

AGENDA PLANNING COMMISSION 155 W. DURIAN, COALINGA, CA 93210 TUESDAY MAY 14, 2019

The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.

CALL MEETING TO ORDER (6:00 PM)

Pledge of Allegiance

CHANGES TO THE AGENDA

ROLL CALL

Commissioners: Chairman Sailer

Vice Chairman Jacobs Commissioner Helmar Commissioner Garza Commissioner Pruitt

Staff: Sean Brewer, Community Development Director

Marissa Trejo, City Manager

PUBLIC COMMENTS

Under Government Code 54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item. State law prohibits the Planning Commission from acting on non-agenda items.

INFORMATION/CONSENT CALENDAR

1. Approval of the Minutes from the February 12, 2019 Meeting

PUBLIC HEARINGS

1. Consideration of Conditional Use Permit Application No. CUP 19-01 Approving a Non-Volatile Cannabis Manufacturing Facility at 1717 W. Elm Ave, Building B, Unit 100

DISCUSSION AND/OR POTENTIAL ACTION ITEMS

DEPARTMENT REPORTS

1. Community Development Quarterly Update

COMMUNICATIONS

- 1. Staff Announcements
- 2. Commissioner Announcements
- 3. Chairman Announcements

ADJOURN



Staff Report- Chairman and Planning Commission

Subject: Approval of the Minutes from the February 12, 2019 Meeting Meeting Date May 14, 2019 Project Location: Applicant: Owner:			
Prepared By:	Sean Brewer, Community Development Director		
I. RECOMMEND	ATION:		
Approval of the minute	es from the February 19, 2019 Planning Commission Meeting.		
II. BACKGROUN	D:		
III. PROPOSALA	ND ANALYSIS:		
IV. FISCAL IMPA	CT:		
V. REASONS FOR	R RECOMMENDATION:		
ATTACHMENTS:			
Descriptio			
Minutes 2-19	-2019		

MINUTES

PLANNING COMMISSION 155 W. Durian, Coalinga, CA 93210 Tuesday, February 12, 2019

The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.

CALL MEETING TO ORDER (6:00 PM)

Pledge of Allegiance

CHANGES TO THE AGENDA

None.

ROLL CALL

Commissioners: Chairman Sailer

Vice Chairman Jacobs Commissioner Helmar Commissioner Garza Commissioner Pruitt

Staff: Community Development Director, Sean Brewer

City Clerk, Shannon Jensen

PUBLIC COMMENTS

Under Government Code 54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item. State law prohibits the Planning Commission from acting on non-agenda items.

INFORMATION/CONSENT CALENDAR

1. Minutes - January 22, 2019

Motion by Helmar, Second by Jacobs to Approve Consent Calendar Item No. 1. Motion **Approved** by a 5/0 Majority Voice Vote.

PUBLIC HEARINGS

1. Adoption of Resolution 019P-002 Recommending to the City Council Consideration and Approval of an Ordinance Amending the Planning and Zoning Code Related to Regulating Street Vendors (Zoning Text Amendment Application ZTA 19-01)

Community Development Director Sean Brewer gave a brief overview of the item.

Chairman Sailer opened the Public Hearing.

Comments:

Commissioner Helmar, referencing Specific Regulations under Section 5(d)b "Stationary sidewalk vendors are strictly prohibited in areas zoned exclusively residential.", asked if this would prohibit neighborhood kids from setting up a lemonade stand?

Community Development Director Sean Brewer indicated a lemonade stand would fall under the exemptions. We could specifically say lemonade stands would be exempt.

Commissioner Helmar asked how a kid would know they needed to ask for an exemption. Or would they need to do that?

Mr. Brewer answer technically, yes.

Commissioner Helmar mentioned, with regard to 'stationary sidewalk vendors', kids setting up to sell Girl Scout cookies and asked if that would fall under non-profit?

Mr. Brewer answered yes, Girl Scout cookies would be non-profit. Pointing out that these are new regulations, the language that has been drafted is consistent with what staff has seen with other jurisdictions. And regarding stationary vendors, the law will only allow local agencies to prohibit these types of vendors in residential areas, but we cannot do so in commercial areas at all. It is up to the Commission to decide whether they want to allow that or not.

Commissioner Helmar is opposed to eliminating lemonade stands and other similar types of businesses commonly owned and operated by a child or children.

Mr. Brewer stated he would look into some specific language for lemonade stands and similar types of operations.

Commissioner Helmar, referencing Section 5(d)4 "Vending within 500 feet of any public school is prohibited from 7:00 a.m. through 4:00 p.m. on the days the public school is in session", asked why not any school?

Mr. Brewer stated public schools have much higher restriction requirements on nutrition and there are State laws prohibiting vending near schools and this will basically give us the ability to monitor that.

Commissioner Helmar explained said she thought it had to do with interfering with access to the school, which would be applicable to any school.

Mr. Brewer stated the language could be amended to include private schools and indicated the schools did not provide any comments regarding the ordinance.

Commissioner Pruitt remarked that 500 feet was a lot, indicating the Mexican restaurant on the corner of Sunset and Van Ness is within 500 feet of the school and asked why the restaurant is permitted, but the guy who sells popsicles at the fountain across the street is not?

Mr. Brewer replied this could be amended. There could be competing statutes on the education side that may prohibit it and perhaps we can amend the language to say they must adhere to the State standards when vending near schools.

Commissioner Pruitt asked if the location of the restaurant didn't comply with State statues about food availability near a school, why was it allowed?

Mr. Brewer answered that it could be specific to vending. The State wouldn't be able to dictate what we zone and where we place businesses. We could just eliminate it from the draft ordinance. Or we could change the verbiage to say they must adhere to any applicable state rules regarding vending around schools.

Vice Chairman Jacobs asked if this would affect a person who is having a yard sale?

Mr. Brewer said that would not fall under sidewalk vending.

Consensus of the Commission is to eliminate Section 5(d)4 from the draft ordinance.

Commissioner Pruitt, referencing Section 5(a)8 "Background (fingerprinting)", asked if we don't require fingerprinting for businesses why should we require it for this?

Mr. Brewer indicated the fingerprinting requirement stemmed from the fact vendors are now allowed in our residential districts and noted the Police Department receives a large amount of complaints about people roaming the neighborhoods and knocking on resident's doors. The Commission could eliminate the requirement as vendors would still be required to have an ID and Business License.

Commissioner Pruitt asked what if someone doesn't have proper documentation (i.e. an illegal citizen)? Commissioner Pruitt is concerned an undocumented person would probably continue vending without obtaining the proper licensing, which goes against the spirit of the law passed by the State of California.

Commissioner Helmar asked what the City would do with the results of the Live Scan? Are we going to select crimes that are ok and others that are not?

Commissioner Pruitt asked if it would be appropriate to run vendors through the registered sex-offenders database?

Vice-Chairman Jacobs asked, what if there is someone has an outstanding warrant?

