



Coachella Civic Center, Hearing Room  
53-462 Enterprise Way, Coachella, California  
(760) 398-3502 ♦ [www.coachella.org](http://www.coachella.org)

# AGENDA

OF A REGULAR MEETING  
OF THE  
CITY OF COACHELLA  
PLANNING COMMISSION

**July 20, 2022**  
6:00 PM

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PURSUANT ASSEMBLY BILL 361, ALONG WITH THE GOVERNOR'S STATE OF EMERGENCY DECLARATION ISSUED ON MARCH 4, 2020, THIS MEETING MAY BE CONDUCTED VIA TELECONFERENCE.

If you would like to attend the meeting via zoom, here is the link:

<https://us02web.zoom.us/j/84544257915?pwd=VTdHWitpYVdOUk1NQW8vZ1pqUm0zQT09>

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**Webinar ID: 845 4425 7915**

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**Spanish:** El idioma español está disponible en Zoom seleccionado la opción en la parte de abajo de la pantalla

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If participating in real time via zoom or phone, during the public comment period, use the “raise hand” function on your computer, or when using a phone, participants can raise their hand by pressing \*9 on the keypad.

**In writing:**

Written comments may be submitted to the commission electronically via email to [gperez@coachella.org](mailto:gperez@coachella.org). Transmittal prior to the start of the meeting is required. All written comments received will be forwarded to the commission and entered into the record.

IF YOU WISH, YOU MAY LEAVE A MESSAGE AT (760) 398-3102, EXTENSION 122, BEFORE 4:00 P.M. ON THE DAY OF THE MEETING.

**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**APPROVAL OF AGENDA:**

“At this time the Commission may announce any items being pulled from the agenda or continued to another date or request the moving of an item on the agenda.”

**APPROVAL OF THE MINUTES:**

1. Planning Commission Minutes - July 6

**WRITTEN COMMUNICATIONS:**

**PUBLIC COMMENTS (NON-AGENDA ITEMS):**

“The public may address the Commission on any item of interest to the public that is not on the agenda, but is within the subject matter jurisdiction thereof. Please limit your comments to three (3) minutes.”

**REPORTS AND REQUESTS:**

**NON-HEARING ITEMS:**

**PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):**

2. Architecture Review No. 22-06 to install a freestanding identification sign at 21’ high located at 86100 Avenue 54 in M-H (Heavy Industrial) zone. Eberhard Equipment No. 2 (Applicant)
3. American Desert LLC Multi-tenant Microbusiness Project

Variance 22-02 proposed to allow commercial cannabis business operations at an existing 12 unit, 18,960 sq. ft. industrial office complex at 86695 Avenue 54 (APN 764-280-011) to include non-storefront retail operations that provides cannabis delivery within five hundred (500) feet from any other storefront retail or non-storefront retail cannabis business. Applicant: American Desert LLC

**INFORMATIONAL:**

**ADJOURNMENT:**

*Complete Agenda Packets are available for public inspection in the  
Development Services Department at 53-990 Enterprise Way, Coachella, California, and on the  
City’s website [www.coachella.org](http://www.coachella.org).*

THIS MEETING IS ACCESSIBLE TO PERSONS WITH DISABILITIES

Council Chambers, Hearing Room  
1515 6<sup>th</sup> Street, Coachella, California  
(760) 398-3502 ♦ [www.coachella.org](http://www.coachella.org)

**AGENDA**



OF A REGULAR MEETING  
OF THE  
CITY OF COACHELLA  
PLANNING COMMISSION

**20 de Julio, 2022**  
6:00 PM

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DE ACUERDO CON EL PROYECTO DE LEY 361 DE LA ASAMBLEA, JUNTO CON LA DECLARACIÓN DEL ESTADO DE EMERGENCIA DEL GOBERNADOR EMITIDA EL 4 DE MARZO DE 2020, ESTA REUNIÓN SE PODRÁ REALIZAR POR TELECONFERENCIA.

Si desea asistir a la reunión a través de zoom, aquí está el enlace:

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Los comentarios públicos se pueden recibir por correo electrónico, por teléfono o por zoom con un límite de 250 palabras o tres minutos:

**En vivo:**

Si participa en vivo a través de zoom o teléfono, durante el período de comentarios públicos, use la función "levantar la mano" en su computadora, o cuando use un teléfono, los participantes pueden levantar la mano presionando \*9 en el teclado.

**Por escrito:**

Los comentarios escritos pueden enviarse a la comisión electrónicamente por correo electrónico a [gperez@coachella.org](mailto:gperez@coachella.org). Se requiere la transmisión antes del inicio de la reunión. Todos los comentarios escritos recibidos serán enviados a la comisión e ingresados en el registro.

SI LO DESEA, PUEDE DEJAR UN MENSAJE EN EL (760) 398-3102, EXTENSIÓN 122, ANTES DE LAS 4:00 P.M. DEL DÍA DE LA REUNIÓN.

**LLAMADO AL ORDEN:**

**JURAMENTO A LA BANDERA:**

**PASE DE LISTA:**

**ORDEN DEL DÍA ESPECIAL**

**APROBACIÓN DE LA AGENDA:**

“En este momento, la Comisión puede anunciar cualquier punto que está siendo retirado de la agenda o continuado a otra fecha o solicitar el traslado de un punto de la agenda”.

