard) as illustrated below:



Surrounding properties to the north, south and west are also zoned M-W (Wrecking Yard).

An aerial photograph of site is depicted below and shows the previously disturbed areas in the front portion of the site that were used for outdoor storage.



The properties to the north and west are cannabis cultivation facilities that are under construction. The property to the south is an existing metal recycling facility.

The photographs below show the existing, unimproved conditions of the site, as it is mostly used for outdoor storage uses on unimproved surfaces. The site has been recently cleared and grubbed for future development.



Compliance with City Commercial Cannabis Ordinances:

In January 2016 the City Council adopted ordinances allowing indoor cannabis cultivation in the M-W (Wrecking Yard) Zone subject to obtaining a CUP, on any site having a minimum of five acres and 250 feet of street frontage. Since that time the City has amended the Zoning Code to further allow cannabis cultivation in the MS-IP (Manufacturing Service – Industrial Park Overlay) zone on a minimum of 10 acres, subject to obtaining a CUP. Additionally, Chapter 5.68 to the Municipal Code that requires qualified applicants to obtain regulatory permits prior to operating cannabis cultivation, manufacturing, distribution, testing, and transportation facilities was adopted in 2016..

The Zoning Code also includes the following development standards for indoor cannabis cultivation uses.

- Cannabis cultivation facilities must be served by municipal water and sewer services.
- Cannabis cultivation facilities shall be located a minimum distance of 1,000 feet away from any residential zone (amended to 600 feet). The distance requirement shall be measured from the cultivation facility structures to the zoning district boundary.
- Cannabis cultivation facilities shall not result in the creation of any odors detectable from anywhere off the property boundaries. The use of carbon filtration systems and other mitigation measures shall be used on all cultivation facilities and operations.

The proposed Bejarano Cannabis Cultivation Facility project meets all of the above referenced requirements of the Zoning Code. The site has 365 feet of street frontage and has 10.99 acres of land. As of today, the City does not allow retail cannabis uses in the industrial zoning districts. As such, this project is conditioned to not allow any retail sales of cannabis products.

Consistency with M-W Zone and Parking Standards

The Bejarano project complies with the development standards as specified in Section 17.34.030 of the Coachella Municipal Code with regards to setback/yard requirements, and height limits, trash enclosures, screening of rooftop equipment, paving, and landscaping requirements. Additionally, the project provides off-street parking and loading that is consistent with the City's Parking Ordinance as shown below:

In the M-W (Wrecking Yard) zone, one parking space shall be provided for each four hundred (400) square feet of unit area up to twenty thousand (20,000) square feet, plus one space for each one thousand (1,000) square feet of unit area over twenty thousand (20,000) square feet, plus one space for each one thousand (1,000) square of outside sale, display or storage area, unless otherwise specified in subsection 4 of this section.

The above parking ratio would require a minimum of 255 parking spaces for the project, based on the size of proposed buildings. The site plan submitted shows a total of 283 parking spaces which represents an excess of 28 parking spaces. Additionally, the site plan shows with eight 12' X 34' loading spaces (one on the south side of the building and seven in the rear) which comply with the City's loading regulations.

Circulation and On-Site Improvements:

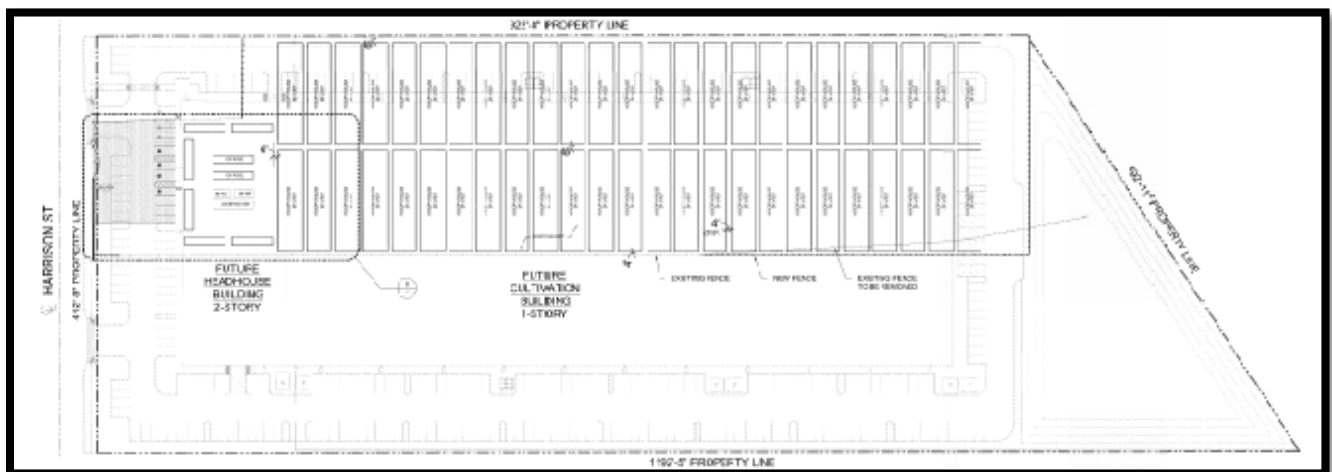
The project proposes two driveways along the Harrison Street frontage with a circular aisle around the entire building. The project includes the construction of an 8-foot high block wall along the north, south and east side of the property with automated gates along each entrance on the north and south sides of the buildings, approximately 127 feet behind the front building line. As proposed, all parking areas will have continuous circulation around all parking areas with no dead-end aisles and good truck access to the rear of the site. All drainage infrastructure will drain onto the rear retention basin and the perimeter planter areas could be used for incidental retention areas.