Chairman Sailer stated that it all depends on what you're going for in the Live Scan.

Vice-Chairman Jacobs commented that most people have something in their past. If it comes up on a Live Scan and it's been taken care of then I don't see why the City would get involved with that, but if its something that is outstanding that would be a concern and they aren't taking care of it.

Commissioner Helmar stated we don't Live Scan other people who are conducting business.

Vice-Chairman Jacobs replied, but other businesses aren't not knocking on someone's front door.

Mr. Brewer stated, yes, the peddlers are the ones that enter private property. The Commission has a good point, if you are going to fingerprint you have to have some kind of scope in terms of what you're looking for.

Commissioner Helmar stated she would like to remove the Live Scan requirement from the draft ordinance.

The consensus of the Commission is to strike the fingerprinting from the draft ordinance.

Commissioner Pruitt, referencing Section 5(c)1 "General Regulations", asked about the language outlining the requirements of sidewalk vendors maintaining ADA compliance.

Mr. Brewer stated we all know there are people who go around suing businesses for not having proper ADA, this is kind of an area where what happens is that you have someone setup blocking the sidewalk and then you have someone who needs accessibility who cannot get around that individual.

Commissioner Pruitt expressed concern that no sidewalk would allow someone to setup a portable table and still have 48" for someone to get around them?

Mr. Brewer agreed and stated that State statutes sometimes don't make sense. Most of our commercial areas meet the standards for commercial sidewalks, which is 10', which would be ample room for someone to go around it. However not every sidewalk in the downtown area is 10'. These are things that require discussion and practicality. We are required to ensure vendors maintain pay of travel if someone is on the sidewalk.

Mr. Nathan Vosburg suggested you change the ordinance to read, "vendors do not block accessibility." This would meet the statute of the law and at the same time allow for some type of movement.

Mr. Brewer agreed; we can use the terms "Maintain path of travel." That way if they do come across somebody that is there then they must move or at least provide them accessibility.

Consensus of the Commission is to change the language to "To maintain accessibility path of travel standards as prescribed by State and Federal law."

Commissioner Pruitt expressed concerns with the specific requirements outlined in Section 5(c)2 regarding the prevention of food borne illness and protecting the health and safety of residents. Can the language be simplified to state that vendors must meet Health Department standards?

Consensus of the Commission is to eliminate section 5(c)2. from the draft ordinance as vendors will continue to be held to Fresno County Department of Public Health requirements as prescribed by State and Federal law.

Commissioner Pruitt asked about the hours of operation referenced in Section 5(d)2. Why limit vendors to hours when most people are at work?

Commissioner Garza asked if the language could be changed to go along with the time change.

Mr. Brewer suggested we use "from dawn to dusk."

Chairman Sailer stated dawn may be too early from some people.

Consensus of the Commission is to change the language for operating hours of roaming sidewalk vendors in residential zones to "from 9:00am until dusk."

Commissioner Pruitt asked why all nonprofits are exempt from the permit requirements?

Mr. Brewer explained that nonprofits do not pay for business licenses. They are required to have a business license, but they don't pay taxes like other businesses. The business license is just a formality that allows them to operate.

Mr. Nathan Vosburg applauds the Commission for their work on this ordinance as he believes this will promote business.

Commissioner Pruitt expressed concern with business license fees for sidewalk vendors and requests language be added to avoid high fees that would price them out of business.

Consensus of the Commission is to change the language of section 5(a)9 to "Payment of a business license fee established by resolution by the City Council and not to exceed the cost of a general business license application."

Commissioner Sailer closed the Public Hearing.

Motion by Pruitt, Second by Garza to Adopt Resolution No. 019P-002 with the Commissions Requested Changes. **Approved** by a 5/0 Majority Roll-call Vote.

DISCUSSION AND/OR POTENTIAL ACTION ITEMS

NONE

DEPARTMENT REPORTS

NONE

COMMUNICATIONS

1. Staff Announcements

Community Development Director Sean Brewer announced the next Planning Commission meeting will be held on February 26, 2019.
2. Commissioner Announcements
NONE
3. Chairman Announcements
NONE
ADJOURN 6:51 PM
Chairman / Vice-Chairman
Shannon Jensen, City Clerk
Date



Staff Report- Chairman and Planning Commission

Subject: Consideration of Conditional Use Permit Application No. CUP 19-01 Approving a

Non-Volatile Cannabis Manufacturing Facility at 1717 W. Elm Ave, Building B,

Unit 100

Meeting Date May 14, 2019

Project Location: 1717 W. Elm Ave, Building B, Unit 100, Coalinga, CA 93210

Applicant: Simon Berdugo, PEP Partners, LLC, 135 Main Ave, Unit B, Sacramento, CA

95835

Owner: 1375/1717 W. Elm Ave, LLC, 135 Main Ave, Unit B, Sacramento, CA 95835

Prepared By: Sean Brewer, Community Development Director

I. RECOMMENDATION:

Staff recommends approval of Conditional Use Permit 19-01 by adopting Resolution No. 019P-004 with conditions.

II. BACKGROUND:

On July 25, 2017, the Planning Commission considered a site plan review application for the development of two (2) industrial buildings to accommodate future cannabis activities at 1717 W. Elm Ave. The proposed uses of the industrial buildings was for commercial cannabis manufacturing, testing, and distribution operations. At the July 25, 2017 meeting the Planning Commission adopted Resolution No. 017P-012 with conditions. The site plan application confirmed that the development proposal was (1) in substantial conformance with the General Plan, zoning ordinance, and any applicable plans adopted by the city, (2) conformed to the requirements of the applicable Zoning Districts, (3) conformed to all applicable design standards and guidelines, as adopted by the City Council, and (4) confirmed that the development would not have significant adverse effects on the public health, safety and welfare.

On April 2, 2019 the Community Development Department received a Conditional Use Permit application from PEP Partners, LLC. (further identified as "applicant") for a Commercial Cannabis Manufacturing Facility to manufacture non-volatile edible commercial cannabis products. Staff accepted the application on April 3, 2019 and began processing the application for a conditional use permit.

In accordance with Section 9-5.128(f) of the Coalinga Planning and Zoning Code related to Commercial Cannabis operations, prior to, or concurrently with, applying for a regulatory permit, the applicant shall process a conditional use permit as required by the City's Land Use Regulations. Information that may be duplicative in the two (2) applications can be incorporated by reference. The conditional use permit shall run with the regulatory permit and not the land. The applicant currently has a regulatory permit application under

review with the Police Department and pending subsequent City Council approval. The regulations that will apply to Cannabis Manufacturing operations are under the jurisdiction of the California Department of Public Health. These regulations govern the various cannabis operations within the state in addition to applicable sections of the City of Coalinga's commercial cannabis ordinance.

The scope of this application will look at the operational characteristics of the proposed use and ensure that the use is designed, located, and operated in a manner that will not interfere with the use and enjoyment of surrounding properties. The process for review of Conditional Use Permit applications is designed to evaluate possible adverse impacts and to minimize them where possible through the imposition of specific conditions.