**APROBACION DE LAS ACTAS:**

1. Borrador de las Actas de la Comisión de Planificación – 06 de Julio, 2022

**COMUNICACIONES ESCRITAS:**

**COMENTARIOS DEL PÚBLICO (PUNTOS QUE NO ESTÁN EN LA AGENDA):**

“El público puede dirigirse a la Comisión sobre cualquier tema de interés para el público que no esté en la agenda, pero que esté dentro de la jurisdicción de la materia de la misma. Por favor limite sus comentarios a tres (3) minutos”.

**INFORMES Y SOLICITUDES:**

**PUNTOS QUE NO SON DE AUDIENCIA:**

**CALENDARIO DE AUDIENCIAS PÚBLICAS (CUASI-JUDICIAL):**

2. Solicitud de dispensa No. 22-02 para permitir las operaciones comerciales de marihuana en un complejo de oficinas industriales existente en 86695 Avenue 54 que incluya actividades de venta al por menor sin establecimiento que proporcione marihuana exclusivamente a través de la entrega dentro de quinientos (500) pies de cualquier otro negocio de venta de marihuana al por menor con o sin establecimiento. El lugar en cuestión se encuentra actualmente dentro de 500 pies de un negocio existente de venta de marihuana al por menor con establecimiento. Solicitante: American Industrial LLC, Acuerdo de Desarrollo (modificación) para el proyecto.
3. Revisión de arquitectura No. 22-06 para instalar un letrero de identificación independiente de 21’ de altura ubicado en 86100 Avenue 54 en la zona M-H (industria pesada). Eberhard Equipment No. 2. (Solicitante)

**INFORMATIVO:**

**SE SUSPENDE LA SESIÓN:**

*Los paquetes completos de la agenda están disponibles para inspección pública en el Departamento de Servicios de Desarrollo en 53-990 Enterprise Way, Coachella, California, y en el sitio web de la ciudad [www.coachella.org](http://www.coachella.org).*

ESTA REUNIÓN ES ACCESIBLE PARA PERSONAS CON DISCAPACIDAD



Council Chambers, Hearing Room  
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**MINUTES**  
OF A REGULAR MEETING  
OF THE  
CITY OF COACHELLA  
PLANNING COMMISSION

**July 6, 2022**  
6:00 PM

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PURSUANT ASSEMBLY BILL 361, ALONG WITH THE GOVERNOR'S STATE OF EMERGENCY DECLARATION ISSUED ON MARCH 4, 2020, THIS MEETING MAY BE CONDUCTED VIA TELECONFERENCE.

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**CALL TO ORDER: 6:02 P.M.**

**PLEDGE OF ALLEGIANCE:**

Chair Virgen

**ROLL CALL:**

Commissioners Present: Commissioner Gonzalez, Commissioner Figueroa, Commissioner Leal, Vice Chair Navarrete, Chair Virgen.

Absent: \*Alternate Commissioner Gutierrez

Staff Present: \*Gabriel Perez, Development Services Director  
\*Nikki Gomez

**APPROVAL OF AGENDA:**

“At this time the Commission may announce any items being pulled from the agenda or continued to another date or request the moving of an item on the agenda.”

IT WAS MOVED BY VICE CHAIR NAVARRETE AND SECOND BY COMMISSIONER FIGUEROA TO APPROVE THE AGENDA.

Approved by the following roll call vote:

AYES: Commissioner Gonzalez, Commissioner Figueroa, Commissioner Leal, Vice Chair Navarrete, Chair Virgen.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**APPROVAL OF THE MINUTES:**

1. Draft Planning Commission Minutes – June 15, 2022

IT WAS MOVED BY COMMISSIONER FIGUEROA AND SECONDED BY COMMISSIONER GONZALEZ TO APPROVE THE MINUTES.

Approved by the following roll call vote:

AYES: Commissioner Gonzalez, Commissioner Figueroa, Commissioner Leal, Vice Chair Navarrete, Chair Virgen.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**WRITTEN COMMUNICATIONS:**

None.

**PUBLIC COMMENTS (NON-AGENDA ITEMS):**

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**REPORTS AND REQUESTS:**

None.

**NON-HEARING ITEMS:**

2. Coachella Sunline Transportation Hub (Architectural Review No 21-13) The Sunline Transit Hub will serve as a transit center for Sunline Transit Agency services (Line 111, Line 91, Line 92, Line 95) and will include a 540 sq. ft. breakroom/office building for the use of Sunline Transit Agency staff, three bus shelters, landscape improvements, and a corner focal point for a future public art installation located at the Southeast corner of Cesar Chavez Street and 4th Street. Applicant: Sunline Transit Agency.

Gabriel Perez, Development Services Director narrated a power point presentation for the item. A copy of the presentation is on file in the Planning Division.

Brad Donais, Civil Engineer, Heptagon Seven Consulting, Inc. made himself available for questions.

