



**STAFF REPORT**  
**11/6/2019**

**TO:** Planning Commission Chair and Commissioners  
**FROM:** Name, Title  
**SUBJECT:** Coachella Green Haus - Retail Cannabis Business

- 1) Conditional Use Permit (CUP 303) to allow a 2,100 sq. ft. retail cannabis business as part of a new 6,900 sq. ft. multi-tenant commercial center with four (4) buildings including two (2) proposed restaurants, one (1) retail/office building and the retail cannabis business. The overall project includes 45 parking spaces including 2 handicapped stalls. CUP 303 is also proposing an interim use facility to allow a temporary retail cannabis facility that will operate while the project is under construction.
- 2) Change of Zone 18-05 proposes to add the RC (Retail Cannabis) overlay zone to the existing M-S (Manufacturing Service) zone for the proposed retail cannabis business.

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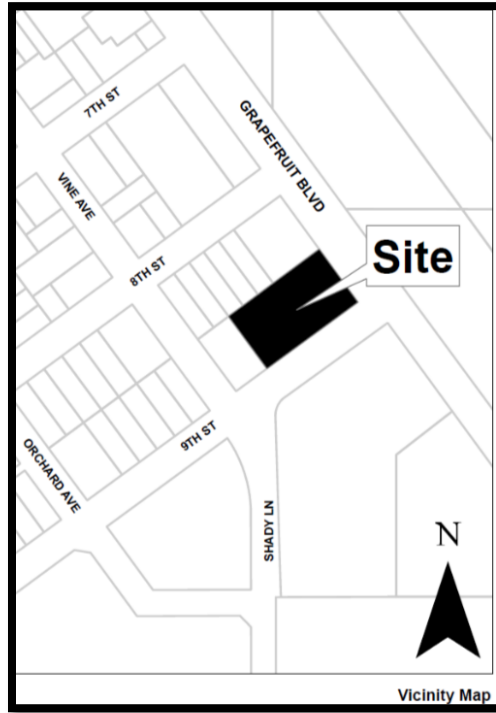
**STAFF RECOMMENDATION:**

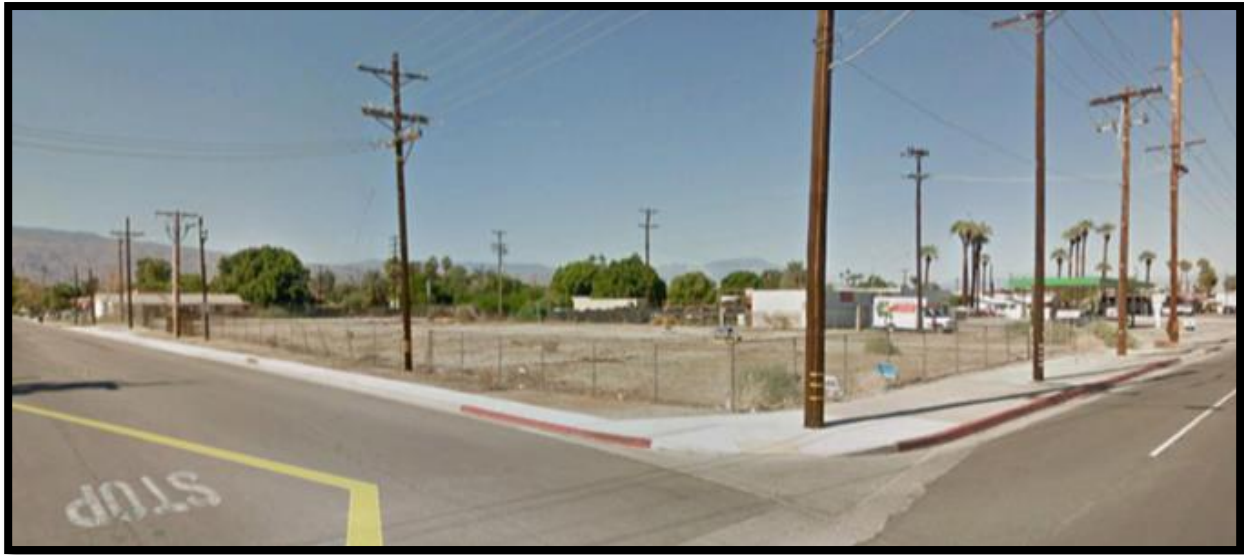
Staff recommends that the Planning Commission adopt the following resolutions for the Coachella Green Haus retail cannabis business, recommending approval of Conditional Use Permit (CUP 303) and Change of Zone (CZ 18-05).