III. PROPOSAL AND ANALYSIS:

Project Summary: The project applicant proposes to operate out of an approximately 2,100 square foot space at 1717 W. Elm Ave, Building B, Unit 100 to manufacture non-volatile edible cannabis infused gummies/candies. Products will use only natural ingredients, many of which are organic, and no chemical or toxic products are used in our formulation. Applicants manufacturing operations will focus exclusively on creating cannabis infused edible gummy snacks. As such, Applicant's operation will only involve cannabis infusion, along with packaging and labeling those products. Applicant will not engage in the extraction of cannabis oil, instead Applicant will contract with licensed manufacturers and distributors to procure its cannabis extract.

By definition, a cannabis "Manufacturer" means a licensee that conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container.

CUP Analysis

This site has an approved site plan which considered the zoning design criteria such as site coverage, building heights, setbacks, parking, landscaping, and lighting. The site is currently under construction and all onsite improvements are being completed in accordance with the approved site plan. In addition to confirming the site plan approvals, the CUP analysis will look at operation criteria such as security, odor control, hours of operation, ect. The regulatory permit reviewed by the Police Chief and approved by the City Council will consider these items in more depth and to ensure full compliance with the city planning and zoning code related to commercial cannabis operations.

General Plan/Zoning Consistency: The building where the manufacturing facility will be located has a General Plan designation of (MB) Manufacturing and Business with a zoning designation of Manufacturing and Business Light (MBL). The project proposal is consistent with the General Plan and Zoning Designations.

Location/Setting: 1717 W. Elm Ave, Building B, Unit 100 (Map & Floor Plans Attached).

Operations: Unit 100 is located within Building B at 1717 W. Elm Ave. which is a single story existing industrial building approximately 3,680 square feet. The applicant proposes to occupy approximately 2,100 square feet for their operations.

The operation is set up to manufacture edible gummies. As indicated in the floorplan, there will be a small

office and reception area, a testing and production area, and a temperature-controlled curing/inventory area.

Office/Reception:

- Located by the primary entrance/exit door (appx 400 sq.ft.)
- No cannabis product will be present in either oil or finished product form in this area.
- All employees will enter/exit every shift through the main door and immediately log/punch in/out.
- There will be two access-controlled doors (one into the production/testing room and the other into the curing/receiving/inventory room).
- There will be one small access-controlled office that will house a safe, and a work area for the manager, and all completed records will be kept within and secured.

Testing/Production Area:

- Secured by two access-controlled doors (one from reception/one to curing room) and will be approximately 550 square feet.
- Within the area, there will be two (2) access-controlled rooms. One of them is the testing and product development office (130 sf.) and the other will be the Kosher/Vegan room (100 sq.ft.). The rest of the space will be designated for production of the edible gummies.

Curing/Inventory Room:

- This room will have four (4) access control doors (one in/out of the production room, one in/out of the reception area, one for the Vegan cure room, and an entrance/exit door where all raw materials are received, and finished product stored and expedited. (appx. 1,250 sq.ft.).
- Within the area, there will be an access-controlled room (appx 100 sq.ft.) where only Kosher/Vegan product will cure and be packaged. This is to ensure there is never any cross contamination with our standard product which contains gelatin and would not qualify as Kosher/vegan.
- The area will have storage racks for raw materials and packaging supplies.
- All quality control and product packaging will take place in this room.
- There will be locking inventory cabinets for finished goods.

The operation will utilize three (3) full time employees for the first 4-8 weeks of operation including the manager. The manager will be certified and responsible for track and trace compliance.

Security: The applicants site protection strategy will address all forms of security concerns and will be required to meet all the security requirements of 9-5.128 of the Planning and Zoning Code as it relates to commercial cannabis activities. The police Department has reviewed and verified that the security plan including camera placements, access controls and perimeter security meet the requirements of the code and the satisfaction of the Police Chief (Section 9-5.128).

Building Access: All employees and authorized personnel will enter the building at designated entry area after checking with the 24-hour security personnel at the site entrances who will grant authorization into the facility.

Odor Control: In order to control odor while producing at the above capacity and remaining compliant with §9-5.128(d)(15), the facilities will be equipped with both negative pressure and mass filtration systems. Odor control systems will be checked and replaced as necessary to prevent odor from escaping the facilities and becoming a nuisance to the applicant's neighbors.

Hours of Operation: Initially the applicants expect to operate 35 hours a week for the first 6 months. At full production, the applicant plans to operate Monday through Friday 9am – 4pm. In accordance with Section 9-5.128(d)(13) the facility may operate from 6:00am to 10:00pm every day of the week.

Parking: This facility will be accommodated by the 12 parking stalls provided on the approved site plan (SPR 17-01). The proposed project requires three (3) parking stalls in accordance with the parking standards for commercial cannabis operations.

Fuel Storage and other Potential Hazardous Materials: At this time the applicant has no plans to store and hazardous materials on site. The applicant will be required to meet with the Fire Marshall and Building Official to determine the level of safety protection needed if they plan to store any products determined to be hazardous materials in the future.

Water Use: Due to the nature of our business, the applicant will require very little water usage. The applicant estimates using approximately 30-40 gallons of potable water per week (aside from bathroom use) as it relates to the applicants manufacturing process.

Wastewater Disposal: The applicant does not anticipate introducing any chemical products into the waste system. Gummy molds are cleaned using the steam from boiling water used at the end of each production batch. Double boilers are cleaned in National Sanitation Foundation (NSF) certified 3 compartment sinks.

Surrounding Land Use Setting:

South	Industrial
West	City Limits (County Agricultural Land)
East	Industrial
North	Industrial

Per §9-5.128(d)(12), a Commercial Cannabis Operation shall not be located within 1,800 feet, measured from property boundary to property boundary, of any existing school or proposed school site as identified in the General Plan. For purposes of this section, school means any public or private school providing instruction in kindergarten or grades 1-12, inclusive, but does not include any private school in which education is primarily conducted in private homes. The applicant meets this set-back requirement.

Public Notification: Public hearing notices were sent to all property owners within 300-feet of the site as required by Local and State law.

Environmental Clearance: The Community Development Director has determined that the proposed project supports a Planning Commission finding that it qualifies for a categorical exemption from the California Environmental Quality Act (CEQA). The project qualifies as a Class 1 exemption under CEQA Guidelines Section 15301 (Existing Facilities). A Notice of Exemption will be filed with the Council Clerk once the project has been considered.

IV. FISCAL IMPACT:

The proposed project will generate both cannabis taxes and annual licensing fee revenues to the City.

V. REASONS FOR RECOMMENDATION:

A Conditional Use Permit shall only be granted if the Planning Commission determines that the project as submitted or as modified conforms to all of the following criteria. If the Planning Commission determines that it is not possible to make all of the required findings, the application shall be denied. The specific basis for denial shall be established for the record.