IT WAS MOVED BY COMMISSIONER GONZALEZ AND SECONDED BY COMMISSIONER FIGUEROA TO APPROVE WITH THE REVISED CONDITIONS ON THE ERRATA SHEET AND MODIFIED CONDITIONS TO INCLUDE:

- A PUBLIC RESTROOM SHALL BE ADDED TO THE SUNLINE TRANSIT HUB SITE AS AN ADD-ALTERNATE AMENITY BASED ON THE AVAILABILITY OF FUNDING.
- DATE PALM TREES SHALL BE ADDED TO THE LANDSCAPE PLAN AS ADD-ALTERNATE AMENITY BASED ON THE AVAILABILITY OF FUNDING.
- THE PROPOSED CHAIN-LINK FENCE TO ENCLOSE THE RETENTION BASIN AREA SHALL BE REPLACED WITH WROUGHT IRON FENCING WITH A DESIGN AND COLOR CONSISTENT WITH THE TRANSIT CENTER DESIGN AND THE PUEBLO VIEJO DESIGN GUIDELINES AS AN ADD-ALTERNATE FEATURE BASED ON THE AVAILABILITY OF FUNDING.

Approved by the following roll call vote:

AYES: Commissioner Gonzalez, Commissioner Figueroa, Commissioner Leal, Vice Chair Navarrete, Chair Virgen.

NOES: None.

ABSTAIN: None.

ABSENT: None.

**PRESENTATIONS:**

3. Coachella Lakes RV Resort Update.

John Rodriguez, Engineer, Hi-Tech Consulting, narrated a brief power point presentation for the Item.

Mike Harrison, Owner and Manager of CRR, narrated a power point presentation for the Item and made himself available for questions.

**PUBLIC HEARING CALENDAR (QUASI-JUDICIAL):**

4. Freestanding Identification Signs – Coachella Lakes RV Resort  
Architecture Review No. 22-08 to install a freestanding identification sign at 25’ high and monument sign at 5’ high located at 44800 Dillon Road with the Coachella Lakes RV Resort in the C-T, PUD (Commercial Tourist Planned Unit Development) zone. Imagine Service Inc. (Applicant)

Nikki Gomez, Associate Planner narrated a power point presentation for the item. A copy of the presentation is on file in the Planning Division.

Dough Stevens, Imagine Service Inc. made himself available for questions.

Public Hearing Opened at 7:31 pm by Chair Virgen

Public Hearing Closed at 7:32 pm by Chair Virgen

IT WAS MOVED BY COMMISSIONER FIGUEROA AND SECONDED BY CHAIR NAVARRETE TO COMMISSION TO APPROVE ARCHITECTUAL REVIEW NO. 22-08 WITH THE FINDINGS LISTED ON RESOLUTION PC 2022-20.

Approved by the following roll call vote:

AYES: Commissioner Gonzalez, Commissioner Figueroa, Commissioner Leal, Vice Chair Navarrete, Chair Virgen.

NOES: None.

ABSTAIN: None.

ABSENT: None.

5. Coachella Lakes RV Resort – Type 41 Alcohol Sales Conditional Use Permit No. 353 to allow liquor sales to allow for a Type 41 Alcohol Beverage Control license for “On-Sale Beer & Wine – Eating Place” for an existing facility registration office and a new clubhouse located at 44790 & 44800 Dillon Road and 86401 Sonoma Creek in the C-T, PD (Commercial Tourist Planned Development Overlay). Coach RV LLC (Applicant) Continued from June 15, 2022 Planning Commission meeting.

Nikki Gomez, Associated Planner narrated a power point presentation for the item. A copy of the presentation is on file in the Planning Division.

Dan Cramer, outside Counsel for Coach RV LLC., made himself available for questions on this item.

Mike Harrison, Owner and Manager of CRR, narrated a power point presentation for the Item and made himself available for questions.

Public Hearing Opened at 7:42 pm by Chair Virgen

Public Hearing Closed at 7:45 pm by Chair Virgen

IT WAS MOVED BY COMMISSIONER LEAL AND SECONDED BY VICE COMMISSIONER GONZALEZ THAT THE PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT NO. 353 WITH THE FINDINGS IN RESOLUTION NO. PC2022-19 AND THE REVISED CONDITIONS LISTED ON THE ERRATA SHEET DATED JULY 5, 2022.

Approved by the following roll call vote:

AYES: Commissioner Gonzalez, Commissioner Figueroa, Commissioner Leal, Vice Chair Navarrete, Chair Virgen.

NOES: None.

ABSTAIN: None.

ABSENT: None.

6. Development Agreement (Modification) for the Glenroy Resort project consisting of a mixed-use development with 130 resort bungalows, 130 room hotel, conference center, and retail/entertainment uses on approximately 34 acres located at the southeast corner of Avenue 48 and Van Buren Street (APN # 603-220-061, 603-220-065, 603-220-67, 603-220-068, 603-220-069) Applicant: USREC Coachella, LLC. Withdrawal Requested

Public Hearing Opened at 7:42 pm by Chair Virgen

Juliene Munoz, Indio resident presented herself with questions on this item.

Public Hearing Closed at 7:53 pm by Chair Virgen

**INFORMATIONAL:**

**ADJOURNMENT:** 7:58 P.M.

Respectfully Submitted by,

\_\_\_\_\_  
Gabriel Perez  
Planning Commission Secretary

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*City's website [www.coachella.org](http://www.coachella.org).*

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**STAFF REPORT**  
**1/5/2022**

**TO:** Planning Commission

**FROM:** Nikki Gomez, Associate Planner

**SUBJECT:** Architecture Review No. 22-06 to install a freestanding identification sign at 21' high located at 86100 Avenue 54 in M-H (Heavy Industrial) zone. Eberhard Equipment No. 2 (Applicant)

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**EXECUTIVE SUMMARY:**

Eberhard Equipment No. 2, the applicant, requests an Architecture Review to install a freestanding identification sign at 21' high to be located within the property along Avenue 54 at 86100 Avenue 54 (APN: 763-141-007). The proposed sign is internally illuminated to show the company name. The applicant requests to continue this item to the regular Planning Commission meeting of September 7, 2022 to continue to discuss the sign design with City staff.