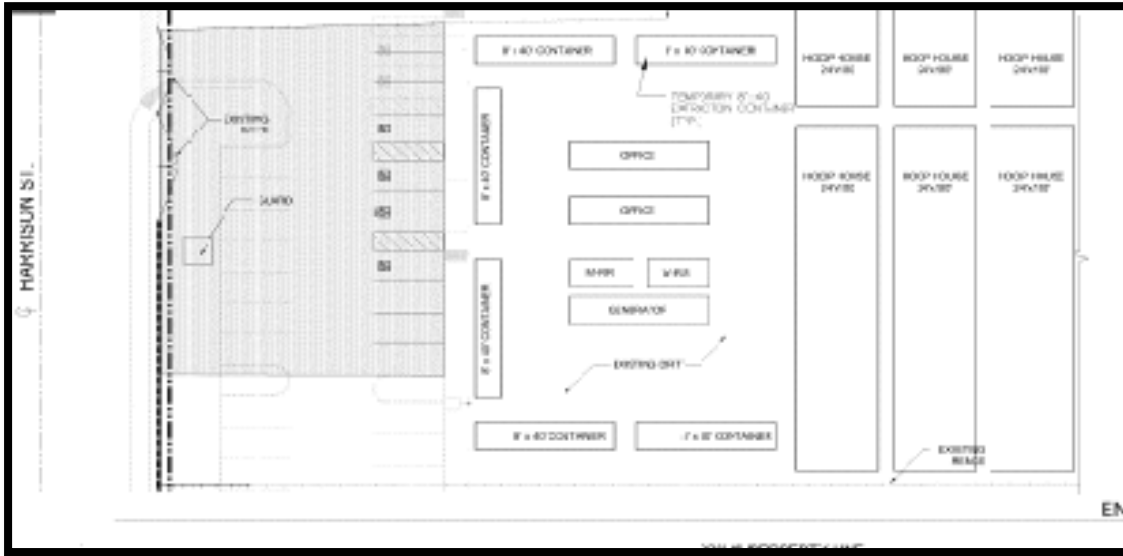
Interim Use Facility:

The project is proposing an “Interim Use Facility” to begin the operations of cannabis cultivation and manufacturing uses, prior to the first phase of construction of the permanent buildings, or up to 36 months. This practice has been allowed in the adjoining cannabis cultivation facilities as a response to the lack of electrical utility infrastructure, and in the interest of getting commercial cannabis licensees ready to operate when the permanent buildings are in place. However, the adjoining other facilities have been allowed to have an interim facility for 18-24 months. Due to the IID infrastructure challenges, these interim facilities have asked for time extensions and staff is not opposed to allowing the interim facility for up to 36 months or until the building permit for the first phase of construction is issued, whichever occurs first.

The Bejarano project proposes to provide 50 interim greenhouses at 2,500 square feet each. The proposed greenhouses would utilize auto-depth blackouts, a racking drip system with soilless medium. From dusk to dawn, lighting will be utilized for cultivation, with lighting to be contained within the greenhouse through the utilization of auto-depth-blackouts.

