



REPORT TO PLANNING COMMISSION

To: Honorable Chairman and Members of the Planning Commission

From: Justin Kirk, Assistant Community Development Director

Date: October 6, 2020

Subject: Planning Application 2018-37 (Modern Leaf): A request by Modern Leaf, LLC to modify a previously approved Conditional Use Permit to expand a cannabis facility located within an existing building.

Applicants: Modern Leaf

Recommendation

ADOPT, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVAL OF MODIFICATIONS TO DEVELOPMENT AGREEMENT NO. 2018-05 TO INCREASE THE TOTAL AREA FROM 2,074 SF TO AN APPROXIMATELY 6,524 SQUARE FOOT CANNABIS FACILITY WITHIN AN EXISTING BUILDING LOCATED AT 31877 CORYDON SUITE 120 (APN: 370-051-016) AND 31881 CORYDON SUITE 150 (APN: 370-051-030); AND,

ADOPT, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMENDING TO THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVAL OF MODIFICATIONS CONDITIONAL USE PERMIT NO. 2018-09 TO ADD MANUFACTURING AND RETAIL DISPENSARY USES AND TO INCREASE THE TOTAL AREA FROM 2,074 SF TO AN APPROXIMATELY 6,524 SQUARE FOOT CANNABIS FACILITY WITHIN AN EXISTING BUILDING LOCATED AT 31877 CORYDON SUITE 120 (APN: 370-051-016) AND 31881 CORYDON SUITE 150 (APN: 370-051-030)

Discussion

The proposed project would modify an existing Development and Conditional Use Permit approved to establish a 2,074 SF cannabis cultivation facility by adding an additional 4,450 SF of space including manufacturing and a retail dispensary. Both suites are located within an existing building and the combined area of the two suites is 6,524 SF proposed and consists of:

- Cultivation: 1,528sf
- Dispensary: 1,419sf
- Manufacturing: 1,256sf
- Ancillary Space (i.e. office, storage, breakrooms, etc...): 2,321sf

The Project is generally located at the northwest corner of the intersection Mission Trail and Corydon and more specifically referred to as 31877 Corydon Suite 120 (APN: 370-051-016) and 31881 Corydon Suite 150 (APN: 370-051-030).

Background

The City Council approved the original Conditional Use Permit and Development Agreement in December 2018. The use became operational in June 2019. To date the City has not received any complaints regarding the use.

Analysis

General Plan Consistency

The subject site has a General Plan Land Use Designation of Limited Industrial (LI) and is in the Business District. The focus of the Business District is to support its position as the industrial and commercial hub of the City. Specific Goals of the Business District applicable to this project include:

- To encourage its position as the industrial and commercial hub of the City and to ensure that new growth respects the environmental sensitivity of the natural wetlands, floodway and floodplain.
- Support a vibrant commercial and industrial hub with high quality developments that have a strong orientation towards major corridors.
- Provide a safe and comprehensive roadway network for vehicular, truck, bicycle, and pedestrian traffic throughout the Business District.

The LI designation provides for industrial parks, warehouses, manufacturing, research and development, public and quasi-public uses, and similar compatible uses. The subject use includes a variety of manufacturing, distribution and warehousing uses to produce cannabis products. The proposed facility is wholly located within existing buildings and does not propose nor can have exterior operations. The proposed cannabis facility helps to further the goals of the Business district by reinforcing the viability of the industrial hubs and create vibrant industrial hubs by introducing additional business in existing developments that would create high paying jobs, reduced vacancy rates, and increased investment in the existing industrial parks.

Overall, the proposed cannabis facility introduces new land uses to an existing mix of industrial and quasi-commercial uses. The proposed facility has been previously identified as furthering the goals of the Business District and not creating new unmitigated significant impacts. Because of this, they are found to be consistent with the General Plan.

Municipal Code Consistency

The subject project has a base zoning designation M-1 Limited Manufacturing District. The proposed cannabis facility is located wholly within existing an industrial park, which has been previously analyzed for consistency with the base district development standards and other criteria and were found to be consistent with the applicable base zoning designations. A review of the current operational characteristics did not find any code violations and the building are following the base district regulations as well. With respect to Cannabis related land uses, Chapter 17.156 Cannabis Uses, of the Lake Elsinore Municipal Code, specifically regulate these uses. The proposed cannabis facility has been analyzed for the consistency with these operational requirements and the proposed facility have been found to meet these requirements. In addition

to the code requirements, additional detail information was specified in the application materials these include the following:

- Fire protection plan
- Closure plan, i.e., a plan to fully restore the occupied space to the condition that existed before the establishment of a cannabis related facility and the posting of a bond so that the City could authorize the work without incurring financial liability
- Information related to project proponents
- Project specific details as to the operational characteristics identifying the number of employees, production quantities and values, and other pertinent information.

These additional details were required to ensure that the proposed facility operated in a safe manner and would not create unintended impacts during the construction, operation and closure of these facility. Staff has reviewed these additional details and have found that the materials submitted demonstrate that the proposed cannabis facility would operate in a manner that would not adversely impact the adjacent business in operation.

Because the proposed cannabis facility meets the minimum code requirements and does not propose any adverse impacts on adjacent businesses, they have been found consistent with the Municipal Code. In addition, Conditions of Approval have been prepared.

Environmental Determination

The proposed Project is exempt from the California Environmental Quality Act (Cal. Pub. Res. Code §§21000 et seq.: "CEQA") and the CEQA Guidelines (14 C.C.R. §§ 15000 et seq.) pursuant to CEQA Guidelines Section 15301 (Class 1: Existing Facility) (a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances:

- The project is located within an existing building.
- The proposed project does not propose an intensification of use that would require the preparation of a Traffic Impact Analysis since the proposed use generates less than 100 trips.
- The proposed project does not create an expansion or intensification of use beyond what was previously analyzed as a part of the original project's environmental assessment.

Exhibits

- A – PA 2018-37 DA Resolution
- B – PA 2018-37 CUP Resolution
- C – PA 2018-37 Conditions of Approval
- D – PA 2018-36 Aerial Map
- E – PA 2018-36 Amendment to Development Agreement
- F – PA 2018-36 Project Plans