<u>General Plan consistency</u>: Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted;

<u>Neighborhood compatibility</u>: The location, size, design, bulk, coverage, density, traffic generation and operating characteristics of the proposed project are consistent with the purposes of the district where it is located, and will not have an adverse effect on the neighborhood and surrounding properties;

<u>Asset for the neighborhood:</u> The nature, use and architectural/design features of the proposed development make it attractive, functional and convenient. The proposed development enhances the successful operation of the surrounding area in its basic community functions, or provides an essential service to the community or region.

ATTACHMENTS:

Description

- CUP 19-01 Site and Floor Plans
- CUP 19-01 Lighting Plan
- CUP 19-01 Application Package
- Resolution 019P-004

WEST ELM PEP EDIBLES - SOUTH BUILDING B OVERALL SITE PLAN & PROJECT DATA

(E) POWER





PROJECT DATA

(E) PARKING ON GRAVEL LOT (TYP. STALL = 9.5' x 18.5')

LOT 3
APN: 083-160-03S
(UNDER SEPARATE APPLICATION)

LOT 4

VICINITY MAP



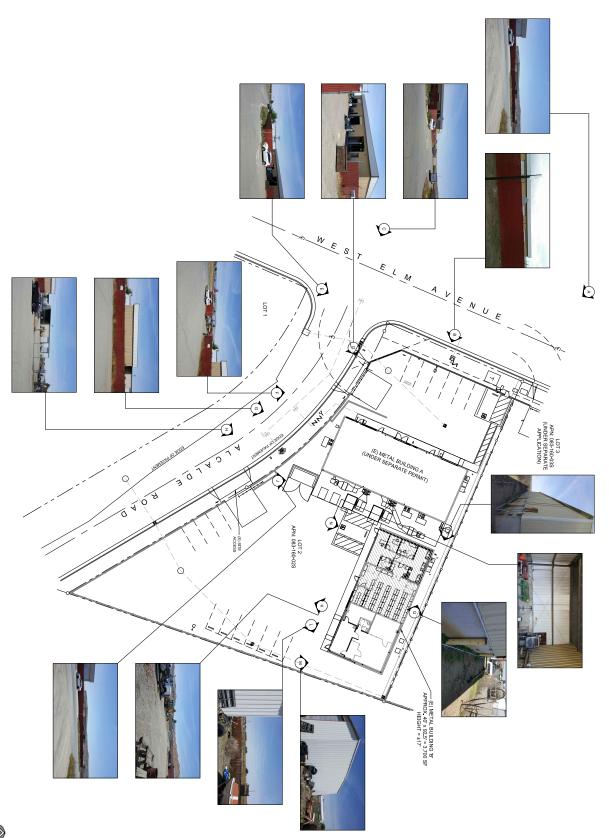
LOT 1

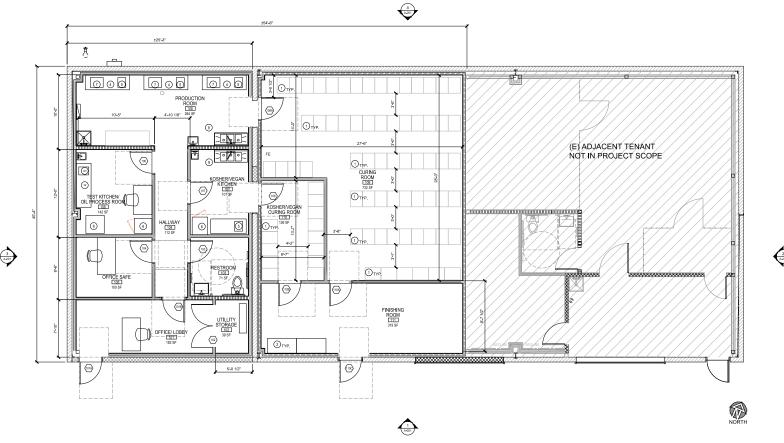












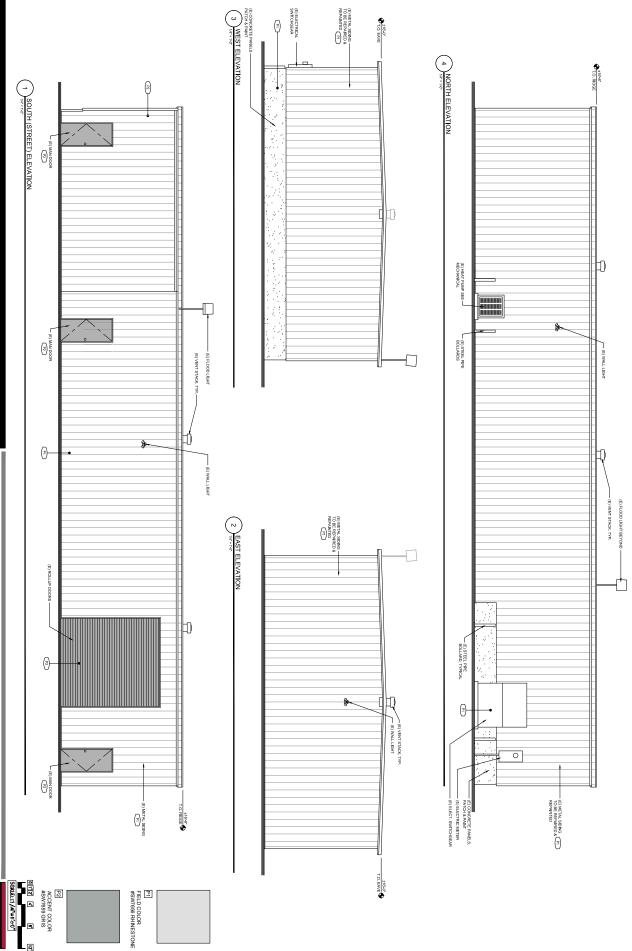
KEY NOTES

- 1 48" X 18" X 75" CHROME RACKS (U-LINE MODEL H-3355) 10 SHELVES
- 2 48" X 24" X 30" S.S PREP/PACK TABLE (REGENCY #304 18 GAUGE)
- (3) 48" X 18" X 30" S.S PREP/PACK TABLE (TBD)
- 72"X 24" X 30" S,S PREPICOOK TABLE (REGENCY #304 18 GAUGE)
- (5) 13" X 16" INDUCTION BURNER (WARING WIH 400 15 AMPS / 120V 1800W) (5)
- 29" X 25" X 82" SINGLE DOOR FREEZER (AVANTCO A-19F-HC 8.25 AMP/60HZ / 115V) (2) 7) 16"X21"X22" CONFECTION MACHINE (TRUFFLY - 110V) (1-3)
- 8 24" GAS STOVE UGP-24V PC1 S/S 24L BTU ELECTRIC IGNITION



