



**Conditional Use Permit**  
**Staff Report and Recommendation**  
Community Development Department, Planning Division

**REPORT DATE:** May 8, 2020

**HEARING DATE:** May 18, 2020

**LAND USE REQUEST:** Conditional use permit for a recreational cannabis dispensary

**FILE NUMBER(S):** 311-20-000029-PLNG

**PROPERTY LOCATION:** 3139 Pacific Avenue

**LEGAL DESCRIPTION:** Washington County Tax Lot 1N332CC04400

**OWNER/APPLICANT(S):** Applicant: ORANGEWALLstudios (Jeff Erwin)  
240 N. Broadway Avenue #308  
Portland, Oregon 97227

Property Owner: La Mota, Inc. (Aaron Mitchell)  
7424 SE 52<sup>nd</sup> Avenue  
Portland, Oregon 97206

**COMPREHENSIVE PLAN  
MAP DESIGNATION** Community Commercial

**ZONING MAP  
DESIGNATION** Community Commercial

**APPLICABLE  
STANDARDS  
AND CRITERIA:** Forest Grove Development Code:  
§17.2.220 Conditional Use Review Criteria  
§17.2.400 et. seq. Site Development Review  
§17.3.300 et. seq. Community Commercial Zone  
§17.8.100 et. seq. Access and Circulation  
§17.8.500 et. seq. Off-Street Parking and Loading  
§17.8.710(B) Building Design Standards  
§17.8.1100 General Marijuana Development Standards  
§17.8.1110 Marijuana Retailer Standards

**REVIEWING STAFF:** James Reitz (AICP), Senior Planner

**RECOMMENDATION:** Staff recommends approval with conditions

## I. LAND USE HISTORY

The building proposed for this conditional use permit was constructed prior to 1980. It has been occupied by various uses, including a swimwear shop for several decades and - most recently - a hair salon.

This application is for a conditional use permit to allow for a recreational cannabis dispensary. Development Code (DC) §17.3.320 Table 3-10 *Commercial and Mixed Use Zones – Use Table* lists recreational marijuana retailer as a conditional use in the Community Commercial zoning district, per Footnote #7. DC §17.2.210 *Procedure* authorizes the Planning Commission to act on a request for a conditional use permit after holding a public hearing pursuant to Type III review procedures. Because this activity requires a conditional use permit review, all associated reviews (site plan approval and building design review) are also subject to Planning Commission review, pursuant to DC §17.1.517.

Public notice for this application was mailed to property owners and residents within 300 feet of the site on April 27, 2020, as required by DC §17.1.160. Notice of this request was also provided to the Plans Review Board, and published in the *Forest Grove News-Times*. These comments were received from the Plans Review Board:

Engineering Department: *Remove and replace the existing wheelchair ramp in the Pacific Avenue right-of-way to comply with current ADA requirements.*

No issues or concerns were registered by the Building, Fire, Light and Power, Police or Public Works departments. As of the writing of this report, no comments have been received from the public.

## II. PROJECT DESCRIPTION AND ANALYSIS

A. Description of Proposal: This application is for a retail cannabis dispensary in an existing building located at 3139 Pacific Avenue. The interior would be largely gutted and remodeled. The exterior would also be significantly revamped with new siding, new storefront windows and a canopy. The car park would be repaired where necessary and updated with new striping. New landscaping would be installed along Pacific Avenue and the east property line.

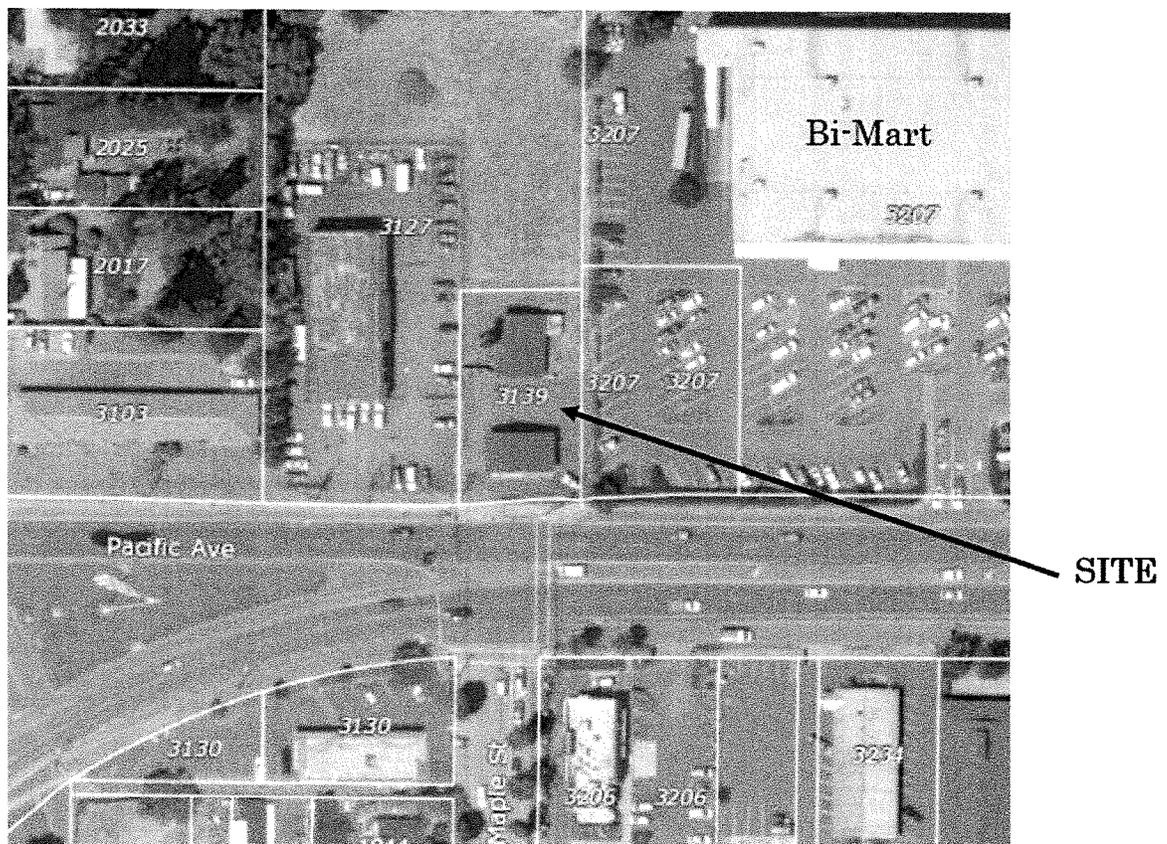
B. Site Examination: The site is approximately 0.31 acres in area. It has been partially improved with two buildings: a 1,290-square-foot building that is the site of the proposed dispensary, and a 986-square-foot outbuilding that is currently used as a residence. The car park has 8-9 spaces. The balance of the lot (approximately half) is lawn. Car park landscaping is scanty, consisting primarily of bark dust.

The site fronts Pacific Avenue. It has been fully improved with curb, gutter and sidewalk. The Pacific Avenue sidewalk is curb-tight with no street trees.