- 1) Resolution No. 2019-33 recommending to the City Council approval of Conditional Use Permit No. 303 that proposes a 2,100 sq. ft. retail cannabis business as part of a new 6,900 sq. ft. multi-tenant commercial center with four (4) buildings including two (2) proposed restaurants, one (1) retail/office building and the retail cannabis business. The overall project includes 45 parking spaces including 2 handicapped stalls. The project is also proposing an interim use facility to allow a temporary retail cannabis dispensary while the project is under construction.
- 2) Resolution No. 2019-34 recommending to the City Council approval of Change of Zone No. 18-05 that proposes to add the RC (Retail Cannabis) overlay zone to the existing M-S (Manufacturing Service) zone for Building 2 that is proposed for the permanent dispensary and over the portion of the site proposed for the interim facility.

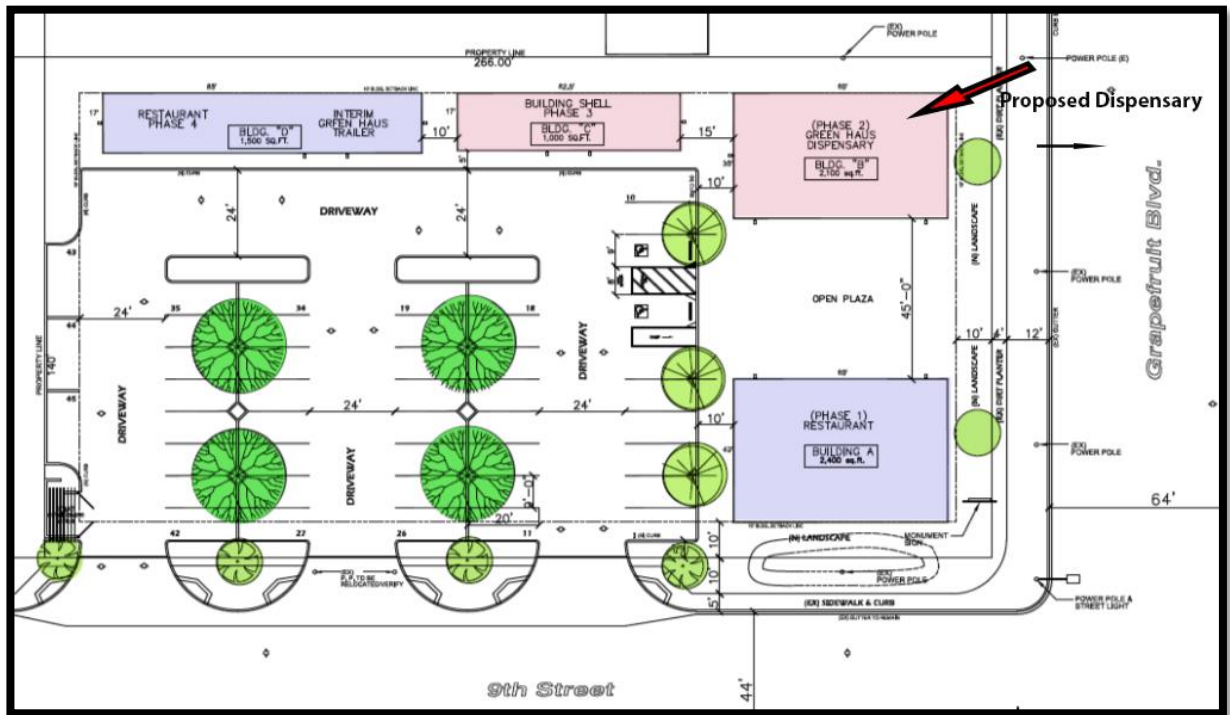
**BACKGROUND:**

The above referenced applications are proposed on a .9-acre vacant parcel at the NW corner of Grapefruit Blvd and 9<sup>th</sup> Street as illustrated on the following exhibits including an aerial photograph and street view photographs.