A copy of the site plan exhibit showing the interim use facility, and a close up of the parking area for same, is shown below:

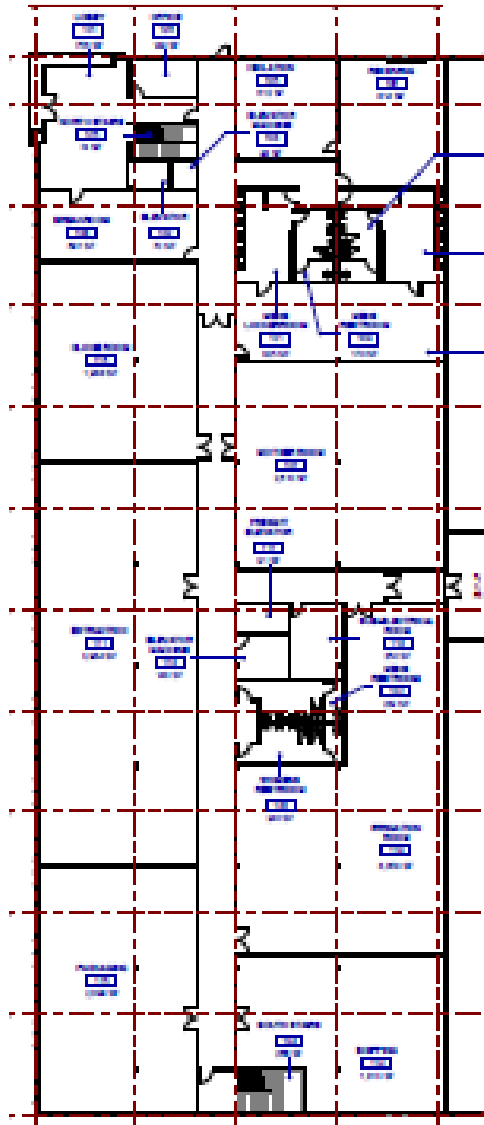




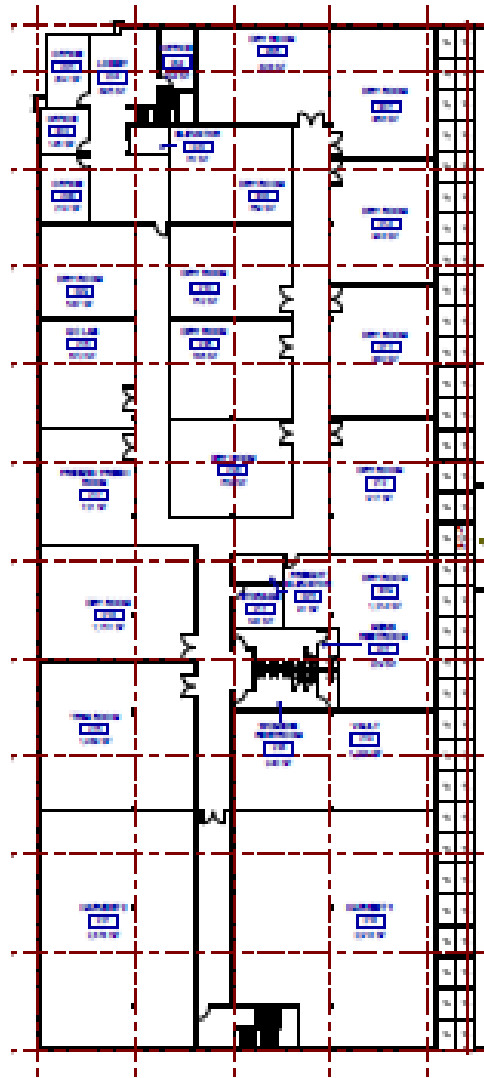
Architectural Theming:

The proposed buildings consist of a modern industrial “concrete tilt-up” building for the front headhouse/manufacturing/office building. The main entry located at the northwest corner of the building will have full-height varying dark/light blue glazing with anodized aluminum trims, and a modern storefront entrance. The greenhouse structure in the rear, behind the front head-house building will consist of a “stucco finish” textured metal paneling on the sides, and a transparent polyurethane gable roof system to allow natural light into the cultivation grow areas. The front building will have a two-story flat roofed structure with parapet walls up to 34 feet in height with varying roofline. The exterior building materials consist of three shades of “beige” and “gray steel” field colors with white accents. The building will have horizontal and vertical banding with using the variety of colors and windows placed in a pattern adjacent to the main entry. There is a framed rooftop penthouse structure to screen rooftop equipment from view to the street.

The proposed floor plans and building elevations, and an exhibit showing the line of sight for effective architectural screening of rooftop equipment, as a result of the building wall heights, are shown below:



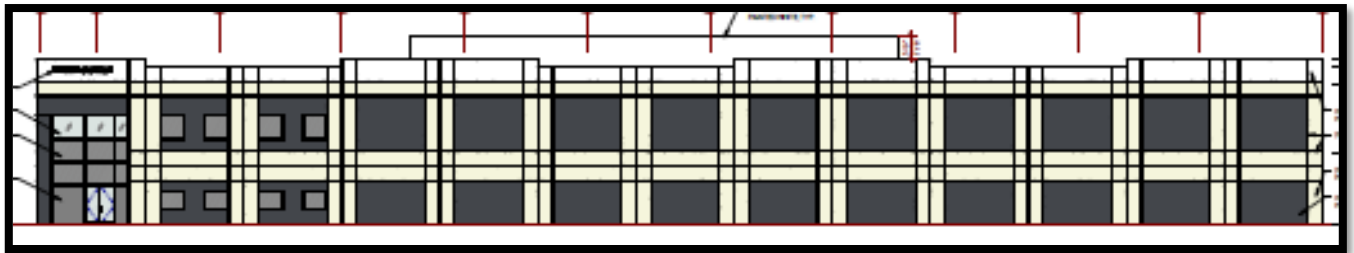
Headhouse – Floor Plan (Ground Level)



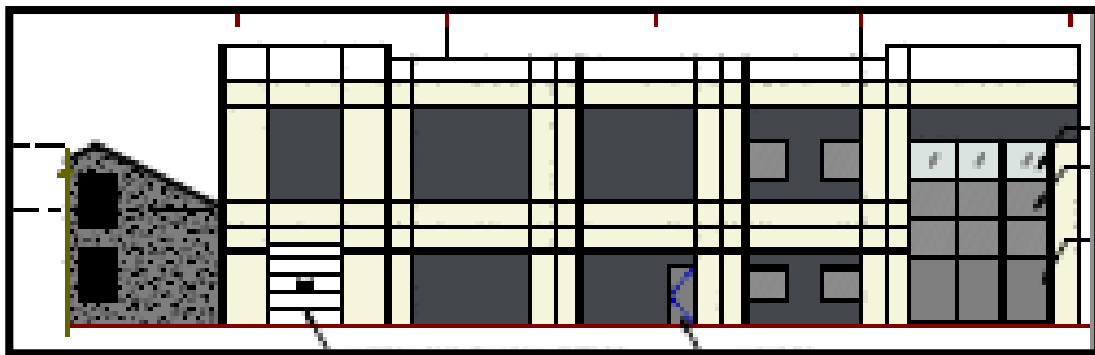
Headhouse – Floor Plan (2nd Level)



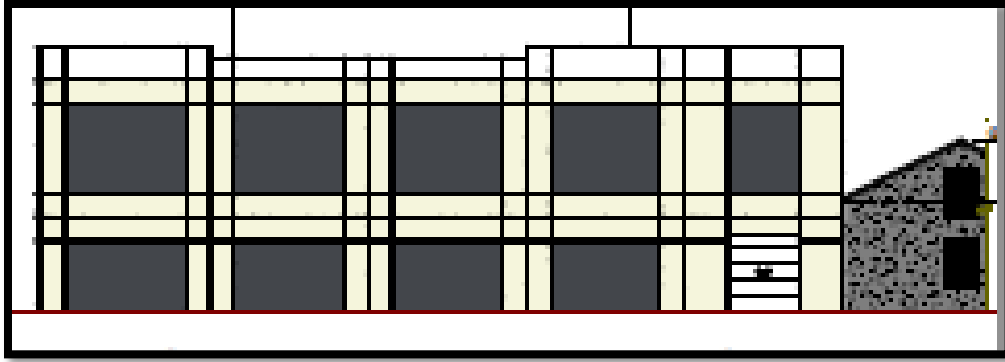
Colored Perspective Drawing – Looking Southeasterly