C. Comprehensive Plan Designation and Zoning of Site and Area

LOCATION	COMPREHENSIVE PLAN DESIGNATION	ZONE DISTRICT	LAND USE
Site	Community Commercial (CC)	Community Commercial (CC)	Vacant Buildings
North	Community Commercial (CC)	Community Commercial (CC)	Vacant Lot
South	Community Commercial (CC)	Community Commercial (CC)	Liquor Store Fast Food Restaurant
East	Community Commercial (CC)	Community Commercial (CC)	Bi-Mart Car Park
West	Community Commercial (CC)	Community Commercial (CC)	Auto Repair Shop

The image below shows the subject property in relation to the surrounding area. As the image shows, the subject property fronts Pacific Avenue at the Maple Street intersection. Bi-Mart is located to the east, while Jim's Automotive is located to the west.

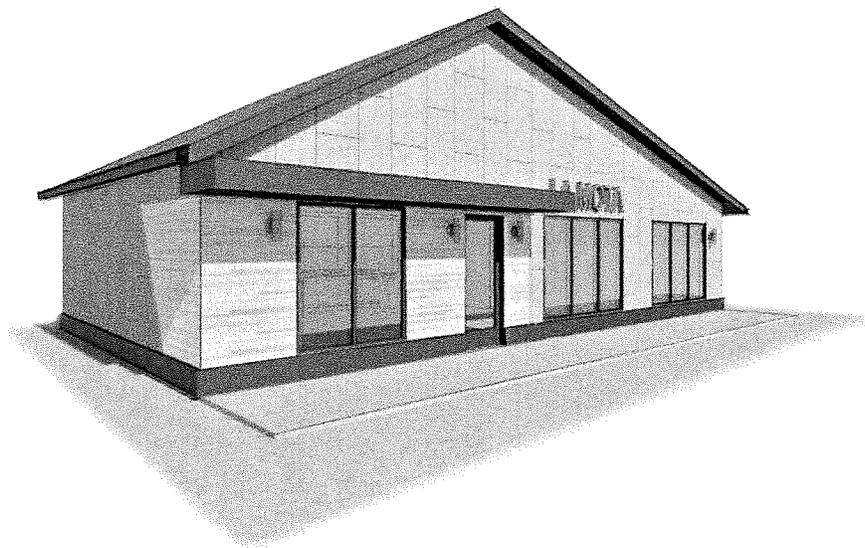


D. Architecture: The proposed site for the conditional use is an existing, offset-gable roofed building. It is faced with lap siding, with windows and the entrance facing Pacific Avenue. A door and windows are also located in the east elevation, facing the Bi-Mart car park. The applicant proposes to remodel the building by installing new store-front window systems facing the street. The door and windows in the east elevation would be removed.

The exterior would be significantly updated with new siding, storefront windows and a canopy (see images below).



**Current Pacific Avenue façade (above) & rendering of the proposed façade (below)**



- E. Traffic and Circulation: The site abuts and takes access from Pacific Avenue, which is a designated Arterial street on the Forest Grove Transportation System Plan. It has been improved to City standards. No frontage improvements are required at this time, aside from the sidewalk ramp replacement needed to comply with ADA requirements.
- F. Parking: DC §17.8.515 *Off-Street Parking Requirements* stipulate a minimum of 3.7 and a maximum of 5.1 off-street parking spaces per 1,000 square feet of gross floor area for General Retail – Sales Oriented uses. As the building has 1,290 square feet of floor area,

5 spaces would be required and a maximum of 7 spaces allowed, if this were new construction. At least one space would also be required for the residence.

A total of 8 parking spaces are proposed, including a new ADA space. As 8 spaces would be required overall, and 8 spaces are proposed, staff concludes that this standard has been met.

- G. Environmental Quality: There is no City record of any prominent environmental conditions on this property.
- H. Public Services: The site has existing utility connections. All utilities (water, storm drainage, sewer, and power) are available. Capacities are adequate to serve the proposed use. Police, fire, and sanitation services are available and are also adequate to serve the proposed use.
- I. Landscaping: The landscape plan includes 2 types of shrubbery (David viburnum and Spirea japonica) as well as a groundcover (Provence French lavender); 2 katsura trees would be installed in the area abutting the Pacific Avenue sidewalk. The proposed landscape plan largely complies with the provisions of DC §17.8.405 *Applicability*, DC §17.8.410 *General Provisions*, DC §17.8.420 *Landscaping Requirements by Zone*, and DC §17.8.545 et. seq. *Landscaping and Screening of Parking and Loading Areas*.

No new landscaping is proposed along the north edge of the car park since that area (aside from the residence) is a field. No landscaping is proposed along the west property line because it is so narrow, and cannot be expanded without encroaching into the driveway area. The Planning Commission could require a minimum 5-foot-wide landscape area along the west property line, but to do so would also require revising the traffic circulation plan by making a one-way loop around the building. Staff has included this as an optional **condition**.

### III. APPROVAL CRITERIA, FINDINGS AND ANALYSIS

#### §17.2.220 CONDITIONAL USE REVIEW CRITERIA

##### A. Physical Compatibility

1. **The proposed use will be compatible with adjacent developments based on characteristics such as site size, building scale and style, setbacks, and landscaping; or**
2. **The proposed use will mitigate differences in appearance or scale through setbacks, screening, landscaping, and other design features.**

Applicant's Response: *(The) proposed project is (a) one-story commercial building that is compatible with adjacent buildings based on size, scale and style (see 3/A501).*

Finding: No changes to the site size, building scale, or setbacks are proposed. The building style would be modified with new storefront systems on the Pacific Avenue facade that would incorporate more of the Design Elements of DC §17.8.710(B)(3), including an awning.

Finding: The landscape plan includes 2 types of shrubbery (David viburnum and Spirea japonica) as well as a groundcover (Provence French lavender); 2 katsura trees would be

installed in the area abutting the Pacific Avenue sidewalk. The proposed landscape plan largely complies with the provisions of DC §17.8.405 *Applicability*, DC §17.8.410 *General Provisions*, DC §17.8.420 *Landscaping Requirements by Zone*, and DC §17.8.545 et. seq. *Landscaping and Screening of Parking and Loading Areas*.

Finding: No new landscaping is proposed along the north edge of the car park since that area (aside from the residence) is a field. No landscaping is proposed along the west property line because it is so narrow, and cannot be expanded without encroaching into the drive-way area. The Planning Commission could require a minimum 5-foot-wide landscape area along the west property line, but to do so would also require revising the traffic circulation plan by making a one-way loop around the building.

Conclusion: The proposed building elevations are compatible with adjacent developments, and the landscape plan largely complies with Development Code standards. This criterion is met.

### **B. Public Services**

- 1. The transportation system is capable of safely supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, access to arterials, transit availability, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian safety.**
- 2. Public services for water supply, sanitary sewer, storm water disposal, police and fire protection are capable of serving the proposed use and previously approved uses.**

Applicant's Response: *(The) proposed project does not affect (the) public transportation system, on-street parking or access to arterials and improves pedestrian safety by installing a new stop sign on-site, (a) new sidewalk connecting (the) existing sidewalk and proposed structure, (and a) new striped pathway from (the) new parking lot to (the) proposed building (see 4/A501).*

Finding: The site abuts and takes vehicular access from Pacific Avenue, a designated Arterial street on the Forest Grove Transportation System Plan. No changes to vehicular access are proposed.