**RECOMMENDED ACTION:**

Staff recommends the Planning Commission continue consideration of Resolution No. PC 2022-21 (Freestanding Identification Sign – Eberhard Equipment No. 2) as City staff is still in communication with the applicant regarding sign design.

**Attachments:**

1. Applicant Continuance Request – September 7, 2022

**From:** [Joe Rodriguez](#)  
**To:** [Nikki Gomez](#)  
**Subject:** Request for Continuance - Eberhard Equipment  
**Date:** Thursday, July 14, 2022 7:14:21 AM  
**Attachments:** [Outlook-411afvvd.png](#)

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Hello Nikki,

This email serves as our request for continuance of an item in the Planning Commission Agenda for Architecture Review No. 22-06 - Freestanding Identification Sign - Eberhard Equipment to a date certain of September 7, 2022.

If you have any questions, please do not hesitate to contact me.

Regards,

Joe Rodriguez  
[joe@eberhardequipment.com](mailto:joe@eberhardequipment.com)



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**STAFF REPORT**  
**7/20/2022**

**TO:** Planning Commission

**FROM:** Gabriel Perez, Development Services Director

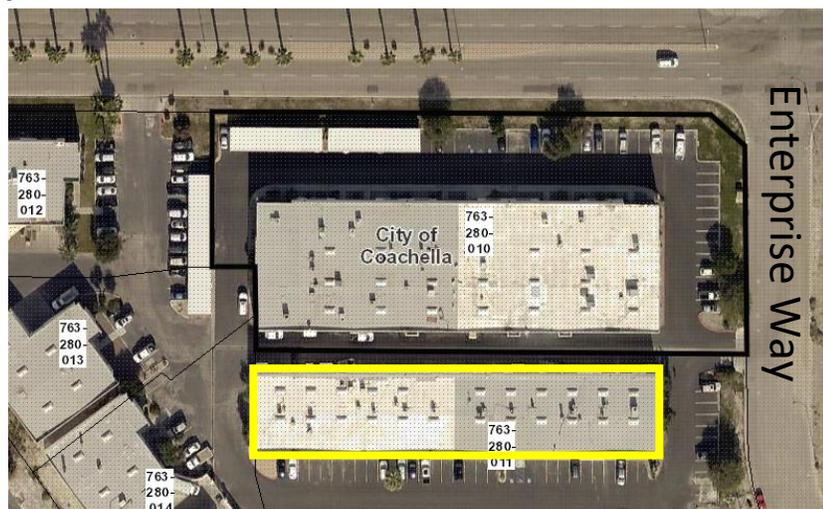
**SUBJECT:** American Desert LLC Multi-tenant Microbusiness Project  
Variance 22-02 is proposed to allow commercial cannabis business operations at an existing 12 unit, 18,960 sq. ft. industrial office complex at 86695 Avenue 54 (APN 764-280-011) to include non-storefront retail operations that provides cannabis exclusively through delivery within five hundred (500) feet from any other storefront retail or non-storefront retail cannabis business.

**EXECUTIVE SUMMARY:**

The applicant, American Desert LLC, requests a variance for a 18,960 square foot, 12 unit, multi-tenant industrial building located at 86695 Avenue 54 currently approved for microbusinesses consisting of cultivation, manufacturing and distribution only, to allow for non-storefront retail delivery operations within five hundred (500) feet from any other storefront retail business.

**BACKGROUND:**

The above referenced application is for a 1.29 acre parcel, located at the southwest corner of Avenue 54 and Enterprise Way (86695 Avenue 54). According to Riverside County Assessor records, the existing building was constructed around 1991. Change of Zone No. 21-03 (1<sup>st</sup> Reading), CUP 342, and Variance 21-04 were approved on November 10, 2021 by the City Council to add the Industrial Park (IP) Overlay Zone and change the existing M-H (Heavy Industrial) Zone to the M-S (Manufacturing Service) Zone on the project site to allow for commercial cannabis businesses within the existing building. The variance was required to allow the IP Overlay Zone on a project area less than 10 acres, individual lot less than 5 acres, and a lot depth less than 220 feet.



The photographs below were taken from Google Earth. The first photograph illustrates the exterior elevation of the existing industrial building.



### **DISCUSSION/ANALYSIS**

#### **ENVIRONMENTAL SETTING**

The site is 1.29 acre developed parcel zoned M-S (Manufacturing Service) and Industrial Park (IP) Overlay within the Rancho Coachella Business Park. The surrounded land uses and zoning classification include the following:

- North:** Multi-tenant industrial building and Avenue 54/ M-S (Manufacturing Service) Zone
- South:** Oraway Engineering Building/ M-H (Heavy Industrial) Zone
- East:** Vacant parcel/ M-H (Heavy Industrial) Zone
- West:** Industrial buildings/ M-H (Heavy Industrial) Zone

#### **Project Analysis**

The project site is owned by American Desert LLC, which consists of an 18,960 sq. ft. multi-tenant industrial building with 12 tenant suites, each measuring approximately 1,500 square feet at 86695 Avenue 54. The applicant received City Council approval to allow multi-tenant cannabis microbusinesses to occupy suites to include activities such as cultivation, manufacturing, and distribution only, with no retail sales. Non-storefront retailer business activity for cannabis delivery is permitted.

