

RESOLUTION NO. PC 2021-01

A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. CUP 293 (MODIFICATION) TO MODIFY THE PHASING PLAN IN ORDER TO CONVERT WHAT WAS APPROVED AS AN INTERIM FACILITY INTO AN 1100 SQUARE FOOT RETAIL CANNABIS BUSINESS AND IN THE FUTURE REMOVE THE EXISTING BUILDING THAT WILL CONTAIN THE INTERIM DISPENSARY AND RELOCATE THE DISPENSARY WITHIN PHASE 1 OF THE CANNABIS CULTIVATION PROJECT THAT WAS PREVIOUSLY APPROVED AS PART OF CUP NO. 293 AND APPROVING CUP 334 TO ESTABLISH AN INTERIM 1100 SQUARE FOOT CANNABIS DISPENSARY WITHIN UNITS 1 AND 3 OF THE EXISTING INDUSTRIAL BUILDING LOCATED AT 84-801 AVENUE 48; LOCATED IN THE M-W (WRECKING YARD ZONE); COACHELLA GREENERY, APPLICANT.

WHEREAS, Diana Palacios (on behalf of Coachella Greenery) filed an application for Conditional Use Permit 334 to establish an 1100 square foot interim cannabis dispensary within units 1 and 3 of the existing industrial building located at 84-801 Avenue 48 and to modify Conditional Use Permit 293 to modify the phasing plan in order to convert what was approved as an interim facility into an 1100 square foot retail cannabis business and in the future remove the existing building that will contain the dispensary and relocate the dispensary within Phase 1 of the cannabis cultivation project that was previously approved as part of CUP No. 293; Assessor's Parcel No's. 603-232-025 and 603-232-027; and,

WHEREAS, Conditional Use Permit 293 and AR 17-14 were previously approved by the Planning Commission on November 28, 2017 pursuant to a Planning Commission Minute Action Item; and,

WHEREAS, the Planning Commission conducted a duly noticed public hearing on CUP No. 334 and CUP 293 (Modification) on March 3, 2021 at the Coachella Permit Center, 53-990 Enterprise Way, Coachella, California; and,

WHEREAS, the Applicant and members of the public were present and were afforded an opportunity to testify regarding the Project; and,

WHEREAS, the Project is permitted pursuant to Chapter 17.38 of the Coachella Municipal Code, and the attendant applications for Conditional Use Permits to allow the Project; and,

WHEREAS, the proposed use is necessary or desirable for the development of the community, is consistent with the objectives of the City's General Plan, and is not detrimental to the existing uses or the uses specifically permitted in the zone in which the proposed use is to be located; and,

WHEREAS, the proposed site is adequate in size and shape to accommodate the proposed development; and,

WHEREAS, the site for proposed use relates properly to streets which are designed to carry

the type and quantity of traffic to be generated by the proposed use; and,

WHEREAS, the proposed project is exempt from the California Environmental Quality Act, as amended; and,

WHEREAS, the conditions as stipulated by the City are necessary to protect the public health, safety and welfare of the community.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Coachella, California hereby approves Conditional Use Permit No. 334 and Conditional Use Permit 293 (Modification), subject to the findings listed below and the attached Conditions of Approval for the Coachella Greenery Project (CUP 334) and Cann Tech Cannabis Cultivation Facility (CUP 293 Modification) (contained in “Exhibit A” and made a part herein).

Findings for Conditional Use Permit No. 334 and Conditional Use Permit 293 (Modification)

1. The Conditional Use Permits are consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035. The site has an Industrial District land use designation that allows for the proposed development. The proposed uses on the site are in keeping with the policies of the Industrial District land use classification and the Project is internally consistent with other General Plan policies for this type of development.
2. The Projects are in compliance with the applicable land use regulations and development standards of the City’s Zoning Code. The site plan for CUP 334 proposes an interim cannabis dispensary within the existing building located at 84-801 Avenue 48 and Conditional Use Permit 293 (Modification) proposes the phased construction an 67,420 square foot commercial cannabis cultivation facility within a multi-tenant industrial park. The Projects comply with the applicable M-W (Wrecking Yard Zone) zoning standards as proposed and with Chapter 17.84 and 17.85 of the Coachella Municipal Code regarding Retail Cannabis Businesses and Commercial Cannabis Activity.
3. Every use, development of land and application of architectural guidelines and development standards shall be considered on the basis of the suitability of the site for a particular use or development intended, and the total development, including the prescribed development standards, shall be so arranged as to avoid traffic congestion, ensure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and shall be in accord with all elements of the general plan. The Project site is within the Industrial District land use designation of the City’s general plan. This category provides for a broad spectrum of industrial land uses. The proposed uses are compatible with existing adjacent land uses.
4. The City has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 of the CEQA guidelines that provides for a Class 32 exemption. A Class 32 CEQA exemption exempts infill developments within City limits on a project site based on the following: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.(c) The project site has no value as

habitat for endangered, rare or threatened species.(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.(e) The site can be adequately served by all required utilities and public services. CUP 334 and CUP 293 (Modification) meet all five criteria required for a Class 32 CEQA exemption.

PASSED APPROVED and ADOPTED this 3rd day of March 2021.

Stephanie Virgen, Chairperson
Coachella Planning Commission

ATTEST:

Yesenia Becerril
Planning Commission Secretary

APPROVED AS TO FORM:

Carlos Campos
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. PC-2021-01, was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 3rd day of March 2021, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Yesenia Becerril
Planning Commission Secretary