Finding: Redevelopment of the building with a retail use is not expected to have any effect on public services for water supply, sanitary sewer, or storm water disposal. The Fire, Police and Public Works departments did not register any concern with this application. All departments are capable of serving the proposed use.

Conclusion: Public services for water supply, sanitary sewer, storm water disposal, police and fire protection are capable of serving the proposed use.

### **C. Livability**

**The proposed conditional use will not have significant adverse impacts on the livability of nearby lands due to:**

- 1. Noise, glare from lights, late-night operations, odors, and litter; and**
- 2. Privacy and safety issues.**

Applicant's Response: *The proposed dispensary is located no closer than 300 feet to residential buildings and (is) surrounded by commercial structures. With operating hours (of) 8:00 a.m. to 10:00 p.m., the dispensary does not conduct any late night operations and does not affect (the) safety and privacy of (the) neighborhood. (The) building does not contribute to increasing waste, pollution and environmental degradation.*

Finding: Aside from the on-site residence, the dispensary would be located approximately 170 feet from the apartments at 3103 Pacific Avenue, and just over 200 feet from the Condonette Condominium complex at 3122-3202 22<sup>nd</sup> Avenue. Proposed hours of operation would be between 8:00 a.m. and 10:00 p.m., so no adverse impacts related to late-night operations are anticipated. The entrance and parking area would be lit with existing street lights and new on-building lighting. None would be expected to create glare. State-mandated carbon filters will be installed to ensure that odor is mitigated, and all cannabis-related products will be disposed of on-site within the building, which will minimize potential litter. This criterion is therefore met.

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#### **§17.8.1100 GENERAL STANDARDS FOR ALL MARIJUANA FACILITIES**

**A. The application shall demonstrate compliance with the locational requirements of ORS 475B and must maintain State certification at all times.**

Applicant's Response: *The proposed Marijuana Retailer meets all locational requirements of ORS 475B, and will maintain state certification at all times.*

Finding: Under ORS 475B the licensee must maintain compliance with all applicable State of Oregon licensing requirements. This includes being subject to inspection of licensed premises by state or local government officials to determine compliance with state or local health and safety laws.

Conclusion: This standard is met through State of Oregon licensing requirements.

**B. Marijuana-related activities are prohibited on publicly-owned lands.**

Applicant's Response: *The project site is privately owned.*

Finding and Conclusion: The subject property is privately owned. This standard is met.

**C. Entrances and off-street parking areas shall be well-lit and not visually obscured from public view / right-of-way. Landscaping shall be continuously maintained to provide clear lines of sight from public rights-of-way to all building entrances. Interior building lighting, exterior building lighting and parking area lighting shall be of sufficient foot-candles and color rendition so as to allow the ready identification of any individual at a distance of no less than forty (40) feet. Exterior lighting shall be provided in accordance with required security measures and shall be continuously maintained.**

Applicant's Response: *The project is proposed with one main entry door facing Pacific Avenue. All off-street parking will be provided behind the building in a well-lit parking area with permanently striped access paths to the front entry.*

Finding and Conclusion: The entrance and off-street parking area would be well-illuminated and not visually obscured. This criterion is met.

- D. The facility must provide for secure disposal or render impotent marijuana remnants or by-products, or items with marijuana residue of any kind.**

Applicant's Response: *All trash and recycling, including any marijuana products, will be handled on-site within the building.*

Finding and Conclusion: As all cannabis-related products will be disposed of on-site, this criterion is met.

- E. All hazardous materials shall be stored and processed in a manner approved by the City Fire Marshal. Hazardous waste shall be disposed of properly through a properly licensed solid waste disposal or recycling facility.**

Applicant's Response: *No hazardous materials are proposed to be stored, processed, or otherwise used in this facility.*

Finding and Conclusion: The application is for a retail recreational cannabis facility. Since there will be no storage or processing of hazardous materials, this criterion is met.

- F. A pre-application conference and conditional use approval (§17.2.200 et. seq.) is required for any marijuana producer, processor, wholesaler, or testing laboratory. A neighborhood meeting may be required as part of the pre-application process pursuant to §17.2.200 et. seq.**

Applicant's Response: *A pre-application conference was held February 5, 2020 and (was) attended by Jeff Erwin, Senior Architect of ORANGEWALLstudios.*

Finding and Conclusion: This criterion is met.

- G. The City shall not issue any other permit for development until final conditional use approval has been granted.**

Applicant's Response: *It is understood that that City will not issue any permits until Final Conditional Approval use is granted.*

Finding: The applicant is aware that no development permits will be issued until final conditional use approval has been granted.

- H. Any person or property in violation of §17.8.1100 et. seq. is subject to abatement and assessment by the City under the abatement procedures of Forest Grove Code §91.050 – §91.054.**

Applicant's Response: *It is understood that a violation of §17.8.1100 is subject to abatement and assessment by the City*

Finding and Conclusion: This standard addresses future compliance and does not apply to the conditional use permit application. This standard is not applicable.

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### **§17.8.1110 MEDICAL MARIJUANA DISPENSARIES AND MARIJUANA RETAILERS**

A medical marijuana dispensary and marijuana retailer activities shall comply with the following design standards and operational requirements in addition to all other applicable City requirements:

**A. May not be open to the public between the hours of 10:00 p.m. and 8:00 a.m.**

Applicant's Response: *The Marijuana Retailer will not be open to the public between 10:00 p.m. and 8:00 a.m.*

Finding and Conclusion: As the proposed cannabis retailer will be closed between 10 p.m. and 8 a.m., this criterion is met.

**B. The facility must be located in a permanent building and may not locate in a trailer, cargo container, or motor vehicle. Outdoor storage of merchandise, raw materials, or other material associated with the facility is prohibited.**

Applicant's Response: *The facility is proposed within an existing structure that will be improved and renovated. No outdoor storage is proposed.*

Finding: The proposed site at 3139 Pacific Avenue is a permanent building. No outdoor storage of merchandise, raw materials or other material is proposed. This criterion is met.

**C. Any modification to the site or the exterior of the building housing the facility must be consistent with the Design Standards of §17.8.700 et. seq. Security bars or grates on windows and doors are prohibited unless integrated into the design.**

Applicant's Response: *Building modifications will comply with §17.8.700. Security bars or grilles will be integrated into the renovated design of the building.*

Finding: The standards of DC §17.8.710(B) *Building Design Standards for Commercial Development* apply to this application as follows:

**1. Building Orientation**

- a. **Design and construct buildings so that at least one façade is within sixty (60) feet of a dedicated public street right-of-way line.**

Finding: No new building is proposed. This standard is not applicable.

- b. **Design and construct a minimum of one primary building entrance for each building ground floor use or tenant along a public right-of-way or internal roadway built to City public street engineering standards.**

Finding: The primary building entrance will face Pacific Avenue and will be connected to the Pacific Avenue sidewalk with a new walkway. This standard is met.

## 2. Massing and Form

- a. **Provide changes in the depth of the façade plane in excess of two (2) feet for all building walls more than 75 feet in length.**
- b. **Maximum length of building facades shall be 200 feet.**
- c. **Roofline heights must be varied a minimum of 2 feet for building facades greater than 75 feet in length.**
- d. **Provide vertical partitioning of facades by using columns, pilasters and other vertical elements a minimum of every twenty-five (25) feet.**
- e. **Articulation of building fronts through changes in depth or building relief (e.g. windows, doors, cornices, columns, a change in materials) shall occur a minimum of every fifteen (15) feet in the horizontal or vertical dimensions.**

Finding: No changes to the building's massing and form are proposed. These standards are not applicable.