A change of zone (CZ 21-01) to add the IP Overlay Zone and a change of the base zone from M-H to M-S Zone for the subject site was adopted by the City Council on August 25, 2021 on the



3. That such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity, but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question;
4. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located; and
5. That the granting of the variance will not adversely effect any element of the general plan.

Planning staff does not recommend approval of the variance request as the findings #1, #2 and #3 identified above could not be made. The strict application of the Zoning Ordinance does not pose an unnecessary hardship as the cannabis business regulation in the Coachella Municipal Code were in place when the Conditional Use Permit for cannabis business activity at the subject site was approved and the staff report states that the uses that could occur are cultivation, manufacturing, and distribution only, with no retail sales. Furthermore, there are no special circumstances and practical difficulties or unnecessary hardships that staff or the applicant identified that denies the property a substantial property right.

#### **CONSISTENCY WITH THE GENERAL PLAN**

The proposed variance would not be contrary to the Coachella General Plan. The subject site is within the Industrial District land use designation of the General Plan 2035 Land Use and Community Character Element. The properties in the vicinity area also in the Industrial District and the approved use is compatible with surrounding uses.

#### **CONSISTENCY WITH ZONING**

The subject site is zoned M-S (Manufacturing Service) Zone and Industrial Park (IP) Overlay Zone and is within Sub-Area #7 (South Employment District), which allows the to be applied to properties that are zoned M-S (Manufacturing Service). The IP Overlay Zone allows for Cannabis cultivation, processing, testing, manufacturing, wholesale distribution and/or retail sale with approval of a conditional use permit (CUP). The subject 1.29 acre parcel, within a 7.91 project area subdivision (Parcel Map 26716) is less than the ten acre project area minimum and less than the minimum individual 5 acre lot size required for the IP Overlay Zone, and therefore the variance approval (Variance No. 21-04) was necessary to allow the property to be rezoned to IP Overlay. Currently, the commercial cannabis activity on-site cannot include non-storefront retail cannabis delivery as Section 17.84.040.b of the Zoning Ordinance requires that a non-storefront retailer be at least five hundred (500) feet from any other storefront retail or non-storefront retail cannabis business.

#### **ENVIRONMENTAL IMPACT CONSIDERATION**

The City has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, (Class 1) Existing Facilities, of the CEQA guidelines that provides an exemption for the operation, repair, maintenance, permitting, leasing, licensing, or minor

alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use including interior or exterior alterations involving such things as interior partitions, plumbing and electrical conveyances. Variance 22-02 meets the criteria for a Section 15301, Class 1 CEQA exemption.

**ALTERNATIVES:**

- 1) Adopt Resolution No. PC 2022-22 denying Variance 22-02 with the findings and conditions as recommended by Staff.
- 2) Approve Variance 22-02.
- 3) Continue this item and provide staff and the applicant with direction.

**RECOMMENDED ALTERNATIVE(S):**

Staff recommends alternative #1.

Attachments:

1. PC Resolution No. 2022-22 for Variance No. 22-02
2. Existing Conditions Photos
3. Vicinity Map
4. Site Plan
5. Floor Plan
6. 500 foot distance map

**RESOLUTION NO. PC2022-22**

**A RESOLUTION OF THE CITY OF COACHELLA PLANNING COMMISSION DENYING VARIANCE (VAR 22-02) TO ALLOW NON-STOREFRONT CANNABIS RETAIL DELIVERY FOR CANNABIS MICROBUSSINESS WITHIN AN EXISTING 18,960 SQUARE FOOT MULTI-TENANT INDUSTRIAL BUILDING AT 86695 AVENUE 54 WITHIN 500 FEET OF ANY OTHER STOREFRONT RETAIL OR NON-STOREFRONT RETAIL CANNABIS BUSINESS. AMERICAN DESERT LLC MULTI-TENANT MICROBUSINESS PROJECT, AL BARLAS REPRESENTING ARTEM ARTENYAN, APPLICANT.**

**WHEREAS** Al Barlas (on behalf of Artem Artenyan) filed an application for Variance (VAR 22-02) to allow non-storefront cannabis retail delivery for multi-tenant cannabis microbusiness property located at 86695 Avenue 54 (Assessor's Parcel No. 764-280-011) within 500 feet of other storefront retail or non-storefront retail cannabis business; and,

**WHEREAS** on November 10<sup>th</sup>, 2021 the City Council approved Conditional Use Permit (CUP 342), Change of Zone (CZ 21-03 first reading), and Variance (VAR 21-04) to allow the establishment of a multi-tenant cannabis microbusiness property located at 86695 Avenue 54 (Assessor's Parcel No. 764-280-011); and,

**WHEREAS** on July 20, 2022, the Planning Commission of the City of Coachella published a public hearing notice and conducted a duly noticed public hearing on Variance (VAR 22-02) and considered the application as presented by the applicant, findings, conditions and staff recommendations; and

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

**WHEREAS** the proposal to allow non-storefront cannabis delivery in addition to the permitted on-site cannabis microbusiness activity would be inconsistent with the City of Coachella Zoning Ordinance and the findings to support granting of the variance cannot be made; and,

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Coachella, California hereby resolve as follows:

**Section 1.** Incorporation of Recitals

The Planning Commission hereby finds that all of the facts in the Recitals are true and correct and are incorporated and adopted as findings of the Planning Commission as fully set forth in this resolution.