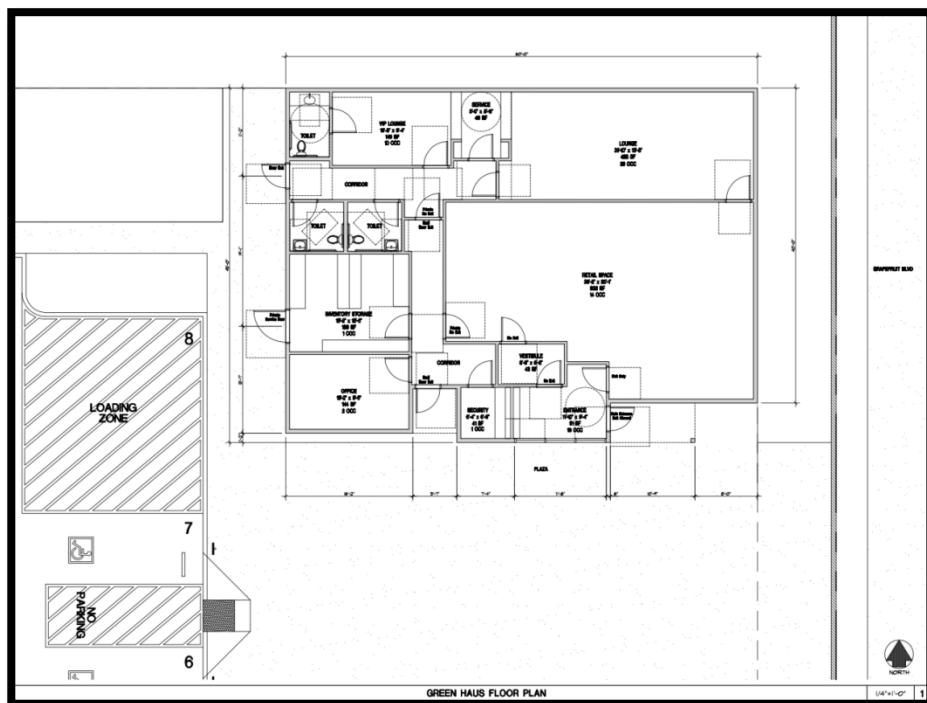
Architectural Review (AR 18-11) was considered and approved by the Planning Commission on April 17, 2019 for the subject property. The Architectural Review approved the Pueblo Viejo Plaza Project consisting of four new commercial buildings, including one restaurant pad and one retail (dispensary) pad along the Grapefruit Boulevard frontage, with a second restaurant and a retail/office building in the rear portion of the site oriented towards 9<sup>th</sup> Street. The project would be developed in four phases and would have a total floor area of 6,900 square feet as seen on the exhibits below:





The Planning Commission Staff Report for AR 18-11 is included as Attachment No. 4 to this staff report.

Building “B” on the approved site plan, in the northeastern portion of the site, would be the location of the permanent Green Haus Cannabis Dispensary. Building “B” is proposed as a 2,100 square foot retail cannabis business with an exterior staircase and 2<sup>nd</sup> floor deck, to be constructed as part of phase 2, as illustrated on the floor plan and artist renderings below:





**DISCUSSION/ANALYSIS:**

**Environmental Setting:**

**Consistency with the Coachella General Plan**

The proposed project is within the Downtown Center land use designation of the General Plan 2035 Land Use Element. The project is consistent with the development intensity permitted by the Downtown Center land use category.



The project site is zoned Manufacturing Service (M-S) as illustrated on the exhibit to the left. Surrounding properties to the north, south, east and west are zoned M-S (Manufacturing Service).

Surrounding land uses to the north, south, east and west of the site consist of manufacturing and commercial land uses.

**Consistency with the (M-S) Manufacturing Service Zone**

The proposed use is consistent with the M-S zone providing the retail cannabis overlay zone (RC) is approved for the site.



### **Consistency with Section 17.54.010 Parking and Landscaping Requirements**

The project is consistent with the parking and landscaping requirements as outlined in Section 17.54.010 of the Municipal Code.

The project is within the Urban Greening Corridor that will be constructed along Grapefruit Blvd that will add amenities and greenery to Grapefruit Blvd.

### **Consistency with Section 17.47: RC Retail Cannabis Overlay Zone**

The proposed project is within Sub-Zone 1 as identified within Chapter 17.47 of the Municipal Code. The project meets the property development standards as identified in Section 17.47.060, A-E as outlined below:

17.47.060 - Property development standards.