## 3. Design Elements

- a. **Every building elevation adjacent to a street with a horizontal dimension of more than 100 feet shall have a building entrance.**

Finding: The building has a horizontal dimension of less than 100 feet. No changes to the building's horizontal dimensions are proposed. This standard is not applicable.

- b. **Building facades adjacent to sidewalks or pedestrian connections must include weather protection canopies or awnings along at least 75% of the length of the ground floor façade.**

Finding: The building's façade is not adjacent to the sidewalk, but it is adjacent to the pedestrian walkway connecting to the Pacific Avenue sidewalk and to the car park. As such, an awning over at least the building entrance is required, and has been incorporated into the design. This criterion is met.

- c. **Incorporate a minimum of 50% transparency/window openings on the ground floor facades of buildings that are 5,000 square feet or less, or 20% transparency/window openings for buildings greater than 5,000 square feet facing the public right-of-way. For a building that faces two streets, the requirement shall apply to the predominant street or as determined by the Director where both streets are considered similar.**
- d. **Windows shall not be reflective, tinted or treated in such a way as to block views into or out of windows unless for energy or security purposes.**
- e. **Windows must be recessed a minimum of 4 inches from building facades.**

Finding: The existing building already complies with these standards. The applicant proposes to install new storefront systems in the Pacific Avenue facade with window openings that at least equal the area of the existing windows. These standards are met.

- f. **Materials such as synthetic stucco (EIFS, Dryvit, etc.) are prohibited at the ground floor.**
- g. **Vinyl cladding of the building façade is prohibited at ground floor.**

Finding: None of the above materials are proposed. These standards are not applicable.

#### 4. Compatibility

- a. **Any building or portion of a building that is less than 50 feet from existing residential dwellings must not be higher than 15 feet above the top of the roofline of the nearest existing dwelling.**
- b. **When adjacent to existing residential development, all commercial structures with floor areas less than 20,000 square feet of total building area must provide a gabled element to the parapet or roof.**

Finding: No changes to the building's roof structure are proposed, and there are no residential buildings adjacent. These standards are not applicable.

#### 5. Safety

- a. **Security gates or bars on windows or doors are prohibited along ground floors of commercial buildings, excluding loading and storage areas.**
- b. **Motion activated security lighting is prohibited along building facades that front onto public rights-of-way.**

Finding: No security gates, bars, or motion-activated lighting is proposed. These standards are not applicable.

- c. **Public access shall be provided to all commercial uses that provide plazas, squares, or courts intended for food, beverage or entertainment uses.**

Finding: No food, beverage or entertainment uses are proposed. This standard is not applicable.

- d. **Parking lots or roadways shall not be gated or secured excluding loading and storage areas or residential parking areas.**

Finding: The car park is not proposed to be gated. This standard is met.

#### D. The dispensary or retail operation may not have facilities for drive-up use.

Applicant's Response: *No drive-up use is proposed.*

Finding: No drive-up facility is proposed. This standard is met.

#### E. The dispensary must provide for secure disposal or render impotent marijuana remnants or by-products, or items with marijuana residue of any kind.

Applicant's Response: *All trash and recycling, including any marijuana products, will be handled on-site within the building.*

Finding and Conclusion: All cannabis-related products will be disposed of on-site. This criterion is met.

- F. A medical marijuana dispensary may not locate within 1,000 feet from a school (public or private). A medical marijuana dispensary may not locate within 1,000 feet of another medical marijuana dispensary. Distance shall be measured property line to property line.**

Applicant's Response: *The proposed facility is not a medical Marijuana Dispensary, but a Marijuana Retailer.*

Finding: This criterion is not applicable to a recreational cannabis retailer.

- G. A recreational marijuana retailer may not locate within 1,000 feet of a school (public or private). Distances shall be measure property line to property line.**

Applicant's Response: *No public or private schools are located within 1,000 feet of the project site.*

Finding: Joseph Gale School at 3130 18<sup>th</sup> Avenue is the closest to the proposed retail outlet. It is located about 1,200 feet away. This criterion is met.

#### IV. ALTERNATIVES

The Planning Commission has the following alternatives available:

1. Approve the application as submitted by the applicant; or
2. Approve the application with conditions; or
3. Continue deliberations to a date certain; or
4. Deny this request.

#### V. RECOMMENDATION

Based on the information provided in the application and the findings above, staff recommends approval of the application for a conditional use permit for the proposed retail cannabis dispensary at 3139 Pacific Avenue, with the following conditions:

1. The applicant is bound to the project description and all representations made by the applicant during the application and decision-making proceeding.
2. The applicant shall comply with all applicable City building and development standards, including all dimensional standards and public works specifications, specifically:

- Remove and replace the existing wheelchair ramp in the Pacific Avenue right-of-way to comply with current ADA requirements.

#### OPTIONAL CONDITIONS

3. Install a minimum 5-foot-wide landscape area abutting the west property line, in compliance with DC §17.8.405 *Applicability*, DC §17.8.410 *General Provisions*, DC §17.8.420 *Landscaping Requirements by Zone*, and DC §17.8.545 et. seq. *Landscaping and Screening of Parking and Loading Areas*.
4. Concurrent with Condition #3, stripe the car park for one-way traffic circulation.

## VI. EXHIBITS

The following exhibits were received, marked, and entered into the record as evidence for this application at the time this staff report was written. Exhibits received after the date of this report will be marked beginning with the next consecutive letter and will be entered into the record at the time the public hearing is opened, prior to oral testimony.

- |                  |   |
|------------------|---|
| <b>Exhibit A</b> | Conditional Use Permit narrative and application materials, prepared and submitted by the applicant |
| <b>Exhibit B</b> | PowerPoint Slides   |

# EXHIBIT 1

## Conditional Use Permit Narrative And Application Materials

## MEMO

**Project:** La Mota Dispensary: Forest Grove  
3139 Pacific Ave  
Forest Grove, OR 97116

**Date:** March 23rd, 2020

**Re:** Site Development, Conditional Use, & Marijuana Dispensary Narrative

**To:** James Reitz (City of Forest Grove), Dan Riordan (City of Forest Grove)

**cc:** Marc Griffin (OWS), Angelina Ligomina (OWS)

**Attachments:** None

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Below is a narrative review & response to the requirements of the City of Forest Grove Site Development, Conditional Use, & Marijuana Dispensary standards. Requirements applicable to the proposed project will be addressed, and Drawing references provided where further information can be found.

### Marijuana Development Standards

#### 17.8.110 General Standards for all Marijuana Facilities

- A. The proposed Marijuana Retailer meets all locational requirements of ORS 475B, and will maintain state certification at all times.
- B. The project site is privately owned.
- C. The project is proposed with one main entry door facing Pacific Avenue. All off-street parking will be provided behind the building in a well-lit parking area with permanently striped access paths to the front entry.
- D. All trash and recycling, including any marijuana products, will be handled on-site within the building.
- E. No hazardous materials are proposed to be stored, processed, or otherwise used in this facility.
- F. A pre-application conference was held February 5<sup>th</sup> 2020 and attended by Jeff Erwin, Senior Architect of ORANGEWALLstudios.
- G. It is understood that that City will not issue any permits until Final Conditional Approval use is granted.
- H. It is understood that a violation of section 17.8.1100 is subject to abatement & assessment by the City.