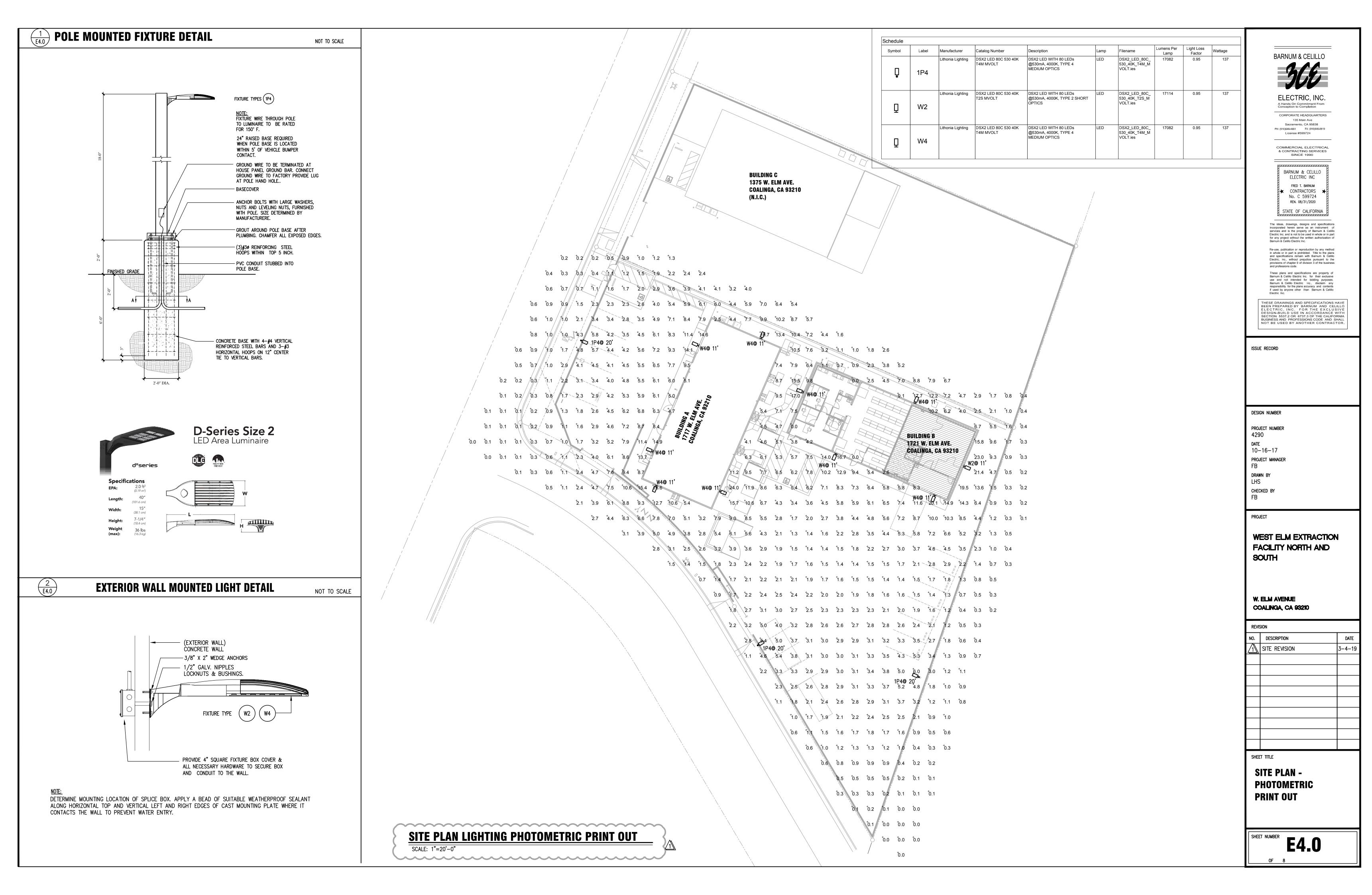






WEST ELM PEP EDIBLES - SOUTH BUILDING B EXTERIOR ELEVATIONS - BUILDING B

A-202 Borges



CITY OF COALINGA CONDITIONAL USE PERMIT APPLICATION

CVP 19-01

4219

APPLICANT INFORMATION:
Applicant/Property Owner: PEP Partners, LLC (Simon Berdugo)
Mailing Address: 135 Main Ave., Unit B, Sacramento CA 95838
Telephone Number: 305-764-8956 Assessor Parcel Number: 08316002S
Property Location: 1717 West Elm Avenue, Unit B, Coalinga CA, 93210
Legal Description (lot, block, Tracts, etc.)
DROBERTY LIGE INTEGRAL (STON)
PROPERTY USE INFORMATION:
Current Zoning: Light Manufacturing/Business Commercial
Existing Number of Lots: 1 Proposed Number of Lots: 1 Area of Parcel: 35,719 Square Feet
Proposed Use: Remodeling unit B to create a 2,100 sq. ft. cannabis edible manufacturing facility. PEP partners will be engaged in non-volitile edible manufacturing, focusing on infusion, packaging, and labeling finished products
(If additional space is required attach separate sheet of paper)
Describe any new structures or improvements associated with use (indicate total square footage of structures).
Please see Section A "Coalinga Manufacturing Operational Overview"
(If additional space is required attach separate sheet of paper)
Describe operational characteristics of use (hours of operation, number of employees, vehicle traffic to and from use, parking requirements, etc.)
Please see Section A "Coalinga Manufacturing Operational Overview"
·

The undersigned applicant has the ability and intention to proceed with the actual construction work in accordance with these plans (as approved) within one year from the date of approval and the applicant understands the this conditional use permit, if granted, becomes null and void and of no effect if the applicant does not commence with the actual construction work in accordance with these plans with one year from the date of approval of this application and diligently proceed to completion. An extension to commence the work at a later date may be granted by the planning commission, upon the written petition of applicant for such extension before the expiration of the one-year period. The applicant understands that the Commission may also establish a deadline date for the completion of said project.

Signature of BOTH the APPLICANT and RECORDED PROPERTY OWNER(S) are required below as applicable.

The forgoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Signature of APPLICANT/AGENT	Signature of OWNER
Name of APPLICANT/AGENT (Please Print)	Name of OWNER (Please Print)
135 MAIN AUT SHORTHYENTS (A) Mailing Address 95838	135 MAIN AVE. UNIT B. SALVEMENTO CA 95838 Mailing Address
305-764-8956 Telephone Number	916-416-6727 Telephone Number

CITY OF COALINGA ENVIRONMENTAL REVIEW APPLICATION



APPLICANT INFORMATION:
Applicant: PEP Partners, LLC (Simon Berdugo, owner/responsible party)
Mailing Address: 135 Main Ave., Unit B, Sacramento CA 95838
Telephone Number: 305-764-8956 Assessor Parcel Number: 08316002S
Property Owner's Name: Hikoa Inc. 1375 1747 W. Elm, LLC
Property Owner's Address: 234 E. Durian Street, Coalinga CA 93210
Contact Person: Simon Berdugo
PROPERTY USE INFORMATION:
Size of Parcel (Square Feet/Acres) 35,719 sq. ft.
Describe Existing Use of Property: vacant, industrial uses
Square Feet of Existing Building Area 7,504 sq. ft. Square Feet of Existing Paved Area N/A: parking lot area is gravel Current Zoning Light Manufacturing/Business Proposed Zoning
Current Zoning Light Manufacturing/Business Proposed Zoning
Describe in General Terms Existing Uses to the:
North: Industrial/commercial
South: industrial/commercial
East: industrial/commercial
West: industrial/commericial
Are there any man-made or natural water channels on property? No
If there are, where are they located N/A
Number of existing trees on the site None Number of trees to be moved (Age & Type) N/A
Residential N/A
a. Number of Dwelling Units: b. Unit Size(s)
c. Range of Sales Prices and/or Rents (projected):
d. Type of Household Size Expected:

Commercial	
a. Orientation: Neighborhood: District 3	
City or Regional: City of Coalinga	
b. Square Footage of Sales Area: (1) Recent on Area, 400 set. ft. (2) Production & R&D A	rea: 550 sq. (t = i3) Storage/Inventory Area: 1250 sq. (t
c. Range of Sales Prices and/or Rents (Projected):	
d. Type of Household Size Expected: NA	
e. Number of Employees: Full Time Intelligence Part Time	
f. Days and Hours of Operation 7 days per week, nours TSD, contingent upon CUP condition	18
Signature of BOTH the APPLICANT and RECORDED PROPERTY	OWNER (S) are required below as applicable.
The forgoing statements and answers herein contained and the inform and correct to the best of my knowledge and belief.	
Signature of APPLICANT/AGENT	Signature of OWNER
SIMON BERIXGO Name of APPLICANT/AGENT (Please Print)	Name of OWNER (Please Print)
135 MAIN AVE SHURRYENTO CH Mailing Address 95.835	Mailing Address
305-764-8956	916-416-8727
Telephone Number	Telephone Number



City of Coalinga Community Development Department

APPLICATION FOR ENVIRONMENTAL EVALUATION

1. Owner/Applicant Information

	PROPERTY OWNER'S NAME: Hikoa Inc. 1375/1717 W. Elm, LLC			
	PROPERTY OWNER'S ADDRESS: 234 E. Durian Street, Coalinga GA 93210			
	TELEPHONE: 806-222-9228 EMAIL:			
	APPLICANT'S NAME, COMPANY/ORGANIZATION: PEP Partners, LLC (Simon Berdugo, owner/responsible party)			
	APPLICANT'S ADDRESS: 135 Main Ave., Unit B, Sacramento CA 95838			
	TELEPHONE: 305-764-8956 EMAIL: simon@ubbc.ca			
	CONTACT FOR PROJECT INFORMATION: Simon Berdugo ("owner"/Responsible Party)			
	ADDRESS: 135 Main Ave., Unit B, Sacramento CA 95838			
	TELEPHONE: 305-764-8956 EMAIL: simon@ubbc.ca			
2.	Location and Classification			
	STREET ADDRESS OF PROJECT: 1717 West Elm Ave., Unit B			
	CROSS STREETS: west elm ave and alcalde road			
	ASSESSOR'S PARCEL NUMBER(S): 08316002S			
	LOT DIMENSIONS: 230 ft. deep, 225 ft. wide at eastern end LOT AREA (SQ FT): 35,719			
	ZONING DESIGNATION: Light Manufacturing/Business GENERAL PLAN DESIGNATION:			
3.	Project Description (please check all that apply)			
	 ☑ Change of Use ☐ Change of Hours ☐ New Construction ☑ Alterations ☐ Demolition ☐ Other (please clarify): 			

PRESENT OR PREVIOUS USE: industrial/commercial	
PROPOSED USE: commercial cannabis: manufacturing infused edibles	
BUILDING APPLICATION PERMIT #:	DATE FILED:

4. Project Summary Table

If you are not sure of the eventual size of the project, provide the maximum estimates.

	Existing Uses	Existing Uses to be Retained	Net New Construction and/or Addition	Project Totals
D 11: 11 1:		roject Features	Y	
Dwelling Units	N/A:		N/A	
Parking Spaces	N/A: parking area is a g	ravel lot	13	
Loading Spaces	0		1	
Bicycle Spaces	N/A		N/A	
Number of Buildings	1		1	
Height of Buildings	17 ft.		17 ft.	
Number of Stories	1		1	
	Gross S	quare Footage (GSF)		
Residential				
Retail				
Office		**************************************		
Industrial	7,504 sq. ft.		7,504	
Parking			A PART OF A PART	
Other commercial cannabis:	manufacturing		2,100 sq. feet	
Other			<u></u>	
Other				
Total GSF				

Please provide a narrative project description that summarizes the project and its purpose or describe any additional features that are not included in this table. Please list any special authorizations or changes to the Planning Code or Zoning Maps if applicable.

All Projects

Land Use

What is the current use of the site? vacant, industrial use Please list all previous land uses of the site for the last 10 years	
Neighborhood Contact	
Please describe any contact you have had regarding the property owners adjacent to the subject site, Neighbor Associations, or Community Groups in the project area.	roject with the following hood Associations, Business
Site Characteristics	
Providing the following information regarding the environmental setting of the most effective ways to expedite your project's environmental structures, large trees, mature vegetation, natural drainage ways, low loadering the rainy season, or wetland areas, supplemental information in conduct the environmental review of your project.	review. If your site contains ying areas where water pools
Are there any structures or buildings on the project site?	☑ Yes ☐ No
If yes, how many? 1 building	
What is the construction date of each structure? Current use of existing structure(s)? vacant, industrial use/storage	
Proposed use of existing structure(s)? commercial cannabis: manufa	acturing
Are there any trees on the project site?	☐ Yes ☑ No
Are any trees proposed to be removed?	☐ Yes ☑ No
Does the site contain any natural drainage ways?	☐ Yes ☑ No
Does the site contain any wetland areas or areas where water pools	☐ Yes ☑ No
during the rainy season? What land uses surround the project site? (i.e., single-family residential,	
Please describe:	. commercial, etc.)
North: industrial	
South: industrial	
East: Industrial	
West: Industrial	