**Section 2.** CEQA Findings

Based upon its review of the entire record, including the Staff Report, any public comments or testimony presented to the Planning Commission, and the facts outlined below, the Planning Commission hereby finds and determines that the proposed project is categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities). The Class 1 exemption specifically exempts from further CEQA review the operation, permitting, licensing, or minor alteration of existing facilities with negligible or no expansions of the existing use. Since the project consists only of the permitting and licensing of a business for full alcohol sales, the project qualifies for the Class 1 exemption.

Furthermore, none of the exceptions to the use of the Class 1 categorical exemption identified in State CEQA Guidelines section 15300.2 apply. The project will not result in a cumulative impact from successive projects of the same type in the same place, over time. There are no unusual circumstances surrounding the project that result in a reasonable possibility of a significant effect on the environment. The project is not in a scenic corridor, will not alter or impact historic resources, and does not include any hazardous waste sites. The project consists of no physical modifications to the structure or the environment, except for interior modifications, and involves a zone change, variance and a conditional use permit to allow a storefront retail microbusiness. Thus, the Class 1 exemption applies, and no further environmental review is required.

### **Section 3.** Variance Findings

With respect to Variance No. 22-02, the Planning Commission finds as follows for the proposed variance request:

1. That the strict application of the provisions of this chapter would not result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the chapter the Coachella Municipal Code were in place when the Conditional Use Permit for cannabis business activity at the subject site was approved and the staff report states that the uses that could occur are cultivation, manufacturing, and distribution only, with no retail sales.
2. That there are no special circumstances applicable to the subject property such as size, shape, topography, location or surroundings, that do not apply generally to other property in the same zone and vicinity. The Zoning Ordinance Section 17.84.040.b of the Zoning Ordinance requires that a non-storefront retailer be at least five hundred (500) feet from any other storefront retail or non-storefront retail cannabis business. The existing Coachella Releaf business was granted approvals as a storefront retail microbusinesses on August 25, 2021 before the 86695 Avenue 54 site was granted approvals for cannabis microbusiness on November 10, 2021. Non-storefront retail activity is permitted in locations beyond 500 feet from other storefront retail or non-storefront retail cannabis business.
3. That such variance is unnecessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity. The City's cannabis business regulations in the Zoning Ordinance allow for cannabis business activity subject to permitted locations and standards. The enjoyment of the substantial property right for a non-storefront retail activity may occur in locations beyond

500 feet from other storefront retail or non-storefront retail cannabis businesses.

- 4. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.
- 5. That the granting of the variance will not adversely effect any element of the general plan. Though the general plan does not preclude non-storefront retail cannabis delivery at this location, the Zoning Ordinance does not support such business activity in its provisions for permitted locations and standards.

**Section 5.** Planning Commission Denial

Based on the foregoing recitals and findings above, and the written and oral comments, facts and evidence presented, the City of Coachella Planning Commission denies Variance (VAR 22-02) for the American Desert LLC Multi-tenant Microbusiness Project.

**PASSED APPROVED and ADOPTED** this 20<sup>th</sup> day of July 2022.

\_\_\_\_\_  
Stephanie Virgen, Chairperson  
Coachella Planning Commission

**ATTEST:**

\_\_\_\_\_  
Gabriel Perez  
Planning Commission Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Carlos Campos  
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. PC2022-22, was duly adopted at a regular meeting of the Planning Commission of the City of Coachella, California, held on the 20<sup>th</sup> day of July 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gabriel Perez  
Planning Commission Secretary