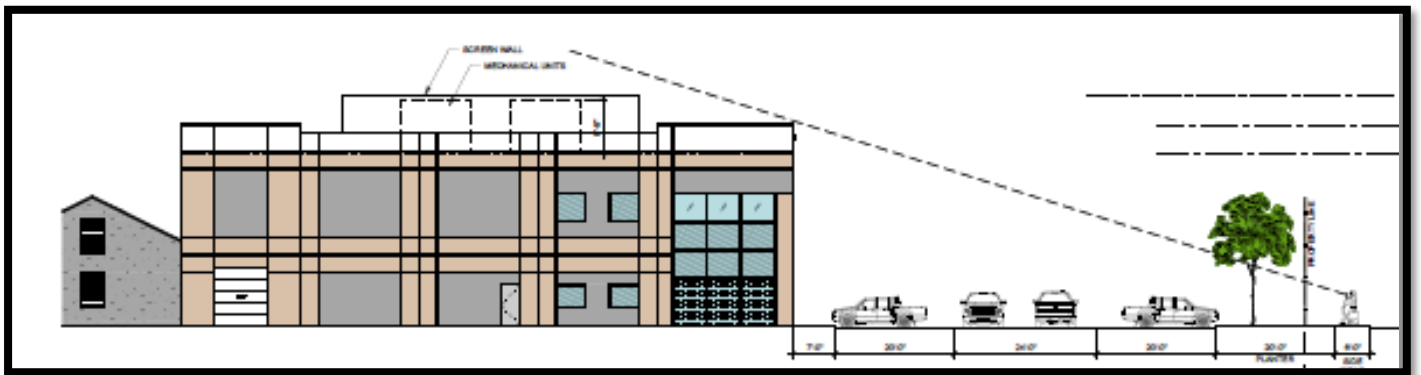
Front Building Elevation



North Headhouse Building Elevation

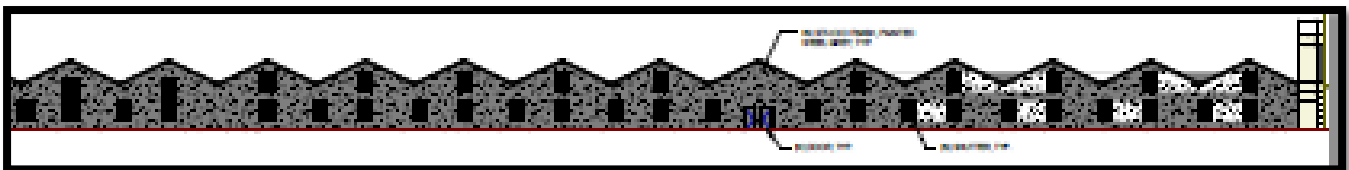


South Headhouse Building Elevation

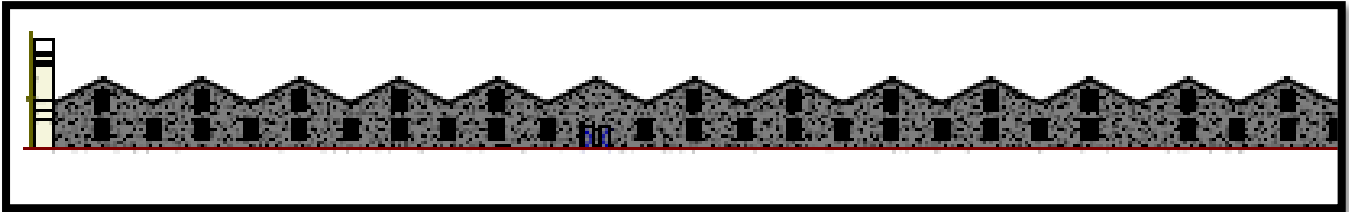


Line-of-Sight Exhibit

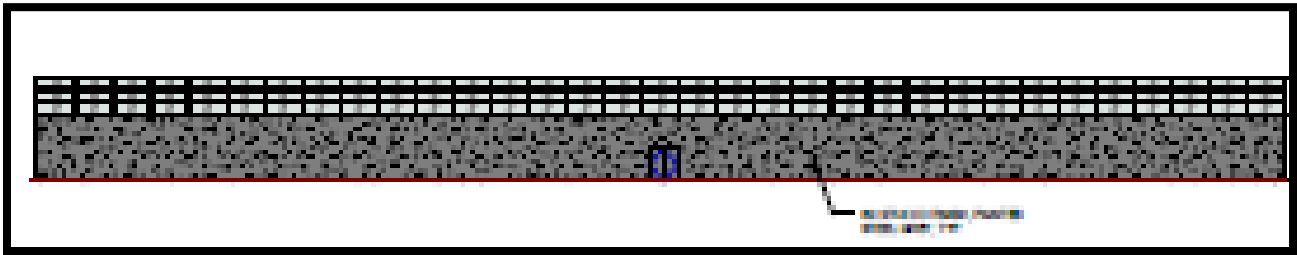
The cultivation building is a one-story structure that consists of “steel grey” stucco finished exterior textured panels and metal and painted shutters facing the north and south sides of the property. The roof structure will consist of a series of 22 “gable end” A-Frame translucent ridges and rafter with a rigid polycarbonate sheeting. The top plate height is 14 feet and the ridge lines are 22 feet in height. The images below show the typical north, south, and east side architectural elevations of the building.