#### **17.8.1110 Medical Marijuana Dispensaries & Marijuana Retailers**

- A. The Marijuana Retailer will not be open to the public between 10:00pm & 8:00am.
- B. The facility is proposed within an existing structure that will be improved & renovated. No outdoor storage is proposed.
- C. Building modifications will comply with section 17.8.700. Security bars or grilles will be integrated into the renovated design of the building.
- D. No drive-up use is proposed.
- E. All trash and recycling, including any marijuana products, will be handled on-site within the building.
- F. The proposed facility is not a medical Marijuana Dispensary, but a Marijuana Retailer.
- G. No public or private schools are located within 1,000 feet of the project site.

#### **17.8.1120 Other Marijuana Facilities**

The project proposed is not a marijuana-related wholesaler, processor, producer, or testing laboratory.

#### **Conditional Use Standards**

The project proposed falls under the Type III Conditional Use review procedure per 17.2.210, C. See Sheet G010 for development code drawings & narrative.

#### **Site Development Review Standards**

The project proposed falls under Type II Site Development review as part of a conditional use permit as listed in section 17.2.410, F, and is not exempt per any of the conditions of 17.2.420.

#### **17.2.440 Submittal Requirements**

- A. Property lines are shown & dimensioned on Site Plan A010. The lot area is 15,576 square feet.
- B. See G010 for adjacent property boundaries & uses.
- C. The project site is ostensibly flat, and no alteration to site contours is proposed.

- D. No major physical or natural features were found on site.
- E. The proposed project site does not fall into an environmental resource area or environmental hazard area.
- F. No alteration of existing on-site trees is proposed.
- G. The project site contains no historic landmarks.
- H. The location of the existing structure can be found on A010, with dimensions & heights found on A101 & A301.
- I. Existing building location has been dimensioned on Site Plan A010. Lot coverage has been calculated at 17.8% coverage, including the existing building proposed to be renovated (2,139 SF) & the existing house (623.5 SF, no work proposed).
- J. All site information can be found on Site Plan A010.
- K. No alteration to below-grade utilities is proposed. The nearest Fire Hydrant is located directly across Pacific Avenue, approximately 100 feet South of the site.
- L. Location & Names of adjacent streets located on Site Plan A010.
- M. No alteration to below-grade utilities or drainage is proposed. The renovated accessible bathroom will connect to existing water & sewer lines within the building.
- N. Exterior elevations of the proposed design are shown on A301.
- O. No alteration of existing landscaping is proposed.
- P. Exterior signage and lighting is shown on A301. Monument sign is shown on A010, size & design forthcoming.
- Q. No outdoor storage areas are proposed. Trash & Recycling will be handled within the building.

Please feel free to reach out as necessary with any questions or comments you may have.

End of Memo

(E) FIELD

(E) ADJACENT STRUCTURE TO REMAIN

PARKING PROVIDED = 8 TOTAL  
-STANDARD = 7  
-VAN ACCESSIBLE = 1



VAN

REPAIR & PATCH PARKING LOT AS REQUIRED

9' - 0" TYP

20' - 1.308' +/-

LANDSCAPE

DRIVEWAY

19' - 0" +/-

(E) WALK TO REMAIN

ACCESSIBLE PATH OF TRAVEL TO (E) STRIPED

LANDSCAPE PLANTING LEGEND



TREE: KATSURA TREE  
CERCIOPHYLLUM JAPONICA



SHRUB: DAVID VIBURNUM  
VIBURNUM DAVIDI



SHRUB: SPIREA JAPONICA  
'GOLDMOUND'



GROUNDCOVER: PROVENCE FRENCH  
LAVENDER LAVANDULA X INTERMEDIA 'PROVENCE'

PROPOSED STOP LINE

EXISTING STOP SIGN TO REMAIN

REPAIR (E) LIGHTPOST

(E) CURB CUT TO REMAIN

SIDEWALK

(N) STRIPING

(N) LED SCREEN SIGN

SITE PLAN 4



**GENERAL NOTES:**

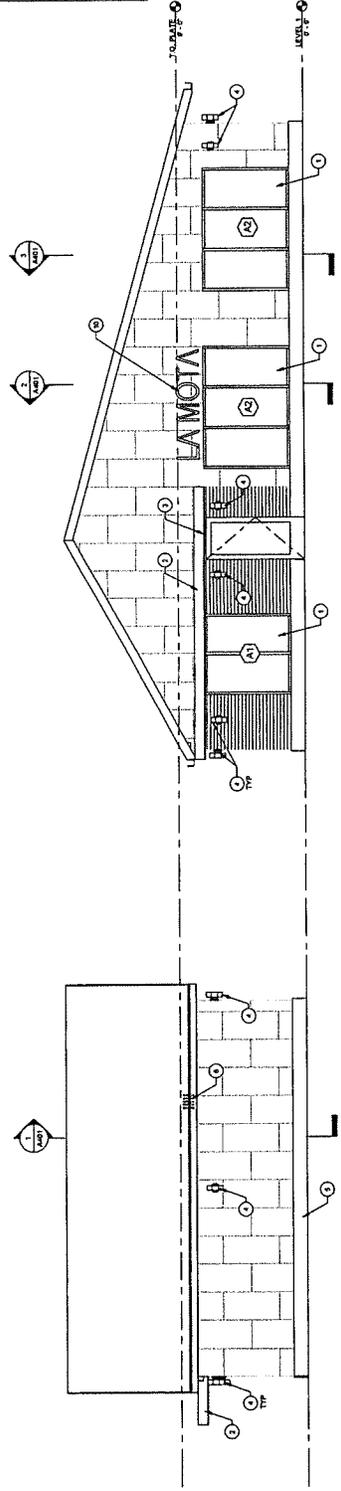
1. UNLESS SHOWN OR SPECIFICATED, SEE OWNER FOR ALL REQUIRED PERMITS AND APPROVED GRADING INFORMATION.