### Existing Conditions Photos



View of Existing Building and Parking lot looking West



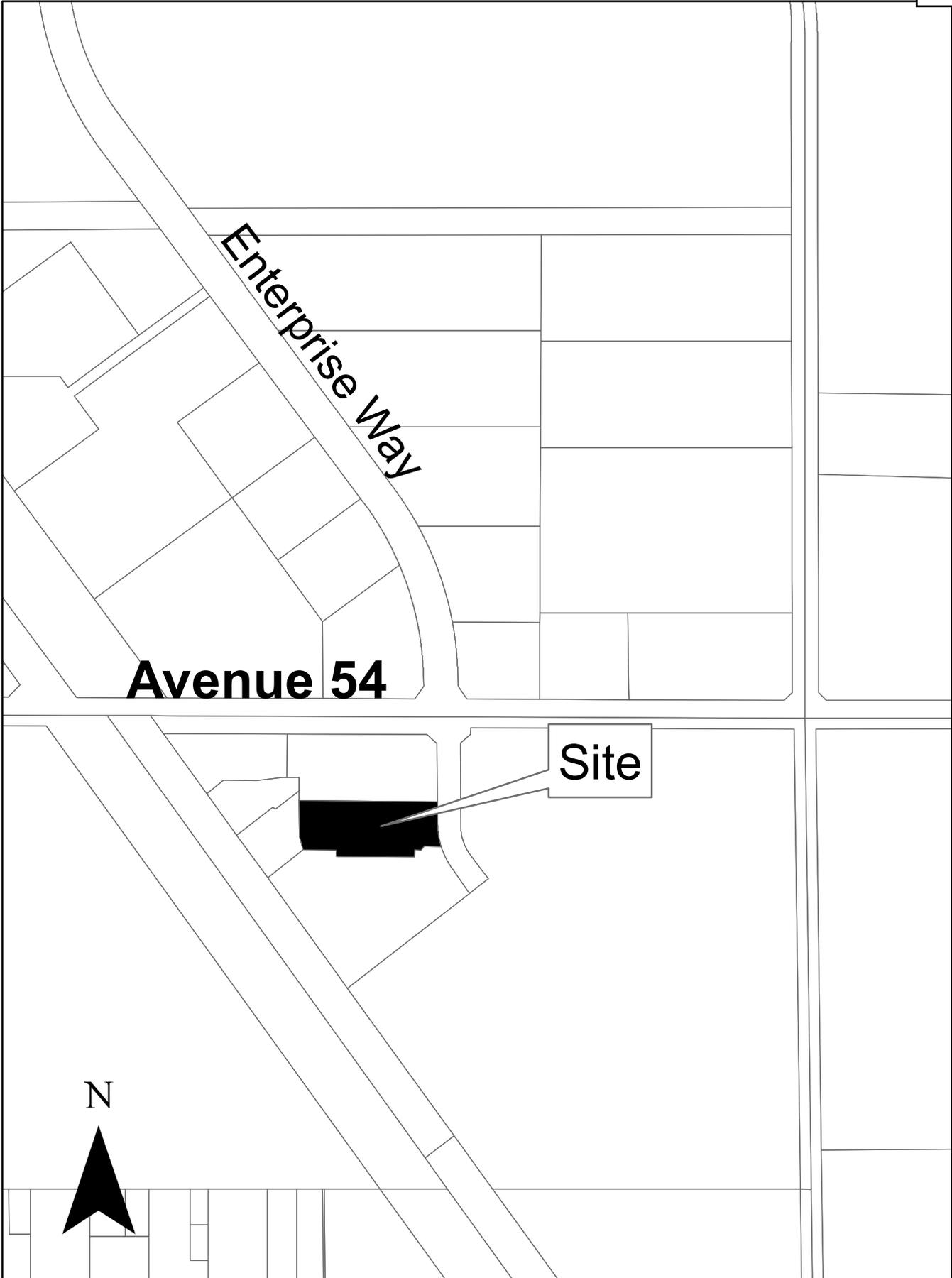
West Building Elevation



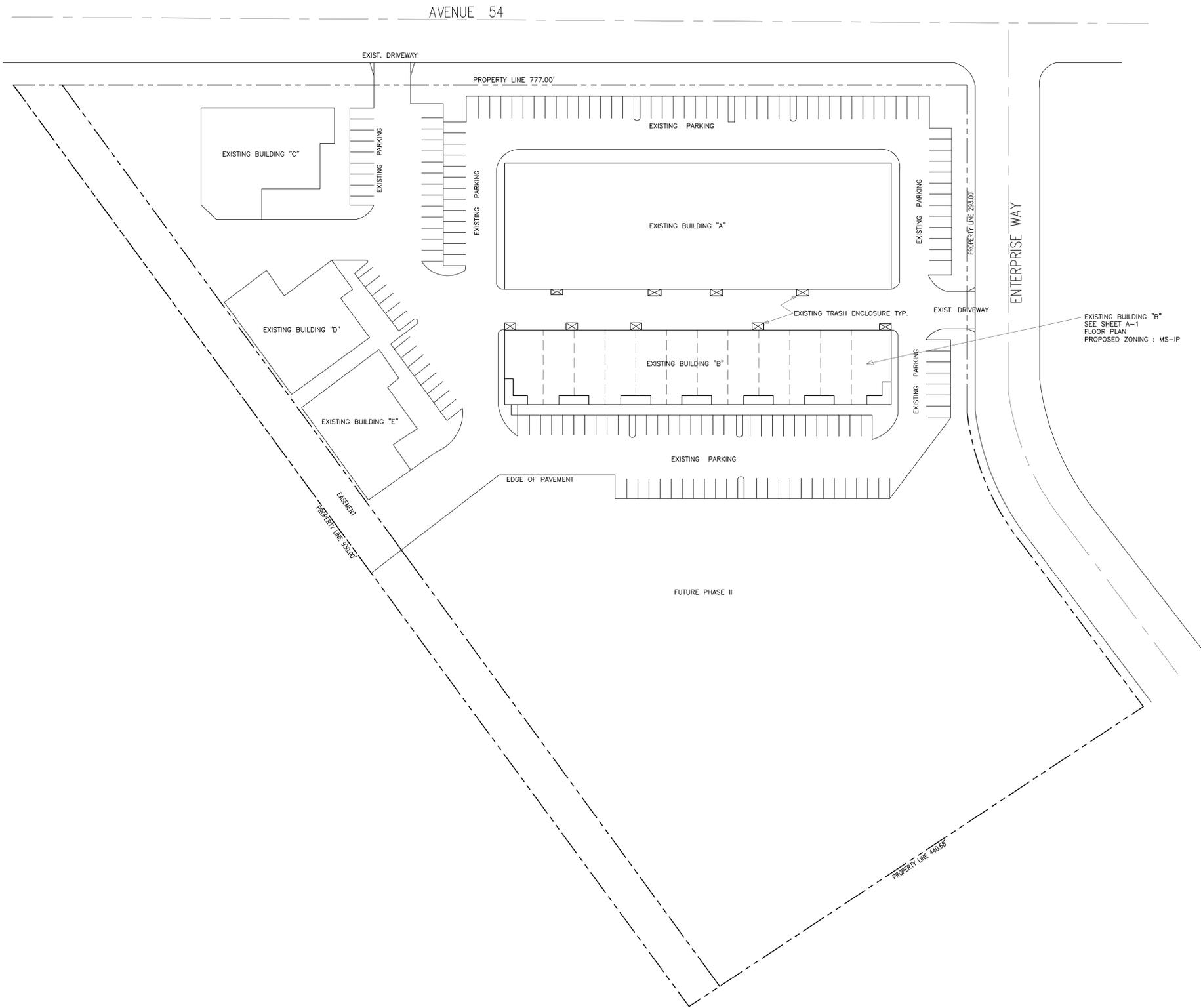
Rear Service Driveway



Industrial Building to the East of subject site



# Attachment 4



## EXISTING SITE PLAN

SCALE: 1" = 40'-0"



### SCOPE OF WORK

1. PROPOSED ZONING CHANGE FROM MH-IP TO MS-IP.

### PROJECT TEAM

DESIGNER: GEORGE SPURGEON DESIGNS  
 2306 LARK CT.  
 OFFICE (909) 319-4074  
 GWSDESIGN@ATT.NET

### PROJECT INFORMATION

LOT SIZE	5.1 ACRES.
CONSTRUCTION TYPE	TYPE V-B
SPRINKLERED:	NO
ZONING	MH-IP
NUMBER OF STORIES	ONE
EXISTING BLDG. DATA	18,960 SQ.FT. BUILDING "B"