North-Facing Greenhouse Typical Elevation



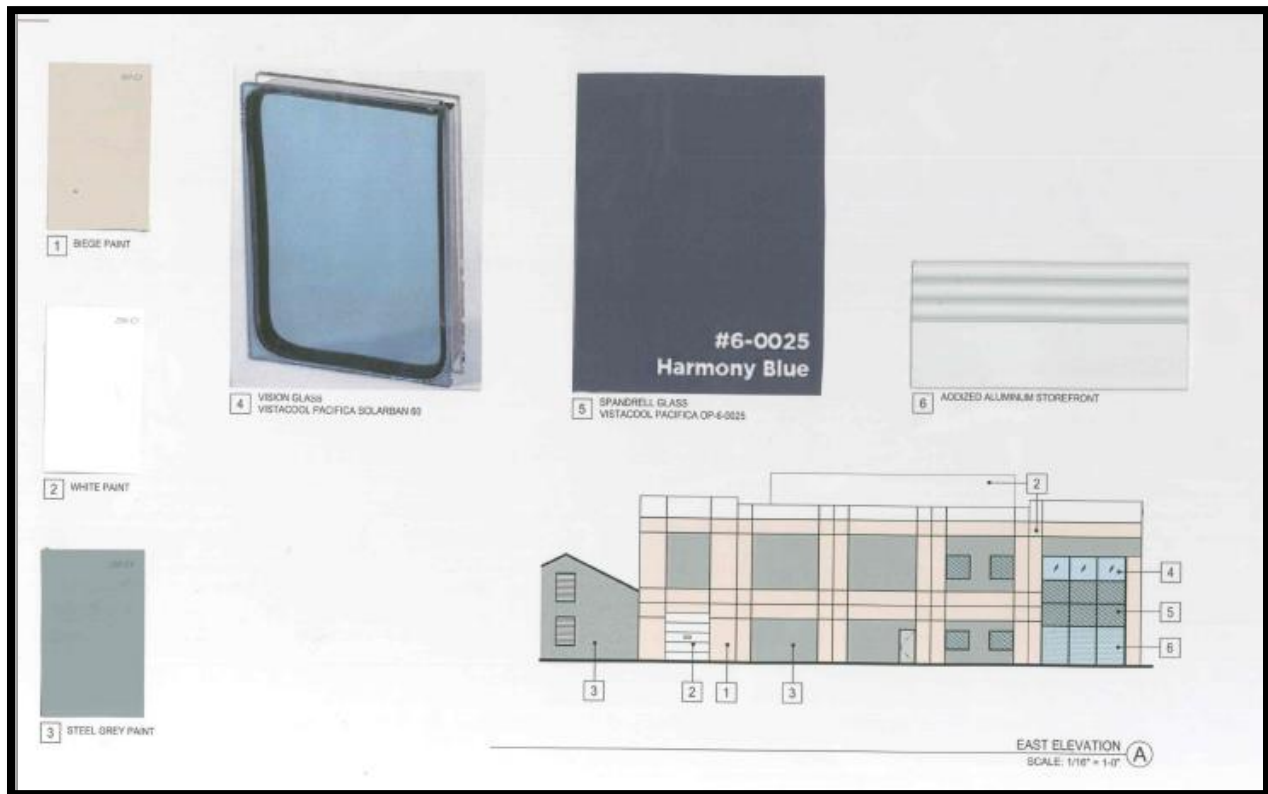
South-Facing Greenhouse Typical Elevation



East-Facing Greenhouse Typical Elevation

In prior staff reviews of similar greenhouse structures, staff has had concerns with the poor aesthetic quality of this type of greenhouse structure which proposes a very long (660 feet) wall plane with a metal exterior and minimal architectural features or offsets, except for a series of louvered vents and some color accents near the front building. This structure could have a potentially adverse effect on the aesthetics when viewed from the street or from adjoining properties due to its prefabricated appearance. However, the Planning Commission has allowed this type of greenhouse in the configuration where it is behind a large structure (over 30-foot high two story-structure), and where the greenhouse is only 22 feet tall at the ridgeline. As such the greenhouse be substantially screened from public view. Additionally, the greenhouse is 185 feet from the front property line which makes it difficult to see. Similarly, when the adjoining properties to the north and south are developed, this greenhouse building will not be visible from adjoining streets in any significant way.

A copy of the material sample board is shown below, for more specificity as to where the building materials will be placed on the buildings.