**EXTERIOR CLADDING LEGEND**

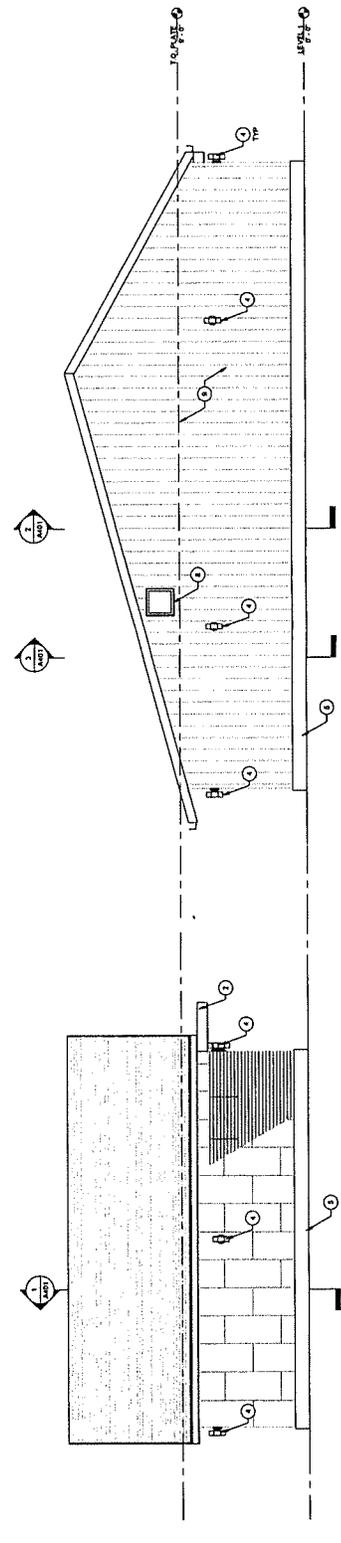
[Symbol]	HORIZONTAL RECLAIMED SIDING
[Symbol]	HORIZONTAL FIBER CEMENT SIDING
[Symbol]	EXTERIOR FIBER CEMENT PANELS
[Symbol]	ASPHALT COMPOSITE SHINGLE ROOFING

**KEYNOTES - EXTERIOR ELEVATIONS**

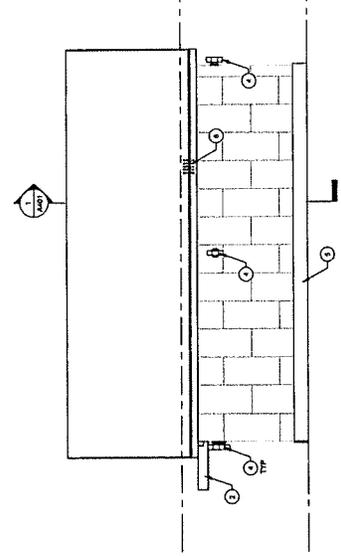
1. NEW STONE FRONT WINDOW PROTECTION
2. NEW STONE FRONT WINDOW PROTECTION
3. NEW STONE FRONT WINDOW PROTECTION
4. NEW STONE FRONT WINDOW PROTECTION
5. NEW STONE FRONT WINDOW PROTECTION
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17. NEW STONE FRONT WINDOW PROTECTION
18. NEW STONE FRONT WINDOW PROTECTION
19. NEW STONE FRONT WINDOW PROTECTION
20. NEW STONE FRONT WINDOW PROTECTION



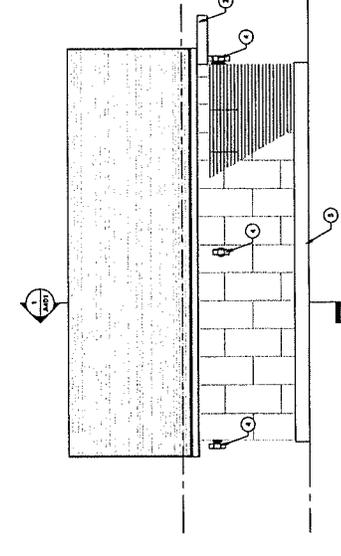
EXTERIOR ELEVATION - SOUTH  
1/4" = 1'-0"



EXTERIOR ELEVATION - NORTH  
1/4" = 1'-0"



EXTERIOR ELEVATION - EAST  
1/4" = 1'-0"



EXTERIOR ELEVATION - WEST  
1/4" = 1'-0"