Are you proposing any new fencing	g or screening?	✓ Yes	□No
If yes, please describe the of the fencing. chain link fenc	location, the height, and the ce 6 ft.	materials (i.e., wood	, masonry, etc.)
Is there parking on-site?		☑ Yes	
If yes, now many spaces a	re existing (for the entire pro		
on-site for the project?		-	
		Propos	ed13
Is any parking proposed off-site?		☐ Yes	[7] No
	ted and how many spaces?	□ 163	⊠ NO
	and now many spaces:		
Are you proposing new signs with	the project?	☐ Yes	☑ No
If yes, please describe the r	number and type		
Are there any easements crossing	the site?	☐ Yes	□No
Are there any trash/recycling enclosures on-site?			□No
If yes, what is the size/height/materials of the enclosure(s) and where a 4 yard dumpsters: 6 feet long, 3 feet wide, 4 feet tall, located on southern edge			y located?
			cel
what is the total number o	f cubic yards allocated for rec	ycling?4	
Bui	ding Setback from Property	ines	
5-01	Existing (feet/inches)	Proposed (fee	t/inches)
Front	69 ft.	69 ft.	cy menes _j
Rear	18 ft.	18 ft.	
Streetside	6 ft.	6 ft.	
Interior Side	9 ft.	9 ft.	
What are the front setbacks of the	two nearest buildings (on adj	acent property) on t	he same side of
the block? If there are no other pro	perties, please write "N/A."	, , , , , , , , , , , , , , , , , , , ,	
1 st Address: 1375 West Elm Ave.	2 nd Addres	s: <u>N/A</u>	MARK
Setback: 18 feet	Setback:		
	Exterior Materials		
Existing Exterior Building Materials:	pre-fabricated steel		
Existing Roof Materials: ribbed steel	pro rabindated steep		
Existing Exterior Building Colors: bei	ge		
Proposed Exterior Building Materia			
Proposed Roof Materials: ribbed ste			
Proposed Exterior Building Material			

Residential Projects

Fill in this section if your project has residential units. Complete both residential and non-residential sections if you are submitting a mixed-use project. Provide information below for the proposed project unless the question specifically requests information on the existing conditions of the property.

Total Number of Lots:	Net Acreage of Site:			
Total Dwelling Units:	Density/Net Acre:			
# of Single-Family Units:	# of Duplex/Half-Plex Units:			
# of Multi-Family/Apartment Units:	# of Condominium Units:			
Structure Size				
Please identify the size of all existing structures to be retained (identify separately).				
Residence	Gross Square Footage:			
Garage	Gross Square Footage:			
Other	Gross Square Footage:			
Size of new structure(s) or building addition(s):	Gross Square Footage:			
	Total Square Footage:			
Building Height Building height means the vertical dimension measured from the a front of the building to the plate line, where	everage elevation of the finished lot grade at the			
Existing Building Height and # of Floors (from ground to th Existing Building Height and # of Floors (from ground to th Proposed Building Height and # of Floors (from ground to the Proposed Building Height and # of Floors (from ground to the	e top of the roof):the plateline):			
Lot Coverage				
Total Building Coverage Area* (proposed new and existing Project Site Lot Area (sq. ft.):				
Total Lot Coverage Percentage:				
(Example: building area (2.000') / lot area (5.000') = 40% +	atal lat assumes.			

(Example: building area (2,000') / lot area (5,000') = 40% total lot coverage) * Include all covered structures (patios, porches, sheds, detached garages, etc.)

Non-Residential Projects

Fill in this section if your project has a non-residential component. Complete both residential and non-residential sections if you are submitting a mixed-use project.

Hours of operation of the proposed use: TBD: contingent upon conditions listed on CUP

If your project includes fixed seats, how many are there? N/A

Building Size

Total Building Square Footage On-Site (gross sq. ft.) 7,504 sq. ft.

Breakdown of Square Footage Please Mark All That Apply				
	Existing	Proposed		
Warehouse Area		550 squate feet		
Office Area		400 sq. feet		
Storage Area	7,504 sq. ft.	1,250 square feet		
Restaurant/Bar Area	·	1,200 0,201.0 1000		
Sales Area				
Medical Office Area				
Assembly Area				
Theater Area				
Structured Parking				
Other Area*				
*Describe use type of "Other" are	as.	1		

Building Height

Existing Building Height and # of Floors: 1 floor 17 ft.

Proposed Building Height and # of Floors: 1 floor, 17 ft.

Lot Coverage

Total Existing and Proposed Building Coverage Area* (sq. ft.): 43,223

Project Site Lot Area (sq. ft.): 35,719

Total Lot Coverage Percentage: 21%

(Example: building area (2,000') / lot area (5,000') = 40% total lot coverage) * Include all covered structures (patios, porches, sheds, detached garages, etc.)

Environmental Evaluation Application Submittal Checklist

Application Materials	Provided	Not Applicable
Two (2) originals of this application signed by owner or agent,		
with all blanks filled in.	~	
Two (2) hard copy sets of project drawings in 11" x 17" format		
showing existing and proposed site plans with structures on		
the subject property and on immediately adjoining properties,		
and existing and proposed floor plans, elevations, and sections		
of the proposed project.		
One (1) CD containing the application and project drawings		
and any other submittal materials that are available		
electronically.		
Photos of the project site and its immediate vicinity, with		
viewpoints labeled.	~	
Check payable to Coalinga Community Development		
Department.	~	
Letter of authorization for agent, if applicable.	\	
Available technical studies.		

For Department Use Only

Application Received by Community Development Departmen	it:	
By:	Date:	4/2/19

RESOLUTION 019P-004

A RESOLUTION OF THE CITY OF COALINGA PLANNING COMMISSION APPROVING WITH CONDITIONS CONDITIONAL USE PERMIT APPLICATION NUMBER 19-01 FOR A NON-VOLATILE COMMERCIAL CANNABIS MANUFACTURER, AS PERSCRIBED BY CALIFORNIA STATE LAW, TO BE LOCATED AT 1717 W. ELM AVE, BUILDING B, UNIT 100.

WHEREAS, the City of Coalinga Community Development Department has received an application from the applicant, PEP Partners, LLC., for a Conditional Use Permit to operate a Non- Volatile Manufacturing Facility to be located at 1717 W. Elm Ave, Building B, Unit 100; and

WHEREAS, the Planning Commission held the scheduled and noticed public hearing on May 14, 2019 to take testimony with regard to the proposed application, and;

WHEREAS, Public hearing notices were sent to all property owners within 300 feet of the site as required by Local and State law, and;

WHEREAS, the City Council has determined that this project is exempt from further environmental review under CEQA Guidelines §15301 as a Class 1 exemption (existing facilities), and;

WHEREAS, the Planning Commission completed its review of the proposed development and information contained in the staff report and has considered the testimony received during the public meeting process and comments provided via mail, and;

WHEREAS, the Planning Commission has made the following findings based on the development proposal:

General Plan Consistency. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted;

Neighborhood Compatibility. The location, size, design, bulk, coverage, density, traffic generation and operating characteristics of the proposed project are consistent with the purposes of the district where it is located, and will not have an adverse effect on the neighborhood and surrounding properties; and

Asset for the Neighborhood. The nature, use and architectural/design features of the proposed development make it attractive, functional and convenient. The proposed development enhances the successful operation of the surrounding area in its basic community functions, or provides an essential service to the community or region.