CODES/REGULATIONS	2019 CBC, CMC, CPC, CEC, CRC & CAC TITLE 24 2019 ENERGY STANDARDS

**GEORGE SPURGEON DESIGNS**  
 2306 LARK CT. THERMAL, CA. 92274  
 OFFICE (909) 319-4074 EMAIL: gwsdesign@att.net

**CHANGE OF ZONING BUILDING - "B"**  
 86695 AVE 54  
 COACHELLA, CA. 92236

ISSUE	ISSUE DESCRIPTION	DATE

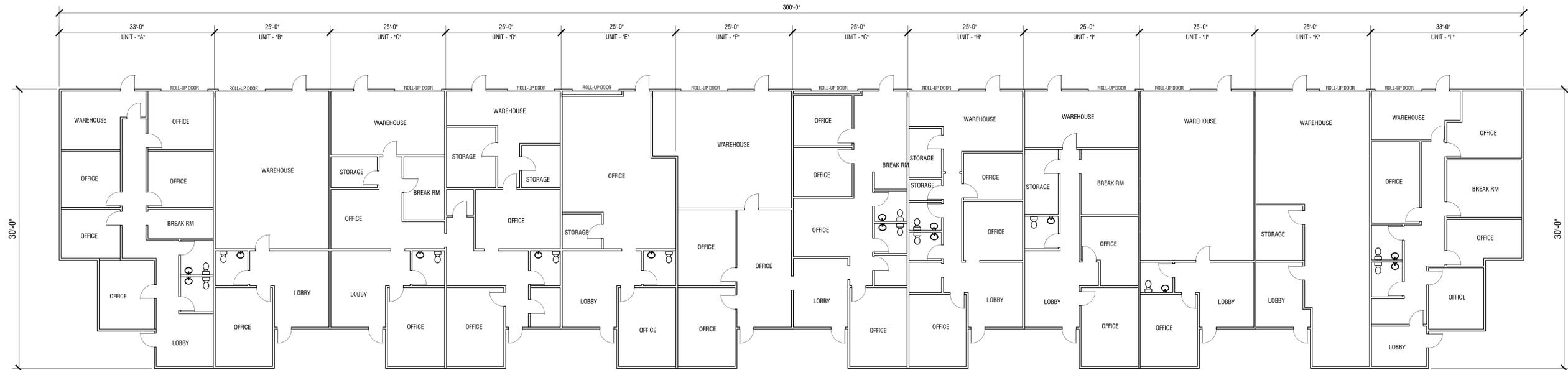
STAMP

DRAWN BY:	GWS
SHEET	
SCALE	AS NOTED

**SP-1**

# Attachment 5

**GEORGE SPURGEON DESIGNS**  
 2306 LARK CT. THERMAL, CA. 92274  
 OFFICE/CELL (909) 319-4074 EMAIL: gvsdesign@att.net



EXISTING FLOOR PLAN BUILDING "B"

SCALE: 1/8"=1'-0"

**CHANGE OF ZONING BUILDING - "B"**  
 86695 AVE 54  
 COACHELLA, CA. 92236

ISSUE	ISSUE DESCRIPTION	DATE

STAMP

DRAWN BY: GWS  
 SHEET:    
 SCALE: AS NOTED

A-1

