

**RESOLUTION NO. 2020-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COACHELLA APPROVING CONDITIONAL USE PERMIT NO. CUP 305 TO CONVERT EXISTING VACANT COMMERCIAL TENANT SPACE INTO THE FOLLOWING USES: A 3050 SQUARE FOOT CANNABIS DISPENSARY INCLUDING 750 SQUARE FEET FOR CHECK-IN AND WAITING AREA, 1800 SQUARE FEET OF RETAIL DISPLAY AREA AND 500 SQUARE FEET OF REAR STORAGE, INVENTORY CONTROL AND PACKAGING TO BE LOCATED IN BUILDING 1 LOCATED AT 1639 AND 1645 6<sup>TH</sup> STREET; AND A 4500 SQUARE FOOT COFFEE SHOP, ART DISPLAY AND OFFICE/EVENT SPACE TO BE LOCATED IN BUILDING 2 LOCATED AT 1657 AND 1669 6<sup>TH</sup> STREET; LOCATED IN THE C-G (GENERAL COMMERCIAL ZONE); KISMET ORGANIC, APPLICANT.**

**WHEREAS**, Ed Sapiago (on behalf of Kismet Organic Cultivation) filed an application for Conditional Use Permit 305 to convert existing vacant commercial tenant space into the following uses: a 3050 square foot cannabis dispensary including 750 square feet for check-in and waiting area, 1800 square feet of retail display area and 500 square feet of rear storage, inventory control and packaging to be located in Building 1 located at 1639 and 1645 6<sup>th</sup> Street; and a 4500 square foot coffee shop, art display and office/event space to be located in Building 2 located at 1657 and 1669 6<sup>th</sup> Street; Assessor's Parcel No's. 778-061-009 and 778-061-010 ("Project"); and,

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing on CUP No. 305 on November 6, 2019 at the Coachella Permit Center, 53-990 Enterprise Way, Coachella, California and recommended that the City Council approve Conditional Use Permit No. 305; 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 Permit and a Change of Zone 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 City Council conducted a duly noticed public hearing on CUP No. 305 on February 26, 2020 at the Coachella City Hall, 1515 6<sup>th</sup> Street, Coachella, California and allowed public testimony; 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 City Council of the City of Coachella, California does hereby approve of Conditional Use Permit No. 305, subject to the findings listed below and the attached Conditions of Approval for the Kismet Coachella Project (contained in “Exhibit A” and made a part herein).

**Findings for Conditional Use Permit No. 305**

1. The Project is consistent with the goals, objectives, policies, and implementation measures of the Coachella General Plan 2035. The site has a Downtown Center land use designation that allows for the proposed development. The proposed uses on the site are in keeping with the policies of the Downtown Center land use classification and the Project is internally consistent with other General Plan policies for this type of development.
2. The Project is in compliance with the applicable land use regulations and development standards of the City’s Zoning Code. The site plans proposes a cannabis microbusiness including an indoor cannabis lounge where cannabis products will be sold and consumed. The Project complies with applicable CG-RC (General Commercial-Retail Cannabis Overlay) zoning standards as proposed.
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 Downtown Center land use designation of the City’s general plan. This category provides for a broad spectrum of commercial and residential 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 CEQA Guidelines Section 15303 (C) that exempts the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure.

**PASSED, APPROVED and ADOPTED** this 26<sup>th</sup> day of February 2020.

---

Steven A. Hernandez  
Mayor

**ATTEST:**

---

Angela M. Zepeda  
City Clerk

**APPROVED AS TO FORM:**

---

Carlos Campos  
City Attorney

STATE OF CALIFORNIA            )  
COUNTY OF RIVERSIDE        ) ss.  
CITY OF COACHELLA            )

**I HEREBY CERTIFY** that the foregoing Resolution No. 2020-09 was duly adopted by the City Council of the City of Coachella at a regular meeting thereof, held on this 26<sup>th</sup> day of February 2020 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Andrea J. Carranza, MMC  
Deputy City Clerk