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Resolution 019P-004 Planning Commission May 14, 2019 Page 2

**NOW THEREFORE BE IT RESOLVED**, that the Planning Commission approves PEP Partners, LLC., to operate a Non-Volatile Manufacturing Facility at the above location with conditions (Exhibit A).

PASSED AND ADOPTED, by the City of Coalinga Planning Commission at a regularly scheduled meeting held on the 14<sup>th</sup> Day of May 2019.

AYES:

NOES:

ABSTAIN:

ABSENT:

Planning Commission Chairman/Vice Chairman

ATTEST:

City Clerk/Deputy City Clerk

### **Exhibit A**

# General On-going Procedural and Operational Conditions of Approval – Conditional Use Permit 19-01 (1717 W. Elm Ave, Building B, Unit 100)

### **Administrative**

COA-1. Actions voiding approval. If the construction of a building or structure, or the use(s) established in the building or structure is contrary to the project approval, therefore violating any provision of the Zoning Ordinance, or would require additional permits, then the original approval shall be deemed null and void. The approved conditional use permit shall become void in the event that the applicant does not obtain occupancy within twelve (12) months after approval by the Planning Commission.

This Conditional Use Permit shall only remain valid so long as the applicant maintains, in good standing, an approved regulatory permit issued by the Coalinga Police Department and certified by the City Council, and valid State of California Commercial Cannabis License. Without a valid regulatory permit and State issued license, as prescribed by law, this Conditional Use Permit (local approval) is null and void.

- COA-2. Periodic review or monitoring of conditions. All approvals may be subject to periodic review to determine compliance with the permit and its conditions of approval. If a condition of approval specifies that activities or uses allowed under the permit are subject to periodic reporting, monitoring or assessments, it shall be the responsibility of the permit holder, property owner, or successor property owners to comply with such conditions.
- COA-3. Indemnification. The applicants/developers shall defend, indemnify, and hold harmless the City or any of its boards, commissions, agents, officers, and employees from any claim, action, or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul the approval of the project when such claim or action is brought within the time period provided for in applicable State and/or local statutes. The City shall promptly notify the applicants/developers of any such claim, action, or proceeding. The City shall coordinate in the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith.
- COA-4. *Extensions.* Approval of the conditional use permit may be extended for an additional period or periods of one (1) year upon a written application to the Commission before the expiration of the first approval.

- COA-5. Fees. All Community Development Department and Engineering fees shall be paid in full prior to the issuance of a building permit. The Developer is responsible for paying all applicable development impact fees as well all regional fees related to the project.
- COA-6. Alterations. Any minor alternations to the approvals shall be reviewed and approved by the Community Development Director, unless under his/her discretion warrants review and approval by the Commission. This includes but is not limited to site design, floor plans and security related plans. Any change is use shall require review and approval by the Planning Commission.
- COA-7. Acknowledgement. Within fifteen (15) days of final approval (expiration of the appeal period) by the Planning Commission, the Applicant shall submit in writing, a statement indicating that he/she has read and agrees to the conditions imposed herein. This approval shall become void, and any privilege, permit, or other authorization granted under these entitlements if compliance with this condition has not been undertaken within the specified time limits.
- COA-8. Revocation of approvals. Any permit granted may be revoked or modified if any of the terms or conditions of approval are violated, or if any law or City Ordinance is violated in connection. The City Council and Planning Commission, by their own action, or following a recommendation from the Community Development Director, may initiate revocation or modification proceedings. A public hearing shall be held pursuant to Section 9-6.111,

### **Planning Conditions**

- COA-9. The applicant shall comply with all applicable current State and Local regulations related to cannabis operations and any subsequent amendments.
- COA-10. Any proposed change to the approved use or activity on the site shall require submittal, review and approval of an additional land use application if determined to be substantial by the Community Development Director and in conjunction with the Police Chief.
- COA-11. The tenant and/or property owner shall continually maintain the inside and outside of the property and its infrastructure so that it is visually attractive and not dangerous to the health, safety and general welfare of both its employees, patrons and surrounding properties.
- COA-12. All development on the Project Site shall be in compliance with all applicable provisions of the City's Municipal Code as well as all applicable provisions of the adopted Building and Fire Codes. All new construction shall obtain a building permit and comply with the requirements of the Planning, Building, and Fire Departments.
- COA-13. No Certificate of Occupancy (CofO) shall be granted until all Conditions of Approval have been completed and approved by the Planning, Engineering,

Building, and Fire Departments unless otherwise identified herein. A Temporary Certificate of Occupancy (TCO) may be issued for a specific time period if a significant amount of issues have been resolved and there remains only minor issues that do not pose a threat to health & safety. This shall be approved by the Community Development Director, Building Official, Fire Chief and Police Chief.

- COA-14. All improvements shall be in substantial compliance with the exhibits contained in the regulatory permit project file for PEP Partners, LLC., and CUP Application 19-01, as shown in all Exhibits attached hereto and incorporated herein by this reference.
- COA-15. Prior to the issuance of a Certificate of Occupancy the lighting shall be inspected by the Police Department and Community Development Department and requested changes for safety shall be implemented.

### **Fire Department Conditions**

- COA-16. The applicant shall adhere to all the requirements of the Fire Department.
- COA-17. Prior to Occupancy the applicant shall submit a report to the Community Development on all hazardous or toxic substances being used on site. This shall be reviewed and approved by the Fire Department. No hazardous materials shall be stored and/or used within the building, which exceeds quantities listed in 2016 California Building Code. The Building Official and Fire Chief shall review and approve all hazardous materials being stored and/or used in the facility.
- COA-18. The applicant shall file an evacuation plan in the event of an emergency with the Community Development Department that would that would detail how the building would be secured and how first responders would gain access.
- COA-19. The Applicant/Developer shall submit three (1) set of tenant improvement construction drawings to the Coalinga Fire Department located at 300 W. Elm Ave in Coalinga for review and approval prior to issuance of any permits. Said construction drawings shall demonstrate Project adherence to all provisions of the currently adopted Uniform Fire Code.

### **Police Department Conditions**

- COA-20. The Applicant/Developer shall comply with all the requirements of the Police Department.
- COA-21. All employees, regardless of status, shall be subject to Live Scan and issued an employee permit through the City of Coalinga Police Department.
- COA-22. All employees shall be issues photo ID cards and shall keep the card on her / his person at all times.

- COA-23. Any private security service that uses security guards with uniforms shall assure to the satisfaction of the City of Coalinga Police Department that the uniforms are sufficiently different in appearance from any uniform of the Police Department.
- COA-24. Security cameras shall be utilized to capture video of the perimeter of the building as well as interior areas as determined in the regulatory permit.
- COA-25. The camera system shall have recording and back up capabilities for 90 days and will be made accessible to the Police Department on demand.
- COA-26. Prior to issuance of occupancy permits, the applicant shall provide in the security plan that at all times at least one staff member has knowledge of the operation of all video surveillance equipment and is capable of assisting the Police Department at any time the Police have need of such assistance.