- A. Project Area/Lot/Building Height Requirements. Except as specified in the applicable development agreement, CUP or regulatory permit, the project area, lot size, lot coverage and building height requirements of the underlying zone shall apply.
- B. No Drive-Thru Retail Cannabis Facilities. No retail cannabis business within the RC Overlay Zone shall operate "drive-thru", "drive up", "window service" or similar facilities whereby a customer can order, purchase and receive retail cannabis without leaving his or her vehicle.
- C. No Non-Storefront Retailers. No retail cannabis business within the RC overlay zone shall be operated as "non-storefront" or "delivery only". Delivery may only be approved as ancillary to the operation of a permitted cannabis retail business which is physically located within the RC overlay zone and which primarily provides cannabis to customers on the premises.
- D. Distance Restrictions. No retail cannabis business within the RC overlay zone shall be located within two hundred fifty (250) feet of any public or private school (K-12), day care center or youth center. The distance shall be measured from the nearest point between any part of the building containing the retail cannabis business to any lot line of the other use. For purposes of this paragraph, the following definitions shall apply:
  - 1. "Day care center" means any child day care facility other than a family day care home, and includes infant centers, preschools, extended day care facilities and school age child care centers.
  - 2. "Youth center" means any public or private facility that is primarily used to house recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.
- E. Location of Customer Entrance. No retail cannabis business shall have a customer entrance that is adjacent to or directly across the street from a residentially zoned lot.
- F. On-Street/Off-Street Parking and Loading.
  - 1. Off-Street Parking and Loading. Off-street parking and loading facilities for a retail cannabis business shall be provided in accordance with the provisions of Section 17.54.010-C (1) of this title.

2. On-Street Parking and Loading. On-street parking or loading shall be prohibited for a retail cannabis business.

The Planning Commission recently approved a retail cannabis dispensary on Grapefruit Boulevard and 7<sup>th</sup> Street with hours of operation to be 7:00 am to 10:00 pm. Staff is recommending that similar hours of operation be allowed for the Green Haus Dispensary businesses. Additionally, staff recommends that the “Interim Use” cannabis dispensary be allowed to operate with a compliant parking lot for a maximum of 12 months, or up until the time of the issuance of a Certificate of Occupancy for the permanent retail cannabis store, whichever occurs first. As such, this temporary retail cannabis business will only operate during the construction of the first phase of the project.

**ENVIRONMENTAL REVIEW:**

The City has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 153061 (b) (3) that exempts projects where it is plainly clear that the activity has no potential to result in any significant environmental effects. The proposed development of the commercial center was previously approved by the Planning Commission, using a Class 32 exemption, and the change of zone and addition of the dispensary does not create any new environmental impacts that were not already analyzed. Therefore, no new environmental review is required.

**ALTERNATIVES:**

- 1) Approve Conditional Use Permit No. 303 and Change of Zone No. 18-05 with the findings and conditions as recommended by the Planning Commission and Staff, without inclusion of the proposed interim facility.
- 2) Approve Conditional Use Permit No. 303 and Change of Zone No. 18-05 with the findings and conditions as recommended by the Planning Commission and Staff, including the proposed interim facility.
- 3) Deny Conditional Use Permit No. 303 and Change of Zone 18-05.
- 4) Continue these items and provide staff and the applicant with direction.

**RECOMMENDED ALTERNATIVE(S):**

Staff recommends Alternative #1 as noted above, after opening the public hearing and taking public testimony for proponents and opponents of the proposed project. The Green Haus Retail Cannabis project is in conformance with the City’s General Plan and the proposed use would be consistent with the Municipal Code and compatible with the surrounding uses in the area. Therefore, it is staff’s recommendation that the proposed project be approved by taking the following actions:



1. Motion to adopt Resolution No. PC 2019-33 recommending to the City Council approval of Conditional Use Permit No. 303 with the findings and attached conditions of approval.
2. Motion to adopt Resolution PC 2019-34 recommending to the City Council approval of Change of Zone 18-05 with the attached findings.

Attachments:       Resolution No. PC 2019-33 for CUP 303  
                          Resolution No. PC 2019-34 for CZ 18-05  
                          Exhibit A: Conditions of Approval for CUP 303  
                          Staff Report for AR 18-11