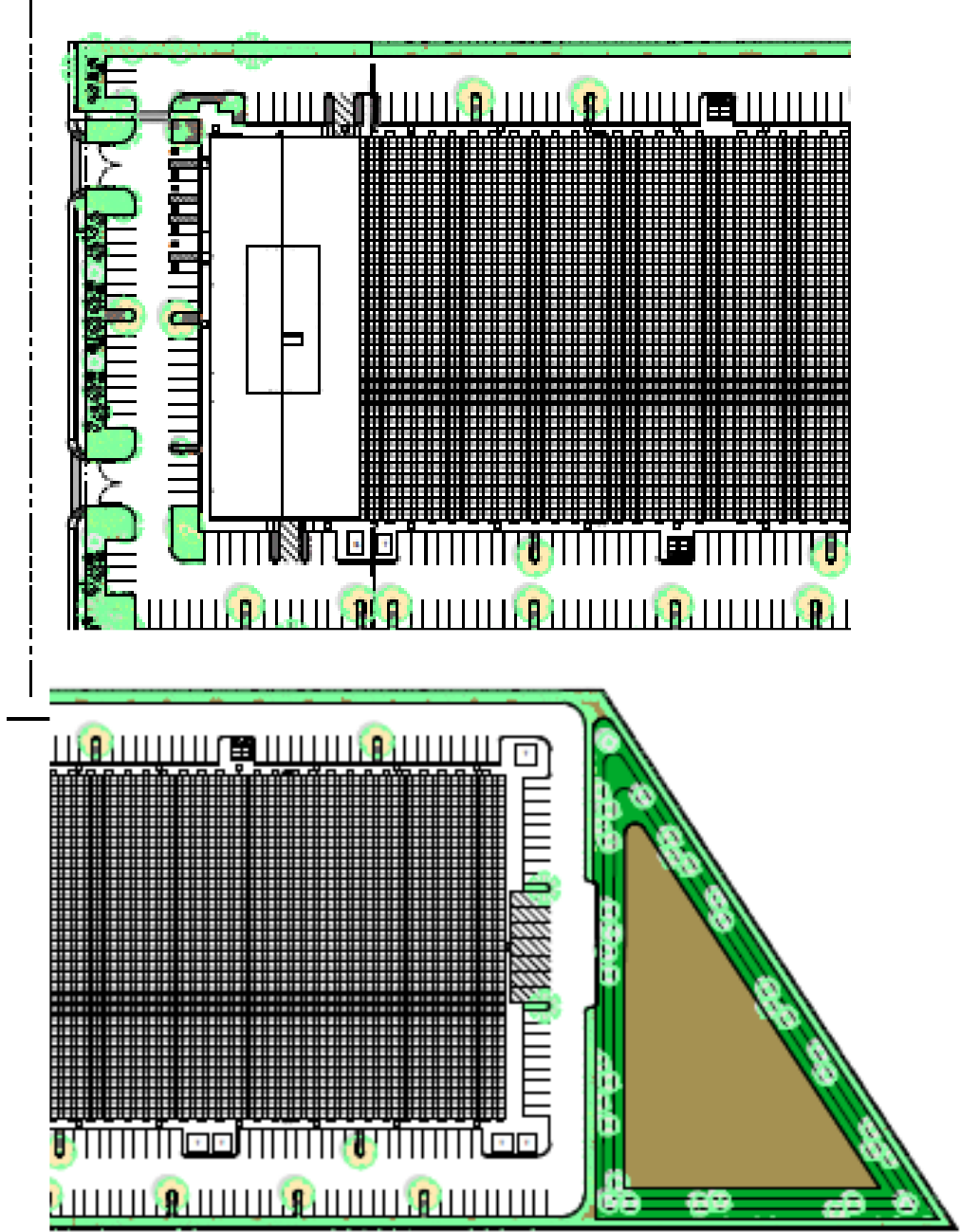


Landscaping Plans:



A conceptual landscaping plan for the Bejarano project was submitted for this project. The project will provide a 102 foot planter with street trees along the street property line and 10-foot landscaped planters along the interior property lines adjacent to the driveway aisles. An 8-foot tall masonry wall / security fence is proposed along the north and south property lines, and gated entries are shown at driveways approximately 195 feet back front property line behind the head house structure. The perimeter plantings and parking lot plantings show minimum compliance with the City’s parking lot landscaping regulations. Conceptual plans show a variety of shade trees including *Acacia stenophylla*, *Olea eruopaea* “Swan Hill”, *Fraxinus oxycarpa* “Raywood”, Desert Palo Verde, and *Chilopsis linearis* “Desert Willow”.






The landscape plan further shows *Washingtonia robusta* “Mexican Fan Palm” trees as accent trees at the entry driveways s. A variety of desert-friendly shrubs are used including Purpose Hopseed Bush, Texas Ranger, Carolina Cherry , *Grevillea*, Desert Lavender, Lion’s Tail, Dwarf Pomegranate, and Rosemary bush. Trailing shrubs / groundcovers include *bougainvillea* and *Myoporum parvifolium*. All planters will be finished in decomposed granite fines or shredded bark mulch. The plan further shows a rear landscaped retention basin and finger island planters at every 10-12 parking stalls.