## EXHIBIT 2

### PowerPoint Slides



# La Mota Cannabis Dispensary Conditional Use Permit

James Reitz, AICP  
Senior Planner

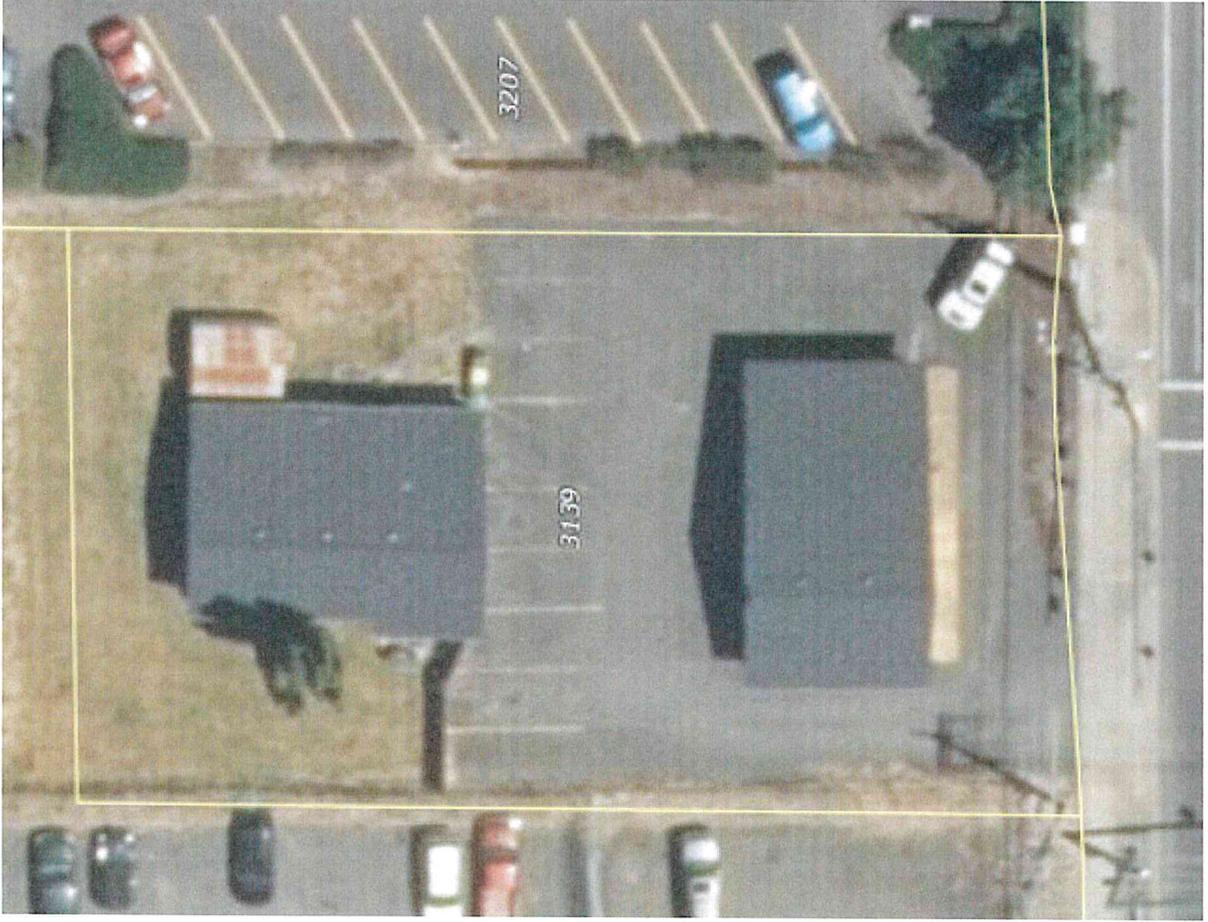


05/18/20

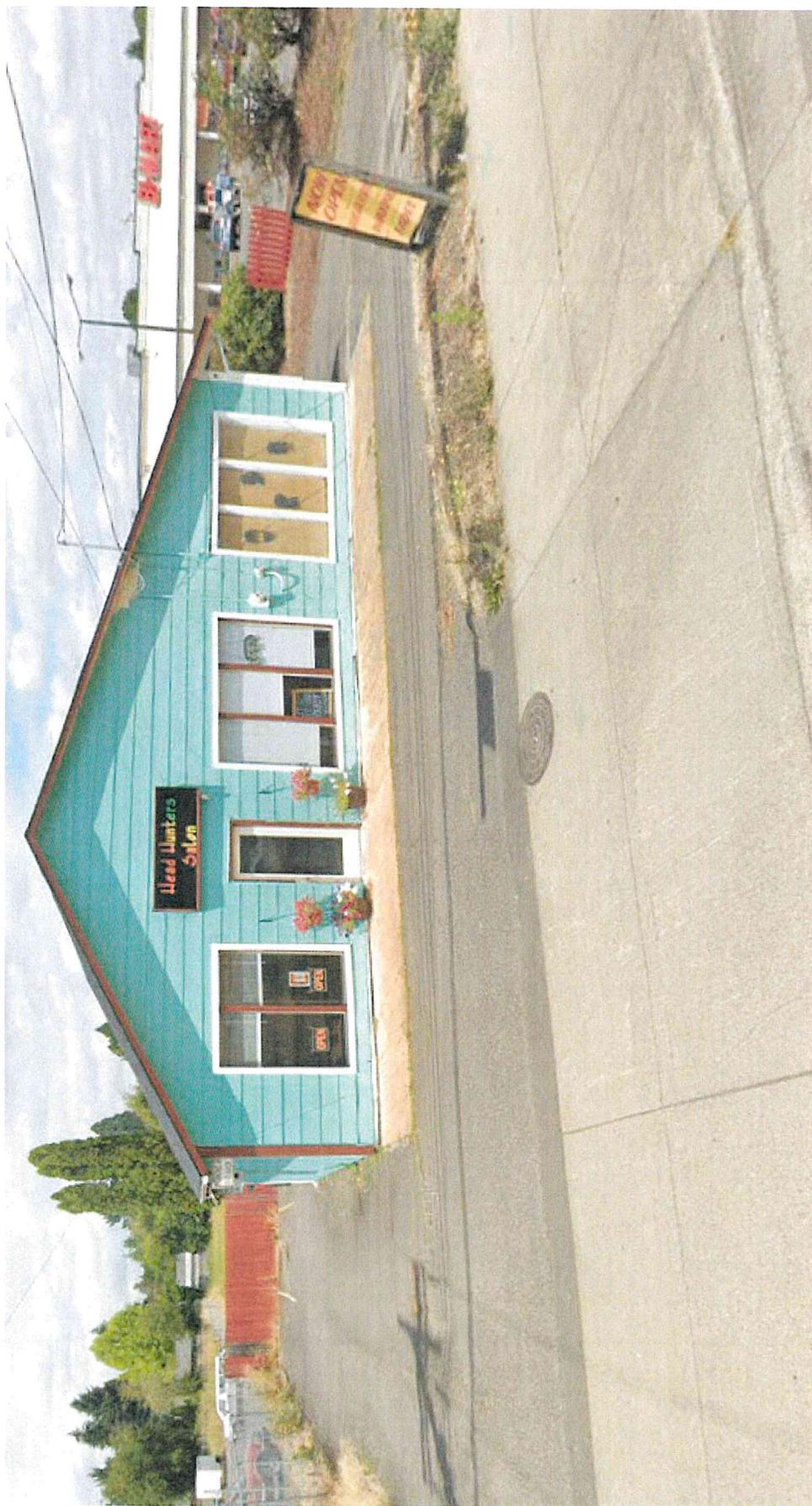
# Aerial View - Neighborhood



# Aerial View - Site



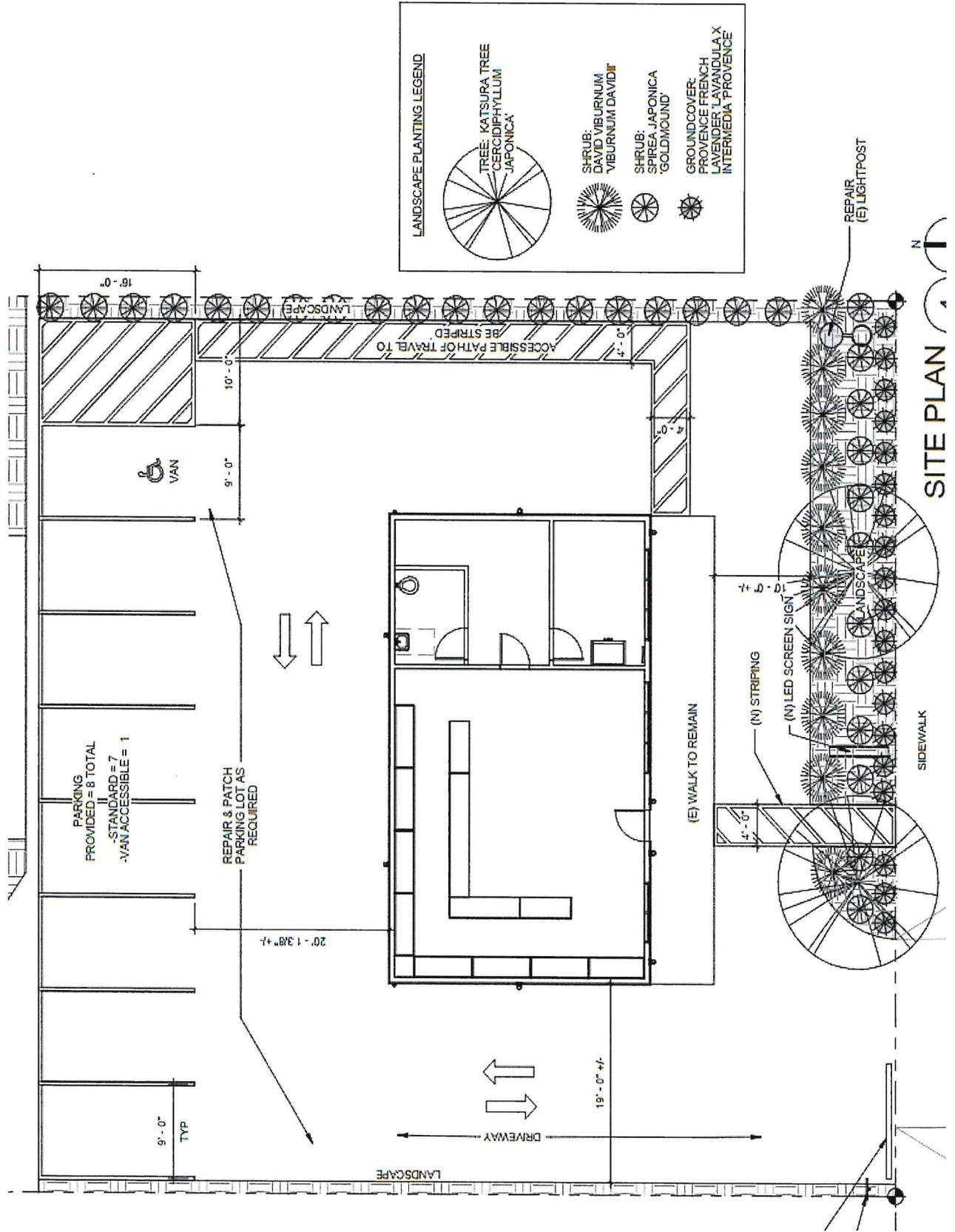
# Existing Building & Site



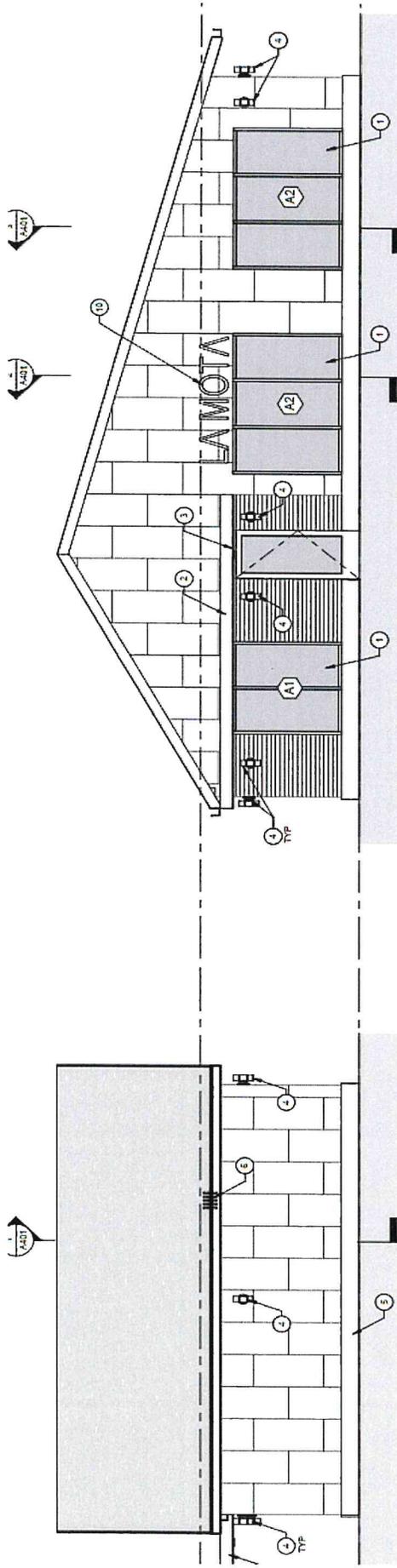
# Existing Buildings & Site



# Site & Landscape Plan

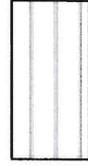
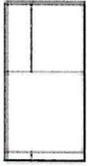


# Proposed Building Elevations



EXTERIOR ELEVATION - EAST  
1/4" = 1'-0" 3

## EXTERIOR CLADDING LEGEND

	HORIZONTAL RECLAIMED SIDING
	HORIZONTAL FIBER CEMENT SIDING
	EXTERIOR FIBER CEMENT PANELS
	ASPHALT COMPOSITE SHINGLE ROOFING

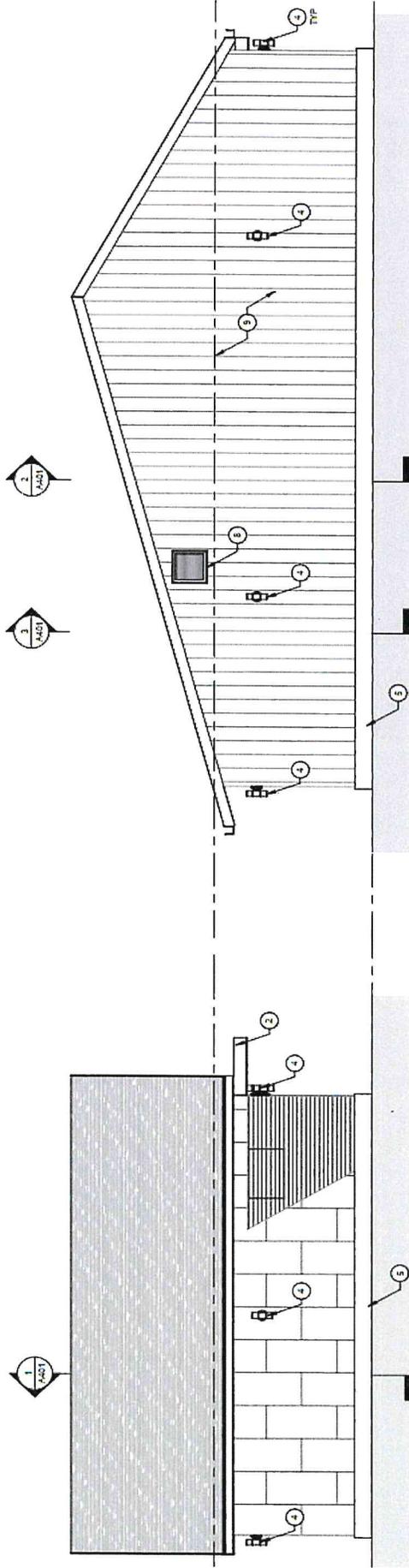
## Pacific Avenue Elevation

EXTERIOR ELEVATION - SOUTH  
1/4" = 1'-0" 1

### KEYNOTES - EXTERIOR ELEVATIONS

1	NEW STOREFRONT WINDOW W/ OBSCURE PROTECTION FILM
2	NEW CANOPY
3	CANOPY LED DOWNLIGHT
4	EXTERIOR LIGHT FIXTURE WALL MOUNT
5	TRIM WALL BOARD @ BASE
6	BATHROOM EXHAUST LOUVER 8"x16"
8	INTAKE LOUVER FOR MECHANICAL UNIT ABOVE CEILING 12"x16"
9	EXISTING SIDING TO REMAIN, PATCH & REPAIR
10	WALL MOUNTED LED CHANNEL LETTER SIGN

# Proposed Building Elevations



EXTERIOR ELEVATION - WEST  
1/4" = 1'-0" (4)

EXTERIOR ELEVATION - NORTH  
1/4" = 1'-0" (2)

## Rear Elevation

Existing Siding to be Retained



# Architectural Rendering



# Recommendation

Staff recommends approval of the conditional use permit for La Mota Cannabis with these conditions:

1. The applicant is bound to the project description and all representations made by the applicant during the application and decision-making proceeding.
2. The applicant shall comply with all applicable City building and development standards, including all dimensional standards and public works specifications, specifically:
  - Remove and replace the existing wheelchair ramp in the Pacific Avenue right-of-way to comply with current ADA requirements.

## OPTIONAL CONDITIONS -

3. Install a minimum 5-foot-wide landscape area abutting the west property line, in compliance with DC §17.8.405 *Applicability*, DC §17.8.410 *General Provisions*, DC §17.8.420 *Landscaping Requirements by Zone*, and DC §17.8.545 et. seq. *Landscaping and Screening of Parking and Loading Areas*.
4. Concurrent with Condition #3, stripe the car park for one-way traffic circulation.