The conceptual landscaping plans, and copies of the preliminary plant list and legend showing groundcovers are shown below:



SYMBOL	BOTANICAL NAME	COMMON NAME
TREE		
	ACACIA STENOPHYLLA	SHOESTRING ACACIA
	OLEA EUROPAEA 'SWAN HILL'	SWAN HILL FRUITLESS OLIVE
	FRAXINUS OXYCARPA 'RAYWOOD'	RAYWOOD ASH
	ARKINSONIA 'DESERT MUSEUM'	THORNLESS PALO VERDE HYBRID
	CHILOPSIS LINEARIS	DESERT WILLOW
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM
	AESALPINIA PULCHERRIMA	RED BIRD OF PARADISE

SYMBOL	BOTANICAL NAME	COMMON NAME	PLANT FACTOR*	
TALL SCREENING SHRUBS				
	DODONAEA VISCOSA 'PURPUREA'	PURPLE HOPSEED BUSH	MOD./LOW	
	LEUCOPHYLLUM FRUTESCENS	TEXAS RANGER	LOW	
	PRUNUS CAROLINIANA 'BRIGHT N' TIGHT'	CAROLINA CHERRY HYBRID	MODERATE	
MID-SIZED SHRUBS				
	GREVILLEA 'NOELLII'	NOEL'S GREVILLEA	MOD./LOW	
	HYPTISEMORYI	DESERT LAVENDER	LOW	
	LEONOTIS LEONURIS	LION'S TAIL	MOD./LOW	
		PUNICA GRANATUM 'CHICO'	DWARF POMEGRANATE	MODERATE
	ROSMARINUS OFFICINALIS 'BLUE SPIRES'	UPRIGHT ROSEMARY	MOD./LOW	

SYMBOL	BOTANICAL NAME	COMMON NAME
ACCENT SHRUBS/PERENNIALS		
 	ALOE 'BLUE ELF'	ALOE HYBRID
	BULBINE FRUTESCENS	NO COMMON NAME
	HESPERALOE PARVIFLORA	RED YUCCA
	LANTANA 'SPREADING SUNSHINE'	SHRUB LANTANA (YELLOW)
LOW SHRUBS/GROUND COVERS		
	BOUGAINVILLEA 'ROSENKA'	SHRUB BOUGAINVILLEA
	CALLISTEMON VIMINALIS 'LITTLE JOHN'	DWARF BOTTLE BRUSH
	COTONEASTER DAMMERI 'LOWFAST'	BEARBERRY COTONEASTER
	ERIGERON KARVINSKIANUS	SANTA BARBARA DAISY
	ROSMARINUS OFFICINALIS HUNT. CARPET'	HUNTINGTON CARPET ROSEMARY
GROUND COVER FROM FLATS		
	MYOPORUM PARVIFOLIUM	NO COMMON NAME
NON-PLANTED GROUND COVER		
	DECOMPOSED GRANITE AND/OR SHREDDED BARK MULCH	

ENVIRONMENTAL REVIEW:

An Environmental Initial Study recommending the adoption of a Mitigated Negative Declaration was prepared and distributed to responsible agencies for review and comment pursuant to the guidelines of the California Environmental Quality Act (CEQA). A 30-day public review period for the Mitigated Negative Declaration commenced on September 19, 2020 and ended on October 19, 2020 for interested and concerned individuals and public agencies to submit written comments on the documents. The Planning Commission will be adopting a Mitigated Negative Declaration for the project. The City received comment letters from the following agencies:

- 1) California Department of Fish and Wildlife (CDFW)
- 2) Inland Empire Biking Alliance

- 3) California Department of Food and Agriculture (CDFA)
- 4) South Coast Air Quality Management District (SCAQMD)

The City received the above written comment letters on the proposed MND for the Bejarano Cannabis Cultivation Project by the close of the comment period on October 19, 2020. CEQA requires a Negative Declaration to consist of the Initial Study, copies of the comments, any responses to comments on the following pages, and any other Project related material prepared to address issues evaluated in the Initial Study.

Attached to this staff report are the CEQA Initial Study, the City's Response to Comments, and the Mitigation Monitoring and Reporting Program (MMRP), constitute the Final Negative Declaration package that will be used by the City to consider the environmental effects of implementing the proposed Project. The City Attorney has reviewed the CEQA documents and Response to Comments and is recommending that the Planning Commission adopt the Mitigated Negative Declaration and MMRP as outlined in the staff recommendation above.

ALTERNATIVES:

1. Approve the Bejarano Cannabis Cultivation Facility project by adopting the attached resolutions.
2. Approve the Bejarano Cannabis Cultivation Facility project by adopting the attached resolutions with modified conditions.
3. Continue this matter and provide staff direction.
4. Make findings for denial and direct staff to bring back a denial action.

RECOMMENDED ALTERNATIVE(S):

Staff recommends Alternatives #1 or #2 as noted above.

Attachments: Resolution No. PC2020-11 / CEQA IS/MND, Comment Letters, Response to Comments, MMRP
Resolution No. PC 2020-12 / CUP 327 & AR 20-06
Exhibit A - Conditions of Approval